

W. G. A.

AGENDA COVER MEMO

Memorandum Date: April 2, 2008

Order Date: April 16, 2008

TO: Board of County Commissioners

DEPARTMENT: Law Library/County Counsel

PRESENTED BY: Linda Falken, Law Librarian

AGENDA ITEM TITLE: RESOLUTION/IN THE MATTER OF RECOGNIZING THE 60TH ANNIVERSARY OF THE LANE COUNTY LAW LIBRARY ON APRIL 24, 2008

I. MOTION

Move approval of the Resolution to recognize the 60th anniversary of the Lane County Law Library on April 24, 2008.

II. AGENDA ITEM SUMMARY

Since its creation in 1948, the Lane County Law Library been funded by a portion of local court fees which are set aside specifically for the Library's operation and maintenance. It has operated as a part of Lane County government for 60 years, maintained by both volunteers and county employees, and has served the needs of county officials, and residents during all of its history.

III. DISCUSSION

A. Background

on April 24, 1948, upon resolution by the Lane County Bar Association, the Commissioner's Court for Lane County issued an order to the County Clerk, authorizing him to collect a fee levied on court filings in the county. This fee was to be dedicated solely towards maintaining a County Law Library, as provided in O.C.L.A. 93-817 et. seq., amended by Chapter 358, O.L., and Chapter 57, O.L. 1947. The library collection was housed originally in the 1898 Lane County Courthouse, and later moved to the 1959 Courthouse when that structure was completed. In the intervening years, Lane County's government evolved into its current structure, with a Board of County Commissioners, and the County's circuit and district courts being gradually shifted to the State. Throughout all of these changes the Lane County Law Library has remained a county institution, open to

all residents.

B. Policy Issues

The Lane County Law Library is a public law library, and as such, provides access to legal resources and information for residents and for public officials. Our collection and resources are dedicated towards helping individuals find answers to legal questions.

C. Board Goals

The Lane County Law Library has always provided access to legal information for county residents, which is currently a strategic guiding principle and goal for the County, i.e., improving accessibility to government services. In addition, the Law Library has consistently encouraged community involvement by utilizing community volunteers from the bar and lay public in an advisory role.

D. Financial and/or Resource Considerations

Not applicable to this resolution.

E. Analysis

When the State Legislature first authorized the creation and funding of county law libraries in Oregon in 1907, these were intended for use by local public officials; by 1941, the statutes had been amended to mandate access for attorneys and litigants who paid the court fees being assessed. Throughout its long history, the Lane County Law Library has provided access to legal resources for the local bar and for litigants – and has been well served by community volunteers who have provided oversight and assistance with its operation. The University of Oregon's Law School and Law Library staffs have often volunteered time and effort; and several local attorneys, as law students, served as part-time librarians prior to the hiring of a full-time professional law librarian in 1979. The Lane County Law Library has greatly benefited from these accumulated hours of service and commitment.

Additionally, the Library's patron base has been changing in recent years, as well as patrons' needs. Some of these changes are driven by technology and by the addition of electronic resources. But increasingly, library staff has been spending more time and effort in providing assistance and training for patrons that, so that they might benefit from these additional sources. Although about 50% of our patrons are local attorneys, an increasing number are self-represented litigants needing information about legal issues. According to a study conducted in 2000 by the Oregon State Bar, more than 80% of Oregon residents who were in need of legal representation were not able to obtain it. Many could not afford it or else had no low-cost alternatives available to them. While Lane County does have legal aid

services to assist with civil matters for low to moderate income residents, the local offices cannot help many who seek their assistance. And a significant number of these "pro se" patrons do not have access to the internet, so that self-help websites maintained by the State Bar Association and Legal Aid are only accessible through a public library's computer.

Last year, the Lane County Law Library assisted over 2000 individuals with their research requests and with training; in that same period over 11,000 visitors used the facility or accessed its web site. In the current fiscal year, we are anticipating at least 12,000 visitors. Thus, not only does this anniversary provide an opportunity to celebrate the long history of assistance provided by and to the Lane County Law Library, but it will also serve to call attention to the vital role that public law libraries play locally.

