



Law Library E-Newsletter The Book Docket

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Article of the Month

- How LexisNexis and Westlaw Prevent Cost Effective Legal Research

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HOW LEXISNEXIS AND WESTLAW PREVENT COST EFFECTIVE LEGAL RESEARCH

Deborah McGovern
Emerging Technologies & Reference Librarian, Adjunct Faculty

Good web designers place the most important material on a web site at the top left, mid-left and center of the screen, because that is where users look first. What do your students see when they sign on to Westlaw? By default, they are presented with the law school tab. And what is on that tab? In prime browser real estate territory, at the top and slightly left of center, Westlaw stacks the primary sources of law – first cases, then statutes, then administrative materials.

Click on one of the categories, for example, “Cases by State,” and you arrive at a page dominated by a large search box. You can tell that it is a search box because the word “Search” appears on both sides of the box. Select the state cases that you want to search, and away you go. This may not seem problematic, but consider for a moment. Law students and recent graduates are, by definition, novices in the law. How likely is it that they will be able to frame a productive search using terms and connectors or even natural language, knowing very little about the area of law they are researching? Experts recommend consulting secondary sources, and browsing a table of contents or index as the best way to become familiar with an area of law.

Return to the law school tab and notice where the secondary sources are located – all the way over to the right. If students are looking at Florida law, FLORIDA JURISPRUDENCE, the secondary source most likely to assist them, is neither included in this list, nor is it available on the page that comes up when you click on “Additional Materials.” To find FLORIDA JURISPRUDENCE, you must search for the database in the easy-to-overlook “Search for a Database” box which has been placed all the way over on the left, below the center of the page. FLORIDA JURISPRUDENCE appears on the Florida tab, if the student has taken the trouble to add that tab. However, you must scroll down the page to see it, and it’s all the way over on the disfavored right side of the screen, under the title “Florida Treatises & Practice Materials.”

Lexis handles this better. The default tab on the Lexis law school web page is the Legal tab. Here, the secondary sources are placed in a central location, making them easy to spot. If you click on “Secondary Legal,” you will not find FLORIDA JURISPRUDENCE on the resulting page, though you can get to it from that page by clicking on “Jurisprudences, ALR & Encyclopedias.” You will find that an additional click separates you from FLORIDA JURISPRUDENCE if you opt to click “View More Sources” under “Jurisprudences, ALR & Encyclopedias.” When you do arrive at FLORIDA JURISPRUDENCE, once again, a large box plainly marked “Search” greets you. The probably more helpful “Browse TOC” lingers diffidently to one side.

What Lexis and Westlaw have done is to put their largest, most expensive databases at the top of their lists. By placing sizeable search boxes in the areas viewed first, they have strongly suggested that searches are the best way to proceed. With law students and new associates, this nearly guarantees a large number of abortive searches of the most expensive databases.

Thanks to Julie M. Jones, whose carefully researched and well-written article, *Not Just Key Numbers and Keywords Anymore; How User Interface Design Affects Legal Research*, 101 LAW LIBR. J. 7 (2009), I commend to those wishing to “look under the hood” of the electronic legal database humvees.

Book of the Month: **THE UGLY LAWS: DISABILITY IN PUBLIC**

By Susan M. Schweik

KF480 .S39 2009 Recent Acquisitions on the 2nd Floor

Review by Deborah McGovern

By examining the history of the “ugly laws,” the author shows how disability has been perceived historically. She demonstrates that, in many ways, things have not changed much since the period during which a Chicago ordinance provided: “Any person who is diseased, maimed, mutilated, or in any way deformed, so as to be an unsightly or disgusting object, or an improper person to be allowed in or on the streets highways, thoroughfares, or public places in this city, shall not therein or thereon expose himself to public view, under the penalty of a fine of \$1.00 for each offense.”

Ugly laws, or as they were euphemistically known at the time, “unsightly beggar ordinances,” were common in cities across the country. Even that current bastion of enlightened social policy, San Francisco, had one. As the author shows, ugly laws did not punish ugliness per se, rather the crime of being ugly and without means. The ugly laws were passed in the United States in the years between 1867 and 1920. They began to be remembered, and to occasion social change, in the years following 1974 – Chicago repealed its ugly law in 1973. Cities had many reasons to attempt to hide the impoverished and unsightly. They represented an affront to the eugenics

movement, and a slap in the face to a free labor society. They were an unwelcome reminder of the lack of a social safety net for those who were maimed on the job. They interfered with cities' attempts to "beautify" their public spaces. As a status crime, making public ugliness a punishable offense enabled society to exert its control, and enforce the majority's judgment of who could be where, who had to be hidden, and who had to be watched.

Appallingly, despite passage of federal laws prohibiting discrimination against persons with handicaps, disabilities discrimination continues. Schweik instances the case of Samantha Robichaud, who was refused promotion to manager at a MacDonald's because of her appearance. Schweik's book performs the service of showing that, while the phrase "ugly law" may cause us to squirm, the urge to segregate those who make us uncomfortable is hardly a thing of the past.

Susan Schweik is Associate Dean of Arts and Humanities at the University of California at Berkeley.

URL/Website of the Month:

The screenshot shows the WolframAlpha website interface. At the top, there is a navigation bar with links: HOME | EXAMPLES | ABOUT | FAQs | BLOG | COMMUNITY | DOWNLOADS | MORE ». On the right, it says "A WOLFRAM WEB RESC". The main search bar contains the text "aig goldman sachs". Below the search bar, the results are displayed under the heading "Input interpretation: AIG (AIG) | The Goldman Sachs Group (GS)". There is a "Mathematica form" link. Under "Latest trades:", there are two entries: AIG at \$1.88 and GS at \$142.10. Below that, a "Fundamentals and financials:" section shows a table comparing AIG and The Goldman Sachs Group. To the right, there is a "New to WolframAlpha?" sidebar with suggestions like "enter any date", "enter any town", "enter any two stocks", and "enter any calculation". At the bottom right, there are "Related Links" for AIG, The Goldman Sachs Group, and American International Group.

