



## From the President

By Ramon Barajas

First off, I would like to thank you all for giving me the opportunity to serve as your SCALL President for the 2017 - 2018 term. It has been a truly enriching and immensely satisfying experience both personally and professionally. Taking on this leadership position allowed me to work directly with some of the best and brightest minds in our field. The experience has transformed me into a better person, a more informed law librarian, and a more confident leader. I reluctantly accepted the nomination back in the summer of 2016 because I knew it would be challenging, but I also knew it would be rewarding. I forced myself to step outside of my comfort zone, and I am so very glad that I did.



SCALL was awarded the 2018 AALL Chapter Professional Development

Award for its presentation of the 2017 SCALL Institute, *“ConLaw Conundrum: Constitutional Law & Challenges in Today’s Environment.”* This is an accomplishment we should all take great pride in. Year after year, SCALL produces educational programming of the highest level, and those efforts have been rewarded. Please join me in congratulating all of the wonderful committee chairs who made winning this award possible, but above all, a special recognition goes to Leonette Williams who so masterfully crafted a wonderful speakers panel and single handedly endured the painstaking AALL award submission process. Thank you, Leonette. You exemplify the very spirit that SCALL strives to achieve.

Winning the AALL award would not have been possible without adhering to the guidelines set out by AALL. One of the requirements requires the collecting of evaluation forms. If you attended

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## SCALL Spring Meeting: Professor David Nimmer on the Twists and Turns of the Fair Use Doctrine

By Sherry L. Leysen

On April 11, SCALL members were treated to an informative and engaging presentation on fair use by the preeminent copyright expert and prolific scholar Professor David Nimmer, Of Counsel to Irell & Manella LLP. Following an introduction by Irell’s Manager of Research Services (and meeting host) Tanya Livshits, Professor Nimmer discussed the evolution of fair use from inception to the present day.

### *It Began with a Story...Justice Story*

Professor Nimmer took us back to the beginning with George Washington’s papers in *Folsom v. Marsh*, 9 F. Cas. 342 (C.C.D. Mass. 1841). The plaintiff had

published 12 volumes and thousands of pages, which included President Washington’s letters in the *Writings of George Washington*, while the defendant published a similar work in two volumes, *The Life of Washington*. In the opinion Justice Story went back and forth talking about the “balance” of copyright—“the metaphysics of the law”—as he outlined several factors, ultimately finding no fair use.

Fast forward 130 years, when Congress codified fair use with the Copyright Act of 1976. In the preamble (codified at 17 U.S.C. § 107), Congress described presumptively fair uses, such as classroom use and news reporting, and

then enumerated four factors that came out of Justice Story’s *Folsom* opinion and intervening cases.

Professor Nimmer illustrated the four factors graphically, showing where each factor may fall, from fair to not fair. The first is the purpose and character of the use. He noted that if the defendant is engaging in news reporting as described in the preamble, that seems like it’s fair; on the other hand, if it’s a commercial use, that leans towards unfair. The second factor is the nature of the copyrighted work. He noted that the more factual and grounded in reality the use is, the more fair it is to copy it; the

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the 2018 SCALL Institute and failed to turn in an evaluation form, please take a moment to do so when the online form becomes available. Be on the lookout for an email with the online survey link. All SCALL members will have the opportunity to chime in and submit ideas and suggestions for future institutes. There will soon be an online survey to gather your input on how to improve the SCALL Institute. Please take a moment

to fill that out once it becomes available.

A recurring theme throughout my columns this year has been the call for volunteers. I would be remiss not to take this one final opportunity to do so yet again. One of my favorite quotes states, “*There are three types of people in the world; those who make things happen, those who watch things happen, and those who wonder what happened.*” SCALL needs

you. Plain and simple. We celebrated our 65th year anniversary and the only way reach another 65 years is by continuously reinventing ourselves, and ushering in new ideas. That is where you all come in. If you are considering volunteering for an executive or board position, please feel free to contact me directly to learn more. Together, we can all continue to make things happen. Cheers!

## AALL Annual Meeting Grant Recipients

Congratulations to the following members who received grants to attend the 2018 AALL Annual Meeting:

**Kelly Leong** | **Ryan Metheny** | **James B. Senter** | **Dr. Michele A. L. Villagran**

*continued from page 1 (Nimmer)*

more creative and imaginative, the less fair it is to copy it. The third is the amount and substantiality of the portion used: how much was copied? At one extreme, you may have a defendant copying very little, weighing in favor of fair use; on the other, nearly everything is copied, weighing against it. The fourth is the effect of the use on the potential market, a factor that is often given the most weight.

