Notes from the Director
By Anne M. Acton

The New England Law | Boston Law Library has a physical collection available on its bookshelves and a digital collection available through the databases and e-books to which the library subscribes. In addition, the library can get most any needed source from another library (via Interlibrary Loan). We belong to several library consortia and for our membership we receive discounts and other services. Another way that the library has access to other materials is through cooperative arrangements. We have bilateral agreements with the Tufts University Hirsch Health Sciences Library down the street and the Wentworth Institute of Technology Library across town, which enable our students to use their library collections and allow their students to use ours.

In early 2012, a new cooperative venture was finalized when the six Boston law schools signed a Memorandum of Understanding whereby each library agreed to give each other access to certain law titles held in our collections. Formally known as the Boston Academic Law Library Cooperative (or BALLCO), we agree to house and preserve select titles so that the other schools could have guaranteed access to the complete holdings of that title. Our geographical closeness makes such an arrangement possible. Over 100 print and microform titles were identified as being in need of print preservation based on considerations such as: usage, price, specialization, shelf space, format and online availability. The titles were then divided up amongst the 6 members, each member selecting titles for which they agreed to be the Library of Record, or guaranteed holder for the next five years. The Library of Record based their decisions on their own curriculum, faculty scholarship interests, and subject areas of concentration.

How will you know when a title is held by one of the other law libraries? In Portia, our online library catalog, we have indicated these titles and also the library which holds it with the following note:

Library has This title is part of the Boston Area Law Library Collaborative (BALLCO), Library of Record: Boston College Law Library. Please see a Reference Librarian for access.
There have been many changes in the library this year. One major change was the remodeling of the Westlaw & Lexis computer lab in room 115 which was repurposed as a group study room (see photos on page 7). Materials from Westlaw, Lexis and Bloomberg Law are available for your perusal in the basement computer lab room 003. The Westlaw student representatives, Brett and Nicole, hold weekly office hours in the lab. Please seek them out if you need a one on one refresher or are having problems with gaining access to Westlaw or TWEN. The Lexis representatives, Stephanie, Kevin and Ericka, do not have set office hours but can be reached via email or in person if you have any Lexis questions. Also, don’t forget, the reference librarians can answer any questions you have about Lexis, Westlaw or Bloomberg law and we are here most hours the library is open.

**Train, Train, Train**

We often advise student to take advantage of the numerous training resources for Westlaw, Lexis and Bloomberg. There are frequent live classes, online tutorials and webinars that can help you master these systems. Take as many as you can until you feel competent and always try to take a refresher each year to catch up on any new developments. Upper class students who have not used Lexis Advance to date should make a particular effort to attend a class. We have been advised that Lexis classic will be discontinued within the next few years. Also, don’t fall into the trap of using only one system in law school. Doing so will almost guarantee that you will be required to use the other while clerking or post graduate.

**A Few Words about your Access**

Keep an eye on your emails from Bloomberg, Lexis and Westlaw during the academic year. There is important information that you need to be aware of as the year progresses. One of the most important is specially designed training classes for those with summer associate or judicial clerk positions. Also, there are classes on using these resources in a cost efficient manner. There are specific strategies you should be aware of when you are doing research for which your employer will receive a bill. These classes are a must! Lastly, don’t forget that your Lexis and Westlaw passwords are only active during the academic year. Watch for their summer access emails in the early spring. They will lay out the procedures for keeping your account active. Usually, they require you to have an academic nexus to your research need for an extension. Presently, only Bloomberg Law provides access year round and only Bloomberg permits you to use your account while researching in a commercial setting.
Fifty-five thousand people worldwide still die of rabies bites every year, even with numerous culling and vaccination programs that are implemented. Vaccination immediately upon infection is effective, but once symptoms appear (usually three weeks to three months after infection, but sometimes one year or even five years later), the vast majority of infected people will die. That is true even in state-of-the-art medical facilities where experimental induced coma treatments may be tried. (Six out of 36 coma-treated patients had survived as of publication date.)

Were-wolves, vampires, and our present age’s favorite revenant, zombies, all derive from the very real horror of rabies.

Those rabies sufferers who will die will die a horrible death. The virus creeps through the nervous system, not the blood, at one to two centimeters per day until it reaches the brain, whereupon it “hollows out reason, leaving nothing but frenzy”. Literary human nightmares of were-wolves, vampires, and our present age’s favorite revenant, zombies, all derive from the very real horror of rabies. The word “rage” is etymologically derived from rabies. Rabies-infected brains cause hydrophobia (fear of water), spastic throat constrictions (causing barking), copious tears, saliva, and seminal emissions, not to mention the urge to bite. Periodically, these symptoms may subside into a “terrible, poignant lucidity”.

