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# MAALL MARKINGS

Volume 9, Number 2

The Newsletter of the

June 1999

*Mid-America Association of Law Libraries*

*A Chapter of the American Association of Law Libraries*

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1999 Committee Membership....2

MAALL Luncheon....3

Travel Grant Application....4

INSIDE THIS ISSUE



Book Review....7

Chapter News....10

Membership News....13

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## *Presidential Address*

**Mary Kay Jung,** Thompson Coburn

With June's arrival comes the final preparation for the AALL Annual Meeting and Conference and preliminary planning for attending MAALL's October meeting. By now you have received the preliminary program for AALL. While arranging your schedule, don't forget to include the MAALL Business Meeting and Luncheon on Wednesday, July 21, at noon. Details on programming and local arrangements for our meeting in Kansas City, October 14-16, will be discussed, so you won't want to miss it! Janet McKinney has included the registration form in this issue – please complete it and return it to her by June 16.

The Grant Application Form for travel grants to MAALL is also in this issue, as well as the criteria Sharon Kern and her committee will use for selection. I encourage all of you, especially newer members, to apply for a grant if it will make it possible, or easier, for you to attend this October's meeting. The MAALL meeting is an opportunity to attend excellent programs, enjoy the sights (and tastes) of Kansas City and meet your peers from different kinds of law libraries throughout our nine state region.

Charles Gusewelle, a columnist for the Kansas City Star has accepted the Local Arrangement Committee's invitation to be the speaker at the opening lunch. His thoughts on *Bridging the Centuries* should keep us laughing while we take a serious look at the issues confronting us during the rest of the meeting. Congratulations to Tranne Pearce on her coup in getting Mr. Gusewelle to agree to speak and, in fact, to Barbara Fullerton and the entire Local Arrangements Committee for the great job they are doing in planning activities to keep us entertained while we learn.

Glen-Peter Ahlers, Program Chair, and committee are putting together a strong educational program which may even include a Hollywood connection. Look for a combination of plenary and concurrent sessions with personnel, Internet and, of course, Y2K issues addressed. Mike McReynolds has agreed to take on creating a web page for the Kansas City meeting. This is in addition to his other duties as Placement Committee Chair, Membership News Editor and Missouri liaison for MAALL Markings and member of the Local Arrangements Committee. Look for the link, coming soon, on the MAALL page (<http://www.siu.edu/offices/lawlib/MAALL>)

*Continued on page 10*

## MAALL Executive Board

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## MAALL Committees for 1999

Listed below are the current assignments for MAALL Committees:

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and Placement News  
Kirk Gregory, Chapter News

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by the Mid-America Association of Law Libraries.

**Co-Editors** Beth Smith and Sandra Placzek

Membership dues include a subscription to **MAALL Markings**. For membership information, contact Janet McKinney at:  
(816) 235-2438 or mckinne@umkc.edu.

The deadline for the next issue is **August 15, 1999**  
Please do **not** submit **hard copy** or **faxed** materials.

**Articles** for publication may be submitted in one of the following ways:

By U.S. Mail on IBM compatible disk. WordPerfect 6.0 or higher is preferable.  
By e-mail in the form of a typed message or an attachment.

**Forms** should be sent on diskette if possible.

**Advertisements** should be sent in camera-ready format.

Advertisers should contact the editors for advertising  
policy and rate information.

Opinions expressed are those of the authors and do not necessarily  
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**MAALL LUNCHEON AND BUSINESS MEETING**

