

2-28-2018

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Recommended Citation

Ludington, S. (2018). Oregon's County Law Libraries: Providing Legal Information and Reference Assistance Across the Miles. *OLA Quarterly*, 23(3), 17-28. <https://doi.org/10.7710/1093-7374.1905>

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OLA Quarterly is an official publication of the Oregon Library Association | ISSN 1093-7374

Oregon's County Law Libraries:

Providing Legal Information and Reference Assistance Across the Miles

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Sue has been the Assistant Law Librarian at the Washington County (OR) Law Library since 2013. She earned her MLIS from the University of Washington in 2002, and entered law librarianship after 10 years in public libraries as a teen services librarian. She is a strong advocate of the access to justice movement and is passionate about empowering library workers from diverse backgrounds to confidently serve the legal needs of their patrons. When not librarianship, she enjoys hiking, crossword puzzles, beer, local politics, and live music.

NOTE: *Sue has recently accepted the Law Librarian position for Lane County, Oregon. She will leave Washington County at the end of February 2018 to embark on this exciting new challenge!*

Law libraries have long served a variety of constituencies ... (and) play an important role in making the judicial system more user-friendly and accessible ...

—RICHARD ZORZA

*The Sustainable 21st Century Law Library:
Vision, Deployment, and Assessment for Access to Justice*
April 2012

Introduction

In Oregon, all 36 counties are statutorily required to “operate a free law library that is convenient and available at reasonable hours; or provide free law library services at one or more locations that are convenient and available at reasonable hours” (Or. Rev. Stat. § 9.815). County law libraries have been around for more than a century in Oregon; however, what those libraries look like today and the depth of services or resources they offer vary dramatically statewide. In rural and small counties, especially, there may be limited (or nonexistent) resources, physical space, and staffing. Despite the challenges, many counties outside the Portland metropolitan area are striving to meet—and succeeding!—the legal information needs of both attorneys and non-attorneys through non-traditional service models, targeted outreach, staff training, and other endeavors. As a result, these libraries are helping to further “access to justice,” a national movement to ensure that everyone, regardless of economic means, has equitable access to the justice system, which includes legal protection, legal awareness, and legal counsel (United States Institute of Peace, 2009).



History

The first county law library in Oregon was Multnomah Law Library (MLL), which was incorporated in 1890 as a subscription library by a group of Oregon lawyers and set up inside the “Library Room” of the county courthouse (Multnomah Law Library: History, n.d.). By 1927, the Legislature had formally authorized the establishment of county law libraries: counties could pass a resolution declaring that they maintain and operate a law library “available at all reasonable times to the use of litigants, and permitted to be used by all attorneys at law duly admitted to practice in this state, without additional fees to such litigants or attorneys” (Or. Rev. Stat. § 9.840, repealed 2011), which directed the county clerk to collect fees for this purpose.



Old Multnomah County Courthouse circa 1900.

From Jacque Jurkins, renowned MLL law librarian from 1964–2014: “Historically, in the more populated jurisdictions, the county maintained a law library for public use, staffed with a professional law librarian, as well as a separate judge’s library. In less populated counties, the law library was often a small collection of books located in or near the judge’s chambers or courtroom with the judge’s staff performing the duties of librarian” (Jurkins, 2008).

From 1927 to 1963, counties collected a portion of court filing fees to financially support a public law library. From 1965 to 2007, the Legislature would set the amount law libraries could collect; beginning in 1997, that amount was reduced with each subsequent biennium. Reductions were the result of a number of issues, including increased costs of the judicial system, the loss of federal funding for legal aid, the integration of circuit and district courts, and a filing fee increase that resulted in a favorable law library increase, which was argued as unjustified.

In 2011, the Legislature amended the law library statutes so that instead of receiving a percentage of court filing fees, counties would receive an appropriation at the start of the biennium to be used “for the purposes of funding the operation of law libraries or of



providing law library services” (Or. Rev. Stat. § 21.007). The specific appropriation amount is loosely based on the typical number of court filings for each county, which, by extension, reflects the county’s increasing or decreasing population. Appropriations continue today, with the 2017-19 biennium amounts ranging from \$1,226.00 [Wheeler County] up to \$1,821,511.00 [Multnomah County] (Oregon Judicial Department, 2017).

