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The Newsletter of
The Law Library of Louisiana

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Telephone (504) 310 2400
Fax (504) 310-2419

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NEW MUSEUM EXHIBIT: A CENTURY OF ENDURANCE



The New Orleans Court Building on Royal Street, circa 1910 (Courtesy The Library of Congress)

by Jenny Creevy

The Law Library is proud to present an exhibit celebrating the 100th anniversary of our building at 400 Royal Street. Located in the Louisiana Supreme Court Museum, the exhibit traces the storied rise, fall, and rebirth of this hundred-year-old structure using historic photographs, documents, and other rare material.

As early as the mid 1800s, the legal community recognized the need for a new building to safely and conveniently house the Supreme Court, civil courts, Orleans Court of Appeal, State Library, and other municipal and state offices. However, the

successful movement to build a courthouse to meet the needs of these agencies would not take shape until 1898, when prominent members of the Louisiana Bar Association united to lobby the Louisiana Legislature. The Courthouse Commission, created in 1902 by the legislature and representing the shared efforts of city and state, would see the project through to completion.

The exhibit begins with an introduction to the history of the Louisiana Supreme Court before 1910. It includes photos, courtesy of the Library of Congress and the Louisiana State Museum, of the court

when it was housed at the Cabildo. In one of the images, the portrait collection of Louisiana judges can be seen hanging on the courtroom's walls; these portraits are now displayed throughout the current courthouse. The exhibit continues with a display case focusing on the Courthouse Commission, including biographies and portraits of the members along with reproductions of actual hand-written minutes from their meetings.

The next part of the exhibit features a series of photographs (courtesy of the Historic New Orleans Collection)

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COURTHOUSE EXHIBIT

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taken by Nina King – sister of New Orleans writer and historian Grace King – of the properties that would be demolished to make room for the new courthouse. Some of these same structures are also shown in plan book watercolors from the New Orleans Notarial Archives. The fourth case includes photos of the cornerstone-laying ceremony, images of the building under construction in 1908, and a picture from the Library of Congress of the completed courthouse in 1909. Although the building itself was ready in 1909, the Louisiana Supreme Court did not

occupy its offices and fourth floor courtroom until the next year, when the Court sat for the first time on October 3, 1910.

The courthouse was one among many construction projects – private residences, hotels, office buildings and university buildings – initiated during a period of growth and advancement in the city. By replacing a full block of disused and ill-kept buildings with a majestic marble and terra cotta structure, the Courthouse Commission and nearby property owners hoped to breathe new life into an area of the city which had been in decline for many years.

While initially a success, in the following decades inadequate funding for maintenance ultimately led to the building's physical decline. Agencies began to leave the courthouse as they found more modern quarters to suit their needs. In 1958, the Louisiana Supreme Court moved to its new home in Duncan Plaza near City Hall, and the Louisiana Wildlife and Fisheries Department took over the Royal Street site. By 1994, even that agency had vacated the premises, leaving the once proud and gleaming building abandoned. Echoing the efforts of the early 1900s, a group of judges and

lawyers who saw the value of this grand and impressive landmark urged its restoration, finally returning the Louisiana Supreme Court to the old heart of New Orleans in 2004.

The exhibit is ongoing, and future installations will detail the decline of the building, the Court's move into the Duncan Plaza site, renovation of the Royal Street site, and the Court's return to its original 1910 location. The museum is located on the first floor of the Louisiana Supreme Court and is open to the public Monday through Friday, 9:00 am to 5:00 pm. δ

DESIGNING A COURTHOUSE: THE WINNING ARCHITECTS

by Tara Lombardi

In February 1905, newspapers nationwide published an advertisement to announce an architectural competition for the design of the Royal Street courthouse, with prizes of \$5,000, \$2,500 and \$1,000 offered for the three best designs. Of the twenty-three drawings submitted to the contest, only two were from local architectural firms. Neither made the top three.

The winners were A. Ten Eyck Brown and P. Thornton Marye from the firm Brown, Brown and Marye of Atlanta and Mobile. The plans they submitted were for a structure in the then-popular Beaux-Arts style. Examples of buildings designed independently by both architects for other large cities – the Fulton County Courthouse in Atlanta (built 1911-1914, designed by Brown) and the State Administration Building in Raleigh, NC (1913, Marye) – bear the mark of this style and are remarkably similar in character to the 400 Royal St. courthouse. Of Marye's 1913 Raleigh building, the Georgia Encyclopedia writes that it "exemplifies his subtle handling of neoclassical elements

to set a monumental building in a tight urban site." The same can be said of the Royal Street building, an equally monumental building that is arguably in a more restricted setting.

