



DE NOVO

Volume 11, Issue 2/3
Spring/Summer 2014

NEWSLETTER OF THE LAW LIBRARY OF LOUISIANA



In This Issue

Constitutional Convention CLE	3
François Gény CLE	4
New Books Display	4
LEAP Project	5
New Book of Note	6
LCIW Resource Fair	6
Law Day	7
Staff Changes	8



Law Library of Louisiana

Monday, Tuesday, Thursday, Friday
9am - 5pm

Wednesday
9am - 6pm

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

Toll Free (Louisiana only)
800-820-3038

www.lasc.org



At Your Service

Georgia Chadwick - Director

Miriam Childs - Associate Director
& Head of Technical Services

Francis Norton -
Head of Public Services &
Government Documents
Librarian

Jennifer Creevy -
Serials/Acquisitions Librarian

Sara Pic - Reference Librarian

Gail Bragg -
Administrative Assistant

Ruth Mahoney - Library Associate

Daphne Tassin - Library Associate

A PORTRAIT COLLECTION FIRST

by Gail Bragg



Alexander Pierre "A.P." Tureaud, Jr. addresses the audience during the A. P. Tureaud, Sr. portrait presentation ceremony at the Louisiana Supreme Court.

The Supreme Court of Louisiana Historical Society and the A. P. Tureaud, Sr. Legacy Committee were joined by Chief Justice Bernette Joshua Johnson and the Associate Justices of the Louisiana Supreme Court on March 13, 2014 for the presentation and installation of the portrait of the late New

Orleans civil rights attorney Alexander Pierre "A. P." Tureaud, Sr.

A. P. Tureaud, Sr. was the preminent civil rights attorney of Louisiana from the mid 1920's until his death in 1972. As the local attorney for the NAACP Legal Defense and Education Fund, Tureaud handled nearly all of the desegregation

and other civil rights cases filed in Louisiana that successfully ended Jim Crow segregation throughout New Orleans and the state.

Chief Justice Johnson welcomed the magnificent crowd and stated that "in this year, as the country celebrates the 50th anniversary of

continued on page 2

PORTRAIT COLLECTION FIRST, CONT.

continued from front page

the Civil Rights Act of 1964, it is fitting that the portrait of this tireless civil rights attorney be prominently displayed in Louisiana's highest court and that the A. P. Tureaud, Sr. portrait will be the first African-American attorney portrait among the Court's historical collection."

Painted by renowned Haitian artist and New Orleans resident Ulrick Jean-Pierre, the portrait is a gift to the Louisiana Supreme Court from A. P. Tureaud, Jr., who in 1953 became the first person of color to attend the formerly segregated Louisiana State University.

The featured speaker of the courthouse ceremony was Dr. Norman C. Francis, President of Xavier University of Louisiana, and a colleague and friend of A. P. Tureaud, Sr. Dr. Francis presented a unique and historical perspective regarding civil, social and human rights issues, past and present.

Okyeame Haley of the Louisiana Supreme Court was an eloquent master of ceremonies. Other presenters included A. P. Tureaud, Jr., who encouraged

collaborative activities to promote positive race relations; Donna D. Fraiche, President of The Supreme Court of Louisiana Historical Society, who graciously recognized artist Ulrick Jean-Pierre and highlighted a few of his many accomplishments; and Royce Duplessis, President of The A. P. Tureaud, Sr. Legacy Committee.

Over 150 people attended this historical event, which was supported by 47 collaborators, including numerous universities and organizations who recognize the significance of carrying on the legacy of a man who had the foresight to realize that racial equality could best be achieved through the courts and working collaboratively to achieve justice.

Among the many justices and judges present were Louisiana Supreme Court Justice John L. Weimer; retired Supreme Court Justice Harry T. Lemmon; Mrs. Revius Ortique, widow of the first African-American justice of the Louisiana Supreme Court; U.S. District Court Judge Mary Ann Vial Lemmon;

Chief Judge James F. McKay of Louisiana's Fourth Circuit Court of Appeal; and former first lady of New Orleans, Mrs. Sybil Morial.

A. P. Tureaud, Jr.'s sisters and other family members attended, as did Okyeame Haley's family. Okyeame's mother was the late civil rights, women's rights, and human rights activist Oretha Castle Haley.

Historical Society board members in attendance were President Donna D. Fraiche; Secretary and LSU Paul M. Hebert Law Center Professor Paul R. Baier; Treasurer Benjamin Janke; LSBA President Richard K. Leefe; Louisiana Bar Foundation President Leo C. Hamilton; Tulane University School of Law Dean David D. Meyer; E. Phelps Gay; and Dr. Rachel Emanuel of Southern University Law Center.

