

CHECK IT OUT

Lucille Stewart Beeson Law Library Newsletter
Cumberland School of Law of Samford University



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Welcome to Students and Faculty

By Laurel R. Clapp,
Law Librarian and
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On behalf of the Law Library staff, I want to welcome first year students to the law school and welcome back second and third year students and faculty members. We wish everyone a successful and productive year.

Changes over the summer include the installation of new photocopy machines and a Card Value Center station for adding amounts to your Samford ID card.

The Law Library is fortunate to have a well-qualified and dedicated staff. The entire staff strives to provide services that will aid students and faculty in using the library facility and resources. Please feel free to call on the staff for assistance.

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For Freshmen: Tips on Adjusting to New Study Environs at the Law Library

Beginning the law school experience can be intimidating for anyone; getting a legal education may be your toughest act yet. A big part of your first year in law school will be studying and researching in the Law Library. Here are some tips on making life simpler when visiting the Law Library:

1. Your Samford I.D. card is your ticket into the Law Library. You must show it to the Circulation Desk Attendant in order to enter the library. You must present it to check out books and folders placed on reserve by your professors.

2. You will also need your Samford I.D. card (with money programmed on it) in order to use the Law Library's photocopiers. (See "Great News! New Photocopiers!", p.6 for more information.)

3. The bookstore sells numerous study aids that vary in usefulness, and are also quite expensive. Before deciding to buy, you might want to check out the study aids available on reserve at the Circulation Desk. The Guide to Study Aids, which has been distributed to all first year law students and is available on the web at: <http://lawlib.samford.edu/pubs/-2003.html>, is an excellent resource

for determining what student aids are available for check out from the Reserve section. These items on Reserve are almost always the latest edition and are available for use in the library for three hours at a time (and also can be checked out overnight three hours before the library's closing).

4. We request that you shelve all books that you use from the First Floor and in the law periodical collection shelved on the Lower Level. Over the years, there have been many first year students unable to finish their assignments, victimized by thoughtless classmates who refuse to take the time to reshelve needed materials.

5. Cellular telephones should not be used in the Law Library. If you bring one into the reading rooms you must put it on vibration mode. When you receive or place a call, you must go to a photocopy room or outside the Law Library.

6. Conference room keys are available for three hour checkout at the Circulation Desk by student study groups. We urge students carrying on

See *For Freshmen*, Page 2





LIBRARY SCHEDULE

MONDAY-THURSDAY

7:30 A.M.-
12 MIDNIGHT

FRIDAY

7:30 A.M.-10:00 P.M.

SATURDAY

9:00 A.M.-10:00 P.M.

SUNDAY

1:00 P.M.-12 MIDNIGHT

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discussions within the library to use conference rooms in order to avoid disturbing other patrons.

7. Four laptops are available for law student checkout at the Circulation Desk. The checkout period is three hours and they are for in-library use only.

8. With the exception of Saturday, librarians are generally available most hours that the library is open. Do not feel embarrassed to ask a librarian for help finding materials. Often, freshmen law students believe that they are the "only student" who cannot find needed materials; in most cases, many students cannot locate them, but do not want to admit it to their classmates. At the same time, do not hesitate to let your Caruthers Fellow from LLR know when you do not understand an assignment.

9. Ignoring Law Library book due dates can do more than empty your pocket of change. Fines at the Law Library are as follows:
\$1.00 per day per book for non-reserve items;
\$1.00 per HOUR for reserve materials.

10. Food and drinks (including water bottles) are not permitted in the Law Library. For a quick refreshment break, use the law school student lounge. Also, food can be taken into the Great Room of the Law School where there are study tables available.

11. The Law Library reading rooms should be used for research and study purposes; they should not become a meeting point for law student social groups. The noise problem is one which is being constantly brought to our attention by law students. Please consider classmates who, for various reasons, cannot study at home. This library is their only refuge for quiet study. If you wish to socialize, there are numerous places in the Law School, including the Great Room of the Law School, where ample space is available. Please reserve the library facilities for your research and study needs only.



