

**Lexis/Nexis Training for CLE Credit**

A **very limited** number of spaces are available for Lexis/Nexis training for CLE credit at the Law Library on Tuesday, December 14, 2010. Two sessions will be held in the morning; from 9:00 – 10:00 and from 10:30 – 11:30. The first session will be basic Lexis/Nexis training, highlighting recent enhancements, and the second session will offer advanced Lexis/Nexis training, also highlighting recent enhancements.

The maximum number of seats available at each session will be 14, with two attendees per computer in the library's media center. It is anticipated that additional training sessions will be scheduled early in 2011.

If you are interested in attending one of the sessions, please call Susan Turner at the Law Library at 225-4496. She will maintain a registration list and also a waiting list. If you register for a session and later find that the time will not be convenient, please contact Susan as soon as possible so that another attorney may register. Thank you for your understanding.

When you call the library to register, please provide your name, a phone number at which you may be reached, and an email address.

**Circulation Policies**

At this time, borrowing privileges at the Law Library remain intact for attorneys who have been registered in the patron database since 2009 or who have registered recently. The practice of maintaining duplicate copies of many titles has been discontinued due to financial limitations, so patrons may notice that overdue notices are sent more frequently and it will be appreciated if the time limits for borrowing materials are respected.

As mentioned in the last Newsletter, all books and services purchased with the public monies of the former Dayton Law Library Association were transferred to county ownership on January 1, 2010, and the circulation of county property must be regulated.

**Upcoming Holiday Hours**

The Law Library will be closed on the following days:

Thursday, December 23, 2010 - closing at noon;  
Friday, December 24, 2010 – closed all day;  
Friday, December 31, 2010 – closed all day;  
Monday, January 16, 2011, Martin Luther King, Jr. Day – closed all day; and  
Monday, February 20, 2011, Presidents' Day – closed all day.

**JOURNAL WATCH**

<b>ADA</b>	“An Attorney’s Obligations under Title III of the Americans with Disabilities Act.” 89 <b>Michigan Bar Journal</b> 40 (August 2010, No. 8).
<b>ADOPTION</b>	“Same-Sex Second-Parent Adoption and Intestacy Law: Applying the <i>Sharon S.</i> Model of “Simultaneous” Adoption to Parent-Child Provisions of the Uniform Probate Code.” 96 <b>Cornell Law Review</b> 139 (November 2010, No.1).
<b>APPELLATE PROCEDURE</b>	“Local Rules in the Wake of Federal Rule of Appellate Procedure 32.1.” 11 <b>The Journal of Appellate Practice and Procedure</b> 19 (Spring 2010, No. 1).
<b>APPEALS</b>	“Appealed Denials and Denied Appeals: Finding a Middle Ground in the Appellate Review of Denials of Summary Judgment Following a Full Trial on the Merits.” 78 <b>University of Cincinnati Law Review</b> 1595 (Summer 2010).
<b>ARBITRATION</b>	“The Evolving Schizophrenic Nature of Labor Arbitration.” 2010 <b>Journal of Dispute Resolution</b> 57 (No. 1).
<b>BANKRUPTCY</b>	“The Federal Rules of Bankruptcy Procedure in Reorganization Cases: Do They Have Constitutional Dimension?” 84 <b>American Bankruptcy Law Journal</b> 251 (2010, Issue 3).
<b>CELL PHONES</b>	“Bad Call: Workers Texting and Driving while Conducting Business.” 46 <b>Trial</b> 16 (August 2010, No. 8).
<b>CLASS ACTIONS</b>	“Divided Supreme Court Permits Class Action to Proceed in Federal Court, Despite State Law Barring Class Certification.” 35 <b>Litigation News</b> 10 (Summer 2010, No. 4).
<b>COMMERCIAL REAL ESTATE</b>	“A Primer on Wind Leases (With Form).” 26 <b>The Practical Real Estate Lawyer</b> 9 (September 2010, No. 5).
<b>CONSTITUTIONAL LAW</b>	“State Legislation and the ‘Evolving Standards of Decency’: Flaws in the Constitutional Review of the Death Penalty Statutes.” 35 <b>University of Dayton Law Review</b> 379 (Spring 2010, No. 3).  “Constitutional Judging in the United States Supreme Court.” 20 <b>Experience</b> 6 (2010, No. 3).
<b>CORPORATE ASSETS</b>	“Corporate Asset Distributions for Partnership Interests.” 37 <b>Real Estate Taxation</b> 148 (3 <sup>rd</sup> Quarter, No. 4).
<b>CRIMINAL LAW</b>	“A New Day in Ohio’s Criminal Justice System.” 24 <b>Ohio Lawyer</b> 22 (November/December 2010, No. 6).  In Defense of Fairness: Protecting the Adversarial Process When a <i>Pro Se</i> Criminal Defendant is Removed from the Courtroom.” 41 <b>University of Toledo Law Review</b> 735 (Spring 2010, No. 3).
<b>DAMAGES</b>	“Maximizing the Medical Care Exception to the Tax on Emotional Distress Damages.” 85 <b>Practical Tax Strategies</b> 124 (September 2010, No. 3).
<b>DISCOVERY</b>	“Revisiting Discovery ‘Best Practices’ and Penalties.” 52 <b>For the Defense</b> 26 (August 2010, No. 8).

