



# Legal Ease

## The Newsletter of the Moakley Law Library

Volume 14, Issue 2  
Winter 2004

[www.law.suffolk.edu/library/about/newsletter/](http://www.law.suffolk.edu/library/about/newsletter/)

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### In This Issue

Mass Lawyers Weekly.....	1
Finding EU Materials.....	2
Library Reminders.....	2
A Cure for the Research Blues.....	3
Surviving Exams.....	4
Researchers Use Archives.....	5
Legal Information Buyer's Guide.....	6
Jump or Plunge!.....	6
No More Guessing.....	7
Trivia Challenge .....	8

## Database Review: Mass Lawyers Weekly

Ellen V. Delaney, Reference Librarian

Massachusetts Lawyers Weekly, the newspaper for the local legal community, is available online through the Law Library's Database Page at <http://www.law.suffolk.edu/library/research/databases.cfm>. The current issue and an archive of past issues are available. A password is required to access the current issue.

Please see a reference librarian for password information.

### Massachusetts Lawyers Weekly Archives

The database includes articles and feature stories from Mass. Lawyers Weekly and Lawyers Weekly USA from 1993 to the present. Valuable features include an opinion digest, information about verdicts and settlements and agency hearings, news from the courts, a link to brief articles about Supreme Court opinions, and a classified section.

The opinion digest includes articles about Massachusetts court and agency

opinions. Full opinions may be ordered from Massachusetts Lawyers Weekly, using the MLW number referenced at the end of the article. Verdicts and settlements include articles describing the case, type of action, name of the case, court and docket number,

damages, amount of the verdict, attorneys for the parties and the name of the judge.

The agency hearings section of the data-

base includes notices of public hearings and may include a brief listing of hearings held by a particular agency. For more detailed information on administrative hearings, consult the Social Law Library Administrative database, also located at: <http://www.law.suffolk.edu/library/research/databases.cfm>.



*Student Kristen Ray investigates Mass Lawyers Weekly*

continued on page 7.

# Finding EU Directives, Decisions, and Regulations

Ellen Beckworth, Reference Librarian

European Union legislation is divided into two categories: primary and secondary law. Primary law is created via treaties; secondary law is developed by the European Commission, the European Council, and the European Parliament in the form of regulations, directives, and decisions.

The directives, decisions, and regulations are reported in the *Official Journal of the European Union* (OJL). The full-text of all directives, decisions, and regulations are available online at Eur-Lex: <http://europa.eu.int/eur-lex/en/index.html>. The website is very comprehensive, and includes easy-to-use term and cite searching. A useful index for locating specific laws within the OJL is *Butterworths European Communities Legislation Current Status*. Suffolk Law Library does not own these paper services.

It's helpful to familiarize yourself with some of the terminology used



in Eur-Lex. Secondary legislation cites usually contain the abbreviation EC, a unique identifying number, and the year the regulation or decision became law. For example, the Directive on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) is cited as **2002/22/EC** (of the European Parliament and of the Council).

Below are several books and websites that offer good explanations of the various European legislating bodies, how the laws

are enacted, and the legal definitions and abbreviations often used.

Resources at our Library:

Folsom, *European Union Law in a Nutshell* (West, 2004) KE949 .F55 2004 (Reserve)

Mathijssen, *A Guide to European Union Law* (Sweet & Maxwell, 1999) KJE947 .M38 1999 (Law Treatises-5th fl)

McCormick, *Understanding the European Union: A Concise Introduction* (Palgrave, 2001) JN30 .M381 2002 (Law Treatises-5th fl)

Resources on the Web:

A-Z Index of EU Websites  
<http://www.eurunion.org/infores/euindex.htm>

Guide to Accessing European Union Information  
<http://www.eurunion.org/infores/resguide.pdf>

## Library Reminders

Sabrina Ash, Circulation Services Librarian

The library is open 8am - 11pm weekdays and 9am - 11pm weekends. **During the reading period and exams the hours are extended to 8am - Midnight every day.** Be on the lookout for signs in the library and a notice on the library website detailing when extended hours begin. Also keep in mind that during exams library access is restricted to Suffolk students, faculty, and staff. Please

have your ID ready to enter. If you have misplaced it now is a good time to get a replacement at security on the 1st floor.

The library has 21 **study rooms** available to help you. Study room use is restricted to Suffolk students, faculty, and staff. Two student IDs are required to reserve a small room and four are required

to reserve a large room. Think ahead and stop by the circulation desk to reserve your room in advance. The closer we get to exams the faster they fill up.

