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Moot Points: Notes from the Sarita Kenedy East  
Law Library

Sarita Kenedy East Law Library Collections

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11-1-2009

### Moot Points Notes from the Sarita Kenedy East Law Library

Liana Morales Editor

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# MOOT POINTS

NOTES FROM THE SARITA KENEDY EAST LAW LIBRARY

November 2009 • Issue 8

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### Library Hours and Schedule of Events

**Monday-Thursday**  
7am—12am

**Friday**  
7am—10pm

**Saturday**  
9am—10pm

**Sunday**  
10am—12am

**November 25:**  
7:00am-3:30pm

**November 26:**  
**Thanksgiving**  
Closed

**November 27:**  
8:00am-6:00pm

**November 30:**  
Final Exams Begin

**December 11:**  
Last Day of Final Exams  
7:00am-5:00pm

**December 12-23:**  
Limited Holiday Hours

**December 24-January 3:**  
**Christmas Break**  
Closed



Our calendar is available online at  
[stmarytx.edu/law/library](http://stmarytx.edu/law/library), click  
"Monthly Calendar"

## Director's Message

As a service organization, the Law Library constantly seeks ways of adding new programs or improving an existing one to better serve law students and the rest of the Law School community. Along these lines, we've recently begun to offer 20-minute Research Appointments for students. If you are working on a paper, or just want to learn more about research or information resources, you can sign up by emailing Charlie Finger, Associate Director, at [cfinger@stmarytx.edu](mailto:cfinger@stmarytx.edu).



Last spring, we brought in a drink vending machine in the Student Lounge upstairs so that students may get drinks within the building. At the suggestion of students, we are looking into the possibility of having a snack vending machine. Regarding snacks and food, the student lounge, including the balcony, is the most appropriate place for eating. Ants and other bugs, which can cause serious damage to books, have been seen in the reading rooms, so we encourage students to consume food outside the reading rooms. Spill-proof drinks are allowed in the reading rooms, however. In any event, no food/drinks are permitted in the Computer Lab for the protection of the equipment.

We look forward to serving you. As always, let me know how we are doing and what else can be done.

Bob Hu (Email: [rhu@stmarytx.edu](mailto:rhu@stmarytx.edu))

## Welcome Our New Associate Director: Charles Finger

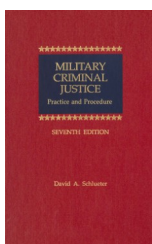
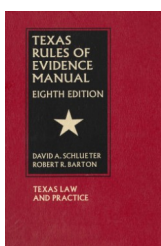
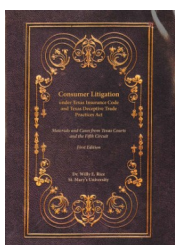
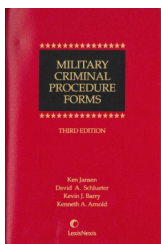
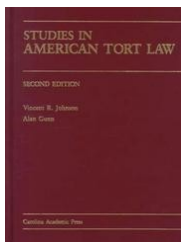
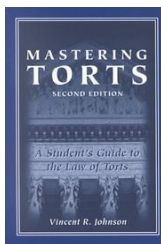


Hi, my name is Charlie Finger and I've recently joined the law library staff at St. Mary's. I hold both a J.D. and an M.L.S. from the State University of New York at Buffalo and am licensed to practice law in the state of New York. I most recently spent eight years at Cornell University Law School Library as Collection Development Librarian, Research Attorney,

and Lecture in Law.

I moved here with my family from Ithaca, New York to become the Associate Director of the Sarita Kenedy East Law Library. With my prior experiences as an attorney and law librarian for the variety of law libraries I have worked for, I can bring much experience and knowledge to the position. I look forward to a continued devotion to research, learning, and guiding the faculty and students at St. Mary's School of Law.

Please feel free to reach me at (210) 436-3589. You may also contact me to make research appointments by sending a request to my email, [cfinger@stmarytx.edu](mailto:cfinger@stmarytx.edu).