**WEDNESDAY, JULY 21**

**11:45 - 1:15**

**Grand Hyatt Washington; check final program for room location**

*Menu:*

**Chef's Soup**

**Fresh Cut Fruits of the Season**

**Tossed Seasonal Greens with Choice of Ranch, Bleu and Cabernet Vinaigrette Dressings**

**Cheese Tortellini with Coppa Ham and Cracked Black Pepper Salad**

**Marinated Vegetables**

**Sliced Roast Beef, Turkey, Sugar-Cured Ham, Swiss and Cheddar Cheeses**

**Bakery Breads and Rolls**

**A Selection of Cakes and Pastries**

**Freshly-Brewed Coffee, Decaffeinated Coffee, Herbal Tea**

*Your cost: \$20.00*

**\*\* RESERVATIONS DUE JUNE 16 \*\***

**Complete and return the form with your payment (checks made payable to MAALL) to:**

**Janet McKinney**

**UMKC Law Library**

**5100 Rockhill Rd.**

**Kansas City, MO 64110**

**OR reservation may be faxed to 816-235-2438 or e-mailed to [mckinneyj@umkc.edu](mailto:mckinneyj@umkc.edu)**

**Payment will be accepted at the door, but advanced payment is preferred.**

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**MAALL Business Meeting and Luncheon**

**Name:** \_\_\_\_\_

**Library/Institution:** \_\_\_\_\_

**Phone no.:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**I require a receipt (circle one): Yes / No**

**I will be attending the business meeting but not eating the luncheon (circle one): Yes / No**

**TRAVEL GRANT APPLICATION**  
*for the*  
**1999 MAALL ANNUAL MEETING IN KANSAS CITY**

Criteria for awarding MAALL Travel Grants are MAALL membership, financial need, usefulness of the meeting to the applicant, contributions of the applicant to MAALL and/or AALL, and potential or proven ability of the applicant. Newer law librarians may receive special consideration as encouragement to them to establish relationships and get involved in MAALL. Previous grant recipients are considered, particularly those who are office holders or speakers. With the exception of the MAALL newsletter editor, an individual may receive no more than one grant every five years.

**Complete this form and send it to: Sharon Kern**  
**Chair, MAALL Grants Committee**  
**Davis Brown Law Firm**  
**666 Walnut, Suite 2500**  
**Des Moines, IA 50309-3993**

**or by fax, (515) 243-0654**

*Deadline for Submission: August 1, 1999*

**Name** \_\_\_\_\_

**Position** \_\_\_\_\_

**Employer** \_\_\_\_\_

**Address** \_\_\_\_\_

\_\_\_\_\_

**Telephone Number** \_\_\_\_\_ **Fax Number** \_\_\_\_\_

**E-mail address** \_\_\_\_\_

**Are you a MAALL member?** \_\_\_\_ **Yes** \_\_\_\_ **Year Joined** \_\_\_\_ **No** \_\_\_\_

**Have you ever attended a MAALL annual meeting?** \_\_\_\_ **Yes** \_\_\_\_ **No** \_\_\_\_

**Have you ever received a MAALL grant?** \_\_\_\_ **Yes, for \$** \_\_\_\_ **in** \_\_\_\_ **(year)** \_\_\_\_ **No** \_\_\_\_

**List your educational background (schools, degrees, dates)** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List previous law library positions:

	Employer	Position	Length of Service
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____

List MAALL positions, activities, and contributions (offices held, committee work, newsletter articles, presentations at MAALL meetings, attendance at MAALL meetings, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What part of your expenses will your employer pay for you to attend the meeting?

\_\_\_\_\_

Briefly describe your employer's policy regarding reimbursement of conference-related travel expenses \_\_\_\_\_

\_\_\_\_\_

If you do not receive a MAALL travel grant, will you

\_\_\_\_\_ not be able to attend the meeting, or

\_\_\_\_\_ attend and personally pay for expenses not picked up by my employer.

How do you feel you will benefit from attending the MAALL chapter meeting?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please read and sign this statement:

*I am currently a MAALL member. If I cannot attend the 1999 MAALL chapter meeting in Kansas City for any reason, I will notify the Chair of the MAALL Grants Committee and return the travel grant money I have received.*

\_\_\_\_\_  
(Applicant's signature)

\_\_\_\_\_  
(Date)

# All aboard...

## We've Got the Hot Ticket to AALL Action

To celebrate our five years of service to the librarian community, we're pulling out the stops at the AALL Annual Meeting in Washington D.C. July 17-21. Join us! You'll love the ride. Our team of law and accounting librarians will transport you through every nuance of the latest LEXIS-NEXIS information and technology enhancements. And discover how:

