

ORALL Newsletter

Ohio Regional Association
of Law Libraries

December 1989

Volume 1989, No. 4

« « PRESIDENT'S COLUMN » »

As ORALL begins its 40th year, and we begin a new decade, I look forward to serving ORALL as best I can. The tasks of planning programming over the past year and organizing for the upcoming year have been overwhelming at times but at the same time challenging. It has given me the opportunity to work with many members and I am appreciative of the hard work so many have contributed.

For those of you who missed the Midwest Regional Meeting in Chicago October 26-28, 1989, you missed a great program. We heard a lot of positive comments about the program - which is more than we heard about the hotel. However, it was good to see so many ORALL members there. I want to especially thank Chapter Man (Frank Houdek), Jacqueline Orlando, and all the ORALL players for their program participation.

The Executive Board of ORALL will be meeting soon to discuss a variety of topics. One item that will be under discussion is the report of the Constitution, Bylaws and Guidelines Committee. Their report presents a unified set of Bylaws for ORALL which attempts to make the ORALL Constitution compatible with the AALL Constitution and reflects ORALL's recent incorporation as an Ohio corporation, not for profit. Merlin Whiteman and Jan Novak should both be congratulated for their hard work and outstanding results regarding the report.

I want to thank all of you who sent in your Committee Preference Forms. If you were not at the Midwest Regional Meeting and did not fill out a Committee Preference Form, please note that there is

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Officers

President:	Brenda Woodruff
Vice-President/ President-Elect:	Mary G. Persyn
Secretary:	Janis L. Johnston
Treasurer:	Thomas G. Spaith
Executive Board:	Michael Slinger (Past-President) Tom Hanley Mary Tekancic
Newsletter Editors:	Deborah L. Bobinets Ellen M. Quinn

Calendar

Jan. 4-7:	American Association of Law Schools Annual Meeting- San Francisco, CA
Jan. 7-9:	Business & Government Information: Matching Needs & Resources-AALL Los Angeles, CA
Feb. 9:	Newsletter Copy Deadline-1st Issue
May 16-18:	ORALL Spring Meeting-Dayton, OH
Jun. 9-14:	Special Libraries Association- Pittsburgh, PA
Jun. 17-20:	AALL Annual Meeting-Minneapolis
Jun. 23-28:	ALA Annual Meeting-Chicago, IL

President's Message

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a form in this newsletter. Please fill it out and return it to me as soon as possible. I need all the help I can get! Also, you'll get more out of ORALL if you become involved.

I look forward to serving you and working with the Executive Board this coming year. We have a lot of work ahead of us.

*Brenda Woodruff
ORALL President*

**AALL ONLINE BIBLIOGRAPHIC
SERVICES SIS NOMINATIONS**

The Nominations Committee of the AALL Online Bibliographic Services SIS is seeking nominations for candidates for office for the section. The slate this year will include the positions of Vice-Chair/Chair-Elect and one Member at Large. The nominating committee includes Elaine T. Sciolino, as chair, Harriet Wu and Carol Meyer. We are all anxious to receive your nominations and can be reached at the following numbers: Elaine (212) 455-7300; Harriet (415) 725-0809 and Carol (513) 632-8445.

COUNTY LAW LIBRARIES SIG

Ohio's county law libraries are different from other groups in ORALL in that they are established by law. Ohio Revised Code sections 3375.48, et seq., make provision for (a) salary, (b) responsibility of County Commissioners, (c) funding through fines and (d) the necessity of annual reports.

Due to the variety in size and population in Ohio's 88 counties there is no standard profile of Ohio County Libraries or Librarians. In the larger counties there may be a librarian with a M.L.S. and J.D. and a good sized support staff. The medium size library may have a full-time employee who has some library experience or training and a small or non-existent support staff. The very small county libraries may have a part-time employee or a judge or an attorney with a secretary overseeing the management of the collection.

At the October 1982 ORALL meeting some of these county librarians met and discussed the need to unite, thus sowing the seeds for the County Library SIG. The next two years saw a great deal of activity spurred on by Rosemarie Chrisant, Martha Cox, and Lucille DeMoss. Together they chaired six meetings throughout the state in order to promote their common interests. It was the first time a dialogue had been established between the larger and smaller county libraries.

In May 1984 petitions were circulated to urge the recognition of the County Law Libraries SIG and at the May 1985 ORALL meeting the SIG was approved by an amendment to the Constitution & Bylaws.

