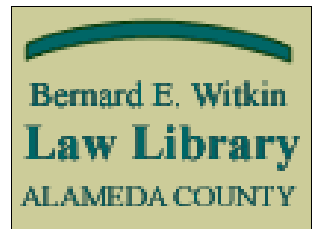


# News From... The Alameda County Law Library



125 12th Street Oakland, CA 94607 (510) 208-4800

Summer 2009

Volume 1, Issue 3

## Points of Interest:

- **Borrowing Privileges:** ANY attorney can obtain a library borrowing card for a fee of \$5.00.
- **Collection Strengths:**
  - California practice guides published by Rutter Group, CEB, and Matthew Bender.
  - Extensive Taxation, Bankruptcy & Federal Practice collections.
- **Free Electronic Services:** Westlaw, Lexis, Shepard's, OnLaw & HeinOnline.
- **MCLE:** CDs & DVDs available for rent.
- **Conference Rooms:** available for rent.— \$20.00 & \$35.00 /hour

## Grow Your Career at the Law Library!



In this difficult economic climate many attorneys find themselves in transition. The Alameda County Law Library supports the needs of these attorneys by maintaining a large selection of law practice management and professional development materials in addition to our collection of over 100,000 practice-oriented titles.

The library collects most of the titles published by the Law Practice Management section of the American Bar Association. By presenting information about the “best practices” in the areas of law office marketing, management, technology, and finance, these titles provide attorneys instruction in the business of the law. The ABA also publishes titles on the topics of career development and professional satisfaction. These brief but informative monographs offer practical advice and guidance to attorneys who, by choice or necessity, find themselves at a professional crossroads, carefully considering their options before taking the next step. Essential reading for attorneys looking to invigorate their careers, the majority of these titles circulate and can be checked out of the library by registered borrowers for two weeks.

An abbreviated list of the library’s law practice management and professional development titles published by the ABA and by other publishers appears below, grouped by principle subject area:

### Law Practice Management

- The California guide to opening and managing a law office, California Bar (2009).
  - How to start and build a law practice 5th ed. / Jay G. Foonberg, ABA (2004).
  - Flying solo: a survival guide for the solo lawyer 4th / K. Gibson, ABA (2005).
  - The lawyer's guide to buying, selling, merging and closing a law practice / Sarina A. Butler, Richard G. Paszkiet, editors, ABA (2008).
  - The lawyer's guide to records management and retention / George C. Cunningham, John C. Montaña, ABA (2006).
  - Being prepared: a lawyer's guide for dealing with disability or unexpected events / Lloyd D. Cohen and Debra Hart Cohen, ABA (2008).
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## Inside this Issue:

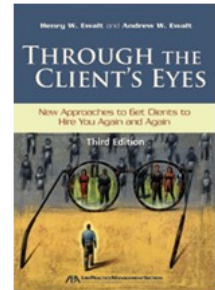
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## **Grow Your Career at the Law Library!**

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### **Marketing and Client Relations**

- Through the client's eyes: new approaches to get clients to hire you again and again 3d ed. / Henry W. Ewalt and Andrew W. Ewalt, ABA (2008).
- The lawyer's guide to marketing on the Internet / Gregory H. Siskind, Deborah McMurray, Richard P. Klau, ABA (2007).
- Marketing without advertising / Michael Phillips & Salli Rasberry, Nolo Press (2008).
- Preparing legal documents nonlawyers can read and understand / Wayne Scheiss, ABA (2008).
- The organized lawyer / Kelly Lynn Anders, Carolina Academic Press (2009).



### **Finance**

- Business competency for lawyers / Edward Poll, LawBiz Management (2007).
- The lawyer's guide to increasing revenue: unlocking the profit potential in your firm / Arthur G. Greene, ABA (2005).
- The ABA guide to lawyer trust accounts / Jay G. Foonberg, ABA (1996).
- Collecting your fee: getting paid from intake to invoice / Edward Poll, ABA (2003).
- Winning alternatives to the billable hour: strategies that work 3d ed. / Mark A. Robertson and James A. Calloway, ABA (2008).
- How to draft bills clients rush to pay / J. Harris Morgan, ABA (1995).
- The Pocket MBA vols. 1, 2, 3, / Michael Singer, PLI (2009).



