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Notes From the Underground, March, 1999

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Notes from the Underground...

Golden Gate University Law Library's News and New Acquisitions List March 1999

Upcoming Law Library Workshops and Events

Legal Research on the Internet

Come take a lunchtime tour of websites available on the internet that contain federal and state legal materials. The hands-on session will be held Thursday, April 8 at noon in Room 323. Sign-up at the reference desk in the law library.

Legal Research Focus Session

If you need extra help researching a paper topic, stop by the reference desk in the law library to make an appointment with one of our law librarians. We would be happy to work with you to find materials on your topic using Lexis, Westlaw, the Internet and traditional resources.

OPAC Training

Need to find out how to use the online public access catalog in the law library to find library holdings? We offer one-on-one and group training sessions every Thursday at noon. This training also includes searching the catalogs of other local libraries and finding journal articles on InfoTrac as well. Stop by the reference desk at the scheduled time.

LEXIS/Westlaw Refresher

Second and third year students who would like a refresher course on how to use Lexis and Westlaw should contact our Electronic Services Librarian, Michael Daw at ext. 6682 or the Lexis and Westlaw student representatives. They are:

Suzette Zurbano (Lexis) -- szurbano@ggu.edu

Beth Wolf (Westlaw) -- bwolf@ggu.edu

Law Library Week Teach-In

In celebration of "tax day" and National Library Week April 12-16th we are planning to offer a noontime presentation on "Tips for doing Tax Legal Research" on April 12th in Room 525. Please sign-up at the reference desk.

Other Announcements

Indexmaster

The Law Library recently subscribed to "Indexmaster." Indexmaster is a service which allows users to research the "tables of contents" of many legal treatises. This tool enables users to more easily locate relevant books on their topic. Ask at the reference desk if you would like to use this service.

Law Library Survey to be published soon

Coming soon -- your chance to give feedback on the law library. A law library survey will soon appear in your mailboxes.

Staff/Student Employee News

Congratulations to **Jennifer DeWitt**. Jennifer, a second year law student and law library student employee, was recently selected to be the Editor-in-Chief of the Law Review for next year.

Melodie Frances, our Head of Technical Services, has been serving as a grand juror in San Francisco for the last few months. She has written an account of her experience which appears on page 3. She is also teaching a course in cataloging for library science students at San Jose State this spring.

Michael Daw gave a lecture on "Considerations in Doing Online Tax Research" to the Tax Section of the California State Bar at their annual meeting in San Francisco last November. Mike is our in-house expert librarian on tax and online research, and he will be giving the "Tips for Doing Tax Legal Research" workshop on April 12th.

Our Circulation Supervisor, **Mohamed Nasralla**, lectured on "Remedies" and graded bar review exams for a local bar review course this past spring.

Our Government Documents Librarian, **Kris Ogilvie** recently had a book review of the "California Practice

Guide: Professional Responsibility" published in Legal Information Alert. The article appears on page 4 of this issue. Kris is also teaching "Graduate Legal Research" here at GGU this semester with Margaret Arnold, and she will teach a class on California Legal Research for GGU law students this summer.

Congratulations to law library staff member **Kristina Hansen** who was married on February 12, 1999.

Computer Corner

By Michael Daw

Westlaw's Pilot Project: the Student Document Delivery Account

As many of you might have read recently on GGU Online, Westlaw has adopted a Document Delivery Account for each student per semester. Each student will be allowed to print 2000 sides of paper on the Westlaw Lab's Stand Alone Printer (STP), send 1000 pages to any attached printer (ATP), send 2000 pages by email (EML), and download 2000 pages to disk (DLD) per semester. Golden Gate is one of a number of law schools chosen by Westlaw to experiment with this new account to see how well it works. If it works as expected, each law student nationwide will have a Document Delivery Account in place in the near future.

Westlaw and Lexis Printing, Generally

Because a large majority of print-jobs that exceed 10,000 lines or 200 pages in length are sent in error, a bit too easy to do on either Lexis or Westlaw, the library staff will cancel large print-jobs on the Stand Alone Printers as soon as they discovered. We do want students to get what they seek, so if you need a large amount of printing done, please arrange to pick it up as it comes out of the printer.

Lexis and Westlaw are available not only from their respective labs, but they are also available in the Law Library's Computer Lab, as well as on the worldwide web. (Westlaw at <http://lawschool.westlaw.com>, and Lexis at <http://lexis.com/research>). When doing Lexis or Westlaw research, please send any printing in excess of ten pages to the respective Stand Alone Printers. On Westlaw, STP is the choice. Using the Lexis software, it is print option 2. Using Lexis at lexis.com, click on "Document Delivery" and follow the prompts.

