President’s Column – Michael Whiteman

REACH OUT

I am not going to lie to you. I am somewhat disappointed with this whole ORALL presidency. I think perhaps I misunderstood what it meant to be the ORALL President. I had many expectations, none of which have yet been realized. First of all, where is the shiny ORALL limo to take me from point A to point B? How about the ORALL mansion where I would live during my tenure as President? And what about the ORALL army that I could use to crush my enemies? Well none of those have been forthcoming, but I do get a lot of e-mails from AALL, I guess that’s a close second to having my own private army!

Many of the e-mails from AALL are simply informational items that the AALL executive board wants chapter presidents to forward on to their members. It is one such e-mail that forms the basis for this month’s column. Recently, and you should all have received this forward from me, AALL sent around a reminder about scholarships available to students who are entering law school or pursuing a graduate degree in library science. These scholarships were created in order to help promote law librarianship as a profession for qualified individuals. Given that all indicators point to a shortage in librarians entering the profession I think this is a good time to talk, yet again, about what we can do to help steer great people into our profession.

ORALL is not silent on this issue. Each year the Membership Committee engages in outreach to two of the three library programs in the ORALL region. Each year we have ORALL members go and talk to students at Kent State to tout the wonders of law librarianship,

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Members: 311
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Non-member subscriptions: $10 per year

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Newsletter

The ORALL Newsletter is the official publication of the Ohio Regional Association of Law Libraries. Published quarterly in March, June, September, and December.

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Unsolicited contributions are encouraged; contributions submitted for publication are subject to editorial review. For extra copies, contact the editor.

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Advertising (per issue) : $150 for full page, $90 for half page, $55 for quarter page, and $35 for eighth page.

Profile

ORALL is a 4-state chapter of the American Association of Law Libraries [Ohio, Indiana, Kentucky, Michigan]. It was formed in 1949 "to further the development and usefulness of law libraries and to stimulate a spirit of mutual helpfulness among law libraries of this region." An annual conference is held each fall. ORALL publishes or sponsors the following publications:  Core Legal Collection [bibliographies for Ohio, Indiana, Kentucky, Michigan], ORALL Membership Directory, ORALL Newsletter, Ohio Legal Resources Annotated Bibliography & Guide 3rd.

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and in the past few years we have had some presence (although not as full fledged as at Kent State) at UK’s library school. I think this is a good start, but we probably could do more. This year I contacted the head of UK’s library program and told him I would be happy to come speak to his students at a career day event. I wait to see if this will come to pass.

What can we do individually outside these programs? For those of us in academia we have a captured audience of law students who spend lots and lots of time in the law library. Many students end up as student workers in our law libraries. While we have these energetic young people in our midst I encourage all of us to engage them. Talk to them about law librarianship as a career path, see if we can’t spark some interest in some of them to join our ranks. What about career days at law school? If your school is like mine there is usually some form of career informational day, why not see if one of the librarians can appear on a panel and speak about our profession as a possible career path for them. There are many ways we can try and get our law students to think of law librarianship as an excellent post law school decision, and the AALL scholarships are one way that students may be willing to go back to school after completing their law degree.

My colleagues in the non-academic world also have a big part to play in recruiting. Law firms and county law libraries routinely have staff members who come in as summer interns, or full time employees. These people are ripe for indoctrination as to the wonders of law librarianship, and AALL has scholarships for people wanting to go to library school without having first completed a J.D. (More information about the AALL scholarships can be found at http://www.aallnet.org/services/scholarships.asp)

I will continue to work with the Membership Committee to see how we can inspire qualified individuals to consider law librarianship as a career choice, and I urge you all to keep talking up the profession to those who you think would be great additions to our ranks.

Until next time, see about that ORALL limo would ya!

