



MAALL Markings

Mid-America Association of Law Libraries

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REMEMBERING VEBLEN

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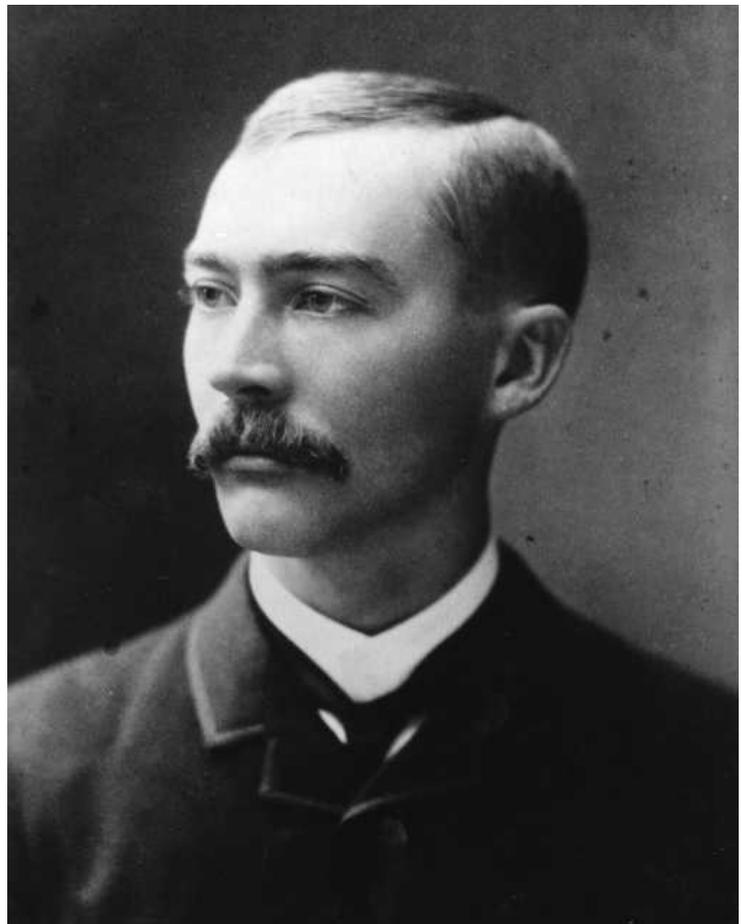
You may not have heard of the economist and sociologist Thorstein Veblen, but his ideas were a lightning bolt in the 19th Century whose thunder echoed through the 20th Century and still rumbles today. Have

you ever heard the term “conspicuous consumption?” What about “signaling,” the term for illustrating status through the use or purchase of an expensive item? Think about the cap and gown at graduation or adding “Esq.” to the end of a name--neither provides measurable utility but signals either authority or the attaining of a societally acceptable goal. To the extent that these examples are consciously accepted as symbols of status, you can thank Veblen.

MAALL members will find it interesting to note that Veblen was virtually a lifelong Midwesterner. He was born to a moderately successful farming family in Minnesota, and although educated in New York, returned to teach in Illinois and Missouri. Some contemporaries (including James Beard and John Dewey) are better known, but he was also a key influence of later economists like John Kenneth Galbraith. In fact, Veblen’s reverberations laid the foundation for even later theories such as the school of New Institutional Economics – from which Indiana University’s own Elinor Ostrom would win the Nobel Memorial Prize in Economic Sciences in 2009.

But why should Midwestern law librarians care, beyond geography? There are many reasons, but,

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Thorstein Veblen in 1880, public domain photo

importantly for our purposes here, it is because Veblen described two containers of value we should consider when we think about our libraries: instrumental and ceremonial. In much of Veblen's work, he used the notion of ceremonial value as a formal accusation of those who conspicuously consumed goods simply to show off wealth. But, as other authors argue much more competently, there is no reason ceremonial value is necessarily negative. Galbraith, and others, argued more forcefully, for example, that simply because some values are non-quantifiable does not mean that those goods lack value.

For example, ask a recent graduate if they felt like they lost something valuable when they did not get the opportunity to cross the stage during the pandemic. Think about that. What is the *empirical* value in that experience? There is none. There is *zero* instrumental value to the student in paying additional money to rent a cap and gown while friends and family watch them walk a few feet to shake hands with strangers (i.e., it is a net loss, absent the rare cases of some fantastic graduation present – see the signaling discussion above). And yet, can we all not commiserate with the disappointment that such graduates must surely feel? That sense of loss is ceremonial value. There is *real value* in that experience. It simply cannot be quantified in pecuniary terms. The fact that the value is intangible makes it no less real.

