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Winter 2023

Volume 48

Issue 1



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Southeastern Law Librarian

Presidential Ponderings ... from CJ Pipins

I knew it would happen.

A few times I even wished it to happen. However, now that the time has come to write my final presidential column for SEAALL I'm not sure I'm ready for my presidential year to be over. Where did it go? Admittedly, I'm asking that same question about 2020, and 2021 as well.

I often peruse old newsletters for inspiration and I went way back this time to the 1950s and the 1970s. I'm somewhat charmed by the fact that there are so many similarities to today. I saw a concern about the nation's constitutional issues, library budget concerns, descriptions of meetings, and opportunities for education. There is comfort in this consistency, at least for me. Consistent with the sentiments expressed by SEAALL presidents from the past, I have been very lucky to have a fabulous executive board to help me. I am so lucky to have had the benefit of these talented and smart colleagues and literally everything we got and are getting accomplished is due to them. A notable initiative is that tomorrow we begin the process of getting SEAALL 501(c) (3) status.

Almost identically to Madonna's recently announced tour I am now going to present you with C.J.'s greatest hits.



CJ Pipins
SEAALL President
University of Baltimore Law

The SEAALL election will run from February 20 through March 3. There will be a special election issue of the newsletter with information about the candidates.

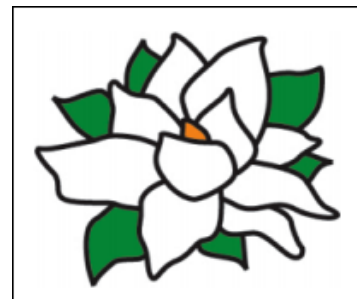
SEAALL won't just be voting for the newest members of the executive board in the next election. The brand-new bylaws will also be on the ballot. They are being circulated via email, will appear in the special election issue of the newsletter, and you can also just email me to ask for a copy.

Finally, this is my last opportunity to enthusiastically encourage you to join us at the SEAALL Annual Meeting in Richmond March 9 - 11. The Local Arrangements Committee has secured a wonderful space and are laying plans for

exciting events, networking and fun. We are even going to be announcing 2 brand new SEAALL Lifetime members. Looking for education? The program committee has you covered with a great lineup of sessions. We also have an Institute with the theme, Access to Justice. The institute is limited to 50 people so don't wait to register. You can register at SEAALL's website <https://seaall.wildapricot.org/SEAALL-Annual-Meeting-2023>

Don't just stand there, lets get to it, strike a pose there's nothing to it, Vogue (ok fine. That one is Madonna's)

As I head into the lavish nirvana that no doubt awaits me as SEAALL Past-President, I wish to say thanks. Thank you for trusting me with this responsibility. Thank you for coming with me on this journey. The executive board, the committee chairs, the committees, and all the members of SEAALL are extraordinary and it has been a great honor.



TechTip: Personal Library Organizers



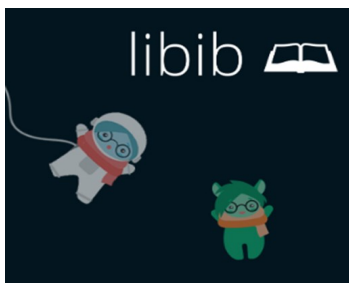
Deborah Turkewitz
Reference, Faculty &
Publications Librarian
Charleston School of
Law

Is your personal library taking over every available surface in your home? Do you go to the library or bookstore, find that great new book to read, only later to discover you have already read or bought it? Maybe it's time to finally organize your home library and check this chore off your "to-do" list.

Home library cataloging apps/desktop interfaces are easier than ever to use. Their features will let you add books by using your phone to scan barcodes, entering ISBN numbers, or manually entering information for rare or antique books. You'll have some choices for how to display book cover art and lists, shar-

ing lists or collections, and add notes or other bibliographic information.

[LibraryThing](#) is a popular free organizer (desktop/ app) for books, movies, and music. It's also a place to discover new books with recommendations and message boards. Getting started is easy. You can import your books from Goodreads, grab from a webpage, upload files, type in manually, or scan bar codes with your phone's camera. You can also organize books into collections and add your own tags.



Screenshot from Libib.com

essentially turning you into a small library.

Finally, a friend, with a home library of over 5,000 books, recommended [Book Connect](#), (desktop/app) to organize books, movies, music, comics, and games. While not free, (\$29.95 per year; free 7-day trial), the interface seems more robust as to cataloging options and it includes online software and cloud storage. I did not see a number limiting the items you can add. Like LibraryThing and Libib, you can display cover art and bibliographic details in various configurations, edit, share lists, and add items by ISBN, scan ISBN, or author and title.

There are other productivity apps for readers to analyze their reading habits. [StoryGraph](#) (generates recommendation lists); [Bookly](#) (tracks your reading and issues reports); and [Litsy](#) (be a reading "influencer," rate and post about books) might intrigue you to explore your habits further.



Screenshot from Library-Thing.com

I recently learned about [Libib](#), another free organizer (desktop/app). The personal version will allow you to add 5,000 books, movies, music, and video games, in up to 100 different collections. You can share collections, leave notes, and import/export lists. The Libib Pro subscription upgrade (\$9 per month) allows you to lend, place holds, and batch edit,

LibraryThing, Libib, or Book Connect, each seem easy to start using, with a few different features, depending on your needs and content. It may seem daunting to start but imagine how great it would be to have all your personal books, music, movies, games, or comics in one cataloged list!