### **Law Office Technology**

- The lawyer's guide to practice management systems software / Andrew Z. Adkins, III, ABA (2009).
- The lawyer's guide to collaboration tools and technologies: smart ways to work together / Dennis Kennedy and Tom Mighell, ABA (2008).
- The lawyer's guide to Microsoft Excel 2007 / John C. Tredennick, ABA (2008).
- Smart policies for workplace technologies: email, blogs, cell phones & more / Lisa Guerin, Nolo Press (2009).

### **Professional Development**

- A lawyer's guide to networking / Susan R. Sneider; presented by the American Bar Association Young Lawyers Division and the ABA-CLE Career Resource Center, ABA (2006).
- The law firm associate's guide to connecting with your colleagues / Barbara Miller, Martin Camp, ABA (2009).
- Preparing for reentry: what lawyers need to know to navigate the road ahead after a career break / M. Diane Vogt, ABA (2009).
- The creative lawyer: a practical guide to authentic professional satisfaction / Michael Melcher, ABA (2007).

The library regularly purchases law practice management and professional development publications. To verify that the law library has a specific title, you can search the library catalog at <http://204.50.92.82/search.asp?mode=search> or review our "Recent Acquisitions" lists, updated monthly: <http://www.acgov.org/law/publicatns.htm>. The latest acquisitions are currently displayed on the "Law Practice Management" book cart at the Main Library in Oakland.

## MCLE Wrap-up

This year the law library has hosted a series of well-attended MCLE programs for local attorneys. The programs are briefly summarized below.

### “In the Courtroom: Learn from the Masters about What Really Matters at Trial”

For its first MCLE event of 2009, the law library presented the popular 3-hour webcast program from Continuing Education of the Bar, “In the Courtroom: Learn from the Masters about What Really Matters at Trial.” In this program, a panel of top litigators share their experiences in the courtroom, offering practical advice for winning a case through careful jury selection, powerful opening and closing statements, and effective direct and cross examination practices. The assembled audience of over 35 local litigators received 3 hours of participatory MCLE credit for their attendance.



James Brosnahan Patricia Glaser Allan Browne

### “Using Free Shepard’s and KeyCite in the Law Library”

In an hour-long instructional session, Reference Librarians Emily Bergfeld and Claudia Cook offered 15 attorneys and several pro pers an in-depth tutorial on the effective use of Shepard’s and KeyCite, electronic citation verification services available to patrons free of charge at the law library. Every attorney in attendance had learned to Shepardize using the print volumes of *Shepard’s California Citations* and were eager to explore the features of the electronic alternatives. The librarians explored the functionality and flexibility of these platforms, showing users how to focus and customize reports, find additional relevant authorities, update non-case authorities, and email their results. The library plans to offer a second instructional session in the Fall.



Shepard’s Flags

KeyCite Flags

### “Getting the Most out of Courtinfo: The Website of the California Judiciary”

For the 12<sup>th</sup> Annual Witkin Institute, Fran Jones, Director of the Judicial Center Library in San Francisco, presented a 1 hour MCLE program on Courtinfo.ca.gov, the web domain of the California Judicial Branch, to an audience of over 60 attorneys and law librarians. Ms. Jones provided a brief overview of the content available through the website, which includes opinions and case dockets from the California Supreme and Appellate Courts, Judicial Council forms, court rules, civil and criminal jury instructions, and self-help resources. She was joined by several members of the AOC’s IT department who discussed the evolution of the Courtinfo domain and their ongoing efforts to make the site more user-friendly.



Fran Jones

### “Legal Issues Arising Out of REOs and Short Sales”

On June 9<sup>th</sup> before a packed audience of over 50 local attorneys and members of the public, Shannon Jones, principle of the Shannon B. Jones Law Group in Danville, presented a one hour program on the legal implications of buying and selling bank-owned properties and homes in foreclosure. Benefitting from Jones’ insight and expertise in this rapidly changing area of law, attendees learned how to better advise clients concerning the rights, responsibilities, issues, and risks involved in short sales and REO transactions, and received 1 hour general participatory MCLE credit.