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It was and is the goal of the SIG to reach every county librarian in the state and encourage their participation in ORALL and the SIG.

Former SIG Chairperson, Rosemarie Chrisant, believes that the most urgent task for the SIG is to educate county librarians about the pending court reorganization legislation in the Ohio General Assembly. "The effort to unite has accomplished everything it set out to do," she states, "but there is still much more to be done."

Rose Brown

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AWARDS

The nominations committee has selected Simon L. Goren as recipient of the 1989 Distinguished Law Librarian Award and Susan M. Schaeffgen as recipient of the 1989 Outstanding Service Award. Congratulations to these award winners.

**DONOHUE LOOKS AT
LIBRARY IMAGES**

With his grayed hair and red suspenders, Frank Houdek made a very convincing Phil Donohue exploring the image vs. reality of law librarians. The "audience" was properly prepared by announcer Phil Duggan. With the assistance of four panelists, "Phil" examined common stereotypes. "Miss Tech-Head" convincingly portrayed by Carol Ebbinghouse, who was clutching her lap top computer, stated that she was an "Information Executive" and could provide all information on-line thereby eliminating stack crowding problems and problem patrons. Sporting a blue headband, "Conan the Librarian" was wonderfully over-played by Michael Slinger whose main theme and answer to all problems was to make patrons "follow the rules" and lock all who transgressed in the 4th floor closet. On the quieter side was "Mr. Egghead" (Tom Hanley) who reads a lot (mostly his own writings) and has his staff run the library. And last but not least is "Let's Party Librarian," well characterized by Mary Persyn attired in vendor tee-shirt and hat with posters, tote bags and mugs. She also has her staff manage the library while she is gone 280 days of the year to all the conventions, workshops, and seminars being offered anywhere in the continental United States.

Through panelist interviews, questions from the audience, and film clips to freshen our memory of librarians portrayed in the media, "Phil" probed the issue of this image problem. The audience did muse about the image of librarians portrayed in "Ghost Busters," "Foul Play," and "It's a Wonderful Life." Certainly not a pretty picture.

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Donohue

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True to himself, "Phil" ended on a contemplative note with the conclusion that law librarians probably have parts of the personalities of all the panelists and that perhaps they (we) should not worry about our image and just be good law librarians.

Anita K. Shew

ETHICS IN THE PROVISION OF REFERENCE SERVICE

Jacqueline Orlando, Capital University, moderated an active session focusing on Ethics in Reference Service at the Midwest Regional Law Librarians meeting in Chicago. Featuring skits presented by the ORALL Players, the session demonstrated various ethical dilemmas.

Audience participation was lively as we recognized the kind of service offered in exchange for a gift in the presentation entitled "KF Thirty-Something," starring Tim Hammond, Cincinnati Law Library Association. The Law Librarian involved exhibited open disregard of the liability to herself and her institution by providing cases on point to the patron's legal situation, accompanied by her own personal summaries.

The need for background information (in this scenario stock options inadvertently being divulged to a third party), showed blatant violation of patron confidentiality. Many listeners were seen nodding in agreement, perhaps recognizing that there have been occasions when their own staff disclosed what is going on in the Law Library.

Awareness of your limits in meeting patron needs becomes even more evident during the reference interview when pro se patrons are involved. Many times the query is merely for a book search prefaced by "my lawyer says he will reduce the fees if I do legal research on my own." The commonly accepted practice in Law Libraries seems to be to provide a procedural or practitioner-oriented volume and then to withdraw before the temptation to give advice arises.

Orlando strongly emphasized making yourself familiar with your own library's policies on matters that pertain to the Reference Desk. She offered her own personal experience as a Law Librarian with a J.D. and the inherent ethical concerns of giving legal advice in this dual role. Whether or not patrons' expectations are lowered if you say you are a librarian and not a lawyer remains unclear.

There was considerable debate about the administrative convenience of referring patrons to other agencies and being at odds with the free access provisions of the AALL Code of Ethics. Prohibitive fees and violation of the vendors' contracts in computer-assisted legal research seemed to highlight the various types of reference services provided to different classes of patrons.

Each library needs to prepare guidelines for dealing with poorly articulated patron's requests or requests that ask for legal interpretation or analysis. The questions will be asked of you at some point and you should be prepared in advance to deal with them.