### ***Time-Shifting...Back to 1984***

He noted that following the passage of the Copyright Act of 1976, the first case to reach the U.S. Supreme Court in the copyright sphere took eight years to get there, *Sony Corp. of Am. v. Universal City Studios, Inc.*, 464 U.S. 417 (1984). This case involved what was then a revolutionary technology, Betamax, which allowed viewers to record television broadcasts and watch later (discussed in the opinion as “time-shifting”). Professor Nimmer reviewed the factors and the Court’s analysis, noting that the first three factors weighed very much against fair use. The purpose and character of the work was simply a copy; it was not a transformation or news reporting. In the plaintiff’s view, the nature of the copyrighted work was the acme of human creativity, copied in its entirety. However the fourth factor weighed in the opposite direction: the copyright owners had consented for viewers to watch the broadcasts. This

factor overbore the others and proved to be the most important, as the Court found fair use. (I am grateful for this outcome. Without today’s version of “time-shifting” technology, I would know nothing about the fictional lives of Carrie and Saul, Harvey and Mike...the list goes on.)

### ***The Transformative Pendulum Swings***

Discussing the evolution of the transformative test, he noted an influential article by now Senior Judge of the Second Circuit Court of Appeals, Pierre N. Leval, *Toward a Fair Use Standard*, 103 Harv. L. Rev. 1105 (1990), which the Supreme Court relied on in *Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. 569 (1994). The copyright owner of Roy Orbison’s “Oh, Pretty Woman” claimed 2 Live Crew’s song “Pretty Woman” infringed its copyright. Reversing the Sixth Circuit Court of Appeals, the Supreme Court discussed (in addition to parody) that the purpose and character of 2 Live Crew’s use was transformative, weighing toward fair use. Professor Nimmer reviewed several cases in which the transformative test pendulum had swung quite far, in particular *Cariou v. Prince*, 714 F.3d 694 (2d Cir. 2013), in which the court found that a substantial number of an artist’s paintings based on a photographer’s work were transformative and thus fair use, despite the fourth factor. He noted that over the years, transformative had

become very broad and under *Cariou*, the transformative test applied to just about everything. (He also found it troubling that the *Cariou* court itself made the photographer’s images public in an appendix.) The Seventh Circuit Court of Appeals started to cut back on the transformative test in *Kienitz v. Sconnie Nation LLC*, 766 F.3d 756 (7th Cir. 2014), a case involving “Sorry for Partying” merchandise.

Professor Nimmer also provided an overview of the complicated litigation involving Google’s use of Oracle’s Java APIs (application programming interface) for its Android phone. In the latest opinion, fair use was not found (*Oracle Am., Inc. v. Google LLC*, 886 F.3d 1179 (Fed. Cir. 2018)). Reviewing and commenting on the court’s analysis of the four factors, he noted that factor two, the nature of the copyrighted work, massively favored fair use; the APIs are about as functional as they could be.

Illustrating that not everything needs to be litigated, Professor Nimmer closed with a thoroughly entertaining literal video of *Total Eclipse of the Heart* (which spawned a literal video genre). Our thanks to Professor Nimmer for an insightful and enjoyable fair use tour.

*Sherry L. Leysen is Research/Instruction Librarian – Faculty Services at Chapman University Fowler School of Law.*



## Meet the Candidates: 2018 Executive Board Election



### Erik Adams—Vice President / President-Elect

**Biography:** Erik Y. Adams is the Electronic Resources Librarian for Sheppard Mullin in Los Angeles. He previously worked as a software developer for PETsMART.com and Countrywide Home Loans; a librarian at Manatt Phelps; and as a library technician for an outsourcing agency in a variety of libraries. He earned his M.L.I.S. from UCLA and Bachelor's degree from Occidental College. He has previously served on the SCALL Executive Board as a Board Member and as a member of the Programs Committee. He writes for the AALL RIPS-SIS blog.

**Candidate Statement:** Three years ago I wanted to get more involved in SCALL, and began working with the Programs Committee. For the last two years it has been my good fortune to be a member of the Executive Board. Working with the people of SCALL is tremendously engaging and rewarding, and I am honored to be nominated Vice President / President Elect. I look forward to the challenges of working on next year's Institute, and already have ideas on topics and activities. SCALL is a great organization, and I look forward to contributing to its legacy.

