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SCALL Newsletter

President's Column

by Jennifer Berman
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CONGRATULATIONS!!!!.... For a very successful Institute. I would like to congratulate and thank Pauline and her dedicated committee members: Stefanie Frame, Cynthia Lewis, John Wilson, Maureen Dunnigan Lee, Laura Cadra, Jenny Lentz, June Kim, Wendy Nobunaga, Ramon Barajas, Amy Atchison, Belinda Beardt, George Wrenn, Bret Christiansen, Larry Meyer, and Leonette Williams for the wonderful work they did to ensure a great Institute. Another big round of applause and thank yous to our speakers: Mark Wine, Jason Okai, Jackie Grossman, Julie Watters, Hon. John Shepard Wiley, Jr., Lisa Moske, and Mark Gediman. They provided us with lots of information to take back with us. Many thanks also to our sponsors: Aspen Publishers, Daily Journal, Global Securities Information, Inc., Legislative Intent Service, Legislative Research, Inc., LexisNexis, Metropolitan News Co., and Thomson West. Also, thanks to our exhibitors and contributors: 10K Wizard, CourtEXPRESS, Federal Search Center, Inc., Legislative Intent-Jan Raymond, Loose Leaf Filing Service, National Business Institute, PLI, Questel Orbit, Thomson Dialog, US CourtForms.com, William S. Hein & Co., Inc., Gaunt, and Retrieval-It. A special thanks also to BNA for the Institute bags, LexisNexis and West for the two fabulous pre-Institute meetings, and Daily Journal Corp. for doing all the printing. Please be sure to thank the sponsors, exhibitors, and contributors the next time you see them.

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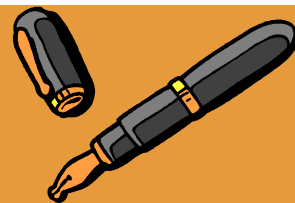
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Editor's Notes

by
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Spring is in the air! Grass is greener, flowers are in bloom, birds are singing, and warm days are in the offing. What better way to have kicked off this season than to have attended the SCALL Institute in Palm Desert. Those of us who attended would agree that it was a perfect event at a perfect place and time. Hats off to Pauline Aranas and her entire Programs Committee for their excellent work! Of course, the Spring Institute would not have been complete without the participation and generous contribution of all the sponsors and exhibitors; our heartfelt gratitude and appreciation goes out to all of them.

Filled with both insightful and practical information, the Institute programs provided us with better understanding of some of the intellectual property issues affecting the way we provide service to our patrons. We have in this issue review articles on some of the programs, including "Patents 101: What Every Librarian Needs to Know About Patent Law," by Michelle Hardgrave of Paul, Hastings, Janofsky & Walker; "Electronic Publications Licensing," by Brendan Durrett of Western State University College of Law Library; and "Judge Wiley on Digitizing Books," by Bill Ketchum of San Bernardino County Law Library.

We also covered the two equally interesting and informative pre-Institute sessions sponsored by Lexis and Westlaw. And for those who may be wondering, why Palm Desert? What's in it, or around it? John O'Donnell of Whittier Law School Library takes you on a scenic drive to Palm Desert in his article, "The Long Way to the SCALL Institute: Palms to Pines Scenic Byway."

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**SCALL Newsletter
Submission Deadlines**

Deadlines for publication in the SCALL Newsletter are the following:

April 11, 2005	May 2005 issue
August 8, 2005	September 2005 issue
October 10, 2005	November 2005 issue
December 12, 2005	January 2006 issue

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



Judge Wiley on Digitizing Books

by Bill Ketchum, Reference Librarian
Law Library for San Bernardino County
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Judge John Wiley of the Los Angeles Superior Court and the UCLA Law Faculty, spoke at the recent SCALL Institute on Google's plan to digitize whole major libraries at about \$10 a book. With processor speeds and storage costs falling, this is now becoming possible. Google is even striking deals with copyright holders of books not in the public domain. Copyright holders benefit by gaining a broader readership.

Scholars are both for and against this project, said Judge Wiley. He referred to an op-ed piece by Michael Gorman in which Gorman states, "... massive databases of digitized whole books, especially scholarly books, are expensive exercises in futility based on the staggering notion that, for the first time in history, one form of communication (electronic) will supplant and obliterate all previous forms." (*Los Angeles Times*, December 17, 2004, p. B-15) Judge Wiley disagrees with the notion that electronic dissemination of information will supplant all others, but he finds Gorman "grudging and defensive." He thinks the Google project is entirely consistent with a librarian's mission of organizing information and making it available even though it will influence some librarians to buy fewer books and even get rid of some they have.

Audience members countered that the profit motive will control content under the Google project, and that the lack of competition will only increase this danger.

After a show of hands, the Judge declared this audience of law librarians evenly divided as to whether the Google project would be a good or a bad thing.



Judge John Wiley

(Photo by Hugh Treacy)

Warren Vining, Our Friend and Colleague

He was a man of many talents, numerous interests,
Driven to offer creative gifts in countless ways.
Through his art, ideas, education, service, excellence,
He left us with small and large treasures.
These memories of him shall we save.

—Hugh J. Treacy
Whittier Law School Library
Costa Mesa, California

Warren Vining, Reference Assistant at the Orange County Public Law Library for over 20 years, died suddenly last month.

In the course of his work, Warren had frequent contact with SCALL members— librarians in academic, government, and law firm libraries—throughout southern California.

Please see additional written tributes to Warren Vining offered by his colleagues on page 16 of this issue.

SCALL offers its condolences to Warren's family and to all who are affected by his passing.



