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LAW LIBRARY BRIEFS

The College of William and Mary
Marshall-Wythe Law Library



Volume 3, Number 2

October, 1991

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FROM THE EDITOR'S DESK

Since 1981, October has been designated by Virginia's Governor as Recycling Month. Legislation passed in 1990, Virginia Code Ann. § 10.1-1425.6 (Michie Supp. 1991), mandated that all state universities and agencies begin implementing recycling programs under Department of Waste Management guidelines. To comply, the College implemented collection policies for recyclable materials and encourages departments to recycle as much waste material as possible.

The Law Library has taken steps, since the College implemented its program, to promote recycling efforts for waste materials generated by staff and patrons. This summer several large yellow recycling bins were donated by the College and placed in the Computer Lab for computer paper, and in the two photocopy rooms on the main floor for white ledger paper. A card board recycling bin was placed in the photocopy room on the top floor.

An information page is posted above each recycling bin explaining the different types of recyclable paper as well as the types of paper which can not be recycled. At this time the Library is not recycling colored paper, only computer and white ledger paper. Please remember that when trash is placed in the recycling bins, all material in the bin will be discarded since college personnel can not sort through the papers looking for non recyclable materials.

Impact Computer Print Out: Computer paper can be plain white, with green, blue, brown, or multicolored stripes. Exceptions: laser printing, groundwood, NCR (no carbon required), no multi-colored printing, and no coated or carbon paper. Staples need not be removed, but other paper clips are prohibited.

White ledger: Any uncoated white paper. Includes, stationary, memopaper, photocopy paper, lined tablet or notebook paper, laser printing and adding machine tape. Exceptions: tissue, groundwood and white NCR (no carbon required).

Please let me know if you have suggestions to help make the Library's recycling efforts more successful. All of us need to take an interest in saving our natural resources, not only during Recycling Month, but throughout the year.

MEET THE CIRCULATION PART-TIME STAFF

Extension 1-3260

ELAINE BRADBERRY CIRCULATION/MORNING DESK ATTENDANT

Elaine works the Circulation Desk from 8:00 a.m. to 1:00 p.m. Monday through Friday. Her duties are primarily checking books in and out on the automated circulation systems, directing patrons to library resources, retrieving items from the reserve collections, and answering the telephone. She also collects fines and new patron card money, reprograms and sells copy cards, and files in the many loose-leaf services.

Elaine holds a BA from Christopher Newport College with majors in history and journalism. (The journalism degree was completed at the University of Wisconsin.) Prior to coming to Marshall-Wythe, Elaine worked at the Poquoson Public Library. She has also worked as a commercial photographer, including aerial photography, and has exhibited her work. She previously was involved with the duplication of negatives and prints from the Edwin Levick collection (a collection of famous yachts and people) at the Mariner's Museum. ...EB

JO FRAME CIRCULATION/SHELVING ASSISTANT

Jo's duties include shelving all new books and journals, updating pocket parts, discarding outdated cumulative materials, filing current state loose-leaf materials, searching often (frequently futilely) for missing volumes, and helping out at the circulation desk when needed.

Jo graduated from the University of Michigan with a major in Political Science, and attended George Washington University Law School for one year. Her married life was spent in Northwestern Pennsylvania where her late husband practiced law, and represented the area as a state senator...JF

GALINA SPITKOVSKAYA CIRCULATION/FILING COORDINATOR

Galina is the Filing Coordinator in the Circulation Department. She is responsible for filing and maintaining the loose-leaf serial publications such as Maxwell-McMillian Federal Taxes, Environmental Law Reporter, BNA Labor Law Reporter and slip opinions of the Supreme and Appellate Courts.

Originally from Odessa, U.S.S.R., Galina graduated from Odessa State University with a master's degree in Physics. She has additional education in Science-Technical Patent Information. In 1990, Galina emigrated from the Soviet Union with her husband and two children. They now reside in Williamsburg, where her husband is a visiting professor in the Mathematics Department at the College of William and Mary. ...GS

JANEAL STAMPER CIRCULATION/AFTERNOON DESK ATTENDANT

Janeal staffs the Circulation Desk from 1:00 p.m. to 6:00 p.m. Monday through Friday. Her duties include checking materials in and out from the reserve and circulating collections using the automated circulation systems, and answering patron questions concerning location of books, library hours, and library policies and procedures. She also receives overdue fines, sells new patron cards, reprograms and sells copy cards, and files new pages in looseleaf services.

Before coming to the Law Library, Janeal earned a BA in Psychology at the College of William and Mary. She also works as a sexual abuse counselor for Avalon: A Center for Women and Their Children. ...JS

MARY LOU WARNER
CIRCULATION/STACK MAINTENANCE

Mary is in charge of shelving and stack maintenance, usually working Thursday through Monday, 9:00 a.m. to 2:00 p.m. She checks the library daily to keep the collection neat and in order; reshelves returned books; assists patrons with locating items on the shelf; monitors carrels and tables to insure materials are properly checked out; shelf reads the collection to insure that books are shelved correctly; and shifts books as necessary to maintain proper expansion space.

Although Mary has lived in Virginia for six years, most of her life was spent in Ohio. She attended Antioch College, and graduated from the University of Rochester with a degree in Elementary Education. Prior to coming to Marshall-Wythe, she worked on several short term projects on the main campus of the College of William and Mary. ...MLW

THE FINER POINTS: A COLUMN ON EFFECTIVE RESEARCH METHODS

This is a new column, created in response to repeated laments from law firm librarians that new associates do not understand cost-effective research and practice techniques. To some extent these complaints are not without justification. Law librarians in the academic and firm settings are disturbed by the level of importance students place on information retrieval in the practice of law.