Librarians meet in Seattle

Becky Clapp, Becky Hutto and Lanie Williamson attended the annual meeting of the American Association of Law Libraries held in Seattle, Washington, July 12-16. The theme for this year's conference was "Maximize Today-Envision Tomorrow." Some of the topics in this year's conference were: elements of an effective disaster plan, electronic archives, preserving government information, safety and

security in the law library, assessing preservation priorities, managing support staff in technical services, and permanent public access to government information.



Don't miss the September issue of Check It Out and make a note to view it on the web. Each issue will be available at: <http://lawlib.samford.edu/cio>.

You will be notified when each issue is available online - check your student mailbox for information.



**A special
welcome to all
first year law
students !**

Selected Resources for Legal Research

by Brenda Jones,
Reference Librarian
(bljones@samford.edu)

Research skills are essential to the lawyer's craft. To master that craft, Cumberland students receive training and hands-on practice in a course called Lawyering Skills and Legal Reasoning. Though helpful to many researchers, the following books are selected specifically for research exercises in that class. Unless otherwise specified, books with call numbers are in the Treatises section on the Second Floor.

Legal Dictionaries, Glossaries and Thesauri

Look for copies of *Black's Law Dictionary* on reading tables and dictionary stands throughout the Law Library. Find additional dictionaries or thesauri at KF156 in the Reference section (First Floor, Row 168) and in the Treatises section (Second Floor, Row 214).

Ballentin, James Arthur. *BALLENTINE'S LAW DICTIONARY*. 3rd ed. KF156/.B3/1969.

Beyer, Gerry W. *MODERN DICTIONARY FOR THE LEGAL PROFESSION*. 3rd ed. KF156/.R42/2001/Reference.

Black, Henry Campbell. *BLACK'S LAW DICTIONARY*. 7th ed. KF156/.B5/1999/Reference, reading tables and dictionary stands.

Burton, William C. *BURTON'S LEGAL THESAURUS*. 3rd ed. KF156/.B856/1998/Reference.

Garner, Bryan A. *A DICTIONARY OF MODERN LEGAL USAGE*. 2nd ed. KF156/.G367/1995/Reference.

Gifis, Steven H. *LAW DICTIONARY*. 4th ed. KF156/.G53/1996.

Gilmer, Wesley. *THE LAW DICTIONARY*. Gilmer's revision, 6th ed. KF156/.C6/1986/Reference.

Grapp, Valera. *PARALEGAL'S ENCYCLOPEDIA DICTIONARY*. KF319/.G68.

Lynton, Jonathan S. *BALLENTINE'S LEGAL DICTIONARY AND THESAURUS*. KF156/.L95.

Mellinkoff, David. *MELLINKOFF'S DICTIONARY OF AMERICAN LEGAL USAGE*. KF156/.M45/Reference.

Oran, Daniel. *ORAN'S DICTIONARY OF THE LAW*. KF156/.O69/1991/Reference.

THE PLAIN-LANGUAGE LAW DICTIONARY. KF156/.P58/-Reference.

Redden, Kenneth R. and Veron, Enid L. *MODERN LEGAL GLOSSARY*. KF156/.R43/Reference.

Statsky, William P. *WEST'S LEGAL THESAURUS/DICTIONARY: A RESOURCE FOR THE WRITER AND THE COMPUTER RESEARCHER*. KF156/.S7.

Legal Encyclopedias

American Jurisprudence 2d (Am. Jur.) and *Corpus Juris Secundum* (C.J.S.) are in the Practice section (First Floor, Rows 133 to 134). Periodically, publishers add, update, revise and rename topics. For instance, the former topic "Master and Servant" is now under modern terms for the employment relationship. Look for cross references to new headings in the index or in the encyclopedia's main volumes. Editors also provide tables correlating old sections to new. In Am. Jur., these tables are in

the front of the main volume containing the new topic. In C.J.S., the tables immediately precede the new topic.

Texts and Treatises

Treatises, found primarily on the Second Floor, are classified using the Library of Congress system and shelved in call number order. Signs at the end of each row designate the range of call numbers on that row. Some books listed below are on Reserve. Ask at the Circulation Desk for Reserve items. To find additional resources, search the Samford Libraries Catalog by keyword, author, subject, title, and more. As with all legal resources, be sure to look for updates such as pocket parts or soft-cover supplements.

