

# PLL PERSPECTIVES

THE QUARTERLY OF THE PRIVATE LAW LIBRARIES SIS OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES

Volume 21 Issue 1

Fall 2009

## HOW TO HELP ASSOCIATES WHO DON'T EVEN KNOW THEY NEED YOU

by Ross Guberman, Legal Writing Pro, Washington, DC

*Editor's Note: Ross Guberman was the speaker at the PLL Luncheon at the 2009 Annual Meeting in Washington, DC. An adaptation of Mr. Guberman's luncheon speech appears below.*

When people say, “You write like a lawyer,” why is it always taken as an insult? After all, I doubt you’d be offended if someone accused you of researching like a librarian.

These jabs are nothing new, of course. Decades ago, in fact, a law professor named Fred Rodell said, “There are two things wrong with almost all legal writing. One is its style. The other is its content.”

I bet you’d agree today as well. But what can you do about it?

For starters, you’ll need to think of creative ways to capitalize on today’s slashed training budgets, fidgety partners, and ever-demanding clients.

In some respects, you may have to do more to market the value you’ve already been adding. In other ways, you may want to consider taking on new roles that you may have never imagined before.

So let’s brainstorm a bit. Take what I call the five-stage life cycle of the typical law-firm assignment. Can you become indispensable during each stage? Let’s take them one by one.

### Stage one: Should I be writing at all?

At so many firms I visit, on any one day I see two memos from two associates on precisely the same research issue. Yet no firm wants to waste its attorneys’ time, and surely no client wants to be billed for the same assignment twice.

“Knowledge management” is all the rage these days, but I bet you were engaging in it long before it became so trendy. Now you may not have the budget for an expensive, hi-tech formal KM system. But surely you can draw on your institutional knowledge to help associates find internal experts—and avoid reinventing the wheel altogether.

### Stage two: How do I begin the research?

In the next few years, expect to face generations of associates who cannot find their way around a legal reference book or even an online treatise. Now more than ever, you can do much to save your firm money—and your attorneys’ time—by redoubling your efforts to introduce associates to the wealth of secondary sources and digests that to them may seem so passé.

### Stage three: How do I structure the document?

Attorneys at all levels suffer over structure and organization. The main problem: thinking about how you want to structure the letter or motion misses the point. What makes for good structure is having an imaginary conversation with a reader who isn’t there.

So here’s the most priceless gift you can give an associate: as they begin to structure their document, ask them questions from the reader’s perspective. Serve as a proxy for the judge, client, or partner—and then play up your role as a generalist with common sense and a bit of judgment to boot.

Remember that the best legal documents are structured around answers to the reader’s predicted questions and concerns, so by engaging in this sort of conversation, you can help the associate craft a big-picture structure without even knowing it.

### Stage four: How do I integrate the authorities?

What do you get when you combine computers, time pressure, and wobbly analysis? An epidemic of cut-and-pasted block quotes and blindly summarized facts from cases deemed “relevant” or “distinguishable.”

Help associates escape from this morass: For every case or statutory cite they want to include, ask them to explain—in their own words—how the authority proves that their overall point is true. Encourage them to use that link as the focal point of their discussion. Only then should they consider cutting, pasting, or summarizing.

*Continued on page 4*

## PLL PERSPECTIVES

### CO-EDITORS

Sarah Mauldin  
Chamberlain, Hrdlicka, White, Williams & Martin  
Atlanta, GA (404) 658-5430  
[sarah.mauldin@chamberlainlaw.com](mailto:sarah.mauldin@chamberlainlaw.com)

Donna M. Fisher  
Senniger Powers LLP  
St. Louis, MO (314) 345-7695  
[Dfisher@senniger.com](mailto:Dfisher@senniger.com)

### CHAIR, NEWSLETTER ADVISORY COMMITTEE

Randall J. Thompson  
University of Arkansas  
Fayetteville, AR (479) 575-5831  
[rjthomps@uark.edu](mailto:rjthomps@uark.edu)

### PLL/SIS EXECUTIVE COMMITTEE

#### CHAIR

Kate Martin  
McKenna, Long & Aldridge LLP  
Washington, DC  
(202) 496-7752  
[kmartin@mckennalong.com](mailto:kmartin@mckennalong.com)

#### VICE-CHAIR

Jane Baugh  
Woods Rogers PLC  
Roanoke, VA  
(540) 983-7531  
[baugh@woodsrogers.com](mailto:baugh@woodsrogers.com)

#### EXECUTIVE BOARD

Jennifer Stephens  
Haynes & Boone, LLP  
Dallas, TX  
(214) 651-5233  
[jennifer.stephens@haynesboone.com](mailto:jennifer.stephens@haynesboone.com)

#### PAST CHAIR

Tina Dumas  
Nixon Peabody LLP  
San Francisco, CA  
(415) 984-8378  
[tdumas@nixonpeabody.com](mailto:tdumas@nixonpeabody.com)

#### Joan Jarosek

Jones Day  
Dallas, TX  
(214) 969-4824  
[jjarosek@jonesday.com](mailto:jjarosek@jonesday.com)

#### TREASURER

Margarita Bull  
Coughlin Stoia Geller Rudman &  
Robbins LLP  
San Diego, CA  
(619) 338-3826  
[mbull@csgrr.com](mailto:mbull@csgrr.com)

#### SECRETARY

Karen Silber  
BNA  
Rockville, MD  
(301) 294-6776  
[ksilber@bna.com](mailto:ksilber@bna.com)

*PLL Perspectives* (ISSN: 1068 9346) is published quarterly for distribution to members of the Private Law Libraries Special Interest Section of AALL ©2009 PLL. Reproduction in whole or in part without written permission is prohibited. The PLL/SIS and editors do not assume responsibility for, nor endorse, the statements advanced by the contributors in *PLL Perspectives*.

### AALL WRAP-UP

- |   |    |
|---|----|
| <p>HOW TO HELP ASSOCIATES WHO DON'T EVEN KNOW THEY NEED YOU<br/><i>by Ross Guberman, Legal Writing Pro, Washington, DC</i></p>  | 1  |
| <p>PROGRAM C-6: RUNNING A BUSINESS: PRACTICAL MBA SOLUTIONS FOR YOUR LIBRARY<br/><i>reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR</i></p>   | 5  |
| <p>PROGRAM D-2: CHARTING A NEW COURSE MID-CAREER<br/><i>reviewed by Tom Duggan, West, a Thomson Reuters Business, Fort Collins, CO</i></p>  | 6  |
| <p>PROGRAM E-3: "EENIE, MEENIE, MINIE, MO... COUNTY, COURT, ACADEMIC, PRIVATE— SHOULD I STAY OR SHOULD I GO?"<br/><i>reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR</i></p>                                  | 7  |
| <p>PROGRAM F-5: TAMING INFORMATION OVERLOAD: ADDRESSING LAW FIRM CURRENT AWARENESS NEEDS<br/><i>reviewed by Elaine M. Knecht, Hiscock &amp; Barclay, LLP, Buffalo, NY</i></p>   | 8  |
| <p>PROGRAM G-5: WHAT'S IN A NAME? TRADEMARK SEARCHING, SERVICES AND DOMAIN NAMES<br/><i>reviewed by Anna Irvin, Giordano, Halleran &amp; Ciesla, PC, Middletown, NJ</i></p>   | 9  |
| <p>PROGRAM I-3: NEXT-GEN INTEGRATED LIBRARY SYSTEM FEATURES RELEVANT TO THE PRIVATE LAW FIRM LIBRARY<br/><i>reviewed by Elizabeth Geesey Holmes, Partridge Snow &amp; Hahn LLP, Providence, RI</i></p>                                  | 10 |
| <p>PROGRAM K-5: LAW LIBRARIAN: THE NEW PRIVATE INVESTIGATOR<br/><i>reviewed by Sarah Mauldin, Chamberlain, Hrdlicka, White, Williams &amp; Martin, Atlanta, GA</i></p>  | 11 |
| <p>PLL/IP LUNCHEON MEETING<br/><i>reviewed by Kimberly Martin, Goodwin/Procter LLP, Boston, MA</i></p>  | 11 |
| <p>ALL-SIS PROGRAM: BEYOND THE IVORY TOWER: REACHING OUT TO PRACTICING ATTORNEYS AND LAW FIRM LIBRARIANS TO IMPROVE LEGAL RESEARCH INSTRUCTION<br/><i>reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR</i></p> | 12 |

*Continued on page 3*

### PLL PERSPECTIVES DEADLINES

**Fall:** August 15 **Winter:** November 15  
**Spring:** February 15 **Summer:** May 15

## FROM THE CHAIR

by Kate Martin, McKenna, Long & Aldridge LLP, Washington, DC

### Join the PLL Initiative—Change as Opportunity

From the Internet to news articles and the legal press, signs point to the year 2009 as a time of radical transformation within our industry. Speaking to law librarians from across the country, I've been struck by the sea of changes. How can we weather these changes, turn it to our advantage, and not only survive, but thrive?

