

#### **Mission Statement**

The Marin County Law Library serves the public by providing access to legal resources, research assistance, and technologies.

#### **Overview and History of the Law Library**

Law libraries in the State of California were first established and maintained as a resource for lawyers. In the last decade or so, however, that demographic has changed dramatically such that about half of the patrons of Marin County's Law Library have no legal training. At the same time, the traditional funding source for the Law Library – a percentage of first appearance filing fees received by the Courts – has decreased substantially because the overall number of filings has declined. One reason for this decline is the growing use of alternative dispute resolution.

#### **What the Demographic Shift Means**

People with little access to and little understanding of the legal system need additional attention and place a growing demand on Library Staff because of the time they require for assistance. Such individuals are often in a fragile situation, feeling beset with the effects of adversity. Library Staff must explain to them the various legal resources and how to use those resources to prepare their case.

The demographics of participants in the Lawyers in the Library program reflect that self-represented patrons are approximately 63% women, 58% white, 26% are retired, and 70% have incomes less than \$3,000 per month.

#### **Profile**

The Law Library is one of the oldest in the state, celebrating 127 years in 2018 as a resource for our legal community and all the county's residents. It is funded as a governmental special district established under California Business and Professions Code sections 6300 through 6364. It is governed by a seven-member Board of Trustees comprised of five delegates appointed by the Superior Court who serve for three-year terms, and two delegates appointed by the Marin County Board of Supervisors who serve for one-year terms.

The Law Library is a primary source of legal information and assistance to the County's 260,955 residents. It serves 12 Superior Court Judges, 1 Court Commissioner, 1 Referee, and 2,357 Marin County attorneys.

The Law Library is open 45.5 hours per week, from 8:30 a.m. until 7:00 p.m. Monday through Thursday; and 8:30 a.m. to 12:00 Noon on Fridays. It is closed weekends.

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### Board of Trustees

The Law Library is fortunate to have both long-standing and new members on its Board. Their expertise, experience, and leadership across a broad spectrum of community service areas helps keep the library in touch with the needs of the community. In addition, they provide valuable advice and counsel to the Law Library Director.

Trustee	Term	Office / Affiliation
Jonathan Frieman, J.D.	Feb. 1, 2018 – Jan. 31, 2019	President/Delegate of the Board of Supervisors
Sam Ware, Esq.	June 20, 2018 – June 19, 2021	Vice President/Delegate of the Court
Denise Bashline	June 20, 2018 – June 19, 2021	Delegate of the Court
Tracy Barrett, Esq.	Feb. 1, 2018 – Jan. 31, 2019	Delegate of the Board of Supervisors
Donald Drummond, Esq.	Apr. 24, 2017 – Apr. 23, 2020	Delegate of the Court
Emily Vance, Esq.	Apr. 24, 2017 – Apr. 23, 2020	Delegate of the Court
Kristine Fowler Cirby, Esq.	Nov. 21, 2017 – Nov. 20, 2020	Delegate of the Court

### Services of the Law Library

Law Library Staff provide assistance regarding the spectrum of legal source materials available, how to use them, and how to conduct legal database searches as well as internet searches for information, laws and forms that may be difficult to locate.

The kinds of assistance untrained patrons might receive include explanations of the:

- 1) entire spectrum of legal source materials;
- 2) differences between primary authority and secondary authority;
- 3) differences between statutory law and case law; and
- 4) instruction in the use of Westlaw, Google Scholar, and CEB OnLAW.

The success of a patron's visit may very well depend on the law librarian's availability and ability to be a patient and effective instructor, as well as offering support to individuals who are usually under a lot of stress. The Law Library recruits for good librarians.

Library Staff track patron demographics, which reflect that of the 4,327 patrons who visited the Law Library between July 1, 2017 and June 30, 2018, 2,117 were nonlawyers.

Studies show that, for more in depth study, written publications are better comprehended than electronic materials.