Attorney Malpractice

Meiselman, David J. *ATTORNEY MALPRACTICE: LAW AND PROCEDURE*. KF313/.M44.

Contracts

Calamari, John D. and Perillo, Joseph M. *THE LAW OF CONTRACTS*. 4th ed. KF801/.C3/1998/Reserve.

Corbin, Arthur L. *CORBIN ON CONTRACTS*. Rev. ed. KF801/.C6/1993.

Farnsworth, E. Allan. *FARNSWORTH ON CONTRACTS*. 2nd ed. KF801/.F37/1998.

Murray, John Edward. *MURRAY ON CONTRACTS*. 3rd ed. KF801/.M87/1990.

Williston, Samuel. *A TREATISE ON THE LAW OF CONTRACTS*. 4th ed. KF801/.W5/1990.

Family Law

Clark, Homer H. THE LAW OF DOMESTIC RELATIONS IN THE UNITED STATES. 2d Student ed. KF504/.C55/1988b/Reserve.

Insurance

Holmes, Eric M. HOLMES'S APPLEMAN ON INSURANCE. 2d ed. KF1164/.A92/1996.

Keeton, Robert E. INSURANCE LAW: A GUIDE TO FUNDAMENTAL PRINCIPLES, LEGAL DOCTRINES, AND COMMERCIAL PRACTICES. Student ed. KF1164/.K376/1988b.

Russ, Lee R. COUCH ON INSURANCE. 3rd ed. KF1159.5/.C62/1995.

Products Liability

AMERICAN LAW OF PRODUCTS LIABILITY. 3d ed. KF1296/.A97/1987.

Phillips, Jerry J. PRODUCTS LIABILITY IN A NUTSHELL. 5th ed. KF1296/.Z9/P48/1998/Reserve.

Property

AMERICAN LAW OF PROPERTY: A TREATISE ON THE LAW OF PROPERTY IN THE UNITED STATES. KF561/.A55.

Cunningham, Roger A. THE LAW OF PROPERTY. Lawyer's ed. KF570/.C86/1984/Reserve.

Moynihan, Cornelius J. INTRODUCTION TO THE LAW OF REAL PROPERTY. 3rd ed. KF570/.M6/2002/Reserve.

Powell, Richard Roy Belden. THE LAW OF REAL PROPERTY. KF570/.P6.

Schoshinski, Robert S. AMERICAN LAW OF LANDLORD AND TENANT. KF589/.S34.

Stoebuck, William B. THE LAW OF PROPERTY. 3rd ed. KF570/.C86/2000b/Reserve.

THOMPSON ON REAL PROPERTY. Thomas ed. KF570/.T46/1994.

Remedies and Damages

Dobbs, Dan B. LAW OF REMEDIES: DAMAGES, EQUITY, RESTITUTION. 2nd ed. Hornbook series. KF9010/.D62/1993/Reserve.

Dobbs, Dan B. DOBBS LAW OF REMEDIES: DAMAGES, EQUITY, RESTITUTION. 2nd ed. Practitioner series. KF9010/.D6/1993/Reserve.

McCormick, Charles Tilford. HANDBOOK ON THE LAW OF DAMAGES. KF446/.M33/Reserve.

Torts

Kionka, Edward J. TORTS IN A NUTSHELL. 3rd ed. KF1250/.Z9/K54/1999/Reserve.

PROSSER AND KEETON ON THE LAW OF TORTS. 5th Lawyer's ed. KF1250/.P7/1984/Reserve.

PROSSER AND KEETON ON THE LAW OF TORTS. 5th Student ed. KF1250/.P7/1984b/Reserve.

Speiser, Stuart M. THE AMERICAN LAW OF TORTS. KF1250/.S568.