Current Trends

It’s true that many of Oregon’s non-metropolitan counties have extremely limited public law library resources and services. Nevertheless, several are striving to stay abreast of their community’s legal information needs and are finding innovative ways to meet those needs. Some are stand-alone county law libraries, while others share an intergovernmental agreement with their county public library. From the Columbia River to the coast to the southern border, these libraries are making notable efforts to promote public law library services and to connect people with the legal assistance they require. Without a doubt, there is most certainly an opportunity for improvement in the delivery of legal reference and assistance around the state, an issue that will be addressed later in this article. However, such impressive leaps have been made in the last two years from some corners that *those* successes deserve to be acknowledged first!

Columbia County

After water damage turned the 70-year-old Columbia County Law Library (CCLL), located in St. Helens, into a dark, moldy, unstaffed, and unused space, local attorneys pushed for revitalization. In 2014, county leaders hired an attorney and a resource librarian to plan the library’s future, which ultimately included revamping the law library interior and upgrading equipment. Most significantly, CCLL adopted a new mission to become the legal resource center for *all* county residents, ensuring that everyone receives help regardless of economic means.



Front entrance of CCLL.



Interior view of CCLL.

Today, former practicing attorney Pam Davis serves as the law librarian for the redesigned library, which is housed down the hall from Legal Aid in a building one block from the county courthouse. Open to the public two days a week (and 24/7 to attorneys), CCLL maintains a healthy legal collection of print and electronic resources, in addition to offering computers and internet access, printing/scanning tools, and meeting space.

Early on, Pam reached out to Margaret Jeffries, St. Helens Public Library (SHPL) Director, seeking partnership and collegial support. Margaret subsequently invited Pam to take part in countywide public library staff meetings (which include Vernonia and Scappoose libraries), and Pam leaves behind plenty of business cards so public library employees can inform patrons about the expert assistance available at the law library. SHPL has devoted a large bulletin board outside the doors of the public library for the law library to use, where brightly-colored flyers and brochures advertise public law library services and upcoming programs.

And what programs! In early 2017, Pam launched a monthly series of free legal programs for the public hosted at the law library. Collaborating with the Columbia County Bar Association, Pam recruits volunteer lawyers to present on common legal issues such as neighbor disputes, parent and grandparent rights, custody, and bankruptcy. The evening programs have seen anywhere from 5–35 attendees and, although the attorneys do not dispense legal advice, they attempt to respond to audience questions in a meaningful and practical way. The programs have garnered significant positive community feedback, and Pam is eager for the 2018 speaker lineup. “Attendees have welcomed the opportunity to learn about various legal topics in this informal setting, and to have their questions answered by local experts. It’s a terrific way of achieving our goal of providing access to justice,” she says with pride (P. Davis, personal communication, November 14, 2017).



Klamath County

The Klamath County Law Library (KCLL) is a county-administered agency that is physically housed within the Klamath Falls Main Library branch of the Klamath County Library Service District (KCLSD). The law library—a collection of core legal resources, pre-printed forms, and seating inside a dedicated space in the public library—maintains distinct staff and hours from the public library. The Library Services District made the agreement with Klamath County back in 1993 when an earthquake destroyed the county courthouse. Because plans for the new courthouse did not include funds or space for a law library, county leaders had to seek a more efficient model, and the partnership was formed.

Senior Law Library Assistant Amy DaSaro has overseen the law library for more than four years and believes the integrated relationship with the public library is mutually beneficial. She explains, “Being inside the public library makes our law library less intimidating to the general public than if we were inside the courthouse. We also offer better accessibility with more open hours than the courthouse. Although law library staffing is part-time, the public can utilize the legal research collection whenever the main library is open” (A. DaSaro, personal communication, November 16, 2017).

One of the most well-received services that KCLL provides is pre-printed and stapled packets of court-sanctioned legal forms, including those for domestic relations matters (e.g., divorce, parenting plans, name changes), civil matters (e.g., tenant eviction, small claims), and probate (e.g., small estates). Offering these packets in the law library serves as a secondary access point for residents who may not be able to print the forms from home or purchase them at the courthouse during open hours. Fees are minimal and, although staff cannot assist patrons in filling out the forms, they can provide direction to specific resources and referrals that may help with completing necessary tasks.



Interior view of KCLL.