**Lawyers in the Library** is a community service program offered at the Law Library that was created in collaboration with the Marin County Bar Association. Attorney volunteers meet with members of the public for 20 minutes on the second and fourth Thursday of every month. It is here that lawyers can provide legal advice, guidance and direction to self-represented litigants on a first come, first served basis. This program accounted for 384 nonlawyer patron visits to the Law Library in Fiscal Year 2017-18 and has been so successful that hopeful program participants often had to be turned away when capacity was reached for the evening. As noted above, demographics from the program show that approximately 63% are women, 58% are white, 26% are retired and 70% have incomes less than \$3,000 per month. Attorney volunteers typically see patrons with issues in the areas of family and housing law, trust and probate matters, debt management and repair, foreclosures, criminal, small claims and various civil matters.

#### **Library Collection**

The Law Library maintains a collection of 19,682 print publications, including reporters, treatises, practice manuals, law reviews and journals, periodicals, and other printed materials. The Library spent \$70,294 updating its publications and received 61 donated used books during the 2017-2018 Fiscal Year.

Because the cost of legal materials increases at about 7% to 9% per year, not all sets are being kept current as funding for the Law Library has not kept pace with the rate of inflation. This year 35% of all expenditures were on research and reference materials (see "Publications" on Fiscal Statement), which includes both computer databases and print materials. Figure 1 shows the relationship between the amount spent on materials and our total expenditures.

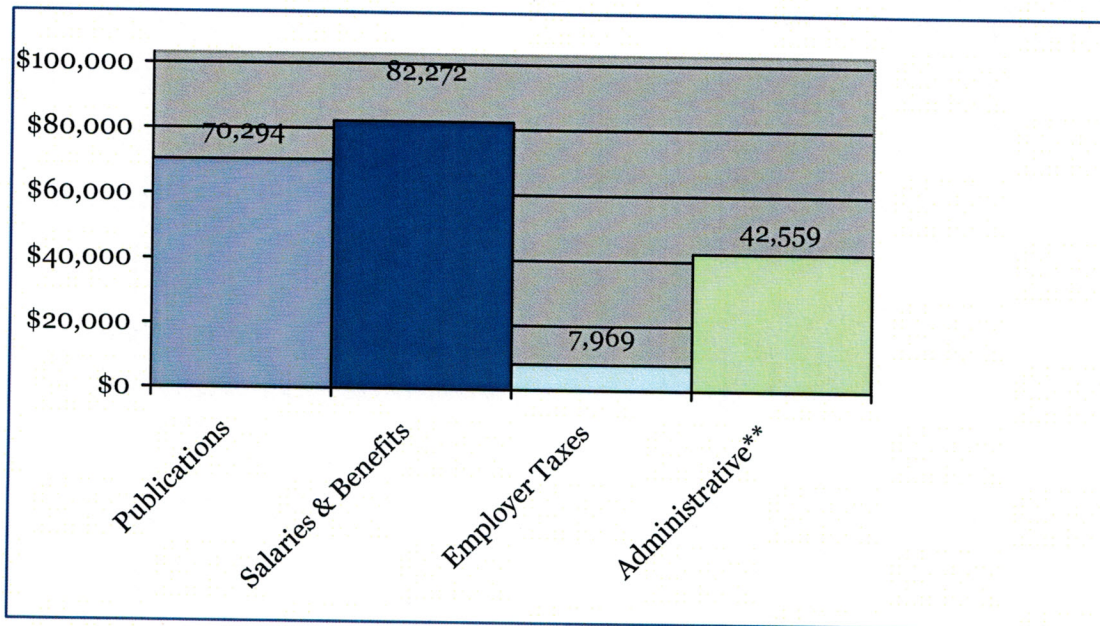


Fig. 1

\*\* Projects, which falls under “Administrative Expenses”, this year included one-time replacement of computers (\$11,500), a fundraising consultant (\$5,000) and technology troubleshooting (\$4,500).

