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Susan Barker

I like to think in terms of themes and if there could be said to be a theme for this issue of the Canadian Law Library Review/ Revue canadienne des bibliothèques de droit, then that theme is change. We all know that change is constant, but sometimes, a great many changes come all at once. Coinciding with my appointment to the position

of Editor of the Review was the hiring of a brand new management team; together, we have been learning the ropes. One decision that we made early on was to take enough time to ensure that we were all conversant with the processes involved with publishing the Review. So, rather than rushing out an issue in August when we were not completely equipped to do, we decided to publish a double issue in November instead. I think that decision paid off and I am happy with the result; one thing that has not changed, however, is the variety and high quality of the submissions we have received for this and for future issues.

We have had some changes at the editorial level too: firstly, we would like to welcome Kim Clarke, who is joining former Editor Nancy McCormack as Book Review Editor. Nancy and Kim make a remarkably efficient team and we have more than 20 reviews in this issue to show for their hard work. In addition, at the CALL/ACBD conference in May, the Editorial Board decided to create the position of Planning and Solicitations Editor, and we welcome Susannah Tredwell to that role. Susannah will be watching out for trends, issues and new ideas in law libraries and

And change is in the air. One of the questions that Annette Demers asks in her President's Letter is, "What's your vision of the future?" Well, if all goes well, there is likely to be more change in the works, and a new vision for the Review.

librarianship, and will be actively soliciting members to write on topics of interest to us all. Given my penchant for themes, our team is working towards developing some thematic issues. Because this is your publication, if you have any ideas for themes or subjects that you are interested in learning about, please let us know. We would love to hear from you.

Dare I mention change again? Perhaps the words, growth, development or evolution might be best used to describe the history of the Canadian

What impressed me most ... is that it reinforced how quietly authoritative this organization is and has been over the years.

Association of Law Libraries. Because this is a double issue, we are including two installments of Janet Moss's extensive chronicle of CALL/ACBD's history, part II (Keeping in Touch and Services to Members) and part III (Professional Contributions and Advocacy). What impressed me most about this article is that it reinforced how quietly authoritative this organization is and has been over the years; advocating for law libraries and articulating issues of concern to the law librarians with both publishers and the government. Reading part II was especially helpful to me as it traced the history of the Canadian Law Library Review/ Revue canadienne des bibliothèques de droit and gave me some understanding as to how this publication has grown, developed and evolved since first being published. It is nice to note that along with change comes some continuity; Janet Macdonald and Wendy Hearder-Moan are both long serving members of the CLLR's Editorial Board. I did not know until I read that article that Janet MacDonald has been with the CLLR in various capacities since 1997. This kind of institutional memory provides a valuable foundation on which to build when change is in the air.

And change is in the air. One of the questions that Annette Demers asks in her President's Letter is, "What's your vision of the future?" Well, if all goes well, there is likely to be more change in the works, and a new vision for the Review. What's next? I can only suggest you stay tuned.

J'aime penser en fonction de thèmes et je me dis que si un thème devait être associé à ce numéro de la Canadian Law Library Review/Revue canadienne des bibliothèques de droit, ce serait celui du changement. Nous savons tous que le changement est constant, mais parfois, de nombreux changements se produisent en même temps. Ma nomination au poste de rédactrice en chef de la Revue a coïncidé avec l'embauche d'une toute nouvelle équipe de direction. Ensemble, nous connaissons maintenant les ficelles. Une des décisions que nous avons prises rapidement a été celle d'allouer suffisamment de temps pour nous assurer que nous connaissons tous le processus rattaché à la publication de la Revue. Ainsi, plutôt que de publier un numéro à la hâte au mois d'août, à un moment où nous n'étions pas complètement prêts à le faire, nous avons décidé de publier un numéro double en novembre. Je suis d'avis que cette décision a porté fruit et je suis ravie du résultat. Toutefois, ce qui n'a pas changé, c'est la diversité et la grande qualité des présentations que nous avons reçues en prévision de ce numéro et des numéros ultérieurs.

Nous avons également été témoins de changements sur le plan éditorial. Tout d'abord, nous souhaitons accueillir Kim Clarke, qui se joint à l'ancienne rédactrice Nancy McCormack à titre de directrice de la critique des livres. Nancy et Kim forment une équipe très efficace et plus de 20 critiques dans ce numéro font état de leur travail acharné. En outre, à la conférence de la CALL/l'ACBD tenue en mai, le comité de rédaction a décidé de créer le poste de rédacteur pour la planification et les sollicitations, qui sera occupé par Susannah Tredwell, que nous saluons. Susannah surveillera les tendances, les enjeux et les nouvelles idées associés aux bibliothèques de droit et à la bibliothéconomie, et demandera activement aux membres de rédiger un article sur des sujets qui nous intéressent tous. Étant donné mon penchant pour les thèmes, notre équipe prépare actuellement quelques numéros thématiques. Comme il s'agit de votre publication, informez-moi si vous avez des idées de thème ou de sujet sur lequel vous souhaitez en apprendre davantage. Nous serions ravis de connaître vos suggestions.

Oserais-je encore mentionner le changement? Peut-être que le mot « croissance », « expansion »

***Ce qui m'a le plus étonnée
... c'est qu'il renforce la
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ou « évolution » conviendrait davantage pour décrire l'histoire de l'Association canadienne des bibliothèques de droit. Comme il s'agit d'un numéro double, nous intégrons deux articles de la chronique exhaustive de

Et le changement est là. Dans sa lettre de la présidente, Annette Demers pose notamment la question suivante : « Comment envisagez-vous l'avenir? » Disons que si tout se déroule bien, d'autres changements sont susceptibles de survenir et d'instaurer une nouvelle vision pour la Revue. Quelle est la prochaine étape?

Janet Moss sur l'histoire de la CALL/l'ACBD, soit la partie II (Keeping in Touch and Services to Members) et la partie III (Professional Contributions and Advocacy). Ce qui m'a le plus étonnée dans cet article, c'est qu'il renforce la façon dont cet organisme fait discrètement autorité depuis des années, en favorisant les bibliothèques de droit et en présentant aux éditeurs et au gouvernement les questions qui préoccupent les bibliothécaires de droit. La lecture de la partie II m'a été particulièrement utile, car cette partie présente l'histoire de la Canadian Law Library Review/Revue canadienne des bibliothèques de droit et m'a fait comprendre comment cette publication a augmenté, s'est bonifiée et a évolué depuis le premier numéro. Il est bien de remarquer que le changements'accompagne d'une certaine continuité; en effet, Janet Macdonald et Wendy Hearder-Moan sont membres du comité de rédaction de la RCBBD depuis longtemps. Avant de lire cet article, je ne savais pas que Janet MacDonald a occupé divers postes depuis son arrivée à la RCBBD en 1997. Ce type de mémoire institutionnelle constitue une assise précieuse sur laquelle on peut tabler en période de changement.

Et le changement est là. Dans sa lettre de la présidente, Annette Demers pose notamment la question suivante : « Comment envisagez-vous l'avenir? » Disons que si tout se déroule bien, d'autres changements sont susceptibles de survenir et d'instaurer une nouvelle vision pour la Revue. Quelle est la prochaine étape? Je vous suggère seulement de rester à l'affût.



Cyndi Murphy

Last year, for Mother's Day, I was very excited when my husband and my children pooled their resources and arranged for the building and planting of a raised bed vegetable garden. I had always wanted to have the experience of working in a garden and eating the vegetables that I grew myself; I had been talking for years about planting a garden, but the plans did not come to fruition until then. The excitement continued as I saw the garden flourish and produce a bumper crop with just regular watering and a bit of weeding. I will never forget my amazement when I returned from the BIALL conference after a week away to see how much the garden had grown in my absence. We had so much lettuce, tomatoes, and cucumbers we were giving the food away to whomever would take it before it spoiled. As I get ready to plant this year's garden, I will do things a bit differently – less lettuce and fewer tomato plants; more carrots, peas, and beans; and, marigold planted near the broccoli to prevent the attack of the bugs, but it will still be exciting to see what this year's crop will be like!

As my presidency draws to a close, I feel as though my vegetable garden is a good metaphor for the last two years. It has been exciting to see the fruition of a number of initiatives.

- The creation of an active advocacy and communications committee, an idea suggested at the 2011 Members' Open Forum.
- The rejuvenation of the membership development committee whose members are focusing efforts on retaining current members and attracting new ones.
- The approval of the establishment of a student special interest group, intended not just for students in library programmes, but also for members who recognize the importance of building an association that attracts those entering the profession.
- The holding of a New Law Librarians Institute in 2011 and 2012, with the next one planned for Ottawa in 2014.
- A revamping of the conference sponsorship model to enable the named branding of social events, while ensuring a guaranteed whole conference contribution.
- A critical examination of association finances resulting in conference cost-savings measures, and changes in reserve fund allocations.

There have also been some initiatives that have faltered and been abandoned, but they were learning experiences and I do not regret trying them.

My vegetable garden was a collaborative effort. Others built it, planted it, and helped me maintain and harvest it. So too, I owe any successes of my presidency to my fellow executive board members, and to the chairs and members of the various association committees. I also had great support from National Officer Donna Dennison and National Office staff at Events Management Plus.

Effective July 1, National Office and conference planning services are being offered by Managing Matters in Toronto. The decision to enter into this contract was the culmination of a lengthy request for proposal process. Although not an easy decision to make, after twenty years of professional services from Events Management Plus, the members of the outgoing and incoming executive boards decided that, given our deficit budget, declining membership, shrinking sponsorships and shifting demographics, it was time for a change. With new ideas, new processes, and new perspectives fertilizing our association initiatives, I look forward to the future.

I am not sure what the crop of initiatives for the next two years will consist of, and I am sure that Annette's garden is going to look a little different than mine, but given the dedication, experience, and vibrancy of Annette Demers and her executive board, and not forgetting the active involvement of so many CALL/ACBD members, I have no doubt it will be a fantastic one.

Cyndi Murphy
Past President, CALL/ACBD

L'an dernier, à l'occasion de la fête des Mères, j'ai été absolument ravie lorsque mon mari et mes enfants ont mis en commun leurs ressources en vue de construire et de planter un lit de légumes surélevé. J'avais toujours voulu faire l'expérience de cultiver un potager et de manger les légumes que j'aurais moi-même fait pousser; j'en parlais depuis des années, mais les plans ne s'étaient jamais concrétisés. Mon enthousiasme grandissait au fur et à mesure que le jardin prospérait et produisait une magnifique récolte tout en ne nécessitant qu'un arrosage régulier et un peu de désherbage. Je n'oublierai jamais ma stupéfaction quand, à mon retour du congrès de la BIALL, après une semaine d'absence, j'ai constaté à quel point le jardin avait poussé. Nous avons tellement de laitue, de tomates et de concombres que nous les donnions à quiconque en voulait avant qu'ils ne s'abîment. En préparant le potager de cette année, j'envisage faire les choses différemment—moins de laitue et de plants de tomates; plus de carottes, de petits pois et de haricots et des soucis plantés à côté du brocoli pour éloigner les parasites. Il n'en demeurera pas moins excitant de voir ce que sera la récolte de cette année!

Alors que ma présidence touche à sa fin, j'ai l'impression que mon jardin de légumes est une métaphore

appropriée pour décrire les deux dernières années. Il a été fruit.

- La création d'un comité de défense des intérêts et des communications, proposée lors du Forum des membres de 2011.
- Le rajeunissement du comité de recrutement des membres, qui concentre ses efforts sur le maintien des membres actuels et le recrutement de nouveaux membres.
- L'approbation de l'établissement d'un groupe d'intérêt étudiant, non seulement destiné aux étudiants aux programmes de bibliothèque mais aussi aux membres qui reconnaissent l'importance de bâtir une association qui attire ceux et celles qui embrassent la profession.
- La tenue d'un Institut pour les nouveaux bibliothécaires de droit en 2011 et 2012, et du prochain qui devrait avoir lieu à Ottawa en 2014.
- Une modification de la formule de parrainage permettant d'associer une marque de commerce aux activités sociales, tout en assurant une contribution garantie pour la durée du congrès.
- Un examen critique des finances de l'association qui s'est traduit par des mesures de réduction des coûts liés aux congrès et par des changements dans l'attribution des fonds de réserve.

Certaines initiatives ont échoué et ont dû être abandonnées, mais elles ont constitué des expériences d'apprentissage et je ne regrette pas de les avoir abordées.

Mon potager a été le résultat d'un effort commun. D'autres l'ont construit et planté et m'ont aidée à l'entretenir et à en faire la récolte. De la même façon, je dois les succès de ma présidence à mes consœurs et confrères du comité exécutif et aux présidents et aux membres des divers comités de l'association. J'ai également bénéficié d'un énorme

soutien de la part de Donna Dennison, administratrice nationale, et du personnel du bureau national d'Events Management Plus.

À compter du 1er juillet, les services du bureau national et de planification des congrès seront fournis par Managing Matters à Toronto. La décision de conclure ce contrat a été l'aboutissement d'une demande prolongée pour un processus d'appel d'offres. Bien qu'il s'agisse d'une décision difficile à prendre, après vingt ans de services professionnels offerts par Events Management Plus, les membres sortants et les nouveaux membres des comités exécutifs ont décidé, compte tenu de notre budget déficitaire, du nombre décroissant de nos membres, de la baisse de parrainage et de l'évolution des caractéristiques socioéconomiques, qu'un changement s'imposait. Avec ses initiatives fertiles en idées et perspectives nouvelles et en nouveaux processus, j'envisage avec confiance l'avenir de notre association.

Je ne suis pas certaine de quoi consistera la moisson d'initiatives pour les deux prochaines années, et il est certain que le jardin d'Annette sera un peu différent du mien, mais compte tenu du dévouement, de l'expérience et du dynamisme d'Annette Demers et de son comité exécutif, et sans oublier la participation active d'un aussi grand nombre de membres de l'ACBD/CALL, je n'ai aucun doute qu'il sera sensationnel.

Cyndi Murphy
Ancienne présidente, ACBD/CALL

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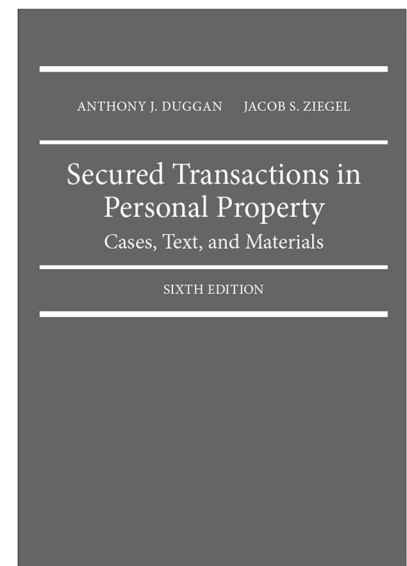
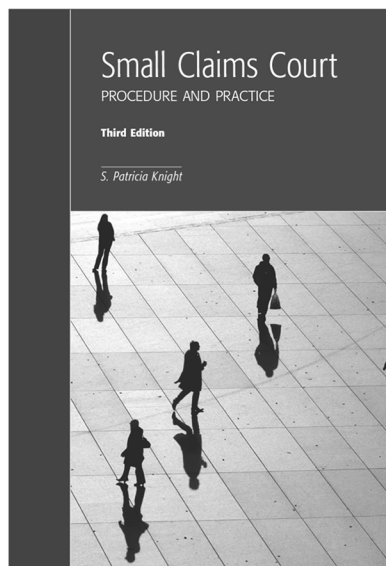
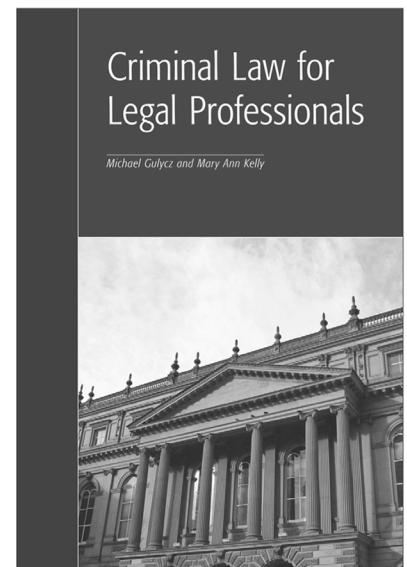
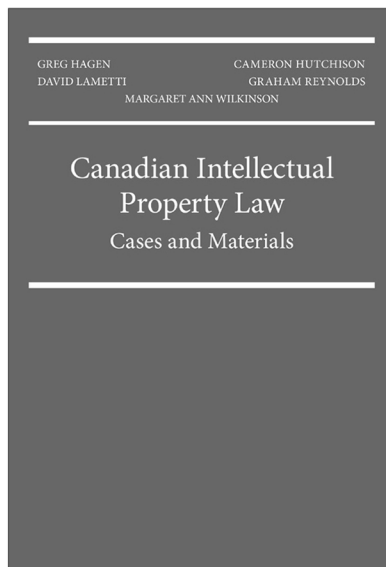
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Persevere: What Law Librarians Need to do in Educating Students*

By Sandra Geddes**

Abstract

Law librarians are faced with the challenge of transforming students who depend on a Google approach to information-seeking into effective legal researchers. But before a librarian can do this, students must be persuaded of the benefits of learning strategies that will make them successful researchers. Often, however, important strategies with the potential to effect success are outside a librarian's sole control. Accordingly, librarians need the support of their organizations in demonstrating the importance of legal research so students will take it seriously, and librarians need to persevere in their work educating students with the available resources.

Les bibliothécaires de droit sont confrontés au défi de transformer des étudiants qui dépendent de l'approche « Google » quant à la recherche d'informations en chercheurs juridiques efficaces. Mais avant qu'un bibliothécaire puisse entreprendre cette transformation, les étudiants doivent être convaincus des avantages offerts par les stratégies qui leur sont présentés et qui feront d'eux de bons chercheurs. Souvent, cependant, la mise en place d'importantes stratégies ayant un potentiel de succès quant à la recherche d'information ne dépendent pas seulement du bibliothécaire. Par conséquent, les bibliothécaires ont besoin du soutien de leurs organisations vis-à-vis l'importance à accorder à la recherche juridique afin que les étudiants prennent cela au sérieux, et les bibliothécaires doivent persévérer dans leur travail d'éduquer les étudiants avec les ressources mises à leur disposition.

Introduction

Since time immemorial there have been complaints by the legal profession about the legal research skills of law students and controversy over whose responsibility it is to teach the students properly, law schools or firms.¹ I do not propose to enter into this debate because each may have different goals and objectives in teaching research, and, more

importantly, because both face a similar obstacle: motivating students to take full advantage of the opportunities offered.

Legal research is an essential lawyering skill,² which consists of three basic components: (i) understanding the nature of legal rules and institutions, (ii) understanding how to use the fundamental tools of legal research, and (iii) understanding how to design and implement a coherent research plan.³ American law schools must include legal research in their curricula to be accredited by the ABA, and Canadian common law schools now need to ensure that their students are competent to “conduct the necessary research arising from...issues,...analyze the results of [the] research,...[and] select sources and methods and conduct legal research relevant to Canadian law...” to be accredited by the Federation of Law Societies of Canada.⁴

The most effective methods to teach legal research skills to students, whether at law school or in practice, remains an important topic and the subject of many articles and books. There is general agreement respecting what those skills are; the question is how best to imbue students with them. Over the past twenty years in particular, legal research and the teaching of it have become more complicated, in no small part due to the proliferation of information and the digitization of resources.⁵ The most recent paradigm shift with which law librarians must contend in research education is the approach to learning attributed to the current generation of students, the “digital natives” or “Millennials”.⁶ Studies have shown that it is in the nature of Millennials to be confident in their research skills because of their familiarity with all things electronic, yet be unable or unwilling to translate their “Google” approach to information-seeking into effective legal research strategies. They appear to be unaware of the mismatch between their information-seeking behaviours and the structured organization of information they seek.⁷

This is a matter of concern because the ability to research well is the key to success in the practice of law, especially in the early years.⁸ Students and junior lawyers do most of the research and accordingly, those with good

* © Sandra Geddes 2013.

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1 Paul D Callister, “Seeing the ‘Whole Elephant’: A New Model for Law School Libraries” in *The Changing Role of Academic Law Librarianship: Leading Librarians on Teaching Legal Research Skills, Responding to Emerging Technologies and Adapting to Changing Trends* (Boston, Mass: Aspatore, 2008) 7 at 10; Patrick Meyer, “Law Firm Legal Research Requirements for New Attorneys” (2009) 10:13 *Law Libr J* 297 at 298; Connie Crosby, “Students Still Unprepared for Legal Research”, *The Lawyers Weekly* 26:12 (21 July 2006) (QL).

2 Meyer, *supra* note 1 at 298, citing American Bar Association, *Legal Education and Professional Development: an Educational Continuum: Report of the Task force on Law Schools and the Profession: Narrowing the Gap* (Chicago: American Bar Association, Section of Legal Education and Admissions to the Bar, 1992).

3 Aliza B Kaplan & Kathleen Darvil, “Think [and Practice] Like a Lawyer: Legal Research for the New Millennials” (2011) 8 *Legal Comm and Rhetoric: JALWD* 153 at 169.

4 American Bar Association, Section of Legal Education and Admission to the Bar, 2012-2013 *Standards and Rules of Procedure for Approval of Law Schools* (Chicago: ABA Publishing, 2012) at Standard 302(a)(2), online: American Bar Association <http://www.americanbar.org/groups/legal_education/resources/standards.html>; Federation of Law Societies of Canada, *Task Force on the Canadian Common Law Degree: Final Report* (October 2009) at 8, online: Federation of Law Societies of Canada <http://www.flsc.ca/_documents/Common-Law-Degree-Report-C.pdf>.

5 Crosby, *supra* note 1.

6 Michelle M Wu, “Evolving Expectations for Law School Librarians” in *Changing Role*, *supra* note 1, 35 at 37.

7 Joan Shear, “The Librarian as Educator: Teaching Essential Research Skills” in *Changing Role*, *supra* note 1, 89 at 92, 96-99.

8 Meyer, *supra* note 1 at 301; Tony Simmonds, “Building Proficiency: Approaches to Teaching Legal Research at the College of Law” (2010) 10:2 *Legal Info Mgmt* 90 at 94.

information gathering skills are very valuable to employers.⁹ In addition, employers want competent researchers for risk management reasons.¹⁰ At least initially, students do not seem to realize that legal research skills are important or that their skills are not yet sufficiently developed, and it appears to be difficult to change these perceptions. The most common complaints are that students and junior lawyers are unfamiliar with finding tools, secondary resources, free online resources, or how to do statutory research, and that they do not develop well-thought-out research plans or strategies. The common research strategy is to embark immediately on Internet searches or full-text searching of databases without prior analysis of the problem or its context.¹¹

Librarians try to cultivate in their students an awareness of the need to learn a process for their legal research, one that involves identifying legal issues, developing a plan, and using the available tools, such as secondary sources, to implement that plan. Not only will better planning result in better outcomes, but it is more cost-effective: poorly planned “fishing expeditions” can be expensive when using commercial databases.¹² The challenge is to develop a different attitude towards legal research in students so they can appreciate the value of taking the time and expending the effort to plan their research and to use the available resources to produce effective and efficient results.¹³ The role of the law librarian has expanded: not only is the librarian relied on for knowledge of where to find the best information, but also as an expert in developing information literacy in students, including ensuring they use authoritative online resources.¹⁴

Understanding the Millennial Approach to Legal Research

What can librarians do to convince law students to reconsider their approach to legal research? Laurel Murdoch explains that because of their past experiences, students regard what they are seeking as being in a pool of information in which one fishes, baiting the hook with the right keywords.¹⁵ They are not accustomed to fishing for information in a structured environment where one must fish in the right place with the right hook to get the desired results. They are not familiar with an indexed approach to information organization, and rather than plan where and

how to fish, they cast their lines and expect immediate results.¹⁶ This approach has worked for them throughout their undergraduate studies, so they have no reason to believe it will not continue to work, and, in fact, (incorrectly) perceive their research skills to be good.¹⁷ Worse, this overconfidence may prevent students from being receptive to legal research education.¹⁸ Ian Gallacher characterizes the problem as an information literacy deficit that he fears will adversely affect students throughout their careers.¹⁹ Before a librarian can develop an effective program, the students must be persuaded of the benefits of learning.²⁰

It has been said that “legal research underpins almost everything that is done in law,”²¹ but often it is not until students have had to research actual questions in summer jobs or during articling that they become aware of how they will benefit from the ability to plan and perform research well.²² At the same time, law librarians need to acknowledge the circumstances in which the students find themselves, especially those in their first year of law school. The importance of legal research has not been a focus of their orientation and the students are adapting to a new and different course of study. The students do not always have research papers to prepare for their first year substantive courses. The legal research courses offered to first year students are often assessed on a pass/fail basis, so there is no real reason, in their minds, to spend precious time on a legal research course when they feel they have adequate research skills already.²³ Exacerbating this situation is that when students do research, their primary concerns are ease (for them) and speed, not the quality or authority of the information.²⁴ When students research, they are trying to “[satisfy] a pressing research need” not “[learn] how the system works.”²⁵ Students rarely develop a research plan before accessing the Internet or a database because they do not see the need for a multi-stage approach, even though their approach is not the most effective.²⁶ They neither evaluate their sources critically nor try to establish their reliability using objective means; instead students use their own “subjective sense of validity” of sources.²⁷

Unfortunately, the more cumbersome approach is necessary for effective research and students need to be convinced of this. Librarians have to translate the process of planning a search in a structured environment (whether print or electronic) into a desired learning objective for those who are unconvinced of its necessity.²⁸ It is no longer a print

9 Gene Koo, “New Skills New Learning: Legal Education and the Promise of Technology” (26 March 2007) Berkman Center Research Publication no. 2007-4 at 3, online: SSRN <<http://ssrn.com/abstract=976646>>; Shear, *supra* note 7 at 91.

10 Gail Boelens, “Lifelong Learning in a Large Australian Law Firm” (2010) 10:2 Legal Info Mgmt 111 at 114.

11 *Ibid* at 112; Derek Hill, “Beyond the Online: There’s More to Legal Research Than Sitting at a Computer” (2007) 31:3 Canadian Lawyer Magazine, online: <<http://www.canadianlawyer.com/Beyond-the-Online.html>>; Kaplan & Darvil, *supra* note 3 at 156, 165.

12 Sarah Gotschall, “Teaching Cost-Effective Research Skills: Have We Overemphasized its Importance?” (2010) 29:2 Legal Ref Serv Q 149 at 150.

13 Shear, *supra* note 7 at 92.

14 *Ibid* at 90; Callister, *supra* note 1 at 28.

15 Laurel Murdoch, “Bloodhounds and Buttertarts: A Legal Librarian’s Efforts to Teach Legal Research Skills to the Google Generation” (2005) 30 Can L Libr Rev 202 at 204.

16 Wu, *supra* note 6 at 37.

17 Ian Gallacher, “Who are those guys? The Results of a Survey Studying the Information Literacy of Incoming Law Students” (2007-2008) 44 Cal WL Rev 151 at 155.

18 *Ibid* at 191.

19 *Ibid* at 192.

20 Wu, *supra* note 6 at 37.

21 Barbara Bintliff, “Context and Legal Research” (2007) 99:2 Law Libr J 249 at 257.

22 Marianne Barber, “Guest Editorial: Legal Research Skills – Life-Long Learning?” (2010) 10:2 Legal Info Mgmt 79 at 79; Wu, *supra* note 6 at 45.

23 Murdoch, *supra* note 15 at 203; John Eaton, “Teaching Legal Research in Canadian Law Schools: Are We Meeting the Needs of the Profession?” (2010) 10:2 Legal Info Mgmt 98 at 99.

24 Natasha Choolhun, “Google: To Use or Not To Use, What is the Question?” (2009) 9:3 Legal Info Mgmt 168 at 169; Eaton, *supra* note 23 at 99-100.

25 Stephann Makri, Ann Blandford, & Anna L Cox, “Studying Law Students’ Information Seeking Behaviour to Inform and Design of Digital Law Libraries” (2006), online: UCL Interaction Centre <<http://discovery.ucl.ac.uk/5094/1/5094.pdf>>.

26 Kaplan & Darvil, *supra* note 3 at 165.

27 Wu, *supra* note 6 at 37.

28 Bintliff, *supra* note 21 at 249.

versus online issue, but an issue of ensuring students are taught how to develop good, effective search strategies and to evaluate resources so that their results are “the best” and not just “good enough;”²⁹ we simply cannot accede to the now-common student tendency to head to Google as the first step in legal research, and limit their education to using Google as effectively as possible.³⁰ Being able to distinguish the “useful and reliable from the unreliable is a vital skill in legal research,” and especially when using the Internet.³¹ Today’s electronic databases have many useful features, including the ability to organize information easily on one’s computer for storage and future reference and to copy, paste, manipulate, sort and take advantage of the convenience of hyperlinks.³² But, for these features to be truly useful, the information retrieved must also be useful.

In a study done of Oxford University’s legal research skills program, 80% of the students used databases for “nearly everything” and were reluctant to use print sources.³³ The students preferred the features of electronic documents to the extent that they would chose electronic over print even when the print source was otherwise easier to use.³⁴ A study done at Oklahoma City University School of Law found that students preferred searching Terms and Connectors online to using print digests or Westlaw’s KeySearch (a search template for Westlaw’s Digest series) for both rule and similar fact searching, regardless of the fact that they got more right answers using the print digests.³⁵ The students tended to think of their research as being fact-based rather than rule-based and did not consider the structure and context provided by the digests to be helpful, causing concern that the students would fail to understand the role of rules and principles when trying to develop legal arguments.³⁶

Strategies

The overall objective is to maximize students’ motivation to change the way they think about legal research. The literature focuses on how the timing and frequency of learning opportunities, the approaches taken during teaching, and the degree of institutional support for legal research education affect student motivation. These issues all have an impact on the quality of student learning; however, timing, frequency, and profile, which have been shown to be successful in developing effective legal research education programs and which combat students’ general disinclination to plan and strategize their research, are outside librarians’ sole control. The librarian may have to balance trying to change the Millennial approach to legal research with the political and economic environment in

which the library exists. Within those constraints, the law librarian must try to develop a course of instruction that will most effectively motivate students to learn good research habits, starting with thinking and planning.³⁷

Modern legal research is complex, so students need to learn to think about the issues presented in their research questions, strategies for answering the questions, and relevant sources.³⁸ Thinking involves being aware of the context of the question and using it and the tools that structure the organization of legal knowledge to find the desired information. To this end, in the introductory legal research program at Queen’s University, Nancy McCormack had her students write an essay comparing research tools to get them to think about the resources, how they work, and what they can and cannot do. The result was that students at least knew how to start a research project.³⁹ At a large Australian firm, the first session of the legal research skills program focuses on information literacy and is held in a seminar room without computers so the students can concentrate on the process of planning searches, using secondary sources, and browsing to find information.⁴⁰

When an influential leader in a firm or law school endorses the legal research program, it raises the profile of research as a valuable and important skill, and students will see the program as more deserving of their time and effort.⁴¹ Writers have observed that the success of their programs is correlated with the high profile that legal research education is given in their organization. Having a partner “champion” the research skills program in one Australian firm and having the entire partnership involved in the progress of the students have been key elements of the program’s success.⁴² In the academic setting, Peter Clinch believes that one way to promote legal research skills as important lawyering skills is to have faculty more visible in doing their research.⁴³ When faculty were less reluctant to teach research courses, this also promoted the importance of legal research skills: reluctance gives rise to the perception that legal research is not important.⁴⁴

The timing of legal research education in law schools is the subject of much debate. Law schools tend to hold their compulsory legal research course in the first year of law school, when the students are still adapting to law school life and usually before the students become aware of either the importance of legal research to their careers or the extent to which they need to redevelop their research skills. Paul Callister, citing Bob Berring, is very blunt: “teaching legal research during the first year of law school is poor timing” because for maximum effect, the instruction must occur when the students are motivated to learn⁴⁵. What is taught is

29 Maria Mawson, “What Do You Mean, Look it up in the Library? Isn’t it on the Internet?” (2010) 10:2 *Legal Info Mgmt* 94 at 97; Angela Carritt, “Teaching Research Skills Outside the Curriculum: Lessons

30 Learnt at Oxford University” (2007) 7 *Legal Info Mgmt* 239 at 243; Wu, *supra* note 6 at 37.

31 Barber, *supra* note 22 at 79.

31 Sandra Meredith, “First Year Law Students, Legal Research Skills & Electronic Resources” (2007) 41:2 *The Law Teacher* 191 at 201.

32 *Ibid* at 197.

33 Carritt, *supra* note 29 at 243.

34 *Ibid*.

35 Lee F Peoples, “The Death of the Digest and the Pitfalls of Electronic Research: What is the Modern Legal Researcher to Do?” (2005) 97:4 *Law Libr J* 661 at 672-673.

36 *Ibid* at 675.

37 Kris Gilliland, “A Motivational Perspective on First Year Legal Research Instruction” (2009) 28 *Legal Ref Serv Q* 63 at 69.

38 Callister, *supra* note 1 at 17, 28.

39 Nancy McCormack, “Making Something Out of Nothing: Using the Essay to Teach Legal Research” (2005) 30:2 *Can L Libr Rev* 76 at 77-78.

40 Boelens, *supra* note 10 at 112.

41 Alison Pope, “Integrating Legal Research Skills into the Curriculum and into Life” (2009) 9:4 *Legal Info Mgmt* 246 at 246, 248 [Pope, “Integrating”].

42 Boelens, *supra* note 10 at 112.

43 Peter Clinch, *Teaching Legal Research*, 2d ed (Coventry: UK Centre for Legal Education, 2006) at 42.

44 Meyer, *supra* note 1 at 301.

45 Callister, *supra* note 1 at 24; Gallacher, *supra* note 17 at 191.

soon forgotten, especially if the substantive courses at the time have no research requirements permitting students to use what they have learned.⁴⁶ If there is no immediate need for the information, motivation to expend effort learning will be low.

To address this problem, Clinch suggests delivering legal research education in phases throughout the first year to ensure a match between the research skills being taught to the students and what they need for their other coursework.⁴⁷ The University of Oxford has such a program: research skills are taught over the course of first year in three units.⁴⁸ In the first term, the students are introduced to legal materials and taught how to locate information by citation, so they are able to locate the materials on their reading lists. In second term, they are introduced to print resources, what they do and how to use them, and in the third term, the students work in small teams over the course of a day to solve a research problem. The students enjoy the third unit the most because it is like solving a “real” legal problem.⁴⁹ Aliza Kaplan and Kathleen Darvil recommend teaching legal research throughout the entire law school curriculum, with the complexity of research methods increasing with the complexity of the substantive coursework.⁵⁰ Other organizations have developed supplemental research courses that run at the end of first year but before students start summer jobs⁵¹ or at the end of law school but before articles begin.⁵² Another possibility is to hold a summer course on legal research before law school begins, which at least may reduce the problem of competing claims on a student’s time.⁵³ For student engagement, not only is the timing of the instruction in relation to course material important, but so is the degree of the relationship between the substantive courses and the legal research course. There are two main models for structuring legal research education in the law school curriculum: embedding it in substantive courses or having it run independently as a standalone course. Embedding the legal research program into the substantive courses at law school has the advantage of making it relevant to the students and thus motivating them to take it seriously, but the logistical effort and levels of cooperation required to accommodate a research component within a substantive course are significant.⁵⁴

Falling between the two main models is coordinating the research requirements of substantive courses with the legal research course so that the students learn the research skills necessary for their course assignments in time to use them. The University of Western Australia developed a legal research program that was integrated with compulsory courses and delivered by means of a combination of dedicated library classes, lectures during substantive class time with the instructor present, tutorials in the library’s lab, and self-study exercises to prepare for substantive assignments, all depending on the particular substantive

course.⁵⁵ Staffordshire University has also integrated its program with substantive courses.⁵⁶ Oxford University chose to implement a standalone program for credit because the university wanted to track attendance and to be able to monitor the students’ development of the requisite research skills.⁵⁷

The question of whether attendance at legal research courses ought to be compulsory and how (or if) students’ performance ought to be assessed is also a thorny one. If the work is to be assessed formally, a choice needs to be made between pass/fail or some other form of assessment. The choices made may relate to how much difficulty the organization encounters in convincing its students of the importance and utility of the courses and how much effort the organization really expects the students to make. If students only attend because they must, they are not likely to learn as much as if they were highly motivated to attend, and if the course is graded on a pass/fail basis, the students are not likely to expend more effort than is necessary to pass due to their other priorities and because the message from the organization is that the grade in this course is not important (and therefore neither is the course). At least in theory, if the importance of legal research were made clear to students by influential people, the organization’s behaviour was consistent with that message, the program had relevance to what students were doing in substantive coursework and would be doing in their careers, and was presented at a time when they were receptive and in a manner that addressed their learning needs, students might not need to be compelled to attend. However, most of these important considerations are outside the control of the librarian, who must nonetheless continue to try to motivate students to change their research habits in a fundamental way.

Conclusion

Legal research is an important aspect of both the learning and practice of law, and it has become increasingly complex as the availability of online resources has grown. At the same time, many students who have grown up with the Internet have developed habits and attitudes towards research that do not mesh well with skills needed to be an effective legal researcher. Librarians have the task of reconciling all this and developing legal research programs that will both convince students to change their research habits and increase students’ information literacy.

Librarians cannot do this alone. They need the support of their organizations in order to demonstrate the importance of legal research so students will take it seriously and to facilitate delivery of instruction to the students at the times and in the manner optimal to motivation and retention. Even if librarians employ the most advanced pedagogical

46 Eaton, *supra* note 23 at 98.

47 Clinch, *supra* note 43 at 29, 36.

48 Carritt, *supra* note 29 at 240; Meredith, *supra* note 31 at 192.

49 Carritt, *supra* note 29 at 241-242.

50 Kaplan & Darvil, *supra* note 3 at 181.

51 Michael Chiorazzi & Cynthia Condit, “Legal Research Bootcamp: One Approach to Meeting the Research Needs of Law Students” (2011) 30 Legal Ref Serv Q 299 at 299.

52 Edmonton Law Libraries Association, “Headstart” (2012), online: <www.edmontonlawlibraries.ca>.

53 Gallacher, *supra* note 17 at 196.

54 Clinch, *supra* note 43 at 39-40.

55 Robyn Carroll & Helen Wallace, “An Integrated Approach to Information Literacy in Legal Education” (2002) 13:2 Legal Educ Rev 133 at 147.

56 Pope, “Integrating,” *supra* note 41 at 248.

57 Carritt, *supra* note 29 at 239.

techniques, it will be to little avail if the students do not appreciate the importance of education in legal research.

The Faculty of Law at the University of Toronto re-introduced a first year legal research and writing course in the 2010-2011 academic year at the suggestion of upper year students who, no doubt, had encountered research reality at summer jobs. Anecdotally, it does not appear to have worked well. It was not for credit and the work was not assessed, which meant students did not take it seriously, and when credit coursework conflicted with legal research, credit coursework prevailed. The course, held on a day when students had no other classes, was led by graduate students (not librarians or professors), and, according to students, did not involve the application of skills. The last word on it belongs to the students: "...a course that students

don't take seriously, don't attend or find useless is generally not very effective."⁵⁸

To end on a positive note, however, let's remember the reason for all this work is to find more effective ways to teach legal research:

Research skills are vital to the success of any young lawyer, but there is a risk that this truth will not dawn on many students until after ripped jeans are swapped for smart suit[s]. ... It may feel like an uphill struggle sometimes, but they will thank us for our persistence in the long run.⁵⁹

58 Bhuvana Sankaranarayanan, "LRW Floundering: Most 1Ls are Unhappy with the Program", *Ultra Vires* (15 February 2012) 11. The Faculty of Law at the University of Toronto also has an elective advanced legal research course, which, according to course evaluations from academic years 2009-2010 and 2010-2011, is generally well-received.

59 Simmonds, *supra* note 8 at 94.

Call for Submissions

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The Canadian Association of Law Libraries/ Association Canadienne des Bibliothèques de Droit: A Continuing History, 1988-2012

By Janet M. Moss*

PART II: KEEPING IN TOUCH, AND SERVICES TO MEMBERS¹

This is the second of four articles describing the history of the Canadian Association of Law Libraries. Continuing from Part I (v. 38, no. 2) this part focuses on the various communications methods (online and in print) as well as the services that CALL offers to its members.

Il s'agit du deuxième de quatre articles qui décrivent l'histoire de l'Association canadienne des bibliothèques de droit. En continuité avec la partie I (v. 38, no. 2), cette partie se concentre sur les différentes méthodes de communication utilisées (en ligne et en version imprimée) ainsi que sur les services qui sont offerts aux membres.

2. KEEPING IN TOUCH

2.01 DIRECTORY/ANNUAIRE

CALL/ACBD's annual membership directory began in the early 1980s and was a much-consulted publication. As well as an alphabetical list of members, it included lists of members arranged geographically and by type of library. The *Directory/Annuaire* was augmented throughout the year by updates in the Association newsletter, which included lists of new members and address updates for existing members.

In 1988, maintenance of the membership files and the production of the annual directory was the work of a volunteer Membership Secretary. This was a time-consuming position that involved handling membership renewals and new requests for membership, developing and using computer files to manipulate the membership data for the annual directory, establishing format and content for the directory, and requesting tenders and overseeing its production. Judith Bird, when stepping down from this position in 1989, referred to the 100-page manual she had prepared for her successor, which gave detailed instructions on manipulating the data and performing routine operations.

Because of the very labour-intensive nature of this position, responsibility for maintaining membership files and production of the *Directory/Annuaire* were among the first group of responsibilities that the National Office was requested to take over, once established in December 1992. From 1989 through 1997, the directory was published by Carswell at no cost to the Association. When the agreement

with Carswell ended, the National Office took over publication of the directory as well. The *Directory/Annuaire* was published in a looseleaf format for the next six years. With the ability to now issue updates in looseleaf format, the inclusion of directory updates in *Canadian Law Libraries/Bibliothèques de droit canadiennes* was discontinued. In 2004, the directory returned to its traditional format, which is how it remained until publication ceased after the 2010 issue. Happily, production costs were once again supported by Carswell during this later period.

As early as the 1999 Open Forum, there were requests to have directory information mounted on the website, so that it could be updated electronically throughout the year. Due to privacy concerns, this could not be accomplished until a members-only, password-protected portion of the website was created. This required a significant investment in new programming but, at the 2001 AGM, it was announced that the directory was available on the website and could be accessed by members by using their login and password.² Since 2006, members have had the ability to update their own information in the online directory.

2.02 CALL NEWSLETTER/BULLETIN AND ITS SUCCESSORS

By 1988, the CALL *Newsletter/Bulletin* was an established publication created by a dedicated Editorial Board. As well as the Editor, the Board included a Features Editor, a Book Reviews Editor, an Indexer and a member responsible for advertising. One of the Executive Board Members-at-Large served as Executive Liaison. The Editorial Policy for the journal stated the following:

The CALL Newsletter / Bulletin, as the official publication of the Canadian Association of Law Libraries, publishes news, developments, articles, reports and book reviews of interest to its members. Surveys and statistical reviews prepared by the Association's Committees and Special Interest Groups, regional items and the proceedings of the Association's annual conference are also published.³

¹ Part I was published in the previous issue of this journal.

* © Janet Moss 2013. Janet Moss is the Head Law Librarian at the University of New Brunswick.

² Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "39th Annual General Meeting, May 27-30, 2001, London, Ontario" (2001) 26:3 Can L L 100 at 104.

³ "CALL Newsletter/Bulletin: Editorial Policy" (1988) 13:2 CALL Newsletter 254 at 254.

In 1988, Vivienne Denton took over the editorship, and during her three-year term brought about many positive changes to both the content and layout of the journal. Editorials and President's columns became regular features. Martha Foote joined the Editorial Board as Regional Coordinator and began the Regional Report column. The name of the journal was officially changed to *CALL Newsletter/Bulletin de l'ACBD* at the end of 1988 with volume 13, number 5. In this year, feature articles and book reviews from the newsletter began to be indexed in the Index to *Canadian Legal Literature*.

At the 1986 Annual General Meeting, the creation of an annual award of \$250.00 for the best feature article published in the *CALL Newsletter/Bulletin* was announced, but it was not until 1990 that the first award was made.⁴ The award was created to encourage excellent contributions to the journal. It would be awarded to articles that were pertinent to the interests and information needs of the journal's readership, relevant to law librarianship in Canada, excellent in content and style, and written specifically for the purpose of publication in the journal.⁵ Sue Beugin received the first award for her article, "Servicing the Private Law Library: Calgary's Experience," which was published in the December 1989 issue. The award continues to be awarded annually and the criteria have remained largely unchanged.

In 1990, the journal's name changed again, this time to *Canadian Law Libraries/Bibliothèques de droit canadiennes*. Vivienne explained that the new name reflected the range of interests covered and did not have "the rather parochial ring which 'newsletter' brings with it – suggesting it is of interest to association members only."⁶ The 1990 volume was the first to be published with a new interior layout and a redesigned cover in the now-familiar dark green colour.

The job of Editor was, and continues to be, a time-consuming and demanding one. In addition to seeking out content and contributors for the journal, chairing Editorial Board meetings, and reporting to the Executive Board, the editor prepares copy for the publisher. In the early years, this involved typing/retyping any material that needed to be edited, highlighting headings, noting which font was to be used, and creating a table of contents with clear instructions as to the order and disposition of each item in the issue. The journal was being published five times per year in 1988 and continued with this pattern until the end of 2009.

