

**STATE BAR COMMITTEE ON LIBRARIES, LEGAL RESEARCH,
& LEGAL PUBLICATIONS**

**Minutes of February 9, 2008 Meeting
Michael Francks Building, Lansing**

Present: Ann Baker, Barb Bonge, Barb Goldman, Byron Cooper, Jan Bissett, Janice Selberg, Jennifer Schafer, Lance Werner, Marjorie Gell, Randy Davidson, Randy Foreman, Ruth Stevens, Sharon Barnes, TeLisa Owens.

Absent: Dan Kopka, Georgia Clark, Jane Edwards, Jennifer Selby, Jim Hogan, Julie Sullivan, Kathryn Vance, Marilyn Preston, Roger Peters

Chair Randy Foreman called the meeting to order at 10:15 a.m.

The Committee members present approved the minutes of the November 10, 2007 meeting.

Chair's Report:

Randy F. announced that member Jane Edwards had a healthy baby girl named Caroline Marie. Congratulations were offered. It was announced that Jennifer Schafer is now a full voting member with term expiring in Sept 2010. Randy provided copies of the following recently published Michigan Bar Journal articles by Committee members: *Print and Online Resources for Factual Investigation in connection with Real-Estate Transactions*, by Ruth Stevens (Nov 2007), *Online Michigan Criminal Law Resources*, by Randy Davidson (Dec. 2007), and *Continuing Legal Education in Michigan*, by Randy Foreman (Jan. 2008).

Randy also announced that the Bar Journal topics order had been changed. The article that TeLisa was to write in August 2008 was moved to February of 2009 and a general topic was put in its place. TeLisa agreed to write the general article in August as well. The chair thanked TeLisa. Lance Werner's March topic of Family Law was moved to June. Jennifer Selby's topic on Cyberlaw (for the June general issue was pushed up to March, with a due date in mid January. Jennifer agreed to finish the article on very short notice. The chair thanked Jennifer Selby for her extra effort on such short notice.

Old Business:

1) Randy Davidson's project involving the presentation of a proposed new rule of evidence was discussed and voted on. The proposed rule for electronic evidence discussed extensively. The issue of Library committee jurisdiction was discussed. Randy Davidson's statement regarding committee jurisdiction was read, and is here entered into the minutes:

Our Committee's jurisdiction is to "assist members of the Bar and the public in improving the legal resources at libraries, legal publications, and methods of conducting legal research." The proposed rule on electronic evidence addresses issues such as proving the contents of a document that is no longer published in print form, admitting the contents of an Email or voice mail message, or a digitized public record. It also deals with establishing the official text of a rule or regulation that is no longer published in paper form.

Furthermore, if electronic evidence is admissible, citizens may be able to save the considerable time and expense of obtaining certified paper copies from government agencies. Libraries may be able to offer additional electronic resources at a substantial savings over the cost of acquiring paper materials. Therefore, the proposed rule is directly related to improving the legal resources at libraries, legal publications, and methods of conducting legal research.

The committee also discussed whether other committees might be working on the same project or if other states or the federal government had yet provided rules similar to the ones proposed. Randy Foreman confirmed that had investigated the matter and had found no evidence of any other committees working on anything similar. Randy Davidson confirmed that he had researched nationally and found nothing similar being done by any other state or the federal government.

There were 9 out of 13 voting members present at the meeting, and so there was a quorum. The voting members present then voted unanimously to pass the proposed rule on to the Board of Commissioners.

2) Web hit report. Randy Foreman presented the statistics of the web page hits. It was noted that the last report was still in error, showing about ½ of what would be expected. Randy reported that Sandra Barger had told him that they were still working on correcting those statistics.

3) The Debt Relief page was presented. TeLisa Owens and Jennifer Schafer were thanked for their work on the project. Tax professor Marjorie Gell suggested that the page needed some links to very new federal tax laws that pertain to debt relief and offered to provide them. The Chair offered to put Marjorie's links on the page and to then send the modified page to TeLisa and Jennifer for their final review prior to submitting the page to Sandra Barger to be posted on the State Bar website.

