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WHAT TO DO WHEN YOU CANNOT FIND THE BOOK YOU ARE LOOKING FOR IN THE LIBRARY

by Linda Fariss

Murphy’s Law seems to be at work when you look for a particular book in the Library - the very one you are looking for is never there! What do you do when this happens to you - give up, go away in despair, curse the Library? I hope not, because you have several options available.

The first thing you should do is check in IO (the online catalog) to see if the book is checked out. If the book is charged out to a patron it will be reflected on the screen under the heading "Status" with the date due. Books charged out to a carrel will have the carrel number listed. Although you cannot remove the book from the carrel, you may use it there. If the book is charged out to a patron, you may place a recall on it by simply filling out a card at the circulation desk. We will then notify you when the book is returned and hold it for you at the circulation desk. A popular misconception is that books checked out to Law faculty cannot be recalled. This is not true - faculty are only guaranteed two weeks, just like everyone else, and books checked out to them may be recalled in the usual manner. If you are in a hurry for something checked out to a Law faculty member, a Reference Librarian may be able to expedite your request. Stop by the Reference Office when this happens.

There is one caveat in using IO to find out if something is checked out. Although unbound periodicals are listed in IO, the circulation status of these items does not appear in the online catalog. You must check with the desk attendant to see if an unbound periodical is checked out.

What do you do if the book is not checked out? Don’t give up! If the item is located in the Faculty Library, we will retrieve it for your use in the Library. You may also place a search on the book at the circulation desk. Our staff will then turn the Library upside down trying to find it for you! If we cannot find the book or you do not have time to wait, there are still options available to you. Don’t forget that the online catalog lists all of the locations where a book is held throughout the Indiana University system. The exception to this is for books published before 1976. Although the Law Library does have all of its holdings reflected in the online catalog, this is not true for the other libraries in the system. If another library on the Bloomington campus has the book you are looking for, you must retrieve it yourself. However, if it is located on another campus, we will be
Res Ipsa Loquitur

Glad to request it for you from that campus. See Linda Rich in the Circulation Office if you wish to retrieve a book from another campus. If the book is not held on any campus of Indiana University, we will be happy to attempt to get it for you from another library through OCLC, a national network that lists holdings for libraries across the country. See Linda Rich if you would like a book through interlibrary loan.

If you cannot find what you are looking for in this Library, we will make every attempt to get it for you from another collection. Although it may not always be possible to do this within your timeframe we will do our best. But you have to let us know what you need as soon as possible. Do not go away without exploring every avenue and, as always, see a Reference Librarian if you need something that is not readily available.

NEW & NOTEWORTHY:
MARCH MADNESS


Well, it's that time of year again. As all good Hoosiers know, March means one thing: B-Ball, Hoops, Roundball. Call it whatever you want, in Indiana basketball rules supreme in March. In support of the Law School's Sports Law program, the Law Library has purchased the rulebooks to most of the NCAA sanctioned sports (Baseball, Football, Ice Hockey, Cross Country/Track & Field, Swimming & Diving, Wrestling, Rifle Shooting, Skiing, Lacrosse, and Basketball). At this time of year the Basketball rulebook comes in particularly handy.

In addition to the individual rules, the 1993 rulebook has sections on "Rule Interpretations," "Points of Emphasis," "Officials' Signals," and a copy of the "Basketball Coach's Creed."

As a public service to our patrons and fans (and as warning to the Thursday afternoon Law players that I'm coming prepared this week to call those Charges), I thought I might offer a refresher course in some of the more obscure, or misunderstood, rules.

RULE 2, SECTION 4 (ELASTIC POWER): The referee shall have power to make decisions on any point not specifically covered in the rules.

RULE 3, SECTION 1 (THE TEAM): Each team consists of five players, one of whom is the captain. The game must start with five players but may continue with fewer than five players if all other squad members are not eligible to play. A team must continue to play with five players as long as it has that number available. When there is only one player participating for a team, that team shall forfeit the game unless the referee believes that both teams have an opportunity to win the game.

RULE 4, SECTION 14-F (INTENTIONAL FOUL): An intentional foul is a personal or technical foul that, on the basis of observation of the act, is not a legitimate attempt to directly play the ball or a player. Judgement is not based upon severity of the act. Contact with a thrower-in shall be ruled an intentional personal foul. Lightly holding or pushing an opponent in full view of an official in order to stop play, with the hope of gaining control of the ball, or pushing a player in the back to prevent a score when there is no possibility of getting into position to guard, is equally intentional.

RULE 9, SECTION 13-B-1 [men] (FIVE SECONDS): A closely guarded situation occurs when a closely guarded player (a player who is guarded within six feet by the defensive player - rule 4, section 6) anywhere in his front court holds or dribbles the ball for five seconds. The ball becomes dead or remains dead when a violation occurs (Rules 9-3 through rule 9-13). The ball is awarded to a nearby opponent for a throw-in at the out-of-bounds spot nearest the violation.

