

2013

# Bitten by the Reading Bug

Mary Whisner

*University of Washington School of Law*, [whisner@uw.edu](mailto:whisner@uw.edu)

Follow this and additional works at: <https://digitalcommons.law.uw.edu/librarians-articles>

 Part of the [Legal Writing and Research Commons](#), and the [Reading and Language Commons](#)

---

## Recommended Citation

Mary Whisner, *Bitten by the Reading Bug*, 105 LAW LIBR. J. 113 (2013), <https://digitalcommons.law.uw.edu/librarians-articles/26>

This Article is brought to you for free and open access by the Librarians' Publications at UW Law Digital Commons. It has been accepted for inclusion in Librarians' Articles by an authorized administrator of UW Law Digital Commons. For more information, please contact [cnyberg@uw.edu](mailto:cnyberg@uw.edu).

## **Bitten by the Reading Bug\***

Mary Whisner\*\*

*Is reading books about law helpful to law librarians? Ms. Whisner discusses why and what she likes to read, and makes recommendations about books others might find interesting.*

¶1 Stronger even than the stereotypes about sensible shoes and glasses on a cord is the one about librarians loving to read. Of course, when I meet strangers, they can tell at a glance that I have glasses (no cord, because I need them all the time) and sensible shoes, so little is left to say but “You must love to read!”<sup>1</sup> I’ve heard that admissions committees for graduate programs in library and information science weary of applications that open with “I’ve always loved to read.” So when I talk to potential students, I encourage them to write about their fascination with technology, their experience in customer service jobs, and their eagerness to help people navigate the flood of information, in addition to—or instead of—their love of reading.

¶2 The reality of librarianship is that we’re all too busy to sit down and read while we’re at work. And yet many of us do love to read and might have been attracted to the profession because of the image of spending our days surrounded by books, promoting books, organizing books, preserving books, and getting books to people who need them. While many of us do read a lot in our leisure hours, loving to read isn’t essential to being a good librarian. One could hold all the profession’s values and do a terrific job at work, but prefer to spend time away from work rock-climbing, quilting, canoeing, dancing, watching movies, or performing in a Scottish pipe band.

### **The Reading Bug**

¶3 I happen to be one of the librarians who do love to read and, among other things, I read books about law. I’ll talk later about whether it’s useful in my work,

---

\* © Mary Whisner, 2013. I am grateful to my colleagues Tricia Hart and Ann Nez for reading a draft and helping me with the section on cataloging practice.

\*\* Reference Librarian, Marian Gould Gallagher Law Library, University of Washington School of Law, Seattle, Washington.

1. There’s also: “Computers must have really changed the way you work!”—but I’ve already written about that. Mary Whisner, *Change and Continuity (Rip Van Winkle’s Reference Office)*, 102 LAW LIBR. J. 141, 2010 LAW LIBR. J. 7.

but I want to be clear that the reason I read is not in order to be a better reference librarian. I just have the bug.

¶4 As the due date for this column approached, I was busy at work. Going about my various duties, I tried to think of a good topic that would not require weeks of research. (Some of my favorite columns have been packed with footnotes, but the digging required for those takes more time than I had.) While doing research for a professor, I came across a book that appealed to me, and then I realized I had my column topic: I could write about this book and perhaps some others. The excitement I felt at getting to read the book cemented my choice—I would not only have something to write about, but I'd also get an emotional boost during a stressful period at work.<sup>2</sup>

¶5 The book was *Lawtalk: The Unknown Stories Behind Familiar Legal Expressions*.<sup>3</sup> Why did *Lawtalk* call to me? First, it concerns two of my longtime interests: language and law. Second, I already knew the work of two of the authors. I met Fred Shapiro twenty-five years ago when I was a library school student interviewing for my first job, and we have stayed in touch. I like and use his *Dictionary of American Legal Quotations* and *The Yale Book of Quotations*. I've read with interest his scholarship trying to assess the impact of various books and articles by measuring their citation rates.<sup>4</sup> I don't know Marc Galanter personally, but I know him as a scholar. His book on lawyer jokes was thought-provoking (as well as funny at times),<sup>5</sup> and his article on repeat actors in litigation is a classic of law and society.<sup>6</sup> Finally, *Lawtalk* had a very positive blurb from Bryan Garner,<sup>7</sup> the prolific author on writing and legal writing. So, even though I hadn't heard of the first two authors, I wanted to take a look at the book.

