



Berkshire Law Library Newsletter

Massachusetts Trial Court Law Libraries

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Open Monday thru Friday

8:30 am to 4:30 pm



"America in Distress" (1775)
[American Antiquarian Society](#)
[Collection of Paul Revere](#)

A Day in the Life of a Law Librarian responding to Chat Queries

A typical day on chat service starts with opening up the chatline (in the morning) to discover three or more questions that were sent the night before by people who didn't read the directions regarding our hours of service. Soon the questions start to come in, and each patron probably thinks they are the only one. Actually, we may have multiple questions coming in simultaneously, sometimes overwhelmingly, so one doesn't have any time to research a question before the next one pops up, and the next, and the next. Whenever there is a new question, or a response from the patron to our answer to them, a ring will sound. Bear in mind that we may also have to be answering questions that come in at any time via the telephone or a patron entering the library. We are always juggling chat and real life. Each library's chat shift lasts about two hours.

Typical Questions

I may get a question on how to modify child support or custody, or what the laws are on supporting a child's education after age 18, or some procedural issue in civil litigation. People may want court forms, without knowing which form they need. Someone may be asking me what the regulations were in 1988 concerning hair salons (which requires a time-consuming process of searching through back issues of the Massachusetts Register, from one change to the next, back to 1988). Someone else will be asking how to seal their criminal records. Is it fair for an employer to ask them to work different hours? Is a particular clause in my apartment lease legal?

We need to be careful not to give legal advice; we cannot actually tell the callers what to do. And depending upon the complexity of the issues, we do tell people that it would be wise for them to hire a lawyer. We get people writing in with questions from other states, and we direct them to legal resources available to them in their state.

The best days are when all of our questions can be answered by information on our law libraries' "[Massachusetts Law About...](#)" web pages, subject guides to Massachusetts legal topics which include links to laws, regulations, cases and websites. We typically work feverishly trying to find the correct legal information online or in books, while trying hard not to lose chat patrons who might be impatient for an answer. When our chat shift is over, we often need a little time to recover. Some of our librarians like doing chat more than others, in the same way that some people like public speaking, mixed martial arts, or bungee jumping over a cliff. Other librarians chose this line of work out of a love of good books, so we would rather be reading silently in isolation, transported by great thoughts. However, we all feel rewarded when we can help people find the legal information that they need. – Gary Smith

To get help finding and using Massachusetts legal information via online chat or text messaging, Ask a Librarian! at <https://www.mass.gov/service-details/chat-or-text-with-a-law-librarian>. Online chat works best for questions that can be answered quickly by using online resources.

govinfo

<https://www.govinfo.gov>

govinfo is a service of the United States Government Publishing Office (GPO), which is a Federal agency in the legislative branch. govinfo provides free public access to official publications from all three branches of the Federal Government. Popular resources available from govinfo include United States Court Opinions, the Code of Federal Regulations (e-CFR), the Federal Register, the United States Code, Congressional Bills, and the U.S. Constitution.

Principles and Standards for Legal Research Competency

Finding the law is what we are all about. The American Association of Law Librarians has developed principles and standards to promote legal research competency. Being able to find what you are looking for in a competent, effective and efficient way can affect the bottom line for lawyers, or ensure a better outcome for *pro se* litigants. The Principle and Standards are available [online](#), and listed below with some annotations.

1. Possess foundational knowledge of the legal system and legal information sources.

[State Court Structure Charts](#) are available online as part of a project of the National Center for State Courts. The charts summarize in one-page diagrams the key features of each state's court organization. The organizational chart for the [Massachusetts Court System](#) is available online.

2. Gather information through effective and efficient research strategies

Because all legal resources are not available online for free, we are at a time in history when we must balance online and print resources. Librarians can help you find the material that you need in a format that you can use. This might be from Westlaw, Lexis, administrative law databases from Social Law Library, in print, or online for free made available from a trusted source. Three excellent sources of information on the web are highlighted in the boxes on the bottom of pages one through three of this newsletter.