Screenshot from connect.collectorz.com/books/

Be on the look-out for ...

Your SEAALL Nominating Committee will publish a special election issue with the candidate slate for the next election. Positions are VP-President/Elect and a Member-at-Large. The [SEAALL website](#) contains useful information about the positions.

As you all know, SEAALL is one of the premier AALL Chapters. Thank you for all your participation!

Closed Stacks: _____



Fran Norton Jr.
Law Library of
Louisiana

Traditionally, in this section of the newsletter librarians write about their favorite books and keepsakes, ones that they keep close on a private bookcase. However, I will be writing about a far off collection that we don't really want to keep.

Recently my mother died, leaving us a house full of possessions that must be sold, given away, or thrown away. We just don't have the space. Included are a large assortment of books, gathered over the decades by various family members.

I've already recycled the magazines, the kind that you may find in any old family home: back issues of *National Geographic*, *People*, *Prevention*, and *O, The Oprah Magazine*. There were also old telephone books (kids, ask your grandparents). I've also recycled the piles of yellowed recipes clipped from newspapers and stuck between the covers of cook books.

There are multiple encyclopedias still on the shelves, including: *American Heritage Book of the Presidents and Famous Americans* (up through Lyndon B. Johnson), the *Audubon Nature Encyclopedia*, a 1966 *History of the World* in 16 colorfully illustrated

volumes, and the 1965 time capsule *Modern Medical Encyclopedia* in 12 volumes. If you get the impression that our family ceased learning anything new back in 1966, you'll be pleased to know that we also have a Funk & Wagnalls encyclopedia set from the 1970's.

There are hard-cover books of every description.

I suspect that most have never been read. Why? They were mostly my father's books, and I have no memory of him ever reading a book.

There are some books that I know have clearly never been read: *How to Raise a Brighter Child* by Joan Beck, *The Mature Mind* by Harry Allen Overstreet, and *How to Talk Well* by James F. Bender. Want proof? Just look at us. No intellectuals raised there. We were more like the Crass family than the Glass family.

There are lots of highbrow books that have never been touched, including Carl Sandburg's multi-volume biography of Abraham Lincoln, Will Durant's multi-volume *The Story of Civilization*, biographies of political figures, and works on politics and religion. There are also popular works from the 1940s and 1950s. I actually did read *The*



Man Who Never Was by Ewen Montagu, and almost read *A Tree Grows in Brooklyn* by Betty Smith (but only because I saw the Bugs Bunny cartoon).

Of course, there are the wildcards. You see a title and wonder how it made it onto the shelf. These include *How to Relax: Scientific Body Control* by William H. Miller, *The Science of Hypnotism* by L.E. Young, and a 1932 Legislative Manual for New York.

Then there are the paperbacks, which I know have been read at least once, some by yours truly. Some are pulp fiction, and some are award winning fiction books. Some of these have pages so brown and brittle that you can almost feel the acid. The romances are much newer, and still in good shape. They were my mother's.

In summary, we are faced with a problem endemic to many libraries: no space and no place to put the books. If any of you have ideas, please let me know.

Tech Note: SEAALL has a Twitter account and we love to highlight the accomplishments and activities of SEAALL members. Please tag @SEAALL1 on Twitter or send us a direct message or email apitt16@lsu.edu with your news you would like us to share with our Twitter followers.



Library Profile : Bounds Law Library



Cynthia Barnes
Reference Librarian
Barry University

Having worked in the Orlando area from 2015 until the beginning of the pandemic, I knew Colonial Drive quite well because Goodwill had a job connection center near 3900 East Colonial Drive and my Sam's Club was at 7701. However, I have no recollection of a law school in that area. The weekend before I started work, I decided to drive to the campus. It is beginning to get dark outside as I approach the address on the GPS then I realize the reason one would not know a school was here was because only the entrance is visible from the street and the lighting makes it visible. During the day it would be quite easy to drive right past it.

As I drive down the beautiful palm tree lined driveway with the windows down, I feel a sense of peace in the air. When I arrive at the water fountain, I wonder if this building is the library.



Then, I continue to drive around the one-way street and notice additional buildings in the back. As I walk around, I find the law library, which is a 3-story building situated directly behind the first building I saw on the campus.



When I arrived on my first day, I received a tour of the library. I learned that this campus used to be a drive-in movie theater, which explains why the campus is barely recognizable from the street. The Colonial Drive-In Theatre opened May 9, 1955, could accommodate 550 cars, and showed its last movie on October 3, 1992.



The library would have been positioned right in the middle of the light-colored area, which looks like a baseball field, in the aerial view.

Like most libraries, there has been a purging of physical books as many collections are now available electronically. However, the library remains an active place to be on campus for six reasons. First, students come to the library for

study space, which is found on all three floors. The most sought-after study spaces are the individual, locked study rooms, which students can book once a day for four hours. Students can work in groups on both the first and second floor. On the first-floor students can talk in their normal voice and whisper on the second. However, the third floor is silent with only individual study areas. Second, the Comprehensive Legal Academic Success Program (CLASP) has a suite of offices in the library on the second floor. All incoming 1Ls are assigned a CLASP counselor that works with them throughout law school and helps them prepare for the bar exam. Third, the clinical programs and externships are in the library on the second floor. Fourth, some professors have offices in the library. Fifth, the IT department is on the first floor of the library. Finally, students come to the library to get research help from the reference librarians for their writing assignments.