In the first of the revamped issues, Vivienne describes *Canadian Law Libraries/Bibliothèques de droit canadiennes* as "a magazine – midway between a newsletter and an academic journal in tone. A publication which can combine scholarly articles, current awareness columns, news and even material in a lighter vein."⁷ She further describes the mix they were aiming for – two to four feature articles each issue; surveys on specialized topics as well as the annual association surveys; contributions from members sharing their expertise, such as bibliographies, pathfinders, and results of research projects; and regular columns covering

both association business and current awareness.

Although the journal had a bilingual title, very little content was available in the journal in French in 1988. However, efforts soon began to make improvements in this area. A first step was the addition of Ofelia Meza to the journal as the coordinator of French-language book reviews in 1988. Although Ofelia resigned from her position in 1990, Simonne Clermont joined the Editorial Board that year as the French Language Editor, a position she held until 2002. She gradually increased the French language presence in the journal, beginning with a bilingual table of contents and masthead. In 1992, Simonne began producing abstracts in French of English-language feature articles, and vice versa. And beginning in 1994, both the "From the Editor" and "President's Letter" columns were published in both French and English.

In 1991, Wendy Hearder-Moan began a three-year stint as Editor. One issue that emerged during her tenure was whether or not *Canadian Law Libraries/Bibliothèques de droit canadiennes* should become a refereed journal. Proponents of the change argued that as refereed journals are generally considered to be of higher quality than un-refereed publications, academic librarians in particular would feel that their writing would be more appreciated in their parent institutions if published in a refereed journal. However, after discussions at an open meeting at the 1993 conference and at the Editorial Board's fall meeting, it was decided not to move to a full-fledged review process, as it could delay publication of timely articles and other information. Instead, the Board opted to better publicize their existing review process by including it in the journal's masthead as follows: "Prior to publication, all submissions are subject to review and editing by members of the Editorial Board or independent subject specialists, and the final decision to publish rests with the Editorial Board."⁸

In 1993 an ambitious series of articles debuted in *Canadian Law Libraries/Bibliothèques de droit canadiennes*, the brainchild of Features Editor Martha Foote. Each article in the series covered the history of legal publishing in one or more jurisdictions until the entire country was covered. The first article, by Ken Whiteway, covered the history of law reporting in Manitoba and Saskatchewan. Eventually four of the articles in this series would win the Feature Article Award, including Jules Larivière's "La publication des décisions des tribunaux fédéraux canadiens; un aperçu historique," the first French-language article written specifically for *Canadian Law Libraries/Bibliothèques de droit canadiennes*. This series formed the basis for *Law Reporting and Legal Publishing in Canada: A History*, which was published as CALL/ACBD's Occasional Paper No. 2 in 1997.

In 1994, Andrea Cambridge took over as Editor, serving for a four-year period. One of the significant transitions during Andrea's tenure was having the journal produced by our National Office, rather than by independent publishers and printers as had been the case in the past.

4 Margaret A Banks, "The Canadian Association of Law Libraries / L'Association canadienne des bibliothèques de droit: A History" (1988) 13:Special Issue CALL Newsletter 1 at 21.

5 "CALL Newsletter/Bulletin: Award Guidelines" (1988) 13:2 CALL Newsletter 255 at 255.

6 Vivienne Denton, "From the Editor" (1989) 14:5 CALL Newsletter 178 at 178.

7 Vivienne Denton, "From the Editor" (1990) 15:1 Can L L 3 at 3.

8 Wendy Hearder-Moan, "From the Editor/De la rédactrice" (1993) 18:5 Can L L 219 at 220.

Under this arrangement, Pam Lyons at the National Office did the desktop publishing of the journal, and also arranged for the printing and mailing. This freed the Editor from much of the responsibility for layout details and for dealing directly with the printer, and provided continuity when editors changed.

When the first CALL/ACBD website was launched in 1996, the issue of full or partial access to the journal arose. Quicklaw was also interested in adding secondary sources such as journal articles to their offerings. As early as 1995, QL Systems had offered to add *Canadian Law Libraries/Bibliothèques de droit canadiennes* to their database. Uncertainty about copyright issues led the Executive Board to decline this offer then and again in 1997, which confirmed this decision. Although some limited *Canadian Law Libraries/Bibliothèques de droit canadiennes* content was added to the website, both the Executive and Editorial Boards were cautious about embracing full electronic access to the journal due to the risk of declining revenue if the journal was available through a basic QL subscription or available freely on the CALL/ACBD website. The loss of either members or paid subscriptions was a concern.

Janet Moss succeeded Andrea as Editor in 1998 and was in turn succeeded by Lenore Rapkin in 2001. A notable achievement during this period was the production of two cumulative indexes by Barbara Burrows, the journal's indexer. The first index, covering 1990 to 2000, was published in 2000 and sponsored by Quicklaw and Irwin Law. Barb next tackled a much more difficult project, indexing the earlier manifestations of the journal from 1975 to 1989. This second index was published as a special issue in 2003, sponsored by LexisNexis Canada.

In 2002 the Executive and Editorial Boards agreed to have *Canadian Law Libraries/Bibliothèques de droit canadiennes* added to HeinOnline's Law Journal Library. Copyright issues had been resolved, and with the addition of a members-only area on the CALL/ACBD website in 2001, free electronic access to members could now be provided through a link to HeinOnline.

In 2002, the Editorial Board again considered changing *Canadian Law Libraries/Bibliothèques de droit canadiennes* to a refereed journal. However, the decision of the Board was that CALL/ACBD was a professional rather than an academic association, and that our journal should reflect that. However, they agreed that they could arrange for peer review of an article if requested by the author.

The name of the journal was changed once again in 2004 – this time to *Canadian Law Library Review/Revue canadienne des bibliothèques de droit*, and in 2010 the journal reduced its frequency from five to four issues per year. The conference issue was eliminated and the proceedings of the Annual General Meeting began to be published only on the website.

The Editorial Board certainly has had its share of dedicated and long-serving members. Barb Burrows was the journal's Indexer from 1987 until 2007; Simonne Clermont was French Language Editor from 1990 to 2002;

Janet Macdonald was Advertising Editor from 1997 to 2002, Regional Reporter from 2002 to 2007, and has been the Indexer since 2008; Lenore Rapkin was Features Editor from 1984 to 2001, then Editor from 2001 to 2009 and is now Editor Emeritus. Wendy Hearder-Moan was Editor from 1991 to 1994, then rejoined the Board in 2002 as Advertising Editor. She has also served as Associate Editor with both Lenore, during the last few years of her editorship, and now with Editor Nancy McCormack.

The development of CALL-L and CALL/ACBD's distribution list and website have had an impact on the role of the journal and on the type of content it includes. The columns and notices contributed by SIGs and committees have now largely migrated to electronic format. Journal content now focuses on feature articles, book reviews and bibliographic notes, news about members and the local law library groups, and the new series of interviews and columns from correspondents in Australia, the United States, and the United Kingdom. The journal has evolved from a print newsletter to an indexed review available in print and electronically. Further evolution is likely as the cost of print publication continues to increase and a variety of electronic publishing options are explored.

2.03 CALL-L AND THE CALL/ACBD DISTRIBUTION LIST

Although the CALL-L listserv is not an official Association listserv, it is advertised on the CALL/ACBD website, has many CALL/ACBD members as subscribers, and is a forum for dissemination of Association information. The listserv, now called the Canadian Association of Law Libraries List, was originally known as the Canadian Academic Law Libraries List when it was started by John Sadler in April 1991. As explained in a "Focus on Databases" column in *Canadian Law Libraries/Bibliothèques de droit canadiennes*, "[m]ost CALL-L subscribers are librarians working at Canadian university law libraries, and to date discussion has centred on their particular concerns."⁹ However, as the Internet expanded and access beyond the university sector became available, CALL/ACBD members were quick to make use of the listserv for Association business as well as general information sharing. One example is the "Electronic Information Bulletin," which was created by the Electronic Information SIG in 1996. Brief updates on new Internet sites, databases, and electronic products were posted on CALL-L by SIG members for several years.

CALL-L has been supplemented for several years by the official CALL/ACBD distribution list and now by the enhanced capability for sharing news and opinions on the revamped website. Committees and SIGs continue to use the CALL-L listserv, in addition to posts on the CALL/ACBD distribution list and website, to share information about their activities.

John Sadler was working at the University of New Brunswick in 1991, and the listserv has remained there with Melinda Renner and then Darren Furey serving as list-owners. From time to time, there has been some discussion

⁹ John Sadler & Gordon Russell, eds, "Focus on Databases/Bases de données" (1991) 16:3 Can L L 119 at 119.

by the Executive Board about the desirability of CALL-L being an official CALL/ACBD listserv. In 2001 the Executive Board expressed a desire to take over the listserv and include it in the CALL/ACBD InfoPages portfolio. It was again discussed in 2010 as part of the redesign of the CALL/ACBD website. However, it has remained at UNB, due largely to the convenience of having stable technical support and archiving available there. Also, the value of having subscribers from outside CALL/ACBD and indeed outside Canada – both as a vehicle for sharing information and resources and also for marketing CALL/ACBD to non-members – has, I think, been recognized.

2.04 CALL/ACBD'S WEBSITE

At the 1995 AGM, a resolution was passed which called for the creation of a CALL/ACBD home page on the World Wide Web.¹⁰ At their 1995 mid-year meeting, the Executive Board approved \$1,500 for 1995 and \$2,000 for 1996 for its development. Member-at-Large Ann Morrison was given authority to negotiate a contract with a service provider and oversee the development of a prototype. A web development company in Kingston, Ontario was chosen to do this, working closely with staff at the National Office.

The new website was demonstrated at the 1996 conference and featured association information, membership application and publication order forms, a news page, conference information, the table of contents of the current issue of *Canadian Law Libraries/Bibliothèques de droit canadiennes*, and the Association's position paper on copyright. The next step was to establish a mechanism whereby content would be enhanced and currency maintained. At the 1996 Fall Executive Board meeting, a Web Site Advisory Committee was set up to establish guidelines for web page content, delivery format, and a method for archiving web content.¹¹ Many SIGs and committees were keen to have information posted, but web updating was costly both in terms of money and Association volunteer time. Brian Jones, first Chair of the Advisory Committee, and Gian Medves conducted a survey to determine what members wanted on the site and worked on the establishment of an editorial policy.

In 1997, the Advisory Committee was changed to an editorial board, with John Davis appointed as Editor for a three-year term. The site was registered as callacbd.ca, and in 1998 it became known as the "CALL/ACBD InfoPages." This name was used for several years, then gradually fell out of use and was officially discontinued in 2006. While the initial site had some content in both French and English, it was not uniformly bilingual. Lucie Bernier became the first Official Languages Editor for the InfoPages in 1998, with the goal of maintaining consistency between English and French versions of content. Unfortunately, Lucie was unable to continue in this position after 1999, and the position remained vacant for some time.

The next major enhancement to the website was the creation of a password-protected members-only

section. This was necessary in order to provide privacy for membership directory information, but would also allow the association to restrict some content as a benefit of membership while having other content freely available. At their 1999 mid-year meeting, the Executive Board agreed that this enhancement would be desirable, but debate continued for the next year due to the costs involved. It was not until 2001 that the availability of the password-protected membership directory in the website was announced.

Although there was a board or committee in place, the bulk of the work involved in routine maintenance and updating of the website during this period fell to the Editor, as almost all new content had to be individually coded by him. After John Davis stepped down as editor, Ted Tjaden took on the job in 2001, followed by Gary Pon in 2003 and Mark Lewis in 2005.

Every few years brought enhancements to the site, as finances and human resources permitted. In 2002, each committee and SIG was given its own page for content, and the goal of having French-language content for all major pages was again addressed. At the 2005 AGM, President John Sadler announced that major redesign work would provide a content management system for the site, so that the job of adding content could be spread out among the membership, with each committee and SIG having one person authorized and trained to upload content into an existing template that would ensure a consistent look and feel for the site. In March 2006, the new web pages were launched, also providing members with the ability to update their own entry in the online directory and a search engine for the entire site. The new capability for distributed content management led to a rapid expansion of content on the site, as committee and SIG chairs added material relevant to the activities of their group. Unfortunately, the continuing lack of a French-language Editor hindered progress on improving the consistency between English and French language pages. During 2007/2008, a module for online elections was developed.

In 2009, a contract was signed with Connie Crosby, of Crosby Consulting Group, to guide the process of again updating CALL/ACBD's web presence. One important goal of the redesign was to improve communication and collaboration among members by adding Web 2.0 technologies. A prototype of the new site was shown at the 2011 conference, and it went live in the summer of 2011. The site includes new features such as members' blogs and forums, shared group and committee resources blogs, and an RSS news feed. Mark Lewis stepped down from his position as Editor in 2010, and after the launch of the new website, Michel-Adrien Sheppard took over as Editor, with a new Website Editorial Board. Their achievements include a language policy and greater consistency between English and French text.

¹⁰ Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Annual General Meeting, May 29-31, 1995, Regina, Saskatchewan" (1995) 20:3 Can L L 122 at 145.

¹¹ CALL/ACBD Executive Board Minutes, Mid-Year Executive Board Meeting Minutes, 8-9 November 1996, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 7.

3. SERVICES TO MEMBERS

3.01 CONTINUING EDUCATION OPPORTUNITIES

Providing continuing education opportunities for members is one of the objects of the Association. Originally this was achieved largely through the annual conference, and since 1979, by a full or half-day pre-conference. These have been supplemented some years by a second pre-conference or a post-conference institute, such as the Carswell Institutes held for a number of years beginning in 1997. Recently, the Association has developed other continuing education opportunities, such as the series of webinars and the New Law Librarians Institute. Through the growth in scholarships and grants available to members, CALL/ACBD increasingly enables its members to take advantage of additional continuing education opportunities provided by universities and by library and other professional associations.

CALL/ACBD did not have a committee to look systematically at continuing education needs until the late 1990s. One of Anne Crocker's initiatives as President was to develop terms of reference for an ad hoc committee to develop a statement of core competencies for law librarians. She presented this idea in her President's Report at the 1996 AGM. After comments at the Open Forum and the approval of Resolution 1996/6, which directed the Executive to "discuss the manner in which the association might provide some form of education which would give members a grounding in key areas of law and consider the ways in which this could be accomplished"¹², the Executive Board decided to amend the terms of reference for the ad hoc committee to include the development of a continuing education strategy for CALL/ACBD.¹³ They soon established the Education Committee, to be chaired by Lenore Rapkin. The Committee was asked to look at the education needs of CALL/ACBD members and propose strategies for meeting those needs, as well as to examine what skills would be necessary for the legal information professional of the 21st century and make recommendations as to how CALL/ACBD could assure continuing professional development for its members.

The Committee conducted a member survey to identify continuing education needs and priorities, and reported on their findings at the 1999 conference. With over 100 responses, the overwhelming interest was in pre-conference programs at the annual conferences. In term of subject matter, the most requested topics were technology, legal research techniques, trends in the law library profession, and library administration. On the basis of this feedback, the Committee concentrated on organizing pre-conferences directed toward these needs for the next several years. In recent years, pre-conference workshops have been sponsored by various groups – by SIGs, co-sponsored by SIGs and the Education Committee, or by the conference planning committee.

In 2001 the Committee submitted a request to the Executive Board to conduct a workshop in Vancouver, taught by Sue Beugin and based on the pre-conference that she presented in 2001. The Board approved this trial of a "traveling workshop" and a successful event was held in March 2002. Called "Court Decisions: Efficient Access," this workshop was also presented in Calgary, Toronto, and Halifax. The local law library organizations were also involved in hosting and promoting the event. The series was successful both in terms of attendance and financially, with a surplus of almost \$2000 being generated for CALL/ACBD. Although an initial effort to organize a workshop in Montreal was not successful, in 2004 a well-received French-language workshop on interpersonal relations in the workplace was held there, co-sponsored by CALL/ACBD and MALL/ABDM.

As early as 2005, the Education Committee recognized the potential of the Internet to offer continuing education opportunities equally to CALL/ACBD members across the country. Their proposal to the Executive Board to develop online continuing education programming was well received, and the committee was asked to investigate costs, delivery mechanisms, and topics. A Subcommittee on Webinars was established after the 2009 Mid-Year meeting, with Liana Giovando as Chair, and development work began.¹⁴ In 2010-2011 CALL/ACBD's first webinar series was launched. The series included a free Webinar on Webinars, and then five additional webinars: "The Elevator Speech: Justifying and Promoting our Libraries," "The Unified Theory of Everything (in Information Policy)," "Cost-saving Measures in the Library," "Next-Gen Integrated Library System Features Relevant to the Private Law Firm Library Competency: Information Technology," and "Classroom in the Cloud." Based on the success of the first series, these have become an ongoing continuing education opportunity for members across the country.

Although CALL/ACBD has not as yet identified a set of core competencies for law librarians, it is obvious that knowledge of legal topics, terminology, and research methods are necessary for effective professional practice. To provide some instruction for new law librarians who do not have a legal education, CALL/ACBD held its first New Law Librarians Institute in 2011. The genesis for this institute was a discussion at the Canadian Academic Law Library Directors' 2008 meeting, where John Sadler presented a proposal for a week-long residential course for new law librarians, which would feature sessions on both substantive law topics and practical research skills. The directors group was enthusiastic about the concept but felt that CALL/ACBD was the more logical group to host such an institute. At the 2008 post-conference Executive Board meeting, John introduced the idea, and the Board asked him to prepare a written proposal for the Education Committee to consider.¹⁵ The Committee also liked the idea, and with John as lead organizer, the first NLLI was held at the University of Western Ontario on June 5-10,

¹² Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Annual General Meeting, May 26-29, 1996, Kingston, Ontario" (1996) 21:3 Can L L 85 at 106.

¹³ Anne Crocker, "President's Letter/Le mot de la présidente" (1996) 21:3

¹⁴ Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "48th Annual General Meeting: May 9-12, 2010, Windsor, Ontario" (2010) at 13, online: CALL/ACBD <<http://www.callacbd.ca/en/content/members-only>>

¹⁵ CALL/ACBD Post-Conference Executive Board Meeting Minutes, 28 May 2008 (on file with author) at 4.

2011, with all 22 places fully subscribed. Instructors for the Institute included faculty members from Western's Faculty of Law as well as several experienced law librarians. Based on positive feedback from participants, a second NLLI was held in 2012.

Finally, CALL/ACBD's participation in the series of Joint Study Institutes, which began in 1998, needs to be mentioned. In 1995, Neil Campbell and Anne Crocker met with Carol Billings (AALL) and Barbara Tearle (BIALL) to discuss the possibility of an institute to be held every second year hosted in rotation by the three associations, where delegates would learn about the host country's legal heritage and traditions. These institutes were to provide an intensive, but informal, program with the intended audience being primarily from the other nationalities, though not to the exclusion of local attendees. The first Joint Study Institute was held at the University of Cambridge in 1998, just prior to the BIALL conference. Based on the success of the first JSI, it was agreed that the rotation should continue, with the understanding that although all three associations would promote the JSI, the host association would assume all financial responsibility.¹⁶

The next JSI was held at Yale University in 2000, with Canada's first turn to host coming in 2002. Former CALL/ACBD President Suzan Hebditch was the convener for the institute, which was held May 22-25 at Hatley Castle, Royal Roads University in Victoria, immediately prior to the annual CALL/ACBD conference, which was also in Victoria that year. The theme was "Canadian Focus: Global View." CALL/ACBD was fortunate to receive generous support from Carswell for this event. But in spite of the beautiful location and financial support, planning was not without its challenges. In the aftermath of the terrorist attack of September 11, 2001, Suzan had problems finding speakers who were willing to commit to travel to Victoria. While both a postponement of the JSI and a change of venue were considered, the decision was made to proceed as planned. This turned out to be a good decision. An impressive roster of speakers, as well as 45 delegates from Australia, the United Kingdom, Ireland, New Zealand, the United States, and Canada, attended a very successful event.

The Australian Law Libraries Group joined the participating associations, and with assistance from the New Zealand Law Librarians' Association, hosted the 2004 JSI in Sydney. JSI 2006 was back in the UK, and JSI 2008 in the USA. Although the number of CALL/ACBD members who attend each of these institutes is small due to the cost of travel, every JSI has had a contingent of Canadian attendees who have benefited from the intensive programs. Financial assistance, through Education Reserve Fund grants and other sources, has been provided to several members to help with the cost of attendance.

In 2010, the JSI was back in Canada, this time held in Montreal from June 20-23, with the theme "Diversity, Culture and Contrasts: Canada's Legal Kaleidoscope." The planning committee consisted of Anne Matthewman

as Executive Liaison, Co-chairs Ron Charest, Nancy McCormack, and Stephen Park, and staff at the National Office. The program explored Canada's legal system by offering sessions on constitutional and parliamentary law, aboriginal law, civil law, the courts and the judiciary, and legal ethics.

This JSI had its planning challenges too, in the form of a global financial recession. Although an enthusiastic 40 delegates attended, lower than anticipated funding from sponsorships led to a financial shortfall. This has raised concerns about the financial model of the JSIs. The next JSI is scheduled for Melbourne, Australia in early 2013. It is hoped that a gradual return to a more favourable economic climate will allow this series of institutes to continue.

3.02 PROFESSIONAL DEVELOPMENT GRANTS AND SCHOLARSHIPS

Since 1988, there has been a great increase in the amount of financial assistance available through CALL/ACBD to support members as they pursue continuing education and professional development opportunities. At that time, there were two such grants available: the Eunice Beeson Memorial Bursary which assisted members in attending the annual CALL/ACBD conference; and the Carswell/Sweet & Maxwell exchange program, whereby the two companies sponsored a CALL/ACBD member to attend the BIALL conference and a BIALL member to attend the CALL/ACBD conference. The Diana M. Priestly Scholarship, mentioned earlier, was also available and was sometimes, though not always, awarded to a CALL/ACBD member.

Since then the Northern Exposure to Leadership Grant, the James D. Lang Memorial Scholarship, the Education Reserve Fund Grant, and most recently the Janine Miller Fellowship have been established.

Eunice Beeson Memorial Fund

This fund was created in 1967 from publishers' donations,¹⁷ with contributions from the Association's general revenues added later. In 1988, eleven donors contributed \$4557 and CALL/ACBD contributed \$1000 plus a further \$3900 (390 members x \$10/member), which provided funds to 19 applicants. Over time the number of publishers who donate to the fund has declined, but Association contributions have continued, so that members needing financial assistance can still be helped.

Over the years, the application criteria have become more focused. In 1998, it was decided that funds would be used to cover, first, travel and then accommodation as funds permitted. The Executive also identified categories of applicants who would be given priority, for example, those attending their first conference and those who have worked for the Association. These priorities have continued to evolve over time and now include: applicants with conference responsibilities, applicants attending their first conference;

16 CALL/ACBD Executive Board Minutes: Executive Board Meeting, 15-17 November 1998, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 14 [CALL/ACBD Executive Board, Nov. 15-17, 1998 Minutes].

17 Banks, *supra* note 4 at 13.

applicants who are on the next year's Conference Planning Committee; and the Diana M. Priestly Memorial Scholarship winner. In 2005, applications were restricted to those who had been a member of CALL/ACBD as of December 31 of the previous year and later to those who had been members for twelve months. This fund has been administered by a member of the Executive Board, usually one of the Members-at-Large, with the assistance of a small committee or more recently the National Officer.

Carswell/Sweet & Maxwell Exchange

This exchange, which was established in 1986 by Carswell and Sweet & Maxwell,¹⁸ fostered a new liaison between BIALL and CALL/ACBD and provided a CALL/ACBD member with the opportunity to learn more about British and Irish law and law librarianship. The practice during the course of this exchange was for the President of CALL/ACBD to attend one year during his or her two-year term of office, and for a senior member of the Association to be chosen to attend in the alternate year. After ten years of the program, Carswell decided at the end of 1996 to terminate the program so that the company could devote its sponsorship to other continuing education projects, such as its Carswell Institute program.

Northern Exposure to Leadership Institute (NELI)

The Northern Exposure to Leadership Institute (NELI) was developed through the University of Alberta as a week-long leadership institute for relatively new librarians with leadership potential and aspirations. The first Institute was held in 1994. Suzan Hebditch, who was both on the CALL/ACBD Executive and involved in the first institute, proposed that CALL/ACBD nominate and support a member to attend. Although no CALL/ACBD member was sent to the first NELI, CALL/ACBD's nominee to each subsequent NELI has been chosen to attend, beginning with Caron Rollins in 1996. CALL/ACBD has provided the registration fee and a travel allowance for its nominees. This proved to be a wise decision, as our nominees have developed an impressive record of leadership within CALL/ACBD as well as in their home libraries. The responsibility for administering this nomination process was given to the Education Committee and then to the Scholarships and Awards Committee.

James D. Lang Memorial Scholarship

When Jim Lang, Carswell's Director of Marketing Communications and CALL/ACBD friend and supporter extraordinaire, passed away suddenly at the 1997 CALL/ACBD conference in St. Andrews by-the-Sea, the Executive Board immediately began to consider a fitting memorial to Jim. At its fall meeting two ideas were discussed – an award for excellence in legal publication, and an exchange fellowship. However, Carswell itself wanted to do something

to honour Jim, and at the Hamilton conference in 1998 announced the establishment of the James D. Lang Memorial Scholarship to be funded in the amount of \$2500 per year. While the Executive Board continued to develop its idea for an award for excellence in legal publishing, the Lang Scholarship became another source of funding for CALL/ACBD members to support worthy professional development opportunities. Guidelines were developed and the Education Committee was given the responsibility for disbursement of the funds.¹⁹ The guidelines, with a few adjustments, remain the same today – to support attendance at a continuing education program, be it a workshop, certificate program or other similar activity, but not including annual conferences. The first four scholarships were awarded in the 1999-2000 period and were announced at the 2000 conference.

Education Reserve Fund Grant

In 1997, the Executive Board discussed a draft policy for educational opportunities for members. At their mid-year meeting they decided to give the Education Committee responsibility for ad hoc education funding requests, and to establish an "education fund".²⁰ The Education Committee developed guidelines for eligibility for the grants, and in 1998 offered grants to two members to attend the first Joint Study Institute.

In 1999, the Education Committee recommended to the Executive Board that a Scholarships Committee be established to administer the Priestly, Lang, and NELI scholarships.²¹ This recommendation was approved and in 2000 Ann Rae became the first Chair of the Scholarships Committee.

In 2001 the Education Committee reported to the Executive Board that they wished to concentrate on planning continuing education opportunities and would like the Scholarships Committee to take over the administration of the Education Fund as well. This was agreed to, with a member of the Education Committee being appointed to the Scholarships and Awards Committee to provide liaison with the Education Committee regarding awards from the fund. At this time, the name of the fund was changed to the Education Reserve Fund and a reserve fund was established for this purpose, with the proviso that it could not be depleted by more than 49% in any given year. The Executive Board would decide each year the amount to be allocated to the Education Reserve Fund.

The guidelines that were established are essentially the same as today – grants will allow members to further their education in pursuits that do not fit the guidelines of already established scholarships, and could include such activities as library and/or law courses given outside Canada, study leaves and/or sabbaticals, or other educational activities that do not involve structured courses. As with the Lang Scholarship, attendance at annual conferences is not generally eligible.

¹⁸ *Ibid* at 22.

¹⁹ CALL/ACBD Executive Board, Nov. 15-17, 1998 Minutes, *supra* note 16 at 5.

²⁰ CALL/ACBD Executive Board Minutes: Executive Board Meeting, 22-23 November 1997, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 6.

²¹ CALL/ACBD Executive Board Minutes: Executive Board Post Conference Meeting, 2 June 1999, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 5.

In 2006, on the recommendation of the Chair of the Scholarships and Awards Committee, the Executive Board approved a change in the guidelines of the NELI, Lang, and Education Reserve Fund grants, which stipulated that applications would only be accepted from those who had been members of CALL/ACBD for at least twelve months at the time of application.²² At the same meeting there was a discussion of how best to distribute funds among deserving members. It was agreed that the Committee should consider service to CALL/ACBD, previous grants and scholarships awarded, monetary amount of the request, number of people requesting funds, as well as the merits of individual applications when making awards.

Janine Miller Fellowship

In 2011, at the time of Janine Miller's retirement from her position as Executive Director of the Canadian Legal Information Institute (CanLII), the CanLII Board of Directors announced the establishment of the Janine Miller Fellowship to honour her contribution to the success of CanLII and to the law library profession, and to encourage CALL/ACBD members to continue to support the provision of free access to the law. The fellowship provides funding up to a maximum of \$2,500 each year, to cover expenses for one CALL/ACBD member to attend the "Law via the Internet Conference", an initiative of the Legal Information Institutes worldwide that constitute the Free Access to Law Movement. Funding will be available for a ten-year period. The first Janine Miller Fellowship was awarded to Yemisi Dina at the 2012 conference.

3.03 SERVICES TO NEWER MEMBERS

As the Association has grown in size, so too has the need for outreach to new members. The first reception for first-time conference attendees (both new members and non-members) was held at the 1993 Halifax conference, and the Halifax Conference Planning Committee recommended to the Executive Board that it become a regular feature of the conference. The next year in Montreal, a mentor program was organized in addition to the First Timers Reception, modeled on AALL's mentoring program. This involved pairing new law librarians with more experienced mentors. It, too, was favourably received, and the Executive Board agreed to continue the program at subsequent conference.²³

The name of the program changed over the years – in 1997 becoming the Organizational Orienteering Program, and later the First Timers' Breakfast – but each year's event has featured breakfast, a presentation about the association by the President or other long-time CALL/ACBD members, and some mentoring component.

While some mentors and mentees may have kept up the relationship developed at these events, the focus was on introducing new members to the Association and helping them to develop professional contacts during the conference.

In 2008, the Education Committee submitted a proposal to the Executive Board for a more ambitious mentoring program. This proposal followed the Law Library Leadership Institute, which was held as the 2008 pre-conference workshop, and grew out of discussions at previous conferences about the greying of the law library profession and the need to provide leadership training to mid-level librarians and new entrants into the profession.

The proposal was developed by a Mentorship Program Subcommittee, co-chaired by Jennifer Walker and Annette Demers, who continued work on the proposal and rolled out the program in March 2009. The mission of the program was and remains:

...to facilitate the creation, development and maintenance of mutually satisfactory mentoring relationships between new CALL members, or those CALL members pursuing new professional development opportunities, and their experienced colleagues. Our mentors will be committed individuals, working one-on-one with librarians for at least one year on a consistent basis.²⁴

The Education Committee also sponsored individual sessions at the 2009 and 2010 conferences that followed up on the themes addressed at the Leadership Institute.

Following the 2010 restructuring of committees, responsibility for both the First Timers and Mentoring Programs now rests with the Membership Development Committee.

3.04 JOB POSTINGS AND PLACEMENT SERVICES

Another early service established by CALL/ACBD was a placement service. Members seeking employment could submit a resume to be kept on file by the Committee Chair, and employers could advertise a position either in the *CALL Newsletter/Bulletin* or through a regional or national mailing. Mailings were done through the Great Library at the Law Society of Upper Canada, with the Committee being chaired by library staffers.

Maureen Hyland chaired the committee from 1989 until 1997, when responsibility for this service was transferred to the National Office. Mailings gradually became less frequent as electronic means of advertising positions made this service obsolete. CALL/ACBD reinstated a job posting service on its new website in 2011.

3.05 PERIODICALS IN CANADIAN LAW LIBRARIES/ PÉRIODIQUES DANS LES BIBLIOTHÈQUES DE DROIT CANADIENNES

One of the earliest CALL/ACBD projects was the compilation of a union list of periodicals. The first edition of what would become an indispensable resource-sharing tool was compiled by Diana Priestly and Balfour Halevy and

²² CALL/ACBD Executive Board Minutes: Mid-Year Executive Board Meeting, 8-9 November 1996, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 9.

²³ Neil Campbell, "President's Letter/Le mot du président" (1994) 19:5 Can L L 183 at 183.

²⁴ "Mentoring Program: Statement of Purpose", online: CALL/ACBD <<http://www.callacbd.ca/en/content/mentoring-program>>.

published in 1968 by York University Law Library for CALL/ACBD. *Periodicals in Canadian law libraries* (the parallel title *Périodiques dans les bibliothèques de droit canadiennes* was added in 1999) was a union list of the periodicals held by over 20 academic and specialized law libraries in Canada. In 1984, for the third edition, Mary Mitchell of the University of British Columbia Law Library took over the editorship, a position she retained until the last edition was published in 2007. It gradually transitioned from an occasional to a serial publication. The fourth edition was published in 1988, and then throughout the 1990s a print edition was published every two or three years with cumulative fiche updates in alternate years. The fiche was not popular, so from 1999 on it was generally published in print every year. In 1988, there were 102 subscriptions sold and sales continued to be strong throughout its life.

Although production, sale, and distribution of the printed product were taken over by the National Office for the 1994 edition, Mary continued to update, edit and maintain the union list online at UBC and oversee the production of the master copy for the National Office. In 1999 CALL/ACBD purchased Inmagic's DB/Textworks software and a single user license for Mary to use.

Although print was preferred to fiche, there were persistent requests from CALL/ACBD members to provide the union list in electronic format. The issue was raised at the 1998 Open Forum and through a resolution at the 1999 conference.²⁵ In response to the resolution, the Executive struck a task force, chaired by Member-at-Large Jane Taylor, to study the feasibility of mounting the union list on the website. Jane reported back at the 1999 mid-year meeting. In order not to lose revenue, access to the online product would have to be password protected, a capability that the website did not currently have. Also, although an online product could be more up-to-date, Mary's practice was to request updates from contributing libraries and then update the records once per year. So an online product would not be any more up-to-date than the print product.²⁶ Based on this analysis, a decision was made to stick to the print product. Although the issue continued to be raised from time to time, this decision remained unchanged.

The accuracy of the content in the union list was dependent on the updates submitted by contributors. In 2006, Mary reported that only six contributors were still sending in regular updates, and that the future of the product needed to be evaluated. At the 2007 pre-conference Executive Board meeting, a report prepared by UBC Law Library Head Sandra Wilkins was discussed. Sandra reported that her survey of the academic law libraries found that many did not use the list anymore due to the availability of other sources of location information and the proliferation of journal articles in electronic databases. Accordingly, she recommended that the union list be frozen after the 2007 issue.

The CALL/ACBD Executive conducted a survey of the membership to find out who was using the list and who was contributing. Results were inconclusive, but with the low number of contributors, it was agreed that the content was no longer accurate and that the 2007 issue should be the last.

3.06 KF MODIFIED CLASSIFICATION

The KF Modified Classification schedule was initially developed by academic law librarians who were CALL/ACBD members, but it was not a CALL/ACBD project. The Editorial Board, as well as the production and mailing of updates, was centred at York University Law Library.

In 2003 members of the Editorial Board met with President Janine Miller to discuss the future of the KF Modified Classification schedule. The Editorial Board proposed that the schedule become an official CALL/ACBD publication, with a CALL/ACBD committee responsible for maintaining and enhancing the schedule. The schedule was by this time widely used in over 160 law libraries of all types, many of which were CALL/ACBD member libraries. It was felt that the schedule would be more secure through the inevitable transitions of editorial function from one library to the next if CALL/ACBD rather than any individual library was responsible for its continuation. This move would not be a financial drain on the Association since the schedule was sold on a subscription basis, and would in fact become a source of revenue for the Association. Janine took the request to the mid-year Executive Board meeting, where it was approved.²⁷ *KF Classification, Modified for Use in Canadian Law Libraries: KF Modified* became an official CALL/ACBD publication and the KF Modified Committee was established effective January 2004, with responsibility for the schedule.

Judy Ginsberg served as Chair of the new Committee, while the editing and production of the updates were transferred to the Law Society of Upper Canada's Great Library under the direction of Tim Knight. Functions related to the sale and distribution of the schedule and updates were transferred to the National Office.

At that same meeting in 2003, the Executive Board approved a proposal from Janet Moss to publish the guide to the KF Modified Classification that she was writing as a CALL/ACBD occasional paper. *A Guide to the KF Classification Modified for Use in Canadian Law Libraries* was published in 2004 as CALL/ACBD Occasional Paper no. 3.

The KF Modified Committee has been active since its inception. Sessions on KF Modified have been held from time to time at the annual conferences, in addition to its regular business meetings. In 2008, Tim Knight took over as Chair of the committee, and, in 2009, started a KF Modified blog as a forum for sharing information and advice about KF Modified. Committee members have developed new tables, new geographic divisions, and revised sections of the schedule for areas such as Quebec Civil Law, Immigration and Emigration, Nationality and Citizenship, Labour law, and Environmental Law, with much of this work being done by Humayun Rashid.

This concludes The Canadian Association of Law Libraries/ Association canadienne des bibliothèques de droit: A Continuing History, 1988-2012, Part II: Keeping In Touch, and Services To Members. Part III continues in the next issue.

25 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "37th Annual Meeting, May 31 – June 2, 1999, Banff, Alberta" (1999) 24:3 Can L L 109 at 129.

26 CALL/ACBD Executive Board Minutes: Executive Board Meeting, 12-13 November 1999, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 13.

27 CALL/ACBD Executive Board Minutes: Mid-Year Meeting, 24-25 November 2003, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued) at 17.

Oral History Project Interview*

Summary – Margaret Banks (1928-2010)

*Summarized by Rhonda O'Neill***

*We've hollered "Thanks! Margaret Banks",
For keeping right on top of Parliamentary pranks
At meetings and greetings from CALL...*

*-Tom Shorthouse – The Ballad of CALL
(original melody)*

It seems that Margaret Banks did not set out to become a law librarian, earning neither a law or library degree over the course of her career. She studied at Bishop's University in Quebec and then entered the Ph.D program in History at University of Toronto. She started her career in information services as an archivist at the Ontario Archives. In 1961, following a meeting with Dr. J.J. Talman, then Chief Librarian at the University of Western Ontario, she entered into law librarianship.

Talman had offered Banks a cataloguing position, but on remembering her interest in law and noting the UWO law librarian would be leaving soon, wondered whether she be interested in that position instead? She accepted immediately and, as she liked to joke, "received one week of training from Sharon Lush," her predecessor at the law library. Much to Dr. Banks' appreciation, Ms. Lush left useful notes and identified individuals who could be consulted if questions came up. For questions involving the law, she remembers in particular Douglas Johnson, "if there was something about law that I didn't understand he was always very helpful in advising me."

EARLY CAREER AT THE UNIVERSITY OF WESTERN ONTARIO

Her first few months at UWO, were spent in the Engineering building while waiting to move into the Law School building in the third year of the Law School's operation. At the time the library was very small, consisting of approximately 5,000 volumes, basic things such as Dominion Law Reports, statutes, and books to support the 1st and 2nd year courses. One of the first tasks Banks faced on her arrival in the spring of 1961 was ordering books for the 3rd year courses starting in the fall.

Over the course of her career at Western she pursued a number of other interests in addition to managing the library. She enrolled in library school courses, dropping the program when the History Department offered her a position, "they wanted to appoint me to their graduate faculty... that gave me a good excuse to get out [of library school] because you weren't allowed to be a faculty member and a student at the same time, or some rule like that. So I'm

really a library school drop out."

Banks was well familiar with rules and became a noted authority on parliamentary procedure. She was active in both the National Association of Parliamentarians and the American Institute of Parliamentarians. Banks was a noted mentor to many new parliamentarians who found her a valuable source of advice and encouragement.

THE BEGININGS OF AN ASSOCIATION

Recalling the early days of organizing law librarians, in particular the 1958 meeting at Osgoode Hall, "it didn't quite catch on because people felt they were still too scattered." At the time, law schools were only just beginning to open in Ontario and law firm libraries were practically non-existent. In 1961, a second attempt was made to organize, this time as a chapter of AALL. Banks remembers that it was Philip Cohen from Oceana who provided a great deal of support to the Canadian Chapter, providing them with a room to meet in and giving them lunch as well. "The relationship between law librarians and law book publishers was very good because obviously the law book publishers wanted us to buy their books." Canadian publishers came to be supportive as well, "but for the formative years, CALL owes a special debt of gratitude to Oceana Publications." CALL became a chapter of AALL in 1963 and Banks became involved on the executive board as Treasurer in 1964. Wanting to contribute, though not necessarily on the executive, Banks was a member of the Constitutional and Bylaw Committee from 1970 to 1985. At times, she was the only member of this committee.

"In addition to being the CALL/ACBD Parliamentarian for many years, Banks' other claim to fame is as the author of Using a Law Library."

This committee was responsible for making amendments to the bylaws as recommendations were adopted. Banks remembers that when CALL/ACBD became a separate organization they ceased being a chapter of AALL. At that time, a decision was made to limit voting membership to Canadian law librarians. It was felt that if full voting membership were extended outside of Canada, CALL/

*This is a summary of an interview with Margaret Banks dated July 8-9, 2005 at her home in London, Ontario.

**© Rhonda O'Neill 2013. Rhonda O'Neill is the Assistant Director, Alberta Law Libraries, Calgary

ACBD would revert back to being a chapter of AALL. Banks wrote the constitution “the way that people wanted it but felt that the Americans had been so good to us that we should have allowed them to have full membership.” Eventually, this did become the case.

In addition to being the CALL/ACBD Parliamentarian for many years, Banks’ other claim to fame is as the author of *Using a Law Library*. She began working on it in the late sixties, publishing the first edition in 1971. “I was accustomed to giving tours of the law library to new students and I felt that these tours were helpful but you couldn’t cover everything. I really wrote it originally as something that would be useful mainly to first year students. Now it sort of developed into more than that. I was rather flattered when I visited the Supreme Court of Canada Law Library to discover that there were actually two copies.”

Banks approached a publisher and was told that the book was not commercially viable. At the time the library school at Western was getting started in publishing. As Banks had taken some courses at the library school, they offered to publish it for her and paid for that. The book did well, so well that the library school told Banks to take it back to a commercial publisher. Banks approached Carswell, and they agreed to publish it. Copies of the sixth edition are still being sold by Carswell today.

Dr. Banks retired in 1989, and was made an honoured member of CALL/ACBD in the same year. She kept her connection with CALL/ACBD up until her death in 2010. When looking back at the history of CALL/ACBD Banks had this to say, “the thing that strikes me is how it developed from seven or eight people to about 500 now. I don’t think we had the least idea that it would grow to that size, at the time. Also the fact that it... well, I think that it has done some worthwhile things.”

We would love to hear from you!

If you have any kudos or comments or even suggestions for themes or future articles, we would love to hear from you. Contact Editor Susan Barker at <susan.barker@utoronto.ca> or Features Editors Amy Kaufman, at <kaufman@queensu.ca> or Leslie Taylor <leslie.taylor@queensu.ca>.



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***Accessibility for Ontarians with Disabilities Act Implementation Guide—Integrated Accessibility Standards: Information and Communications, Employment and Transportation.* By Olga Dosis. Toronto, ON: Carswell, 2013. v, 138 p. Includes bibliographic references. ISBN 978-0-7798-5205-5 (softcover) \$50.00.**

This guide is written to explain and assist with the implementation of the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11* (AODA, 2005), which addresses barriers for persons with disabilities by making access to goods, services, facilities, employment, accommodation and buildings attainable on or before January 1, 2025. Under *AODA, 2005*, five key standards have been identified as areas that need to be made accessible: customer service, public transportation, information and communications, employment, and built environment. To meet this goal, the Ontario Government has been systematically releasing detailed regulations that organizations must adopt. The first one was the *Customer Service Standard* (O Reg 429/07); followed by the current *Integrated Accessibility Standards* which encompasses Information and Communications, Employment, and Transportation (O Reg 191/11).

As an implementation guide, it is written for organizations in Ontario that have at least one employee to help meet compliance with the Government of Ontario's goal of making Ontario accessible by 2025. The author, Olga Dosis, is an expert in the field of accessibility with over 20 years of experience. She is currently the AODA Coordinator at George Brown College, as well as the Principle Accessibility & Inclusion Consultant at OD Consulting.

The author has so far created two guides which have followed the release of each new set of standards. These guides are meant to help readers understand the standards, highlight the compliance timelines, and provide resources and direction on how to implement the requirements. The first guide by the author is entitled *Accessible Standards for Customer Service, Ontario Regulation 429/07: Implementation Guide* (Toronto, Ont.: Carswell, 2010). The current one is the *Accessibility for Ontarians with Disabilities Act Implementation Guide—Integrated Accessibility Standards: Information and Communications, Employment and Transportation*.

Both guides are concisely written, and simple-to-read companions to the regulations. References to online resources and specific sections of the legislation are included in footnotes, and a References and Resources section aids in finding additional information.

Enhancements from the first guide to the current include adding the full-text of the regulation as an appendix in the guide. Other improvements include tables of timelines for the requirements stipulated in each standard.

This guide appears to be the first commercial guide dealing with the integrated standards. The Ontario Ministry of Community and Social Services has created guides for each standard, found online through a short URL <www.accesson.ca>. This website provides a 281 page Guide to the *Integrated Accessibility Standards Regulation* compared to this guide which is 138 pages (including the full text of the regulation). The author herself refers to other useful web resources from the Accessibility Directorate of Ontario of the Ministry of Community and Social Services, which is in charge of this website. As a special note, the *Law Society of Upper Canada* has also created *Accessibility for Ontarians with Disabilities Act, 2005—Guide to Developing a Customer Service Accessibility Policy*, and has also referred lawyers to the Ministry site for additional guidance on how to implement the integrated standards under its "Recruiting and Hiring Tips to Ensure Equal Rights of Law Students and Lawyers with Disabilities" webpage.