### Electronic Resources

The Law Library acquired a Westlaw Next subscription during Fiscal Year 2013-2014. The subscription includes cases and statutes for all federal circuits, an extensive California database, and a wide selection of secondary materials. Westlaw is an attractive service to attorneys and is also used regularly by self-represented patrons doing legal research.

KeyCite, Westlaw’s equivalent of the traditional Shepard’s Citations, is critical for checking the currency of legal authorities cited in pleadings and briefs filed with the Court. In August 2017, the Board approved renewal of the Law Library’s subscription to CEB OnLAW, a database of CEB’s entire set of California practice and procedure publications.

### Infrastructure and Other Resources

The Law Library has six computer work stations (four available to the public), three printers, two photocopiers and one multifunction printer/copier/scanner/fax machine. All the work stations provide access to legal resources on the Internet. The four public access computer work stations are available for general and legal research, downloading of forms, and legal word processing tasks.

The remaining two computer stations are for Staff use only, as are one printer and a combined fax/scanner/copier/printer. The Staff facsimile/scanning machine is used to

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provide fee-based scanning and fax services to Law Library patrons, with fees based on a per-page usage. Wireless internet service is also available to Law Library patrons.

The Library has a collection of 75 compact discs with downloadable forms for print publications by Nolo, CEB, James, Lexis and West; some of the newer edition Nolo print publications provide forms which are downloadable from the Internet.

The Law Library also has an electric typewriter available for public use. Public Librarians routinely send individuals to the Law Library for that specific purpose.

#### **The Law Library's Website**

The Law Library website seeks to inform and engage the public. It provides information about services offered by the Law Library, including the Lawyers in the Library program, conference room rentals, exam proctoring, and research assistance, as well as links to the Law Library's catalog of publications and many legal resources. In addition, board meeting agendas, minutes, financial reports, projected budgets, annual reports, trustee information, and the Law Library's bylaws and patron rules of conduct are posted on the website for easy access by the public.

The Law Library receives numerous inquiries and requests for information about its services from the email link on its website. To meet the demands of an increasing number of self-represented litigants, the Law Library maintains electronic links to legal resources on its website.

#### **Financial Report**

The Closing Financial Statement for Fiscal Year 2017-18, showing all income and expenditures, is attached hereto.

The Law Library had a net deficit for 2017-18 of \$14,270.65, however, that deficit did not result in an overall operating deficit, as the entire amount can be accounted for by one-time expenses incurred by the Law Library: (1) a net \$8,500 in direct costs to update its computer system (\$11,500 contract to the provider, less \$3,000 contributed by the Board of Supervisors), (2) an additional \$4,500 in unanticipated IT system coordination costs related to that installation, and, (3) a one-time \$5,000 paid to a fundraising consultant, Better World Engagement, to design a fundraising plan. Once those one-time expenditures (totaling \$18,000) are removed from the equation, the Law Library maintained a balanced operating budget for 2017-18.

#### **Library Funding**

In addition to ensuring excellent service for its patrons, the second most pressing issue for the Law Library – and for law libraries across the state – is adequate funding. At present, the Law Library derives 91.5% of its operating funds from a fixed share of designated civil

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filing fees: \$32 from fees paid for every first-paper filing with the Marin County Superior Court. That \$32 figure has not changed since 2006, even though the number of actions filed with the court has steadily declined each year, starting in 2008.

In addition to the steady annual decrease in the number of cases filed, the Law Library's sole means of keeping up with inflation was removed when the Uniform Civil Fee and Standard Fees Schedule Act of 2005 was established for the trial courts statewide effective January 1, 2006. Prior to that time each county had the authority to adjust filing fees and to approve limited annual increases of up to \$3 per filing to the portion of those filing fees that was allotted to Law Libraries. The set portion of each civil filing fee that is distributed to the Law Library has not increased since 2008, while the cost of legal publications, the Law Library's bread and butter, has increased annually at the rate of approximately 7% to 9%.

