

# Loquitur

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MINNESOTA STATE LAW LIBRARY

*The First Rung on the Ladder of Justice*

Vol. 18 No. 1

Editors: Daniel Lunde,  
Elizabeth Tuckwood

Autumn 2003

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## From the Director

Discerning readers will note that Daniel Lunde has returned as editor of this august publication. Daniel had been on a medical leave after a virus attacked his heart. We are very glad that he beat the odds and has returned to work full-time. Daniel now carries the title of Head of Library Development & Special Projects. As a member of the senior management team (along with Dennis Skrade and Karen Westwood), Daniel's specific duties are to assist the State Law Librarian (me) in planning and implementing Library programs including coordination of education programs, needs assessment, and grant writing. He has also been very busy with the Library Showcase this fall and the recruitment and supervision of interns and volunteers. The Library is very lucky to be able to draw upon Daniel's expertise in filling this important role.

Now is the time to thank Karen Westwood and Elizabeth Tuckwood for their interim editorship. They did a wonderful job in upholding the standards of this publication. Daniel especially thanks them for accomplishing one of his goals: bringing *Loquitur* to the Web. As you will note above, Elizabeth, our Library techie, continues on the editorial team.

Since the last issue, two employees retired from the Library—Charles Ballenger (supreme shelver of the appellate court librar-

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# Loquitur

is e-published twice a year by the

Minnesota State Law Library  
Minnesota Judicial Center  
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St. Paul, MN 55155

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Fax: 651-296-6740  
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For more information about Library services, programs, and publications, see our **homepage** at <http://www.lawlibrary.state.mn.us>

The views expressed are not necessarily the views of the editors or the State Law Librarian.

*We encourage suggestions and submissions of articles and book reviews. Contact Daniel Lunde for more information: by phone at 651-296-0031 or by e-mail at [daniel.lunde@courts.state.mn.us](mailto:daniel.lunde@courts.state.mn.us)*

## *From the Director (continued)*

ies) and Jan Watson (administrative assistant). I am personally thankful that, in one case, it was a brief farewell. Jan has returned as an intermittent employee to help keep us on track with our accounts. Now that is Library loyalty in the extreme.

In this issue you will read about new resources and new initiatives. One major accomplishment, which we continue to

fine tune, is the successful transition to [MnPALS](#) on August 18, 2003. MnPALS is an integrated library system powered by Ex Libris' Aleph software. It is a component of [MnLINK](#), which was mandated and funded through the state legislature. Bookmark our new online catalog at <http://msll.mnpals.net/> and read inside this issue about some of the changes that it has wrought in circulation procedures.

Your comments are always welcome. Reach me at 651-297-2084 or e-mail [barb.golden@courts.state.mn.us](mailto:barb.golden@courts.state.mn.us).

Sincerely,

*Barbara Golden*  
*Minnesota State Law Librarian*

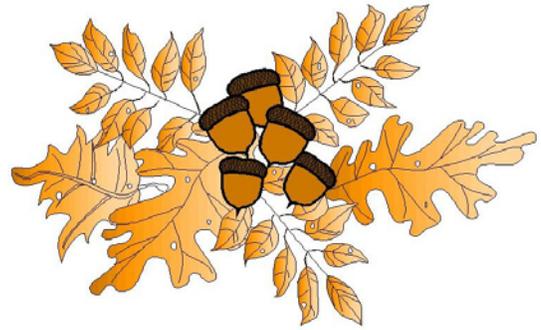
## Librarian Honored



Former State Law Librarian Marvin Anderson, pictured here with his wife, was awarded the Marian Gould Gallagher Distinguished Service Award at the American Association of Law Libraries annual meeting luncheon on July 14, 2003.

# The New Online Catalog—MnPALS

*Alison Doane*  
*Public Services Librarian*



## Going Online With Circulation: An Expert's Perspective

*Alison Doane*

In conjunction with St. Cloud State University, the College of St. Benedict, and St. John's University, the Law Library has successfully taken the first step in a state funded transition to a new library system. On August 18, 2003, MSLL migrated to the new catalog called MnPALS. You may view the catalog by going to our homepage at <http://www.lawlibrary.state.mn.us/>. Once there, simply click on *Search Library Catalog*.