Four of my favorite things about working in this library. First, weather permitting, a core group does a walk around the campus once or twice a day. Second, as part of the bar study team with CLASP, I serve as a mentor and cheerleader for students studying for the bar exam. I check in with them weekly with emails, phone calls, or face-to-face meetings. Third, everyone that works in the library volunteers to decorate the display case based on specific themes and it gives us a chance to show our creative side. Last year, my display was on popular culture and the law. Finally, the "Take a Break" area, which Stephanie from technical services keeps stocked, provides diverse options to take a mental break.

The next time you find yourself in Orlando, drop by and one of our staff will be happy to give you a tour.



Legal Podcast Review: What Roman Mars Can Learn About Con Law



Sibyl Marshall
Head of Public
Services
The University of
Tennessee

I subscribe to over 25 podcasts, and one of my very favorites is *What Roman Mars Can Learn About Con Law*. This podcast is not geared towards lawyers, law students, or anyone in the legal community specifically. Instead, the well-known podcaster (and non-lawyer) Roman Mars talks with his neighbor, Prof. Elizabeth Joh (U.C. Davis School of Law) about constitutional law issues in the news. Prof. Joh does a terrific job of explaining constitutional law in a way that is understandable to people without any legal background, but is non-condescending, enlightening, and interesting to lawyers and law students as well. It might be of interest to law students/ future law students

gearing up for their required Constitutional Law class and wanting to do something to prepare other than read a hornbook or case opinions.



When this podcast first debuted, it was towards the beginning of the Trump presidency and had a different name: *What Trump Can Teach Us About Con Law*. It was a weekly podcast, with episodes delving into things most of us thought would never hit the news, such as the Emoluments Clause, the Appointments Clause, and Presidential Immunity. Since about 2020, the podcast has slowed down to releasing new episodes every month or two. I like that, as my podcast feed tends to get overly clogged anyway!

I have used this podcast for some of my classes, assigning students in my Administrative Law Research class to listen to episode 60, The Administrative State, and recommending episode 54, Bong Hits for Jesus, to my first-year legal research students working on a project involving the free speech rights of public school students. I got lots of positive feedback from students who enjoyed the podcasts and found them a helpful tool for learning about constitutional law issues. I have also used episodes that caught my interest to develop legal research hypotheticals around the topics discussed.

As a bonus, the production values are superb – no weird audio issues, people sounding like they are recording at the bottom of a well, annoying sound effects, or anything else to get in the way of being immersed in the conversation.

Overall, I recommend this podcast to anyone with an interest in the U.S. legal system and current events.

Readers' Advisory: Spare, by Prince Harry, The Duke of Sussex



Marisa Kate Henthorn
Access Services
Specialist
Charleston School
of Law

Upon first impression, *Spare*, comes off as an explosive, dramatic tell-all about a prince who “gave up” his royal life. This is not wholly inaccurate.

There were certainly parts of the book that surprised me for their dramatic flair or slightly out of touch nature.

(Even someone who proports working on his unconscious bias and privilege cannot escape the unfathomably privileged life in which he was raised.)

However, what I have personally found the most interesting about Prince Harry’s and Meghan Markle’s situation is the absolutely horrific treatment that they (and Meghan, especially) have received in the press. The book’s central thesis is, clearly, the press’ negative depiction of Prince Harry and his family. Prince Harry makes it very clear how he feels about them and discusses the steps he and his family have taken in attempts to protect themselves from them.

“I’d soon prove that the press were more than liars, I said. That they were lawbreakers. I was going to see some of them thrown into jail. That was why they were attacking me so viciously: they knew I had hard evidence.

It wasn’t about me. It was a matter of public interest.” (Spare, p. 396).

It is clear that Prince Harry feels that his entire family was and has been unfairly treated by the press and wants to take firm steps to attempt to not only punish those he believes wronged him, but send a warning to others who may attempt to do the same. The book discusses, also, that both King Charles and Prince William have sued the press in the past. Additionally, it speaks about the legacy of paparazzi – the book, of course, has several passages talking about Princess Diana and the media frenzy she faced.

The Sussexes have, together, participated in or are currently participating in 10 different cases. Most are directed at the media, while Prince Harry’s most recent filing is an attempt at suing the U.K. Home Office over its involvement in pulling his security detail. One of these suits was Meghan’s cousin, who

Readers' Advisory, continued

sued her for libel.

Prince Harry's book exists at an interesting point in time, where high profile cases are becoming more regular and more virally shared. It is valuable for its candid depiction of how alleged acts of the media affect a person. It raises questions about the ethical treatment of celebrities and people "born into" celebrity status, who had no choice in the matter. How much privacy should they be afforded? How much does the law protect that privacy?