- ★ We've grown! The LEXIS-NEXIS Librarian Relations Group has added new members — and more librarian expertise to assist you. Check out our new, expanded Web site!
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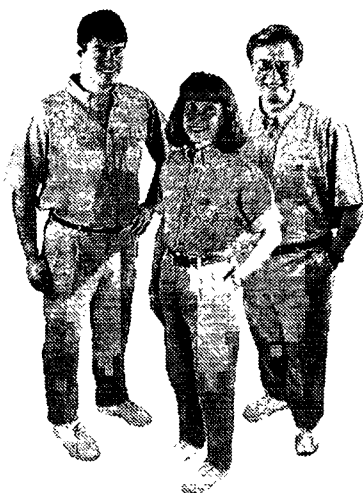
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*See you in Washington D.C.*



From right to left: **Holley Thompson**, senior director of LEXIS-NEXIS Strategic Customer Development; **Andrea Muto**, LEXIS-NEXIS Regional Information Manager for the Midwest; **Judy Floyd-Evans**, director, LEXIS-NEXIS Strategic Customer Development; **Priscilla Stultz**, LEXIS-NEXIS Regional Information Manager for the Midwest; and **Cindy Spohr**, director, LEXIS-NEXIS Strategic Customer Development



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***Business and Commercial Litigation in Federal Courts*, Robert L. Haig, Editor-in-Chief,  
American Bar Association Section of Litigation and West Group, 1998**

**Reviewed by Stephen B. Higgins and Mary K. Jung**

*[Stephen B. Higgins is a commercial litigation partner at St. Louis-based Thompson Coburn LLP, where his practice is devoted to the litigation of complex commercial disputes and class action defense. He served as United States Attorney for the Eastern District of Missouri from 1990 through 1993. He collaborated in the review of this treatise with Mary K. Jung, MLS, Director of Library Services at Thompson Coburn.]*

West Group has recently published Business and Commercial Litigation in Federal Courts, under the sponsorship of the American Bar Association's Section on Litigation. Robert L. Haig, Editor-in-Chief, describes this six volume, 6,690 page compilation as "designed to fill a significant void in the legal literature with a sophisticated work that captures the insights and expertise of the finest litigators in the United States."

Haig has met his goal of putting together a set remarkable and unique in scope and coverage—there is simply no other treatise available which gives similar in-depth coverage to litigating a commercial case in federal court. Haig has gathered the intellectual capital of 152 experts in the field of commercial litigation who present the law, procedure and strategic planning tips for both plaintiffs and defendants. The authors include a former U.S. Attorney General, deputy attorneys general, former U.S. Attorneys and assistant U.S. Attorneys, present and former federal judges, numerous members of the American College of Trial Lawyers, heads of civil litigation departments from some of the country's leading firms and other successful trial lawyers and litigators. Moreover, the authors represent virtually every major geographic region; in other words, this is not a work dealing exclusively with issues raised in litigating commercial claims in New York's federal courts.

The set is arranged logically: volumes one through three cover, chronologically, each step in taking a commercial case through federal court, from subject matter jurisdiction to discovery to opening statements to final arguments to appeals. Volumes four through six deal with 28 specific types of commercial federal litigation, including antitrust, banking, ERISA, patents, RICO, securities and trademarks. Volume six also includes tables of jury instructions, forms, statutes, rules, and cases found in the text and a comprehensive index.

Each chapter is superbly organized and although densely detailed, easy to read. The quality of the writing is uniformly excellent. The approach is both scholarly and practical, and each chapter typically includes tactical and strategic observations from the authors' personal experience as well as comprehensive citation to controlling legal authority. In addition, where relevant, each chapter includes examples, forms and checklists. The set as a whole has a comprehensive index to forms and text; the table of contents is easy to follow, as is the layout of each of the chapters.

Each chapter also includes library references to applicable West key numbers and citations to Wright, Miller and Kane's Federal Practice and Procedure. Over 17,000 case citations are included with instructions in the first volume on updating the research using WESTLAW. The volumes have slots for pocket parts, indicating they will be updated.

