



MichALL Newsletter

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PRESIDENT'S MESSAGE

By Leanna Simon

Early this summer, the MichALL Board approved a resolution of the Uniform Electronic Legal Material Act in order to support its enactment in the Michigan. The bill (HB 5653) is currently sitting in the Committee on Judiciary and has been since May. **Jane Meland** (Michigan State University) testified before the House Judiciary Committee at a hearing on the UELMA bill. The Act would amend the Legislative Council Act to include UELMA and would ensure that all people would have access to official Michigan legal material on a permanent basis. Many thanks to our Government Relations Committee for their advocacy work!

Autumn is well upon us as we start to rev up this year's events. So far this year we have had some wonderful social outings put on by MichALL's Secretary, **Charlotte Walden** (Dykema). Trivia nights and getting together for cider/doughnuts and haunted housing have been well received.

On a national level, the American Association of Law Libraries (AALL) officially launched their new brand strategy "to foster knowledge, community, and leadership". This includes an updated logo and tagline that seeks to convey the importance of the legal information professional within the communities they serve. Soon, we will have MichALL specific branding and it will be prominently featured on our communications and website.

As many of you know, our organization works well when members from all realms – courts, private, academic – join in the conversation on the local level. By working together, we can provide each other with resources and support. If you haven't yet officially joined MichALL, please do! We have a lot to look forward to this upcoming year.

MICHALL FALL MEETING:

By Alicia Dyer

December 9, 2016, 1:00 p.m. to 4:00 p.m at Library of Michigan, Lansing, MI

As you may know, we recently took a poll of members to determine what you might be interested in doing for our annual fall meeting. We had excellent participation in the survey and garnered a lot of excellent suggestions and feedback. Based on your input, members of the Education Committee have decided to try something different this fall.

Instead of having the annual fall dinner, we decided to switch things up. Based on one of the suggestions from our survey, we have been working with **Kimberly Koscielniak** from the Library of Michigan to develop our fall

program. The event will be held in the Lake Ontario room at the Library of Michigan where we will hear from the state librarians about their latest developments and initiatives followed by a “round robin” tour of the Library of Michigan. We will be hearing from/visiting various departments including digitization, government documents, Rare Books, and legislative services. For information about the Library of Michigan, please visit <http://www.michigan.gov/libraryofmichigan>. At the website, you will find the Library’s hours, parking information, maps, etc. The Law Library’s website is currently in development, but it can be accessed at <http://www.michigan.gov/lawlibrary>. Also, for those who are interested in genealogy, you should know that the State Archives is open from 1:00 to 5:00 p.m., but this is a separate entity from the Library of Michigan and we will not be visiting it on December 9th as a group.

REJECTED FOR EXPOSURE

By Jessica Hanes, Scholarly Publishing Librarian & Seth Quidachay-Swan, Reference Librarian, University of Michigan Law Library

A story published recently in the *Detroit News* about a Michigan man “asserting a constitutional right to take ‘ballot selfies’ by challenging the state’s long-standing ban on voting station and polling place photography” sparked our interest in whether generational social media preferences might be the driving force for citizens who seek to overturn such laws. After all, the plaintiff is among the earliest born into the Millennial generation, over half of which (55%) have shared a selfie on social media as of 2014, a practice that has become ubiquitous even in politics.

The specific Michigan laws in contention, summarized, state that: “If an elector shows his or her ballot or any part of the ballot to any person [...] after the ballot has been marked [...] the ballot shall not be deposited in the ballot box, but shall be marked “rejected for exposure”, and shall be disposed of [...] a note of the occurrence shall be entered on the poll list opposite his or her name and the elector shall not be allowed to vote at the election.”

Interested to know how many states have similar laws, our research found from a 2012 survey that as of that same year, 44 states had a law or some official interpretation (usually a statement by a statewide election official) prohibiting a voter from either filming or photographing their own marked ballot. In states such as Arizona or California, enforcement of such laws is considered discretionary, while other state statutes (District of Columbia) appear to explicitly prohibit ballot selfies. However, the language is somewhat ambiguous as to whether such laws would truly apply to individuals purposefully documenting their own vote. The most extreme laws make ballot selfies a criminal offense and/or void the voter’s ballot (i.e. Pennsylvania, Michigan and Hawaii).

There have been other efforts to loosen such restrictions, as in 2016 where the 1st Circuit Court of Appeals ruled that there was no compelling governmental need to ban voters from posting ballot selfies. The ruling would invalidate restrictions not only in New Hampshire, whose ban was overturned by the ruling, but also laws restricting ballot selfies in Maine, Massachusetts and Rhode Island, in addition to providing a framework for overturning the law in other states such as Michigan. In March of this year, a Michigan House Bill 5430 was introduced that would permit voters to photograph and post a copy of their ballot (on social media). It has been referred to a house committee but no action on it has occurred since.

