As this newsletter issue goes to press, the preparations for SCALL’s 32nd Annual Institute are in their final stages. Vice-President Jennifer Berman and her committee have been hard at work for the last five months and I look forward to enjoying the fruits of their labor. Our chapter’s Institute provides a chance for us to take stock and nourish our desire for professional growth, as well as an opportunity to reconnect with colleagues.

Looking ahead towards the future, NOCALL contacted the SCALL and SANDALL Boards in mid January to ask that the three California chapters consider organizing a Joint Institute in 2006 to celebrate AALL’s 100th anniversary. Both the SCALL and SANDALL Boards have carefully considered this request from NOCALL, in particular, the relatively short time frame since our last joint event. In keeping with the Pan-California Vision Statement drafted by the California chapters in 1999, the SCALL Board passed a motion to accept the invitation to have a Joint California Institute with NOCALL and SANDALL in 2006, provided that an acceptable location and time are determined for the meeting.

In late February, the SANDALL Board passed a similar motion. The three chapters will work this spring to draft a policy concerning the frequency and location of forthcoming Joint Institutes. One suggestion is to rotate the Institute location between the geographic regions of the three chapters: Northern California, San Diego, and Southern California. The SCALL Board has recently established a special committee to work with the other California chapters on a Joint Institute policy. If you have any questions or comments concerning future Joint Institutes, please contact me; I’d love to hear your suggestions.

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The SCALL Newsletter Staff

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Editor’s Notes
by
Victoria Williamson
williamv@ulv.edu

We hear you...
In January, I mentioned that beginning with this issue, we would have a Members’ Forum section. The idea is to give our readers a place to share their opinions on any topic that may be of interest to the law library community or to raise issues that affect our members. The Members’ Forum section is a good way to reinforce open communication among us to arrive at solutions to problems or to develop new ideas to improve the services that we provide our members. While we may not have the Member’s Forum section for this issue, know that we will have it whenever we hear from you. Like I always say, the newsletter belongs to you and we would love to hear from you.

No News is Good News--Not Necessarily So.
You may be interested to know that one of the ideas developed at our Newsletter Committee meeting in January was to gather and report news from our local law libraries. It’s a way to keep our members aware of what’s going on at your institution, what new program your library is implementing, what new policy your library is setting up, and what special events your library is holding. I am pleased to share with you that all members of the Committee have agreed to take a proactive role in soliciting news of this sort from around law library town. We all have heard the saying, “no news is good news,” but we in the Committee think that’s not necessarily true. So don’t be surprised if the next news you read is in fact happening in your very own backyard.

2004 Institute Programs--What Do You Think?
We’ve returned from the Institute in San Diego and have begun sharing our experiences with our colleagues and writing about one or two of the sessions we attended. For those of you who were unable to attend, we hope to have a review of a few selected sessions in the next issue.

SCALL Newsletter Submission Deadlines

If you would like to submit something for publication in the SCALL Newsletter, the deadlines are the following:

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We welcome the submission of any articles of interest to the law library community. Contact Victoria Williamson, SCALL Newsletter Editor, at williamv@ulv.edu.
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2004 SCALL Scholarship Recipients

The Library School Liaison Committee is pleased to announce that this year’s SCALL Scholarship Awards are given to the following library school students:

**Neal R. Axton.** Neal is formerly a Kansas law practitioner. He is a UCLA library student and is currently a circulation supervisor at the UCLA Law Library.

**Jeremy P. DeGracia.** Jeremy has been working for the past six years as a research librarian for a litigation-consulting firm in Los Angeles. He is a student in the SJSU SLIS Fullerton program.

**Paul Hellyer.** Paul is a UCLA Law School graduate. He is a student in the SJSU SLIS Fullerton program and is currently an intern at the Loyola Law School Library.

**Patricia Mundy.** Patricia is a former attorney who currently works part-time for the San Diego County Public Law Library as a reference librarian while attending the SJSU SLIS Fullerton program.