The range of topics is so comprehensive that it is difficult to imagine any aspect of commercial litigation not covered. Some of the topics are extremely specialized (e.g., Court Awarded Attorneys fees or Costs and Disbursements). Other chapters address the more fundamental aspects of commercial litigation practice (e.g., the treatise devotes five chapters to trial preparation and trial practice—including jury selection, cross examination, evidence and trial and post-trial motions—and three chapters to Relief, including Compensatory Damages, Punitive Damages and Specific Performance and Rescission.)

In areas where a judicial perspective is more valuable than anything a practicing litigator could provide, the treatise offers the insights of a number of federal judges. For example, Judge Roger Vinson offers a valuable perspective on common problems encountered in removal to federal Court, including calculating the amount in controversy, waiver and the artful pleading doctrine.

Because there is little guidance offered by most published decisions on TRO's, the chapter on provisional remedies, which emphasizes practicality and strategic considerations, is most helpful. As an example of the type and quality of advice rendered:

"In general, courts prefer to avoid TRO applications, which require fast decisions based on an incomplete record and which may have substantial impact on the rest of the case. . . A party should be certain that a TRO is required rather than an order shortening the time for a hearing on a preliminary injunction or an application for an order shortening time to initiate discovery for the preliminary injunction hearing. A TRO is rarely appropriate to enjoin the holding of a corporate meeting or the closing of a corporate transaction, for example, where advance substantial notice to stockholders. . . is required."

Of particular interest is the chapter dealing with the law governing sanctions for litigation misconduct, including Rule 11 treatment of frivolous pleadings and motions, and strategies to be considered in moving for or opposing sanctions. In this chapter, for example, the author details each of the types of conduct subject to sanctions under Rule 11 (e.g., presenting paper for improper purpose, making frivolous legal contentions, making unwarranted denials of factual contentions.) Everyone practicing in the federal courts should read this.

The final twenty eight chapters address in short form virtually every specialized subject area that typically arises in the federal litigation of a business or commercial dispute. Some of these deal with topics of broad interest and application (e.g., Antitrust, Contracts and Securities) while others address areas less frequently encountered (e.g., Letters of Credit, Torts of Competition, Collections).

As a former prosecutor, I found the chapter on Civil RICO litigation especially comprehensive and informative, with extensive case citations, practical advice and easy to follow summaries of the legal elements of this oft-misunderstood cause of action. The 18 subsections comprising this chapter range from Jurisdiction, Venue and Preemption to Jury Instructions and RICO Class Actions. One example of the kind of clear and useful advice given by the authors:

...[P]laintiffs should think carefully before playing the RICO card when the plaintiff has other common law claims arising from the same conduct. Plaintiffs may be better off in state Court asserting common law claims that give punitive damages than in federal Court where a dismissal of the RICO claims might very well result in the dismissal of any state law claims that arise from the same alleged misconduct.

Particularly impressive in its breadth, scope and detail is the 159 page, 30 sub-part chapter on Class Actions. Not only does this chapter address defense and prosecution strategies, particular types of actions (e.g., mass tort, securities, employment), but it deals in an eminently practical way with the uniquely sensitive ethical issues presented by settlement negotiations. This chapter also has a set of basic forms used in class action litigation, including sample notices, that can be accessed by diskette.

Because of the authority of the authorship, the comprehensive treatment of the subject matter not covered by any other work and its practical, practice-based orientation, this set is a "must-have" for any lawyer who engages in business litigation in the federal courts. Prospective purchasers may also find an incentive to purchase the set since the ABA's Section of Litigation has given the treatise to each circuit court judge and the chief judge of each district court. Because of its scope, it is without question a treatise to be



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## News From Other Chapters

Durham, James G. *"Help! Email is Driving Me Bananas! Or How Filters Rescued an Email Victim and Renewed His Love of Humanity."* 16(1) *HALL Newsletter* 10 (January/February 1999). Discussion of email filters and how they can help organize your email messages.

Davis, Jean and Ian Merrill. *"New Global Legal Research Guide: A Review."* 13(1) *FCIL Newsletter* 3 (October 1998). An excellent review on the resource *Accidental Tourist on the New Frontier: An Introductory Guide to Global Legal Research*. The authors provide an in-depth discussion of why they feel this resource would be an asset, paying particular attention to the inclusion of specific areas of interest in the book.