Others attending were Timothy Daniels, immediate past president of the New Orleans Bar Association; James B. Letten of Tulane University Law School; Liberty Bank & Trust President Alden J.

McDonald, Jr.; and University of New Orleans President Dr. Peter J. Fos.

On display at the event was a book co-authored by Dr. Rachel Emanuel and A. P. Tureaud, Jr. entitled *A More Noble Cause: A.P. Tureaud and the Struggle for Civil Rights in Louisiana: A Personal Biography*. The book offers a compelling biography of a Creole-of-color who changed Louisiana. This book and stories told from an historical perspective reveal how far we have come in our quest for equality, how long it has taken, and how much further we need to go.

Following the courtroom ceremony at 400 Royal Street, the portrait was permanently installed in the State Wing of the Law Library of Louisiana, located on the second floor of the courthouse, where it, along with a permanent exhibit, will help tell the story of Tureaud's life and accomplishments.

δ

LA CONSTITUTIONAL CONVENTION CLE

by Miriam Childs

The Law Library of Louisiana sponsored a CLE on April 23, 2014 that took a retrospective look at the work of the 1973 Louisiana Constitutional Convention. Held at the Louisiana Supreme Court, the CLE was free and open to the public, worth 1.5 hours of credit for participating attorneys.



CLE panel participants. Left to right: Thomas A. Velazquez, Alvin D. Singletary, Mary K. Zervigon, Judge Max N. Tobias, Jr., and Phillip O. Bergeron.

The Louisiana Constitution is 40 years old, adopted on April 20, 1974. It became effective at midnight on December 31, 1974. The preceding convention, with 132 elected and appointed delegates, took place during the fall of 1973.

Judge Max N. Tobias, Jr. of the State of Louisiana Court of Appeal, Fourth Circuit, moderated and participated in the panel of five former delegates to the 1973 Constitutional Convention. Including Judge Tobias, the panel's members were Phillip O. Bergeron, Alvin D. Singletary, Thomas A. Velazquez, and Mary K. Zervigon. Judge Tobias was responsible for coordinating the panel, reaching out to his former colleagues to arrange for their participation.

The panel members took turns discussing specific articles of the

1921 Constitution revised during the 1973 Convention. It was necessary to call a convention because by the late 1960s the 1921 Constitution was the most voluminous in the nation – even the state highway map was in it. Numerous amendments were needed every year just to get state business done, and voters became so annoyed with long ballots that they started voting “no” for each one.

Among the constitutional articles discussed during the presentation was Article V, the Judicial Branch. Justice Albert Tate, Jr. and Justice (now Judge) James L. Dennis were two members of the committee that worked on revising the judicial provisions from the 1921 Constitution.

The new constitution reduced the term of

Louisiana Supreme Court justices from 14 to 10-year terms. The direct jurisdiction of death penalty cases was removed (but reinstated in 1980). The manner in which judges were elected or appointed to fill vacancies was changed so that younger candidates had a chance to hold office. The retirement age of judges was set to 70. The panelists mentioned more than once that some revisions provoked extended debate. For example, Article I, Section 3 of the constitution, The Right to Individual Dignity, started a debate on the treatment of women, which was a sensitive topic at the time.

The panelists said that in general, the 1973 Constitutional Convention aimed to keep government accountable to the people of Louisiana. There was an

effort towards bringing uniformity into state operations. Were a constitutional convention to be held today, the state Legislature would need two-thirds of the vote of the elected members of both the House and Senate to call it. As to whether the Legislature should call for a new constitutional convention, the panel's sentiment was mixed.

The audience gave hearty applause at the conclusion of the lively, informative discussion. Some attendees approached panel members afterwards to continue the discussion. Others studied a reproduction 1973 Constitutional Convention group photo set up at the front of the room (courtesy of the Law Library), to satisfy their curiosity about how the panelists looked four decades ago. δ

FRANÇOIS GÉNY CLE

On April 9, 2014, the Supreme Court of Louisiana Historical Society and the Law Library of Louisiana hosted a CLE entitled “François Gény : A Louisiana Judge’s Best Friend,” presented by Dr. François-Xavier Licari, Associate Professor of Private Law at the University of Lorraine in France. The CLE was held in the Louisiana Supreme Court’s courtroom and was co-sponsored by the LSBA Francophone Section and the French-American Chamber of Commerce Gulf Coast Chapter. The CLE was free and open to the public, worth one hour of credit.