## Recent Faculty Publications



- **Jeff Addicot** has published *The Political Question Doctrine and Civil Liability for Contracting Companies on the "Battlefield"* in volume 28 of *The Review of Litigation*, pages 343-364. **Available on HeinOnline**

His article *The Protect America Act of 2007: A Framework for Improving Intelligence Collection in the War on Terror* appears in volume 13 of the *Texas Review of Law & Politics*, pages 43-69. (with Michael T. McCaul). **Available on HeinOnline**

- **Michael Ariens** published his article, *American Legal Ethics in an Age of Anxiety* in *St. Mary's Law Journal* volume 40, pages 343-453. **Current Issue in Periodical Collection**

- **Wendy Couture** recently published an article for *Seattle University Law Review's* Fall 2009 issue, volume 33 called *The Bank Bailout: A License for Sovereign Securities Fraud*, pages 1-47. **Available on HeinOnline**

- **Vincent R. Johnson** published a book, *Mastering Torts: A Student's Guide to the Law of Torts*. 4th ed. Durham, NC: Carolina Academic Press, 2009. **Law Reserve/Law Faculty Writings KF1250 .J63 2009**

**Professor Johnson** also published the 4th edition of *Studies in American Tort Law, Studies in American Tort Law*. With Alan Gunn. Durham, NC: Carolina Academic Press, 2009. **Law Reserve/Law Faculty Writings KF1250 .J643 2009**

- **Albert Kauffman's** article *The Texas School Finance Litigation Saga: Great Progress, Then Near Death by a Thousand Cuts* appears in *St. Mary's Law Journal* volume 40, pp. 511 -579. **Current Issue in Periodical Collection**

**Professor Kauffman** has also published a chapter titled *Texas School Finance Litigation: Great Progress and Some Regression* (pp. 109-156). The piece appears as chapter 5 in *A Quality Education for Every Child: Stories from the Lawyers on the Front Lines*. Washington, DC: Institute for Educational Equity and Opportunity, 2009. **General Collection/Law Faculty Writings KF4119 .Q3 2009**

- **Colin Marks** (with Nancy B. Rapoport) contributed their article *The Corporate Lawyer's Role in A Contemporary Democracy to the Fordham Law Review*, Vol. 77 (March 2009), pages 1269-1293. **Available on HeinOnline**

- **Bill Piatt** wrote "Gender Segregation in the Public Schools; Opportunity, Inequality, or Both?", an article that was published in the Symposium 2009 issue of *The Scholar* (volume 11, pages 561-576). **Available on HeinOnline**

- **Willy E. Rice** published the 5th edition of his book, *Consumer Litigation under Texas Insurance Code and Texas Deceptive Trade Practices Act: Materials and Cases from Texas Courts and the Fifth Circuit*. San Diego, CA: University Readers, 2009. **Law Reserve/Law Faculty Writings KFT1430 .R5 2009**

- **David A. Schluter** (With Robert R. Barton) published the 8th edition of *Texas Rules of Evidence Manual*. Huntington, NY: Juris Pub., 2009. **Law Reserve/Law Faculty Writings KFT1740 .W46 2009**

He also published *Military Criminal Justice: Practice and Procedure*. 7th ed. Newark, NJ: LexisNexis, 2008. **General Collection/Law Faculty Writings KF7620 .S34 2008**

**Professor Schluter** also has *Military Criminal Procedure Forms*. (with Ken Jansen, Kevin J. Barry, and Kenneth A. Arnold) 3rd ed. Newark, NJ: LexisNexis, 2009 out in publication. **General Collection/Law Faculty Writings KF7620 .A65 M55 2009**

**Congratulations to each of these professors and all the best for their continued scholarly achievement.**



## Popular Reading Selections

By Liana Morales, Library Assistant

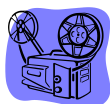
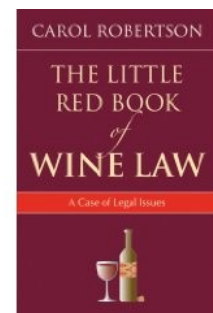
From our Popular Reading section, this issue will focus on one of the oldest traditions of the developed world: winemaking. Its extended and vibrant history is certainly no stranger to the rule of law as evidenced in Richard Mendelson's book, *From Demon to Darling*. And as any wine connoisseurs could tell you, wine and winemaking can take a lifetime to understand—luckily, Carol Robertson's *Little Red Book of Wine Law* can help shed some light on the world of winemaking and wine law.

