

# ORALL Newsletter


Ohio Regional Association  
of Law Libraries

September, 1991

Volume 1991, Number 3

## President's Message

### Fall ORALL Program



Jan Ryan Novak has put together another exciting program for the ORALL meeting to be held at Notre Dame on October 13-15. The theme for the meeting is "Teaching Us to Teach" and the aim is to help all of us to better teach our clientele whether it is attorneys, law students, government officials, or the public. The Notre Dame campus is always beautiful in the fall [of course, as a "Domer" I may be a little prejudiced]. I hope that the double attractions of three days on campus and an exciting program will entice you to find your way to South Bend for the conference.

### Thanks For Your Help

It doesn't seem possible that my term of office will soon be over. I will turn the gavel [and the files] over to Jan Novak at the ORALL meeting at Notre Dame. My two years as Vice-President/President-Elect and as President have been lots of fun, thanks mainly to the enthusiasm and cooperation of the ORALL membership. When I have asked for your help, whether for committee work or to gather information for another AALL questionnaire, you have been unfailingly supportive. I work with several organizations run by volunteers, and the ORALL membership is by far the best group. Thank you for your help.

An especially big thank you to the Valparaiso University School of Law Library staff who took on extra work so that I could carry out my ORALL duties. I couldn't have done it without you!

### Officers 1990-1991

President	Mary G. Persyn
Vice-President/President-Elect	Jan Novak
Secretary	Keith Blough
Treasurer	Thomas G. Spaith
Executive Board	Mary Kovaks
	Sharon McIntyre
Newsletter Editor	Anita K. Shew

Ohio Regional Association of Law Libraries is a chapter of The American Association of Law Libraries.

Best wishes to Jan Novak and Carol Bredemeyer as they take over as President and Vice-President/President-Elect. Please continue to give Jan and Carol your fine cooperation.

See you at Notre Dame.

Mary G. Persyn, Valparaiso University  
ORALL President

### Calendar

Oct 13-15 ORALL Fall Meeting Notre Dame Univ.  
Nov 1-2 Assn. of Legal Administrators is hosting the Regional 3 Annual Education Conference, Hyatt on Capitol Square, Columbus, Ohio.  
[For more information contact Editor, or ORALL member Lisa Johnson--Vorys, Sater, Seymour & Pease]

### Contents

President's Message	Page 1
Editor's Note	Page 2
Fall ORALL Meeting	Page 3
Membership Committee News	Page 4
Unauthorized Practice of Law	Page 5
One Person/Professional Library	Page 5
New Ownership of Hannah	Page 5
For State, County, Court Librarians	Page 6
Reference Issues	Page 7
Current Awareness	Page 7
Ohio Appellate Opinions	Page 8
Pet Peeves	Page 8
Technical Services Tips	Page 9
Alternate Dispute Resolution	Page 10

## Editor's Note

### **ORALL Newsletter Column Editors Wanted.**

If you would like to try your hand at editing a regular column for the ORALL Newsletter, please let me know. Because the Association has gone to only one meeting per year, there will be more space for articles, tips, etc.

I contemplate columns on

- > "Worth Reading"
- > "Pet Peeves"
- > "Reference Tips"
- > "Technical Services Tips"
- > "Management/Personnel"
- > "Current Awareness"
- > others that you suggest.

This is your Newsletter. PLEASE contribute to make it useful for yourself and others.

### **Private Law Librarians SIG**

The newly created PLL SIG requests again that all private firm librarians who wish to be a part of this new SIG, please fill out the form on the back page and sent to Lani Mikalas. The conveners of this SIG request that all PLL SIG members, new and old [?] send in the form to confirm the mailing list.

### **ORALL Spring Programs Covered.**

In this issue we conclude our coverage of reviews of ORALL Spring programs.

### **ORALL Committee Chairs 1990/91**

Activities	Jan Ryan Novak
Constitution	Jacqueline Orlando
Core Legal Collection	James Leonard
Education	Kathy Carrick
Legislative Committee	Randy Thompson
Membership	Tom Hanley
Newsletter	Anita K. Shew
Nominations	Al Podboy
Placement	Kyle Passmore
Public Services	Terri Ross
Recruitment	Don Hughes
Union List	Mahnaz Moshfegh

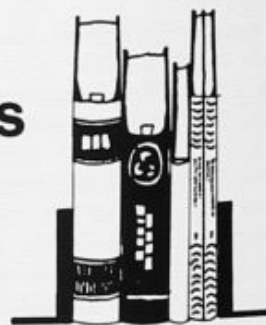
Library/Looseleaf Services From . . .

## **Charles V. Snider & Associates**

Is the information in your library . . . .

Current and Up-to-Date?

