



Law Library News

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<http://library.law.miami.edu>

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WEBSITE OF THE MONTH



FL Dept. of Children & Families

http://www.state.fl.us/cf_web

This site provides a wealth of information on the diverse activities of DCF. The main page includes related news items, recent reports, and links to each program. The DCF Publications & Forms section has many electronic forms, covering such topics as adoption, Medicare/Medicaid, child care, protective services, disabilities and more.

The site also has information on each of its programs. For example, there is information on the foster care program, community based care, and domestic violence.

This page is part of My-Florida.com, the official portal of the State of Florida.



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The Legacy of Brown v. Bd. of Education

Calmer Chattoo & Lauren Collins

American history recorded a landmark change in 1954 when the Supreme Court unanimously decided that racial segregation in the nations' public schools was no longer acceptable. This year marks the 50th anniversary of the decision in that case, *Brown v. Board of Education*, 347 U.S. 483 (1954).

Desegregation in public schools did not come without a fight from politicians and social activists. Half a century later, many citizens, politicians, and even the courts behave as if they still subscribe to the "separate but equal" doctrine. There are still cases in the courts involving the quality of education provided to poor and disadvantaged students.

Impassioned arguments about equal education and equal rights continue in an increasingly diverse American society where racial separation goes far beyond the black and white issues of 1954.

The *Brown* decision and its related debates continue the momentum for equality, the struggle against racism in education began some 20 years before *Brown*. This "winding trail" of events provides evidence of this. 1938 – *Missouri ex rel. Gaines v. Canada*, 305 U.S. 339:

The U.S. Supreme Court invalidated state laws that permitted states to avoid admitting
(Continued page 2)

How to spend your summer vacation—Researching

Legal research is a big part of how summer and new associates spend their days. In anticipation of this fact, the law library will be presenting the annual Ultimate Research Refresher. This is an all day seminar, covering the **essentials** of legal research. The sessions will include information on manual and computer-assisted legal research and cover topics that should be familiar as well as ones that may be brand new.

The specific topics include developing efficient research strategies, researching statutes, case law, and administrative sources, as well as how to do foreign and international research, cost effective use of Lexis and Westlaw and legal research techniques using the Internet.

Lunch will be provided.

Please sign-up at the circulation desk for The Ultimate Research Refresher today!

If you cannot make it to the May 11th session, you still have help this summer. Pick up a copy of the Quick Guide to Legal Research at the reference desk. Remember that this research guide and many others are available on the law

library's web page. The reference desk will also be open all summer for a little advice on how to start a research project. To contact the reference desk or for questions on The Ultimate Research Refresher, call 305-284-3585.

Last chance to brush-up on your research skills: Ultimate Research Refresher May 11th 10am-5pm

See Page 3 for information on Lexis, Loislaw and Westlaw this summer.

Brown con't.

African-American students into state graduate schools by paying for their tuition to schools outside the state or building separate graduate schools for them.

1948 – *Sipuel v. Oklahoma State Regents*, 322 U.S. 631: The Supreme Court ruled that a “separate” law school created to accommodate an African-American law student did not provide an “equal” educational opportunity; thus, requiring admission of the plaintiff into an all-white state law school.

1950 – *McLaurin v. Oklahoma State Regents*, 339 U.S. 637: The Supreme Court held that an African-American student admitted to a formerly all-white graduate school could not be subjected to practices of segregation that interfered with meaningful classroom instruction and interaction with other students, such as making a student sit in the classroom doorway, isolated from the professor and other students.

1950 – *Sweatt v. Painter*, 339 U.S. 629:

The Supreme Court ruled that a separate law school hastily established for black students to prevent their having to be admitted to the previously all-white University of Texas School of Law could not provide a “legal” education equal to that available to white students. The court ordered the admission of Herman Marion Sweatt to the University of Texas Law School.



1968 – *Green v. County School Board of New Kent County* (Virginia), 391 U.S. 430:

The Supreme Court upheld that “freedom of choice” plans were ineffective at producing actual school desegregation and had to be replaced with more effective strategies.

1971 – *Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. 1:

The Supreme Court upheld the use of busing as a means of desegregating public schools.

1973 – *Adams v. Richardson*, 480 F. 2d 1159:

A federal appeals court approved a district court order requiring federal education officials to enforce the Title VI of the 1964 Civil Rights Act, which bars discrimination by recipients of federal funds, against state universities, public schools and other institutions that receive federal money.

