

# ORALL NEWSLETTER

OHIO REGIONAL ASSOCIATION OF LAW LIBRARIES

SEPTEMBER, 2018

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## *President's Column – Ingrid Mattson*

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### ***Past, Present, and Future***

Over the summer, Kristen Hallows (at [Bricker & Eckler](#)) and I visited the [Ohio Supreme Court Law Library](#), home of the ORALL Archives. The archives are comprised of two sections: filed content in four drawers of file cabinets and loose papers that are semi-organized by year and type. Thanks to [Jane Underwood](#), we know a number of members who have worked with the files over the years, and it's a remarkable, if not-yet-perfectly-organized collection. Peggy Miller started work on the archives; when Peggy retired, an archivist stepped in to report on the collection's contents; and Jane worked on the collection while she worked on her master's at Kent State in the mid-2000s. At that time, the collection was housed at Moritz College of Law at The Ohio State University. The collection moved to the Supreme Court Law Library later in the 2000s where Diana Mercer worked with it.



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# ORALL

## Ohio Regional Association of Law Libraries

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### Membership

Members: 285

Dues: \$20 per year

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### Newsletter

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### *Profile*

ORALL is a 3-state chapter of the American Association of Law Libraries [Ohio, Indiana, Kentucky]. 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 each fall. 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.

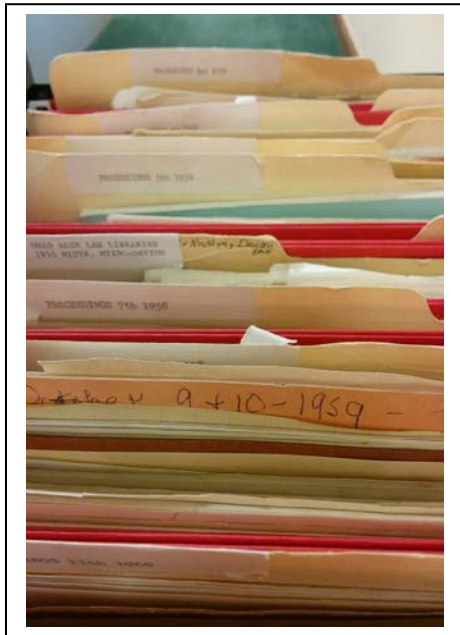
Unsolicited contributions are encouraged; contributions submitted for publication are subject to editorial review. For extra copies, contact the editor.

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## President's Column *continued*

Material has been added periodically. One piece of the archive has been digitized ([the newsletters](#)), but in large part, the collection is print (and fabric if you include the vintage ORALL banner that shows the ORALL member states as Michigan, Ohio, Indiana, and Kentucky).



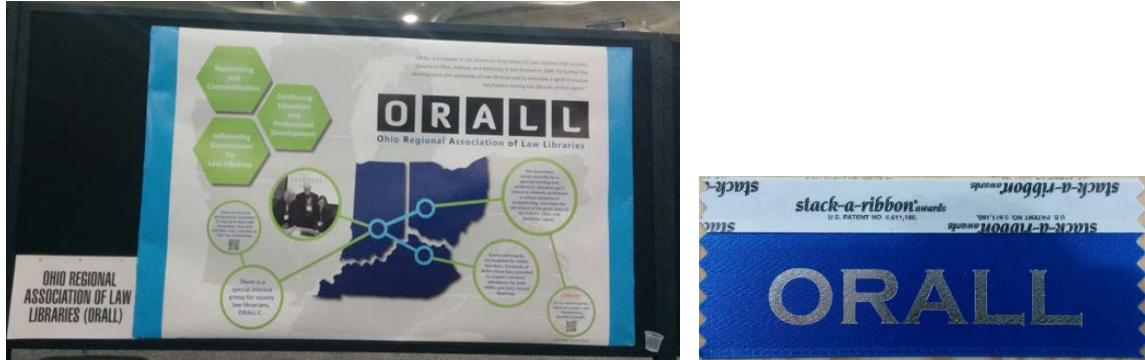
The collection is an incredible representation of the years of work ORALL members have put into this chapter. Correspondence between committee chairs and the ORALL executive board and between AALL and ORALL represent just a small piece of our history. It was lovely to come across letters of recognition to ORALL from other organizations like AAALL to commend our members for their achievements and contributions to the profession. (Speaking of which, what a great [profile of Sally Holterhoff](#) in *AALL Spectrum*!) We also have financial records for decades, proceedings from annual meetings dating back to 1950, and lots of material from the Law Library Taskforce Survey from 2005.