Are your publications being maintained properly?



All Publications Including: CCH, BNA, RIA, PH, MB, & SHEPARDS

*Call For An Inventory of Your Collection at No-Obligation.*

**NO LIBRARY TOO BIG OR TOO SMALL**

We Can Also Assist With — Reorganization • Training • Backlog

*Professionally Trained Staff Serving Cleveland, Akron, Canton, and Columbus  
who will step in and start filing immediately.*

**CVS & Associates • 1030 Euclid Avenue, Suite 326 • Cleveland, OH 44115  
(216) 696-7870**

# Fall ORALL Meeting-Teach us to Teach



The ORALL Fall meeting will be held Sunday through Tuesday, October 13-15, 1991, at Notre Dame University. The program will be "Teach Us to Teach".

## Sunday Afternoon

1. Registration & Tours
2. SIG Meetings - Indiana, County & Private
3. Technology Update: Document Imaging
4. Executive Board Meeting
5. Committee Meetings
6. Opening Reception

## Monday Morning

1. Status of Legal Research Instruction - Roger Jacobs & W. Nicholas Pope.
2. How to Plan a Legal Research Instruction Program - Ellen Callinan.
3. Creating Contexts for Library Instruction - Betsy Baker & Marilee Birchfield.

## Monday Afternoon

1. Game Shows Are Us: How to Have Fun With Legal Research - Frank Houdek & James Duggan.
2. Ed. Psych 101: Teaching Techniques for Adult Learners - Prof. Ardys Morgan.
3. Committee Meetings.
4. Banquet.

## Tuesday Morning

1. Reference Interview as a Teaching Tool - Ted Potter, Ellen Quinn & Martha Cox.
2. Poster Sessions
  - Training Technical Services Staff-Janis Johnston
  - Teaching by Writing: Written Instructional Materials for Legal Research - Ellen Quinn.
  - Academic/Firm Integrated Programs - Thomas G. Spaith.
3. Business Meeting
4. Executive Board Meeting

## **Information Searching - More Complex**

Firm librarians bemoan the poor research skills of new associates, academics debate effective teaching methods, and experienced attorneys find themselves at a loss in our ever more complex libraries. Suddenly, the buzzword of the law library profession is "teaching".

## **Learn How to Teach Attorneys/Judges**

Last year in the newsletter, our own Nick Pope exhorted us to "seize the teachable moment;" the question is, what do you do with it once you have it? This is what we'll address October 13-15 at ORALL's fall meeting in the exceptional educational environment of Notre Dame University in South Bend, Indiana.

## **We All Teach -- Daily!**

Do you think that this topic bears little relevance to your job situation? Think again! Each time you train a new clerk to file or check in serials, each time you answer a reference question, give a tour of your library, or make a presentation to your Board of Trustees you are facing a "teachable moment." Join us at Notre Dame to explore how you can discover and enhance your teaching skills in furtherance of more effective librarianship.

Jan Ryan Novak, Cleveland Law Library Assn.  
ORALL Vice President/President Elect

## **ANSWERS PRICE LIST**

ANSWERS .....	\$ .75
ANSWERS .....	\$1.25
(REQUIRING THOUGHT)	
ANSWERS .....	\$2.15
(CORRECT)	

**DUMB LOOKS  
ARE STILL FREE**

# Membership Committee News

## New Members

Listed below are the new members of ORALL based on changes since the 1990-91 directory.