Shannon B. Jones

### MCLE CDs for Self-Study

The law library maintains a large collection of MCLE CDs, tapes, and DVDs for self-study credit. A complete list of the materials and their rental costs appear at the following link: <http://www.acgov.org/law/mcle.pdf>

The law library is currently recruiting speakers to develop and present CLE programs. Information about how you can volunteer to present a CLE program at the law library or suggest a topic/speaker is provided on the next page.

## Share Your Expertise and Market Your Practice: Present an MCLE!

Establish yourself as an authority in your legal specialty and promote your practice to peers and potential clients by speaking at the law library! The Alameda County Law Library is currently recruiting attorneys who are interested in developing and presenting MCLE programs from one to three hours in length at the law library.

Library staff will handle the logistics. We will sponsor and schedule the program, provide space and necessary equipment, secure MCLE credit from the state bar, design and widely distribute promotional materials in print and electronic formats, and register attendees.

If you are interested in taking advantage of this opportunity to share your knowledge and expertise with peers and enhance your professional reputation in the local legal community, send us an email at [lawlib@acgov.org](mailto:lawlib@acgov.org). Your email should include possible dates, a proposed program topic, a short outline of what you will cover, and a brief resume/CV that lists any previous publication or speaking experience. A librarian will contact you to discuss the proposal in greater detail.

We also welcome suggestions for topics, programs, or speakers. The law library is particularly interested in hosting programs focusing on dynamic, timely legal issues that will be relevant to practitioners working in the Bay Area.



## Upcoming CLE and Non-CLE Programs

The following legal seminars will be held at the Main Library located at 125 12th Street in Oakland.

**Thursday, August 13, 2009 Noon– 1:00 p.m. "Suing in Superior Court without a Lawyer," Presented by Hon. Roderic Duncan, Retired. (Non-MCLE Program)**

Roderic Duncan, retired judge and author of the popular Nolo Press books *Win Your Lawsuit* and *A Judge's Guide to Divorce: Uncommon Advice from the Bench* will offer strategies for successfully bringing a limited jurisdiction civil case in Superior Court.

**Registration Form:** [http://www.acgov.org/law/Judge\\_Duncan\\_registration.pdf](http://www.acgov.org/law/Judge_Duncan_registration.pdf)



**Tuesday, September 22, 2009 Noon– 3:00 p.m. "Financial Abuse of Elders: Remedies and Recent Legal Developments" (3 Hours MCLE credit).**

Three noted experts on elder abuse law will discuss recent statutory developments intended to protect the elderly from financial abuse and exploitation, and share their experiences litigating elder abuse cases. A registration form will be available on the library's website shortly.



For more information, or to **register** for an event, call the library's Administrative Office at (510) 272-6483.

## Using Computer Technology at the Law Library

The Alameda County Law Library pays for subscriptions to legal research databases so they are free to you either on your own laptops through the library's wireless network or at the public desktop computers at the Main Library in Oakland and at the Branch Library in Hayward. Some of the books in the library come with accompanying CDs or DVDs that can be inserted into a laptop to access the forms.



### Laptop Users and Free Wi-Fi

Attorneys with Internet ready laptops can enjoy free wireless in both the Oakland and Hayward libraries. There is no password to access the library's wireless connection, which is named "Internet". Information is not protected while using the library's wireless network, but personal firewalls, up-to-date anti-virus/anti-spam software, and, for the truly cautious, encryption software make using laptops much safer. The Library assumes no responsibility for the safety of equipment or for laptop configurations, security, or data files resulting from connecting to the Library's wireless network.

In the Oakland Library electrical outlets are available in the west wall on the first floor next to the carrels. The eastern part of the first floor with the large windows has outlets in the pillars and beneath many of the carrels. On the second floor there are some outlets in the floor.

For laptop users inside the library, HeinOnline and OnLAW are available by going to the library's web page at <http://www.acgov.org/law/services.htm#1>. To connect to HeinOnline's more than 1,200 law reviews and journals, *Federal Register*, *Code of Federal Regulations*, and additional material in full text, click on <http://www.heinonline.org> and then choose "Subscribers Click Here to Enter". Individual law review articles and other material may be downloaded. To connect to OnLAW, click on <http://buzz.ceb.ucop.edu/lawlibraries/alameda.asp>. Through this service, the full text of CEB's (Continuing Education of the Bar) loose-leaf books are available as well as their forms. The forms, except for forms in the appendices, may be downloaded in Word or WordPerfect, then filled in and saved. There is no remote access to any of these databases from your office or home at this time.