Curious to know how current law students view this topic (most having been born into the mid to later years of the Millennial generation) we

created an online poll and allowed students to submit answers and optional feedback anonymously for a little over a week. Of the 65 Michigan law students who voluntarily responded to the poll, when asked “Do you think it should be legal to take a ‘ballot selfie’ on election day?” 68% said YES, 21% NO, and 11% ‘I don’t know’. (To clarify the term and reduce confusion for students answering, the term “ballot selfie” in the question was linked to an online definition.

The day we finalized this, a Grand Rapids District Court Judge issued a preliminary injunction prohibiting the state from enforcing its ballot selfie ban, ruling it is an unconstitutional restriction on free speech. We’re interested to know what you think about the outcome of the Michigan ban, especially with the election right around the corner! We’ve created another online poll and would appreciate your feedback. Results will be anonymous unless you choose to identify yourself, and will be shared in the next MichALL newsletter.

Poll URL: http://libguides.law.umich.edu/michall_poll
Michigan ‘ballot selfie’ ban stirs court challenge,

End Notes:

<http://www.detroitnews.com/story/news/politics/2016/10/04/michigan-ballot-selfie-ban-stirs-court-challenge/91587154/>

More than half of Millennials have shared a ‘selfie,’ <http://www.pewresearch.org/fact-tank/2014/03/04/more-than-half-of-millennials-have-shared-a-selfie/>

The politics of the selfie, <http://www.politico.com/story/2014/03/selfies-politics-104910?o=0>

MICH. COMP. LAWS §§ 168.579, 168.738(2),

[http://www.legislature.mi.gov/\(S\(5lmvmlgs0qbneof43pb3fc3v\)\)/mileg.aspx?page=GetObject&objectname=mcl-168-738](http://www.legislature.mi.gov/(S(5lmvmlgs0qbneof43pb3fc3v))/mileg.aspx?page=GetObject&objectname=mcl-168-738)

State Laws: Documenting the Vote 2012, <http://www.dmlp.org/state-law-documenting-vote-2012>

House Bill 5430, [http://www.legislature.mi.gov/documents/2015-](http://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/htm/2016-HIB-5430.htm)

[2016/billintroduced/House/htm/2016-HIB-5430.htm](http://www.legislature.mi.gov/documents/2015-2016/billintroduced/House/htm/2016-HIB-5430.htm)

Ballot Selfie definition, <http://www.pcmag.com/encyclopedia/term/68178/ballot-selfie>

Federal court suspends Michigan’s ‘ballot selfie’ ban,

<http://www.detroitnews.com/story/news/politics/2016/10/24/federal-court-suspends-michigans-ballot-selfie-ban/92695282/>

WHAT’S HAPPENING AT

WAYNE STATE UNIVERSITY LAW SCHOOL- ARTHUR NEEF LAW LIBRARY

BY BETH APPLEBAUM

Changes in Law School Administration

Jocelyn Benson stepped down as Dean to serve as CEO of the Ross Initiative in Sports for Equality, a venture led by professional sports organizations and networks to improve race relations in America. Lance Gable, associate dean of the Law School and an internationally known expert on public health law and bioethics, is serving as Interim Dean. Susan Cancelosi, associate professor of law, has been appointed Interim Associate Dean. In April, she was honored with the law school’s Donald H. Gordon Award for Excellence in Teaching.

Miller Family Wall of Fame

Georgia Clark is one of the inaugural inductees of the Miller Family Wayne Law Alumni Wall of Fame. Georgia was the Arthur Neef Law Library Director from 1973 to 2008.

The purpose of the Miller Family Wayne Law Alumni Wall of Fame Award is “to acknowledge graduates and former faculty and staff of Wayne State University Law School whose extraordinary professional success and contributions, profound positive influence on Wayne Law, and high degree of character and integrity are recognized by their peers.”

IFLA Presentation and Paper

Over a period of nine months, Virginia Thomas, Michael Samson, Jan Bissett, Michelle LaLonde and Beth Applebaum collaborated in researching, writing and editing the paper, *Bringing Law to the Community: Facilitating Access to Justice in Metropolitan Detroit*. <http://digitalcommons.wayne.edu/libsp/116/>. In August, they attended the 82nd IFLA World Library and Information Congress in Columbus, Ohio, and presented the paper.