My 10 Favorite Things About Texas

by Mary Forman, Semi-Native
Customer Experience Analyst, USAA
San Antonio, Texas
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My great- great- great-uncle, Thomas Jefferson Chambers, <http://www.tsha.utexas.edu/handbook/online/articles/view/CC/fch8.html>, came to Texas in the 1820's. Chambers County in east Texas is named after him. I, however, am a relative newcomer. Although I've only lived in Texas for 10 years, I've compiled a list of things I love about Texas. Here are 10 of them focused almost exclusively on San Antonio—10 reasons for you to come to AALL in July—and to come back and visit again. As Texas singer/songwriter Gary P. Nunn (famous for the *Austin City Limits* theme song, "London Homesick Blues" aka "Home with the Armadillo") would say, "You ask me what I like about Texas.... Well, I could tell you, but we'd be here all night long." So I've limited it to 10....

10. Patio dining—eating outside—good Mexican food—a cold beverage—well, it's a favorite pastime of many. When it's hot, you sit under an umbrella. When it's cold, they fire up the heaters. We eat outside all year long.
9. Boat cruise on the San Antonio River. Yep, even the locals ride it! It's great fun and you always learn something new.
8. Gruene, Texas, www.touringtexas.com/gruene/ and the Guadalupe River. Great shopping (and I don't even like shopping!), lunch at the Gristmill Restaurant, and a stop at Gruene Hall (Texas' oldest dance hall) to listen to whoever is playing, or tubing down the Guadalupe River, taking out at Gruene and then doing the above. Old or young, it's a fun way to spend the day!
7. Walking through the King William District, www.accd.edu/sac/english/mcquien/htmlfiles/kingwill.htm, and having breakfast (preferably on the patio) at the Guenther House, www.guentherhouse.com.
6. Music, music, music. Country, symphony, you name it, we've got it—and I love it all.
5. Steak Night in Waring, Texas, www.steaknite.com. Wednesday night is steak night at the country store in Waring, Texas. Come back sometime and experience it!
4. The Majestic Theatre, www.majesticempire.com. Arguably the most beautiful theatre in Texas (maybe the world?).
3. Visiting any Texas State Park, www.tpwd.state.tx.us/park/. Three of my nearby favorites include Garner, Lost Maples, and Enchanted Rock.
2. Wildflowers, www.tpwd.state.tx.us/park/wildflower/. They start in March with bluebonnets, but they continue on throughout the spring, summer, and fall. Lady Bird Johnson was on to something....
1. The people of Texas, www.texancultures.utsa.edu/public/. They come in all shapes, sizes, colors, cultures, and personal beliefs, but despite their differences, there is something that draws them together—something my buddy Gary P. Nunn calls "the spirit of the people who share this land."



Generations at Work: The Challenge of the Intergenerational Workplace

**Presented by Michael Saint-Onge and Julie Webster-Matthews
at the SCALL Institute, March 3, 2005
Palm Desert, California**

**Reviewed by Victoria Williamson, Reference Librarian
University of La Verne College of Law Library
williamv@ulv.edu**

Have you ever wondered why you and a particular co-worker can't see eye to eye? Ever thought why you are more productive working with people within your age group? Have you seen conflicts between or among co-workers rise to the point where they cease to speak to one another?

Like any professionals, law librarians encounter conflicts arising from intergenerational differences. Whether or not we are managers, we all deal with people from different generations. Learning to identify the differences in values, work style and ethics of each generation, and to explore workable alternatives to accommodate these differences, can help us to minimize conflict and prevent it from rising to an uncomfortable (and sometimes hostile) work environment. The SCALL Pre-Institute program sponsored by LexisNexis provided us with excellent materials on this topic.

The program began with a short video depicting the interaction among four individuals with different generational personality, values and work ethics, each trying to work together. In the video, each person was so judgmental and critical of the others that he or she failed to see their colleagues' positive and strong qualities.

The discussion that followed provided helpful guidelines to understand the general strengths and weaknesses of each generation. One definition of generation offered was "a group of individuals born and living about the same time." Today's workforce can be grouped into four distinct generations, namely: the Veterans (those born or living from 1922-1943); the Baby Boomers (1943-1960), the Gen X'ers (1961-1980), and the Millennials or Nexters (1981-2000).

Both presenters did an excellent job of expounding the distinguishing characteristics and values of these four generations by providing key historical events, examples of social norms, pop culture, and heroic figures that are unique to each generation and by explaining how these factors shape the perspectives of these groups.

designed to identify the generation to which they belong. For example, for the Veterans: the Great Depression, Stock Market Crash, Pearl Harbor and World War II, and Sputnik were important events that impacted them. Kewpie Doll, Flash Gordon, Tarzan and Blondie were some of the popular characters during that period. Babe Ruth, Joe DiMaggio, Audie Murphy, Generals Patton and Eisenhower, and FDR were their heroes. For the Gen X'ers and Nexters in the audience, this exercise was also a fascinating but brief lesson in American history.

For the Millennials, their time period has been characterized by violence, such as the Oklahoma City bombing and the Columbine High School massacre. It has also been characterized by stress, busy and over-planned lives, a focus on children and technology. The popular icons of this generation include Barney, Teenage Mutant Ninja Turtles, Tamagotchi, Beanie Babies, Spice Girls, and X-Box games. Some of their heroes include Michael Jordan, Princess Diana, Bill Gates, and 38% of them see their families as heroes. For some of the Baby Boomers in the audience, this exercise was also an affirmation of what they have learned through their children, nieces and nephews.

The attendees gained better insights into the challenges faced by each generation and discovered a new level of appreciation for the strengths of each generation.