1974 – *Milliken v. Bradley*, 418 U.S. 717:

The Supreme Court ruled that, in almost all cases, a federal court cannot impose in inter-district remedy between a city and its surrounding suburbs in order to integrate city schools. 1978 – *Bakke v. Regents of the University of California*, 438 U.S. 265:

The Supreme Court ruled that schools can take race into account in admissions, but cannot use quotas.

1995 – *Missouri v. Jenkins* 515 U.S. 1193:

The Supreme Court ruled that some disparities, such as poor achievement among African-American students, are beyond the authority of the federal courts to address. The decision reaffirmed the Supreme Court desire to end federal court supervision and return control of schools to local authorities.

2003 – *Grutter v. Bollinger*, 539 U.S. 306:

In a majority victory for affirmative action, the Supreme Court ruled in favor of diversity as a compelling state interest in the University of Michigan admissions case.



There have been several events on campus, in the city and around the country honoring this important anniversary. The celebration of *Brown v. Board of Education* continues and agendas for symposia by universities and organizations across the country can be found on the web.

The American Association of Law Libraries – Diversity Committee

<http://www.aallnet.org/committee/diverse/Brown%20at%2050.htm>

The American Bar Association

<http://www.abanet.org/brown/events.html>

Howard University School of Law <http://www.brownat50.org/>

The NAACP <http://www.naacp.org/BvBE/brownevents.shtml>

In addition, a number of organizations have created commemorative websites that provide a wealth of information on the *Brown* decision and its impact:

U.S. Census Bureau 50 Years of Change - census data related to improvements for African-Americans in education and income since the landmark 1954 decision.

<http://www.census.gov/pubinfo/www/multimedia/AfricanAm.html>

National Park Service P. L. 102-525 - establishing *Brown v. Board of Education* National Historic Site to commemorate the landmark Supreme Court decision. <http://www.nps.gov/brvb/>

University of Seattle School of Law - images from the past 50 years with a collection of links to other Web sites. The user can select a decade from the timeline to explore *Brown* and its consequences.

<http://www.law.seattleu.edu/information/brown/home.asp>

University of Michigan Library Digital Archive- documents and images related to the case and its effects.

<http://www.lib.umich.edu/exhibits/brownarchive/>

The U.S. National Archives Records and Administration provides a timeline of events leading to the *Brown* decision, starting with the Dred Scott case.

http://www.archives.gov/digital_classroom/lessons/brown_v_board_documents/timeline.html

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Life Ain't Like the Movies

Kay Mackey



Recent United States Presidents have demonstrated an inability to distinguish between reality and legend regarding contemporary Indian society. Professor Rennard Strickland, the renowned Indian law scholar, Philip H. Knight Professor of Law and former Dean of University of Oregon Law School, was the inaugural speaker at

the University of Miami Presidential Debate Lecture Series on March 9th. The program, "What the Presidential Candidates Need to Know About 21st Century Native Americans," is the first in a series of lectures designed to lead up to the first Presidential debate scheduled at the University of Miami on September 30th.

Professor Strickland called for an end to "Presidential illiteracy" in Native American issues. In furtherance of that objective, he outlined ten things the candidates should know:

1. Indian policy is a continuing obligation of the United States;
2. Contemporary tribes are distinct, with diverse traditions, values, and issues;
3. Indian nations are sovereign governments, not clubs or fraternal organizations;
4. Native Americans are capable of self governance;
5. The federal government has a trust responsibility which has been ignored and defiled;
6. Treaties and land rights do not expire;
7. Native Americans are regulated and subjected to limitations not imposed on any other citizens;



8. Stereotypes are widespread and debilitating;
9. Atrocities, discrimination and bias are not just 19th century phenomena;
10. Native Americans share values with non-Native Americans.

Indian law touches on many issues including sovereignty, hunting and fishing rights, gaming, water rights, the environment and taxation. Some of the most important treatises on Indian law are: **Felix S. Cohen's Handbook of Federal Indian Law** (Treatise KF8205 .C6 1982); Pevar, **the Rights of Indians and Tribes: The Authoritative ACLU Guide to Indian and Tribal Rights** (Treatise KF8210.C5 P48 2002); Conference of Western Attorneys General, **American Indian Law Deskbook** (Treatise KF8205 .A76 1998); Wunder, ed., **Native Americans and the Law: Contemporary and Historical Perspectives on American Indian Rights, Freedoms, and Sovereignty** (Treatise KF8205 .N385); Johansen, ed., **The Encyclopedia of Native American Legal Tradition** (Treatise KF8204 .E53 1998), and Prucha, **Documents of United States Indian Policy** (Treatise KF8205.P78 2000). Additional treatises can be located on Baron; subject headings include, but are not limited to: [Indians of North America -- Civil rights](#) and [Indians of North America -- Legal status, laws, etc.](#)

Specialized periodicals include the **American Indian Law Review** (Anglo-American Periodicals) and **Indian Country Today** (Richter Library - electronic resource). On the internet, the Native American Rights Fund's National Indian Law Library, <http://www.narf.org/nill/Nillindex.html>, provides access to an extensive selection of resources including a database of tribal constitutions and codes.

