

**Notice of Regular Monthly Meeting of  
Marin County Law Library Board of Trustees**

**Tuesday, September 21, 2021 at 5:15 P.M.**

Due to the continuing threat of COVID-19, the meeting will be conducted by remote connection.

Pursuant to Executive Order No. N-29-20 (March 17, 2020), interested members of the public are asked to attend electronically by clicking on the link below or by typing the link into your web browser:

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/84105909041>

Meeting ID: **841 0590 9041**

Passcode: **214730**

Dial by your location

- +1 669 900 6833 US (San Jose)**
- +1 346 248 7799 US (Houston)
- +1 253 215 8782 US (Tacoma)
- +1 312 626 6799 US (Chicago)
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)

Meeting ID: 841 0590 9041

Passcode: 214730

Find your local number: <https://us02web.zoom.us/j/84105909041>

**Agenda**

**Call to Order\***

1. Approval of Minutes
  - 1.1 August 17, 2021 Regular Board Meeting
2. Open Time for Public Expression
3. Financial Report
  - 3.1 August 2021 Fiscal Report
  - 3.2 September 2021 Warrants
4. Librarian's Report

5. Committee Reports
  - 5.1 Grants
  - 5.2 Civic Engagement
6. Old Business
7. New Business
  - 7.1 **Discussion and Action Item:** Approve Proposals Regarding Grants to Pursue
  - 7.2 **Discussion and Action Item:** Approve Renewal of Liability Insurance for Lawyers in the Library Program
  - 7.3 **Discussion and Action Item:** Approve FY 2020-2021 Annual Report to Marin County Board of Supervisors
  - 7.4 **Closed Session: Gov. Code §§ 54950 – 54963)**  
Performance Evaluations of Staff and Director and Corresponding Wage Increases California Government Code §54954.5(e), 54957(b)(1)
  - 7.5 **Reconvene Open Session: (CA Gov. Code § 54957.1(a)(5)**  
Report of Action Taken in Closed Session, if any
8. Board Members' Suggestions for Next Month's Agenda
9. Adjournment  
The next board meeting will be held on Tuesday, October 19, 2021 at 5:15 p.m.

**Upcoming Events FYI:**

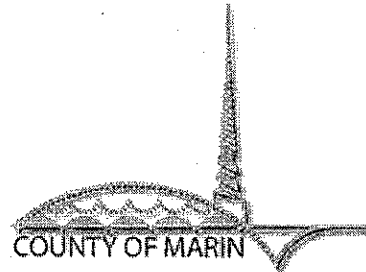
- Lawyers in the Library – 9/23/21 and 10/14/21
- First Thursdays at the Law Library – 10/7/21: Restorative Justice Program of Marin County Probation Department; 11/4/21: Ritter Center
- Deadline to Submit Reports for October Board Meeting: 10/12/21
- Read the Article: "What's Happening at the Marin County Law Library" in the September 2021 Issue of the MCBA Newsletter (page 30)

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\* This meeting may be recorded as authorized by the Government Code.

***If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact (415) 473-4381 (Voice/TTY) or 711 for the California Relay Service or e-mail [disabilityaccess@marincounty.org](mailto:disabilityaccess@marincounty.org) at least five working days in advance of the meeting. A complete agenda packet is available at the front desk of the Marin County Law Library, on the Law Library's bulletin board, and on the Law Library website at [www.marincountylawlibrary.org](http://www.marincountylawlibrary.org). It is also available 24/7 outside the ground floor lobby of the middle archway entrance to the Civic Center (the one allowing access to the Courts floor) at 3501 Civic Center Drive, San Rafael, CA 94903 at least 72 hours prior to the meeting.***

# Minutes of Regular Meeting of the Board of Law Library Trustees of Marin County



*LAW LIBRARY DIRECTOR:*  
Laurie Vaala-Olsen

A California Independent Public Agency Under  
Business & Professions Code Section 6300 et seq.

*BOARD OF TRUSTEES:*  
Kristine Fowler Cirby, Esq., President  
Tracy Barrett, Esq., Vice President  
Denise Bashline  
Jonathan Frieman, J.D.  
Donald Drummond, Esq.  
Walter Cook, Jr, Esq., MLIS

Tuesday, August 17, 2021, at 5:15 p.m.  
By Remote Connection

Present: Tracy Barrett, Denise Bashline, Donald Drummond, Kristine Fowler Cirby,  
Walter Cook, Jr., and Laurie Vaala-Olsen, Ex Officio-Secretary  
Absent: Jonathan Frieman  
Also Present: Bill Hale, Jackie Grossman

President Kristine Cirby called the meeting to order at 5:15 p.m. and thereafter presided.