Also, of note, Yolanda Jones, formerly Assistant Director of the Arthur Neef Law Library, coordinated the Law Libraries Section program on Access to Justice for the IFLA conference. She is currently the Director of the Law Library, Florida A&M University College of Law.

Ohio Regional Association of Law Libraries (ORALL) Presentations

Virginia Thomas, Michael Samson, Jan Bissett and Beth Applebaum presented at the ORALL Annual Meeting and Conference in October in Dayton, Ohio. Our session, *Building Better Librarians Through Collaboration: Take 1 Professional Project, Add 5 Librarians, Get Awesome Results* focused on the process, strategies, and “take-aways” of our successful collaboration on the IFLA paper and presentation. Michelle LaLonde contributed to the preparation for the presentation.

Virginia Thomas also proposed a second program for the ORALL meeting, *Building Betting Collections: LMAs – Should they Stay or Should they Go?* She and fellow panelists Patrick Meyer (UDM), Rick Goheen (U Toledo) and Phebe Huderson-Poydras (Indiana Tech) shared their experiences and discussed specific considerations in evaluating multi-year contracts with legal publishers.

Beth Applebaum and Jan Bissett were panel members for the program *Update from IFLA*, a round table discussion by those who attended the IFLA conference.

AALL Poster Session

Beth Applebaum and Jan Bissett created a poster, *Scholarly Meets Practice: Developing Sustainable Legal Research Skills*, which was accepted as part of the display during the 109th AALL Annual Meeting and Conference in Chicago. The poster was developed from our library lobby display, informing our students, 1L-3L, about legal resources available to them and the importance of developing fundamental legal research skills throughout their career from law school to law practice.

Michigan Bar Journal Articles

Of Plain English and Plain Meaning by **Virginia Thomas**, Michigan Bar Journal, October 2016.

Taxing Research, Finding the Starting Point for Your Tax Questions by **Jan Bissett** and **Margi Heinen**, Michigan Bar Journal, September 2016.

Decoding Legislation, Finding Historical Acts and Codes by **Jan Bissett** and **Margi Heinen**, Michigan Bar Journal, July 2016.

Strategic Planning Goal Committees

Mary Bonk, Leronia Ross-Green, Kathryn Polgar, Jan Bissett, Michael Samson, Michelle LaLonde and Beth Applebaum are participating in the strategic planning goal committees for the Wayne State University Libraries. The purpose of the committees is to examine and make recommendations on the strategic objectives that will drive the Wayne State University libraries through 2021.

Western Michigan University Cooley Law School Library News

By Duane Strojny

This fall the law school is offering courses on the main WMU campus in Kalamazoo. Additional courses are being offered in January 2017 with a more defined program beginning in September of 2017. We are currently working with Waldo Library to develop shared spaces for library materials and student study areas.

The WMU Extended University Programs (EUP) now has offices in our Auburn Hills location. EUP programming will begin as early as this winter.

The library has become a subscriber to LexisNexis Digital. The e-book service will allow us to offer a wider range of materials at all locations. The general public may use materials in electronic format when they are physically at one of the library locations. In addition, we have more recently subscribed to PLI Discover service which also allows access to all patrons while on campus and to students when off campus. Finally, we continue to be a subscriber to the WestlawNext Patron Access Program which allows the general public electronic access to any print Thomson Reuters titles we subscribe to from public workstations located at each library.

METRO DETROIT HAUNTED HOUSE EVENT

The final Metro Detroit Mich-ALL social event of 2016 was a Haunted House visit with a stop at Wiard's Orchards for cider and donuts. The event was held October 29th and included family and friends. The healthy dose of apples, cider and all things sugary enabled everyone to survive all the creepy crawling scariness of the haunted house!

LLMD NEWS 2016 –2017

By Jan Bissett

The **Law Librarians of Metropolitan Detroit (LLMD)** resumed its schedule for the 2016-2017 season, with meetings from September through April. Its first meeting of the year, a lunch hosted by **Dickinson Wright PLLC** on September 22, 2016, provided members with an opportunity to discuss summer activities including conference attendance and professional accomplishments. **Kathleen Gamache** spoke of her visit to AALL and Chicago, **Patrick Meyer** talked about the mandatory first semester legal research class offered by the law librarians

at UDM, and **Virginia Thomas** noted the Wayne State law librarians' IFLA presentation (Columbus OH, August 2016) and upcoming ORALL (Dayton OH, October 2016) presentations. Members from **ClarkHill, Dickinson Wright, Honigman, Miller Canfield, U.S. Attorneys Office, U.S. Courts, UDM and Wayne State University** were in attendance.

