

# PLL PERSPECTIVES

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

Volume 15 Issue 3

SUMMER 2004

## PLEASE, COME TO BOSTON\*

*\*You'll be glad that you did!*

by Mary Rogalski, Choate, Hall & Stewart, Boston, MA

Boston's Local Arrangements Committee has been busy at work since last July preparing for your arrival. Actually, the whole City will be at its best come this July. As host to the Democratic National Convention two weeks after our conference, the City kicks off its Celebrate Boston 2004 ([http://www.boston04.com/about\\_boston.asp](http://www.boston04.com/about_boston.asp)) campaign just a week before your arrival. How's that for timing?!

Before your visit, be sure to review the many exciting activities listed on the Local Arrangements Committee site at (<http://www.aallnet.org/events/local04/>). The committee members have compiled a spectacular selection of useful ideas and suggestions to help you make the most of your visit to Boston and New England. We also have a great line-up of Library Tours ([http://www.aallnet.org/events/04\\_library\\_tours.pdf](http://www.aallnet.org/events/04_library_tours.pdf)) and Excursions ([http://www.aallnet.org/events/04\\_excursions.pdf](http://www.aallnet.org/events/04_excursions.pdf)). We hope you booked your reservations!

When asked by *PLL Perspectives* editor, Jan Brown to describe "some of the less well known wonders" of Boston, I turned to colleagues and co-workers for suggestions of their favorite place, event or experience in Boston. While some meet Jan's criteria, I am also including some of the better known "wonders" that were suggested. They come highly recommended and we wouldn't want you to miss any of them.

- Isabella Stewart Gardner Museum (<http://www.gardnermuseum.org/>) Recommended for its fabulous art collection, including works of John Singer Sargent, this intimate building has excellent tours, a beautiful courtyard and café. And if your name just happens to be Isabella, admission is free! (<http://www.gardnermuseum.org/isabellas.asp>)
- The recently restored Sargent Murals at the Boston Public Library (<http://www.sargentmurals.bpl.org/site/murals/index.html>)
- The homes of the Society for the Protection of New England Antiquities SPNEA (<http://www.spnea.org/index.htm>)
- A tour and lunch at the DeCordova Museum (<http://www.decordova.org/>) in Lincoln, MA
- The historic villages of Historic Deerfield (<http://www.historic-deerfield.org/index.html>) which this year is observing the 300th year anniversary of the Attack on Deerfield, and Hancock

Shaker Village (<http://www.hancockshakervillage.org/index.html>)

- An excursion to the city of Quincy to the Adams National Historical Park (<http://www.nps.gov/adam/index.htm>)
- A visit to Charlestown where you will find the USS Constitution, "Old Ironsides," (<http://www.usconstitution.navy.mil/>) and the Bunker Hill Monument ([http://www.nps.gov/bost/Bunker\\_Hill.htm](http://www.nps.gov/bost/Bunker_Hill.htm)). If you get thirsty you can stop by for a brew at Warren Tavern, (<http://www.warrentavern.com/menu.htm>), one of Paul Revere's "favorite watering holes."

Speaking of brews... don't miss:

- Allston's Sunset Grille and Tap (<http://www.allstonsfinest.com/>) said to provide "the finest selection of microbrews in New England." (not to mention a crazy website!) with 112 beers on tap and 500 in bottles.

Which brings up the topic of food. I Recommend:

- Addis Red Sea. (<http://www.addisredsea.com/>) serving authentic Ethiopian food. "It's a wonderful, exotic experience."
- Regina's Pizza in Boston's "North End" – "huge atmosphere and great pizza"

For the great outdoors, see the suggestions at the Local Arrangements site at <http://www.aallnet.org/events/local04/outdoor.htm>, and keep these ideas in mind:

- Arnold Arboretum (<http://www.arboretum.harvard.edu/index.html>) where you can experience the Emerald Necklace (<http://www.emeraldnecklace.org/index.cgi>) first hand.
- Castle Island/Fort Independence in South Boston (<http://www.state.ma.us/mdc/harbor.htm>) which provides boardwalk/walking trails, playgrounds, and a great view of the harbor and islands

Sports fans won't want to miss:

- Sports Museum (<http://www.sportsmuseum.org/default.asp>) located on the upper floors of Boston's Fleet Center. As a Boston taxi driver once remarked, "A sports museum in Boston is like an art museum in Paris." [Note: Fleet Center events may affect their hours of operation.]

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# PLL PERSPECTIVES

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## PLL PERSPECTIVES DEADLINES

**Fall:** August 15 **Winter:** October 15  
**Spring:** January 15 **Summer:** April 15

West is proud to support the AALL-PLL by laying out its quarterly newsletter, *PLL Perspectives*.

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## FROM THE CHAIR

by Holly M. Riccio, O'Melveny & Myers LLP  
San Francisco, CA

The AALL Annual Meeting in Boston is right around the corner, which means that very soon I will be conducting my last PLL Executive Board Meeting and my first (and last) PLL Business Meeting. The gavel will soon be passed to my successor, Vice-Chair Sue Johnson. Please continue to share with her all of the ideas and enthusiasm that you have shared with me over the course of the year.