Each will receive a $500.00 scholarship. Congratulations!!!
Getting to Know You: 
Karen O’Donnell 
by Victoria Williamson 
williamv@ulv.edu

I first met Karen O’Donnell at last year’s AALL Meeting in Seattle, Washington. I was in one of those vendor-sponsored social events looking around for a table when I asked Karen if she would care to share her table with my colleagues and me. Karen was impressively diplomatic about letting us sit with her even though she was expecting a few of her colleagues from work to join her. I was impressed to learn a few things about Karen from chatting with her that evening and equally impressed to learn more about her after I interviewed her for this article.

Karen O’Donnell is Reference Librarian at Western State University College of Law Library. She earned her Bachelor of Arts Degree in Art History from UCLA and Juris Doctor from Pepperdine University. She recently received her MLIS degree from San Jose State University.

Prior to joining Western State University Law Library, Karen spent three years as an immigration attorney. She represented asylum applicants before the Board of Immigration Appeals and argued before the Ninth Circuit Court of Appeals. When asked what she misses most about practicing law, Karen confided: I love arguing before the court. To be able to stand before a judge and argue for my clients was both nerve-wracking and exciting for me. Representing asylum applicants and being able to help them was extremely rewarding. There is no greater feeling than helping those who are less fortunate. It is also an important lesson that many in the world are so much less fortunate than us.

Although private practice proved rewarding for her, Karen did not like the pressure and stress of an attorney’s life. She admittedly doesn’t miss the law practice, nor does she plan to go back to it. As she put it, I love to research and enjoy helping people with their questions. Helping library patrons provides immediate gratification that is hard to find in the practice of law.

Karen is representative of the new generation of law librarians who possess qualities that enrich our profession, as is shown by her enthusiasm and passion for her work. She has served for the last few years as district chair of the freshman scholarship program offered by the UCLA Alumni Association. She is also a member of the 2003/2004 UCLA Alumni Academy leadership training program. She is a strong advocate for academic scholarships and programs that encourage and support extraordinary young people to attain their dream of attending college. Expect to see her at UC Day in Sacramento this May, lobbying against large budget cuts planned for the University of California.

Karen demonstrates the same enthusiasm and passion in the pursuit of her personal interests. When she was a snowboarding fanatic, she spent much time off the trails looking for the perfect run. She would travel to Utah at least twice a year, and to Big Bear and Mammoth Mountain whenever she got a chance. When she wasn’t snowboarding, Karen was rock-climbing. Karen confessed to me, at one time my goal was to climb Mt. Everest. She may be scared of snakes, but that doesn’t keep her from enjoying the outdoors, hiking in the Grand Canyon and in Sedona on a recent vacation.

Karen’s number one passion is the arts. She states, the ability to transform an idea into a tangible form is an amazing gift. She enjoys different forms of art, from photography to music and dance. She raves about her favorite artist, photographer Cindy Sherman, and the Grammy award winning band Coldplay. She loves reading and going to galleries, museums, and concerts. Her wide range of taste in music includes everything from progressive rock to classical and jazz.

She enjoys cooking as a great way to relax and make others happy. Librarians at Western State University rave about her rocky road and peanut butter fudge. Anyone who knows Karen will agree that she has an uncanny ability to make people smile, be it her cooking, her sense of humor, or simply her kindness and cheery disposition as shown in the way she interacts with patrons, colleagues, friends and family.

When asked where she sees herself five years from now Karen replied, I hope to be a successful librarian, helping others achieve their goals. In the future, I would like to publish in the library literature. Don’t be surprised if the next article you read is authored by Karen O’Donnell!
Minutes of the
SCALL Executive Board Meeting
Hollywood, California
December 9, 2003

A regular meeting of the SCALL Executive Board was held on Tuesday, December 9, 2003 at Madame Wu’s in Hollywood. Board members present were: Diana Jaque, President; Jennifer Berman, Vice-President/President-Elect; Jim Senter, Secretary; Jessica Wimer, Treasurer; Cornell Winston, Past President; Karen Lasnick, Board Member; and Patrick Meyer, Board Member.

