UB LIBRARIES today

A PUBLICATION OF THE UNIVERSITY AT BUFFALO LIBRARIES

FALL 2012

Charles B. Sears

The University at Buffalo's Law Library bears the name of attorney and judge Charles Brown Sears.

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UB Libraries Today is published by the University at Buffalo Libraries for alumni, faculty, staff, students and friends.

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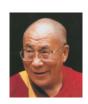
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Photo courtesy Charles B. Sears Law Library Archives.

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DID YOU KNOW?



The 14th Dalai Lama spoke at the Law, Buddhism and Social Change Conference held in the Charles B. Sears Law Library in September 2006. Dear Friends,



The SUNY Buffalo Law School commemorates its 125th anniversary this year. I am delighted that this issue of *UB Libraries Today* celebrates this milestone through highlighting the Charles B. Sears Law Library.

From its earliest days, our Law Library has charted a path of excellence through fulfilling the legal research needs of UB Law faculty, students and alumni as well as those of the UB and Western

New York communities at large.

Named for the Honorable Charles Brown Sears (1870-1950), an attorney who practiced law in Buffalo for twenty years before his appointment as a justice of the Supreme Court of New York, our Law Library is located at the heart of the SUNY Buffalo Law School in O'Brian Hall on UB's North Campus. With its dedicated professional staff, vast array of legal research information sources, comfortable study spaces, and state-of-theart digital technologies, the Law Library is well positioned to assist our users with a wide variety of legal research projects.

In this issue of *UB Libraries Today*, we focus on the communities served by the Law Library and recall how a generous gift from UB Law alumni helped create a legacy for those conducting research in New York State law. We highlight several of the Law Library's special collections, introduce Terry McCormack, head of the M. Robert Koren Center for Clinical Legal Education, and include a biographical sketch of Charles B. Sears, whose dedication to the legal profession and commitment to our university and community extended for more than half a century.

I hope you enjoy this informative look at the people, services and collections of the Charles B. Sears Law Library, and I hope you'll plan to visit the next time you're on campus. You can also learn more about what the Law Library has to offer by visiting our website (law.lib.buffalo.edu) or connecting with the Law Library on Facebook (ublawlib) and Twitter (UBLawLib).

I am confident that a bright future is in store for the Charles B. Sears Law Library. On behalf of the University Libraries, we thank you for your continuing support.

With sincere best wishes,

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H. Austin Booth

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HISTORY OF THE LAW LIBRARY

The 125th anniversary of the SUNY Buffalo Law School is a wonderful opportunity to reflect on the history of our Law Library. From humble beginnings in 1887 to a beautiful, modern facility in 2012, what is now known as the Charles B. Sears Law Library remains the intellectual center of the Law School

Mildred Miles was appointed as the Law Library's first director in 1936, and shortly after her arrival, the Law Library added 6,300 books to its collection, allowing the Law School to become accredited by the American Bar Association (ABA). While the ABA no longer considers volume count for accreditation purposes, Ms. Miles and I would still have much to discuss. Despite the impact of technology on the library as an institution, we could talk about our plans for providing excellent services to students and faculty, as well as the ways that the law library can further the educational mission of the law school and the university community.

Because of the ever-changing nature of the legal information world, I have an interesting, stimulating and fulfilling job. I work with talented colleagues who relish the opportunity to meet the challenges brought by a rapidlychanging information environment. Together, we strive to maintain the best law library traditions of the past while embracing today's uncertainty as the inspiration for our vision of the future. I welcome you to visit the Charles B. Sears Law Library and discover its rich resources, unsurpassed expertise and excellent services.

Beth Adelman

Director & Vice Dean for Legal Information Services Charles B. Sears Law Library



1887

University of Buffalo Law School opens with no library: law students use the Eighth Judicial District Court Library.



Miles, courtesy of the Jaffe Family

1936

Mildred Miles is appointed first Director of the Law Library.

1966

Law Library collection is scattered among several buildings in downtown Buffalo.

1973

Cohen, courtesy of the Morris L. Cohen Family

1981

The Rare Book Collection is named in honor of its founder. Morris L. Cohen, Law Library Director, 1961-1963.

2011

Elizabeth (Beth) Adelman is appointed Director of the Law Library.

