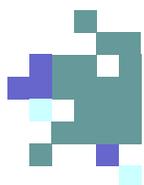


## Letter From the Director



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Dear Students,

Welcome back! Now that you have settled into your new schedules, we have exciting news that we know will make your studies and your research easier. This semester we have added three new digital collections, and we have implemented new technology to improve your access to all our resources. Below I have provided brief descriptions of the new services. Elsewhere in this newsletter you can learn the details about each of the new databases and services. In addition, you can read a guest column by Professor Mark Weiner!

**Listen to a case!** Are you short on time to review for class? Now you can listen to a case from one of your casebooks while you are traveling to school or working out at the gym? Check out *AudioCaseFiles*. This service provides a collection of digitally recorded legal opinions, pod casts, and online cases. The media is in MP3 format.

**Research from home!** *BNA-All* from Bureau of National Affairs provides access to many titles in electronic format. Previously, we provided you with access to some of their publications, such as *U.S. Law Week* and services covering family law, criminal law and copyright law. Now we have added more than 50 additional titles. You can access all of these at home, work or any remote site.

**Eliminate interlibrary loans?** Not completely, but perhaps you can find the title you need in *The Making of Modern Law* collection. Thanks to a generous donation from the Rutgers Law Alumni Board, we have added a subscription to the world's most comprehensive full-text collection of Nineteenth Century Anglo-American legal treatises.

**Do you want to know what was discussed in a class you missed?** Check and see if your professor posted a pod cast on our website. Our new digital technology allows us to produce and post these faster than we did last semester.

**Have you had trouble accessing digital material from home?** We now provide a secure log in to protect our digital services. Using this technology, we are able to provide you with access to most services from remote locations.

**Who is Edward Bulstrode?** Learn more about this famous judge and why you should know him in the fascinating article by guest columnist, Professor Mark Weiner.

We hope you take advantage of our new services and enjoy our newsletter. Remember that you can ask a librarian for training in how to use any of our databases or research tools, including books!

Go to <http://law-library.rutgers.edu> to gain access to our web site.

— Associate Dean for Library and Information Resources

## Reporting English Law in English - By Professor Mark S. Weiner



If you have been watching the bodice-ripping television series *The Tudors*, you probably have taken some delight at those moments when the wizards at Showtime portray the Tudor legal profession craftily ruling the greatest nation in Europe from behind the scenes. But as students in my course History of the Common

Law know, our library houses a legal text every bit as exciting as watching Jonathan Rhys Meyers play Henry VIII or James Frain portray Thomas Cromwell (a member, by the by, of Gray's Inn). The text is a thick, handsome book published about 50 years after the end of the Tudor dynasty called *The Reports of Edward Bulstrode* (1657). About thirty students recently had a chance to examine the volume, gathering together excitedly around the great table of the rare books room.

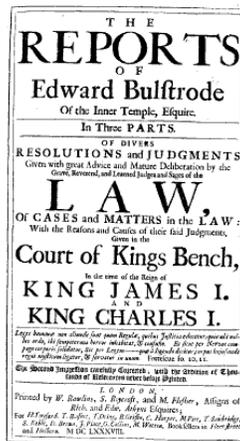
Since the thirteenth century, English lawyers had taken careful notes on the arguments and procedures used in common law courts. These manuscript records came to be known as "Year-Books," and they preserved for all time what one historian has called "the possible moves in the recondite game of legal chess played by the pleaders in open court." Eventually, they came to be used as teaching aids for law students seeking to learn their craft. The style of the Year-Books was brief and often telegraphic, their authors were anonymous—and one of their peculiarities, from a modern perspective, is that they were written in the unusual dialect spoken in English courts of the time known as "law French." The linguistic product of the conquest of Anglo-Saxon England by Duke William of Normandy in 1066, law French provides our profession with some of our most common legal terms, such as *escrow*, *covenant*, *lessee*, *tort*, and *trespass*.

Under the Tudors (1485-1603), these accounts of common law courts began to change. First, the Year-Books came to be published in printed form. Printing came to England in the 1470s, and the first printed English legal text, a discussion of real property law known as Littleton's *Tenures*, was published in 1481. Second, the records came to be identified with the names of their authors and thenceforth were known as "reports" (the last collection given the name "year-book" dates from 1535, the twenty-seventh year of the reign of Henry VIII).