	AIG	The Goldman Sachs Group
market cap	\$4.924 billion	\$55.12 billion
revenue	\$17.53 billion	\$22.22 billion
employees	116 000	30 067
revenue / employee	\$459 400	\$984 200
net income	-\$96.62 billion	\$2.322 billion
shares outstanding	2.691 billion	385.1 million
annual earnings / share	-\$35.55	\$4.67
P/E ratio		30.65
annual dividends / share	\$0.82	\$1.52

<http://www.wolframalpha.com/>

This fascinating site bills itself as a computational knowledge engine. A computational knowledge machine is not to be mistaken for a search engine. First it

finds data, then it manipulates it. Enter the name of any two stocks, and it builds a table comparing their latest trades; fundamentals and financials; recent returns; relative price history; projected returns; and something called a correlation matrix, which compares the stocks with one another and the Standard and Poor's 500. It also maps genome sequences on the human chromosome, solves derivatives (not the kind that got investors into trouble), and will tell you the phase of the moon and what time the sun set on the day you were born, as well as providing a distressingly exact calculation of how old you are – in days.

Tech Tip of the Month:

<http://www.tiny.cc>

Some of you may be old enough to remember the Jefferson Airplane song, *Go Ask Alice*, the words to which went, in pertinent part, “One pill makes you larger, and one pill makes you small.” Through the marvels of modern technology, it's now possible to accomplish making things small without the aid of pharmaceuticals! Suppose you want to include a web link in an email, IM, tweet or bog post, but the link looks like a Burmese python, something on the order of -

<http://www.sing365.com/music/lyric.nsf/Go-Ask-Alice-lyrics-Jefferson-Airplane/9558CF5506258D5F48256D650010F27E> Just go to Tiny URL at <http://www.tiny.cc/> and paste the long link into the bar and click on “Tiny It.” If you're using Internet Explorer, the tiny URL is automatically pasted to your clipboard. You can just right click the spot where you want to insert the link and choose “paste” from the list of functions that comes up. Or you can insert your cursor in the desired spot and press “Ctrl+v.” The tiny URL is inserted right where you want it. The tiny URL takes you to the same web address the longer, unwieldy one does, but takes up less than half the space.

Faculty & Staff Publications:

Joel Mintz: *Introductory Note: A Perspective on Pakistan's Chief Justice, Judicial Independence, and the Rule of Law*, 15 ILSA J. INT'L & COMP. L. 1 (2008).

Steve Wisotsky: Second Edition, *Professional Judgment on Appeal: Bringing and Opposing Appeals*.

Presentations, Appearances, Interviews, Honors, Accomplishments and Citations:

Richard Grosso: He was quoted in the *Miami Herald* for May 13 in a story about a Miami case in which administrative law judge Bram D.E. Canter ruled that county commissioners wrongfully expanded the Urban Development Boundary of Miami-Dade County.

He was co-counsel for the National Parks Conservation Association and 1000 Friends of Florida in the Urban Development Boundary case.

Robert Hartsell: He was co-counsel for the National Parks Conservation Association and 1000 Friends of Florida in the Urban Development Boundary case.

Joel Mintz: He interviewed 16 present and former EPA and U.S. Justice Department enforcement officials to provide material for an updated second edition of Mintz, *Enforcement at the EPA: High Stakes and Hard Choices*.

His article, *Presidential Leadership and the Challenge of Global Climate Change*, was listed on SSRN's Top Ten download list in the categories of Selection of Leaders, Political Economy: Structure and Scope of Government, and Leadership Selection and Compensation.

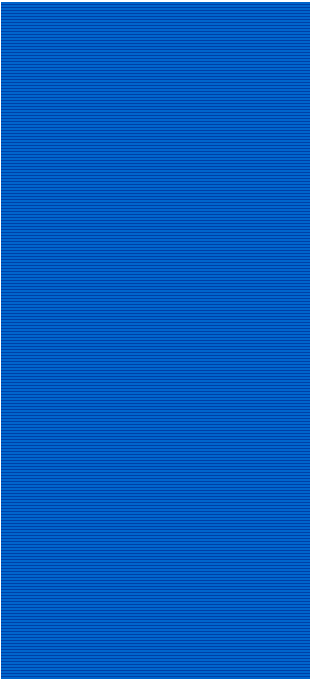
He gave a presentation to a Seminar on Public Health at the NSU Health Care Center on *Hazardous Waste Laws and the Public Health*.

He co-judged the Roscoe Hogan national environmental law essay contest for law students sponsored by the Public Justice Foundation (formerly known as ATLA).

He consulted on a pro-bono basis with officials of Google, to help them gather support within the federal government for a proposal to mandate the manufacture and use of personal computers that conserve significant amounts of electricity at nominal cost to consumers.

He secured a commitment from the national director of EPA's highly selective summer law student intern program to admit one NSU law student per year to that program.

He was one of a group of environmental law professors who prepared and submitted to the U.S. Department of the Interior a comprehensive set



of comments criticizing a proposed regulation regarding the Endangered Species Act during the Bush administration. After reading those comments, the leadership of the Obama administration's Department of the Interior formally rescinded a "midnight regulation," promulgated by the Bush administration which had significantly undercut the Endangered Species Act by altering longstanding government consultation procedures.