3. Critically evaluate information.

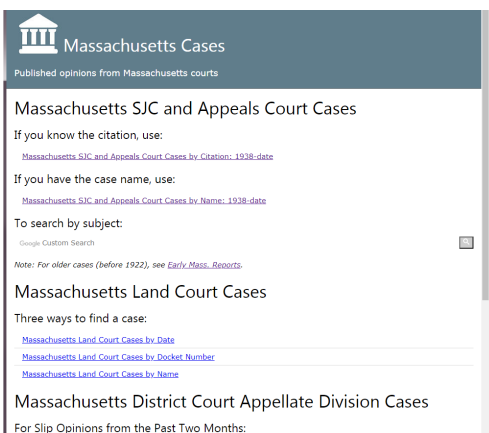
Who is the author, or what is the source of the information that you are looking at? Is it a primary source (the law itself) or a secondary source by a trusted author? How current is it? If it is online, is it authentic? The [Uniform Electronic Legal Material Act](#), introduced in the current legislative session as [H. 3294](#) and [H. 64](#)., provides that if legal material is introduced only in electronic form, it must be designated official and authenticated, preserved and accessible. Law Librarians everywhere support the law, which has yet to be passed in Massachusetts.

4. Apply information effectively to resolve a specific issue or need.

Probably you don't need to reinvent the wheel. There will be information from someone who has already successfully solved your problem. Treatises and manuals available at the law library can be your friends. Annotated Statutes, such as *Massachusetts General Laws Annotated* or *Annotated Laws of Massachusetts*, can send you to relevant secondary sources, treatises and manuals that deal with the law that you are researching.

5. Distinguish between ethical and unethical uses of information, and understand the legal issues associated with the discovery, use, or application of information.

Since 1999, the Board of Bar Overseers has made available a series of [Articles on Ethics](#) on a variety of topics, most specifically related to the [Mass. Rules of Professional Conduct](#), ethical standards for the practice of law in Massachusetts.



<https://www.masscases.com>

Massachusetts Trial Court Law Libraries provide free access to all published SJC and Appeals Court cases beginning in 1938 (and thousands of earlier cases). In the past, cases that were public record were only available if you visited a courthouse or subscribed to a fee-based database. Today, the law is becoming more and more accessible for everyone on the Internet. Appellate Court decisions can serve as precedent in legal research, and reading them is vital to attorneys and others conducting legal research. Massachusetts Land Court Cases and Massachusetts District Court Appellate Division Cases are also available at www.masscases.com.

Access to Justice Addressed in the Massachusetts Constitution

"Every subject of the Commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, of character. He ought to obtain right and justice freely, and without being obligated to purchase it, completely, and without any denial; promptly and without delay, conformably to the laws." - Part I, Article XI, from the [Declaration of Rights](#)

In January, we published a series of blog posts showcasing the [30 Articles in the Declaration of Rights in the Massachusetts Constitution](#), and indexed the articles for easy access.

Founding Documents of the United States of America on view at Williams College



"Shrine of the Founding Documents"
Chapin Gallery, room 406
Sawyer Library, Williams College

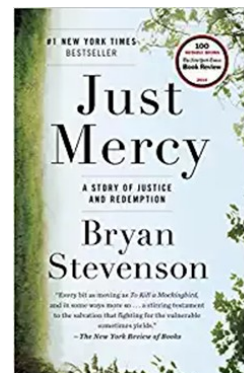
Chapin Gallery, in the Sawyer Library at Williams College, contains a permanent display of the most significant printed documents relating to the founding of the American Republic. On exhibit in a display case, designed by local architects and constructed by local craftspeople, incorporating the latest in conservation features, are original printed examples of the Declaration of Independence, the Articles of Confederation, the Constitution, and the Bill of Rights. The library is the only place in this country, other than the National Archives in Washington, D.C., where all four documents may be viewed together.

The [Chapin Gallery](#) is open to the public, free of charge, during regular business hours of the Special Collections Department of the Williams College Libraries.

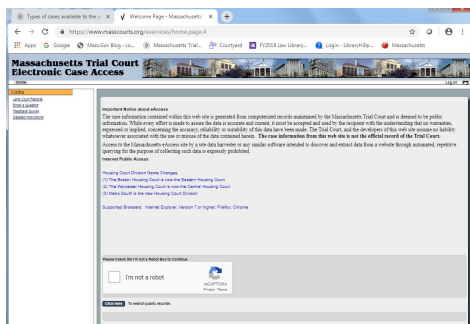
High resolution digital images of the documents are available in [Unbound](#).

