



Law Library News

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

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WEBSITE OF THE MONTH



Free Online Law Reviews

The Library of Congress list: <http://www.loc.gov/law/guide/lawreviews.html>

Many universities are now opting to place their law reviews online for free, in the spirit of open access to information. If you want to save money by not using Westlaw or Lexis as much when you are practicing or you end up as a solo practitioner who doesn't have Westlaw, Lexis, or HeinOnline, you might want to give these a try.

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Last Chance to Learn: Ultimate Research Refresher May 15th

Whitney Curtis

As a new or summer associate, research is often one of the first skills more senior attorneys evaluate in you. To make the optimum impression, you need to make sure your skills are at their best.

The last chance to brush up on your legal research skills before embarking on your summer internship or first job is the Library's **Ultimate Research Refresher**, which will be held on **TUESDAY, MAY 15, 2007** all day (from 10:00 am until 5 pm). We will provide lunch! The class will be in room F200. **Sign-up at the circulation desk if you plan to attend.**

Not sure how to begin or end a research project? Then, the session on research strategy



is just right for you. Worried about running up a \$20,000 Lexis or Westlaw bill for a client? If so, the Cost Effective Legal Research discussion is a must. Other important topics being covered include using secondary sources; researching administrative law research, and many more.

For a complete schedule, visit the Refresher's web page: <http://library.law.miami.edu/ultimate.html>.

Please direct questions to Whitney Curtis (wcurtis@law.miami.edu or 284-3043).

Summer Access to Databases

For Continuing Students

Lexis offers extended summer access to continuing students who register their IDs by May 31, 2007 for the following reasons: Summer School; School-Related Research Assignment; Moot Court Research; Law Review or Journal Research; Working as a Professor's Research Assistant; Non-Profit Externship; or Unpaid Intern/Externship.

You can register for an extension, which allows you full access through August 13th. For extended access, go to <http://www.lexisnexis.com/lawschool>, log on, and click on the summer access box. Select your reason for requesting an extension, and click submit.

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For Graduating Students



Lexis offers extended summer usage for graduating students for the following reasons: Working as a Professor's Research Assistant; Non-Profit Externship; Unpaid Internship/Externship; and Bar Review

For extended access, go to <http://www.lexisnexis.com/lawschool>, log on, and click on the summer access box. Select your reason for requesting an extension and click submit. You must register by May 31, 2007. If you take no action, your account will be limited to career information as of June 1, 2007. Extended or not, all graduating students IDs will expire on August 1, 2007.

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Computer Column

Using Lexis for Mac Users

Mac users may run in to a few problems while using Lexis. Below, please find some answers to some of the most common issues.

You will encounter the least amount of problems if you use Safari as your browser. When using Safari, in addition to all of the other Lexis features you *can* still use the following: - Focus Restrict By, Combined searches, the Table of Contents (TOC) button, and Exit Focus.

However, Mac users cannot retrieve a case from the law school page. If you try, you will be sent to the research system, where you can successfully retrieve a case. Also, the Explore button is visible, but you cannot use it.

If you use Firefox, the Lexis toolbar will not work. You will also not find the following buttons: explore, page, doc, or

term. Additionally, the "copy with cite" feature is not available for cases or statutes, and there is no fast print feature. Further, you cannot do the following: Combined Searches, TOC search within a statute, Focus Restrict By within the Shepard's report, or Access the tabs in the Shepard's report.

Finally, no matter what browser you use, Brief Suite does not work on Macs.

If you have a Mac, and you would like more information, or you would like a training session, please contact Michelle Cosby (mcosby@law.miami.edu).

Upgrades to Westlaw and Internet Explorer 7

If you have upgraded to Internet Explorer 7 (IE 7), you may have encountered problems printing the West Reporter Images in PDF. Westlaw is fully compatible with IE 7, but you may have to make a few

Michelle Cosby

adjustments to your browser.



1. If you stored any trusted sites in previous versions of IE, they were deleted when upgrading to IE 7 - they will need to be inserted again for Westlaw and other sites.

2. If you allowed sites for PopUps, these too were deleted during the upgrade - these will also need to be inserted again. To remedy any problems, try the following procedure:

Under tools > internet options > security tab > click custom for list of options. Make sure all of the items under "downloads" are set to "enable".

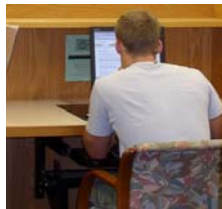
This procedure will need to be done for the "Internet" "Local Intranet" and "Trusted Sites" zones.

For more information on this matter, please contact Michelle Cosby (mcosby@law.miami.edu) or visit <http://lawschool.westlaw.com>.

Continuing Student Access Cont.