**JOURNAL WATCH**

<b>EMPLOYMENT LAW</b>	<p>“Hiring and Firing in the Facebook Age.” (with Sample Provisions). 56 <b>The Practical Lawyer</b> 19 (October 2010, No. 5).</p> <p>“Intended and Unintended Consequences: The 2006 Fair Minimum Wage Amendment of the Ohio Constitution.” 58 <b>Cleveland State Law Review</b> 367 (2010, No. 2).</p> <p>“Tattoos and Body Piercings: New Terrain for Employers and Courts.” 61 <b>Labor Law Journal</b> 109 (Fall 2010, No. 3).</p>
<b>ERISA</b>	<p>“The Law of Economics of ERISA and Fiduciary Duty: <i>LaRue v. DeWolff, Boberg &amp; Associates, Inc.</i>” 35 <b>Ohio Northern University Law Review</b> 403 (2010, No. 2).</p>
<b>ESTATE PLANNING</b>	<p>“Scratching Your Head Over 2010 Estate Plans?” 149 <b>Trusts &amp; Estates</b> 14 (August 2010, No. 8).</p>
<b>HOUSING</b>	<p>“The Internet is for Discrimination: Practical Difficulties and Theoretical Hurdles Facing the Fair Housing Act Online.” 60 <b>Case Western Reserve Law Review</b> 491 (Winter 2010, No. 2).</p>
<b>INDEMNIFICATION</b>	<p>“Drafting and Enforcing Complex Indemnification Provisions.” 56 <b>The Practical Lawyer</b> 21 (August 2010, No. 4).</p>
<b>INSURANCE LAW</b>	<p>“Do Your Homework on Indexed Universal Life Insurance.” 149 <b>Trusts &amp; Estates</b> 31 (September 2010, No. 9).</p>
<b>INTELLECTUAL PROPERTY</b>	<p>“Trade Secrets vs. Patents: The New Calculus.” 2 <b>Landslide</b> 10 (July/August 2010, No. 6).</p>
<b>INTERNATIONAL LAW</b>	<p>“Protection of Privacy in International Data Transfers.” 52 <b>For the Defense</b> 68 (September 2010, No 9).</p>
<b>INTERNET DISCOVERY</b>	<p>“Is Your Client an Online Social Butterfly?” 46 <b>Trial</b> 22 (October 2010, No. 10).</p>
<b>JUDGES</b>	<p>“A Legal, Political and Ethical Analysis of Judicial Selection in Ohio: A Proposal for Reform.” 38 <b>Capital University Law Review</b> 825 (Summer 2010, No. 4).</p>
<b>JURIES</b>	<p>“Google Mistrials: What the Legal System Can do to Keep the Internet Out of the Jury Box.” 3 <b>Bar Journal of the Cleveland Metropolitan Bar Association</b> 18 (November 2010, No. 4).</p> <p>“A Long Way to Go: Report Finds Lingering, Hard-to Eradicate Discrimination in Jury Selection.” 36 <b>Litigation News</b> 6 (Fall 2010, No. 1).</p>
<b>JUVENILE LAW</b>	<p>“The Role of Defense Counsel in Delinquency Court.” 25 <b>Criminal Justice</b> 16 (Spring 2010, No. 1).</p>
<b>MASS TORTS</b>	<p>“Out on Your Own” 46 <b>Trial</b> 34 (November 2010, No. 11).</p>
<b>MIRANDA RIGHTS</b>	<p>“The Wages of Stealth Overruling (with Particular Attention to <i>Miranda v. Arizona</i>).” 99 <b>The Georgetown Law Journal</b> 1 (November 2010, No.1).</p>
<b>NOTARY PUBLICS</b>	<p>“Notary Publics Do’s and Don’ts” 24 <b>Ohio Lawyer</b> 39 (September/October 2010, No. 5).</p>

