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Mcgrath Wins Chancellor's Award in Librarianship/Two New Research and Writing Instructors

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McGrath wins Chancellor's Award

Ellen T. McGrath, an associate librarian in the Charles B. Sears Law Library, was one of six University at Buffalo faculty members, two librarians and four professional staff members to receive 1998 State University of New York Chancellor's Awards for Excellence from SUNY Chancellor John W. Ryan.

This year marks the 25th anniversary of the Chancellor's Awards and the 50th anniversary of SUNY. Each Chancellor's Awards recipient receives an inscribed certificate and a cast bronze medallion.

The Chancellor's Award for Excellence in Librarianship recognizes "skill in librarianship; service to the campus, the University and the field; scholarship and professional growth, and major professional achievements."

"I am honored to receive this award, particularly in this special anniversary year," said McGrath. "It is very gratifying to receive such recognition for my contributions to the field of librarianship, which I enjoy so much. I owe many thanks to my colleagues in the Law Library, the University Libraries, and the law libraries across the country, for their generous advice and assistance."

McGrath, who came to UB in 1987, was promoted to associate librarian in the UB Law Library in 1993. She currently serves as head of cataloging, responsible for the administration of the Cataloging Department. McGrath served as project manager for the LEXIS database cataloging project, funded through a grant from Mead Data Central, Inc., from 1989-1991. She has also supervised practica and special projects for students in the UB School of Information and Library Studies.

McGrath authored the monograph Guidelines for Cataloging the Files Available Through LEXIS, which was published by the American Association of Law Libraries (AALL) in 1992. She has published two articles in the refereed journal Cataloging & Classification Quarterly and has contributed book reviews to the journal RQ. McGrath has presented a number of invited papers on various aspects of legal cataloging issues and she co-edits regular columns in the quarterly newsletters Technical Services Law Librarian (TSLL) and ALLUNY Newsletter. She has served on the editorial board of TSLL and currently sits on the editorial board of MCJOURNAL: The Journal of Academic Media Librarianship.

McGrath is an active member of numerous law library and library organizations. She was elected member-at-large of the Online Bibliographic Service Special Interest Section of the AALL in 1997 and she was recently appointed to the AALL Call for Papers Committee.

McGrath's other memberships include the Technical Services Special Interest Section of the AALL, the Association of Law Librarians of Upstate New York (ALLUNY), the America Library Association, the Online Audiovisual Catalogers, the North American Serials Interest Group, and the State University of New York Librarians Association.

A world of experience

Johanna Oreskovic comes home to teach

Johanna Oreskovic, a new instructor in Research and Writing at UB Law this fall semester, took the latter path to her office on the seventh floor of John Lord O'Brien Hall. A Western New York native, she has taught English, history, psychology and humanities in places as diverse as Switzerland, England and St. Louis. For Oreskovic, law is the culmination of a wide range of academic studies that includes advanced degrees in history and school counseling.

"I thought about law school for a long time," Oreskovic said. "I kept putting it off. Then, at a certain point when I was in St. Louis, working as an instructor and the director of guidance at a preparatory school, I decided it was now or never."

She returned to UB, where she had done her undergraduate work and earned a master's degree in school counseling, and started by the Law School. "I sat in on one of Betty Mensch's classes," she said. "That did it for me. It was wonderful. But as it turned out, once I was in law school I never had a class with her." No matter — in 1997 she graduated magna cum laude having served as book review editor of the Buffalo Law Review and research assistant for Professors Alfred Konetsky, David Engel and Frank Munger.

"What I really liked about the Law School," she said, "was the broad, interdisciplinary focus that paid attention to other fields of study. It was interesting, exciting and challenging."

Oreskovic noted that there are points of commonality between her previous studies and jobs, and the study and practice of law. The law evolves, for example, in a historical
context in response to the concerns of the time.

Oreskovic said hers was the first class to benefit from the Research and Writing program. She speaks with enthusiasm about what the two-semester course for first-year students can accomplish.

The course's first semester focuses on predictive writing, she said, such as a memo that analyzes possible arguments and counterarguments in a case. "This is immediate, hands-on exposure to what lawyers do," Oreskovic said. "Students learn to write in a way that conveys information clearly and precisely, because in practice they will be writing for very busy people." The second semester, she said, focuses more on persuasive writing, such as a brief or argument that goes before a court, and advanced research techniques, including more computer database work.

