Transition of Law Library Management

As the year ends so does an era of law library management by The Dayton Law Library Association. Many thanks are due to the company of forward thinking lawyers who founded the Association in 1868; the succession of trustees who oversaw the growth of one of the finest practitioner libraries in the state; and the numerous members whose support and interest aided the direction of an organization driven by the needs of its patrons. Members will be notified of an annual meeting to be held early in 2010.

On January 1, 2010, the governance of the facility transfers to the newly formed Montgomery County Law Library Resources Board. This new county agency that was established pursuant to Ohio H.B. 420 (2008) has the responsibility to provide legal research, reference, and library services to the county and to manage the coordination, acquisition, and utilization of legal resources. [ORC 307.51(B)]. In addition, the board is required to adopt rules for public access and hours of operation of the law library [ORC 307.51(D)]. The statutorily provided funds heretofore disbursed to The Dayton Law Library Association will be deposited into a special fund in the county treasury for use by the new CLLRB.

It is hoped that the transfer of governance will appear seamless to the library’s users as the staff members familiar to the patrons will remain into 2010. The new CLLRB will certainly communicate to library users any changes or distinctions in the operation of the facility.

Along with the change to a county agency comes a reduction in the amount of financial resources available for books and services. A noticeable change in the collection will be the suspension of many print subscriptions as well as the duplication of popular titles. It is anticipated that subscriptions to premier electronic databases will be retained.

Court of Appeals Access

Until the Courts’ renovation is complete, access to the offices of the Second District Court of Appeals will be through the Law Library. A door at the rear of the library will lead to a reception area for the Court.

Recent Acquisitions


KF 3510 .S69 2010 Value of Pensions in Divorce.


KF 9365 .S968 The False Claims Act: Fraud Against the Government.

Journal Watch

**ADA**
“Discipline and Disability: When is Disease a Defense?”
26 GP Solo 30 (October/November 2009, No. 7).

**ADOPTION**
“International Adoption Law: A Comparative Analysis.”
43 The International Lawyer 1337 (Fall 2009, No. 3).

**ARBITRATION**
“Arbitration Contract Clauses: A Potential Key to a Cost-Effective Process.”
16 Dispute Resolution Magazine 9 (Fall 2009, No. 1).

**BANKRUPTCY**
“Get Real: Reframing the Debate Over How to Calculate Projected Disposable Income in §1325(b).”

**CHILD CUSTODY**
“Avoiding Conflict at Home When There is Conflict Abroad: Military Child Custody and Visitation.”
43 Family Law Quarterly 349 (Summer 2009, No. 2).

**CONSTITUTIONAL LAW**
37 Capital Law Review 819 (Spring 2009, No. 3).
62 Vanderbilt Law Review 1421 (October 2009, No. 5).

**CONSTRUCTION LAW**
“Constructing the Construction Case: Tips, Traps and Tricks.”
64 Dispute Resolution Journal 62 (August-October 2009, No. 3).

**CONTRACTS**
“Drafting Effective Contracts: How to Revise, Edit, and Use Form Agreements.”

**COPYRIGHT LAW**
“Global Trends in Online Copyright Enforcement: A Non-Neutral Role for Network Intermediaries?”
49 Jurimetrics 375 (Summer 2009, No. 4).

**CORPORATE TAX**
“Liquidation, Reorganization, or Both: Unrestrained Complexity is Not a Joy.”
111 Journal of Taxation 269 (November 2009, No. 5).

**CRIMINAL LAW**
“Taking a Stand in Taking a Stand: The Effect of a Prior Criminal Record on the Decision to Testify and on Trial Outcomes.”
94 Cornell Law Review 1353 (September 2009, No. 6).
“Procedural Obstacles to Reviewing Ineffective Assistance of Counsel Claims in State and Federal Post-conviction Proceedings.”
24 Criminal Justice 6 (Fall 2009, No. 3).
“Does the Prior Conviction Exception Apply to a Criminal Defendant’s Supervised Release Status?”
76 The University of Chicago Law Review 1323 (Summer 2009, No. 3).

**DISCOVERY**
“True Lies: Cutting-Edge Technology has Renewed the Search for a Better Lie Detector. Some Show Promise, but They Have Yet to be Tested in Court.”
95 ABA Journal 56 (October 2009, No. 10).
2 Bar Journal of the Cleveland Metropolitan Bar Association 16 (November 2009, No. 4).

**ELDER LAW**
“End-of-Life Care: Doctors’ Complaints and Legal Restraints.”
53 Saint Louis University Law Review 1155 (Summer 2009, No. 4).

**EMPLOYMENT DISCRIMINATION**
“Gross v. FBL Financial Services, Inc.: Supreme Court Radically Changes the Ground Rules for Proving ADEA Claims.”
60 Labor Law Journal 121 (Fall 2009, No. 3).