Considering racial and economic injustice - Bryan Stevenson

Bryan Stevenson began work on his first death penalty case when he was a 23 year old student at Harvard Law School working in Georgia on an internship. His book, *Just Mercy*, tells his story. It is the autobiography of a man who has won relief for dozens of condemned prisoners. His organization, [Equal Justice Initiative](#) is a private, nonprofit organization that challenges poverty and racial injustice, advocates for equal treatment in the criminal justice system, and creates hope for marginalized communities. *Just Mercy* is available at your local public library or can be checked out using your library card at the Berkshire Law Library.



<https://www.masscourts.org>



The Trial Court has a list of the [Types of cases available to the public](#) online by Court. [Instructions for Massachusetts Trial Court Electronic Case Access](#), a quick reference card, for using the masscourts.org website, is available.

Trial Court Rule XIV: Uniform Rules on Public Access to Court Records, [Rule 5](#) deals with "Remote Access to electronic court records", The Notes to the Rule say "All publicly available docket information in civil and criminal proceedings except those exempted pursuant to Rule 5(a)(1)(iii) and Rule 5(a)(12)(iii), shall be made available electronically to the extent that the public shall be able to search and view the information designated in this rule."

Selected New Acquisitions

New Edition—Massachusetts Law

Massachusetts Bar Discipline: History, Practice, and Procedure, The Board of Bar Overseers 2018.

A free electronic version of the treatise is available at <https://www.massbbo.org/BBOTreatise>.

Administrative Law Databases

We maintain a print subscription to the seven administrative and case-law reporters published by Landlaw Legal Publishers. The subscription comes with unlimited access to their searchable online case database, available for in library use. Access to Social Law Library's Administrative Law Databases is also available for in library use.

ABA Titles

Handbook of Practical Planning for Artists, Art Collectors & Their Advisors, 2nd ed.

The Law and Liability of Small Aircraft

Assisted Reproductive Technology, 3rd ed.

Autobiographical Works, Trial Accounts

Just Mercy: A Story of Justice and Redemption, Bryan Stevenson, 2014.

The Trial of Lizzie Borden, Cara Robertson, 2019.

BNA / Bloomberg

Cybersecurity Litigation:

Consumer Data Protection and Privacy

Federal Appellate Practice, 3rd ed.

Firearms Law

Law Enforcement Guide to Firearms Law, 9th ed., 2019

Immigration Law

Fragomen on Immigration Fundamentals:

A Guide to Law and Practice

Laypeople's Guides

A Layperson's Guide to Legal Research and Self-Help Law Books, Ken Svengalis, 2019.

Surviving Debt: Expert Advice for Getting Out of Financial Trouble, 50th NCLC Anniversary Edition, 2019.

MCLE Seminar Books

All Print Loose-leaf volumes ("blue binders")

All Print Seminar Materials, including

Massachusetts Cannabis Law Manual

Preventing & Handling Sexual Harassment Claims in the #MeToo Era

Rowman & Littlefield

Access to Information, Technology & Justice:

A Critical Intersection, Ursula Gorham, 2017.

Crime in the United States 2018.

"The most comprehensive official compilation of crime statistics in the United States."

A Tool for Use in our Rare Book Room

The Creation of the Common Law: The Medieval Year Books Deciphered, Thomas Lund, 2015.

"Here, after hundreds of years, is a readable, brilliant, and deep study of the sources of the basic principles of the Anglo-American Legal System still in use today—the medieval Year Books—until now utterly inaccessible except to a few specialists in the most arcane legal history."



Part of the Law Contingent

Suffrage Parade, Washington, D.C., March 3, 1913

Ann Lewis Women's Suffrage Collection

<https://lewissuffragecollection.omeka.net/items/show/2010>.

19th Amendment Centennial

Next year, we will be celebrating 100 years of women's constitutional right to vote, and looking back at the battle for women's suffrage. The National Archives has a new exhibit entitled "[Rightfully Hers: American Women and the Vote](#)". The Library of Congress' exhibit, "[Shall Not Be Denied: Women Fight for the Vote](#)", has a robust web site. A Research Guide, "[19th Amendment to the U.S. Constitution: Primary Documents in American History](#)" is available from the Library of Congress.



"Postcard : Votes for women. [Circa 1905-1910]."

Ann Lewis Women's Suffrage Collection

<https://lewissuffragecollection.omeka.net/items/show/2003>.