One of the projects that PLL will continue to work on in the coming year is the updating and revising of the PLL Strategic Plan. The original plan was developed as a way to allow us to look at the big picture and plan for our collective professional future. During the planning session held when the original PLL Strategic Plan was conceived back in 1996, the following five guiding vision statements were developed:

1. A population of private law librarians who will continue to be competent, viable, professional leaders within the private setting.
2. Employers in private settings will understand the complexity of the legal information environment and the value of law librarians.
3. Law librarians will be a powerful force in shaping publishers' products and services.
4. PLL members will be cutting-edge leaders of the profession within AALL and related organizations.
5. Law librarians will lead balanced and satisfying professional and personal lives.

Although a lot has changed in our professional world since these vision statements were conceived, they still remain relevant today. The things that have changed are the means by which we can and will achieve them. The members of this SIS have already accomplished many of the activities identified in the original Strategic Plan to assist us in realizing the five vision statements above, but there is still more that can be done.

Please take this opportunity to look at the PLL Strategic Plan on our web site (<http://www.aallnet.org/sis/plllsis/straplan/plantoc.html>) as well as some of the discussions that the PLL Executive Board has had about the plan, reprinted in the Fall 2002 issue of *PLL Perspectives* (<http://www.aallnet.org/sis/plllsis/newslett/fall02.pdf>).

I encourage all of you to give me your ideas and input on the revision and revitalization of the PLL Strategic Plan. If you will be attending the AALL Annual Meeting in Boston this year, please plan on coming to the PLL-SIS Strategic Plan Task Force Meeting on Saturday, July 10th from 3:00 p.m. to 4:00 p.m. With your participation, I anticipate that we will have a lively exchange of ideas and provide the Task Force with lots of great material to work with.

I want to take this opportunity to thank everyone that has volunteered for PLL over the years. The talent, dedication, knowledge and enthusiasm that my fellow law librarians have for their profession never ceases to amaze and inspire me. I would especially like to thank this year's Executive Board for their hard work and continuous support over the year. I also want to thank all of the committees and committee chairs. A special thanks to the Nominations Committee who, once again, provided us with a wonderful slate of candidates. Thanks also to the group and caucus chairs for their efforts and hard work this year. Also, a HUGE thank you goes out to Jan Brown, our *PLL Perspectives* Editor, and the hardworking Newsletter Advisory Committee for always coming up with wonderful, informative issues for us to read. To my mentor and friend, Alison Alifano, thanks for instilling in me how important and fulfilling it is to get involved with and give back to the profession.

Finally, I want to thank all of you, the PLL membership. You have given me such a wonderful opportunity to serve you as Chair of the largest (and, might I add, best) Special Interest Section of AALL. However, PLL exists and continues to thrive because of you – the PLL members – not because of the elected officers. You must continue to let your voices be heard, your ideas be known and to become the leaders that will take PLL in the right direction for the future.

Please Come to Boston, *continued from page 1*

- Naismith Memorial Basketball Hall of Fame located in Springfield, MA.
- Tours of Fenway Park (<http://boston.redsox.mlb.com/NASApp/mlb/bos/ballpark/tour.jsp>) "America's most beloved ballpark" and home of the Boston Red Sox. Tours run daily (with some exceptions).

A few favorites of my own:

- The Boston Society Library and Museum. Located in the Old State House, the museum is on the Freedom Trail at the corner of State and Washington Streets in downtown Boston. Dwarfed by the surrounding skyscrapers of Boston's Financial District, the Old State House is a delightful gem. It's an easy ride from the convention center on the subway's Green Line.
- North of Boston: Salem and Rockport. Hop the Commuter Rail from Boston's North Station ([http://www.mbta.com/traveling\\_t/schedules\\_commuter\\_linedetail.asp?line=newburyport](http://www.mbta.com/traveling_t/schedules_commuter_linedetail.asp?line=newburyport)) to the historic seaports of Salem and Rockport.

- Salem: All within walking distance of the Salem Depot are Peabody Essex Museum ([http://www.pem.org/museum/new\\_museum.php](http://www.pem.org/museum/new_museum.php)), the National Park Service's Maritime Site, (<http://www.nps.gov/sama/>), the Salem Witch Museum (<http://www.salemwitchmuseum.com/index.html>) and the House of the Seven Gables (<http://www.7gables.org/>).
- Rockport (<http://www.rockportusa.com>) is renowned for its artist colony and "Motif #1." The waterfront shops and downtown are a short walk from the Rockport Depot.

These suggestions are just a hint of all there is to see and do in Boston and the vicinity. Whatever your pleasure, you're sure to find it on your visit this July. Come, explore and enjoy the rich culture and history of New England. We're waiting for you!

*[Many thanks to my colleagues and co-workers who contributed the suggestions in this article: Anne Acton, New England School of Law; Margaret Bratschi, Posternak, Blankstein & Lund LLP; Steve Salhany, University of Maine School of Law (Portland, ME); Brian Harkins, Social Law Library; Rich Abati, Jen Connor; Dale Richardson and Christine Solt of Choate, Hall & Stewart.]*

## AALL 2004 PLL SPONSORED PROGRAMS

by Jenny Kanji, LexisNexis Librarian Relations Group  
PLL Program Co-Chair

As you prepare for your travels to Boston, please mark your calendars to attend these programs brought to you by the Annual Meeting Program Committee, Private Law Libraries Section. These programs address all ranges of competency from information technology, management, reference and public relations. We believe that these programs provide valuable information and stimulating experience.