Due to civilization’s intimate association with dogs, most human infection arises from their rabid bites, but molecular scientists have traced the origin of rabies to bats, and other mammals, such as raccoons, beavers, etc. are also susceptible to the disease and bite humans occasionally. The canine connection is a large part of our horror: we find domesticated dogs emotionally irresistible, but scary wild dogs live on the edges of our civilization too; and, in the back of our minds, those four thousand years we helplessly suffered this dread disease (preceding Louis Pasteur’s vaccine in the 1880’s) still haunt and terrify us. Robert Louis Stevenson captured this fear in The Strange Case of Dr. Jekyll and Mr. Hyde, e.g., our fear of the “beast within” that describes rabies infection to a ‘t’. 

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Along with the SCOTUS Blog one of the best ways of monitoring the Supreme Court is by using Bloomberg Law’s United States Staff News
By Kristin McCarthy

Kelly Deewes, our Evening Circulation /Interlibrary Loan Assistant, left us this fall to relocate to San Francisco. We miss her very much, but are happy to welcome, Martin Cleaver, as our new Evening Circulation/Interlibrary Loan Assistant. Martin is a graduate of Simmons Graduate School of Library and Information Science, and he has many years of library experience including with Wheelock College and Stevenson University in Maryland. We are delighted to welcome him to our staff.

Anne Acton, our Director, served as Co-Chair of the Hospitality Committee, which was part of the larger Local Arrangements Committee for the American Association of Law Libraries annual meeting held in Boston this past July. The committee was responsible for creating various travel guides about Boston and staffing a hospitality booth during the conference. Anne also was a panel at the same AALL meeting entitled: “Boston Best Friends Forever – A Collaboration Story” (please see the article on page one for a description of this Boston law school library collaboration).

New Evening Circulation /ILL Assistant
Martin Cleaver

First Monday in October
By Barry Stearns

You can receive USLW by email each week. Simply log on to Bloomberg Law → Select the Legal Analysis and News Tab → BNA Law Reports → Manage E-Mail Notifications (see screenshot below). Then select USLW and any others that you would like to receive. If you do not yet have a Bloomberg law account go to https://www.bloomberglaw.com/activate and skip the activation code section.
Did you know that the library’s catalog has almost 60,000 e-resources in it? These include ebooks, online journals, databases, and websites. And we keep adding more all the time.

In just the past year alone, we’ve added over 11,000 ebooks to our collection.

Most of this is due to two collections. In March 2012, we purchased 6,223 ebooks from ebrary. These books are from their “Law, International Relations and Political Philosophy” collection, and cover a wide range of topics. And then, in June, we added 3,501 freely-available literature and history ebooks from EBSCO.

The rest of these new ebooks are from a variety of publishers. For instance, we have over 1,000 Legal Classics texts from HeinOnline. We also added the online versions of a few dozen Practising Law Institute books. And then there were the dozens of law books we acquired from Cambridge University Press, Oxford Scholarship, Law Journal Press, and CALI.

And of course, that doesn’t include all of the online journals, databases, and websites we added. All told, this represented about a 20% increase in online holdings since last year.

The overall theme this book presents is that “the bad outweighs the good in airline deregulation”. The suggestions at the end of the book aim to correct “the wholesale purchase of democracy by corporate interests”.

Despite the political tilt of such a theme, the book scored high on credibility because it took care to present facts and opinions not necessarily supportive of his own leanings. For example, airline deregulation, he said, was “midwifed by the Left not the Right as many assume today”. The Airline Deregulation Act (P.L. 95-504) was signed into law October 24, 1978 by President Jimmy Carter, at a time when not only the Executive, but both houses of Congress were controlled by Democrats. Another example of this balance: McGee reports that Professor Michael E. Levine, now of NYU Law School, but once with the Civil Aeronautics Board and an Executive Vice President of Northwest Airlines, “believes that any talk of reregulation falls prey to the Nirvana fallacy in which some believe flawed markets can be corrected by perfect regulation, while others believe perfect markets are marred by flawed regulation. The truth, he asserts, is that in reality we have only flawed markets and flawed regulation.”