Finally, please remember that cell phones and food are not allowed in the library and that beverages are allowed only in spill-proof cups. Thanks for your cooperation.

# A Cure for the Research Blues

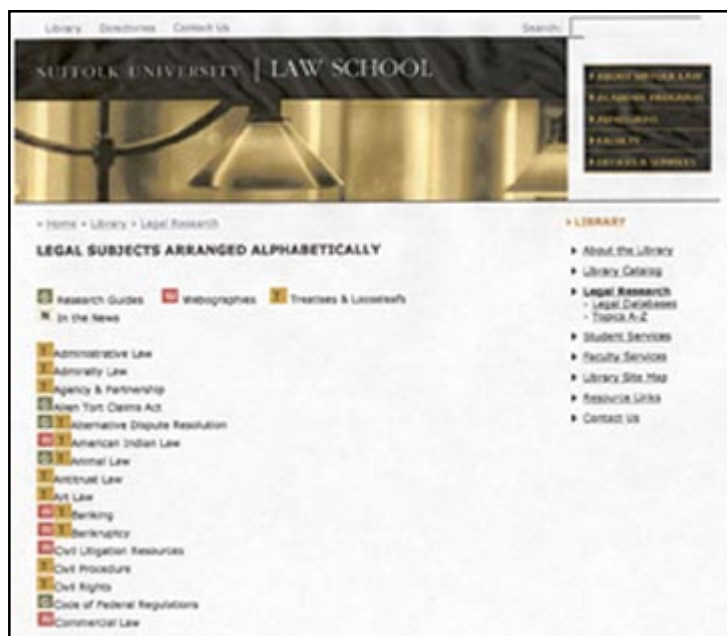
Diane D'Angelo, Reference Librarian

Do you ever feel overwhelmed when you've been assigned a project that deals with a topic you know little about? Do you ever feel like screaming when you search the library catalog and get 15,000 hits? Would you love to be able to maximize your time and do a chunk of your research from the comfort of your own home, accessing and printing relevant resources efficiently and conveniently? Fear not. The library has an extensive list of over 120 topical guides that will help you navigate the daunting ocean of legal resources.

Guides are arranged alphabetically by subject and can be found on the library's webpage at: <http://www.law.suffolk.edu/library/a-zlinks/index.html>. There are 4 types of guides:

Research Guides, Webographies, Treatises & Looseleaves and In the News Guides. Research guides are very detailed. Some are more like "how to" guides and take you step by step through the research process such as the Federal and Massachusetts Administrative Law Guides, the International & Foreign Law Research Guide, the Restatement of the Law Guide as well as the How to Shepardize Cases and How to Shepardize Statutes guides. Research guides include both print and electronic resources. Webographies concen-

trate on resources that can be accessed via the internet and include such topics as Health & Biomedical Law, Civil Litigation, European Union Law, Finance, Human Rights and Intellectual Property. These guides are particularly useful for alums that don't have access to Westlaw and Lexis. Treatises & Looseleaves are narrative explanations of case law, statutes and regulations and



include study aids such as nutshells and outlines. In the News Guides cover hot topics that have been in the news recently, such as the Enron scandal, Iraq, Title IX, September 11<sup>th</sup>, Same-Sex Marriage and the Pledge of Alligence Debate. Reference Librarians are constantly updating these guides and adding new ones to the list. If there's a particular topic you'd like covered or if you'd like to suggest resources to add to an existing guide, contact the reference desk at [lawref@suffolk.edu](mailto:lawref@suffolk.edu) or 617-573-8516

There are also a number of really great non-Suffolk legal research guide sites that you should know about:

- **Law Scout:** Supported by the University of Akron, School of Law Library this relatively new searchable directory of legal research guides went live in January 2004.

You can browse the directory by legal topic or search it using a variety of criteria. Entries include information about the research guide as well as a link to it.

<http://lawscout.uakron.edu/SPT—Home.php>

- **State Legislative History Guides on the Web:** This great site was compiled by Jennifer Bryan, Documents Librarian, Indiana University Law School Library – Bloomington. It provides links to legislative history research guides for all fifty states.

[http://www.law.indiana.edu/library/services/sta\\_leg.shtml](http://www.law.indiana.edu/library/services/sta_leg.shtml)

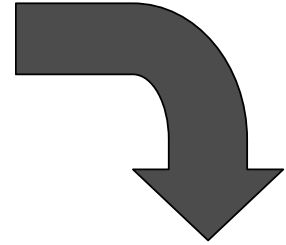
- **Teoma:** Teoma was founded in 2000 by a team of scientists from Rutgers University. You can run a regular "Google-type" search on Teoma and in addition to getting a results list Teoma also provides a list of "Resources" in the bottom-right hand of the page. These resources are web pages that are collections of links often time including valuable research guides.