Philip Thornton Marye was born in Virginia in 1872 to a wealthy family. He attended the University of Virginia from 1889-1890, then went on to study architecture in Washington, D.C., under Glenn Brown, who was active in the American Institute of Architects and was known for his Romanesque Revival aesthetic. In 1898, Marye volunteered to serve in Cuba during the Spanish American War. Upon his return home to Newport News, he practiced architecture there before opening an office in Washington, D.C. in 1902.

Marye moved to Atlanta in 1904 when he was commissioned to design that city's new railroad terminal, a grand Beaux-Arts, or Renaissance Revival, building. This success led to the design commission of the Terminal Station in Birmingham, Alabama in 1905, which was built in the Beaux-Arts and Byzantine styles and included a lot of white

marble. While in Atlanta, Marye met A. Ten Eyck Brown and, along with Frederic W. Brown, formed the firm of Brown, Brown and Marye. In February of 1905, they submitted plans for the New Orleans courthouse competition. As the Courthouse Commission fought the legal battle to make the courthouse a reality, Brown and Marye collaborated on St. Luke's Episcopal Church in Atlanta. St. Luke's was constructed in 1906 in the Gothic revival style, which was a departure for both Brown and Marye, who usually stuck to classical Beaux-Arts design.

Marye's partner, Albert Anthony Ten Eyck Brown, the son of an architect, was born in Albany, New York in 1878. Brown went by the first name "Ten Eyck," a popular Dutch family name in Albany, New York during his childhood. Brown's architectural education began at New York's Academy of Design. After working in Washington, D.C., New York, and Nashville, he moved to Atlanta where he built a number of government buildings in the Beaux-Arts style, including the Fulton County Courthouse in 1911 and the Clarke County Courthouse in 1914.

Brown was also known for his majestic theater designs such as the Forsyth Theater and office building in Atlanta, which was constructed in 1910. He was so enamored with the structure that his firm moved in after construction. In 1912, Brown was hired to design the First National Bank of Dublin, Georgia. The six story structure was another Beaux-Arts building which had a basement, a mezzanine at the entrance, and marble and terra cotta construction similar to our courthouse.

After the Royal Street court house was completed, both architects continued their notable careers across the South. Brown opened a branch office in Jacksonville, Florida, in the 1920's and began designing the Miami-Dade County Courthouse, a \$4 million dollar skyscraper which was the tallest building south of Baltimore at the time it was built (1925-1928). Marye remained in Georgia, and became active in the American Institute of Architects Commission for the Preservation of Historic Buildings in America, essentially creating a state archive of Georgia's landmarks through his photographs and sketches. δ

SPOTLIGHT ON EDWIN I. MAHONEY

by Ruth Mahoney

When the New Orleans Court Building opened in 1910, my grandfather, Edwin I. Mahoney, was the superintendent of the building and secretary of the Court House Commission. He was a lawyer by profession, having graduated from the Jesuit College and then in 1903 from Tulane University Law School. He was the father of three sons and one daughter and had eight grandchildren. Active in political and civic circles, he was elected to the legislature in 1908 as the democratic representative from the Ninth Ward, serving until 1912, during Governor J. Y. Sanders' administration. He was also a member of the Louisiana Bar Association and the first secretary of the first

Holy Name Society in the State of Louisiana. He was the first lawyer to handle cases under the White Slave Law and the Full Crew Bill. He resigned his position as secretary of the Courthouse Commission in 1922 to resume his private law practice.