Oreskovic's own writing includes a just-published article: "Capturing Volition Itself: Employee Involvement and the Teamwork for Employees and Managers Act," in the Berkeley Journal of Employment and Labor Law. She continues to work part time in the litigation department of the Buffalo-based law firm Hodgson, Russ, Andrews, Woods & Goodyear — a position that demands just the kind of writing she is teaching to her first-year law students.

"Writing is hard work," she acknowledged. "It is not something that comes easily or naturally to most people, myself included. It is not unusual for me to go through four or five drafts of a brief."
my own opinions on international human rights law.

"I also recall Professor Guyora Binder's International Law and Theories of Justice classes as significant educational experiences," she adds. "I found the UB Law faculty supportive, willing to explore the law contextually and from a student's perspective.

"Harvard Law School has been a profound experience for the resources it, and the wider University, offer," says Hilal. "The HLS graduate program is internationally diverse, which provides many learning opportunities outside the classroom.

"Yet, I miss the decentralized orientation of UB and its strong and unique culture of inquiry."

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**Hard wired**

**David R. Koepsell**

**thinks about cyberspace**

The year was 1990, and David R. Koepsell was working as a confidential clerk in the office of former New York State Attorney General Robert Abrams. The office was awash in activity. It was in the midst of State of New York v. Hooker Chemical — the famous "Love Canal trial," in which the state sought to hold the chemical company responsible for enormous environmental damage to that Niagara County neighborhood. There were thousands of exhibits, perhaps tens of thousands of pages of technical documents.

Koepsell, who has just joined the faculty of UB Law School as an instructor in the Research and Writing program, knew something that few people in legal settings knew about at the time. Having grown up fooling around with such early machines as the Commodore 64 and the TRS-80, he knew how to work a computer.

"My computer expertise was a novelty then," he said. "We had these luggable computers, big, bulky things, that we would haul back and forth to coordinate the exhibits with the office."

But the young intern took away from that experience something as valuable as he brought to it. "It was exciting because I got to watch these great lawyers and this really interesting trial," he said. "That was when I realized that I wanted to go to law school. I truly believed in what the attorney general's office was doing, and I greatly admired the attorneys doing the work.

So Koepsell, who was Phi Beta Kappa in political science and English at UB as an undergraduate, entered UB Law School — and for one brutal semester, found himself at sea.

"One of my motives now in teaching," he said, "is trying to keep people from experiencing the utter horror I experienced when I didn't know what I was doing. Nowhere but in law school do you have to use these very specific skills." And this was before the advent of the Research and Writing program, he notes, so he had to figure some of those skills out on his own.

One thing that happened was his decision to enter a dual degree program with the Department of Philosophy. "It turned out to be the sort of thing I could study and take in any direction I wanted," he said. Naturally, his newly trained philosopher's mind turned to computers and their networked extension, the newly coined "cyberspace."

The course of study that became his dissertation concerned the ontology of cyberspace — thinking about the nature of the Internet and what sort of reality it possessed. "One of the things that concerned me was, is the Internet a physical place? I wanted to develop a real understanding of what cyberspace is so that our decisions about how to manage it can be based on that reality. I started pulling up cases having to do with cyberspace, and I started realizing that the law has developed a rather naive or crude idea of cyberspace." For example, Koepsell said, a seemingly simple question — Is computer software an expression and thus copyrightable, or an invention and thus patentable? — opened a bee's nest of possibilities and conflicting interpretations by different courts.

Such a question is important, he said, because "we are now suffering the consequences of increased litigation" related to such issues as corporate attorneys work to protect their companies' interests in the face of unclear or conflicting laws. The cost of such litigation even can drive smaller companies out of business, Koepsell said. "It is a real-world problem," he said.

Koepsell earned the J.D. in 1995 and the Ph.D. in philosophy in 1997, and his interest in cyberspace issues continues. He is seeking grant support for a new Center for Legal Ontology at UB, and is working on a research project called "Software and Intellectual Property: A Pilot Investigation in Legal Ontology," which addresses the contentious "browser wars" between Microsoft's Explorer program and Netscape's Navigator.

As for Research and Writing, Koepsell says it is a course that he hopes will help his students through the rigors of the first year of law school. "I wish there had been a program like this when I was in school," he said. "It is a lot less frightening being on the other side of the lectern."