¶6 The acknowledgments elaborate on what it means for *Lawtalk* to have four authors. Marc Galanter had the idea and was primarily responsible for the jokes and sidebars. Fred Shapiro provided research and handled most of the permissions and illustrations. All four authors contributed to all of the entries, but each entry has one primary author, indicated by initials at the end of the entry. James Clapp or Elizabeth Thornburg gets primary credit for all but two, which are attributed to Marc Galanter.<sup>8</sup>

2. The first weeks of fall quarter are always busy. Last year at this time, the busyness inspired a column about ways to cope with too much work. Mary Whisner, *Work Crunch*, 103 LAW LIBR. J. 147, 2011 LAW LIBR. J. 8.

3. JAMES E. CLAPP, ELIZABETH G. THORNBURG, MARC GALANTER & FRED R. SHAPIRO, *LAWTALK: THE UNKNOWN STORIES BEHIND FAMILIAR LEGAL EXPRESSIONS* (2011) [hereinafter CLAPP ET AL.].

4. E.g., Fred R. Shapiro, *The Most-Cited Legal Books Published Since 1978*, 29 J. LEGAL STUD. 397 (2000); Fred R. Shapiro & Michelle Pearse, *The Most-Cited Law Review Articles of All Time*, 110 MICH. L. REV. 1483 (2012).

5. MARC GALANTER, *LOWERING THE BAR: LAWYER JOKES AND LEGAL CULTURE* (2005).

6. Marc Galanter, *Why the "Haves" Come Out Ahead: Speculations on the Limits of Legal Change*, 9 LAW & SOC'Y REV. 95 (1974). See also IN LITIGATION: DO THE "HAVES" STILL COME OUT AHEAD? (Herbert M. Kritzer & Susan S. Silbey eds., 2003) (reprinting the original article and presenting new articles on its themes). The original law review article is one of the most cited of all time, ranking thirty-seventh as of November 2011. Shapiro & Pearse, *supra* note 4, at 1490.

7. "*Lawtalk* combines enormous erudition with loads of levity—the result being a compulsively browsable book that will leave readers wordily-wise." *Lawtalk*, YALE UNIV. PRESS, <http://yalepress.yale.edu/reviews.asp?isbn=9780300172461> (last visited Nov. 8, 2012).

8. Galanter's two entries are *rainmaker* and *thinking like a lawyer*. CLAPP ET AL., *supra* note 3, at 205, 258.

## Aside on Cataloging

¶7 Reading a book with four authors, who played different roles in its creation, led me to think about the cataloging of books with multiple authors. The cataloging in publication for *Lawtalk* is as follows:

Lawtalk : the unknown stories behind familiar legal expressions / James E. Clapp . . .  
[et al.]  
p. cm. — (Yale law library series in legal history and reference)  
Includes bibliographical references and index.  
ISBN 978-0-300-17246-1 (hardback)  
1. Law—United States—Dictionaries. I. Clapp, James E. (James Edward), 1943–.  
KF156.L39 2011  
340'.14—dc23<sup>9</sup>

¶8 James E. Clapp is the only author listed. So what happened to the other three? They're not there because when a work has more than three authors standard cataloging practice has been to include only the first. And so, in most catalogs, a researcher who was a fan of Elizabeth Thornburg, Marc Galanter, or Fred Shapiro would not be able to find this book they coauthored. This also happens in footnotes and bibliographies.<sup>10</sup> The *Bluebook* (not generally renowned for its flexibility) allows listing more than the first author “when listing all of the authors’ names is particularly relevant,”<sup>11</sup> and so I listed them when I first cited the book, above.

¶9 Libraries do not have to follow cataloging conventions slavishly, so I wondered whether the authors’ home libraries included more than the cataloging in publication does, and in fact they do. The law library at Southern Methodist University, where Elizabeth Thornburg teaches, lists all four authors. The University of Wisconsin Law Library cataloged *Lawtalk* as being by “James E. Clapp, Marc Galanter . . . [et al.],” enabling researchers there to find this book by a Wisconsin professor (but leaving out Thornburg and Shapiro). Yale Law Library, where Fred Shapiro works, lists “James E. Clapp . . . [et al.]” in the main entry, but has added author entries for the other three authors.<sup>12</sup> (Yale also includes a detailed table of contents. That way, someone who happened to search their library catalog for *ham sandwich* would find this book.<sup>13</sup> More likely, of course, is a search for *affirmative action* or *hearsay*—where the book would turn up among a long list of works, possibly leading a researcher to something relevant and interesting.)