Patron and law packet at KCLL.

Most recently, KCLL has begun a “Lay Person Legal” public program series. The hour-long programs are held the third Thursday of select months in the public library meeting room and presented by local attorneys or Klamath County’s Trial Court Administrator. The very first program, offered in spring 2017 on landlord/tenant law, drew a crowd of nearly 50 attendees! Other topics covered have included personal injury, marijuana law, and estate planning. The public library provides all of the promotion via local media, the library’s newsletter, and publicity flyers in all branches of the KCLSD.

The continued professional support and advocacy from the Klamath County Library Advisory Board, the Law Library Advisory Board (which includes the KCLSD Director), and the County Bar Association have played an integral role in the success of these programs. Perhaps a major advantage of rural and less-populated counties is the ease with which these types of organizations can work together so effectively, since professional and personal relationships often overlap. As a result, basic yet concrete outcomes are established, and implementation is often swift and fruitful. Amy is excited about KCLL’s future and, working together with the KCLSD staff, is looking ahead to respond to some of the more pressing legal needs of the community, particularly concerning access to justice, in a respectful and efficient manner.

Tillamook County

Tillamook County Library (TCL) Director Sara Charlton was first approached by county leaders in 1994, asking about the possibility of her library system assuming responsibility for county law library services. Up until then, the law library was located in the courthouse basement, and no one could get in without an appointment. Sara initially declined but,



after the public library moved to a larger building, she finally agreed. “Before, we didn’t have sufficient room to house the law library collection in the library’s original building, but the increased space at our new location made it possible,” she explains (S. Charlton, personal communication, November 17, 2017). In 2011, county officials negotiated an agreement that directed the county law library appropriation to the public library.

Over the last six years, Sara and her staff have created a quiet and dedicated space for law library research on the second floor of TCL’s main branch in downtown Tillamook. During her 25+ year tenure, Sara has remained a steady advocate for her community’s information needs. Once the public library took over county law library services, she confidently assumed direction and sought ways to expand those services—through staff training and resource-sharing—to county residents. As illustrated in other counties with smaller communities, productive networks between different groups are often simpler to achieve. This is certainly true in Tillamook: After the law library moved to the public library, it wasn’t difficult to promote its new location, as many county administrators, county bar association leaders, public library employees, and library board members know each other and have established relationships as business partners, neighbors, and even spouses!

The law library space contains an annotated collection of the Oregon Revised Statutes, a vital tool for legal research; *Oregon Laws* and related legislative publications; and a computer from which users can access Lexis Advance, a primary legal subscription database (and the main expenditure for Tillamook’s appropriation). The law library room is accessible to both attorneys and non-attorneys during the library’s open hours; further, public library staff received formal Lexis Advance training in 2016 and consequently gained enhanced skills in providing basic assistance to researchers.



Interior view of TCLL.



TCL staff took concerted steps to refine the legal collection a couple years ago, soliciting guidance from other law librarians regarding weeding and future acquisitions. In 2016, library employees enthusiastically agreed to a three-hour training on legal research and reference best practices, coordinated by OLA's Legal Reference Round Table with instruction support from the State of Oregon Law Library. Most recently, TCL developed a tri-fold color brochure to improve promotion of law library materials and services. Tillamook was the first public library in Oregon to fully take on the role of providing law library services and, while some residents may choose to make the 60-mile trip to Portland for legal information or assistance, it is commendable that the local public library remains ready and willing to help with their patrons' legal needs as best they can.

Law Library

The Law Library moved to the second floor of the Tillamook County Library in 2013 to offer expanded hours of operation.



Popular legal databases including:

- Lexis Advance
- Fastcase
- LegalTrac
- Legal Information Resource Center

HOURS

Monday through Thursday
09:00 am to 09:00 pm

Friday and Saturday
09:00 am to 05:30 pm

Sunday and Holidays
Closed





Amenities:

- Computer
- Printing, copying and scanning
- Wireless internet access
- Legal databases

Tillamook County Law Library



**TILLAMOOK COUNTY LAW LIBRARY
LOCATED ON THE 2ND FLOOR OF THE
TILLAMOOK COUNTY LIBRARY**

Tillamook County Library
Law Library - 2nd Floor
1716 3rd Street
Tillamook, OR 97141



Phone: 503-842-4792 x 1708
E-mail: sbeeler@co.tillamook.or.us
Website: <http://tillabook.org/>



- 2nd floor of the Tillamook County Library
- 1716 3rd Street, Tillamook OR 97141



**Available Monday
through Saturday**

TCL brochure—Page 1.