Carol A. Suhre

MONEY TALKS

Discussions about the budget are "the most significant communications you have with your management." "Money is the easiest resource to get." "If your library is bad, it is your boss' bad library." "The budget discussion should not center upon money--it's an ugly subject." So said Herbert S. White, Dean and Professor at the School of Library and Information Science at Indiana University, Bloomington, speaking to a standing room only audience at the Chicago meeting. Eagerly, law librarians from throughout the Midwest gathered to listen to White's words of wisdom on the topic of how to cope with the budget in times of limited funding.

He began by attesting to the importance of the budgeting process. He stressed the importance of developing a framework for any budget discussion that a librarian has with his or her superiors. He said that budget negotiations happen far too infrequently, and that they really should be ongoing dialogues, rather than annual events. He said that when it comes to the budget, we have the opportunity, as well as the responsibility, to educate our bosses to the programs and services that would be beneficial in the library. He suggested that we continually provide them with books, articles and other information to help them make decisions--the decisions that we want for our libraries. White emphasized the importance of a strong alliance between you and your management saying that "you have to be on the same side; you have to be in favor of the same things."

What then, should you talk about when you "talk budget?" Money, he said, is not the topic that budget discussions should

center upon--ideas and programs should be their focus. We should aim for a "management by objectives" approach to the budget.

White compared three of the most commonly used budgeting methods: 1) the "no budget" budget, 2) the lump sum budget and, 3) the line item budget. In a "no budget" budget situation the boss simply doesn't tell you what money is available. White expressed ridicule of the "no budget" budget concept. He said that it is imperative for a librarian with a "no budget" budget to find out what the budget is and spend it! And, if your boss won't tell you what the budget is, spend it anyway. You can always tell him/her, "if you had told me, I could have planned more prudently."

With a lump sum budget, you are given a certain amount of money and you are to do with it whatever you see fit. White said that this method of budgeting is "an abdication of the management process with management left blameless." He said that this method may seem alright, at least for a while, but that responsibility for budgetary decisions cannot be abdicated.

The line item budget categorizes the various expenditures and assigns a predetermined dollar amount to be spent in each category. Line item budgets are easy to control and manipulate. However, he said, "The numbers come out right, but they don't mean anything." He criticized line item budgets saying, "It is impossible to see what people do or what effects the manipulations have on library operations."

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Money Talks

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White concluded that none of the three budgeting methods--"no budget", lump sum, and line item--work for libraries.

He endorsed another approach to the library budget which he called "program budgeting." Using this method, money is the last item discussed at budget time. Instead, budget time is a time to talk about the programs and services the library should be offering. If your boss says he/she can't/won't pay for them, then they should handle the complaints--take responsibility for their decisions not to fund necessary or desirable library programs and services.

White advised that when you talk about money you need to talk about results achieved. He said to get management to look at it this way. "This is what we do. This is what we do without money." And, he said, when cuts must be made due to budgetary restraints, be sure to cut in areas where cuts will be noticed the most. "Hit 'em where it hurts, and then place the blame where the blame belongs."

On the question of declining resources, White said that we need to be certain that the library gets what everybody else gets (i.e., other departments on a university campus for instance). "Misery," he said, "insists on company." The library needs to be treated as at least equivalent to other departments. He warned that budget cuts should never be viewed as temporary. Declines, he said, almost always indicate further declines. White also warned that working harder to absorb cuts is not only unrealistic but also a bad idea. "Nothing is absorbable." Never let management expect you to do the same job with fewer people or less money. Doing so would be a self-indictment and an admission that you have been a "goof off" in the past.

Instead, White advised, that the proper response to proposed cuts is, "If you cut [my budget] you'll pay."

He further advised that we never forget the following when we talk about the budget. First, "bosses control resources" and so we must "learn to manage our bosses and get them to take their own good advice." Secondly, remember that you weren't hired to run a cheap library, you were hired to run a good library.

Deborah L. Bobinets

AUTOMATION IN THE NINETIES: HOW IT WILL AFFECT OUR RESOURCES, OUR PARENT ORGANIZATIONS AND OUR CAREERS

As we approach the 1990's three law librarians gave us a glimpse of what the future might bring in the world of library automation. Steve Barkan, Sandra Gold and Patricia Peterson each in turn analyzed how automation has and will likely affect three important aspects of our "interface" with it: our resources, our parent organizations and our careers.