Still, I keep coming back to the correspondence.

There's a binder of presidential correspondence from 1979-80, and the typed letters are fascinating---because of their content but also because of their format. I wish I could say I've been archiving all of the emails I've sent in my capacity as ORALL President. Perhaps I should. Perhaps I should email them in a batch (somewhere? to the [ORALLArchives@ORALLArchives.com](mailto:ORALLArchives@ORALLArchives.com)?---not a real address, of course). Or save them to a thumb drive and drop it in a box at the Supreme Court Law Library. I'm not quite sure.

We had an archives committee a few years ago, and perhaps it's time to revisit our archives and how we're collecting today's materials for ORALL members in 2050. If you have an interest in this issue, please let me know.

In more present-day news, this summer, many ORALLians gathered in Baltimore for AALL. We dined at the Rusty Scupper, and several people represented ORALL in the Exhibit Hall and donned affiliation ribbons on their nametags.



ORALL members who presented include Ben Keele, Carol Ottolenghi, Dwight King, Emily Janoski-Haehlen, Ken Hirsh, Laura Ray, Matthew Donahue, Sara Sampson, Shannon Kemen, and Susan DeMaine among others.

Speaking of AALL, don't forget to vote in this year's AALL Executive Board election, which will be open October 1-31, 2018. Candidates include two ORALL members: Angela Baldree and Emily Janoski-Haehlen.

Finally, I hope you'll join us in Cincinnati for the [2018 Annual Meeting, October 17-19](#). The programming is nearly final, and it includes incredible sessions on AI, algorithms, and their relationship to the duty of technology competence; gamification; mental health in the legal community; training the trainer; and dealing with misinformation at the reference desk, among others.

Thank you for your time and for the opportunity to serve as your chapter president this past year.

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### ***Marketing Your Law Library with QR Codes***

by Kathleen M. Dugan, Cleveland Law Library



Have you seen barcodes like these cropping up everywhere lately? They are called QR codes, and they are becoming ubiquitous on food and beverage containers, cleaning supplies, parking tickets, and many other objects you use or

purchase every day. Businesses are increasingly incorporating QR codes into their advertising materials so that consumers can simply click for more information online. Lawyers and law firms have also begun to add QR codes to their letterheads, business cards and emails as a way to link clients and potential clients to firm web sites, lawyer profiles, law firm rankings, client lists, law firm news, and even free articles and ebooks.

Since the legal industry is adopting QR codes for marketing purposes, we decided to incorporate QR codes into many of our Law Library's branded marketing materials. As explained further below, we learned that QR codes are a free and easy way to promote our collections, databases, services, and programs to both existing and potential new patrons. As cutting-edge new marketing tools, our QR codes provide interactive links to our web site, catalog, eBook collections, Subject Guides, and presentations. While QR codes can convey to patrons of all generations that your law library and its librarians embrace emerging technologies, they particularly appeal to millennials and those in the newer Gen Z generation who were born as digital natives.

Without getting too technical, QR codes, or Quick Response codes, are two-dimensional barcodes that contain encoded or pixelated information. QR codes are like hyperlinks--clicking on a QR code takes a user to a web page on the Internet. QR codes can be scanned or read by using an APP on a cell phone called a QR code reader. Some SmartPhones come equipped with pre-installed QR readers, but if you need to download one for your phone, our Law Library recommends Lightening QRcode Scanner, which is free from Application4u, or QR & Barcode Scanner, which is free from TeaCapps. However, there are many other free readers available from the App Store and the Google Play store.

It is surprisingly easy to create QR codes. All it takes is a few clicks on the Internet. Our Law Library uses a free web utility called QR Code Generator (<https://www.the-qrcode-generator.com/>). This product generates a picture file (e.g., .png) just like a photo you take on a camera or view on Google Images. We then download that file to our computer network and save it for adding to marketing materials later. While we have had great success using this product, there are many other free QR code creators available on the Internet. Some even allow customizing QR codes with colors, logos and shapes.