**Anspach**, Judith-Cooley Law School Lansing, Michigan  
**Armitage**, Beth-Case Western  
**Baker**, Richard A.-Guernsey Cnty LL, Cambridge  
**Bell**, Alice-Mead Data Central, Dayton  
**Bonney**, Barbara B.-Covington  
**Bourner**, Elizabeth-6th Circ. Lib. Cincinnati  
**Cheatham**, Cheryl-Case Western  
**Cheski**, Richard-State Library Columbus  
**Glaser**, Sybil E.- University of Toledo  
**Heinrich**, Mark-Dickinson, Wright firm Detroit  
**Hersch**, Susan B.-Hahn, Loeser firm Cleveland  
**Hinger**, Joseph-CWRU Cleveland  
**Humphrey**, Richard E.-Cincinnati LLA and Clark & Eyrich  
**Hunter**, Grant-Greensburg, Pennsylvania  
**Kowall**, Daniel-CWRU Cleveland  
**Lciding**, Reba-OSU Columbus  
**Linneman**, Mark A.-University of Kentucky  
**Malmquist**, Katherine-Cleveland-Marshall  
**McConn-Pirman**, Julie A.-Brown County Law Library  
**McCue**, James K.-Oceana Publications  
**Montgomery**, Jack-University of Cincinnati  
**Morales**, Mariano-University of Cincinnati  
**Mussett**, Marianne C.-US Courts Library, Toledo  
**Noble**, Christopher-OSU Columbus  
**Novak**, Juliane A.-Cleveland LLA  
**Ogden**, Patti J. -Notre Dame  
**Overshiner**, Barbara-6th Circuit Library Cincinnati  
**Powell**, Katrina J.-Fayette Cnty LLA Washington Ct. House  
**Pyle**, James-Licking County LLA  
**Reagan**, Randolph L.-Dayton  
**Rilling**, Joanne-Akron  
**Robertson**, Roberta-University of Akron  
**Smith**, Cheryl-Case Western  
**Smith**, Ellen M.-McDonald, Hopkins firm Cleveland  
**Spink**, Prudence C.-Medina County LL Medina  
**Stevens**, Gloria-Gallia County LLA  
**Stouffer**, Christine M.-Cleveland-Marshall  
**Strady**, Mary Lynn-West Services Dayton  
**Summers**, Sheryl-Cooley Law School Lansing, Michigan  
**Taylor**, Katherine-Benesch, Friedlander firm Cincinnati  
**Trainer**, Paula S.-Springfield Bar & Law Library  
**Vancavage**, Susan-Thompson, Hine firm Cleveland  
**Wagner**, Mary Lynn-Keating, Muething firm Cincinnati  
**Zimansky**, Curt R.-Trustee, Knox County LLA

## Member Name & Address Changes

**Brenda Woodruff** is now Brenda Kelley  
**Sally A. Davis-Lewis** is now Sally A. Lewis  
**Sheryl J. Mitchell** is now Sheryl J. Pender  
**Helen Horton** is now Helen Chirakos-Horton  
**William Newman** is now with Trumbull County LLA, Warren  
**Michael Slinger** is now with Suffolk University, Boston

## Electronic Mail

In July of 1991, the committee sent out postcards soliciting electronic mail addresses from ORALL members for publication in the ORALL directory. The response was lukewarm. If you have an electronic mail address that did not get published in the directory but still want it broadcast to the ORALL membership, it is not too late. Send your electronic mail address to: Tom Hanley, University of Dayton Law Library, 300 College Park, Dayton, Ohio 45469-1350, [513]229-2444, FAX [513]229-2469, Bitnet: hanley@dayton, Internet: hanley@udavxb.oca.udayton.edu. We will take any electronic mail address that you have including but not limited to Internet, Bitnet, ABANet, or MCI Mail. We will publish any electronic mail addresses received in response to this appeal in a forthcoming ORALL newsletter.

## ORALL Directory

The committee has made every attempt to verify membership in ORALL in preparing the latest ORALL Directory. This was done by comparing the membership roster with the dues payment records maintained by the treasurer of ORALL. If you have paid your dues for 1991-92 but find that you have been omitted from the latest directory, please contact the treasurer immediately. When the treasurer confirms to the membership committee that you are a member, the committee will include your name in a list of additions and corrections to the directory to be published in a future issue of the ORALL newsletter.

Tom Hanley, Membership Chair



[For your information, as of June, 1991 ORALL had 322 members: 35% academic, 22% private, 30% court and government, and 12% other].

## Unauthorized Practice of Law

### Ohio Supreme Court Task Force



The Supreme Court of Ohio has established a Task Force on the Unauthorized Practice of Law. They have held public hearings this summer in Columbus, Lima, Cincinnati and Cleveland.

The Task Force will: 1) consider all aspects of the unauthorized or unlicensed practice of law, including applicable statutes, Supreme Court rules, and case law; 2) conduct a comprehensive review of Supreme Court rules, applicable sections of the Ohio Revised Code, and current practices; 3) determine if any revisions are needed to Supreme Court rules and the Ohio Revised Code; and 4) submit a report to the Court with recommendations and proposed statutory or rule amendments as appropriate.

### ORALL Takes A Stand

The ORALL Executive Board has sent written testimony to the Ohio Supreme Court Task Force that affirms the views expressed in oral testimony given July 19 by Don Hughes, Director of the Law Library at Capital University. Hughes said "My point is that librarians, especially law librarians, walk the line between helping people find information and engaging in the [authorized or not] practice of law every day. My fear is that this Task Force, with the best of intentions to eradicate a substantial danger to the public, the unauthorized practice of law, may draft language that will have a chilling effect on the ability of librarians to provide people with information."

The ORALL position states "The ORALL membership is concerned that a rule or statute on the unauthorized practice of law that contains overly broad language might prohibit discussion of legal issues inhibiting librarians' ability to practice their profession. We respectfully request that the Court adopt narrow and explicit rules. In the alternative, we recommend that the Task Force recognize the legitimate role of the librarian as an information provider, and by so doing, exempt the librarian from unauthorized practice provisions in the performance of such duties."

