



TO THE BAG

INSTALLMENTS

To the *Bag*:

You might have gotten away with this before, when I wasn't paying attention, but not this time. No way. It's a wonderful piece, but Jeffrey Orenstein's "Joseph Almeida: Portrait of a Privateer, Pirate & Plaintiff, Part I" (*Part I!*) goes on for 17 pages with 48 footnotes. I have to believe that, even with your newly small pages and the copious illustrations, the article as a whole – including parts II through VIII – will contain more than 5,000 words. And I'm certain the whole thing will have more than 50 footnotes. Cutting this episode off at 48 was just too obvious.

Those numbers are important because, in the masthead (the really small print at the front of each now very small issue), you say you "welcome anything interesting, law-related, well-written and short (*no more than 5,000 words, including no more than 50 footnotes*)" (emphasis added). The *Bag* website is even blunter, and in larger type: "meaning no more than 5,000 words and 0 to 50 footnotes (which count against your 5,000)." No matter how much treasure is buried in Mr. Orenstein's footnotes, his opus will clearly exceed the *Bag* limits.

Are we now to assume that every 200-page manuscript might be a multi-part *Bag* series, with each piece (of eight) crafted to fall within the 5,000-word, 50-footnote limit? We tax lawyers have a way of analyzing a series of supposedly discrete events, the step

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transaction doctrine, and the Orenstein steps lead in one direction only: way off the plank in your editorial platform.

I realize you don't say explicitly that you won't publish longer pieces – you just “welcome” shorter ones – but then why use precise language (*no more than*) if you don't really mean it? Please reassure readers that the *Bag* hasn't been captured by the Burberry pirates that occupy the nation's capital, finding a right of piracy in the penumbras of the submission rules.

Very truly yours,

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P.S. Feel free to divide this letter into three parts and spread it over three issues.

PAPER IS NOT A DRAG

To the *Bag*:

There are few things more pathetic than a librarian trying to defend old-fashioned paper books. We do have our fans among the lay public, who fancy themselves curmudgeonly and “luddite,” and therefore capable of identifying with desperate law librarians who are striving to defend their livelihoods. Indeed, while I do find myself self-conscious about arguing for print as a viable media in the future, I do not do so as a curmudgeon, or as a luddite. I do so as a librarian, as a pragmatist dedicated to saving the information of today and yesterday for the scholars of tomorrow.

I just finished reading Bob Berring's wonderful essay in the current issue of the *Green Bag*, “Losing the Law.” 10 GREEN BAG 2D 279. It's worth the read.

Bob does an excellent job of pointing out a crisis that's occurring right now in our system of legal information. In a nutshell, he explains that a recent AALL survey has shown that states, in their rush to digitize everything imaginable, (because, as he says, “Print is a drag”) have failed to preserve the law. States are so excited about not having to print anything, they are ditching it right and left. But