See you in Boston!

A-2, Sunday, July 11, 10:15a.m. - 11:45a.m.

### **Delivering Documents to Mumbai: KM Strategies and Software for a Global Legal Environment**

Because KM is so new to many law librarians, most available information on this topic is either hearsay or theory. The speakers will give practical, "real life" examples of what procedures best foster information sharing and what types of software are available to meet legal institutions' KM needs.

K-1, Wednesday, July 14, 3p.m.-3:30p.m.

### **Reaching the Global Patron**

Law librarians must frequently provide reference service to patrons outside of the physical library. Delivering results in a format that is easy for the patron to use can be difficult. Adobe Acrobat is an

excellent tool to help deliver research results electronically to anyone anywhere! The speaker will discuss when to use Acrobat, and demonstrate the basics of creating PDFs, book marking, combining files and grabbing web pages.

C-1, Monday, July 12, 9a.m.-10a.m.

### **Legal Research for Conflicts Searching**

At the 2003 Annual Conference in Seattle, management of the conflicts of interest department emerged as a major trend among private law librarians in both large and small firms. This program focuses on specific strategies that librarians use when researching potential conflicts of interest among parent and subsidiary companies and other complex entities.

I-4, Wednesday, July 14, 1:30p.m.-2:00 p.m.

### **Unraveling the Mysteries of the Required SEC Filings of Foreign Companies**

Foreign companies doing business in the United States are required by the Securities and Exchange Commission to make periodic filings similar to those required of United States companies. Why doesn't a foreign company file a 10-K (annual report)? Is there an equivalent to

*continued on page 14*

## POSTER SESSION

by Alea Henle, Wilmer Cutler Pickering LLP  
Washington, DC

### Program Information:

G -1

Keeping up with the Joneses: Top Tips, Tricks & Tools for Greater Efficiency

Tuesday, 13 July 2004,

4 p.m. – 5 p.m.

### Poster Designers

Alea Henle (Wilmer Cutler Pickering LLP)

Cynthia Carlson (Fried, Frank, Harris, Shriver & Jacobson)

Cindy Diamond (Hogan & Hartson, LLP)

Donna Lombardo (Wilmer Cutler Pickering LLP)

Elizabeth LeDoux (Covington & Burling)

Ever wished you could take a look over the fence at what the law library next door is doing? Curious about how other law firm libraries handle issues? There's a program at the 2004 Annual Meeting just for you: "Keeping up with the Joneses."

The room will look a little different. No speakers will mount a platform to deliver miked presentations. There may be rows of chairs, but they'll be pushed away from the walls to leave plenty of room for walking, stopping, staring and talking. "Keeping up with the Joneses" is a poster session, literally. Mounted around the room, posters will provide information on a wide range of topics:

Web-based Routing Lists

Library Marketing

### Training Curriculum

Attorney Orientation Programs

Electronic Reference Request Forms

Instant Messaging & Blogs

Negotiating Electronic Licenses

Library Move Logistics

These are only a few of the topics to be addressed. Deciding on the topics wasn't easy. We kept a few basic questions in mind: what tips, tricks & tools do we use that we think work really well? Do we think other librarians might be interested in adapting our tips, tricks & tools? The final posters will feature screen shots, text boxes, sample forms ... and references to additional resources. Handouts will be available (in print and/or posted to an Internet site). As part of the program, Wilmer gets a sneak peak at the posters created by Fried Frank and Hogan, and vice versa. (Just from the discussions, I'm already eager to look at the Web-based Routing Lists and Instant Messaging, to name only two.)

Attendees are welcome to wander at will through the room. Four of the poster designers – Cynthia Carlson, Cindy Diamond, Donna Lombardo and Alea Henle – will be available to answer questions or discuss the issues further. Surf the entire room or pick a few posters to focus on ... this is a "choose your own adventure" program. Keep your eyes open for the layout map in the Handout Book, and start your engines ...

## MAKE WAY AALL 2004 BOOK DRIVE

Spring is almost here! Help a child blossom by donating a book today!

The Social Responsibilities SIS is coordinating the 6th annual children's book drive in Boston. The theme this year is "Make Way!" based on Boston's beloved children's book "Make Way for Ducklings" by Robert McCloskey (The Viking Press, New York, 1941).

This year's efforts will benefit Read Boston (<http://www.cityofboston.gov/bra/ReadBoston/JCSR.asp>) – a city education support initiative whose mission is to ensure that all Boston children are able readers by the time they complete third grade. The programs include the Family Literacy Program which provides books for classroom libraries and teacher training; the Reading Trail, a family-focused reading program which allows families to borrow books; and the Storymobile which lends books to kids' camps and summer programs.