F. Alternatives/Options

- 1) Endorse and pass the resolution to acknowledge and honor the 60th Anniversary of the Lane County Law Library on April 24, 2008.
- 2) Do not pass the resolution, but direct staff to provide alternative language or justification.
- 3) Do not pass the resolution.

IV. TIMING/IMPLEMENTATION

The Lane County Law Library will be sponsoring a reception and a series of speakers on April 24th, 2008. This resolution would help expand public awareness of this event, which is open to members of the public as well as of the bar. Many guests will be former Advisory Committee members and other past volunteers/staff, and would also appreciate a public acknowledgement from the County honoring past services.

V. RECOMMENDATION

Option 1

VI. FOLLOW-UP

Text of Resolution will be added to other materials that are to be displayed in the Law Library over the next year.

VII. ATTACHMENTS

- A. Copy of Order from 1948
- B. Resolution

**IN THE BOARD OF COUNTY COMMISSIONERS,
OF LANE COUNTY, OREGON**

RESOLUTION 08-

) IN THE MATTER OF RECOGNIZING
) THE 60TH ANNIVERSARY OF THE
) LANE COUNTY LAW LIBRARY ON
) APRIL 24, 2008

WHEREAS, the State of Oregon has supported since 1907 the need of county governments for establishing county law libraries, by allowing counties to set aside a portion of local court fees for that purpose, and

WHEREAS, the Lane County Law Library was established on April 24, 1948, when the Commissioners' Court for Lane County issued an order for the County Clerk to begin collecting a fee on court filings, based on a resolution from the Lane County Bar Association, and as provided by statute, and

WHEREAS, the Lane County Law Library has received continual support from members of the Lane County Bar Association and volunteers from the University of Oregon Law School over the past six decades. Several law students, now local attorneys, served as part-time librarians until 1979, when the first professional law librarian was hired by Lane County, and

WHEREAS, the Lane County Law Library continues to be served by a cadre of community volunteers, through its Advisory Committee and others who provide time and advice that benefit the library, and


WHEREAS, as a public law library, the Lane County Law Library continues to fill a vital niche by providing legal resources and information for residents in Lane County, and

WHEREAS, the Lane County Law Library will be celebrating the start of its 60th year of service to Lane County on April 24, 2008, by hosting an event honoring the many contributions of volunteers and staff to its history and growth.

NOW, THEREFORE IT IS HEREBY RESOLVED, that the Board of County Commissioners wishes to recognize the Lane County Law Library's 60 years of service to the community, as well as acknowledge the services of volunteers and employees who have contributed time and efforts throughout its history.

Dated this 16th day of April, 2007

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM
Date 4/3/08 Lane County

OFFICE OF LEGAL COUNSEL

IN THE COMMISSIONERS' COURT OF THE STATE OF OREGON IN AND FOR THE COUNTY OF LANE, SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of The Establishment)

or)

✓ A County Law Library)

FILED AT..... O'CLOCK.....M

ORDER

APR 24 1948

W. B. DILLARD COUNTY CLERK

By...*E. S. ...* DEPUTY

THIS MATTER coming before the Court this 24th day of April, 1948 upon Resolution of the Lane County Bar Association in which it was shown that the Lane County Bar Association affirmatively resolved that a County Law Library should be established in Lane County, Oregon as provided in Title 93, Ch. 8, Vol. 6, O.C.L.A., as amended by Ch. 358, O.L. 1941 and Ch. 57, O.L. 1947.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a County Law Library be established and maintained in Lane County, Oregon as by law provided and that additional filing fees in the Circuit Court and the District Court be collected for that purpose as set forth in the statutes of the State of Oregon.

Clinton Kirk
County Judge

W. J. Holland

Alvin Miller
Commissioners