* * *

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ORALL Committees 2007-2008

AALL Arrangements
Arrange informal ORALL social gathering at AALL in Portland
Michael Whiteman

Bylaw and Guidelines
Review ORALL Bylaws & Handbook, consider proposals for amendments
Chair: Beth Langton
Board Liaison: Miriam Murphy
Ryan A. Valentin

Education
Plan and coordinate the educational program for ORALL annual meeting
Chair: Emily Janoski
Board Liaison: Lisa Peters
Shannon Kemen
Sue Altmeyer
Sarah Glassmeyer
Maureen Anderson
Tom Heard

Government Relations
Monitor proposed legislation affecting law libraries & recommend appropriate action
Chair: Angela Baldree
Board Liaison: Lisa Peters/Kathy Sasala
Members: Galen Avery
Mary Jenkins

Internet
Maintain the ORALL Website & Listserv, advise Executive Board on Internet issues, facilitate the interchange of Internet expertise among ORALL members
Chair: Kurt Metzmeier
Board Liaison: Michael Whiteman
Members: Kathy Sasala
Matthew Powell
Michelle Cosby
Jim Hart
Susan Elliott
Paul Venard

Membership
Solicit new members, recruit persons in the ORALL region to the law library profession, provide new members with information about ORALL, supply application forms for membership, & publish directory
Chair: Kyle Passmore
Board Liaison: Lisa Peters
Deb Dennison
Sarah Jean Petite
Cheryl Niemeier

Newsletter
Publish the quarterly ORALL Newsletter
Chair: Susan Elliott
Board Liaison: Maureen Anderson
Claudia Zaher
Ryan A. Valentin

Nominations
Evaluate & select candidates for offices & recommend retiring members for life membership
Chair: Kyle Passmore
Board Liaison: Laurie Miller
Katherine Hall
Al Podboy

Scholarship
Administer ORALL scholarships to the ORALL annual meeting & AALL meeting.
Chair: Judith Anspach
Board Liaison: Cheryl Niemeier
Deborah Dennison
Kathy Sasala
Katherine Hall
Cindy Spohr

Archives Task Force (Ad Hoc Committee)
Complete the organization of the ORALL archives
Chair: Jane Underwood
Board Liaison: Miriam Murphy
Katherine Hall
Ellen Quinn
The Nominations Committee announces the following slate for the ORALL Executive Board starting at the close of the 2008 Annual Meeting in Dayton, Ohio, October 15-17, 2008. The Committee wishes to thank these members for their enthusiasm and willingness to serve.

**Vice President/President Elect**

**Ken Kozlowski**  
Director of the Law Library  
Supreme Court of Ohio Law Library  
Columbus, Ohio

**Secretary**

**Angela T. Baldree**  
Law Librarian  
Lake County Law Library  
Painesville, Ohio

**Executive Board Member**

**Shannon Kemen**  
Reference & Electronic Services Professional  
Keating Muething & Klekamp  
Cincinnati, Ohio

Comments regarding candidates may be directed to the Chair of the ORALL Nominations Committee by April 15, 2008:

Kyle Passmore, Chair, ORALL Nominations Committee  
Law Library  
The University of Akron  
302 Buchtel Common  
Akron, Ohio 44325-2902  
pkyle@uakron.edu

Further nominations may be made by the written petition of five active voting members in good standing submitted to the ORALL Secretary by May 1, 2008:

Lisa K. Peters, ORALL Secretary  
Case Western Reserve University  
School of Law Library  
11075 East Boulevard  
Cleveland, OH 44106  
lisa.peters@case.edu
I would like to share with you a recent recycling/reuse effort our law firm library undertook that was subsequently reported on in a December 26-January 8, 2008 Indiana Lawyer newspaper article entitled "Firms look to keep old items out of landfills"..

Our entire firm is moving to new space this fall, and as a result the physical library space is being significantly downsized. The library made a determination that we would not take our case law books with us and thus cancelled the bound case law upkeep subscriptions on them. Not wanting to have the books end up in the landfill we decided to give the away for the cost of postage. Thus we posted the list of books we had for giveaway to various law library listservs. The response was excellent! The majority of books were claimed within just a few days. Even better, we found a home for the remaining unclaimed ones via a colleague’s suggestion for a local Indianapolis library.