1910

Bang's Law Library is sold, and a fund is established to develop a Law School Library (with many notable donors); students pay an extra \$10 library fee.

1896



Law School moves to the new Ellicott Square Building in downtown Buffalo; students use Bang's Law Library owned by the Ellicott Square Company.

1949

Law Library covers the entire third floor of 77 West Eagle Street, new home of the Law School.

1936-37

Law Library adds 6,300 books, allowing the Law School to become accredited by the American Bar Association.

1974

Personal papers of John Lord O'Brian added to the collection.



Law Library moves with the Law School to newly-built O'Brian Hall on UB's North Campus.

1984

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M. Robert Koren Center for Clinical Legal Education is dedicated in the Law Library AV Department.

1997

A bequest from Mrs. Marion H. Robinson, UB Class of 1923, established the Law Library's first endowed fund to be used for the purchase of books.



Law reference librarians Joseph Gerken, Christine George, Nina Cascio and Marcia Zubrow gather at the information desk in the Charles B. Sears Law Library. (photo: Nefeli Soteriou)

COMMUNITIES WE SERVE

By Nancy Babb, Melissa Bednarz, Theodora Belniak, John Mondo and Marcia Zubrow

"When I walk into the Law Library, I feel and see the palpable collegiality and cooperation between the students, faculty and law library staff," says Laura Reilly, SUNY Buffalo Law School Lecturer in Law, Legal Analysis, Writing and Research. "Everyone is working in sync to learn, share and teach. That's why I love the Law Library!"

As part of their commitment to providing excellent service, law reference librarians work tirelessly to understand and anticipate users' diverse needs, providing information and advising how and where to search for materials. Many law faculty members are interested in diverse areas of the law, and law reference librarians routinely provide research assistance that reaches out beyond law into these areas. "I work in an obscure field that is basically undocumented - historical Buddhist legal systems," notes UB Law Professor Rebecca R. French, "and UB's law reference librarians never fail to find any book that I need in any language that I require. I could not exist or write without their expertise in understanding and finding what I need. Of all the law firms, institutions and academic departments that I have been in, they are absolutely the best."

In addition to providing research assistance, each law reference librarian is paired with several members of the law faculty to provide liaison services tailored to each faculty member's unique curricular and research needs. "Whenever I start a research project, I meet with a law librarian to discuss my project and ask how they would go about the research," says Susan V. Mangold, UB Law Professor. "The response is always filled with genuine interest, creative research ideas and thorough follow-up." Law Professor John H. Schlegel agrees: "It really doesn't matter who is at the desk when I seek help, for the level of service is uniformly high. If one member of the Public Services staff doesn't know how to find something, the group as a whole cheerfully pools its talents to get the job done."

As participants in the teaching, learning and research that are part of the Law School's educational mission, law reference librarians teach basic legal bibliography and legal research techniques as part of the Legal Analysis, Writing and Research (LAWR) Program required of all first-year law students. Law librarians also provide instruction in advanced research skills as part of LAWR III, a required class for

second-year law students. Law students interested in deepening their understanding of legal research can enroll in a semester-long course taught by a law librarian; such courses include Advanced Legal Research, New York Legal Research and International Legal Research.

Within the Law Library, one finds a choice of quiet places for individual study and thoughtful reflection as well as vibrant spaces for collaboration and discussion. As a place to study, to prepare for classes, to meet with other students, and to find help in using legal research materials, it's a popular destination for students such as UB second-year law student Jessica Noto. "The Law Library is a place where I know I can find other law students working on the same or similar problems," she says. "There's always a librarian available and willing to help students find materials."

To encourage UB law students' intellectual and technological growth, library staff make it a priority to investigate and incubate emerging new technologies, including e-book accessibility and the use of mobile devices. "Legal materials are always developing and changing in an increasingly complex and interdependent world," notes UB Law Distinguished Professor Alfred Konefsky. "In some ways," he adds, "technology has made the task of legal research both more accessible and more intricate. There has, however, been one constant throughout this evolution in the UB Law Library: the librarians and professional staff who have continued to provide the most responsive and modern service in the best tradition of libraries."