Legal Periodicals and Indexes

Print copies of the *Index to Legal Periodicals & Books* and *Current Law Index* are on the Lower Level, on an index shelf along the west wall. Duplicate (though not updated) copies are in the Reference section, First Floor at Row 168. Alternatively, find articles using *LegalTrac*, the

online version of *Current Law Index*. Access *LegalTrac* from any computer on Samford's campus. On public computers in the Law Library, start at the Web-based library catalog and choose *LegalTrac* from the pull down menu. Journals, law reviews and other periodicals are on the Lower Level, shelved alphabetically by title.

American Law Reports

American Law Reports are on the First Floor in the Practice section, at Rows 130 to 132. Presently, the series consists of A.L.R. 1st, 2d, 3d, 4th, 5th, and Federal. The multi-volume *ALR Index* shelved at the end of the set covers all series except the first.

Restatements

The American Law Institute's restatements summarize and define the general common law of the United States. Official texts of final restatements are in the Reference section on the First Floor, primarily on Row 167. Consult the main volumes for black-letter rules. To identify cases citing the restatements, refer to Appendices, pocket parts, soft-cover supplements, and Interim Case Citations. Periodically, the institute issues new or updated restatements. For instance, the third series contains new segments on servitudes and products liability. To identify revised sections, examine the tables, subject index, and introduction or foreword in the main volumes of new restatements. Selected restatements include the following:

RESTATEMENT OF THE LAW, SECOND: AGENCY 2D. KF1345/.A45/Reference.

RESTATEMENT OF THE LAW, SECOND: CONTRACTS 2D. KF801/.R47/1981.

RESTATEMENT OF THE LAW OF
P R O P E R T Y (F i r s t) .
KF570/.A73/1936b/Reference.

RESTATEMENT OF THE LAW,
THIRD: RESTATEMENT OF THE
LAW, PROPERTY: SERVITUDES.
KF657/.R475/2000/Reference.

RESTATEMENT OF THE LAW
SECOND, PROPERTY 2D,
LANDLORD AND TENANT.
KF590/.A8/1977/Reference.

RESTATEMENT OF THE LAW
THIRD: RESTATEMENT OF THE
LAW, THE LAW GOVERNING
LAWYERS. KF311/.A56/2000/-
Reference.

RESTATEMENT OF THE LAW,
THIRD: RESTATEMENT OF THE
LAW, SURETYSHIP AND
GUARANTY. KF1045/.A455/1996/-
Reference.

RESTATEMENT OF THE LAW,
SECOND, TORTS 2D.
KF1249/.A4/A46/Reference.

RESTATEMENT OF THE LAW,
THIRD: RESTATEMENT OF THE
LAW, TORTS: PRODUCTS
LIABILITY. KF1249.A4/A52/-
1998/Reference.

Regional Reporters

Entering the main reading room on the First Floor, most state cases are on the right, and federal cases are on the left. Beginning at Row 164, find these regional reporters shelved alphabetically by title: *Atlantic Reporter* (A.), *California Reporter* (Cal. Rptr.), *New York Supplement* (N.Y.S.), *North Eastern Reporter* (N.E.), *North Western Reporter* (N.W.), *Pacific Reporter* (P.), *South Eastern Reporter* (S.E.), *Southern Reporter* (So.), and *South Western Reporter* (S.W.). The *Federal Reporter* (F.) and *Federal Supplement* (F. Supp.) begin at Row 110. Many reporters have multiple series. Be sure to look

for the correct series number on the spine.

Digests

Digests are on the First Floor at Rows 103 to 108. The Law Library maintains digests for the following individual states: Alabama, California, Florida, Georgia, New York, North Carolina, Tennessee, Virginia and West Virginia. Current regional digests cover the following states:

Atlantic Digest: Connecticut, Delaware, District of Columbia, Maine, Maryland, New Hampshire, New Jersey, Pennsylvania, Rhode Island, and Vermont.

North Western Digest: Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

Pacific Digest: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nevada, New Mexico, Oklahoma, Oregon, Utah, Washington, and Wyoming.

South Eastern Digest: Georgia, North Carolina, South Carolina, Virginia, and West Virginia.

For other states, consult West's American Digest System (General and Decennials) covering all jurisdictions, state and federal. The library also has digests specifically for U.S. Supreme Court and other federal cases.