## 1. Approval of Minutes

1.1 Minutes of July 20, 2021, Regular Board Meeting – Donald moved for approval of the Minutes as presented; Tracy seconded. Motion passed: 4 Ayes, 0 Noes, 0 Abstentions.

2. Open Forum – A member of the public made a comment.

## 3. Financial Report

### 3.1 July 2021 Fiscal Report

The Fiscal Report for July 2021 was attached to the agenda packet. MCLL began the month of July with \$109,211 in its fund and ended the month with \$107,608, a net loss of \$1,603. Filing Fee Revenue for July was \$9,383; Expenses totaled \$10,985. YTD Revenue (7/1/21 – 7/31/21) was \$9,383 and YTD Expenses were \$10,985 leaving a FY 2021-2022 budget balance of -\$1,602.

### 3.2 August 2021 Warrants

Denise moved for approval of the Warrants as presented; Donald seconded. Motion passed: 5 Ayes, 0 Noes, 0 Abstentions.

4. Librarian's Report – Attached to August 2021 Agenda Packet.

## 5. Committee Reports

5.1 Fundraising for Network Equipment Replacement – No report.

5.2 Civic Engagement – Denise reported that several of the videotaped presentations for the First Thursdays program had been viewed numerous times on the Law Library's YouTube Channel, particularly the last presenter, North Marin Community Services. There was a discussion about initiating regular weekly posts that tag various presenter's websites to increase MCLL's online visibility.

6. Old Business

6.1 Review FY 2021-2022 Approved Budget

Kristine appointed a committee to analyze the budget, comprised of herself, Donald, and Tracy. She requested that trustees prepare a list of items that they believe should be funded in FY 2021-22 with the money MCLL will receive from the FY 2021-22 CA State Budget.

6.2 Establishment of Grant-Seeking Committee

Kristine appointed Walter and Donald to join her on the Grant-Seeking Committee. The committee will present a report at the September board meeting.

7. New Business

7.1 Revisit Strategic Plan 2018-2023

The trustees discussed the status of each of the entries on the MCLL 2018-2023 Strategic Plan. The Budget Analysis Committee will further review the Strategic Plan and make proposals regarding unmet goals at the October 2021 board meeting.

8. Board Members' Suggestions for Next Month's Agenda – Staff compensation, plans for fundraising efforts, list of items to receive funding from State Budget Act monies, efforts to raise community awareness of MCLL services and programs.

9. Adjournment

All relevant business having come before the board, Donald moved to adjourn the meeting and Denise seconded. Motion passed with 5 Ayes, 0 Noes and 0 Abstentions. The meeting was adjourned at 6:25 p.m. The next board meeting will be held on Tuesday, September 21, 2021, at 5:15 p.m. on Zoom.

Respectfully submitted,

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Kristine Fowler Cirby, Esq.  
President, Board of Trustees

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Laurie Vaala-Olsen, Ex-Officio  
Secretary



FY 2021-2022 July 2021 Profit & Loss Statement  
 For September 21, 2021 Board Meeting  
 Printed 9/15/21