"Change as Opportunity" is the theme for my leadership year. Together, we will identify significant trends and best practices so our libraries remain vital and we can become poised for leadership roles within our firms.

A progression of events that will culminate in a PLL Summit is currently in the planning stages by a blue ribbon committee of some of PLL's most innovative thinkers. With the purpose of transforming our libraries, these events will encourage dialogue and debate through the following forums:

- A series of webinars, lead by expert facilitators, will provide trends, best practices and background on significant topics. Our first webinar will be on the C-level management perspective - find out what management wants to hear, learn how to effectively get your point across, discover how the legal landscape is changing, and ascertain how to add value to your work.
- A sophisticated website will offer a place for continuing dialogue on topics of interest, and will include a

document bank of proven work products and a newsfeed of important trends as reported in the media.

- Provocative discussion questions on the PLL listserv will give members a chance to weigh in with their opinions and comments.
- To culminate our year-long discussions and information gathering, PLL will host a Summit. There will be real-world solutions, best practices and success models, plus a section on learning practical skills so you can get your message across to the people that matter. Our aim is to prepare you to go back to your firm armed to make a difference.

A white paper on best practices in law firm libraries is the final goal of this initiative. This will be a document that can be shared with your firm administrators and with the greater legal community. We not only want to be part of the debate, we want to inform the discussion about how our libraries should operate. Knowledge is power and as our firm's knowledge gatekeepers we are in a unique position to use our expertise to make our libraries stronger than ever.

I hope you will join the dialogue and be part of this ambitious effort. Contact me with your suggestions and comments.

Table of Contents, *continued from page 2*

PATENT INFORMATION VENDOR PANEL DISCUSSION 13  
*reviewed by Kimberly Martin, Goodwin|Procter LLP,  
Boston, MA*

PRIVATE LAW LIBRARIES SIS BOARD MEETING 17  
JULY 26, 2009  
*submitted by Karen Silber, BNA, Rockville, MD*

### PLL NEWS

FROM THE CHAIR 3  
*by Kate Martin, McKenna, Long & Aldridge LLP,  
Washington, DC*

TREASURER'S REPORT 18  
*submitted by Susan Skyzinski, Greenburg, Traurig,  
Orlando, FL*

PRIVATE LAW LIBRARIES SIS 14  
BUSINESS MEETING MINUTES  
JULY 26, 2009  
*submitted by Karen Silber, BNA, Rockville, MD*

Luncheon Speech, *continued from page 1*

### Stage five: How do I proof and polish?

When's the last time you offered to proof a document? Or shared some of your favorite proofreading techniques? Trust me; both services are in huge demand these days.

And another thing: remember that many associates are grammar-phobic, and more than a few have no idea how to get answers to their most persnickety usage questions. One great way to help is to share your favorite online and hard-copy style resources, and perhaps offer to research some of their questions yourself.

So there you have it—a few ideas to get you thinking about better ways to market what you already do and new ways to add value during these troubling times. I'm jaded enough to know that before you can act on these suggestions, associates first need to be open to your assistance. But think of it this way: If you can make them see you as an ally at each of these five junctures, they—and their firm—may be sold for life.

More than anything else, though, do whatever you can to impart the love for words and language that brought you to your profession in this first place. In the end, simply caring about the sound of prose can do wonders to make an associate's writing sing. And who knows, if you shake things up enough, perhaps one day, hearing that "you write like a lawyer" will have become a compliment at long last.

*Ross Guberman, the President of Legal Writing Pro, has trained attorneys at many of the world's most prestigious law firms, at the Department of Justice, and at several major federal agencies and state attorney general offices. A graduate of Yale, the Sorbonne, and the University of Chicago Law School, he is also an award-winning journalist and a Professorial Lecturer at the George Washington University Law School. You can find Mr. Guberman's website at [www.legalwritingpro.com](http://www.legalwritingpro.com)*

## AALL2go OPEN FOR BUSINESS

AALL is proud to announce that AALL2go, AALL's new online learning center, is open for business! The new site offers you specialized continuing education programs designed specifically for law librarians. The convenient online format allows you to expand your knowledge base and gain new skills right from your desktop—no travel is required, and it's open 24/7. Also, AALL2go is fully searchable, so you can quickly find material targeted to your areas of interest.

The site now includes:

- audio recordings from the 2007, 2008, and 2009 AALL Annual Meeting and Conferences;
- 14 free videos from the 2008 and 2009 AALL Annual Meeting and Conferences for AALL members only;
- coming soon: archived webinars and more recorded continuing education programs from 2006 to the present, including more than 50 free programs for AALL members.

You can access AALL2go at <http://www.aallnet.org/aall2go.asp>.

## AALL OPENS NEW ONLINE CAREER CENTER

AALL recently launched a new and improved interactive job board, the AALL Career Center. Designed specifically for law libraries and legal information professionals, the AALL Career Center offers members and the profession at large a highly-targeted resource for online recruitment.

### For job seekers:

- Post your resume for free—post confidentially or search anonymously by creating a Job Agent.
- Browse jobs based on criteria that best match your career goals.
- Set up a Job Agent to notify you via e-mail when jobs matching your criteria are posted.

### For employers:

- Post your jobs online; reporting provides job activity statistics to track each posting's return on investment.
- Search for qualified candidates based on specific job criteria.
- Create an online resume agent, which e-mails qualified candidates daily.

You can access the Career Center at <http://www.aallnet.org/careers/>.

## PROGRAM C-6: RUNNING A BUSINESS: PRACTICAL MBA SOLUTIONS FOR YOUR LIBRARY

reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR

Michele A. Lucero, Coordinator, Moderator, and Speaker, West, a Thomson Reuters Business  
 Lewis A. Taylor, III, University of North Texas College of Business, Department of Management  
 Teresa White, Skadden, Arps, Slate, Meagher & Flom, LLP

“There is only one valid definition of business purpose: To create a customer...”  
 --Peter Drucker (1954)

Attorneys and librarians share one common characteristic; they are likely drawn to their respective professions by a desire to achieve some higher good. For attorneys that may be to do justice or provide a voice for the common man. Librarians may hope to help users find some arcane but critical bit of information. But whatever their motivations to join their respective professions, practitioners of both are also likely united in their disdain of actually running a business. The prosaic day-to-day tasks required to turn a profit do not match the preconceptions of work life that either group of professionals hold for their chosen field.

Yet, as the economic events of the past year have shown, lawyers ignore the fundamentals of business at their peril. As the economy has declined, so too have the fortunes of many firms. Only through sound business decisions will these firms recover and prosper. And these decisions must be made by the same lawyers who turned their backs on business in times of prosperity.

But does this have anything to do with librarians? Michele Lucero, Teresa White, and Lewis Taylor (*in absentia* and appearing via a PowerPoint presentation only) would say it does. In the presentation *Running a Business: Practical MBA Solutions for Your Library*, the three made the argument that the library is a business and subject to the same business operation rules as any other entity. With two MLSs, three MBAs, a business Ph.D. and professorship, and another business Ph.D. candidacy

among them, the three were well versed in stressing the value of applying modern business models to library operations.