But ceremonial value can take other beneficial forms as well. Ceremonial value can illustrate what institutions consider important, for example. Law libraries are excellent vessels of ceremonial value. They illustrate to our communities the value placed by our leaders on the rule of law. That value may be impossible to measure. (What is the unit one uses for measurement on the rule of law? What is its exchange rate? What is the proper investment for a library director to decide whether “x” resource will achieve “y” rule of law return to justify keeping it in the library? Does it return sufficient units of liberty?) Nevertheless, real value remains.

By contrast, when communities (in whatever form) choose to defund law libraries, that decision signals to stakeholders that those records and the concomitant ability of stakeholders to access such legal information is unimportant. When university administrations confer second-class (or worse) appointments to librarians and teachers of legal research and writing, it signals to students and the wider academic community that these subjects are not as important as “real” topics, such as criminal or constitutional law. Administrators should remember Veblen – and we should remind our colleagues and administrators of the same when those discussions occur.

The cost of ignoring such intangible values is evident in our environment right now. The value of a unit of knowledge, for example, is intangible. But lack of knowledge in the aggregate is devastating to our society. Ignorance of the law and its institutions is currently pervasive in a huge proportion of the population. As good information increasingly retreated behind paywalls, a flood of disinformation arose to take its place. Maybe it would have been a good idea to leave a rear guard to ensure disinformation did not win the day. In other words, perhaps there remains value in some “ceremonial” institutions standing as a bulwark, supplying good legal information without the taint (accurate or not) of bias. Law libraries still fit the bill.

Alexander Hamilton said in [Federalist No. 62](#) that it was vitally important to display to Americans that our government was immutable. Hamilton further argued that stable institutions were necessary to exemplify that immutability. Law libraries are in a unique position in today's America to provide just such a valuable stability. The danger of instability, according to Hamilton, was the "unreasonable advantage it gives to the sagacious, the enterprising, and the moneyed few over the industrious and uniformed mass of the people." In the shadow of a failed insurrection, it seems ominous how prescient he was over two centuries ago. At a time when other parts of our government, rightly or not, have been tarred with accusations of partisanship, the ceremonial value of a nonpartisan provider of accurate legal information is impossible to calculate. There is potentially a window of opportunity for law libraries to reestablish our value in our various communities – if we remember Veblen.

MANAGER TO MANAGER: TIPS TO KEEP YOU SANE AND EFFECTIVE

Gail Wechsler, Library Director, Law Library Association of St. Louis
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Hello and welcome to my first column, devoted to all things library management-related. This column is for anyone who has a supervisory role in a library setting. Enjoy!

WHAT'S IN A JOB TITLE? BEST PRACTICES FOR USING ALL STAFF MEMBERS WISELY

If you are like most of us, your job has a formal title and perhaps even a written job description. However, how old is that title? And how accurate is that job description? When was it last updated?

Ideally, as a supervisor, you will make sure that each staff person has a title and a job description that aligns with what they really do. You may or may not be able to control the formal part of that process. But what you can do is to make sure that you are utilizing the best skills of each person working under your supervision at your library.



How to do this? For current staff, consider what you know about each person, based on what was on their original resume when applying for the job and on what that person's strengths are in action within the library. For example, if one of your library assistants has a background in journalism/media studies, that person is probably someone who should be doing some of your social media posts. If a staff person is currently a law student with a rich background doing legal research, make sure she sits at the reference desk at least part of the day. For new staff, make sure also to tap into those skills identified through the application process.

Another best practice: ask staff at all levels what they enjoy doing in the library. I run a

small library where multi-tasking is the norm. I want to make sure everything is running smoothly and that each staff person feels useful and happy. If a library assistant tells me that he loves making phone calls, I'm happy to let him be the one calling people in my library who need to renew their membership and might be missing/ignoring the emails I send. If another assistant tells me she enjoys doing art and graphic design, I'll give her responsibility to help design a poster or online graphic for the library. How about that staff person who volunteers at a food pantry? She is the one I'll ask to make the contacts and organize a food drive at the library.

None of this is rocket science. But it does sometimes involve thinking outside of the usual box we rely on when making best use of library staff. So go ahead and look at the strengths of the people making your library function smoothly, and utilize those strengths to the best advantage.