The **Miller Canfield law library** hosted a luncheon and session with **HeinOnline's Roxanne Marmion** on October 13, 2016. Roxanne reviewed **HeinOnline** tools including MyHein, printing and downloading options, ScholarCheck, Author Profile pages and **Fastcase** coverage. She also presented new and enhanced collections including materials from the new collection, *Slavery in American and the World: History, Culture & the Law*, [register for access, <http://home.heinonline.org/access-registration/>], digital access to current ABA periodicals, no-embargo content in the ALI library, and the archived state package. The meeting was well attended with members from **Bodman, Butzel Long, ClarkHill, Dickinson Wright, Honigman, Jaffe, Miller Canfield, Oakland County, Sommer Schwartz, U.S. Attorney's Office, U.S. Courts, UM Dearborn, UDM, and Wayne State University**.

LLMD is collecting annual dues from its members (\$5.00) this year to refresh finances. Several volunteers have agreed to host future meetings: **November 2016 (Wayne State University), February 2017 (Butzel) and March 2017 (Miller Canfield)**. We thank our past hosts for their generosity and look forward to these future meetings.

LLMD members congratulate Chris Bloodworth and offer best wishes to his bride on their recent marriage.

AALL 2016 ANNUAL MEETING HIGHLIGHTS

by Jessica Fields

This year's theme was MAKE IT NEW: CREATE THE FUTURE. Each of us in the profession has opportunities to help form the future of our profession and the future of the industry as a whole. We have strength in numbers and a greater chance of success with support from professional organizations such as AALL. Thanks again to MichALL for awarding me a grant to attend this year's conference. It's an honor and a privilege to be able to share some of the experience in return.

The biggest advantage to attending the Annual Meeting is being able to network in person with other similarly situated professionals with shared passions and common interests from all over. It's amazing how loud a room full of librarians and information professionals can get when given the chance to share their experiences and bounce ideas off of each other. There's an incredible feeling of support and comradery; you can look around and know you're not the only one facing the sorts of challenges we find ourselves facing today.

The conference aims to provide programming to all tracts. As someone working as a solo librarian in a law firm, as a reference librarian in an academic law library, and with a personal interest in technology, I tend to seek out sessions that speak to those areas. I typically have to choose between two or even three sessions of interest in a particular timeslot. Thankfully, many of the programs are recorded and available for members to watch or re-watch at a later date via [AALL2go](#). Here is a recap of just few of the sessions offered this year and the key takeaways from each:

PLLIP-SIS Summit: Strategic Impact

The Private Law Librarians & Information Professionals Special Interest Section (PLLIP-SIS) has been holding an annual daylong Summit

since 2010 on the Saturday preceding the conference. I was fortunate enough to attend, and this year's theme was Strategic Impact. There were three breakout sessions of which attendees chose two to attend. The day was packed with practical instruction and hands-on exercises on how to think strategically in order to develop a focused three-to-four point strategic plan, how to secure buy-in through strategic communication, and tactics for strategic partnerships within our institutions.

Key Takeaways

- Librarians provide “higher value” (as opposed to lower cost)
- Goals (aka outcomes) and Objectives should be
 - o Achievable in 1-3 years
 - o Measurable
 - o Reviewed annually
- Build authentic relationships beforehand
- Provide a business case for your idea
- Consultants can say what you cannot
- Identify champions and roadblocks
 - o “Culture eats strategy for breakfast.”
- Start with small steps/projects and build on those successes
- Listen to and empathize with resistance
- Identify pain points and solve problems that should be solved
- Platinum Rule
 - o Do unto others as they would do unto themselves
- 4 INs of relationship building
 - o Provide INFORMATION pertinent to them
 - o Extend an INVITATION to a shared interest, such as a charity or volunteer event
 - o Make an INTRODUCTION
 - o Ask for INSIGHT from the person
- When a stakeholder asks you, “What’s new?” in the elevator or at the coffee pot, be prepared for unscheduled contact by having an:
 - o Objective in mind
 - o Key Message of value ready
 - o Questions to ask
 - o Definitive next steps

The Power of Legal Analytics: Delivering Advantages in Marketing, Competitive Intelligence, and Successful Client Pitches (A1)

This PLLIP-SIS-sponsored session included panelists from large law firms collaborating within their firms to provide valuable insights using analytics about the business of law and the practice of law.