Useful Links:

Oregon Judicial Department iFORMS
www.courts.oregon.gov/iforms

Oregon Council of County Law Libraries (OCCLL) County Codes:
www.oregoncountylawlibraries.org/county-codes-charters-ordinances/

Oregon Council of County Law Libraries (OCCLL) Legal Research:
www.oregoncountylawlibraries.org/legal-research/


Tillamook County Library Legal Resources:
tillabook.org/E-Resources/Databases

Popular Databases

- **Lexis Advance:** A computer-assisted legal research aid. Comprehensive legal database with state and federal case law, statutes and regulations. Also includes secondary sources such as law journals, encyclopedias, and treatises.
- **Fastcase:** A legal research tool that will let you search sources of law from Oregon and will help you find exact cases or statutes. Includes case law, statutes, regulations, court rules and attorney general opinions. Free statewide access provided by the State of Oregon Law Library. To use the database you must register for a free account.
- **Legal Information Resource Center:** Featuring the NOLO catalog of legal books as well as sample forms, this is a great place to begin your legal research. The site information will guide you with the log in and password to use.
- **LegalTrac:** Database providing indexing and selective full-text for all major law reviews, law journals, specialty law and bar association journals and legal newspapers.

Database Finder


Category	Databases
F Books and digital media	Fastcase
Education	Legal Information Resource Center
Encyclopedias	LegalTrac
Genealogy	
Health and Wellness	
History	
Kids	
Law libraries	
Legal & Government Resources	
Magazines and Newspapers	
News and Culture	
Reference	



OJD iForms:
online interview-based circuit court forms from the Oregon Judicial Department.


Oregon Revised Statutes:

- Available on-line and in volumes



TILLAMOOK COUNTY LAW LIBRARY
 LOCATED ON THE 2ND FLOOR OF THE
TILLAMOOK COUNTY LIBRARY

Tillamook County Library Law Library - 2nd Floor
 1716 3rd Street
 Tillamook, OR 97141
Phone: 503-842-4792 x 1708
E-mail: sbeeler@co.tillamook.or.us
Website: <http://tillabook.org/>



TCL brochure—Page 2.

What Lies Ahead

As mentioned earlier, many Oregon counties are without adequate public law library services and resources altogether, or they lack trained personnel and the time needed to effectively market and promote the services they do have.

Likely there are reasonable explanations for both scenarios, not the least of which is funding: without sufficient monies authorized by the Legislature each biennium, physical space, collections, and staffing for a county law library are hard if not impossible to establish and maintain. Other factors—such as lukewarm administrative endorsement, minimal demand from an uninformed public (both attorneys and non-attorneys), and an amendment to the statute that allows up to 50 percent of the appropriation to be taken for mediation/ conciliation services, further depleting the law library appropriation—contribute to the erroneous perception that a county law library is an optional public service.

However, the fact remains that each county *does* receive an appropriation of some amount every two years that can ONLY be used for the purpose of providing public law library services. Is every county doing *something* with their funding? Do those efforts competently respond to the statutory charge of “funding the operation of law libraries or of providing law library services”—or not? Are there ways that outside support from other agencies and institutions could bolster the reputation and depth of services of a county’s law library?



Certainly the potential partnership with a county's public library or libraries, officially or unofficially, has proven incredibly successful in many ways. Klamath and Tillamook have been capably offering legal reference service and a collection of law materials for a decade or more. In Central Oregon, upon retirement of the long-term law librarian, Deschutes County officials made headlines when they formally decided to transfer fiscal responsibility of the county law library appropriation—and thus the county's public law library services—to the Deschutes Public Library (DPL) in 2015.