AFFIRMATIONS

Autumn Collier, Assistant Librarian II, Littler Mendelson P.C. (acollier@littler.com) & Jill Kilgore, Research Librarian, Littler Mendelson P.C. (jkilgore@littler.com)

CREATING "SMART" DIVERSITY & INCLUSION GOALS

“Many Americans and American businesses discovered some truths about social justice—or the lack thereof—and systemic racism in 2020.” – Victoria A.F. Camron, *New Hope Network*

Employers and professional organizations have created committees and released statements in support of diversity and inclusion. However, D&I goals require equity and an awareness of varying needs. How do we ensure these intentions result in commitments to meaningful change? Are these statements of D&I empty platitudes? Do these D&I committees have tangible charges? If we investigate these efforts, are the objectives: specific, measurable, achievable/actionable, realistic, and timely? Here we apply these [“SMART”](#) criteria to examine some hypothetical declarations.

Specific

Not specific: We will be inclusive.

Specific: Update bylaws and policies to address specific biases and discrimination.

Measurable

Not measurable: Receiving no complaints means we have no issues to work out.

Measurable: X% of our employees have attended a training or volunteered for X program.

Achievable/Actionable

Not achievable/actionable: We value all opinions and perspectives and will not tolerate messages of division or hate.

Achievable/actionable: Everyone should refer to others by their appropriate pronouns and avoid language that reinforces gender norms.

Realistic

Not realistic: We will have rooted out systemic racism within 3 months.

Realistic: We will put in place a D&I committee within the next X months and create a charge for the committee.

Timely

Not timely: We are currently busy with other work; this can wait for now.

Timely: Inclusivity issues are at the forefront of our minds due to the current climate. Policies and practices will be reviewed and updated quarterly.

“Diversity is a fact; inclusion is a choice.” – Anna Beninger, *talentculture*.

Reading, listening, and reflecting are the foundation of this work. We hold one another accountable when we remain engaged. Conversations can go deeper, be more challenging, and ask more of us than before. To educate oneself is to confront those beliefs and learn from those around us. Challenging our assumptions, privileges, and understanding engages the core of who we are, what we believe, and how we identify ourselves. It is not a one-time program.

Doing the work also means being aware and accountable for your words and actions. It’s stressful, it’s tough, and it’s challenging. By making these conversations more commonplace, they will become part of your mindset, and an intrinsic part of the workplace. However, achieving a level of comfort is not the same as *being comfortable*. This work is likely to be uncomfortable. The ability to feel comfortable is a privilege.

Diversity isn’t a quota to meet. Keep an eye out for disparities. Who might you be excluding? We aren’t checking off boxes—our intention is to continually become more aware, designate space for every voice, and cultivate new approaches.

DAZED & INSTRUCTED

Matt Timko, Academic Technologies & Outreach Services Librarian and Assistant Professor, Northern Illinois University College of Law, (mtimko@niu.edu)

ASSIGNMENTS FOR LEGAL RESEARCH INSTRUCTION

Assignments provide the most effective tool for assessment in legal research instruction. Since research is a practice, it is difficult to convey the full extent of that practice in lecture format, and even harder to assess it in an exam or quiz setting. This is (hopefully) obvious: since many of the nuts and bolts of research are based in navigating the resources, interpreting those resources, and synthesizing the rules found, assignments are not so black and white as in doctrinal classes where specific rules are taught and students are required to use IRAC. Therefore, regular assignments, designed for students to practice what they are learning, are fundamental to building their knowledge base and the feedback helps students understand the objective issues they have run into, while also keeping their subjective steps in mind. With all that being said, assignments are the worst!

Crafting the assignments for legal research courses often begins well in advance. During class preparation in the month(s) before the semesters begin, I often lay out the topics we will cover in the research courses I teach. At this point, 90% of the material is untouchable, but often I will tinker around the edges -- either dropping material not widely used in law school or practice, adding new materials or content from existing platforms, or introducing key concepts in different ways. To ensure that the material being covered is stored in students’ long-term memory centers, there are several small and large tasks for assessing their progress, including in-class exercises (a whole new experience online), short pass-fail quizzes, discussion boards and one-on-one meetings.

Yet, there is nothing more effective at gauging student progress than the fuller weeklong assignments. These assignments cover 2-4 weeks of information discussed in the course. Since they require students to not just have learned the substantive information from class but also to put it into practice, they allow students to experience the research process. This, in turn, does more for them to understand it at a fundamental level,

far more than any amount of lecturing can do. Therefore, it is important that a certain amount of subjectivity be built into these assignments, since students need to understand that there is no one path toward the relevant resources. Each student approaches research a little differently, and confining students to one framework will stymie their creative research juices. Unfortunately, this is exactly where assignments can turn against you, as an instructor.