The search for new ways to make legal research and intellectual discovery as seamless as possible is supported by the library's Access Services team, whose staff members oversee circulation services and coordinate *Delivery+*, the UB Libraries' interlibrary loan and document delivery service. UB Law Professor Mark Bartholomew appreciates their efforts, noting, "The Law Library does two wonderful things for me. It makes my job easier and it makes my writing better. By collecting and delivering the scholarly articles, monographs and primary historical source materials that I need, whether available on campus or halfway around the world, the Law Library staff streamline my work day, giving me more time to work on the main part of my job: the production of new scholarship."

Technical Services librarians order, process and make the Law Library's information resources available in all formats: print, electronic, microform, audio and video. They oversee the library's website and online search tools, and troubleshoot any problems that one may encounter with library tools. Thanks to their essential behind-the-scenes support, law students, faculty, alumni and community members can access any of the more than 500,000 items in the library's collection with relative ease.



Law Library staff members Mary Taylor and Melissa Bednarz line up a passport photo in the library's Technical Services department. (photo: Nefeli Soteriou)

Since 2004, the Law Library has served as a Passport Acceptance Facility, operating under U.S. Department of State guidelines and providing all services related to obtaining a U.S. passport, including photographs and guidance on completion of required paperwork. Staff work with UB's Office of International Student and Scholar Services to ensure that students can process their U.S. visas in a timely manner. All are welcome to use the Passport Acceptance Facility, especially when facing uncommon circumstances.

The Law Library welcomes members of the bench, the bar and the public, as well as UB students, faculty and staff, and we take special pride in providing UB law students and members of the UB Law Alumni Association with information resources for lifetime learning. We hope to see you soon!

SUPPORT THE LAW LIBRARY

The Charles B. Sears Law Library is one of the most sought-after places to study on UB's North Campus. We appreciate support from alumni and friends interested in maintaining the Law Library as a desirable place for research and intellectual growth.

Your gift will be used to support replacement of the library's worn carpet and the transformation of the modestly-furnished 7th-floor reading room into a traditional law library reading room that will proudly showcase the library's Rare Book collection.

Beth Adelman (716) 645-2089 eadelman@buffalo.edu



Charles B. Sears

"....an exemplar of the finest traditions of our profession, --sound lawyer, good citizen, friend of humankind"

- John Lord O'Brian

By Kathleen Quinlivan, Communications Officer, University Libraries

Pictured on the cover of this issue of *UB Libraries Today* is Charles Brown Sears, the man for whom the SUNY Buffalo Law Library is named. Throughout his legal career, which extended for more than half a century, Sears compiled a distinguished professional record as an attorney and judge, including a term as presiding American judge for one of the Nuremberg Trials.

A native of Brooklyn, NY, Sears was born on October 16, 1870. He graduated from Brooklyn's Adelphi Academy, and earned degrees from Yale University (A.B., 1892) and Harvard University (LL.B., 1895). Shortly after his admission to the New

York State Bar in 1895, Sears moved to Buffalo where he worked first as a clerk in the law office of Brundage & Dudley, and in 1901 became a partner with the firm of Norton, Penney, and Sears.

His judicial career was launched in 1917 when Charles S. Whitman, then governor of New York, appointed Sears to the New York State Supreme Court, Eighth Judicial District, to fill an unexpired term. Later that same year, Sears was reelected for the full 14-year term, and in 1922 Governor Nathan L. Miller appointed Sears to the Appellate Division, Fourth Depart-

ment, as associate justice. In 1929, Governor Franklin D. Roosevelt made Sears presiding justice of the Appellate Division, a position he held until 1940 when he was appointed to the Court of Appeals, New York State's highest appellate court.

One of Judge Sears' most notable opinions is *People v. Johnson*, 284 N.Y. 182 (1940). The holding of the Johnson case invalidated the prosecutorial practice of informing jurors that a mistaken verdict would be corrected on appeal. The Johnson holding resonated with the courts and was reinforced 45 years later when cited by the U.S. Supreme Court in *Caldwell v. Mississippi*, 472 U.S. 320, 334 n.5 (1985).

Sears later presided, by appointment of then U.S. Attorney General Robert H. Jackson, at deportation hearing proceedings concerning labor union leader Harry Bridges and, by appointment of President Truman in 1946, as presiding judge for Military Tribunal IV of the Nuremberg Trials. The case at hand, *United States v. Friedrich Flick* (1947), dealt with industrialists' use of slave labor as well as their financial support of the Nazi regime.