RULE 10, SECTION 9-J (TECHNICAL FOULS - CONDUCT OF COACHES, OTHERS) A coach, player substitute, team attendant or follower shall not play any musical instrument while the game is in progress.
RULE 10, SECTION 13 (PERSONAL FOUL BY DribblER): A dribbler shall not charge into nor contact an opponent in the dribbler’s path nor attempt to dribble between two opponents or between an opponent and a boundary, unless the space is such as to provide a reasonable chance for the player to go through without contact. If a dribbler, with contact, passes an opponent sufficiently to have head and shoulders in advance of him or her, the greater responsibility for subsequent contact is on the opponent. If a dribbler in his or her progress has established a straight-line path, the dribbler may not be crowded out of that path; but, if an opponent is able to legally establish a defensive position in that path, the dribbler must avoid contact by changing direction or ending the dribble. The dribbler should not be permitted additional rights in executing a jump try for goal, pivot, feint or the start of a dribble.

Among the hundreds of other rules and interpretations found in the 1993 edition, my two personal favorites are Rule 5, Section 3 (Winning Team): "The winning team is the one that has accumulated the greater number of points when the game ends," and Rule 4, Section 23 (Incidental Contact): "The mere fact that contact occurs does not constitute a foul. When 10 players are moving rapidly in a limited area, some contact is certain to occur.”

Richard Vaughan,
Acquisitions & Serials Control Librarian

THE OTHER EUROPE

Previous articles in this series have discussed the origin and structure of the Council of Europe. In this concluding article, I will mention some of the criticisms that have been leveled at the current human rights regime under the Convention for the Protection of Human Rights and Fundamental Freedoms, as well as some of the proposals for reform currently under discussion.

Despite the success of the judicial machinery of the Convention, reform is in the air. The pressure for reform derives from three basic sources: dissatisfaction with the current operation of the Convention, concern about the imminent membership of central and eastern European states, and the need to adjust to the changing nature of the European Economic Community.

Several criticisms have been levelled at the operation of the Commission on Human Rights, the Court of Human Rights, and the Committee of Ministers. One of the major criticisms has been that these institutions lack adequate enforcement power. More particularly, they have no recourse against states which seriously delay implementation of their judgments. For example, Italy has frequently delayed paying monetary awards to successful complainants for several years. In fact, there are several cases currently before the Committee, which cannot be finally discharged due to Italy’s failure to comply with Committee orders within stipulated time limits. In other respects, the institutions of the Convention have tied their own hands. For example, the Court recently held non-binding a Commission request to Sweden not to deport a litigant during the pendency of his claim that Sweden’s expulsion procedure violated the Convention. With this decision, the Court stripped the Commission of the power, even in urgent cases, to grant injunctions in deportation cases in order to avoid irreparable harm to the complainant.

Another criticism is that the Committee of Ministers is often driven, in inter-state cases, more by political considerations than by its obligation under the Convention to act as a judicial body in determining whether there has been a violation. For example, the Committee has repeatedly avoided determining the issue of whether Turkey, in the course of its occupation of Cyprus, has violated the Convention. In one case, the Committee made no determination at all, but simply made the Commission’s report public.

Perhaps the most common criticism of the Convention institutions heard today is that they can no longer keep up with their work load. Particularly due to the rise in individual applications under article 25 of the Convention, the business of the Commission, Court, and Committee has become overwhelming. For example, in 1991, the Court handed down more decisions than it had during the first two decades of its existence. This crush
of business has lead to inevitable delays, and to claims that the rights guaranteed by the Convention are no longer real and effective. There is an irony in these delays as well, since the Court and Committee have held in the past that delays in various national court systems violated the Convention’s provisions.

Various proposals have been made to speed up judicial proceedings under the Convention, and some have already been adopted. For example, the Eighth Protocol to the Convention, which came into force in 1990, enables the Commission to dispose of applications much more rapidly than previously it was able to do. Other proposals currently under discussion would make the Court and Commission permanent, rather than part-time bodies, turn the Commission into a court of first instance and the Court into a court of appeal, or combine them into a single body.

In addition to shortcomings in the Convention’s procedures and enforcement mechanisms, pressure for reform has come from the need to accommodate new members from eastern Europe as well. It is anticipated that these new members will further increase the case load, and that they will afford an opportunity to develop human rights law in new areas, particularly in the field of minority rights. Finally, the evolution and maturation of the European Community has also lead to concern about the future development of human rights law in Europe. The main question here is whether the EEC should begin to develop its own law in this area, or whether it should join the Council of Europe in its own right.