The speakers provided several different models used to analyze business functions. These models, staples of business schools, provide both an intellectual framework for understanding how businesses operate and a practical footing for future business planning. Concepts such as Kaizen’s Continuous Strategic Management, Resource Based View, and SWOT analysis have been developed and studied in business schools and then adopted by businesses where they have been used successfully to guide companies to profitability and future success. However, while librarians may have some general familiarity with these models, the ideas have not transferred to libraries (or to law firms for that matter) and libraries continue to operate without basing their operations on scientifically validated operational methods.

The speakers would argue that it is time for libraries to change this *laissez-faire* approach to business and apply modern business models to our operations. As Peter Drucker noted, our only purpose is to create customers. With the globalization of commerce (and information), our competition today is worldwide. To stay relevant in the age of the internet, we need to prove to our customers that we provide value to them. If we fail to do so, our customers have a plethora of information sources available to them and they will turn to the one that most efficiently, effectively, and cheaply provides them with what they need. Applying modern business practices to our operations may be the key to convincing our customers that we are their true best value.

The speakers provided an excellent bibliography of business theory publications, available as a handout on the AALL2go website, <http://www.aallnet.org/aall2go.asp>.

## PROGRAM D-2: CHARTING A NEW COURSE MID-CAREER

reviewed by Tom Duggan, West, a Thomson Reuters Business, Fort Collins, CO

Susan Catterall, Co-coordinator  
 Linda G. Will, Co-coordinator, WILL Resources  
 Mark E. Estes, Moderator, Bernard E. Witkin Alameda  
 County law Library  
 Joan L. Axelroth, Axelroth & Associates  
 Dina Dreifurst, Bracewell & Giuliani LLP  
 Christine Sellers

Be prepared. For anything.

Simple, yet sage advice for anyone, in any situation, at any point in life. And when you brainstorm with colleagues to collectively and creatively offer that advice at a professional education conference, then suddenly find yourself not at the presenters' table, but rather in the audience that is, in part, craving post-layoff career guidance, it takes on a whole new level of importance.

So goes the story of longtime AALL member Susan Catterall, who envisioned this program last fall and was thrilled to have it accepted, even after the deadline. After all, the economy was giving rise to a level of unemployment for law librarians not witnessed in at least 15 years, and this librarian saw close friends in the profession become victims of the climate where law firms and others were scrambling to initiate immediate and somewhat radical cost containment measures. Why wouldn't a dedicated professional step up and creatively offer some assistance for those in need? And no individuals would be better to recruit for the effort than some seasoned colleagues, from various markets in the profession, who have made successful mid-career changes, either on their own accord or by no choice of their own.

Now, let's get back to our program. Moderator Mark Estes, who himself just made a mid-career change, kicked off the program "prepared for anything" when he claimed to inadvertently leave his notes behind and was forced to shoot from the hip when introducing the program and the panelists. Whether it was for dramatic effect or not, it worked to set the tone for the entire hour. Mark graciously asked each of the presenters to briefly introduce themselves, which worked well for the program content and allowed them to emphasize life experiences as they related to their career changes.

Joan Axelroth began by stating the obvious. It is a tough time to be job hunting. However, Axelroth readily suggested responding to that negative by implementing the "three Ps." First, be Prepared. Take an inventory of your career to date, determine what's missing and what to highlight, and be honest with yourself about what you DON'T want to do. Second, be Productive. Use spare time to learn and do new things. Set goals, make a daily schedule for job hunting tasks and stick to it. Volunteer

with a purpose in your spare time, creating a role for yourself and making a lasting impression. Finally, be Presentable, both in person and on paper. Your public face, whether in an interview, elevator speech, or on a resume, social networking site, business card, website, or blog, should be polished and marketable.

Dina Dreifurst, whose background includes stints at both law firms and legal publishers, took the microphone and reminded participants of one important thing: You only have to find ONE job! Maintaining optimism in response to the economic downturn is key, and getting overwhelmed is easy, so keep it all in perspective. Find your own opportunity and while considering all the different possibilities for careers, imagine what a dream job might look like. When doing so, don't limit yourself to one perceived concept. Keep your resume current, and don't tell yourself you can't do a job just because you haven't done it before.

Christine Sellers, the one panelist who was unemployed at the time of the program, stepped up with a refreshing response to her unfortunate situation. In an effort to provide something positive to the law librarian community out of the experience, Christine created [www.lawlibrariansofleisure.com](http://www.lawlibrariansofleisure.com), a blog that serves to gather statistics, post jobs and advice, and provide a place to stay connected. Christine shared the impetus behind creating the blog and the ins and outs of maintaining it on a daily basis, all while employing the tips shared by others in actively seeking out a position.

Questions and comments from the audience followed the speakers' presentation. One asked, "What surprised the panelists most about the job change?" Christine stated how easy it is to stay positive. Dina noted openness to change and being overwhelmed with colleagues' offers of help. Audience members also added their own job-seeking advice, such as keeping your connections open by making a list of your top twenty contacts who can assist you and actually contacting those individuals! Another noted the importance of keeping salary as a negotiable item and not succumbing to "salary requirements" question on an application.

Mark rounded out the session by asking each panelist for a few "top tips." Joan noted, "Look before you leap." Dina suggested, "Market and brand yourself at all times and be open." Christine added, "Stay connected, contribute to your profession, and do something you wouldn't otherwise get to do if you were working." Mark himself suggested to the audience to "increase your tolerance for risk."

All in all, this "Convention Monday Morning" program was informative and uplifting, and I think those in attendance would agree it was an hour well spent.

## PROGRAM E-3: “EENIE, MEENIE, MINIE, MO...COUNTY, COURT, ACADEMIC, PRIVATE—SHOULD I STAY OR SHOULD I GO?”

reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR

Deborah L. Rusin, Coordinator and Moderator, Latham & Watkins, LLP

Amy J. Eaton, Perkins Coie LLP

Gretchen Van Dam, Library of the U.S. Courts for the Seventh Circuit

Green, green, it's green, they say  
On the far side of the hill  
Green, green, I'm going away  
To where the grass is greener still  
--New Christy Minstrels

Law librarians are both fortunate and cursed that within our single profession, there are at least four different types of institutions for which we work, each with a uniquely different purpose and clientele. While librarians perform the same basic functions of acquiring, maintaining, and disseminating information regardless of the employer for which they work, the mission of the employer will dictate a working environment that may make the librarians in that environment feel they have nothing in common with librarians working for a different type institution. The differences may make librarians in one type feel superior to librarians working for a different type (“we firm librarians work so much harder than those academic types”), more smug (“those firm librarians are always in danger of getting fired, unlike us academics”), or more societally important (“we court librarians help make the law, we don’t just criticize it like those firm and academic types”). Just as importantly, the differences in institutional missions may make librarians hesitant to try moving from one type of employer to another because the individual librarian may feel lacking in the qualifications needed to succeed in the new environment.

The speakers in *Eenie, Meenie, Minie, Mo...County, Court, Academic, Private—Should I Stay or Should I Go?* addressed the myths and realities surrounding librarian work life in the county, court, academic, and private realms. The speakers had worked in all four types of institutions and two had crossed the divide to work for libraries of different institutional types. Together, they provided a good comparison and contrast of the working environments in the different types of libraries which was instructional for both new librarians looking for a niche in

which to be comfortable and for more experienced librarians looking for a change.

The general consensus was that firm librarianship is for the adrenaline junkies. Work there is fast-paced, time critical, and always challenging. The work changes daily and daily is more and more defined as 24/7. Pay differentials exist with the other types of libraries, but is most noticeable because of end-of-year bonuses. Law degrees are nice, but not necessary. What is more important is a grounding in non-legal research techniques because of the expanding call from firm attorneys for business and scientific information.

Academic life is quieter and with less time critical elements and it does have the scholarly requirement for librarians which can be either good or bad depending upon your viewpoint. Pay is less than in law firms and raises, if any, are rarely merit-based. Law degrees are more and more becoming *de rigueur* in academic law libraries, at least for public service librarians and the administration.

Court librarians are fortunate in that the court sets its own schedule making the job much more nine-to-five. Working for a court is like working solely for a senior partner; all attention is directed to the court and the court determines what is needed and when. The court does expect the highest quality output each and every time. Federal courts require a MLS, but generally courts do not require the JD.

