SERVING THE FUNCTIONALLY DIVERSE 3.0

In the fall of 2017, the International Federation of Library Associations and Institutions (IFLA) conducted a study to evaluate LIS developments across 42 countries. Compared to data from previous years, contemporary findings were optimistic. However, IFLA researchers noticed a troubling element. While 93% of public libraries were accessible to individuals with disabilities, and school libraries measured at a 90% success rate, only 83% of academic and special libraries could claim to be impairment-friendly. Why such a comparatively low percentage? Upon closer examination, the researchers found that while budgetary restraints were an underlying factor in poor accessibility, what commonly produced substandard services to the functionally diverse was an absence of informed groundwork by library staff (Bolt, 2018).

The lack of preparation just described, while unfortunate, is understandable. Even among sympathetic parties, it is unlikely that most people understand the complexities of living with a disability. It is doubtful that even information professionals will be aware of the potential disabilities a patron might bring to the library. It can even be suggested that, unlike our peers in more public institutions, law library staff have encountered fewer opportunities to serve the functionally diverse, being secluded within universities, private firms, or government offices. But the need for improved law library accommodations is only growing.

Almost a decade ago, the U.S. Census had measured 20% of America’s total population as living with some permanent form of cognitive, motor, visual, or auditory disability; this is not even counting those individuals with temporary or undisclosed impairments, such as those that result from injury or illness (Wisniewski, 2017). Now, as recently as 2018, the World Health Organization has measured over 1 billion individuals—around 15% of the world’s total population—as being functionally diverse (Disability and Health, 2018). As has occurred in other library settings, law librarians must work to accommodate potential functionally diverse patrons as the latter perform legal research. But where can we begin?

When serving the functionally diverse, the primary hazard LIS professionals must avoid is bias. Similar to other minority populations, individuals with special needs have faced a long history of prejudice. Popular culture has been especially unkind, having sold the public on the fiction that disabilities are tragic or distasteful flaws. Such viewpoints are destructive as the former dehumanizes individuals with impairments while oversimplifying the quality of the functionally diverse life.
For ethical practice, insight into the realistic experiences of the functionally diverse must be encouraged on all levels of the law library. Attitudinal training can begin by encouraging law library staff to interact with impaired populations (Carter, 2004). Just as when gathering patron data from majority populations, interviews with assorted representatives of the disability spectrum can provide opportunities to connect directly with potential information seekers. There are multiple facets of the functionally diverse law library perspective—infrustrations with library website sensory barriers, desires for simplified usability of legal research tools, previous negative interactions with law librarians, etc.—that can only be comprehended through first-hand accounts (Pionke, 2017).

Should law library staff be incapable of direct collaborations, role-playing exercises can prove substitutive, especially as playacting provides a safe environment for trial and error. Simulating impairments through deprivation exercises, for example, can prove an effective method for attitudinal training; it is much simpler to inspire empathy in those biased toward the functionally diverse when the former must navigate legal collections and tools while similarly impaired. Rehearsal interviews can also prove useful in uncovering any underlying misconceptions toward a disability, while testing out strategies for effective reference and research interviews (Carter, 2004).

Employing attitudinal training insights, law librarians must also consider how their library’s virtual facilities and services can be adapted to provide equity of access. Digital technology is already the lifeblood of the contemporary law library, but it can further empower the functionally diverse, namely by supporting user interface and navigation capabilities (Pionke, 2017).

There exists an overabundance of possibilities for law librarians to provide web accessibility. For example, law library websites could deliver accommodative options that ease sensory processing, including, but not limited to, adjustable text layouts, format alternatives, and identifiable interactive navigation elements. Other contributions for law library staff to consider would be to compose simplified and concise digital content, and develop user support options like site maps, reference guides, or virtual help desks. As there are so many digital prospects available for aiding the functionally diverse, law librarians should refer to the World Wide Web Consortium’s Web Accessibility Initiative website for guidance on planning, evaluating, and developing virtual resources (W3c_WAI, 2019).