Therese Clarke Arado refers to “August/December Therese” and “December/April Therese” when planning for our courses: what sounds good in August will have you cursing yourself in December. That is because in the abstract, often these assignments are well-tailored to achieve the purposes we are looking for. However, when we finally sit down to grade, following the subjective research process of 30+ students can be a very time-consuming experience. While it is helpful to give the students this experience, if they do not get the feedback in a timely manner (which they often do not, due to the amount of time it takes to grade), then the benefits are diminished and all that work in August is completely undone when put into practice.

Perhaps not surprisingly, this is a perfect metaphor for the research process we are trying to teach: what may make sense in the abstract is an entirely different animal when put to the test. What I continue to strive for is to find the perfect balance between subjectivity and objectivity on these assignments. I suspect that this will always be the most time-consuming aspect of teaching research, which is frustrating, but it does keep me invested in the content; if I ever got to the point where I was on complete autopilot, I suspect that the course would lose all effectiveness. Continually working on assignments to make sure they are giving students the most effective assessment and feedback possible ensures that I continue to approach the content with empathy and appreciation. But I also need to watch out for “April Matt” ... that guy is *mean!*

MESSAGE FROM THE PRESIDENT

Matthew Braun, Associate Director for Administration, University of Illinois, Albert E. Jenner, Jr. Memorial Law Library (braun22@illinois.edu)

Here we are. In the last days of winter and with the first days of spring just around the corner. A time of transition. Couple this with the continuing pandemic and uncertainty about when things will maybe, just maybe, begin to feel like normal, and it feels as though we are in a continuous loop of transition.

Yet this is all second nature to us. We are legal information professionals and we are always moving forward. Looking for better ways to research. Better ways to teach. Better ways to market our services. Better ways to advance our institutions, small and large, public and private.

We are always transitioning.

The good news is that we have each other. Whether it be the first MAALL Lunch Hour, which was held by Zoom on February 17th and had over 25 participants, or the [MAALL committee](#) meetings that are now in full swing, or the wide range of articles and columns written for [MAALL Markings](#), or the [ongoing 21-Day Racial Equity Habit Building Challenge](#), or other topics in the [MAALL Forums](#), our organization's events and communications sustain us.

They keep us listening to each other, allowing us to understand each other, empathize with each other, and guide each other. They remind us that we are not alone. That we have colleagues in the truest and noblest sense of the word.

Quite soon we will begin preparing in earnest for our MAALL Annual Meeting, which we hope will be in-person, in Indianapolis, in September (September 23rd to 25th, to be exact). As you keep transitioning, please consider whether you may be willing to share your work, your experiences, and your story through an educational program at the Annual Meeting. If you are interested in being connected with fellow MAALL members who may have similar program ideas, please reach out to me or to the Education Committee and we will help you with that.

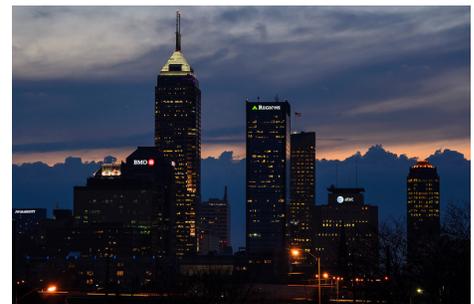
This has been a strange year in so many ways. Priorities have shifted. Initiatives have been delayed. Unanticipated demands and responsibilities have arisen. As I enter the mid-point of my term as MAALL President, I invite you to reach out to me with any thoughts or ideas as to how we can improve the association and transition in a way that best serves our needs both now and when things, after many months, begin to feel like normal.

MESSAGE FROM THE VICE-PRESIDENT

Christopher Steadham, Director, Wheat Law Library, University of Kansas School of Law (csteadham@ku.edu)

It has now been about one year since the pandemic turned everything upside down. The challenges we face range from the monumental to the mundane, but as our students might say, the struggle is real. MAALL members can reflect with pride in our agile response to the developments of the past year and, with spring arriving not a moment too soon, renew our optimism for the promising future now on the horizon. My confidence on this point is bolstered by the remarkable leaders we have at the helm, the resourceful committees we have on the front lines, and the scores of amazing members we have at law libraries throughout the region. I am bullish on MAALL because we continue to recognize that people are our greatest resource.