Sears distinguished himself on the bench, not only for his profound legal and analytical mind but also for his courtesy and keen sense of humor. Suzanne Aiardo, writing in *The Judges of*

the New York Court of Appeals: A Biographical History, notes that Judge Sears "showed his affection for his adopted city by participating in virtually every important civic undertaking in that city for over 50 years." He played key roles in many civic, cultural and educational affairs, including terms as president of the board of the Buffalo Joint Charities Fund, trustee of the Grosvenor Library, president and trustee of the Buffalo Fine Arts Academy (Albright Art Gallery), chairman of the Buffalo Branch of the Foreign Policy Association, president and trustee of



Judges at the Flick Trial, Nuremberg, Germany, 1947. From left to right are Frank N. Richman, Charles B. Sears and William C. Christianson. Photo from the collection of the United States Holocaust Memorial Museum, courtesy of John W. Mosenthal.

the Buffalo Philharmonic Orchestra Society, and trustee of the Community Chest.

Sears was also a member of the University of Buffalo Council for 15 years, and for his service to the university, he was awarded the Chancellor Charles P. Norton Medal, the university's highest honor, in 1941. His medal citation reads in part, "...eminent jurist, leader in the cultural life of the City, wise counselor and knightly gentleman, who, through a generation of distinguished service to the community, the State and the nation has won the admiration of his fellow citizens and has dignified Buffalo in the eyes of the world."



Class Gift Creates a Lasting Legacy

by Beth Adelman, Director & Vice Dean for Legal Information Services, Charles B. Sears Law Library

To commemorate their 20-year reunion in 1999, the SUNY Buffalo Law School Class of 1979 contributed more than \$14,000 to the Charles B. Sears Law Library. What prompted this generous class gift? According to Jean C. Powers, a partner in the Buffalo law

firm of Jaeckle, Fleischmann & Mugel, LLP, and a member of the Class of '79, "The library was central to our education, so we thought it most appropriate to direct our gift there."

The spirit of this gift reflects support for lifelong learning which begins with our students and continues throughout their careers. The gift from the Class of '79 also marked a pivotal moment in the history of the Law Library's vast print collection by providing funds for the designation of what is fondly known as the library's New York Alcove. In addition to

the purchase of a beautiful table and chairs that outfit the space in a comfortable, welcoming way, the funds allowed the Law Library to expand its collection of current New York legal resources to a comprehensive level.

A variety of information resources fill the New York Alcove, including legal encyclopedias and formbooks, as well as primary legal sources such as McKinney's and CLS. While some of these sources are now available online, the New York Alcove remains an important resource. Many library patrons still prefer researching in print sources, and many use this collection because they lack access to other resources in their workplaces or in other local libraries.



Wall plaque in the Law Library's New York Alcove recognizes the generosity of UB Law alumni, Class of 1979.

Located on the main level of the Law Library, the New York Alcove is *the* Western New York resource for current New York law. It is also a very active nook within the library. On any given day, one can observe multiple users in the Alcove, including law students

preparing for classes, *pro se* patrons and local attorneys doing research, reference librarians providing legal research instruction, and our stack maintenance crew re-shelving materials.

"We are actively developing and maintaining this collection which is recognized as a very important resource for the Western New York community," notes Theodora Belniak, the Law Library's Head of Collection Management and member of the University at Buffalo Law School's Class of 2010. While a law student, Belniak frequented the New York Alcove, and

she appreciates what the designation of this collection means to the university and the community at large. "More than ten years later, we are very grateful for this gift which has provided a lasting legacy in support of our faculty, students, alumni, the bench and bar and the public."

With the New York Alcove as a successful model, the Law Library recently designated space on the library's main floor for a United Nations Alcove to house the bulk of the library's UN finding aids and UN microforms. We hope to develop and maintain the UN Alcove collection in the same manner in which the New York Alcove was developed. Stay tuned!



Hometown: Lockport, New York

Family:

Terry, his wife, Rita, and 13-year old daughter, Brigid, live in Batavia, NY

Education:

B.A. (History), Buffalo State College M.L.S., University at Buffalo, SUNY Advanced Certificate in Media Librarianship, University at Buffalo, SUNY

Career Highlights:

Received SUNY Chancellor's Award for Excellence in Librarianship, 1993 Appointed Associate Director of the Charles B. Sears Law Library, 2011

When was the Law Library's Audiovisual (AV) Department established and why is it called the Koren Center?