Steve Barkan cited a study done by Bette Taylor in which she mentions that electronic formats will replace microforms, new technology will provide information faster and cheaper (Barkan disagrees with the idea of cheaper), some resources such as digests, looseleaves and paper Shepard's will become obsolete, there will be a blurring of the

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ORALL COMMITTEE PREFERENCE FORM

NAME: _____

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I would like to serve on the following ORALL Committees:

(Number in order of preference, 1-1st preference, etc.
Please limit to five).

_____ Activities	_____ Newsletter
_____ Core Legal Collection	_____ Legislative
_____ Education	_____ Placement
_____ Membership	_____ Public Service
_____ Nominations	_____ Union List
_____ Constitution, Bylaws, Guidelines	_____ AALL Minneapolis, ORALL Chapter Breakfast

I would like to recommend _____ for
membership on _____.

Send to: Brenda Woodruff
ORALL President
Toledo Law Association
Lucas County Courthouse
Toledo, Ohio 43624

Automation in the 90's

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distinction between law and non-law libraries. There will be an increased dependency on secondary sources to cope with the flood of case law and the synthesis of information from an overwhelming number of sources. We will see more tools being developed to help researchers navigate databases. We should also see the development of expert systems (AI).

Sandra Gold spoke from the perspective of a law firm but many of her concerns were universal. She pointed out that with automation user expectations run high, usually much higher than what you eventually end up with. It can be our role to help our organization understand the uses and LIMITS of technology. Users will approach technology with a combination of cynicism and awe. Their demand for technology will be far greater than our ability to support it. This demand comes from the expectations of clients, the expectations of new associates, the desire to keep up with other firms and a general fascination with technology.

Sandra Patterson talked about how all of this technology would affect us and future law librarians. Technology will impact on the numbers and types of librarians. Librarianship will become information management. It has blurred the distinctions between public and technical services and between clerical and professional positions.

Ellen M. Quinn

TECHNOLOGICAL INNOVATIONS: CD-ROM AND BEYOND

This program was moderated by Blair Kauffman of the University of Wisconsin Law Library.

Jeanne Boston of the University of Wisconsin spoke about the realities associated with using CD-ROM products. Although formats have become more standardized, it is still hard to match CD-ROM to micro-computers.

Although CD-ROM equipment is fairly resistant to damage, it presents some unique problems. Scratches on the disk can give erratic results. Extreme temperature swings can cause moisture to get under disks and render them unreadable. It is not wise to keep plants on top of CD-ROM hardware since watering spills can damage equipment. CD-ROM hardware is more susceptible to power surges than PC's. This can be a problem if construction work is being done nearby.

There are also problems for the user. If there are multiple products on one work station and a user has not exited properly, the next user may have trouble gaining access to another product. Search techniques also vary by vendor. Vendors did not foresee the idea of networks; response time is slow. Some universities are getting grant money to work on networking.

Dick Robbins, editor of Computer Counsel, spoke about potential uses of CD-ROM in the law office for in-house databases. He said that lawyers spend at least one hour a day looking for things. Who knows what's in the office? Forty percent of lawyers say they use computers.

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Technological Innovations

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Lawyers need one system office-wide for case management, in-house databases, and billing. It is very important to have a system with security against loss of data. Make sure documents can't be changed by just anyone - for example, if someone leaves the firm. Robbins said that in terms of using technology, "Lawyers are going to become more like other people."

Carol Bredemeyer

LIBRARIANS LEARN MICROCOMPUTER FUNDAMENTALS

A special session entitled "Workshop on Fundamentals of Microcomputers" was offered at the Chicago meeting, Thursday morning, sponsored by AALL's Automation and Scientific Development SIS. In attendance were librarians representing ten private firms, ten government/public organizations and seven academic institutions.

The program was divided into three segments, the first presented by JoAnn Humphreys, University of Missouri, Columbia, who discussed basic information relating to hardware, software, care of the equipment, applications in the legal field, and compatibility. The discussion was on a level which was easily understood even by those unfamiliar with computers.

Humphreys stated that the bottom line in determining the type of software is the user's preference. There are no specific standards. However, in making the final determination, she stated, you should beware of the non-compatibility of systems which claim to be fully compatible. Become familiar with your vendor and ask questions. Subscribe to such magazines and publications as PC World, PC Magazine, PC Week, Personal Computing, PC Resource, Byte, and the National Law Journal, to name a few. She cited three publications as being essential to "keeping up"-- The Winn Rosch Hardware Bible, Brady, 1989, How to Maintain Your IBM PC, by Gene William, Chilton Book Co., 1984 and Essential Guide to the Library IBM PC, Meckler Publishing.