Dr. Licari examines volumes from the Law Library's Rare Book Room with Director Georgia Chadwick and Supreme Court of Louisiana Historical Society Treasurer Ben Janke.

Dr. Licari discussed sociological, cultural, and historical factors that contributed to Louisiana’s unique reception of the “free objective search

for a rule” as set forth in François Gény’s manifesto, *Méthode d’interprétation et sources en droit privé positif*. He also examined Louisiana’s

positive reception of the rule by analyzing applicable decisions of the Louisiana Supreme Court.

Dr. Licari holds a Ph. D. in law from the University of Strasbourg in France and the University of Saarland in Germany. Dr. Licari’s scholarly works have appeared in French, German, and American law reviews such as *The American Journal of Comparative Law*, *the Louisiana Law Review*, and *Tulane Law Review*.
 ⚡

NEW BOOKS DISPLAY

by Ruth Maboney

“New Books, Just Arrived” reads the sign on the table located in the front of the Information Desk in the Law Library. The Law Library receives many new titles each month, which are processed in the Technical Services Department and then placed on the shelves throughout the library.

Some of these new titles are selected for display to the public and for Court employees to check out through our circulation system. One can view all seventy-six new titles received in April 2014 by going to the library’s online catalog located at <http://L20013.eos-intl.net/L20013>. Once there, click on the “Lists” tab for new titles. All titles are law-related, covering topics pertaining to legal history, politics, current events, etc.

Many of our new titles treat issues that are serious, but some are simply fun and useful. For example, have you read *The Little Book of BBQ Law* by Cecil C. Kuhne III? Or *The Little Book of Fashion Law* by Ursula Furi-Perry? A number of titles are about historical subjects such as *My Dearest Friend: Letters of Abigail and John Adams*, edited by Margaret A. Hogan and C. James Taylor; and *The Rudolph Matas History of Medicine in Louisiana*, edited by John Duffy. Currently on display is a book on a hot topic in legal circles, *Social Media and The Law: A Guidebook for Students and Professionals*, edited by Daxton R. “Chip” Stewart.

If you follow the current U.S. Supreme Court, then *The Roberts Court: The Struggle for the Constitution* by Marcia Coyle may interest you. If your interest is freedom of speech, then you may want to read *The Great Dissent: How Oliver Wendell Holmes Changed His Mind—And Changed the History of Free Speech in America* by Thomas Healy. *Images of America: Huey P. Long Bridge*, by Tonja Koob Marking and Jennifer Snape, contains breathtaking photographs of the engineering and construction methods used in building the Huey P. Long Bridge, as well as of the recent widening project.

As in any library, it is helpful to walk through the stacks to find something interesting to read. It is the same with the Law Library of Louisiana which is open to the public. While you are here be sure to look at the New Books Display, which will be updated every few weeks to showcase many new titles. Also be sure to go to the Popular Reading area and browse the many books there on legal and non-legal topics. It is gratifying to librarians to see how many court employees and regular library users take the time to look at the rich collection of books and other materials at the Law Library of Louisiana.
 ⚡

LEAP PROJECT

by Francis Norton

Why would anyone represent themselves in court? That's an excellent question, since the number of self-represented litigants (SRLs) has been sharply rising. There are many reasons for this dramatic increase: the economic downturn has created many problems for families, funding for legal services has been cut, and pro-bono resources are exhausted. Individuals in remote areas do not have adequate access to legal services. Unfortunately, many people have pressing legal problems, but do not have the means to hire counsel.

The large number of SRLs can be a problem for judges. They are often unfamiliar with basic court procedures, they may have only a murky idea of what the court can do to resolve their problems, and they often file improper forms (forms are usually unavailable in the first place, and commercial sites often sell the wrong forms, and then don't give a refund). These same issues are equally vexing for the SRLs themselves.

Louisiana has a problem with its court dockets filling with SRLs, and with its citizens who need legal solutions becoming SRLs. Into this mix stepped Michael W. Schachtman

and Monte T. Mollere of the Louisiana State Bar Association's Access to Justice Committee. In partnership with the Law Library of Louisiana, Southeast Louisiana Legal Services, and others, they spearheaded the Legal Education & Assistance Program (LEAP). Their vision is to include libraries as a partial solution to the problem.