### Patrick Sullivan—Secretary

**Candidate Statement:** Patrick Sullivan is the California Research Librarian at Jones Day in Los Angeles. He received his JD from Loyola Law School in 1992, and his MLIS from San Jose State in 2012. He is currently serving SCALL as the Business Manager of the SCALL Newsletter, and also was the co-chair of the SCALL 2018 Institute Publicity Committee. When he is away from Jones Day and not at a SCALL event, he enjoys classical music and gardens like those at the Huntington Library in San Marino.



### Jessica Pierucci—Board Member

Jessica Pierucci is the Research Law Librarian for Foreign, Comparative, and International Law at the UC Irvine Law Library. She has served in various roles in the reference, access, and technical services departments at the UCI Law Library since 2014. She received her JD from UCI Law in 2013 and her MLIS from San Jose State in 2016. Jessica has served as the SCALL Newsletter compiler since January 2017. She is a member of the AALL Economic Status of Law Librarians Committee and a scheduled contributor to DipLawMatic Dialogues, the AALL FCIL-SIS blog.

Since becoming a law librarian, Jessica has benefitted from attending wonderful SCALL programs and meeting fantastic colleagues. She has enjoyed contributing to the organization as the newsletter compiler by showcasing some of the great work of SCALL and its members. Jessica looks forward to the opportunity to further serve and promote SCALL as a member of the executive board.



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TO  
ACTION

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& CONFERENCE

JULY 14-17, 2018  
BALTIMORE, MD

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## SCALL Member Spotlight – Rebecca Fordon, UCLA Law Library

By Kelly Leong

Rebecca Fordon began working at the UCLA Law Library in 2016 as a reference intern and later secured a position as a faculty services librarian in 2017. It was a great pleasure to interview Rebecca and learn a bit more about my colleague.

### Where are you from? Where have you lived?

Rebecca was raised in Ohio and moved to Boston to attend law school at Boston University. For those of you who do not know, there is a friendly rivalry within the Boston community when it comes to cannoli, a delicious Italian pastry traditionally filled with sweetened ricotta. I also lived in Boston and had to know Rebecca's cannoli preference. For Rebecca, Mike's Pastry is her preferred cannoli shop. We will have to agree to disagree on this particular topic.

While working as an attorney, Rebecca's

law firm merged with a firm in Orange County, California and she took the opportunity to relocate to Southern California.

### What is your favorite place in California? What makes it your favorite place?

[San Joaquin Wildlife Sanctuary](#). Rebecca is a leisurely bird watcher and the refuge provides great bird viewing and walking trails. She discovered the refuge while living in Irvine and enjoyed watching the birds attracted by the fresh water. If you would like to see the variety



*Rebecca Fordon at the San Joaquin Wildlife Sanctuary, her "favorite place in California."*

of birds that visit the sanctuary, you can

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### Google Doesn't Have All the Answers: Yes, Virginia, There is Still a Thing Called "Hardcopy"

Once upon a time, in a land far, far away, the stories of fairy tales were written with ink and parchment. Believe it or not, in the hidden corners of the State Archives, and the dusty shelves of the State Library, these valuable sheaves of paper can still be found, but only by those who are truly brave and boldly daring. Brave, because you must be willing to enter a land beyond the internet, and daring because, well, paper cuts really sting!

Many people, even long-time clients, are surprised to learn that LRI can find documents pertaining to the legislative history and intent of a law that do not

exist online. This holds true for researching 1850 legislation all the way up through the present day. In fact, the entire reason we are still in business is because we can find things that you cannot access from Westlaw, LexisNexis, HeinOnline, or even the official state websites.

It requires going through original source documents that have not yet been digitized; it requires thumbing through books so old you have to wear gloves while handling them; it requires watching VHS tapes and listening to audio cassette tapes, if you even remember what those are. The State

Archives is still putting documents on microfilm. Don't worry, I'll pause here while you Google what "microfilm" is.

The point is, just because it is not online, does not mean it does not exist. In fact, there is a whole world waiting for you beyond the internet. When your case depends on legislative intent, you can depend on us. With our years of experience in this extremely specialized area of research, you will be amazed at what we can dig up when Google lets you down.