Think about how you would like to donate next year. Donating is easier than ever. Beginning in March 2004 you will be able to go directly to

Amazon.com to view the Book Drive Wish List ([http://www.amazon.com/gp/registry/registry.html/ref=cm\\_wl\\_topnav\\_gateway/102-1504113-6932918?type=wishlist](http://www.amazon.com/gp/registry/registry.html/ref=cm_wl_topnav_gateway/102-1504113-6932918?type=wishlist)) and your donation will be shipped directly to the Book Drive team! [1]

Other options include bringing your donation with you to the conference, donating at the Luncheon or sending your donation or check made out to AALL to:

Make Way! Book Drive  
c/o Annette Demers  
Harvard Law School Library  
1545 Massachusetts Ave.  
Cambridge, MA 02138  
1-617-495-4531  
ademers@law.harvard.edu

[1] Go to Amazon.com – Click on top link for "Wish List." Search for AALL Book Drive or Read Boston.

**Editor's note:** Because of space limitations we were unable to print this glossary in the last issue of PLL Perspectives. It is intended to accompany the article entitled "International Research—Not for the Faint-Hearted—Getting the Question Right" by Tom Heferle that appeared in the last issue.

The article that follows the glossary, "Living the Global Life," was also written for the earlier issue. We apologize for any confusion that this may cause.

## INTERNATIONAL PRACTICE AREA GLOSSARY

by Tom Heferle, Esq.

Product Manager, International Legal Products, LexisNexis

The following are terms and definitions cobbled from a number of sources that may prove useful in international research. It is by no means exhaustive and is to be used for information purposes only.

### A

**Admiralty:** The law and court with jurisdiction over maritime affairs in general.

**Agreement Establishing the World Trade Organization:** Multilateral treaty drafted during the course of the Uruguay Round multilateral trade negotiations held from 1984 to 1994 and adopted as the Final Act of the Uruguay Round at Marrakech, Morocco on April 15, 1994. The Agreement came into effect, as did the World Trade Organization, on January 1, 1995. The Agreement consists of four annexes: three are Multilateral Trade Agreements and the fourth is made up of four Plurilateral Trade Agreements.

**Antidumping and Countervailing Duty Investigations:** Under the Tariff Act of 1930, U.S. industries may petition the government for relief from imports that are sold in the United States at less than fair value ("dumped") or which benefit from subsidies provided through foreign government programs.

Under the law, the U.S. Department of Commerce determines whether the dumping or subsidizing exists and, if so, the margin of dumping or amount of the subsidy. The U.S. International Trade Commission (ITC) determines whether the dumped or subsidized imports materially injure or threaten to materially injure the U.S. industry.

The Uruguay Round Agreements Act, approved in late 1994, amended the antidumping and countervailing duty laws in several respects. One of the most significant changes is the new provision requiring the Department of Commerce and the Commission to conduct reviews no later than five years after an antidumping or countervailing duty order ("Sunset Reviews") is issued to determine whether revoking the order would be likely to lead to continuation or recurrence of dumping or subsidies (Commerce) and of material injury (Commission).

**Arbitration:** The process by which parties to a dispute submit their differences to the judgment of an impartial third person or group selected by mutual consent.

### B

**Berne Convention for the Protection of Literary and Artistic Works:** Known generally as the "Berne Convention, it requires member states

to establish common minimum rules to protect the pecuniary and moral rights of authors without requiring them to comply with particular formalities.

**Bilateral treaty:** Formal binding agreement between two states.

### C

**CELEX:** The computerized documentation system on Community law which the EU institutions make available to their officials and the public. The source of the legislation is the Official Journal of the European Communities, Series L (legislative) and Series C (communications).

**CISG:** United Nations Convention on Contracts for the International Sale of Goods. See USCS International Sale of Goods (2003)

**Civil law:** (1) The legal system derived from Roman and Germanic practice and set out in national law codes. (2) As distinguished from public law, the body of law dealing with the rights of private citizens.

**Comity:** The practice or courtesy existing between countries whereby the laws and institutions of each are recognized and respected. Comity is to be distinguished from international law, because international law is a binding obligation and comity is not.

**Commission on Human Rights:** United Nations agency currently made up of representatives from 53 states, which operates under the supervision of the Economic and Social Council. It is responsible for conducting investigations and submitting proposals, recommendations, and reports on matters affecting human rights to the Economic and Social Council and the General Assembly.

**Common law:** The legal system of England and countries that were once English colonies (Commonwealth). Examples of Commonwealth nations are Canada, Australia, New Zealand, Nigeria, Bermuda, Jamaica, Hong Kong, and Singapore. It is based primarily on court-made rules or precedent.

**Comparative law:** The study, analysis, and comparison of the world's legal systems.

**Convention:** See *Treaty*

**Cross-border transaction:** Transactions involving more than one state.

### E

**European Commission:** The administrative and executive institution of the European Union.

*continued on page 9*

**BNA**  
**Full Page Advertisement**

# Q.

**QUESTION:**  
Why does West support  
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Anne Ellis,  
Senior Director,  
Librarian Relations

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International Glossary, *continued from page 6*

**European Commission of Human Rights (ECHR):** Organ created by the 1950 European Convention on Human Rights to examine interstate and individual complaints of violations of the Convention.

**European Community (EC):** Intergovernmental organization founded in 1957, predecessor of the European Union, which had as its goal the establishment of an economic common market. The terms “EC”, “Community or Communities” and “EU” are often used interchangeably, though the official designation now is “European Union” or “EU.”