A quorum being present, the meeting was called to order at 5:00 p.m.

I. Approval of Oct. 29, 2003 Board Meeting Minutes

Jennifer moved to suspend the reading of the minutes and approve them as written. Patrick seconded and the minutes were approved.

II. Treasurer’s Report

Jessica read the Treasurer's report. The report showed total assets of $20,385.57. Jim moved to approve the report as read. Jennifer seconded and the motion carried.

III. Secretary’s Report

There was no report.

IV. President’s Report

a) AALL Visitor

Diana reported that Ann Fessenden, AALL Executive Board Member and Circuit Librarian at the U.S. Court of Appeals, Eighth Circuit Library, has accepted our invitation to attend the upcoming SCALL Institute and will be our luncheon speaker on Saturday, Feb. 28.

b) Daily Journal Institute Grants

The Daily Journal Corporation will provide $550 in grant money for active SCALL/SANDALL members and library students to attend the 2004 Institute. The money will go toward registration fees and hotel costs.

c) AALL Reception in Boston

Diana reported that this year’s reception at AALL would be underwritten by the West Group, and so there will be no financial support needed this year from the three California chapters.

d) Revision of SCALL Policy and Procedures Handbook

Diana presented as a topic of discussion the need for the SCALL Policy and Procedures Handbook, last updated in 1995, to be revised. After some discussion, Jennifer moved that the Board establish a Special Committee to revise and update the SCALL Policy & Procedures Handbook. Cornell seconded, and the motion carried. Jim moved to approve the President’s report. Patrick seconded and the motion was passed.

V. Vice-President/President Elect’s Report

Jennifer Berman reported that she and Diana visited the Institute site (Doubletree Club Hotel) in San Diego and met with the hotel events coordinator. They were impressed with his attitude and experience, and they expect the Institute logistics to go very smoothly. Three Institute speakers have thus far confirmed: Amber Lee Smith, Cindy Chick, and Joan Axelroth. Patrick moved to approve the report. Karen seconded and the motion carried.
Board Meeting Minutes
(continued from page 6)

VI. Committee Reports

The Board received and read all committee reports by email. The Board will consider the Newsletter Committee’s request for a digital camera. In response to a query from the Newsletter Committee, the Board would like to reaffirm that the use of committee funds is at the discretion of the chair. Committee reports are filed with the minutes of this meeting. Cornell moved to approve the committee reports. Patrick seconded and the motion carried. Cornell moved that the meeting be adjourned. Jennifer seconded the motion and the motion passed unanimously. The meeting was adjourned at 5:53 pm.

ADDITIONAL MOTIONS AND BUSINESS CONDUCTED BY EMAIL

1. January 14-22, 2004
Diana reported that the NOCALL Board has discussed having a Joint Institute in 2006, and their president has now asked the SCALL and SANDALL Boards to consider the idea. Cornell moved that the SCALL Board accept the invitation to have a Joint California Institute with the NOCALL and SANDALL in 2006, providing an acceptable location and time are determined for the meeting. Jim seconded and the motion passed.

2. January 26-27, 2004
Diana asked the Board to consider sending a representative to the NOCALL Spring Institute, as we have in the past. Jennifer moved that the Board approve SCALL funds to send a Board member to the NOCALL Institute. Jessica seconded and the motion carried.

3. February 20-23, 2004
Jessica moved that the Board establish a special committee to work with SANDALL and NOCALL to develop a rotational plan for the Joint Institutes. Patrick seconded the motion and the motion carried.
We Need You! Volunteer in Boston!