¶10 Many cataloging rules originated in the days when catalog cards were hand-written or individually typed. Even after cards could be purchased or were machine

9. Cataloging in publication is not meant to be the last word. It’s a starting point for catalogers, not the final record.

10. See, e.g., MLA STYLE MANUAL 190 (3d ed. 2008) (§ 6.6.4) (for more than three authors, option to list all or list the first followed by *et al.*); *Chicago Style Citation Quick Guide*, CHICAGO MANUAL OF STYLE ONLINE, [http://www.chicagomanualofstyle.org/tools\\_citationguide.html](http://www.chicagomanualofstyle.org/tools_citationguide.html) (last visited Nov. 11, 2012) (for four or more authors, in bibliography list all authors, but in notes list the first followed by *et al.*).

11. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION 138–39 (19th ed. 2010) (R. 15.1(b)).

12. James E. Clapp, the first author listed, is a practicing attorney and so has no “home” library to check.

13. See *Indict a Ham Sandwich*, in CLAPP ET AL., *supra* note 3, at 136.

generated, they still had to be filed by hand. This labor—and the limits of space in card catalog cabinets—must have contributed to the rule against listing more than three authors.<sup>14</sup> Who would want to create and file those extra cards for “added author” entries? Now that our catalogs are online, though, the economics of labor and space have changed. Of course, it still requires labor to create entries for multiple authors, but not as much labor as creating and filing individual cards. And with copy cataloging and bibliographic utilities, the extra work need be done only once, not in each library. The added access would benefit users and meet their expectations. If I can go to Amazon.com or Google Books and find *Lawtalk* when I search for “Marc Galanter,” why shouldn’t I be able to do that in a library catalog?

¶11 Happily, it turns out that the cataloging world addressed this problem while I wasn’t looking. Resource Description and Access (RDA) is a new cataloging standard, already adopted by some libraries and soon to be adopted by others (like mine). RDA undoes the Rule of Three that limited the number of authors in a catalog record (although RDA 2.4.1.5 allows for an “optional omission”).<sup>15</sup>

### Diverse Topics, Suitable for Browsing

¶12 Returning to the book itself, *Lawtalk* presents essays on legal terms in alphabetical order (from “abuse excuse” to “the whole truth”), but it offers much more than definitions and etymology. The authors use the terms as thematic starting points for discursions on history, policy, pop culture, and—of course—law. The style reminded me of writers from outside law whose collected short works I have enjoyed, including Stephen Jay Gould, Anne Fadiman, and Geoffrey Nunberg. Gould and Fadiman wrote their essays for magazines (*Natural History*, *Civilization*, *The American Scholar*); many of Nunberg’s pieces were written for the radio program *Fresh Air* (an audio periodical, so to speak). I haven’t seen any indication that *Lawtalk*’s essays originally appeared in another format, but they have that same feeling.

¶13 Entries average a little under four pages: short enough to read during a coffee break, but long enough to say something. They are independent from one another, so one could use the book for isolated questions (“Where did *Brown*’s phrase ‘all deliberate speed’ come from?”<sup>16</sup>) or just flip through it, picking out whatever caught one’s attention. Of course, one could also read it straight through, as I did. Throughout, I found myself reacting to choice tidbits with internal com-

---

14. My colleague Ann Nez observed that limiting the number of authors listed is in tune with (and could have stemmed from) a view of authorship that values the lone creator and devalues collaboration.

15. If you are a cataloger, you probably use the RDA Toolkit, an online collection of cataloging resources, including RDA. If you just want a look at RDA, see the *RDA Constituency Review Draft*, RDA TOOLKIT (Oct. 31, 2008), <http://www.rdatoolkit.org/constituencydraft>. Rule 2.4.1.5 is on page 62 of chapter 2. See also ADAM L. SCHIFF, CHANGES FROM AACR2 TO RDA: A COMPARISON OF EXAMPLES 18, available at <http://www.rda-jsc.org/docs/BCLAPresentationWithNotes.pdf> (last visited Nov. 28, 2012).

16. CLAPP ET AL., *supra* note 3, at 93. See also *Brown v. Bd. of Educ.* 349 U.S. 294, 301 (1955).

ments like, “Gee, I never knew that! How interesting!” But the book is more than a parade of trivia. The authors’ discussions of etymology and usage often include commentary on important policy issues.