Shepard's Citations

Shepard's citations are on the First Floor, at Row 165. The cover of the latest soft-cover supplement has a checklist of volumes in each set. Be sure to consult every pertinent bound volume and soft-cover supplement.

Federal Code

The Law Library has two annotated federal codes: *United States Code Annotated* (U.S.C.A.) and *United States Code Service* (U.S.C.S.). Find the federal codes on the First Floor at Rows 122 to 123.

State Codes

The Library has annotated codes for all states, shelved alphabetically by state on the First Floor (Rows 123 to 129).

Federal Rules of Civil Procedure

Various publications reprint court rules, including the *United States Code Annotated* (appendix to title 28) and *United States Code Service* ("rules" volumes at the end of the set). In addition, find the Federal Rules of Civil Procedure in the following selected books in the Reference section (First Floor, Row 166):

FEDERAL CIVIL JUDICIAL
PROCEDURE AND RULES.
KF8816/.A193/2003/Reference.

FEDERAL CIVIL RULES
HANDBOOK. KF8816/.A19/F4/-
2003/Reference.

MOORE'S FEDERAL PRACTICE.
KF8820/.A313/M63/Rules
Pamphlet/2003/Reference.

Practice Aids

Look in the Practice section (First Floor, Rows 132 to 133) for *American Jurisprudence Proof of Facts* (P.O.F.), *American Jurisprudence Trials* (Am. Jur. Trials), *American Jurisprudence Pleading and Practice Forms Annotated* (Rev. ed), and more.



The Law Library will have regular hours over the Labor Day weekend.

Great News! New Photocopiers!!

During the summer months, new Lanier photocopiers were installed in each of the Law Library's photocopy rooms. We have received numerous compliments about them. Unlike the previous Xerox models, the First Floor machines have an automatic feeder for multiple copies. Another difference that patrons will recognize is that none of the machines take cash—they only take cards programmed with money. However, this change should not, in most cases, make the photocopy procedure any more complex. The First Floor photocopy room has a Card Value Center station on the right wall to program your Samford I.D. card with cash. The procedure for adding cash (all denominations of bills, no coins) is as follows:

- 1) The initial screen will prompt you to "press any key to begin."
- 2) After doing so, the resulting screen will display an option to add "Cash to Account." Press the corresponding second red key to proceed.
- 3) The third screen will ask you to "Swipe Acct Card Through Reader." At this point, you should scan your Samford I.D. from top to bottom through the reader with the I.D.'s picture side showing on the left.

4) After scanning your I.D., the station will ask you to "Insert a Bill." You may insert any denomination of bill.

5) When you have inserted the cash, the station will respond by showing how much you have added to your card.

6) The station will finally ask you to "Press to End" a key that will conclude the transaction.

Any questions or difficulties you may have with the new photocopiers or the Value Center Station can be addressed to a reference librarian or Circulation Desk staff.



The **CHECK IT OUT** is published three times a semester. The editorial staff works hard on articles that are of interest to both law students and law professors. We welcome new ideas and hope that you take the time to critique each issue. Let us know if there is a specific subject that you would like for us to discuss. Send your ideas and/or comments to:

Becky Hutto at
rmhutto@samford.edu

Computer Update

by Grace Simms,
 Computer Services Librarian
glsimms@samford.edu

The computers in the Westlaw Room (226) were updated in July 2003. All of the computers have XP as the OS. All have CD burners as well as headphones. These computers are equipped with the same software as in the Lexis Room (228) and Lower Level Computer Resources Room (028): Word, WordPerfect, Netscape, Internet Explorer, Adobe Acrobat, CALI, and much more.

The Public Access computers throughout the Law Library were also changed. These new computers will make library catalog searches, LegalTrac, and HeinOnline operate much faster.

Please remember to bring disks, CDs, or a USB memory stick with you when working in the labs. Work cannot be saved to the lab computer hard drives.

Please contact Grace Simms at ext. 2687 or glsimms@samford.edu for help with computer problems.



Do you know the code to the computer labs? If not, show your Samford I.D. to the Circulation Desk Attendant and you will be given the combination.