Despite its shortcomings in practice, and the pressures brought to bear by the great changes afoot both in eastern and western Europe, the Council of Europe continues to engender admiration in the area of human rights. As one scholar recently put it, "[p]erhaps the most lasting achievement of the system is not to be counted in terms of individual cases or even on the impact that they may have on the shape of laws and practices in member states[, b]ut rather in terms of forging a new vocabulary of constitutional ideas and concepts that throws fresh light on the balance of interest between the individual and the State."

Ralph Gaebler,
Foreign & International Librarian
JOURNAL INDEXES ADDED TO IO

The University Libraries, in conjunction with University Computing, will begin testing a new product that enables us to provide selective journal and newspaper indexes on the IU Libraries catalog system. The test is tentatively scheduled to begin the week of March 1. Keep in mind though, this is only a test and the project may ultimately be reconsidered if response time is extremely slow or if other serious problems arise.

The Libraries are in the process of implementing the first of three indexes for this test: EXPANDED ACADEMIC INDEX. This particular index is marketed by Information Access Company, the same folks that bring us "Legaltrac" and "InfoTrac". BUSINESS INDEX and NATIONAL NEWSPAPER INDEX will follow.

The purpose of the test is to enable the Libraries to evaluate the feasibility of distributing these valuable research tools, and others like them, across the IU Libraries. The test is scheduled to last through the Spring 1993 semester.

Watch the IO introductory screens for more information as it becomes available. Descriptions and contents of each database will appear throughout the test. As always, your comments and suggestions are welcome.

Nonie Watt,  
Head of Technical Services

PERIODICALS COLLECTION/LOOSELEAF COLLECTION

For the March issue of *Res Ipsa Loquitur*, I would like to discuss two very large and heavily used collections—the Periodicals Collection and the Looseleaf Collection. These collections are shelved on the ground floors of the Law Library.

We will first turn our attention to the Periodicals Collection. This collection contains the periodicals, both legal and general interest, that the Law Library receives on subscription. The Law Library attempts to collect all law journals published by law schools in the United States, and most law journals published in Canada. In addition, we have almost all major legal periodicals published in Great Britain, France, and Germany, along with selected legal publications from other Western European countries, Africa, and Asia. We also have a variety of publications put out by the American Bar Association, by the different state bar associations, annual conference and institute proceedings, newsletters, and general interest magazines and publications. We currently receive approximately 1350 periodicals, and we have a substantial number of periodicals that have ceased publication. The law journals make up the bulk of the collection, and the number keeps growing due to the fact that many law schools have begun new law journals with special topics in addition to their standard law journal. The Periodicals Collection is quite large due to the significant number of legal periodicals being published, the fact that we collect multiple copies of some of the more heavily used law journals, and for the reason that some of these publications have been published for many years. The Harvard Law Review has been published for 106 years, the Yale Law Journal has been around almost as long, and the Indiana Law Journal has been published in its present form since 1926. The Periodicals Collection is cataloged in IO and is arranged alphabetically by the title of the publication.

Next we turn our attention to the Looseleaf Collection that is shelved on the Reading Room floor. This collection contains the looseleaf publications that the Law Library receives on subscription. Looseleafs are frequently the quickest way other than by computer to be kept up-to-date on the developments in a particular area of law. The Law Library constantly receives updates to these looseleaf sets, and we attempt to keep them as current as possible. The Library maintains a list of the current looseleaf sets in several binders on top of the shelves, and the sets are all cataloged in IO. Should a looseleaf cease publication (or we stop purchasing it), it is usually pulled from the Looseleaf Collection and sent upstairs to the Classified Collection. The Looseleaf Collection is classified like the main collection and is arranged in call number order.

Mike Maben,  
Cataloging Librarian
LAW LIBRARY SPRING BREAK HOURS
MARCH 12 - 21, 1993

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<td>MARCH 13</td>
<td>SATURDAY</td>
<td>9:00 a.m. - 5:00 p.m.</td>
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<td>MON.-FRI.</td>
<td>9:00 a.m. - 5:00 p.m.</td>
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<td>MARCH 21</td>
<td>SUNDAY</td>
<td>RESUME REGULAR HOURS</td>
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WORKING THE HALLS

Happy Birthday to all those born in March!!

Professor Joe Hoffmann on March 1st;
President Tom Ehrlich on the 4th;
Kris Nielsen-Mantz in the Community Legal Clinic on the 15th;
Matt Gullett in the Library and Assistant Dean Frank Motley on the 23rd;
Linda Rich in the Library on the 25th;
Toni Sammy in the Library on the 26th; and
Jodi Graham in the Library on the 29th.

Hope you all have (or had) a great day!!!

Congratulations to Professor Alysa Rollock and her husband, David, on the birth of their baby girl. Miriam Jacklin was born February 28th and weighed 7 lbs, 14 oz. The Rollocks also have a son, Theodore, who is three.

Faculty Publications:


Have a wonderful Spring Break!