■ ***From Demon to Darling: A Legal History of Wine in America***, Richard Mendelson. Berkeley, CA: University of California Press, 2009. **Pop KF3924 .W5 M46 2009**

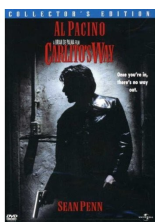
This book may be the be-all end-all answer to the history of wine in America, let alone the legal history of it. Mendelson assesses that winemaking in this country is closely attune to the multiple codes of law established by lawmakers and the judicial system since its production during colonial times. He oftentimes also connects these writs to how wine is and has been perceived in our culture—in essence, a very interesting addition to our popular reading collection.

■ ***The Little Red Book of Wine Law: A Case of Legal Issues***, Carol Robertson. Chicago, IL: American Bar Association, 2008. **Pop K3935 .R62 2008**

The abundance of facts are entertaining to uncover in this intensely researched and entirely concise little book about wine and its certain issues with the law and legislature. Learn a brief history of wine in the New World thanks to an annotated timeline at the books preface. The rest of the book details stories behind specific cases that forever changed America's wine legislation. Expect a "Methuselah" of puns about the beverage as well.



## Legal Film Showcase



**Carlito's Way**  
Directed by Brian De Palma

By Mike Martinez, Associate Professor/  
Reference Librarian

Based on the Edwin Torres novels, *Carlito's Way* and *After Hours*, Brian de Palma brings his filmmaking prowess and vision to this gripping story.

Following his release from Prison, Carlito Brigante (Al Pacino) just wants to walk the straight and narrow. The story follows the evolution of a career criminal from small time hustler, to major drug dealer, to redemption. The problem stems from the mantra, "Once a criminal always a criminal." Can a person involved in a life of crime really change their ways?

Sean Penn's performance as Brigante's attorney, David Kellin, is compelling and demonstrates how a morally indifferent person becomes seduced by a criminal lifestyle. Other standout performances include Viggo Mortensen, Luis Guzman and John Leguizamo.

I give this film a 6 out of 10.

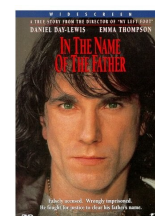
**In the Name of the Father**  
Directed by Jim Sheridan

By Tim Wilson, Electronic Services Librarian

*In the Name of the Father* is a soul-searching drama starring Daniel Day-Lewis. Released in 1993, the film chronicles the real-life events of the Guildford Four and the Maguire Seven, families and friends wrongly imprisoned as IRA terrorists in England in the 1970s. The film deals with the injustice of the English prosecution of terrorists in the 70s, but the heart of the story focuses on Gerry Conlon and his strained relationship with his father Giuseppe. As the prodigal son is forced to share a cell with his father in prison, he develops a bond that drives him to work with an attorney to prove their innocence.

Both a well-acted and directed movie, *In the Name of the Father* is an emotional and introspective film that exposes the faults of the English justice system and reveals the power of filial love.

I give this film an 8.5 out of 10.







## Food & Drink Policy

**Help us prevent unwanted insects and damage to books and equipment in the library. Please follow the food and drink policy below.**

- Designated eating areas are located in the **Student Lounge and the Balcony**.
- **No food or drinks** are allowed in the computer lab.
- Only beverages in **spill-proof containers** are allowed in the reading rooms.



