

# Douglas County Law Library E-Mail Newsletter



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## Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting will be on the 8th.

## Board of Trustees Election Update: Ballots Due By 5:00 PM April 11

Ballots for this spring's biennial election of attorneys to fill the five attorney member positions on the Douglas County Law Library Board of Trustees were sent out by postal mail on March 28 to all eligible\* attorneys who had paid their 2011 Law Library Registration Fee, or who are otherwise entitled by statute\*\* to vote in the election. The ballots must be completed as per the instructions that accompany them, and be received in the Law Library no later than the voting deadline of 5:00 PM on April 11, 2011.

The candidates in this year's election are:

Julia V. Bellemere  
Juanita Carlson  
Hatem Chahine  
Shaye L. Downing  
Jon King  
Jody Meyer  
Branden Smith  
Craig Stancliffe  
Charles E. Whitman  
Stephanie Wilson

The results of the election will be published in next month's Newsletter.

\*An attorney whose principal office, i.e.: main practice, is in Douglas County, or, if the practice is in another state, resides in Douglas County.

\*\*K.S.A. 20-3126(c) states in part that, "...All attorneys required to register, except those employed solely as public defenders by the state board of indigents' defense services, shall pay to the clerk at the time of registering an annual registration fee...."

### **Legal Essay Contest Update**

The submission deadline for entries in the fourth annual Douglas County Legal Essay Contest is midnight, April 4, 2011. The contest is co-sponsored by the Douglas County Law Library and the Douglas County Bar Association, and is open to all high school seniors who attend a high school in Douglas County. The topic for the 2011 contest is "Does the Second Amendment Allow Ownership of Assault Weapons?"

Cash prizes will be given for the top three essays as determined by a panel of judges. The student writing the 1st place essay will receive a \$1,500.00 prize; the 2nd place essay a \$1,000.00 prize, and the 3rd place essay a \$500.00 prize. The three winning essay authors will be invited to the Law Day luncheon on May 2, and in addition, the first place winner will have his or her name and school inscribed on a plaque on permanent display in the Law Library.

A complete list of the contest rules and submission instructions can be found on the Douglas County Law Library's website at <http://www.douglascolawlibrary.org/essaycontestrules.html>.

The results of the essay contest will be published in next month's Newsletter.

### **Read Across Lawrence - *To Kill a Mockingbird***

The Law Library is co-sponsoring this year's Read Across Lawrence events that feature *To Kill a Mockingbird*.

Read Across Lawrence is "a community-wide reading initiative that gets everyone on the same page by reading the same book at the same time. Readers can then come together in a variety of public venues to discuss the book and its themes. Originally conceived by librarians at Seattle Public Library, 'One Book, One Community' programs have become increasingly popular in the last decade as a way to encourage neighbors, coworkers, and even complete strangers to discuss important issues and ideas by using literature as a shared starting point." For information on the other events being held during the month, visit <http://www.lawrence.lib.ks.us/readacrosslawrence>.

As part of this year's events, the Law Library and the Lawrence Public Library are co-sponsoring the screening of the 1962 film starring Gregory Peck as Atticus Finch. The film will be screened in the public library auditorium at 6:30 pm on Tuesday, April 26, 2011. In addition to the screening, the program that evening will include local attorney Napoleon Crews, who will lead a discussion on the legal aspects from the film.

This is a special screening in the Law Library's Reels of Justice Film Series, provided as a public service in its education and outreach program to promote a better understanding of the legal system in the community at large. As are all screenings in the series, this program is free and open to the public.

## Reels of Justice Film Series - *Fury*



The Law Library's "Reels of Justice Film Series" continues at 2:00 PM, Sunday, May 22nd, with a screening of [Fury](#). The film stars Spencer Tracy, Sylvia Sydney, and Walter Brennan. The film was directed by Fritz Lang, and was nominated for an Academy Award in 1937.

In the film, a falsely accused man (Tracy) barely survives a lynch mob attack. In the attack, the jail where he is being held prisoner is destroyed, and he is presumed dead. He vindictively decides to get back at the mob by framing them for his murder.

The program will include an appearance by a local attorney who will give commentary on the film and on how the film portrays the justice system.

The screening will be in the Lawrence Public Library Auditorium. All screenings in the film series are free and open to the public.

The next film in the "Reels of Justice Film Series" will be [True Believer](#), scheduled for screening in August 2011.

## NACDL Annual Meeting

The annual meeting of the National Association of Criminal Defense Lawyers (NACDL) is scheduled for August 3-6, 2011, in Denver Colorado. More information can be obtained on their website at <http://www.nacdl.org/public.nsf/Events/Annualmeeting?OpenDocument>.

## Women Legal 2011

There is a one-day conference being held on June 8, 2011, in New York City. The focus of *Women Legal 2011* is "Gender-based discrimination that equates to marginalized ac-

cess to resources and decision-making." For more information on the conference, visit the organizer's website at <http://usa.ark-group.com/events-details.aspx?eid=35>.