Most testimony was from paralegals and representatives of paralegal associations. For more information contact Don Hughes, Jackie Orlando, Shelley McLane, or Jan Novak.



## One Person/Professional Library

Librarians in small libraries unite! According to Guy St. Clair, we are a very lucky bunch. He says, librarians who like working in small libraries as the only staff or the only professional enjoy:

- Being in charge
- The variety of duties
- Challenge
- One to one with the user
- Being the "expert"
- The power [?]
- The independence
- Setting ones own priorities
- The service and salesmanship aspect
- Flexible task schedule



Do you feel this fits you? Sounds great doesn't it? But there are problems, too -- professional isolation; lack of collegiality; brain drain.

These downside aspects he says can be overcome by keeping active in professional associations, maintaining local contacts and networking. We need not only relate to people in our own specialized field, but gain from the professional contact with librarians in non-law libraries.

I attended a program given by St. Clair a few years ago at a Cincinnati Special Libraries Assn. meeting and found it very energizing.

Consider getting the following publications and read more of his ideas.

> *The One-Person Library; a Newsletter for Librarians & Management.* Edited by St. Clair. Monthly \$70 year. OPL Resources, LTD.; P. O. Box 948; Murray Hill Station; New York, NY 10156.

> *Managing the One-Person Library.* R. R. Bowker Publishing. 1986. \$20. [See also *Going It Alone: Managing the one-person library: Selected Bibliography* (contact ORALL Newsletter Editor)]

## New Ownership of Hannah

Rotunda Inc. ["Rotunda"], an Ohio Corp., has purchased Hannah System [of Ohio] and Hannah Report [for Ohio].

Subscriptions to The Hannah System or The Hannah Report, which have been written with Hannah Information Systems will be honored by Rotunda.

The staff which developed the Ohio legislative service and which have provided you with The Hannah System and The Hannah Report will continue with Rotunda. The Company will be concentrating information and services related to the Ohio legislature and state government.

If you have any questions, please contact us.

Submitted by Rotunda Inc., Columbus, Ohio

## For State, County, Court Librarians

The **AALL Winter Institute in Williamsburg** entitled *Law Librarians -- Serving the Legal Information Needs of a Varied Constituency: The Judiciary, The Bar, and The Public* was very fruitful and enjoyable. It spoke to all types of librarians but especially court and county librarians.

The topics which were presented at the Institute were:

- Serving the needs of the bench and bar: a panel discussion.
- Serving the needs of the public.
- Libraries, the first amendment and the free flow of information [keynote address by Prof. Rodney A. Smolla of Marshall-Wythe School of Law at the College of William & Mary].
- Extending service to more people and places.
- Strategic planning to accomplish your library's mission.
- Enhancing service through cooperation.
- Asserting yourself in the political environment.
- Promoting the Library and generating income.
- Providing improved service through automation.
  - Part A: realistic prospects for medium-sized law libraries.
  - Part B: what's happening out there now?
- Making the most of your appropriation.
- Providing computer-assisted legal research service for judiciary, bar and public.

- Keeping human considerations uppermost in the face of technological change.
- Access to government and legal information: issues in the national information policy arena.

### Speaker Tidbits

"Solicit help from patrons and trustees, make outside contacts, make yourself visible."

"Help your patrons/board know what you do. No one will give you money if they do not understand the service you provide or if they do not equate it with a price tag. Keep a 'Praise the Library' file and share it with your Board. Charge fees for services, people appreciate it more."

For a copy of the Institute notebook and selected audio tapes, contact editor, Anita K. Shew, [513]887-3456.



from  
**Oceana...**

Your leading source for treaty information!

**We're More... We're Current... We're In Print!**

- Current:** All the treaties & international agreements to which the United States is a signatory from 1990!
- Timely:** 4 annual releases...full-text documents available within 90 days of receipt in Congress by the U.S. State Dept.
- In Print:** Approximately 4000 pages of primary source material in 4 annual volumes
- Available:** Only from Oceana!

**Oceana Publications, Inc.**  
75 Main St., Dobbs Ferry, NY 10522  
Telephone: 914-693-8100; FAX: 914-693-0402

Beginning 1990! Consolidated Treaties & International Agreements:

# UNITED STATES CURRENT DOCUMENT SERVICE

"...So far no other legal reference source offers such coverage..."  
Dr. Ivan Spkov, Law Library of Congress

This service is the most comprehensive source for current U.S. treaties and international agreements in force today! By bridging the gap between an agreement's entering into force and its official publication, the U.S. Current Document Service will keep your legal research on top of the world!