I am happy to report that all told we found homes for approximately 3000 case law books. The libraries taking them ranged from as far away as Nigeria and Oregon to as close to home as a St. Louis Law Firm and a soon to open Magnet School for Law and Public Policy in Indianapolis, Indiana. While I was proud to be a part of this endeavor, I was even more thrilled to have found new homes for the nearly 3000 books.
The Mahoning County Courthouse in downtown Youngstown, Ohio, is an imposing structure in the Second Renaissance Revival style that proudly proclaims itself to be a courthouse. Unfortunately, some of the beautiful features of the façade, such as ledges and a step pedestal for the statutes on top of the courthouse, appeal to pigeons.

The result is that pigeon droppings and other pigeon debris deface the courthouse, particularly the steps by the front entrance and the ledges by the fourth floor windows where the law library is located. Although the courthouse maintenance people hose down the steps most mornings (except in freezing weather), the steps don’t remain clean for long. Law library patrons have complained that the unsightly pigeon mess creates a health hazard. One patron strongly urged us to have the deputy sheriffs do something about the pigeons, presumably shoot them.

Over the years, the powers-that-be tried various methods of protecting the courthouse from the pigeons. About 10 years ago, the courthouse was draped in netting. The netting soon deteriorated, and the pigeons remained. Finally it was decided to get serious about the pigeon problem.

In the first part of January 2008, a hawk (believed to be a red-tail hawk), was brought in to downtown Youngstown and released near the courthouse. Various people saw the hawk eating pigeons, roosting on the ledges formerly occupied by pigeons, and eyeing attorneys working on the tables by the law library windows. Within ten days, the pigeons were gone. Having completed his job, the hawk also left. The courthouse has been free from pigeons and their droppings ever since. It is now a pleasure to walk up the outside courthouse steps.

It is quite possible that the pigeons will return. Hopefully, the return of the pigeons will also mean the return of the hawk.

* * *
Legal Research
LINKROT STILL EXISTS AS COURTS CONTINUE TO CITE TO URLS IN THEIR OPINIONS
Ken Kozlowski
Director of the Law Library
The Supreme Court of Ohio
kozlowsk@sconet.state.oh.us

Last year at this time, I reported on how the Supreme Court of Ohio was referencing URLs within their opinions and the problems that could ensue due to “linkrot.” (There’s Something Link(Rotten) in Denmark, 2007(1) ORALL Newsletter 10 (Mar. 2007)). I related then that I had checked SCO cases dating back to around 2005 and procured documents and web pages for permanent archiving as a way of battling linkrot. In this continuing saga, I’ve once again collated cases, this time from 2007, and collected either images or PDFs of the web sites and/or documents referenced within the decisions.

It was a fairly easy year, with 33 cases coming up in Ohio for 2007, 12 of them involving the Supreme Court of Ohio. Those 12 cases cited to 19 discrete web pages/documents. I was successful in locating all of web documents with the exception of one cite to the Professional Edition of Ohio Capitol Connection. I do not have access to the Professional Edition, but I’m sure with the proper access, the document could easily be obtained.

Here are the 2007 cases and what the court has cited to within their opinions:

  - Cited to a quote from Thomas Jefferson at http://etext.virginia.edu/jefferson/quotations/jeff1520.htm
  - Cited to an advocacy site called Media Transparency, which called into doubt the National Bureau of Economic Research’s claim of being non-partisan at http://www.media transparency.org/recipient grants.php?recipientID=243
  - Cited to a White House Council of Economic Advisors Study. However, the cite within the opinion was a very general one to the CEA. With a bit of digging I was able to find the complete study and download it.
  - Cited to a Tillinghast-Towers Perrin 2003 study that looked at the costs of tort reform. The cite, which was very unwieldy, did not produce the desired result. I found the report on a different web site and downloaded it for safekeeping.
  - Cited to an Economic Policy Institute Briefing Paper which was found and downloaded.
- State ex rel. Moore v. Int’l Truck & Engine, 116 Ohio St.3d 272 (Nov. 20, 2007)
  - Cited to a definition of “lichenification.” The page was downloaded.