¶14 I enjoyed the varied topics and wide-ranging commentary. Come to think of it, the experience of reading about one interesting topic for a while and then moving to another interesting topic reminds me of one thing I like so much about being a reference librarian: getting to work on and talk with people about many different projects. And just as some types of questions recur in the reference office, I noticed that many entries addressed one or more common themes: criminal law,<sup>17</sup> constitutional law,<sup>18</sup> race,<sup>19</sup> and law practice.<sup>20</sup>

### Criminal Law

¶15 Like myriad other Americans, I have watched thousands of hours of crime dramas and read stacks of murder mysteries. Crime is dramatic, and how our society addresses it is important. In recent years I’ve read more nonfiction about criminal justice than crime novels: I get some drama and also some food for thought.

¶16 “As good be hang’d for an old sheep as a young lamb” is a very old proverb (the book cites a source from 1678) that today “is often used lightheartedly.”<sup>21</sup> But for many centuries stealing sheep was indeed a capital offense. And it wasn’t alone: “by the early nineteenth century, over two hundred capital crimes had been defined” in England.<sup>22</sup> That fact startled me. I could easily assume crimes like murder, treason, rape, and piracy might be punishable by death, but those and stealing sheep added up to only five offenses—nowhere near two hundred. The other offenses included being in the company of gypsies, minor burglary, and pulling up a shrub in a park.<sup>23</sup> This willingness to hang offenders for what we see as minor offenses today made the early nineteenth century the era of the “Bloody Code.”<sup>24</sup> Not at all the impression left by happy hours spent reading Jane Austen’s witty novels about marriage and manners.

¶17 After the discussion of Britain’s heavy use of the death penalty, the entry traces the country’s retreat from it. Now, pursuant to the European Convention on Human Rights, the death penalty is only available in times of war or imminent threat of war. Quickly jumping across the Atlantic, the entry (this one is by Clapp)

17. There are entries for *blackmail*; *blue wall of silence*; *corpus delicti*; *CSI effect*; *eye for an eye*; *fishing expedition*; *hanged for a sheep*; *indict a ham sandwich*; *rap*; *rap sheet*; *RICO*; *thin blue line*; *third degree*.

18. There are entries for *color-blind*; *deliberate speed*; *electoral college*; *one person, one vote*; *penumbra*; *separate but equal*; *three-fifths rule*; *wall of separation*.

19. There are entries for *affirmative action*; *badge of slavery*; *color-blind*; *deliberate speed*; *Jim Crow*; *play the race card*; *separate but equal*; *three-fifths rule*.

20. There are entries for *attorney general*; *attorney vs. lawyer*; *billable hour*; *black letter law*; *boilerplate*; *Chinese Wall*; *fishing expedition*; *hornbook law*; *kill all the lawyers*; *lawyers, guns, and money*; *Philadelphia lawyer*; *rainmaker*; *shyster*; *white shoe*.

21. CLAPP ET AL., *supra* note 3, at 118.

22. *Id.*

23. *Id.* (quoting Roberta M. Harding, *Capital Punishment as Human Sacrifice: A Societal Ritual as Depicted in George Elliot’s Adam Bede*, 48 BUFF. L. REV. 175, 257 (2000)).

24. *Id.* at 118.

contrasts America's experience: "The United States, where technology is king, took a different path to the end of hangings—replacing hanging in almost every state by electrocution, and that in turn by lethal injection."<sup>25</sup> The entry is not a long history of the death penalty, and this sentence is not a diatribe against our national commitment to it, but the comment is pointed.

¶18 The entry for *blood money* (also by Clapp) explains that the term relates to the practice in many cultures of payment to the family of someone killed by violence or accident to prevent an escalating retaliation leading to a feud.<sup>26</sup> Leaping from ancient and distant cultures to the present day, the entry connects the practice with payments the United States has made to Iraqi civilians killed by the military and with the wrongful death award against O.J. Simpson. And then there is the sense of "blood money" that means payment to someone who helps bring about another's death, as in the payment to Judas Iscariot for betraying Jesus. Clapp discusses the historic practice of paying witnesses for their testimony (and some witnesses' laxness about the truth of their testimony). The issue's currency becomes apparent when Clapp notes the common use by prosecutors of jailhouse snitches and cites a study finding that sixteen percent of 130 people exonerated by DNA evidence had been convicted based on testimony for which the informants were rewarded in some way.<sup>27</sup>