Part of the process of creating an individual QR code includes choosing a web page that will launch when a patron scans that code on a phone. Although the 'sky is the limit' in terms of web content to which you can link, here are some suggestions:

- Web site front page or another landing page
- List of services
- Programs and events (e.g., CLE programs Clinics)
- Descriptions of online collections, databases

- LibGuides, Tutorials, etc.
- Exclusive blog posts
- Catalog
- News releases
- Podcasts, webinars, presentations, videos, YouTube channel, SlideShare slides
- Staff CVs
- Contact information

Once your law library chooses a QR creator and generates its own QR codes, you can strategically integrate them into your print and online media as we have done. At a minimum, QR codes are an impressive visual tool for invigorating your law library's letterhead, and you may even want to add them to staff business cards. In addition to incorporating QR codes into your traditional print flyers and brochures, you may want to use QR codes as visual tools on the range guides of your stacks. QR codes can also be easily embedded into emails, electronic newsletters, and web pages.

Our Law Library has incorporated QR codes in a lot of different places. A couple of years ago, we started by creating Subject Guides to all of our print and online collections and generating QR codes for each subject. We then added all of our subject matter QR codes to range guides on the ends of stacks where those subjects are located in our Main Reading Room. We also added all of these QR codes to a web page devoted to the Subject Guides:

<http://clevelandlawlibrary.org/Public/Misc/Subjects.html> The four barcodes at the top of this article link to Subject Guides for our Appellate Law, Consumer Law, Labor & Employment Law, and Real Property Law collections.

Since then, we have added QR codes to our self-published letterhead, business cards, and bookmarks that list member services, identify our remote databases, describe our Lexis Digital Library ebook collection, list our social media outlets, and provide the URL for our online catalog. I also use QR codes in my presentations so that I do not have to make copies for attendees who can simply view my content online. In the very near future, I plan to add QR codes to our emails, newsletters, and CLE announcements.

As examples from a few of our colleagues around the country, Cornell's Law Library uses QR codes to link print items to their electronic equivalents. The law library at the University of Wisconsin School of Law uses QR codes to provide links to subject guides and online resources. Finally, Florida A&M University Law Library uses QR codes to link to information about its circulation and reference policies and as range guides in its stacks.

If your law library is considering using QR codes to enhance your marketing efforts, there are two tips I can offer. First, make sure to leave at least a little white space around each QR code to make scanning them a little easier. More



importantly, make sure to remember to link to content that is optimized for reading on mobile devices. Just like a consumer who is unsuccessful scanning a product code for more information at the grocery store, legal research consumers are seeking instant gratification for their scanning efforts. They will become impatient if content takes too long to load or cannot be viewed easily on hand-held devices.

Have fun, and good luck creating your own QR codes!

\* \* \*

### ***ORALL Election Results***

by Lisa Britt Wernke

Our Executive Board election concluded on Friday, August 17, 2018. Congratulations to the following members who have been elected to the Executive Board. The VP/President Elect serves for one year and then transitions to the President position. Both the Secretary and the Member at Large positions are two year terms that begin on October 19, 2018, at the conclusion of our Annual Meeting in Cincinnati.

V.P./President Elect: Beau Steenken, University of Kentucky

Secretary: Shara Parkomaki, Ashtabula County

Member at Large: Shannon Kemen, University of Cincinnati

Respectfully submitted,  
Lisa Britt Wernke  
Secretary, Ohio Regional Association of Law Libraries

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### ***Being the Change: The Power of Process - The 2018 PLLIP-SIS Summit***

by Jaime Klausner, Baker Hostetler

This year's PLLIP-SIS Summit, [Being the Change: The Power of Process](#), focused on the different aspects and stages of legal project management and process involvement.

One of the earlier morning speakers was Shaunna Mireau, author and Six Sigma Black Belt and Vice President of the Canadian Association of Law Libraries.

Shaunna presented on *Lean Law Libraries*. She outlined the six sigma improvement strategy approach for identifying wastes (such as non-utilized talent) and eliminating defects in striving to better our current processes. There are two general tools for getting to the root cause of a problem. The first method revolves around questioning. Initially Shaunna recommends we ask “why?” five times in evaluating an established process. This repetition can help push past answers like “I’ve always done it that way” or “because I don’t mind doing it this way” in order to identify the core issue. Next she implores us to ask “what if?” when generating, selecting, and improving solutions. Shaunna refers to the second method as the “6M’s”. This method asks us to think about how our problems relate to each of the six identified M words: machines, methods, materials, measurements, Mother Nature (environment), and manpower (people). Attendees took some time to brainstorm on issues we frequently experience, such as skipping the reference interview and overestimating the research ask. As a group we collectively discovered many of the problems we identified fell under “method.” Shaunna suggested creating a project charter to develop a high-level picture of the process targeted for improvement. The project charter should include who is affected, why, and what is to be achieved.