May, Cindy. Compiler. *"Recommended Readings."* 16(4) *LLAW Newsletter* 21 (Spring 1999). Annotated compilation of articles of interest for librarians. Interesting articles with helpful annotations that cover a variety of topics and resources (the compilation is approximately 5 pages long).

25(2) *State, Court & County Law Libraries News* (Winter 1999). The bulk of this issue is devoted to the topic of mentoring, with authors contributing insights into mentoring and the benefits to be derived from participation in mentoring programs.

For copies of any of the cited articles, contact Sandy Placzek at the University of Nebraska Law Library, sandrap@unllib.unl.edu or (402) 472-8261.

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## Presidential Address - Continued from page 1

Crata Castleberry and the Directory Committee are putting the final touches on the MAALL Directory and hope to have it off to the printer in early June.

Frank Houdek and the VIP Selection Committee have been hampered by the scheduling conflicts of the two VIP's chosen: Jeanne Simon, Chair, National Commission on Library and Information Science, and Bill Mignerone, Chief Information Officer at Shook Hardy & Bacon and executive board member of the Association of Legal Administrators. The Committee has decided the best course of action is to select a VIP for the MAALL meeting in October then concentrate on the AALL meeting in 2000. They will solicit input from you at the Business Meeting and Luncheon in Washington – yet another reason to make your reservations now.

All of this is just the tip of the iceberg of MAALL committee work being done behind the scenes. I hope to see many of you in Washington when we catch up on the rest.

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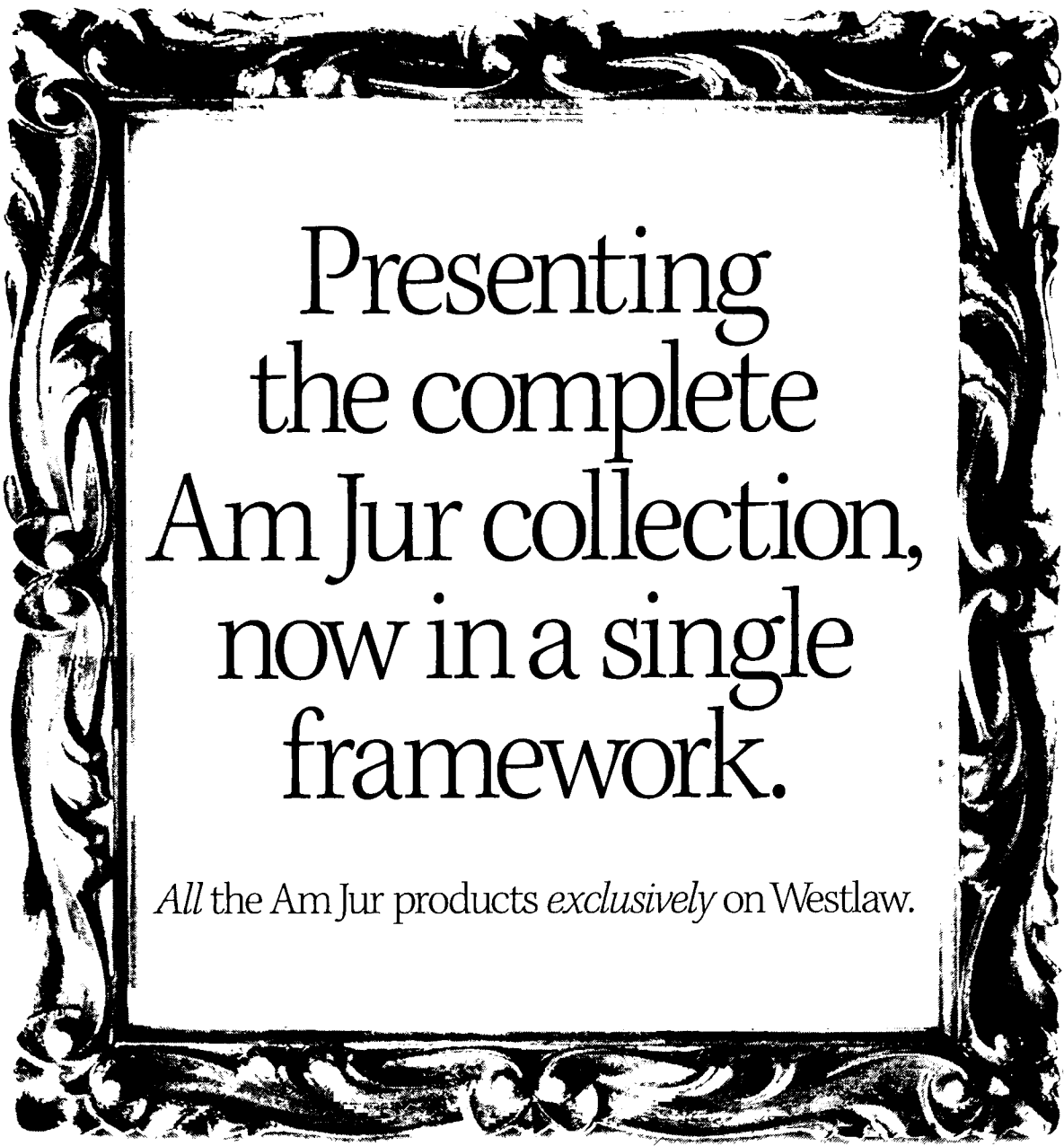


