

State Bar of Michigan
Committee on Libraries, Legal Research, and Legal Publications

Meeting Minutes
Virtual Meeting

February 14, 2015

Remote Participation: Nancy Ballast, Jan Bissett, Kim Breitmeyer, Geraldine Brown, Kincaid Brown, Marlene Coir, Randy Davidson, Barbara Goldman, Audra McClure, Ryan Painter, Janice Selberg, Heather Simmons, Ruth Stevens, Virginia Thomas, George Ward, Tom Weiss, Erica Zimny

Excused: Lynn Ingram, Laura Mancini, Joseph Novak, Lance Werner

Committee Chair, Kincaid Brown, called the meeting to order at 10:00AM.

Agenda Items

1. Committee Business

a. Minutes of the October 18, 2014 Meeting.

The Committee reviewed the minutes of the October 18, 2014. The minutes were approved.

b. Monthly Bar Journal Column Status Update

The Chair presented *Michigan Bar Journal* column assignments through February 2016 and presented opportunities for March 2016 through January 2017. Members present volunteered for available columns. An updated assignment list is provided as an addendum to these minutes.

c. Michigan Online Legal Resource Center Update Cycle.

The Chair reported that review of all topics with the exception of Family Law (Laura Mancini) has been completed and topics updated as needed.

d. Legal Forms, Research, Resources & Publications Page

<http://www.michbar.org/resources/legalforms.cfm>

The Legal Forms, Research, Resources & Publications page on the SBM requires updating. Kincaid Brown and Heather Simmons were granted permission to take it over. They recommended changes that have been implemented.

2. Mock-Ups of New Michigan Online Legal Resource Center Topics

Ruth Stevens created a mock-up of the Employment Law topic, but an icon on the main Michigan Online Legal Research Center home page is outstanding. The Veterans' Law topic is still in the process of being created by Laura Mancini.

3. Amendment of Michigan Rules of Professional Conduct 1.15

The Committee received email communication from Peter Cunningham on February 10, 2015 regarding a revision of this rule. The amendment to the rule was summarized as follows:

2015-03 – Amendment of MRPC 1.15

The amendment of MRPC 1.15 adds “credit union” to the definition of “eligible institution” for deposit of IOLTA funds. This change reflects a recent federal statutory amendment that extends federal insurance protection to IOLTA deposits held in credit unions. PL 113-252.

The Committee was asked to notify Cunningham if it wishes to submit comments pertaining to this amendment. The due date for comments is April 2, 2015.

The Committee discussed the amendments to MRPC 1.15 and found that the section was not of specific interest to Committee's business. A motion not to offer comments from the Committee was made. The motion passed.

4. Discussion Topic: Library Access to ICLE e-Books

The Committee discussed the ICLE policy regarding access to the online resources (particularly e-books) that it publishes. Currently, ICLE print publications are available for purchase by non-lawyer individuals, libraries and associations. However, online subscriptions are not similarly available. Online ICLE access is restricted to:

- Practicing lawyers
- Law librarians at ICLE Sponsoring Law Schools¹
- Michigan law school clinical faculty and law students enrolled in clinics²
- Michigan law school full-time non-clinical faculty and students³ and,
- Students enrolled in approved Advanced Legal Research Courses.⁴

Per Cindy Huss, ICLE Director of Publications and Online Resources, these restrictions to online ICLE resources are based on two factors:

- Financial impact – ICLE is a not-for-profit and receives no state funding, etc., and,
- ICLE online resources are designed for practicing lawyers, not the general public. ICLE assures its authors, particularly those who share their forms, that their contributions will not be distributed to the public.

Discussion of these factors followed. The Committee questioned whether ICLE's current restrictions on public access to online ICLE resources raised an access to justice issue.

The Committee discussed alternative pricing models for ICLE products that might address ICLE's concerns while offering wider access of ICLE products. Among the alternatives mentioned were 1) flat fee for IP range access, 2) transactional pricing, and 3) a "pick and choose" model.

The Committee approved the appointment of a Subcommittee to study the matter further and report to the full Committee during the May 2015 meeting. The ICLE E-Books Subcommittee includes Marlene Coir, Laura Mancini (Chair), Kimberly Breitmeyer, Tom Weiss, George Ward and Erica Zimny.

5. Updates

a. Member Reports & Announcements

Marlene Coir reported that her review of the Wills, Estate Planning and Probate in Michigan web page (as part of the Michigan Online Legal Resource Center) <http://www.michbar.org/generalinfo/libraries/wills.cfm> offers very little content.

Kincaid Brown asked that recommendations pertaining to the content of other subject pages be sent directly to him.

c. Next Meeting

The next meeting will be in Ann Arbor in May. Kincaid Brown will survey the Committee for dates.

The meeting adjourned at 11:11AM.

Respectfully submitted,

Virginia C. Thomas
Advisory Member

Attachment: MJB Theme Articles

¹ ICLE's sponsoring law schools are those Michigan law schools represented on the ICLE Executive Committee.

² Clinical faculty and students may receive full access to ICLE's Premium Partnership for use in clinic matters during a given term.

³ Up to 2 ICLE online books may be made available to students enrolled in non-clinical classes provided the faculty assigns them as texts or reference materials for the course. This type of access is limited to 300 students per year per school.

⁴ ICLE's Pilot Legal Research Course Subscription provides access to ICLE's Premium Partnership Resources for selected, approved Advanced Legal Research courses in Michigan law schools. This access is limited to 100 law school students per year.