**European Court of Justice:** The Supreme Court for interpreting EU law, it may be called upon to decide cases brought by the Member States, by the EU institutions, and by individuals and companies. It ensures uniform interpretation of EU law throughout the Union by close cooperation with national courts and tribunals through the preliminary ruling procedure.

**European Free Trade Association (EFTA):** A free trade association outside the EU. It is presently composed of Iceland, Norway, Switzerland and Liechtenstein.

**European Union (EU):** An intergovernmental organization that has as its goals the elimination of internal frontiers and the establishment of an economic, monetary, and political union. Its constituent treaties are the European Coal and Steel Community Treaty (Paris, 1951), the European Atomic Energy Community Treaty (Rome, 1957), the European Economic Community Treaty, (Rome, 1957), the Treaty on European Union (Maastricht 1992). In addition, there have been a number of amendments and major institutional changes from the Single European Act (1987), the Treaty of Amsterdam (1997) and the Treaty of Nice (2001). The EU is presently composed of 15 member countries<sup>1</sup> but an enlargement of some 13 or more countries is contemplated beginning in 2004<sup>2</sup>.

**European Union Law:** The foundation of the European Union are treaties and amendments. Every legal action is based on a treaty article. The EU regulates on its own behalf and has authority to require member states to harmonize national laws:

- Treaties—The “constitution” of the EU is embodied in the founding treaties and amending treaties.
- Regulations are applicable to and entirely binding on all member states and individuals
- Directives are binding on member states addressed; however, implementation is left to national authorities. The “national implementing measures” are usually specific acts, regulations, decrees issued by the member states.
- Decisions have an immediate binding legal effect, and are addressed primarily to individuals, a class of individuals or a single company.
- Notices describe policy and interpret legislation.

There are 11 official languages in the EU and EU legislation is published in all official languages.

**F**  
**Foreign domestic law:** The domestic law of jurisdictions beyond one’s national borders, e.g., Mexican commercial law

**G**  
**General Agreement on Tariffs and Trade of 1994 (GATT 1994):** One of the agreements that make up Annex 1A of the Multilateral Trade Agreements that are annexed to the Agreement Establishing the World Trade Organization. GATT 1994 sets out the rules under which the member states of the World Trade Organization are obliged to negotiate reductions in customs tariffs and other impediments to international trade in goods.

**General Assembly:** The principal deliberative body of the United Nations.

**Group of Seven (G7):** A catchphrase for the seven richest or largest industrial nations: Britain, Canada, France, Germany, Italy, Japan and the United States,

**H**  
**Harmonized System:** A system established by the Convention on Nomenclature for the Classification of Goods in Customs Tariffs for classifying goods for customs purposes.

**I**  
**Import Trade Administration (ITA):** A division of the U.S. Department of Commerce. One of its main objectives is the administration of U.S. antidumping and countervailing duty laws to provide a remedy to domestic industries injured by unfairly traded imports. See also Antidumping and International Trade Commission.

**Incoterms:** Trade terms published by the International Chamber of Commerce.

**International Bank for Reconstruction and Development (World Bank or IBRD):** A specialized agency of the United Nations headquartered in Washington, D.C. that provides development financing to its member states.

**International Chamber of Commerce (ICC):** Nongovernmental organization headquartered in Paris.

**International Convention for the Protection of Performers, Producers of Phonograms, and Broadcasting Organizations (Rome Convention):** Prohibits the unauthorized recording of live performances, the unauthorized reproduction of recordings, and the unauthorized recording or re-broadcasting of broadcasts.

**International Court of Justice (ICJ):** The ICJ is the judicial organ of the United Nations with the power to hear two kinds of cases: 1) cases between states and, 2) any cases requested by specialized agencies of the United Nations. The Court’s function is to settle legal disputes within the

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International Glossary, *continued from page 9*

boundaries of international law submitted to it by states and also to give advisory opinions regarding legal questions referred to it by authorized international organs and agencies. The ICJ replaced the Permanent Court of International Justice in 1945 and operates under a Statute largely similar to this predecessor. The Court is composed of 15 judges who serve nine-year terms of office.

**International Development Agency (IDA):** A subsidiary of the World Bank that provides concessional development financing to less developed countries.

**International law:** The body of legal rules and norms that regulates activities carried on outside the legal boundaries of states. The sources of international law are

- international conventions of general or particular nature;
- international custom, as evidence of a general practice accepted as law;
- the general principles of law recognized by civilized nations.

**International Convention for the Protection of Industrial Property (Paris Convention):** Requires member states to provide national treatment, right of priority, and common minimum rules to protect owners of industrial property rights

**International Monetary Fund (IMF):** A specialized agency of the United Nations headquartered in Washington. Using funds contributed by its members, it will purchase a currency on the application of a member to help the member discharge its international indebtedness and stabilize its currency exchange rates.

## J

**Joint venture:** An association of persons or companies collaborating in a business venture for more than a transitory time period.

## L

**Lex mercatoria:** (Latin: “law merchant.”) Common commercial rules and procedures used throughout Europe in the Renaissance period.

**Limited liability company:** (1) In civil law countries, a corporation owned by members that does not issue negotiable share certificates and is subject to minimal public disclosure laws. (2) In the United States, a corporation that lacks at least two of the following four characteristics: (1) continuity of life, (2) free transferability of interests, (3) centralized management, and (4) limited liability for equity investors. It is taxed as a partnership.