The next event on the agenda, *From Start to Finish: Getting Your Project Management Game On*, was a lively panel session featuring Katherine Lowry (BakerHostetler), Megan Von Behren (Fried, Frank, Harris, Shriver & Jacobson, LLP) and Sandra Dunbar (Heyl, Royster, Voelker & Allen P.C.) Types of project methodologies were discussed, as well as team member roles and tasks. The importance of establishing a roadmap with clear goals and objectives, as well as a budget and project scope, were stressed.

There were two concurrent breakout sessions in the afternoon. I attended *Legal Project Management: Enhancing Delivery of Legal Services*, presented by Leslie Brown (Hogan Lovells). Legal project management (LPM) is a proactive, disciplined approach to managing legal work that involves the use of effective communication to set and meet objectives and expectations, the application of special knowledge and techniques to achieve project goals, and defining, planning, budgeting, executing, and evaluating a legal matter. LPM is not simply a tool, nor is it just about lowering costs. It is not even just about the “commoditization” of work. LPM benefits include staying competitive and having enhanced efficiency. Without LPM, firms can face profit leak. When it comes to LPM it is important to remember a project plan is not useful if you do not share it with anyone, so communication is key. There are a variety of market tools available to help with LPM, but Leslie recommends using Smart Sheet, a web-based planning tool. Some other suggestions include MS Project, Workfront, Elevate Cael, LawBase, MyCase, Clio, and Prosperoware Umbria. Careful though, Leslie was sure to caution against using LPM tools that take a lot of time to utilize or implement. She recommends only using tools that help streamline the process. Once created, it is important to note that your LPM plan is not written in stone, it is a “living document” that should force conversation.



While I learned so much about process improvement from all the speakers and panelists, it was the enthusiastic keynote address by Catherine MacDonagh, author and founder of the Legal Lean Sigma Institute and Legal WorkOut, that really generated excitement. Not only did Catherine set the stage for all of those wonderful sessions, she also shared so much thoughtful knowledge that kept the audience inspired throughout. Her eloquent words, analogies, and phrases provided some great quotes that will stick with me for some time. I would like to wrap up my Summit summation by sharing some of those quotes here.

- *“Efficiency is not about doing more with less, it is about doing the right thing the first time, every time.”* Catherine explained this is the core reason why we need process improvement.
- *“Lawyers are not change adverse; they are risk adverse”* In her experience, lawyers do not hate change- they hate risk. The key in helping others embrace change is in showing how the risk, in fact, lies in remaining stagnant.
- *“Gentle persuasion, relentlessly applied.”* I loved this quote about Catherine’s approach to getting attorneys to see the risk in avoiding change!
- *“Your actions affect others, sometimes for years.”* Catherine shared that in an exit interview she was once told her energy had a positive effect on others. She was struck by how much she would have appreciated that feedback ahead of time. As a result of that experience she adopted this mantra and the life-long recognition that although it may not be the most glamorous position, what you’re doing is important
- *“You can’t fix a broken engine while driving- pull over!”* and *“Where there is pressure, there is significant opportunity.”* Both these quotes stem from Catherine’s thoughts on how feedback can have an effect on your own self-evaluation, and thus, self-reinvention.
- The proverbial *“bloom where you are planted.”* Her thoughts on this age-old platitude: If we are going to be change agents, to drive real change and make continuous improvements in our institutions, we have to remember that attitude is a choice.

The PLLIP-SIS Summit and the many other educational programs at the 2018 AALL Conference have inspired numerous project ideas, as well as novel approaches to projects old and new, with a fresh appreciation for process and efficiency. Thank you ORALL Grant Committee for this opportunity!

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## ***The New Quiet Room in the Cleveland-Marshall College of Law Library***

**by Amy Burchfield, Cleveland-Marshall College of Law Library**

With mental health becoming more of a concern in the legal profession, law firms, law schools, and individuals are taking pro-active steps to address the issue. This fall at the Cleveland-Marshall College of Law Library, we opted to create a Quiet Room located within the library Learning Commons to provide students, faculty, and staff with a space for meditation, yoga, and quiet reflection.

For the location of the Quiet Room, we chose to convert a fairly spacious room that had been previously underutilized. The space had housed our historical Sam Sheppard Collection, which we were able to comfortably accommodate elsewhere in the library. This freed up for the Quiet Room a piece of prime real estate right in the middle of our state-of-the-art Learning Commons, a destination place in the law school for law students for studying, collaboration, and presentations.