Librarians working in county law libraries must be entirely public service oriented and need to be ready to serve the *pro se* population at all times. These *pro se* individuals often have little other recourse for legal information and helping them is often a personal reward for the librarian. A county law library director normally will need a JD, but that will not be true for the other librarians.

What was clear from all the speakers is how much they enjoy their jobs and the fact they do see the similarities in their work regardless of their employer. So if you are thinking the grass is greener on the other side of the hill, be willing “...to keep traveling on” and try a different type library. The speakers agreed you will find it exciting, it will change your perspective, and you will contribute new ideas to your employer.

## PROGRAM F-5: TAMING INFORMATION OVERLOAD: ADDRESSING LAW FIRM CURRENT AWARENESS NEEDS

reviewed by Elaine M. Knecht, Hiscock & Barclay, LLP, Buffalo, NY

Michael Saint-Onge, Coordinator and Moderator,  
Lexis/Nexis  
Gina Lynch, Bingham McCutchen LLP  
Linda-Jean Schneider, Drinker Biddle

"Information overload" is a term coined by Alvin Toffler which refers to an excess amount of information being provided, making processing and absorbing tasks very difficult for the individual because sometimes the individual cannot see the validity behind the information ([http://en.wikipedia.org/wiki/Information\\_overload](http://en.wikipedia.org/wiki/Information_overload), accessed August 7, 2009).

It was clear that law librarians have an intimate understanding of the concept, as one hundred fifty of us turned out for Monday morning's Session F5 at AALL's Annual Meeting, *Taming Information Overload: Addressing Law Firm Current Awareness Needs*. The discussion was introduced by Michael Saint-Onge, a member of the Librarian Relations Group of LexisNexis. The panelists were Gina Lynch, the Director of Library and Research Services at Bingham McCutcheon LLP (1000 attorneys) and Linda-Jean Schneider, Drinker Biddle's Director, Libraries & Research Services (serving 680 attorneys).

Saint-Onge reminded the group that in the old days, what we now call alerts, current awareness tools, and trackers were called SDI – not the Strategic Defense Initiative, but the Selective Dissemination of Information. Law librarians have always made it part of their brief to pick the right resources to make available to our attorneys, at the right time. This is more important than ever, as Saint-Onge reports that with the advent and maturation of the Internet, 80% of legal practitioners report information overload, 70% say they spend too much time sorting through meaningless material, and 40% cry out, "NO MORE INFORMATION!"

So, what exactly do librarians want? We know that having the right information can change everything and that all of our attorneys should be info "haves" and not info "have-nots." We also want to make sure that everyone knows that great library resources are good for the firm. We want a way to scan many resources, pull timely and germane information into one space, and get the word out to our attorneys that it is there.

The librarian panelists spoke about their firms' use of Lexis products Total Alerts, Lexis Factiva Alerts, Clipper, and Publisher to create individualized, customized electronic newsletters. Both Lynch and Schneider reported that while their firms have intranet pages devoted to the information needs of each practice area, as well as a library portal, the most effective way of making sure everyone gets the message is through "one good email."

Librarians in small to medium-sized firms listened enviously to Schneider's recounting of Drinker Biddle's creation of a specialized position of "Electronic Content Services Manager" to handle the work involved with keeping everyone up-to-date. And while it is a very good idea to assign librarian liaisons to practice areas, it's much easier to do so in firms where the librarian/attorney ration is 1/34 (Bingham McCutcheon) and 1/48 (Drinker Biddle) than in a 200+ attorney firm with two librarians. Both these library directors agreed that Lexis' offerings were wide ranging in terms of the material they scanned, that the service provided by Lexis technical support personnel was comprehensive and fast, and that sometimes you have to do things the old fashioned way. If you have signed up for real time client alerts from Bloomberg Law, for example, someone must be assigned to watch the ticker to catch the needed news as it breaks.

Setting aside the use of pricey products, here are some important things Saint-Onge recommended librarians keep in mind when developing current awareness services.

1. Ask these questions of yourselves and of your practice area leaders: What information is critical to have? What would be desirable but not critical?
2. Interview vendors that have these services as part of their offerings. Who will respond to your needs by customizing to your liking? Who will help you establish a credible library "brand?"
3. One size may not fit all so be sure your choices are adaptable.
4. Evaluate your services regularly. Respond to the addition and loss of users and clients. Align the material with your firm's current priorities.

## PROGRAM G-5: WHAT'S IN A NAME? TRADEMARK SEARCHING, SERVICES AND DOMAIN NAMES

reviewed by Anna Irvin, Giordano, Halleran & Ciesla, PC, Middletown, NJ

Kimberly Martin, Coordinator and Speaker, Goodwin Procter LLP

Kathy Skinner, Moderator, Morrison & Forester LLP

Mary Maynard, Fish & Richardson PC

Rebecca Olson, Alston & Bird LLP

This session targeted two groups of attendees: those who wanted to learn the basics of trademark and domain searching, and those wishing to update their knowledge and gain a broader perspective on trademark and domain issues. The speakers discussed the following topics: 1) The nature and function of a trademark, 2) Laws governing trademark protection, 3) Benefits to federal/state trademark registration, 4) The strength of a mark, 5) Common trademark research terminology, 6) The purpose of trademark searching, 7) Free vs. fee-based trademark search engines, 8) Overview of web-based trademark research systems and their comparison, 9) Developing trademark searching strategies, and 10) Domain Searching.

Trademarks play an important role in identifying and distinguishing one merchant's goods or services from another. Trademarks are fundamental to a business's reputation because they convey expectations of certain qualities and other characteristics. Trademark rights can be protected at federal, state and common law levels. Federal registration provides nationwide protection for marks used in interstate commerce. State protection is good for smaller companies pursuing trademark rights locally. Common law trademark rights can give geographically limited protection without federal registration; however, they do not provide any protection outside the immediate area of operation.

To check on the legal status of a mark means to determine whether it is registered, abandoned, cancelled, pending, published, or renewed.

When analyzing the availability of a prospective mark, one has to evaluate its strength including its distinctiveness. There are five classifications of trademark strength: coined/fanciful (Kodak, Lexmark), arbitrary (Blackberry, Apple), suggestive (Kentucky Fried Chicken, Play Doh), descriptive (Open MRI, International) and generic (Yellow Pages, Shredded Wheat). Coined marks are the strongest and generic are the weakest.

Sometimes a trademarked word or phrase becomes such a common part of our everyday speech that it becomes generic. It was interesting to learn that words such as aspirin, escalator, zipper, and cellophane were once trademarks in the USA. Bubble Wrap®, a registered trademark of Sealed Air, is actually a brand but often used incorrectly to describe all air cushioning material. Popsicle® is a registered trademark owned by Unilever.

Generic use of a trademark presents a risk to the effective enforcement of trademark rights, and a trademark owner may need to take special proactive measures in order to retain exclusive rights to the trademark.

Trademark searching has two main purposes: 1) to determine whether a similar or identical mark is already in use, therefore, minimizing the risk of infringement, and 2) to determine if a prospective mark is strong enough to be registered and whether it fulfills USPTO requirements.

As it was pointed out, it is the trademark owner's responsibility to *monitor and police* its mark whether for marketing purposes, asset protection (see *Tiffany & Co. v. eBay, Inc.*, 576 F. Supp. 2d 463, 527 (SDNY 2008)) or R&D purposes.

This program provided a detailed overview of free and fee-based trademark search engines. Free sources, such as USPTO, intellectual property offices of other countries, and general internet search engines are good for preliminary research and trademark status verification. However, free search engines have limited data sources, coverage, search capabilities, and also lack customer support.

The following fee-based trademark research systems were discussed and compared:

- Saegis by Thomson Compumark
- Corsearch Advantage by CT Corsearch
- ActiveIP by CSC (formerly NameProject)
- Dialog by Proquest
- Trademark.com by Thomson Compumark.