The cases by the Duke and Duchess are just one example of a re-

cent uptick in high profile celebrity cases, joining the ranks of cases such as Johnny Depp versus Amber Heard, or Megan the Stallion versus Tory Lanez. At the moment of writing this article, a viral video is going around of statesmen quoting Taylor Swift lyrics at a congressional hearing about Ticketmaster's alleged monopoly of concert venues. Hand in hand with these instances, along with social media websites like Twitter and TikTok, comes the average person's interest in law. Nonlawyers' opinions on the verdict of celebrity cases have brought a more discerning public eye on media and privacy laws and it will be interesting to see how and if this affects laws or how high profile cases are handled in the future.



By Prince Harry, The Duke of Sussex, 2023
Random House Publishing Group

Recent Acquisitions: One for the Law Library, One for Me, One for the Cats

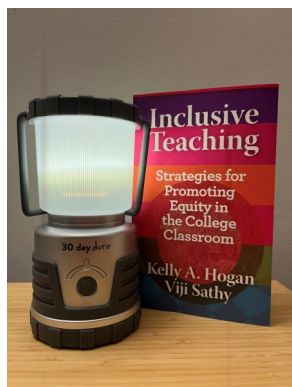


Ellie Campbell
Clinical Assistant Professor of Law and Reference Librarian
UNC School of Law

For the Law Library:

The Kathrine R. Everett Law Library at UNC recently bought a round of office copies for staff, including a copy of *Inclusive Teaching: Strategies for Promoting Equity in the College Classroom*. The text was

written by Kelly A. Hogan and Viji Sathy, two University of North Carolina instructors in STEM fields. Though the book speaks more to massive lecture hall undergrad classes than the smaller classes we tend to teach in legal research, it nevertheless has many practical tips for making your teaching more inclusive and equitable.



Hogan and Sathy discuss the importance of structure, walk through ways to improve your syllabus, how to manage the classroom environment, and how to bring those practices to your interactions outside the classroom as well. It's an excellent addition to a growing number of works that can help improve our teaching skills.

For me:

I always struggle with requesting Christmas gifts from my family. My father and brother and I are all adults, so we tend to have a smaller celebration, but if I don't ask for anything, I might not have anything under the tree on Christmas morning to enjoy. This year I solved my problem by asking my brother to buy me a Wirecutter-recommended hurricane lamp. Not too expensive, but guaranteed to shine for a long time; I've been wanting one since

moving to North Carolina. Somehow this part of the state is prone to high winds and downed power lines during storms. After several power outages this fall, I finally decided to upgrade from a

couple of flashlights. I just want to be able to keep reading after the sun has gone down, and I can now attest that the [30-day Duro LED Lantern](#) is actually brighter than my bedside reading lamp. It even has different intensity settings, including a fun "flicker" setting that means I can pretend to read by candlelight without worrying about setting off the fire alarm.

For the cats:

Meanwhile, the cats got a nice cardboard castle/scratching post for Christmas and have been enjoying it immensely.



Meet & Three

Meet

Hi all! My name is Matthew Neely,



Matthew Neely
Reference Librarian
University of Alabama
Law School

and I am currently the Faculty Services and Scholarly Communications Librarian at the University of Alabama Bounds Law Library. I

earned a B.S. in Political Science (pun intended) from Western

Carolina University, my J.D. and M.Div. from Samford University, and my M.L.I.S from the University of Washington. I'm starting my fifth year as a full-time Reference Librarian.

Like most librarians, I have been a library user since before I can remember. My parents informed me that I got my first library card when

I was three-years-old. Some of my earliest memories are combing through the children's section of Hudson Library in my hometown of Highlands, NC. I first volunteered in that same library one summer during college. I later worked the circulation desk at the Lucille Stewart Beeson Law Library for four and a half years during law school. My first professional position was as a Reference Librarian at North Carolina Central University from 2018 to July of 2022. This summer, I moved to Tuscaloosa, Alabama, for my current position, which leads me to my three bits of advice for a move.

Three

First, pay for dedicated moving help. My wife and I used a gig service to hire moving help. The movers were great! However, it was one of the hottest days of July, and one of the movers bowed out about an hour before the job started. Short one helper, we had to scramble to find the nephew of a friend who graciously came to assist. Still, my wife and I had to load most everything well after the workers all left.

Lesson: Hire a company that will make sure you have all the help you will need, or you might find yourself loading by yourself a few hours after your scheduled end time.

Second, allow extra time in your moving schedule. We loaded the moving truck on a Friday morning, unloaded the truck on Saturday afternoon, and I started work that Monday. We survived, but we had to drive much later than expected to arrive on time the next day. We were also exhausted for several weeks after the move.

Lesson: Yes, you can do it all in a short amount of time. However, that doesn't mean you should.

Third, in that extra time that you're now allowing yourself to move -- you're welcome, by the way -- take some time to stop at somewhere that interests you on the journey. Not only will your legs and backside appreciate the break, but you might make a memory that will last.

Legal Movie Review: Loving



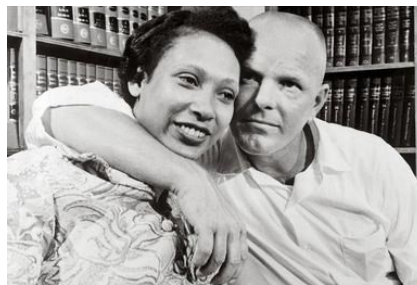
Kayla Reed
Metadata & Digital
Services Librarian
Louisiana State
University Law
School

Due to recent stirrings regarding Supreme Court rulings, it seemed like a good time to watch and review the 2016 film *Loving* starring Ruth Negga and Joel Edgerton.