**United States Current Document Service**  
1991. 4 annual releases. \$125/release.

## Reference Issues

### Reference Success

In a study reported in Library Journal - 4/15/89, only 35% of patrons in a test were sure they had spoken with the head librarian or someone not a student or part-time helper.

Increase your effectiveness and your image with the following suggestions.



- Look alive, act interested, be approachable - a patron's question is not an interruption - it is your main job.
- Dress the part [do patrons mistake you for the maintenance crew?]
- Really do know where Ohio Shepards is and what OSHA stands for. Accuracy brings repeat business.
- Approach the person who is wandering, looking lost.
- Don't turn people away - help them find or find out [get elsewhere if you can] [use AALL, ORALL, County SIG directories; local directories; ORALL Union List of Serials]
- Know what resources local public & area libraries have.
- Polish your interview skill [learn how to give patron 3rd degree so that he thinks you're brilliant but not the library police]
- Is your reference/information desk clearly identified - Do patrons know where to come for help? [use effective signage]
- Can you alter your environment so patrons know you as a person and your credentials to bolster their confidence in your reference ability. [certificate on wall; thank you letter, etc.]

### Current Awareness

#### The INTERNET

##### What Does "INTERNET" Mean?

"Internet" can mean three things. With a small "i" it means any network that connects other networks. With a capital "I", it means a collection of federal, military, regional and local networks at universities and research centers connected by a backbone network called NSFNET. Finally it can mean the suite of protocols developed by INTERNET members [more specifically called TCP/IP]. This suite of protocols has been adopted by networks all over the world including many LANs.

from The Telecommunications & Law Libraries  
by Al Lewis

### Open-Access Community Computer Systems

One of the problems which we as reference librarians continually face is that of providing information to the pro se patron while being constrained by vendor agreements which do not allow us access to information unless it is used for educational purposes only. Another problem, especially for county and firm libraries, is how to locate specific titles without having to call every research library in the state. Now, with a PC and modem, we can find this information for little more than the price of a phone call.

#### Cleveland Free-Net - Access

Cleveland Free-Net, an open-access community computer system, provides access to the online catalogs of many of the major colleges and universities in Ohio, including Case Western Reserve, Kent State, Ohio State, University of Akron, Youngstown State, and Oberlin College as well as the catalog of the Cleveland Public Library system. In addition, through access to Project Hermes, decisions of the U. S. Supreme Court are available to the general public the same day they are handed down. Other law-related services include a directory of federal and state elected officials, a directory of government hotlines [800 numbers] such as Lawyer Referral Service and Legislation [pending bills in the Ohio House and Senate], and a directory of our county elected officials.

#### Other Access Points

For those of you outside the Cleveland area, Cleveland Free-Net can be accessed through several other community systems including Medina County Free-Net, Tri-State online in Cincinnati, Youngstown Free-Net, and Heartland Free-Net in Peoria, Illinois. All these systems are menu-driven and are fairly easy to maneuver in. The phone numbers for the systems are:

Cleveland Free-Net	216/368-3888
Heartland Free-Net	309/674-1100
Medina County Free-Net	216/723-6732
Tri-State Online	513/579-1990
Youngstown Free-Net	216/742-3072

For those of you using internet, Cleveland Free-Net can be accessed by telnetting to [freenet-in-a.cwru.edu](mailto:freenet-in-a.cwru.edu) or 129.22.8.46. Providing information at little cost is now easier than ever.

Randal Wilcox, Reader Services Librarian, CWRU



## **Ohio Appellate Opinions** **More of them; How Selected**

In light of the recent decision by the Ohio Supreme Court to double the number of Ohio Appellate opinions officially reported, I thought a review of reporting criteria might be interesting.

### **Why More Selected**

According to the Ohio Supreme Court Reporters' office, twice the number of cases are being chosen because it was felt many more should be reported. This request was in the contract that West Publishing Co. subsequently won and they will take over publishing v. 61 of the Ohio Official Reports. [cases to be issued in 3 separate volumes by court jurisdiction]

### **Rules**

Supreme Court Rules for the Reporting of Opinions.  
Rule 2. Courts of Appeals Opinions.