<http://www.teoma.com/>

# A Visual Guide to Surviving Exams

Susan Vaughn, Reference Librarian

Begin your journey at the Law Library. It is a great place to study, find legal resources, and get reference help.



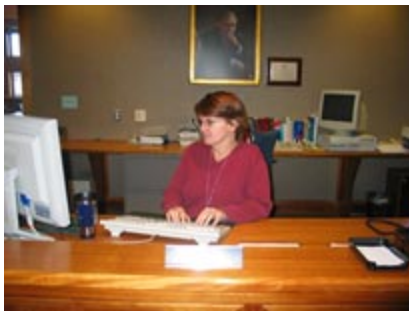
Stop at the Circulation/Reserve Desk to check out a study room, get a nutshell, or check out books.



Stop by the Student Lounge on the 7th floor of the Library for a quick study break.

Past Exams are now back on the library website at: <http://www.law.suffolk.edu/library/services/exams/>

The reading rooms on the 5th and 6th floor of the library are reserved for quiet study. Also, there is wireless access on the 5th floor of the library, so you can finish up any last minute online research.



Reference Librarians are here to help you with your research needs, such as finding a treatise, research guide, or helping to formulate a Westlaw or Lexis query.



# Researchers Use Archives to Probe Fire-Safe Cigarette Use

By Nancy Kelleher, Public Affairs  
Submitted by Julia Collins, Associate Archivist

John Joseph Moakley was a tireless advocate for creating a federal mandate that would require the tobacco industry to produce “fire-safe” cigarettes, and researchers from Tufts University and the Dana-Farber Cancer Institute are poring through documents in the Moakley Archive as part of a research project on the relationship between the tobacco industry and organized labor.

Cigarettes are the leading cause of fatal home fires in the United States, and the congressman became involved in the issue of selfextinguishing cigarettes when a cigarette caused fire killed seven members of a family residing in his district. He enlisted the help of an influential union in this effort. In the late '70s and early '80s the tobacco industry courted the International Association of Fire Fighters (IAFF) and other fire service organizations by funding fire prevention education, hoping to use the resulting goodwill to enlist the IAFF in an effort to impede fire-safe cigarette legislation, according to Elizabeth Barbeau, a professor at the Harvard School of Public Health and the Center for Community-Based Research at Dana-Farber Cancer Institute. “What the documents we uncovered in the tobacco industry archives revealed was that Congressman Moakley thwarted the industry’s efforts in this regard by enlisting the IAFF as an ally in the

fight for fire-safe cigarettes,” said Barbeau, who also is director of the Organized Labor and Tobacco Control Network. “But we didn’t know how Congressman Moakley was able to do this.”

The Moakley Archives documents have filled in all the gaps, according to Graham Kelder, project director of the Organized Labor and Tobacco Control

cally feasible to produce fire-safe cigarettes. Then the Fire-Safe Cigarette Act of 1990 mandated that the federal government develop a test to determine how “firesafe” a cigarette was. Although Congressman Moakley achieved several victories, there is still no federal law requiring tobacco companies to produce selfextinguishing, fire-safe cigarettes.

“Three things about Joe Moakley’s fight for fire-safe cigarettes say volumes about the kind of person he was,” said Kelder. “First, he took on this fight against overwhelming odds because he knew it was the right thing to do. He didn’t want to see more people die needlessly in cigarette-caused fires. Second, he never gave up. He achieved several victories against the tobacco industry and kept



*Steve Kalartis and Julia Collins, from the Moakley Archives, posing with a photo of Joe Moakley*

chipping away at them bit by bit, year after year. Third, out of respect for Congressman Moakley and as an acknowledgment of the importance of this cause, members of the Massachusetts congressional delegation continue to introduce and fight for fire-safe cigarette legislation.” “This fight will be won some day, and on that day, the people fighting to enact this legislation will tip their hats to Joe Moakley,” said Kelder. “He didn’t give up, and neither will they.”

Network and an adjunct professor in Suffolk’s Paralegal Studies Program. “We now know that Congressman Moakley conducted a brilliant educational campaign to win the support of the IAFF and then used his skills as a parliamentarian to achieve something we’ve rarely seen: a federal law that’s actually bad for the tobacco industry,” he said.