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  o Cited to a document on the Supreme Court of Ohio’s web site entitled, “Definitions of Essential Eligibility Requirements for the Practice of Law.” That version of the document was downloaded.
• In re Thompkins, 115 Ohio St.3d 409 (Oct. 10, 2007)
  o Cited to an exhibit within the United States Postal Service’s Domestic Mail Manual. The exhibit was downloaded.
• State ex rel. Everhart v. McIntosh, 115 Ohio St.3d 195 (Sept. 20, 2007)
  o Cited to the case detail page of a record from the Franklin County Court of Common Pleas. The cite was too general and did not point to the civil case search page. I found the record after a search and downloaded it.
• State ex rel. Reese v. Cuyahoga County Bd. of Elections, 115 Ohio St.3d 126 (Sep. 7, 2007)
  o This was an election case in which the bio page of a Rocky River Municipal Court Judge was cited to. However, the judge lost the November 2007 election and her page was no longer available. The bio info could be available on some other sites. I downloaded the election results from the Cuyahoga County Board of Elections as a backup.
• Disciplinary Counsel v. Cotton, 115 Ohio St.3d 113 (Sept. 5, 2007)
  o Cited to a June 2007 prison population figure from the London Correctional Institution. That page was not available as the figure had changed. I downloaded the February 2008 population page which was about 150 more than the 2007 figure.
  o Cited to a report that touched on academic programs at the London CI. The PDF document was downloaded.
• State ex rel. Ohio Gen. Assembly v. Brunner, 114 Ohio St.3d 386 (Aug. 1, 2007)
  o Cited to a definitions of “engrossed bill” and “adjournment sine die” from a glossary provided by the Ohio Legislative Service Commission. The cite was no longer valid, but I downloaded the pages containing the definitions from the 10th edition of A Guidebook for Ohio Legislators, also provided by the LSC.
  o Cited to an article on a web site called SmartVoter. I downloaded the article.
• Ohio State Bar Assn. v. Good, 114 Ohio St.3d 204 (July 18, 2007)
  o Cited to an order from the Florida Supreme Court. The order was downloaded.
• In re Application of Head, 114 Ohio St.3d 29 (May 30, 2007)
  o Cited to the same eligibility requirements referenced above in the Blackwell opinion.
• Hoffman v. State Med. Bd. of Ohio, 113 Ohio St. 3d 376 (May 23, 2007)
  o This is the document from the Professional Edition of the Ohio Capitol Connection that I could not access. As stated above, it shouldn’t prove too difficult to obtain it if needed.
  o Cited generally to a definition of “design day” on the web site of the American Gas Association. The Glossary on that web site is available, at a specific URL, and I downloaded the relevant pages.
Since we’re talking about linkrot, I decided to go back to the cases from 2006 that had cited to URLs and see if there had been any further deterioration. For 2006, there had been 12 cases and 16 URLs. As of January 31, 2007, 13 of those 16 URLs were still sound, making the LinkRot Score© a fairly good 18.75%. As of February 20, 2008, two more of the URLs had fallen into disrepair, raising the Linkrot Score© to 31.25%. However, if we look at just cases and not discrete URLs, those figures rise to 33% for 2006 (3 of 12 cases) and 41.7% for 2007 (5 of 12 cases). Because of the smaller number of cases in Ohio, that is not a big deal. However, if you extrapolated that figure to the federal courts (4,463 cases citing URLs in 2007), that would invalidate URLs in over 1,800 cases. The percentage would rise exponentially as you travel further back in time.

The LinkRot Score© for the 2007 Supreme Court of Ohio cases was 26.3% (5 of the 19 URLs). In looking just at cases, however, the score rises to 33% (4 of 12 cases). This also gives the benefit of the doubt to those citations that were very general and would cause researchers to perform more work to get the information that the court was referencing in their opinion. As you can see from the chart below, this problem with disappearing URLs is not going away. The federal district courts in Ohio saw a 76.6% increase in the citation to URLs, and the feds just aren’t stopping as they approach, and will more than likely have surpassed, the 20,000 case mark by the end of March, 2008.

Look for another edition of this survey of URL use in Ohio next year at this time. I’m betting the LinkRot Scores© will rise again as well as the case totals.