These new "personalized" volumes were the product of entrepreneurial publishing initiative, and they were produced in large quantity. The law library contains many within its

collections. But while they were great in number, many also were sloppy and unreliable. Some were so careless in their accounts of cases that judges prohibited their citation. Large, carefully edited manuscripts sometimes were not printed for reasons of expense. It even was not unknown for a devious printer to publish reports under the name of some celebrated legal authority when, in fact, they might have been carelessly written by an anonymous amateur.

Among the reports published before the end of the Commonwealth (1649-1660), when England was led by the Puritan anti-monarchist Oliver Cromwell, three are preeminent in their quality, providing substantially accurate portraits of common law practice and argument. The first to appear were the *Commentaries* of Edmund Plowden (1518-1585). The second were the reports of the great Sir Edward Coke (1552-1634). And the third are the accounts of a Welsh judge named Edward Bulstrode (1588-1659), a member of the Inner Temple and a Cromwell supporter. His three carefully edited, detailed volumes, published between 1657 and 1659, provide a fascinating window onto a wide range of cases heard before the King's Bench from the reign of the Stuart King James to the execution in 1649 of Charles I. As our students can attest, it's a thrilling experience to read through Bulstrode's *Reports* and to peer into the world of the seventeenth-century common law, the foundation of our own legal thought—and to do so before a shelf containing many of the other printed reports from which Bulstrode's volumes are so distinguished by their quality.



Just as exciting, Bulstrode's *Reports* provide a window onto the history of English law through the very form of their publication. As part of the wave of reform legislation under the Commonwealth, Parliament in 1650 passed a law requiring that "all Report-Books of the Resolutions of Judges, and all other Books of the Law of England, which shall be Printed, shall be in the English Tongue onely" (in addition, all writs, returns, pleadings, and legal documents were to be written in English and "in an ordinary, usual and legible Hand and Character"). All violators were to be fined twenty pounds. Bulstrode's were the first law reports published originally in the English language under this new Act—an important step on the road by which the common law merged with the common tongue and thereby became truly common. Interestingly, one might trace the origins of this legal-cultural development back to the anti-Papal reforms of Henry VIII and the distinctly Protestant nation forged under his daughter, Elizabeth. The subject of a future Showtime episode? On behalf of all students of legal history, one can only hope!

## Law Library Adds BNA All to Electronic Databases

This fall the Rutgers Law Library will be subscribing to the full BNA All electronic library, which provides over 100 BNA titles and web resources to the students and faculty of Rutgers Law School. BNA (the Bureau of National Affairs), is a renowned publisher of legal resources, including legal and regulatory news updates, and reference titles in a variety of legal subjects ranging from tax law to environmental to intellectual property.

BNA All facilitates quick and easy searching. The BNA All databases are full-text, which allows users to search for material by keyword, topic, case name, and to limit results by date. BNA All also provides table of contents for browsing, and provides templates for easy retrieval of BNA reports and decisions by citation. BNA All offers a mix of print and download options, with many documents available in their original format via PDF. Students and Faculty may stay abreast of developments in a particular area of law by taking advantage of BNA's E-Mail Updates service. Thanks to the library subscription, the content of the new BNA databases will also soon become available through Lexis and Westlaw, for those who prefer to use those search engines.

Law students and faculty may access BNA All by clicking on the "Resources" link at the top of Law Library's home page (<http://law-library.rutgers.edu/>) and then selecting BNA All from the "Databases." Off-campus users will need to provide their Rutgers NetID username and password.

## The Making of Modern Law

The library recently added *The Making of Modern Law*, an online database that provides full-text access to over 22,000 legal treatises published between 1800 and 1926. This valuable new resource contains approximately 10 million pages of text and is fully searchable.

Sourced from the world's foremost law libraries, *The Making of Modern Law* covers nearly every aspect of American and British law and encompasses a range of analytical, theoretical and practical literature for research in United States and British legal history.

*The Making of Modern Law* provides page images of the classic works of Anglo-American legal scholarship, making it a very useful resource for law review cite-checking and all students of legal history.

## Listen to Your Cases!

The Law Library has subscribed to AudioCaseFiles, a database of edited opinions and case briefs in MP3 audio format, for cases studied in law school courses. Students can access this database by going to [www.audiocasefiles.com](http://www.audiocasefiles.com), clicking on "Sign Up For An Account," and registering with a Pegasus e-mail address. Once registered, the user can retrieve cases either by searching for the case name or citation, or by browsing a list of cases under one of eight courses (of which six are first-year courses).