We realized that the location within the Learning Commons would have some advantages and disadvantages, with hopefully the pros outweighing the cons. The advantages of the space include the fact that the room is quite large, and is completely enclosed within the Learning Commons. Its location also meant that the Quiet Room could only be accessed by College of Law students, faculty, and staff. We viewed this as an advantage, since we did not want to police the space within the larger university. On the down side, we are clear on the fact that the room will not be a completely quiet space. While the Learning Commons is generally quiet, there can be traffic, especially when popular presentations are held there. Additionally, two vending machines are located not far from the door to the Quiet Room. Despite potential concerns about noise, we thought the location was the best room we had to offer for the project.

When planning for the space, we wanted to avoid strictly dictating how the room would be used. For this reason, we chose minimal furnishings which left plenty of open space. We explored the idea of installing a dimmer switch for the lights, but discovered that this was cost prohibitive. Likewise, we decided not to provide yoga mats through the library, since we did not want to coordinate their check-out and cleaning. We did buy four floor pillows and yoga blocks, which when not in use are usually lined up along the wall in the main area of the room. Off to the side of the main area is a small open alcove, where we have one comfortable chair with pillows. An end table with a lamp complete the sparse furnishings. The cost of the furnishing were covered through a budget request with the college administration, and by “shopping” at the university’s property control warehouse. From property control, we were able to score the chair and lamp at no cost. The final touches on the décor came through the help of the library director, who is a

world traveler. She agreed to print a few of the beautiful nature scenes she had photographed while abroad, and we mounted these on the walls ourselves.

Building on the idea of promoting mental health and wellness, we gathered pamphlets, brochures, and other informational materials from around campus relating to mental health and wellness services. We have these materials available in the Quiet Room on the shelves in the back of the room. Students and others can help themselves to any of the materials that interest them. We've included materials from university services such as the Counseling Center, Health and Wellness Services, the Recreation Center, LGBTQ+ Student Services, the Veteran Student Success Program, and others. Hopefully this will be a good resource to connect people in our community to useful wellness services on campus.

With the new semester just starting, we are beginning to see how the Quiet Room is being used by the law school community. We opted not to formally schedule anything in the room at this time, although we are exploring the idea of offering yoga classes in the future. Two informal guided meditation sessions are being held regularly in the space, with good attendance. We are beginning to see law students coming into the library carrying their own yoga mats, with the Quiet Room as their destination. Some students had been using our law student lounge for prayer; we expect that some of these students will now move to the Quiet Room. We hope to survey the law student body this semester to get a better idea of how students would like to use the space. While mental health continues to be a major concern in the legal profession, we hope that by providing the Quiet Room at Cleveland-Marshall we offer can our students, faculty and staff a calm space dedicated to wellness and positive reflection.

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### ***Review of the Ohio Library Support Staff Institute's (OLSSI) Annual Conference***

**by Munevver Ozbeytemur, Franklin County Law Library**

At the end of July, I attended the Ohio Library Support Staff Institute's (OLSSI) annual conference. This year's conference was held at the University of Mount Union in Alliance, Ohio. The OLSSI is a multi-day (Sunday - Tuesday) conference specifically geared towards the support staff from any type of library. For the past three years, one of the employees of Franklin County Law Library has gone. This year, the theme was **Brave New Worlds**, with the idea being to "seek out new horizons."

The OLSSI staff, who are all volunteers, were all incredibly kind and helpful. It was very obvious that they enjoyed volunteering and attending--and some even teaching--at the conference. The classes covered a wide range of topics that will help library support staff stay current and continue to grow.

The conference started off with a Reader's Advisory Roundtable, which was a group of people who love books sharing some of the books they love. My to-be-read list is much longer now.

Monday had four class times throughout the day with three class choices for each time slot. Classes covered areas ranging from the expected library topics of basic cataloging, supervising employees, and teen programming to more unexpected topics such as graphic novels, discovery layers, and Rosie the comfort dog (who was there). I learned a few things, especially from the cataloging class, that will make my job more efficient and ultimately easier to do. I also found the discovery layer class interesting as I hadn't an inkling what this was.

Just before dinner, attendees were given a tour of the library at Mount Union, the Kolendbrander-Harter Information Center, or crafting time, where they brought their crafts that they can never find time to work on and worked on them while chatting with other attendees.

Tuesday had two morning classes and then wrapped up with a speaker after lunch followed by a closing ceremony. Attendees received many prizes throughout the conference, and the grand prize was a Huawei MediaPad T3 tablet. Jennifer from Franklin County Law Library won the grand prize the year she attended OLSSI.