In the future, the MnPALS system will include the University of Minnesota, MnSCU, (Minnesota State Colleges and Universities), state government libraries, and some private colleges. The MnPALS system is part of MnLINK, (Minnesota Library Information Network), which is funded by a 1997 appropriation of \$12 million from the Minnesota Legislature and a standing annual appropriation of \$450,000.<sup>1</sup> It is possible to access the [MnLINK Gateway](#) on our homepage; this system provides electronic access to public, academic, and state libraries across Minnesota. If you have any questions about the new online catalog, please call 651-296-2775 or e-mail [askalibrarian@courts.state.mn.us](mailto:askalibrarian@courts.state.mn.us).

Gone are the days in which the patron wrote arduously in the finest of penmanship to check out books from the Library. Yes, it is true MSLL is joining the 21<sup>st</sup> century; our circulation system is now online, which presents a whole new set of procedures and issues for the Library to solve. But for now, let us start with a few simple tasks that will make your visit to MSLL a charming experience.

So you may ask yourself, "What on earth will we do?" Worry not! A librarian will create a library card for you. The information you need to provide is your name, address, phone number, e-mail address, and the type of patron you are (i.e., lawyer, judge, law clerk, etc.). A barcode will then be assigned to you. It is your choice whether to leave your library card on file at our Library or take it with you. Most of our regulars have chosen to leave his/her library card with our trusty circulation expert, who is known for her meticulous organization!

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<sup>1</sup> <http://www.mnlink.org/defaulta.htm>

Upon your next visit to the Library, you should be able to whisk in and out with your newly created account. The librarian will scan your Library card and then scan in the items you wish to check out. It is our intention to make the transition to the new system as convenient as possible, but please do not forget that we *too* are still learning. Do not be frightened if you should happen to pass the Library and hear a jubilant crowd gathered at the circulation desk. There, filled with excitement, the crowd cheers while the circulation expert dazzles them with her magic wand, her movements so graceful and fluid. The dance of automated circulation has never been so perfectly orchestrated. Come experience the delight of MnPALS!



## **E-Reference Service Gets New Name**

*Karen Westwood*  
*Head of Public Services*

*This morning some library staff (including me) had over 1000 messages awaiting them with the subject "Your Details" "Thank You" "Approved" etc.*

*We think that the culprit is our AskMarvin group because the library staff not included in this group is not being bombarded by these emails anymore. The "MJC Ask Marvin" group is the email used by people who need reference assistance. Is there a way to protect this address from the worms?*

*Thank you.*

That's the request Barbara Golden (Minnesota State Law Librarian) sent to the Minnesota Judiciary's Information Technology Division (ITD) staff after some Library members were plagued with countless e-mail messages last summer. If any of you were hit with a worm, virus or bug this summer, perhaps you can relate to our frustration. With subject lines like "Thank-you," "Your Details" and "Approved," it was easy to be fooled into thinking these were legitimate – especially when the messages first arrived.

Luckily, the ITD staff quickly brought the virus under control for most of the judicial branch. As you can tell from the message above, however, some members of the Library staff continued to be bombarded by unwanted e-mails. While ITD reassured us that the virus was no longer coming in, it was small solace as we waded through hundreds of junk e-mails each morning. When we finally set up some "rules" in our e-mail program to automatically delete these messages, we had to wait up to 30 minutes in the morning while our PCs churned mightily away deleting the unwanted mail.

What was the culprit? We're quite sure it was the "SoBig.F Virus," but our vulnerability turned out to be the [Ask-Marvin@courts.state.mn.us](mailto:Ask-Marvin@courts.state.mn.us) e-mail group on our computer network. Somehow, the virus was able to infect this group, and once it was into the network, we couldn't get it out. Not only were we receiving hundreds of messages each day, the *AskMarvin* group itself seemed to be generating hundreds of

messages that bounced back and forth among our staff at the Law Library and were sent to a larger group outside the Minnesota Judicial Center.

The only solution was to deactivate the *AskMarvin* e-mail account and create a new e-mail address for electronic reference requests to the Law Library. We established *Ask a Law Librarian* ([askalibrarian@courts.state.mn.us](mailto:askalibrarian@courts.state.mn.us)) as our new address, and it is featured prominently on our web page. If you are wondering what happened to *AskMarvin*, rest assured it represents no disrespect to our former Director (Marvin Anderson, Minnesota State Law Librarian, 1980-2002). Our new address reflects our attempt to cope with one negative aspect of today's technology. It's also more accurate as to the actual service we provide. We enjoy receiving e-reference questions from patrons all over the world. Don't hesitate to use the service if you have a legal reference question.