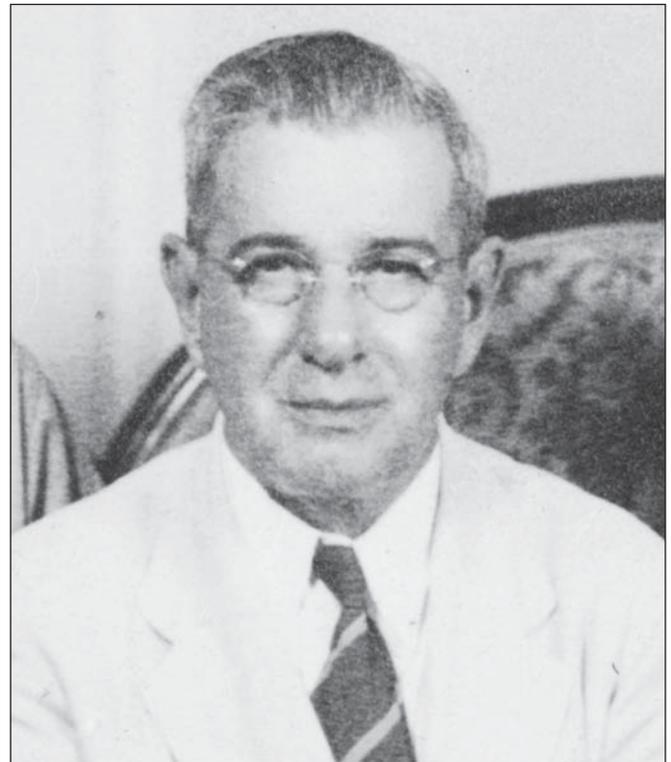
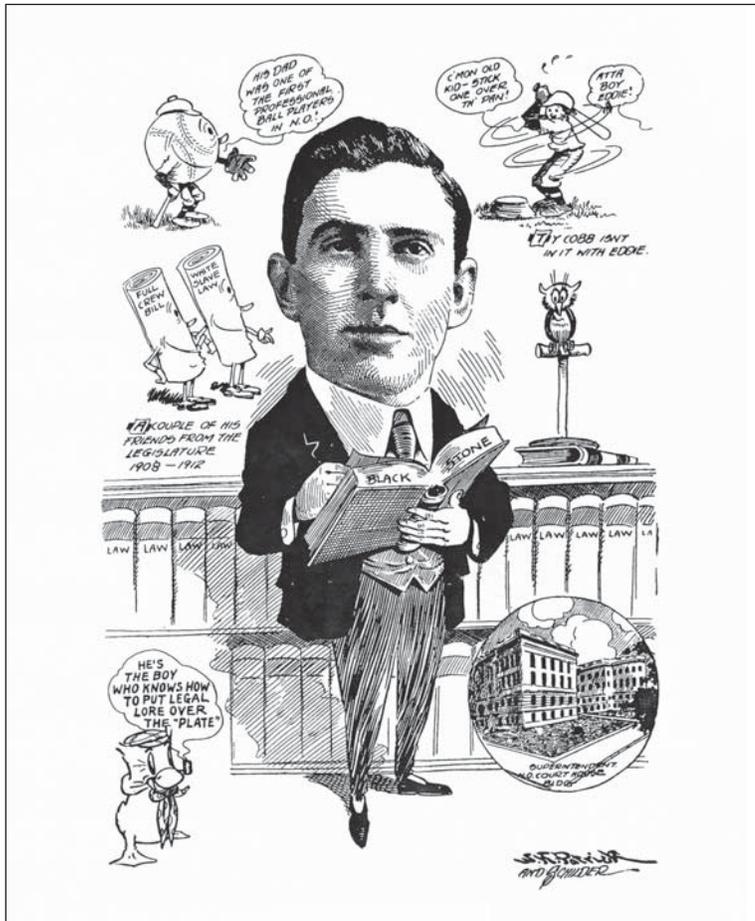
Eddie Mahoney was a prominent criminal lawyer until he retired in 1955. His father, John, was one of the first professional baseball players in New Orleans. He gained a reputation in the courts for helping the needy without thought of compensation. He was a one-man Legal Aid Bureau before the establishment of that organization. Because he was a skilled trial attorney, the judges of the Criminal District

Court often sent young lawyers across the street to his law office on Tulane Avenue to learn how to try a criminal case. He was described by his brother lawyers as the defense attorney who had "defended more penniless clients than any other living attorney here."

One of the fondest memories I have is attending the ceremony at Orleans Parish Criminal District Court on June 1, 1955, that honored my grandfather. He was presented with a plaque from the Criminal Courts Bar Association in recognition of his 52 years of practice in city and state courts. He was lauded for the many services he rendered to his profession and to indigent defendants during those years. Judges from every court in the city, lawyers, and

hundreds of friends attended. My family sat in the jury box in a crowded court room complete with television cameras. Each of the judges of the Criminal District Court, presided over by the Honorable Frank T. Echezabal, spoke in praise of my grandfather's career. Among the comments offered by his friends and fellow lawyers were that he "worked hardest when the pay was less, and less was often nothing," and that "He established new jurisprudence representing indigent and friendless people..."