Figure 2 shows the 37 percent decline in filing fee income from 2011 to 2017. For the first time in 7 years, filing fee revenue increased slightly in FY 2017-18, to \$173,090.

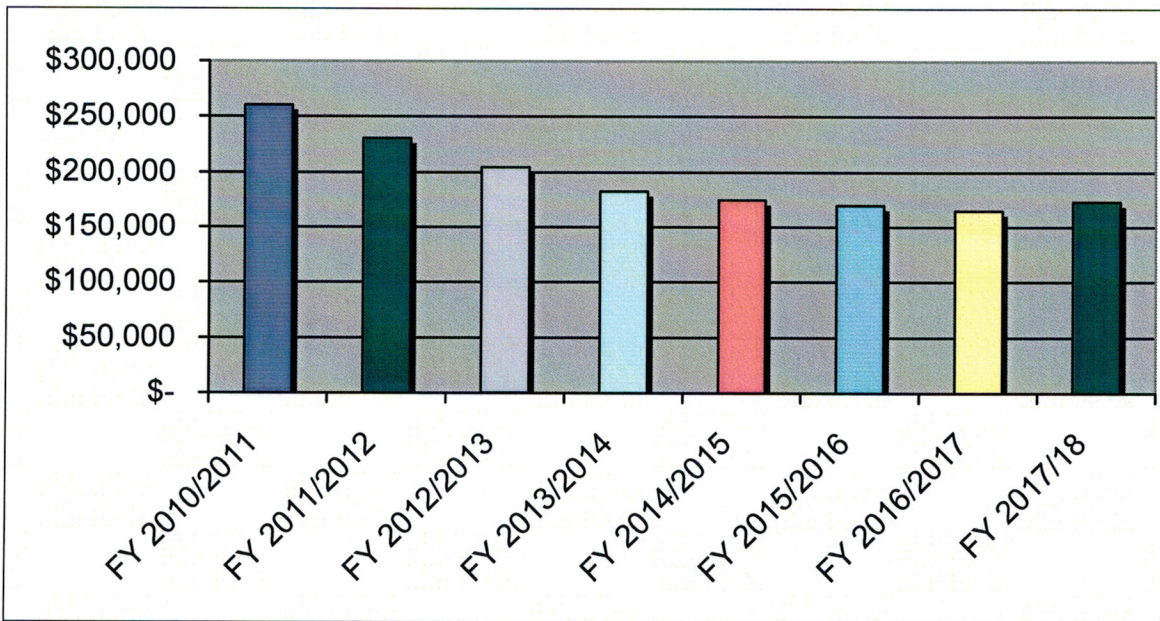


Fig. 2

### Income Streams and Reserves

#### Filing Fee Income

In Fiscal Year 2017-2018 the Law Library received \$173,090 in filing fees, a slight increase from the previous year.

#### **Self-generated Revenue**

The Law Library raised \$12,251 in self-generated revenue. That sum came from charges for photocopies, document faxes and scans, proctoring services, conference room rentals, and book sales, as well as income from donations. The self-generated revenue comprised 7% of our total revenue, down 0.8% from the previous fiscal year.

#### **Reserve Funds**

As of June 30, 2018, the Law Library had an Unrestricted Fund Balance of \$52,958. The Law Library also has \$10,000 in reserve funds at the present time.

#### **Community Service Funds**

The Law Library benefited from a \$3,000 Marin County Community Service Fund grant in 2017-2018 to defray a portion of the expense for the Law Library's \$11,500 computer replacement project, for which the Trustees and Staff are most grateful.

#### **Effect of Decreasing Budget**

Due to the funding decline since 2011 the Law Library has been forced to cancel many legal publications, cut back its operating hours and reduce its Staff. In an effort to maintain a reasonably up-to-date collection of important publications, the Law Library has partnered with larger, better-funded County Law Libraries to receive their discarded updates.