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For any advanced instruction in accessibility, law librarians must consult with practiced disability authorities. The Association of Specialized, Government, and Cooperative Library Agencies, or ASGCLA, is one such source. As a division of the American Library Association, the ASGCLA connects LIS professionals with information assets for supporting underserved populations, especially highlighting solutions and tools for the functionally diverse. The ASGCLA website also provides links to major library accessibility projects and consortiums, including those connected to federal groups such as the ADA National Network (ASGCLA Direct, 2018). Law librarians may also consider joining with AALL’s newly formed Standing Committee on Disability. A fresh addition to the Social Responsibilities Special Interest Section, the Committee provides the ground floor for new developments in accessible law librarianship (Social Responsibilities SIS, 2019). Lastly, outside of LIS authorities, law library staff should seek the expertise of therapists and special education teachers. As qualified researchers of the functionally diverse, such professionals are best suited to provide veteran instruction in most any area of adaptive aid, especially with regard to assistive hardware and software (Wisniewski, 2017).

The impact of libraries rests in the convenience they provide. Just because certain services may appear costly or extraneous does not mean they lack value. As democratic institutions, it is the duty of every type of library, and, more importantly, their staff members, to seek and strive for unobstructed access to information.

References


MANAGING THE CIRCUS: TIPS FOR JUGGLING STAFF REQUESTS, PATRON ISSUES, AND YOUR OWN NEEDS

Lacy Rakestraw, Law Library Director, Saint Louis County Law Library, (Lacy.Rakestraw@courts.mo.gov)

OFFICE POLITICS
No, I do not mean politics on the macro; think micro instead. I am talking about office politics here, the behind the scenes unwritten rules that make every office function behind a cloak of thinly veiled secrecy.

Yes, even your office engages in politics. Office politics exist in every organization in some form or another, through use of those unwritten rules alluded to above to position oneself so as to use one’s power effectively to get things done, sometimes alone and sometimes through other people.

Think of engaging in the politics of your office like playing a game of highly specialized chess that is both unique to your office in terms of players, but universal in terms of overall motives. Strategy includes knowing the other players (who will advocate for you and who will not). You need to think before moving (analyze any move that you make), learn from your mistakes (you may get a second chance, but not a third), and play quietly (move around the organization with little fanfare, operating under the radar).

You are ready to start the game. Now get to know your key players. Coworkers in your office who hold power will fall into two categories: those with position power and those with personal power.

Position power is the formal authority that is established solely on position in the organization. Each position comes with certain levels of authority automatically, based on job title. For example, a library director is automatically given position power based on her leadership designation. Sometimes it is necessary to pull rank in the office for the better of the institution, and those in jobs with position power have this ability.

"Preparation" by Chris Isherwood, used under a Creative Commons license
A word of caution though; only use this power when absolutely necessary, as using it too often dilutes the authority of the position and can negatively affect staff morale.

Personal power is based on established trust, and your ability to influence others. This power resides in the person instead of in the position automatically. You know how in law school you are taught to be nice to clerks in a courthouse because you do not know what kind of influence they hold? That is personal power; their position is not in itself particularly powerful, but access to the judge and knowledge of her personality is. This type of power is based on relationships to others, as well as institutional knowledge. If you find yourself in a position that has the potential to cultivate this form of power, start building it by being transparent and authentic. Using this power encourages cooperation, and a person in a personal power position can find themselves being an invaluable bridge between coworkers and office goals.

If you are not yet in a power position in your office, you can still play along. Engage in office politics by building up your reputation as an employee. You can do this by meeting with senior leaders, volunteering for projects, and overall getting to know key players within your organization. Remember that it is not about stabbing, scheming, or brown nosing. Also, what is acceptable behavior in one organization is not appropriate in another. Take the temperature of the environment before making your first move; you only get to make a first impression once.

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

AN ODE TO THE BLUEBOOK
While not exactly an ode, I do have great admiration for the Bluebook. It provides a fairly comprehensive overview of all the nuances you could find in a citation, as well as presents you with many helpful examples to give more context. It also has a wonderfully responsive index which often times leads you to the rules for which you are looking. Lastly, it does a reasonably good job of alerting you to cross-references for other rules which will help fill in certain gaps; while this is (frustratingly) not universal, most of the time you’ll be alerted to what you need.