4) The immigration page has been posted. Randy Foreman provided copies of the current page as it appears on the web site.

5) Barb Bonge requested input on a "short" URL name for the library committee's self-help page. Several suggestions were made. Randy Foreman offered to send an email to all committee members requesting suggestions, and that he would then check with Sandi Barger to see what could be done. Suggestions made at the meeting included: *MichLawHlp.org*, *selfhelp.michbar.org* and *michbar.org/selfhelp*. It was suggested that the State Bar may insist that the new name (assuming they will give us one) must contain "michbar.org" in the title.

New Business

Chair Randy Foreman suggested that the committee meet less often, noting that the committee is only required to meet once each year. It was suggested by various members that 3 times per year might be nice, and that there should be no meetings during June, July and August.

ROUND TABLE on news and emerging issues.

Randy Foreman announced that the new Auburn Hills campus for Thomas Cooley law school has opened, and that it had moved from Oakland University.

Marjorie Gell, announced that she is working on a proposal for an Indian Law center at Cooley in Grand Rapids which will include special library resources.

Byron Cooper announced the University of Detroit Mercy now has a full-fledged Veteran's clinic, and that we should feel free to refer clients there.

Janice Selberg from Ave Maria announced that the school is still planning to move to Florida in June of 2009, and that she is working on the move with the university librarian in Florida.

Barb Bonge announced that the Court of Appeals has a new chief Judge, Judge Saad. She thanked the committee for their help with the directory issue.

Ruth Stevens announced that Cooley in GR is seeking a reference librarian. She also announced that she is working on a project to help the GR bar legal assistance center with a project to make electronic legal forms more accessible. Ruth also will be asking for the committee input on a survey being conducted by the AALL Joint Committee on self represented litigants.

TeLisa Owens announced the Sommers Schwartz has restructured and is moving forward.

Randy Davidson thanked the committee members for approving the proposed rule MRE 902A

Jennifer Schafer informed the committee that if we need to submit anything to the representative assembly, she would be able to do that for us.

Jan Bissett announced that the Access to Justice web site of the state bar has a brochure about law school clinics which is 5 years old and needs to be updated.

Barb Goldman announced that she is doing a presentation to the Michigan Association for Justice on premises liability next month.

Ann Baker announced that she is working with the Dept of Information Technology (of the State of Michigan) to come up with standards for authentication as required by the Michigan Electronic Transaction Act. She is hoping to get these standards in place before an upgrade to the new computer system occurs. She is also looking at automatic redaction software that will remove social security numbers form old PDF files so that they can be posted on the web. Ann also reported about the Miller amendments which were proposed in response to a case, Miller v. Allstate – a decision which said that an occupations therapy office had to organize as a PC and not a business corporation. This decision has leg to ambiguity as to which businesses must form as a PC. The case is now before the Michigan Supreme Court. The Miller Amendments are being considered by the Michigan legislature. They provide that “learned professions,” such as medicine and law have to file as a PC whereas other types of business can be a business corporation. Bills would resolve the current uncertainty of the law. Ann also reported that SB 123 to allow non-profit corporations meetings to be held electronically has passed the Senate and will got to the floor of the House.

LATE ADD. After our November meeting, Georgia Clark sent the following information for the Round Table and I neglected to include it at our February Meeting.

Dear All - Sorry I have not been able to attend lately but have been keeping up via the minutes.

A point of information about the law library - we have a new instruction services librarian, Veronica Foster, who comes to us from the Georgetown Law Library. In addition we, along with the University of Michigan Law Library, have been chosen to be one of the 15 depository libraries offering free PACER services to community patrons.

The meeting was adjourned at 11:40 p.m., and we expressed our thanks to host Sharon Barnes.

Respectfully submitted,
Randy Foreman, Chair