There are presently almost a thousand cases, and the majority of them have both an edited version of the opinion in audio and an audio case brief, that the user can download for use in an iPod or other MP3 player. For about a fifth of the cases, there is an audio opinion but not yet an audio case brief, and for another fifth both of the audio files are "coming soon." The audio case briefs average about three to four minutes in length, while the audio opinions are about ten to fifteen minutes long. For all of the cases, the text of the edited opinion is on the web site, together with a brief summary of the facts and the holding. For each case, there are also links to related cases, and to topical and sub-topical lists of cases.

The present case selection is based on eighteen casebooks, including six of the twelve different casebooks currently in use at our school for first-year courses. But even if your casebook is not among those used by AudioCaseFiles, you are still likely to find audiofiles for some of its cases, because of the overlap in cases chosen by casebook authors. For example, AudioCaseFiles includes more than a quarter of the cases in Franklin, Rabin & Green's *Tort Law and Alternatives; Cases and Materials*, 8th edition. AudioCaseFiles is just over a year old, and claims to be growing at about 25% per month, so presumably their coverage will be more complete in the near future.



## New Books in the Library

*Top picks of the new titles from Deputy Director and Head of Collection Development Paul Axel-Lute*

Barry Bruce, Speechless: The Erosion of Free Expression in the American Workplace. (Berrett-Koehler Publishers, 2007). Call # JC 599.U5 B29 2007. Chapters include "When Work and Speech Collide" and "Unemployment at Will."

Tarleton Gillespie, Wired Shut: Copyright and the Shape of Digital Culture (M.I.T., 2007). Call# K 1447.15.G55 2007. Chapters include "A Heroic Tale of Devilish Piracy and Glorious Progress" (by Jack Valenti), "Raising the Broadcast Flag," and "The Cultural Implications of Encryption."

Bruce Watson, Sacco and Vanzetti: The Men, the Murders, and the Judgment of Mankind (Viking, 2007). Call# KF 224.S2 W38 2007. A highly praised account, replete with the eloquence of Sacco and Vanzetti themselves.

Raise the Bar: Real World Solutions for a Troubled Profession / edited by Lawrence J. Fox (ABA, 2007). Call# KF297.R35 2007. Articles include "Our Gilded Cage" (by Scott Turow), "Law Firms As Great Places To Work," and "The Statesman Lawyer: An Oxymoron?"

Matthew Rothschild, You Have No Rights: Stories of America in an Age of Repression (New Press, 2007). Call# KF 4749. Numerous short journalistic accounts.

Stephen Mansfield, Ten Tortured Words: How the Founding Fathers Tried to Protect Religion in America ... And What's Happened Since. (T.Nelson, 2007) Call# KF 4865.M29 2007. Chapters include "Of Cheese, Walls, and Churches" and "Faith-Based Blackmail."

John V. Orth, How Many Judges Does It Take to Make a Supreme Court? And Other Essays on Law and the Constitution (University Press of Kansas, 2006). Call# KF 5130.O78 2006. Includes "Can the Common Law Be Unconstitutional?"

## Podcasts!

The library now has the ability to capture law school events through audio and video podcasting. Through this service, events or lectures are recorded in digital formats and posted on NetID protected library web pages. Only authorized Rutgers NetID holders can view or listen to the podcasts. Audio and video clips will not be downloadable in order to protect the users' copyrights.

The law library has beta-tested this service and received very positive reviews. We have successfully used this service in recording course lectures and school events. If you have a lecture or event that you would like to capture with podcasting, please contact our digital services librarian, Mr. Wei Fang, at 973-353-3061 or email him at [wfang@kinoy.rutgers.edu](mailto:wfang@kinoy.rutgers.edu)

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### Podcasting at Newark Law

Podcasts are a new and innovative way to automatically download multimedia content to your personal computer and mp3 player. The Library plans to make available recordings of interesting and timely events happening at the Law School. Learn how to [subscribe](#).

**Special Events at the Law School**

Guest lectures, Faculty speeches, and other interesting happenings at the law school. [Subscribe](#) **POD**

Listen or view recent events by following the links below:

**Class lecture for 09/12/07 — Professor Richard Hill**  
Date: 09/12/07 Length: 1:04:11 part one

Audio:

**Class lecture 09/12/07 — Professor Richard Hill**  
Date: 09/12/07 Length: 0:43:43 part two

Audio:

## Library Hours

- Monday - Thursday: 8:00 am - 11:00 pm
- Friday: 8:00 am - 10:00 pm
- Saturday: 10:00 am - 8:00 pm
- Sunday: Noon - 11:00 pm

Reference: 973-353-5767  
Circulation: 973-353-5677