The Edwin I. Mahoney Award was established by the Criminal Courts Bar Association in his honor and is given to the law student at Tulane who attains the highest grade in criminal law. 8



Two images of Edwin Mahoney, 25 years apart: a pen and ink rendering by WK Patrick and Associates, from *Club Men of Louisiana in Caricature* (1917), when Mahoney was still superintendent of the court building; and a photograph from 1942 (courtesy Ruth Mahoney)

TOUT ENSEMBLE: THE VIEUX CARRÉ AND 400 ROYAL STREET

by Georgia Chadwick

“The preservation of the Vieux Carré as it was originally is a benefit to the inhabitants of New Orleans generally, not only for the sentimental value of this show place but for its commercial value as well, because it attracts tourists and conventions to the city, and is in fact a justification for the slogan, America’s most interesting city.”

Chief Justice Charles O’Niell wrote the above statement as part of his opinion in *City of New Orleans v. Pergament*, 198 La. 852, 5 So.2d 129 (La. 1941), a landmark case on municipal zoning laws which continues to be cited by law reviews, treatises, and courts. The case arose when a gas station owner who displayed an advertising sign larger than allowed by the Vieux Carré Ordinance contended that the ordinance was designed to preserve the architectural and historical worth of the ancient buildings of the Vieux Carré. The gas station, reasoned the owner, should be exempt from these considerations because it was new and had no architectural significance. Chief Justice O’Niell disagreed: “The purpose of the ordinance is not only to preserve the old buildings themselves, but to preserve the antiquity of the whole French and Spanish quarter, the *tout ensemble*, so to speak, by defending this relic against iconoclasm or vandalism. Preventing eyesores in such a locality is within the police power and within the scope of this municipal ordinance.”

Chief Justice O’Niell’s concept of the Quarter’s *tout ensemble* – the overall impression of something comprised of individual parts – was entirely prescient and was tied to a progressive understanding of zoning laws. In his 1974 book, *Historic Preservation Law*, Jacob Morrison considers O’Niell a member of a national

group of judges who prophesied the liberal trend of upholding aesthetics alone as a reason for the enactment of zoning laws. Previously the judicial trend had been to consider primarily the menace to safety or health in enforcing ordinances limiting the rights of property owners to use their property as they wished. In *State ex rel. Civello v. City of New Orleans*, 154 La. 271, 97 So. 440 (La. 1924), O’Niell’s opinion upheld the constitutionality of New Orleans’ first comprehensive zoning ordinance, passed in 1918. The Chief Justice wrote: “An eyesore in a neighborhood of residences might be as much a public nuisance, and as ruinous to property values in the neighborhood generally, as a disagreeable noise or odor, or a menace to safety or health. The difference is not in principle, but only in degree.” The *Civello* opinion has been cited by courts around the country and by the United States Supreme Court in *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926).

It’s fitting that O’Niell wrote both the opinions cited here while the Supreme Court still occupied the fourth floor of the Royal Street courthouse, which by the time of the later opinion (1941) was in the midst of a decline that would ultimately last decades. When the Wildlife and Fisheries Department had all but moved out in the early 1980s and talk began of renovating the building for the return of the Supreme Court, Phil Johnson of WWL TV vehemently opposed the idea and suggested tearing the building down. He seized on O’Niell’s term to bolster his own opinion, asserting in an editorial that “the presence of that awfully ugly building...is totally out of place in the *tout ensemble* of the Quarter.” What Johnson

failed to acknowledge was that the Vieux Carré Commission, which in 1962 had proposed demolishing the building, had by 1980 reversed its opinion and decided the building should be preserved.

This change of position can indeed be linked to shifting attitudes about the Quarter’s *tout ensemble* as well as preservation in general. When the New Orleans Courthouse was completed in 1909, there was little concern for preservation, and there were no zoning laws in place to regulate new construction in the French Quarter. In 1895, the New Orleans City Council even approved a motion to tear down the Cabildo and replace it with a new structure to house the civil courts and the Louisiana Supreme Court. Members of the legal community successfully opposed the motion and it was withdrawn. The Vieux Carré Commission, whose goal is to preserve the buildings in the French Quarter, would itself not be organized until 1936, after an amendment of the Louisiana Constitution.