Why libraries? They are conveniently spread throughout the state. They are a public gathering place that many people already visit regularly. The public already has a very favorable impression of libraries; the public trusts the information that libraries dispense. Libraries are natural conduits for information. So, why not enlist the aid of librarians?

LEAP plans on creating content about legal subjects that most concern current SRLs: protective orders, divorce, custody, landlord-tenant, etc. This content will be clear and easy to understand, and will be tailored to individual jurisdictions. LEAP will use the LibGuides software, which is already familiar to many librarians and

students, and will host the LibGuides online, so that they are publicly accessible from any computer. LEAP also plans on training public librarians on how to direct library users to the appropriate materials. Eventually, we hope to have local attorneys and court officials come into the libraries and present short talks on various legal topics and court procedures.

A long term goal would be to have public libraries serve as intermediaries to enhance communication between courts, libraries, the Bar, legal aid, and other concerned groups. Once these various groups begin communicating, it may be possible to create more uniform forms and procedures, which would make the civil legal process more accessible and efficient for everyone.

If you are interested in joining LEAP or volunteering some time in your local library, please contact Michael Schachtman at Michael.schachtman@lsba.org.
δ

LAW LIBRARY PRICE LIST

Self service copies:
photocopiers \$0.25
fiche/film to paper \$0.25
printer copies \$0.25
(no charge for cite lists)

The minimum charge for all orders filled by library staff is \$5.00. Orders for \$5.00 or more use the prices below.

Staff-made copies:
photocopiers \$0.50
fiche/film to paper \$0.50

Faxing, or scanning and emailing: \$1.25/page, plus copying charges if necessary

Emailing pdf from e-resource: \$10.00 per document

Postage: actual cost

Interlibrary loans: \$10.00 plus lender charges, if any

Certification charge:
\$5.00 per document

NEW BOOK OF NOTE

by Jennifer Creevy

The Law Library purchased a new title that might be of interest to anyone who wants to know more about the law librarian profession. *Law Librarianship in the Digital Age*, edited by Ellyssa Kroski, contains essays that reflect the most current aspects of the profession, from introductory concepts to discussions of the future of law libraries and librarians.

The book is broken down into eight sections, with each section containing

essays related to a theme. The titles of the sections are: Major Introductory Concepts; Technologies; Reference Service; Instruction; Technical Services; Knowledge Management; Marketing; Professional Development; and The Future.

Each essay is written by someone who is a leader in his/her field in law librarianship. The authors of the essays are firm, academic or court librarians, making the book relevant for any Law Librarian. A list of titles for further reading appears at the end of each essay.

Ever wondered how law librarians are integrating digital media into traditional libraries? There are essays on "E-books in Law Libraries" and

"The Cloud." Want to know how information has migrated from paper to the internet? Read "Online Information Sources" in the Reference Services section. There is even a section devoted to the technical services aspect of the library (something dear to this author's heart).

The final section discusses the future of law librarianship. This essay, co-written by an academic and a private firm librarian, describes the challenges facing law libraries (losing physical space, dollars and staff) while showing that as the libraries change, so must the librarians. "Contemporary law librarians are flexible by nature, training and necessity" (pg. 486). The platforms for knowledge

may change, but the need for a knowledgeable user, taught by a knowledgeable information manager, still exists.

Law Librarianship in the Digital Age (shelved at Z 675.L2 L3839 2014) was awarded the 2014 Joseph L. Andrews Bibliographical Award given by the American Association of Law Libraries. This award "recognizes a significant textual contribution to legal literature." This title is an excellent overview of a profession that is always in flux, but still has the core mission of "matching people to knowledge" (pg. xi). δ

THE LIBRARY'S E-RESOURCES

Bloomberg BNA Tax
Management Portfolios

Bloomberg BNA U. S.
Law Week

Gale LegalForms

HeinOnline

LegalTrac

LoisLaw

NFPA Standards

New Orleans Notarial
Archives

PACER

ProQuest Congressional

Westlaw/Patron Access
WestlawNext

LCIW RESOURCE FAIR

by Miriam Childs

The Louisiana Correctional Institute for Women (LCIW), located in St. Gabriel, Louisiana, held a resource fair in March 2014. Two of Louisiana Supreme Court Chief Justice Bernette Joshua Johnson's law clerks, Kandice Doley and Veronica Collins, attended the fair as part of an outreach effort towards women who are incarcerated.

Kandice and Veronica spoke to the participants about Social Security benefits and how to access them upon being released from prison. They provided the participants handouts from Social Security detailing how to apply and what information to provide when applying.