It is interesting to note that the Ministry website includes a disclaimer stating "The Accessibility Directorate of Ontario, the Ministry of Economic Development, Trade and Employment, and the Government of Ontario do not endorse any accessibility consultant, including their advice, opinions or recommendations." This would, clearly, apply to the guide being reviewed and its author.

Accessibility for Ontarians with Disabilities Act Implementation Guide—Integrated Accessibility Standards: Information and Communications, Employment and Transportation is good for library administrators in Ontario who need to take into consideration accessibility issues, and who make the necessary changes in order to be compliant under legislative law. It might also be a useful reference to government and academic libraries in Canada, which have patrons who are interested in the accessibility developments in Ontario, and how the Government of Ontario plans to meet its goal of making Ontario accessible by 2025.

Vicki Jay Leung
Reference Librarian
Paul Martin Law Library, University of Windsor

***Business Valuation.* By Howard E. Johnson. Toronto: CICA, 2012. 564p. Includes bibliographic references and index. ISBN 978-1-55385-658-0 (softcover). Also issued in electronic format.**

Lawyers are often presented with scenarios which require an understanding and knowledge of the principles and practices of business valuation. Unless they have a background in commerce, lawyers generally have no formal training in the subject. As such, they must rely on self-study and experience to gain knowledge in this area, and depend on textbooks and reference material to assist them.

Business Valuation, written by Howard E. Johnson, is a reference book that surveys the principles, concepts and methodologies used when determining the value of a business. As is necessary for a book with readers of varying expertise and experience in its subject matter, it is written in a manner that is easy to follow and understand. The author not only explains foundational concepts and methodologies, but outlines specific formulas and provides examples of their application.

The book is organized logically, with a Glossary and a Defined Terms section at the beginning of the book for ease of reference. This is important as the subject matter is technical. Chapters 1 and 2 provide the foundation and the over-arching principles that apply to a business valuation, regardless of the methodology used. Chapters 3 to 6 review and explain a number of different valuation methodologies. Chapters 7 to 9 deal with more specialized topics, such as rates of return (Ch. 7), the effects of controlling and minority interests on a valuation (Ch. 8), and a number of other issues that can affect a valuation (Ch. 9). Finally, the book ends with a discussion of the nature of notional market valuations and open market transactions, including the differences between the two and their respective applications (Ch. 10 and 11).

To better illustrate concepts and theories, the author utilizes a number of exhibits throughout the book. These range from tables summarizing information presented in the preceding paragraphs (Exhibit 1A, pp. 10-11) to demonstrative applications of an entire methodology (Exhibits 5E to 5L, pp. 203-216). Given the technical nature of the subject matter, the author's decision to include the application of a methodology to a fictitious fact scenario greatly enhances a reader's abilities to apply and understand the concepts.

Of interest to lawyers in particular, is the discussion in Chapter 8 on the impact shareholder agreements can have on the valuation process, and, specifically, the effect they can have on a minority interest discount.

This book would be of great value to any individual, lawyer or not, looking to learn the fundamentals of business valuation. It is an excellent source to obtain a foundation for discussions with clients, colleagues, experts and others, and should be kept nearby for reference when those discussions become overly technical or complex.

**Brett Williams
Tapper Cuddy LLP**

***Commercial Debt Collection in Canada: A Legal Handbook.* By David Franklin. Aurora, Ont: Canada Law Book, 2012. li, 483 p. Includes bibliographic references and index. ISBN 978-0-88804-606-2 (softcover) \$95.00.**

With increasing financial burdens, along with upturns and downturns in economies nationally and globally, comes an increased interest in commercial debt collection. This text provides a guide to provincial, territorial and federal jurisdictional debt collection procedures. It covers most Canadian jurisdictions with some of these receiving more discussion than others. British Columbia, Ontario

and Quebec are given the lengthiest analysis; British Columbia's section is largest and includes schedules and forms. Jurisdictions with less analysis include Alberta, Saskatchewan and Manitoba. These are grouped as the Prairie Provinces given their similarities in law and process. The Northwest Territories and Nunavut are also grouped as are the Atlantic Provinces. Each region's procedure is analyzed and selected information is provided by a lawyer practising in that jurisdiction.

The second half of the book includes brief essays on various topics related to commercial debt collection. The text is broken down into subtopics including special courts, pre-legal, contractual issues, special remedies, arbitration and alternative dispute resolution, insolvency, cargo claims, international and cross-border and special topics.

The editor, David Franklin, personally pens the chapter on Quebec commercial debt collection procedure and he has a long list of qualifications and honours. He has practised in the area of commercial debt recovery for over fifty years, is a member of four bar associations and was honoured with the designation of Avocat Emeritus (Ad.E.) by the Quebec Bar in 2008. Franklin is also the honorary consul of Iceland in Montreal, an adjunct professor at Montreal's Concordia University and has published three other texts namely *Introduction to Quebec Law* (1984), *International Commercial Debt Collection* (2007) and (with Steven Harms) *International Commercial Secured Transactions* (2010). He is clearly an authority in the subject area.

Franklin enlists a host of select practitioners (fifty-two in all) to complete this guide. Articles are authored by lawyers with expertise in the subject (one contributor of note, for example, is Lazar Sarna). Brief biographies and contact information for each writer are provided. The content format of the book is similar to the earlier two texts edited by Franklin, but clearly, the content varies depending on the specific writer. The analysis is written in clear, plain language that is easy to read.

The book contains some forms and templates, URLs to government websites, limited footnotes and an index. There is no table of cases or legislation. As well, the table of contents and index does not include authors' names. There is also a disclaimer: Franklin notes that this text is a guide only and not to be relied on without confirming sources and requirements.

Commercial debt collection is a topic which is seldom written on in the Canadian publishing market, and, therefore, is a welcome introduction to commercial debt collection for Canadian jurisdictions. Franklin's book offers a basic and practical guide to the subject area. Practitioners, students and librarians will appreciate the cross-jurisdictional content and will benefit from the writers' analyses.

**Laura Lemmens, B.A., B.Ed., M.L.I.S
Head Librarian
Alberta Government Library – Great West Life Site
Edmonton, Alberta**

***Cultural Studies of Rights: Critical Articulations.* John Nguyet Erni, ed. New York: Routledge, 2011. 136p. ISBN 978-0-415-67729-5 (hardcover) \$135.00.**

This volume, originally published as a special edition of *Communication and Critical/Cultural Studies*, has also been published as a stand-alone title. In the introduction, the editor states that this collection "...forges an alliance between cultural studies and human rights scholarships, to help us better understand the changing and complex political context that continuously shapes contemporary violence." He adds, "[t]o date, interdisciplinary dialogue or institutional collaboration remains rare across the two domains, resulting in critical interpretive work appearing too vacuous at times, and institutional legal work often trapped in doctrinalism."

The papers in this work all stay true to this purpose, and there is breadth and depth here. They are written by academics in the fields of law, cultural studies, and communications, from Canada, Australia, the USA, and Hong Kong. Several articles focus on the relationship and interaction between human rights and cultural studies generally and there are also papers on specific rights issues such as social advocacy, the right to read, and gay rights. Importantly, the volume's thorough index makes these papers readily accessible to those who are researching more specific issues in these areas.

This book is not aimed at the layperson, something which is evident from titles such as "Reframing Cultural Studies: Human Rights as a Site of Legal-cultural Struggles," and "Immanent Law and the Juridical: Toward a Liberative Ontology of Human Rights." This content, instead, is aimed squarely at those interested in critical and academic research on these issues; however, as a non-academic reader with a legal background and a well developed interest in the interaction between law and society, I still found all of the papers engaging and thought provoking. The authors have written papers that are successful in promoting the value of looking at human rights and cultural studies interactively, rather than from a purely legal or purely cultural point of view.

My one criticism of the collection would be the price—at \$135.00 (US) for a collection of seven papers, this may be difficult to justify. Nonetheless, the content would be a valuable addition to any academic collection on human rights and/or cultural studies.

***Heather Wylie, Law Librarian
Alberta Law Libraries
Calgary, Alberta***

***Debating Sharia: Islam, Gender Politics, and Family Law Arbitration.* Anna C. Korteweg & Jennifer A. Selby, eds. Toronto: University of Toronto Press, 2012. ix, 397p. Includes bibliographic references. ISBN: 9781442611450 (paper) \$32.95.**

When Ontario's *Arbitration Act* (1991) began allowing for alternative dispute resolution (ADR), some Jewish and Christian groups responded by offering ADR

services for family law disputes. Such faith-based arbitration carried on without much media reaction for over ten years under the larger legal frameworks of the federal *Divorce Act* and *Ontario's Family Law Act*. And, as in other provinces, any Ontario couple could contract out of some statutory provisions, for example by signing prenuptial or divorce agreements that divided assets differently than in a manner set out by the legislation.

In 2003, retired lawyer Syed Mumtaz Ali announced that his Islamic Institute of Civil Justice (IICJ) would also provide family law arbitration services in Ontario under the Arbitration Act and Islamic law. Media and public reactions were swift, vociferous, and extended far beyond Canada's borders. The province appointed former Attorney General Marion Boyd to study arbitration and family law, and her report was generally positive about the process. Yet on September 11 2005, Ontario Premier Dalton McGuinty announced that religious-based arbitration would not be permitted under the *Arbitration Act*.

Debating Sharia: Islam, Gender Politics, and Family Law Arbitration is a collection of chapters by legal scholars and academics, some of whom were directly involved in the debate as representatives or legal counsel for interested groups. Others in this group conducted ethnographic research, interviewing lawyers, clerics, and divorcing Muslims themselves.

All the authors point out that the public debate lacked nuance and was characterized by unflattering portrayals of Islam and many of its practitioners. However, they have sharply divergent opinions about whether or not Ontario should have allowed Islamic-based family law arbitration.

The book is organized into six parts. Part One – Practicing Religious Divorce among North American Muslims – reports on two anthropological studies. These chapters include explanations of Islamic divorce law practices and definitions of terms. The authors explain that many Muslims who obtain a secular divorce also seek a religious end to their marriage as well, mediated through a religious leader.

Part Two – Regulating Faith-Based Arbitration – is an examination of arbitration processes as the privatization of law. These chapters include some description and definition of existing Islamic legal practice and terms, but there is more focus on the theoretical potential for adapting Islamic legal scholarship to the Canadian context.

Part Three – Defining Islamic Law in the West – outlines some of the debates within, and history of, Islamic law as it relates to marriage. These chapters have a particular focus on both the Islamic diaspora and colonial encounters.

Part Four – Negotiating the Politics of Sharia-Based Arbitration – focuses primarily on how various individuals and organizations involved tried to frame the debate around Islamic-based family law. The authors draw on theology and political science for their analyses.

Part Five – Analysing Discourses of Race, Gender, and Religion – also deals with public discussions. These chapters examine how various interested parties responded to the controversy, and which Muslim women had the most voice in the media.

Part Six – Managing Religion in the Canadian State – examines the debate using theories of multiculturalism and

secularism. No chapters were written to provide guidance about daily issues of practice.

In general, the book is well-organized. Each chapter is divided under subheadings, aiding any reader skimming for specific pieces of information. There is no index, however, which would have made this book much easier to use for quick reference, particularly to access the many definitions and explanations of Islamic legal terminology.

As is often the case with multiple authors, some content from previous chapters is repeated. This repetition is occasionally tedious when reading the book all the way through; however, it does make individual chapters easier to understand when read on their own.

Debating Sharia would make an excellent addition to any academic law library in Canada, and even to the collections of many universities without law schools. Non-academic law libraries serving those who practice family law would also benefit if clients need to learn about Sharia in the context of family law. To practitioners, this book is probably most valuable for its explanations of Islamic legal terminology and traditions.

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***Inadmissible to Canada: The Legal Barriers to Canadian Immigration.* By Lorne Waldman & Jacqueline Swaisland. Markham, Ontario: LexisNexis Canada, 2012. xvii, 429p. Includes text of Immigration and Refugee Protection Act and index. ISBN 978-0-433-47204-9 (softcover) \$99.00.**

The main objectives of Canada's *Immigration and Refugee Protection Act* ("IRPA") are to allow the nation to pursue the social, cultural and economic benefits of immigration, to protect the health and safety of Canadians, and to maintain security. Passed in the aftermath of September 11, 2001, IRPA was thought to balance the needs and rights of individuals and those of the public interest in maintaining secure borders.

Foreign nationals seeking permanent residency in Canada will not be granted such status if they fall within any of the enumerated inadmissibility sections of the IRPA, and can be barred entry or removed if they are already within Canadian borders. These enumerated reasons for inadmissibility include being a threat to national security, having violated human rights, being involved in organized crime, being unable or unwilling to support oneself, or having a medical condition that is expected to cause excessive demands on Canadian health and social services. The evaluation of each of these exclusionary grounds is, not surprisingly, quite complicated.

According to statistics available on the Canada Border Services Agency ("CBSA") <<http://www.cbsa-asfc.gc.ca>>, in 2012, 257,288 people obtained permanent residency status, which is consistent with governmental policies. An estimated 1,000,000 applicants worldwide seek permanent resident status each year. Last year, according

to CBSA, 50,931 people were denied entry into Canada due to inadmissibility and 18,762 people were removed from the country. IRPA directly affects these applicants' dreams of making a life in Canada. Concomitantly, it helps maintain Canadians' security.

With *Inadmissible to Canada*, Waldman and Swaisland, have created a practical, user-friendly reference tool that tackles the intricacies of IRPA. Each of the book's chapters is devoted to a specific reason for inadmissibility: security issues, war crimes, criminality generally, medical issues, burdening social services, and misrepresentation. The language of IRPA is examined and explained. Supporting case law is presented for further explication. Furthermore, the authors describe the latest developments in defences that can be used by individuals who may be found inadmissible. The full text of the *Immigration and Refugee Protection Act* is set out as an appendix.

The book serves as an indispensable manual for immigration lawyers and consultants of all experience levels (from junior to senior counsel), as well as for immigration law students. For a niche practitioner or a firm that occasionally deals with immigration, this book would be a valuable addition to the library.

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***Income Tax Law.* By Vern Krishna. 2nd ed. Toronto: Irwin Law, 2012. 746p. ISBN-13: 978-1-55221-235-6 (softcover) \$75.00.**

The second edition of Professor Vern Krishna's *Income Tax Law* (part of Irwin Law's *Essentials of Canadian Law* series) provides an excellent introduction to income tax principles, policy and practice in Canada. Professor Krishna has written extensively on all aspects of Canadian income tax law and is widely regarded as an expert in this area.

As mentioned by the author in the preface, the book examines the framework of income tax law in Canada and addresses five fundamental questions: who pays tax in Canada (individuals, corporations, etc.), what is taxable under the law, how do we compute taxes payable, when do we pay taxes, and finally, how is the tax system administered and disputes resolved with the tax authorities?

In Part I, Professor Krishna gives a brief history of the Canadian income tax system and discusses the federal and provincial governments' authority to impose and collect taxes under the Canadian Constitution. Krishna also provides guidance on the principles of statutory interpretation as it applies to income tax law.

Part II examines the question "who is taxable" in Canada. In this section, Krishna discusses the taxation of individuals, corporations, trusts, partnerships, non-residents, exempt persons (charities, crown corporations etc.) and status Indians, and explains the concept of residence in determining who is taxable under Canadian law.

In the following chapters, Krishna discusses in great

detail, the meaning of “income” under the law, the sources of income (employment, business, property, capital gains, etc.), the concepts of business and property deductions, and capital gains and losses.

Parts IV and V include an in-depth discussion of the principles and rules for computing taxes payable by individuals and corporations in Canada. Professor Krishna has also included a chapter in Part VI on the concept of “tax avoidance,” and an overview of Canada’s “General Anti-Avoidance Rule” (GAAR) in s. 245 of the *Income Tax Act*. The chapters in Parts VII and VIII provide readers with useful information concerning income tax filing requirements, assessments, penalties, objections, appeals and judicial remedies. Finally, the book also includes a very useful glossary and an extensive table of cases.

Students, tax practitioners and tax researchers will all find this book to be a valuable resource on the principles and practice of Canadian income tax law. It would be a useful addition to any academic, law firm or corporate/accounting library collection.

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***The Nature of Legislative Intent.* By Richard Ekins. Oxford: Oxford University Press, 2012. 303p. Includes bibliographic references, table of contents and index. ISBN: 978-0-19-964699-9 (hardcover) \$70.00.**

Is legislation the intention of legislators? Richard Ekins of St. John’s College, Oxford revisits the orthodox canon of statutory interpretation: that legislators do, in fact, effectively exercise deliberative democracy.

Traditionally, theorists such as Aquinas and Hobbes had argued that it was not so much the wording of a statute that was important; it was the underlying intent of the legislation that should speak to judges. As Blackstone put it: “The fairest and most rational method to interpret the will of the legislator, is by exploring his intentions at the time when the law was made, by signs the most natural and probable. And these signs are either, the words, the context, the subject matter, the effects and consequence, or the spirit and reason of the law.”¹

Remarkably, it was not until the mid-1990’s (*Pepper v Hart*) that a purposive approach to statutory interpretation was adopted in the UK.

In his book, Ekins carefully analyzes modern, sceptical arguments by theorists such as Dworkin and Waldron: that legislation is a product of an aggregation of intentions. Specifically, he looks at sociological theories of how groups behave. He considers the work of Marmor: that there is such a thing as group intention because there are connecting identities among them. He also considers Bratman: that authority procedures influence how a group agrees.

Ekins also considers what it is to “legislate.”

Ultimately, it means that legislators chose to change laws for moral reasons based on empirical facts in keeping with the rule of law. It is a positivist argument based on liberal ideals. Ekins’ legislators are apparently incapable of passing wicked laws.

In terms of the philosophy of language, Ekins considers Waldron and Raz on the indeterminacy of language. Nonetheless, he is confident that the rituals of legislative language and legislative drafting serve to provide a rational framework in understanding statutory intent because a “well-formed legislature is a rational agent.” Ekins concedes that statutory language and the practice of scrying Hansards do not always coincide, thus his emphasis on “equitable interpretation” in exceptional circumstances.

This is a very important book, not only for the purpose of statutory interpretation. It is important because it adds a dimension to legal theory as well as constitutional analysis in its critique of leading modern theorists.

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***The Oxford Handbook of the History of International Law.* Bardo Fassbender & Anne Peters, eds. Oxford: Oxford University Press, 2012. xl, 1228 p. Includes index and table of cases. ISBN 978-0-19-959975-2 (hardcover) \$262.50.**

It is curious that Oxford should have chosen to provide its series of subject overviews (legal and otherwise) with the series titles of “Oxford Handbooks.” To my mind, “handbook” suggests a précis of a subject. So I was rather impressed when I received *The Oxford Handbook of the History of International Law*, which weighs in at over twelve hundred pages. Given the daunting complexity of international law, it is somehow appropriate that any history of the subject should be afforded the space in which to cover its breadth and depth comprehensively, and it must be said that the contributors to this collection clearly seized the opportunity.

As the title suggests, it is dedicated to the history of international law. Although the material has a great deal of bearing on current international law, the primary emphasis is on its origins and development in the fifteenth century to the conclusion of the Second World War. Given that the concepts of international law rely heavily on custom, history, and tradition, no full understanding of the subject is possible without being able to refer to its collective past. Although there is an extensive corpus of writing on international law and its history, the ambition and scope of this volume make it an important contribution the scholarship of the field and, arguably, one of its leading texts.

The Oxford Handbook of the History of International Law is divided up into a number of parts dedicated to a particular area or subject pertinent to international law,

¹ W. Blackstone, *Commentaries on the Laws of England* (Oxford, 1765-1769) cited to 9th ed (1783) the last revised by Blackstone, Book 1, 59.

including Actors, Themes, Regions, Interaction or Imposition, Methodology and Theory, and People in Portrait. Within each part are a number of essays related to the overall theme, and these essays range in length from twenty to thirty pages. There are a total of sixty-five essays, so it is not difficult to see how the collection is as hefty as its subject matter.

The structuring of the book allows for it to be much more accessible than it first appears. While there are sections on relatively entry-level material such as treaties, the definition of international actors, the role of international organizations, and so on, there are also far more esoteric works that would likely appeal to only the most devout student of international law – particularly in the People in Portrait section, which is dedicated to biographies. Nevertheless, it is still weighted more heavily in favour of those who have a background in the material. Even as a graduate of Osgoode Hall Law School's International, Comparative, and Transnational curricular stream, I found that much of the material was operating at a level by and for academics. Luckily, it is extensively annotated, which is a boon for students and those who wish to delve further into each subject. In addition to the index and table of cases, each individual entry is heavily footnoted, and then followed by a list of suggested further reading.

While *The Oxford Handbook of the History of International Law* is an impressive and important text for the field of international law, its price, subject matter, and density ensure that it is unlikely to find its way into the collections of non-academic law libraries which is fine, since academia is clearly where the editors' focus was directed. It is unlikely that many practitioners – however interested in the subject they may be – would find much practical use in the biography of Immanuel Kant or an essay on the reception of ancient legal thought in early modern international law. However, that is not to take away from the achievement of the editors of *The Oxford Handbook of the History of International Law*, as they have managed to produce a work that should be a benchmark on the subject for years to come.

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***The Paradox of Professionalism: Lawyers and the Possibility of Justice.* Scott L. Cummings, ed. New York: Cambridge University Press, 2011. Includes index. 336p. ISBN 978-0-5211-4599-2 (softcover) \$37.99.**

This collection of essays deals with lawyers and their role in constructing a just society. Edited by Scott Cummings of the University of California, Los Angeles, the book discusses the relationship between lawyers' commercial aims and public aspirations. Can lawyers transcend self-interest to contribute meaningfully to justice and society as a whole? Although the authors of these essays offer evidence that justice is possible, their conclusion is that it can never be complete.

The book is organized around lawyers and three different types of justice claims. The first of these, Lawyers

and the Public Good, examines the dilemma between the public good and market forces. One author, Robert Gordon, looks at the history of American lawyers and discusses how they were among the highest champions of the rule of law and the constitution during the revolutionary days. This has waned considerably, however, as many lawyers are now working for the causes of conservative resistance to access to equal justice and political power for disadvantaged groups, including minorities and workers. Another author, Marc Galanter, looks at the increasing multitude of lawyers all around the world. His concern is not so much for the increase in lawyers as much as it is for who they serve. While there are more lawyers available, he provides evidence that many are being snapped up by the powerful corporate sector, leaving few for the dispossessed and those needing access to justice.

The second claim, Lawyers and their Clients, looks at context-specific and other factors that influence ethical lawyering. In one essay, Lynn Mather argues that there is significant variation on how lawyers view the extent of ethical practice. She offers evidence that lawyers in the fields of banking, securities and estates agree that peers in their fields were highly ethical compared with lawyers who practiced in labour relations, immigration and criminal law. Deborah Rhode's chapter looks at the level of formal professional regulation and asks what can be done to move toward what she calls, "socially conscious policies". She belittles law firms for putting their own professional interest over the public interest, and encourages more transparency in bar proceedings. In another essay, Hempel and Seron argue that legal education can reshape professional values towards public ends. They focus on the newly formed University of California at Irvine Law School which promotes experiential learning, and not just theory.

The third claim, Lawyers and Social Change, examines how lawyers have tried to use the law for creating social change. Andrews focuses on South Africa and asks whether the struggle to overthrow apartheid has transferred into real equality. While judicial independence has been advanced, the courts, Andrews says, have not lived up to their promise to reduce poverty or equality, and the efforts to increase the number of blacks and women on the bench remains a challenge. Still another essay looks at how lawyers construct advocacy networks to influence national policy-making.

The collection provides very good research material for scholars as the research is very recent. Depending on what readers are interested in, they may read the book in its entirety, or only one part. The book is suitable not for a law firm, but for an academic library, especially for a school that places great emphasis on social justice and ethics. While much of the book focusses on the United States, enough emphasis has been placed on other countries to make this a worthwhile and important work for the serious scholar involved in social justice.

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Raindance: The Business Development Guide Book for Lawyers. By Gary Mitchell. Toronto: Carswell, 2012. ix, 135p. ISBN: 978-0-7798-5110-2 (softcover) \$65.00

Gary Mitchell, is the founder of On Trac Coach, and has many years experience working with lawyers on their business development skills. This book has been adapted from his coaching program and is designed as a practical guide to help lawyers market themselves. It includes a number of worksheets and checklists to guide lawyers through the process of developing a business plan.

Mitchell has broken down the business development and marketing process into a number of clearly laid out steps. The book is divided into eight chapters, reflecting these steps, including finding clients, building relationships with clients, creating a business plan, and practice and career related tips. Each chapter is further broken down into manageable stages, with a focus on getting the best return for the time invested in the process. Each stage requires readers to clearly articulate what their goals are so that they can clearly see if they are getting the results that they want.

There is lots of practical information, including how to get the most out of networking with people at conferences and how lawyers can get the most out of articles they have written. Mitchell also talks about how to most productively use LinkedIn and Twitter. Among the list of resources he provides is a sample list of questions to ask clients.

The author acknowledges that a significant number of lawyers are introverts, and makes suggestions accordingly. He suggests “offering” rather than “selling” services to clients as this makes both lawyer and client more comfortable.

Mitchell ends the book with a chapter on “practice and career related tips” which looks at key areas of practice management such as time management, managing clients, generating additional work from current clients, generating work from other lawyers at your firm, managing the growth of your practice, and making partner. As with every other chapter, Mitchell provides practical tips on these topics.

One of the things I really liked about this book is the information on researching potential clients or markets of interest and the suggestion that lawyers talk to the library about doing this work. The author also emphasizes marketing and IT as important resources in business development. There is a very definite focus on treating the members of your firm, be they lawyers or staff, as part of a team and building relationships with them. One recommendation the author has is to ask staff how to make it easier for them to help you. Mitchell also strongly emphasizes the importance of marketing yourself within your firm.

This book would be of interest to legal libraries, particularly those in law firms. However, the number of worksheets and the interactive nature of the book makes it something that lawyers might want to purchase for themselves or have their marketing department purchase for them.

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Visualizing Law in the Age of the Digital Baroque: Arabesques and Entanglements. By Richard K. Sherwin. New York: Routledge, 2011. 256p. ISBN: 978-0-415-61293-7 (Paperback) \$42.95.

“We love the image and we hate it. We crave its enhancement and fear its deceit.” (p. 31)

Everywhere we look these days we are confronted with a continuous cascade of images. These visual expressions are often trying to persuade us to purchase some product, support a cause, or alert us to an upcoming event. We regularly see actual and simulated representations and are prepared to accept what we see as both real and truthful. On crime shows like CSI for example we are zoomed in to follow the destructive path of a digital bullet as it passes through someone’s body or witness the deleterious effects of a virtual toxin as it spreads through human tissue. In what Richard K. Sherwin describes in *Visualizing Law in the Age of the Digital Baroque* as “unprecedented powers of creative visualization” the unreal is made real and the invisible made visible.

We’ve grown accustomed to this visual environment and have developed some skills that help us to filter and interpret what we perceive. However, as Sherwin notes, textual and visual meaning operate in fundamentally different ways: “*Visual truth, like visibility itself, is a construct. As Benjamin Cardozo observed nearly a century ago in regard to judgments in general, making sense of an image involves a wide array of implicit (which is to say, unconscious) meaning shaping factors, such as education, experience, class, ideology, and character. When judges fail to recognize this fact and unreflectively use their visual common sense to trump, and thus exclude, the common sense of others, this raises serious concerns about the search for truth and justice in particular cases.*” (p. 39-40)

What happens to the practice of law when these same sophisticated visual techniques are applied in the courtroom and become commonplace tools in a lawyer’s repertoire? Sherwin examines this question and considers how a legal practice traditionally “steeped in words” must now work with the “visual jurisprudence” that has emerged in today’s courtrooms.

In a wider sense Sherwin is also arguing for a “radical reconceptualization of law.” He questions the legitimacy and authority of law in a digital world where visual expressions are presented against a backdrop informed by the “magical realism of pop science.” He explores four primary aspects of law on the screen: the interaction of the image with the viewer’s learned cultural and cognitive templates (*visual memes*); our sense of visual delight (*visual sensation*); our ability to escape into the visual image and the possibility of experiencing an alternative moral position (visual unconscious); and our longing for a knowledge that leads to greater understanding (*visual sublime*) (p. 57). He investigates these “forms of law’s screen life” within the context of semiotics, epistemology, our collective metaphysical anxiety and the sublime.

Sherwin draws a wonderful parallel between baroque and contemporary cultures equating the rise of modernity, that coincided with the mass production of printed texts, with our current transition from a text-based rhetoric to a pervasive digital sensibility. He uses the term “iconoclash” which he describes as the “recurrent oscillation between belief and suspicion that shapes and informs the digital baroque culture of our time” (p. 36). In today’s courtroom, we will frequently see surveillance videos, crime scene documentaries, animated re-enactments of accidents or crimes, or functional magnetic resonance imaging (fMRI) representing the state of a defendant’s brain. Sherwin asks how the court can ensure justice without the means to consistently and objectively validate and trust the images associated with each legal case.

This is a well reasoned mixture of legal theory, philosophy, cultural psychology and art. Sherwin provides a useful critique of Legal Realism suggesting that our “residual Cartesianism” impedes a satisfactory integration of “textual and visual storytelling into the mainstream of legal theory and pedagogy.” He touches on the work of a number of philosophers focusing on what he calls a “post-Cartesian juncture” and explores the difficult task of uncovering meaning in a contemporary context where “signifiers may refer to other signifiers ad infinitum with no necessary correlation to a signified” (p. 31). I find it refreshing that Sherwin also

refers to the creative work of contemporary filmmakers such as Andy and Larry Wachowski (*The Matrix*), David Lynch (*Mulholland Drive*) and Christopher Nolan (*Inception*) to illustrate the “dream within dreams” nature of baroque thought. He also supports his narrative with eight colour plates and a handful of black and white pictures of historical works of art. Extensive notes and a lengthy bibliography will benefit anyone interested in pursuing this interdisciplinary exploration of law’s place in contemporary society.

Despite the fact that we are awash in images at almost every turn Sherwin suggests that we don’t often think about visual literacy which is problematic because, as he points out, “humans are notoriously blind to their own prejudices” (p. 40). This is an important book that succeeds in raising our awareness for a more robust application of visual literacy within the context of the courtroom and the administration of justice. Although at times challenging this is an extremely readable book that rewards a close reading. A highly recommended addition to any legal theory collection and for anyone interested in exploring our place in this brave neo-baroque world.

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Submitted by Susan Jones

Bryna Coonin & Cynthia Levine, "Reference Interviews: Getting Things Right" (2013) 54:1 The Reference Librarian 73-77.

If there's such a thing as a "list person" then I am, without a doubt, just such a person. I make all sorts of lists – grocery lists, things-to-do lists, playlists, films-to-see lists . . . and I've even been known to read books *about* lists. One of the most useful types of lists, though, is the checklist and that's really what this article is all about. Written by two academic librarians in North Carolina, this article draws upon the wisdom of Atul Gawande's *The Checklist Manifesto*. You likely remember this book from all the media attention it garnered upon publication in 2009. Gawande was interested in developing a practical technique that would help prevent avoidable errors in surgery and he found that a checklist was the common denominator among all of the effective, error-avoidance schemes he examined.

To help illustrate the effectiveness of checklists, Gawande offers the striking example of Captain Chesley Burnett "Sully" Sullenberger III. He was the pilot who, after both engines of his plane were rendered inoperable by a flock of birds, safely landed the aircraft on the Hudson River, saving the lives of every passenger aboard. Captain Sully's feat was well-reported, but what may not be well-known is that he and his co-pilot, despite their considerable years of experience, ran through a detailed flight checklist prior to takeoff that not only included the expected mechanical and system checks, but also discussion of what they would do if they encountered problems. In doing so, the pilots and crew were able to function efficiently and effectively in a complex and information-rich situation. The authors of this article believe that checklists also have a role to play in reference services settings. The provision of reference services is also a complex rich information environment in which librarians must work efficiently and with great accuracy.

One of the most important keys to the successful provision of reference services is the reference interview. Different approaches to and varied techniques used in conducting reference interviews may lead to inconsistent and inaccurate results. Rigid adherence to a reference interview checklist, however, can help ameliorate any inconsistent and inaccurate results. The four-step reference interview checklist outlined by the authors in their article is based on the Maryland Model Checklist developed in the early 1980s and widely implemented in public and academic libraries.

Step one of the four-step checklist requires staff to offer a friendly greeting. When face-to-face with a library user, staff should smile, make eye contact, and offer a friendly greeting. Bottom line, *be approachable*. Step two requires staff to listen to the library user and ask open-ended questions to better understand what the user is seeking. This *listening*

and probing is done before any searches are performed so as not to waste any valuable time. The third step is to *clarify and verify*. Staff members should paraphrase the question, and again, this should be done before any searching. The fourth and final step of the reference interview checklist is to *follow-up* after providing the requested information. The authors recommend scripted follow-up questions for public and academic libraries and examples are included in their article. As the authors' note, follow-up is a critical step to this process; it assures library users that their questions are important and that it matters to staff that users find what they need.

If you're looking to improve communications with the users of your reference services and achieve more consistent results from those interactions, then take the authors' advice and consider using their reference interview checklist.

Forrest Wright, "What do Librarians Need to Know About MOOCs?" (March/April 2013) 19:3/4 D-Lib Magazine. Available from <<http://dlib.org/dlib/march13/wright/03wright.html>> (accessed 24 April 2013).

I'm seeing references to MOOCs everywhere these days, including my RSS feeds, on blogs, in Twitter posts, and in articles like this one by a project specialist at Thomson Reuters. You may remember reading about MOOCs in the New York Times <<http://topics.nytimes.com/top/reference/timestopics/subjects/e/elearning/index.html>> or perhaps last fall in Time magazine's special report on reinventing higher education <<http://nation.time.com/reinventing-college/>>. But even if you don't know what MOOC means, I have no doubt you're familiar with the concept. MOOC stands for Massive Open Online Course. These free, online courses are generally taught by well-known faculty from elite universities and Harvard University's Justice with Michael Sandel is probably one of the better-known examples. According to author, MOOCs are here to stay, and for this reason, it's important for academic librarians to understand how these courses may affect their work and responsibilities. In this article, the author describes the major providers of MOOCs, explains how universities create or sanction MOOCs, notes how scholarly resources may or may not be used in MOOCs, and discusses the challenges MOOCs present in providing library services to faculty and enrolled students.

The providers of MOOCs described by the author are EdX, Udacity, and Coursera. EdX is the MOOC created by Harvard and the Massachusetts Institute of Technology. The nine courses offered through EdX mirror those taught on campus and focus on computer programming, artificial intelligence, and quantitative methods. Recently, Wellesley

College came on board with plans to offer courses in the social sciences and humanities. Courses offered via EdX typically involve pre-recorded lectures, embedded exercises, as well as assignments. Textbooks are sometimes recommended, but not required, and some courses offer free e-books to students. Certificates of completion are awarded, but no transcript credit.

Udacity was created by faculty and staff at Stanford University. The 19 courses offered through Udacity focus on the hard sciences, like computer science, physics, and statistics. Courses consist of video lectures, embedded quizzes, and assignments. All courses have a no-textbook policy and learning is derived from lectures and assignments only. Certificates of completion are offered, along with designations of distinction based on students' performance. Interestingly, and uniquely, students who complete a course through Udacity can opt to have their resumes sent to Silicon Valley companies looking for persons with programming skills.

Coursera offers over 200 courses from over 30 universities, including Princeton University, Stanford University, and Duke University. Courses cover topics in the humanities, medicine, biology, social sciences, mathematics, business, and computer science. With so many courses offered, there is some variation in structure, but generally, courses consist of video lectures, embedded quizzes, and assignments. Scholarly resources and additional reading required vary from course to course. Certificates of completion are offered, but like the other MOOCs already mentioned, no credit.

As the author notes, what will be interesting to watch in the coming years is whether credit will be offered for MOOCs. The author encourages academic librarians to follow these developments closely as they may acquire new duties and responsibilities if MOOCs are given credit-granting status at universities.

MOOCs present a couple of challenges in terms of the provision of library services to students. Library support for students engaged in distance learning seems well-established at many universities and colleges. As the author notes, however, the methods by which library services are provided to students enrolled in distance learning courses may not be easily applied to MOOCs. The author mentions two characteristics of MOOCs which may present challenges for the integration of library services.

First of all, the sheer number of students enrolled in MOOCs may prevent librarians from using some of the methods they employ in other types of online learning courses with capped enrollment limits. The concept of the "embedded librarian", for example, has had some success in contained online courses, but it's unlikely this approach would translate well to a massive online course. Second, the fact that MOOCs are hosted by third parties also presents challenges for the integration of library services. Many universities and colleges use course management systems, like Blackboard, for their online courses. These systems enable librarians to post assignments and lesson plans, and even an "Ask the Librarian" widget in some cases. Given the technical and proprietary issues related to these systems, the work librarians develop may not be transferrable to other

systems, like MOOCs, resulting in additional work for a university's multiple online environments.

Given these challenges, the author provides some advice to librarians who want to integrate library services and instruction in MOOCs. First, start small. An easy first step is to approach those teaching MOOCs and talk to them about the importance of making students aware of valuable resources. Provide faculty with links to useful guides and tutorials relevant to the course topic. In doing so, the author notes that it may be necessary to link to open access resources if libraries' own research tools link to proprietary databases not accessible to the students enrolled in MOOCs.

So knowing what you do now from this article, take the author's advice and keep MOOCs on your radar. Although they're still a relatively new development in higher education, it's one that could have a significant impact for librarians and we need to make sure we're ready and able to provide service despite the challenges these new learning environments present.

George Carter, "Trending on Twitter: How Twitter Can Help #lawlibrarians" (November 2012) 17:2 AALL Spectrum 7-8. Available from <<http://www.aallnet.org/main-menu/Publications/spectrum/vol-17/No-2/pr.pdf>> (accessed 24 April 2013).

Lately, I've been thinking a lot about Twitter and its value as a public relations tool. It's a quick and efficient way of spreading a message to a large number of people, and while it doesn't appeal to everyone, having recently celebrated its seventh birthday this past spring, Twitter has proved its staying power. And I feel confident in saying we've reached the point where it's now expected that most organizations will have a Twitter presence.

In this article, George Carter, Head of Reference and Public Services at the San Bernardino County Law Library in California, examines why law librarians should be using Twitter as a public relations and advocacy tool. He also provides readers, particularly those who haven't yet explored this particular social media platform, with some tips to get started.

Of all the social media tools available, Twitter is one of the easiest to use, but it also presents some challenges. Twitter messages, or tweets, are required to be brief, a mere 140 characters. While it's challenging to make your point and make it succinctly, such restraint can actually help make us better communicators. The brevity Twitter demands also means users frequently employ acronyms and abbreviations, which are challenging for newcomers to decipher. To help decode the abbreviated language, the author recommends consulting some of the guides to Twitter language and acronyms available online.

Another unique feature of Twitter is the use of hashtags, which are really just subject headings that allow users to organize tweets and follow topics of interest. For example, if you want to read the tweets emanating from a particular conference, just search for #aall13 or #BIALL2013, or if you're interested in following the conversation on a particular topic, just look for #ebooks, #copyright or #lawlibrarians.

Once you start using Twitter and following others, along with amassing your own followers, the author recommends exploring some of the personal information management tools, like TweetDeck, to enhance your Twitter experience. These tools allow users to manage the tweets from those you follow, shorten URLs, create longer messages, and schedule tweets in advance.

The part of this article I like best is the list of tweets and hashtags the author includes to encourage librarians to start tweeting. Add these tweets and tags to your arsenal of regular Twitter blasts to promote your library and its valuable services. And if you happen to be a member of the American Association of Law Libraries (AALL), then check out the archived AALLNET webinar titled, "Open Leadership: Using Social Media as a Leadership Tool". The author also notes the recent hiring of a Social Media and Communities Manager at AALL, who will be helping the association implement a complete social media strategy.

If you've not yet explored Twitter, either personally or for your library or organization, then let this article be the inspiration . . . and I'll see you around the #twitterverse!

Bobbie Studwell, "Isn't It Time to Establish Library-Related Social Media Best Practices Guidelines?" (27 November 2012) Spectrum Online <<http://www.aallnet.org/main-menu/Publications/spectrum/Spectrum-Online/social-media-guidelines.html>> (accessed 24 April 2013).

Now that you're on Twitter (see the previous article), have you thought about establishing some social media guidelines for your library or organization, or perhaps just some personal best practices for your own Twitter feed or Facebook timeline? If not, then you'll want to read this piece by Bobbie Studwell, the Associate Dean for Law Library and Information Services at Ave Maria School of Law Library in Naples, Florida. She's particularly interested in the use of social media by law students. Few students are using social media to promote themselves as professionals even though what they share online can have a significant impact on their future careers. Given that the use of social media is an information practice, the author believes librarians are well-positioned to be providing advice on how to share personal information, viewpoints, and opinions in a way that protects one's own reputation.

I'm not going to attempt to summarize the author's suggested best practices in any detail as it's available online, but I will point out that she's divided her best practices under the following topics: setting goals; practicing professionalism and instilling notions of respect and courtesy; being trustworthy and transparent; setting learning goals; protecting yourself and your work product; and creating the image of being a team player. Although the author writes this article from the viewpoint of an academic librarian, the list of best practices in her article can be applied in a variety of settings. Whether you want to establish your own personal best practices or draft guidelines for your library or organization, the sample best practices in this article will give you a great head start.



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Local and Regional Update

Mise à jour locale et régionale

Edited by Mary Jane Kearns-Padgett

National Capital Association of Law Librarians (NCALL)

The Library of Parliament hosted NCALL's March meeting. Sonia Bebbington of the Library of Parliament and Alexandre Grandmaître of the House of Commons presented the ongoing project to digitize the historical Debates of the Parliament of Canada. In partnership with Canadiana, the historical Debates of both the Senate and the House of Commons will be digitized and made available through an online portal. This event generated a lot of interest and we are looking forward to seeing the project go live later this year.

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

Calgary Law Libraries Group (CLLG)

On February 27, the CLLG hosted presentations by Brenda Price and Paul Johnston on the National Energy Board application process as well as Gavin McClenaghan on the Energy Resources Conservation Board approval process. The speakers highlighted key documents, participants and recent legislative changes affecting each process.

In March, Kim Clarke from the University of Calgary spoke to the CLLG about sources of UK law. She discussed UK legislation, the parliamentary process, caselaw, noting-up, constitutional law and the impact of UK law on Canadian law.

On September 8, 2013 CLLG members are once again participating in the Ovarian Cancer Canada Walk of Hope. This initiative began in 2009 to support two CLLG members fighting this cancer. Last year, close to \$19,000 was raised by Team CLLG. For more information please visit <http://www.ovariancanada.org/> or contact nadine.hoffman@ucalgary.ca.

Alison Young
Law Librarian
Bennet Jones SLP (Calgary)

Ontario Courthouse Librarians' Association (OCLA)

The annual Conference for the Ontario Courthouse Librarians' Association (COLAL) is scheduled for October 17-18, 2013 in Toronto at the Delta Chelsea Hotel. The conference theme "Creating the Information Future" will expand on last year's theme "Future Ready".

LibraryCo generously provided bursaries for staff in the County and District Law Libraries to attend the 2013 CALL/ACBD conference in Montreal. Bursaries were

awarded to Ronn Cheney (Grey), Maida de Vera (Peel), Betty Dykstra (York), Patricia Harris (Muskoka/Parry Sound), Helen Heerema (Thunder Bay), John Kerr (Wellington), Diane Lawson (Dufferin), Mary-Jo Mustoe (Welland), Laurie Stoddard (Renfrew) and Chris Wyskiel (Hamilton). LibraryCo also awarded an SLA and AALL bursary to two County and District Law Library staff. Melissa Firth (Peel) attended the Special Libraries Association conference in San Diego and Kemala Vranjes (Essex) attended the AALL conference in Seattle. Melissa and Kemala, first-time attendees will be presenting their conference experiences at COLAL in October.

The Waterloo Region Law Association moved into a brand new space in the consolidated Waterloo Region courthouse on March 13, 2013. The library now occupies a bright space on the lower level of the courthouse featuring new shelving and an improved layout. Library technicians, Catherine Malvern and Wanda Haayen evaluated and weeded the collection thereby reducing the amount of shelving. The library space is now more functional, open and modern.

Chris Wyskiel
Library Technician
Hamilton Law Association (Hamilton)

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

Several activities have marked the last months at MALL. We organized a Roundtable with our suppliers and vendors who came to show us their new releases. We had a conference on stress at work with a subject matter expert, Dr. Sonia Lupien. Finally, to stay abreast of legal issues related to the Charbonneau Commission being held in Quebec right now on corruption in the construction industry, we have hosted a well-known journalist who works for La Presse, Yves Boisvert.

In June, Maryvon Côté became the new president of the ABDM taking the place of Louis Goulet who remains on the Executive Committee as Past President.