Fee-based services have many advantages over free search engines including complex search capabilities, multiple sources, additional research solutions (e.g., domain name searches, watch services), report tools, and customer support. Law librarians should use vendors' customer service to create their searches (similar to Westlaw reference attorneys or Lexis research attorneys).

The discussion of effective trademark searching and examples of typical search requests was very useful and provided practical advice on formulating a trademark search strategy.

The discussion of domain searches was also very informative. When doing domain searches, it is important to understand that due to the nature of how URLs are registered there is not one database that collects all the data. URLs are not registered by federal governments, and the URL owners may be hidden behind registration services. Domain-based research services include WHOIS, Mark Monitor on Lexis, and

*Continued on page 10*

## PROGRAM I-3: NEXT-GEN INTEGRATED LIBRARY SYSTEM FEATURES RELEVANT TO THE PRIVATE LAW FIRM LIBRARY

reviewed by Elizabeth Geesey Holmes, Partridge Snow & Hahn LLP, Providence, RI

Steven A. Lastres, Coordinator and Speaker, Debevoise & Plimpton LLP

Bess Reynolds, Debevoise & Plimpton LLP

This session targeted attendees interested in next-generation features of integrated library systems, and how they are being implemented in one law firm library. The presentation began with an overview of the benefits and ROI of next-generation ILS solutions, which have a direct impact on delivering improved client services. Using several case studies from Debevoise & Plimpton, the presenters showed how they incorporate various features into their ILS and how their technical services librarians have taken a proactive approach to deliver and organize information using their existing ILS system. They ended with a discussion of the impact of these additional features and services on the technical services staff.

The first case study showed how they are using their ILS system and several third party vendors to manage digital content. They subscribe to Serials Solutions and receive records for the ILS which take their users from these catalog records directly to the electronic content. They are also able to compare resources across vendors and generate overlap analysis through this service. They can automatically check in and route electronic serials. The issues are automatically archived and attached to the bibliographic record so if an attorney loses the e-mail with the routed issue he or she can easily access previous issues.

In the second case study, the presenters highlighted the use of their ILS for Knowledge Management using the Knowledge Builder module of their ILS. They input reference and research requests into this module, and they are searchable by both staff and patrons. In addition, related documents can be attached to the records for future reference, and they can link to websites. This can be used

to provide answers to frequently asked questions and as a way to track reference and research requests. This feature is also used to catalog the firm's archives and memorabilia collection. They have defined custom fields and are linking to digitized images of the archival materials.

Thirdly, they showed how they use Web 2.0 features in their ILS. These features include RSS feeds for new titles, the ability for patrons to see and edit their routing lists, and the ability to rate materials and write reviews – something they encourage the partners and practice group chairs to do for the associates. They also have an ILS module that is an “on-the-go” interface for Blackberries. Their records are linked to Google allowing book jackets and other enhanced information such as tables of contents to be displayed.

My favorite case study was on the use of RFID tags and self checkout to track library materials. By using this new checkout and tracking system, expenditures for replacement materials were reduced by 90%!

While both speakers were from the same firm, and using the same ILS system I did not get the feeling that they were working for a particular vendor or system. As I am in the process of looking at ILS systems for my library, I did know which system they are using, but I also knew that several other vendors are offering or working on similar features. What was particularly useful and interesting was to see how the presenters were using these new features in the private law library setting. As they stated in their closing slide: “Enriching the catalog adds value because attorneys do not want to search, they want to find.” Therefore, it's very important for librarians to be proactive in meeting the needs of their patrons.

What's In a Name?, *continued from page 9*

Domain Names Database (Dialog File 225). Because of the lack of a centralized registrar, law librarians should provide a disclaimer to their attorneys about the limitations of domain searching.

All of the speakers at this program were experts in trademark searches, and the program, which was well

attended, fulfilled its objective in educating law librarians in key trademark products and services. It also enabled them to develop and execute trademark search strategies necessary to support their firms' intellectual property practice.

## PROGRAM K-5: LAW LIBRARIAN: THE NEW PRIVATE INVESTIGATOR

reviewed by Sarah Mauldin, Chamberlain, Hrdlicka, White, Williams & Martin, Atlanta, GA

Howard E. Trivers a/k/a the "Dirt Meister," Baker & Daniels LLP

The Annual Meeting Program committee decided to save the best for last and scheduled Howard Triver's program Law Librarian: the New Private Investigator for the very last education program of the 2009 Annual Meeting. The program was definitely worth waiting for.

Howard Trivers, Senior Research Professional at Baker & Daniels LLP in Indianapolis, has made a career of digging dirt, garnering the nickname "Dirt Meister." He packed his thirty minute program with tips and tricks for finding information on people and businesses. He also reminded listeners that there are people who are very difficult, if not impossible to find, and that there is a limit to the assets that can be found, no matter what information you have. In general, findable assets are limited to real and personal property (houses and cars). Librarians and law firms usually do not have access to information about bank and investment accounts.

Mr. Trivers reminded listeners that a librarian is often the most qualified person to find people information. We enjoy putting together information puzzles and know many alternative sources. Librarians in a local office also have knowledge of the state and community and know where to

look first. Trivers also reminded listeners that people finding is an area in which librarians, with all of our research skills, can excel, raising our profile within our firms.

One of the great strengths of the program was a review of online services. Mr. Trivers told the audience to be willing to pay for information, but to be aware that there is no need to pay for things that are available for free. Death records are an example of free information that is too often paid for by researchers. Trivers also reminded listeners to be creative and to use all of their resources. That includes using the telephone as well as local resources. Many records are available, but are not online.

One of the biggest mistakes that researchers make is providing a huge pile of information with no context. Mr. Trivers reminded listeners to add value to their research. This might involve marking relevant records or providing a covering memo that synthesizes the information.

This was an excellent program. People finding is a regular part of my job and I learned ways to do it even better. I also learned that many of the things I had been doing were on target. I hope that I will have the chance to hear Howard Trivers speak in the future.

## PLL/IP LUNCHEON MEETING

reviewed by Kimberly Martin, Goodwin|Procter LLP, Boston, MA

The PLL/IP Luncheon was held on Monday July 27<sup>th</sup> and was sponsored by Minesoft. There were many new faces in attendance this year, including some academic librarians, who are a very welcome addition to our group. Outgoing Chair Paulette Toth introduced Incoming Chair Kathy Skinner and the new Co-chair, Kim Martin. Paulette then reviewed last year's accomplishments and recognized various members for their contributions. There were a lot of great things that have happened over the last year, including two programs that were accepted for the 2009 AALL conference, *The Changing World of Information Access at the USPTO* and *What's in a Name? Trademark Searching, Services, and Domain Names*. There were several articles published by members of the group, including an article in the Winter 2009 edition of *PLL Perspectives* by Betsy Chessler, entitled "New Directions for Dialog." Paulette and Kathy put together several programs including a Webex on changes in Dialog ownership and direction, and a chemical patent searching workshop sponsored by CAS with Richard Matula of Kenyon and Kenyon as the speaker. Paulette and Lucy Curci-Gonzalez coordinated a panel and spoke at the Patent Information Users Group 2009 Annual Meeting

about the differences in how patent searching is performed in law firms as opposed to other types of businesses. Overall, the group was extremely busy and it was a very productive year.

Next on the meeting agenda was a brainstorming session to decide what types of programs we should offer at the 2010 conference. Some of the popular ideas included a workshop for patent searching, a 60-minute program discussing IP websites, and a program on where to find marketing information and IP statistics that could be used to analyze companies. Jon Cavicchi from Franklin Pierce Law School suggested that the group might want to collaborate with some of his students to write articles. Also discussed was the possibility of sending another panel to the Patent Information Users Group meeting in Maryland. There were a lot of great ideas and some of the newer people in the group were very enthusiastic and had some great suggestions. We also discussed how to get a better idea of how many members we have in the IP group and how we can get more people involved. This coming year will be another busy one for the PLL/IP group and we look forward to the challenge.