The conference is always held at a college. Next year's conference is July 28<sup>th</sup>-30<sup>th</sup> at Heidelberg University in Tiffin, Ohio. If you are interested, you can apply for a scholarships to attend. See [olssi.org](http://olssi.org) for more information.

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### ***A Review of AALL 2018 : Baltimore, Maryland***

#### ***AALL 2018 : Promoting Uncertainty as Part of the Job Description.***

by Kim Crowthers, Clermont County Law Library

The 2018 Annual AALL Conference in Baltimore was a well attended, education filled, networking opportunity. I am grateful to the ORALL Grants Committee for supporting my attendance by selecting me as a recipient this year. Since it was my first time at AALL as a director, deciding which programs to attend was a bit more difficult. I felt the session on assisting self-represented litigants was not to be missed though, as most county law libraries in Ohio have experienced a substantial increase in the number of public patrons we serve.

Paul Healey, Catherine McGuire, Karen Westwood and Pauline Afuso, who presented *Uncertainty Management: A Tool to Assist Self Represented Litigants*, did a great job providing a new perspective on the challenges of serving the pro

se patron in the law library. Their premise that uncertainty management is part of our job as law librarians made me reevaluate how the Clermont County Law Library will respond to the public patron.

As librarians, our number one job is to help our patrons find the answers they seek. For librarians to promote uncertainty seems counter intuitive to what we aim to do. However, in a law library environment providing answers to public patrons without crossing into the unauthorized practice of law can create an ethical dilemma. Do we try to help them find the information they need, or do we avoid helping them for fear of possible prosecution? The presenters of this program suggest that whether we are aware of it or not, law librarians often use uncertainty management to solve this quandary. During this session ideas were offered on how to create and manage uncertainty, why it is often necessary to do so and how to overcome the challenges we are likely to face.

Paul Healey from the University of Illinois at Urbana-Champaign began by explaining how uncertainty theory is defined as insecurity in the state of one's own knowledge. Paul reminded us that while uncertainty can definitely be uncomfortable, creating a bit of uncertainty is not always a bad thing. For example, a patron may be convinced that if they file a particular form the outcome of their case is guaranteed. We understand they may have incorrect or insufficient information regarding what is actually required. Creating uncertainty in this instance could lead them to do further research or to consult with an attorney, either of which would hopefully lead to a better outcome.

Explaining limits at the outset of any interaction is one way to create and manage uncertainty, especially for those who may be frustrated by their particular situation and what they perceive is an unwillingness to help them. Using a stock phrase like 'I am not an attorney but am happy to direct you to the resources we have on that subject' can be helpful. Right away you have alerted them to the fact that while the answer they seek may be in the library, you do not necessarily know the answer, it may not be as easy to find as they may have thought, and you are not permitted to find it for them. Maintaining a physical and emotional distance (both for safety and well-being) and controlling the amount of time spent with a patron were also suggested. Keeping control of such things decreases the likelihood of the patron manipulating you or the situation. If you are able to incorporate these practices into the reference interview process, you may improve the experience for both you and your patron.

This isn't always easy though. There are definite challenges to managing uncertainty as Paul, Catherine, Karen and Pauline all touched on. Librarians will often have pushback from pro se patrons to 'just give them the answer' despite practicing the previously mentioned suggestions. Having an institutional policy to fall back on may help in this circumstance. But there can also be institutional pressures by way of constant warnings not to cross the line yet still produce patron satisfaction. Sometimes you just cannot do both. One way I've found to

address this is to always be as helpful, polite and understanding as I can without allowing myself to be diverted from policy or drawn into the patron's emotional distress.

Sometimes that too is easier said than done. Perhaps one of the most challenging issues discussed was compassion fatigue. It is difficult to listen to so many tales of woe and not become either saddened by it or completely immune and insensitive to it. This is when it becomes imperative to take some time for yourself. Go to lunch with a friend. Take a walk. Find a way to take a break from it. If possible, take a mental health day or a vacation. Let's face it, we are better at helping others when we are refreshed and recharged.

Who knew that promoting uncertainty would ever be part of the job description? This program convinced me that it is. Challenging the pro se patron and what they are certain they know is true, giving those same users choices while being indirect with specific answers are all ways to create and manage uncertainty. Most of us probably do this to some extent already. Our goal should be to provide service that is in the best interest of our users while still adhering to the law. It is not a problem free endeavor but law librarians who develop and improve these skills and teach them to support staff ensure better service to their public patrons.