Over the years, several writers expressed their displeasure with the New Orleans Court Building, but none more vividly than architect Charles Harris Whitaker. In a 1926 article in *The Journal of the American Institute of Architects* entitled “Speaking of Ugliness,” Whitaker wrote: “Viewing it again after the lapse of years I am struck anew with the fact that it is probably the most monstrously ugly building that man has ever had the hardihood to inflict upon a suffering earth.” He reiterated his point in 1934 in the book *Ramses to Rockefeller*, where he described the courthouse as “one of the worst examples of public building to be found in all America. Never was there a greater absurdity than dragging marble to New Orleans to build a boulder of a courthouse, right

on the road to Jackson Square and almost in the heart of the Vieux Carré.”

But in the 1971 reprint of Dr. Bernard Lemann’s *The Vieux Carré – A General Statement* (1961), preservationist Ann Masson observed in her introduction that the *tout ensemble* of the Vieux Carré is especially complex. Dr. Lemann elaborated on this point in the main text:

“As an historic storehouse the Vieux Carré represents a cumulative effect, not an isolated moment of history, but a kind of mobile moment, ever receding into the background, or moving forward, depending on how one prefers to see it. Here we find a colorful kaleidoscopic blending, not only of many periods, styles and historic associations, but also the varied types and activities of hucksters and barkers, artists and shopkeepers, showgirls, antique dealers, tourists, evening crowds.”

He concluded this chapter by asking: “The problem is – how do you preserve a kaleidoscope? Obviously, to keep it, you must keep it in motion.”

Dr. Lemann remarked on the size and design of the building several times in his essay. In his final comment he noted that after the Royal Orleans Hotel was built in 1960, on a site which had been vacant since the old St. Louis Hotel was demolished in 1917, the court building was joined by a companion of similar scale. Although he had no way of knowing that what was then the Wildlife and Fisheries building would be restored as a courthouse, Dr. Lemann predicted in 1961 that the passage of time would allow for affectionate regard. No doubt Chief Justice O’Niell would look favorably on the belief that the courthouse at 400 Royal Street has at last taken its place as part of the French Quarter’s *tout ensemble*. δ

RECENT VISITORS TO THE COURT

by Katie Nachod

From time to time, the Louisiana Supreme Court makes its beautiful building available to various legal, judicial, or law-related entities who wish to hold receptions during conferences or meetings. Over the last three months, we have welcomed three such groups. Usually these events are held on the first floor, where the guests enjoy local music and delicious food in the long hallway and the foyers. The law library on the second floor stays open so the guests may explore its collections and exhibits and ask questions of the library staff. There is also a librarian stationed in the museum on the first floor to explain the current displays and answer any questions.

On Monday, August 9, Justice Bernette J. Johnson hosted such a reception for the National Bar Association (NBA), which was holding its 85th annual convention in New Orleans. In August of 1925, a group of twelve African-American lawyers with a dedication to justice and civil rights founded the NBA in Des Moines, Iowa, after they had been denied membership in the American Bar Association. At that time, there were fewer than 1,000 African-American lawyers in the U.S., and less than 120 belonged to the NBA at its beginning. Today there are 84 chapters throughout the United States, including one in New Orleans, and affiliations in Canada, the United Kingdom, Africa, and the Caribbean, comprising a professional network of more than 20,000 lawyers, judges, educators, and law students. If you would like to know more about the history of the NBA, please see a book entitled *A Search For Equal Justice by African-American Lawyers: A History of the National Bar Association*, written by Elmer C. Jackson, Jr. and Jacob U. Gordon (Vantage Press, 1999).

The conference attendees at the reception seemed to have a wonderful time socializing and

touring the museum, with many of them expressing special interest in the exhibit on the *Plessy v. Ferguson* case. A number of them visited the library and asked questions about our collection, including our many electronic resources. They also studied the library's Abraham Lincoln exhibit and another containing photographs of the final resting places of some of our Justices.

On Wednesday, September 22, the Federal Bar Association (FBA) held an evening reception here at the court during its national meeting. Founded in 1920, the FBA is recognized as the premier

Orleans Chapter back from the "tattered and ragged remnant of a once vigorous chapter" that it was five years ago, after the disastrous flooding that followed Hurricane Katrina.