## ALL-SIS PROGRAM: BEYOND THE IVORY TOWER: REACHING OUT TO PRACTICING ATTORNEYS AND LAW FIRM LIBRARIANS TO IMPROVE LEGAL RESEARCH INSTRUCTION

reviewed by Randall J. Thompson, University of Arkansas, Fayetteville, AR

Shawn G. Nevers, Coordinator and Moderator, Brigham Young University  
David Armond, Brigham Young University  
Camilla Tubbs, Yale Law School  
Todd M. Venie, Georgetown University Law School

A perpetual complaint of private law librarians is that new associates graduate from law school with, at best, only minimal competencies in legal research. Many academic law librarians understand and sympathize with the frustrations of their private librarian colleagues, but because of how legal research and writing programs are structured in many schools, academic librarians are often powerless to effect the changes needed to address firm librarians' discontent. However, one group of academic librarians is trying to start a grass-roots movement within academia to directly address the research shortcomings attorneys and firm librarians identify in new associates. In the presentation *Beyond the Ivory Tower: Reaching Out to Practicing Attorneys and Law Firm Librarians to Improve Legal Research Instruction*, these academics described their initial steps to engage attorneys and firm librarians in their efforts and they encouraged other academic librarians to establish similar programs in their own institutions.

The first step in any effort to improve legal research instruction is to determine exactly the nature of the research shortcomings. Todd Venie described his efforts to survey librarians to determine what they think constitutes a good researcher. He asked both academic and firm librarians to rate research materials and skills and then he compared the answers to see where the groups differed. Among the significant differences were the increased importance firm librarians assigned to the use of print secondary sources and the disdain firm librarians hold for keyword searching. Additionally, and somewhat counter intuitively, academics placed much more emphasis on the need to teach cost-effective research skills. Venie

hypothesized that this latter finding was because academics envision the danger of costly research mistakes as a much larger issue than in reality it is in law firms.

Camilla Tubbs then described the research boot camp Yale holds for its students in which firm librarians and recent graduates are invited to speak to classes to describe research needs in the real world. The firm librarians are able to explain their roles within the firms to the students and tell them how to use librarians to their advantage. The recent graduates forewarn students about the future by telling them the things they wish they had known as they began life in a law firm.

Finally, Shawn Nevers and David Armond described the program they developed at Brigham Young which brings practicing attorneys together in a "Practitioners Council" to advise the academic librarians on what should be taught in legal research classes. This Council functions as a focus group through which the academic librarians can receive input on what the firms need in the way of associate research skills and which also provides feedback on proposed changes to the research skills curriculum. Based on the information derived from the Council, the librarians can tailor their teaching to directly address the needs of the practicing bar.

Private law librarians should be encouraged by this program. The speakers were all young, energetic librarians who will constitute the future of academic law librarianship. They are focused on using empirical data to improve teaching outcomes with the goal of fulfilling the needs of the practicing bar. As librarians such as these make their way upward through the profession, their concept of applying scientific reasoning to the teaching of legal research skills will become more pervasive in law schools and will result in vast improvements in the research skill sets of new associates.

## AALL CO-SPONSORS UPCOMING WEBINAR ON GENERATIONS IN THE WORKPLACE

From Boomers to Millennials: Intergenerational Issues in the Legal Workplace  
Tuesday, October 6, 2009, 2 p.m.—3:30 p.m. EDT

The landscape of the workplace is changing, and the legal profession is no exception. Indeed, relationships between employees of different generations are sometimes more pronounced in the often tradition-bound legal workplace. Join PLL member Sarah Mauldin as she and the other panelists discuss questions of how to address the various challenges firms are facing with employees with differing priorities, attitudes, and skills.

The webinar is free and is being offered as a part of the Professional Legal Management Week, October 5<sup>th</sup>-9<sup>th</sup>. Visit [www.plmw.org](http://www.plmw.org) for more information and to register online.

## PATENT INFORMATION VENDOR PANEL DISCUSSION

reviewed by Kimberly Martin, Goodwin|Procter LLP, Boston, MA

The 2<sup>nd</sup> annual IP vendor's panel was held on Sunday night, July 26<sup>th</sup>. There were six vendors present: Mike Hudelson representing Lexis, Bill Chambers representing West products, Miguel Iglesias representing Questel, Ron Kamenicki representing Dialog, Gary Cummins representing Fiz Karlsruhe, and Phil Ostanock representing Minesoft. Jackie Grossman and Jeff Bois both shared responsibility for moderating the event, and they asked four questions that the PLL/IP group had prepared for the vendors. All of the vendors were given the list of questions in advance so they could prepare their presentations. The room was packed with both conference attendees and representatives from the various vendors. Jackie began the meeting with introductions and then got right into the questions.

The first question posed to the panel was regarding the challenges within the law firm market and how they are addressing them. The Lexis representative said one of the challenges that his company faces is gauging how much money to invest in products and how much people are willing to pay to access their resources. He said that one of the ways they are addressing the IP market is to move forward with getting access to Asian documents. Miguel Iglesias said that Questel was facing contradictory challenges in the market where there is increased competition but their market share has not changed. They are investing in research & development, better customer support, and more trainers. West has changed the structure of their whole IP group so that all divisions are reporting to one group called the IP solutions group. Bill Chambers said that West is working to align their products with the Westlaw structure, and that one of their challenges is to have a more creative pricing model or packages that make sense for firms. West is investing in making their product more efficient and investing in analytical tools. Ron Kamenicki said that Dialog is not going to change or increase their pricing this year and that they are looking to partner with other companies to service law firms. Gary Cummins from Fiz Karlsruhe said that they are working to stay competitive in their pricing structure since there has been an increase of free databases on the internet. They conducted a study so they can better understand the differences between the first level data available from free resources, and the value-added resources that they offer. They are also looking into new tools that work with their databases. Phil Ostanock from Minesoft said they are continuing to stay competitively priced with unlimited use plans and they are looking into adding new content.

The second question addressed cost containment and their plans to offer cost effective solutions. Lexis said they are looking to bundle solutions and possibly offer pay-as-

you-go pricing. Questel said they are fairly priced and have multiple pricing structures including pay-as-you-go or flat rate contracts. West is working with their clients to understand what pricing structure works best in the law firms. Dialog is keeping their pay-as-you-go structure and integrating more data into their products that is already available from their parent company, Proquest. Fiz Karlsruhe is keeping their cost structure the same and increasing their WebEx trainings, seminars, and software updates that have cost warnings for searching. Minesoft is continuing to add new countries, interfaces, and languages without increasing their prices.

The third question posed to the panel involved their visualization tools and what types of improvements or new products we will be seeing. Lexis said that Total Patent has a patent analyzer and they are looking to add in some latent semantic research tools. Questel has a partnership with Intellixir to offer graphical family trees, citation graphs, and four types of analysis of patents, assignees, technologies, and trends. West is currently working with law firms to see how visualization tools can be used by a law firm as a marketing tool to look for new clients. Dialog has the ability to download patents into a graph and they are looking to integrate some of their other databases to create better results. Fiz Karlsruhe offers analyst visualization tools that help to evaluate data to build charts, interactive research landscapes, and document clusters. Minesoft offers analysis tools within their software that allow for a snapshot. They are also working on patent family tree software.

The last question for the vendor panel was regarding how they are using new technologies and if they envision results to be displayed on a Blackberry, Kindle, or through data feeds. All of the vendors responded similarly. They have been looking into it and they have some RSS feed alerting features, but it is not presently high on the list of priorities. Both West and Lexis said that you can already view their websites on a PDA.

Overall the meeting was very informative. Attendees received some great information about the future of patent research software and where each of the companies is looking to invest their time and money to improve their products. West's approach to working with law firms to learn what pricing structure works best is an excellent idea and maybe some of the other vendors will do the same.

# PRIVATE LAW LIBRARIES SIS BUSINESS MEETING MINUTES

July 26, 2009

submitted by Karen Silber, BNA, Rockville, MD

The meeting was called to order at 7:30 a.m. by Chair Tina Dumas. A moment of silence was observed in memoriam. A motion to approve the 2008 minutes with no changes was made and approved. A motion to destroy the paper election ballots was made and approved.

Tina thanked Wolters-Kluwer for breakfast and LexisNexis for lunch. Tina also thanked BNA, Questel, Minesoft, LookUp Precision, and Research Solutions, Inc. for other sponsorships.