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<td>4,643</td>
<td>19,178</td>
<td>14,535</td>
<td>32%</td>
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References


For many, Justice Clarence Thomas is best remembered for his (in)famous Supreme Court confirmation hearing in which allegations of sexual harassment charges were brought by Anita Hill. While this was certainly a memorable event in the Justice’s life, it was not, by far, the first run-in with adversity that would affect his life and how others viewed him. Clarence Thomas was most definitely influenced growing up by the beliefs and teachings of his grandfather, but the author of this particular book emphasizes that these adversities allowed Justice Thomas to either more fully accept his grandfather’s lessons or to form his own beliefs.

As was the case with most African Americans growing up in the time of Clarence Thomas, he was a victim of racial intolerance and segregation. Being raised in the Roman Catholic tradition by his grandfather, Justice Thomas attended St. John’s Minor Seminary as the only black student in his class, and one of only two black students in the school. This was Clarence Thomas’ first opportunity to really interact with whites, and they in turn responded with such actions as excluding him from their extracurricular activities and ceasing some sporting competitions to prevent him from attaining acknowledgment as superior in any manner.

In spite of this, Thomas continued on to Immaculate Conception Seminary. Although he initially seemed to fit in with his primarily white fellow classmates, Thomas once again experienced racism when some of the students in his class were allegedly overheard approving, and even praising, the death of Dr. Martin Luther King, Jr. Due to these experiences at both St. John’s and Immaculate Conception, Clarence Thomas left his seminary studies, against the wishes of his grandfather, and fell away from the Roman Catholic religion that his grandfather had instilled in him. It would not be until many years later, after his confirmation to the United States Supreme Court.
Court, that Thomas would fully accept the rites and sacraments of the Roman Catholic tradition once again.

Due to a desire by the school to bring in more African American students, Clarence Thomas had the opportunity to continue his college education at Holy Cross, where he was able to both socialize with more black students and first be pressured into supporting his race. After an incident where several students, a disproportionate number of black rather than white, were to be suspended for instituting an anti-war protest by blocking passage of recruiters for General Electric, because of its position as a manufacturer for the military, Thomas was influenced by his black classmates to participate in a walk-out of the school. Thomas was against such a measure, for fear of losing his educational opportunity, but went along in support of his race. This tactic succeeded, allowing all students to return, and later allowing these same fellow black classmates to play a hoax on Thomas that embarrassed him and made him consider leaving Holy Cross. He only stayed only because he would soon receive his degree.

Through these events, Clarence Thomas’ political identity and beliefs were being developed. Although his grandfather had been a Democrat, Clarence was slowly but surely becoming a Libertarian/Conservative. Not only was this contrary to his grandfather’s teachings, but contrary to how many African Americans at the time felt. One of the biggest issues Thomas disagreed with was affirmative action, as he felt that it downplayed his achievements and that he would be constantly viewed as somebody who received preferential treatment. However, to avoid being outcast by his fellow black classmates at Yale, he kept these ideas private. When appointed to a position by Ronald Reagan, Thomas was caught in the crossfire of the blame attributed to Reagan’s administration for not protecting the civil rights of blacks. The author quotes George H. W. Bush as stating that the Supreme Court confirmation hearings would have gone more smoothly if Thomas had been white. In fact, Thomas’ appointment to the Court was questioned as being quota-based, as had been his admission to Yale and his previous employment opportunities. Even after his confirmation, race-based questions and issues continued.

At one point, the author quotes Thomas as saying, “I don’t fit in with the whites, and I don’t fit in with the blacks. We’re a mixed-up generation – those of us who were sent out to integrate society.” This quote sums up the adversity that shaped Thomas’ life. Clarence Thomas took what his grandfather taught him, and added his own life experience to become who he is today. He did eventually return to the Roman Catholic religion in which his grandfather raised him; however, he never returned to his grandfather’s more Democratic viewpoints. In fact, Clarence Thomas used his experiences and the lessons his grandfather taught him to explain – and convert his grandfather to – the more conservative ideology Clarence Thomas had come to embrace.

Previously, I was one of those who knew Clarence Thomas primarily for his Supreme Court confirmation hearings and had little knowledge of his background. After reading this book, I have grown to appreciate Clarence Thomas more for his beliefs and the adversity he has overcome. While this book only covers up to the 2000 term of the United States Supreme Court, anyone with an interest in learning about what shaped this man and where he came from would, I believe, benefit greatly from reading this book.

