

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 is on the 10th.

Future of the Law Library in Doubt

In the recently released [*Recommendations for Improving the Kansas Judicial System*](#),

[*Report of the Kansas Supreme Court's Blue Ribbon Commission*](#), it was recommended that all docket fees that now go to fund other programs and entities would in the future be redirected to the Kansas Supreme Court, who would be in charge of distributing them. Such an occurrence would potentially be disastrous for county law libraries in Kansas, including the Douglas County Law Library.

County law libraries are funded from two sources. They are the annual registration fees assessed on attorneys whose main practice is in a county with a county law library, and an assessment on docket fees, in which, depending on the case type, between \$7 and \$10 comes out of each docket fee and is directed to the law library.

In the case of the Douglas County Law Library, approximately 95 per cent of our funding comes from the assessment on docket fees. Eliminating that major source of funding without providing alternate funding would spell the doom of not just our law library, but also every other law library in the State. That alternate funding would undoubtedly need to be from taxes, and in the current climate, adding additional taxes, or redirecting toward county law libraries

tax monies already being collected, is not a reasonable expectation.

Even by increasing the annual attorney registration fee to its statutory maximum of \$75, the shortfall resulting from eliminating docket fees for law libraries would be catastrophic.

For example, the total income the Law Library currently receives from the \$25 it charges for the annual attorney registration fee would be insufficient to cover just the cost of our contract with Lexis. This does not take into account the cost of providing Internet access or computers to get Lexis into the Library; it is just for the cost of providing Lexis itself through our workstations.

County law libraries in Kansas are unique in that they are totally user supported. All the funding comes either from attorneys who are provided access to the library and its resources, or from the public using the court system, through the assessment on the docket fees that they pay. No tax money goes to fund county law libraries in Kansas.

Eliminating county law libraries in Kansas, for whatever reason, would seriously limit the access to justice for a large number of Kansans. We hope that this would be kept in mind during any changes made to the current system, a system that has been and currently is functioning.

As of now, there is no legislation pending to remove the docket fee assessment from law libraries, but there is no guarantee that there will not be some in the future. The recommendation of the Blue Ribbon Commission is out there, and who knows what the eventual results will be.

What can you do? Monitor the situation and be ready to voice your opinion when it is needed. If you value the Douglas County

Law Library, let those in positions of power and authority know. This is your Law Library.

Update on New Computers

As this edition of the newsletter goes to press, the new computers are in the process of being installed. Because of the reworking of the Library's network, there may be some disruption of services that our patrons have become accustomed to having available.

Among the services that may experience issues is access to prepaid printing and copying accounts. They may become unavailable for use for a period of time.

During that time, printing might not be possible from any of the networked Library computers, but should still be available for FullCourt and Amicus through the desktop printer dedicated for that purpose.

Copying should remain available throughout the project by utilizing the coin-op feature of the printer/copier.

Until the system is installed and operational, we will not know if there are issues that could cause outages. If outages occur, notices to that effect will be posted in the Library and on the Library's website. We will strive to keep any disruptions to a minimum.

Legal Essay Contest

The fifth annual Douglas County Legal Essay Contest is being held this spring for all high school seniors who attend a high school in Douglas County. It is sponsored by the Law Library and the Douglas County Bar Association. The topic for this year's contest is "Mirror, Mirror on the Wall: Discuss and analyze why the American justice system is or is not the fairest in the world."

Up to three cash prizes will be awarded for winning essays as determined by a panel of judges, \$750.00 for first place, \$500.00 for second place, and \$250.00 for third place. Depending on the decision of the judges, not all prizes may be awarded.

The authors of the winning essays will be invited to the Law Day luncheon on May 1, 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 contest rules and essay submission instructions can be found on the Douglas County Law Library's website at <http://www.douglascolawlibrary.org/essay-contestrules.html>.

More information on the contest will be included in next month's newsletter.

Reels of Justice Film Series - *Ghosts of Mississippi*



Goldberg.

The film is a dramatization of the 1994 trial of Byron De La Beckwith for the murder of civil rights leader Medgar Evers in 1963. Directed by Rob Reiner, the film was nominated for two Academy Awards in 1997.

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 Lawrence Public Library is co-sponsoring this free program, which will help celebrate Black History Month. 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 [The Rainmaker](#), scheduled for screening in May 2012.

Current Art Gallery Exhibition

The February/March 2012 Law Library and Division IV exhibitions are photography by Roger Spohn.

The exhibitions will run through the end of March 2012. All of the pieces are for sale and may be purchased directly from the artist. Contact information for Mr. Spohn is available in the Library.

The April/May 2012 exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be paintings by Joanna Ward. More information on these exhibitions will be in the April 2012 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.

New Acquisitions

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

ABA Child Law Practice: Helping Lawyers Help Kids, v. 31:1 (Jan. 2012).

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 293:1/v. 46:3 (Dec. 2011).

Advocacy to Zealousness: Learning Lawyering Skills from Classic Films, by Kelly Lynn Anders.

Bradley Parenting Time Calculator, 2012 edition.

Juvenile Justice Update, v. 17:6 (Dec. 2011/Jan. 2012).

Kansas Child Support Calculator, 2012 edition.

Kansas Corporation Law & Practice (Including Tax Aspects), Fifth ed., 2011, edited by Alison R. Martin.

Kansas Court of Appeals Reports, Second Series, v. 40.