The film introduces us to Richard and Mildred Loving, an interracial couple in 1958 Virginia. The couple go to Washington, D.C. to elope, but not without facing criticism from their

respective families due to the illegality of interracial marriage in Virginia. Shortly after their return to Virginia, they are arrested in the middle of the night.

From the beginning we see the difference in the way Richard and Mildred are treated. Richard, a white man, is told by the police



Mildred and Richard Loving in 1967.
Screenshot from https://en.wikipedia.org/wiki/Mildred_and_Richard_Loving

that he should "know better" and is released from prison the following day, while a pregnant Mildred, a black woman, is forced to stay in police custody over the weekend. Richard fights to get his wife out of prison and hires a lawyer. A deal is formed, Richard and Mildred must plead guilty to their charges to avoid a one-year prison sentence, but they must also not return to Virginia for 25 years.

Banished from their hometown, the couple leave to stay with friends in Washington, D.C. Mildred understandably misses home and longs to give birth among her family, so the couple secretly return to Virginia for the birth of their child. After the baby is born, they are again arrested and brought to court to face the same judge who handed down their banishment. Ultimately their lawyer lies to cover for the couple, and they are again banished with the warning never to return.

The film jumps forward in time a few years and we see that the family of three has grown to five with two sons and a daughter. We see Mildred's intense homesickness during a visit with her sister, Garnet. During this visit, Garnet encourages Mildred to write to United States Attorney General Robert F. Kennedy for help returning home. Her letter is sent to the ACLU and the Loving family is appointed lawyer Bernard Cohen to represent their case.

Legal Movie Review Cont.

Soon after this, one of the couple's sons is hit by a vehicle. This is the catalyst for Mildred to pack her family up and move back home to rural Virginia. Initially the family lays low to avoid police detection as their lawyer appeals the local judge's ruling. After the ruling stands, the case moves to Virginia courts, and eventually the United States Supreme Court.

During this time, the Loving's are bombarded by reporters and photographers.

The couple is obviously uncomfortable with the attention, especially Richard. Mildred is a quiet force who braves the reporters and lets them into her home, causing some friction between her and Richard. Given the opportunity to attend the Supreme Court hearing on their case, they decline, not wanting to hear

the state's case that their union is illegal, and their children are illegitimate.

The film concludes with the couple's lawyers going before the Supreme Court as the family is shown going about their lives as usual, the parents working and the children playing. Mildred gets a call informing her that they won their case, discrimination against interracial marriage was unconstitutional. The family is then free to reside in Virginia and we see Richard as he begins building their new family home.

The acting in this movie was superb, specifically the actors portraying Mildred and Richard. They depict a quiet, steadfast couple who wish for the right to be peacefully married and raise a family. I knew nothing about the couple

behind *Loving v. Virginia* before going into this movie, and I left it with a better understanding of the landmark civil rights case.

The film is currently available to stream on Netflix.



Wild Card: Music – My Key to Creating an Energy & Environmental Legal Research Class

At LSU Law, we are lucky to have good relationships between the doctrinal faculty and the librarians. As a result of this, I'm teaching two new legal research classes this year – one in Administrative Legal Research and one in Energy & Environmental Legal Research. While I was excited to create the Administrative class, I felt out of my depth with the Energy & Environmental class even though it was a needed, and much requested, addition to the law school's Energy Law Certificate. I never anticipated becoming anything close to an energy or environmental law specialist back in law school and my career as a Legal Services attorney certainly didn't prepare me for the subject matter.

However, I knew I could do it. After all, I think administrative legal research and all its quirks is fun; this was just a really focused version of that class. Still, I didn't find my groove in class prep until I actually found (several) grooves. Turns out the key to the class for me was the universal key of music. In July, I stumbled across a newspa-

per article about a lawsuit against the Tennessee Valley Authority (TVA) concerning heavily redacted gas pipeline contracts in response to a Freedom of Information Act (FOIA) request by an environmental group seeking to ensure that TVA's actions complied with the National Environmental Policy Act (NEPA). The always-looking-for-interesting-hypos part of my brain lit up like the stage at a Taylor Swift concert because this one news article immediately hit on all the major themes of my class (administrative law, energy law, environmental law, and FOIA) in one tidy package.

I did what any good legal researcher does and immediately searched the TVA website for more information about the proposed TVA plan to replace coal-fired power plants with natural-gas units. My search yielded a press release about the plan and links to the CT Modernization Study and the Paradise and Colbert Combustion Turbine Final Environmental Assessment. It was the Environmental Assessment that triggered my brain's jukebox and that's how "Paradise" by John Prine became the guide star to the whole

class. Prine's song about the transformation and eventual death of Paradise, Kentucky as a result of strip-coal mining (and the TVA's location of a coal-fired power plant) is an American classic that makes an abstract discussion much more real and personal.

Several songs immediately pushed into my mind right behind "Paradise". Song 2, "TVA," and Song 3, "Seven-Mile Island," arrived practically at the same time. In those, Jason Isbell sings about how the TVA changed life positively in the Tennessee Valley and about bad choices & Seven-Mile Island, which is located just down-stream from the Colbert Combustion Turbine in Alabama. Even better, a quick Google search revealed that Seven-Mile Island is an Alabama Wildlife Management Area co-managed with the TVA and is immediately adjacent to a National Wildlife Refuge. I felt like I had hit the hypothetical creation jackpot with three songs. I was tripping over perfectly-themed administrative law left and right.