## Books Galore—And So Much More

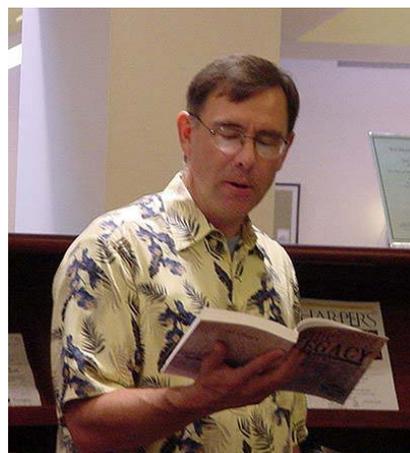
*Daniel Lunde*

*Head of Library Development and  
Special Projects*

The Library is much more than just a provider and repository of legal information and materials. We sponsor important programs and events within and beyond the Library doors. Two of these are the Showcase presentation series and Everybody Wins! reading program.

*Everybody Wins!* - Library and other staff in the Judicial Center, as well as a few other state offices and the St. Paul federal courts, read to third grade students at the Benjamin E. Mays Magnet School for Communication Arts and Leadership. The Everybody Wins! program is a great success for both the students and adult readers. The Minnesota State Law Library has sponsored and organized the program for eight years.

*MSLL Biannual Showcase Series and Other Special Presentations* - The Showcase events are held each spring and fall and are presentations given during the lunch hour within the Library. Our goal is simple - to bring judicial staff together to discover, contemplate, appreciate and/or just to have fun. Presentations are given by judicial staff, as well as other individuals from outside the judicial family.



*Judge Mark Munger reading from his novel (click for larger view).*

Already this fall, Fourth Judicial District Judge Marilyn Justman-Kaman gave a special PowerPoint presentation concerning her time spent working as an international

judge in Kosovo. Four Showcase events also occurred in October:

- Sixth Judicial District Judge and author Mark Munger read from and discussed his new book, *Pigs: A Trial Lawyer's Tale*.
- Tax Court employee Joanne Prillaman exhibited and shared her artwork.
- Court Services employee Chris Ruhl led a discussion on how to tap into creativity on the job.
- First Judicial District Retired Judge Richard Menke described his experience of walking the entire Appalachian Trail this past summer.

## WHAT'S UP DOCS? News from the Government Documents World at MSLL

*Laurel Stiebler*

*Government Documents*

*Coordinator*



**Senator Dayton wins award for his work on behalf of federal depository libraries.**

Senator Mark Dayton was awarded the John. R. Finnegan Freedom of Information Award on September 26, 2003, at the

Minnesota Library Association's Annual Conference in Rochester, Minnesota. Unfortunately, at the last minute, the Senator was unable to be present to receive this award. Several Minnesota document librarians, in town for the Federal Depository Library Conference, presented the award to him in his office in Washington, D.C., on October 21.

Senator Dayton received the award for "Leadership in Support of Open Government and the Public's Right to Know." He earned this distinction as Chair of the Congressional Joint Committee on Printing during the 107<sup>th</sup> Congress. He arose in opposition to the Administration's proposal to by-pass the long-standing laws regarding government printing. That proposal would have undermined our Federal Depository Library Program, which efficiently delivers federal government information to 1,300 depository libraries nationwide, including twenty-five in Minnesota.



*Senator Dayton (center) receiving the Freedom of Information Award (click for larger view).*

The Senator called a congressional hearing on July 10, 2002, at which he encouraged collaboration between the Office of Management and Budget (OMB) and the Government Printing Office (GPO) to protect the public's right to access to government information. The outcome was an agreement announced June 6, 2003, by the OMB and the GPO that promised to improve access to both print and electronic government information. Go to <http://dayton.senate.gov/~dayton/releases/2003/09/2003926728.html> to see the official press release from the Senator Dayton's office regarding the Freedom of Information Award.

The Minnesota Coalition on Government Information, an interest group of individuals and organizations committed to open access to public information in all formats, presents the Freedom of Information Award annually. The award is named in honor of John R. Finnegan, retired Senior Vice-President of the *St. Paul Pioneer Press*, and recognizes his dedication to openness in government and his work on behalf of the people's right to know.

