

Peter W. Martin - Activities Report - 1999

Because the bulk of my activities for the year relate in various ways to the LII, many of them taking a form not contemplated by the categories on the form circulated in November, this report is not submitted within that form. It does, however, follow the general progression of its categories. I assume you have asked for a similar report from Tom, although I didn't ask against the chance you did not. If I would urge you to do so to get a more complete picture of our work together. This account lists only those LII activities and public presentations for which I have been the principal. Tom's listing would be at least as dense.

I. Publications

Most, though not all, of my writing and editing is published in electronic format and distributed on CD-ROM or via the Web.

On CD-ROM

Martin on Social Security

My magnum opus, "Martin on Social Security" appeared in its last revision to be published by the West Group in March 1999. This complete reference work contains a treatise written and revised (on a quarterly basis) by me, a collection of 10,000 plus Federal Court decisions selected and linked to the treatise through topical codes by me, statute, regulations, agency rules. Released on LEXIS in 1990 and published on CD-ROM by Clark, Boardman, Callahan in July 1994 under the name "Social Security Plus," this work posed a dilemma for the West Group following the Thomson-West merger since it competed head to head with a West CD-ROM product. I rejected a significant cash buyout offer, which would led to the merger my work into the latter. Under a termination agreement reached a year ago, West Group ceased publication of my work as of the March revision. All rights to that work revert to me this coming May. It will then become a major LII asset, joining the American Legal Ethics Library (see below) as a distinctive LII collection, and also provide the platform for distance learning initiatives in this field.

American Legal Ethics Library

This work currently consists of narratives on the law of lawyering prepared by law firms or legal academics covering 11 U.S. jurisdictions, including most of those with the largest lawyer populations. It also includes the codes of professional responsibility for those jurisdictions, 12 additional states for which narratives are in progress, and the European Community. During 1999, I prepared two CD-ROM editions of the library: in April a special ALAS (Attorney Liability Assurance Society) version distributed by that leading malpractice group to all member firms under license from the LII and the LII's own June 1999 edition. My role in this project is that of electronic editor. Students under my supervision prepare additional codes or revisions in the structured and linked database

format I created two years ago and I take full responsibility for the material submitted by our narrative authors, fitting it into that same integrated structure. Finally, I prepare and oversee testing of the CD-ROM master. The American Legal Ethics Library is also offered at the LII Web site and during the summer of 1999, the LII summer work team of five students working under my direction updated the much more comprehensive set of links that connect the materials we prepare and maintain with the burgeoning library of legal ethics materials distributed across the Net at bar counsel, court, and bar association sites. The result is an unmatched reference for this field.

LII Collection: Historic Supreme Court Decisions

Since 1996 I have prepared a collection of landmark Supreme Court decisions for CD-ROM (and Web) publication. This is not a lawyer reference nor a set of teaching materials aimed at law schools (although it could readily be used for a Constitutional Law course). Its intended and realized audience consists of school and public libraries and teachers at the high school and college level. Successive editions have increased the historic depth of the collection, added editorial or search features important for the educational user, and included a half dozen or so of the most significant decisions of the prior term. The disc contains "point and click" tables that guide retrieval of decisions (by topic, by opinion author, by era), as well as full text search. It also includes background material: ranging from the Court's rules to biographies and portraits of all the justices who have served on the Court. The LII summer team working under my supervision selected 10 new decisions for the 1999 edition and created a draft "lexicon" of important terms of art (e.g., certiorari, per curiam, moot). I edited that material, put it into the appropriate database format, integrated it with the material in the prior version, and prepared the master disc which was released in late September.

Web Site Writing and Editing

During 1999, I assigned writing projects to students working for the LII, two who undertook significant responsibility during term time and five who worked full time through the summer, edited the resulting work product, and integrated it into the LII Web site. Important examples of this work include:

- the expansion, revision, and update of the LII state law pages, the related state statutes by topic pages including new tables on issues of family and employment law that have been the frequent subject of inquiry by LII users, and pages that provide access to widely adopted uniform laws (in original form and as adopted by individual states)
- the creation of a new cluster of World law pages that organize the vast amount of national law (legislation, administrative instruments, judgments) now on the Net from countries around the globe
- the revision and updating of the heavily used "Law About ..." pages which combine elements of legal encyclopedia with links to relevant primary authority and important Web sites for topics ranging from Admiralty Law to Workers Compensation

- the preparation of LII backgrounders on important current legal topics (During 1999 I worked with two students to create the LII backgrounder on civil forfeiture which has drawn praise from professional groups interested in the topic.)

liibulletin-ny and liibulletin-patent

These student written case bulletins belong in a category all their own. Working together, Tom and I select the Editor in Chief and other senior editors, oversee the selection process that yields a what is currently a group of 41 editors (33 working on liibulletin-ny, and 8 working on liibulletin-patent). Under a shared editorial structure and working in teams, these student editors prepare case summaries and commentaries on decisions of New York's highest court, the Court of Appeals, on the one hand and the U.S. Court of Appeals that hears all patent appeals, the Federal Circuit, on the other.