Wild Card Cont.

A news article, a press release, three songs, and a quick Google search made me excited about the class and gave me several possible problems to have my class work on. I felt energized and more confident about this new class prep. My excitement and the course planning and song-brainstorming kept going for the rest of the afternoon and I had a syllabus and a 25 song playlist of energy and environmental songs covering the sonic spectrum from Joni Mitchell to Childish Gambino. Some of them, like "Paradise" and "TVA" became part of my required reading (listening) for the class. Some of

them were just fun. I think it made the class more approachable for me and my students and allowed us to stretch our minds in non-legal ways.

Notes:

TVA Sued Over Heavily Redacted Natural Gas Pipeline Contracts, <https://www.al.com/news/2022/03/tva-sued-over-heavily-redacted-natural-gas-pipeline-contracts>.

EELR Playlist, <https://music.apple.com/us/playlist/eelr/pl.u-LdbqEorTp7GPI>

TVA Replacing Natural Gas Units, Support Solar Growth, press release, July 6, 2021. <https://www.tva.com/newsroom/press-releases/tva-replacing-natural-gas-units-supports-solar-growth>

CT Modernization Study, Finding of No Significant Impact, and the Paradise and Colbert Combustion Turbine Final Environmental Assessment <https://www.tva.com/environment/environmental-stewardship/environmental-reviews/nepa-detail/paradise-and-colbert-combustion-turbine-plants>

SEAALL Student Scholarship Article - Denise Bennett

I was going to write about my externship experience with the NCCU School of Law Library. I completed a LibGuide on Veterans Law and served as a teacher's assistant for Advanced Legal Research. I learned a lot from those experiences, as it showed me that law librarians not only help with the research, but they also assist others outside of the library. I also learned that helping others today requires law librarians to be on top of the ever-changing research methods and technology. Finally, I realized that a career in law librarianship will never be boring.

Looking into what I should write about, I read the past scholarship recipients' articles. I realized, however, as interesting as I found in creating a LibGuide, researching helpful information for veterans, and being a teaching assistant; there was something better. Last summer I took my first four classes in the Master program of this dual degree. I learned about different methods of organizing information, and the basics for librarians. A major assignment was to write a paper about an issue that is facing libraries or librarians today. I wanted to focus it more on law librarians so my advisor and mentor gave me several ideas. I selected the danger of the unauthorized practice of law (UPL) and how one can cross that line and not even realize it.

Maybe this is not new to the seasoned law librarians, but it really caught me off guard. All the law and MLS classes I have taken have fed an assumption that this would not be an issue. Since employers generally require a law librarian to have a JD and a MLS the area of UPL is something we should all be concerned about.

As I continued the research for my paper, I found very few articles that addressed UPL and the consequences a law librarian could face. There were many that gave law librarians tips on how to avoid it. I also learned that it meant that not many law librarians have found themselves being sued or sanctioned for UPL. Many of the articles had hypothetical situations that could occur, especially at a University's Law Library. As I read them, my eyes were opened to how easy it would be to cross into UPL. There is a fine line between giving legal advice, applying the law to a specific set of facts - and legal information; guiding a patron to the law and letting them draw their own conclusions.

The American Bar Association (ABA), the American Association of Law Libraries (AALL), and the American Library Association (ALA) all have codes of ethics. When becoming a law librarian, especially one with a JD and the ability to

practice law, you have to know and adhere to all of them. Because librarians are information providers and because lawyers give legal advice, someone who finds themselves in the position of a law librarian has to have firm boundaries between providing legal advice and legal information. Having that JD degree will not protect a law librarian from UPL; they must keep their duties as a law librarian separate from their duties as a lawyer.

One of the hypotheticals that I read in Robin Mills' article Reference services vs. legal advice: Is it possible to draw the line? seemed that it could be a rather innocent interaction between the ethical and reference obligations of a law librarian:

A middle-aged man walks into the law library and approaches the reference librarian. He explains that he was involved in a serious automobile accident six months previously and wants to know how long he has to bring a suit against the driver of the other car. The reference librarian assists him in locating the



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statute of limitations for that jurisdiction, which states that one has two years in which to bring an action for personal injury, and remarks "You have plenty of time – 18 months – before you have to do anything." He leaves and waits a year before consulting an attorney because he wants to be sure all injuries have come to light before he brings suit. He had failed to mention to the librarian that his wife was killed in the accident. The statute of limitations for wrongful death in that jurisdiction is one year so that by the time he consults his attorney, he is barred from bringing suit on that ground (Mills, 181).

This reference librarian was helpful, understanding, and physically showed the patron the statute of limitations. How on earth could they get in trouble for UPL? Robin Mills investigates the dilemma that law librarians face and pro-

vides how the above hypothetical did cross over into UPL:

The patron could have reasonably relied on her knowledge based on her behavior and position in the library when showing him that statute and confirming verbally he had 18 more months which was to his detriment. [Because] she failed to ask further questions she could not give the exact advice needed (Mills, 191).