## Career Opportunities

Date Posted	Job Description	Location
May 11	Research Analyst; LibSource	Virtual/Remote
May 3	Temporary Reference Law Librarian; LibGig	West LA/Santa Monica/ Malibu
April 30	Reference Librarian; Fresno County Public Law Library	Fresno
April 19	Reference Librarian; San Diego Law Library	San Diego
April 13	Reference and Digital Resources Librarian; University of La Verne Law Library	Ontario
April 10	Research and Instruction Librarian; UC Hastings Law Library	San Francisco
April 9	Reference Librarian; Alston & Bird	Los Angeles or San Francisco
April 6	Electronic Services Librarian; Brownstein Hyatt Farber Schreck	Denver
April 3	Deputy County Librarian; Contra Costa County Library	Martinez
March 27	Head of Collection Management Services; Loyola Law School	Los Angeles
March 26	Administrative Assistant; Riverside County Law Library	Riverside
March 20	Managing Librarian Serials & Acquisitions; LA Law Library	Los Angeles
March 20	Cataloging Librarian; LA Law Library	Los Angeles
March 6	Senior Community Library Manager; Contra Costa County Library Department	Contra Costa County
March 2	Research Analyst; Sidley Austin	LA or NY or DC or CHI
March 1	Research Analyst; Morrison & Foerster	Los Angeles; San Diego & Other Cities
February 6	Director; Ventura County Law Library	Ventura
January 31	Librarian; Witkin State Law Library California State Library	Sacramento
January 25	Research and Digital Initiatives Librarian; UC Davis Mabie Law Library	Davis

By Tiffani Willis

Chair, SCALL Placement Committee  
tiffani.willis@lls.edu

View complete job descriptions at [scallnet.org/career-opportunities/](https://scallnet.org/career-opportunities/)

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do so on [Instagram](#).

### What was your first job? What different jobs have you had?

Like many of us, Rebecca's first job was working in retail. Retail work often presents challenging situations, but Rebecca's retail experience provided her with an excellent foundation in customer service that she still uses as a librarian. Citing her love of movies, Rebecca

moved on to working at a movie theater where she could watch movies for free.

### How would you describe your dream job?

While Rebecca does not know the specifics of her dream job, she does enjoy reference work and any dream job she could imagine would allow her to continue providing reference services.

### When did you know that you wanted to be a law librarian?

Rebecca had been an attorney for ten years when she decided to attend library school, but she knew she wanted to become a law librarian about three years into her legal career. During those early years as an attorney and law clerk, she realized that she really enjoyed legal research and was spending more and more time with her legal research assignments.

### What do you remember about library school?

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One of the most valuable things that Rebecca learned in library school was how to enjoy reading scholarly articles. Rebecca realized she could move away from the close and detailed readings of entire cases and she could approach scholarly articles with a focused but more relaxed reading style. She notes that scholarly articles allow the reader to easily navigate the article by providing an abstract and common structure. Both features allow readers to jump around the article to read the topics they are interested in or are most relevant to their research.

**Are there any interesting things you have discovered as a newer librarian?**

Rebecca had not realized the breadth of resources available until she became a librarian. She estimates that she only knew about a quarter of the resources before becoming a librarian and conjectures that she should have visited

her firm librarian more often while working as an attorney.

**What would you consider to be the most important invention during your lifetime?**

The iPhone. As the first smartphone, Rebecca notes that it has changed our relationships and interactions. It allows us to share information and photos with friends and family scattered across the globe. Of course, as with any technology, the iPhone can be both a blessing and curse according to Rebecca.

**What is your dream vacation?**

Rebecca would love to go on a small ship cruise where the ship only hosts twelve or fewer guests and they make your meals to order. Ideally, she would be sailing in the Mediterranean, possibly the Greek Islands, where she could observe birds from the ship or through Alaska

where small ships can get closer to the scenery. Rebecca has been on an Alaskan cruise in the past and was disappointed that they couldn't get closer to the beautiful landscape.

**What television shows are you currently watching?**

Rebecca is currently watching *The Crown* (Netflix). She's watching the first season, so no spoilers. Rebecca is also watching *Barry* (HBO), a show about a hit man trying to become an actor. She assures me that *Barry* is worth watching so I have added it to my own watch list.

*Kelly Leong is a Reference Librarian at UCLA Law Library.*



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## Carving Out Time for Education

By John J. DiGilio

I recently had the pleasure of presenting a webinar on maintaining a work-life balance. Having worked for some very large law firms and corporations in a managerial capacity, I know all too well the struggle of having a life while also holding down a job about which you are passionate. If there is one thing I know from experience, it is that opportunities for continued learning are critical to that balance. Part of creating a rewarding work-life balance requires that we carve out time for education.