**Limited partnership:** (1) In civil law countries, a company of two or more persons, at least one of whom has unlimited personal liability for the debts of the business and at least one other who is an investor having limited liability. (2) In common law countries, a partnership consisting of one or more general partners who manage the business and who are each liable to the full extent of their personal assets for its debts and one or more limited partners whose liability is limited to the funds they invest.

**Long-arm statute:** A law defining the conduct of a foreign person within a state that will subject that person to the jurisdiction of the state.

## M

**Madrid Agreement Concerning the International Registration of Marks:** Multilateral convention agreed to at Madrid in 1891. It allows an applicant seeking to register a trademark or service mark to make a single application with the World Intellectual Property Organization that is equivalent to making a filing in all of the member states.

**Mercado Común del Sur (Mercosur):** Common Market of the South or Common Market of the Southern Cone. Customs union made up of Argentina, Brazil, Paraguay, and Uruguay. Established by the Treaty of Asunción, drafted on March 26, 1996, Mercosur has been in operation since January 1, 1995. Its goals are to establish a program of trade liberalization, to coordinate macroeconomic decisions, to create a common external tariff and to implement other trade-related agreements.

**Multilateral treaty:** Treaty between more than two states.

**Multinational enterprise:** Business firm operating branches, subsidiaries, or joint ventures in two or more states.

## N

**NAFTA (North American Free Trade Agreement):** Agreement between Canada, Mexico and the United States establishing a free trade area among the three member states as of January 1, 1994.

**Nongovernmental organization (NGO):** An international organization made up of persons other than states.

## O

**Official Journal or Gazette:** In the EU and most civil law countries, a law is not considered to be effective until published in the country’s official journal or gazette. e.g., for the EU: the Official Journal of the European Communities (Official Journal or OJ); France: Journal officiel de la République Française (Journal Officiel or JO); Germany: Bundesgesetzblatt (BGBI); Mexico: Diario Oficial de la Federación (Diario or DO)

**Organization for Economic Cooperation and Development (OECD):** Intergovernmental organization established in 1961. Its goals are to help “member countries promote economic growth, employment and improved standards of living through the coordination of policy” and to encourage “the sound and harmonious development of the world economy and improve the lot of developing countries, particularly the poorest.”

## P

**Partnership:** (1) In civil law countries, a company of two or persons who co-own and manage a business and who are each liable to the full extent of their personal assets for its debts. (2) In common law countries, an association of two or more persons who co-own and manage a business

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International Glossary, *continued from page 9*

for profit and who are each liable to the full extent of their personal assets for its debts.

**Partnership limited by shares:** A civil law company of one or more general partners who have unlimited personal liability for the debts of the company and limited participation by investors in the form of shares. The company is taxed as a corporation.

**Patent Cooperation Treaty:** Establishes an international mechanism that allows inventors to make a single application for patent protection that is equivalent to making a filing in all of the member states.

**Private international law:** That division of international law that deals primarily with the rights and duties of individuals and nongovernmental organizations in their international affairs. This refers primarily to international business law.

**Public international law:** That division of international law that deals primarily with the rights and duties of states and intergovernmental organizations as between themselves. E.g. international human rights law.

## S

**Self-executing treaty:** A treaty containing a term that says that it is directly effective within the signatory states upon ratification. This means that implementing legislation is not required by signatory states.

**Statutory Instrument (SI):** In the UK this is “secondary legislation”, often very important, made under enabling powers in Acts of Parliament by the Secretaries of State and Ministers. Sometimes called and entitled “Orders”, “Orders in Council”, “Rules”, “Commencement Orders”, “Statutory Rules”, “Regulations” etc

**Supranational powers:** Powers surrendered by member states to an intergovernmental organization. Such powers are superior to and preempt the laws and regulations of its member states. In exercising these powers, the organization may grant rights and privileges to the nationals of its member states, which those individuals may directly invoke.

## T

**Tax treaty:** Bilateral treaties that contain provisions governing such things as (1) the avoidance of double taxation, (2) tax avoidance and tax evasion, (3) the persons covered by the treaty, and (4) the basis (e.g., nationality, residence, or source) for imposing tax liability.

**Treaty:** Legally binding agreement between two or more states. In international law, the term “treaty” is applied to all sorts of international agreements between states, such as protocols, pacts, conventions, etc. In U.S. legal practice the term is more restrictive, i.e. a “treaty” refers to a special agreement made by the president with the advice and consent of the U.S. Senate.

**Treaty shopping:** The selection of a state that has beneficial tax treaties as a place in which to set up a subsidiary.

## U

**Uruguay Round Protocol to the General Agreement on Tariffs and Trade 1994:** One of the Agreements on Trade in Goods annexed to the Agreement Establishing the World Trade Organization.

**U.S International Trade Commission (ITC):** An independent, nonpartisan, quasi-judicial federal agency that provides trade expertise to both the legislative and executive branches of government, determines the impact of imports on U.S. industries, and directs actions against certain unfair trade practices, such as patent, trademark, and copyright infringement. The mission of the Commission is twofold: administer U.S. trade remedy laws in a fair and objective manner; and provide the President, the U.S. Trade Representative, and the Congress with independent, quality advice and information on matters of international trade and competitiveness. In so doing, the Commission contributes to the development and implementation of sound and informed U.S. trade policy.