A quick library question by the patron got them to the correct "big picture" answer. However, because the reference librarian may not have been a lawyer, or one with wrongful death experience, she did not know that there were more pertinent questions to ask and information to gather before definitively answering a very general, yet specific to one person, question. The boundary that

leads into UPL is very thin and the patron is the one who is most harmed.

As someone who is interested in being a law librarian, and a practicing attorney, I have concluded that the line between legal advice and legal information will always remain murky. The patron will be the one to decide if I ever cross it. Although in my research, many tactics were given to help prevent UPL, the best one is to provide very general information while being kind and understanding.

References:

Mills, R. K. (1979). Reference services vs. legal advice: Is it possible to draw the line? *Law Library Journal*, 72 (2), 179-193.

Recent Acquisition: The Bricks before *Brown*:

The Chinese American, Native American, and Mexican Americans' Struggle for Educational Equality



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***Brown v. Board* is a staple of U.S. legal discussions on racial equality.**

The Bricks is a necessary primer on minority educational disenfranchisement. It is essential in providing context to recent Supreme Court Challenges to race-based admissions. *The*

Bricks tells the story of 105 "bricks" (cases) which paved the road to *Brown v. Board*, namely: Chinese exclusion as represented by *Tape v. Hurley*; American Indian exclusion as represented by *Piper v. Big6t7rewa Pine*; and Mexican-American exclusion as represented by *Mendez v. Westminster*.

In *Mendez*, the de jure all-white Westminster Elementary School district rejected Sylvia Mendez, the nine-year-old daughter of Puerto Rican-born Felicitas

Gomez Martinez and Mexican-born Gonzalo Mendez.

The Japanese American Citizens League (JACL), American Jewish Congress (AJC) and the NAACP all filed amicus briefs in what, Robert Carter referred to as the trial run for *Brown*. Notwithstanding the backdrop, racial discrimination, was strategically avoided throughout much of the proceedings. Hygiene, cultural comportment, and academic inferiority were all used as pretexts of exclusion. Academic inferiority was 'proven' by the plaintiffs' putative mastery of the Spanish language. The *Mendez* plaintiffs, were referred to by various interchangeable terms, including "Mexican", "Latin", "Spanish", "Spanish Speaking" "non-Anglo-Saxon" and even "Mexican-speaking." In theory the segregated school was designed for those who were not proficient in English. In practice however the district segregated the students based on their Spanish surnames and without conducting any language assessment.

Modern day echoes of this practice in reflected in an ideology known as

'Raciolinguicism' (1) which typically occurs when Hispanics (and not whites) are stigmatized for their bilingualism.

Intersection of Sex and Race in overcoming discrimination

The legal team deftly navigated the controlling racist and sexist imagery surrounding the plaintiffs' ethnic backgrounds. Among the images of Chinese American women, were: 'the pagan, the "prostitute" and the "poor creature." The controlling-images of the Mexican American women were the: "malinche," (2) the *mamacita*, and the mentally inferior. The controlling-images of the Native American women were the "Squaw," the *Savage*, and the "sacrificial maiden."

By choosing girls that were too young to be sexualized, the legal team eliminated the common sexual element of the stereotypes. And by choosing plaintiffs that were far more educated, refined and culturally assimilated, the team crafted a story of cultural success.

In response, the state then argued that

Recent Acquisition Cont.

that by sending the most talented Mexican kids to the “white school” they deprived the Mexican school of excellent models of success “from among their own kind.” Another unintended consequence was the formation of a new stereo type, the model minority.

Whiteness and foreign support as a liability

Unlike *Brown*, the plaintiffs from *Tape*, and *Mendez*, lobbied foreign governments to secure their domestic interests. During the construction of the Pacific Railroad, the Chinese government lobbied to grant China “most favored nation status.” However, after the project was complete and when it became clear that the Chinese would remain in the U.S., a series of anti-Chinese laws and ordinances followed which culminated in the Chinese Exclusion Act.

After the Treaty of Hidalgo (1848), Mexico ceded the territories which would become, California, Nevada, Utah, Colorado, New Mexico, Arizona, and parts of Kansas and Oklahoma. Classifying Mexicans as legally white, enabled governments to circumvent the race-based prerequisite of naturalization. Arguably it was also a means of ensuring a ‘white’ majority in the new territories.

In the 1930 census, Mexican Americans rejected “Mexican” a racial category, and instead opted to ‘remain white.’ White identity, without the accompanying social capital, proved to be a liability to groups hoping to mount legal defenses predicated on 14th amendment race-based discrimination. This lesson has come to the forefront with Asians, Middle Easterners, North Africans, and other ‘census whites.’

Controlled imagery and its present-day legacy

Controlled imagery represents the institutionalization of stereotypes to further: social, legal, or political ends. This imagery adjusts in tandem with the sociopolitical, or legal aspirations of the dominate group. The “model minority” stereotype among Asian Americans and recent immigrants is typically deployed as a bludgeon against African Americans, or policies enacted to remedy historic discrimination against them. This strategy found its most recent expression in the legal strategies of the Students for Fair Admissions (SFFA). The brainchild of conservative legal strategist Edward Blume, the SFFA was formulated to challenge race conscious admissions policies at selective universities. SFFA was an offshoot of the Project on Fair Representation, which sponsored *Fisher v. Texas*.