Guests toured the museum, where our librarians offered biographical facts about some of the Chief Justices whose portraits hang in that space, and also provided background on a special bicentennial exhibit on the Louisiana Digest of 1808. Since most of these lawyers and judges hailed from common law states, they were quite fascinated with the history of our civil law

the 2010 Annual Fall State Judges' Conference. This meeting is sponsored by the Louisiana Judicial College, which provides quality continuing legal education for state judges. Programs focus on such topics as judicial ethics, changes in the law, and emerging legal issues. There are also reports and presentations by various task forces, committees, and other groups, all of which are designed to educate and inform the judges.

The opening day of a new exhibit celebrating the 100th anniversary the Supreme Court first sat in our beautiful building, was set to



At the NBA Conference: (l-r) 3rd Circuit Court of Appeal Chief Judge Ulysses Gene Thibodeaux and his wife Phyllis, Louisiana Supreme Court Justice Bernette J. Johnson, Louisiana Supreme Court Justice John L. Weimer, 4th Circuit Court of Appeal Judge Edwin A. Lombard.

bar association serving the federal practitioner and the federal judiciary. Membership includes more than 15,000 federal lawyers, including 1,200 federal judges. At the Inaugural Dinner held at the close of the conference, the FBA installed New Orleans' own Ashley L. Bellau, a partner at the local law firm of Montgomery, Barnett, Brown, Read, Hammond & Mintz, LLP, as the new national President. During her acceptance speech, Ms. Bellau spoke movingly of the hard work by many people to bring the New

system. Many of the attendees also ventured up to the law library on the second floor, where they visited the Rare Book Room and viewed historical French and Spanish legal materials. They also seemed especially interested in hearing about the types of questions we receive from our justices, judges, and their staff, from outside attorneys, and from the general public.

The third reception was held on the evening of Monday, October 4, in conjunction with

coincide with the reception for the state judges, so they were among the first visitors to see the various displays. You can read more about the exhibit elsewhere in this issue, but it was heartwarming to see so many of the judges reading every word in each display case and marveling over the facts and figures. The best part of the evening was hearing the stories of judges who reminisced about practicing as young attorneys before various justices and told stories about things that happened in the different courtrooms. δ

ANIMAL LAW UPDATE

by Marie Erickson

The New Orleans City Council and the Louisiana Legislature enacted several laws in 2010 pertaining to animals. Here are some highlights with links. If other municipalities have passed spay/neuter ordinances similar to those in New Orleans, please email merickson@lasc.org.

Animal Welfare

The New Orleans City Council recently passed an ordinance, NOMC 18-305 et seq., requiring a breeder's license for keeping an intact dog. The ordinance also governs puppy sales – puppies can't be sold or given away before

they are six weeks old – and the puppies' parents' intact permit numbers must be listed in the advertisements. There are fines for noncompliance. Maybe this ordinance will help solve Orleans Parish's animal overpopulation problem. The ordinance can be viewed at www.municode.com.

La. Rev. Stat. 3:2772 Sections (E) and (G) have been amended to change the maximum a municipality may charge for a kennel license to a minimum, depending on how many dogs you have. The statute remains unchanged as to the maximum number of adult dogs (75) one can own for breeding purposes. That's one heckuvalotta dogs, and keeps the puppy mill business in some kind of check. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=712380>

La. Rev. Stat. 3:2093(10) was amended and 3:2095.1 was enacted, ordering the Louisiana Board of Animal Health to promulgate regulations on the "care and well-being" of sheep, goats, horses, cattle, pigs, and poultry. 3:2095.1 also forbids any local governing authority from regulating such care, although the authority may still regulate possession of such animals. I'm not sure whether this is a step forward or a step back. Decide for yourself: <http://www.legis.state.la.us/billdata/streamdocument.asp?did=715424>

Cruelty

New La. Rev. Stat. 14:102.24, makes it unlawful to tie, tether, or restrain any animal in a manner that is "inhumane, cruel, or detrimental to its welfare." There are exceptions, but the law defines properly fitted as "a collar that measures the circumference of a dog's neck plus at least one inch." There's nothing in the statute about cat or goat

collars, horse halters, or similar things. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=723214>

La. Rev. Stat. 14:102.1(B)(5) has been amended to include unjustifiably poisoning or exposing poison with the intent that an animal eat it. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=708193>