### **The most important documents in U.S. history?**

A civics initiative called "The People's Vote: 100 Documents that Shaped America" earlier this fall invited people to select which documents were the most influential in American history.

Go to <http://www.usnews.com/vote> to see the results of the voting. How does the top ten list square with yours? The slate in-

cluded such biggies as the Constitution and the Declaration of Independence, as well as significant treaties and congressional acts. Participants could also write in their choices for notable documents in U.S. history not found on the list.

The vote was a project of the National Archives and Records Administration (the people who bring you the *CFR* and *Federal Register*), *U.S. News & World Report*, and National History Day. Results were announced on December 15.

Looking for that special document that changed the course of U.S. history? The Law Library can help!



## **New Electronic Resources Available at the Library**

*Daniel Lunde*

The Library is going through a period of momentous change. Not only are we in the midst of a transition to a new online library system, but also we are grappling with significant changes within the field of legal publishing. Costs for many print publications have risen dramatically and sometimes prohibitively.

In response to these developments, the Library has acquired many new electronic resources so that we can continue to provide essential information, combined with the best possible service. Electronic databases are clearly becoming a larger part of our collection.

Here are several of the most important and newer electronic resources available on our website or at the Minnesota State Law Library:

- *Lexis*
- *HeinOnline Journals Collection*
- *Index to Legal Periodicals & Books*
- *Minnesota Legal Periodicals Index*
- *Issues in Minnesota Briefs*
- *Minnesota Judicial Directory*
- Federal and state tax materials from Kleinrock and RIA.

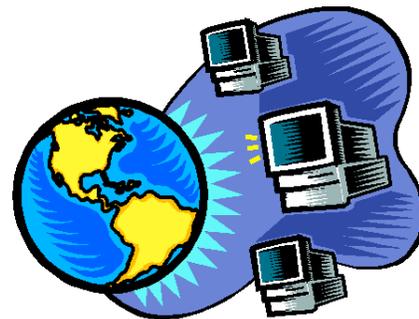
*Promoting Use of Electronic Resources.* During this fall and winter, we are publicizing each of these electronic resources to our various patrons. We are currently promoting *Lexis*.

*What is Lexis?* First launched in 1973, *Lexis* has developed into one of the most powerful and comprehensive legal computer research systems in the world. Its only rival is *Westlaw*.

*What materials are available on Lexis at the Minnesota State Law Library?* Cases and statutes from the federal government and the states are supplemented by a variety of secondary materials. The Law Library has selected those of most interest to Minnesota researchers, such as *Dunnell's Digest*,

Minnesota treatises, and selected law reviews and newspapers. *Lexis* also includes *Shepard's Citations*.

*Lexis* is available for use within the Library. If you call or e-mail for assistance, it is also one of the many resources our staff may use to assist you. For a different perspective and practical descriptions of various ways *Lexis* can help your research, see Anna Cherry's following article.



## Law Library Lands *Lexis*

*Anna Cherry*

*Public Services Librarian*

A powerful new research tool has appeared on the three public computers in the Library: the *LexisNexis Research System*. To reach *Lexis*, simply select it from the Favorites lists in Internet Explorer. The system will automatically sign on, no need to enter a password. All the power of the *Lexis* search engine and its popular databases are now at your fingertips.

Here are a few of the ways *Lexis* can help your research.

*Shepard's.* Anyone who remembers the tedium of searching through lists of cryptic

citations and multiple supplements (the latest of which would be at least six months old) will appreciate the currency and ease of use of *Shepard's* on *Lexis*. All parallel cites are automatically searched and the list is up to date to within 24-48 hours of the decision being received from the courts. No need to update with *Auto-Cite* and *LexCite* anymore.

The *Shepard's* display can also be customized. Besides choosing only the citations that affect the validity of a case, you can also limit the full display to include treatment codes or jurisdictions. You can even get a table of authorities cited in your case. (This feature is also useful for law reviews.)

**Retrieving documents.** The “Get a Document” feature is not limited to retrieving documents by citation. There are templates for searching by party names and by docket number without having to go through the steps of selecting a database and writing a segment search. One tip: if you don't find a case by its docket number, try a name search.

**Getting a copy of your results.** Printing from the public computers is through a shared printer at the circulation desk. For a faster and cheaper alternative, e-mail the results to yourself.