## Our Library By the Numbers

**From June to October 2009, the number of transactions handled by the Law Library staff:**

Acquisitions and Cataloging:  
2,804 Volumes, 685 Titles

Circulation of Items/Times:  
1,549

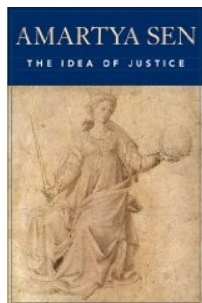
Faculty Requests:  
38 Requests, which took  
96 hours to research.

Interlibrary Loans: 243

## Notable New Acquisitions

by Liana Morales, Library Assistant

Let's take a look at what's new at the library.



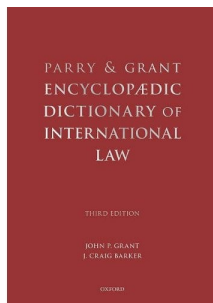
■ ***The Idea of Justice***, Amartya Sen. Cambridge, MA: Belknap Press of Harvard University Press, 2009. **Gen JC578 S424 2009**

Broken into four parts, each a dissection of the important assets of why and how we judge. Much of Sen's discussion on judgment makes an interesting turn, going deep into the roots of what makes us human. From the book: "Our thoughts as well as our perceptions are integrally dependent on our sense organs, and our brains, and other human bodily capacities. Even the very idea of what we call a 'view' - no matter from where—parasitic on our understanding of vision with our own eyes, which is a bodily activity in the physical form in which human beings have evolved." Chew on that.



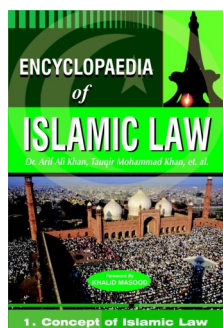
■ ***Blackstone and his Commentaries: Biography, Law, History***, Wilfrid Prest, editor. **Gen KD621 .B58 B57 2009**

Known as one of the greatest figures the English judicial system has ever known, the Honorable William Blackstone still provides scholars with a legacy of legal theory and insight. This book presents several of his writings and musings about the world of law. In its biographical context, *Blackstone* reveals a man who was destined to preserve justice. In its legal context, the book provides words of wisdom that transcend history and become relevant in today's legal studies.



■ ***Encyclopaedic Dictionary of International Law***, John Grant and J. Craig Barker. New York, NY: Oxford University Press, 2009. **Ref KZ1161 .P37 2009**

This dictionary serves as an invaluable resource to students and professors alike. Now in its 3rd edition, the editors have expanded reference points to include more topics in areas such as diplomatic law, criminal law, and human rights. Any scholar of international relations, business and law would be wise to consider this book integral to his or her studies and research.



■ ***Encyclopaedia of Islamic Law***, Arif Ali Khan and Tauqir Mohammad Khan. New Delhi, India: Pentagon Press, 2006. **Ref KBP40 .E63 2006**

This collection comes complete with 10 volumes that completely cover the elements, codes, and traditions belonging to Islamic Law. Beyond a governmental justice system and different from secular theology, the editors of this collection tout Islamic Law as a grand mix of ethics, justice, and ancient traditions. This source may prove to serve as a key portal into what makes up Islamic Law and how it functions.

**A complete listing of new library acquisitions can be found on our website at <http://www.stmarytx.edu/law/library>, click "New Books and Journals."**



## November is Native American History Month

Tremendous sources on this subject can always be found online on Westlaw. The Federal Native American Treaties database for example expands nearly the entire history of the developers of the New World and their subsequent interactions between (and against) America's first people. Coverage begins as far back as 1797. There are more case databases in the directory under Tribal Materials. There, you can find Oklahoma Tribal Court Reports, West's American Tribal Law Reporter, and Westlaw Topical Highlights—Native American Law.

## References to Reference

By Garry Stillman

Reference Services Librarian

*"Out of the Indian approach to life there came a great freedom, an intense and absorbing respect for life, enriching faith in a Supreme Power, and principles of truth, honesty, generosity, equity, and brotherhood as a guide to mundane relations." - Luther Standing Bear Oglala Sioux*

In recognition of November's Native American Heritage Month, I am highlighting in this month's column selected resources on Native American law available in the Sarita Kenedy East Law Library.

