

ORALL NEWSLETTER

OHIO REGIONAL ASSOCIATION OF LAW LIBRARIES

JUNE 2002

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President's Column - Ellen Quinn

Recently I took a field trip to the ORALL Archives in Columbus where I met with Nancy Clark (Immediate Past President) and Claudia Zaher (Secretary) to review the archives. The archives are kept in a couple of four drawer file cabinets in the Technical Services department at the Ohio State University Law Library. My goal in encouraging this field trip was to learn more about the governance of ORALL, its purpose and history, and the responsibilities of its officers. I had many questions that I hoped would be answered by this review of the ORALL Archives. I also hoped that whatever we learned could then make the archives a more useful resource for our members who wanted to learn more about our organization. I believe that documenting information about the ORALL Archives is an important part of creating an institutional memory for our organization. It is also vital that we have an well organized and easily accessible source for information about past practices and decisions. All of this

is particularly important in a volunteer run organization such as ORALL, where there is no permanent staff to provide institutional memory and stability.

I believe that it is vitally important to the future health and survival of ORALL, that members and their employers know what is expected of them should they consider serving on the Executive Board. I also think it is important for the membership to know what they can reasonably expect Board members to be able to accomplish. The responsibilities of Board members should be challenging but within the possibility of most of our experienced members. If serving on the Board becomes an

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ORALL

Ohio Regional Association of Law Libraries

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Membership

Members: 303

Dues: \$15 per year

Non-member subscriptions: \$10 per year

Contact: Tom Hanley, Univ. of Dayton, Zimmerman Law Library, Dayton, OH 45469, or call 937-229-2444 or e-mail hanley@udayton.edu

Newsletter

The ORALL Newsletter is the official publication of the Ohio Regional Association of Law Libraries. Published quarterly in March, June, September, and December.

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Profile

ORALL is a 4-state chapter of the American Association of Law Libraries [Ohio, Indiana, Kentucky, Michigan]. It was formed in 1949 "to further the development and usefulness of law libraries and to stimulate a spirit of mutual helpfulness among law libraries of this region."

An annual conference is held in the Fall of each year. ORALL publishes or sponsors the following publications: *Core Legal Collection* [bibliographies for Ohio, Indiana, Kentucky, Michigan], ORALL Membership Directory, ORALL Newsletter, Ohio Legal Resources Annotated Bibliography & Guide 3rd.

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extraordinary burden, then it will become more and more difficult to find members with the time and motivation to serve.

So how does this all relate to our trip to the archives? Part of knowing where we are, and where we're going is knowing where we've been. Another part of this lesson is learning who we were and who we've become. Then there were the more mundane (but still important) tasks of discovering the condition of the archives, improving its organization if needed, interfiling loose papers, discovering if there was an index/finding aid, creating an index/finding aid if needed, and determining the best mechanism for keeping the archives current. I think that an in-person review of the ORALL archives is a valuable exercise for any potential, incoming or existing Board member or committee chair. While a trip to Columbus for this purpose is certainly not feasible for most members, I hope to create an index/finding aid for the archives and clearer procedures for Board members and committee chairs to submit their files to the archive.

According to the 2002 ORALL Handbook (p. 24), officers and committee chairs are required to submit certain items to the archives. What documents are actually in the archives? Are there gaps? Are there past officers and

committee chairs who need to be contacted in order to get their items submitted to the archives? On a practical level how does one submit documents to the archive? Who are these items sent to? How do they get to their proper location? What is their proper location (i.e. how are the archives organized)? Is there an index or finding aid for the archives listing its contents and/or general arrangement? Who is the ORALL Archivist?

At this point, I can only answer a couple of the above questions as understanding of the ORALL Archives is very much a work in progress. Claudia began a preliminary list of the folders in the archive which I hope to develop into a more detailed index. The ORALL Archives will be an important project of mine this year and I would like to appoint myself as Archivist next year when I am Immediate Past President. I hope to be able to answer the other questions listed above by the October 2003 Annual Meeting in Akron. Our April 30th trip to Columbus was a start.

News From the Committees

ORALL Annual Meeting Local Arrangements

HAVE YOU NOTICED OUR PLANNING AHEAD MESSAGES ON THE ORALL LISTSERV?