One of the things that I learned while putting my work-life balance session together was just how incredibly stressed America's workers feel today. Not only do they willingly acknowledge that they are busier than ever, but majorities also admit that their jobs are encroaching on their lives with great detriment to both home and office well-being. Among the many things that workers have noticed a change in is the support they get from their employers when it comes to education. Both time and funds, it seems, have gotten tight.

I have always been of two minds here. Having witnessed this trend first-hand, I have given many lectures to staff – including my own – on how we cannot and must not rely solely on our workplaces to provide our continuing education. At some point, we must invest in ourselves. Of course, that is always easier said than done as we become busier and busier. Just look at our law firms where the billable hour and recovering costs still reign as concerns supreme. If we cannot charge for it and it does not contribute to the bottom line, it takes a backseat. My purpose this time, however, is not to spin that same old yarn. Yes, employees must take some initiative for themselves. But as a manager and an employer, I am taking my fellow leaders to task too.

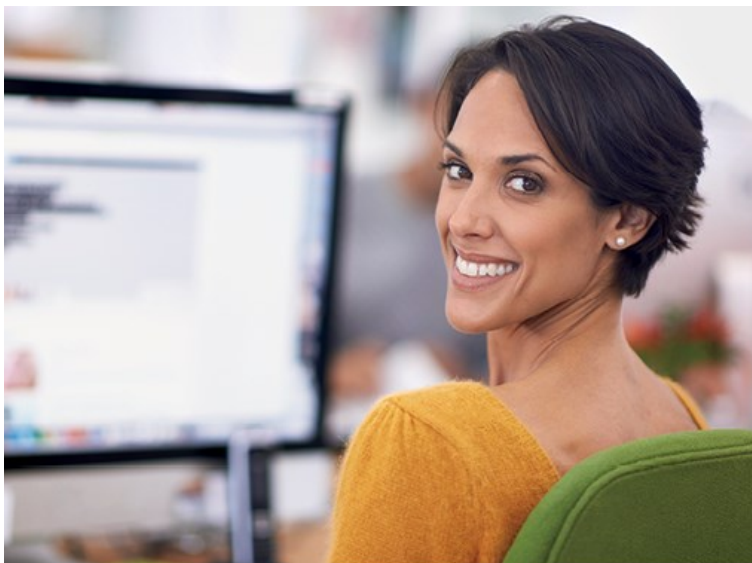
Creating a culture of excellence in your organization is not just about making great hires and recruiting top talent. We have a responsibility for supporting the professionals we've brought into the fold. We have high expectations for them and they should be able to rely on us to help mold them into the experts we want on our teams. Like I said, I have been doing my best to practice what I am preaching for many years now. Despite constant change in this industry, I have found that there are several approaches you can take that will stand the tests of time, workload, and budget. Here are just a few of my tried and true approaches:

- **Make education a requirement.** When you are laying out the goals for your team for the year, in addition to so many other deliverables, why not create an education expectation? It does not have to be anything overwhelming – maybe an hour a month, for example. When you make it part of the annual goals for your employees, they are going to pay more attention and make continuing education a priority. No one wants to let the boss down after all and this is a great way to make sure staff gets personal benefit in making you happy. It is also the kind of goal that many team members will simply look forward to, if for no other

reason than it really is about them. As with other deliverables, you have to be prepared to enforce the expectation and plan for what happens if someone fails to comply.

- **Incentivize continuing education.** As altruistic as we like to be, we need to give employees more of a reason to participate in educational programs beyond simply reminding them that it is good for them. Let's be honest, "good for you" is seldom good enough. Why not factor continuing education into the decision-making process for things like annual raises, bonuses, and even funding for conference attendance? Heck, make a contest out of it with prizes. Of course, this is a double-edged sword. We do not want to overdo it only to find that the ONLY reason our employees are participating in learning programs is to satisfy requirements for something they hold even more dear or because they might win something.