Plusieurs activités ont marqué les derniers mois à l'ABDM. Nous avons organisé une Table ronde avec nos différents fournisseurs et éditeurs qui sont venus nous exposer leurs nouveautés. Nous avons eu une conférence sur le stress au travail avec une spécialiste en la matière, le Dr. Sonia Lupien. Finalement, pour nous entretenir des enjeux légaux de la Commission Charbonneau qui a lieu présentement au Québec pour faire la lumière sur la corruption dans le milieu de la construction, nous avons reçu un journaliste de renom qui travaille à La Presse, M. Yves Boisvert.

En juin, Maryvon Côté est devenu le nouveau

président de l'ADBM prenant la place de Louis Goulet qui demeure au sein du comité exécutif à titre de président sortant.

**Louis Goulet
Heenan, Blaikie (Montreal)**

Toronto Association of Law Libraries (TALL)

TALL invited expert speakers for its Winter and Spring membership events. In February, IT Security expert James Lee (co-author of the Carswell title, *Managing Personal Information: Insights on Corporate Risk and Opportunity for Privacy-Savvy Leaders*) presented on, "Got Data Others Want? Make Informed Decisions to Protect its Value." In March, Mike McCaffrey, the Government Publications Lecturer at the University of Toronto iSchool, shared his expansive knowledge on, "Recent Developments in International Legal Information." Mr. McCaffrey's presentation was delivered at a catered lunch held at the Legislative Assembly. In April, Rita Vine, the Faculty Liaison and Information Literacy Coordinator for the University of Toronto Libraries, delivered a session entitled, "But I'm Not a Trainer! Tips for Training End Users." The session was the best attended of the year with 61 registered.

Sadly we say good-bye to our *TALL Quarterly* Editor, Susan Barker, whose many talents will soon be benefiting the CLLR, and with great hopes we announce as our new "TALL Q" Editor, Stephen Spong. Next time you hear from TALL in this column, it will be from our new President, Pam Bakker. I will be leaving TALL in very good hands.

**Julie Anderson
Librarian
Ontario Legislative Library (Toronto)**

Winnipeg Association of Law Librarians (WLLG)

WLLG's 2014 CALL/ACBD Conference committee has met several times over the winter, and is looking forward to developing an exciting conference next year in Winnipeg. All are encouraged to please mark May 25-28, 2014 on your calendars now!

**Karen Sawatzky
Librarian
Tapper Cuddy LLP(Winnipeg)**

Vancouver Association of Law Libraries (VALL)

VALL's first session for 2013 had a library focus. In Professional Relevance and the Evolution of Law Library Work, Sarah Sutherland, VALL's vice-president this year, addressed an issue of enduring interest: what changes are happening in law libraries and the practice of law, and what they can mean for law librarians.

Then in March we were pleased to collaborate again with the Knowledge Management subsection of the B.C. Legal Management Association, in presenting a workshop by Dave Macdonald of Yupana Consulting, on *The Case for Making a Business Case*. Dave provided pragmatic insights into the many elements that go into a successful proposal for a new project, large or small.

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

**Sarah Munro
Librarian
Singleton Urquhart LLP (Vancouver)**

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Letter from Australia

*By Margaret Hutchison**

As I write it's late April, the trees are turning and leaves are falling. On my drive to work, I pass mounds of fallen leaves, ready to be vacuumed up and turned into mulch.

By the time you read this, the CALL-ACBD conference in Montreal will be long over. I hope it was a successful event and many people took away new ideas to implement in their own libraries.

The past few months have seen a continuation of the election campaign that isn't official yet. The date of the next federal election was announced as 14th September way back at the end of January and there's been a Clayton's campaign ever since, i.e. the election campaign you're having when you're not having an election campaign.

For further explanation, Clayton's <<http://en.wikipedia.org/wiki/Claytons>> was the brand name of a non-alcoholic, non-carbonated beverage coloured and packaged to resemble bottled whisky widely advertised in the 1970s and 1980s in Australia and New Zealand. It was promoted as "the drink you have when you're not having a drink". It has entered the Australian vocabulary as a phrase for a "poor substitute" or "an ineffective solution to a problem". It can also be used to describe something that is effectively in existence but does not take the appropriate name, e.g. a common-law couple might be described as having a "Claytons marriage".

However, there have been serious political discussions over the past few months. The National Disability Insurance Scheme (NDIS) legislation was passed in late 2012 and will come into effect gradually from 2013 depending on the state or territory.

This scheme is designed to provide insurance cover for all Australians who have a significant and ongoing disability, similar to the national Medicare scheme of health insurance. The scheme would pay for long term, high quality support for people who have a permanent disability that significantly affects their communication; social interaction; learning; mobility; self-care; self-management; and capacity for social and economic participation. It will also include intensive early intervention, particularly for people for whom there is good evidence that it will substantially improve functioning, or delay or lessen a decline in functioning. The NDIS will also include a comprehensive information and referral service to help people with a disability who need access to mainstream disability and community supports.

Previously, where you lived played a great part in how much support was available, services were fragmented and had long waiting lists and you had to reapply and reprove the disability for each different service provider. The

disabled and their carers and families could not plan but were reliant on the vagaries of governments and services.

The political debate at present is how to pay for this new scheme, either an increase in the levy on taxable income which pays for the Medicare scheme or cutting back in other government spending or a new levy completely.

The other debate is on school funding. In November 2011, businessman and public figure, David Gonski submitted a report to the federal government on funding of schools and, since then, the federal government and the states have been arguing about how to pay for these reforms. The Gonski Report outlined a new model for funding schools that allocated a standard amount for every student, supplemented by loadings for different factors that affect student performance, including social disadvantage, being indigenous, living in rural and remote areas and disabilities. It recommended more funding for government (public) schools and less for the private school sector.

While education remains a state responsibility under the Constitution, the federal government is becoming more and more involved in education, both funding all levels from preschool to university and setting a national curriculum & standards. This is important for children of defence parents and other transient workers who are posted every few years and can go from Queensland to Victoria then New South Wales then back to Queensland and elsewhere in their schooling career.

On a more local note, this year is the centenary of the naming of Canberra. There is a programme running throughout the year of events happening in Canberra. This year is also the 150th anniversary of the city status of Goulburn, about an hour up the highway towards Sydney and the 175th anniversary of the proclamation of the village of Queanbeyan just across the border.



The main celebrations for Canberra's centenary took place in mid March. Normally the Canberra Day long weekend is an excuse for half the city to depart elsewhere but more people than normal stayed home for the events. From our windows in the High Court, we could see a giant

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

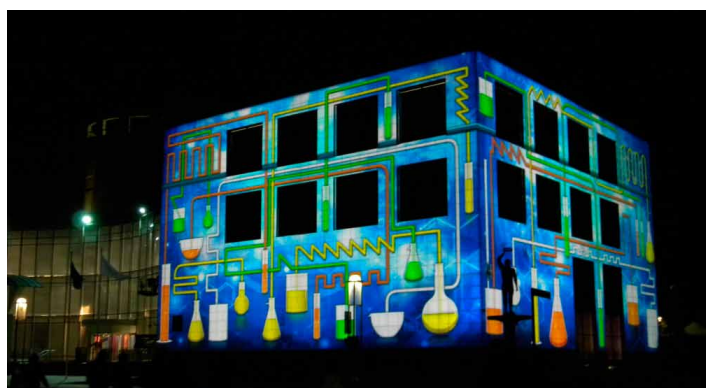
letter N being floated down Lake Burley Griffin, that later turned up as part of the word “nation” with fireworks being launched from it. The High Court agreed to have the word “Justice” projected on its side as part of the Centenary celebrations.



The week preceding was the Enlighten Festival. This had buildings in the Parliamentary Triangle with fabulous projections on their exteriors. The National Gallery had pictures from its Toulouse-Lautrec exhibition.



The National Library had amongst other images, a jazz band, a computer mother board and a black and white op-art design reflecting the building’s opening in 1968 and the amount of print material contained within.



This is the science discovery centre, Questacon.

That’s about all until next time,

Margaret Hutchison

News From The UK

By Jackie Fishleigh and Pete Smith***

London Calling

Hi folks!

Here in the UK it has been the coldest March for 50 years. Dubbed “Miserable March” by the press it wasn’t so much a case of extreme temperatures but rather weeks of horrible, seemingly never-ending cold days often accompanied by a biting wind direct from Siberia. April is looking more spring-like and generally inviting, so people are going out a bit more. Just as well because factors such as staying at home rather than going shopping almost dragged our rather fragile economy into a triple dip recession last week. I appreciate that this probably seems pathetic given the sort of arctic conditions you get in Canada but we do like to have a good moan about the weather.

Mrs. T’s funeral

There has been a period of reflection on the “direction of travel” in the UK following the death in April of Baroness Thatcher who was also known variously as Maggie, Mrs. T and the Iron Lady. The policies she pursued were controversial both at the time and even now. In the words of Mario Monti, former Prime Minister of Italy and EU Commissioner she had a vision which, if somewhat simplistic, she certainly followed in an extremely determined way. Mr. Monti hailed Margaret Thatcher’s decade-long overhaul of the British economy and the former UK premier’s success in making “profound changes to British society” in her three terms of office.

The streets were lined on the day of her funeral and her coffin was greeted with applause as she made her final journey. I stayed away myself as the less enthusiastic were asked to. The funeral cost each UK citizen 6p. The aspect that interested me most was that she had been living in The Ritz Hotel for several months when she died, one of the oldest, smartest and most expensive in London. Most of us are probably more likely to be living on Ritz biscuits (cheap cheese crackers) in our extreme old age!

One teenager remarked on BBC’s political chat show Question Time that he was too young to remember Mrs Thatcher’s “reign”. There were gales of laughter from the audience but no one bothered to correct him.

London Marathon – no half measures

After the awful events at the Boston marathon, the London organisers must have worried how things would be so soon after. In the event, record crowds defied the terrorist threat. Many turned out to catch a glimpse of Mo Farrah, our double Olympic champion in the 5 and 10K events. He is moving up to longer events and did the first half as part of his training. This decision was criticised in some quarters but hey if that is what he needs to do at this stage in his preparation then who are we to judge.

A colleague of my partner Rob came 15th overall in the marathon and was the 2nd Brit home. He and his wife (they are called Phil and Emily Wicks) are now in the Guinness book of records for the fastest married couple. They did it in 4 hours 49mins!

Speed of change

The winds of change are blowing right through the legal profession and at a very fast pace. Most of the cold air is coming from the Coalition's obsession with cutting costs. With many now disenfranchised from using lawyers, especially women whose relationships break down, Sir Alan Ward bemoaned the prospect of self-representing litigants bumbling through the courts and wasting valuable judicial time (*Colin Wright v M Wright Supplies and another [2013] EWCA Civ 234.*)

The Bar responded by publishing a 60 page *Guide to Representing Yourself in Court*. One top tip is abandon any attempt to do a Rumpole of the Bailey or Ally McBeal in front of the judge as this is likely to backfire badly.

Supreme Court live

If anyone cares to see British judges in action the place to go is the Supreme Court website where you can view the most important and complex cases in the land chewed over and dissected by the sharpest legal brains in the country. I tuned in to the recent case of *Petredel v Prest* (family case which examines the issues of piercing the corporate veil). Having heard a talk on the role of the Supreme Court in the build up to its introduction on 1st October 2009 as successor to the House of Lords judicial committee and having also toured the building on Parliament Square during a Westlaw customer party there, it was fascinating to see the proceedings in full swing. You can hear every cough and the turn of each page of authorities. Much of this still seems to be in hard copy. And because we are British there are endless apologies for apparent slowness in finding relevant passages and especially before respectfully disagreeing with any of the other learned friends present!

Scottish Independence Vote – Date announced

Things probably won't be quite as cordial the nearer we get to the vote on Scottish independence which is now set for September 18th 2014.

As it happens Pete and I are both heading up to Glasgow for the BIALL Conference in June. Hopefully we may see a few of you there.

Until next time.

With very best wishes for a great summer.

Jackie Fishleigh

Notes from the Steel City

Pete Smith

There have been several major legal events in the past few months, but all were overshadowed by the death of

Margaret Thatcher.

Thatcher had been out of power since 1991 and out of the news for quite some time. Yet her death brought to the fore all of the tensions and anger of her time in power, strengthened perhaps by the fact of a Conservative led government which for many seems to be carrying forward her programme.

Here in South Yorkshire there was little chance that her death would be mourned extravagantly; the bitterness left by the steel and miners' strikes is too strong for that. In several parts of the country there were celebrations and mock funerals; she still has the power to divide opinion and provoke strong emotions.

Her funeral, whilst not a full state funeral, was attended with much pomp. The cost of the funeral was a further source of controversy; estimates range from £2m to £10m. Official figures put it at around £3.5m, although there is dispute as to how the figures are arrived at.

It's difficult to say what impact Thatcher will continue to have. It can be argued that the current Conservative party is essentially Thatcherite, with the Labour party having absorbed some of those ideas as well. Prime Minister Cameron said "we are all Thatcherites now." The challenge for Labour is to articulate how they are not.

Legal Aid

Lets move on to law issues, some of which are connected with the Thatcherite legacy. *The Legal Aid Sentencing and Punishment of Offenders Act (LASPO)* is now in force, limiting access to legal aid in a range of areas including family, employment, and welfare cases. Concerns have been raised about the limitations this represents to access to justice, with many people now unable to afford to bring cases as they cannot afford representation. There has already been a noted increase in litigants-in-person (LIPs), to the extent that the Bar Council has issued a guide for people representing themselves in court.

These concerns have been amplified by the publication of a consultation paper on legal aid, *Transforming Legal Aid: Delivering a More Credible and Efficient System*. Many see this consultation as furthering the cuts to legal aid under the cover of efficiency and savings. It will introduce price competitive tendering for criminal work, likely reduce the number of criminal law firms, potentially limit choice of representative, and cut aid for many prisoner cases.

Some have criticised the consultation as a mere show, its short time span and the manner in which changes will be introduced being evidence.

Quality Assurance Scheme for Advocates

The Criminal Bar Association has come out strongly against price competitive tendering and the proposed Quality Assurance Scheme for Advocates (QASA.) They argue that both will see a decline in the quality of advocacy and legal representation generally. See <<http://www.lawgazette.co.uk/news/northern-barristers-vote-en-masse-reject-qasa>> Ultimately many are concerned that QASA plus the potential for large firms to bid for criminal work will mean the end of

the independent Bar. A sign of the degree of anger is the Northern Circuit's one day strike, with other circuits likely to follow suit.

Jackson Reforms

There are other changes affecting civil justice, with the implementation of the Jackson reforms. The changes to procedures have been, it seems, beset with problems – in particular, criticism has been levelled at the drafting of regulations and the confusion amongst users of the court system. There are also concerns around the new costs regime in personal injury cases, and the potential effect on law firms which work in this area.

Underlying these changes in civil and criminal justice, many argue, is an ideological conviction that some cases are underserving and should not be paid for from the public purse. 'Unpopular' or troublesome users of legal services – personal injury, prisoners, judicial review – can be cast as underserving and lawyers depicted as 'fat cats' getting rich off public money. Concerns have been raised across the whole legal profession and beyond (see <http://www.independent.co.uk/news/uk/home-news/new-legal-aid-reforms-end-justice-for-all-lawyers-warn-8591234.html>)

Defamation Act 2013

There have been significant developments outside of legal services. *The Defamation Act 2013* was passed, giving significant new protections to (amongst others) authors of scientific research. Companies which wish to sue must show significant financial loss, a reform which was under threat from amendments introduced late into the Bill's passage through Parliament.

Communications Data Bill

In what has been seen as another free speech victory – albeit perhaps temporary – the *Communications Data Bill* will not appear in the next Queen's Speech. This Bill sought to create a wide net for gathering electronic communications data gathering, earning it the nickname 'Snooper's Charter.' Whilst this Bill may have been shelved, it is likely that a similar proposal will emerge in time, as the government seeks to make it politically palatable.

Health and Social Care Act 2012

Regulations under s75 of the *Health and Social Care Act 2012* caused controversy. Many commentators saw the original draft as opening up the whole of the National Health Service to competition, in effect privatising it. The regulations were re-drafted and came up for vote in the House of Lords. Despite a large scale campaign, the amended regulations were voted through and are likely to be voted through in the Commons. The amendments are seen by many as too few and too limited, with the NHS – with many of its services already provided for by private companies – on the road to full privatisation and England headed for an insurance-

based health system.

The Abu Qatada case

The Abu Qatada case rumbles on. The Government has again been defeated in its attempt to deport him to Jordan, where he faces terrorism charges. The Home Secretary, Theresa May, has made much of her desire to see Abu Qatada leave the UK. Frustrated by legal defeats the government seems to be seriously considering 'denouncing' the European Convention on Human Rights so that it can deport Abu Qatada – to many a desperate stroke, running counter to the rule of law and exposing the UK to international opprobrium. At the time of writing no decision had been made; further appeals to the courts are pending.

Leveson Inquiry

And now to the press. The recommendations of the Leveson Inquiry are likely to find expression in a regulatory body established by Royal Charter. Many parts of the press have campaigned against the proposed body, even going so far as to offer their own Charter proposals. At the time of writing neither proposal has been put into effect, but many feel that the original Government Charter will win out over the press proposal.

BIALL Conference 2013

Turning to law librarians, by the time you read this BIALl's conference will have taken place. It is being held in Glasgow from 13th-15th June, its focus being 'Law as business.' My colleague Peter Griffith and I will be presenting a paper on the LawSync project. I'm very much looking forward to that, and the chance to meet with colleagues- and to explore Glasgow!

I hope Spring has found its way to Canada; it seems to have lost its way here... Until the next time!

Best wishes,
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.

* Jackie Fishleigh is the Library and Information Manager at Payne Hicks Beach
** Pete Smith is Information Advisor, Sheffield Hallam University

Developments in U.S. Law Libraries Spring, 2013

*By Anne L Abramson***

Happy Spring! It has come to the midwest U.S. at last. My themes this spring include a sprinkling of new topics (hacking, reading) along with some old ones (legal education in crisis, multitasking)

“So you’re a Librarian? You must love to read”

It may be anathema for a librarian, but I confess I have not read a book in over two years. Between email, professional reading, news etc. I made a conscious decision to drop the simple pleasure of reading for a while. It’s not only all these other demands on my time (and eyes) but also the fact that I have become so much more selective as to what I am willing to read.

I have a Kindle and am always keeping an eye out for reading that I can do on my Kindle. However, since it is possible to download old classics for free from websites like Hathitrust or Project Gutenberg, I am reluctant to pay for a modern title of lower quality. Since reading Oscar Wilde’s *The Picture of Dorian Grey*, for example, I haven’t been inspired to read anything that isn’t as good as that masterpiece. I did go ahead and download *Anna Karenina*, which I sometimes read in fits and starts on my commute to and from work, if I don’t feel like reading my electronic subscription to the Wall Street Journal or other professional articles.

With spring break approaching, however, I thought I might rediscover the joy of reading on vacation. I chose to read Kevin Poulsen’s *Kingpin*, which tells the story of a master hacker and the FBI’s efforts to hunt him down. Reading about hacking (in print no less!) may seem like an odd choice after a reading hiatus, but my colleague Jamie recommended this title and I had very much enjoyed Clifford Stoll’s *Cuckoo’s Egg* years ago. Both titles are what one might call internet thrillers.

I am glad to report that I was able to read *Kingpin* cover to cover during our vacation and I even managed to finish *Anna Karenina* shortly after I got back. Happily for librarians and libraries, many young people still enjoy reading, even in print, per the following Pew Report, even if some of us have temporarily given it up. See *Younger Americans’ Reading and Library Habits, Pew Internet & American Life Project* (Oct. 23, 2012) <<http://tinyurl.com/8r8u6rb>>

I will have to recommend *Kingpin* to my colleagues Walt and Joanna. As I discuss more below, we all had an interesting conversation at the Chicago Association of Law Libraries (CALL) meeting last November about the hazards of computer hacking.

Series of Articles on Hacking

The CALL meeting last November was a great opportunity to catch up with my old colleague Walt Baumann at Depaul and my new colleague here at John Marshall, Electronic Services Librarian, Joanna Price. Joanna, Walt and I discussed some of the pitfalls of technology from without and within.

Later, Walt sent me the following link to an article about hacking, that might give one pause. Matt Honan, *How Apple and Amazon Security Flaws Led to My Epic Hacking*, Wired, Aug. 6, 2012. <<http://tinyurl.com/czebqp7>>

Joanna sent me a link to a follow up article by the same author. Matt Honan, Wired, *Kill the Password: Why a String of Characters Can’t Protect Us Anymore*, Wired, Nov. 15, 2012 <http://tinyurl.com/cehmufv>

We have had no choice but to embrace the information technologies that are an integral part of our

profession as well as our personal lives. Nevertheless, these articles and the book *Kingpin* remind me of just how vulnerable we are online.

I have enjoyed reading the following articles in our professional literature over the past few months.

Notable Articles in Law Library Journal

Yasmin Sokkar Harker, *“Information is Cheap, but Meaning is Expensive”: Building Analytical Skill into Legal Research Instruction*, 105 Law Libr J 7 (Winter 2013).

Renata Strause et al. *How Federal Statutes are Named* 105 Law Libr J 7 (Winter 2013).

Notable Articles in AALL Spectrum

Ashley Ahlbrand, *The “Social” Side of Law Libraries: how are libraries using and managing social media?*, 17 AALL Spectrum 12 (March 2013).

LaJean Humphries, *Cheaper Online? Our Firm Library’s Gradual Move to All Electronic*, 17 AALL Spectrum 17 (March 2013).

Member’s Briefing, *AALL Guide to Fair Business Practices for Legal Publishers*, 17 AALL Spectrum (April 2013). The third edition (2012) is now available. All U.S. law libraries will want to add this title to their collections.

Member to Member, *What is One Word or Phrase You Would Like to Ban from Law Librarians’ Vocabulary?* 17 AALL Spectrum 27 (April 2013). The words range from “patron”, “kids”, “computer aided legal research (CALR) and “good law” to phrases “I am too busy. This is not my job”.

Nina Scholtz, *A Pilot Using OverDrive*, 17 AALL Spectrum 21 (April 2013). Overdrive is a system for checking out electronic books. I used it once to check out a book from the Chicago Public Library. As I recall, it was a multistep process, not difficult, but not as quick as I might have liked.

Carli Spina, *Gamification: Is It Right for your Library?*, 17 AALL Spectrum 7 (April 2013).

Carla Wade & Ellen Richardson, *Cloudy with a Chance of Collaboration*, 17 AALL Spectrum 10 (April 2013).

Electronic Textbooks, MOOCs and More: How Education is Changing

Gregory Ferenstein, *Study: Online Courses May Be The Worst For Minorities And At-Risk Students*, Feb.22, 2013 <<http://tinyurl.com/aebvmpa>>

Xarissa Holdaway & Joyce Hesselberth, *Required Texts? Really?*, *Chronicle of Higher Education*, A21 (Feb. 1, 2013)

Jennifer Howard, *For Many Students, Print is still King*, *Chronicle of Higher Education*, A19 (Feb. 1, 2013).

Ian Jukes, *Digital Technology Will Continue to Revolutionize Learning* (April 29, 2013). <<http://fluency21.com/blog/2013/04/29/digital-technology-will-continue-to-revolutionize-learning/>>

Barbie E. Keiser, *Survey on U.S. Faculty Use of Scholarly Resources—and the Academic Library* Posted On April 29, 2013 <<http://tinyurl.com/d7to9tx>>

Steve Kolowich, *The Professors Who Make the MOOCs*, Chronicle of Higher Education (3/18/2013).

This is just one of a multitude of articles on MOOCs that have appeared in the Chronicle in recent months. I wish I had the time to read all of them, as they raise many interesting issues. I didn't think that this topic was all that relevant to us here at John Marshall until I learned that we are making two MOOCs here this summer!

Jeffrey Young, *New Platform Lets Professors Set Prices for their Online Courses*, Chronicle of Higher Education, Dec.12, 2012.

The brave new world of technology, specifically, a new software product called StraighterLine, allows professors and students to contract with one another directly. <<http://www.straighterline.com/>>

Jeffrey Young, *Textbooks Turn the Page*, Chronicle of Higher Education, Feb. 1, 2013 at A1.

The flowchart on p. A21 illustrates the lengths students go to to avoid shelling out for a new textbook. There are a lot more options than when we went to school!

Jeffrey Young, *The Object Formerly Known as the Textbook*, Chronicle of Higher Education, A16 (Feb. 1, 2013)

More Angst about Legal Education and Profession

You may wish to add these to the list from my last column. Note that the first article relates to higher education in general. Legal education, it seems, is not the only area of education that is in crisis. Trends in technology and the economy point to a sea change in higher education, in general.

Bob Berring, *Keep the Change*, SLAW, May 9, 2013, <<http://www.slw.ca/2013/05/09/keep-the-change/>> Law Library sage, Bob Berring, sees the trends unfolding and the resulting losses for law libraries.

Steven J. Harper, *Pop Goes the Law*, Chronicle of Higher Education Review, March 15, 2013, at B6.

Steven J. Harper, *The Lawyer Bubble: a Profession in Crisis* (Basic Books, 2013).

Paul Horwitz, *What Ails the Law Schools?*, 111 Mich L Rev 955 (2013).

James L. Huffman, Op-Ed., *Perverse Incentives of the Lawyers Guild*, Wall Street Journal, Feb. 21, 2013 at A13.

Katherine Mangan, *Accountability and Flexibility Are Said to Be Keys to the Crisis in Legal Education*, Chronicle of Higher Education, April 24, 2013 <<http://chronicle.com/article/AccountabilityFlexibility/138767/>>

Daniel B. Rodriguez & Samuel Estreicher, Op-Ed., *Make Law Schools Earn a Third Year*, Jan. 17, 2013 at A27 <<http://www.nytimes.com/2013/01/18/opinion/practicing-law-should-not-mean-living-in-bankruptcy.html>>

Jeff Selingo, *Skills Gap? Employers and Colleges Point Fingers at Each Other*, Chronicle of Higher Education, Sept. 12, 2012 <<http://tinyurl.com/awrgga4>>

Karen Sloan, *ABA Panel Struggles for Answers on Law School Reform*, The National Law Journal, April 24, 2013 <<http://tinyurl.com/c7tpaxc>>

More about Multitasking

Continuing my discussion of the hazards of multitasking in my last column, this recent article in the Chronicle caught my attention.

Marc Perry, *You're Distracted. This Professor Can Help*. Chronicle of Higher Education, April 30, 2013 at A26 <<http://chronicle.com/article/Youre-Distracted-This/138079/>>

The article describes a course taught by Prof. David Levy at the University of Washington called "Information and Contemplation". I am particularly intrigued by the course reading list which appears on p. A28 of the article. If only I had enough time to read them!

Airplane trips seem to be one of the few remaining times where we can be free of distractions. It was on just such a trip last weekend, that I encountered an excellent article on slowing down in Southwest Airline's in-flight magazine. David Hochman, *Not So Fast*, Spirit Magazine, April, 2013 at 71.

The author describes how he and his family instituted a 30 day slow down, which they dubbed "Slowvember". During this time, they would adopt the S-L-O-W principles: savor, listen to your inner clock, others before technology and will it matter a year from now?

The yogi librarian believes that these are indeed principles to live by.

National Library Week

In observation of NLW, the Library hosted several events including my presentation on Federal Legislative History. I was very concerned about presenting on something as dry as legislative history research so I came up with a new example this time, involving the Marine Mammal Protection Act and Chicago's Shedd Aquarium. Amazingly, quite a few students attended my presentation. It was refreshing to see that learning this kind of research still matters to them.

Presentations: Developments in the European Union

Our faculty have been giving many “works in progress” lectures this spring. The topics covered the gamut from an analysis of safe haven laws in the U.S. as a means of preventing neonaticide to sentencing by the Special Court of Sierra Leone to the meaning of access to justice as a right or value in the U.S. legal system. The series of talks was capped off by a debate between Profs. Dana and Jones about the ethicality of the U.S. use of drones.

In addition, I “attended” a guest lecture about the development of case law under the *Alien Tort Claims Act* in order to litigate international human rights violations as well as a series of talks on legal developments in the European Union. Thankfully, I could attend these lectures after the fact, as they were recorded by our Media Services Dept. using Panopto.

I very much enjoy listening to these lectures later. It helps to be able to back up the recording and listen again to the discussion. For example, the talks on legal developments in the EU opened with Prof. Guy Scoffoni from Aix Marseille University. Prof. Scoffoni gave an illuminating analysis of the EU, which some have jokingly called an “unidentified political organization”. In so doing, he could not avoid using what others have again jokingly referred to as the “f word”. Is the EU “federal” or not?

Our own constitutional scholar, Prof. Steve Schwinn gave a fascinating comparison between federalism in the U.S. as contrasted with Europe’s own limited and delineated version. Ironically, he found that the thinking about federalism is more precise and developed in Europe, even though the U.S. not Europe is a true federal state.

Federalism, a confusing topic at best, became much clearer to me as a result of this presentation. I was amazed at how much better I understood the topic after learning more about the European concept of federalism and comparing the two systems. It’s a great illustration of the value of comparative law study.

Teaching Effectiveness, Spring 2013

The Librarians were again invited this spring to the annual teaching effectiveness workshop for faculty. This year’s workshop featured Prof. Laurie Zimet of Gonzaga School of Law’s Institute for Law Teaching and Learning. Prof. Zimet interspersed her talk with her video, “Teach to the Whole Class”, which featured interviews with students at law schools all over the country.

Although I was not able to attend this year’s workshop in person, I enjoyed watching the recording. The comments of the students in Prof. Zimet’s video were definitely eye opening, at times quite positive and at other times alienated and angry. On the positive side, students appreciated creative teaching approaches which exposed them to real life applications of the material they were learning in class. One such approach included having the students take photos of possible easements after learning about the concept in property class. On the negative side, students disliked being ignored or belittled.

In response to the video, John Marshall faculty

broke into small brainstorming sessions and came up with suggestions which they shared with the entire group. These suggestions included role playing (i.e. the student plays the role of the judge or opposing counsel) and greater transparency (explaining at the outset the goals or reasons for a particular assignment or approach).

One professor simply recommended that we “assume nothing”. In the video, a student remarked about his professor’s reference to the “Hope Diamond” in class. He and his classmates spent the next part of the class trying to figure out what the professor was talking about. Such references may be completely unfamiliar to this latest generation of law students. Tips included little courtesies such as asking a student with a less common or difficult to pronounce name, how he or she would like to be addressed or asking at the end of a talk “what are the questions?” instead of “are there any questions?”. This alternative subtly conveys to the students that questions are to be expected and no one need feel shy or ashamed about asking.

After watching this workshop recording, I had a renewed awareness of the students’ perspective as well as the challenges for faculty, especially those who teach large classes and have many time constraints.

Institutional Repository

Our new IR went live last month. The link is available via our library website. You can get a taste of what our professors are writing about by taking a look at the most popular and recent papers.

New Veterans Legal Clinic Opens its Doors

The new home of John Marshall’s Veterans Legal Support Center & Clinic (VLSC) finally opens its doors. The transformation of a rather homely building into this sparkling new space is truly miraculous. <<http://www.jmls.edu/veterans/>>

Virtual Reference Appointments via Blue Jeans

The latest development in our Reference Dept. is the advent of “Blue Jeans,” a meeting software that allows one to meet “face to face” with anyone as long as both have an internet connection. Thus, you can sit in a coffee shop wearing your blue jeans and hold a virtual meeting.

Not only can the attendees see and hear one another via Blue Jeans. They can even share each other’s computer screens. Thus, a virtual reference appointment is now possible. Students don’t have to make a special trip to the Library in order to tap the expertise of a law librarian which should make scheduling less of a barrier.

We are just rolling out this new service this month. I will let you know how it goes.

End of Semester: Review of LMA with Thomson Reuters (West)

In addition to ear plugs, we offer coffee and treats (some healthy and some not so healthy) to our students during exam period. This ritual signals the passing of yet another semester.

Another year end ritual is the review of our Library Maintenance Agreement (LMA) with West, which expires every three years. Under our new LMA, we will continue to cancel much of the print primary collection in an effort to save space and money. As we evaluate what to continue and what to cancel, we consider what an Illinois law firm would need for practice in this State.

We have opted to cancel many print secondary sources as well. Most of these materials are up to date and available via Westlaw, with the notable exception of Oceana titles. Thus, continuing to pay for print updates seems less and less necessary. Also, it seems to be more cost effective to cancel now and purchase an entire new set later, if necessary, rather than lock into paying for updates for the next three years. Undoubtedly, many other U.S. law libraries are now going through a similar same rite of passage.

Bittersweet News

During the cold, bleak February, I took some refuge in watching old episodes of the television series, "Alias," which featured Jennifer Garner as super Central Intelligence agent Sydney Bristow. Sydney never fails a mission no matter how perilous. I once jokingly told my colleague, Jamie, that she reminds me a bit of this female super spy.

This image is very much in contrast to the "Nancy Pearl Librarian Action Figure", a joke gift doll that came out many years ago now. Somewhat more up to date but no less inaccurate is Parker Posey's portrayal of the young, ditzzy librarian in the 1995 film, "Party Girl". Even my favorite librarian heroine, Evie, as portrayed by Rachel Weisz in "The Mummy", has her deficits. Although she is gifted with languages and is the only one who can translate the Book of the Dead, she is not terribly competent at more mundane library duties such as shelving books. Dashing librarian stereotypes (or stereotypes of any kind) is one of my favorite pastimes.

For that reason and others, I like to sing Jamie's praises. Like Sydney in Alias, Jamie is beautiful and brilliant with an incredible work ethic. In fact, you would never know to look at her (dare I say it) that she is a librarian. There is no doubt that Jamie would be successful at whatever she decided to do, but the fact that she is a librarian speaks volumes about our profession and how it has evolved.

To me, Jamie represents the next generation of librarians, technologically savvy, impressively energetic and constantly creative. These talents are quite evident in the displays that she makes for our library. Library displays are often underappreciated but Jamie takes displays to the next level. They are extraordinary.

Despite our generation gap, I take great pleasure in the fact that we share many interests in common. As competent as she is in front of a computer, for example,

Jamie enjoys many very different pursuits, such as hiking, biking and cooking, all of which I relish as well. And she even likes yoga too. ☺ Most importantly, she can always be counted upon to laugh at my jokes whether about family dynamics or workplace politics.

Recently and regretably for us here at John Marshall, Jamie is now our former colleague. She just took a new position at the library of my alma mater, Northwestern University School of Law's Pritzker Legal Research Center (NU Law). It's not a huge surprise that someone with Jamie's capabilities would end up at a top tier U.S. law school and it's no accident that NU Law, in particular, is the lucky law school. Jamie had worked there briefly some years earlier.

I mentioned only Jamie's most obvious attributes. What I did not mention are those attributes which only those of us lucky enough to have worked with Jamie know. She is truly a team player. To me, in fact, she personifies what teamwork is all about. Simply put, she enjoys working with other people and she makes valuable contributions to the group. She also has boundless creativity and infectious enthusiasm.

As a result, in her relatively short career, she has already gotten extensively involved in our local professional organization, the Chicago Association of Law Libraries (the other CALL), and brought many projects to fruition. For example, she collaborated with colleagues here and at other area law schools on an invaluable new electronic resource for the benefit of all Illinois residents. This new "ebook" is entitled Finding Illinois Law: A Librarian's Guide for Non-Lawyer <http://new.chicagolawlib.org/?page_id=1803>. She and other colleagues also created an innovative website and blog for Illinois law students called "Lincoln Lawgs" <<http://www.lincolnlawgs.com/>>. In fact, CALL just gave Jamie a merit award at its May 15 business meeting in recognition of her remarkable contributions.

As a great team member, she brings out the best in others. More than anything, I think Jamie's team spirit made her a top candidate for the position at Northwestern.

By observing Jamie, I have also learned what true outreach really means. She was always coming up with new and creative ways to reach out to students and faculty. It was she who initiated our "Peeps Contest" which has now become an annual tradition. As her office neighbor, I was especially fortunate to be able to bounce ideas off Jamie whether about making the next video tutorial or writing my next column on developments in U.S law libraries.

I did tell her by the way that I was going to write about her in this column. I don't think she minded too much being compared to super agent, Sydney Bristow. Jamie will definitely be missed but I am thrilled at the new opportunities she will have to develop professionally and, in turn, to make her mark on our profession.

* Anne L. Abramson is the Foreign and International Law Librarian at the John Marshall Law School, Chicago IL.

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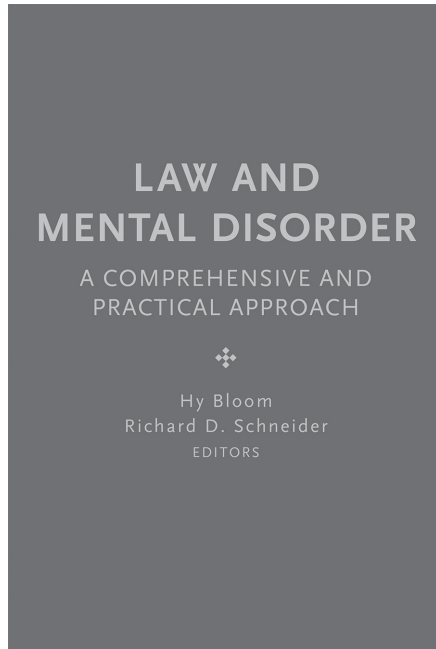
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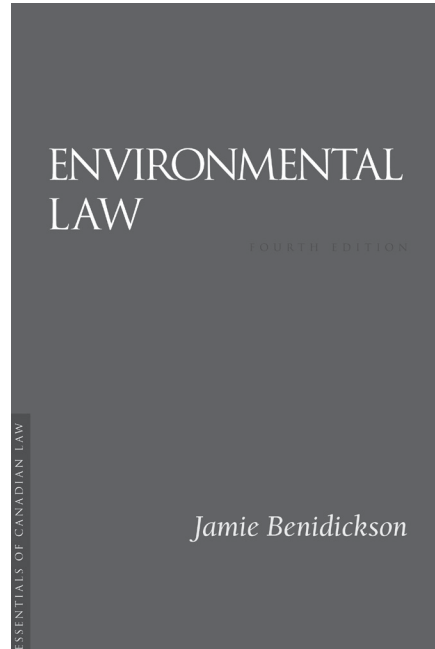
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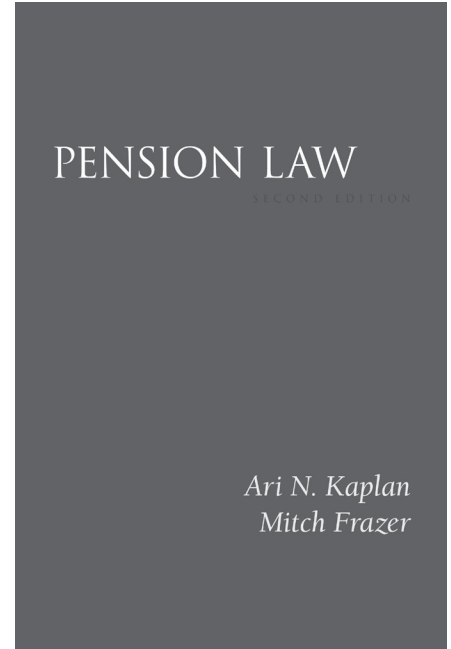
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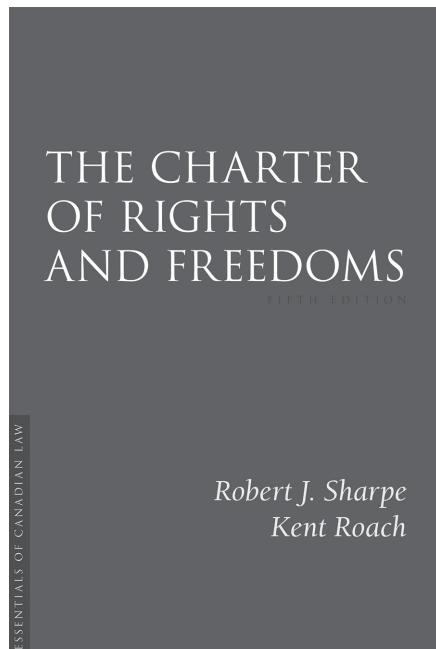
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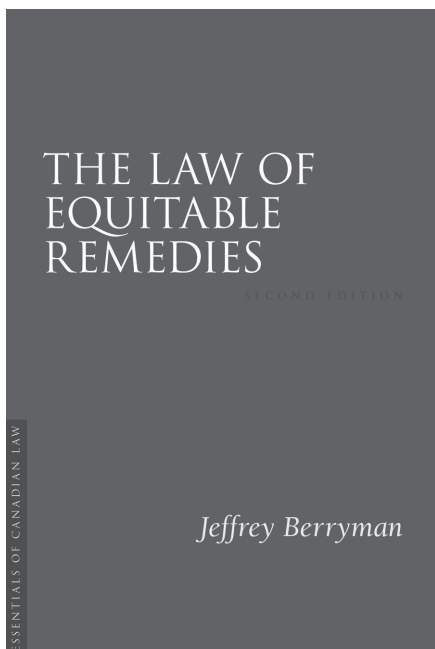
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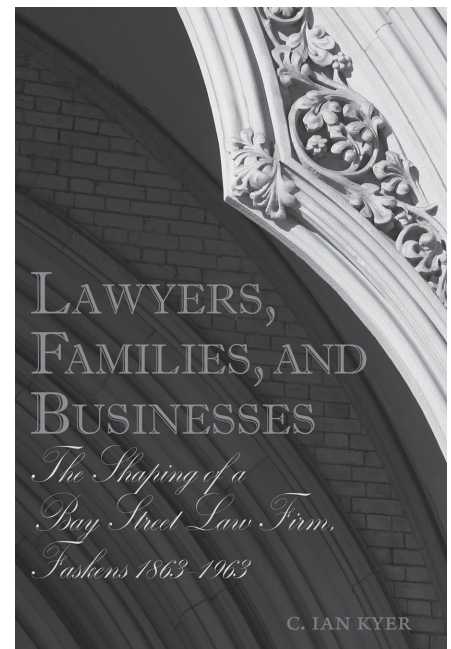
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Annette Demers

“Thriving on change.” Is it possible for people and institutions to embrace change; to think of the opportunities and possibilities that change can bring, and to thrive in the process? For many, change is something to be feared and avoided, yet we know that change is coming. Change brings uncertainty, especially when it is imposed upon us, or when we can't see clearly

the vision for the end result.

What if we were able to take the change that we know is coming, and engage with it? What if we were able to create a clear vision for the future to become drivers of change instead of receivers, convincing others of how change ought to unfold?

We know what changes have been affecting libraries in North America in the past five years, but remember these?

- Geoff Kirbyson, “The Daily Battle to Keep Canwest Global Alive” 22 Feb 2013, Winnipeg Free Press B6.
- Edmund Lee and Serena Saitto, “Tribune, Exiting Bankruptcy, Said Seeking Sale of Newspapers” 12 Dec 2012, Chicago Daily Herald 1.
- “Bankrupt Chicago Sun-Times left with Just 1 Suitor When No More Bids Come in Before Deadline” 5 October 2009, Canadian Press.
- Jennifer Howard, “As Borders Goes Bankrupt, Academic Presses Worry About Reaching Readers” 6 March 2011, Chronicle of Higher Education.

Books. Bookstores. Publishers. Newspapers. Here is an entire industry based on dissemination of ideas and information in a printed format; and the earth is shifting beneath them. Could it be because information and ideas are amorphous, contagious and best when shared?

As librarians we know this well! Ensuring access to information is what we do and what we've always done! Access to information is still the core of our vision! Now how can we build on that vision?

Interested in chasing opportunities? Then you may be interested in Hugh Howey: <<http://www.hughhowey.com/bio/>>

“A 38-year-old college dropout passing time behind the register of a North Carolina bookstore, Howey has become publishing's entrepreneurial superstar after readers turned his postapocalyptic short stories into online bestsellers starting in 2011, all without the help of the mainstream publishing industry.

Watching how a regional publishing house handled the rollout of his first novel in 2009, he realized that he could access the same tools they did to put the book on Amazon, for instance, or send it off to a printer. When he wrote his first Wool novella,

set in a future where humans live underground, scraping by for survival, he decided to bypass the book industry's traditional route and publish it himself on Amazon.com. That decision made him a multi-millionaire.” [Jeff Bercovici, “The Hunger Games Economy” 15 July 2013, vol 191 issue 10, Forbes 80.]

Embracing opportunity, creating a new vision—much is possible! We know of libraries and librarians who are making their vision a reality. The best one I've seen? Anythink Libraries <<https://www.anythinklibraries.org/>>

MISSION STATEMENT: We Open Doors for Curious Minds



anythink

A REVOLUTION OF RANGEVIEW LIBRARIES

Originally the Adams County Public Library, in January 2004, Rangeview Library District became independent from Adams County and now operates as its own entity, overseen

by a five-member Library Board of Trustees appointed by the Adams County Commissioners. ACPL was founded in 1953, and first served county residents solely out of a bookmobile. The district has grown exponentially in the past 50+ years to its current seven libraries, with four new libraries constructed in the past two years.

“Rangeview Library District's current and future growth is due to the support of the Adams County community, who in November 2006 voted to approve a mill levy increase to help fund the library. Since then, through the leadership of library director Pam Sandlian Smith, the library system has shifted course and positioned itself so the branches are not only valuable resources but community gathering places.” <<http://www.anythinklibraries.org/about>>

Do a Google Image Search for Anythink to see some photos of this truly amazing community ideas space!