As one can surmise, the Marin County residents most in need of access to the law bear the heaviest burden of these cuts because access to justice has become more restricted with the steady loss of funding. The Law Library Staff consistently see an increasing number of non-professionals seeking such items as legal forms and assistance with such matters as landlord-tenant issues, foreclosure proceedings, criminal proceedings and divorce and child custody procedures. Providing the most basic assistance is a daily occurrence at the Law Library.

#### **Fundraising Possibilities**

Although the Law Library may receive tax deductible donations, this year a separate 501(c)(3) nonprofit Friends of the Marin County Law Library was created to focus fundraising efforts on the services that the Law Library provides to non-attorneys. However, realizing results from these funding streams will take time because the Law Library is essentially a new entity in the fundraising field.

The Marin County Board of Supervisors may also at any time exercise its authority under California Business and Professions Code Section 6324, which allows them to "appropriate from the county treasury for law library purposes such sums as may in their discretion appear proper". Given the focus that the Trustees adopted to help the self-

represented patron because there is so much need, it is hoped that the County would recognize that a small investment could reap great rewards.

#### **Conclusion**

The Trustees of the Marin County Law Library remain committed to providing access to legal resources for all the residents of Marin. Recognizing that the Law Library is the safety net for the entire county in terms of access to justice, staff and board regularly attend quarterly meetings of a recently established Legal Services Network to stay informed about legal issues in the community. The connections with this Network, comprised of agencies such as Legal Aid of Marin, the Family and Children's Law Center, Canal Alliance, the Self-Help Legal Center, Fair Housing Advocates of Northern California, and the Public Defender, help the Law Library better provide needed services.



## Marin County Law Library 2017/2018 FY

Revised June 2018 and July 1, 2017 to June 30, 2018 End of Year Fiscal Statement\*