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- **Use technology to lower the costs.** One of the reasons I often hear from managers and organizational leaders for reducing investment in employee continuing education is the cost. Sending people to conferences, classes, and even one-day events can be quite pricey. There are registration fees, travel costs, maybe lodging and meals to pay for, and let's not forget the cost in time away from the office. While there is certainly truth to this concern, it is not universal. Technology has made educational programming far more accessible than ever before. Webinars are low-cost and often free, for example. Entire certificate courses are now being offered online for a fraction of the cost of attending in person. Massive Online Open Courses (MOOCs) are being offered by prestigious universities from all around the world at no cost to attendees. Best of all, much of this education is available asynchronously and can be accessed when the employee is not up to their ears in work.
- **Celebrate your culture of learning.** Finally, what good is all of this

planning, requiring, and managing if no one knows what your department or team has going on? Continuing education needs to be part of your institutional narrative and your workplace culture. Job applicants should be enticed by your continuing education outlook. Current employees should really see it as a perk of their jobs. And the higher-ups? Well, they should be regaled with stories of the progress your team members are making and just how committed they are to keeping your organization at the forefront of industry excellence. When you are updating your upper management on the number of requests your department handled, the number of hours billed, and the return on investment, that is the perfect time to let them know just how many hours were dedicated to making your team and its services the best they can be. The excitement over continuing education should reverberate from the bottom to the top and back down.

Placing emphasis on continuing education in your workplace is not as hard as it may sound. Yes, it means more work for everyone. Employees will need to fit the courses in and managers

will need to track what everyone is doing. However, there is a distinct difference between work and drudgery. A meaningful program of professional learning should be fun for everyone involved and instill a real sense of pride in both the teams and those who lead them. The street here definitely runs two ways! You just have to lay it out and pave the way.

When all is said and done, of course, that old adage about horses and water still applies. You can lead your employees to educational opportunities, but you cannot make them take part. That is not really your part of the battle, however. As managers and employers, we want to give our staff every chance to grow and excel. Availing themselves of the opportunities presented is still very much a matter of personal responsibility. By incorporating and supporting continuing education into the culture of your workplace, you are giving your employees a foundation on which to build solid work-life balance. That alone is a precious gift in the midst of the ever-frenetic hustle and bustle of our profession.

*John J. DiGilio is Senior Director of Research & Intelligence at LAC Group.*

## Membership News

*By Judy K. Davis and Karen Skinner*

**Cindy Guyer** of the **University of Southern California** has been elected Secretary/Treasurer of AALL's Social Responsibilities SIS. Congratulations, Cindy!

**Karen Skinner** of the **University of Southern California** has been elected Member-at-Large of AALL's Research Instruction & Patron Services SIS (RIPS-SIS). Congratulations, Karen!

**Michele Angeline Lucero Villagran** has accepted a position at **San Jose State University School of Information** as a tenure-track Assistant Professor starting fall 2018 where her position will focus on cultural diversity. Congratulations, Michele! And, check out the SJSU announcement [here](#).

### Welcome new member!

**Theresa Schwake** is Library Assistant at **Riverside County Law Library**

Any corrections, changes, or additions to your membership information, as well as any announcements for Membership News, should be sent to:

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Co-Chair, Membership Committee  
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# Learning to Learn

By Lisa Junghahn

Successful information literacy instruction requires building trusting relationships in our communities, and empathy for our students. This is what I learned last month at a panel discussion for a class of UCLA library school students. Panelists were from a public library, private high school, community college, large university, and trade school.

Each spoke about building relationships with their communities, and the challenge of time and relative physical location. One librarian likened outreach to dating. She shows enthusiasm and curiosity. Each mentioned that librarians must go to their communities, and have a story for the role of the library, whether talking to students or faculty-teachers (or, in the case of a public library, parents and school boards). Everyone found it helpful to teach the teachers, which can serve as outreach to those who may not realize their own limitations. In the law school, I find that faculty learn a great deal when they sit “in the back” during training for their students.

Information literacy instruction can take many forms. For example, in the public library, teaching moments arise at the reference desk. In the high school and community college, librarians often collaborate with faculty-teachers to develop research skills for class projects. No matter the setting, successful instruction requires knowing your students. One librarian mentioned the University of California Undergraduate Experience Survey, which shows details like food insecurity among students. The community college librarian mentioned that her students are a majority-minority, with a wide range of ages, native languages, and learning challenges represented. Another librarian recommended resources from ACRL on developing cultural humility. The idea is that we do our best as instructors when we recognize our own privilege, and seek to understand the worldview of others, especially those who have experienced discrimination. Humility requires us to see students as knowledgeable and capable.

Learning research (like anything else) is

enhanced when instructors are clear and seek to demystify. One librarian talked about using Blue Apron to overcome her fear of cooking. As a novice, she appreciates being provided with an image of the final dish, step-by-step instructions, videos, and other options for learning. In developing novices, get to know what your students know, and build on this in a way that is relatable. For example, information literacy requires students to recognize that “authority is constructed and contextual.” This is commonly explained as, “authority is a type of influence recognized or exerted within a community.” This statement makes no sense to me. However, if you were to ask me for a resource to learn about Taylor

*Learning research (like anything else) is enhanced when instructors are clear and seek to demystify.*

Swift’s love life, I might say TMZ. I would definitely not say Erwin Chemerinsky. I already understand that authority and context is really about “who would know.”