The ORALL 2002 Annual Meeting co-chairs Rosemarie Chrisant and Robbie Robertson along with the local arrangements committee, urge you to reserve October 16-18, 2002 on your fall schedule for a trip to Akron, Ohio. Our fall meeting will be held at Crowne Plaza's historic Quaker Square. The Opening Reception will take place at the National Inventors Hall of Fame. The University of Akron's Steel Drum Band will provide the entertainment for our Closing Banquet. We are here to help you invent yourself a good time in Akron. Look for more updates on the ORALL Listserv.

Scholarship Committee

The ORALL Scholarship Committee, Chaired by Cindy Spohr, has announced that the following members will receive \$500 grants in order that they may defray some of the expenses of attending the 2002 AALL Annual Meeting in Orlando, Florida:

Benjamin Hu, University of Dayton
Ken Kozlowski, University of Dayton
Akram Pari, Cincinnati Law Library
SaraJean Petite, Case Western Reserve

Nominating Committee

The ORALL Nominating Committee is pleased to announce the following slate of candidates for election to the 2002-2003 term:

Vice-President/President -Elect	Sandy Hyclak, Bricker & Eckler, LLP, Columbus, OH
Secretary	Miriam Murphy, Ruth Lilly Law Library, IU School of Law, Indianapolis, IN
Board Member	Marcus Hochstetler, Mahoning Law Library Association, Youngstown, OH

Barring any further nominations by petition (Bylaw XI, Section 1, Paragraph C), these candidates will be voted into office at the Annual Meeting in Akron, OH, October 16-18, 2002.

Richard Humphrey, Nominating Committee Chair, would like to thank the other members of the committee: Jody Beal, Nancy Clark, Anita Shew, and Mike Whiteman, for their assistance, suggestions, and counsel.

The Challenge of Change

ORALL - Akron, Ohio
October 16-18, 2002

(A note from Vice-President Beth Langton)

The Education Committee has been working on an exciting program for the ORALL 2002 Annual Meeting in Akron, Ohio. The theme will be *The Challenge of Change*. Change occurs frequently whether or not we expect it, prepare for it or plan for it. Change is expected to improve some aspects of our lives and most often it does, but going through change sometimes makes us feel overwhelmed and, dare we say it, S-T-R-E-S-S-E-D. How can we keep calm and flexible in a world of constant change, and still maintain a professional and courteous attitude about our jobs and towards other people we encounter every day?

We've got some dynamic speakers lined up for the program, including Sandra Yancey of the Yancey Consulting Group. Some of you may have attended programs presented by Sandra in the past, as she has presented at AALL, conducted workshops and done in-house programs at law firms and other organizations across the country. Sandra and our other speakers will present programs on professional etiquette, job transitions, people smarts, dealing with change, and financial and retirement planning, to name a few.

We are looking forward to seeing all of you in Akron!

P.S. The Local Arrangements is busy, busy, busy preparing for your arrival. All I can say is bring your appetite!

Spring Retreat Review

Submitted By:

Marcus Hochstetler, Librarian, Mahoning County Law Library Association

March 1, 2002

Salt Fork Resort

How Do We Serve Public and Private Patrons?

Program #1:

Legal Reference Services for Public Librarians: Training tips and cooperative efforts with County Law Libraries

Jan Novak, Cleveland Law Library Association, began by detailing some history of CLEVENET, a public library network, and how the Cleveland Law Library became a part of that network. The law library has been a member of CLEVENET for 17 years and has utilized the benefits of this membership over the years. The law library gets its automation and cataloging services through CLEVENET and in turn has helped the public library system with legal related reference questions. CLEVENET developed in the past year, a first of its kind, online interactive 24/7- reference service called **KnowItNow24x7** (information about this service: <http://www.virtualreference.net/virtual/>) Jan highlighted how this new service utilizes an exciting technology from LSSI, Library Systems and Services, LLC., that allows the librarian to have a live reference chat session with the patron via the internet. It allows the Librarian to place a pointer on the screen to show the patron the area of information being recommended.