For this and other stories about libraries successfully re-inventing themselves, check out this webinar (free from Gale): “Not Your Grandma's Library Anymore; Rebranding Success Stories” from:

<<http://www.cengagesites.com/Literature/790/gale-cengage-library-training/recorded-webinars/>>

What's your vision for the future?

Vision without action is merely a dream.
Action without vision just passes the time.
Vision with action can change the world.

Joel A. Barker

Annette Demers
President, CALL/ACBD

« Se nourrir du changement. » Est-il possible, pour les gens et les institutions, de faire place au changement, de réfléchir aux perspectives et aux possibilités que le changement peut engendrer, et d'en tirer parti? Pour beaucoup, le changement est à craindre et à éviter. Nous savons pourtant que des changements se profilent à l'horizon. Le changement apporte l'incertitude, surtout lorsqu'il nous est imposé ou lorsque nous ne comprenons pas bien la vision d'avenir dans laquelle s'inscrit le résultat visé.

Qu'en serait-il si nous étions en mesure d'accepter les changements à venir et d'y contribuer? Qu'en serait-il si nous étions en mesure de créer une vision d'avenir précise, de façon à favoriser le changement plutôt que d'y réagir, et de convaincre les autres quant à la façon dont le changement doit se dérouler.

Nous connaissons les changements qui ont touché les bibliothèques de l'Amérique du Nord au cours des cinq dernières années, mais vous souvenez-vous des gros titres qui suivent?

- Geoff Kirbyson, « The Daily Battle to Keep Canwest Global Alive » [traduction], 22 février 2013, Winnipeg Free Press B6.
- Edmund Lee et Serena Saitto, « Tribune, Exiting Bankruptcy, Said Seeking Sale of Newspapers » [traduction], 12 décembre 2012, Chicago Daily Herald 1.
- « Bankrupt Chicago Sun-Times left with Just 1 Suitor When No More Bids Come in Before Deadline » [traduction], 5 octobre 2009, Presse canadienne.
- Jennifer Howard, « As Borders Goes Bankrupt, Academic Presses Worry About Reaching Readers », 6 mars 2011, Chronicle of Higher Education.

Livres, librairies, éditeurs, journaux : voilà toute une industrie fondée sur la diffusion des idées et de l'information en version imprimée. Cette industrie fait face aujourd'hui à un véritable tremblement de terre. Se pourrait-il que cette situation soit attribuable au fait que l'information et les idées sont amorphes et contagieuses et que, plus elles sont largement diffusées, plus elles sont utiles?

En tant que bibliothécaires, nous en sommes parfaitement conscients! Notre travail, aujourd'hui comme hier, consiste à assurer l'accès à l'information, qui reste au cœur de notre vision. Reste à savoir de quelle façon nous pouvons tirer parti de cette vision.

Êtes-vous à l'affût des occasions? Le cas échant, l'histoire de Hugh Howey vous intéressera peut-être : <<http://www.hughhowey.com/bio/>>

« Howey, un décrocheur du collégial âgé de 38 ans qui tuait le temps derrière le tiroir-caisse d'une librairie de la Caroline du Nord, est devenu une superstar de l'entrepreneuriat dans le monde l'édition, lorsque ses lecteurs, à compter de 2011, ont fait de ses nouvelles post-apocalyptiques des bestsellers en ligne, sans aucune aide la part des grandes maisons d'édition.

Voyant comment une maison d'édition régionale assurait la publication de son premier roman, en 2009, il a réalisé avoir accès aux mêmes outils que cette dernière pour afficher le livre sur Amazon, par exemple, ou pour l'envoyer à l'imprimerie. Après avoir écrit le premier roman court de sa série *Wool*, dont l'action se situe dans un avenir où les humains

vivent sous terre et survivent tant bien que mal, il a décidé de passer outre à la voie traditionnelle de l'industrie du livre, et l'a publié lui-même sur Amazon.com. Cette décision a fait de lui un multimillionnaire. » [Jeff Bercovici, « The Hunger Games Economy » 15 juillet 2013, volume 191, numéro 10, Forbes 80.]

Tirer parti des possibilités qui s'offrent à nous, créer une nouvelle vision – tout est possible! Nous connaissons des bibliothèques et des bibliothécaires qui ont fait de leur vision une réalité. Et selon moi, les bibliothèques Anythink se classent en tête du peloton à cet égard. <<https://www.anythinklibraries.org/>>

ÉNONCÉ DE MISSION : Nous ouvrons des portes aux esprits curieux.



anythink
A REVOLUTION OF RANGEVIEW LIBRARIES

En janvier 2004, l'Adams County Public Library (ACPL) s'est dissociée du comté d'Adams pour devenir le Rangeview Library District, qui constitue maintenant une entité autonome supervisée par un conseil d'administration composé de cinq personnes et nommé par les commissaires du comté d'Adams. À l'époque de sa fondation, en 1953, l'ACPL ne comptait que sur un bibliobus pour desservir les résidents du comté. Pendant les cinquante dernières années et plus, le district a connu une croissance exponentielle, si bien qu'il est actuellement doté de sept bibliothèques, dont quatre construites au cours des deux dernières années.

« La croissance actuelle et future du Rangeview Library District repose sur le soutien de la collectivité du comté d'Adams qui, en novembre 2006, a voté en faveur d'une augmentation de la cotisation fixée au taux par mille afin d'appuyer le financement de la bibliothèque. Depuis, grâce au leadership de la directrice de la bibliothèque, Pam Sandlian Smith, le système de bibliothèque a changé d'orientation, de sorte que les succursales, en plus de constituer de précieuses ressources, font maintenant office de lieux de rassemblement communautaires. » <<http://www.anythinklibraries.org/about>>

Faites une recherche d'images Google concernant Anythink, pour voir des photographies en lien avec ce concept de lieu communautaire vraiment extraordinaire!

Pour en savoir davantage à ce sujet, ainsi que pour lire d'autres histoires concernant les bibliothèques qui se sont réinventées avec succès, veuillez consulter le webinaire « Not Your Grandma's Library Anymore; Rebranding Success Stories » (gratuit sur le site Web de la société Gale), à l'adresse suivante : <<http://www.cengagesites.com/Literature/790/gale-cengage-library-training/recorded-webinars/>>

Quelle est votre vision d'avenir?

La vision sans action n'est qu'un rêve.

L'action sans vision n'est qu'occupation.

La vision combinée à l'action peut changer le monde.

Joel A. Barker

Annette Demers
présidente, CALL/ACBD

THE KF Modified Enhancement Project: Evolution in a Digital Era*

*By Humayun Rashid***

Abstract

The author describes the major expansions and enhancements of the KF Modified Classification System (Canada) that have been undertaken since its inception in 1968-1969 and includes samples from the schedule to help illustrate the developments.

L'auteur décrit les grands développements et les améliorations apportées au système de classification KF modifié (Canada) qui ont été entrepris depuis sa création en 1968-1969 et l'article comprend des exemples provenant des annexes pour aider à illustrer ces développements.

Introduction

The KF Modified Canadian Adaptation, used by many Canadian law libraries, was originally developed in 1968-69 in response to the absence of an appropriate Library of Congress classification scheme for the organization and classification of materials emanating from non-US common law jurisdictions, including Canada. This paper highlights key classification developments in specific sections of the KF Modified schedule since its inception and provides a detailed rationale behind these continuous enhancements.

The KF Modified Enhancement Project

The KF Modified Enhancement Project was initiated by the Editorial Board of the CALL Resource Sharing Interest Committee Subcommittee on Classification & KF Modified Committee following comprehensive input from the KF Modified user community. The enhancements began in 1983. The first enhancement to take place was an update of the Canadian human rights section (KF4483.C5 - Civil Rights) since the existing arrangement for the classification of civil rights materials had become inadequate in light of the introduction of the *Canadian Charter of Rights and Freedoms* in 1982. The team, consisting of Professor Balfour Halevy, Judy Ginsberg and myself, worked on the section enhancement which was completed and implemented in 1984. This was just the beginning of bigger and better things to come.

Enhancement Project Initiatives

Following a successful implementation of the enhanced civil rights section, the KF Modified Committee and the Editorial Board launched discussions with the KF Modified user community to identify key areas that could be considered for further enhancements. This was considered necessary in light of changes to the work environment, user demands, local collection development and acquisition policies, and the growth of collections over the years. In May 1993, at the KF Canadian Adaptation Users' Group (now the KF Modified Committee) meeting in Halifax, possible areas of Geographical Division (GD) expansions were discussed so that the new GDs would further improve subject access and arrangement of materials by jurisdiction. The GD expansions comprised selected subject areas from KF505 (domestic relations) to KF9780 (juvenile criminal law and procedure). By May 1994, the proposed GDs for the KF Modified schedule were approved and implemented.

From 1999 to 2001, the KF Modified Committee gauged the interests and demands of the KF Modified user community across the country through user surveys, e-mails, telephone calls, and occasional workshops and meetings with interested users and stakeholders. This is documented in Tim Knight's article, "The Future of KF Modified in Canadian Law Libraries: A Research Report".

The Committee recognized that a major segment of KF Modified users were law firm libraries, particularly those located in Toronto and Montreal. In 2004, the Committee compiled a tentative list of preferred enhancements that would satisfy the demands of the user community. Following a series of meetings, the Editorial Board, under the expert direction of Judy Ginsberg and three other members, Janet Moss, Tim Knight, and me, divided the Enhancements Project into various categories and specialized subject areas that would be handled by each Board member. This list was finalized in 2005, but the work could not be started right away, as some members were relocated to other areas of responsibility. However, interest and commitment to the project remained unwavering, and finally the work was initiated in the later part of 2007. Here is the list of subject areas for which enhancements were planned, as tentatively agreed upon by the Board members:

- a) Quebec Civil Law
- b) Immigration Law
- c) Citizenship and Nationality Law
- d) Labour Law

* © Humayun Rashid 2013.

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1 F Tim Knight, "The Future of KF Modified in Canadian Law Libraries: A Research Report" (2002) 27 Can L L 20.

- e) Environmental Law
- f) Indigenous/Native Law
- g) Taxation Law
- h) Law of Privacy

Demands for enhancements were based not only on regional and local preferences, but also upon specialized collections in specific subject areas. For example, the existing arrangement for the classification of civil law materials, especially for Quebec was completely inadequate for the growing collection of a certain law firm in Montreal. Apparently, this library had to do a great deal of tinkering to properly organize its civil law materials for access by the firm's users. Indeed, the existing small modification for the Quebec civil law classification had never been revised or updated since the KF Modified schedule had been originally adopted for use in Canadian law libraries in 1969.

Quebec Civil Law Expansion (KF385.ZB5)

Historically speaking, the original developers of the KF Modified schedule included only a minor modification for Quebec civil law. However, over time some libraries developed significant collections of Quebec civil law that required efficient organization. As a response, the Quebec Civil Law Enhancement Project was initiated to aid Canadian law libraries in classifying their civil law materials, especially Quebec civil law collections.

This is a sample from the original version of the KF Modified schedule for the classification of Canadian civil law, especially Quebec civil law materials:²

KF 385.ZB5	Modification for Quebec
.A15	Commissioner's reports 1865-66.
.A17	Quebec Civil Code Revision Office. Reports. e.g. no. 1 a – Beige b – Green (see CALL newsletter Aug. 71) c – Blue
.A2	Quebec civil code. Unannotated. French ed. by date.
.A23	English ed. by date.
.A25	Bilingual and polyglot ed. by date.
.A27	Annotated and commentaries by editors, A-Z
.A3-Z	General and comprehensive works on Quebec civil law. e.g. Castel's Civil law system of the province of Quebec. 1962. (Y)
.ZJ4	Roman-Dutch law.

This sample shows how the old arrangement for Quebec civil law was insufficient for handling Canadian civil law materials, particularly those emanating from Quebec. There was a great need for a viable classification re-arrangement. However many libraries did not have sufficient resources to reclassify their collections retrospectively. Therefore, an alternative had to be adopted that would minimize disruption to existing organized materials while at the same time expanding the current classification arrangement to accommodate the continuous growth of collections. After

careful consideration and extensive feedback from a wide variety of users, the Editorial Board decided to use the main key number KF385.ZB5 for Quebec, and expand it further within reasonable limits. In addition, the Editorial Board decided to use KEQ from the Library of Congress KE classification for the Province of Quebec as a model for the addition of key subject areas in the enhancement. Moreover, old classification numbers for civil law in KF Modified were left intact; this way, law libraries with smaller collections could continue using the old class numbers, as the new expansion was strictly optional. During the process of expansion, the following criteria were taken into consideration and applied in the process of reorganization:

- a) the existing collection arrangement will not and must not break;
- b) current collections will not be reclassified retrospectively;
- c) and, the integrity of the old class numbers will be maintained at all costs, especially for academic library collections and law libraries with smaller collections.

Only major areas of Quebec civil law, along with some minor topics, were covered in the enhancement in order to provide law libraries flexibility to expand the existing cutter numbers for certain topics if required. The basic number of KF385.ZB5 was retained throughout the subject arrangement while a new alphabetical letter was added in sequential order to identify each individual subject category and its related topics within the enhanced classification arrangement (e.g. KF385.ZB5 .A1 Bibliography; KF385.ZB5 .B1 Persons, etc.)

Here is a specimen from the new expanded version of Quebec civil law (KF385.ZB5):³

KF385 .ZB5	Modification for Quebec
.A1	Bibliography.
.A11	Periodicals.
.A112	Monographic series.
.A113	Legislative history, documents, sources, etc.
.A114	Legislation. Statutes. Including French regime (New France), 1540-1759; English regime, 1759-1867, by period. 1867- Statutes.
.A115	Law reports & related materials. Judicial decisions. e.g. Reports of the French Regime (New France), 1540-1759; 19th Century reports; Reports since 1892.

As mentioned earlier, old class numbers from .A15 to .A3-Z were not modified so that existing collections in law libraries, particularly academic law libraries, did not have to be reclassified. In late 2008, a civil law enhancement project was initiated at the Federal Department of Justice Library in Ottawa in collaboration with Alain Rochefort. Benefiting from the new expansion, the Department of Justice Library successfully completed reclassification of its entire Quebec

² Library of Congress classification. Class K, subclass KE, Law of Canada (Washington, DC: Subject Cataloging Division, Library of Congress, 1976).

³ Humayun Rashid, Alain Rochefort & KF Editorial Board, KF Modified Enhancement for Quebec Civil Law (Release, December 2009) in F Tim Knight & KF Editorial Board, eds, *KF Modified: KF Classification Modified for Use in Canadian and Common Law Libraries*, loose-leaf (Toronto: Osgoode Hall Law School Library, 2010).

civil law collection, using the new and expanded version of the Quebec civil law classification, in September 2009.

Immigration Law Expansion (KF4483.I5-.I559)

Following a successful implementation of the Quebec civil law classification, the Editorial Board under my guidance (as Principal Investigator & Contributor to Revisions and Modifications for the Enhancement Project) proceeded to expand the section on Canadian immigration law (KF4483.I5-I559). For this expansion, the same parameters that had been used in the earlier expansions were employed, namely current size of library collections, scarcity of available resources, and ease of accessibility (such as shelf browsing).

In the original section for immigration law, only one cutter number - .I5 - was assigned to classify and organize immigration law collections. As a result, all kinds of materials dealing with various aspects of immigration law were grouped together haphazardly, and library staff experienced enormous difficulty in handling and organizing these materials appropriately. With this expansion, the section KF4483.I5-I559 is now quite detailed and comprehensive: it takes into account all aspects of immigration law, including rulings and decisions by adjudicating courts and tribunals.

Here is a sample from the immigration law expansion (KF4483.I5-.I519):⁴

- KF4483 Immigration & Emigration. Refugees & Foreign Nationals. Passports
- .I5 Immigration & emigration. General works (collections. treatises, readings, casebooks, etc.)
 - .I512 Bibliography. Sources, etc.
 - .I513 Congresses. Conferences, etc.
 - .I514 Immigration & Refugee Appeal Boards, Divisions, etc. (or similar bodies from other jurisdictions)
 - .A12 General. Rules of practice, etc.
 - .A4 Rulings. Decisions & judgments
 - .A8 Appeals. Judicial reviews
 - .I515 Immigration judges (or equivalent body from other jurisdictions). Appointment, salaries, pensions, etc. Statutes. Regulations. Statutory orders. Rules of practice, etc.
 - .I516 Unannotated texts. (Including official or unofficial editions and consolidations). By date of publication
 - e.g. Immigration and Refugee Protection Act and Regulations (English/French consolidation) 2006 ed. (Carswell) KF4483.I516 C36 2006
 - .I517 Annotated texts or loose-leaf editions. (Including unofficial editions or consolidations). Commentaries A-Z, by author of commentary or annotations.
 - e.g. Immigration Law and Practice (loose-leaf, 2d ed., 2005) by Lorne Waldman. KF4483.I517 W35Particular acts. Regulations. Statutory orders. Rules of practice, etc.
 - ...

- .I518 Unannotated texts. (Including official or unofficial editions or consolidations). By date of publication
 - e.g. Immigration and Refugee Protection Act of Canada KF4483.I518 I56 2003
 - e.g. The Act Respecting Immigration to Québec, R.S.Q. c. I-0.2. (Updated: May 1, 2010) KF4483.I518 Q44 2010
- .I519 Annotated texts or loose-leaf editions. (Including unofficial editions or consolidations). Commentaries A-Z, by author of commentary or annotations
 - e.g. The 2010 Annotated Immigration and Refugee Protection Act of Canada (Goslett & Caruso) KF4483.I519 G67 2010

In February 2011, the Editorial Board undertook another expansion for Canadian nationality and citizenship law (KF4483.N3). This enhancement takes into account all aspects of the new rules and regulations regarding Canadian nationality and citizenship.

It should be mentioned that the expansions have been based on the assumption that all common law jurisdictions contain somewhat identical types of laws. Therefore, all common law jurisdictions have been accommodated in the sense that while researching Canadian law one would find materials from other common law jurisdictions located in the same vicinity. For instance, "Australian citizenship law" is classified as KF4490.N3, which is very close in proximity to the expanded section on nationality and citizenship for Canada.

Labour Law Expansion (KF3300-3580)

In the late fall of 2011, another two important sections of the KF Modified enhancement were completed: labour law and environmental law. Again, the same principles from the earlier expansions were applied. For example, the aspects covered under labour law are found not just in Canada but also in other common law jurisdictions such as the United Kingdom, Australia, New Zealand, etc., and this system allows researchers to be able to relate the principles and legal foundations of one common law jurisdiction to another by locating them close to each other.

Here is a sample from the labour law expansion (KF3300.A1-.A9):⁵

- KF3300 Labor law
- KF3301-3320 (G.D. 3320) (e.g. KF3320.ZA2 (Canada) (or similar G.D. arrangement for other jurisdictions as below (e.g. KF3320.ZD2 (Australia)))
- .A1 Bibliography. Sources, etc.
 - .A15 Serials. Newsletters, bulletins, circulars, etc.
 - .A2 Congresses. Conferences, etc.
 - .A3 Administration. Labour Canada. Ministry or Department of Labour, etc. (or equivalent body from other jurisdiction or territory with G.D., A-Z)
 - Includes federal, provincial/state regulatory agencies, commissions, boards, etc. e.g. Australia. Dept. of Labour (KF3319.ZD2 A86)
 - Sub arranged under the body as below:

⁴ Humayun Rashid & KF Editorial Board, KF Modified Enhancement for Immigration Law (Release, November 24, 2010) in F Tim Knight & KF Editorial Board, eds, *KF Modified: KF Classification Modified for Use in Canadian and Common Law Libraries*, loose-leaf (Toronto: Osgoode Hall Law School Library, 2010).
⁵ Humayun Rashid & KF Editorial Board, KF Modified Enhancement for Labour Law (Release, revised 4th Quarter, 2011) in F Tim Knight & KF Editorial Board, eds, *KF Modified: KF Classification Modified for Use in Canadian and Common Law Libraries*, loose-leaf (Toronto: Osgoode Hall Law School Library, 2010).

- .A32 Serials. Newsletters, bulletins, circulars, etc.
- .A33 Rules of practice, etc.
- .A36 Prosecution. Procedure. Evidence
- .A4 Rulings. Decisions & Judgments
- .A6 Sentencing. Penalties
- .A8 Appeals. Judicial reviews
- .A4 Statutes. Regulations. Statutory orders, etc.
Collections. Compilations. Consolidations.
Includes groups of acts adopted as a whole. Unannotated texts. (Including official or unofficial editions and consolidations). By date of publication
...
- .A5 Annotated texts and loose-leaf editions. (Including unofficial consolidations)
Commentaries A-Z, by author of commentary or annotations.
e.g. Canadian labour law, by George W. Adams. (Canada Law Book, 2010-) (2 v. Loose-leaf)) KF3320.ZA2A5
- .A6 Particular acts. Regulations, Statutory Orders, etc.
Includes legislation passed in respect of a particular jurisdiction or territory. (Arranged alphabetically by a significant letter in the title or enactment of law)
Unannotated texts (Including official or unofficial editions and consolidations). By date of publication
...
- .A7 Annotated texts and loose-leaf editions. (Including unofficial editions or consolidations). Commentaries A-Z, by author of commentary or annotations.
...
- .A9A-Z General works. Monographs (collections. treatises, readings, casebooks, etc.)
Includes examination aids, popular works, compends, outlines, and works for particular classes of users.z

These enhancements take into account the Canadian legislative environment from other common law jurisdictions. One very important principle that has been consistently upheld during the enhancements is that the KF arrangement for United States materials is never disrupted or compromised. As a result, class numbers for non-U.S. common law jurisdictions fall immediately after the U.S. class numbers to ensure that U.S. materials come first in the shelf order and do not get mixed up with materials from other jurisdictions. Logically, the shelf order for materials is organized in a manner that provides the user with an optimal subject approach to locating materials on a particular topic.

In a nutshell, the KF Modified classification system is based on the premise that for the purposes of browsing and ease of accessibility, the U.S. materials are invariably arranged first followed by groupings of similar topical materials from other common law jurisdictions. However, it must be pointed out that some Canadian academic and law firm libraries have preferred to employ the U.S. classification numbers for the classification of other common law collections, thereby mingling U.S. materials with materials from other common law jurisdictions. From a philosophical point of view, this issue is immaterial since the KF Modified system is subject-oriented, as opposed to the Library of Congress Classification System, which is based

on jurisdiction.

Future Directions

The KF Modified Enhancement Project is a continuing initiative to provide the best possible subject-oriented approach to researching and accessing materials emanating from all common law jurisdictions. The Editorial Board of the CALL KF Modified Committee and the Subcommittee on Classification are committed to continuing this initiative in order to respond to the evolving needs of library users. A live classification scheme must evolve continuously to meet challenges such as the advent of new ideas and concepts in ever-growing collections, and the KF Modified classification scheme has done just that. The KF Modified Editorial Board has been very responsive in making changes and additions based on valuable suggestions from users, and therefore updates are published more frequently in comparison with updates from other classification systems, including the Library of Congress. At the time of writing this article, the Editorial Board members are working on a Canadian taxation law enhancement. This new expansion is expected to be finalized and implemented by the fall of 2013. Plans are also underway to initiate a review and expansion of the law of privacy as soon as the current project on Canadian taxation law is finalized and approved. In a nutshell, KF Modified classification is very much alive and well.

Consistent with its mission and philosophy, the Editorial Board is open to all suggestions from users, and warmly welcomes new ideas or proposals for any potential projects. The KF Modified user community is encouraged to submit their comments and ideas to the Chair, Subcommittee on Classification or KF Modified Committee (Tim Knight, the KF Modified Editor) for consideration by the Editorial Board. In the area of classification there are innovative concepts and revolutionary initiatives on the horizon. Recently, the Library of Congress embarked upon a huge classification initiative which will eventually make the entire class "K" scheme available as linked data. The linked data service developed by the Library of Congress' Network Development and Metadata Standards Office⁶ will generate URLs to remote electronic resources under a classification number. Access to data will include comprehensive manifestations and relationships among the data and a vast collection of datasets available on the web. With the implementation of the linked data service, KF Modified will also take a huge leap, and include all related web resources under a particular classification number. In order to make this enormous transition feasible, the KF Modified schedule will have to be electronically accessible, with hyperlinks in place for data access. Accordingly, the KF Modified Committee is actively working on plans and carefully monitoring developments at the Library of Congress and other related agencies. Finally, the Committee will launch further steps in the near future to bring the KF Modified classification system in line with the huge challenges and evolutionary demands of the 21st century.

⁶ See Library of Congress, *Network Development & MARC Standards Office*, online: <<http://www.loc.gov/marc/ndmso.html>>.

Resources on KF Modified

This bibliography contains a comprehensive list of resources on the KF Modified classification and related publications since 1968, including journal articles, conference papers and slide presentations, classification guides, and miscellaneous web-based information.

Monographs

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Burrows, Barbara. "KF Modified" (Session Summary from the 2003 CALL Conference, Niagara-on-the-Lake, Ontario, 25 May 2003), (2003) 28:3 Can L L 93.

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Rashid, Humayun. "KD/KE/KF (Modified) Concordance Chart" in "KF Modified Presentation" (delivered at the 2003 CALL Conference, Niagara-on-the-Lake, ON, 26 May 2003), online: <<http://www.law-lib.utoronto.ca/call2003/kfmodified1.pdf>>.

"The Manitoba-Windsor-York Co-Operative Classification & Cataloguing Scheme" (May 1970), online: The KF Modified Blog <http://kfmod.files.wordpress.com/2010/09/m-w-y_co-op_class_scheme.pdf>.

CALL/ACBD's 50th Anniversary, or is it 52? 55?

In 2013, CALL/ACBD celebrated its 50th Anniversary, but 1963 is only one milestone deserving of recognition:

- 1958 First meeting of law librarians and deans. Decided that a law library association was desirable, but the logistics were overwhelming.
- 1961 First meetings of Canadian law librarians at the AALL conference in Boston. The "Boston Eight", who were actually seven.
- 1963 First annual meeting of the Canadian Association of Law Libraries; and adopted as a chapter of the AALL.
- 1966 First annual meeting in Canada. Allowed for sufficient time to discuss burgeoning issues and projects.
- 1972 First annual meeting as an independent association.

Derived from Banks, Margaret A. *The Canadian Association of Law Libraries L'Association Canadienne des Bibliothèques de Droit : a history*. CALL/ACBD, 1988.

The Canadian Association of Law Libraries/ Association Canadienne des Bibliothèques de Droit: A Continuing History, 1988-2012*

By Janet M. Moss**

PART III: PROFESSIONAL CONTRIBUTIONS AND ADVOCACY¹

Abstract

In the third part of this article (divided into four parts), the author continues to trace the recent history of the Canadian Association of Law Libraries/ Association canadienne des bibliothèques de droit. This part of the article focuses on professional contributions and advocacy, particularly advisory boards, the collection and dissemination of surveys and statistics, projects such as INFOLEX, the creation of various committees, sponsorship and organization of conferences, and copyright advocacy.

Dans la troisième partie de cet article (un ensemble de quatre parties), l'auteur continue de retracer l'histoire récente du Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit. Cet article se concentre sur les contributions professionnelles et la défense de la profession, notamment sur les conseils consultatifs, la collecte et la diffusion des enquêtes et statistiques, les projets comme INFOLEX, la création de divers comités, le parrainage et l'organisation de conférences et la défense des droits d'auteur.

4. PROFESSIONAL CONTRIBUTIONS AND ADVOCACY

4.01 Canadian Abridgment Editorial Advisory Board (CAEAB)

A 1988 letter reprinted in the *CALL Newsletter/Bulletin* is an example of the growing dissatisfaction among Canadian law librarians with the *Canadian Abridgment*. The letter was from Maureen McCormick, Director of the British Columbia Courthouse Library Society, to Alan Turnbull, the president of Carswell, announcing her intention to cancel 29 of their 33 subscriptions to the *Abridgment*. She stated, "This decision is a reflection of our dissatisfaction with the *Canadian Abridgment* and our users' overwhelming frustration with attempting to use the *Abridgment's* increasingly disjointed components."²

A second letter to Mr. Turnbull, from the president of the Vancouver Association of Law Libraries, and reprinted

in the *CALL Newsletter/Bulletin de l'ACBD* the next year, describes (for readers too young to remember) the research process that was causing the calls for reform: "To update any portion of the *Abridgment*, one searches first in the basic volume, then the bound supplements, the looseleaf supplements and finally *Canadian Current Law or Canadian Citations*."³

Dissatisfaction was not limited to the West Coast. At the 1989 CALL/ACBD conference in Quebec City, the Halifax Association of Law Libraries coordinated a meeting to discuss the format of the *Abridgment*, and what needed to be done to improve it. So started what has been referred to as the "Quebec Riot." The meeting was chaired by Cyndi Murphy and began with Carswell representative Gary Rodrigues being given an opportunity to speak. He explained that the *Abridgment* was a long-established product, and introducing change was difficult. Efforts to make changes seemed to make the situation worse rather than better, and production costs kept escalating. Finally, he called upon the Association to establish an advisory board to provide ongoing input into the format of the *Abridgment*.

The second segment of the session gave designated speakers from the local law library associations across the country an opportunity to ask questions, make comments, and provide recommendations. These included concerns about the current updating method and the expressed need for a new edition of the *Abridgment* as soon as possible. The desirability of having an online version of the *Abridgment* as soon as possible was also mentioned. A third portion of the meeting, with only librarians present, led to the drafting of two resolutions that were put to the membership at the AGM.

These resolutions were carried unanimously. The first, 1989/1, expressed concern about the usefulness of the *Abridgment* in its current form; recommended that a committee be appointed to study the problem and make recommendations to Carswell as to how the deficiencies of the *Abridgment* could be rectified; and recommended that other measures, including the appointment of members to an editorial board for the *Abridgment*, be considered.⁴ The second called on Carswell to make all *Abridgment* materials currently in machine-readable format publicly

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¹ Part II was published in the previous issue of this journal.

² Maureen McCormick, "Letter to Alan Turnbull" (1988) 13:4 CALL Newsletter 362.

³ Pam Clancy, "Letter to Alan Turnbull" (1989) 14:2 CALL Newsletter 71.

⁴ Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Proceedings of the Annual Meeting, May 1989" (1989) 14:3 CALL Newsletter 93 at 105 [CALL/ACBD, "1989 AGM"].

available as soon as possible, and to convert the remainder of the *Abridgment* to machine-readable format as soon as possible.⁵

Following the AGM, the Executive Board wrote to the president of Carswell asking what action he intended to take regarding the *Abridgment*, and moved quickly to appoint a Special Committee on the *Canadian Abridgment*, chaired by Jennifer Martison.⁶ The Special Committee met with Carswell in September 1989. There was agreement that an advisory editorial board should be established as soon as possible.

The agreement to establish the Canadian Abridgment Editorial Advisory Board was signed and became effective November 1, 1989.⁷ It created a board of seven CALL/ACBD members appointed by the President and was to be consulted on all aspects of editorial policy respecting the *Abridgment*. Board members would liaise with the local library associations and CALL/ACBD SIGs to ensure that their input was reflective of the views of the law library community. In the 1990s, a new contract was signed with Carswell, which included guidelines for the make-up of the Board. The Board was to include representation from academic, government or law society, and private law libraries. It was also to include representation from across the country, including one member from Québec. And finally, one member was to be a research lawyer.⁸

The first meeting of the CAEAB took place at the Carswell offices in January 1990. At that meeting, Carswell reported on improvements they were making, including their progress toward online availability. The CAEAB held an open meeting at the 1990 conference to bring members up-to-date on progress and to provide an opportunity for questions and comments. These open fora continue to be held annually at each conference.

The Board's report at the 1991 AGM included both their activities and Carswell's progress dealing with the identified problems with the *Abridgment*. Carswell now planned for an expedited completion of the revised second edition in three years rather than six and was already planning a third edition. Conversion of the *Abridgment* content into machine-readable format was complete, a necessary step in the development of an online product.

Canadian Law Online, in part an online version of the *Abridgment*, was released to coincide with the 1992 CALL/ACBD conference. By the spring of 1993, the revised second edition was completed. *Abridgment* titles would be updated by softcover, standalone cumulative supplements, with each volume being reconsolidated when the supplement became too large. Another change announced was the separation of the *Abridgment* into standalone components, such as *Canadian Case Citations* and *Canadian Statute Citations* – in other words, the structure we are familiar with today.

In spite of these accomplishments, there was obviously still some dissatisfaction with the implementation of the changes and with the role of the CAEAB. At an open

meeting at the 1993 conference, Board members were questioned about their role when problems with *Canadian Case Citations* were first perceived, their influence on Carswell's publishing schedule, the Board's relationship with the Vendors Liaison Committee, and Carswell's use of the Board's name in advertising. At the 1993 AGM, two resolutions were brought forward by the twelve members of the Courthouse Library Management Group. The first directed the CALL/ACBD Executive Board to:

...protect CALL's ability to comment openly on publishing practices and publishers' pricing policies by maintaining an arm's length position and by strengthening the terms of reference of the Vendor Liaison Committee to allow it to act as an advocate on behalf of the membership in dealing with the larger issues of publishing practices and pricing policies.⁹

The second directed the Executive Board to cease the appointment of CALL members to the CAEAB. Both motions were defeated.¹⁰

Following the conference, the Executive Board clarified the relationship between the CAEAB and the Vendor Liaison Committee. The role of the CAEAB was to be a contractual and advisory one with Carswell relating to the *Canadian Abridgment* and Canadian Law Online, its function being to advise Carswell as to content and format as they were being developed. The role of the Vendor Liaison Committee was to be a more general one of monitoring content and pricing. The Vendor Liaison Committee agreed to copy the CAEAB on any correspondence they had with Carswell regarding the *Abridgment*.

With the "Two-Step Research" reform of the *Abridgment* almost complete, CAEAB members wondered if their work was done. However, as they reported in 1995, after discussions with Carswell, they felt that the Board would continue to serve a valuable role as the redesign of the various *Abridgment* components continued. During the next year, for example, they critiqued a pre-release version of the *Abridgment's* Case Law Digests on CD-ROM and provided input on the republishing of *Rules Judicially Considered*.

The CAEAB has continued its work, increasingly concentrating on the evolution of Carswell's electronic products and expanding its scope to include more than the *Abridgment*. Input has been provided on the development of the eCarswell product (later Westlaw eCarswell and Westlaw Canada), on the format and distribution method for the new eDigest service, and on the revision of the *Canadian Encyclopedic Digest*.

4.02 Index to Canadian Legal Literature Editorial Board

Prior to the establishment of the Canadian Abridgment Editorial Advisory Board, CALL/ACBD was

5 Ibid

6 Patricia M Young, "President's Letter" (1989) 14:3 CALL Newsletter 84 at 85.

7 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Proceedings of the Annual General Meeting held May 13-16, 1990, at Vancouver, British Columbia" (1990) 15:3 Can L L 132 at 144 [CALL/ACBD, "1990 AGM"].8 "Canadian Abridgment Editorial Advisory Board Guidelines for Membership" (1993) in *CALL/ACBD Organizational Manual*, looseleaf at E/17/Rev.6 1997.05.25 (on file with author).

9 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Annual General Meeting, May 16-19, 1993" (1993) 18:3 Can L L 146 at 161 [CALL/ACBD, "1993 AGM"].

10 Ibid

already participating in an Editorial Board for one component of the *Abridgment*, the *Index to Canadian Legal Literature*. That Board was established in 1986 to improve the index and included two representatives from CALL/ACBD, two from CLIC (Canadian Legal Information Council), and two from Carswell, as well as the Editor of ICLL. In addition to the Editorial Board, a Data Collection Network of CALL/ACBD members from across the country was also in place to contribute bibliographic records for legal titles originating in their jurisdiction.

In 1988, Denis Marshall and Guy Tanguay were the two CALL/ACBD members on the Editorial Board, with Cyndi Murphy replacing Denis Marshall in 1989. In their report at the 1989 AGM they described their work on indexing and selection policies for ICLL, and announced that Carswell had signed an agreement with Infoglobe, the electronic publishing division of The Globe and Mail, to be the distributor of the electronic version of ICLL.

Infoglobe proved to be an expensive option for libraries and unpopular with the membership. Resolution 1990/1 directed the CALL/ACBD Executive Board to request Infoglobe to reduce the charges for accessing the ICLL database to a rate that was more competitive with those of other Canadian legal database vendors, and Resolution 1990/3 called for the Executive Board to strongly recommend to Carswell that other database vendors be given the opportunity to bid on the contract when its contract with Infoglobe expired.¹¹

By this time the Canadian Abridgment Editorial Advisory Board was in place. At its 1990 mid-year meeting, the Executive Board agreed to the merger of the two boards after ensuring that all powers of the ICLL Editorial Board would be maintained by the CAEAB.¹² Cyndi and Guy were already members of the CAEAB, and at this time CLIC withdrew its involvement. In 1992, it was announced that, at the request of the CAEAB and the local law library groups, the Index would finally become available on Quicklaw.

The Data Collection Network remains in existence, meeting regularly at the annual conference. In the 2000s, increasing automation and centralization of cataloguing processes resulted in the loss of many participants and the ensuing concern about the completeness of ICLL's coverage. This concern was relayed to the CALL/ACBD Executive Board, and on to the law school and courthouse library directors. Fortunately, new technical solutions such as providing the ICLL editor with RSS feeds or links to New Books lists on the various libraries' websites have enabled the editor to identify new titles of interest and have removed the obligation of Data Collection Network libraries to manually collect bibliographic records of titles to be submitted.

4.03 CanLII Advisory Board

In 2000, CALL/ACBD members were introduced to CanLII through an "Electronic Issues" column in *Canadian Law Libraries/Bibliothèques de droit canadiennes*.¹³ An initiative of the Federation of Law Societies of Canada and its National Virtual Library Group, its goal was to develop a freely accessible database of Canadian primary legal documents modeled on Cornell's Legal Information Institute and Australia's AustLII. A demonstration site was developed by LexUM, with Janine Miller, Director of Libraries for the Law Society of Upper Canada and CALL/ACBD Executive Board member, as project manager on the Federation side. The initial site was soon followed by the fully functional and growing CanLII database.

The Canadian Law Society and Courthouse Library Directors identified the need for an advisory committee and forwarded a recommendation to the CanLII/iiJCan Board. This Board agreed and, in 2003, wrote to CALL/ACBD requesting that an advisory committee or board be established with representation from all sectors of law libraries. The CALL/ACBD Executive Board also agreed,¹⁴ and the CanLII Advisory Committee was established by early 2004. The first Chair was Barbara Campbell. She was joined on the Committee by five CALL/ACBD members, as well as Janine Miller, Project Manager, and Daniel Poulin, Project Director. The purpose of the Committee was to provide a liaison between CALL/ACBD members and the CanLII management team and to present to CanLII issues identified by members, to provide advice on the user friendliness of the CanLII search engines, to identify enhancements for consideration by CanLII and LexUM, to identify gaps in the collection and how they might be filled, and to identify collections of value that might be added.¹⁵

The Committee met each year at the conference and by conference call through the year, providing input on content and functionality of the CanLII site. The Committee held the first of several annual open fora at the 2005 conference as a way of soliciting input from the membership. The CanLII Advisory Committee is currently in abeyance while the CanLII Board undertakes a strategic planning exercise, during which the role of the Advisory Committee will be discussed.

4.04 Surveys and Statistics

CALL/ACBD's role in commissioning and coordinating statistical surveys was recognized very early in the life of the Association. Viola Bird's survey *Law Library Resources in Canada* was a collaborative effort of CALL/ACBD and the National Library of Canada published in 1975. Regular surveys of law school libraries, courthouse libraries, law society libraries and private law libraries began within a few years, carried out by the various SIGs.

¹¹ CALL/ACBD, "1990 AGM", *supra* note 7 at 146.

¹² CALL/ACBD Executive Board Minutes, 2-3 November 1990 (1990) at 15, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued).

¹³ Bertrand Salvas, "The CANLII Project" (2000) 25:4 Can L L 184.

¹⁴ CALL/ACBD Executive Board Minutes, Mid-Year Meeting, 24-25 November 2003 (2003) at 18, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued).

¹⁵ Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "42nd Annual General Meeting, May 15-19, 2004, Hotel Loews Le Concorde, Quebec City, PQ" (2004) 29:3 Can L Libr Rev 133 at 138.

The information collected varied according to the type of library, but generally contained information on collection size, electronic databases, staffing levels, budgets, hours of operation, services available, and cataloguing systems and practices.

By 1988, CALL/ACBD's Committee on Law Library Statistics was well established, comprising representatives from the Academic, Private, and Courthouse and Law Society Libraries SIGs. A representative from Government Libraries was added in the early 1990s. Initially three separate surveys were carried out and regularly published in the *CALL Newsletter/Bulletin* – academic law libraries, courthouse and law society libraries, and private law libraries. At the 1989 AGM, it was reported that a joint courthouse/law society/private law library survey had been conducted that year, with the Statistics Centre at the University of Toronto being used for data entry and analysis for the first time.

Although the value of these surveys was widely acknowledged, the work involved was significant even with professional assistance. The value of the analysis depended on a good return rate on the surveys mailed to members. Committee members grappled over the years with decisions about how often and when to survey, and how long the surveys should be, to get the best possible return rates.

In 1991, the Committee decided to remove salary questions from the existing survey instruments and, instead, conduct an Association-wide salary survey. Data analysis was done by Dalhousie University's Statistical Consulting Service, and the results were published in the Association journal in the fall of 1991. This survey was conducted annually, then biennially, and as of 2002, every three years.

In the 1990s, the Courthouse and Law Society Library Directors and the Academic Law Library Directors groups took over responsibility for their respective surveys. When this happened, they were no longer published in *Canadian Law Libraries/Bibliothèques de droit canadiennes* or added to the website. The last courthouse and law society library survey was published in *Canadian Law Libraries/Bibliothèques de droit canadiennes* in 1990 and the last academic survey was published in 1993. The private law libraries survey continued to be conducted by the Statistics Committee, moving from an annual to a triennial survey.

The Technical Services SIG carried out CALL/ACBD's first survey of legal serial prices in 1991. Soon the survey of serial prices became a joint project with the Statistics Committee, and it became the sole responsibility of the Statistics Committee after the INFOLEX Advisory Group report and the passing of Resolution 1992/4 at the 1992 AGM.¹⁶

The serials price-tracking survey results were published annually in *Canadian Law Libraries/Bibliothèques de droit canadiennes* and later were also available on the website. As years passed, the survey added new English-language titles, French-language serials, and later CD-ROM and other electronic products. The survey tracked

price changes overall, by publisher, and by format. Data was collected by a team of trackers from across the country who submitted invoices for the titles they were responsible for tracking. A member of the Statistics Committee was responsible for the tabulation of the survey results.

The increasing importance of electronic products increased the complexity of this process. Pricing for electronic products was often based on knowledge workers with discounts for larger number of workers, so it was different for every library. Prices were sometimes bundled (a combined price for print and electronic), and finally, confidentiality clauses made it impossible to get pricing information in some cases.

The 2005-2006 period saw the demise of CALL/ACBD's statistics gathering activities. The last private law library/corporate law library survey was conducted in 2005 and published in 2006. Although the form was shortened in an effort to get a higher response rate, only 40% of those surveyed responded. In 2006, the last salary survey was conducted. It was the first CALL/ACBD survey to be conducted electronically via the CALL/ACBD website using a new online survey module. In spite of the ease in completing the survey, only 46% of members responded, compared to 49% who completed the survey in 2003.

The 2006 serials tracking project survey, published in 2007, was also the last to be done. Errors in the survey report resulted in the need for republication and a discussion at the Executive Board level about the complexity of the survey, the amount of work involved, and whether or not there was enough benefit to members for the amount of work involved. Ultimately the answer was "no".¹⁷

The priorities of the Association were assessed during the 2009 strategic planning process, and as a result of that process, President Rosalie Fox announced the demise of the Statistics Committee at the 2010 AGM and stated that "our ad hoc survey needs may be more effectively addressed working with SIGs and trained statisticians".¹⁸

SIGs have and continue to conduct surveys particular to their interests. Examples include the 1995 Technical Services SIG survey of technical services practices and automated systems in member libraries and the Courthouse and Law Society SIG survey of their members' policies with respect to access and services to members of the public in 2007.

4.05 INFOLEX and Its Aftermath

INFOLEX was an ambitious project of CLIC (the Canadian Law Information Council, later the Canadian Legal Information Centre). Planning began in 1989 when an Advisory Group was assembled, composed of CALL/ACBD members and members of the CLIC Board, to work with the project manager and the consultants from Price Waterhouse. Members of the Advisory Group included Anne Crocker, Robert Franson, Peter Freeman, Shih-Sheng Hu,

16 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Proceedings of the Annual General Meeting held May 11-13, 1992 at Winnipeg, Manitoba" (1992) 17:3 Can L L 104 at 116 [CALL/ACBD, "1992 AGM"].

17 CALL/ACBD Pre-Conference Executive Board Meeting Minutes, May 24, 2008 (2008) at 3 (on file with author).

18 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "48th Annual General Meeting: May 9-12, 2010, Windsor, Ontario" (2010) at 4, online: CALL/ACBD <<http://www.callacbd.ca/en/content/members-only>> [CALL/ACBD, "2010 AGM"].