Karen Spencer, the Law Library's first audiovisual librarian, began developing the AV department in 1974. She authored some of the department's first audiovisual aids to assist students with legal research, and later, Nina Cascio developed a film rental program that brought documentary films into classrooms for the benefit of law students and faculty alike.

In 1984, the AV department's physical space was expanded to include five rooms for law school clinical interviews, trial practice and oral arguments; at that time, the department was renamed to honor M. Robert Koren, a local attorney, distinguished UB Law School alumnus and member of the UB Council. A close friend of Koren, Dr. Robert Baker, along with other university sources, provided funding for the Koren Center.

How have audiovisual services changed over the course of your career?

When I was first appointed as the Law Library's audiovisual librarian in 1986, documentary films were provided primarily in 16mm format, trial technique materials were only available in a bygone video format known as ¾-inch U-matic, audio cassette tapes were the primary media for course review, and the camcorder was an emerging technology. I was responsible for developing the AV collection, maintaining access to the microform collection, supervising equipment distribution to law school classes and arranging recordings for special events.

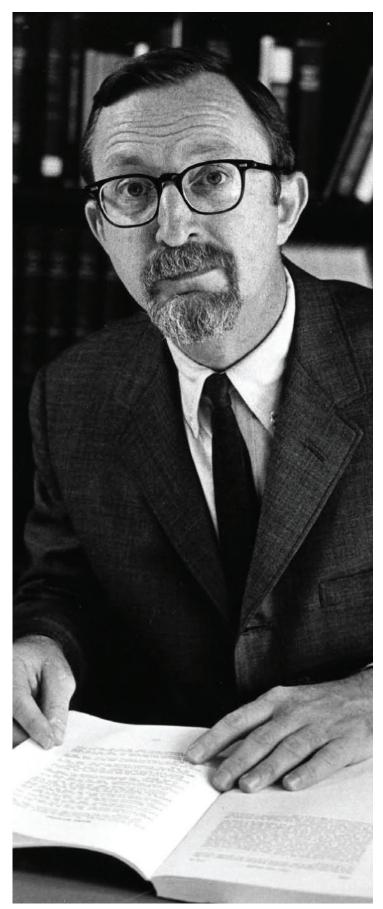
As demand for AV services has grown, so have the department's ranks. Our Instructional Support Technologist, Anne Marie Swartz, manages, among other things, the complex technology setups for classrooms and special events. We also have a top-level video producer, Nefeli Soteriou, to assist law faculty and students with documentary film productions.

How have you responded to the changing instructional support needs of the Law School?

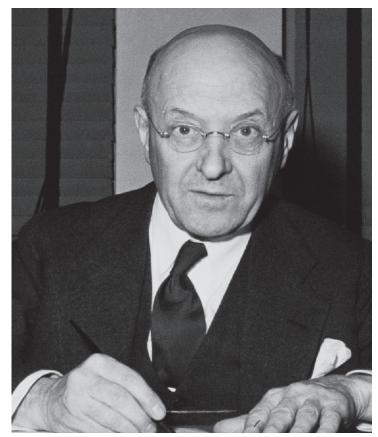
Even in the earlier pre-Internet, pre-PowerPoint era, law faculty understood that their student demographic had different ways of learning and processing knowledge than that of their predecessors. Moreover, the faculty appreciated the power of media to affect learning by visually illustrating a point or recording an exercise for critique. To keep pace with the Law School's growing need for audio and video resources and equipment, we've continually looked for ways to integrate innovative technologies within the law school's educational structure.

Do you have a favorite Law Library moment?

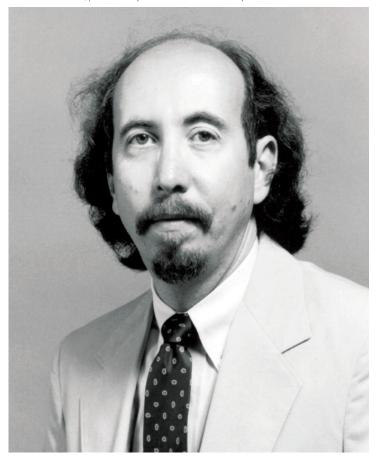
I have to say, although others might disagree, the Law Library disasters: a fire in 2005 and a flood in 2006. I really enjoyed the challenges these calamities created, because each event, in its own way, forced us to rethink how we conduct business and provide services.