If you take no action, your account will be limited to career information as of June 1, 2007.

Westlaw passwords will remain active over the summer for up to two hours of research each month. Students can extend access to full access over the summer if they have a valid educational need under one of the following provisions: Taking summer classes; Law review member; Moot court member; Faculty research assistant; Unpaid non-profit public interest internship/externship; or Pro bono work required for graduation. For full access, register at <http://lawschool.westlaw.com>. Log into Westlaw and look for a button on the right hand side that says "Need Westlaw this Summer."



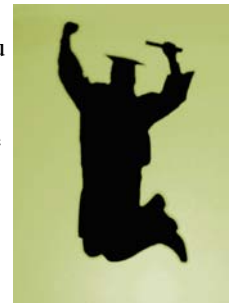
Continuing law students have off-campus access to the **subscription databases** (<http://library.law.miami.edu/databas.html>). Once a student clicks on a database listed on the page above, he/she will be prompted to log-in. The user name and password are the same as the ones used to log into the law school network.

Updated information on summer access will be posted on the web (<http://library.law.miami.edu/lexwest.html>). For questions about Lexis and Westlaw access, please contact Michelle Cosby (mcosby@law.miami.edu or 284-3307).

Graduating Student Access Cont.

Westlaw has not provided information on access for graduating students. If you are a graduating student still working on an assignment, please contact Michelle Cosby at mcosby@law.miami.edu to see if an extension can be arranged.

Loislaw gives graduating students access for six months after graduation. It does require registration using a Special Access Code. To find the access code from a non-Law School network computer, go to the Subscription Database (<http://library.law.miami.edu/databas.html>) page; click on "special access code next to Loislaw, and use the same login that you would use on computers on the Law School network. Loislaw includes statutes, administrative code, court rules and cases for state and federal jurisdictions and more.



United States Flag Law

Virginia Templeton

Most aspects of the law of the United States flag concern the First Amendment of the United States Constitution which guarantees freedom of speech, religion, and peaceful assembly, and the Fourteenth Amendment which includes the guarantee of equal protection of the law.



Local ordinances and state laws can have an effect on the practice of flag law. For example, even though burning the Flag is protected by freedom of speech, outdoor burning of anything can be regulated by local ordinance. The right to display

the flag can be governed by local or homeowner ordinances that define the size of banners that can be displayed or the pole from which they are hung.

Selected Laws and Statutes

4 U.S.C. §§1 and 2 (2000) describe the lawful design of the flag.

4 U.S.C. §3 (2000) outlines the use of the flag in advertising in the District of Columbia.

4 U.S.C. §4 (Supp. 3 2003) gives the text of the Pledge of Allegiance and the manner of delivery for persons in civilian clothes and persons in military uniform.

4 U.S.C. §§5-10 (2000) gives the law for displaying the flag.

Freedom to Display the American Flag Act of 2005, P.L. 109-243. This is to ensure that homeowners' associations cannot make rules that say residents cannot display the flag.

Fla. Stat. §256 (2006) describes the proper display and treatment of the United States', Florida and Confederate flags.

Fla. Stat. §718.113(4) (2006) and §720.304 (2) (2006) which say that a condominium owner or a homeowner has the right to fly the United States flag on national holidays that is no larger than 4 ½ feet by 6 feet.

Select Cases

Coleman v. Miller, 117 F. 3rd 529 (11th Cir.1997). The display of a state flag on state property that includes a reproduction of the battle flag of the Confederate States of America does not violate an African-American citizen's right of equal protection under the 14th Amendment or the First Amendment protection of free speech.

Sherman v. Community Consolidated School District 21 of Wheeling Township, et al., 980 F. 2d 437 (7th Cir.1992). Public schools can lead the Pledge of Allegiance daily with-

out violating the First Amendment if the students' participation were voluntary and not required.

Texas v. Johnson, 491 U.S. 397 (1989). A conviction for flag desecration is inconsistent with the First Amendment, and a state cannot justify prosecution of a defendant in order to prevent breaches of the peace or to preserve the flag as a symbol of nationhood and national unity.

United States v. Eichman, 496 U.S. 310 (1990). The Flag Burning Act of 1989 which criminalizes the act of "knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground or tramples upon" a United States flag except when disposing of a "worn or soiled" flag violates the First Amendment.



West Virginia State Board of Education v. Barnette, et al., 319 U.S. 624 (1943). The state cannot require persons to salute the flag.

For additional cases on the flag, try West's Digest under the topic United States; key number 5.5 (or 5 1/2), or on Westlaw under topic/key number 393k5.5.