A brief and current overview of Native American law—both federal and tribal—is *American Indian Law in a Nutshell*, available in our library's Reserve collection at KF8205.C36 2009. The volume, now in its fifth edition, includes an index and table of cases.

A more extensive survey of Native American law and legal institutions is featured in the *American Indian Law Deskbook*, now in its fourth edition and available in our General collection at KF8295.A76 2008. A publication of the Conference of Western Attorneys General updated every few years, this volume includes a detailed index and tables of cases and statutes.

A current example of a specialized encyclopedia on Native American law is the *Encyclopedia of United States Indian Policy and Law*, a two-volume set in our Reference collection at KF8205.E49 2009. Edited by prominent legal historians Paul Finkelman and Tim Alan Garrison, the volumes include biographical sketches and articles on federal and tribal law, federal policy (including military aspects), relevant sociological and political concepts and culture, as well as significant primary sources. A resource for both laypersons and scholars.

The *Native American Law Library*, available on the Internet at [www.narf.org/nill](http://www.narf.org/nill), is a useful electronic resource featuring the catalog of the only public law library "devoted to federal Indian and tribal law," a tribal law gateway providing access to over 400 constitutions and over 240 codes and ordinances of federally-recognized tribes and extensive links to other resources on Native American law.

For assistance in using these and other items in our library, please contact a librarian by phone, fax, e-mail, or in person.

## Research Appointment Requests Now Available Online

Have a question you feel will require several minutes of a librarian's time to answer? Now you can sign up for a research appointment by dropping an e-request with your name and desired appointment time to our associate director, Charles Finger: [cfinger@stmarytx.edu](mailto:cfinger@stmarytx.edu)  
Visit us online or at the circulation desk for more details.

*"If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."*  
- Thomas Jefferson

Connecting people to information: Access, Educate, Empower

St. Mary's University  
One Camino Santa Maria  
San Antonio, TX 78228

Phone: 210-436-3436  
Fax: 210-436-3240  
Email: lawlibrary@stmarytx.edu

Completed in 1984, the Sarita Kenedy East Law Library offers two stories of research materials and services to the students, faculty and community surrounding St. Mary's University.

Law students of the university have access to quiet study areas, 136 private carrels, 17 conference rooms, and two classrooms.

Our library is the winner of the American Institute of Architects Honor Award and the Texas Society of Architects Honor Award and is well-equipped with multimedia collections, labs, wireless Internet, and helpful, knowledgeable staff.

Come visit us or see us online.

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

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This newsletter is edited by Liana Morales

Contributors: Charles Finger, Bob Hu, Mike Martinez, Garry Stillman, and Tim Wilson

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### St. Mary's Law Library Participates in Historic China-US Law Library Conference



By Liana  
Morales, Library  
Assistant

The Global Law  
Quarterly re-  
cently ran an  
article about  
May 2009's  
China-U.S. Con-  
ference on Legal

Information and Law Libraries. St. Mary's University made history this past year when our library's director, Robert Hu traveled to Beijing to participate in the conference specifically organized for law librarians across China and the U.S. This collaborative effort was regarded as a highly successful merging of ideas that vows to continue building a strong international relationship between the two countries.

### Coming Soon: The Law in Popular Culture



By Liana Morales, Library Assistant

This upcoming fall season, the library will be featuring a display about the presence of the law in popular culture. The pursuit of justice is what drives many creative storylines in literature, film and theater and has left an indelible club of recognizable figures of the law.

Everyone from Atticus Finch, to Perry Mason, to Matlock, to the cast of L.A. Law, to basically every lead from a John Grisham novel has been preserved in popular culture for audiences to ingest for generations.

Since American Popular culture is such an integral part of what makes up our society today, the law library would like to present this upcoming display in the following months.

Beginning in November, students, faculty and staff of the law school are welcome to take a look at the books we have available in the library regarding this topic. Be sure to pick up an information sheet as well, complete with an annotated bibliography with some interesting facts and anecdotes.