Key Takeaways

- Analytics are not just data, stats, and charts
- Analytics can be used for:
 - o Vetting clients and matters
 - Estimate costs
 - Predict % chance of likelihood
 - Determine timing
- RFPs will soon require analytical data
 - o Attorneys have relied on anecdotal, not data
- Analytics are tools that require:
 - o Expertise
 - Analysis of the info
 - Identify gaps in data
 - Data may not be apples to apples

Next issue
scheduled for
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Send news and
articles to
Kathleen
Gamache
kgamache@clarkhill.com

MichALL

*P.O. Box
99144, 2844
Livernois Rd
Troy, MI 48099*

- Ex) billing rates versus realization rates
- Communication & Collaboration
 - Reference Interview
 - Phone or in person, not email
- Transparency can be an issue with these tools
 - Difficult to determine efficacy of tool to crunch disparate data on the backend

Research Competencies: From Classroom to Practice (B4)

AALL Principles and Standards for Legal Research Competency (PSLRC) can be used as the basis for trainings in both the academic and the law firm setting. Some examples of how they are being incorporated into curriculum and trainings in various settings.

Key Takeaways

- PSLRC is lifelong training
 - Law school provides working knowledge, not mastery
- Some competencies are better suited for Advanced, not an Intro course
 - International
 - Ethical Research & Billing
- Law School Implementations
 - Intro to Legal Research
 - Basics
 - Issue
 - Jurisdiction
 - Law
 - Resource analysis
 - Log
 - Annotated resource strategy
 - Product
 - Memo
 - Brief
 - Email
 - Advanced Legal Research (online)
 - Research Plan
 - Research Log
 - Restate question
 - Estimate time
 - Plan strategy
 - List search terms
 - List resources to be used
 - List sources used and WHY
 - Client simulation exercise
 - Record “client” interview
 - Bill client
 - Item, cost, & time
 - Will you adjust bill?
 - Self-assessment
- Law Firms Implementations
 - Self-assessment survey
 - University Site modules
 - Completion Schedule
 - 1 month

- 3-6 months
- 1 year
- Dovetails with research audits
- Be aware of client guidelines
 - What they will pay for
 - What they won't pay for
- Read beyond your assignment
- Competencies as performance evaluation
 - Chief Talent Development Officer

Virtual Footprints: Vetting People in the Digital Age (D4)

More of an art than a science, speakers from the Department of Justice shared their favorite tips and tools for conducting due diligence vetting of people, many of which are free. Audience members shared some additional due diligence tools for vetting experts, candidates, clients, etc.

Key Takeaways

- 4 page list of electronic vetting resources

Captivate: Presentations That Engage and Win Over Today's Audiences (H6)

The very entertaining Steve Hughes of [Hit Your Stride, LLC](#) shared practical and insightful tips and tricks on how to captivate any audience as a presenter or teacher faced with shrinking attention spans using the latest research on audience dynamics, be it colleagues, new hires, superiors, or students.

Key Takeaways

- Open BIG to grab their attention
 - SPARQQ that is quick and relevant
 - Surprising Statistic
 - Picture or video
 - Video
 - Shorter the better
 - Let them know how long it is
 - Picture
 - Ex) Iceberg for library offerings
 - Ex) Dilapidated business for why we need to change
 - Anecdote (Story)
 - Real-Life Example
 - Question
 - Quote
 - Use a SPARQQ for each point throughout presentation
- Think On Your Feet
 - Buy some time
 - Never say "Good question."
 - Assess the question
 - Fair vs Unfair question?
 - Repeat and rephrase the question
 - Make sure you understand
 - Make sure the rest of the audience heard
 - Remove any negativity from original question
 - It's OK to say "I don't know"
 - Write down question or have someone else jot it down
 - Give them a date & time you will respond then beat it
 - Legitimizes your other answers
- Speak Confidently

- Good Eye-to-Eye Contact
 - Shrinks the room
 - Conveys trust
 - Allows you to read the audience
 - Compels people to listen
- DOs and DON'Ts of PowerPoint
 - DON'T use smaller than 20pt font
 - DON'T read slides word for word
 - DO engage audience

UPCOMING MEETINGS OF INTEREST

AALL American Association of Law Libraries,

National Conference on Copyright of State Legal Materials, December 2, 2016,
Boston, MA <http://www.aallnet.org/hc/Calendar/Events/copyrightconf.html>

AALL Management Institute, March 30-April 1, 2017, Chicago, IL
<http://www.aallnet.org/mm/Education/management-institute>

ORALL OHIO REGIONAL ASSOCIATION OF LAW LIBRARIES,

Fall Meeting, October 18-20, 2017, Cleveland, OH
HTTP://ORALL.ORG/?PAGE_ID=1569