One of the two PLL-SIS VIPs, Ed Ross, was in attendance and was recognized and introduced.

The Travel Grant recipients for the AALL 2009 meeting, Ruth Balkin, Janice Collins, Kim Martin, Christine Sellers, Lisa Williams, and also the travel grant recipients from the Fall 2008 Leadership Institute held in Oak Park, IL, Sarah Mauldin and Cameron Gowan, were asked to stand and be recognized. Tina acknowledged and thanked the work of the Travel Grants Committee.

The new PLL-SIS Board members were introduced: Jane Baugh – VP/Chair Elect, Margarita Bull – Treasurer, Joan Jarosek – Board member. The outgoing Board Members were recognized and received gifts: Lucy Curci-Gonzalez, Susan Skyzinski, and Michele Lucero.

Certificates of Merit were made for the contributions of each volunteer and were available for the members to pick up.

**Treasurer's Report:** Susan Skyzinski given by Margarita Bull

The Treasurer's Report was attached to the Business Meeting Agenda and is dated April 1, 2008 through May 31, 2009. Ending balance is \$55,575.18. This figure does not include expenses for the Washington, D.C. meeting. Most expenses are for the conference activities. The \$15,000 is a donation from LexisNexis for the PLL toolkit and should be in a restricted fund for PLL to use to market law librarians to C-level officers in our organizations.

## **Groups, Committees and Representatives' Reports:**

### **Groups**

**Corporate:** Johanna Bizub reported that the economic downturn has adversely affected many companies and membership is down. Johanna is trying to reignite interest.

**Competitive Intelligence:** Jennifer Berman gave the report. The economic hard times prevented Mark Gediman from attending the annual meeting therefore the CI business meeting was canceled this year and a virtual meeting will be held in August. Two programs were scheduled for the 2009 meeting. One of the programs was

canceled and rescheduled as a webinar due to one of the speakers canceling. The listserv has 363 members. This year, in partnership with NOCALL, the CI Group presented a seminar, which received an AALL/BNA Grant to record it, on using CI to stay ahead of the curve.

**GenX/Gen Y:** Sarah Mauldin announced that there is a meeting tonight at 7:30 followed by a social.

**Independents:** Nina Platt's report was given by Tina Dumas

The group was quiet this year. Nina would like to step down so if you would like to take over, let Kate Martin or Nina know.

**Intellectual Property:** Paulette Toth IP had a busy year. Paulette outlined several events IP has been involved in this past year to include speaking engagements, published articles, and two programs at AALL.

**One-Person Library:** Julia Hughes gave the report. There is a program at this year's meeting Monday at 10am. They are in the process of trying to get a logo. Their business meeting is Monday at 7 a.m. in the Renaissance Room 12.

**Records and Conflicts:** Tina Dumas reported for Lee Nemchek.

The Records and Conflicts Management Group will hold its annual networking meeting on Tuesday from 7a.m. – 8:45 a.m. in WCC Room 158B. Bob Oaks will lead the meeting. This past year's activities were discussed including presentations at ARMA and for the Greater Los Angeles Chapter of the Association of Legal Administrators.

**Technical Services Report:** Tina Dumas reported for Mary Dzurinko. Program and meeting are Tuesday at 7a.m. in WCC Room 159B.

### **Committees**

**Bylaws:** Johanna Bizub. No changes were made this year to the Bylaws and the Bylaws are in good shape.

**Education:** Jennifer Berman reported that 20 proposals were submitted by the Education Committee and 9 proposals were accepted by the 2009 Annual Meeting Program Committee. They had to cancel one due to economic issues. The canceled program was replaced

*Continued on page 15*

with another program with PLL speakers. The business meeting is Monday at 7 a.m. Program proposals that want the backing of PLL are due to the committee on August 16, 2009. They are due to AMPC August 23, 2009.

Educational-Regional: Michele Lucero for Sarah Paul. The committee sponsored a webinar in December 2008 featuring a segment on budgeting and working with C-level managers. They are looking for a volunteer to chair the committee this year. Please contact Kate Martin if you are interested or would like to nominate a candidate.

Event Planning: Tina Dumas for Trisha Petitt. The committee planned the meals at today's breakfast meeting and for the luncheon. Vendor sponsorships are distributed by AALL and cutbacks were made due to the current economic environment. Because of this and the high price of DC food service, the lunch ticket price had to increase. However, we still have one of the lowest ticket prices for a luncheon of all the SISs this year. Scott Bailey will chair the committee in the coming year.

Grants: Jane Baugh reported that Connie Smith will chair the committee for 2009-2010 and would welcome any volunteers to help out. This year the travel grants for AALL were sponsored not by vendor support, as had been the past practice, but rather by PLL itself. The two travel grants in the Fall were sponsored by Research Solutions Inc.

Mentor: Jennifer Stevens for Stephanie Fox. The committee did not receive any applicants. Stephanie reached out to the chair of the AALL Mentoring Committee but there were no matches made this year. They are gearing up for the next year and if you want to participate, contact Stephanie Fox.

Newsletter: Randy Thompson reported that the committee produced four quarterly issues in accordance with their charge. Co-editors Sarah Mauldin and Donna Fisher handled all aspects of the production. Ellen Callinan provided web distribution assistance. The committee made special efforts this year to solicit and receive author submissions by the established deadlines which resulted in more timely publication of the issues. Also, the committee expanded the number of book reviews published which is popular with the readership. The electronic only publication is available in both PDF and HTML available on the PLL-SIS website. All issues will remain on the website for future reference. Forty-five authors contributed a total of fifty-three articles this year and the chair thanks each author for their efforts. The Newsletter meeting is immediately after today's breakfast and all are welcome.

Victoria Kahn mentioned that LLSDC participated in a mentoring outreach program.

Nominations: Joan Axelroth reported that the 2009-2010

slate was hard to come up with and it took effort, but the committee came up with a great slate. In addition to that, the current vice chair/chair elect resigned so the committee came up with a solution to have the two vice chairs on the current slate run unopposed for Chair and the other candidate was asked to run unopposed for Vice Chair/Chair Elect. A PLL grant was gifted to support travel for the incoming vice chair. Joan thanked the committee for their work on the nominations.

Public Relations: Julia Hughes reported that the committee did not have activity this year. They are hoping to revive the committee and members are needed. Also, Tina Dumas and Lucy Curci-Gonzales sat at CONELL yesterday.

Strategic Directions Task Force: Kate Martin for Martha Goldman. No activity to report for 2008-09. Martha will continue as chair and will revise the Strategic Directions for PLL as requested by the Board.

Webpage Revision: Ellen Callinan reported that the redesign did not move forward as they are waiting for AALLNet to proceed; the date for this is uncertain. AALL Board Member, Chris Graesser, interjected that the redesign will move forward. Kathie Sullivan interjected that the AALL strategic design will start in August and asked all involved that the data on committee or entity websites be accurate. Ellen would like to create an archive to preserve information and asked all involved to take a look at their page and submit edits to Ellen.

### Representatives

Association of Legal Administrators: Lyn Warmath reported that the committee has maintained good ties with a number of ALA representatives. PLL authors published articles in the second issue of ALA's annual magazine, the Professional Law Management Week magazine, in late 2008 and will have articles in the third issue of PLMW to be released this fall. Lyn has a topic and authors lined up for the 2010 annual PLMW magazine. PLL members also published in the Fall 2008 issue of Legal Management on financial management which was well received. Another PLL author is scheduled to appear in an upcoming issue of the LM magazine. Lyn also discussed a program she presented at ALA's annual conference in 2009 and is brainstorming other topics for the 2010 conference. Lyn is open to suggestions. She wrapped up by noting that she attended the ALA's Annual Education Conference in May and cemented relationships with ALA's editors and program director.

Legal Marketers Associations: Lucy Curci-Gonzales for Jan Rivers. Over the past year, Jan has had virtual meetings with Rachael Loper, the LMA's strategic

Minutes, *continued from page 15*

alliance liaison, and not only provided information about AALL, but began planning with her on ways in which AALL and LMA could perhaps enter into an official alliance relationship. This relationship would allow AALL members discounted fees to LMA training and events and also allow the same, hopefully, for LMA members.