Lexis Lab Internet Explorer

Clunky and non Year-2000-compliant Lexis 4.1 has been replaced in the Lexis Lab with Internet Explorer, for easier connection with lexis.com. Students are already finding web-access to Lexis more user-friendly than its older, proprietary software.

To print to the Stand Alone Printer in the Lexis lab, students must click on the "Document Delivery" link when they've retrieved their documents. Using the File / Save As command allows the document to be saved directly to a hard or floppy disk.

Lexis Batphone

At length and at last, there is a new Lexis helpline phone in the Lexis Lab. Similar to its counterpart in the Westlaw lab, to reach the Lexis helpline, simply lift the receiver and wait for the connection to be made, and then follow the voice prompts. The old phone had been removed due to a large number of unauthorized long-distance calls from that line.

Computer Lab

A friendly reminder: As we have reverted to staffing levels in place before the 1997-98 school year, all Law Library Computer Lab users are reminded to be conscientious in following Computer Lab rules. Law students are asked to make especially certain that they sign in to use the Computer Lab. The sign-up sheets are available as law students enter the lab. Law Students are asked to write their names legibly, indicate their year (1L, 2L, LLM, SJD, etc.), the time they entered, and the computer station at which they will work. A person who hasn't signed in is not there, as signs on each computer clearly state. (The extremely conscientious may feel free to note the time they leave, as well.)

The computer lab is open to currently registered law students only. Alumni, graduates studying for the bar, students in non-law programs, and dues-paying members must use computer facilities elsewhere.

Your cooperation and support continue to be appreciated.



Book Review

By Kris Ogilvie

California Practice Guide: Professional Responsibility, by Paul Varnek et al. 1997, is part of the Rutter Group's well-respected *California Practice Guide* series. In the preface, the authors state that the objective of this two-volume set is to provide easy access to information that can otherwise be hard to find, and to make the information understandable. *California Practice Guide: Professional Responsibility* does not attempt to be comprehensive, but does cover the major issues in the field.

For the most part the authors achieve their goal. The explanations are generally clear and concise. Each analysis includes citations to the pertinent case law, statutes, and to the relevant provisions of the Rules of Professional Conduct. The only criticism that one can offer is that a few of the entries are so concise as to be confusing.

This shortcoming is, however, more than offset by its numerous useful features. The book is well-organized, with each section tabbed allowing the user to flip quickly to the general section in which they are interested. Notable features of this publication include the practice pointers and cautionary tips, and practice forms. Also, following the preface, is the list, "Other Important Resources," which is an annotated bibliography of the sources cited in the explanations. For researchers one of the highlights of this publication is the detailed table of contents that precedes every chapter. These present – in outline form and close detail – what will be covered in that chapter.

The authors of this set are experts in the area of legal ethics. They have been active in writing and revising the rules of professional responsibility, have served on the State Bar Committee on Professional Responsibility, and have testified as expert witnesses in the field. Two of the four authors have served as editors for the *California Compendium on Professional Responsibility*, which is published by the State Bar.

California Practice Guide: Professional Responsibility is geared for practicing attorneys. The thorough analysis of each issue provides information on how to handle an ethics case as well as how to avoid one. Law libraries in California or those which have cases within the State will find this a useful addition to their collections.

My Life as a Criminal Grand Juror

By Melodie Frances

When I first received a summons from the Criminal Grand Jury of San Francisco, I thought that I was being sued, but it turned out the summons was a call for jury duty. Well, I've done the jury duty thing before - you go downtown and sit in a room for half a day and if you're lucky you don't get stuck sitting next to someone who wants to convert you to their religious beliefs. Then you leave and call every day for a week or two to see if you have to go downtown again. I had never been interviewed by anyone in these situations before and I had always figured that if I were I would be excused for one or another of my "strong" opinions.