**Full-text searching features.** In addition to Boolean and segment searching, *Lexis* offers a unique way to find similar documents once you have found one on point. Clicking the “More Like This” link will create a natural language search based on the

the most unique and more frequent words in your document. To be even more specific, you can highlight any amount of text and click the “More Like Selected Text” link.

While the Library's subscription includes the most popular databases and Minnesota specific materials, not all databases are available. Only those that are available will appear on the “All Sources Directory.” Access to *Lexis* is also limited to the Library's three public computers.

Come in and give *Lexis* a try.



## New Delivery Option Now Available

The Minnesota State Law Library now offers patrons the option of receiving requested material as a scanned document. The material (in PDF format) will be sent to the patron as an e-mail attachment. The cost is \$2.00 per page and available for documents 20 pages or less in length.

Our traditional delivery options are still available: photocopying and mailing at \$.25 per page (\$3.00 minimum, plus first-class postage) and faxing at \$2.00 per page. Visit the website at <http://www.lawlibrary.state.mn.us/service.html#photocopying> or call 651-296-2775 for details.

# A Motley Collection of Recently Acquired Resources

What follows is a highly selective listing of recent acquisitions of the Minnesota State Law Library.

## *Minnesota Continuing Legal Education Materials:*

The Library receives all copies of Minnesota Institute on Legal Education (MILE), Minnesota State Bar Association (MN CLE), and Minnesota Trial Lawyers Association (MTLA CLE) continuing legal education materials. A few representative examples follow:

*Conceal & Carry*, MILE, 2003. KFM5779 .C67 2003

*Post-Traumatic Stress Disorder*, MILE, 2003. KF8925 .P4 P677 2003

*Shopping Centers*, MN CLE, 2003. KF593 .S4 S46 2003

*Introduction to Immigration Law and Practice*, MN CLE, 2003. KF4819.3 .I57 2003

## *Electronic and Videotape Resources:*

The Library catalogs and has access to many electronic and Internet resources. Most of these electronic materials are cataloged in the same manner as books. An added feature of the Internet titles, however, is immediate access to the publication by clicking on the URL found in the cataloging record. For more information on several new electronic resources, read articles describing some of them within this issue of *Loquitur*. A few other recently acquired titles:

### *Achieving the Promise: Transforming Mental Health Care in America: Final Report.*

Rockville, MD: President's New Freedom Commission on Mental Health, 2003

<http://purl.access.gpo.gov/GPO/LPS36928>. Gov Docs PR 43.8:M 52/P 94

### *Drug Enforcement Administration: a Tradition of Excellence 1973-2003.*

Washington, D.C.: DEA, 2003. For more information about the DEA, go to <http://www.dea.gov>; see especially the Museum and History sections. Gov Docs J 24.2:D 84/22

*Evidentiary Issues in Termination of Parental Rights: An Interactive Simulated Trial - Developed for the National Council of Juvenile and Family Court Judges.* SJI, 2002. (CD-ROM shelved in the Reserve Room)

*How to use the Minnesota Legal Periodical Index & LawMoose.* AV COLL KF 8 .H68 2002 (videotape)

*Judicial Ethics Curriculum: Presenter's Notebook.* American Judicature Society, SJI. (CD-ROM shelved in the Reserve Room)

### ***Treatises:***

ABA Steering Committee on the Unmet Legal Needs of Children - *America's Children Still at Risk.* Chicago, ABA, 2001. KF 479 .A93 2001

Ackerman, Bruce - *Bush v. Gore: The Question of Legitimacy.* New Haven, CT, Yale, 2002. KF 5074.2 .B874 2002

Beck, Connie - *Family Mediation: Facts, Myths, and Future Prospects.* Washington, D.C., APA, 2001. KF 5358 .B43 2001

Binder, Steven R. - *The Homeless Court Program: Taking the Court to the Streets.* ABA, 2002. KFX 2343.4 .B56 2002

Bloom, Robert - *Ratting: the Use and Abuse of Informants in the American Justice System.* Praeger, 2002. KF 9665 .B58 2002

*Endangered Species Act: Law, Policy & Perspective.* ABA, 2002. KF 5640 .A315 E53 2002

Farber, David - *Desperately Seeking Certainty: the Misguided Quest for Constitutional Foundations.* Chicago, U of Chicago Press, 2002. KF 4550 .F367 2002