For upcoming lectures in this series, visit <http://www.miami.edu/debate04>.

Lexis, Loislaw & Westlaw Summer Access

Barbara Brandon

Continuing Students

Lexis

If you have a valid educational need for access over the summer (i.e. taking summer classes, working for a faculty member, law review or moot court, or participating in a clinical or unpaid public interest externship), Lexis will extend your password. Otherwise your access will be cut-off on June 1st. If you can satisfy any one of the provisions, you should go to the following Web page, <http://www.lexisnexis.com/lawschool/> and look for the red link entitled "Access LexisNexis Over the Summer" in the left-hand column. Follow the instructions from there. You will need your Lexis ID.

Loislaw

This computer-assisted legal research system has no blackout

period over the summer. If you have not previously registered at <http://www.loislawschool.com/>, you will need to utilize the access code available from the Law Library Resources icon on any computer in the law school.

Westlaw

If a student has a valid educational need for access (i.e. taking summer classes, working for a faculty member, law review or moot court), he or she can request a password extension at <http://www.lawschool.westlaw.com>. Look for the "Extend Your Westlaw Password Now" link in the upper-left hand section of the page and log-in with your Westlaw ID. Westlaw does ask that you make your extension request by June 20th for tracking purposes.



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Brown con't.

The National Education Association provides a summary of the Brown case and its impact, tracing ripples from the Brown decision as they have effected American education during the 50 years since the case was decided.

<http://www.nea.org/brownvboard/>

For a list of books accessible on campus related to the Brown decision and its impact, conduct a Keyword search in Baron using the terms "brown board education." Click on "Repeat Search in UM Richter Library" at the top of the search page to find titles in Richter Library.

Celebration of the decision in *Brown v. Board of Education* continues to spark positive race relations, a sense of unity, respect, and acceptance. Though there is disagreement about methods of reaching the goal, it is clear that we have reached a consensus as to the general theme that "separate but equal" has no place in American education.

Summer Access con't.

Graduating Students

Lexis, Loislaw and Westlaw offer graduating students access to their services for different time periods under different ground rules. Registration is required in order to be eligible for access.

Lexis

Lexis allows full access to its service until August 1st. You should go to the following Web page, <http://www.lexisnexis.com/lawschool/resource/grad/>. Sign in using your Lexis ID. In the middle of the next page you will see a red link under Gift for Summer 2004 Graduates. This will take you to a page where you can sign-up for your password extension. Follow the instructions from there.

Loislaw

Loislaw allows recent graduates to use their computer-assisted legal research system for a six-month period after graduation. Loislaw includes statutes, administrative codes, court rules and cases for state and federal jurisdictions and more. You can register at <http://www.loislawschool.com/>. You will need to utilize the access code available from the Law Library Resources icon on any computer in the law school.

Westlaw

Westlaw will extend usage for up to 5 hours per month through July 31st. You may register for this benefit in one of two ways. Westlaw will send all graduating students an e-mail that contains a graduate survey. Once you complete the survey and return it, Westlaw will e-mail you a new password. Alternatively, you may enroll online at <http://www.lawschool.westlaw.com/>. In the right-hand column you will see a link entitled "Register for a Graduate Password today." Again you will have to complete the graduate survey before Westlaw will send you a new password.

See a reference librarian for additional information on summer access.



Library Hours



	Library Hours	Reference Hours
Mon.-Thurs.	7am-Midnight	8am-10pm
Friday	7am-10pm	8am-6pm
Saturday	9am-10pm	10am-6pm
Sunday	9am-Midnight	Noon-8pm
Exam/Reading Period (April 23-May 9)		
Mon.-Thurs.	7am-3am	8am-10pm
Friday	7am-3am	8am-6pm
Saturday	8:30am-3am	10am-6pm
Sunday	8:30am-3am	Noon-8pm

For summer hours, please check the libraries' web site or call (305) 284-2739.

Library Directory

- Circulation & Reserves (305) 284-3563
- Reference Desk (305) 284-3585
- Automated Operator (305) 284-2250
- Administrative Office (305) 284-2251

Other University Libraries

- Richter Circulation (305) 284-3233
- Richter Reference (305) 284-4722
- Medical Library (305) 243-6403
- Marine Library (305) 361-4060



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