The second segment, entitled "Introduction to DOS," was presented by Mitch Fontenont, University of Nebraska with the assistance of several members of the staff of the Loyola University's (Chicago) Law Library. This was a "hands on" session. All participants were made to feel at home with their individual computer and were led through the procedures to format a disk, and how to become familiar with various commands. Participants were also shown how to scan, delete and rename files.

Michael W. Lonero, Loyola University (Chicago) and Daniel Pilarski, MicroAid, Chicago, presented the final segment on "Apple Macintosh/IBM PC Compatibility and Introduction to Macintosh." The purpose of the demonstration was to show how these two systems can share and manipulate information.

The primary advantage of the Macintosh has been its lower learning curve; however, its major drawback for many years has been its incompatibility with the IBM PC. Compatibility problems have been recently alleviated and the thrust of the rest of the presentation was various strategies for interfacing these two systems.

Rose Brown

ACQUISITIONS AND ETHICS

Kathie Price, Fritz Snyder and William Lindberg were asked to discuss various aspects of acquisitions and ethics at the Midwest Regional Conference of Law Librarians. Price, from the University of Minnesota Law Library, began with a brief history of law librarian/vendor relationships. She alluded to past practices of some law librarians (primarily academic) and vendors who took advantage of one another for personal and/or professional gain. As these kinds of situations became known to the deans of law schools, pressure built to limit these practices. In the early 1970's, a committee on ethics was formed within AALL to come up with some ethics rules for law librarians. A draft of the ethics rules was taken before the membership in 1975 but it was rejected. Jerry Dupont was asked to take on the re-drafting of the ethics rules and by 1978 AALL had adopted the "Code of Ethics."

The code was designed to fulfill the following purposes: it should build on the ethical codes of the American Bar Association and the American Library Association; it should contain sections on duties to particular patron bases, protection of patron confidentiality, exclude the practice of law and avoid conflicts of interest; provide open access to legal materials and be clear and concise.

One of the problems with the ethical code was the lack of an enforcement mechanism. The Executive Board of AALL set up a five person Advisory Commission of Ethical Standards to consider questions of law librarian ethical conduct. The function of this Advisory Committee was to provide a forum for aggrieved members to present their dilemmas and to solicit input from other members. The commission would then issue advisory or disciplinary

opinions and thereby set precedent for future situations. It was a great idea but no situations were ever considered by the commission. In 1985 the AALL Executive Board abolished the commission for "lack of business."

Among the many reasons for lack of interest in the code was the feeling that the ALA and ABA ethical standards were clear enough and were easily applied to law librarianship. In addition, over the last ten or fifteen years, the profession has changed from a small club of influential people, to a much larger, more diverse group whose allegiances are no longer tied to specific individuals.

The profession has taken the important first step on the path toward accountability. A Code of Ethics gives us guidelines by which to conduct ourselves and to measure our performance. Despite the abolition of the Advisory Commission, the Code is an important guidepost for our profession. Price suggested the AALL republish the code in the AALL Directory each year for reference.

Fritz Snyder, Associate Director for Public Services at the University of Kansas Law Library, spoke about acquisitions ethics from a personal point of view. His focus was the potential for bias in the purchase of materials based on personal benefit rather than on objective evaluation of the materials. He looked at the problem on three levels: advantages to the individual, to particular groups of law librarians and to the profession, through AALL.

On a personal level, we've received some kind of gift from a publisher, be it a calendar from CCH or a clock from WESTLAW or a luggage tag from Banks-Baldwin. Do these things influence our acquisitions decisions? What about the

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Acquisitions and Ethics

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law publisher editorial boards? These are some of the questions raised on the individual level.

On the group/AALL level, do the publishers influence us by their contributions to our meetings, by their subsidizing our meals or providing the entertainment or both? Some of the parties cost up to \$60,000 and more. The Annual Meeting cost approximately \$70,000 in 1976. By 1988 it had risen to \$1,300,000. Is this a function of inflation in the economy or of the competition among the publishers? Snyder seemed to be hinting at both. One of the proposed solutions to the problem of potential conflicts of interest on the part of the profession is to have the publishers match, dollar for dollar, the cost of parties to the amount they contribute to the AALL Scholarship Fund.