As chair of the Education Committee, I would like to invite you to be one of the people building MAALL's bright future. One of the best ways you can join in is by submitting a program for our 2021 Annual Meeting. Our theme, ***Restart Your Engines***, is in keeping with the renewal currently underway as we all work to create a better new normal. It also reflects our continued cautious optimism that we will be able to see each other in person again in **Indianapolis on September 23rd – 25th**. We are working closely with our host institution, IU McKinney, and the Local Arrangements Committee to coordinate a meeting that lives up to our theme. There has never been a better time to dust off that idea for a program you have been pondering, as your participation will truly make all the difference in what is sure to be a conference that will be long remembered. Our **Call for Programs** will be issued soon, so please stay tuned for more details and consider contributing your expertise to this important event. If you have any questions, please don't hesitate to contact me (csteadham@ku.edu).



Indianapolis Skyline by MCC, used under a [Creative Commons license](#)

Without a doubt, we are living in times that will go down in the history books for a variety of reasons. We, the people of MAALL, get to write this chapter of our history. Luckily, we could not ask for a better group to turn these unforeseen challenges into unprecedented opportunities. There is much we can look forward to in 2021 and beyond. Our next Annual Meeting is the big item currently on our agenda but I know that is just the beginning!

STATE MEMBER NEWS

Washburn University School of Law

Barbara Ginzburg, Head of Access Services at Washburn University School of Law, has been chosen by the Washburn Law Class of 2021 as the Outstanding Adjunct Professor of the Year. Barbara has been with Washburn Law since 2005, and has recently been teaching Advanced Legal Research and Specialized Legal Research: Statutory and Regulatory Law.



Kansas



Littler Mendelson, P.C.

Congratulations to Jackie Lemmer on her promotion to Assistant Librarian Team Lead. In this role, she will use her 'woo' strength to organize librarians, manage projects and provide training.

In January, the Knowledge Desk shared its semi-annual newsletter firm-wide. They were pleased to report that they responded to over 39,600 inquiries in 2020, including answering

over 8,000 COVID-19 related questions and tracking over 3,700 legislative items. Phew, 2020 got them good, but Littler librarians met the challenge!

Nebraska State Library

The State Library reports they have been closed for the Capitol's HVAC renovation project since October 2019 and that although there is no hard date for when they will be ready to reopen, they are hopeful it will be this summer. When they do reopen, there will be a lot of work to do in getting books out of storage and back in their proper locations, but they are looking forward to being back in the same building as their primary patrons. Until then, the folks over at UNL's Schmid Law Library have been incredibly gracious, providing temporary office space and full access to their collection. The State Library's solo librarian and one part-time assistant will miss seeing UNL faces each day. Although working from home during much of the pandemic has provided plenty of practice not seeing other faces! The library will update everyone again when reopened and wish all a Happy New Year!



Nebraska

Schmid Law Library, University of Nebraska-Lincoln

The Schmid Law Library will begin a major renovation project this summer. The majority of the work will be on the main floor, lower level, and main staircase. We are very excited about this project.

To help build community during the pandemic, the library created the "We Love Books: Favorite Books from Our Community" display. Each month, the display features favorite books of three College of Law faculty, staff, and/or administrators. It is available in the library and also in a LibGuide (<https://schmidguides.unl.edu/welovebooks>). The library also created a "Lunch with the Librarians Book Club"

where librarians recommend books in a specific genre to members of the College of Law community with no pressure to read books in advance. See: <https://schmidguides.unl.edu/bookclub>.

Richard Leiter was awarded the 2020 ALL-SIS Frederick Charles Hicks Award for Outstanding Contributions to Academic Law Librarianship. He also became the Chair of the AALS Section of Law Libraries and Legal Information in January 2021. Keelan Weber has been elected as member-at-large (2020-2022) for the LSRD-SIS Executive Board.



University of Cincinnati

Susan Boland and James Hart co-authored an update to an article in "International Human Rights Research Guide," entitled, "Researching International Human Rights." The "International Human Rights Research Guide" is published by *GlobaLex*, and is an electronic legal publication dedicated to international and foreign law research from the Hauser Global Law School Program at NYU School of Law.