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***The Least Depressing Place in the Agency: Bringing Fun to an Un-fun Workplace***

by Anna Gault, Supreme Court of Ohio Law Library

*How can a special or government library promote its role in the organization, have fun, and still maintain an essential sense of professionalism? This session shows how embracing a sense of fun can yield both short- and long-term benefits, both for the library and the community that it serves. Hear about the FCC Library's marketing successes, pitfalls, and how it became, in the words of the chairman, "The Least Depressing Place in the Agency."*

Recording: <https://www.aallnet.org/recording/aall2018-bringingfun/>

The session by Amanda Costigan, Brittany Ham, Rachel Seissler, all of the Federal Communications Commission Library, was fun, informative, and also conveniently aligned with some of the goals we have at the Supreme Court of Ohio Library. Being the library of a government entity is hard work. It requires professionalism, but sometimes requires a dose of fun to market the library to Court employees who wouldn't normally take advantage of the library's awesome services, collections, and facilities. A balance must be struck. Sometimes I feel that if it looks we are having too much "fun" with our book displays, the optics can

be negative. So upon seeing the session description listed in the program of events, I knew that I had to attend, and was pleasantly excited about taking some ideas back to my coworkers.

I enjoyed learning about the events, book displays, and thought that the tutorial for the graphic-design tool website, Canva, was helpful. I liked that they also celebrated Constitution Day, September 17<sup>th</sup> and was excited to get a different take on the event. Apparently, the FCC library has cupcakes for the event, and I must say that it is a wonderful idea to make any event better. The presentation was fun, with many different examples of the library's specific book displays. As a (mostly) technical services librarian, it was nice to hear from another tech compatriot who talked about displaying new collection materials. Who better to display collections than the ones who know the ins and outs?

I particularly found the Canva tutorial aspect of the presentation to be useful. The step-by-step run through of its basic features made it simple to replicate. In fact, I recently used Canva to create a timeline for a library display. It was simple to use the pre-existing layout, fill in different information, toggle with the color scheme, and use free images and clip art. The FCC library noted that they used the free version for quite some time before they decided to upgrade, and I found the free version to be just fine. The options for posters, cards, postcards, social media banners, goes on and on. Canva has a low learning curve and is perfect for creating polished promotional materials.

I really enjoyed attending my first AALL annual meeting. It was nice to reconnect with colleagues, attend sessions, and briefly explore Baltimore. As an introvert, I'll admit to being a little overwhelmed, especially with the Westlaw rave themed party-- the glow sticks, loud music, and discothèque lighting were entertaining to say the least. It was definitely not un-fun.

I feel very grateful for the ORALL travel grant! Thanks to all who made it possible.

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***ORALL Newsletter Article on the 2018 AALL Annual Meeting  
Program B-5. Medical Marijuana: A Growing Reality  
by Laura E. Ray, Cleveland-Marshall College of Law***

Catherine Lemann, Research Librarian, [Law Library of Louisiana](#), coordinated this program. [Alex Kreit](#), Professor of Law at the Thomas Jefferson School of Law, presented a very good overview of the historical, and continuing, conflict between federal and state law concerning medical marijuana. Professor Kreit is a recognized expert on marijuana law. He is the author of the CONTROLLED



SUBSTANCES: CRIME, REGULATION, AND POLICY casebook, a co-author of the annual DRUG ABUSE AND THE LAW SOURCEBOOK, teaches a “Marijuana Law and Policy” course (among others), and is a member of the City of San Diego’s Ethics Commission, which administers the city’s ethics laws. Below, in addition to the program summary, are links to selected materials cited by Professor Kreit.

In 1996, California passed the first state law concerning medical marijuana – the Compassionate Use Act (ie, Proposition 215, passed by initiative; added [Section 11362.5](#) to the California Health and Safety Code). The law was fairly broad, with no real limits on the number of medical uses or the amount of marijuana a patient could possess and cultivate for medical use. The law did not concern dispensaries, but dispensaries started to open and operate, albeit in a grey legal area. After 1996, other states started to pass laws on medical marijuana and dispensaries at a pretty steady pace. Currently, the National Conference on State Legislators reports 31 states have comprehensive medical marijuana laws. These state laws vary in how medical use and commercial distribution are addressed, and many differentiate between THC and cannabidiol products. [See NCSL [State Medical Marijuana Laws](#) page for more information.]