Lucy then asked for a show of hands of how many in the audience attended this meeting on their own dime. It is estimated that between 25-30 % raised their hands.

SLA Legal Division: Kama Siegel for LaJean Humphries. Kama attended SLA's conference in June 2009. Also in attendance was AALL vice-president Joyce Janto.

Vendors: Nina Platt is not at AALL year and no report was filed. Contact Nina Platt for information.

**New Business**

Salary Survey: Submitted by Tina Dumas. In May 2009, the AALL Biennial Salary Survey Committee sought PLL's input regarding job descriptions. Private law firm administrators and HR professionals historically have viewed the Survey as irrelevant to private law firms and corporate legal departments. Therefore an ad-hoc committee was formed consisting of Kate Martin, Lucy Curci-Gonzalez, and Monice Kaczorowski to update the job descriptions in the Survey and to lay groundwork for

future revisions that will help private law librarians to measure compensation more accurately.

Announcements: Howard Trivers mentioned that he has a presentation on Tuesday, program K-5, at 3:30 p.m. Julie Hughes discussed the CI program handouts on a google site.

Tina thanked Kate for stepping up to the plate then passed the gavel to now Chair Kate Martin.

Kate thanked Tina for her hard work throughout the year and presented Tina with a gift. Kate then welcomed all to D.C. and mentioned that she has been asking for volunteers. Kate sees 2009 as a pivotal year and compared it to other great moments in history such as the battle of Hastings in 1066 and many other historic turning points. Kate went on to discuss upcoming plans for PLL, specifically the Summit in Denver. Kate would like to see dialog between members and also perhaps a 1) wiki to discuss when you are under attack, 2) webinars, and 3) a summit in Denver. The Summit will lead to a white paper directed at C-Level people and also articles written for the ALA, bar journals, and Spectrum. As a follow up and wrap up during the conference in Philadelphia in 2011, Kate would like a program to discuss success stories. Kate called for volunteers to help with this endeavor.

The meeting was adjourned at 8:46 a.m.

**2009 AALL SALARY SURVEY AVAILABLE THIS FALL**

The AALL 2009 *Biennial Salary Survey and Organizational Characteristics* will be available to AALL members in October.

This new edition is the only source for up-to-date information about salaries for law librarians and other law library employees who work in academic libraries; private firms; corporate libraries; and state, court, and county law libraries. The survey was carried out this summer in complete confidentiality by Association Research, Inc., a professional research firm in Rockville, Maryland, that works exclusively with nonprofit organizations.

Printed copies of the survey will be available for purchase and shipment in October; \$110 for AALL members and \$175 for nonmembers (contact [orders@aall.org](mailto:orders@aall.org)). An online version of the survey results will be available to AALL members for free on the Members Only Section of AALLNET.

You can find the Salary Survey at [http://www.aallnet.org/products/pub\\_salary\\_survey.asp](http://www.aallnet.org/products/pub_salary_survey.asp).

# PRIVATE LAW LIBRARIES SIS EXECUTIVE BOARD MINUTES

## July 26, 2009

submitted by Karen Silber, BNA, Rockville, MD

PLL Chair Kate Martin called the meeting to order at 5:39 p.m.

Present: Kate Martin, Tina Dumas, Jane Baugh, Karen Silber, Margarita Bull, Jennifer Stephens, Joan Jarosek, and Phil Rosenthal from FastCase.

Kate asked each to go around the table and introduce themselves and state their position.

The July 13, 2008 as well as the March 17, 2009 Board Meeting minutes were unavailable for approval. Karen Silber will send the past minutes to each Board Member via e-mail for approval (sent via e-mail 8/4/09).

### Old Business and reports:

Treasurer's Report: Margarita Bull corrected the date from this morning's Business Meeting from 2008 to 2009. We are waiting for AALL HQ to move the leftover toolkit money, \$15,000, into a separate account.

Strategic Plan: Nothing has been done in the past year.

### New Business:

Tina reported that currently we are spending more than we are taking in this year due to the high cost of the D.C. conference and Kate interjected that overall we're in good shape. Margarita Bull asked if we should hold a certain amount in reserve. Discussion ensued without conclusion. Kate noted that we currently have \$55,000 (\$40,000 after the toolkit moneys are moved) and next year's money will not be as much because D.C.'s conference is more expensive.

Kate Martin discussed her idea for PLL's Summit to be held in Denver during the 2010 Annual Meeting. Kate would like to use the LexisNexis money for this. Also, at the conclusion of the Summit, a white paper would be created by a professional as Kate would not have the time for this. Tina interjected that she, Lucy Curci-Gonzalez, and Cindy Spohr from LexisNexis have discussed hiring a professional to write the white paper.

Kate further discussed her Summit plan. She would like to have a speaker from Altman Weil or Hildebrand at the Summit. Kate then discussed the Blue Ribbon

Committee that would steer the Summit. The charge of the Blue Ribbon Committee will be to discuss the future of law libraries, discuss trends, and also staffing. She would like to have seven people or something larger, perhaps 12 people. Kate will appoint the Blue Ribbon Committee to include members of the leadership fellowship. Perhaps the committee will also write the white paper, targeting C-level administrators, and discussing real tools to use.

The Summit will be in Denver. Leading up to the Summit, the Blue Ribbon Committee would create a buzz about the ongoing changes. Kate will appoint the Committee in August and concentrate on 5 or 6 issues, staffing for example. Questions for discussion might be: Can we imbed a librarian in practice group meetings? Should we have more staff or less? Duties have changed from ten years ago as have other elements such as space, core competencies, technology, and nomenclature (if clients will not pay for a librarian, then call me by another name to recoup the cost).

During 2009-2010, Kate hopes to address all these issues with webinars and plans to put one committee person in charge of each issue who is an expert in that field.

Also in 2009-2010, we'll need a website to capture webinars, committee work and information, and perhaps host a wiki. The coming year would be for information gathering then have the Summit with speakers in the form of a workshop at the Annual Meeting in Denver in 2010. The white paper would come after the Denver conference. We'll also need a program slot in Denver to discuss what happened during the Summit and Workshop. Then in addition, we'll need a program at the Annual Meeting in Philadelphia in 2011 to discuss what happened with the white paper.

Kate's task is to come up with the Blue Ribbon Committee. She wants the committee by the end of August. Tina interjected that program proposals are due to AMPC August 23 and by August 16 for the PLL Education Committee to preview and make suggestions.

Meeting adjourned 6:44 p.m.

## PLL TREASURER'S REPORT

submitted by Susan Skyzinski, Greenberg Traurig, Orlando, FL

### Treasurer's Report for 2009 Annual Meeting in Washington, DC

April 1, 2008 through May 31, 2009

<b>Beginning Balance (04/01/2008)</b>		<b>\$57,215.07</b>
<b>Revenues</b>		
Revenues 2007-2008:		
	Contributions	\$18,800.00
	Dues	\$11,970.00
	Registrations (1)	\$ 3,498.00
<b>Total Revenues</b>		<b>\$34,268.00</b>
<b>Beginning Balance Plus Total Revenue</b>		<b>\$91,483.07</b>
<b>Expenses</b>		
Expenses 2007-2008:		
	Food & Beverage	\$13,690.80
	Awards	\$ 1,692.32
	Misc. Expense (incl. Ann Mtg AV)	\$ 2,516.31
	Souvenirs/Giveaways	\$ 1,357.26
	Transportation	\$ 1,651.20
<b>Total Expenses</b>		<b>\$20,907.89</b>
<b>Excess Revenue over Expenses</b>		<b>\$13,360.11</b>
<b>Restricted Funds (LexisNexis)</b>		<b>\$15,000.00</b>
<b>Ending Balance (05/31/2009)</b>		<b>\$55,575.18</b>

#### PLL PERSPECTIVES

Sarah Mauldin  
 Chamberlain, Hrdlicka, White,  
 Williams & Martin  
 191 Peachtree Street, 34<sup>th</sup> Floor  
 Atlanta, GA 30303