**EMPLOYMENT LAW**
“A Death in the Office.”
95 ABA Journal 30 (November 2009, No. 11).
“Attorney-Client Privilege Trumps Workplace Regulations.”
35 Litigation News 10 (Fall 2009, No. 1).
“Employers Cannot Get the Message: Text Messaging and Employee Privacy.”
Journal Watch

ENVIRONMENTAL LAW
“Climate Change Litigation: Drawing Lines to Avoid Strict, Joint and Several Liability.”
“The Evolution and New Directions in Environmental Auditing and Compliance Management.”
24 Natural Resources & Environment 3 (Fall 2009, No. 2).

ESTATE PLANNING
“Adapt Estate Planning Strategies to fit the Needs of Same-Sex Couples.”
83 Practical Tax Strategies 284 (November 2009, No. 5).
“Adopted Kids and Old Money: State Laws on Inheritance Rights Vary Dramatically Creating Traps for the Unwary.”
148 Trusts & Estates 11 (October 2009, No. 10).

FAMILY LAW
“Justice Delayed in Child Support Cases Involving Incarcerated Parents.”
83 The Florida Bar Journal 35 (November 2009, No. 10).

INSURANCE LAW
“A New Option in Health Insurance Law.”
23 Ohio Lawyer 14 (November/December 2009, No. 6).

INTERNATIONAL LAW
“Electronic Identity Cards: the E-government Accelerating Factor in Europe.”
6 The SciTech Lawyer 4 (Fall 2009, Issue 2).

JUDGES
“Overcoming Judicial Bias.”
35 Litigation 28 (Summer 2009, No. 4).

LANDLORD-TENANT
“Landlord Lease Remedies: What Are a Landlord’s Default Rights and What Can it Recover?”
23 Probate & Property 16 (November/December 2009, No. 6).

LAW OFFICE MANAGEMENT
“Fine-Tuning Human Resources: Top Tips for Frugal Law Firms.”
“Letting Lawyers Go: The Legal and Practical Aspects of Law Firm Layoffs.”
55 The Practical Lawyer 43 (October 2009, No. 5).

LAW PRACTICE
“Business Development Strategies for Smaller Firms: Tactics and Tools for Competing on Any Budget.”
35 Law Practice 38 (September/October 2009, No. 6).
“Résumé Rules: The Right Design Can Make Your Résumé a Tool to Generate and Direct Interviews.”
38 Student Lawyer 20 (November 2009, No. 3).

LEGAL MALPRACTICE
“The Duty to Report Malpractice by Trial Counsel.”
51 For the Defense 56 (November 2009, No. 11).

LITIGATION
“The Parental Immunity Doctrine: Is Insurer Bad Faith and Exception or Should the Doctrine be Abolished?”
83 The Florida Bar Journal 58 (October 2009, No. 9).

MEDICAID
“Making Medical Assistance Available: Enforcing the Medicaid Act’s Availability Provision through §1983 Litigation.”
109 Columbia Law Review 1440 (October 2009, No. 6).

MEDICARE
“Medicare Secondary Payer Enforcement: Shifting the Burden of Medicare to the Private Sector.”
39 The Brief 12 (Fall 2009, No. 1).
“There is no Free Lunch. Municipalities and Medicare.”
51 For the Defense 16 (October 2009, No. 10).

MEDICARE
“Medicare Secondary Payer Enforcement: Shifting the Burden of Medicare to the Private Sector.”
39 The Brief 12 (Fall 2009, No. 1).
“There is no Free Lunch. Municipalities and Medicare.”
51 For the Defense 16 (October 2009, No. 10).
Journal Watch—Continued

MUNICIPAL LAW

PATENTS

PENSION PLANS

PENSIONS

PROBATE

REAL ESTATE LAW

REAL PROPERTY

SCHOOL LAW
“MySpace, YourSpace, OurSpace: Student Cyberspeech, Bullying, and Their Impact on School Discipline.” 2009 University of Illinois Law Review 1623 (No. 5).

SPECIAL NEEDS

REAL ESTATE LAW

SUNSHINE LAWS
“Debt Workout Issues for REITs are Complicated, Whether They are Debtors or Creditors.” 111 Journal of Taxation 158 (September 2009, No. 3).

TAX LAW


TORTS
“W(h)ither Preemption?” 45 Trial 24 (November 2009, No. 11).

TRIAL
“Closing Arguments.” 76 Defense Counsel Journal 437 (October 2009, No. 4).

WAGE & HOUR

WORKERS’ COMP
“The Case for Bad Faith in Workers’ Comp.” 45 Trial 32 (October 2009, No. 10).