Criminal Grand Jury selection operates differently, however, than trial jury selection. Grand Jurors serve for a four-month period and determine if cases brought before them should go to trial or not. The main requirement is that you can attend jury duty for up to two days a week during a four month span. When I reported to the courtroom, the judge proceeded to call everyone's name and they proceeded to tell him why they couldn't afford to take so much time off of work or away from taking care of a family member. Since GGU allows for unlimited jury duty, I could not plead financial hardship and therefore found myself one of about 38 people left over from 200. The Court Clerk then put the names of those of us who were left over into a small metal drum that looked like it came from the first half of the century and proceeded to pull the lucky names out. The only questions asked of me were if I felt that I could be fair and impartial, if I worked for the media, and if I would have problems looking at evidence of a "sordid" nature. I answered the questions right and became a member of the Criminal Grand Jury of the City of San Francisco. They also asked me to be the secretary. Feeling it would not be appropriate to say no to a judge, I agreed. Besides being secretary meant that I got to sit at my own desk and put stickers on the exhibits and say things like, "People's exhibit number one," which made me feel very important and cool.

The reason for the Criminal Grand Jury is primarily to act as an alternative to taking a case through a preliminary hearing. The District Attorneys' Office uses the grand jury if they want to get a case to trial sooner or if there is a need for privacy, as Grand Jury Proceedings are held in secret (not that the recent Grand Jury inquiry into a certain president's sexual behavior reflects that policy).

After a half-day of training which included running through a mock case, we took on our first case which concerned alleged child abuse. It was during the deliberation for this case that I first began to gain a little more respect for the jury process than I previously had had. Unlike a trial jury, the Grand Jury does not have to come to unanimous agreement on whether to indict or not. Only 12 out of the 19 grand jurors have to be in agreement. Even so, we deliberated for a long time and considered as many possible interpretations of the law as it has been explained to us as we could think of before handing down our decision. We got stuck on trying to decide if using a knife to slap rather than to stab was assault with a deadly weapon (I still maintain that it was, even though others disagreed), but eventually we voted and handed down 2 out of 3 of the charges.

We continued to meet. The severity of the cases seemed to increase the longer we were jurors. We had to decide on rape, manslaughter, possession of controlled substances with the intent to sell, possession of illegal firearms, and finally murder. In fact it was one of the murder cases that made me question the use of juries for administering justice. In this particular case, we saw a video tape of the defendant, (or "target," as the attorneys called the individual). The target claimed that the shooting that had resulted in the death of another person had been an accident, and quite frankly, she/he was very convincing. Only one problem: the physical evidence suggested a very different story. The target claimed that her/his gun had gone off when the victim pulled for it. There was, however, no gun powder residue on the victim's hands, and the path of the entry of the bullet into the victim's head suggested a different angle than would have occurred had the victim been the cause of the weapon discharging. I had, therefore, intended to vote for an indictment. As it turned out, medical reasons prevented me from participating in the actual voting, and only eleven people voted to indict. Obviously, more than just my being absent prevented an indictment from being handed down – other people had to vote not to indict to take away from the necessary 12 votes - but the fact remains that if I had been there that day, the person would have been indicted. Seemingly, jurors are more influenced by personal testimony than physical evidence.

Some of the cases required very little deliberation and we only had to clarify a legal meaning, such as, what exactly does "with malice aforethought" mean and how does it apply to someone who is mentally ill (it turns out it applies exactly the same way as it applies to those who aren't). Or, can a person be guilty of using both force and drugging

their victim at the same time to commit rape (yes, one can)?

Overall, the experience was informative, but it is not one I would care to repeat. As it turns out, looking at "sordid" evidence is very unpleasant, and quite frankly, I feel even less safe in the City than I used to, knowing that neighborhood crack dealers possess semi-automatics with laser sites. Furthermore, somewhere there is a family whose son was killed that didn't get a real chance at justice because I was sick for a day, and that is something that I will have to live with for the rest of my life.

Buzz Speaks on Manners

In response to a recent complaint in our suggestion book about the "appalling lack of manners" shown by users in our Westlaw Lab, our library etiquette master "Buzz" offered readers the following insightful response:

"Buzz shares your lamentation over the loss of manners in the Westlaw lab, as well as in society generally. Wiser minds have commented: 'Manners are of more importance than laws. Upon them in a great measure the laws depend. The law touches us but here and there, and now and then. Manners are what vex or smooth, corrupt or purify, exalt or debase, barbarize or refine us by a constant, steady, uniform, insensible operation, like that of the air we breathe in. They give their whole form and color to our lives. According to their quality, they aid morals, they support them or they totally destroy them.'
-- Edmund Burke, *Letters on a Regicide Peace*

Or, not to put too fine a point on it: 'Good manners will open doors that the best education cannot.' --Clarence Thomas"



***Food for thought – but remember
no food in the law library!***