Fehrenbacher, Dan E. - *Dred Scott Case: the Significance in American Law and Politics.* Oxford Univ. Press, 2001. KF 4545 .S5 F43 2001

Fiermonte, Cecilia - *Making it Permanent: Reasonable Efforts to Finalize Permanency Plans for Foster Children.* ABA, 2002. KF 3735 .F54 2002

Garcia, Patricia - *Litigants Without Lawyers: Courts and Lawyers Meeting the Challenges of Self-Representation*. Chicago, IL, ABA, 2002. KF 8840 .G37 2002

Garcia, Patricia - *Unified Family Courts: Justice Delivered*. Chicago, IL, ABA, 2001. KF 505.5 .G37 2001

Goodmark, Leigh - *Keeping Kids out of the System: Creative Legal Practice as a Community Child Protection Strategy*. ABA, 2001. KF 3735 .G66 2001

*Handbook for Federal Grand Jurors*. Washington, D.C.: Administrative Office of the U.S. Courts, 2003. Gov Docs JU 10.6/2:j 97/2003

*Handbook for Trial Jurors Serving in the United States District Courts*. Washington, D.C.: Administrative Office of the U.S. Courts, 2003. Gov Docs JU 10.6/2:j 97/2

Hauze, Karen A. - *Health for Teens in Care: a Judge's Guide*. ABA, 2002. HV 1431 .H69 2002

*Judicial Independence at the Crossroads*. Sage, 2002. KF 8775 .J825 2002

Lewis, Loida N. - *How to Get a Green Card*. Nolo, 2003. KF 4840 .Z9 L49 2003

Loonin, Deanne - *Student Loan Law*, 2d ed. Boston, MA, National Consumer Law Center, 2002. KF 4235 .L66 2002

*The Minnesota Judiciary: a Guide for Legislators*. St. Paul, Research Dept. House of Representatives, 2003. KFM 5910 .A25 2003

Nolan, James L., Jr. - *Drug Courts in Theory and in Practice*. New York, Aldine, 2002. KF 3890 .D777 2002

Peters, Jean Koh - *Representing Children in Child Protective Proceedings: Ethical and Practical Dimensions*, 2d ed. Lexis/Nexis, 2001. KF 3735 .P47 2001

Pevar, Stephen - *Rights of Indians and Tribes*. So. Ill. U. Press, 2002. KF 8210 .C5 P48 2002

- Phelan, Marilyn - *Museum Law*. Kalos Kapp Press, 2001. KF 4305 .P54 2001
- Pink, Scott - *The Internet and E-commerce Legal Handbook*. Prima Press, 2001. KF 390.5 .C6 P56 2001
- Pisano, Doug - *Essentials of Pharmacy Law*. CRC Press, 2003. KF 2915 .P4 P57 2003
- Powers, Stephen - *The Least Dangerous Branch: Consequences of Judicial Activism*. New York, Praeger, 2002. KF 5130 .P69 2002
- The Rehnquist Court: Judicial Activism on the Right*. New York, Hill and Wang, 2002. KF 8742 .A5 R44 2002
- Safeguarding Our Patrons' Privacy: What Every Librarian Needs to Know about the USA Patriot Act & Related Anti-terrorism Measures*. ARL, 2002. KF 9430 .A316 S23 2002
- Schachter, Madeline - *Law of Internet Speech*. Durham, Carolina Press, 2001. KF 4772 .A7 S33 2001
- Securing Our Children's Future: New Approaches to Juvenile Justice and Youth Violence*. Brookings Institute, 2002. HV 9104 .S37 2002
- Spiritual Roots of Restorative Justice*. SUNY, 2001. BL 65 .J87 S65 2001
- Taylor, Telford - *Anatomy of the Nuremberg Trials*. New York, Knopf, 1992. Spec Coll JX 5437.8 .T39 1992
- Youth in the Criminal Justice System*. Chicago, IL, ABA, 2001. KF 9780 .Y68 2001
- Zimmerman, Joseph F. - *The Referendum: the People Decide Public Policy*. New York, Praeger, 2001. JF 494 .Z56 2002
- Zora, Richard - *The Self-Help Friendly Court: Designed from the Ground Up to Work for People Without Lawyers*. National Center for State Courts, 2002. KF 8841 .Z65 2002