Despite some initial concerns from the legal community about relocating law library services to a public library, DPL has taken county law library services to a whole new level. Already, an Access to Justice (ATJ) Committee has been formed. Comprised of representatives from the court, legal aid, county bar, and general public, the ATJ Committee aims to expand access to civil justice for low to moderate-income people through education, resource development, and enhanced service delivery. This fall, a "Lawyers in the Library" (LITL) program began, at which volunteer lawyers meet with individuals for 30 minutes to discuss a personal legal problem. Nate Pedersen, law library supervisor, reports the weekly program has been widely publicized and, even though county bar members have been quick to take part, demand is far outpacing the service: on average, 25 people arrive to try for the 8-10 slots open each evening. DPL and the ATJ Committee, while elated with the success of the LITL program, are rapidly pursuing strategies to meet the public's expectations. (N. Pedersen, personal communication, November 14, 2017).

Not every county wishes to relinquish the county law library to the public library, however. There are significant hurdles to cross, the biggest often being the fact that "general" reference staff are justifiably reticent to take on the role of "law librarian." Small libraries with limited staff, in particular, may not want the added burden of attempting to provide competent legal reference assistance, which is considerably different from typical reference service and can be intimidating to many public library workers.

For instance, Kate Lasky, director of Josephine Community Library District, expresses sincere gratitude for her county's law library facility and its staff, located in the nearby county courthouse in Grants Pass. She appreciates being able to refer patrons to (now former) law librarian Beecher Ellison, a county employee who served as the part-time law librarian, providing assistance to both attorneys and the general public. Kate asserts, "Without the law library, I don't believe my staff and I would be able to provide the legal information expertise and capable assistance that our community deserves. I wholeheartedly endorse the continuation of a separate law library, and hope that Josephine County continues to invest in its law library and law librarians as a critical resource for taxpayers" (K. Lasky, personal communication, November 15, 2017).

Beyond Oregon, a variety of service models have been planned and implemented with varying degrees of success. Collaboration with public libraries continues to be a sustainable trend, with proven success in California, Texas, Maryland, and other states (Bellistri and Galligan, 2016). Self-help centers, where visitors can get individual assistance with certain court forms and procedures, are becoming more common as well. Often, the public library, county law library, and county court self-help center work in concert to respond to the various and distinct user needs.




Other models include county law library guidance by the State Law Library, such as in Minnesota. In early 1980, its State Law Librarian created a coordinator position for the County Law Library Program (CLLP). The coordinator works together with county law libraries around the state to ensure streamlined delivery of services and efficient use of resources. According to Ramsey County Law Librarian Sara Galligan, having someone who can advise the smaller counties is considered an incredible benefit:

Unlike the metro area county law libraries which are professionally staffed, most county law libraries in greater Minnesota are largely managed by law clerks, court administrative staff, or clerical staff. The Minnesota State Law Librarian and the CLLP Coordinator travel far and wide to assess these outlying locations and make recommendations. Another program largely procured by the metro area county law libraries involves cataloging and classification services; the Minnesota State Law Library offers a low-cost service that not only provides online records for the county library's holdings, but it also integrates the holdings into an online union catalog that enhances resource sharing and collection development. (S. Galligan, personal communication, November 15, 2017)

And still other models will continue to emerge. National organizations such as the Self-Represented Litigation Network ("Self-Represented Litigation Network," n.d.) and their Law Librarians Working Group ("SRLN Working Groups," n.d.), along with the American Association of Law Libraries' Government Law Libraries Special Interest Section ("Government Law Libraries Special Interest Section," n.d.) are actively sharing ideas for potential new partnerships, funding sources, marketing plans, legislative strategies, and access to justice achievements, among other pursuits. Oregon lags a bit compared to progress made in other states, but if its county law librarians and supporters maintain their devotion, incredible strides in the coming years are predicted.

Conclusion

Oregon county law libraries have a long, well-established history of skillfully providing legal research information, reference assistance, and referrals to the public, lawyers and non-lawyers alike. More than ever before, small and rural county law libraries are discovering and devising innovative ways to make big impacts on their community's legal information needs. Nevertheless, significant room remains for growth and improvement. It is hoped that this article inspires some readers to investigate the public law library services currently offered in their own county, to evaluate the quality of those services, and to brainstorm ways in which the services could be improved or more widely appreciated and supported.

Want more? Attend the 2018 OLA Conference in Eugene, and hear first-hand about these and other successful efforts happening in Oregon counties. And watch for this article's author's future contributions towards the publication of a real, live book on the history of Oregon's county law libraries! (Who knew writing about county law libraries for the *OLA Quarterly* would inspire such projects?) 



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