### Public Desktop Computers, Databases, and Flash Drives

Logging into the public desktop computers requires going to the reference/circulation desk to pick up tickets with pin numbers, which are each good for one hour of computer usage. Additional time is obtained by asking for another ticket. The public desktop computers have menus with the subscription databases West's California Brief Service, Forecite California Jury Instructions, HeinOnline, LLMC's digital collection of older federal, state, and common law materials, OnLAW, Shepard's, LEXIS for primary law, Xspouse, and Westlaw for primary law and Rutter publications. A more comprehensive description of the library's databases appears in Emily Bergfeld's "Accessing Legal Databases at the Alameda County Law Library" at <http://www.acbanet.org/bulletin/bulletinspring2009.pdf> and <http://www.acgov.org/law/services.htm#1>.

Material from any of the library's databases can be printed to the Reference Desk printer at a cost of fifty cents/page. Material from Shepard's and LEXIS may be printed or e-mailed from within those databases. Material from Westlaw may only be printed; it may not be e-mailed or saved to your USB device due to contract restrictions. Content from any of the other databases may be saved to a USB device inserted into any of the library's desktop computers. Since the library has most of the National Reporter System in print, most published opinions may also be photocopied at a cost of twenty cents/page. Pleading paper is also available on the desktops and your resulting documents may be printed or saved to USB drives.

## **Language Line: Expanding Access to Non-English Speakers**

To expand access to reference service for non-English speaking patrons, the law library now maintains a subscription to Language Line, a telephone interpretation service. Offering interpretation service in over 170 languages, Language Line facilitates communication between staff librarians and non-English speaking patrons through a third-party interpreter.

Non-English speakers seeking legal information and referrals can take advantage of this service by visiting the Reference Desk at the Main or Branch libraries, or by calling the Reference Desk at the Main Library at (510) 272-4832.



## **Spotlight On: CEB Action Guides**

The Alameda County Law Library subscribes to the complete series of *Action Guides* published by Continuing Education of the Bar. Written for attorneys, these brief procedural guides offer readers step-by-step instruction for bringing legal actions and completing common legal transactions in California. Telling attorneys “how and when to do it,” these concise resources feature checklists, form templates, deadline alerts, critical legal citations, and references to other CEB practice materials for more in-depth research.

CEB has published over 50 *Action Guides* to date on a wide variety of legal topics. A complete list of the CEB Action Guides can be viewed at the following link: <http://tiny.cc/91134>



The library’s collection of *Action Guides* is currently on display at the Main Library.

## **NEW TITLE!: Complex Issues in California Family Law**



The Alameda County Law Library is pleased to announce the addition of the Matthew Bender series *Complex Issues in California Family Law* to our large collection of family law practice materials. Promising to “synthesize family law cases and statutes and analyze them in a manner instantly useful to experienced family law practitioners who “already know the law,”” the set is divided into seven volumes:

**Volume A:** *Fiduciary Duties—Nature and Effect: Understanding Interspousal Fiduciary Duties in Current Family Law Practice.*

**Volume B:** *Fiduciary Duties—A Practical Approach: Handling Fiduciary Duty Issues in the Day-to-Day Practice of Family Law.*

**Volume C:** *Transmutations: Understanding, Defending and Challenging Changes in Property Ownership Between Spouses.*

**Volume D:** *Tracing Separate and Community Funds: Using Tracing Concepts in the Daily Practice of Family Law.*

**Volume E:** *Equitable Remedies—Moore-Marsden and Beyond: Apportionment and Reimbursement Based on Use of Funds to Benefit Another Estate.*

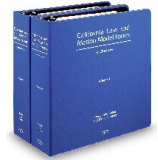
**Volume F:** *Equitable Remedies—Pereira-Van Camp and Beyond: Apportionment and Reimbursement Based on Use of Efforts to Benefit Another Estate.*

**Volume G:** *Family Law Business Valuations: Fundamental Legal Principles for Family Law Practitioners and Forensic Experts.*