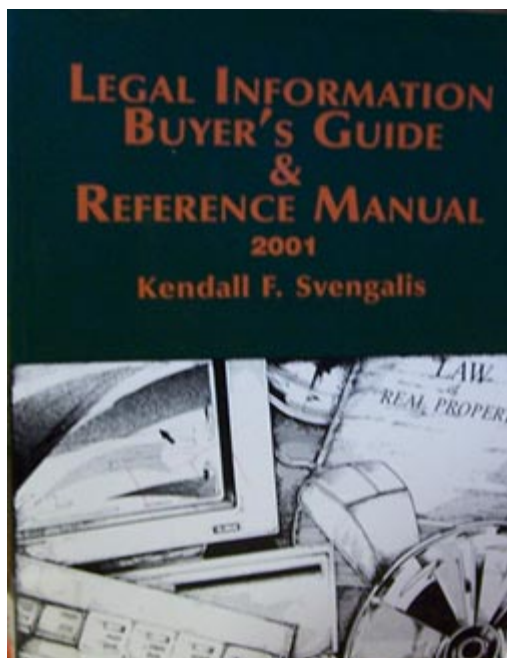
In 1984 and 1990, Congressman Moakley drafted and sponsored two bills that began the process of mandating fire-safe cigarettes. The first set up a committee that found it was techni-

The research project is funded by the National Cancer Institute, and its goal is to publish a series of papers on the relationship between the tobacco industry and organized labor.

# Legal Information Buyer's Guide

Christopher Chiofalo, Acquisitions Manager

Recently the Technical Services Department was offered the opportunity to compile cost information on Massachusetts legal publications for the "Legal Information Buyer's Guide and Reference Manual." Assistant Director, David Turkalo, and I, in my capacity as Acquisitions Manager, jointly worked to compile this often complex data. The guide is an invaluable tool for library administrators, outlining not only costs, but also trends in legal publishing pricing, using extensive statistical models. It is used primarily as a budgeting tool, but is often overlooked as a key instrument of law library collection development.



For the legal professional seeking to begin their own collection there is excellent information contained in this reference work regarding annual costs on supplementation as well as options available from competing publishing houses. For example, both Lexis and West offer the Massachusetts laws in an annotated format, but with slightly different coverage and very different costs. To update the set in 2003 the Lexis product cost \$1,149.00, while the West product

was priced at \$1,768.55. Depending upon your needs and preferences, and most likely your budget, one of these may be much more attractive than the other.

Also contained in the Massachusetts section, is an overview of electronic resources. Provided here is information on the different

formats that are available, online and via CD-ROM as well as their update frequencies and costs. There are also many combination packages available for electronic resources and there are brief descriptions of available options to help the

user fulfill their need efficiently and cost effectively.

It is also worth noting that not only are all 50 state's legal publications included in this manual, but also information regarding other types of materials from periodicals to treatises can be found. If one were considering beginning their own legal collection, this would be a superb place to begin research once a budget has been established.

## Library Hours

Reading Period:

The library will be open from 8 am to midnight during the study period

Holidays:

Please check the law library website for details on Holiday hours.

<http://www.law.suffolk.edu/library/>

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## Jump or Plunge!

**Melanie North**  
**Reserve/Circulation Assistant**

Special Olympics is hosting its 7th Annual Passion Plunge on February 12, 2005. Melanie North of the Circulation/Reserve department is going to be jumping into the icy cold Atlantic Ocean to benefit the children and young adults of Special Olympics.

If you would like to join her team or simply give a donation please log on to [www.passionplunge.org](http://www.passionplunge.org). Just click on sponsor a plunger, and type her name and follow the directions from there. The web site has pictures and captions from previous years. If you know Melanie, look for her pictures from last years plunge.

Your donations are tax deductible.

# No More Guessing: Justices' Names Now Included in Transcripts

Diane D'Angelo, Reference Librarian

In the interest of legal scholarship, accuracy, and open government, United States Supreme Court official oral argument transcripts will no longer keep Justice names secret. Beginning with the October Term 2004, official oral argument transcripts will identify the Justices who ask questions during courtroom sessions.

Since 1968, when the Court started providing transcripts on a regular basis, questions were identified not by the name of the Justice, but

by using the word "Question." Ironically, oral arguments are open to the public and anyone present knows which questions came from which Justices. Until now, there were no official transcripts identifying the Justices and historians, journalist and legal scholars who wanted to attribute a question to a Justice and cite to an official transcript were out of luck.

American University constitutional scholar Herman Schwartz said keeping the names secret in oral

arguments was "silly." Apparently, Justices and decision-makers agreed.