Unfortunately, for all the good the Bluebook does, and for all the times it works correctly, one of the greatest frustrations I have as a professor are when it does not. We tell the students that this will be the manual they will use now and forever when articulating citations. We ask the students to trust that the Bluebook has their best interests at heart and that if they put in the time, they will be rewarded with understanding. However, there comes a point in every semester where I have to break it to the students: while claiming to be “uniform system of citation” the Bluebook is not entirely uniform.

Let me explain through the three most glaring examples as I see them. First, Rule 12.5(a) governing “Commercial electronic databases.” The rule clearly states “give parenthetically the name of the database and information regarding the currency of the database as provided by the database itself.” This is straightforward and makes perfect sense. The rule further goes on to state “… also give the name of the publisher, editor or compiler…” unless published by a federal or state official; this as written also makes perfect sense. However, the examples provided do not follow this rule: the U.S.C.A. identifies the currentness, without referencing the
publisher (West – this holds true for the Lexis example as well). While this is hardly the most egregious, in fact it often provides a teaching opportunity to read the rule, not necessarily the example, it demonstrates where I’m going with this.

Secondly, rule phrasing can lead to confusion for some: Rule 10.2.1(f) requires omitting “State of” or similar terms in case names, except when citing decisions of the courts of that state, in which case keep “State” or the like. This is all well and good, but for a few years I read this to mean “except when citing decisions of the courts of that state [to the courts of that state]” because what else could it mean? In fact what the rule should read as is “Retain ‘State’… when citing decisions from the state courts, but omit ‘State of’… when citing decisions of federal courts” (emphasis added). Really this is the only time such a variation will apply, but the rule doesn’t explicitly state this.

Lastly, and an issue I still refuse to accept, is Rule 6.2(a)(vii) which states “… use commas to separate groups of three digits when those numbers contain five or more uninterrupted digits” but to “not employ this convention in citations to pages… whose classification systems do not themselves include commas.” This essentially means: follow the standard of the resource to which you are citing. However, in Rule 14.2(a) the example given for the Federal Register includes commas even when the Federal Register itself at no point uses commas in its pagination.

While these may seem like the ramblings of a bitter and stilted mind… well they are. They do have a more profound impact, especially for new students. They all demonstrate inconsistencies within the Bluebook, which represents a lack of uniformity, undermining the goals and importance of the Bluebook itself. I fully understand that the Bluebook has tried to cobble together centuries of citation standards and precedents, but when historical standards have trumped the stated rule, there needs to be an explanation within the Bluebook for the variation; it is unsatisfying and frankly unacceptable to tell students when faced with these inconsistencies that “this is just how it has always been.” Similarly, these variations may have perfectly acceptable explanations, but these explanations need to be included in the broader rule explanations. As we constantly train our students, they need to be able to reference a citable source, and in this case it must come from the Bluebook itself.

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1. The Bluebook: A Uniform System of Citation R. 12.5(a), at 126-27 (Columbia Law Review Ass’n et al. eds., 20th ed. 2015).
4. The Bluebook: A Uniform System of Citation R. 14.2(a), at 144 (Columbia Law Review Ass’n et al. eds., 20th ed. 2015).
5. And if any of you readers know of them, please let me know.
MOMENT WITH MALLCO

Special submission by Randy Diamond, Director of Library and Technology Resources and Professor of Legal Research, University of Missouri School of Law (DiamondRJ@missouri.edu)

MALLCO LEGAL TECH TASK FORCE - MARCH 22 KICKOFF EVENT

WHEN: March 22nd 2pm – 2:30pm (Eastern)

University of Cincinnati Technology in the Law Practice
Hosted by Kenneth Hirsh on WebEx.