A bibliography of the law library’s extensive holdings in the area of family law is available at the following link, organized by topic and alphabetically: [http://www.acgov.org/law/Family\\_Law\\_Bibliography.pdf](http://www.acgov.org/law/Family_Law_Bibliography.pdf)

## **New Resources for Quick and Effective Motion-Drafting!**

The law library is pleased to announce the acquisition of *California Law and Motion Model Forms for Civil Cases* and *California Law and Motion Authorities for Civil Cases*, two recently-published sets from Thomson West. Thorough and well-organized, these titles are easy to use and facilitate efficient motion drafting. When used together, they are an excellent starting point for anyone tasked with drafting a civil motion.



### **California Law and Motion Model Forms for Civil Cases**

This two-volume loose-leaf forms manual contains over 400 pre-drafted motion templates for a wide range of civil motions. The set is organized into 10 major divisions, or “Parts,” according to their timing before, during, or after trial. The “Parts” are: general motions, preliminary motions, summons and pleading motions, discovery motions, expert witness motions, motions for summary judgment or adjudication, dismissal and settlement motions, and motions for costs and sanctions. Within these major divisions are chapters devoted to specific types of motions. For each motion type, you will find templates for the notice of motion and the motion, the memorandum of points and authorities, the declaration, and the proposed order- all in one centralized location. The points and authorities templates are particularly helpful and can be used in conjunction with *California Law and Motion Authorities for Civil Cases* to build customized memoranda that will support your motion. *California Law and Motion Model Forms for Civil Cases* is a formbook not a treatise, and offers no explanatory text about the functions or use of motions. The set includes an accompanying forms CD-ROM which is loaded onto the Forms computer terminal in the Main Library. Forms can be opened in Microsoft Word and printed or saved to a flash drive.

### **California Law and Motion Authorities for Civil Cases**

A companion set to *California Law and Motion Model Forms for Civil Cases*, *California Law and Motion Authorities for Civil Cases* allows readers to quickly identify additional, relevant case and statutory authorities for inclusion in the memorandum. A two-volume set, *California Law and Motion Authorities for Civil Cases* features the same simple, consistent organization as the forms’ volumes, with chapters devoted to specific types of motions. For each type of motion, you will find case and statutory authorities that support making or opposing the motion, along with information about the procedural requirements for the motion. After you have selected appropriate authorities, you can verify them using the Shepards’ or KeyCite updating services, available for use free of charge in the library.

Both *California Law and Motion Model Forms for Civil Cases* and *California Law and Motion Authorities for Civil Cases* are available for use in the Main Library.

## **California Judges Benchguides on Courtinfo**

Developed by the California Center for Judicial Education and Research (CJER) to acquaint pro tem and newly appointed superior court judges with court procedures, the *California Judges Benchguides* are now available online at <http://www2.courtinfo.ca.gov/protem/pubs/>

Articulating the procedures judges are expected to follow in common types of civil, criminal, family, small claims, traffic, and juvenile court proceedings, along with cites to applicable laws, sample orders, and trial scripts, the *Benchguides* can offer attorneys and pro pers valuable insight into how a case will proceed.



## **New Title!: The California Guide to Opening and Managing a Law Office**

The New Phone Books are Here...

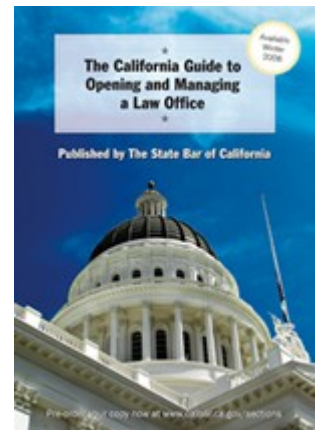
No, wait it's something even more exciting... The Law Library has just received the long-awaited *The California Guide to Opening and Managing a Law Office*, published by the State Bar of California. Given the huge interest in solo and small firm practice, this publication has come out not a minute too soon.