The AALL Annual Meeting Local Advisory Committee needs you! Join the wonderful group of dedicated people volunteering their time to help make the 2004 AALL Annual Meeting in Boston a success.

The Committee needs volunteers for a variety of activities at the Annual Meeting. Meet new people and reconnect with old friends while working at the Registration Desk. Scoop stories and write articles for The Hub, the daily conference newspaper. Collect tickets and seat people at the Association Luncheon and Closing Banquet. If you plan to be in Boston early, help stuff the conference tote bags on July 9 or set-up booths and visit with attendees’ children at the Family Social Hour on July 10.

Volunteers make the conference run smoothly – and they have fun. Thanks in advance!

Supporting New Professionals: The AALL Annual Meeting Grants

The AALL Grants Program provides financial assistance to law librarians or graduate students who hold promise of future involvement in AALL and the law library profession. Funds are provided by vendors, AALL, and AALL individual members. Grants are awarded to cover the Annual Meeting registration fee or the registration fee for workshops presented at the Annual Meeting. Preference is given to applicants who are new to the profession and active in AALL or one of its chapters.

The AALL Grants Program began in 1952 and is one of the oldest and most successful AALL programs. More than 1,000 librarians have received funding to assist them in attending AALL educational activities. Many of those recipients are leaders in the profession today. For additional information, check out the application on the Association’s web site. http://www.aallnet.org/committee/grants/grants.asp

In 2001, the Minority Leadership Development Award was created to assure that AALL’s leadership remains vital, relevant and representative of the Association’s diverse membership. The Award provides up to $1,500.00 toward the cost of attending the Annual Meeting, an experienced AALL leader to serve as the recipient’s mentor, and an opportunity to serve on an AALL committee during the year following the monetary award. For additional information, check out the application on the Association’s web site. http://www.aallnet.org/about/award_mlda.asp

Applications for both AALL Grants Programs must be received at the Association’s headquarters by April 1, 2004.

Iris Lee
AALL Grants Committee Chair
A case filed in a U.S. District Court in San Diego last month revisits the issue of unauthorized reproduction of materials for educational use. KB Books is accused of not obtaining permission to photocopy copyrighted materials. Its bookstores are located close to many San Diego college campuses, such as San Diego State University, and often are the main locations where students purchase “course packets,” which are compilations of required readings and course materials put together by professors.

In a similar case from 1996, the Sixth Circuit Court of Appeals agreed with a lower court that a commercial copy shop was in violation of copyright law when it copied materials for course packets without obtaining permission from the copyright holders (Princeton v. MDS).¹

The appellate court upheld the lower court’s finding that there was copyright infringement and that the copying of course packets was not “fair use.” The appellate court did reverse the lower court on the issue of whether the copying was willful or not. The court held that since the defendant believed the copying was covered by the “fair use” doctrine then the violation was not willful. This issue only affected the award of damages and not the issue of whether there was a copyright infringement.

The first noteworthy case to focus on the photocopying of course packets was Basic Books, Inc. v. Kinko’s.² In this 1991 case a U.S. District Court found that the copying was an infringement under a “fair use” analysis. The court said that even though the course packets were for educational use, the copy shops were profiting from their sales without paying for the permission to use the copied materials. The typical analysis in these types of cases focus on the general principles of fair use including: purpose and character of the use, nature of the copyrighted material, amount of the material copied, and the effect of the copying on the market. Often the courts seem to place more weight on this last factor and on whether the copying adversely affects the value of the copied materials on the market.

The courts in both the Kinko’s case and the Princeton University case also said that the course packets did not fall under the “Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions.”³ The Guidelines were created by publishers and educators as a way to specify some guidelines for what constitutes “fair use” in specific contexts. However, as stated in its introductory comments the Guidelines purpose is “to state the minimum and not the maximum standards of educational fair use” and “there may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.”⁴

The Guidelines are actually quite specific about certain issues, including the issue of making multiple copies for classroom use. For multiple copies, the Guidelines take into account the factors of brevity, spontaneity and cumulative effect. The Guidelines specify that brevity requires that a complete article may be reproduced only if it is less than 2,500 words in length. For articles over 2,500 words, an excerpt of not more than 1,000 words or ten percent of the work, whichever is less, may be reproduced without permission from the copyright holder.