La. Rev. Stat. 3:2465 (C) prohibits euthanasia by intracardiac injection on any conscious animal, and will prevent euthanasia of dogs and cats by carbon-monoxide chamber as of 1/1/2013. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=722846>

La. Rev. Stat. 14:102.2(C) has been amended to require a bond of anyone with an interest in a seized animal to post a bond covering the expenses of the animal. The bond is good for thirty days. If another bond is not posted for another thirty days, the humane society, custodian, etc. of the animal may dispose of it by sale, adoption or humane euthanasia. The bond will not prohibit euthanasia if a veterinarian determines that the animal is not likely to survive and is suffering. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=722936>

Regulation

La. Rev. Stats. 3:2731 and 3:2778 have been amended to allow all municipalities, not just home rule charter governments, to regulate stray dogs and livestock, and to levy fines and fees related to animals and apply those fees to animal control and adoption. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=713755>

La. Rev. Stat. 14:102.6 (A)

(2) has been amended to provide humane euthanasia of fighting dogs by an animal control officer or veterinarian "as soon as possible," but does not provide opportunity for a hearing, raising 14th Amendment issues. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=721743>

Snakes alive!

La. Rev. Stat. 56:632(A), 632.5(A), 632.7 have been amended, and 632.5.1 enacted relative to the importation of certain constricting or poisonous snakes. 632(A) allows the Secretary of the Department of Wildlife and Fisheries to prohibit the harvest or importation of any snake if doing so would "interfere with the state's natural ecosystem." <http://www.legis.state.la.us/billdata/streamdocument.asp?did=722766>

Have a snake you shouldn't have? La. Rev. Stat. 56:56 has been amended to let you turn in any illegal animal or one which can only be possessed by permit or license to the Department of Wildlife and Fisheries without penalty, but only if you turn it in before DWF starts investigating the issue. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=715255>

These bills didn't make it

HB 201, which would have provided for a registry of people who have pleaded guilty to or have been convicted of certain animal-cruelty offenses. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=680394>

HB 1328, which would have required owners of dangerous dogs to carry at least \$100,000 homeowners' liability insurance. <http://www.legis.state.la.us/billdata/streamdocument.asp?did=697613>

THE LIBRARY'S E-RESOURCES

BNA Labor &
Employment Law

Gale LegalForms

HeinOnline

LegalTrac

Lexis Congressional

Lexis Shepard's

LexisOne

Loislaw

NFPA Standards

Nineteenth Century U.S.
Newspapers

PACER

Westlaw/WestPack

WilsonWeb's Index to
Legal Periodicals

RULES AND REGULATIONS: TAKING PART IN THE PROCESS

by Miriam Childs

Most people are unfamiliar with the area of federal administrative law, but rules and regulations issued by the federal government affect the lives of every U.S. citizen. About 8,000 regulations are issued yearly by federal agencies, ranging from USDA regulations concerning organic food production, to Department of Energy regulations addressing the energy efficiency of household appliances. The massive number of regulations issued each year may seem overwhelming, but as individuals we can participate in the complex regulatory process and let our voices be heard.

Regulations.gov, the public's prime source for rules and regulations issued by the federal government, is the website that makes this participation possible. The online format has greatly simplified the steps necessary to comment on a proposed rule or regulation. Prior to the eRulemaking Program, which began in 2003, anyone interested in commenting on a regulation had to know the sponsoring agency and when the regulation was going to be published, go to a government reading room to review the regulation or read it in the *Federal Register*, and go through a comment process that was different for each agency. The eRulemaking Program was charged with increasing access to regulations, facilitating the public's participation in developing regulations, and promoting more effective rulemaking by involving the public. Regulations.gov allows citizens to easily learn about proposed regulations and leave comments for issuing agencies.

The rulemaking process begins in Congress. Congressional bills become laws, and then federal

agencies are responsible for putting the laws into action by issuing regulations. All proposed rules and regulations are available on Regulations.gov. After the agency has begun making a rule, it adds an entry to its Regulatory Agenda, and the rule is published to the website. The public is then given an opportunity to comment on the rule for a specified amount of time, and once decision makers have crafted a final rule, it's published on the site. The National Archives and Records Administration (NARA) publishes rules and regulations daily in the *Federal Register* (www.gpoaccess.gov/fr/).