Federal law has never recognized any medical use for marijuana. The key issue appears to hinge on the Controlled Substances Act (CSA; [Pub. L. 91-513](#)) and federal criteria for “scheduling” a drug or substance (see [21 U.S.C. 811](#) and [21 U.S.C. 812](#)). These criteria are not fully defined (eg, “scientific evidence of its pharmacological effect,” “currently accepted medical use in treatment in the United States”), allowing the Department of Justice (DOJ) much leeway in its interpretation of the criteria. Despite promising research on the therapeutic use of medical marijuana (eg, to stimulate the appetite and address nausea in cancer patients), and state laws addressing such therapeutic use (eg, Illinois law specifies 37 conditions appropriate for the use of medical marijuana – see Section 10 (h), defining “Debilitating medical condition,” of [410 ILCS 130/1](#) Compassionate Use of Medical Cannabis Pilot Program Act), sufficient research has not yet been conducted to understand the interactions between all of the chemicals in marijuana. Thus, it’s easy for the DOJ to keep marijuana a “controlled substance.”

After the passage of the 1996 Compassionate Use Act in California, the DOJ continued to enforce federal law, interfering with state and local laws, and successfully prosecuted numerous cases concerning medical marijuana and marijuana cultivation. For example, *United States v. Oakland Cannabis Buyers’ Cooperative*, [532 U.S. 483](#) (2001) reversed the Ninth Circuit’s ruling that “medical necessity is a legally cognizable defense likely applicable in the circumstances,” and held “there is no medical necessity exception to the Controlled Substances Act’s prohibitions on manufacturing and distributing marijuana.” *Gonzales v. Raich*, [545 U.S. 1](#) (2005) held “Congress’ Commerce Clause authority includes the power to prohibit the local cultivation and use of marijuana in compliance with California law.” Interestingly, Justice O’Conner’s dissent argued:

Today the Court sanctions an application of the federal Controlled Substances Act that extinguishes that experiment, without any proof that the personal cultivation, possession, and use of marijuana for medicinal purposes, if economic activity in the first place, has a substantial effect on interstate commerce and is therefore an appropriate subject of federal regulation.

However, bottom line, federal prosecution was, and continues to be, dependent upon state and local enforcement efforts. As more states pass laws on medical marijuana and more dispensaries open, resources are strained, and it has become increasingly difficult to prosecute cases, particularly possession cases.

While not backing away from its classification of marijuana as a controlled substance, the DOJ issued a 8/29/13 [Guidance Regarding Marijuana Enforcement](#) memo stating “prosecutors should continue to review marijuana cases on a case-by case basis and weigh all available information and evidence, including, but not limited to, whether the operation is demonstrably in compliance with a strong and effective state regulatory system.” In addition, since December 2014, each federal budget act has included a rider stating the DOJ may not use its funds to prevent states “from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.” [Popularly known as the [Rohrabacher-Farr amendment](#); see Title V, § 538 in [Pub. L. 113-235](#) and most recently in [Pub. L. 115-141](#).] However, federal procedure regarding medical marijuana is not clear. Current Attorney General Jefferson Sessions issued a 1/4/18 [Memorandum for All United States Attorneys](#) rescinding “previous nationwide guidance specific to marijuana enforcement.” Yet the Rohrabacher-Farr rider still appears to have teeth, as witnessed by the recent holding in *United States v. McIntosh*, [833 F.3d 1163](#) (9th Cir. 2016). [The court summary states “if DOJ wishes to continue these prosecutions, the appellants are entitled to evidentiary hearings to determine whether their conduct was completely authorized by state law.”] In addition, Senator Elizabeth Warren recently introduced the [STATES Act](#) (Strengthening the Tenth Amendment Through Entrusting States Act; S. 3032) to amend the CSA so that specified provisions “shall not apply to any person acting in compliance with State law relating to the manufacture, production, possession, distribution, dispensation, administration, or delivery of marihuana.” Perhaps federal legislation will eventually bring clarity to this issue.

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### ***A Note from Your Newsletter Editor***

Thanks to all who contributed this quarter to the Newsletter. It was very nice to get to a more content-rich Newsletter again this quarter

Our next newsletter will be published December, 2018, soon after the ORALL Annual Conference in Cincinnati, Ohio. Please, feel free to submit any articles, pictures or the like that you feel other ORALL members would value.

I look forward to seeing you all in October in Cincinnati.

As always, if you ever have any questions, concerns or ideas, please e-mail me at [pvenard1@udayton.edu](mailto:pvenard1@udayton.edu).