If the material is copied spontaneously then it is less likely that there is copyright infringement. This means that a teacher who finds a short article in the morning newspaper that is exactly on point with the day’s discussion may use the article without obtaining permission. If the teacher waited for copyright permission in this situation then the material would lose its maximum value as a teaching tool.

In addition to brevity and spontaneity, cumulative effect considers the total amount of copying made of a given individual source, author, or for a given course or academic term. Again, the Guidelines are very specific. Some examples are that no more than two excerpts from the same author may be copied, and no more than three excerpts from one periodical volume. Finally, each copy must include a notice of copyright. There are other specific guidelines for materials such as poetry, “special works” and “consumable” materials such as workbooks and test booklets.

The courts will often conduct a full fair use analysis in many copyright cases. Nevertheless, the Guidelines may be of some use to educators in helping to define what fair use may be for specific purposes such as making multiple copies of materials for classroom use.

⁴ Id. at 68.
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MEMBERSHIP NEWS

Welcome New Members!

Tracy A. Brost is Assistant Reference Librarian at Nos- saman, Guthner, Knox & Elliott LLP in Los Angeles.

Tanya Cao is Catalog Librarian at Chapman University Law Library in Orange.

Jan Raymond is owner/founder of Raymond Research in Davis.

Teresa White Juzba is Business & Information Consultant with Infoworks® in Long Beach.

New Student Members

Michele Lucero is a student member. Michele also works at Lionel Sawyer & Collins in Las Vegas, Nevada, as a law library assistant.

In Transition …

Amy Atchison is a new Reference Librarian at the Hugh & Hazel Darling Law Library, UCLA School of Law. Amy was formerly Senior Librarian at the RAND Library in Santa Monica.

Hal Brown is the new Assistant Director of LLMC Digital, located in Kaneohe, Hawaii. Hal was formerly a Senior Consultant with Library Associates in Beverly Hills.

Sheila Stone is now Assistant Librarian at Akin, Gump, Strauss, Hauer & Feld LLP in Century City. Sheila was formerly a Reference Librarian at the University of La Verne College of Law Library in Ontario.

Any corrections, changes, or additions to your membership information should be sent to:

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Chair, SCALL Membership Committee
Hugh & Hazel Darling Law Library
UCLA School of Law
1106 Law Building, P.O.Box 952458
Los Angeles, CA 90095-1458
(310) 794-5410 voice
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Job Opportunities

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Reference Librarian
Howrey Simon Arnold & White LLP
Los Angeles

Firm: Howrey Simon Arnold & White LLP
Title: Reference Librarian
Status: Full-Time, Non-Exempt
Objective: Fast growing, global law firm has immediate opportunity for an experienced Reference Librarian to provide legal, business and general reference services to Library patrons in the firm's Southern California offices. (Note: Based in Los Angeles office & supports Irvine office.)

Responsibilities:

Conducts reference interviews with Library patrons over the telephone, via email and in person to determine the most efficient and cost-effective means of obtaining requested information. Conducts research using print, mixed media, online and other computer resources, CD-ROMs, and other sources within and outside the firm. Obtains government documents, court documents, corporate filings, and other documents as needed. Assists and trains attorneys, legal assistants, and others to access and utilize Library resources. Provides collection development and maintains the MCLE collection for the Southern California offices. Acts as a liaison with vendor representatives. Processes invoices for the Library Manager's signature.

