

Free books and more!

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EXCEPTIONALLY APPEALING

We've made another circuit around the sun and now's the time of year for gift-giving. Our tradition at Exceptionally Appealing is to reward loyal readers with a tangible benefit each December. Last year's column, "Free Money!," outlined how to recover money being held for you by using the state's [Unclaimed Property database](#). Today is a great day to revisit that site and see if there's anything waiting for you (or your friends, clients, law firm or loved ones). Free money is always a great way to spread extra holiday cheer. But demanding readers complain that this treat is so last-year, and greedily want to know what new present awaits. Well, here goes.

Remember Books? Appellate-types are truly people of the book. We're the sort of lawyers who enjoy reading and spending time in libraries. Of course bibliophilia is not limited to those who toil in the appellate practice fields -- lawyers of all stripes may be similarly smitten. And we all love getting things we love for free.

Now, this column will not enable you to get free physical books. But books as tangible objects are way too 20th century (and just take up space) anyway. If it's a real book you're looking for, then try the aptly named [The Last Bookstore](#), in downtown L.A. Its tag-line is "What are you waiting for? We won't be here forever." They got that right. Like it or not, the modern way to read is to download material to an electronic phone, tablet or other computerized gizmo. Just as Chevy Chase's unforgettable character, Fletch, proclaimed, "Awww, come on guys, ... it's all ball bearings nowadays" ("Fletch" (Universal Pictures 1985)), when it comes to reading, it's all e-books now. (Yes, I've also cited to "Fletch" in a brief, in a footnote. It was totally on point. If you haven't watched it lately, it holds up. There's a gift for you!)

Where Are You Getting Yours? "No duh," you yawn. Everyone is already familiar with buying and downloading e-books from a plethora of commercial vendors. But wouldn't you like to drop that "buying" business and get your e-books for *free*? (There's only one correct answer to that question.) There is indeed a super fabulous (and legal) way to do that. And if you don't know it, then "no duh" back atcha.

Check Out Your Library. The odds are extremely high that your local library -- city or county - - provides digital platforms for downloading e-books. The same e-books you may be spending money to get now. Most library e-media/digital content collections are vast, and, of course, they're free.

OK, technically using your public library is not "free," because your taxes are funding the library system, including the on-line collection. But, a fortiori, that's all the more reason to use your library -- you're already paying for it!

Not Rocket Science. Typically all you need to do is follow a simple three-step process. First, download whatever app your library uses: probably Overdrive or Libby, or perhaps RBDigital, Hoopla, SimplyE, or one of many others. Second, open the app and input your library and library card number (and PIN). Third, browse, borrow and enjoy your e-books. This can all be done from anyplace you happen to be, without ever needing to visit the library in person to get or return your e-books. The apps return your borrowed e-books automatically (and often will allow

you to renew books, and put holds on books, as well). This is so easy and so supremely awesome that if you're not doing it, you're really missing out. What's so amazing about this is not how great and easy it is, but how so few people seem to be aware of it.

But Wait, There's More! No, not the Ginsu II. (If you want a knife that can cut through a can, you'll still need a physical object for that. There's not a downloadable laser app for your phone, yet.) Actually, the "more" here is a lot better than that. Easy downloading of digital content does not just include reading material like books, newspapers and magazines. (Yep, you can cancel some of your paper subscriptions and start getting a lot of what you're probably reading now for free online.) Overdrive and the other apps typically allow you to download what we used to call books-on-tape, now just called audiobooks. If you're not downloading free audiobooks, you're missing out. You're also behind the times: "While print and e-book sales have either declined or remained stagnant, audiobook sales have doubled every year for a decade." Austin, "[I'd Rather Read With My Ears](#)," Wall St. J. (Aug. 18, 2019). Imagine how much better your commute will be, listening to anything you want from the vastness of your library's collection.

And then there's all the free music. Apps like Hoopla and Freegal allow you to download and listen to music using your library card. Freegal is particularly astounding because in addition to being able to stream songs and playlists and watch music videos, you can also download songs to keep. (The catch is that you can usually only download a set number of songs per week. But five free songs a week beats zero free songs.)

Not enough for you? What else do you want, movies and TV shows? OK, fine, you get that too! Most of these free apps (like Overdrive and Hoopla) have access to massive amounts of video entertainment as well. And many library cards allow access to Kanopy, a video streaming app with over 30,000 feature films and documentaries. And let's not forget comic books -- pardon me, I mean "graphic novels." Overdrive and Hoopla provide access to those too. Did we mention this is all free?

Isn't There a Catch? No, there really isn't. Look, you're already paying for all this with your taxes, so why not use it? One drawback is that you will sometimes need to wait for the material you want to become available, depending on which platform you're using. But you can create a "wish list" of items, and then your selections will eventually be checked out to you automatically. If you absolutely must have the book you want this very instant, then purchasing may be the best way to go -- assuming you've already confirmed that it's not available for free immediately.

The only ones "suffering" from all this free content are publishing companies. *See* Trachtenberg, "[Library E-Book Lending Poses Rising Problem for Publishing Industry](#)," Wall St. J. (July 25, 2019). Macmillan's chief executive has complained: "Library reads are currently 45% of our total digital book reads in the U.S. and growing." Thus, Macmillan plans to limit the number of digital copies of new books licensed to libraries for downloading in the first eight weeks of the book's release. *Id.* Fine. We can wait. Appellate lawyers are used to waiting.

Appellatey Stuff. All of this outstanding free stuff applies to anyone, not just appellate folks, of course. For example, browsing the L.A. County library's collection via Overdrive turns up the

following e-books and audios: Jeffrey Toobin's "The Nine" and "The Oath"; Justice Sandra Day O'Connor's "Out of Order"; "Sisters in Law"; Justice Stephen Breyer's "Making Our Democracy Work; Scalia's Court" and "Scalia Speaks"; Justice Sonia Sotomayor's "My Beloved World"; Justice John Paul Stevens' "The Making of a Justice" and "Six Amendments: How and Why We Should Change the Constitution"; Akhil Amar's "The Law of the Land" and "The Constitution Today"; Chemerinsky's "The Case Against the Supreme Court"; The Great Courses' "History of the Supreme Court" by Professor Peter Irons; Mollie Hemingway and Carrie Severino's "Justice on Trial: The Kavanaugh Confirmation and the Future of the Supreme Court"; and dozens more legal-related works, histories and biographies galore on famous jurists and lawyers. (Not to mention Susan Orlean's "The Library Book," about the Los Angeles library fire, which features Justice Victoria Chaney in her pre-judicial days.) Too geeky? Then download something else. Your library's online catalog undoubtedly has something to interest you.

Irrefutable Conclusion. You have nothing to lose and much to gain by marrying your smartphone (or tablet) to your library card (or cards, since most platforms allow the use of multiple library cards). As Macmillan's chief executive said: "It seems that given a choice between a purchase of an e-book for \$12.99 or a frictionless lend free, the American e-book reader is starting to lean heavily toward free." To which we all say "no duh." Check it out. n

Benjamin regularly downloads materials from six different libraries. Exceptionally Appealing appears the first Tuesday of the month and addresses exceptions to general rules. Manatt Associate Mario R. Cardona already knew about all this, of course.