[E] An opinion of a Court of Appeals may be selected for official reporting if it is determined by the Supreme Court Reporter that the case contributes significantly to the body of Ohio case law, and that the Court of Appeals which heard the case certifies that the opinion meets one or more of the following standards for reporting:

- [1] Establishes a new rule of law, which term as used in this rule includes common law, statutory law, procedural rules and administrative rules;
- [2] Alters, modifies, or overrules an existing rule of law;
- [3] Applies an established rule of law to facts significantly different from those in previously published applications;
- [4] Explains, criticizes, or reviews the history of an existing rule of law;
- [5] Creates or resolves a conflict of authority, or reverses, overrules, or otherwise addresses a published opinion of a lower court or administrative agency;
- [6] Concerns or discusses one or more factual or legal issues of significant public interest;
- [7] Concerns a significant legal issue and is accompanied by a concurring or dissenting opinion;
- [8] Concerns a significant legal issue upon the remand of a case from the United States Supreme Court or the Supreme Court of Ohio [these rules are found in Page's ORC v. 19 & in Baldwin's ORC rules volume]

### **Additional Selection Sources**

Additional criteria were given by Mark Loudenslagel of the Ohio Supreme Court Reporter's office.

- [1] Because of the number of opinions able to be printed, if a judge sends it in, it usually is reported.

continued column 2

## **Pet Peeves**

Do you have pet peeves about publishers, personnel, life in general? Share them with your colleagues.

**PP1** Why does American Lawyer magazine now publish on heavy glossy paper when all the rest of the world is going to newsprint or recyclable paper?

**PP2** Why does Callaghan & Co. designate the UCC Case Digest volumes with a 10 digit volume identifier instead of a 1 or 2 digit volume number? [10 spaces is too much to try to put on a spine label and card]

**PP3** Why do publishers send undersized envelopes to return multiple invoices that can't possibly fit?

**PP4** Why do publishers have variant forms of titles on book cover, book spine, and title page?

**PP5** Why do publishers -- use telemarketing -play music while on hold -have reps stop in without appointments - send second and third notices a few days after the initial invoice -truncate titles on invoices so you can't tell what title it is. [from WESTPAC News 4/84]



- [2] Many courts select and recommend a number of cases they have heard.
- [3] Some courts send all cases and the Reporter's office decides if they fit the criteria
- [4] Regarding trial court decisions, many times the Reporter's office relies on the judges or attorneys submitting the cases.

Mr. Loudenslagel notes "Obviously some of the criteria are broad, and selections is not an exact science."

Anita K. Shew, Editor



## Technical Services Tips

### Looseleaf Treatises-To Buy or Not To Buy!

At the New Orleans AALL meeting in July, ORALL member Janis Johnston summed up the acquisitions dilemma of buying and supplementing looseleaf treatises. In her usual stand-up comic fashion she managed to enliven a usually tedious topic.

Her advice began with the idea that we all really do have legal and ethical decisions to make in book selection. Acquisitions is much broader than just choosing a new title. We must know and consider the library's mission and patrons needs. We must choose looseleaf treatises in light of the total collection.

She reviewed various methods of selection discussed by previous speakers.

1. Buy and supplement. This method keeps the practitioners happy, is costly, easier decision-making, less money available for other new materials, labor-intensive filing, gives credence to "currency" myth.
2. Write for order. Buy every few years--save money and filing, patrons not so happy!. Have to remember to reorder, processing cost/time, patron confidence may lessen.
3. Cancel forever! Some are necessary, our complaints will be over! but patron complaints increase.

Janis' advice is to consider all three options depending on the material. Some publications may need to be canceled, some perhaps do not need to be supplemented so frequently, and some you will have to keep up to date. She counsels to consider content and substance rather than form. If some information is best presented and most accurate in looseleaf form, go for it even if you are allergic to looseleaf pages. Librarians must be in control of our collections and not vendors who keep putting out new materials all the time.

This is a good program to get the audio tape for [*To Buy or Not To Buy, That is The Question: Looseleaf treatises and their upkeep*]. H-4 from Mobiltape]. See also an article by another ORALL member, Mike Whipple "*Selection of Treatises in Academic Law Libraries*" 78 *Law Library Journal* 20 [1986]. Mike's criteria is useful for all types of libraries, not just academic. If you don't get LLJ, contact a colleague.

AKS



### Criteria for Videotapes in Legal Curriculum

Some great guidelines for choosing and weeding video tapes were given at the July, AALL meeting program "*Audio & Video Cassettes - What to Buy, When to Buy: The Collection Development/Selection Issue*". Ellen Miller of Harvard offered the following criteria:

- Content is well-organized; goals stated early
- Holds viewer interest
- Good production values:
  - variety of camera angles; appropriate use of graphics;
  - realistic, well-lit set; professional actors [or effective non-professionals]
- Aimed at primary audience; secondary audiences possible:
  - practitioners; law students; client education; paralegals
- Host must be a good communicator, set appropriate tone
- Upbeat tone, humor
- Appropriate length - 20 to 45 minutes
- Accompanying print materials are virtually essential, provide:
  - Suggested uses and structure
  - Location of topics on tape
  - Identification of issues
  - Discussion points
  - Suggested exercises
- Diversity of participants - ethnic, gender racial
- Affordable cost

#### AND STAY AWAY FROM...

- CLE lecture/panel format - from all-day seminars
- Lengthy tapes for classroom use
- Substantive material. It's more versatile on audio tapes;
  - faster and better in text
- All white males!