To all our other members: We hope no news is good news!
And please let us know of any future news items at <https://forms.gle/aSR9Ru6JVX7SjExx7!>

MAALL MARKINGS INFORMATION

MAALL Markings is published four times a year by the Mid-America Association of Law Libraries, a chapter of the American Association of Law Libraries, and is a benefit of membership. The purpose of MAALL Markings is to publish news of the Chapter, selected news of AALL and other professional associations, and MAALL members, as well as to solicit and publish articles to add to the body of literature in the profession of law librarianship. All articles are copyrighted and any republication or use of any portion of the content for any purpose must have written permission from the author/s.

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LINKS TO AALL CHAPTER & SIS PUBLICATIONS

Links originally compiled by Lindsey Carpino for the CALL Bulletin and reprinted with permission. *MAALL Markings* updates links on a yearly basis. The original post is available at <http://bulletin.chicagolawlib.org/2016/05/aall-chapter-sis-publications/>.

AALL Chapter	Chapter Links/Newsletter	Blog
Arizona Association of Law Libraries (AZALL)		AzALL Member Blog
Association of Law Libraries of Upstate New York (ALLUNY)	ALLUNY Website	
Atlanta Law Libraries Association (ALLA)	ALLA News	
Chicago Association of Law Libraries (CALL)	CALL Bulletin	
Dallas Association of Law Librarians (DALL)		Lex Scripta
Greater Philadelphia Law Library Association (GPLLA)	GPLLA News	
Houston Area Law Librarians (HALL)	HALL Quarterly	
Law Librarians Association of Wisconsin, Inc. (LLAW)	LLAW Briefs	
Law Librarians of New England (LLNE)		
Law Librarians of Puget Sound (LLOPS)		LLOPS Cited
Law Librarians Society of Washington, D.C., Inc. (LLSDC)	Law Library Lights	
Law Libraries Association of Alabama (LLAA)		LLAA Blog
Law Library Association of Greater New York (LLAGNY)	Law Lines	
Law Library Association of Maryland (LLAM)	LLAM Newsletter	
Michigan Association of Law Libraries (MichALL)	MichALL Website	
Mid-America Association of Law Libraries (MAALL)	MAALL Markings	
Minnesota Association of Law Libraries (MALL)		MALL News Blog
New Jersey Law Librarians Association (NJLLA)		NJLLA Blog
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Northern California Association of Law Libraries (NOCALL)	NOCALL News	
Ohio Regional Association of Law Libraries (ORALL)	ORALL Newsletter	
San Diego Area Law Libraries	SANDALL Newsletter	
Southeastern Chapter of the Amer. Assn. of Law Libraries (SEAALL)	SEAALL Website	
Southern California Association of Law Libraries (SCALL)	SCALL Newsletter	
Southern New England Law Librarians Association (SNELLA)	Obiter Dicta	
Southwestern Association of Law Libraries (SWALL)	SWALL Website	
Virginia Association of Law Libraries (VALL)	VALL Newsletter	VALL Talk
Western Pacific Chpr. of the Amer. Assn. of Law Libraries (WestPac)	WestPac Website	
Western Pennsylvania Law Library Association (WPLLA)	WPLLA Website	
AALL SIS	SIS Links/Newsletter	SIS Blog
Academic Law Libraries SIS (ALL-SIS)	ALL-SIS Website	What's New
Computing Services SIS (CS-SIS)	CS-SIS Website	CS-SIS Blog
Digitization and Educational Technology SIS (DET-SIS)	DET-SIS Website	
Foreign, Comparative & International Law SIS (FCIL-SIS)	FCIL-SIS Website	DipLawMatic Dialogues Blog
Government Documents SIS (GD-SIS)	JURISDOCS	
Government Law Libraries SIS (GLL-SIS)	GLL-SIS Website	
Legal History & Rare Books SIS (LHRB-SIS)	LH&RB Newsletter	
Legal Information Services to the Public SIS (LISP-SIS)	LISP-SIS Website	
Online Bibliographic Services SIS (OBS-SIS)	OBS-SIS Website	TSLL TechScans Blog
Private Law Librarians & Information Professionals SIS (PLLIP-SIS)	PLLIP E-Newsletter	On Firmer Ground
Professional Engagement, Growth, and Advancement SIS (PEGA-SIS)	PEGA-SIS Website	
Research Instruction & Patron Services SIS (RIPS-SIS)	RIPS-SIS Website	RIPS Law Librarian Blog
Social Responsibilities SIS (SR-SIS)	SR-SIS Website	
Technical Services SIS (TS-SIS)	TS-SIS Website	TSLL TechScans Blog

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There are a number of opportunities available to serve MAALL. Please contact Matthew Braun at braun22@illinois.edu if you would like to serve on a task force or committee.