Transcripts of oral arguments are available on the Court's website, [www.supremecourtus.gov](http://www.supremecourtus.gov), 10-15 days after the transcripts are complete. If you're in a rush, transcripts may be purchased any time after oral argument directly from Alderson Reporting Services, <http://www.aldersonreporting.com/>

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## Mass Lawyers Weekly - *cont. from pg. 1.*

News from the courts advises readers of proposed changes to court rules, solicits amicus briefs on cases pending before the appellate courts, and notifies readers of public hearings. The classified section includes job listings for all states, articles about the job market and careers. Mass Lawyers Weekly USA, the national newspaper for small firm lawyers, may also be accessed by selecting Mass. Lawyers Weekly Archives at the Law Library's website.

### Mass. Lawyers Weekly Current

This database includes articles and feature stories from the current issue of Mass. Lawyers Weekly, summaries of important opinions and links to full-text opinions from the many Massachusetts courts, including both published and unpublished decisions, and other jurisdictions. Some of the other features include the SJC docket, judges' assignments, and judicial profiles, which can be particularly useful when interviewing for a

clerkship. There is a classified section, listing employment opportunities and lawyer referrals.

**Specialty Pages** collect court decisions, links to relevant statutes and regulations, and articles in several areas of law. These include business & corporate law, criminal law, employment law, family law, trusts & estates, professional responsibility, legal malpractice, real property, environmental law, personal injury and tort law, police misconduct and workers' compensation. Each area also provides a list of other resources related to the specialty. The **Brief Bank** contains more than 150 briefs collected by Lawyers Weekly since 1997. Presently, most of the briefs were submitted in connection with decided SJC cases.

Other useful features include links to a directory of Massachusetts law firm websites, important documents (new legislation, standing orders, and amendments to court rules), links to state and federal statutes and regulations,

courts and court opinions, the U.S. legislative and executive branches, and Uniform Laws.

### Searching by Keyword

You can find documents in the database by direct linking to an article, opinion, brief, etc. or performing a keyword search. The searching capability of this database is not as robust as others, such as Lexis or Westlaw. To narrow your keyword search, you may restrict your search by date.

To find articles that contain both search terms, type **bankruptcy AND litigation**, unless you want the words as an exact phrase. Use a comma between words or type **OR** to find articles that contain either search term. Use an asterisk if you are unsure of the spelling of the word or to find various forms of a word. For example, type **litig\*** to find articles containing litigate, litigation, litigious, etc. To retrieve an article about a particular case by its number, use a space instead of dashes.

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Diane D'Angelo  
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## Library Hours:

Monday - Friday:  
8:00 AM - 11:00 PM

Saturday & Sunday:  
9:00 AM - 11:00 PM

Holidays and Study  
Periods, check:

[www.law.suffolk.edu/  
library/about/hours.cfm](http://www.law.suffolk.edu/library/about/hours.cfm)

## Trivia Challenge II

Susan Vaughn, Reference Librarian

Take the Law Library Trivia Challenge II. The first place winner will receive a \$50 gift certificate to Borders. Students who answer all questions correctly will receive a special gift provided by Westlaw.

All law students are eligible. Entries can be dropped off at the reference desk on the sixth floor, until December 15, 2004. The Library will randomly draw entries the next day. The student whose entry is drawn first with all the correct answers will be our grand-prize winner. If no one answers all the questions correctly, the submission with the most right will be our winner.

1. Marettum is (a) marshy ground flooded by the sea; (b)

the right of arranging a woman's marriage; (c) a full 12 inch foot as a legal measure; or (d) wages received for labor or service.

2. What government website could you use to get a copy of a recent bill of the United States Senate?

3. True or False: All decisions of the U.S. District Court for the District of Massachusetts are published in the Federal Supplement series?

4. True or False: You can find some international treaties, such as the Universal Copyright Convention, in the U.S. Code?

5. In what year was Suffolk University Law School founded?

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## Answers to Trivia Challenge I

Carina Canaan, our grand-prize winner, received a gift basket full of goodies. Other participants received a digital clock supplied by LexisNexis.

The correct answers to Trivia Challenge I were:

1. Our law library is named after a former member of the United States Congress who is a graduate of the law school. What is his name?

**John Joseph Moakley**

2. What is the bird or bird emblem of the commonwealth of Massachusetts?

**Chickadee, M.G.L.A. 2 § 9**

3. Who is the Chief Judge of the Supreme Judicial Court of Massachusetts?

**Chief Justice Margaret H. Marshall**

4. What does the abbreviation CFR stand for?

**Code of Federal Regulations**

5. What are the names of the two annotated versions of the United States Codes found in the Law Library?

**United States Code Annotated and United States Code Service**

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