Meeting number: 647 352 226
Password: hKT3awh2
Agenda: Ken Hirsh and Shannon Kemen will describe their course. The session will be recorded. 
https://ucincinnati.webex.com/ucincinnati/j.php?MTID=m36bb86a9458befdbd7bb61b09cfa6755

Join by video system
Dial 647352226@ucincinnati.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone
+1-415-655-0002 US Toll
Access code: 647 352 226

Paul Callister at UMKC will discuss his tech courses on Thursday, April 18 at 1pm (CST). Paul teaches Cyberlaw and Information Policy, Law Practice Technology, Document Automation, and Copyright. Reminder w/webinar access instructions to be sent closer to the event.

Big thanks to Shannon and Ken for getting us started on March 22nd and to Paul for signing on for round 2 on April 18th.

Future webinar presenters to include Joe Custer, Darin Fox, and Kenton Brice. Randy Diamond will do one on teaching E-Discovery (occasionally entertaining as well as educational).

If you teach a legal tech course, guest lecture on tech in other law school classes, present CLEs etc. on the subject and would like to present a webinar, contact Randy Diamond at DiamondRJ@missouri.edu to be added to the series.
MESSAGE FROM THE PRESIDENT

Karen Wallace, Circulation/Reference Librarian, Drake Law Library, (karen.wallace@drake.edu)

Community. Continuing education. Collaboration. The 2016 vision planning task force (Cindy Bassett, Jessie Burchfield, Jeri Kay Hopkins, Sandy Placzek, Jennifer Prilliman, and Jenny Sutherland) identified these areas as essential to the work of MAALL. The 2019 vision planning task force (Heidi Kuehl, Rebecca Lutkenhaus, Allison Reeve, and I) agree that, to extend the alliteration, these three Cs constitute our critical components. As we contemplate initiatives to enhance each of these areas, we welcome feedback from the membership at large. Please feel free to email any (or all) of us with any suggestions or points to ponder. Of course, work is already ongoing in these three areas, and the rest of this column will explore recent developments in each.

Community. I hope you saw the post to the discussion list noting that Cindy Bassett nominated MAALL’s Book to Action initiative for the new AALL Excellence in Community Engagement Award. Her nomination explains that MAALL has undertaken these projects not seeking accolades, but as a way to give our members a chance to connect with each other and the community in which we are traveling for our annual meeting. Cindy writes, “[W]e focus on doing the good we can in the place we are.” I find that a delightful way to reveal the heart of this effort.

Beyond Book to Action, the MAALL annual meeting provides many meaningful ways for members to network, deepen relationships, and enhance their sense of belonging to the MAALL community. The AALL annual meeting presents our other significant opportunity to build community in person. We are still exploring options for meeting venues, but we have set the time slot for our business meeting and luncheon in D.C. this summer: Sunday, July 14 from 12:45-2:30.

Although our geographical dispersion makes it difficult for large sections of the membership to convene face-to-face outside of these conferences, we can connect electronically. For instance, reading and contributing to Markings and the discussion list helps us share ideas and experiences. In particular, I invite you to email me with any new projects or good news you want to share that I can include in the new “First Friday Fanfare” email, intended to serve as a low-key way to celebrate accomplishments and initiatives. (Of course, you can also email it directly to the list if you’d like it to be a stand-alone item.)

Continuing education. The annual meeting provides the bulk of our continuing education programming, and the education and local arrangements committees are hard at work preparing for another fabulous conference this October. Thanks for all your efforts! In addition, the executive board has been incorporating member feedback into strategies designed to keep the annual meeting affordable and ensure the long-term financial health of the association.