Opening your own office will require you to wear many hats, including that of Chief Financial Officer, Chief Technology Officer, Human Resource Director, Chief Marketing Officer and Customer Service Manager. And, as a good corporate officer, you will want your main employee (yourself) to maintain personal relationships and have a work-life balance as well as stay in good personal health. You must learn to say "NO", deal with stress, anxiety, depression and addictive behavior, and if that proves too difficult, the last chapter of the book discusses, "Lawyer Assistance Programs and Other Available Help".

The book goes into great detail, sometimes too much so, as in the Chapter "Email," subheading "When and how often to check your email". However, having a great deal of detail is everywhere else a big factor in the effectiveness of this book. After all, most of you will be starting from a position of beginner in many of the roles required.

But with this book in hand, you will become the Robinson Crusoe of solo law firms, right down to how to plan for retirement for Friday.

The *California Guide to Opening and Managing a Law Office* is available in the Main Library and can be checked out by registered borrowers.



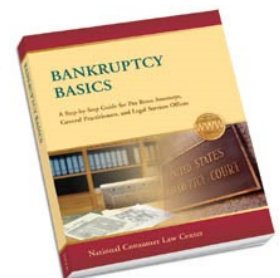
## **Bankruptcy Basics...or Who's Afraid of the 2005 Bankruptcy Act?**

National Consumer Law Center asks "Who's Afraid of the 2005 Bankruptcy Act?" and responds with *Bankruptcy Basics: A Step-by-Step Guide for Pro Bono Attorneys, General Practitioners and Legal Services Offices* for those who are.

This book is written for those with little or no knowledge of bankruptcy law and procedure, including laypeople and general practitioners, and provides them with the information needed to initiate a bankruptcy proceeding. From counseling the consumer client as to whether or not to file for bankruptcy, continuing through to the final discharge, each stage of the process is covered in depth. Most of the Official Forms promulgated by the Judicial Conference of the United States are included as well.

The text also examines confusing provisions of the 2005 Bankruptcy Abuse Prevention and Consumer Protection Act, such as those defining the functions of a "debt relief agency." With the passage of BAPCPA, many attorneys feared that their pro bono activities assisting debtors would place them into the category of a "debt relief agency." The authors demonstrate that such fears are mostly unfounded, and offer strategies for avoiding this classification.

*Bankruptcy Basics* is available at the Main Library for library use only.



## Linking to the Alameda County Law Library

- **Library Catalog:** <http://204.50.92.82/search.asp?mode=search>
- **Recently-Acquired Titles:** <http://www.acgov.org/law/publictns.htm>
- **Circulation Policies:** <http://www.acgov.org/law/policies.htm#1>
- **List of Library MCLE Materials:** <http://www.acgov.org/law/mcle.pdf>
- **Conference Room Rentals:** <http://www.acgov.org/law/services.htm#4>
- **Legal Databases:** <http://www.acgov.org/law/services.htm#1>
- **Research Guides/Bibliographies:** <http://www.acgov.org/law/researchguide.htm>



## Library Hours

### **Main Library (Oakland)**

MWF 8:30 am - 6:00 pm

TuTh 8:30 am - 9:00 pm

Closed Weekends

### **Branch Library (Hayward)**

M-F 8:30 am - 5:00 pm

Closed Weekends

## Upcoming Library Holidays

Labor Day, Monday, September 7, 2009

Columbus Day, Monday, October 12, 2009

Veteran's Day, Wednesday, November 11, 2009



## NEW TITLE!: *California Motions in Limine*

A new addition to the Rutter Group collection of California practice guides, *California Motions in Limine* offers readers step-by-step direction for drafting effective limine motions. The author explores usage scenarios for limine motions- powerful procedural tools that attorneys and self-represented litigants can use to exclude potentially prejudicial, misleading, irrelevant, or prohibited evidence from consideration at trial. Chapters are devoted to the use of limine motions to exclude evidence that could bias the jury against your client or undermine the credibility of key witnesses, including written and physical evidence, scientific evidence, character evidence and reference to past criminal activity, witness testimony, and improper expert opinion. Sample motion language is provided along with supporting and opposing points and authorities, offering readers insight into how other courts have ruled on the admissibility of challenged evidence.

Comprehensive and clearly presented, *California Motions in Limine* is an essential reference for parties or their counsel making or opposing limine motions in trial court.

*California Motions in Limine* is available at the Main Library for library use only.