In summary, each generation has its own set of assets and liabilities that should be taken into account when dealing with them. For example, Veterans tend to be detail-oriented, loyal and hard-working, but may be less receptive to change and may be reluctant to buck the system. Baby Boomers are generally service-oriented, driven, willing to go the extra mile, strive to please and do reasonably well with relationships. However, they are not budget-minded, tend to be self-centered and sensitive to feedback. The Gen X'ers are adaptable, techno-literate, independent, unintimidated by authority, and creative. However, they are generally impatient, have poor people skills, inexperienced, cynical and sarcastic. The Millenni-

The audience became engaged in a class exercise cleverly

(continued on page 20)

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Colleen Cable, J.D., M.L.I.S.
West Librarian Relations Manager
Western Division

A handwritten signature of Colleen Cable in black ink.



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Patents 101: What Every Librarian Needs to Know About Patent Law

Presented by Mark P. Wine, Partner
McDermott, Will & Emery LLP
SCALL Institute, Palm Desert
March 4-5, 2005

Reviewed by Michelle I. Hardgrave, Librarian
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Intellectual property is one of the fastest growing practice areas in the legal field, and librarians are becoming an integral part of the IP team. For those of us who are relatively new to the IP world, this can be quite an intimidating area, as we learn there is more to the research process than simply pulling a patent off of the USPTO website. This year's SCALL Institute in Palm Desert focused on the intellectual property practice. Since my office has recently expanded its IP group, I was looking forward to learning a few things. Needless to say, I was not disappointed.

The first session of the Institute was a worthwhile introduction to the world of patent research: *Patents 101: What Every Librarian Needs to Know About Patent Law*, was presented by Mark Wine, a partner in the intellectual property department at McDermott, Will & Emery. Mr. Wine used a combination of plain language and humor to effectively describe the fundamentals of patent law. The program started with illustrations of a few historical patents: the successful, such as Thomas Edison's patent of the electric lamp and the Wright brothers' "flying machine," and the not-so-successful inventions like the "fire escape," complete with helmet/parachute and springs attached to the bottom of shoes (to assure a safe, cushy landing), and the "hunting decoy"—(hunters hiding in a cow costume—(yeah, I can see *that* really faking them out). Message? Just because it's patented does not necessarily mean it works (or, rather, works well).

A patent is a contract between the inventor and the U.S. government; in exchange for a monopoly for a limited period of time, the government requires full disclosure of the invention so it can be used by the public after the patent expires. What a patent does not do is give the inventor an absolute right to exclude others from making, using or selling the invention. Mr. Wine detailed the necessary steps for obtaining a patent (known as patent prosecution), starting at the invention stage through the filing process



Mark P. Wine

and the requirements in-between. It is during this phase (and patent litigation as well) that our skills as researchers come into play. Prior art, field of use searches, industry and inventor information are crucial since these can literally make or break a patent (not to mention potential liability/malpractice issues).

Next, Mr. Wine walked us through the "anatomy" of a patent document. As an example, he used a patent called a "generally spherical object with floppy filaments to promote sure capture," or in layman's terms...a Kooshball...to explain in detail the purpose and significance of each section of the document. After a discussion of the applicable federal statutes, he concluded his presentation with a few more illustrations filed with the USPTO, most notably the "life-expectancy wrist watch that "measures" the years, days, hours, minutes and seconds the wearer has "remaining," and my personal favorite...the car coffin for those of us who wish to "enjoy the drive home." All in all, very entertaining and most informative.

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Electronic Publications Licensing

Presented by

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SCALL Institute, Palm Desert, March 4-5, 2005

Reviewed by Brendan Durrett, Reference Librarian
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At SCALL's Institute I was delighted to see Lisa Moske and Mark Gediman's presentation on licensing electronic publications. Given my relatively limited knowledge of issues related to licensing and copyright, this presentation was of great use to me.

Lisa Moske began by explaining the basics of licensing electronic resources. The guiding principles are to get everything in writing, and to always remember that you are the customer. Before starting licensing negotiations, it is helpful to keep several questions in mind: Who will be the parties to the license agreement? How many access points are required? Are they local, or remote? What are your accessibility requirements with respect to IP address authentication and ADA compliance? What user rights do you require—and what restrictions can you live with? Knowing what questions to ask is the first step towards obtaining the most favorable possible licensing agreement.

Once negotiations have begun, another round of issues arises. Initial drafts of the license agreement from your aggregator should be looked over to see how future changes are to be negotiated and how problems with the vendor will be addressed. One must look into what perpetual access rights are granted. Will redistribution of content be allowed? Also, usage statistics will be helpful for evaluating how useful a new electronic resource turns out to be. Make sure a provision for obtaining them is contained within the license agreement.

Negotiating price structures adds another layer of issues to license agreement negotiations. Each license seems to use a different pricing model. Some licenses are priced per query, whereas some are unlimited use, flat rate contracts. Some are priced by site. Academic library pricing is often based on group pricing determined by the number of full time equivalent (FTE) students at the institution. An entirely different "pricing" structure is used by publications providing open access. The open access publication movement (cf., Public Library of Science, <http://www.plos.org>) aims to provide free access to research data.



*Leonette Williams introduces Lisa Moske and Mark Gediman.
(Photo by Hugh Treacy)*

Lisa closed her portion of the presentation by pointing out how being part of a consortium can enhance bargaining power and centralize billing and invoice management. An example in addition to the California State University's SEIR (<http://seir.calstate.edu/>) is the New England Law Library Consortium (NELLCO) (<http://www.nellco.org/>).

