

ASL LIBRARY NEWS

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What's New in the Library?

- Our American Bar Association accreditation visit will be October 30 through November 2. We will be cleaning the Library thoroughly before then, so we apologize in advance for any disruptions. Please help us keep the Library clean for our important visitors!
- October brings a full slate of "Get REAL!" (Research and Electronic Assisted Learning) refresher classes. Topics include using the online catalog, understanding secondary sources, finding law review articles, Shepard's citations (print), and an ALWD citation workshop. There are a few calendars posted around the Library; you can also check out the Library's web page (<http://www.asl.edu/library/classes.php>) for days and times. Most classes will be held in the Library's Seminar Room; during the weeks of Lexis and Westlaw training, we will have classes in the Microfiche Room.
- We will be having some Lexis and Westlaw training classes during October. Although most of the classes will be reserved for 1L legal research training, we hope to offer some "advanced" classes for our 2Ls and 3Ls. We're still finalizing the schedules, so please check back at the Circulation Desk to sign up. Seats are limited!
- Be on the lookout for a number of new state materials. We're increasing our collection of Kentucky, North Carolina, Tennessee, and West Virginia (ie, our "core" states) practice materials. These new books include formbooks, practice guides, and some research material. If you're looking for something specific, ask at our Reference Desk.

Who's New in the Library?

Dan Kostrub is our new Reference Librarian. Dan received his B.A. in Organizational Management from Warner Southern College in 1999; he then relocated to Grundy, with his family, in 2002 to attend the Appalachian School of Law. Dan graduated from ASL in May 2005. Dan is married with three children, ages 14, 11, and 9.

For biographies of our other Library employees, visit our web site at <http://www.asl.edu/library/bios.php>

Other News

- The First Monday of October is always an exciting time for those watching the judicial branch: that's the day when the US Supreme Court begins a brand-new term. With a new Chief Justice and a soon-to-be-named Associate Justice, the High Court's new composition could herald a new direction in American jurisprudence. Here are a few of the cases the Supremes will tackle this term:
 - whether the Federal Arbitration Act allows parties to avoid arbitration if they claim that the underlying contract (which contains the arbitration clause) is void for illegality; Buckeye Check Cashing v. Cardegna, 04-1264;
 - whether a national bank is "located" for purposes of diversity jurisdiction in all states where it maintains a branch; Wachovia Bank NA v. Schmidt, 04-1186;
 - whether an occupant of a residence can provide valid consent to a warrantless search of common areas even when another occupant is present and objects to that search; Georgia v. Randolph, 04-1067;
 - does a facial challenge of an abortion statute require the "undue burden" standard or the "no set of circumstances" standard, and must a statute regulating abortion contain a "health exception" clause to survive constitutional challenge; Ayotte v. Planned Parenthood, 04-1144;
 - who has the burden of proof when a child's individualized education plan is challenged: the parents or the school system?; Schafer v. Weast, 04-698

For these and other Supreme Court cases, check the High Court's own web site at <http://www.supremecourtus.gov> or read about them in U.S. Law Week, a fantastic newsletter that tracks all the Court's cases and other significant legal news (the newest issues are on Reserve). In a silly side note, the case of Domino's Pizza v. McDonald (04-593) is not – as you might guess from first glance – a clash of fast food titans, but a civil rights case brought by a shareholder.

- As this year's destructive hurricane season comes to a close (officially, November 30), legal issues will rise to the forefront. The IRS has created a small web page discussing tax issues involved, including tax relief for the displaced and guidelines on the charitable contributions given to them. The web address is complex; go to <http://www.irs.gov/> and look for the "Help for Hurricane Victims" link. More information about government involvement can be found at <http://www.fema.gov>
- Don't forget that Daylight Savings Time ends on October 30, at 2 am. Remind yourself to "fall back" an hour on the last Sunday of October, which should get you an extra hour of sleep that morning. (If you are wondering "didn't I hear something about that this summer?" you are correct. The "Energy Policy Act of 2005" [109 P.L. 58; 119 Stat. 594] expanded Daylight Savings Time to include the second Sunday in March to the first Sunday in November. That section goes into effect in 2007.)

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