### Constitutional Law and Race

¶19 Many of the terms from constitutional law reflect America's history of oppressing people of African ancestry. The entry for *three-fifths rule*, for example, explains the clause in the Constitution that allowed the slaveholding states more members in Congress than they would have had if apportionment were based on voting population alone rather than voting population plus three-fifths of the slaves:

The great irony of the three-fifths rule is that rather than hurting the slaves' cause by failing to count them as full persons, it hurt them by counting them at all. For example, it was only by reason of the three-fifths rule that the Virginia slave owner Thomas Jefferson, a consistent supporter of slavery policies, defeated the non-slave-owning New Englander John Adams in the presidential election of 1800. . . .

The consequence of the three-fifths rule was that for seven decades—the formative years for the country under its new constitution—American government was dominated by slaveholder interests.<sup>28</sup>

¶20 This concise analysis illuminates not just the term but also a critical period in American history. Read the entries on *badge of slavery*, *Jim Crow*, *separate but equal*, and *deliberate speed* to follow at least some of the subsequent history of race and the Constitution.

---

25. *Id.* at 119.

26. *Id.* at 39–40.

27. *Id.* at 42. For a troubling look at the use of paid informants and its effect on communities, see ALEXANDRA NATAPOFF, *SNITCHING: CRIMINAL INFORMANTS AND THE EROSION OF AMERICAN JUSTICE* (2009).

28. CLAPP ET AL., *supra* note 3, at 270–71.

### Law Practice

¶21 I've heard people refer to "white-shoe firms" for years, but I didn't quite get it. After all, the lawyers at those firms seemed to wear dark suits and black shoes all the time. At last, I have an answer: it comes from the white bucks the lawyers wore at their country clubs and their younger counterparts wore at Ivy League colleges. A white-shoe firm was one made up of well-connected white male Protestants—the Ivy League and country club set. Even the snootiest law firms have diversified their hiring since the 1950s, but the term survives. Now *white shoe* indicates a firm's "historical origins or its current status as powerful, well established, and well connected."<sup>29</sup>

¶22 White-shoe firms and most lawyers throughout the country bill their time by the hour—or tenth of an hour—and associates are under great pressure to make sure their annual totals of billable hours are high. But it was not ever thus. In 1958, the American Bar Association urged lawyers to bill for their time, and the practice became the dominant mode of billing for services by the late 1970s. Elizabeth Thornburg's entry for *billable hour* traces this history and the recent criticisms of the system.<sup>30</sup> Along the way, readers are also treated to a couple of lawyer jokes.

### Other Terms

¶23 *Lawtalk* has not said all there is to say about terms used in law. Perhaps the authors are already drafting entries for a sequel (*Lawtalkback? Lawdoubletalk?*). There are certainly enough colorful terms left to write about. For instance, I'd like to read what they would say about the following: *circuit split*, *golden parachute*, *marriage equality*, *on all fours*, *parade of horrors*, *poison pill*, *race to the bottom*, *reasonable doubt*, *slippery slope*, and *white-collar crime*.

### Other Books

¶24 Part of the charm of *Lawtalk* is the brevity and tightness of the essays. But sometimes you want more than that. The authors provide helpful endnotes for those who want to read more (without breaking up the flow of the text for the skimmers). I'm also going to offer some more recommendations because it's fun to share books I've enjoyed. The topics I've highlighted—criminal law, constitutional law, race, and law practice—often overlap, as a book about criminal law might also explore the practice of a defense attorney or the ways the criminal justice system is stacked against people of color.

¶25 A work that has justifiably received a lot of attention in the past couple of years is Michelle Alexander's *The New Jim Crow*, which argues that the "war on crime" is a subtle, or not-so-subtle, war on communities of color.<sup>31</sup> *Snitching* is a good companion book:<sup>32</sup> while the use of criminal informants is discussed in *The*

29. *Id.* at 287.

30. *Id.* at 27–31.

31. MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (2010).

32. NATAPOFF, *supra* note 27.

*New Jim Crow* (police use informants who mostly know—and therefore can only inform on—people of their own race), that book is much broader; *Snitching* looks at the topic in more depth. If you're curious about criminal justice during the time of the "old" Jim Crow, I recommend *Slavery by Another Name*, which recounts in painstaking detail the use of charges like vagrancy to arrest and imprison black men and women and put them out to work in chain gangs and other settings.<sup>33</sup>

¶26 While those three books examine the national situation, there are also fascinating books with a tighter focus. Set in Honolulu in the 1920s and early 1930s, *Honor Killing* tells the story of two trials and the national uproar around them.<sup>34</sup> One was a trial of five men of color (Hawai'ian, Chinese American, and Japanese American) who were prosecuted for the rape of the young white wife of a naval officer. After the jury in that case deadlocked, the officer and three others were tried for murdering one of the accused men. Adding to the drama is the larger-than-life figure of Clarence Darrow, hired to defend the whites accused of murder.

¶27 I am happy with my job as a reference librarian, but I am curious about the practices of lawyers who take on hard criminal cases. *Angel of Death Row*<sup>35</sup> and *Autobiography of an Execution*<sup>36</sup> are memoirs by death penalty lawyers discussing their difficult practice lives and cases. *Unbillable Hours*<sup>37</sup> is the memoir of a brand new associate at a big law firm who started working on a postconviction relief case as a pro bono project and became completely invested in the work.

¶28 You probably haven't heard of the defendants in the memoirs above, but likely have heard of the Green River Killer. For years, law enforcement hunted for the killer of dozens of women south of Seattle in the early 1980s. Finally, in 2001, DNA evidence enabled police to identify the killer as Gary Ridgway, a seemingly ordinary guy who worked painting trucks. The defense team negotiated a plea deal: no death penalty in exchange for Ridgway's cooperation in solving the cases for which the prosecution didn't have evidence, for instance, young women who had been reported missing but whose bodies had never been found. *Defending Gary* is an account by Ridgway's attorney of his experience, which included being present for the months of interviews during which the prosecutors tried to learn all they could about Ridgway's crimes.<sup>38</sup> Unlike many of the serial killers in the movies, Ridgway was no evil genius; in fact, he wasn't very bright at all, but for many years he was good at getting away with murder.

¶29 For more stories about death penalty cases, you could read the aptly named *Death Penalty Stories*.<sup>39</sup> And for stories about lawyers struggling (or not) with the ethical complexities of practice, you might want to read *Legal Ethics Stories*.<sup>40</sup> The first story in that collection combines the themes of race, constitutional law, and

33. DOUGLAS A. BLACKMON, *SLAVERY BY ANOTHER NAME: THE RE-ENSLAVEMENT OF BLACK AMERICANS FROM THE CIVIL WAR TO WORLD WAR II* (2008).

34. DAVID E. STANNARD, *HONOR KILLING: HOW THE INFAMOUS "MASSIE AFFAIR" TRANSFORMED HAWAI'I* (2005).

35. ANDREA D. LYON, *ANGEL OF DEATH ROW: MY LIFE AS A DEATH PENALTY DEFENSE LAWYER* (2010).

36. DAVID R. DOW, *AUTOBIOGRAPHY OF AN EXECUTION* (2010).

37. IAN GRAHAM, *UNBILLABLE HOURS* (2010).

38. MARK PROTHERO, *DEFENDING GARY* (2006).

39. *DEATH PENALTY STORIES* (John H. Blume & Jordan M. Streiker eds., 2009).

40. *LEGAL ETHICS STORIES* (Deborah L. Rhode & David Luban eds., 2006).

law practice: a lawyer took on a pro bono case for the ACLU, representing the Ku Klux Klan, and as a result lost his position as general counsel for the NAACP.<sup>41</sup> Another story that is particularly memorable combines the themes of criminal law and law practice: the very high profile case of Theodore Kaczynski, whose court-appointed lawyers planned to present mental health evidence, contrary to his clear wishes, thus forcing him to choose between a guilty plea and a defense that was anathema to him.<sup>42</sup>

¶30 Another recent memoir offers a view of a special type of law practice—that of the “jailhouse lawyer,” a prisoner who helps other inmates with their legal claims.<sup>43</sup> Shon Hopwood was a directionless college dropout who thought that robbing banks would solve his problems. It not only didn’t make him rich, it landed him in prison for ten years. But early in his sentence he was assigned to work in the law library. And, as a *New York Times* reporter put it, “The law library changed Mr. Hopwood’s life.”<sup>44</sup> He threw himself into law study, and when working on a case devoted endless hours to analyzing every angle. Remarkably, two out of his three petitions for certiorari were successful. Today he is out of prison, studying law not in a prison library but at the University of Washington School of Law.<sup>45</sup>

### Benefits of Reading

¶31 As you can tell, I read a lot, including books that are in my library’s collection. So what? Is it useful? Does it help me be a good reference librarian? Would I recommend that other librarians read books about law in their spare time?