The book has an interesting autobiographical narrative. In 1989, as a 20-something manager of worldwide ground operations for Tower, a regional airline, McGee was in Bahrain meeting with its aviation ministers. “That’s a Jewish airline”, one of the ministers spat, as the CEO was Israeli even though it was an American company. “In the United States, airlines don’t have religions”, the author deadpanned in reply. The Bahrainian then threatened to “shoot out of the sky” any Tower planes that attempted to land there. As one was due to land within 72 hours, a panicked McGee woke the CEO in the middle of the night back home. “Is that all, Bill?”, the groggy chairman says. “He says that all the time!” In 1989, that was funny.

Other people’s narratives also are woven into this fact-packed book. There was the woman who lost her husband to one of the 9/11 planes. She became an advocate for airline security. Seven years later she lost her own life in a plane crash, and her siblings took up the mantle of advocacy for another aspect of airline safety.

Chapter 7 is devoted to the ramifications of outsourcing. There is outsourcing to regional carriers. Due to something called “codesharing”, major airlines can sell tickets of other carriers and the purchaser scarcely notices. Major carriers can outsource routes such that smaller, regional carriers have their planes emblazoned with the major carrier’s label, their flight assistants wear the uniform of the larger carrier, but the operation of the smaller company does not necessarily have the quality a passenger might have expected based on thinking it was the major carrier. (The phrase “fly-by-night operation” comes to mind.)

Speaking of what he calls a bait-and-switch, McGee says: “Industry experts note that there are two levels of safety among mainlines and regionals, not one as the FAA maintains.” Factoid: fifty-three out of every one hundred commercial flight departures are operated by such a regional partner.

Not only can flying planes be outsourced, but maintenance can be outsourced as well. There is no law against FAA-certified repair shops sub-contracting to uncertified shops. Any overseas FAA inspections have to be coordinated with our State Department, so there are never any surprise inspections. Outsourced mechanics are never subject to FAA-mandated periodic drug and alcohol screens either; the rule is waived so as not to unduly impose on the sovereign sensitivities of other nations. And worse – there is no oversight regarding the possibility of counterfeit parts being used in overseas shops.

Cargo, fueling, and catering all may be outsourced – plenty of opportunities for terrorist infiltration.

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The first floor was renovated over the summer, adding 21 seats of studying space. Room 115, a former computer lab, was turned into a study room (above and top left). A row of bookshelves was removed to create space for new tables and carrels (middle left).

Free Books!

There is always a selection of free books in the rear reading room on the first floor of the library.
On September 29, 1919, Arthur MacLean offered an introductory class on contracts and a brief address on Women and the Law for prospective students and their friends at Portia Law School located at the Tremont Temple.

In June 1920, Portia Law School Senior Jessica C. Shain became the first woman to defend a case in the federal court. Her client was accused of manufacturing intoxicating liquor.

In 1926, representing a client charged with drunken driving, Margaret M. McChesney ('21) became the first woman lawyer to appear before the full bench of the Massachusetts Supreme Judicial Court.

In 1926, Dorothy Richardson graduates from Portia Law School. She turned to the legal profession after a brief movie career under the name of Dorothy Sutton to become a partner in her husband’s law practice.

Portia Law School Class of 1926 presented Dean Arthur MacLean a portrait painted by artist Howard E. Smith. Smith was known for his portraits and some of his illustrations have appeared in Harpers, Scribner’s, and in Eugene O’Neill’s first published play. The portrait is located on the second floor of the library.

In January 1927, Helen Thompson ('28) was unanimously elected to become the editor-in-chief of the "Legalite," the first Portia Law School yearbook.

In April 1927, Sarah Risman became the youngest attorney in Massachusetts when she was sworn into the bar at the age of 21. She was a member of the class of 1926 but her degree was not awarded to her until she reached the age of majority.

In December 1928, the Portia Law School Library hours were permanently extended to Sunday afternoons from 3:00pm to 5:00pm.

In October 1931, Judge Emma Fall Schofield, the first woman judge in Massachusetts, began teaching a moot court course at Portia Law School. The school’s first moot court trial was held on February 26, 1932, under Judge Schofield’s supervision, with students trying two women accused of murdering a female friend. Judge Schofield joined the Portia faculty in August 1932 and taught classes in deeds, mortgages and easements, and examination of land titles, as well as supervising the moot court class.