How serious is the potential for a conflict of interest in the profession? Snyder indicated that he didn't have the answers to the questions he raised but that from his own experience, the gifts and other items which could pose conflicts of interest for him did not influence him in acquisitions decisions and probably didn't influence the vast majority of people making acquisitions decisions.

The final speaker for the session was William Lindberg, Manager of WESTLAW Academic Programs. One way to be involved in the promoting ethical behavior is to serve on the ethics commission for a local bar association. Lindberg served on such a commission, which investigated complaints about local attorneys. One thing became obvious - there aren't always clear lines when one is assessing ethical conduct. One of the best ways to keep the conduct on the level is to constantly monitor the individuals or companies, a "sunlight is the best disinfectant" approach. One of the AALL bodies which has kept the sun on the publishers is the Committee on Relations with Information Vendors.

In defense of the publishers, Lindberg spoke of the need of the publishers to thank individuals for their comments and suggestions without creating a conflict of interest for the librarian. One of the most obvious ways of thanking these people is to throw a party at the national meeting or to sponsor a luncheon at a chapter meeting.

After some questions and comments from the audience regarding ethical dilemmas, the session could be summed up thus: the climate in the law library profession has changed from the times of obvious ethical breaches to a broadening of the profession and fewer instances of the appearance of ethical impropriety.

Theodore A. Potter

NEW OFFICERS

The following slate of candidates was approved by ORALL members at the October meeting:

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Mary G. Persyn

Valparaiso University Law Library

Treasurer

Thomas G. Spauth

Ohio State University

College of Law Library

Executive Board

Mary Tekancic

Lorain County Law

Library Association

DUES WILL BE DUE SOON

Payment notices for your 1990 ORALL dues will be mailed in January. Please pay it promptly when it arrives on your desk.

The ORALL Newsletter is the official publication of the Ohio Regional Association of Law Libraries (ORALL), a chapter of the American Association of Law Libraries (AALL).

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For membership information contact: Judith P. Rodgers, Baker & Hostetler, 65 East State Street, Suite 2200, Columbus, Ohio 43215.

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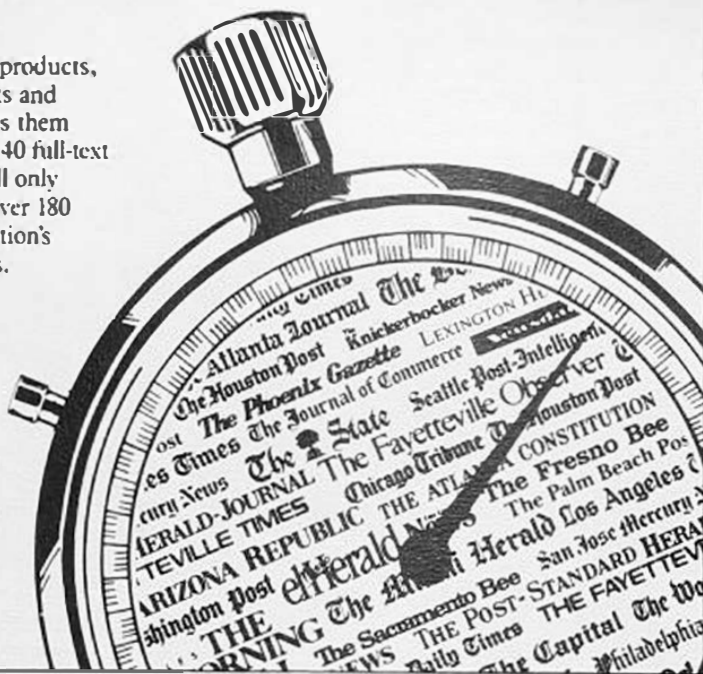
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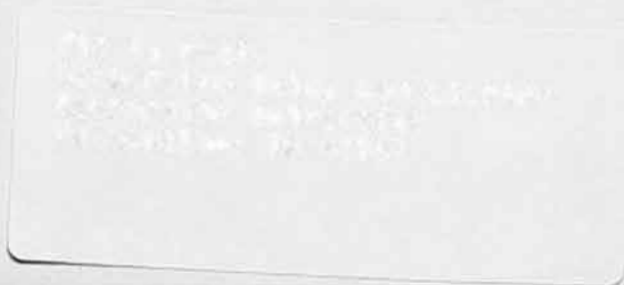
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