Lillian MacPherson, Maureen McCormick, Michael McGuire, Ann Rae, Michel Ricard, Liisa Riesen-Tella, and Patricia Young.

Although initially more wide-ranging, due to funding constraints the scope of the project was later narrowed, focusing on studying costs and the development of cost projections for law libraries, including staffing, acquisitions, and other expenses. The objectives of this phase were to “reinforce the value of law libraries and legal information services, project law library costs five to seven years in the future, identify critical factors that affect these costs, and identify ways law libraries and funders could influence these costs”.¹⁹ This was considered to be Phase I, but due to the closure of CLIC itself, this was the only phase to be completed.

The entire CALL/ACBD membership was very much involved in the project. They provided the necessary data for the study by answering questionnaires and participating in interviews and focus groups. The Advisory Group members assisted by participating in focus groups, preparing the provincial profiles (surveys of law libraries and their collections, services, and users), reviewing the draft report on cost projections, and issuing their own report in response to Price Waterhouse’s report. CLIC published, in limited numbers, the results of Phase I in four volumes – the provincial profiles, the detailed cost projections, a summary of the cost projections, and the Advisory Group report in 1992. CALL/ACBD published the provincial profiles, the summary of cost projections, and the Advisory Group report in a single volume later in 1992 as CALL/ACBD’s first Occasional Paper, to ensure wider distribution.

While the cost projections that were developed for staffing and acquisitions were undoubtedly useful to the law library community, it is the report of the Advisory Group that was to have the greatest impact on CALL/ACBD itself. This report stressed the value of strategic planning within the law library community and identified many types of information that were needed if informed planning was to be possible. Among their many recommendations, several related to various committees and SIGs of CALL/ACBD. Specifically, it recommended that the Statistics Committee develop national standards for collecting acquisitions cost data, establish a market basket of legal publications, initiate a price watch on the market basket, and expand the committee’s scope to include gathering data about public services. It recommended that the Preservation Needs of Law Libraries Committee identify titles at greatest risk of deterioration, make recommendations for their preservation, and investigate the feasibility of establishing a preservation cooperative. It urged the creation of a CALL/ACBD committee to study types and levels of law library services and their value, cost recovery and revenue generating initiatives, the role of technology, equality of access, and on-site and off-site users. It also suggested expanded information gathering roles for several SIGs.

How did CALL/ACBD respond to these recommendations? Several resolutions were passed at the 1992 AGM related to the INFOLEX project and the Advisory Group report. Resolutions reiterated Advisory Group recommendations relating to activities of the Statistics Committee, the Preservation Needs of Law Libraries Committee, various SIGs, and the creation of a new committee to study library services. A resolution also called for the establishment of resource sharing networks with a view to the creation of a virtual national law library.²⁰

The final resolution called for the formation of a CALL/ACBD task force to examine the feasibility of completing the INFOLEX project in conjunction with other interested groups.²¹ This was acted upon promptly, with the creation of the INFOLEX Task Force, composed of the former members of the Advisory Group.²² The Task Force began work and presented several recommendations at the 1993 AGM. Among its recommendations were continued support of the market basket price watch efforts of the Technical Services SIG and the Statistics Committee, the establishment of an Ad Hoc Committee on Library Services and a Special Committee on Technology, and the establishment of clearinghouses for information on collection development policies and resource-sharing information and protocols.

It also recommended that the Executive Board appoint a CALL/ACBD Research Agenda Committee to replace the INFOLEX Task Force, in order to provide continuity for the research agenda, prepare and maintain a database of resources for research, identify research issues, and make recommendations to the Board.²³ This recommendation was acted upon, and the committee eventually became the CALL/ACBD Committee to Promote Research, which continues to be an active CALL/ACBD committee.

The recommendations pertaining to tracking serials costs provided support for this initiative within the Association, and the recommendations regarding preservation activities provided focus to the activities of the Preservation Needs Committee. As with most reports, not all recommendations came to fruition – a Special Committee on Technology and a Law Library Services Committee were established, but were short-lived. And as President LeMay pointed out in his report at the 1993 AGM, it was not constitutionally permissible for the Executive Board to give directives to the SIGs. However, CALL/ACBD’s participation in the INFOLEX project contributed to the compilation of very useful information for the law library community, as well as to the evolution of CALL/ACBD activities in new and useful directions.

4.06 Promoting Research

CALL/ACBD’s Committee to Promote Research was one of the positive outcomes of the INFOLEX project. Once appointed, the CALL/ACBD Research Agenda Committee, as it was then called, set to work developing a

19 CLIC Advisory Group Report: CLIC INFOLEX Project Phase I, Cost Projections for Canadian Law Libraries prepared by Janet Darby under the Directions of CLIC’s INFOLEX Advisory Group (np: Canadian Legal Information Centre, 1992) at 1. 20 CALL/ACBD, “1992 AGM”, *supra* note 16 at 116.

21 *Ibid.*

22 CALL/ACBD Executive Board Meeting, 6-7 November 1992: [Minutes] (1992) at 5, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued).

23 CALL/ACBD, “1993 AGM”, *supra* note 9 at 152.

list of research topics that were of concern to all types of law libraries. This, along with a proposed budget, was forwarded to the Executive, but due to the work at the executive level on the development of a working plan for the Association, the committee was asked to hold off on further activity.

In 1995, incoming President Anne Crocker reactivated the committee as part of the working plan, albeit with a new name – the Committee to Promote Research – with Lillian MacPherson as Interim Chair. The committee's mandate was to identify legal information issues facing members of the Association, to examine these issues as subjects of real research projects, and to make recommendations as to how these research projects could be carried out.²⁴ The group continued to work on a list of issues requiring research and prepared an implementation proposal, which included a recommendation that funds be set aside for an annual research grant to support members in their research efforts. This recommendation was approved by the membership in Resolution 1996/1.²⁵

At its 1997 pre-conference meeting, President Anne Crocker reported that research grant guidelines had been developed and approved, and a reserve fund in the amount of \$10,000 had been set up to support the research grant, with the understanding that the committee could not disburse more than 50% of the funds in reserve in any one year.²⁶ Under the grant criteria, the proposed research project was to promote an understanding of legal information sources or law librarianship and result in a report to the organization, with publication in a reputable journal and/or on the CALL/ACBD website or some other website desired.²⁷ The Association's journal has been an important vehicle for the publication of research conducted by CALL/ACBD members, whether supported by an Association research grant or carried out independently.

The first two research grants were awarded at the 1998 conference. The two recipients were Jane Parkinson and Jann Lynn-George, whose projects both involved analysis of citation practices of the courts. Although the number of applicants for the research grants has not been large, it has continued to be awarded most years.

The committee began a databank of research currently underway and recently completed, which continues to be updated on the committee's web page. In 1998, the Committee finalized its "List of Issues Facing Law Librarians Which Require Further Research" and posted it on the Committee's web page. The seven main topics still resonate with law librarians today: planning for the mix of materials that will be required to meet future legal information needs; improving access to information and increasing user satisfaction; providing high quality service in the face of financial restraint and increasing costs; participation in resource sharing programs; maintaining professional standards in the face of conflicting demands and perceptions; technological issues that have an impact on the provision

of electronic information; and recruitment and education of new law librarians. The list was distributed to deans of law faculties, and deans of library schools and professors of law librarianship and legal bibliography courses.

The Committee hosted a Research Round Table at the 1998 conference at which four members of the Association discussed their research. The Committee has continued to host sessions at the annual conference that include sharing of research experiences and advice on research techniques.

4.07 Preservation Initiatives

An Interim Committee to deal with the preservation issues relating to law libraries and legal materials was established in 1989 and met for the first time at the 1990 conference. Resolution 1990/2, passed at that conference, recommended the creation of a permanent Committee on the Preservation Needs of Law Libraries, with the following objectives:

1. To urge that materials published for the legal community be produced in a format conducive to preservation and conservation;
2. To develop programmes for retrospective preservation of primary and secondary legal literature;
3. To cooperate with other preservation groups in the development of standards and guidelines for preservation programmes; and
4. To encourage development of preservation programmes by individual libraries, library associations, and library schools.²⁸

Just prior to this, AALL had formed a Special Committee on the Preservation Needs of Law Libraries, and Balfour Halévy was the CALL/ACBD liaison to this committee. In his 1992 report, Balfour raised the possibility of forming a joint committee between the two associations. However, there is no record of this interesting idea being pursued.

Resolution 1992/5, coming out of the INFOLEX project, directed the committee to identify those titles at greatest risk of physical deterioration and make recommendations for their preservation, and to investigate the feasibility of establishing a preservation cooperative to assure that Canadian legal materials be preserved.²⁹ The committee undertook activities related to all four original objectives and to the 1992 resolution – hosting sessions on preservation topics and techniques at the annual conferences, contacting Canadian legal publishers to ascertain whether they using acid-free paper and bindings, compiling lists of suppliers of repair and preservation supplies, and working with other groups involved in preservation activities such as the Canadian Institute for Historical Microreproductions

²⁴ Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "Annual General Meeting, May 26-29, 1996, Kingston, Ontario" (1996) 21:3 Can L L 85 at 94 [CALL/ACBD, "1996 AGM"].

²⁵ *Ibid* at 106. ²⁶ CALL/ACBD Executive Board Minutes: Pre-Conference Executive Board Meeting, 25 May 1997 (1997) at 2, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued).

²⁷ "CALL/ACBD Research Grant" (1998) 23:1 Can L L 7 at 7.

²⁸ CALL/ACBD, "1990 AGM", *supra* note 7 at 146.

²⁹ CALL/ACBD, "1992 AGM", *supra* note 16 at 116.

(CIHM) and the Law Library Microform Consortium (LLMC).

One collaborative project undertaken was to provide funding (through resolution 1995/5) to CIHM to support the hiring of a research assistant to create additional indexes for their law catalogue *Law to 1900: a Selected Bibliography from the Catalogue of the Canadian Institute for Historical Microreproductions*, which was compiled by Caron Rollins and Jann Lynn-George.³⁰ CALL/ACBD was listed as a co-publisher of this volume. The Committee continued to monitor CIHM (and later *Canadiana.org*) activities and to provide input and support for other projects. The Committee brought forward a resolution at the 2005 conference, which passed, urging the Minister of Canadian Heritage to restore funding to *Canadiana.org* for the final year of their "Canada in the Making" project.³¹ Funding was later restored, thanks to the support of CALL/ACBD and other interested groups.

Preservation of digital legal materials was one of the themes explored at "The Official Version: A National Summit to Solve the Problems of Authenticating, Preserving and Citing Legal Information in Digital Form," held in November 1997, and committee member Maureen Hyland presented the Committee's concerns at the Preservation session. At the end of the Summit, National Librarian Marianne Scott invited CALL/ACBD's Preservation Committee to participate with the National Library in an effort to further the study of preservation of digital materials. Endorsed by Resolution 1998/1, the CALL/National Library Digital Preservation Committee came into being.³² CALL/ACBD's Maureen Hyland and Nancy Brodie from the National Library were co-chairs. The joint committee undertook to test standards and best practices and make practical suggestions through close observer status to "The Canadian-American Treaties Project," a pilot project being undertaken by the Université de Montréal's Centre de recherche en droit publique (CRDP) and Chicago-Kent College of Law. Resolution 2002/1 supported the concept of legal deposit of electronic materials at the National Library of Canada and offered CALL/ACBD assistance in developing a program for Canadian electronic legal materials.³³

In 2003, CALL/ACBD members Anne Matthewman and Ann Rae attended the invitation-only conference in the USA that led to the formation of the Legal Information Preservation Alliance (LIPA), an independent organization of member libraries with support from AALL, that would provide a framework for creating solutions to the problems of preserving legal information. Recognizing the benefits to be gained by being aware of LIPA activities, CALL/ACBD established a liaison with LIPA and appointed Ann Rae to the position.³⁴

President Janine Miller identified the creation, in partnership with Library and Archives Canada, of a national strategy for preservation of legal materials as a key initiative of her term of office, and asked the Preservation Needs Committee to work on its development. Components would

include a national database of current preservation projects, with CALL/ACBD perhaps initiating projects to fill in identified preservation gaps.

Neil Campbell prepared a discussion paper for the Preservation Needs Committee, which the Executive Board received in 2006. "A National Preservation Strategy for Canadian Law Libraries: A Whitepaper" urged the Executive Board to achieve official recognition as a participant in both Project Alouette and Library and Archives Canada's National Digitalization Strategy, to reaffirm its formal participation in LIPA, and to develop a preservation strategy of its own. Board members were in agreement with these recommendations. Although no CALL/ACBD preservation strategy was developed, President John Sadler continued representing CALL/ACBD at LAC's Canadian Digital Information Strategy meetings, with a final report from this series of consultations being released in 2010. CALL/ACBD's liaison appointment to LIPA also continues.

After the Association's strategic planning process and organizational review, the Preservation Needs of Law Libraries Committee was disbanded. As President Rosalie Fox explained at the 2010 AGM:

The preservation needs of law libraries, in particular, digital preservation standards and last print copy preservation, continue to be of interest to our members, but possibly beyond the capacity of our Association at this time. We will continue to work collaboratively with LIPA...Library and Archives Canada, and other provincial and national groups to provide input into the unique needs of law libraries in these areas.³⁵

4.08 The Official Version: a National Summit

In 1995, President Anne Crocker attended the National Conference on Legal Information Issues held in conjunction with the AALL annual conference, and returned to Canada with a desire to organize a similar event in Canada. Lillian MacPherson agreed to chair the planning committee for a CALL/ACBD Legal Information Summit, with Suzan Hebditch as Executive Liaison and with Jane Taylor taking on the Chair's duties during the last few months preceding the event. The research lawyers' groups of Canada and Quebec, known as The Legal Research Network, became partners in the project and joined CALL/ACBD members on the planning committee.

The planning committee identified the following as key areas of concern:

- Preservation and archiving: In a paperless world, how will a permanent record of the law in its many forms be ensured;
- Authenticity: When a document is obtained in digital form, how can its authenticity be determined;
- Citation: Lacking traditional cues for citation, what

30 Association canadienne des bibliothèques de droit, "Annual General Meeting, May 29-31, 1995, Regina, Saskatchewan" (1995) 20:3 Can L L 122 at 145.

31 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "43rd Annual General Meeting, May 15-18, 2005, St. John's, Newfoundland" (2005) 30:3 Can L Libr Rev 157 at 176 [CALL/ACBD, "2005 AGM"].

32 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "36th Annual General Meeting, June 1-3 1998, Hamilton, Ontario" (1998) 23:3 Can L L 117 at 139 [CALL/ACBD, "1998 AGM"].

33 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, "40th Annual General Meeting, May 27-29, 2002, Victoria, British Columbia" (2002) 27:3 Can L L 129 at 147.

34 CALL/ACBD, "2005 AGM", *supra* note 31 at 167.

35 CALL/ACBD, "2010 AGM", *supra* note 18 at 4.

36 The Official Version: A National Summit to Solve the Problems of Authenticating, Preserving and Citing Legal Information in Digital Form, November 20-22, 1997: Proceedings (Kingston, Ont: Canadian Association of Law Libraries, 1998) at i.

methods might be adopted.³⁶

Because the Summit was seen as the beginning of a decision-making process, major stakeholders from all sectors involved in these issues needed to be in attendance. The event – “The Official Version: A National Summit to Solve the Problems of Authenticating, Preserving and Citing Legal Information in Digital Form” – was held in Toronto in November 1997 as an invitation-only event, with over 130 lawyers, judges, authors, publishers, legal drafters, legal researchers, as well as librarians among the presenters and delegates. The papers presented, as well as a record of the discussions, were later published by CALL/ACBD in a volume of proceedings.

Seed funding was provided by CALL/ACBD, but with the financial support of corporate, government, and law society sponsors, the Summit was self-funding and in fact generated a profit for the Association, which was used to further the objectives of the Summit.

A presentation on the Summit was held at the 1998 annual conference. At their post-conference meeting, the Executive Board established the CALL/ACBD Steering Committee to Advance the Initiatives Arising from the “Official Version” Summit.³⁷ Soon renamed the Digital Documents Committee, with Janine Miller as chair, this committee was seen as having three committees or groups within its purview: the existing Preservation Needs of Law Libraries Committee; the Canadian Citation Committee through its CALL/ACBD liaison, and a new Authentication Committee. The Digital Documents Committee proved to be short-lived, as did the Authentication Committee, but CALL/ACBD activities to further the initiatives of the Summit continued through the work of the Preservation Committee and CALL/ACBD’s liaison to the Canadian Citation Committee.

4.09 Canadian Citation Committee

In 1997, Daniel Boyer agreed to represent CALL/ACBD at a Montréal meeting of lawyers, vendors and librarians to discuss a vendor neutral citation standard for Canada. This group became known as the Canadian Citation Committee in 1999, with a mandate to support the standardization efforts of the Judges Technology Advisory Committee of the Canadian Judicial Council. In 1999, Denis LeMay became CALL/ACBD’s official representative to the Committee, with Daniel remaining on the Committee. As a measure of its support, CALL/ACBD contributed \$1,000 from the Information Summit surplus to the Committee.

The Committee released its first standard, “The Neutral Citation Standard for Case Law,” in 1999. It was followed by “The Canadian Guide to Uniform Preparation of Judgments” in 2002 and “The Uniform Case Naming Guideline” in 2006. In each case, a resolution supporting the proposed standard was passed at the CALL/ACBD annual meeting. On several occasions, the Committee has hosted an open session at the annual conference in order to explain their work and to get feedback from the CALL/

ACBD membership. In 2009, the Canadian Judicial Council approved “The Preparation, Citation and Distribution of Canadian Decisions,” which consolidated and superseded the three previous standards. At the 2011 AGM, Liaison Rick Leech reported that the Committee had not been active in the previous year, and was reviewing its membership and considering what work might be undertaken in the future.

4.10 Copyright Advocacy

In 1989, when Phase II amendments to the *Copyright Act* were announced, Resolution 1989/3 was passed at the AGM. It expressed the view of the Association that:

- 1)...the copyright law of Canada ought to provide that
 - a) copying of any work for the purposes of
 - i) legislative or regulatory deliberation;
 - ii) the conduct of judicial or quasi-judicial proceedings, or related professional activities;
 - iii) providing professional legal advice not be infringement;
 - b) and the records of legislative, regulatory, judicial and quasi-judicial proceedings in Canada (including published editions of these records) be in the public domain.³⁸

The resolution further directed the Executive Board to promote these views by seeking representation for CALL/ACBD on advisory bodies and by preparing and presenting briefs.

Although Banks does not include a copyright committee in her list of active committees at the time her history was written, CALL/ACBD had active copyright committees during the earlier period when copyright reform was being discussed by the government of the day. In 1989, the Executive Board again established a Special Committee on Copyright, consisting of Denis Marshall and Shih-Sheng Hu as Chair, tasked with preparing a position paper for the Association.³⁹ Although this was called a special committee, it has in fact been in continuous existence since then, tracking the tortuous path of copyright reform in Canada for the membership and responding with briefs and position papers representing the view of the Association. As well as representing the interests of CALL/ACBD members through briefs and position papers, the Committee has regularly hosted speakers and open fora at the annual conference to assist members in understanding the complexities of the copyright regime and its implications for library practices.

The Committee’s “Brief on Stage 2 Amendments to the *Copyright Act*” was completed, approved, and forwarded to the appropriate federal minister before the end of the year. As well as reiterating the views expressed in Resolution 1989/3, the brief addressed some of the complications of crown copyright and the possible negative impacts of the establishment of copyright collectives on law libraries,

37 CALL/ACBD Executive Board Minutes: Post-Conference Executive Board Meeting, June 3, 1998 (1998) at 6, Winnipeg, University of Manitoba Libraries, Archives & Special Collections (CALL/ACBD fonds, MSS 337, uncatalogued).

38 CALL/ACBD, “1989 AGM”, *supra* note 4 at 105.

39 CALL/ACBD, “1990 AGM”, *supra* note 7 at 141.

urged the continuation of the fair dealing provision, and supported the proposed library provisions. As it turned out, the anticipated amendments were not introduced, but the Committee remained active monitoring any developments in Parliament.

At the 1993 conference, another resolution regarding copyright was passed. Resolution 1993/2 directed the Executive and the Copyright Committee to “actively lobby all relevant groups in whatever ways are necessary to support the inclusion of an exemption for the making of single copies (photocopying, faxing, etc.) in the next revision of the *Copyright Act*”.⁴⁰ This was done in conjunction with the Canadian Library Association’s efforts to promote a “single-copy” exemption.

In 1993, Denis Marshall became Chair of the Committee, and in 1995 he also chaired the CALL/Major Legal Publishers Joint Working Group on Copyright, which consisted of representatives from the various types of law libraries and the Canadian legal publishing industry. The mandate of the group was to draft mutually acceptable guidelines for the photocopying of legal publications by libraries and to function as a liaison group for the development of a joint position on crown copyright. The work of this group was abandoned in the fall of 1996 when several of the legal publishers joined CANCOPY, the Canadian Copyright Licensing Agency.

In February 1996, the Executive Board approved an updated position on copyright. The “CALL/ACBD Position Statement on Canadian Copyright Law” was published in *Canadian Law Libraries/Bibliothèques de droit canadiennes*.⁴¹ In its position statement, CALL/ACBD supported maintaining crown copyright to protect the accuracy and integrity of information, but said that this should as a rule place federal and provincial government information and data in the public domain, and where Crown copyright is asserted for generating revenue, licensing should be based on principles of non-exclusivity and on the recovery of no more than the marginal costs incurred in the reproduction of the information or data. It also advocated a more explicit fair dealing clause that included electronic copies and a single copy exemption for libraries that would allow libraries to make single copies for library patrons or inter-library loan. Finally, in light of the tremendous increase of the availability of legal information in electronic form since the 1989 brief, this document endorsed several recommendations of the Information Highway Advisory Council that aimed to maintain a balance between the rights of creators and the needs of users in a digitized environment. The position statement was ratified by Resolution 1996/2 later that year.⁴²

In 1996, Vivienne Denton became Chair of the Copyright Committee, with Denis Marshall remaining an active committee member. Amendments were introduced in the House of Commons, and Resolution 1996/3 directed CALL/ACBD to “write to the federal Ministers of Industry

Canada and the Department of Canadian Heritage supporting the interlibrary loan exemptions in the proposed section 30.2 (5) of the *Copyright Act*, as contained in Bill C-32”.⁴³ CALL/ACBD submitted a brief to the House of Commons Standing Committee on Canadian Heritage, which reaffirmed its position as stated in its February 1996 position statement and endorsed the Federation of Law Societies of Canada brief. The CALL/ACBD brief expressed support for the amendments that related to the definition of fair dealing and for the exemptions for non-profit libraries. The Association urged that the fair dealing provision be extended to include copying for submission to a court, tribunal, government or other public authority, that there be a single library copy exception for legal materials, and that the exemptions for non-profit libraries be extended to private law libraries.⁴⁴

This bill passed in the House of Commons, without the hoped-for exemption for legal materials, and with the library exemption still restricted to non-profit libraries. It also contained amendments which strengthened the power of the copyright collectives, giving rise to the fear that such a collective might attempt to control the reproduction of legal materials by license agreement. CALL/ACBD again prepared a brief, this time to the Senate Committee on Transport and Communications, and as a result was asked to participate in the Senate Committee hearings along with ASTED, CLA, SLA and CARL. Unfortunately the bill passed without change.

The year 1997 was another busy year for the Committee. In the fall of the year, CALL/ACBD was invited to submit briefs to Industry Canada. It was considering Phase III amendments to the Act dealing with copyright in the digital environment. Two briefs were prepared by Denis Marshall – “Intellectual Property Protection of Databases: A Brief” and “Internet Content-related Liability Study: A Brief” – and submitted to Industry Canada after approval in principle by the Executive Board. They were later officially approved as Association position papers at the 1998 AGM.⁴⁵ In the first brief, Industry Canada was urged to limit the protection offered to database producers to a right to prevent pirating of data or commercial misappropriation of data, while retaining the concepts of fair dealing, and education and library exemptions. In the second, similar themes are evident, that copyright law should be as technologically neutral as possible, and that additional protections for electronic databases could severely limit public access to legal information, now that we rely almost exclusively on commercial legal databases to provide access to legislation and case law.

The year 1999 saw the publication of the draft regulations relating to library exemptions pursuant to Bill C-32 amendments. CALL/ACBD, through its Copyright Committee, endorsed the CLA position on the regulations, and added their endorsement to the position taken by the Canadian Courthouse and Law Society Management

40 CALL/ACBD, “1993 AGM”, *supra* note 9 at 161.

41 “CALL/ACBD Position Statement on Canadian Copyright Law” (1996) 21:2 Can L L 20.

42 CALL/ACBD, “1996 AGM”, *supra* note 24 at 106.

43 *Ibid.*

44 Canadian Association of Law Libraries / Association canadiennes des bibliothèques de droit, “Brief to Commons Standing Committee on Canadian Heritage (Support for Federation of Law Societies of Canada Brief)” (1996) 21:4 Can L L 121.

45 CALL/ACBD, “1998 AGM”, *supra* note 32 at 125.

46 Canadian Association of Law Libraries / Association canadienne des bibliothèques de droit, “37th Annual General Meeting, May 31 – June 2, 1999, Banff, Alberta” (1999) 24:3 Can L L 109 at 117.

Group regarding their particular concerns.⁴⁶ Also in 1999, CLA invited CALL/ACBD to join the Copyright Forum, a coalition of associations representing copyright users that was working on a coherent policy on copyright. The work of this group continued for several years, with CALL/ACBD continuing to take an active role through its appointee.

The creation of the Copyright Committee's web page was announced at the 2000 AGM. This page provided, and continues to provide, a wealth of information on copyright issues including Committee publications, links to legislative and policy developments, case comments on important Canadian copyright decisions such as *CCH Canadian Limited v. The Law Society of Upper Canada*, briefs, and links to other sites.

In 2000, Jules LaRivière succeeded Vivienne Denton as Chair of the Copyright Committee. Given the federal government's announcement of upcoming legislative reform, he drafted "Comments on 'A Framework for Copyright Reform' and 'Consultation Paper on Digital Copyright Issues,'" which was submitted to the federal government in the fall of 2001, as Parliament debated and passed further amendments. It reiterated familiar priorities – clarification of the fair dealing provision and Crown copyright in a digitally networked environment. Quick and easy access to legal information, especially legislation and case law, was framed not as a user's need but as a citizen's right. The necessity of balancing the rights of creators with the legitimate needs of users was also stressed.⁴⁷

Although no further relevant amendments to the *Copyright Act* were achieved until 2012, there were numerous consultations, reports, and bills in the intervening years. The CALL/ACBD Copyright Committee was kept busy in response. Recommendations of the Standing Committee on Canadian Heritage in the 2004 Bulte Report were of concern, and CALL/ACBD added its signature to a letter to Members of Parliament drafted by the Copyright Forum, once issues of specific relevance to CALL/ACBD's membership were included.⁴⁸ CALL/ACBD also added its signature to the "Geneva Declaration on the Future of WIPO," which called for WIPO to change its largely pro-rights holder approach and seek a balance with users' interests in copyright.⁴⁹

In 2005, Ted Tjaden, now chair of the Copyright Committee, began work on a new CALL/ACBD position paper on copyright law in the digital age, which was finalized in 2006. Although not officially endorsed at an AGM and thus remaining a draft position paper, this document was discussed at length by the Executive Board and generally reflects the Association's position at the time. This was a major document that outlined the history of *Copyright Act* amendments and past CALL/ACBD position papers, and presented the Association's position on several issues raised in the Bulte Report and the subsequent government backgrounder.⁵⁰ The paper advocated an amendment of the definition of fair dealing to specifically accommodate

educational uses, the least possible restrictive copyright regime for materials on the Internet, and an approach to ISP liability that infringed the least on freedom of expression. It discussed the dangers of overly restrictive technological protection measures (TPMs) used by copyright holders, and reiterated the Association's previously stated position on crown copyright.

In 2008, John Sadler took on the chairmanship of the Copyright Committee and became the CALL/ACBD representative on the Copyright Forum. A new CALL/ACBD submission was prepared in 2009, containing four recommendations: that the federal government should clearly recognize the concept of fair dealing as a user right, and extend a broad and liberal interpretation to fair dealing; that the federal government should repeal provisions in the statute relating to Crown copyright in favour of open access to government information; that the federal government should free from copyright all federal, provincial and municipal laws, the proceedings of legislative bodies and decisions of judges and administrative tribunals; and that copyright should be medium neutral and technological measures and contract law should not impose more restrictive measures on the use of copyrighted materials than are permitted under the fair dealing clauses of the Act.⁵¹

Mary Hemmings took on the job of chairing this committee in 2010. The 2009 brief was updated in 2011 and submitted in response to Bill C-32. Mary presented the CALL/ACBD position to the House of Commons Legislative Committee on Bill C-11 in March 2012. Her presentation concentrated on fair dealing, crown copyright and TPMs (digital locks), reiterating the themes expressed in earlier CALL/ACBD submissions. She also urged the government to fund a program of retrospective digitation of Crown documents. Bill C-11 passed, with significantly improved fair dealing provisions that will benefit libraries and their users.

This concludes *The Canadian Association of Law Libraries/Association canadienne des bibliothèques de droit: A Continuing History, 1988-2012, Part III: Professional Contributions and Advocacy*. Part IV continues in the next issue.

47 "Comments on 'A Framework for Copyright Reform' and 'Consultation Paper on Digital Copyright Issues' from The Canadian Association of Law Libraries / L'Association canadienne des bibliothèques de droit", online: CALL/ACBD <<http://www.callacbd.ca/en/content/copyrights>>.

48 Janine Miller, "President's Letter/Le mot de la présidente" (2004) 29:5 Can L Libr Rev 213 at 213.

49 *Ibid.*

50 Canadian Association of Law Libraries / L'Association canadienne des bibliothèques de droit (CALL/ACBD) Position Paper on Copyright Law in the Digital Age: February 1, 2006 Draft (2006) (on file with author).

51 CALL/ACBD, "2010 AGM", *supra* note 18 at 22-23.

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Edited by Nancy McCormack and Kim Clarke

***A Cruel Arithmetic: Inside the Case Against Polygamy.* By Craig Jones. Toronto: Irwin Law, 2012. 384 p. With a Foreword by Andrew Coyne. ISBN: 9781552212974 (hardcover) \$39.95**

A Cruel Arithmetic is a most interesting read. It draws you into a world of legal strategy and educates you in the way that only a true insider can.

Author Craig Jones holds law degrees from UBC and Harvard Law School and was the lead constitutional litigator for the attorney general of British Columbia for six years. He acted as the provincial government's lead counsel in the polygamy reference case, popularly known as the Polygamy Reference or the "Bountiful, B.C." case, which is the subject of this book. In *A Cruel Arithmetic*, Jones brings us into the courtroom and behind the scenes. The reference case began in 2009 and proceeded for almost two years. There were forty-four days of trial and more than 100 witnesses. Jones takes us through the evidence, from academics to polygamists and those who had escaped, to the 357-page decision and its aftermath.

Jones begins by focussing on the historical aspects of polygamy and providing the background to the reference case. He then moves into describing life in Bountiful, B. C. where many people openly live in plural marriages. For years there were reports of teenage girls from Bountiful being sent to the United States to marry older men connected to the Fundamentalist Church of Jesus Christ of Latter-Day Saints.

The provincial government mounted legal cases against the leaders of polygamous communities in Bountiful on several occasions; however, charges were either withdrawn or stayed every time, with no successful convictions. In 2009, after polygamy charges against Bountiful leaders Winston Blackmore and James Oler were stayed, the province launched a reference case in the British Columbia Supreme Court to determine if anti-polygamy laws would ever withstand a challenge under Canada's constitutional sections guaranteeing religious freedom. The main question before the Court was whether s. 293 of the *Criminal Code* violates the *Charter*. Somewhat unusually, the case was heard in the trial court (constitutional reference questions generally go to the appellate court) which allowed for numerous witnesses and a voluminous evidentiary record which Jones walks us through.

Of particular interest is the shift of the author's thinking on the legality of polygamy and the harm which can be associated with it. Jones himself became convinced of the societal harm generated by polygamy and his case strategy reflects that conviction. In reading *A Cruel Arithmetic*, one is persuaded that harm is caused to society in general, not just to the individuals who participate in polygamous practices. The book's title refers to the idea that polygamy creates an environment wherein "excess" males in a community (lost

boys) must be removed to thin the competition for women and girls and that polygamous societies would continually need more women, resulting in ever-younger child brides.

The BCSC released its decision *Reference re: Section 293 of the Criminal Code of Canada*, 2011 BCSC 1588 on November 22, 2011. Justice Robert Baumann concluded that s. 293 of the *Criminal Code*, which makes polygamy an indictable offence punishable by imprisonment for up to five years, is constitutionally valid. Baumann ruled that while the ban on polygamy infringes on some sections of the Charter of Rights and Freedoms, the infringement is justified by the harms polygamy causes to women, children and society in general.

This book is highly recommended for all academic and public law library collections as it will appeal to both scholars and the general reader. Insights are provided not only on how to build a case, what a "reference" case entails, and the ups and downs of a trial, but also on a polygamous life and the potential consequences of escaping such a life. These make for a highly readable and informative book. The case is well documented; researchers will find the footnotes that source the information cited helpful and all readers will appreciate the colourful anecdotes which serve to enhance the text. I recommend this book for all Canadian Association of Law Library members interested in following a case from its historical beginnings through to its conclusion.

Margo Jeske
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***Canadian Civil Remedies For Torts in Novel Situations and Special Circumstances.* By Lynn M. Kirwin. Toronto: Carswell, 2013. 400 p. Includes table of cases and index. ISBN: 978-0-7798-5187-4 (hardcover) \$139.00.**

In *Canadian Civil Remedies for Torts in Novel Situations and Special Circumstances*, Lynn M. Kirwin provides an overview of the legislation and case law pertaining to a wide variety of special torts. The book is organized into four chapters, 1) Torts and Law Enforcement Officials, 2) Torts in Sports, 3) Workplace Torts, and 4) Public Torts. Lynn Kirwin has worked as a sole practitioner in family law and is the co-author of *Child Protection: Practice and Procedure* and *Child Protection Law in Canada*.

The first chapter, entitled Torts and Law Enforcement Officials, covers strip searches, physical and sexual assault by law enforcement officers, and false imprisonment. Kirwin starts with the treatment in Canada and then narrows to individual provinces. She often includes definitions and breaks down legal issues into numbered lists, offering practical questions which lawyers should ask themselves

when working on a legal problem. She includes the most recent and authoritative cases for each topic (for both the plaintiff and defendants), and provides short overviews of cases, the pertinent facts, and overall conclusions. There are also examples of sentencing and numerical damages.

In the chapter on Torts in Sports, Kirwin outlines how different provinces have interpreted legal issues in sports. For example, the provincial courts have disagreed “whether the conduct in a sporting event needs to be a deliberate intention to injure to be actionable, or whether the standard of care is one of recklessness or negligence” (p. 175). The wide variety of topics included are: liability of instructors/coaches, waivers and releases, school sports programs, sports equipment manufacturer liability, sexual abuse in sports, sports in camps, liability of sports governing bodies, and liability towards spectators. Surprisingly, torts in sports is an area that has not been covered in detail by the well-known Canadian textbooks on torts, including Klar, Linden and Feldthusen, and Fridman.

The third chapter offers an overview on torts in the workplace, including physical harm, sexual assault and harassment, mental suffering/emotional distress, bullying, and defamation. Many of the topics covered are very relevant to today’s digital world such as sexual harassment through unwanted text messaging, wrongful dismissal and internet pornography, and defamation in newsletters and internet message boards. Kirwin incorporates content from different Canadian jurisdictions, and includes references to decisions from human rights tribunals and arbitration boards. The chapter describes various legal tests such as the test to establish that an employee’s misconduct justifies dismissal (p. 313), the test for assessing whether sexual harassment amounts to just cause for dismissal (p. 314), the legal principles for termination of employment (pp. 314-315), and factors to assess damages for sexual harassment cases (p. 348), which is very practical.

The final chapter is on public torts. Kirwin starts out by defining and distinguishing non-pecuniary and pecuniary damages. The topics then covered are: stalking/battery/assault, defamation, internet defamation, invasion of privacy, school age cyber-bullying, school-based torts, malicious prosecution/intentional infliction of mental shock, and torts involving minors. Again, the subject matter is very timely and also tied to the Internet age as Kirwin has sections on defamation and bullying through blogs and Facebook.

Overall, I would recommend this book for any litigation firms. It is clearly laid out and easy to understand, so the content would be accessible to students and new associates. There is a table of contents, index, table of cases, and footnotes for each case cited, so lawyers will easily be able to locate the cases discussed. Kirwin has identified a wide variety of special torts that are not discussed in detail in other Canadian textbooks on torts. The case law she includes is recent and authoritative and she includes cases and legislation from all jurisdictions. Reasonably priced at \$139, it is definitely a worthwhile purchase for any litigation library.

Julia Campbell
Reference Librarian
Norton Rose Fulbright Canada
Corporate Crime and Civil Liability. Gordon E. Kaiser.

Markham, ON: LexisNexis, 2012. xxi, 694 p. Includes bibliographic references, tables and index. ISBN 978-0-433-44789-4 (hardcover) \$170.00.

SNC Lavalin accused of bribery in dealings with African countries. Widespread corruption in Montreal’s construction industry. Gas price fixing. Everyday it seems there are new headlines about the latest corporate crimes. Is one reason for this the newly revised *Competition Act*? This and other questions are addressed by *Corporate Crime and Civil Liability*, which notes early on that “The increase in the importance of corporate crime can be traced to six factors: an increase in the scope of offenses; increased penalties; increased detection procedures; increased civil actions; increased individual liability; and increased territorial reach.” (p.1)

This book concentrates on four types of corporate crime: fraud, competition law, securities, and anti-bribery; and analyzes the resulting civil liability. The first third of the book deals with Competition Law, and the rest is fairly equally split amongst the other three. Each chapter begins with an historical introduction, laying out the history of the legislation and how it came to be modernized the way it did. As the reader learns, the *Competition Act* was originally the *Act for the Prevention and Suppression of Combinations Formed in Restraint of Trade*, S.C. 1889, c.41, leading to the *Combines Investigation Act*, S.C. 1910, c.9 (“Combines” in this title comes from “Combinations,” not a conspiracy between International Harvester and John Deere to artificially inflate the price of combines). There is also discussion of the development of U.S. laws and how our laws paralleled them, sometimes anticipating American legislation and other times imitating it.

The chapter on Competition Law examines the issues of jurisdiction, administration and enforcement, misleading advertising and deceptive marketing, criminal remedies, civil liability, and class actions. Sections of the *Act* are annotated with the leading case law.

The chapter on Securities Regulation focuses on Ontario legislation, for practical purposes (being the province with the largest stock exchange), and was co-written with Josée Turcotte, Deputy Secretary and Independent Adjudicative Counsel of the Ontario Securities Commission.

The first section of the Fraud chapter lays out the definition of corporate fraud, as opposed to criminal fraud, and its elements:

Corporate fraud, unlike other types of fraud, does not normally single out a potential “weak,” “susceptible” or “impressionable” victim. The scheme must be elaborate enough to deceive the public at large or larger groups of people, at least for a short period... These can produce a vision of the company that is entirely inaccurate, and can potentially leave investors, as well as employees, devastated when the scheme unravels. (p. 476)

A corporation cannot (obviously) be sentenced to serve a prison term; however, the same cannot be said for its directors and officers. As with any form of sentencing, the key factors of the nature of the crime and denunciation are

considered, with examples from recent case law analyzed.

Bribery and Anti-Corruption is the shortest chapter, surprisingly since criminal legislation in this area has been part of the *Criminal Code* since 1892. This section deals mostly with how the legislation has developed, both in Canada and in other countries such as the U.S. and U.K.

The finding aids in this book are very thorough; the Table of Contents and the Index are detailed and logically organized. Surprisingly, there is no Table of Cases, but cases are extensively cited in the footnotes. There are also many Tables within each chapter, providing significant and useful summaries. For example, in the Competition Law chapter, Table 1.01 compiles the fines and sentences for Competition Act offences, and Table 1.07 deals with Bid-Rigging. Appendix I of the chapter on Bribery and Anti-Corruption includes tables of U.S. and Canadian prosecutions under the FCPA and CFPOA respectively.

This text would be relevant in just about any type of law library, but especially those involved in corporate litigation or with extensive practice supporting officers and directors. In Vol. 38(1) *Canadian Law Library Review*, Michael Lines reviewed *Corporate Crime and Accountability in Canada: From Prosecutions to Corporate Social Responsibility* by Norman Keith, and *Criminal Liability of Canadian Corporations for International Crimes* by H el ene Dragatsi. This text would make a nice addition to those volumes.

**Karen Sawatzky,
Librarian
Tapper Cuddy LLP**

***Federal Labour Law and Practice.* By Brian W. Burkett, Douglas G. Gilbert, John D.R. Craig, and Margaret E. Gavins. Toronto: Canada Law Book, 2013. 420 p. Includes table of cases and index. ISBN 978-0-88804-594-2 (hardcover) \$160.00.**

It's not unusual for members of the legal community to view federal labour law as a niche specialty. The bulk of the labour relations action takes place at the provincial level and, except for a smallish subset, most labour lawyers don't occupy their days with federal labour law matters. So it was surprising to learn that the reach of the key pre-1920s federal labour law statute went far beyond the federal areas of responsibility set out in section 91 of the *Constitution Act, 1867*. As explained in the opening chapter of *Federal Labour Law and Practice*, the provisions of the early federal labour law act were often applied to provincial and even municipal undertakings.

Indeed, it wasn't until 1925 in *Toronto Electric Commissioners v. Snider* [1925] 2 DLR 5 (PC)—a case about a labour dispute involving a municipal employer and its employees—that the precise extent to which the federal statute could be applied to local labour disputes finally was decided. At an earlier stage of the case, Ontario's Court of Appeal had upheld Parliament's jurisdiction. The appellate court determined that the federal statute, in its "pith and substance," went beyond merely regulating provincial matters given that local disputes could eventually have national consequences which would fall under the federal government's "Peace, Order and good Government" powers. On appeal, however, the Privy Council (the case

by-passed the SCC) found the federal statute *ultra vires* in that it applied to disputes which were local and which would remain local (hence falling under the province's class of subjects as set out in section 92 — i.e., "all Matters of a merely local or private Nature in the Province").

After the decision, Parliament amended the federal statute—it would no longer, as a matter of course, address labour issues in all major industries regardless of jurisdiction. Provinces *could choose*, however, to have the statute continue to apply to them, thereby finding their way around the court decision. It took years for the dust to settle. Most provinces initially chose to have the federal statute continue to apply in their jurisdictions but eventually they all passed their own labour relations acts. Exclusive provincial legislative competence became the rule, and the federal labour sphere narrowed significantly in that it would only deal with federally regulated enterprises such as railways, shipping, interprovincial transportation and communications, the postal service and so on.

My brief account doesn't do justice to the chapter outlining the complex historical background at the beginning of the book. This history sets the stage for the discussion of the federal labour sector today along with its key industries: aeronautics, telecommunications, broadcasting, international and interprovincial shipping and transportation, long-shoring, nuclear power and banking. The history also lays a foundation for the matters discussed next: recent developments in the federal sector. This section makes for some illuminating reading particularly for those of us who think of Canada as relatively sheltered (at least compared to the U.S.) from some of the more alarming forces of change—trade liberalization, deregulation, privatization and technological innovation.

The chapters which follow cover the Canada Labour Code, its extraterritorial application, collective bargaining and agreements, strikes and lockouts, unfair labour practices and offences. They also discuss the Canada Industrial Relations Board, its procedures and powers.

Federal Labour Law and Practice is an indispensable resource not only for veterans in the field but also, and particularly, for anyone new to federal labour law. In addition to the four main authors listed (Brian W. Burkett, Douglas G. Gilbert, John D.R. Craig, and Margaret E. Gavins) there are a number of contributing authors all of whom have impressive pedigrees and experience. One might expect the chapters to differ widely in style given the number of cooks who have seasoned this broth, but the text flows seamlessly from one section to another and, to the credit of the authors and their editors, it is virtually impossible to tell where one writer left off and another began. This helps make the volume highly readable in addition to being an indispensable guide to a complex area of law. I recommend it highly as a critical addition to any law firm dealing with labour law issues, and also as a key resource in both court house and academic law libraries.

**Nancy McCormack
Librarian and Associate Professor of Law
Queen's University**

Free Country: Selected Lectures and Talks. By Sir Sydney Kentridge. Oxford: Hart, 2012. 188 p. ISBN 9781849464673 (hardcover) \$40.00.

I first encountered the name of “Sir Sydney” in 2004 when I reviewed *The Dubin Lectures on Advocacy 1998-2002*.¹ In the course of that review, I noted that Sir Sydney’s contribution, which bore the evocative title “The Boswell Question Revisited,” discussed the duty of an advocate when called upon to represent the State in a situation in which the community’s welfare is not advanced by the prosecution in question. As we read from page 69 on, the advocate is challenged to consider not the typical question of “How can you defend a guilty offender” but rather “How can you attempt to apply an unjust and perverse law?”