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After reading about all these nightmarish possibilities, Chapter 8 begins: “Let’s be very clear: commercial aviation is the safest form of transportation available. What’s more, it is particularly safe in the United States.” Given the author’s first-hand knowledge and vivid writing style, the reader may not be mollified. In fact, in the Epilogue, he candidly admits that he himself was “stunned to uncover some of the findings shared in this book”. It is well worth your time to read the documented radical changes “over a very short period of time” that have taken place in passenger aviation. The remedial suggestions at the end should be of pragmatic use to aviation attorneys.

“Has the federal government implemented nonsensical regulation?”, McGee asks. “No question. Has it wasted tax dollars? Absolutely. Would bureaucracy impede many of the industry’s brightest innovators if the government completely ran the airlines? Certainly. But demonizing regulators and placing all trust in the free market is a dangerous proposition as well...based on my experiences working in and investigating the airline industry, I can personally testify that there truly are airline executives who cut corners on safety. That is irrefutable fact.”

Happy flying, readers. Or maybe just stay home and read another book!

Note: Some of the subject headings that may be used to retrieve aviation-related materials in our online catalog, Portia, or in a wider collection of library catalogs, FirstSearch (also called WorldCat) are: Aeronautics, commercial—law and legislation—United States; Liability for aircraft accidents; Airlines—United States; and Aircraft industry—United States.

So this is the lawyer-link: if anyone doubts that a tiny virus, or any microscopic brain change, can turn a human being into a non-human beast, rabies is the oldest and most dramatic example. Reading this book may not have an immediate, specific application in law to anyone other than a trial lawyer litigating a neurology-related criminal case before a jury, but it is a well-written, fast-paced story that may benefit the reader in a number of ways: by generally enriching history and humanities knowledge, perhaps by refreshing a casebook-weary law student, possibly by providing some interesting anecdotes for teachers. Besides, factoids are just fun: for example, the delirium into which Edgar Allan Poe sank at the end of his life just may have been rabies-induced, rather than attributable wholly to alcoholism.

Persons interested in the history of medicine generally may find the description of how Pasteur’s discoveries created a paradigm shift interesting – I won’t give it away by detailing how this happened. There are other human interest stories as well in the whatever-happened-to vein. Want to know the life course and ultimate fate of the first little boy successfully inoculated by Pasteur? The crusade of the father of a seven-year-old Tampa boy to have his son tested for rabies after a bat bite in a time and place where authorities believed bats to be safe? Read the book.

Possibly you crave a little more information on the zombie factor before you invest in a trip to your public library. Ok, zombies are classified into “slow zombies” and “fast zombies”. The authors of Rabid, a man-and-wife team of journalists, state that “[the fast zombie is not a rabid zombie, per se…yet the basic trope…has rabies woven deep in its DNA. Shielded from the disease, we nevertheless cannot wholly free ourselves from the fear.” Read with the doors and windows locked!

Related reading:

Are viruses alive?

http://www.scientificamerican.com/article.cfm?id=are-viruses-alive-2004&print=true

Mallory Kane Zombie-at-Law series:

http://www.amazon.com/s/ref=nb_sb_noss?url=search-alias%3Dstripbooks&field-keywords=mallory+kane+zombie+at+law
NEW ENGLAND LAW LIBRARY STAFF

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Director of Law Library
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Associate Director of the Law Library
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Brian Flaherty,
Reference Librarian

LIBRARY HOURS

Monday, November 12 -
Tuesday, November 20
(Extended Hours)
7:30 a.m.–11:50 p.m.

Wednesday, November 21
7:30 a.m.–6:00 p.m.

Thursday, November 22
Closed - Thanksgiving

Friday, November 23 -
Monday, December 17
(Extended Hours)
7:30 a.m.–11:50 p.m.

Tuesday, December 18
7:30 a.m.–11:00 p.m.

Wednesday, December 19 -
Sunday, December 23
8:00 a.m.–6:00 p.m.

Monday, December 24
Closed

Tuesday, December 25
Closed - Christmas

Wednesday, December 26 -
Sunday, December 30
8:00 a.m.–6:00 p.m.

Monday, December 31
Closed

Tuesday, January 1
Closed – New Year

Wednesday, January 2 -
Friday, January 4
8:00 a.m.–8:00 p.m.

Saturday, January 5
9:00 a.m.–10:00 p.m.

Sunday, January 6
10:00 a.m.–11:00 p.m.

Monday, January 7
Resume Regular Hours

Monday-Friday
7:30 a.m.–11:00 p.m.
Saturday
9:00 a.m.–10:00 p.m.
Sunday
10:00 a.m.–11:00 p.m.