This cutting edge technology makes for quicker response time in answering basic legal reference questions. Common questions arise in dealing with the public patron, and Jan explained how they at the law library have devised FAQ's on their website, <http://www.clelaw.lib.oh.us/>, to deal with common legal questions such as the "Transfer of Death Deed" form. This type of reference service requires one to be quick on the feet and yet be cautious about dispensing legal advice.

Jan pointed out the most critical aspect of the reference interview was to clarify that she was not giving legal advice and the patron should seek out an attorney for interpretation of the legal information located. In addition, the attorney would be able to apply that legal information to the individual's legal facts and situation.

The goal of legal reference service in the public and law library settings is to find someone who has already done the research. Jan pointed to certain websites such as Cornell's LLII, <http://www.law.cornell.edu/>, which provides the ability to search by subject and to see current cases on a given topic. The OSBA website, www.ohioabar.org/public, has three areas which help the public find legal information. The Ohio Legislative Service Commission, <http://www.lsc.state.oh.us/membersonly/index.html>, offers great summaries of particular legislation for public consumption. The ABA website, www.abanet.org/pubresource/home.html, also has a public information section to their website. These are just some of the websites that Jan points out to public reference librarians as readily accessible and useful when working with a public patron.

Jan encouraged all librarians present at the Retreat to really seek out the cutting edge technology to keep reinventing our services and ourselves. This will insure that we develop professionally and are able to be responsive the needs of our patrons, be they public or private. Jan has made the handout available at : <http://www.clelaw.lib.oh.us/olcoutline.htm>

This presentation entitled "Public Library Legal Reference in the Internet Era" will be presented at 6 regional conferences for the Ohio Library Council in March and April. Those who will present this topic include Jan Novak, Cleveland; Don Arndt, University of Toledo; and Keith Blough, Columbus. For information go to: www.olc.org/chap_conf.html.

Program #2

Law Librarians and the Unauthorized Practice of Law

For those law librarians who deal with the public in any form, the concern that one could go too far in a legal reference interaction and begin to "practice law" rests heavily upon their mind. To help clarify this issue for those present at the retreat, Attorney Mike Apicella, spoke about how the Ohio State Bar Association Committee on the Unauthorized Practice of Law (UPL), of which he is the chair, handles complaints on a statewide basis.

The bulk of Mr. Apicella's presentation detailed the focus of the committee on GovBar Rule 7 and its application. This rule spells out what is defined as the "unauthorized practice of law" in Ohio. He explained that for the most part, the people who are guilty of breaking this rule are trying to take advantage of the guileless and vulnerable of society. Out of state violators are common, as corporations try to offer legal services such as "estate

planning” for the elderly, without having a license to practice law in the state of Ohio. The complaints are lodged with the committee in various forms, via e-mail, letters, phone calls, or word of mouth. Every county bar association in Ohio has a UPL committee which deals with cases on a local basis.

Mr. Apicella outlined the steps taken to address complaints of UPL in Ohio. These steps include the following:

1. Alleged UPL activity
2. After investigation, UPL committee or Disciplinary Counsel determines allegations unfounded or probable cause for UPL. [Gov.Bar R VII(4)(5)]
3. If UPL probable, UPL committee or Disciplinary Counsel prepares complaint in conformity with Gov.Bar R. VII(5)
4. UPL committee or Disciplinary Counsel files eight copies of complaint with secretary of the Board of Commissioners on Grievances and Discipline, Supreme Court of Ohio, (hereafter “Board”), who sends copy of complaint and notice of right to file answer [Gov.Bar R. VII(6)]
5. After answer or time expires, Board holds formal hearing [Gov.Bar R. VII(7)(A).]
 - Or** – Parties submit stipulation of facts and waiver of notice and hearing [Gov.Bar R. VII(7)(C).]
 - Or** –Relator moves for default. [Gov.Bar R. VII(7)(B).]
6. Board finds failure of UPL proof, dismisses complaint or refers matter back to UPL committee or Disciplinary Counsel for further investigation [Gov.Bar R. VII(8)(A).]
7. **If step six above does not occur**, the Board finds UPL by preponderance of evidence, final report served on all parties and filed in Ohio Supreme Court. [Gov.Bar R. (8)(B).]
8. Supreme Court issues show cause order. [Gov.Bar R. VII(19)(A).]
9. File response to show cause order with Supreme Court Clerk, with objections and brief, and proof of service. [Gov.Bar R. VII(19)(B)]
10. File answer brief and proof of service. [Gov.Bar R. VII(19)(C).]
11. Oral argument on objections, if filed. [Gov.Bar R. VII(19)(D).]