Users of Regulations.gov can search for, read, and comment on proposed rules, final rules, or Federal Register notices. Federal agencies and departments tag their regulations with subjects defined by the Office of Federal Register, and agencies also provide keywords on their own. The "Browse Topics" link on regulations.gov allows users to search for regulations by topic. Each agency publishes a Regulatory Agenda. This agenda provides information about regulations that the agency plans to issue or has recently completed. The agenda lists all rulemaking proceedings that are planned, underway, or recently completed. It also contains information about individual rules, including a brief description, a timetable associated with developing the rule, contact person(s), potential effects of the rule, and other related items.

Each agency's Regulatory Agenda is available for viewing on Regulations.gov. A regulation's identifier number (RIN) is a unique 8-digit code assigned to each regulation by the Regulatory Information Service Center. The RIN can be used for searching and tracking a regulation throughout

its lifecycle. The RIN is assigned in advance of a regulation's appearance in a Regulatory Agenda. Users can browse a regulation's docket folder, which contains information related to the rulemaking. The folder stores information such as *Federal Register* documents, materials referenced in the *Federal Register* documents, and other documents used by agency staff overseeing the promulgation of the rule.

Users of Regulations.gov can also sign up for RSS feeds by agency of newly posted *Federal Register* notices and for email alerts about a specific regulation. The "Newly Posted Regulations" and "What's Hot" links on the home page provide an easy way to start browsing for regulations. The top five agencies that have received comments from the public so far this year are the EPA, the Fish and Wildlife Service, the Department of Education, the Animal and Plant Health Inspection Service, and the Centers for Medicare & Medicaid Services. Not all federal agencies participate in the eRulemaking Program. Such non-participating agencies publish their rules on Regulations.gov, but comments can only be submitted by contacting the agency directly. In these cases, comments submitted by the public aren't viewable on the site.

Regulations.gov has revolutionized the way the public can participate in, have an impact on, and influence the development of federal rules and regulations. For more information about federal rules and regulations and the rulemaking process, visit the following websites:

<http://www.regulations.gov/search/Regs/home.html#aboutPartners> (Participating agencies)

<http://www.regulations.gov/search/Regs/home.html#faqs> (FAQs)

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FAREWELL TO DR. COLLINS

Dr. Hugh M. Collins, Judicial Administrator, has announced his retirement from the Court at the end of the year after 36 years of outstanding service. Dr. Collins joined the Judicial Administrator's Office in 1974 as Deputy Judicial Administrator for Systems Analysis, and in 1988 he was appointed Judicial Administrator. He also currently serves as the Chief Executive Officer of the Judiciary Commission of Louisiana.

Dr. Collins is a highly regarded national figure in the area of judicial administration. His many awards and service to professional organizations are evidence of his dedication to pursuing excellence in his field. Dr. Collins has received the National Center for State Courts (NCSC) Distinguished Service Award, the Glenn R. Winters Award, and the prestigious Kenneth Palmer Award. He is a member of the Warren E. Burger Society, which

opens its membership to those who have shown an exemplary commitment to improving the administration of justice through contributions of service to the NCSC. Dr. Collins has served the judiciary by being an active member of several professional organizations, including the Conference of State Court Administrators (COSCA), the National Association for Court Management (NACM), the FBI Criminal Justice Information Services (CJIS) Advisory Policy Board, and the Justice Research and Statistics Association.

The Court will greatly miss Dr. Collins, and we wish him well in his retirement. δ

FREE CLE

On Saturday, December 4, the A.P. Tureaud Inn of Court and the Supreme Court of Louisiana Historical Society will sponsor a

free three hour CLE program at the Louisiana Supreme Court. Registration, coffee and muffins will be on the fourth floor from 8:00 a.m. to 8:30 a.m. At 8:30 a.m. Justice Bernette J. Johnson and Donna D. Fraiche, president of the Historical Society, will welcome participants. At 9:00 a.m. the staff of the Law Library of Louisiana will give an overview of the resources available at the Law Library. At 10 a.m., Bobby J. Delise of Delise & Hall will talk about public perception of the legal profession for a one hour professionalism credit. He will be followed by Clare Jupiter of Bryan & Jupiter whose talk will count for one hour of ethics credit. The program will adjourn at noon. Reasonably priced parking is available at any of the surface parking lots on North Peters, just a few blocks from 400 Royal. To reserve a seat please call or email Georgia Chadwick at (504) 310-2402 or gchadwick@lasc.org