## W

**World Bank:** International Bank for Reconstruction and Development

**World Intellectual Property Organization (WIPO):** A specialized agency of the United Nations responsible for administering the principal international intellectual property conventions.

**World Trade Organization (WTO):** Based in Geneva, Switzerland, this powerful international organization was created by the 1994 Uruguay Round Agreements. As of January 2002, it consists of 144 member countries, including the U.S. The WTO, which began functioning on January 1, 1995, is responsible for overseeing the

- General Agreement on Tariffs and Trade
- General Agreement on Trade in Services
- Agreement on Trade Related Aspects of Intellectual Property Rights and other related agreements.

It is the final arbiter for trade disputes between member countries, and publishes its findings in “dispute settlement reports”, and additional appellate reports and arbitration rulings.

<sup>1</sup> Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and the United Kingdom.

<sup>2</sup> Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, Slovakia, Bulgaria, Romania and Turkey.

## LIVING THE GLOBAL LIBRARY LIFE

by Barbara Byrd, Editor, LexisNexis Information Professional Update

**Editor's note:** Shireen Kumar is the Associate Director of Knowledge Management for the Americas Region, Clifford Chance Rogers & Wells LLP, New York City.

It's 9 p.m. in New York City, and a Clifford Chance associate rushes to the information center to locate a contact name for a Chinese business. Seeing the dark computer screens, she calls librarian Shireen Kumar at home, an edge of panic in her voice.

"Call the Hong Kong office's library," Kumar says calmly. "They're open, and they can get what you need."

Then Kumar refers the associate to the Clifford Chance intranet where the library number is listed. "Or you can e-mail your request."

In a global firm where the sun never sets on its practice, the library is never really closed.

"Information people have always been accommodating," notes Kumar, adding that the London office library is just as likely to call for New York's assistance as the day ends in Great Britain. "Firm globalization is just one more trend that brings it to the forefront."

### Relying on Information Partner Strengths

Clifford Chance currently operates 33 offices in cities dotting the globe—Sao Paulo, Dubai and Moscow, to name a few—and touching every continent but Africa and Australia. Approximately three quarters of firm offices have information professionals as well as collection resources, although some smaller U.S. and non-U.S. offices have one information professional and limited collections.

The international flavor of the firm is apparent even in Kumar's title—Associate Director of Knowledge Management for the Americas Region. She and her director report to the Global Chief Information Officer. Kumar's library in New York, along with the libraries in London, Frankfurt, and Hong Kong are informally recognized as firm information hubs. There is no "main" library.

Kumar stresses that the organization and operation of all Clifford Chance libraries have evolved to complement the legal practices of their offices—and nations.

In the London office, professional support lawyers and their staffs of information officers, i.e., reference librarians, are dedicated to specific practice areas. In New York, Kumar and her reference staff are generalists, supporting all of the practice areas, although her team of five is moving toward specialties, with each librarian assigned to become an area research expert.

The basic premise for operations among all the Clifford Chance libraries is simply stated: Check your local resources first. Then play to the strength of your partners.

However, that puts the onus on information professionals to know where to go next—the nearest library or the library that specializes in that

type of information request. For example, Kumar says, the New York office has a substantial corporate practice. She often gets calls and e-mail from other firm libraries with U.S. and U.K. company law questions.

Librarian names, phone numbers, office locations and e-mail addresses are only a click or two away on the firm intranets. And the intranets themselves are rich resources for internal intelligence that librarians can tap—with or without the assistance of their colleagues.

"Now our internal universe of resources is so much larger than before," Kumar adds.

### The Language of Business

Of course, the voice on the phone—or the follow-up e-mail question to clarify exactly what's needed—isn't likely to go away any time soon, Kumar concludes.

"Sometimes you want to clarify just to ensure you understand the question, especially since business terms of art may vary from nation to nation," she adds. For example, "turnover" in the U.K. generally reflects company sales, whereas in the U.S., "turnover" usually means the number of employees who have left the company.

So, even though patrons in most offices are generally looking for the same types of information—news plus lots of company and financial information—a human double-check on information requirements is worthwhile.

But when the U.S. librarian team discusses such requirements with colleagues in Barcelona or Brussels, it's in English. "Language is never an issue," Kumar says. "When I speak with the librarians from France and Germany, they speak English. In fact, I wish I could talk to them in their language as fluently as they speak to me...just out of courtesy to my colleagues."

Each office has its own home page, and while pages may be available in French, Spanish, German, etc., all are available in English as well.

Currently the home pages roll up to several different intranet sites, though any home page is accessible within a few clicks. Kumar adds that the technology team is working to bring all Clifford Chance home pages under one global intranet site.

### One Face Forward

Although most of the Clifford Chance information professionals have not met face to face, they stay in touch via a special extranet just for the information and knowledge management team. They share a monthly e-newsletter, stay current on firm-wide information contracts, swap news on interesting conferences, and more.

"That helps keep us on the same page—and helps us present a seamless face to our customers," Kumar says.

In fact, the attorney who phones in for help or fills out an intranet research request may never know who—in what city—finds their answer.