Mark Gediman continued, outlining copyright issues arising out of distribution of content. Generally speaking, many forms of content distribution may, or may not, be in violation of copyright law. Publishers and aggregators have their own views of what distribution they will allow. When in doubt, do not route copies or download content from the Internet. When distribution is necessary, the safest route is to contact the publisher or aggregator to obtain permission.

With respect to print sources, routing tables of contents is generally allowed; but, technically, scanning tables of contents to PDF documents generates copies and might violate
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AL7740



Inner City Youth Internship Program in the Inland Empire

by **Brian Keefe, Head of Public Services**
University of La Verne Law Library
bkeefe@ulv.edu

The theme song from *The Jefferson's* TV show talks about "movin' on up, to the East Side." Just as George and Weezer did, so are we.

Host sites east of Los Angeles in the Inland Empire have offered employment to SCALL's Inner City Youth Internship Program students during the last two years. San Bernardino County Law Library, the law firm of Best, Best & Krieger in Riverside, and the Rancho Cucamonga office of *Courthouse News* will take ICYIP interns.

Last summer, the San Bernardino County Law Library and Best, Best & Krieger took interns. Daisy Duarte, the BBK intern, did so well at her job that the law firm hired her on a permanent basis.

Our committee wants to place 20 interns this summer, and we are more than grateful to these employers for helping us move toward this mark.

It is particularly gratifying to us that San Bernardino County Law Library, a public institution, will be paying to employ an intern this summer as they did last summer. The *San Bernardino Sun* printed an article about the County Law Library and its summer 2004 intern, Blair Powell, in their March 23rd issue.

The students taking these internships will be recommended by counselors at their high schools—San Bernardino High School, Poly High School in Riverside, and Chaffey High in Ontario.

Our program has had great success in using these referrals to fill its internships. Several of our interns in the last two years who were students from inner city schools are now attending Ivy League universities.

At a time when the news tells the tragic stories of a fifteen year old girl who is shot outside her high school, or a fourteen year old boy riding his bicycle who is murdered by gang members, SCALL employers can give to their communities by providing summer work for deserving minority junior and senior high school students.

In doing so, the employer is not making a charitable donation; it is hiring a summer employee who is an enthusiastic young person and who has already succeeded against the odds by being a good student and a responsible citizen.

Again, we want to thank our Inland Empire host sites for taking interns this summer. The Inner City Youth Internship Program extends an invitation to other SCALL organizations and vendors to follow their example.

It is an opportunity for everyone to profit.



(above) Daisy Duarte
(right) Best, Best & Krieger
Riverside office



Photo Credits:

Above, Left and Right:

Best, Best & Krieger

Left and Below:

San Bernardino Sun
Lawrence R. Meyer



(left) San Bernardino County Law
Library Director Lawrence Meyer
with 2004 ICYIP Intern
Blair Powell.

(below) Law Library for San Bernardino County, San Bernardino, CA





Delivering Outstanding Patron Service: Changing the World of Work

Presented by Mark Mitchell
at the SCALL Institute, Palm Desert, California
March 4, 2005
www.markspeaks.com

Reviewed by Margot McLaren, Serials Librarian
Whittier Law School Library
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In today's competitive market, delivering outstanding customer service is an imperative. Organizations who focus on customer satisfaction know the importance of building strong relationships with their *internal* customers because it directly affects the quality of service they provide to their *external* customers. Knowing who your internal and external customers are, is the first step in working towards good customer service. The idea of good customer service is not the same for everyone. It involves examining it on an organizational level as well as on an individual level. How one interacts with patrons, whether it is in person or on the phone, has a direct impact on their satisfaction with the service. Mark Mitchell, an organizational psychologist for over 25 years specializing in dealing with difficult people, presented an excellent training session on what it takes to deliver outstanding patron service.

The presentation was filled with interesting and practical information on patron service basics, customer service model, managing dissatisfaction, building rapport and loyalty, and customer service tips. Mark began his presentation with some basic tips on how to deliver outstanding patron service. When interacting with patrons, it is important to address the person by his or her name throughout the conversation to establish rapport; use positive language on what you can do for the person instead of what cannot be done; avoid giving the impression that you are unwilling or unable to assist the person; refrain from using jargon, slang, acronyms and non-words (such as "yeah" and "gotta"); eliminate profanity and other language that is disrespectful and inappropriate; and use courteous words and phrases, such as "I would be happy to assist you," "Thank you," and "You're welcome." These may seem like common-sense tips but it was interesting to know that Mark has given "politeness training" for companies.

Mark discussed what a model customer service consists of. There are 3 elements to this model: 1. Listen actively, 2. Reflect, and 3. Respond. It is very important to be a good listener, particularly when you are dealing with a difficult patron who usually is someone who feels being in a situation that is out of his or her control.



Mark Mitchell (above) is an organizational psychotherapist, researcher, coach/trainer who was recently sponsored by the Wall Street Journal at the Success 101 conference. He is a graduate of the UCLA Anderson School of Business, entrepreneurial program (MDE), and is a guest lecturer at Anderson, Loyola Marymount University and other colleges. In addition, Mark has given presentations before Hughes, TRW, Rand, Mattel, TW Metals, Boeing, Intel, and other business, civic and religious organizations. (Photo and biographical info. courtesy of Mark Mitchell)

Examples of the types of behavior indicating to the person that he or she is being heard and acknowledged include minimizing interruptions, speaking in soft tones, asking questions, and taking notes. Asking questions shows an interest in the person. Using non-verbal cues such as head nodding and maintaining eye contact are effective ways of letting the person know that you are paying attention and want to help. Interestingly, 55% of the messages are conveyed by body language, 38% are conveyed vocally (tone, pitch, rate and volume), and 7% are communicated by words. This statistics show how important it is to be aware of the non-verbal cues that we exhibit when dealing with patrons.