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## Membership News

*Prepared By Mike McReynolds  
Shook, Hardy & Bacon Law Library*

.....

### ARKANSAS

#### UALR/Pulaski County Law Library

**Nicky Sherman**, ILL/Document Delivery Assistant, left the library in October of 1998 to enter law practice. **Louise Low**, formerly of the University of Arkansas at Monticello Library, joined the staff in January as ILL/Document Delivery Assistant. You may contact Louise by telephone at (501) 324-9991 and by e-mail at [llowe@ualr.edu](mailto:llowe@ualr.edu).

A tornado passed within 50 yards of the UALR School of Law on Thursday, January 21, 1999, at about 6:45 p.m. Close to 150 people waited out the storm in the basement of the library. The law school suffered very light damage. A few windows were broken, none in the library. A metal emergency exit door had its frame sucked out of the building. About 20 cars in the parking lot had broken windows, and two cars were blown into each other. The Law School/Library was without power for three days (Friday - Monday). Our immediate vicinity was not so lucky. Directly across the street to the west a huge portion of the park lost all of its trees. Across the street to the north, and for the next few blocks, all of the buildings suffered moderate to heavy damage.

#### University of Arkansas at Fayetteville

The University of Arkansas Law School has a new dean, **Robert B. Moberly**, who will fill that position beginning July 1, 1999, replacing Leonard B. Strickman who is stepping down. Bob comes to us from the University of Florida College of Law. For more information, see <http://pigtrail.uark.edu/news/may99/moberly.html>.

**Mark Morely** recently joined our library as Computer Support Specialist. His wife, **Cindy Morely**, is our Serials Assistant.

**David Gay**, Head of Public Services, and **Jim Jackson**, Reference Librarian, presented a CLE program "The New Environment: The Internet in the Law Office" in Fort Smith in May and will also present it at the Arkansas Bar Association Annual Meeting in Hot Springs in June.

**Glen-Peter Ahlers** presented a CLE program "Y2K Y Bother?" in Fort Smith in May.

The Young Law Library was a host site for AALL videoconference: "Quality Service: Beyond 'How May I Help You?'" on April 15, 1999. Forty-three people from area libraries and from the University of Tulsa Law Library attended. The entire staff of the Young Law Library was involved hosting the conference as well as attending.

The law library will conduct a "Locating Legal Information on the Web Workshop for Librarians" for area non-law librarians.

**Sally J. Kelley**, Research Associate Professor, is now working directly for the National Center for Agricultural Law Research and Information (NCALRI) at the University of Arkansas School of Law. Previously, she worked in the Young Law Library, both as Reference Librarian and as NCALRI Librarian. She is the author of "How to Use the Internet to Find and Update the United States Code," 7 Perspectives Teaching Legal Research and Writing 3-26 (Fall 1998) <http://law.uark.edu/arklaw/aglaw/usc/uscupdate.htm>, which describes the process of locating and updating a United States Code section at the three free sites on the Internet.