Reprinted with permission

### Weeding tips for Legal Videos

Another speaker at the New Orleans AALL meeting, Lou Ellen Runyan of Holme, Roberts & Owen, offered these weeding tips for videos.

- have a formal policy
- consider the age or shelf time [when was tape last checked out or used]
- consider age and subject potential
- check condition of tape itself
- check tapes for style and format

Merle Slyhoff at the University of Pennsylvania Law Library prepared a bibliography of "*Audio & Video Cassettes - What to Buy, When to Buy: The Collection Development/Selection Issue*". She also wrote an article in Bowker's *Legal Publishing Preview* [May/June, 1989] on "*Legal Videos - How to Compile an Videography*" [for a copy of these contact Editor, Anita Shew]

## *ADR: Powerful Decisions Without Power Plays*

On the Spring ORALL program Robert W. Rack, Settlement Attorney, U. S. Court of Appeals, Sixth Circuit and Nancy Hardin Rogers of the Ohio State University School of Law faculty and ABA ADR section chairperson shared the podium in a lively examination of the impact and possibilities of **Alternate Dispute Resolution**. A radical departure from traditional court procedures, ADR is pushing settlement percentages skyward as discordant parties work out their own solutions by consensus through the skills of a mediator.

### *ADR Philosophy*

Rack explained the process which results from a basic philosophy and attitude. The mediator's role is to provide a non-threatening climate for examination of the issues by the parties who work out their own settlement in less time and with less trauma. Rack explained that the win-lose mentality has been the American Way. He portrayed today's attorney as the "hired gun" for the courtroom; just one step beyond "shooting it out in the streets." This has been acceptable because there is a clearly declared winner and an identified loser. However, it leaves relationships in shambles and may leave a great many people hurting.

### *ADR vs. Settlement*

That is no longer good enough! Court dockets lengthen, established conflict increases and the waits for "settlement" increase. Many consider arbitration as the "new thing" that will solve many of the above ills. As successful as it has become in promoting out-of-court settlements, thereby relieving overburdened dockets, it fails to provide the wholesome agreement between parties and maintain positive relationships. Arbitration carries court recommendation and it can be voluntarily requested, but the reality is that the adversary relationship is maintained and both sides are "swinging to the end": only to buy into a third-party decision that may give equitable judgment without solving issues.

### *Mediation*

More recently, but from the same early neutral evaluation, mediation is being recommended, and herein lies distinctive qualitative differences. Rack emphasized that the parties never give control of the decision to a third party. The mediator's role is to facilitate communication, keep discussion open, offer alternatives with the goal of consensus. Parties must talk and listen to each other. The tenor is non-adversarial; how to deal with conflict is the issue.

Rogers, added that if the mediator were to become adversarial, all would be lost. She pointed to the divorce arena and the amazement of social scientists at the success of mediation there.

She affirmed Rack's position by noting that "once energy is turned from direct opposition to the issue, the results are unbelievable!"

She said that if the court assigns a judge as a mediator he will not be allowed to judge. Rogers recommended that a mediator other than a judge be assigned. The judges'

particular skills are probably best used in the courtroom. Judging and mediating are totally different abilities.

Rogers referred to the mediation process as being in its infancy. Although the ABA involvement has quadrupled and calls have skyrocketed, it is not a required course in any law school or CLE program. As evidence of its marginal position, she noted that 44 % of the courses given are by adjunct faculty.

### *ADR Results*

On the other hand, she claimed, changes are phenomenal: 1500 statutes address the issue. In Ohio the Dispute Resolution Committee's bill passed with Justice Moyer's support. Approx. 95% of the attorneys involved in a mediating process support it. Only 6% claimed that more time was required; 60% claimed reduced time on the appeal. By the statistics that she sees, 40-45% of cases are resolved before court.

### *6th Circuit Program*

Rack exposes about 2,000 attorneys per year to the ADR process in his 6th Circuit model program and hopes to see an increase in suspended litigations. He pointed to the issue of confidentiality as an area to be defined. He acknowledged that in the attorney-client relationship the client had the upper hand. Mediators, however, should protect all parties from exposure and from other level of litigation. In his words, "Mediation as a court-operated mandate may deny public access: a kinder, gentler, but more secretive process."

Rack recognized the attorneys' fear that the process may cut into their fees, but he claims that a happy client is a good client.