After listening to the patron's request or concerns, take a moment to reflect on what you heard making sure you understand how the patron feels about his or her concerns. Once you have acknowledged the content or feelings of the person's request or concerns, then respond appropriately. Some examples of appropriate responses include sharing information with the person, explaining services and/or lim-

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2005 SCALL Election Slate

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The Long Way to the SCALL Institute: Palms to Pines Scenic Byway

by John O'Donnell, Public Services Librarian
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I left Thursday afternoon to head out to Palm Desert for the SCALL Institute. I drove until I made it onto "the 10" East toward Palm Springs. I had left with plenty of time to get to Palm Desert, so I decided to take what was sure to be a shortcut. I exited Route 243 just east of Banning. As I found the road winding up the side of a mountain, I started to think, "Desert is usually flat, not mountainous." Anyway, as the road wound its way up, I enjoying driving the twisty road and looking at the increasingly beautiful scenery.

When the road flattened out a bit, I saw a sign for Lake Fulmor and decided to take a break. Lake Fulmor is a small quiet lake with scary signs about the questionable quality of the water for drinking purposes. The lake is apparently stocked with fish, and people enjoy fishing from its banks. The temperature was most un-desert-like, actually quite cool (I could almost see my breath). There were nicely spaced picnic tables surrounding the lake. I saw a bluebird flying near one of the pine trees. I followed the sound of rushing water and found that across the lake the water was flowing downhill and over some rocks, creating a nice waterfall. Surely this was not the desert.

As I continued on my journey, the road twisted its way up - - past road signs stating 3,000, 4,000, then 5,000 feet -- until I reached the small town of Pine Cove (pop. 707) at 6,400 feet. At this point there was snow on both sides of the road. "I'm definitely not anywhere near Palm Desert," I thought to myself. Next came Idyllwild, a small town that would look more at home in Colorado or Montana than southern California. I learned from the locals that there are vacation cabins and an art academy for high school students in the town. I also learned that I was nowhere near Palm Desert, but that I would get there if I continued along the road for another hour "or so."



*View from an overlook along Highway 74, Palms to Pines Scenic Byway
(Photo by Margot McLaren)*

After Idyllwild the road changed into Route 74. "Ahh, now this is the road to Palm Desert," I thought. However, even after leaving Idyllwild the trees still appeared to be pine, not palm, and the road still appeared to be very windy. But the road did eventually become less windy and the scenery began to change. It gradually became less alpine and more of what I knew was called the "high desert." I experienced this type of scenery before when I visited Bend, Oregon, which is in the drier Eastern part of Oregon. The trees and bushes on the side of the road were kind of a dryer, almost bluish-green color. There was a lot of open space and fields with cattle grazing in the distance. Even further in the distance were snow-capped mountains. This could be either the high desert in Oregon, or Colorado. "Hmm...the high desert, I think I'm making some progress."

(continued on page 15)



Palms to Pines (cont.)

(continued from page 14)

Along the way there were signs to the Pacific Crest Trail, which I knew is a popular long-distance hiking trail leading from Canada to Mexico. It consists of 2,500 hundred miles of trails that go through Washington, Oregon, and California. The trail passes right through this very area. Hiking the entire trail takes five to six months traveling an average of twenty miles a day. "Hmm... maybe someday, but right now I can't even find my way to Palm Desert!"

I came across another lake, Lake Hemet, which was located in more of a flat open space very different from Lake Fulmor. The road became windier so I had to concentrate on my driving, but still I noticed I had to keep adjusting the vent temperature in my vehicle to the cooler and cooler settings because the temperature was getting warmer and warmer. "Surely I must be getting near Palm Desert," I thought. "I can feel it in the air."

The scenery became different; there was not a pine tree in sight now, but instead less green, more brown, and lots of rugged looking brown rocky hills and mountains. I had

seen this type of scenery before at Anza-Borrego State Park, outside of San Diego. This was definitely desert country! The road continued winding quickly (downhill this time) through the desert country. It was difficult to enjoy the scenery so I pulled off the road at a turnout/view point and got out of my truck. There was a view of the valley floor and I could see some signs of civilization. "Could it be Palm Desert, I wondered?" I could see how windy the road was the rest of the way; it looked to me almost like a motorcycle racecourse.

As I snaked down the road it finally flattened out and I found myself traveling down a large boulevard lined with palm trees, gated housing compounds with very green lawns, and golf courses. By this point in my journey I was extremely hungry. I took the first right at the end of the boulevard to see if I could find a fast food place. I spotted a Del Taco on the right side of the road. Wait a minute, there's an Embassy Suites right across the street. The SCALL Institute, it must be the same hotel. It turns out I wasn't lost after all. It was Palm Desert, at last!



Which way to the SCALL Institute?

Photo by Victoria Williamson



Tributes to Warren Vining

Submitted by

Maryruth Storer, Director
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Mstorer@ocll.co.orange.ca.us

&

Brian Keefe, Head of Public Services
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Maryruth Storer writes:

Most SCALL members had not met Warren Clifford Vining III, but many SCALL members have benefited from his excellent work at the Orange County Public Law Library for over 20 years. Especially in the last decade, when Warren was the Reference Assistant and managed our Interlibrary Loan operation and oversaw our Document Delivery Service, he was in touch with many SCALL members. If you ever read our staff newsletter *Transcript* (available on our website), you surely were impressed by the very intellectual articles he wrote. If you entered our Library, you likely noticed our display case; Warren developed most of our exhibits and prepared them beautifully.