All of the work flows through me. I perform a final edit of the content, editorial quality and (this being an electronic publication) the functionality of all links. The e-mail version goes out in my name; the Web version is mounted by me.

During 1999, through a series of meetings with members and staff of the New York State Bar Association (NYSBA) here in Ithaca, I secured financial sponsorship for liibulletin-ny from NYSBA. This relationship which Tom and I have been building for years now includes \$20,000 in support of the bulletin.

Writing About Technology and Law

"Published" during 1999:

- The Northern Kentucky Law Review published my Siebenthaler lecture delivered at that school the prior year - The Internet: "Full and Unfettered Access" to Law -- Some Implications, 26 N. Ky. L. Rev. 181 (1999)
- The Commonwealth Legal Education Association published an invited paper I delivered at the association's 1998 annual meeting - Reducing the Cost and Improving the Quality of Course Materials Through Technology, 80 Newsletter of the Commonwealth Legal Education Association, March 1999, at 9 (on the Net at: <http://www.law.cornell.edu/papers/clea98.htm>)
- My paper delivered at the Fifth International Conference of the Istituto per la Documentazione Giuridica of the Italian National Research Council in 1998 was published on the Net in JILT (the Journal of Information, Law and Technology) - IT and U.S. Legal Education - Alternative Views of the Law School: Consumer, Marketing venue, Center of Research and Dissemination, JILT, 99-1 (on the Net at: <http://www.law.warwick.ac.uk/jilt/99-1/martin.html>)
- My keynote address to the Distance Learning Workshop sponsored by the Center for Computer-Assisted Legal Instruction (CALI) and Chicago-Kent College of Law in June 1999 entitled Deconstructing the Classroom, as well as my workshop

presentation reporting on the LII's distance learning course, were archived in streaming video on the Net at:

<http://www.kentlaw.edu/distancelearning/conferences/dlw99/>

- My reflections on the future of legal education and the legal profession delivered on the dedication of the new law school building at the University of Seattle helped inaugurate the new Cornell/LII Working Papers collection - Impermanent Boundaries - Imminent Challenges to Professional Identities and Institutional Competence (<http://www4.law.cornell.edu/working-papers/open/martin/boundaries.html>)

II. Presentations (Not "Published" and Therefore Listed Above)

During the year, I made several presentations to lawyers on the usefulness legal research materials on the Internet. The settings included:

- A CLE session of the New York State Bar Association (NYSBA), Young Lawyers Section, in January
- A Cornell Law School "Tradition of Excellence Symposium" in Washington, D.C.
- CLE programs mounted by the CLE arm of NYSBA on Long Island and in Manhattan

In addition to the presentations on distance education noted under the prior heading, I:

- conducted a workshop on the subject for the directors of the ILR extension division programs (background material and outline on the Net at: <http://www.law.cornell.edu/background/distance/>)
- addressed an ABA sponsored Workshop on Distance Education in November, giving a presentation entitled - Distance Education: Some Non-Issues and Several Real Ones

III. Teaching

Laying the foundation for future distance learning offerings in two fields of special knowledge, I organized and taught a course on copyright law this fall and began preliminary planning for a social security law course to be offered this spring. The process includes preparation of a complete set of readings (necessary in order to avoid any rights problems in connection with digital distribution) in digital format, framing class discussion in terms that will translate reasonably to asynchronous exchange, taping all classes to assist in the preparation of recorded presentation modules, and development and implementation of a number of on-line "mastery exercises." The plan is to prepare modular course units that can be assembled and reconfigured for use with such different audiences as: law students at Cornell and elsewhere, students in other units at Cornell, lawyers in pursuit of continuing education, and assorted others seeking an introduction (but not a full academic course) on these subjects.

Outside the curriculum, I joined with Bob Kent and Muna Ndulo in the training of the two Cornell graduates who have gone to the University of Zambia as the third cohort in our Lawyers in Africa Program. Working with LII systems administrator Patrice Crooks, I introduced them to the technical and institutional challenges of their role with the Zambia Legal Information Institute (ZamLII). The two of us have continued through the year to provide both back-up and technical advice to those working with ZamLII.

IV. Professional Activities

For the past three years I have served, as one of two law school based people, on a study committee chaired by Roberta Cooper Ramo. This group operating under the auspices of the ALI-ABA Committee on Continuing Professional Education produced its final report, entitled the "Teaching for Better Learning" in April 1999. The committee's aim, successfully carried out in my judgment, was to provide guidance for CLE providers based on adult learning research and understanding.

V. Service

My principal law school/university service during the year was as a member of the law school dean search committee whose efforts were blessed with greater success than we ever could have hoped.