Sir Sydney went on to make plain how the laws of apartheid in his native country classified every inhabitant according to race and that an administrative apparatus was established to settle contests involving the merits of reclassifying an individual. As one may easily imagine, “The tribunal, aided by [government briefed counsel], would subject what I can only call the victim to the most humiliating physical and verbal examination. If the case for reclassification was made out, the economic ruin of a family would be inevitable.” (p. 70).

The learned commentator, described in many different texts as the foremost human rights advocate in the Commonwealth, goes on to make an unanswerable case to the effect that it is not consistent with the duty of a lawyer to promote the independence of the Bar and certainly not with the dictates of one’s conscience to accept such briefs. As underscored, “There may be times, fortunately rare, when one’s own conscience rather than the general rule [governing the acceptance of briefs] must govern one’s conduct.”

In seeking to be forgiven for this lengthy digression at the outset of reviewing *Free Country*, I can only advance the argument that Sir Sydney’s submissions on the subject of advocacy were arresting, if not better described as fascinating. I have sought out his speeches and writings ever since and am delighted to note the recent publication of a book containing many of his best lectures and talks.

As described quite ably in the foreword penned by Lord Justice David Lloyd Jones and Mr. Justice George Leggatt, this book offers a representative sampling of certain of the most persuasive expositions of the art of advocacy, as well as unanswerable accusations drawn of the former apartheid regime. In this vein, the reader is offered a remarkable first person analysis of the *Madzimbamuto* case, [1969] 1 AC 64 (won by Sir Sydney after losing at trial and on appeal) and a number of contemporary reviews of matters of human rights law made more impressive when the author discusses how his defeats and rare success whilst briefed by three future Nobel Peace Prize winners including Nelson Mandela, not to mention his primary role in the Steve Biko inquest, served to anchor his bedrock beliefs in the necessity of an independent judiciary whose members are selected solely on merit (see p. 174). In addition, the Rule of Law is explained and defended with a deft hand and the related

subjects such as the obligation of a free Bar to promote liberty are the subject of a penetrating analysis.

I commend in particular the author’s wisdom in addressing the present need to combat terrorism within a constitutional framework, and the issue of special advocates.

Lastly, although limitations of space restrict further descriptions of many detailed and insightful reviews of present-day issues, I would be remiss were I not to end on a jovial note: the explanation for the book’s title. Page 146 explains how an independently-minded barrister was asked by a senior member of the judiciary why he was not wearing a hat, something all of his contemporaries did as a matter of course; the response was “Free country, Chief.”

Justice Gilles Renaud
Ontario Court of Justice

Freedom from Religion: Rights and National Security. 2nd ed. By Amos M. Guiora. New York: Oxford University Press, 2013. 188pp. Includes index, bibliographic references, recommended readings, and appendices. ISBN: 9780199975907 (hardcover) \$85.00.

In this brief work, professor Guiora presents the novel thesis that religious expression should be limited by law where it supports threats against state security such as terrorism. In so doing, Guiora addresses some difficult issues, such as how to define “extremist religion,” how to draw the connection from religious outlooks to threats to security, how, practically, religious expression might be curtailed, and the potential violations of common constitutional protections in democracies that this position implies. His chapters on the limits of freedoms of speech and association deal with these constitutional issues essentially by counterpoising the dangers associated with unlimited religious expression and proposing a ‘right of freedom from religion.’

Guiora examines the role that the media play in formulating superficial and naive views of the dangers of religious expression among the public, and looks to the state to separate itself from religious worldviews while taking steps to curtail dangerous expressions of religion. Guiora presents the Fundamentalist Church of Jesus Christ of the Latter Day Saints’ required polygamy lifestyle as an example of religious expression that contravenes secular law but does not pose a direct threat to the security of the state. Guiora advocates restricting religious expression, especially where there is demonstrable social harm (as in the case of honour killings), but also warns against ‘governmental overreach.’

Lastly, the author excoriates corporate cowardice in the face of extreme religious expression as encapsulated by the efforts of Comedy Central to censor the creators of *South Park*, and invites everyone to be wary of the dangers: “Denying the danger is dangerous... Victims of religious extremism deserve our protection. Limiting the right of rabbis, priests, and imams who incite, in whatever fashion, is the first step in minimizing the number of future victims.” (p. 148)

¹ Horace Krever & RP Armstrong, eds, Canada Law Book Inc., Aurora, Ontario, 2004, published in June 2005, 26(3), For The Defence at 41-42.

Professor Guiora writes with the conviction and passion born of a 20-year career in the Judge Advocate General Corps of the Israeli Defense Forces — work in counterterrorism that brought him into daily contact with the necessity of balancing “legitimate, individual civil rights with equally legitimate national security considerations.” (xvi) The second edition is expanded somewhat from the first to address developments since 2009 and feedback the author received on the first edition. This work is recommended for academic law libraries, and would also complement any public policy or constitutional collection.

Michael Lines
Faculty and Student Services Librarian
Diana M. Priestly Law Library, University of Victoria

***IFC Performance Standards on Environmental & Social Sustainability: A Guidebook.* Edited by Michael Torrance. Markham, Ont: LexisNexis, 2012. xxxii, 439 p. Includes bibliographic references and index. ISBN 978-0-433-46621-5 (softcover) \$95.00.**

Fewer books than one might think have been written on standards for environmental and social sustainability and those with a legal focus are an even smaller subset. Most of the titles published on this subject are written from an accounting rather than a legal perspective, understandably because of the globalization of investment and projects.

This book provides a guide to the International Financial Corporation (IFC) (a member of the World Bank Group) Performance Standards related to international environmental and social sustainability. The seed of the IFC was suggested in 1950 to encourage private investment in the World Bank’s borrowing countries. The IFC was created in 1956 and moved towards environmental review of projects in the 1990s.

In 1998, environmental and social standards became fundamental to the organization’s work. The Equator Principles (a framework through which financial institutions assess and manage environmental and social risk in projects) were first applied in 2003 and by 2009, sixty-eight participant banks had signed on to these principles. The impetus for this text may have been the 2009 establishment of the Office of the Extractive Sector Corporate Social Responsibility Counsellor (CSR).

The text is edited by Michael Torrance who gathered several Norton Rose colleague specialists and other experts (13 in total) including André Abadie, co-author of the Equator Principles, as writing collaborators. The editor maintains a blog “Lex Sustineo” with current commentary on the performance standards and equator principles and is a recognized authority who has written and presented nationally and internationally on the subject.

The book includes chapters on each of the eight Performance Standards with slightly more discussion focussed on assessment and management of environmental and social risks and impact; labour and working conditions; resource efficiency and pollution prevention; and biodiversity conservation and sustainable management of

living natural resources. The Introduction provides a brief overview of the history of the IFC Performance Standards and other standards related to environmental sustainability in a legal context. Torrance personally pens chapters on labour and working conditions, human rights and financial intermediaries.

The book discusses the 1893 Bearing Fur Seals dispute between the United States and Britain as one of the first instances of the explicit reference to “sustaining” resources. Further information is provided on the emergence of the term “sustainability,” the 1972 Stockholm Conference, the 1987 “Brundtland Report,” the Environmental Impact Assessment (EIA) and various court interpretations – these offer a basic background in which to digest the ensuing Performance Standards.

Being a guidebook, it is not surprising that the publication includes different types of practical tools. Several performance standards are accompanied by Compliance Advisor Ombudsman (CAO) Case Studies. Some standards include charts to assist with preparation of assessments and plans. Each Performance Standard Chapter details the elements, definitions, scope, application, risk assessment, conclusion and limitation of the standard.

Each chapter is provided in a simple straight forward manner. The content varies depending on the writer. The analysis is written in clear, plain language that is easy to read. The text also contains various forms and templates, urls for websites, extensive footnotes and an index. There is no table of cases or legislation. As well, the table of contents and index does not include authors’ names.

The text includes five appendices and a glossary of terms with reference to International Labour Organization, United Nations and Kyoto articles. The appendices cover the topics of human rights, stakeholder engagement, the World Bank Anti-Corruption Framework, Equator Principles and financial intermediaries. Several of the appendices include charts and aids to assist with the standards process.

Environmental and social sustainability is an emerging topic, and this text provides a good overview of the IFC Performance Standards for environmental and social sustainability for all jurisdictions including Canada. Torrance’s book is a basic and practical guide to the subject area. Practitioners, students and librarians will appreciate the cross-jurisdictional content and will benefit from the writers’ analysis.

Laura Lemmens
Head Librarian
Alberta Government Library – Great West Life Site
Edmonton, Alberta

***Marriage at the Crossroads: Law, Policy, and the Brave New World of Twenty-First-Century Families.* Edited by Marsha Garrison & Elizabeth S. Scott. Cambridge: Cambridge University Press, 2012. xv, 344 p. Includes tables, illustrations, and index. ISBN 978-1-107-01827-3 (hardcover) \$100.9. ISBN 978-1-107-62370-5 (softcover) \$35.95. ISBN 978-1-139-78645-4 (eBook) \$28.00.**

Imagine finding yourself at a dinner party with a group of sociology and law professors as the discussion turns to the state of marriage today. The two guests on your left have studied marriages in the United States, classifying them as either “red” (liberal) and “blue” (traditional) marriages in order to examine what is driving these divergent paths (June Carbone & Naomi Cahn, “Red v. Blue Marriage”). The guest on your right has applied an economic analysis to the division of labour in household tasks to determine how that division has changed over time. She suggests ways to “nudge” marriages toward gender equality (Margaret F. Brinig, “The Division of Household Labor across Time and Generations”).

The guest across from you widens the discussion by giving an overview of the state of marriage in the United Kingdom, looking at European influences and discussing civil partnerships (Rebecca Probert, “Marriage at the Crossroads in England and Wales”). At this point, another guest down the table asserts that, instead of focusing on how or whether marriage should be expanded to include same-sex marriage, we should be challenging what she calls the “normal-family ideology.” Speaking from both personal experience and her research, she concludes that “women and men should be free to opt for polygyny, polyandry, or monogamy, for arranged or love-match unions, for celibacy or polyamory, or for whatever domestic arrangements sustain them and those they love” (Judith Stacey, “Forsaking No Others”).

“But wait”, say two other guests (by now the discussion has become table-wide). Their studies of these diverse, non-traditional family models have demonstrated that children fare better in families where their parents are married. They fascinate the other guests by describing the studies they have undertaken which explore the impact of childbearing outside marriage (Sara S. McLanahan & Irwin Garfinkel, “Fragile Families”).

All this and dessert hasn’t even been served! Many more guests are waiting to speak on the topic of marriage and families. A professor of family sociology, after looking at clusters of marriage characteristics, comments on three distinct marriage types in the U.S. He has traced their prevalence over time as well as their associated levels of happiness and “divorce proneness” (Paul R. Amato, “Institutional, Companionate, and Individualistic Marriages: Change over Time and Implications for Marriage Quality”). Another guest has explored what proponents of same-sex marriage rights might learn from the experiences of African Americans in the post-Civil War period when they were permitted to marry for the first time (Katherine Franke, “The Curious Relationship of Marriage and Freedom”).

This guest list makes for a very lively dinner party. And assembling their essays into a single book makes for

lively reading. That the authors question the definitions of marriage and family in so many different ways is one of the collection’s great strengths. That the authors are so persuasive in their answers is another. The fact that the essays can be contradictory makes it hard for the reader to remain passive; they force the reader to reflect on their personal views. Edited by two law professors, *Marriage at the Crossroads* is a strong collection of thought-provoking essays on the topic of marriage and family formation from a diversity of perspectives.

**Amy Kaufman
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Queen’s University**

***Property on Trial: Canadian Cases in Context.* By Eric Tucker, James Muir and Bruce Ziff, eds. Toronto: Irwin Law Inc., 2012. 532 p. Contains bibliography of Canadian property law histories. ISBN 978-1-55221-296-7 (hardcover) \$60.00.**

It is a truism that property lawyers tend not to be litigators and that trial lawyers are not known for their strength in property law. It is therefore remarkable to see the substantive topic of property law treated from the perspective of the court room – and with a broader context than just the litigation arena.

My expectation when first breaking the cover of *Property on Trial* was of a book that would be somewhat futuristic (as in - new trends in how property was viewed by our courts) and also a possible challenge to our traditional notions of property as a hidden form of capital. After reading several chapters, I reflected on what I had discovered: a book which made the subject of property law come to life by looking at the social, political and other forces at play when a particular case was brought before the courts and was able to endure years (in some cases almost a decade) of sheer will and dogged determination to bring an issue to the highest courts in Canada.

Property on Trial is also remarkable in how, despite separate authorship of various chapters, there is a consistency of style and academic rigor that reflects the attention given to its cohesiveness by the editors. This is a book that might have been a mere collection of papers, but instead is a comprehensive work of uniform style.

Each chapter sparkles with its treatment of a “case” that has wound its way through the hierarchy of our courts, but in doing so, has brought the characters involved and issues of the day, to life. The behind the scenes vignettes of what also transpired while trials and appeals were fought make the issues leap to life. This becomes especially true in the later chapters where intellectual property law and copyright cases are used to highlight the tension between public interest and good on the one hand and private reward and the amassing of wealth on the other. What are the limits to property law and the legal sanctions of ownership in our legal system? Have we reached the apex of property law evolution? Or is there an inevitable decline back to forms of

community of property? Will forms of community property be the next frontier for property law as we see further erosion of the middle class in Canada? Is the asking of such questions in itself deserving of coherent answers?

Property on Trial will not provide all the coherent answers, but it does set the stage for reflection and an appetite for reading more. I liked reading every chapter because it brought a new sense of perspective to the issues, to the litigants' characters and the functioning of our courts. This book is a further step in the rich repertoire of publications from the Osgoode Society; now published by Irwin Law. I highly recommend it.

Izaak de Rijcke,
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***Corporate Law for Ontario Businesses.* By Farah Jamal Karmali. Toronto, ON.: Carswell, 2012. xvi, 393 p. Includes index. ISBN 978-0-7798-5167-6 (softcover) \$79.50.**

Farah Jamal Karmali is a full-time Professor at Humber College who teaches Corporate Law, Business & Civil Law, and Legal Research in their Law Clerk and Paralegal programs. When she started teaching Corporate Law, she realized that students were struggling with existing textbooks, which tended to be very detail-oriented, technical and difficult to understand. She saw a clear need for a better introductory corporate law textbook for her students. *Corporate Law for Ontario Businesses* is the result of her efforts.

Karmali's textbook offers a fresh approach to corporate law by situating the technical skills, which law clerks are required to know, within the legal theory and legal principles that underlie them. Her emphasis is on having students understand not just the 'how' of filling out legal forms and following legal processes, but also the 'why' behind these actions. To this end, Karmali provides a thorough discussion of key corporate law concepts on a particular topic within each chapter, and she challenges students to think about how these legal concepts can assist clients to achieve their business goals. For example, *Chapter 2: Sole Proprietorships* begins with a definition of 'sole proprietorship' and then moves on to a detailed discussion of the key advantages and disadvantages of establishing a sole proprietorship for clients who are interested in starting a business. Relevant sections of key pieces of legislation, such as the *Business Names Act*, are explained and analysed. In addition, several court cases that illustrate important legal issues are discussed.

What makes the textbook most engaging is her repeated use of a scenario to illustrate the application of the legal principles being discussed. The scenario involves a fictional group of young entrepreneurs who wish to run a nightclub together, and who seek legal advice at different stages in the life cycle of their business. These fictional clients bring to life the application of abstract legal concepts such as business partnerships, corporations, shareholders and

shares, equity financing, bonds and securities, amalgamation and dissolution of a business. They also encourage students to think about the real-life issues that their future clients may present them with, and how they might be able to apply their knowledge of corporate law to help those clients reach their business goals.

An additional strength of the textbook is its very practical focus. Each chapter identifies where to find the forms and precedents that are pertinent to the subject matter contained within the chapter, as well as a detailed explanation of how to fill out the forms correctly, and a description of other legal processes that must be followed on the client's behalf. For example, in *Chapter 2*, the process of searching and registering the business name of a sole proprietorship is described in detail, along with screen shots of important webpages from the Government Website of Service Ontario and the Central Forms Repository. Most chapters in the book are accompanied by appendices containing practical items, such as checklists, precedents, and samples of key records of incorporation, which the student can refer to as models when they begin their practice. In addition, the textbook comes with a companion Workbook that contains useful precedents and review exercises that reinforce the concepts covered in the main textbook.

This book is intended for an audience of college students in a law clerk program and it fulfills that purpose extremely well. In addition, it could also be useful for law students and lawyers needing an introduction to the practice of corporate law because it provides a well-rounded overview of the key legal issues in the field, the important statutes and regulations, and key resources for the practice of law in this area. It also contains detailed instructions on how to find forms and other legal information for starting and carrying on a business on government websites, and therefore it would be a useful resource for law librarians and other legal information professionals. Overall, this very accessible book should be of great benefit to many individuals who would like to learn more about corporate law.

Leslie Taylor
Reference/Technical Services Librarian
Lederman Law Library, Queen's University

***Social Inclusion of People with Disabilities: National and International Perspectives.* By Arie Rimmerman. New York: Cambridge University Press, 2012. xvii, 193 p. Includes index. ISBN 978-1-107-01462-6 (hardcover) \$95.00.**

Arie Rimmerman opens this cross-disciplinary book with the caveat that "social inclusion" is not easily defined. Conceptually, social inclusion and exclusion have been examined in human rights and social justice circles for decades. The resulting definition of social inclusion from which Rimmerman works revolves around the opportunity for cultural, political, educational, employment, healthcare, and technological participation by persons with disabilities – the opposite of being excluded from the same prospects that are available for more able-bodied persons.

In this heavily-footnoted work, Rimmerman provides a thorough primer on the topic of social inclusion. Without dedicating much text to discussing what is considered a “disability” and why, the book moves into the historical treatment of those marginalized by society on account of their mental, physical, or sensory abilities, with an emphasis on Western civilizations and the Abrahamic traditions. He brings this discussion of the treatment of people with disabilities into the present with an examination of the representation of such persons in the entertainment and news media, using statistical information and findings from various reports on the status of persons living with disabilities in select countries. Marking the cross-disciplinary nature of this book, Rimmerman provides an excellent discussion of strategies to promote social inclusion. Social strategies and legal solutions are both covered extensively as he concludes that an integrated approach is necessary for effective social inclusion.

The strength of this book is the author’s extensive review of the national laws of certain countries and his analysis of the United Nations *Convention on the Rights of Persons with Disabilities* (CRPD). He pays particular attention to the legal protections implemented in the United States, the United Kingdom and Israel (the *Americans with Disability Act*, the *Disability Discrimination Act*, and *Equality Act*, and the *Equal Rights for Persons with Disabilities Law*, respectively). A researcher looking for a review of national social inclusion legislation within an international context would find this book very useful, as the author provides background information for each statute, analyzes important

court decisions, and adds more recent legal updates. Likewise, the chapter dedicated to the United Nations’ CRPD offers a concise history and overview of the Convention. Details on how the CRPD has been regarded in various national domestic courts are also included.

This book is not without its weaknesses. While the coverage provided for the three aforementioned countries is very well done, its scope is more limited when it comes to other regions so anyone seeking a truly international perspective will need to look elsewhere. Social inclusion in Canada, South America, Africa, Asia, and most European and Middle Eastern countries, is left largely unexamined. Structurally, the book would have benefited from a tighter edit, particularly a different organization of the headings and subheadings to provide greater clarity throughout the book.

Nonetheless, this book is an excellent starting resource for someone looking into social inclusion policies and strategies from around the world, particularly if he or she is new to this area of study. The footnotes allow readers to obtain references to studies and reports from various disciplines and countries which should assist in furthering their research and assisting them in developing a basic understanding of issues and theories surrounding social inclusion. Rimmerman does a good job of distilling the many facets of social inclusion and disability rights related topics into one concise volume.

Jennifer Walker
Head Librarian
County of Carleton Laociaw Association

Did you know?

Did you know that Frances Lillian Fish was the first woman to graduate from Dalhousie Law School and the first woman admitted to the practice of law in Nova Scotia? Fish graduated law school in 1918 and a few months later was admitted to the Nova Scotia Bar. At that time, women weren’t considered “persons” under the law so Nova Scotia’s Barristers and Solicitors Act had to be amended to declare that women were eligible for admission. Fish went on to have a long and successful career as a lawyer, most of which was spent in her hometown of Newcastle, New Brunswick. In 1972, she was appointed a Queen’s Counsel and continued to practice until three months before her death in 1975. In 1997, the Nova Scotia Association of Women and the Law established the Frances Fish Women Lawyers’ Achievement Awards to honour women lawyers who have achieved excellence in their profession and community, and who show a commitment to advancing the rights of women in or through the legal profession.

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Submitted by Susan Jones

Ann Medaille & Amy W. Shannon, "Co-Teaching Relationships Among Librarians and Other Information Professionals" (2012) 4:4 Collaborative Librarianship 132-148.

Instruction is an important part, and in some cases a major component, of the jobs of librarians and information professionals, although most emerged from library school with little in the way of teacher-training. Of course, there are many ways for librarians and information professionals to acquire instructional skills, including on-the-job experience, classes, workshops, webinars, conference programs, and professional reading. But one way to acquire these skills that may not have been considered is co-teaching with other information professionals. While much has been written on the benefits of co-teaching with faculty from other departments, this article focuses on co-teaching between information professionals, including reference and technical services librarians, instructional designers, computing professionals, and media specialists. In this article, the authors, two librarians from the University of Nevada in Reno, define co-teaching, outline the benefits of co-teaching to students and information professionals, and provide guidelines for creating successful co-teaching relationships. Although geared toward academic librarians, the authors' information and guidelines will be of interest to anyone looking to develop or improve their instructional skills through co-teaching with other information professionals.

To start, it's important to define what the authors mean by co-teaching. Co-teaching is often referred to as team teaching, but it shouldn't be confused with the approach that involves two or more instructors working together to design a class, but then teach separately. The authors describe co-teaching as two or more teachers assuming primary, and often complementary teaching roles to deliver activities in the classroom. Co-teachers may take turns delivering these activities – lectures, group discussions, one-on-one assistance – or they may do so jointly. Practically speaking, co-teaching can take different forms. In one scenario, one teacher may deliver the lecture or presentation, while another moves about the room to provide individual assistance to students. In another case, one teacher may deliver the lecture, while another provides a demonstration or illustrates the important points with examples. In yet another arrangement, all teachers may take a turn at all the planned instructional activities.

There are many benefits of co-teaching for students, including the different perspectives, variety, and additional subject expertise offered by co-teachers. Of course, there are benefits for librarians and information professionals, too. Co-teaching is an opportunity for librarians to learn from other information professionals, acquire or improve their teach-

ing and presentation skills, receive valuable feedback about their skills from colleagues, and exchange different points of view on teaching with other information professionals. It's also a means of professional development and personal growth and can elevate one's professional satisfaction and confidence. There are practical benefits of co-teaching, as well. The work involved in designing classroom instruction is shared, thereby reducing the overall workload of each co-teacher. It also allows for brainstorming and group strategizing about the content of lessons and activities. And perhaps one of the greatest benefits of co-teaching is the development of relationships with other information professionals which can lead to other collaborative projects down the road.

More generally, co-teaching can introduce new techniques and strategies into library instructional sessions and create a lively atmosphere in the classroom. The in-class exchange of views and perspectives between or among co-teachers can generate discussion and contributions from students. Co-teaching also offers a means of addressing the varying technological skills of students by allowing one or more teachers to circulate throughout the classroom, providing individual assistance, while other teachers provide the lecture or presentation. This scenario also has the advantage of reducing the number of disruptions during the lecture or presentation.

The authors end their article with a set of guidelines for establishing positive co-teaching arrangements between librarians and other information professionals. One of the keys to the success of any co-teaching arrangement is the establishment of *common goals, methods, and approach*. It's important that all co-teachers are on the same page when it comes to what they want to achieve and how they plan to reach those goals. It's also important for instructors to *recognize the work pressures and priorities of the other instructors*. Everyone will have different responsibilities, commitments, and levels of administrative support in their day-to-day jobs and it's important to take these factors into consideration when planning to co-teach. The authors encourage librarians to seek out *co-instructors with different skills, educational backgrounds, personalities, and perspectives*. As already noted, diversity between co-teachers can capture the interest of students, energize the classroom, and generate discussion. The authors also believe that *collaboration across departmental lines* can lead to successful co-teaching relationships. While it may be more difficult to initiate cross-departmental alliances, there are many long-term benefits to be gained from forging these ties. For one thing, cross-departmental ventures can help those involved develop a better understanding of other departments' services, skills, and goals, and what's more, they can lead to further opportunities for collaboration. *Mutual respect and trust for each other's teaching styles and choices* is also central to

establishing positive co-teaching relationships. Co-teachers don't necessarily have to agree with their colleagues' preferences, but they do need to be respected. The authors urge instructors to remember that willingness to compromise is necessary for the co-teaching arrangement to succeed.

Other guidelines for establishing positive co-teaching arrangements include *sharing equally in the responsibility for the success of the collaboration*, regardless of how the work is divided. It's also important to *divide the work in a way that plays to the strengths of each co-instructor and benefits the students most*. The authors also encourage librarians to *think about the number of instructors required for the co-teaching arrangement*, with consideration given to the length of the class, the number of students, and the role of technology to the lesson. Too many instructors can be distracting and the shift from one to another can consume valuable class time. In order for any co-teaching arrangement to succeed, *institutions need to provide appropriate administrative support*. Assistance with booking classrooms and equipment, marketing, enrollment, and funding allow co-instructors to focus on teaching, instead of the myriad administrative tasks. Finally, the authors encourage instructors to *view co-teaching as an opportunity for professional development and growth*. Whether the information professionals involved in the arrangement are new to teaching or proficient instructors, everyone can acquire new skills and knowledge from the co-teaching experience.

Terence K. Huwe, "Using Apps to Extend the Library's Brand" (March 2013) 33:2 Computers in Libraries 27-29.

Even though apps are still a relatively new development, there's no question they've made their mark and are popular with smartphone users. And considering there are now over 755,000 apps available for the iPad alone, they're not about to disappear any time soon. Author Terence K. Huwe, an academic library director from the University of California-Berkeley and a columnist for *Computers in Libraries*, encourages librarians to explore this growing world of apps. In this article, he explains how librarians can use their collection development and curating skills to provide a value-added service to their users, and in doing so, how libraries can brand their services.

The author notes two things in particular about apps. One, they provide a pleasant and convenient online experience tailor-made for users' mobile devices. And two, apps give libraries the opportunity to build their brand and promote their services to an ever-growing mobile community. In order to capitalize on this opportunity, the author suggests that librarians combine locally-developed, access-oriented apps (e.g., apps providing links to libraries' catalogues and digital resources) with a carefully-curated collection of apps providing access to resources *outside* the library. In providing this service, the author believes librarians can offer their users opportunities for rich and rewarding mobile experiences. There are two benefits to this kind of outreach, according to the author. One benefit is the acknowledgement and mutual respect for users' own judgment that comes from presenting a curated collection of apps from which they can

choose based on their individual needs and interests. The second benefit is that this kind of outreach activity serves to brand libraries as modern, relevant, and forward-thinking.

The author also provides some practical tips on evaluating apps and how to promote them to users on the library's website. It's very important to spend the time necessary to carefully evaluate the quality of any app the library may want to promote to its users. When the author evaluates apps, he looks for three characteristics. First, he looks to see if an app *jumps boundaries*. In other words, he determines whether the app does more than one thing. The example he uses is the LibraryThing app. Not only does the app allow users to build their own library, it also allows them to participate in a community of users and explore their collections. The second characteristic is whether the app *improves the research process*. The Wikipedia app, for example, can be a source of fast information and the WorldCat app allows researchers to quickly search research collections outside their own libraries. The third characteristic to look for when evaluating any app is whether it's *properly supported*. The author recommends monitoring prospective apps for a period of time in order to assess their performance and determine the effectiveness and frequency of upgrades and versions.

There are two service approaches for libraries when it comes to apps. The first is the do-it-yourself approach, designing apps from the ground up. The second is the point-and-recommend approach. The first approach is great for large libraries with skilled, code-writing staff capable of building their own apps. The rest of us can push a carefully-selected collection of library-endorsed apps to users. Choose whatever approach you will, what's most important to the author is that librarians engage with the growing world of apps and look at them as an opportunity to use their skills to provide value-added services to users.

Jasmin Hollingum, "Collection Development Policies in Law Firm Libraries: Do We Need Them?" (March 2013) 13:1 Legal Information Management 62-65.

This article will be of particular interest to law firm librarians struggling over whether to institute a collection development policy (CDP). In this article, the author, an information officer and library school student in the UK, examines the usefulness of CDPs in law firm libraries. During this examination, she discusses the benefits of CDPs, the possible obstacles to creating CDPs, and suggestions for overcoming those obstacles.

The author describes a CDP as a blueprint or master plan that can help a library meet its goals and those of its larger organization. She then goes on to identify three key benefits of CDPs for law firm libraries. The first key benefit is the *rationalization of resources*. A well-written CDP can guide the selection, maintenance, and weeding of resources by outlining the selection criteria for new acquisitions, identifying the core resources of the collection, and including the procedures for handling superseded or outdated material. A CDP can also promote resource sharing, provided the policy is available for consultation by other libraries. Few libraries

today can afford to own everything they'll ever need, and consequently, lawyers' information needs aren't just met with their firms' own materials, but also those of external organizations. With the CDPs of other organizations in hand, libraries can make more informed decisions about their own internal resources. CDPs can also help librarians deal with the ever-growing problem of multiple formats. Textbooks are increasingly available not just in print, but also as e-books or as part of online, searchable databases. A CDP can help librarians manage collections' various formats by establishing clear selection criteria, setting out the access issues to negotiate with vendors, and including sections for emerging areas, like mobile-enabled content and apps.

The second key benefit of a CDP is its usefulness in responding to *changes in funding*. A CDP is an effective financial management tool when made available to the relevant persons within the firm. To illustrate this point, the author refers to one firm's CDP which provides that suggestions for the collection are welcome, but that all acquisitions must be approved by the library director before purchase. In this way, users who purchase books independently cannot expect reimbursement in return. The CDP can also be a financial management tool if it provides how the library's budget is to be allocated among the firm's various practice areas. In doing so, librarians can ensure the collection is aligned with the business needs of the firm.

The third key benefit of a CDP is its effectiveness as a *communication tool*, conveying important information about the collection to colleagues, staff, and users. For library staff, the CDP serves as a training tool, guiding their decisions and ensuring those decisions align with the library's goals. A written CDP is also an accountability tool if librarians are questioned about the collection by users or managers. And it's an advocacy tool, as well. Involving users, fee-earners, library staff, and other support staff in the development of a policy goes a long way to helping them understand the reasons behind collection-related decisions. Involving interested parties and securing their approval in the development of a policy results in a powerful tool, elevating the CDP to an almost contract-like document between the library and its users.

So while there are clearly a number of benefits to CDPs, the author identifies a number of obstacles to implementing these policies. One obstacle is simply the fact that many law firm libraries don't have one. It can be hard for law firm librarians to justify the time and resources involved in preparing a CDP when so many libraries seem to do without one. Another obstacle is that it's not clear how many law firms rely on written CDPs, and those that do may not be willing to share them for fear of conceding some kind of competitive advantage. This is a problem given that consulting other CDPs from similar, profit-earning firms is a useful and important step in the creation of a policy.

Another obstacle identified by the author is the time involved in creating and administering a CDP. Some are of the opinion that law firm librarians are better off spending their time earning money for the firm rather than formulating a CDP, ensuring everyone adheres to it, and regularly updating it. Still others argue that strict adherence to a CDP may hamper the ability of libraries to respond quickly to the

needs of firms, such as when they take on new and novel matters that require the speedy acquisition of new resources to support those files. One solution to these obstacles is to build sufficient flexibility into the plan to be able to respond to changing needs. Another solution is to update the policy regularly – perhaps annually, as opposed to every few years – in order to reduce the time involved in keeping the policy up-to-date and relevant.

In closing, the author notes the dearth of research on CDPs in law firms and expresses a hope that critical examination in this area will lead to a better understanding of the usefulness of CDPs to law firm libraries.

Victoria Trotta, "Collection Development in Academic Libraries: What Can We Learn From Law Firms?" (July 2013) 17:9 AALL Spectrum 31-32. Available from <<http://www.aallnet.org/main-menu/Publications/spectrum/Archives/vol-17/No-9/collection-development.pdf>> (accessed 8 August 2013).

I came across this article after summarizing the previous article on collection development policies for law firm libraries. It seems we have a lot to learn from each other when it comes to collection development. The author of this article, Victoria Trotta, is the associate dean for the Ross-Blakley Law Library at Arizona State University in Tempe. In her opinion, academic law libraries can take a page or two from law firm libraries when it comes to developing sustainable collections. She advocates using law firm collection development policies to position academic law libraries for the realities of the future.

According to the author, academic law libraries' current approach to collection development is unsustainable. Academic libraries typically engage in just-in-case collection practices, selecting material because it may be needed at some point in the future; collect materials in multiple formats; retain superseded material indefinitely; build extensive, historical collections; and collect in areas – government documents, for example – already covered by libraries within the same academic institution. The law firm model, on the other hand, creates collections that are more directly linked to the immediate and current needs of its users. In law firms, information is seen as a productivity tool, and as practice specialities come and go, so do those parts of the collection. Redundancy is minimized, space issues necessitate frequent weeding, price and usage of resources is carefully considered, and interlibrary loan and document delivery is relied upon for some information needs.

The author suggests thinking about the law school as one big law firm, with faculty research interests representing the firm's practice groups and the students representing the general information needs of the firm. To take this approach, the author offers the following suggestions to academic libraries: discard the traditional academic collection development policy and cease systematic collection practices; review your participation in any government documents depository program; provide electronic-only access to primary sources, collect in print only what's needed to satisfy teaching preferences, and purchase everything else on

demand, making use of rush delivery and interlibrary loan when necessary; review any standing orders or publications acquired for former faculty members and discontinue, or discard, where appropriate; review all historical collections of primary material and consider their necessity, and join a collaborative effort to preserve historical material, rather than collect everything singularly; and encourage legal publishers to focus on developing products needed to teach students and support faculty research.

The author encourages academic librarians to start thinking in a very serious way about what resources are required to meet the needs of students and faculty and what resources in our libraries are actually used. Maintaining the “universe of legal knowledge” is no longer sustainable and law firm libraries have a lot to share when it comes to cost-effective collection development practices.

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Questions?

Please contact Taylor Weinstein at taylor@callacbd.ca

Local and Regional Update

Mise à jour locale et régionale

Edited by Mary Jane Kearns-Padgett

National Capital Association of Law Librarians (NCALL)

In May, the Library of Parliament hosted a presentation by two of its analysts on recent changes to the Copyright Act. Mark Mahabir and Maxime-Olivier Thibodeau spoke on Bill C-11, An Act to amend the Copyright Act and specifically on the sections which affect libraries.

NCALL's AGM was held at a downtown restaurant in June. As part of the AGM, a draw was held for tuition for one place on an online course offered through the University of Toronto's iSchool Institute (Faculty of Information). Legal Research on the Web focuses on legal research skills using Internet resources.

Claire Banton
*Acting Chief, Orientation Section
Services Division
Library and Archives Canada*

**Chef par intérim, Section de l'orientation, Référence
Division des services de référence,
Bibliothèque et Archives Canada (Ottawa)**

Edmonton Law Libraries Association (ELLA)

ELLA's March 6 meeting featured a presentation by Kathy West, Head Librarian at the Winspear Business Library, University of Alberta. She gave an engaging and practical talk entitled, *Who Cares? Some Basics on Finding Business Information*.

The 2013 Headstart program for recently graduated law students (and librarians), held on June 20-21, was a success this year. The sold-out program took 42 participants, including an evaluating University of Alberta law professor, on a two-day trip through the ins and outs of legal research, statutes, research costs and many other riveting yet essential topics. We were especially happy to see participants from all over Alberta make the journey to Edmonton for this unique and fundamental workshop.

ELLA held its year-end meeting on June 26. Great attendance ensured that quorum was reached, and engaged members offered many sage opinions on the healthy budget. A great big "thank you" goes to outgoing Chairperson Andrea Zielinski, whose enthusiasm, wisdom and guidance greatly benefitted ELLA over the last 4 years. ELLA is thankful that, in keeping with her dedication to law librarianship, Andrea is willing to be on the end of the phone to provide advice and feedback for the incoming executive team. Volunteers for the 2013-2015 executive will be sought in August.

Christine Press
Alberta Law Libraries (Edmonton)

Halifax Area Law Libraries (HALL)

In June, HALL said good-bye to a valued colleague, Susan Jones, who has left the Halifax community to take a position at the UNB Gerard V. LaForest Law Library. Susan will be greatly missed and she is wished every success in her new endeavour.

As Susan had reported in an earlier update, major renovations to the Law Courts mandated the relocation of both the Barristers' Society Library and the Judges' Library. The Barristers' Library has just moved back to the Law Courts with the Judges' Library scheduled to return in late spring or early summer of 2014.

In June HALL also celebrated its Spring Luncheon, marking the end of the business year. 20 people were in attendance. HALL activities will resume again in September.

Good news for our beleaguered profession in these times of fiscal restraint; Stewart McKelvey has hired a new full time library technician, Amanda Bennett. We welcome Amanda to our community.

Therese Lamie, Manager, Library Services with the N.S. Department of Justice will continue as chair of HALL for the 2013-2014 year. Once everyone resumes activities in September, HALL will be looking for a new co-chair.

Therese Lamie
*Manager, Library Services
N.S. Department of Justice (Halifax)*

Ontario Courthouse Librarians' Association (OCLA)

The Hastings County Law Association Library will move to the new consolidated courthouse, as of August 19, 2013. This move to the impressive new facility coincides with the opening of the courts in Belleville.

OCLA staff are looking forward to the **Conference for Ontario Law Associations' Libraries (COLAL)** which will be held in Toronto from October 17th to 18th. The conference will include a Keynote address by Juanita Richardson, an independent information consultant in Toronto, and a talk by Steve Lowden, a featured speaker at last year's COLAL conference, returning to present part two of his program "Ready, Set, Grow." As well, there will be panel discussions on current topics and a presentation by David Whelan, Manager of Legal Information at the Great Library, on technology trends in law libraries.

Chris Wyskiel
*Library Technician
Hamilton Law Association (Hamilton)*

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

MALL communicated with the Bibliothèque et Archives nationales du Québec (BAnQ), responsible for the digitization of Quebec Official Gazette, on the possibility of adding keyword search functionality. The BAnQ has answered positively to this request and the change has been made. The Gazette is available online here: <<http://bibnum2.banq.qc.ca/bna/goq/>>.

In addition, MALL's annual general meeting was held on June 20, 2013 closing another successful year with various events. Sophie Lecoq from the Chambre des notaires du Québec was elected as Vice-President of the Montreal Association of Law Libraries.

The composition of the Executive committee for the 2013-2014 term is as follows: Maryvon Côté (McGill University) – President; Sophie Lecoq (Chambre des notaires du Québec) - Vice-President; Louis Goulet (Heenan Blaikie) - Past-President; Jacinthe Deschâtelets (Fasken Martineau) - Secretary and Josée Viel (Stikeman Elliott) - Treasurer.

L'ABDM a communiqué avec la Bibliothèque et Archives nationales du Québec (BAnQ), responsable de la numérisation de la Gazette officielle du Québec, afin de permettre la possibilité d'effectuer des recherches par mots-clés. La BAnQ a répondu positivement à cette demande en procédant au changement demandé. La Gazette est disponible en ligne à l'adresse suivante : <<http://bibnum2.banq.qc.ca/bna/goq/>>.

De plus, l'ABDM a tenu son assemblée générale annuelle le 20 juin 2013 afin de clôturer une autre année

remplie d'évènements enrichissants. Sophie Lecoq, de la Chambre des notaires du Québec, a été élue Vice-Présidente de l'Association des bibliothèques de droit de Montréal.

Le comité exécutif pour l'année 2013-2014 est composé par Maryvon Côté (McGill University) – Président; Sophie Lecoq (Chambre des notaires du Québec) - Vice-Présidente; Louis Goulet (Heenan Blaikie) - Président sortant; Jacinthe Deschâtelets (Fasken Martineau) - Secrétaire et Josée Viel (Stikeman Elliott) - Trésorière.

Maryvon Côté
Liaison Librarian
Nahum Gelber Law Library at McGill University
(Montreal)

Vancouver Association of Law Libraries (VALL)

VALL's June seminar featured Jenny Lewis and Michelle Sharp who gave members an introduction to knowledge transfer strategies to ease employee transitions in law libraries. Among their suggestions and insights were compiling an activity inventory, creating a culture of everyday knowledge transfer and collaboration, and the importance of using different methods to share and transfer knowledge (don't just put everything in a manual – do a video, have a lunch and learn, etc.).

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

Sarah Munro
Librarian
Singleton Urquhart LLP (Vancouver)

Content Developments

Those of you who don't have as much time to peruse the shelves as you would like or who don't do the looseleaf filing, may not have noticed the changes in many Canadian looseleaf texts. While the commentary, legislation and case law are developing in a regular fashion, publishers are adding more of these sorts of sections than existed a few years ago:

- Words and phrases
- Legislative interpretations of terms
- Tables of concordance - among jurisdictions and/or from one version to another.

These can be great shortcuts.

Edited by Mary Jane Kearns-Padgett

Steve Wallace who runs the Document Delivery Service at the Great Library, Law Society of Upper Canada, won a Juno Award for Traditional Jazz Album of the Year at this April's awards show in Regina. The album *Test of Time* features Steve on bass, Mike Murley on saxophone and Ed Bickert on guitar.

Jennie Clarke is the new Library Technician at the Durham Region Law Association in Oshawa. Jennie has an honours diploma as a library and information technician from Seneca College and a bachelor's degree in English from York University. Jennie's background includes work in school libraries.

Beverly Brett has taken over from Iris Nixon at the County of Lanark Law Association library in Perth. Beverly works 2 afternoons a week.

Monica Schjott, Library Assistant (Durham Region) retired on June 27, 2013. Jennie Clarke has been hired on as the new library technician. Best wishes for a very happy retirement, Monica!

Wendy Hearder-Moan was made an Honoured Member of the Canadian Association of Law Libraries/ Association canadienne des bibliothèques de droit. The honour was conveyed at the 2013 CALL/ACBD conference in Montreal. Congratulations to Wendy on achieving the highest honour that CALL/ACBD bestows on its members.

In Memoriam

The Calgary law library community lost 3 dedicated professionals in 11 weeks recently: **Marlene MacDougall**, **Georgia Macrae**, and **Shelagh Mikulak**. These are excellent examples of leaders from different demographics and all will be missed.

In Memoriam

Marlene MacDougall, September 8, 1961—May 3, 2013

On May 3, 2013 **Marlene MacDougall** passed away. Marlene was a fixture in the Macleod Dixon LLP (now Norton Rose Fulbright Canada) library for over 27 years. She loved finding the answer to an obscure question or tracking down a hard to find document. We will remember her smile and her love of books, travel and chocolate, chocolate and more chocolate. She was a dedicated member of the Calgary Law Libraries Group (CLLG) and spearheaded Team CLLG in Ovarian Cancer Canada's Walk of Hope to raise funds for those living with ovarian cancer. You can see Marlene's obituary from the Calgary Herald (May 10) at: <http://www.legacy.com/obituaries/calgaryherald/obituary.aspx?n=marlene-macdougall&pid=164716669&fhid=6131#fbLoggedOut>

In Memoriam

Georgia Macrae, January 23, 1923 – June 14, 2013

A delightful, classy, elegant lady who could speak easily to anyone about anything passed away in June. Many long-time CALL/ACBD members will remember **Georgia Macrae** as the first Technical Services Librarian at the University of Calgary Law Library in 1976 and later as Law Librarian. She was formerly at the law library at UBC. She was in charge of the Local Arrangements for the 1979 CALL/ACBD Conference in Calgary, a source of great pride in her professional life. A founding member of the Calgary Law Libraries Group (CLLG), Georgia served as a member of the Programs/Social Committee 3 times (1980/81, 1984/85, and 1985/86). She was the first librarian at the University of Calgary to apply for, and be granted, a sabbatical leave and she thoroughly enjoyed her 6 months providing reference and learning at the Institute of Advanced Legal Studies in London.

Georgia's wit, spirit, and stories will be missed. Particular topics of interest were travel, art, and theatre. For more information about her diverse and interesting life, see her obituary from the Calgary Herald (July 11-13) at <http://www.legacy.com/obituaries/calgaryherald/obituary-search.aspx?daterange=30&lastname=macrae&countryid=2&stateid=1&affiliateid=3121>.

In Memoriam

Shelagh Mikulak, March 6, 1953 – July 14, 2013



Leader, mentor, friend, colleague, advocate, innovator, and visionary are words many use to describe **Shelagh Mikulak**. Shelagh was a doer; she was also vivacious and feisty. When Shelagh spoke, people paid attention. As a business librarian, Shelagh established the Management Resource Centre (now the Business Library) at

the University of Calgary and was involved with SLA and CLA. CALL members will best know her as National Director, Information Resources at Bennett Jones LLP or as Vendor Liaison for the 1999 CALL Conference in Calgary. Shelagh was a leader and executive member of CLLG. A strong advocate, Shelagh successfully promoted library services within her organizations. She also had a wonderful rapport with vendors from which all library professionals can learn.