## Important Advice on Disposing of Computers

As reported in a [recent article](#) in the *New York Times*, the State of New Jersey nearly sold a number of old computers whose hard drives contained sensitive data that had not been properly removed from the drives. The computers had been approved for inclusion in a surplus auction when a final check by the comptroller's office found data files containing information on abused children, a judge's confidential communications, and numerous social security numbers.

This story highlights the necessity for making certain that sensitive data is not inadvertently left on computers when they are disposed of. Considering the kinds of sensitive data that are likely to be on an attorney's computer, it is important that the attorney keep this in mind when getting rid of a computer.

Simply deleting files does not remove the data from the hard drive. Other steps need to be taken in order to ensure that the data can no longer be accessed. Seagate, a manufacturer of hard drives, has issued a white paper titled [Drive Disposal Best Practices: Guidelines for Removing Sensitive Data Prior to Drive Disposal](#) that gives advice on how to do so effectively.

## Adjusting Weekend Temperature in Law Library

Thanks to an upgrade in the software controlling the HVAC system in the Judicial and Law Enforcement Center, weekend patrons of the Library will no longer freeze in the winter or cook in the summer.

The Law Library is connected to the air-handling zone that includes the court. That zone is shut down on weekends because the court is not in operation then. This has caused a problem, as the Library is open 24/7 for attorneys with keys, and the lack of heating and cooling has frequently resulted in significant cooling of the Library in the winter and heating of the Library in the summer on Saturdays and Sundays. This has at times made it uncomfortable to be in the Library.

With the software upgrade, a feature of the HVAC system that was not previously activated is now available to use, allowing Library patrons to moderate the temperature even on the weekends. A button on the HVAC controller in the Library allows patrons to override the system and activate heating or cooling the area as appropriate. By pressing a small black button on the right side of the device, the system is activated for 30 minutes for each press of the button. The controller is on the wall to the left of the Library's restroom door.

The next time you are in the Library, ask a staff member to show you how operate this long awaited feature.

### **Current Art Gallery Exhibition**

The April/May exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are mixed media by Sandy Craig McKenzie.

The exhibitions will run through the end of May. All pieces are for sale and may be purchased directly from the artist. Contact information for Ms. McKenzie is available in the Library.

The June/July 2011 Law Library and Division IV exhibitions will be paintings by Jo

Flager. More information on these exhibitions will be in the June E-Mail Newsletter.

For more information on past, current, and future Art Gallery exhibitions, or for more information on the Art Gallery, please consult the Art Gallery page on the Law Library's website.

If you would like to exhibit your art in our gallery, or know of local artists who would like to show their original art here, contact the Law Library at 838-2477 or by e-mail at [info@douglascolawlibrary.org](mailto:info@douglascolawlibrary.org).

### **New Acquisitions**

Newly acquired material added to the Law Library's holdings:

AALL Spectrum, v. 15:5 (Mar. 2011).

ALM Experts: Midwestern Directory, 2011.

Child Law Practice: Helping Lawyers Help Kids, v. 30:1 (Mar. 2011).

Juvenile Justice Update, v. 17:1 (Feb. 2011/Mar. 2011).

Kansas Sentencing Guidelines, Desk Reference Manual, 2010.

Search and Seizure Bulletin, v. 48:2 (Feb. 2011) and v. 48:3 (Mar. 2011).

### **Did You Know?**

Every month, a bit of Law Library trivia is posted in the Law Library and on the Law Library's website. The previous month's "Did You Know" tidbit is then published here in the Newsletter. The hope is for this to improve communication between the Law Library and its users.

March's entry was:

Whenever appropriate, the Douglas County Law Library offers discarded Library materials free for the taking to Law Library patrons.

### **This Month In Legal History**

April 21, 1863 - Cattle thieves arrested in Douglas County, Kansas.

On April 17, 1863, thirty-four head of cattle were stolen in Butler County, Kansas. Several Indians were put on the trail of the herd and tracked it "across streams, over rocky divides, and across the prairies." Though they lost the trail several times, "They, with native shrewdness, managed to make out the general course of the drove." The authorities must have suspected who the thief was, as A.R. Bancroft, Deputy Sheriff of Lyon County, Kansas (1), "was intrusted with the papers for the arrest of the thief." The Indian trackers must also have given them a good idea of where the thief was, because on the morning of April 21, 1863, a man named Arnold, presumably 26 year-old Hiram S. Arnold, was arrested in Lawrence, Kansas, and put in jail. Arnold directed authorities to a place about four miles south of Lawrence on the Wakarusa River where the stolen cattle were being tended by another man. Arnold told the authorities that the other man had only been hired to help drive the cattle the 150 miles from Butler County to where they had ended up in Douglas County, and should not be implicated in the theft. Both men were taken as prisoners to Lyon County. As reported in the August 23, 1863, edition of the *Kansas State Journal*, the Court was sitting, so the two would probably be tried that week. According to the newspaper, "Arnold is an old resident of Lyon County, and circumstances lead to the belief that he is an old offender." The reason why men accused of stealing cattle from Butler County would be tried in Lyon County was

not explained. It is probable that in 1863, Lyon County was the seat of the judicial district that included Butler County, but if this is the case, it is not apparent.