In 2020, seventy percent of Asian Americans polled support Affirmative Action. (3) Despite this support, SFFA’s legal strategy purports to defend the Asian “model minority” by taking a strike at *Grutter v. Bollinger*.

Bricks before Brown highlights how race was legally, historically, and socially constructed among Asian Americans, Native Americans, and Mexican Americans. It also demonstrates how these cases laid the groundwork for what later came. After the 9th Circuit decision, in *Mendez*, the school district voted not to appeal. Instead, the then California governor Earl Warren successfully lobbied he state legislature to integrate all California schools. After his nomination to the Supreme Court, Warren pre-

sided over his first case, *Brown v. Board*. By understanding context, the reader gains a better grasp on current social phenomena with inform current legal events.

THE BRICKS BEFORE BROWN | *The Chinese American, Native American, and Mexican Americans’ Struggle for Educational Equality*



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Notes:

1 Chávez -Moreno, L.C. Racist and Raciolinguistic Teacher Ideologies: When Bilingual Education is “Inherently Culturally Relevant” for Latinxs. *Urban Rev* 54, 554–575 (2022). <https://doi.org/10.1007/s11256-021-00628-9>

2 Popular name for Malintzin (1500-1529) a Nahua/ Aztec woman who was known for assisting the Spanish in their conquest of the Aztec Empire. Malinchista is a slur used to denounce Mexicans who are perceived to deny their cultural heritage in favor of foreign cultural expressions.

3 <https://www.nbcnews.com/news/asian-america/70-asian-americans-support-affirmative-action-here-s-why-misconceptions-n1247806>

Committee News

The SEAALL Scholarship and Awards Committee had a meeting on November 16, 2022 and selected the Student Scholarship winner for 2022. There were five applicants and one scholarship was awarded. Her essay appears elsewhere in this issue.

The Committee is now reviewing and preparing the application and announcements for the Lucile Elliott Scholarship, which provides financial aid for any purpose reasonably designed to improve one’s career in law librarianship. Part of the purpose of this award is to encourage recipients to remain in the profession.

The Committee plans to release the announcements and applications for the Lucile Elliott Scholarship, as well as a grant to attend CONELL in Boston, sometime in February.

Committee News

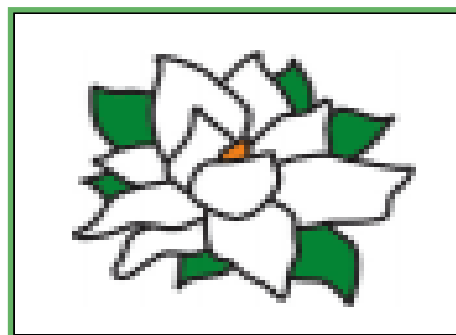
SEAALL Annual Meeting in Richmond, Virginia

After three long years the Local Arrangements Committee is pleased to welcome SEAALL members back to Virginia for the first in-person meeting since the 2019 meeting in Hot Springs, Virginia. And while we can't give you any guarantees, we think we can safely say that even though we're meeting in March, there won't be any snow! The Local Arrangement Committee along with the Program Committee and the Community Service Committee have been working hard to make sure this meeting will be educational, fun, and emotionally satisfying.

The SEAALL meeting will begin with the traditional 1-day Institute which is being co-sponsored by the University of Richmond Law School Library. The theme of the Institute is Access to Justice. The primary speaker will be Emily LaGratta of LaGratta Consulting, LLC. Ms. Lagratta is a justice reform consultant who has worked with criminal justice agencies across the country since 2009. Before starting LaGratta Consulting, Ms. LaGratta was the Director of Procedural Justice Initiatives at the Center for Court Innovation, where she oversaw a multi-million dollar consulting practice on the topics of procedural justice and community justice. The Institute will be held at the University of Richmond School of Law and will be limited to 50 attendees.

The Annual Meeting will begin officially begin with an Opening Reception which will also be held at the University of Richmond School of Law in the recently, partially, renovated Law Library. The reception will be held from 5:00 p.m. to 7:00 p.m. and transportation will be provided from and to the Richmond Omni hotel and campus.

SEAALL activities will begin on Friday the 10th with breakfast. Along with an amazing array of programs, the Program Committee is pleased to announce that Justice Stephen McCullough of the Virginia Supreme Court will be the keynote speaker. Justice McCullough, a graduate of the University of Richmond School of Law, has a keen interest in both access to justice and access to information. He has served on a number of committees and commissions, including the Access to Justice Commission, the Boyd Graves Conference, and the Virginia Bar Association Board of Governors. The business meeting and breakfast will be held on Saturday, March 11th with programing concluding at noon. But a SEAALL meeting wouldn't be a SEAALL meeting without some fun. The local arrangements committee is compiling a list of things to do and see while in Richmond. A detailed restaurant guide, complete with local recommendations, has also been compiled. Please check the SEAALL Annual Meeting website: <https://seaall.wildapricot.org/SEAALL-Annual-Meeting-2023> ss it will be updated with new information between now and the Annual Meeting.



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All submissions will be edited for grammar, spelling, capitalization, and punctuation, and to ensure style consistency within the newsletter. Every effort will be made not to change the intended meaning of the text.

The opinions in the columns are those of the authors and do not necessarily represent those of SEAALL.

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