Rogers posed a query as to whether a court would be taking over someone else's business when they take mediation "in house". Rack emphasized that where it took place or was paid was not the issue. The cost of litigation is a positive factor for mediation and ADR, and mediation in particular could protect the parties from a destructive process. Although Rogers objected, Rack further stated that the increasing percentage of women in the profession had encouraged mediation.

These two persons are dedicated to the philosophy of ADR and specifically mediation, because of the preservation of relationships and the improved climate for the societal responses i.e. a better product, a stronger business, etc. They perceive the legislators as having the key role, because it is a step that judges and attorneys may never take without a mandate, and since traditional controls would be absent, safeguards for fairness must be provided. The old style "settlement conference" described by Rack was resolved by armtwisting over costs or a sprinkling of "You'd Better." Rack and Rogers prefer that this be replaced by the "kinder, gentler" consensus reached by the parties under the skilled guidance of a mediator.

Submitted by Martha Cox, Stark County Law Library



## ORALL Publications

- > Core Legal Collection. 1984 edition.
- > A Handbook for the Ohio Regional Associations of Law Libraries - 1988 ed. fiche. Hein.
- > Legal Resource Bibliography & Guide 3d. 1990. Ohio Library Assn [614] 221-9057. \$5.
- > ORALL County Law Library Survey - 1988 edition. Jan Novak [216] 861-5070, send \$3 to Cleveland Law Library Association. 1990 edition Rosemarie Chrisant [216] 379-2804, send \$5 to Akron Law Library Association.
- > ORALL Membership Directory 1991-92 edition. Tom Hanley, Membership Chair [614] 445-8836.
- > ORALL Newsletter. Quarterly; from Editor, Anita K. Shew [513] 887-3456. Members-free; non-members \$10.
- > ORALL Union List of Serials \$57.50. [see March 1990 Newsletter for complete description] University of Louisville, Ekstrom Library, 2301 S. 3rd St., Louisville, Kentucky 40207.

### ORALL Private Law Library SIG

Yes I would like to be a member of the PLL/SIG. Please add my name to the mailing list of future announcements.

Name: \_\_\_\_\_  
 Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_

[Please clip & return to Lani Mikalas, Librarian, Roetzel & Andress, 75 E. Market St., Akron, Ohio 44308]

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]. [ISSN: 1048-2199]

The ORALL Newsletter is published four times per year: March, June, September and December.

For membership information contact Tom Hanley, University of Dayton Law Library, Dayton, Ohio 45469, (513) 229-2314.

Membership: 325  
 Dues: \$15 per year  
 Non-membership subscriptions: \$10 per year

The ORALL Newsletter is edited by Anita K. Shew, Butler County Law Library and printed by University of Akron School of Law Library for the Ohio Regional Association of Law Libraries. Unsolicited contributions are encouraged; contributions submitted for publication are subject to editorial review. For extra copies write to: Deborah Bobinets, University of Akron School of Law Library, Akron, Ohio 44325-2902.

For more information about commercial advertising rates contact: Anita K. Shew, Editor, Butler County Law Library, 141 Court Street, Hamilton, Ohio 45011-2892, (513) 887-3456, FAX (513) 887-3696.

### Advertising Rates

The following rates and sizes apply, per issue.

1/2 page - 2 formats:  
 7 1/2" wide x 4 1/2" high \$80.00/issue  
 3 1/4" wide x 9" high

1/4 page  
 3 1/4" wide x 4 1/2" high \$50.00/issue

1/8 page  
 3 1/4" wide x 1 7/8" high \$30.00/issue

Classified ad rates:

\$10.00 - minimum of 5 lines  
 \$ 2.50 - per line after the minimum

**Q** Do you want customized legal bibliographic newsletters, every month, on any topic(s), for less than the price of one typical newsletter?

**A** Are you kidding?

We're not kidding. An agreement with Information Access Company, publisher of the respected Legal Resource Index,<sup>™</sup> allows us to offer *From The Library*<sup>®</sup> – current legal bibliographic citation newsletters, updated monthly, custom-tailored to some *or all* of your firm's interests, for less than the price of one typical newsletter.

And unlike most newsletters, we encourage you to make copies for practice groups, individual attorneys, even clients.

Need hard copies of hard-to-find articles? Each topic you select comes with an order form for fast, copyright-fee paid article delivery. We kid you not.

Call us today for your subscription to *From The Library*.<sup>™</sup>

1-800-678-9393

**ONLINE**  
RESOURCES

1121 North Irving Street • Second Floor • Arlington, Va. 22201 • Tel: (703)358-9600 • Fax: (703)358-9604

### **ORALL NEWSLETTER**

**Return to:**

**University of Akron**

**School of Law Library**

**McDowell Law Center**

**Akron, Ohio 44325-2901**

OHIO  
SEP 11 1991  
6032379  
U.S. POSTAGE  
0.52