The vision planning task force will continue to explore cost-effective ways to extend the learning that occurs at the annual meeting to those who could not attend and look at other CE opportunities. One easy tactic that all members could pursue is simply using the discussion list to make others aware of resources they might find beneficial. Did your institution record a great guest speaker? Post the link where we can find the webcast. Is another organization offering a free webinar that librarians might enjoy? Let your MAALL colleagues know. Read a thought-provoking article that you want to discuss with others? Ask someone on the web committee to set up a discussion forum on the website and invite members to participate in the conversation.
Collaboration. Members collaborate with each other both formally, such as co-presenting a program, and informally, such as seeking information via email. What other collaborations can we establish? For instance, as the vision planning task force brainstormed ideas, Rebecca suggested sharing display ideas and materials in a clearinghouse on our website. Think it’s a great idea? Email her to let her know, and perhaps we can try it. MAALL has successfully collaborated with other chapters, most notably by co-sponsoring annual meetings. Several annual meeting survey respondents suggested that MAALL should also look beyond our traditional partners. Can we collaborate on annual meeting programming with a local paralegal group or other library types? This year’s president of the Iowa Library Association, Dan Chibnall, happens to be another Drake librarian. We have been talking, and I am hoping we can find a way for our two associations to exchange a free webinar.

The vision planning task force aims to craft a practical blueprint to help enhance the value of MAALL. We would love to hear your ideas on how to achieve this goal.

MESSAGE FROM THE VICE-PRESIDENT
Lacy Rakestraw, Law Library Director, Saint Louis County Law Library, (Lacy.Rakestraw@courts.mo.gov)

How is it already March? Wasn’t it just Thanksgiving? Time seems to be flying by, which makes me super excited that the 2019 MAALL Annual Meeting is going to be here before we all know it! Don’t forget that this year’s meeting is right here in St. Louis, home of the smartest, fastest, bravest, prettiest law librarians in all the land (just kidding, I think you’re all pretty!). This year’s theme is Get in the Spirit.....of St. Louis. You kind of have to do a head bob thing to really get the message; if you see Joyce McCray Pearson from Wash U or me here in STL we’ll show you how.

The time is upon all of us to be thinking of program topics. One of the highlights of my career thus far has been presenting at MAALL conferences. There’s just something about being in the limelight, in front of a captive audience that you know is already on your side. It’s a great way to practice your public speaking skills, and a wonderful addition to your resume/CV. Plus, if I’m in the room with you and you look really nervous, I promise to make a silly face to help calm you down. And not to brag or anything, but I’ve been told by many people that I make awesome funny faces.

If you’re not so sure about presenting alone, that’s okay! Do it anyway! Or reach out to a colleague either at your own institution or at another library. Everyone I’ve ever reached out to for assistance has been
overwhelmingly receptive, and BOOM, you’ve also made a new friend! Your institution may also be more willing to pay your travel costs if you can show that you are presenting at the conference, FWIW.

By now you’ve received the program submission form. Make sure you fill that out and send it in by April 30th. If you have any questions, hit me up at Lacy.Rakestraw@courts.mo.gov. You can also reach out to the other superb Program Committee members: Cindy Bassett (bassetcw@missouri.edu), Sarah Kammer (Sarah.Kammer@usd.edu), Miriam Murphy (mimurphy@iupui.edu), and Jackie Lemmer (jlemmer@littler.com).

Can’t wait to work with the Local Arrangements Committee to welcome you all to STL in the fall!

STATE MEMBER NEWS

UALR Law Library
Kathryn Fitzhugh served as one of the speakers for the local Social Security Administration’s 2019 African American History Luncheon on February 13. Her topic was "William Henry Grey." Born a Virginia slave, Mr. Grey, became one of Arkansas's finest legislators. A lawyer, business owner, Prince Hall Grand Master, and A.M.E. minister, he helped build the Republican Party in Arkansas in the 19th century. Mr. Grey's bio is in Eric Foner's book, Freedom's Lawmakers.

Louis L. Biro Law Library (John Marshall Law School)
Claire Durkin, Associate Director for Research and Instruction welcomed new granddaughter Libby on December 10, 2018. Congratulations! She’s very cute!

University of Iowa Law Library
Julie Gaida is the new Acquisitions Librarian at The University of Iowa Law Library. She comes to Iowa from Oregon where she was a one-woman acquisitions department at a small, liberal arts college. She started in January during the polar vortex, but that didn’t scare her off. She's excited to become part of the exciting and engaged group of library professionals that comprise MAALL.