MORRIS L. COHEN, photo courtesy of the Morris L. Cohen Family



JOHN LORD O'BRIAN, photo courtesy Charles B. Sears Law Library Archives



HOWARD R. BERMAN, photo courtesy California Western School of Law

TREASURES WITHIN: SPECIAL COLLECTIONS

by Marcia Zubrow, Head, Information Services Department, Charles B. Sears Law Library

The Charles B. Sears Law Library is home to a number of special collections, each of which offers a rich source of information for legal scholars, researchers and historians.

Morris L. Cohen Rare Book Collection

The collection began in the early 1960s when Morris L. Cohen (1927-2010), then director of the Charles B. Sears Law Library, purchased a number of rare legal books. Professor Cohen, one of the foremost legal bibliographers in the United States, along with his successor, Balfour Halévy, collected primarily early English and American legal sources from the 17th to the 19th centuries.

Today, with nearly 1,900 volumes, the collection contains many of the major legal treatises written during the formative years of the development of legal theory in England and the United States. It is a working collection, providing legal scholars with the opportunity to read the original editions of these treatises. As one of the Law Library's rare gems, we recognize the need to maintain and cherish this collection for future generations of legal researchers. We hope to construct built-in wood and glass-encased bookcases in our seventh-floor reading room to preserve and showcase the collection, and are actively seeking donations. Anyone interested in supporting this project is encouraged to contact Beth Adelman at (716) 645-2089.

John Lord O'Brian Papers

John Lord O'Brian (1874-1973), for whom the North Campus home of the SUNY Buffalo Law School is named, was a distinguished lawyer and active public servant in New York State and Washington, D.C. A graduate of the Law School in 1898, he served on the University Council from 1903-1929. The collection includes O'Brian's legal writings, professional and personal correspondence, photographs and memorabilia.

Howard R. Berman Collection

During his years of teaching and legal practice, Professor Howard R. Berman (1944-1997), class of 1973, focused on American Indian law and worked tirelessly toward the goal of establishing rights under international law for indigenous peoples. His work contributed to the creation of the 2007 United Nations Declaration on the Rights of Indigenous Peoples. The collection includes Berman's extensive library of Native American and human rights legal sources along with his personal working papers.

Other Collections

Other unique special collections include the Archives of the SUNY Buffalo Law School and Law Library, Iroquois Books of Marilyn L. Haas, Onondaga Nation Land Claims Records, Seneca Land Claims Records, Tibetan Legal Manuscripts, and the Watergate Collection. Additional information on these collections is available on the Law Library's website: law.lib.buffalo.edu



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Saving the Past for the Future

by Terry McCormack, Associate Director, Law Library & Head, M. Robert Koren Center for Clinical Legal Education



This brass cornerstone was placed in the Law School's original entrance during construction of O'Brian Hall.

During the 2011 renovation of the SUNY Buffalo Law School's first-floor entrance in O'Brian Hall, law librarians salvaged the commemorative cornerstone and time capsule from their original location in the building's initial entryway. Four decades earlier, in May 1971, then UB President Robert L. Ketter, accompanied by UB Law School alumnus and university trustee Manly Fleischmann, and Law School Dean

and UB Provost Richard D. Schwartz, placed the circular brass cornerstone and time capsule in the entrance. The cornerstone

was emblazoned with the year 1973 in anticipation of the completion of the building in February of that year.

At that time, Ketter noted, "It is appropriate, I believe, that the first cornerstone to be placed on this campus should be for this building," highlighting the fact that O'Brian Hall was the first officially recognized building on what is now UB's North Campus. More than 100 dignitaries attended the cornerstone placement ceremony and sealing of the time capsule, which contained copies of the Law School Catalog, packets of memorabilia, the Buffalo Evening News Almanac and a selection of coins.

Both the 16-by-12 inch welded sheet metal time capsule and the cornerstone are currently housed in the Law Library Archives, and law librarians are working with Law School staff to ensure the preservation of these historic artifacts.



O'Brian Hall's time capsule was pulled from the rubble during building renovations in 2011. (photos: Nefeli Soteriou)