#### U.S. Courts Branch Library

**Crata Castleberry** has been putting in a lot of time on the MAALL Directory. It should be out in June, if things go as she hopes they will.

### ILLINOIS

#### Northern Illinois University

**Stanley Horst**, Associate Director of the Northern Illinois University Law Library since its inception, will retire on August 1, 1999.

## **Southern Illinois University**

**Frank Houdek**, Law Library Director and Professor of Law, spoke at the Annual Meeting of the Southeastern Association of Law Libraries on April 16-17, 1999, in Knoxville, Tennessee. Frank, who is chair of the Committee on Relations with Information Vendors (CRIV) of the American Association of Law Libraries, participated in a panel entitled "Publishing in Transition."

**James Duggan**, Director of Information Technology and Professor of Law, is the author of "Using Illinois Encyclopedias," 87 Illinois Bar Journal 167-168 (1999).

## **IOWA**

### **Drake University Law Library**

Public Services Librarian **Lisa Hermann** has resumed the use of her maiden name, **Lisa Stock**. Her e-mail address is now: lisa.stock@drake.edu.

## **MISSOURI**

### **University of Missouri - Columbia**

The UMC Law Library is pleased to welcome **Resa Kerns** as their new Access Services Librarian.

### **United States Court Library**

**Tranne Pearce**, Librarian for the 8th Circuit Court of Appeals Library in Kansas City, has completed the move of that library to the new courthouse located at 9440 U.S. Courthouse; 400 East 9th Street; Kansas City, MO 64106. The new phone numbers are: Voice (816) 512-5790 and FAX (816) 512-5799.

### **Sonnenschein, Nath & Rosenthal**

**Tom Marsh**, has become the first librarian for the Kansas City office of

Sonnenschein, Nath. Tom, who has his MLS from the University of Illinois, was previously with Shook, Hardy & Bacon as an Information Analyst and later as a Reference Librarian in the law library.

### **Shook, Hardy & Bacon**

**Valerie Vogt** is a new Reference Librarian at Shook Hardy. Valerie will complete the requirements for her MLS Degree from Emporia State University this Summer. Prior to this position, Valerie managed the corporate library of a major Kansas City advertising agency and held various positions of responsibility in a suburban public library. She also has a background in print and radio journalism.

**Rachel Plotkin** has joined Shook's reference staff as a part time Reference Librarian. Rachel has her BA Degree from the University of Texas - Austin and her JD Degree from Southern Methodist University.

## **NEBRASKA**

### **University of Nebraska - Lincoln**

**Sally Wise** and **Beth Smith** made presentations on legal research and the Internet at continuing legal education seminars in April and May.

**Don Arndt** was elected Secretary/Treasurer of the Computing Services SIS.

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## **LOCAL ARRANGEMENTS COMMITTEE MEMBERS - 1999 KANSAS CITY**

Barbara Fullteron, Chair  
Evalyn Bollinger, Cheryl Clark, Brenda Hess, Paula Hilkemeyer, Sharon Hom, Keri Hudson, Mary Kay Jung, Mike McReynolds, Melanie Miller, Tranne Pearce, Tricia Peaveler, John Pickett, Jan Pointer and Lori Wiess.

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## ***MAALL Membership***

The Membership Committee wants to encourage each and every person in your library to become members of MAALL. If you have hired new personnel who are not presently members of MAALL, or if you know of staff who were members in the past but are not presently members, please forward their name, library address, and e-mail address to:

Jessie Cranford, Chair, MAALL Membership Committee  
UALR/Pulaski County Law Librar  
1203 McAlmont Street  
Little Rock, Arkansas 72202  
*jlcranford@ualr.edu*

### **Calendar for Continuing Education & Events**

June 5-10

SLA Annual Conference, Minneapolis, MN

July 17-21

AALL Annual Meeting, Washington, D.C.

***MAALL Markings***  
**Schmid Law Library**  
**University of Nebraska College**  
**of Law**  
**Lincoln, NE 68583-0902**