* * *
**AALL Grants**

**RESEARCH GRANT**

The AALL Research Committee is accepting applications for research grants from the AALL Research Fund: An Endowment Established by LexisNexis®. A single grant of up to $5,000, or multiple grants totaling $5,000, may be awarded. The committee will award one or more grants to library professionals who wish to conduct research that supports the research and scholarly agenda of the profession of law librarianship. For more information, see the grant announcement at: http://www.aallnet.org/committee/research/lexisGrantAnnouncement.pdf. **The deadline for applications is April 1.**

Some recently funded grant projects include:

- *Index to State Judges' Inductions, Memorials, etc. from the Official State Court Reports* (Dr. Joel Fishman, Allegheny County Law Library)
- *The Effectiveness of SAILS as an Information Literacy Assessment for Law Students* (Molly Brownfield and Dennis Kim-Prieto, Rutgers Law Library)

Please contact Susan Lerdal, Chair, AALL Research Committee at susan.lerdal@drake.edu if you have questions.

**AALL Grants**

**AALL ANNUAL MEETING/WORKSHOP GRANTS**

The AALL Grants Program provides financial assistance to law librarians or graduate students who hold promise of future involvement in AALL and the law library profession. Funds are provided by vendors, AALL, and AALL individual members. Grants cover registration costs at either the Annual Meeting or Workshops. Preference is given to newer, active members of AALL or of its chapters. **The deadline for applications is April 1.**

AALL Sponsored Grants:

- AALL Annual Meeting/Workshop Grant Application
- Minority Leadership Development Award

Special Interest Section Sponsored Grants:

- Academic Law Libraries Special Interest Section (ALL-SIS) CONELL Grant
- Foreign, Comparative & International Law (FCIL-SIS) Schaffer Grant for Foreign Law Librarians
- Private Law Libraries (PLL-SIS) Travel Grant
- Research Instruction & Patron Services (RIPS-SIS) Annual Meeting Grant
- State, Court & County Law Libraries (SCCLL-SIS) Grant
- Social Responsibility Special Interest Section (SR-SIS) Standing Committee on Lesbian and Gay Issues, Alan Holoch Memorial Grant
There will be additional communiques on where to go, what to do, and what you should see in Portland from the ORALL Newsletter and from AALL and the fine Local Advisory Committee. (The Local Advisory Committee has already established a blog that all Annual Meeting Attendees should check out at http://lawlib.lclark.edu/blog/aall/.) We urge you to peruse it all and make your selections. Since, as librarians, we are all, ipso facto, bibliophiles, we would like to make a special recommendation that you include in your plans a trip to Portland’s bookstore of bookstores, whether or not you score one of the 20 places on the scheduled AALL tour:

**POWELL'S BOOKS ON BURNSIDE**

*(the mothership)*

This is the original Powell’s, located at 10th and Burnside and covering an entire city block. It’s walkable from the Embassy Suites and the Portland Marriott City Center – maybe the Hilton for good walkers. It’s worth cab fare. Powell’s bills itself as the largest new and used bookstore in the world. Don’t let the warehousey appearance put you off. The Washington Post says this may be the best bookstore in the United States.

There are nine color-coded rooms, with 3500 different subject-area sections, including an incredible selection of out-of-print and hard-to-find titles. There is an art gallery upstairs and a marvelous rare book room.

Soaring to new heights …

Where information and inspiration lead to innovation.

ORALL 2008 Annual Meeting
FOR BOOK(STORE) LOVERS

Portland is not the only city with a renowned bookstore. Dayton – which will host the 2008 ORALL Annual Meeting October 15 – 17 – is the home of

books&co.

The “mothership” for Books & Co. is located in The Greene, the Dayton area’s newest shopping destination. Books & Co.’s extremely knowledgeable and service-oriented owners developed it from a small mom & pop storefront to a multi-room must-stop for major authors on book tours.

There are those who believe that something of its charm and originality was lost after its purchase by Books A Million, but it still boasts an impressive and wide-ranging selection of books, good service, and terrific events. Check out the website at: http://www.booksandco.com.

* * *

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