Books

The Law Library has several books on the laws that affect the Flag all of which are in the Treatise Collection: *Burning the Flag: the Great 1989-1990 Flag Desecration Controversy*, by Robert Justin Goldstein (CR113.G568 1996), *The Constitution and the Flag* edited by Michael Kent Curtis, 1993 (KF4772.A7C66 1993 2 vol.), *Desecrating the American Flag: Key Documents of the Controversy from the Civil War to 1995*, edited by Robert Justin Goldstein (KF5150.D47 1996), *The Flag and the Law: a Documentary History of the Treatment of the American Flag by the Supreme Court and Congress*, compiled by Marlyn Robinson and Christopher Simoni (KF5150.A7 F56 1993 4 vol.), and *Flag Burning and Free Speech: The Case of Texas v. Johnson*, by Robert Justin Goldstein (KF224.J64 G65)

Articles

To find articles indexed by Index to Legal Periodicals on Westlaw or Lexis, use the terms: American or "United States" & flag. To find ALR annotations on Westlaw, use the search, ti(American "United States" & flag).

Articles of interest include:

I. Bennett Capers, *Flags*, 48 *How. L.J.* 121 (2004).

Michael J. Henry, *Student Display of Confederate Flag in Public Schools*, 33 *J.L. & Educ* 573 (2004).



Library Hours



Exam/Reading Period Hours

(April 26th-May 13th)

	Library	Reference
Mon.-Thurs.	7:00am-3:00am	8:00am-10:00pm
Fri.	7:00am-3:00am	8:00am-6:00pm
Sat.	8:30am-3:00am	10:00am-6:00pm
Sun.	8:30am-3:00am	Noon-8:00pm
May 14th	7:00am-Midnight	8:00am-10:00pm

Summer Session (May 15th-July 18th)

	Library	Reference
Mon.-Thurs.	7:30am-Midnight	8:00am-10:00pm
Fri.	7:30am-10:00pm	8:00am-6:00pm
Sat.	8:30am-10:00pm	10:00am-6:00pm
Sun.	9:00am-10:00pm	Noon-8:00pm

The Law Library will be closed on May 28th for Memorial Day. The Law Library will close at 9:30pm on July 3rd and remain closed on July 4th for Independence Day.

For the remaining schedule visit the Law Library's web page: <http://library.law.miami.edu/info.html#hours>.

Miami Herald Online

With a recent change in the Miami Herald licensing on Westlaw, we no longer have access to the Miami Herald database (MIAMIHD) with our academic subscription. We do have access, however, to the Miami Herald on Westlaw through the Florida Papers (FLNP) database. If you want to limit this database to search only the Herald, include in the search SO("miami herald"). Coverage in the FLNP database begins with 1983.

The Miami Herald is also available through Richter Library (http://www.library.miami.edu/search/eresources/infosheet.php?service_id=293). The coverage extends from 1983-date. Recent articles are available on the Miami Herald's web site: <http://www.miamiherald.com/>. The Herald is not available on Lexis.

Why Is the Library Catalog Named Baron? Mark Plotkin

You probably know that the Law Library's catalog is named Baron. Did you ever wonder why? This is in honor of Baron de Hirsch Meyer, the same gentleman for whom the Law School buildings are named and whose picture is located in the Law Library lobby.



Mr. de Hirsch Meyer was a local philanthropist and University Trustee. He was a major contributor to the first permanent location for the law school (what is currently the first two floors of the A wing, the C wing, and the first two floors of the D wing of the Library). Prior to this, the Law School had resided in several off-campus locations and in the Merrick Building on campus. The "New Law Building" was completed in 1956. Can you see our present Law School in the skeletal beginnings of 1956?

Law Reviews Cont.



The free journals generally do not go back before the mid 1990's. So, for articles earlier than that, you will still have to use Lexis, Westlaw or HeinOnline (if you have access to them) or come to the Library to use the print journals.

For a more comprehensive list of all law journals, try USC's listing: <http://law.usc.edu/library/resources/journals.cfm>. Jurist (<http://jurist.law.pitt.edu/lawreviews/>) also has an extensive list of law reviews.

Law Library News is a publication of the University of Miami Law Library. It is published bi-monthly except for June/July.

Law Library News is also available on the Law Library's web site (<http://library.law.miami.edu/news.html>).



Send all comments and contributions to Virginia Templeton at vtemplet@law.miami.edu or 284-1927.

Library Directory

■ Circulation & Reserves	284-3563	■
■ Reference Desk	284-3585	■
■ Automated Operator	284-2250	■
■ Administrative Office	284-2251	■
■		
■ Other University Libraries		
■ Richter Circulation	284-3233	■
■ Richter Reference	284-4722	■
■ Medical Library	243-6403	■
■ Marine Library	361-4060	■