In a nutshell, information is power. The lawyer who possesses the ability to locate and use information has power over the lawyer who does not. In this column, I will try to "empower" Marshall-Wythe students by highlighting effective information skills. For the most part columns will be written by library staff, but occasionally may be written by librarians from firms that recruit students from Marshall-Wythe. Students who have learned a particularly useful tip while clerking are also encouraged to share their experiences.

Choices in Legal Research

The focus of the first column is on choosing between different information sources for cost effective legal research. Consider the following scenario. Late Wednesday afternoon a summer law clerk is given a research assignment. The managing partner wants a memo by 5:00 p.m. Friday surveying policies on billing for online legal research. She has suggested that the clerk look at periodical literature from 1975 to present to get a feel for the historical perspective as well as current practices. Our law clerk has three research choices: 1) going to the library and pouring over print periodical and newspaper indexes; 2) going online in newspaper and periodical databases; or 3) combining print sources with computerized sources. Most students would have our clerk research this assignment online. The question is, can you justify this as a cost effective decision?*

The reality of teaching research choices today is that most students have a predisposition to using computerized information sources.

* See page 6 for an opportunity to win prizes.

Students entering law school today are products of the MTV and video game generation. They are accustomed to graphic visual displays and "mouse" and keyboard driven user interfaces. Many have used online and CD-ROM information sources in their high school and undergraduate libraries. Black and white printed words on paper, bound into heavy volumes with a cumbersome index interface, do not compare favorably with color video graphics and a fast-paced point and click action. The new generation of law student has brought this bias into the law library, expecting computers to provide instant gratification to whatever research needs they may have.

To some extent, academic law libraries have compounded this problem. When a student used the CD-Rom version of a periodical index as an undergraduate, the student was not charged for that computerized search. Similarly, law students are not charged for LEXIS or WESTLAW research. Because computerized legal research training is a required component to legal research courses, law librarians have negotiated huge discounts for online information resources. On the other side of the table, in anticipation of future paying consumers, vendors of online information encourage students to "play" with the systems. In the hopes of hooking future customers, they provide "free" individual passwords, software for home use, and no-cost printing capabilities. The result of this marketing strategy is that students often do not become aware of the online costs of using a database until they arrive at a law firm and see the first bill.

This "playing" with computerized research systems while in school has resulted in students acquiring some bad research habits. They often view online research as the easy

solution to all of their research problems, forgetting that online research needs to be integrated with manual information sources. Students also need to be aware of the costs to the firm and the client of both manual and online research. By understanding the costs associated with each type of research, the new attorney will be better equipped to choose the most cost effective method of research in the corporate environment.

What can students do to gain a broader understanding of the legal research choices available? Before going "on the clock" with a law firm, students must take the time to explore the variety of legal information sources. Every student should know how to use a digest, the advantages of using loose-leaf services, how to find state and federal legislative information, and how computerized research fits in with other types of legal information sources. Students have the opportunity to learn the value of using various sources of legal information by attending research classes offered from time to time by librarians, participating in extra-curricular activities requiring research skills, and taking courses in which they must conduct in-depth research.

Rather than advocating students' play on the online systems, librarians and system vendors should encourage students to focus their training and experimentation. When online research training is offered as part of a substantive "paper" or advanced legal research course, students obtain a more meaningful experience with the systems. When conducting research for a project, the student needs to focus on the sources he/she uses to complete the project. When evaluating the cost of using computerized and manual information sources, students must look at how the information is retrieved from each source; how the source is indexed

indexing machine-readable information); the type of information provided (full-text, bibliographic citations); the cost of using and maintaining the source; and the scope of coverage provided by the source.

Conclusion

When students learn to look critically at the cost of using different types of information sources, they develop skills needed to become efficient lawyers. Oftentimes a client cannot wait three days while the lawyer, unfamiliar with basic research tools, fumbles around to find an answer. Contrary to images of lawyers on T.V. and in books, lawyers do not walk into courtrooms and argue their case based on knowledge acquired from their law school textbooks. They do not advise clients on complicated tax or corporate matters off the top of their heads. The single most important aspect of competent representation of clients' interests is knowing how to locate information -- and how to locate it quickly and cost effectively. A competent and effective lawyer will have an intimate knowledge of the information sources needed for his/her area of practice. To achieve this level of familiarity students need to begin while in law school to learn as much as possible about the different types of legal information materials available....MGH

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*** THE FINER POINT CHALLENGE**

Our hypothetical law clerk has a dilemma. Within the next two days he needs to locate information about the policies on billing for computerized legal research. The managing partner has given him a starting point by suggesting that the clerk focus on legal periodicals from 1975 to present. The clerk has three choices for locating this information: 1) using printed indexes for newspaper and periodical literature; 2) going online in newspaper and periodical databases; or 3) combining print sources with computerized sources.

The challenge is to assist our law clerk with his research assignment. Choose which strategy (1, 2, or 3) is the cost effective one. Write a paragraph justifying your choice to the managing partner. Submit it to Mary Grace Hune in the Law Library by November 22, at 5:00 p.m. All entries will be judged by Martha Rush, Mary Grace Hune, and Sue Trask.

The top five entries will win a gift from Information Access Company.

Hints -- You should examine the following sources: Index to Legal Periodicals, Current Law Index, LegalTrac, and Legal Resource Index on Lexis or Westlaw. Include in your justification the coverage of the different sources (are the years you need included in the source?), the time involved in using the source to compile the required information (could you find the information quickly or was the process tedious?), and the comprehensiveness of the source (did you have access to all information published or only selected publications?).

Double Challenge

Go one step further and justify the use of the full text of legal periodical and newspaper databases on Lexis and Westlaw for this research assignment.

The top five entries of the double challenge will win a gift certificate good for a sandwich from 100% Natural.