Munis Object (G/L Acct. No.)	Account Description	Projected Budget July 1, 2017 to June 30, 2018 <sup>^</sup>	Projected Budget Monthly Basis	Actuals June 1 - 30, 2018	Projected Budget July 1, 2017 - June 30, 2018	Actuals July 1, 2017 - June 30, 2018*
<b><u>CREDITS</u></b>						
451970	Court Filing Fees	\$ 165,678.00	\$ 13,806.50	\$ 14,252.53	\$ 165,678.00	\$ 173,090.01
441115	Interest	\$ 326.00	\$ 27.17	\$ 210.92	\$ 326.00	\$ 737.09
462650	Copy Cards	\$ 7,905.00	\$ 658.75	\$ 571.20	\$ 7,905.00	4,933.20
470410	Book Sales	\$ 32.00	\$ 2.67	\$ 308.70	\$ 32.00	1,327.76
470330	Donations	\$ -	\$ -	\$ 310.43	\$ -	\$ 371.43
462610	Proctoring	\$ 1,073.00	\$ 89.42	\$ 260.00	\$ 1,073.00	2,046.98
470110	Fax & Paper Sales	\$ 75.00	\$ 6.25	\$ -	\$ 75.00	50.00
441215	Conference Room	\$ 2,768.00	\$ 230.67	\$ 330.00	\$ 2,768.00	\$ 2,630.00
461810	Other Income (MCLE, etc.)	\$ 1,302.00	\$ 108.50	\$ -	\$ 1,302.00	\$ 891.62
480210	Transfers In	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	3,000.00
<b>Total Credits:</b>		<b>\$ 182,159.00</b>	<b>\$ 14,929.93</b>	<b>\$ 16,243.78</b>	<b>\$ 182,159.00</b>	<b>\$ 189,078.09</b>
<i>Difference:</i>				\$ 1,313.85	\$ 6,919.09	
<b><u>DEBITS</u></b>						
<b><u>Staff Expenses</u></b>						
511110	Library Director	\$ 49,140.00	\$ 4,095.00	\$ 6,500.01	\$ 49,140.00	\$ 47,022.69
511220	Library Staff	\$ 27,245.00	\$ 2,270.42	\$ 4,563.13	\$ 27,245.00	\$ 27,827.29
511345	Holiday Pay			\$ -	\$ -	\$ 715.50
512110	Retirement/Director	0.00	\$ -	\$ -	\$ -	\$ -
515110	Social Security	\$ 4,400.00	366.67	\$ 758.33	\$ 4,400.00	\$ 4,854.02
515115	Medicare	\$ 1,150.00	\$ 81.47	\$ 177.34	\$ 1,150.00	\$ 1,135.21
513215	Health Benefits	\$ 1,908.00	\$ 159.00	\$ -	\$ 1,908.00	\$ 6,706.28
514110	Workers Compensation	\$ 600.00	\$ 50.00	\$ -	\$ 600.00	\$ 601.48
515120	Unemployment	\$ 1,302.00	\$ 108.50	\$ -	\$ 1,302.00	\$ 1,377.52
<b>Subtotal:</b>		<b>\$ 85,745.00</b>	<b>\$ 7,131.06</b>	<b>\$ 11,998.81</b>	<b>\$ 85,745.00</b>	<b>\$ 90,239.99</b>
<i>Difference:</i>				\$ (4,867.75)	\$ (4,494.99)	
<b><u>Admin Expenses</u></b>						
521610	Insurance	\$ 3,720.00	\$ 310.00	\$ 295.00	\$ 3,720.00	\$ 4,696.16
522440	Postage/Petty Cash	\$ -	\$ -	\$ -	\$ -	\$ -
522410	Office Supplies	\$ 3,701.00	\$ 308.42	\$ 198.53	\$ 3,701.00	\$ 3,891.95
522410	Projects	\$ 16,500.00	\$ -	\$ -	\$ 16,500.00	\$ 16,397.49
522930	Copy Machines	\$ 8,058.00	\$ 671.50	\$ -	\$ 8,058.00	\$ 8,447.96
521310	Telephone & Internet	\$ 4,388.00	\$ 365.67	\$ 1,292.03	\$ 4,388.00	\$ 9,381.27
<b>Subtotal:</b>		<b>\$ 36,367.00</b>	<b>\$ 1,655.59</b>	<b>\$ 1,785.56</b>	<b>\$ 36,367.00</b>	<b>\$ 42,814.83</b>
<i>Difference:</i>				\$ (129.97)	\$ (6,447.83)	
<b><u>Legal Publications Collection</u></b>						
522310	Upkeep	\$ 63,000.00	\$ 5,250.00	\$ 10,037.09	\$ 63,000.00	\$ 70,293.92
522410	Book Binding	\$ -	\$ -	\$ -	\$ -	0.00
<b>Subtotal:</b>		<b>\$ 63,000.00</b>	<b>\$ 5,250.00</b>	<b>\$ 10,037.09</b>	<b>\$ 63,000.00</b>	<b>\$ 70,293.92</b>
<i>Difference:</i>				\$ (4,787.09)	\$ (7,293.92)	
<b>Total Debits:</b>		<b>\$ 185,112.00</b>	<b>\$ 14,036.65</b>	<b>\$ 23,821.46</b>	<b>\$ 185,112.00</b>	<b>\$ 203,348.74</b>
<i>Difference:</i>				\$ (9,784.81)	\$ (18,236.74)	
<b>BALANCE:</b>		<b>June 1-30</b>		<b>\$ (7,577.68)</b>	<b>July 1, 2017 - June 30, 2018</b>	<b>\$ (14,270.65)</b>

**Unrestricted Fund Balance (as of 6/30/18 EOY): \$62,820.41**

\* Based on financial data available in Munis, including transactions not yet posted to Law Library account.

<sup>^</sup> As amended by Resolution 2018-1 on 4/17/18.

End of Year Fiscal Statement Revised 9/26/18.