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Global Library Life, *continued from page 13*

For example, e-mail requests that come into the New York library—those from the New York office as well those forwarded from librarian colleagues who need assistance—hit the library’s central repository. There, Kumar’s team in New York and D.C. review the requests and tag those in their expertise areas.

“We focus on who can get the answer the fastest,” Kumar explains. “Sometimes we’ll research and answer, even if the requesting office has access to the same resources. We’re familiar with the topic and can get to it faster. And other offices do the same for us.”

Kumar’s team is even working on a reference database of common Qs&As that can be uploaded to their new regional intranet.

#### **United Partners in Purchasing**

Libraries also look out for each other when it comes to purchasing. There is no formal purchasing plan at Clifford Chance, although the London office manages the firm’s global systems and technology strategy as well as global purchasing contracts, ensuring the best possible pricing on information resources used across the firm.

Before making a major purchase, firm librarians advise Global Information Sourcing just to be sure their choice isn’t already under global contract consideration. But for the most part, “everyone has the autonomy and flexibility to purchase what their office needs,” Kumar says.

And the librarians often depend on each other to acquire resources. For example, Kumar says her office regularly uses German titles. When it became evident her library needed to purchase them, her team turned to the Frankfurt office librarians for help in acquiring the resources cost effectively.

“By the same token, when another office wants a U.S. title, they contact us. We know the best source, and it’s faster if we purchase it and send it,” she adds.

#### **The Next Step in the Firm’s Library Evolution**

Despite vast distances between the offices, Kumar believes the librarian staff will continue to find ways to work together more closely, all in the name of improving service. She would even consider outsourcing the most basic research tasks if it could be done inexpensively and with a staff librarian as an intermediary.

“We need to create time for experienced librarians to work more with associates. There is a lot of education that takes place face to face,” she explains.

Plus, she also sees a trend toward librarians becoming members of the practice-area teams. Her staff members who have been assigned a specialty compile bibliographies of valuable practice resources for the office’s home page.

And, as her team specializes, she finds the expertise and client knowledge they garner enables them to provide critical information proactively.

“We’d love to be able to spend more time with client teams and practice areas,” she says. “Our goal is to help each practice area identify on a regular basis the internal gems that can be shared on the intranet, thereby continually building our knowledge base.”

AALL 2004 Sponsored Programs, *continued from page 4*

an IPO filing? What is in the foreign filings? These are just a few of the questions that an expert researcher will answer in this program.

E-4, Tuesday, July 13, 9:00a.m.-10:00 a.m.

#### **The Gumshoe Librarian**

The growing power of computers and the expansion of commercial databases have made it quicker, cheaper, and easier than ever before for anyone to collect information that took our gumshoe predecessors weeks of dogged surveillance and research to piece together. Come join the experts as they reveal their strategies for locating people, public information and hidden resources from all parts of the world via the Internet.

D-6, Monday, July 12, 4:15p.m.-5:15 p.m.

#### **Legal Information to the World - Marketing Library Research Services to Multinational Organizations through Training Programs**

In response to a Europe without borders and Asian trade, law firms and corporations merge forming multinational organizations. Librarians in law schools, firms and legal departments market services to attorneys from varied legal traditions, educational and cultural backgrounds and language skills. In this program, law librarians for the US office of a multinational firm will discuss how they conduct library tours, orientations, and training programs taking these multinational differences and expectations into consideration.

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## NEWER LAW LIBRARIANS REGISTER FOR CONELL NOW

### What is CONELL?

The Conference of Newer Law Librarians (CONELL) is held every year at the American Association of Law Libraries Annual Meeting and Conference. CONELL welcomes newer members of the profession to the organization, introduces them to the Association and its leaders, and provides a setting for newer members to become acquainted with each other. Participants have an opportunity to talk with representatives from AALL's many Committees and Special Interest Sections to find out firsthand how to get involved and enjoy the benefits of Association membership. CONELL offers a chance to learn about the Association while meeting new people and having some fun.

### The 2004 CONELL Program

This year, CONELL will be held on Saturday, July 10 from 7:30 a.m. to 5:15 p.m.

The morning features presentations from experienced AALL members and open sessions with AALL experts from various areas of law librarianship and with chapter, SIS and committee representatives.

After lunch in the Sheraton Boston Hotel, the afternoon will be

devoted to a guided tour of Boston, including Beacon Hill, Back Bay, and the Waterfront. Participants will be able to walk into the North End, Boston's famous Italian neighborhood, and visit the Old North Church, where the lanterns were hung to signal the beginning of Paul Revere's ride.

For the first time this year, CONELL will sponsor "Dutch Treat Dinners" at 7:00 p.m. on Friday, July 9. These dinners will give CONELL participants a chance to meet each other and members of the Mentoring Committee before the beginning of the official conference.

### How to Register for CONELL

Be sure to register for CONELL when you submit your AALL Annual Meeting and Conference registration: [http://www.aallnet.org/events/04\\_registration.asp](http://www.aallnet.org/events/04_registration.asp)

Preregistration is required by June 4, 2004: \$100.00

### Learn More about CONELL

To learn more about CONELL, visit the Mentoring Committee's website: <http://www.aallnet.org/committee/mentoring/>

The Association gratefully acknowledges West for its support of this program.

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