Learning is easier when information is relevant and interesting. The community college librarian talked about how she developed a friendship with a political science professor. Over coffee, the professor expressed frustration at what felt like a lack of engagement by students in finding and analyzing proposed laws. Through conversation, the librarian realized that students were not given much context for what a bill is, and that students were interested in the topic of impeachment. The librarian then led a series of training, which started by having students listen to a podcast on Watergate. Once they had an example and some context, students were primed to find and evaluate current sources, such as Congressional hearings and NY Times editorials.

Related, everyone mentioned that students learn best with short and guided practice at the right moment. The high school librarian talked about teachers who ask for long workshops at the start of a semester, with the idea that students could then research effectively for the life of a multi-week project. In time, and by building trust, she was able to help these same teachers see that research skills cannot be developed in an instant, or by front loading. I have met this same thinking in law schools, where faculty seem surprised that students are unable to apply first-semester research instruction to complex tasks, like conducting a 50-state survey.

Instructors should never rely on intimidation or fear. One librarian told the story of the anxiety that crowded her learning after being introduced to Shepard’s in law school by watching a video of the judge in the OJ Simpson trial become impatient with the lawyer (Marcia Clark) for missing relevant authority. Instead of fear, help students develop a growth mindset. This is the idea that intelligence and ability is only fixed if we believe it. We can help others learn by setting high expectations, and giving opportunity for non-consequential trial and error, accompanied by timely, directed feedback (and more error). One librarian mentioned the USER instructional design method, which stands for Understand, Structure, Engage, and Reflect. Another recommended the ACRL 23 Framework Things.

The only real theme on assessing students is that learners benefit from low stakes “testing.” This can be as simple as asking for a show of hands, or having students prepare one-minute written reflections. In developing materials, rely on what works for you as a learner. Likewise, be authentic, take a personal approach, and be transparent about your own learning anxieties.

*Lisa Junghahn is the Research and Instructional Services Librarian at University of California, Irvine School of Law.*



# Executive Board Meeting Minutes

By Amber Kennedy Madole

A regular meeting of the SCALL Executive Board was held on Tuesday, January 9, 2018 at the Karl Strauss Brewing Company in downtown Los Angeles.

In attendance were:

President Ramon Barajas  
Vice President Judy K. Davis  
Treasurer Caitlin Hunter  
Secretary Amber Kennedy  
Madole (via telephone)  
Past President Stefanie Frame  
Board Member Erik Y. Adams  
Board Member Margaret F. Hall

A quorum being present, the meeting was called to order at 4:35 p.m.

1. The minutes of the last session of the regular board meeting were presented for review.

- Ramon Barajas moved to approve the minutes and Judy Davis seconded. There was no discussion and the motion carried.

## 2. Treasurer's Report

- Caitlin Hunter reported that SCALL had a bank balance of \$45,928.31 and a PayPal balance of \$974.43 as of January 3, 2018.
- Stefanie Frame moved to approve the treasurer's report and Ramon Barajas seconded.

## 3. Secretary's Report

- Secretary Amber Kennedy Madole reported that the SCALL Wilshire Mailbox account has a forwarding credit of \$133.84 and that mail forwarding is running smoothly.
- Maggie Hall moved to approve the report and Caitlin Hunter seconded.

## 4. President's Report

- President Ramon Barajas reported that he sent new SCALL members emails welcoming them to SCALL and providing an overview of SCALL's services.
- Ramon Barajas also noted that he has been in contact with Pauline Aranas about updating SCALL's policy and procedures. (Ramon will be the point person for this project.)

- Caitlin Hunter moved to approve the report and Maggie Hall seconded.

## 5. Vice President's Report

- Vice President Judy Davis reported that all speakers have been arranged for the 2018 SCALL Institute, to be held on March 23-24 at the Mission Inn in Riverside. The topic will be employment law. Judy Davis announced that registration would open soon, with early bird registration ending on February 20th 2018.
- Stefanie Frame moved to approve the report and Erik Y. Adams seconded.