(1) Lyon County had previously been named Breckinridge County, in honor of John C. Breckinridge (1821-1875). Breckinridge had been a congressman from Kentucky and an ally of United States Senator Stephen Douglas of Illinois, and had worked hard to get Douglas' Kansas-Nebraska Act, the legislation that established the Territory of Kansas, passed in congress. The proslavery Kansas Territorial Legislature recognized his actions by naming the county for Breckinridge when it was organized in 1855. From 1857 to 1861, Breckinridge served as vice-president of the United States under James Buchanan, and was nominated by the Southern Democrats as their candidate for President in the 1860 election. Both he and the nominee of the Northern Democrats, his friend Stephen Douglas, were defeated in that election by Abraham Lincoln, the husband of Mary Todd Lincoln, one of Breckinridge's cousins. Later in November 1860, Breckinridge was appointed to the United States Senate. Lincoln's election precipitated southern states to begin seceding from the Union the month after his election to the Presidency. Breckinridge served in the Senate from March to December 1861, during which time the Civil War broke out across the nation. He first tried to keep Kentucky neutral in the war, but when the state declared its loyalty to the Union, he felt forced to choose sides. Breckinridge was expelled from the Senate on December 4, 1861, for supporting the rebellion. Because of his pro-Confederate sympathies, on February 5, 1862, the Kansas Legislature renamed Breckinridge County as Lyon County, in honor of General Nathaniel Lyon (1818-1861), who became the first Union general to die in battle in the Civil War when he was killed in action at Wilson's Creek, Missouri, on August 10, 1861. Breckinridge later served as a major general in the Confederate Army and as the Confederacy's fifth and last Secretary of War from February to May 1865.

From: Kansas State Journal, Lawrence, April 23, 1863, p. 3; United States Census, 1860, Kansas, Breckinridge (Lyon) County; [Breckinridge County, Kansas](#), Kansas Counties, Kansas Historical Society website; [Lyon County, Kansas](#), Kansas Counties, Kansas Historical Society website; Vice Presidents of the United States, [John C. Breckinridge \(1857-1861\)](#), United States Senate website; and, [John C. Breckinridge](#), Wikipedia article.

Each month, an event from "This Month In Legal History," the history of law and jurisprudence of Douglas County that occurred during that month, is included in the Newsletter. The current entry is also posted for the month on the Law Library's website. Entries from past months are archived on the website. Submissions from readers are welcome and encouraged.

### **Law Library Volunteer Opportunities**

The Law Library Volunteer Program provides a capable and dependable volunteer work force to assist with the day-to-day operations of the Law Library and with its special projects. This work force supplements the paid Library staff and allows the Library to provide the best possible service to attorneys, local judges, and the public.

The Volunteer Program is instrumental in linking a valuable community resource - the citizens - with a valuable community institution - the Douglas County Law Library - for the benefit, growth, and enrichment of both.

If you or someone you know might be interested in volunteering for one of them, or if you would like more information on our program and/or the positions we have open, please contact the Library or visit the "Volunteers" page on the Law Library's website.

### **Feedback**

This Newsletter is intended to be useful to its readers. As in any enterprise, feedback on how the Newsletter is fulfilling this goal is crucial to our achieving it. If our articles are helpful, let us know. If they are not, let us know. If you have suggestions on how to improve the Newsletter, please let us know. Thank you.

### **Submitting Articles for Newsletter**

The Editor encourages readers to submit articles for publication and/or make suggestions on material to be included in future issues of the Newsletter.

### **To Subscribe**

Contact the Law Library by mail, e-mail, or telephone and request a free subscription to the Newsletter. It will be sent to you as a PDF attachment to an e-mail. The Library's mailing address is: Douglas County Law Library, Judicial and Law Enforcement Center, 111 East 11<sup>th</sup> Street, Lawrence, Kansas, 66044. The Library's e-mail address is: [info@douglascolawlibrary.org](mailto:info@douglascolawlibrary.org). The Law Library's telephone number is: 785-838-2477.

### **Classified Ads**

Free classified ads may be placed in the Newsletter by contacting the Law Library. The Editor reserves the right to refuse anything deemed inappropriate and to add restrictions as the need arises.

No Ads this Month.

#### **Douglas County Law Library E-Mail Newsletter**

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