12. Supreme Court issues order it deems proper, including order prohibiting continued conduct constituting UPL and for costs and expenses. [Gov.Bar R. VII(19)(D).]
13. Requests for Reconsideration due within ten days after announcement of Supreme Court's decision. [S.Ct.Prac. R. XI(A)(4).]

The UPL Committee is currently seeking to put more teeth in the penalties for UPL by updating GovBar Rule VII to include a \$10,000.00 fine and other penalties. You can find a copy of that proposed rule at

<ftp://ftp.sconet.state.oh.us/RuleAmendments/2001/121615-r.doc>

Whether or not the person charged money for the legal advice is not a determining factor in prosecution of these cases. However, the advertisement of services, which should only be provided by an attorney, is taken very seriously. Mr. Apicella emphasized that the UPL committee views its mission to protect the public from unscrupulous individuals. One may attain recent statistics on UPL committee activity by calling Susan Christoff at (614) 644-9326.

Mr. Apicella then opened the time up for questions and answers from those in attendance. He was aided in his presentation by his partner and spouse, Mrs. Mary Jane Trapp, current president, Ohio State Bar Association. Mrs. Trapp assured the librarians present that: "law librarians are not even on our radar screen." This drew a sigh of relief from the audience. She pointed out that people have a right to legal information and also to help in finding that information. She commended law librarians for the service that they do provide to public patrons.

NOTE: A recent article in the Law Library Journal by Paul Healey gives a brief annotated bibliography on the UPL topic as it relates to reference work, 94 LLJ 133.

Article

Confessions of an Interviewer

Submitted By: Leslie A. Pardo, Circulation & Faculty Services Librarian,
Cleveland-Marshall College of Law Library, Cleveland-Marshall Law School

"Where do you see yourself five years from now?" "What are your strengths?" "Why do you want this job?" Who among us has not been asked these questions during the course of an interview? Many of us have asked these questions to those we have interviewed. Do the answers to typical interview questions really tell us what we need to know about a person? Sometimes, but it is the answers that stray from the typical that catch my attention. Over my library career I have asked the above mentioned questions many times and have sometimes received some surprising answers, some effective and some better left unsaid.

My favorite all time answer to the question, "What do you like least about your current position," was "changing pull-up toddler diapers." I told the candidate that this was not something that would be required of her at the law library. I hired her and she hasn't changed a diaper since. Another favorite answer was to the question, "What is a weakness that you possess?" The interviewee answered back quickly "Cheez-Its." A candidate that was selected for a position had a jaw dropping answer to the question, "What do you see as a major accomplishment in a position that you have held?" She said, "saving someone's life." She was a lifeguard.

I have also had answers from candidates that have made me want to run out of the room. My supervisor and I were interviewing someone and asked her what kind of qualities she liked in a supervisor. After some initial banter, she went on to tell us that her last supervisor was an expletive that before that moment I had not heard spoken during an interview. I knew and had worked with her last supervisor. She was a little difficult to take at times but the answer given is generally not the wisest response to give to someone who could be your future supervisor. I finished the interview quickly. And then there was the man who was asked the same question and responded back to us that he likes women supervisors. Knowing I was treading on thin ice, I crossed my legs and leaned forward and asked him why he likes women supervisors. He became nervous and said he just liked women better than men. I have had a candidate come to an interview in a sweat suit and declare that he was the man for the job and wanted to know when he should start. I had another candidate that pulling teeth would have proved an easier accomplishment than to get her to answer a question. It was not the typical pause and sputter out an answer. She would not say

anything. And I have had others tell me so much about themselves that I could write their biographies.