Warren died of a heart attack on February 19, 2005, and his fellow staff are greatly shocked and deeply saddened by this sudden event. Warren appeared to be very fit, and was looking forward to retiring in 2006. We found the following "Bio Sketch" on his work computer (he wrote it in 2003), and some of us think it gives a sense of the wonderful person he was:

"W. Clifford Vining has been employed at the Orange County Public Law Library for over 20 years. He is an artist and photographer, and has degrees in Philosophy and Literature. He is a former officer in the USMC and Vietnam Veteran. He graduated from Tustin High School in 1961, Santa Ana College in 1963, Westmont College in 1965 and California State University, Long Beach in 1990. He has lived in Orange County since 1956 having spent his early childhood years in Assam, India. He was born in Kansas City, Missouri in 1942 but has never grown past 24 years old and doesn't intend to because there is no good reason to."

Warren's creative and informative contributions to the Orange County Public Law Library, law librarians in Southern California, and to our patrons will be sorely missed.

Brian Keefe writes:

During the almost five years I was at Orange County Public Law Library, I worked daily with Warren.

His sudden death on February 19th shocked me.

One of my first memories of the library was hearing Warren talking in the staff lounge about the irresistible impulse of the artist to create.

I remember Warren as a man both driven and pursued by his passions. While working in the library in his forties, he had obtained a degree in philosophy. In the lounge, even at the reference desk, Warren would discuss philosophy, politics and the intersection of the two.

I remember hearing Warren as he talked about his service in the Marine Corps in Vietnam, the ideal of honor and yet his own desire to survive.

In the years before work at the law library, Warren had tried a number of things—law school, a journalism program, acting classes. It was the story of a man looking for something, trying to find himself.

Warren found a home at the Orange County Public Law Library. He worked there diligently for more than 20 years.

As time passed, Warren seemed more at peace with himself. I know he looked forward greatly to his retirement in two years.

We die too young—before we can do all that we want, before we can grow as much as we could, before we can feel and say often enough, "I love you."

I know that at 62, Warren died too young.

Andy Warhol said that in the future, everyone will have 15 minutes of fame. I don't think that would be a bad thing necessarily.

We are all part of the great human story. When our part in it ends, most of us are all too quickly forgotten. On Friday, March 4th, when Warren is laid to rest, I will remember his easy laugh, his decency and his honor. Others who knew Warren will remember him, too, and I hope for years to come.



Licensing (cont.)

(continued from page 9)

copyright. Forwarding an electronic newsletter might violate copyright as well. The key case is *American Geophysical Union v. Texaco* (60 F. 3d 913), where it was held that “institutional, archival, systemic copying is not fair use when licensing of content is available.” Enforcement is rare, but all it takes is for one disgruntled employee to call the copyright clearinghouse and you will have a difficult situation to resolve.

Circulation of electronic content also presents copyright issues. Ask your vendors if this practice is allowed. One may negotiate with vendors for licenses to circulate electronic content, or contact the Copyright Clearing Center (<http://www.copyright.com/>). Internal distribution is allowed by most licensing agreements. External distribution, such as to clients or by posting on a website, is generally not allowed, however.

Providing or using links to external websites presents copyright issues. Deep linking to pages within a website has been viewed unfavorably by the courts (*Ticketmaster v. Tickets.com* (2000 U.S. Dist. LEXIS 4553, 54 U.S. P.Q. 2d (BNA) 1344)). Linking to a website’s homepage presents fewer issues. Watch for links that include a trademark, or that imply endorsement. Typically, however, hyperlinks are not *per se* violations of copyright law.

Downloading content from websites can constitute copyright infringement as well, since many non-governmental websites are copyrighted. Not everything is protected, however. Is the content you are interested in downloading on “public display?” A “public display” of material is a display where members of the public or a substantial group of people outside the creator’s normal circle can access the material. Content on public display is generally not protected. Still, the safest path is to avoid use of downloaded content. At the very least, one should provide attribution whenever it is used.

Duncan Alford’s article, “Negotiating and Analyzing Electronic License Agreements “ (94 *Law Lib. J.* 621 (2002)) provides an excellent resource for further information on licensing. CEB’s book, *California Internet Law Practice*, has good coverage of issues pertaining to use of content on the Internet. There is also an excellent bibliography of resources relating to electronic resources licensing in the Institute’s bibliography handout. Lisa and Mark’s Power-Point presentation is not yet available on the SCALL website.

About the Speakers:

Lisa Moske is the Director of California State University’s Systemwide Electronic Information Resources Office (<http://seir.calstate.edu/>). SEIR consolidates the purchasing power of the 23 California State University campuses to get better pricing, and it also consolidates the contract and renewal process. Her email address is lmoske@calstate.edu.

Mark Gediman is the Library Director at Riverside’s Best, Best & Krieger law firm (<http://www.bbklaw.com/>). His email address is mgediman@bbklaw.com.



AALL Mentor Project: Information, Networking, Career Advancement

by Jennifer S. Murray
Chair, AALL Mentoring Committee
Murrayj@gtlaw.com

Are you new to law librarianship, looking to move to another type of law library, or need advice to advance in your career? Are you an experienced law librarian interested in meeting and advising those who are new to the profession? Then find a mentor or become a mentor through the AALL Mentoring Committee's Mentor Project!

The purpose of the Mentory Project is three-fold: to provide an informal, personal source of information for newer members; to provide an avenue by which experienced law librarians may meet promising new members of the profession; and to provide a network for members who are contemplating a move to another type of library.