Kandice and Veronica informed the participants

that benefits received before entering LCIW could be continued if they applied for benefits before leaving prison.

Several other organizations participated in the fair, with a focus on helping soon-to-be-released prisoners locate employment and transition back into society. δ

WHY EVERY VOTE MATTERS

by Miriam Childs



Law Day 2014's theme is "American Democracy and the Rule of Law: Why Every Vote Matters." Law Day has been celebrated each year on May 1 since 1958 with a Presidential proclamation marking the nation's commitment to the rule of law. The American Bar Association (ABA) chooses an annual theme that examines this commitment.

The foundation of a representative democracy is the right of each citizen to vote in elections and have his or her voice heard. Though much of the activism to ensure each American's right to vote occurred decades ago, there is still much work to be done. The approaching 50th anniversaries of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 provide an opportunity to assess where the country has been and to look towards the future.

The events surrounding the 2000 presidential election uncovered unpleasant facts about voting in the United States. The fallout of the spectacle in Florida, where many citizens' votes were miscounted or thrown out, led to the passage of the Help America Vote Act (HAVA) in 2002. HAVA was passed by Congress to ensure outdated voting systems and other obstacles didn't create barriers to ballot access. The act established a program to provide funding for states to replace punch-card voting systems; created the Election Assistance Commission (EAC); required the availability of provisional ballots; and established minimum election administration standards.

The EAC's responsibilities include developing voluntary voting system guidelines and a national

program for testing voting systems; maintaining the national voter registration form required by the 1993 Motor Voter Act; administering programs to delegate funds to the states for meeting HAVA requirements; and producing studies and reports related to administering federal elections. The 2004 national elections were the first in which EAC participated by providing voting assistance to the states.

ABA's Standing Committee on Election Law's 2012 report discussed voting problems in many jurisdictions, proving that 10 years after the HAVA there are still many problems to deal with. The report documented long lines at polls during the 2012 presidential election, resulting in some voters having to wait hours to cast a ballot.

The report discussed a number of factors that caused the long lines, including technology malfunctions, inadequate supply of voting machines, lengthy ballots, inadequate poll worker training, poor planning on the part of the jurisdiction, lack of alternative voting options, and sudden changes to voting laws. These problems make voting a burdensome process. The nation's election laws and practices should permit the least restrictive and burdensome access to the ballot for all citizens.

Reports like the one discussed above make evident the outstanding problems with equal access to the ballot. All Americans should have the opportunity to participate equally in civic life and in our democracy. When a citizen is deprived of access to the ballot, harm is not only done to the voter, but also to our government, which becomes that much less representative of the people. Every vote truly does matter.

Please stop by the Law Library during regular business hours to view this year's Law Day exhibit, which provides further exploration of the themes discussed in this article.

δ

De Novo
The Newsletter of the
Law Library of Louisiana

Louisiana Supreme Court
400 Royal St., 2nd Floor
New Orleans, LA 70130-2104

Phone: 504-310-2400
Toll Free (LA only) 1-800-820-3038
Fax: 504-310-2419
Email: library@lasc.org



This public document was printed at a total cost of \$385.00. 300 copies of this document were published by the Law Library of Louisiana, 400 Royal St., New Orleans, LA, as the tri-annual newsletter of the Law Library of Louisiana under the authority of the Judicial Budgetary Control Board.

Comments? Suggestions?
Feel free to email the
editor at mchilds@lasc.org.

Want De Novo only in email?

If you'd like to continue reading De Novo but would prefer an electronic version instead of a paper copy, please email mchilds@lasc.org. We will then notify you by email of each new issue, which you'll be able to download as a pdf from our website.

Access the library's
online catalog <http://L20013.eos-intl.net/L20013>.

LIBRARY STAFF CHANGES

The Law Library is excited to announce a number of staff changes since the previous newsletter.

Tara Lombardi, Reference and Collection Development Librarian since 2008, left the library in October 2013 for a position with the St. Charles Parish Public Library system. Tara's replacement, Sara V. Pic, started with the library on May 19.



Sara V. Pic, the library's new librarian.

Sara is a graduate of Smith College, Northeastern University School of Law, and the LSU School of Library and Information Science.

Katherine Nachod,

Electronic Resources and Reference Librarian since December 2006, retired on May 23.

Catherine Lemann, who previously worked at the Law Library for over a decade, has returned on a part-time basis as part of the Reference team.

Please welcome Sara and say hello to Cathy on your next visit to the library.
δ