The 2010 diagnosis of ALS (popularly known as *Lou Gehrig's Disease*) did not change Shelagh's desire to contribute. She announced "I am LIVING with ALS, I am *not* dying from it." With her family (Murray, Kevin, and Sean), she created "Shelagh's Green Team" for *Betty's Run for ALS*

raising \$100,000 over 3 years. Shelagh was the Ambassador for the run in 2012 and the voice of ALS in a number of media opportunities. When Alberta Health Services announced changes to palliative care services earlier this year, Shelagh again took action and appeared on the front page of the *Calgary Herald* speaking of her wish to die at home with family at her side. Shelagh did die at home, on July 14, 2013.

Shelagh will be missed by all who crossed paths with her. Her legacy of leadership is recognized in CLLG's *Shelagh Mikulak Library Leadership Award*. Her mentorship and encouragement of those interested in pursuing careers related to library science will endure through the scholarship the family is creating in her name. For more information Shelagh's obituary can be found from the *Calgary Herald* (July 18-20): <<http://www.legacy.com/obituaries/calgaryherald/obituary.aspx?n=shelagh-mikulak&pid=165913185&fhid=6135#fbLoggedOut>>. A wonderful editorial tribute was published on July 24 at: <<http://www.calgaryherald.com/Remarkable+ blessings+from+life+short/8698708/story.html>>.

Nadine Hoffman
Bennett Jones Law Library
University of Calgary

Feature Article Submissions to the CLLR are Eligible for Consideration for the Annual \$500 Feature Article Award

To qualify for the award, the article must be:

- pertinent to both the interests and the information needs of the CALL/ACBD membership;
- relevant to law librarianship in Canada;
- excellent in content and style, as shown in its research and analysis, and its presentation and writing;
- not published elsewhere and preferably written specifically for the purpose of publication in *Canadian Law Library Review* / *Revue canadienne des bibliothèques de droit*.

The recipients of the award are chosen by the Editorial Board. One award may be given to each volume of *Canadian Law Library Review/Revue canadienne des bibliothèques de droit*. Award winners will be announced at the CALL/ACBD annual meeting and their names will be published in *Canadian Law Library Review/Revue canadienne des bibliothèques de droit*. Should the article be written by more than one author, the award will be given jointly.

Letter from Australia

By Margaret Hutchison

It's nearing the end of winter as I write this and by the time this reaches you, your winter will have started. The rotating cycle of the seasons continues, as does the somewhat revolving door that has been the Australian Prime Ministership. On 26 June, the former Prime Minister, Kevin Rudd launched another challenge against the incumbent Prime Minister, Julia Gillard. This followed earlier unsuccessful challenges and constant press sniping polls about the Prime Minister and the government's changes of policy, such as the carbon tax and rapidly declining opinion polls. After a vote of the federal Australian Labor Party members, Kevin Rudd became Prime Minister again. There was considerable debate in the media as to how much effect the sex of the Prime Minister had had on the campaign to remove her. It was agreed that it had played a role in the campaign to undermine Julia Gillard and that it may be easier for the next woman who wishes to become Prime Minister.

Both Kevin Rudd and Julia Gillard had agreed whoever lost the leadership would leave Parliament at the forthcoming election, which Julia Gillard had announced in January would be held on September 14. After the election of Kevin Rudd, about half the cabinet announced they were also retiring at the election so there were rapid promotions for many unknown backbenchers.

Kevin Rudd announced the election date to be September 7, after asking the Governor-General to formally dissolve the House of Representatives and issue the writs to elect half of the Senate. Parliament had finished sitting for the winter break just after the change in Prime Ministers and was due to sit again in late August if the election had not been called. An election for the House of Representatives had to be held by the end of November under the Constitution. The September 14 election date would have also included a referendum recognising local government in the Constitution. Under the new date, the referendum cannot take place now and will be held "at a later date".

Referendums in the Australian federal system have a fairly poor success rate. To succeed, they have to be passed by a majority of voters in a majority of states. This usually means that the subject of the referendum needs to have support from both the government and the opposition and appeal to the Australian tradition of a fair go.

Election dates in Australia tend to avoid important events such as the grand finals of the various football codes, school holidays, Easter, Anzac Day. Any election held in late November or December has a depressive effect on the Christmas shopping and no politician, unless they had a political death wish, would call an election in January and interrupt people's summer holidays. Indeed, Canberra,

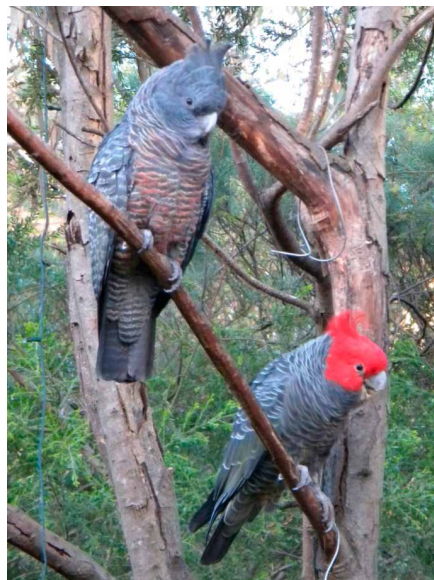
where I live, is not said to start again until 27th January, after the Australia Day public holiday. In the past the local Canberra Times newspaper has published complaints from tourists who come to Canberra that they can't find a restaurant that is open.

The High Court of Australia acts as the Court of Disputed Returns for the federal election and last week the Library received our copies of the official reprint of the Commonwealth Electoral Act, produced by the government printing service, ready just in case.

As Parliament has been prorogued, any bills that were at various stages in the parliamentary process have lapsed and if required the whole process will have to start again when the new parliament sits again.

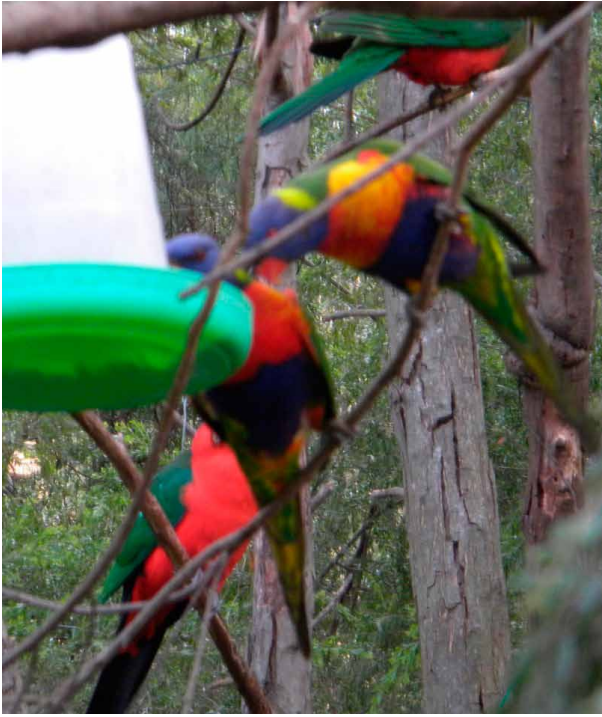
One piece of legislation that was passed is the Court Security Act 2013. This has clarified the powers of contracted security guards that provide the security at most federal courts and tribunals unlike courts overseas. The earlier situation assumed that police would be present on court premises and security guards were unsure of their powers to confiscate materials or temporarily detain violent people. The Court Security Act 2013 enables courts to appoint persons as security officers and authorised court officers, and sets out the powers they are able to exercise. Courts will still call for police assistance for serious security incidents. If security guards are not available, such as if the court is on a regional circuit location, then authorised court officers can act in a security role with limited powers. The act enables administrative heads of the courts to seek protection orders on behalf of judicial officers and court staff or in the interests of court security.

The photos attached are some of the parrots that come to my garden. The grey parrots are Gang-Gang parrots, which are the emblem of the Australian Capital Territory. They usually come down into the suburbs in winter and live



up in the mountains in summer. The male is the one with the red head and crest. They have a very distinctive call like a creaky door.

The other photo is of rainbow lorikeets with green and orange king parrots behind.



May I wish you a very Merry Christmas and a happy new 2014. Until next time, best wishes,

Margaret Hutchison

News from the UK

By Jackie Fishleigh and Pete Smith***

London Calling

Hi folks,
August already – I don't know where the time has gone!

Internet trolls

Depressingly, a nice story involving the installation of a woman as a new face on the £10 bank note (the writer Jane Austen) following a successful campaign led by a woman named Caroline Criado-Perez turned unbelievably sour when it was revealed that in the 12 hour period after she was pictured in the media with new Bank of England Governor, Canadian Mark Carney she received around 50 abusive messages an hour including rape and death threats from Twitter users.

As a result she had to report these disturbing threats of violence to the police. She also complained to the UK Head of Twitter and received an apology with the promise of a new abuse reporting button.

A number of other female journalists and the Labour MP for Walthamstow Stella Creasy who leapt to her defence were also subjected to rape and bomb threats. Police even advised them to flee their homes in response to specific timed threats.

I find all this absolutely staggering. I am assuming

the so called trolls are men in the main at least. Who are these people? Do they really hate women that much? And for heaven's sake why?? Where do they live? What do they look like? What percentage of the population are they – 1%, 5%, 15%? Do they lead ordinary lives but turn into monsters when hidden behind a computer screen? Do I know any of them?

On the upside some are being traced. Hate mail is nothing new and whereas in the old snail mail days I guess all the police had to go on were postmarks and fingerprints, online abusers can be tracked down and punished appropriately.

Stop Press – www.thisislondon.com on 8th August: *Detectives from the Met's e-crime unit travelled to Bristol to arrest a man on suspicion of committing an offence under the Protection from Harassment Act.*

Interesting that the police in London have an "e-crime unit".

Hopefully in due course we can replace the word "troll" in this context and return it to its traditional meaning of: "a supernatural being in Norse mythology and Scandinavian folklore."

I'm surprised the Norwegian government hasn't weighed in to the discussion and complained. I had a delightful 10 days cruising around the coast of Norway and trolls were popular as toys and souvenirs!

How about internet reptile? Someone who crawls out from under a stone and spouts venom.

Royal Baby – yawn!

That's not just the parents yawning, but me as well. We weren't all going completely gaga over little George I can assure you! Obviously I was pleased everything went smoothly for Kate and Wills who do seem like very nice people, and always look incredibly bouncy, enthusiastic and well groomed. The coverage did get a bit much. The best part was watching some of the TV correspondents desperately trying to kill time outside the Lindo Wing as nothing happened for hours on end. And the town crier was rather amusing.

Personally as a member of London Zoo I was more impressed by the recent birth of a rare Malaysian tapir! I'm sure my internet reptile idea would fall down because no doubt the Zoological Society of London (ZSL) Reptile team will point out that many reptiles are nice and beautiful creatures. I don't doubt it, having seen quite a few on my visits. If you are ever in London, check out the amazing Gorilla Kingdom, Tiger Territory and Penguin Beach – some of the best zoo exhibits in the world. A huge amount of effort and revenue is now directed by the zoo to conservation of native habitats too.

Heat wave, Murray's historic Wimbledon triumph, Scottish Independence referendum, BIALL Conference in Glasgow, JK Rowling

While we're on the subject of beaches, the summer has been the best here for ages. Last Thursday was the hottest August day for a decade. The perfect excuse for

cancelling my gym appointment! The heat wave which has now finished lasted for quite a chunk of July and was the longest since 2006. It was on a sweltering hot Sunday in early July that history was made when Andy Murray became the first British man to win Wimbledon since Fred Perry in 1936. The whole country rejoiced in his incredible success. I have even bought an Andy Murray key ring and the Royal Mail is commemorating his historic Wimbledon triumph by issuing a special set of souvenir stamps.

Andrew Hammond, managing director of stamps and collectibles at Royal Mail, said: "We are thrilled for Andy and are delighted to mark his wonderful achievement by issuing a set of special stamps. His historic win at Wimbledon has made the nation proud, and we can now celebrate his success with this new stamp issue."

Unfortunately Alex Salmond, the leader of the Scottish National Party and Scottish First Minister tried to score cheap nationalist capital by raising an oversized saltire behind Prime Minister David Cameron's head when the final point was won. This has become known in some quarters as the "fat man with the flag" incident.

This year's BIALL conference was held in rainy as it turned out Glasgow. I was pleased to meet again your new CALL President, Annette Demers at the pre-Conference seminar on "Difficult Conversations at Work – How to Say No."

I also had a rare meeting with Pete, my other half on this column. We were at a session on profile-raising and selling oneself. We narrowly escaped having to look into each other's eyes for a minute. This was a practical exercise in maintaining eye contact! It is much harder than you think. I ended up feeling like a stalker.

The entertainment was excellent including some hairy tattooed drummers and at last I got to sample clottie dumplings, which seem to be a Scottish version of Xmas pudding. I have always quite fancied being Scottish. Unfortunately I am thoroughly English and have no tartan blood at all but I do eat a lot of shortbread.

I am heading up to Edinburgh tomorrow for the Festival, which will be another opportunity to take the temperature of feeling on next year's referendum on independence. I asked the President of the Scottish Law Society, Bruce Beveridge the view of his association but he was tight lipped as they must remain aloof on such matters understandably. However there was a hint in Professor Hector MacQueen's address that the referendum was going to result in a rejection of independence. We'll see...

Those who like a good crime novel as a deckchair read and picked up "The Cuckoo's Calling" by Robert Galbraith on a whim to try out a first time author were surprised to find out that it was in fact the work of the incredibly successful and well known Harry Potter author, JK Rowling. Apparently the unmasking on Twitter (yes Twitter puts its foot in it again!) was due to an unguarded disclosure of confidential client information by her lawyer at a firm called Russells in Soho to his wife's best friend. JK Rowling was reportedly furious and an undisclosed sum of compensation has been paid to her chosen charity. The matter will be scrutinised by the Solicitors Regulation Authority. I am currently reading it on my kindle. I am totally gripped. It started well when two

key characters, Strike and Robin are introduced, became very dull and desultory until around 30% when the narrative became more dialogue driven. Since then it has been excellent. Go buy!

The peerless Doreen Lawrence

Since the last issue some disturbing evidence has emerged that some police officers were involved in a smear campaign directed at the Lawrence family at the time of their son Stephen's death.

On the positive side his mother, Doreen Lawrence is being made a Labour peer and will enter the House of Lords in recognition of her incredible campaigning work over 20 years to bring his killers to justice.

There has been criticism that too many (30) new peers have been appointed and that some of them seem to be included because of their donations to political parties.

London 2012 – the all important legacy

It is over a year since Danny Boyle's bonkers but brilliant Opening Ceremony heralded the start of an incredible golden summer of sport in the UK.

The "Anniversary Games" were held at the Olympic Stadium in the renamed Queen Elizabeth Olympic Park. All tickets for the 3 days (the final one was devoted to Para Sport) were sold out within an hour.

The largest ever mass cycling event "Ride London" was held last weekend. This resulted in a series of massive road closures as the bike became King for 2 days.

I also attended a special celebration of volunteering event in the Olympic Park to promote Team London and Join in which facilitate volunteering in the capital and throughout the UK. The Games Makers of which I was one were invited back and the hope is that the incredible spirit of London 2012 will live on through volunteering. The public can just make contact, say how much time they can spare, where they live and what they would like to do. They are then matched up to the options available.

All 8 of the London 2012 venues now have long term futures secured. The huge media and broadcasting centre where I worked is now occupied by three tenants – the new BT Sports channel, a data warehousing centre called iCITY and also the London campus for Loughborough University (which is renowned for its focus on sport).

Having just won the Tour de France again, the Ashes (cricket) again and with high hopes for success in the World Athletics Championships in Moscow and the US Open tennis the UK has rarely been on such a sporting high!

Whether this means the general public, youngsters in particular are engaging in more sport remains the subject of endless surveys, speculation and debate.

Until next time!

With very best wishes

Jackie Fishleigh
Library and Information Manager
Payne Hicks Beach

Notes from the Steel City

Hello from an Autumnal Sheffield! As Jackie said, August already! It will soon be time to greet a new cohort of students...

Change at the top

With the retirement of Lord Judge, we have a new Lord Chief Justice. Sir John Thomas is currently President of the Queen's Bench Division; he was chosen ahead of candidates such as Lord Leveson, of press inquiry fame, and Lady Justice Hallet, who would have been the first woman in the role.

The Lord Chief Justice has an important role in representing the judiciary and the court system more broadly. With issues such as legal aid and judicial review causing tensions between lawyers – including judges – and the government, how Sir Alan approaches his representative role will be of great interest and impact.

Many will be disappointed that Lady Justice Hallet was not appointed, given continued concern over the lack of top level women in the judiciary. This will have been balanced somewhat by the appointment of Dame Hale as Deputy President of the Supreme Court, which could in time see her become President.

Judges speak out – legal aid

As discussed in previous columns, legal aid is a hugely contentious issue. As part of broader cuts, the Government wants to reduce the amount spent on legal aid. To that end it has restricted the types of case which attract legal aid. A great many lawyers – and others – have campaigned vigorously against the cuts.

What has been interesting is the role of judges, serving and retired. Sir Alan Ward, who retired from the Court of Appeal earlier this year, had criticised legal aid cut proposals in a judgement issued last December- see <<http://www.bailii.org/ew/cases/EWCA/Civ/2013/234.html>> He argued that the increase in litigants in person, who could not afford lawyers so had to represent themselves, would increase the burden on courts as they had to help such litigants through the process.

Another retired Court of Appeal judge – Sir Henry Brooke, who has also been closely involved with BAILLI – criticised the Government's approach to legal aid. He spoke specifically on plans to restrict legal aid for judicial review, which was part of a broader reform of judicial review. Sir Henry argued that the consultation had been poor, and that the plans represented a threat to the rule of law; if certain people cannot hold public bodies – including Ministers – to account through the courts, then equality of access to the law is damaged. He went on to argue that denied such access, people may turn elsewhere to vent frustration with the system, or may disengage from it altogether.

It is too early to say how the changes to legal aid, and judicial review, will affect the courts and the people who use them; it is interesting to note that criticism has come from

all levels, with perhaps the most biting coming from Lord Justice Moses. Moses spoke of judges being sponsored to save money, and questioned what choice people would have when legal aid contracts were held by a small number of big firms.

Turbulent priests indeed! We shall see how their criticisms are received and if their worries come true.

Human Rights

The Abu Qatada case reached its rather bathetic conclusion with his deportation to Jordan, where he will face trial. The assurances of the Jordanian government concerning evidence at the trial were enough, and so the saga is at an end.

The issue of human rights, however, rumbles on. David Cameron has stated that if elected as a majority government, the Conservatives will repeal the Human Rights Act and replace it with a 'Bill of Rights.' Quite what will be in such a Bill is not clear, and it is not yet apparent that the UK will withdraw from the European Court of Human Rights.

Cameron's statements can be seen as part of a broader Conservative strategy to win votes back from the United Kingdom Independence Party. The appearance of vans advising illegal immigrants to, in essence, turn themselves in for a no-questions-asked funded repatriation has been seen by some to be part of the same move.

The van, and associated tweets on the Home Office account, caused outrage; the account went quiet for several days afterwards, and the van is being investigated by the Advertising Standards Authority. It may be, if these moves were part of a strategy to strengthen support on the right, that they have done their job. As we head into the long run – up to the 2015 General Election, human rights – including issues such as family life and immigration – will become more prominent as areas of distinction between the three main parties.

Prism

The revelations around Prism and the NSA surveillance program caused shock and anger here as much as in the USA. The apparent complicity of GCHQ and other UK intelligence bodies in the information gathering is a big issue; are UK citizens being watched by the USA? And / or by the UK? What does this mean for internet privacy and security, and for the rule of law – does it threaten the presumption of innocence?

These are all in part human rights issues, and as noted these are a big part of the general UK political debate. How much freedom are we willing to trade for security- and are we getting security? Is the answer better politics rather than ever more intrusive policing? As the repercussions of Snowden's revelations are revealed, these questions will become more urgent.

The NHS

Snowden has been presented as a whistle-blower. Whistle-blowers feature prominently in the scandal

surrounding Mid Staffordshire NHS Foundation Trust, where poor standards of care contributed to a large number of deaths – see <<http://www.midstaffsinquiry.com/pressrelease.html>> for the official report.

Poor management, and lack of action by regulators, have been seen as key factors, with people trying to raise concerns being ignored. It took both patients and staff speaking out – the whistle-blowers – to draw attention to the issues, and one of those who raised concerns has since been subject to vocal criticism and even harassment.

The report which followed, and the accompanying debate, highlighted the importance of good management, clear standards, and a culture which supports openness; where there is no secrecy, there is no need of whistleblowers.

Fracking ugly?

Sometimes it may be best if people don't speak out! Conservative Peer Lord Howell caused outrage when he suggested fracking – prospecting for oil by injecting liquid under pressure into promising rock formations – was acceptable in the North-East of England, as it was 'desolate.' Ultra-NINMBYism, or refreshing frankness? Howell apologised for his remarks, but the issue of where (and if) fracking happens is a live one. The Prime Minister has urged people to accept fracking, saying it is important as part of future energy management. Along with human rights, green issues such as fracking are likely to be important in the next election, and this may be another early marker.

BIALL conference

From the North-East of England to the far north (for me!) and Scotland. This year's BIALl conference was held in Glasgow, and a very enjoyable conference it was too. I was lucky enough to present a paper there with my LawSync colleague Peter Griffith. I also got to meet several colleagues I'd got to know on Twitter, as well as attend some very interesting sessions on a number of topics.

Envoi

From the heights of the judicial system to the depths of the Earth... Autumn will soon be with us, and Winter by the time the next column comes around! May they both find you well.

With best wishes,
Pete Smith
Information Adviser
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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.

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Developments in U.S. Law Libraries Summer, 2013

By Anne L Abramson**

So much has happened since I wrote my last column in May, 2013, I scarcely know where to begin. I'll start with a review of the literature that has most impressed me these last few months.

Summer Reading

Much about MOOCs

Since that time, I have made note of some of the interesting reading I have encountered such as the following articles on MOOCs.

Douglas Belkin & Melissa Korn, *Web Courses Woo Professors*, Wall Street Journal (May 30, 2013). Even the Wall Street Journal has weighed in on MOOCs. Critics are concerned that MOOCs will limit live lectures to the most elite, wealthiest schools. In the meantime, faculty at poorer public or midtier colleges could be replaced by low-paid staff who lead discussions after students watch lectures from star professors online. Coursera has already opened up its platform to public university systems in West Virginia, New York, Tennessee and Kentucky. When asked if institutions will disappear as a result of MOOCs, one of Coursera's co-founders, Daphne Koller predicts that those institutions which take the ostrich approach are the ones which will be in "serious trouble".

Patrick Deneen, *We're All to Blame for MOOCs*, Chronicle of Higher Education, (June 3, 2013). <<http://chronicle.com/article/Were-All-to-Blame-for-MOOCs/139519/>>. The author likens MOOCs to the Walmartization of higher education and expresses his own preference for "local knowledge" (the educational equivalent of farmer's markets)

Steve Kolowich, *The MOOC 'Disruption' Proves Less than Revolutionary After All*, Chronicle of Higher Education (August 16, 2013). This latest article exposes the reality of MOOCs beneath all the hype. One professor's quote says it all "A medium where only self-motivated, Web-savvy people sign up, and the success rate is 10 percent doesn't strike me quite yet as a solution for the problems of higher education". Since credit is the "coin of the academic realm" and the colleges have a monopoly on credit granting privileges, MOOC providers like Udacity and Coursera must cater to the colleges rather than undermine them. They are becoming more like conventional educational technology companies (i.e. Blackboard, Instructure) all competing to be the education platform of the future.

HUP

I recommended and we ordered the following recent Harvard University Press titles for our collection:

Scott Schapiro, *Legality* (Cambridge, Mass.: Harvard University Press, 2011)

Michael Hunter Schwartz, Gerald F. Hess & Sophie M. Sparrow, *What the Best Law Teachers Do* (Cambridge, Mass.: Harvard University Press, 2013).

Richard A. Posner, *Reflections on Judging* (Cambridge, Mass.: Harvard University Press, 2013).

Favorite: ABA Journal

App-plied Law: at Iron Tech, Students Bring Tech Answers to Legal Issues, 99 ABA Journal 30 (July 2013). I have taken to skimming the ABA Journal on a regular basis. It always seems to have a couple extremely relevant articles every issue. This article was particularly mind opening to me. It describes a class at Georgetown Law Center where law students develop “apps” for law practice. The class is called “Technology, Innovation, & Law Practice: an Experiential Seminar”. Real clients (mostly governmental or non profit organizations) submit their needs, for example, minimum wage and overtime calculations. Students create apps to meet those needs. At the conclusion of the seminar, a panel of experts chooses winners in various categories. While developing apps, the students learn law in an “organic way”. Some even become so called “legal architects” hired by law firms to help them adopt the appropriate technologies. What a concept!

This article echos the keynote speech by Professor William D. Henderson at the annual CALI (Computer Assisted Legal Instruction) conference which took place at Chicago Kent last June. Prof. Henderson is a faculty member at Indiana University’s Maurer School of Law and also the Director of the Law School’s Center on the Global Legal Profession. He has been called a “crisis purveyor”. At CALI, Henderson referred extensively to Richard Susskind, author of *The End of Lawyers?* and *Tomorrow’s Lawyers*.

Using Susskind’s framework, he spoke of the transition from the “artisanal lawyer” to the commodization of law practice. I wonder if my 82 year old father who still practices law would appreciate being characterized as an artisan lawyer! Interestingly, Prof. Henderson’s CV does not indicate that he has any law practice experience. According to Henderson, the job growth area for new law graduates is at innovative legal technology companies. To find out more about these companies, one need only attend one of the annual legal technology trade shows which take place in Chicago and other cities. He knows of law students who have even gotten job offers as a result of attending such trade shows.

While the door is closing on artisanal law practice, a new door is opening for positions with titles like Legal Process Analyst, Legal Project Manager, Online Dispute Resolution Practitioner, Legal Management Consultant and Legal Risk Manager. Law Schools still have a critical role in conveying to their graduates the “domain knowledge” that they need for these new roles. You can still listen to Henderson’s talk at <http://conference.cali.org/2013/agenda>. Unfortunately,

the excellent slides are not as visible via this link, but it is still well worth listening.

Two Excellent Issues of AALL Spectrum

The articles in these last two issues of AALL Spectrum have been outstanding. I read each issue almost cover to cover.

June, 2013

Joy M. Shoemaker, *Public Relations: Outstanding! 47 Ways to Make your Organization Exceptional*, 17 AALL Spectrum 7 (June, 2013) This article reviews John G. Miller’s book of the same title. Having come into contact with consultants at two different law schools, I thought that this article might give me some insights. I also enjoyed reading the perspective of someone from outside the sometimes insular law school environment.

Catherine M. Dunn, *Local Advocacy Networks*, 17 AALL Spectrum 11 (June, 2013). One of the leaders in our field, Barbara Bintliff spearheaded the creation and adoption of the Uniform Electronic Legal Materials Act (UELMA) by the Uniform Law Commission. The Commission is an influential organization in the U.S. legal community, in that it drafts model legislation which is sometimes proposed and adopted into state law. UELMA requires those state legislatures which now only publish their primary legal materials (Constitution, statutes and regulations) electronically to insure that these electronic versions are authenticated.

The creation of a UELMA is a huge step for U.S. law librarians and the people we serve. Now it remains for legislatures to adopt UELMA into law in their respective states. This process demonstrates how law librarians can make a meaningful difference in our communities. Illinois has not yet adopted UELMA, but I hope it will be on the agenda on day soon.

This particular issue may be of special interest to Canadian and Australian law librarians. Our governments’ rapid embrace of technology has given us free access to electronic versions of laws but how can we be sure that these versions are reliable? I am proud of the steps that U.S. librarians have taken address this critical question.

July, 2013

Anne Burnett & Dan Cordova, *In Support of Universal Citation*, 17 AALL Spectrum 12 (July, 2013). Unbeknownst to me, librarians have also been instrumental in the adoption of uniform vendor neutral citation to legal materials in states which now publish these materials electronically. Illinois is one of the states that has adopted this uniform citation format. In fact, our law library has created a video tutorial on this topic. <http://library.jmls.edu/reference-tutorials.php> The uniform citation format hasn’t quite taken hold yet, judging from my recent experience “bluebooking” a professor’s law review article for submission for publication. The Bluebook, by the way, is our manual for properly citing to legal authorities in various kinds of legal writings (briefs, office memoranda, law

review articles). Interestingly, Bluebook Rule 10.3.1(b) calls for including the new official public domain citation as well as a parallel citation to the regional reporter, if available, in case citations for legal memoranda and law review pieces. For once, the Bluebook is ahead of the curve!

Cynthia Lewis, *Is Your Library in Good Standing?*, 17 AALL Spectrum 26 (July, 2013). The Vermont Law Library has pioneered offering “stand up desks” in the library. I have been wanting to get a stand up desk for some time now. Plus I just attended a “Lunch & Learn” program at our school entitled “Stay Fit While You Sit”, so I found this article particularly interesting and timely.

Elizabeth Outler, *A Law Librarian’s Guide to Effective Committee Participation*, 17 AALL Spectrum 21 (July, 2013). The author advocates taking a more planned approach to committee participation. Her discussion of how to keep meetings focused and productive is particularly relevant. She refers to a 1985 book entitled *Six Thinking Hats* by Edward de Bono, which talks about the “six hats approach” and the benefits of parallel thinking. Each hat has a different color representing different qualities i. e. red for emotions, green for creativity.

Austin Martin Williams, *Cooking Lessons and Legal Research*, 17 AALL Spectrum 15 (July, 2013). This is one of my very favorite articles ever as it compares legal research tutorials to cooking videos. Since I do both, I find this comparison to be the perfect analogy. I also appreciate the tips for creating legal research videos, since creating such videos is one of my long term projects.

Sherry L. Leyson & Alena L. Wolotira, *Innovative Displays in Law Libraries*, 17 AALL Spectrum 17 (July, 2013). The task of creating a display in the Library often falls to the newest Librarian. This article contains some great display ideas including the following: have a display of actual tools for a study tools display; focus on a U.S. Supreme Court case that affects our daily lives; have a display on famous trials; highlight cases or articles which discuss the upcoming Olympic Games; compare law in literature or film; include pets in a display; and use book covers with a clever tagline i.e. which books will spark your interest?

Victoria Trotta, *Collection Development in Academic Libraries*, 17 AALL Spectrum 31 (July, 2013). This article provides an excellent overview of the on demand “just in time” model of law firms as opposed to the “just in case” approach of most academic law libraries until recently. In fact, when I first started at the John Marshall Law Library almost 15 years ago, I jokingly called it the “library of duplicates”. It is certainly not that way anymore!

Law School Angst

There have been plenty of articles on this familiar theme. Here is a sampling.

Dylan Matthews, *Ignore the Haters. Law School is Totally Worth the Cash*, The Washington Post (July 18, 2013) <<http://www.washingtonpost.com/blogs/wonkblog/wp/2013/07/18/ignore-the-haters-law-school-is-totally-worth-the-cash/>>

Jordan Weissman, *Is Law School a Good Deal After All?*, The Atlantic (July 19, 2013) <<http://www.theatlantic.com/business/archive/2013/07/is-law-school-a-good-deal-after-all/277927/>>

Debra Cassens Weiss, *Law Schools Cope with Declining Enrollment by Quietly Cutting Faculty*, ABA Journal (July 16, 2013) <http://www.abajournal.com/news/article/law_schools_cope_with_declining_enrollment_by_quietly_cutting_faculty/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email>

Debra Cassens Weiss, *What’s the Value of a Law Degree? \$1M in a Lifetime Report Says*, ABA Journal (July 17, 2013). <http://www.abajournal.com/news/article/whats_the_value_of_a_law_degree_1m_in_a_lifetime_report_says/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email>

The recent Working Paper American Bar Association Task Force on the Future of Legal Education (August 2013) is perhaps the most soul searching, objective analysis I have read of the current state of legal education in the U.S. and how it came to be. This 34 page document is well worth reading. Go to the website of the ABA Task Force and click on Task Force Drafts at <http://www.americanbar.org/groups/professional_responsibility/taskforceonthefuturelegaleducation.html> or save the document itself at <<http://tinyurl.com/k59kodd>>

Whither the Law Library?

A recent program on NPR details why we are fascinated with Armageddon. We have a similar fascination with the end of lawyers and libraries too. Those of us who actually work in these professions know that technology and the economy are changing them irrevocably. Does that mean that extinction is at hand?

I have also heard that this is one of the most exciting times to be a law librarian with the advent of distance education and the flipped classroom. Which do you believe is true?

I could not help but listen in on a lecture at the Spring 2013 CALI conference in Chicago last June. This particular lecture had the dire title “Legal Education in Crisis and Why Law Libraries Are Doomed”. One of the speakers is Professor and former Law Library Director at University of Buffalo, James Milles, who takes a pessimistic view.

Jim Milles is well known in U.S. law librarian circles especially after publication of his lead article in the February 2005 issue of AALL Spectrum entitled *Out of the Jungle*. In his famous article, Milles announced that the debate between digital and print was over and digital had won, so we should all “come out of the jungle”. See Jim Milles, *Out of the Jungle*, 9 AALL Spectrum 10 (Feb. 2005). He currently posts to the *Out of the Jungle* blog “thoughts about the present and future of legal information, legal research and education”. <<http://outofthejungle.blogspot.com/>> Judging from this work, one might think that Jim Milles is particularly adept at “seeing the handwriting on the wall”.

As described at the CALI website, this presentation confronts the dual crises facing legal education: the economic crisis affecting both the job market and the pool of law school applicants and the crisis of confidence in the ability of law schools and the ABA accreditation process to meet the needs of lawyers and society. These crises undermine the case for not only the autonomy, but the very existence, of law school libraries as we have known them. Legal education in the U.S. States is undergoing a long-term contraction and law libraries will be among the first to go. Some law schools will abandon the traditional law library completely. Others will see their libraries whittled away bit by bit as they attempt to answer “the Yirka Question” (what should libraries stop doing?) in the face of shrinking resources, new priorities and university centralization. What choices individual schools make will largely be driven by how they play the reputation game. <<http://conference.cali.org/2013/program/sessions?page=1>>

Responding to Jim Milles is Professor Kenneth J. Hirsh, Director of the Law Library and I.T. at the University of Cincinnati. Ken Hirsh sees the loss of the Library’s iconic place as due to digital shift as much as to any other cause. He acknowledges that some law schools will close as a result of economic pressures but he notes that the law schools’ renewed focus on practical skills won’t get better if get rid of librarians. The role of libraries will change from warehousing materials to high level, customized service by staff. At the same time, ABA standards for law libraries and library directors are becoming less relevant. He pointed to John Palfrey, former director of Harvard Law Library, as an example. John Palfrey did not have a law or a library degree but Hirsh wryly notes that no one has challenged Harvard’s accreditation. In the end, Hirsh believes that law schools still need their libraries. This collegial debate is still available at the CALI Conference website at the URL provided above.

All I can say is we’re still here, although admissions are definitely down at our law school as they are everywhere. I am actually a bit relieved after listening to this CALI program. Since I work at a free standing, independent law school, it seems unlikely that the school would close its only library. We need not fear being folded into a university library, as Jim Milles predicts. Actually, my colleague Victor suggests that the reverse might happen, that is, the general university library might have more problems justifying its existence, while specialized libraries are allowed to continue.

As Mark Twain famously quipped upon seeing an erroneous obituary reporting his death, “the report of my death has been grossly exaggerated”. Let us hope that the same is true of U.S. law libraries.

Serendipity: why I keep falling in love with the profession

After much back and forth between Proquest’s two premiere research tools for legislative history research, PQ Congression and Legislative Insights, we finally decided to cancel the former and subscribe to the latter.

Just when I was thinking that neither product would get much use, Douglass, a student fresh from a class on derivatives law approached me at the reference desk with a wonderful research project involving year 2000 amendments

to the Commodities Futures Trading Commission Act, a subject that is near and dear to me.

To digress for a minute and explain, those amendments date back to the time that Brooksley Born was the head of the Commodity Futures Trading Commission (CFTC). Ms. Born is a hero of mine. She was one of the early female pioneers who decided to make a career in law and graduated second in her class at Stanford Law School. Nevertheless, as a woman, she faced huge obstacles obtaining employment upon graduation.

Eventually, she became a prominent securities lawyer in Washington D.C. and was appointed head of the CFTC during the Clinton administration. It was she who initially proposed regulation of derivatives, but people in powerful positions at the time (Treasury, Federal Reserve, SEC) thwarted her and Congress ultimately stripped the CFTC of authority to regulate these types of financial products. Had her warning been heeded, it is quite possible that the financial crisis that ensued 8 years later could have been averted.

As it turns out, Douglass was interested in this very topic. This happy meeting of our respective interests together with our fortuitous subscription to the right tool at the right time made research a joy. In addition to Legislative Insight, I guided Douglass to other indispensable Library resources such as HeinOnline’s U.S. Code, Session Law and U.S. Federal Legislative Histories Libraries and CCH Commodity Futures Law Reporter.

These opportunities to be resourceful and to learn through serendipity seem to present themselves in law librarianship again and again. This constant learning and professional growth as well as my good fortune to work with wonderful students and extraordinary colleagues explain why librarianship continues to enthrall me. I am glad I can say this, even after just receiving my American Association of Law Libraries (AALL) pin in recognition of 20 years of membership in the profession. As one former colleague once told me over ten years ago, I guess you can’t call yourself a newbie anymore. ☺

Getting to Know (and Like) Westlaw Next and Lexis Advance

After initially resisting Westlaw Next and Lexis Advance, I now see that I must adapt, if only out of fear that the older versions will disappear one day. A precursor of that eventuality is the transition to the Lexis Advance as the sole Lexis platform. We must log into Lexis Advance rather than the old Lexis.com platform. Thankfully though, it is still possible to link seamlessly back to Lexis.com. from within Lexis Advance. I am now forcing myself to use both Westlaw Next and Lexis Advance instead of Westlaw Classic and regular Lexis.com and realizing that I actually like many of the new features.

While I do not like the simplified search template, I do like the uncluttered but informative display features of both Westlaw Next and Lexis Advance. For example, when browsing the *United States Code Annotated* via Westlaw Next, I like the display of notes of decisions, commentary & analysis and citing references, to name a few of the tabs

that appear at the top of the screen. In addition to these cross references, the number of cases or other sources is also displayed, giving the researcher an invaluable insight into the size of his/her research universe. Westlaw Next is now my go to resource for researching annotated statutes. My initial frustration with Lexis Advance was not being able to pull up a document when I had an exact citation. I hated having to do a search of the entire Lexis information universe when I already knew exactly what I wanted. However, I have now learned to use the Browse Sources and Add this Source to a Search features to overcome this initial impediment.

Already students have asked about the removal of the Westlaw printers, a development that I welcome. Students are not quite so happy about it, but they too are adapting. Lexis Next?

Optimal Use of Our Most Valuable Resources

The Yirka question arose in connection with the Milles/Hirsh debate at the CALI conference mentioned above. Speaker, Cynthia Bassett also referred to Yirka in her program at the American Association of Law Libraries (AALL) Annual Meeting last July.

I wasn't sure initially what they were all referring to, so I thought I better find out more about this famous question. It stems from the following 2008 AALL Spectrum article by Carl Yirka entitled *The Yirka Question and the Yirka Answer*. I don't know how I missed this influential article when it first appeared but I am glad I found and read it now. I was surprised to learn that the Yirka question was raised years ago and that I recognized many of the ideas discussed in this article as ones we have adopted in our own law library. See Carl A. Yirka, *The Yirka Question and the Yirka Answer*, 12 (9) AALL Spectrum 28 (2008).

Cynthia Bassett phrased the Yirka question as follows: "what should law librarians stop doing in order to focus on higher priority initiatives?" She and Resa Kerns, both of University of Missouri Law School Library, and Karen Helde of Lane Powell PC gave a wonderful AALL program entitled "Rethinking the Value of Your Time and Attention: Practices and Technology Tools to Protect Your Most Valuable Resources".

This program examined how traditional time management techniques that once applied to factory

workers do not apply to today's "knowledge workers". We need a different approach to increase our productivity and reduce our frustration. We need to recognize that our brains cannot concentrate for long periods of time. This constraint is anatomical and not a matter of will power. In fact, the "pomodoro technique" recommends that we take a very short break every 25 minutes or so. In addition, proper diet, exercise and rest are essential in order to perform at our peak. Ultimately, that is our goal, to bring our best attention to our most important work. We need to manage our energy and attention, which are actually more scarce than our time. The speakers gave us some recommended reading with a welcome perspective from outside the world of law librarianship including the following: *How to be a Productivity Ninja*, *Your Brain at Work*, *Getting Things Done* and *Master Your Workday Now*. This terrific talk is available free of charge at the AALL website, which is how I heard it since I was not able to attend in person at the conference <<http://www.softconference.com/aall/webcast/2013/wc3/wc3.html>>

Yoga at AALL

For me, a major personal highlight of the conference was the 6 a.m. private yoga class which I took with a few of my foreign and international law librarian colleagues at 8 Limbs Yoga Studio in Seattle.

Given our jam packed conference schedules, the 6 a.m. Sunday slot was the only sliver of time we had available to attend a class together. Fortunately, the early morning time was not too difficult for most of us travelling from the east coast. Scheduling and finding a location were our greatest challenge but somehow, hundreds of emails later, things fell into place. We found a fantastic Seattle yoga teacher, Sarah Plumer, who was willing to give private instruction to a group of adventurous law librarian yogis.

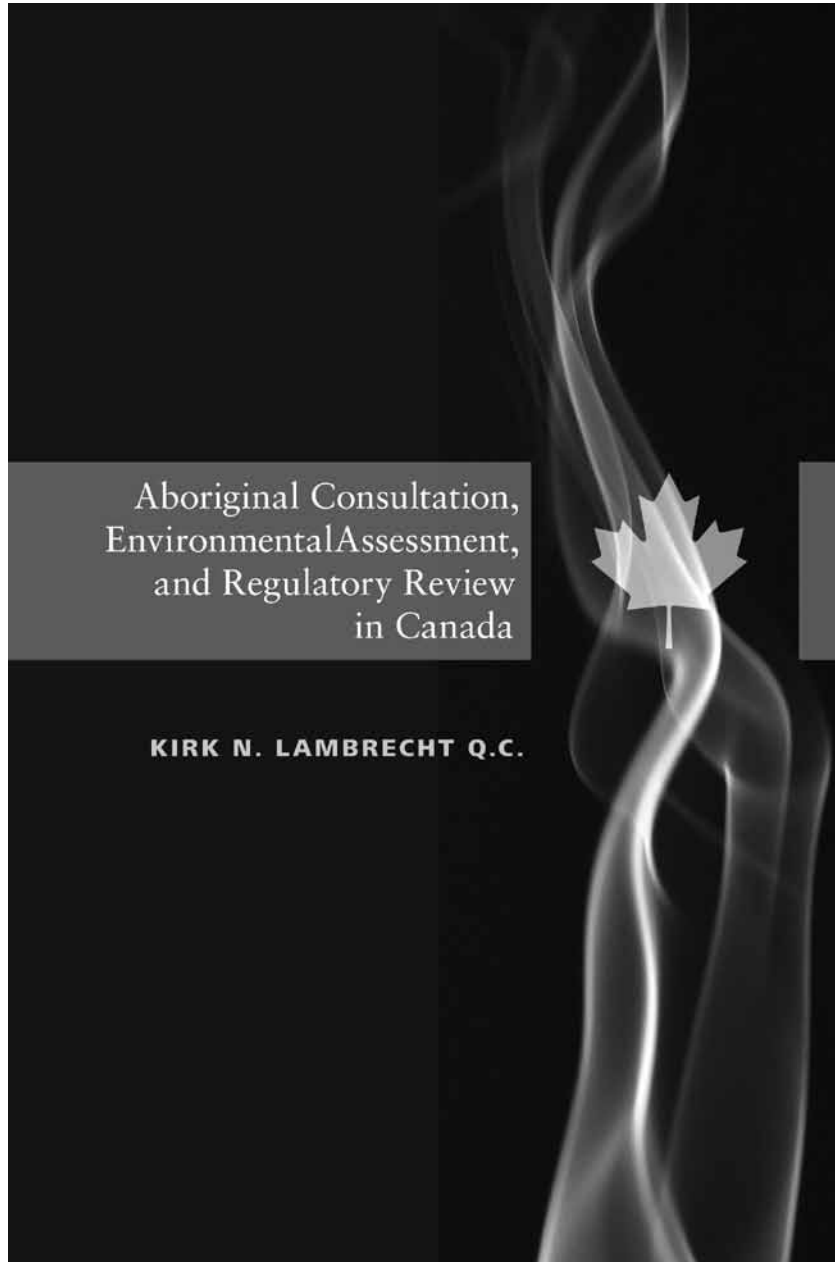
Sharing yoga with my law librarian colleagues at AALL was a dream come true for me. One colleague commented how the yoga helped her throughout her day. What a gift!

* Anne L. Abramson is the Foreign and International Law Librarian at the John Marshall Law School, Chicago IL.

We would love to hear from you!

If you have any kudos or comments or even suggestions for themes or future articles, we would love to hear from you. Contact Editor Susan Barker at <susan.barker@utoronto.ca> or Features Editors Amy Kaufman, at <kaufman@queensu.ca> or Leslie Taylor <leslie.taylor@queensu.ca>.

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