If you previously participated in the Mentor Project and would like to be matched in a new mentoring relationship, you are encouraged to reapply; since it is up to the individuals to decide how long to continue their mentoring relationship, participants may reapply for a new match in

subsequent years.

The Mentor Project is open to librarians from all types of libraries. Applications will be reviewed by a Mentoring Committee member and representatives from ALL, PLL, and SCCLL Special Interest Sections so that each participant will be assigned a member whose profile matches, as closely as possible, to his or her request.

Although attendance at the AALL Annual Meeting is not required for participation, those who apply by May 2, 2005 will be guaranteed a match in time for the Annual Meeting, during which the Mentoring Committee will host a Mentor Project reception to provide a meeting place for the participants. Applications are available at http://www.aallnet.org/committee/mentoring/mentor_project.html.

We look forward to hearing from you! Visit us at:
<http://www.aallnet.org/committee/mentoring/>.

SCALL Grants Available for Annual Meeting in San Antonio

by Judy Bikel, Senior Librarian
Akin Gump Strauss Hauer and Feld LLP
jbikel@akingump.com

The SCALL Grants Committee is pleased to announce it is now accepting grant applications to attend the AALL Annual Meeting in San Antonio, Texas. Please submit your completed application to me by mail or fax by April 22nd for consideration. The Committee will contact grant recipients the following week.

The SCALL Grant Application is available here:

<http://www.aallnet.org/chapter/scall/pdf/scallgrant.pdf>



Job Opportunities

Compiled by:

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***Click on any entry to see the complete job announcement.
Last updated: March 28, 2005***

Global Technical Services Librarian, Latham & Watkins LLP, Los Angeles, March 25

Reference Librarian, UCLA Law Library, Los Angeles, March 24

Library Manager, Infocurrent Information Management Placement, Silicon Valley, March 21

Librarian, John F. Kennedy School of Law, Pleasant Hill, California, March 21

Foreign and International Law Librarian, Los Angeles County Law Library, March 18

Business Development Research Specialist, Latham & Watkins LLP, Los Angeles, March 15

Supervising Librarian I, Attorney General's Law Library, San Francisco, March 8

Head of Public Services, Pacific McGeorge School of Law, Sacramento, February 25

Assistant Law Librarian, Library Associates, Los Angeles, February 23

Temporary Law Library Technician/Assistant, Library Associates, Los Angeles, February 23

Director of Libraries, San Diego County Public Law Library, San Diego, February 18

Librarian, Infocurrent Information Management Placement, San Francisco, February 18

Reference Librarian, Latham & Watkins LLP, San Francisco, February 14

Electronic Services Librarian, Library Associates, Bay Area, February 8

Reference Librarian, Loyola Law School, Los Angeles, February 3

Electronic Resources Librarian, Library Associates, Los Angeles, January 26

Research Librarian, Library Associates, San Francisco, January 26

Law Librarian, Atkinson, Andelson, Loya, Ruud & Romo, Cerritos, January 19

Library Director, Los Angeles County Law Library, Los Angeles, January 12

Technical Services Clerk, Los Angeles County Law Library, Los Angeles, January 11

Access Services Librarian, Los Angeles County Law Library, Los Angeles, January 4

Law Librarian, Library Associates, Bay Area, December 20

Law Librarian, Walt Disney Co., Burbank, December 9



Generations at Work (cont.)

(continued from page 5)

ials are optimistic, tenacious, multi-taskers, techno-savvy and resilient. However, they are inexperienced and have a need for supervision and structure. All of these traits are, of course, generalizations. Other factors such as gender, sexual orientation and birth order also comes into play; and, we always must evaluate each individual on his or her own merits. The profile descriptions given for each generation serve only as guideposts.

It was a bit surprising for me to learn that I belong to the Generation X grouping, because I share most of the same core values and characteristics of the Baby Boom generation; yet, I also exhibit some of the qualities of a Gen X'er. Some of the attendees revealed to me that they identified themselves with traits of more than one generation. Perhaps they have been exposed to other factors that may have influenced their view of the world and life in general, such as family life and cultural upbringing.

The four-hour long program was certainly filled with provocative and insightful materials, and indeed offered practical ways of resolving conflicts and effectively managing an age-diverse workforce. It included discussions on some key principles involved in hiring and managing Veterans, Baby Boomers, Gen X'ers and Millennials. It offered examples of effective techniques with which to motivate, mentor, and provide career-enhancing opportunities for each generation.

For example, the ACORN imperatives—five common steps to approach intergenerational differences in the workplace—were presented:

1. **Accommodate** employee differences. Do not assume that everybody is like you (or thinks like you). Make efforts to incorporate differences, or at least allow them.
2. **Create** workplace choices. Be willing to provide a much more relaxed and comfortable work environment. Allow for work/life balance.
3. **Operate** from a sophisticated management style. Adopt a situational-based supervisory style. Treat employees with fairness and flexibility. Keep in mind that authority is based on expertise and merit, not seniority or position.
4. **Respect** competence and initiative. Expect the best

from people and let them work independently. Empower them. No one wants to be micro-managed.

5. **Nourish** retention. Make efforts to find ways to make it work and retain employees.

The program ended with discussions on possible solutions to a hypothetical problem of a law firm library manager experiencing conflicts among her staff of four reference librarians with generational differences. The conflicts had escalated to the point where library staff morale had plummeted and the level of service provided to the firm suffered. Imagine yourself in this scenario....How would you save this library?

I attended this program thinking that the topic is interesting, timely, and relevant for all librarians whether managers or not. From the program descriptions, I became convinced that it would be "filled with fresh, provocative insights and practical solutions...."