We have all listened to and watched people give remarkable answers, run of the mill answers, wax eloquently, squirm, struggle for words, fall silent, and talk incessantly but what it all comes down to is how will this person fit into our library. What skills and abilities make someone the "one?" Experience has taught me to look for a personality, someone that will not only meet the needs of the position but who will also fit in with the rest of the staff and have a genuine desire to serve our patrons. My mantra is giving me someone with good people skills and I can teach them the rest. It has worked so far. Wouldn't we all rather have someone we are pleased to see helping our patrons than someone who is a master at word processing or can shelve a cart of books in record setting time? I have been fortunate enough to have the whole package but, more often than not, I need to select from a candidate pool that lends itself to compromise. Give me a person that I am happy to see everyday when I come to work and I'll show you happy patrons. And that serves our objective well.

**Ohio Regional Association of Law Libraries
Executive Board Meeting
Salt Fork State Park, Ohio
March 2, 2002**

Present: Ellen Quinn – President, Beth Langton – Vice-President/President-Elect, Claudia Zaher – Secretary, Tom Hanley – Treasurer, Nancy Clark – Immediate Past-President.

1. Ellen called the meeting to order at 9:02 a.m.
2. The minutes of the Board meetings of 10/3/01 and 10/5/01 were approved.
3. The Treasurer's report was accepted. The Board approved moving \$4000.00 from the checking account into a CD.
4. President's Announcements:
 - a. Marcus Hochstetler, president of the County Law Libraries SIG, told her that they will apply for a LSAT mini-grant to study the start-up of a county library network.
 - b. The 2003 annual meeting will be held at the University of Notre Dame on October 22-24. Ellen will talk to Roger Jacobs about a Local Arrangements committee.
 - c. The AALL "Bootcamp for Teachers of Electronic Research" will be held in Cincinnati April 18-19, 2002. This was coordinated by Mary Lynn Wagner and will be held at Taft, Stettinius and Hollister.
5. Old Business:
 - a. We must analyze the responses to the Needs Assessment Survey. Ellen will appoint a special committee to summarize the findings, and ask them to have a report by the October meeting. (Nancy and Ellen expressed interest in serving on the committee).

- b. According to Bylaw VIII, Section 4, the Executive Board is required to meet once a year at the Annual Meeting, but the practice has been to meet three times. The Board used to hold meetings when ORALL had two full meetings a year. The Board has also often met at the AALL meeting. When the second full ORALL meeting was discontinued, the Board continued to meet a third time, in recent years at the Spring Retreat. The Board agreed to explore options for their meetings, including the possibilities of teleconferencing, video conferencing, and in-person meetings at a location convenient to the members comprising the Board. There was consensus that at least two in-person meetings are necessary, and a third meeting is desirable.
 - c. Nancy sent an email to the ORALL listserv to poll the members on their preferences for the joint Mich/ALL-ORALL luncheon in Orlando. Last year, the luncheon was only \$15 because it was heavily subsidized by Mich/ALL to celebrate their 25th anniversary. This year the cheapest buffet is \$34 per person and ORALL traditionally pays the tax and service charges. Nancy will check into the less expensive Standard Box Lunch option, which is available for any number of people. There was consensus in favor of continuing the tradition of having a joint luncheon.
 - d. Thanks to the work of Mary Persyn and the By-laws Committee, the 2002 ORALL Handbook was mailed out to all members recently. Ellen will get the file from Mary, and put the Handbook on the web site, with password protection. Due to the high cost of printing and mailing the Handbook, future changes will be made on the web version, with only a few paper copies for archival purposes.
 - e. The new Kentucky SIG will hold its first meeting on March 22 in Lexington. It will be a luncheon, with Susan Clary, Clerk of the KY Supreme Court, as speaker. The SIG hopes to recruit additional Kentucky law librarians to ORALL.
 - f. Ellen is especially focused on improving the organization's institutional memory, and she would like to set up a training outline for new officers. ORALL's archives are housed at Ohio State's law library. Since the librarians who originally set up the archives are no longer with the organization, the Board needs to assess what is actually there, how the archives are organized, and if they should be moved. Ohio State does not mind keeping them. All Board members are required to submit their reports to the archives, but no one is sure how this is to be done. Ellen, Nancy and Claudia will form a special committee to determine the state of the archives and distribute an index of the contents to the Board, if an index exists, and determine how to keep the archives current.
6. New Business:
- a. There was some discussion about continuing the Spring Retreat. The Executive Board needs to meet, and the SIGs and committees frequently have business that requires them to meet. The Spring Retreat consolidates and simplifies arrangements for those meetings, but it has grown to include programming, and the timing and location is not always ideal for all the various groups. The Board decided not to hold a Spring Retreat in 2003, and Ellen will remind each SIG that they have a budget allocated to them for their meetings.
 - b. Ellen reported that the By-laws committee (Ellen, Claudia and Laura Ray) had met on Friday and determined that some revisions are needed to eliminate inconsistencies and redundancies. The committee will have a more complete report at the October 2002 Annual Meeting.