Requirements:

MLS or equivalent from ALA-accredited library school preferred. In lieu of MLS, a minimum of 10 years law library reference experience required. Minimum 1-2 years of professional experience preferred. Working knowledge of online databases including, but not limited to: Lexis, Westlaw, Dialog, PACER, Dun & Bradstreet, CourtLink, LivEdgar, CDB Infotek, OCLC, Corporate Intelligence, and the Internet. Working knowledge of print and other legal, business, and financial resources. Ability to work alone and as a member of a team. Excellent oral and written communication skills. Strong problem-solving skills. Ability to work in a fast-paced, multiple-priority environment. Ability to meet deadlines. Some legislative reference experience preferred.

Send Resumés:
Erika Hoernle, Human Resources Manager
Howrey Simon Arnold & White LLP
550 South Hope Street, #1100
Los Angeles, CA 90071
HoernleE@Howrey.com
(213) 892-2300

E-mailed resumes should be sent in MS Word format. No phone calls please.
Thank you. Howrey Simon Arnold & White LLP is an EO/AA employer.
The Silicon Valley office of Bingham McCutchen LLP is seeking an experienced librarian to join our dynamic global team of over 15 information professionals.

**Summary of Responsibilities:**

Provide reference and research services for the Silicon Valley office; with the help of a Library Assistant, facilitate bill-paying and other administrative tasks for the Silicon Valley Library; and coordinate with the Bingham McCutchen Library team to provide the highest level of service to the firm and its clients.

**Qualifications:**

MLS strongly preferred; minimum 2 years of law library experience preferred; proficiency in legal and non-legal research, including patent and scientific research; excellent language, communications, and interpersonal skills; organizational and analytical abilities; strong service commitment; ability to learn new things quickly, be flexible, and adapt easily to change; ability to multi-task, shift priorities and work well with multiple deadlines; and ability to work both independently and as part of an integrated research team.

Please send resumé and cover letter to:

Jane Metz, Library Manager
Bingham McCutchen LLP
1900 University Avenue
East Palo Alto, CA 94303

---

**Title:** Library Assistant  
**Reports to:** Head Librarian  
**Hours:** Part-Time or Full-Time  
**Pay Rate:** $12.00—$15.00 per hour

**Summary Description:**

Responsible for the daily maintenance of the law library, including reshelving and shifting of books. Conducts mail check-in and periodicals routing. Processes and files new materials. Updates looseleaf services. Corresponds with publishers as needed. Processes interlibrary loan requests. Handles photocopying requests, including articles and cases for attorneys and staff. Answers routine reference and informational questions. Additional projects as assigned. Room for growth and expansion of duties.

**Essential Knowledge, Skills and Abilities:**

Bachelor’s degree and experience working in a law library or law office required.

Highly motivated with good interpersonal skills. Service and detail oriented. Ability to work independently, prioritize multiple tasks, and meet deadlines in a professional manner.

Ability to operate standard office equipment, including computers, printers, and photocopiers. Experience with PC applications, including word processing and data input and retrieval.

Ability to retrieve and distribute print volumes, push and pull carts of mail, packages and books weighing up to 20 pounds, and ability to retrieve and replace objects from shelves of up to eight feet high.

**Contact:**

Fax (310) 557-2975 or email (hr@ggfirm.com) resumé. No telephone calls please.
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Please email Jessica Wimer (jwimer@law.usc.edu) or Wendy Nobunaga (wnobunag@law.usc.edu), co-chairs of the SCALL Public Relations Committee, with any questions.
SCALL Union List, Eighth Edition
Order Form

The Eighth Edition of the SCALL Union List is now available for purchase. Order your copy now!

INSTRUCTIONS:

Using the form below, please send $108.25 (participants) or $216.50 (non-participants) and a self-addressed adhesive mailing label to:

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**Please make your check payable to "SCALL."**

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ORDER FORM

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FIRM/INSTITUTION: ________________________________

MAILING ADDRESS: ________________________________

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Please send me ___ copy(ies) at the price I have circled below (circle either a, b, and/or c):

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