Indeed, it was, and more.



Michael Saint-Onge and Julie Webster-Matthews of LexisNexis describe the challenges of working in an intergenerational workplace.

(Photo by Victoria Williamson)



President's Column (cont.)

(continued from page 1)

At the Institute you had the pleasure of hearing our dynamic and energetic AALL President, Tori Trotta speak about current issues regarding AALL. Please show your support by attending her annual meeting in San Antonio. Don't forget that the Pacific Chapters Joint Reception at AALL is Sunday night before the Opening Reception. You can make your housing reservations at the Annual Meeting's website. Also, don't forget that SCALL and various SIS's offer grants if funds are limited.

We have all learned how each and every vote counts. Nominations are in. Don't forget to vote in the upcoming SCALL election. Ballots will be in the mail shortly.

Answering the call. SCALL was well represented by Ramon Barajas at the Los Angeles County Bar's Breakfast at the Bar January meeting. He spoke with Judge Highberger about various Internet sites. The 7:30 am meeting was well attended by paralegals, attorneys, and law firm staff. I have heard nothing but high praise for his presentation. (They were even asked to do an encore presentation before another Bar Association.)

Finally, plans are in the works for the April Meeting. Look in your email for the upcoming announcement.



AALL President Victoria Trotta speaks at the Institute Luncheon.
(Photo by Hugh Treacy)

Editor's Notes (cont.)

(continued from page 2)

On a somber note, we are saddened to learn of the death of Warren Vining of the Orange County Public Law Library, whose life has been commemorated with heartwarming memories and reflective moments by several SCALL members inside these pages. Although I had the great misfortune never to have met or to have known this man of unlimited creative energy and profound thinking, I am gratified to belong to an Association filled with gifted, creative people who are, like Warren was, passionate about their work in law libraries. I hope you join me in silent tribute to honor Warren's memory.

Overall, the SCALL Institute was indeed one event well worth the time and money put into it. It was another concrete example of the quality of work SCALL members are accustomed to provide and raises the bar for future Institutes. I left Palm Desert reinvigorated, reconnected, and inspired to do and contribute even more.



Changing the World of Work (cont.)

(continued from page 12)

itations, identifying “conditions of satisfaction,” committing to a course of action, and following up on any issues raised.

Occasionally, a difficult situation will arise where a patron expresses anger, impatience or verbally attacks you or your organization because he or she is dissatisfied with the service or product. First, acknowledge the person’s dissatisfaction and secondly, inform him or her about whether your service can meet his or her expectations. A patron may also have unrealistic expectations that are beyond your capability or authority. Be honest and let the patron know the reasons why you are not able to meet his or her expectations, and offer any options that may be available.

Sometimes, saying no to a patron is enough to set that person off and become desperate. Mark talked about the **Rule of 2+1+1**, which is a way to say “No,” graciously. This rule consists of 2 positives, 1 negative and 1 positive. The example he gave sounds like this: *I’m interested in this project (positive) and I want to help you with it (positive), but I need to complete two proposals first (negative). I could give you my feedback on it early next week (positive).* One exercise the attendees had to do was to apply this rule in a hypothetical problem of dealing with a dissatisfied and demanding patron. The attendees agree that it was not easy to come up with 2 positive statements, 1 negative statement and 1 positive statement when con-

fronted with a dissatisfied and demanding patron.

When dealing with a difficult and demanding patron, it is important to remain calm and to respond, not react. It helps to use “I statements” to convey to the patron how his or her behavior affects you. Using “I statements” is effective in preventing a difficult situation from becoming out of control because it shifts the focus on your feelings rather than blaming others. By doing this, the patron becomes less defensive and more willing to help. Responding to the patron’s concerns or dissatisfaction in a timely and positive manner builds rapport and loyalty. Review any commitments made to the patron (such as making sure that the problem with the service is corrected). The patron may agree to take action on the problem once a solution has been recommended. Reassure the patron that you are still willing to assist him or her in the future, and thank the patron for his or her business.

Mark concluded the presentation with the following basic customer tips: adhere to company policy; be courteous and polite; smile both in person and on the phone; control background noises; avoid conversations with others while assisting a patron; provide prompt and efficient service; and take responsibility solving a patron’s problems. Extend yourself to resolve difficult situations, and always follow through on any promised actions. If there is going to be a delay or difficulty in obtaining the results, let the patron know right away.

William Rohan Chapter Service Award Nominations Welcome

by J. Denny Haythorn, Associate Dean and Library Director
Whittier Law School Library
Dhaythorn@law.whittier.edu

In 1981 SCALL initiated the William Rohan Chapter Service Award to recognize outstanding service to the Chapter by an active member or members of the Chapter. As amended and clarified in 1987, the service may be in a single year or over a period of years. This Award was named in honor of William Rohan, who had been a most devoted and energetic SCALL member. The first William Rohan Chapter Service Award recognized the service of Florence Draper for her achievements as Chair of the Committee on Public Access to Legal Information, and for the SCALL Workshop on legal resources for non-law librarians. Although not awarded every year, the past Award recipients are listed in the SCALL Membership Directory.

The SCALL Vendor Service Award was established in 1997 to recognize consistent and significant service to the Chapter by a vendor or representative of a vendor. A list of these awardees is also listed in the Directory.

This year I am serving as the Chair of the Committee, and we welcome nominations for these important awards. If you have any questions regarding the process or criteria for making a nomination, please contact me at (714) 444-4141 ext. 494 or dhaythorn@law.whittier.edu. Recipients will be announced at the Annual Business Meeting in June.



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