- c. Since the By-laws require the President and Vice-President/President-Elect to represent ORALL at the AALL annual meeting, Claudia proposed that ORALL subsidize their travel expenses. It is hoped that easing this burden would enable more members to run for chapter office. Claudia moved (Nancy second) that the Board allocate up to \$750 each for the President and Vice-President to attend the required meetings at AALL. All expenses must be approved in advance by the Board and then submitted to the Treasurer for reimbursement. Tom called for a roll call vote, and the motion passed with 3 yeas (Tom, Nancy, Claudia) and 2 abstentions (Ellen, Beth). This Standing Resolution was adopted 3/2/02 to be effective immediately, and will be noted in the Handbook. Ellen will inform the Nominations committee, now chaired by Richard Humphrey.
 - d. Ellen proposed setting budgets for the three active SIGs (County, Private, Kentucky), pursuant to By-law XIII. To the best of her knowledge (and those present) this has not been done in the past, regardless of Bylaw XIII Section 4. She moved (Tom, second) that the Standing Resolution, adopted May 4, 1994, be amended to increase the budgeted amount from \$500 to \$1000, and that the wording be changed to require the SIGs to submit estimated, not itemized, expenses for the Board's approval. The motion passed unanimously, effective immediately, and the amended Standing Resolution will be noted in the Handbook. Beth has a copy of the Request for Reimbursement Form that she will distribute to the Board.
 - e. Ellen moved (Tom, second) to give members the option to receive the ORALL Newsletter in electronic form only. There will be an "opt out" choice on the ORALL Dues Notice. Members may choose to stop receiving the paper ORALL newsletter and save a few trees. All members will continue to receive the ORALL Newsletter in paper unless they make the "opt out" choice on the next Dues Notice. Members will be notified via the ORALL listserv when each new issue is available on the web site. Printing and mailing each issue of the ORALL Newsletter costs about \$1000. The motion passed unanimously.
7. Wrap-up discussion:
- a. In response to Beth's question, we don't yet know who will represent AALL at our October meeting.
 - b. Beth reported on the Akron meeting, October 16-18, 2002. The programs will focus on employment issues, including supervising, motivation, and personnel issues. The Opening Reception will be held at the National Inventors Hall of Fame, which the committee was able to secure at a very favorable rate.
 - c. Ellen said that the packet of information (the Biennial County Law Library Report for 2000 and a Government Relations Committee report) given by Billie Grey to each Board member, is informational and does not require Board action.
8. The meeting was adjourned at 11:55 a.m.

Respectfully submitted,

Claudia Zaher



Important Dates

- July 20-24, 2002 / **AALL Annual Meeting**, Orlando, FL
 - October 16-18, 2002 / **ORALL Annual Meeting**, Akron, OH
 - July 12-16, 2003 / **AALL Annual Meeting**, Seattle, WA
 - October 22-24, 2003 / **ORALL Annual Meeting**, Notre Dame
 - **ORALL Newsletter deadlines:** February 15, May 15, August 15, November 15
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Membership News...

Ellen Quinn, current ORALL President, has taken her talents to the private sector by leaving Cleveland-Marshall College of Law and moving to the Cleveland law firm of Calfee, Halter & Griswold LLP. Her new e-mail is **EQuinn@calfee.com**.

Note from the Editor...

I encourage anyone and everyone to submit something for publication within this newsletter. I will publish just about anything. This helps me fill space and you get your name in print and start building a resume filled with interesting items. I especially would like some "ORALLien" perspective on the 2002 AALL Annual Meeting in Orlando. Write about the programs, food, sightseeing or the weather. Just write! Submit any items to me at kozlowsk@udayton.edu around the deadlines listed above. Thanks in advance.

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