## 6. Committee Reports

- Committee reports were submitted for all committees. Committee reports are considered submitted as filed.
- The Public Access to Legal Information committee is looking at launching a Locating the Law revision under the leadership of Elizabeth Caulfield.
- The Professional Development Committee is considering sponsoring a joint webinar for law librarians.

## 7. Old Business

- Social Media Policy
  - The SCALL Board has a draft social media policy that will be finalized at the next SCALL meeting.
- SCALL Social Media Proposal
  - A current SCALL member has proposed creating a new SCALL blog in addition to SCALL's website and newsletter. The SCALL board discussed this proposal and weighed whether creation of a new publication was necessary. The board decided that the SCALL newsletter and SCALL listserv presently provide sufficient publication and communication opportunities for members, and noted that SCALL members are welcome to write and publish blogs as individuals.

## 8. New Business

- Treasurer Caitlin Hunter proposed that SCALL begin providing reimbursements via PayPal, since SCALL currently only provides reimbursements via check. The board approved her proposal.
- The SCALL archivist inquired as to whether the SCALL member satisfaction survey results would be added to the public archive. The board discussed the issue and concluded that given that the survey contains member-specific information, it should not be made publicly available. However, the survey will be made available for use of future SCALL boards.
- Judy Davis noted that she would facilitate an informal SCALL gathering in Orange County, likely on a Thursday, sometime in 2018.

The meeting was adjourned at 5:26 p.m.

Respectfully Submitted,  
Amber Kennedy Madole  
SCALL Secretary 2016-2018

**Save the date**

**SCALL Business Meeting  
June 18, 2018**

**SCALL Executive  
Board Election**

**The election opens Friday,  
May 18, 2018 and closes  
Thursday, June 7, 2018.**

**Don't forget to vote!**  
[vote.aallnet.org/chp-scall/](http://vote.aallnet.org/chp-scall/)

**Candidates are on page 3.**





## Treasurer's Report

By Caitlin Hunter

### SCALL Balances

Bank Balance as of April 29, 2018	\$ 49,972.88
PayPal Balance as of April 29, 2018	\$ 1,774.40
Total Balance as of April 29, 2018	\$ 51,747.28

### Committee Income and Expenses Since July 1, 2017

Committee	Budget	Income	Expenses	Budget Balance
Archives	\$100.00	\$0.00	\$0.00	<b>\$100.00</b>
Awards	\$400.00	\$0.00	\$328.88	<b>\$71.12</b>
Board	\$4,000.00	\$0.00	\$815.28	<b>\$3,184.72</b>
Government Relations	\$400.00	\$0.00	\$0.00	<b>\$400.00</b>
Grants	\$6,000.00	\$0.00	\$609.00	<b>\$5,391.00</b>
IT	\$1,000.00	\$0.00	\$0.00	<b>\$1,000.00</b>
Institute	\$12,000.00	\$20,133.00	\$14,266.34	<b>\$17,866.66</b>
Inner City Youth	\$5,000.00	\$200.00	\$0.00	<b>\$5,200.00</b>
Library School Liaison	\$5,000.00	\$0.00	\$0.00	<b>\$5,000.00</b>
Membership	\$2,800.00	\$5,166.00	\$2,492.01	<b>\$5,473.99</b>
Newsletter	\$300.00	\$1,690.00	\$9.98	<b>\$1,980.02</b>
Professional Development	\$1,000.00	\$0.00	\$0.00	<b>\$1,000.00</b>
Programs	\$3,000.00	\$3,457.00	\$4,271.96	<b>\$2,185.04</b>
PALI	\$150.00	\$0.00	\$0.00	<b>\$150.00</b>
Public Relations	\$300.00	\$0.00	\$0.00	<b>\$300.00</b>
Secretary	\$1,000.00	\$0.00	\$600.00	<b>\$400.00</b>
Treasurer	\$500.00	\$0.00	\$121.22	<b>\$378.78</b>
<b>Totals</b>	<b>\$42,950.00</b>	<b>\$30,646.00</b>	<b>\$23,514.67</b>	<b>\$50,081.33</b>

## Submission Deadlines

The SCALL Newsletter team welcomes submission of any articles of interest to the law library community. Contact Christina Tsou, SCALL Newsletter Editor: [ctsou@law.uci.edu](mailto:ctsou@law.uci.edu)

All submissions should be received by:

Sept/Oct 2018	September 10, 2018
Nov/Dec 2018	November 12, 2018
Jan/Feb 2019	January 14, 2019
Mar/Apr 2019	March 18, 2019
May/June 2019	May 6, 2019

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