Kansas Sentencing Guidelines, Desk Reference Manual, 2011.

Kansas Sentencing Guidelines, Desk Reference Manual, CD-ROM ed., 2011.

Reports of rules adopted by the Supreme Court of the State of Kansas, 2011 ed.

Search and Seizure Bulletin, v. 48:12 (Dec. 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.

January's entry was:

The Law Library welcomes and encourages suggestions and material for articles on the history of law and jurisprudence in Douglas County for publication in the Library's "This Month in Legal History" e-newsletter column.

This Month In Legal History

February 1855 - Charles Dow acquires the claim of William White at Hickory Point.

Charles W. Dow came to Hickory Point, Kansas Territory, from Ohio in February 1855. At the time, there were two settlements in the Territory known as Hickory Point, one approximately 24 miles north of Lawrence, in what would become Jefferson County, and one approximately 10 miles south of Lawrence, in what would become Douglas County. Dow came to the one south of Lawrence. When he arrived, he took possession of a parcel of land previously claimed by William White. White was originally from Tennessee, but had come to Missouri in 1832, settling first in Lafayette County before moving to Jackson County in 1850. He came into Kansas Territory in 1854, and laid claim to three tracts of land, two in what would become Douglas County and one in what would become Johnson County. One of the Douglas County tracts was at Hickory Point. White built a log cabin on his claim there, but he did not move in, returning instead to his home in Missouri. Kansas had only been

opened to white settlement the previous May, and had yet to be officially surveyed, so at the time, no one could legally register a claim to property in the Territory. Instead, there were unofficial "squatter laws" in effect, by which you made a claim to land, and indicated in some way that you possessed it, either by farming it, building on it, or both. Leaving your claims unattended, as did White when he returned to Missouri, was a risky business, and frequently resulted in someone else jumping your claim. He probably thought that his having built a structure on his Hickory Point claim would secure it for him, but this is not how things played out. On or about the day that Dow arrived at Hickory Point, the log cabin on White's property burned down. Dow then began building on the vacant property, claiming it for his own. He did not live on his claim, but instead boarded with Jacob Branson, his neighbor to the north. Franklin Coleman, a proslavery supporter who was originally from Virginia, lived on a claim at Hickory Point directly to the west of the claim Dow had acquired. Coleman later charged that Branson, his neighbor to the northeast and a Free-State supporter, had colluded with other Free-State men to burn down White's cabin so that Dow, a Free-State man, could jump the claim and take the property away from White, a proslavery man. Coleman was no one to talk, as he had jumped the claim of a non-resident named Frasier when he had arrived at Hickory Point the previous September. Despite the rocky start, Coleman and Dow were able to work out a mutual agreement on the location of a conditional boundary line between their two claims, pending the completion of the official survey. When the official survey was done, the boundary line between Coleman and Dow's property shifted two hundred and fifty yards to the west. Coleman and other proslavery men refused to recognize the survey as the official government survey, and so did not recognize the change.

He continued to cut timber on land that Dow now thought to be his. A dispute arose over this, and there were several confrontations between the two men. On the morning of November 21, 1855, Dow again confronted Coleman about cutting his timber. Later in the day, Dow went to the blacksmith shop, the road to which went west through Coleman's claim. He finished his business there and then walked home. As he did, he was joined by Coleman. The two walked to Coleman's house and continued with the conversation they had begun on the walk. They finished their conversation and Dow left for home. As Dow walked away, Coleman raised his shotgun, pointed it at Dow, and pulled the trigger. The percussion cap failed and the gun did not fire. Dow heard the noise and turned, gesturing at Coleman, and then resumed his walk home. Coleman replaced the spent cap with a fresh one, aimed at Dow and pulled the trigger again. The gun discharged and Dow fell dead in the road with at least nine lead pellets in his back. That night Coleman fled, eventually turning himself in to Douglas County Sheriff Sam Jones, a proslavery man. Jones took Coleman to Lecompton, Kansas, the Territorial Capitol. A Justice of the Peace there released him on a \$500 bond. Lecompton was a proslavery town, and most if not all the officials there were also proslavery. Dow's friends became angry over what they saw as Coleman being given preferential treatment. Tensions between the Free-State and proslavery factions grew, and eventually boiled over into what came to be known as the Wakarusa War. For a time, around 1,500 proslavery Missourians besieged Lawrence, the headquarters of the Free-State movement in Kansas. This "War Without a Battle" ended in December with a peace treaty. The treaty only lasted until the next spring, when the most violent period in the "Bleeding Kansas" era erupted. Coleman himself participated in at least one of the violent confrontations that year, fighting on

the proslavery side in the Battle of Black Jack on June 2, 1856. The name of the Hickory Point in Douglas County was eventually changed to Stony Point, presumably to end the confusion of having two settlements with the same name in such close proximity. William White eventually moved to Kansas, and in 1874, he was living with his wife and six children on the land in Johnson County that he had originally claimed in 1854. The fate of Coleman is unknown.

From: [A Standard History of Kansas and Kansans](#), written and compiled by William E. Connelley, 1918. Transcribed in 1998 by Carolyn Ward on the Blue Skyways website; [William White](#), Atlas Map of Johnson County, Kansas, E. F. Heisler and Co., 1874, p. 49, JoCoHistory website; and, [Charles W. Dow](#), Wikipedia website.

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 11th Street, Lawrence, Kansas, 66044. The Library's e-mail address is: 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.

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