Littler Mendelson, P.C.
Littler congratulates the promotion of Amy Backes and Jackie Lemmer to Assistant Librarian II. Director of Research Services, Cynthia Brown, presented as part of a panel at ALM’s LegalWeek; great work, Cynthia!
Shook, Hardy & Bacon
Janet McKinney is serving on the PLLIP-SIS Summit Committee this year and is the sole member of the Communications Committee working on website/blog updates and listserv announcements.

UMKC Law Library
The UMKC Leon E. Bloch Law Library launched a new Self Help Legal Clinic dedicated to offer reference services and limited scope representation to the members of the public seeking to represent themselves in a legal matter. The courts in the area regularly refer pro se litigants to the law library. With the retirement of two UMKC Law Librarians this academic year, the library is no longer able to serve this important public need. This collaboration with the Legal Aid of Western Missouri District allowed the library to staff the clinic with volunteer attorneys three days a week this Spring Semester. Students, including first-year students, have the opportunity to volunteer in the clinic, providing intake screening and assisting the attorneys.

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

The lists on the following page were originally compiled by Lindsey Carpino for the CALL Bulletin and are reprinted with permission. (Broken links have been omitted.) The original post is available at http://bulletin.chicagolawlib.org/2016/05/aall-chapter-sis-publications/.
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<td>Legal Information Services to the Public SIS (LISP-SIS)</td>
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<td>Professional Engagement, Growth, and Advancement SIS (PEGA-SIS)</td>
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<td>Research Instruction &amp; Patron Services SIS (RIPS-SIS)</td>
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<td>Technical Services SIS (TS-SIS)</td>
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2018/2019 MAALL Executive Board

President: Karen Wallace 
Vice President & President-Elect: Lacy Rakestraw 
Past President: Therese Clarke Arado 
Treasurer: Christopher Steadham 
Secretary: Allison Reeve 
Member-at-Large: Jessie Burchfield 
Member-at-Large: Rena Seidler

Bylaws Committee
Chair: Timothy Gatton 
Members: TBD

Education Committee
Chair: Lacy Rakestraw 
Members: Cindy Bassett, Sarah Kammer, Jackie Lemmer & Miriam Murphy

Grants Committee
Chair: Eric Brust 
Members: Janet McKinney, Matt Novak & Rena Seidler

Library School Liaison Committee
Chair: Ben Keele 
Members: Shannon Kemen, Miriam Murphy & Heather Storms

Local Arrangements Committee
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Members: Eric Brust, Trevor Chandler, Yael Davis, Deanne Fix, Lynn Hartke & Aris Woodham

MAALL History Committee (ad hoc)
Chair: Heather Campbell 
Members: Pam Crawford, Ann Fessenden & Debbie Mayfield

Membership Committee
Co-Chairs: Sarah Peterson Herr & Clanitra Stewart Nejdl 
Members: Jeannette Mazur & Allison Reeve

Newsletter Committee
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Layout Editor: Sarah Kammer 
Photography Editor: Matt Braun 
State Member News Editor: Hyla Bondareff 
Columnists: Autumn Collier, Barbara Gonzalez, Jill Kilgore, Jeannine Linnane, Lacy Rakestraw & Matt Timko 
State Member News Liaisons: Melissa Serfass (AR), Julie Thomas (IA), Lindsey Carpio (IL), Pam Crawford (KS), Autumn Collier (MO), Susan Urban (OK), Sarah Kammer (SD & NE), Leslie Behroozi (IN, ND, OH, TN & WI)

Nominating Committee
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Members: Heidi Kuehl, Creighton Miller, Stefanie Pearlman & Ted Potter

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Members: Cathy Chick & Courtney Segota

UELMA Task Force
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Members: Matt Timko & Colleen Williams

Vision Planning Task Force
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Members: Heidi Kuehl, Rebecca Lutkenhaus & Allison Reeve

Website Committee
Chair: Matt Timko 
Webmaster: Ayyoub Ajmi 
Members: Matt Braun, Jackie Lemmer & Jeannine Linnane

There are still a number of opportunities available to serve MAALL. Please contact Karen Wallace at karen.wallace@drake.edu if you would like to serve on a task force or committee.