¶32 Reading books helps me promote them. Sometimes I write a blog post or recommend a book to a professor or a student I think would be interested. But, really, I could generally write a blog post or make a recommendation based only on the publisher’s description of the book or someone’s review of it.

¶33 While reading books isn’t necessary in order to promote them, it does inform me and makes me more familiar with legal issues that might arise in my reference work. I don’t want to claim too much, though: perhaps there are some reference interactions that I handle slightly better than I otherwise would, but the benefit is marginal. And I might get the same or greater benefit from other types of reading—bar journals, legal newspapers, blogs, or law reviews.<sup>46</sup> And reading about law does improve my ability to fit in with the law school community. When I chat with faculty members, attend a lecture or colloquium, or talk to students about

---

41. David B. Wilkins, *Race, Ethics, and the First Amendment: Should a Black Lawyer Represent the Ku Klux Klan?*, in *id.* at 17.

42. Michael Mello, *United States v. Kaczynski: Representing the Unabomber*, in *LEGAL ETHICS STORIES*, *supra* note 40, at 139.

43. SHON HOPWOOD, *LAW MAN* (2012).

44. Adam Liptak, *As a Criminal, Mediocre; As a Jailhouse Lawyer, An Advocate Unmatched*, *N.Y. TIMES*, Feb. 9, 2010, at A12.

45. Craig Seligman, *Bill Gates Sends Ex-Con to Law School After Supreme Court Win*, *BLOOMBERG* (Sept. 1, 2012), <http://www.bloomberg.com/news/2012-08-31/bill-gates-sends-ex-con-to-law-school-after-supreme-court-win.html>.

46. For a discussion of this sort of professional reading, see Mary Whisner, *Keeping Up Is Hard to Do*, 92 *LAW LIBR. J.* 225, 2000 *LAW LIBR. J.* 20.

their projects, I can make more mental connections because of the pages I've filtered through my head.

¶34 In the end, I suspect that the greatest benefits of reading books about the law are personal. I get the intellectual stimulation and pleasure of reading interesting books when I read on any topic. Having some law books in the mix has the bonus of heightening my interest in the questions I answer, the classes I speak to, and what's going on at the law school. Book-length works enable me to engage with a topic more deeply (and for a longer time) than any number of blog posts or tweets; I like that and find it meaningful.<sup>47</sup> Reading books about law is good for my engagement and good for my morale.<sup>48</sup>

¶35 Librarians who do not enjoy reading nonfiction in general or law in particular—or who would like to but don't have the time to read books—might find that reading occasional books from the law library is a burden. But new librarians or those without legal training might find such reading helpful in expanding their knowledge of law and the legal system. For many librarians, the benefits may be similar to what I've experienced: familiarity with topics, connection with the people around them, intellectual stimulation, and a morale boost. Being bitten by the reading bug can be a blessing.

---

47. A team of authors who wrote a detailed account of one case explained why they chose to write at such length:

Unlike even a three-part newspaper series or a documentary in which the DeLuna story plays a part, a book-length treatment allows a deeper exploration of milieu, context, and motivation.

....

More generally, a book-length presentation permits an anatomy, not only of a single obscure murder, but also of the ensuing criminal investigation, trial preparation, two-part capital trial, multi-layered appeals, and botched execution in a case whose very obscurity makes it a far better representation of what usually goes on [in] criminal cases than do the facts and proceedings in more notorious and idiosyncratic cases such as Sacco and Vanzetti, the Rosenbergs, and O.J. Simpson.

James S. Liebman et al., *Los Tocayos Carlos*, 43 COLUM. HUM. RTS. L. REV. 711, 1115–16 (2012). The authors are right: reading hundreds of pages made a deeper impact than reading something shorter that suggested that an innocent man had been convicted and executed. I saw each step of the slapdash investigation, single-minded prosecution, and incomplete defense. The 413-page PDF of this book-length article is available for download at <http://www3.law.columbia.edu/hrlr/ltr/print-version.html>. A web site complements the text with original documents and audio and visual sources: <http://www3.law.columbia.edu/hrlr/ltr/> (last visited Nov. 11, 2012).

48. See Mary Whisner, *Good Reads in the Law Library?*, 93 LAW LIBR. J. 517, 2001 LAW LIBR. J. 25.