JOURNAL WATCH

<b>OVI</b>	“Do OVI Cases Betray a Hidden Agenda Behind Daubert?” 24 <b>Ohio Lawyer</b> 16 (November/ December 2010, No. 6).
<b>PATENTS</b>	“The Supreme Court’s Opinions in <i>Bilski</i> and the Future of Tax Strategy Patents.” 113 <b>Journal of Taxation</b> 81 (August 2010, No. 2).
<b>PHARMACOLOGY</b>	“What Happened to Rule 11? Baseless Pleadings and Product Identification.” 52 <b>For the Defense</b> 20 (October 2010, No. 10).
<b>PROFESSIONALISM</b>	“Don’t Be the LeBron James of Your Firm.” 3 <b>Bar Journal of the Cleveland Metropolitan Bar Association</b> 38 (July/August 2010, No. 1).
<b>PUNITIVE DAMAGES</b>	“Taxing Punitive Damages.” 96 <b>Virginia Law Review</b> 1295 (October 2010, No. 6).
<b>QUALIFIED IMMUNITY</b>	“Clear as Mud: How the Uncertain Precedential Status of Unpublished Opinions Muddles Qualified Immunity Determinations.” 65 <b>University of Miami Law Review</b> 45 (Fall 2010, No. 1).
<b>REAL ESTATE LAW</b>	“Planned Community Contrast: ORC 5312 Offers Distinction from Condominiums.” 3 <b>Bar Journal of the Cleveland Metropolitan Bar Association</b> 12 (October 2010, No. 3).
<b>SCHOOL LAW</b>	“Getting Past the Schoolhouse Gate: Rethinking Student Speech in the Digital Age.” 71 <b>Ohio State Law Journal</b> 611 (2010, No. 3).
	“Sext Ed.: Students’ Fourth Amendment Rights in a Technological Age.” 37 <b>Northern Kentucky Law Review</b> 191 (General Law Issue, No. 1).
<b>SENTENCING</b>	“The Impact of Mandatory Minimum Penalties in Federal Sentencing.” 94 <b>Judicature</b> 6 (July-August 2010, No. 1).
<b>SETTLEMENTS</b>	“Unethical Secret Settlements: Just Say No.” 46 <b>Trial</b> 22 (September 2010, No. 9).
<b>SEX OFFENDERS</b>	“The Specter of Sex Offenders on Halloween: Unmasking Cultural, Constitutional, and Criminological Concerns.” 71 <b>Ohio State Law Journal</b> 417 (2010, No. 2).
<b>TAX LAW</b>	“Scope of Foreign Trust Provisions in the HIRE Act.” 41 <b>The Tax Adviser</b> 768 (November 2010, No.11).
	“Trademark Licensing Costs after <i>Robinson Knife</i> .” 85 <b>Practical Tax Strategies</b> 52 (August 2010, No. 2).
	“Tax Implications of Transactions Involving Contingent Consideration.” 41 <b>The Tax Adviser</b> 558 (August 2010, No. 8).
	“The Perils of ‘Parallel’ IRS Investigations.” 85 <b>Practical Tax Strategies</b> 148 (October 2010, No. 4).
<b>TRAFFIC LAW</b>	“When, if Ever, is a Stop Sign Mandated by the Ohio Manual of Uniform Traffic Control Devices?” 20 <b>Ohio Trial</b> 19 (Summer 2010, No. 2).
<b>TRUSTS</b>	“Correcting Unfavorable Beneficiary Designations in Trusts.” 149 <b>Trusts &amp; Estates</b> 26 (October 2010, No. 10).