		Actual June FY 2020- 2021	Actual July 2021	Actual August 2021	Projected September 2021	Projected October 2021	Projected November 2021	Projected December 2021	Projected January 2022	Projected February 2022	Projected March 2022	Projected April 2022	Projected May 2022	Projected June 2022	Actual July - Aug Subtotals	EST. ANNUAL TOTALS Jul - June	FY 2021-2022 Approved Projected Budget
<i>Tel/Internet Subtotal:</i>															\$ 2,556	\$ 10,886	\$ 10,000
521310	Sonic Email			\$ 24	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 24	\$ 274	\$ 300
	Comcast Internet	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 191	\$ 382	\$ 2,292	\$ 2,292
	AT&T Phone	\$ 113	\$ 115	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 110	\$ 225	\$ 1,325	\$ 1,320
	SPTI	\$ 263	\$ 788	\$ 1,138	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 507	\$ 1,925	\$ 6,995	\$ 6,084
<i>Admin Sub.</i>															\$ 3,813	\$ 17,379	
<i>Collection</i>																	
522815	Publications Upkeep														\$ 8,920	\$ 54,780	\$ 55,000
	Other	\$ -	\$ -												\$ -	\$ -	
	CEB	\$ 2,014	\$ 675	\$ 845	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,015	\$ 1,521	\$ 11,671	\$ 12,178
	Lexis Nexis	\$ 818	\$ 821	\$ 34	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 292	\$ 854	\$ 3,774	\$ 3,500
	WestLaw	\$ 2,130	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 2,088	\$ 4,176	\$ 25,054	\$ 25,054
	West Publishing	\$ 1,184	\$ 1,185	\$ 1,185	\$ 1,182	\$ 1,182	\$ 1,182	\$ 1,182	\$ 1,182	\$ 1,182	\$ 1,205	\$ 1,205	\$ 1,205	\$ 1,205	\$ 2,369	\$ 14,281	\$ 14,268
522410	Book Binding														\$ -	\$ -	
<b>Expense Total:</b>		<b>\$ 15,181</b>	<b>\$ 14,366</b>	<b>\$ 14,825</b>	<b>\$ 14,152</b>	<b>\$ 14,152</b>	<b>\$ 14,152</b>	<b>\$ 14,152</b>	<b>\$ 14,152</b>	<b>\$ 14,152</b>	<b>\$ 14,176</b>	<b>\$ 14,176</b>	<b>\$ 14,176</b>	<b>\$ 14,176</b>	<b>\$ 29,413</b>	<b>\$ 170,172</b>	<b>\$ 169,900</b>
<b>Fund Balance</b>		<b>\$ 109,269</b>	<b>\$ 104,286</b>	<b>\$ 205,697</b>	<b>\$ 205,647</b>	<b>\$ 204,266</b>	<b>\$ 202,885</b>	<b>\$ 201,504</b>	<b>\$ 200,123</b>	<b>\$ 198,742</b>	<b>\$ 197,337</b>	<b>\$ 195,933</b>	<b>\$ 194,528</b>	<b>\$ 193,123</b>			

## MCLL COURT FILING FEE REVENUE

FISCAL YEAR	2008/2009	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020-2021	2021/2022
<b>MONTH</b>													
JULY	20,659.00	22,977.66	20,540.55	18,553.72	17,112.03	15,325.97	13,394.41	14,436.61	15,423.76	15,732.59	15,504.68	382.26	9,382.59
AUGUST	19,922.00	23,960.43	21,718.70	18,993.11	15,217.06	16,919.18	15,889.49	15,213.24	16,073.88	14,722.11	14,041.18	16,001.89	22,888.81
SEPT.	21,723.00	21,722.04	18,661.46	17,773.96	15,432.17	16,074.18	14,699.61	12,609.37	14,326.47	14,633.61	17,124.24	10,247.04	13,414.73
OCTOBER	19,623.00	21,675.44	19,906.84	19,163.96	15,217.59	14,560.64	13,726.42	14,303.82	17,267.94	14,745.05	13,045.80	13,344.67	
NOVEMBER	19,115.00	21,320.14	18,609.36	14,605.25	13,983.15	14,926.06	13,529.51	14,026.49	14,651.51	11,844.36	14,564.37	9,890.70	
DECEMBER	20,339.00	21,817.93	19,736.75	17,096.40	16,688.32	13,698.16	14,161.61	14,087.85	13,988.55	13,697.15	14,025.18	9,502.63	
JANUARY	15,573.00	20,296.35	18,939.59	16,072.57	14,588.83	12,812.89	12,802.25	12,149.23	13,808.54	13,949.41	14,580.66	9,573.31	
FEBRUARY	20,986.00	19,451.28	20,767.28	15,160.56	14,836.86	13,448.58	12,273.72	13,625.45	12,072.28	12,332.59	14,227.45	15,886.80	
MARCH	16,148.00	22,904.59	25,481.90	17,544.43	15,218.51	12,840.74	13,942.25	12,325.32	14,378.55	15,424.33	14,612.20	9,205.48	
APRIL	17,975.00	19,761.98	10,562.85	15,398.28	14,144.44	13,292.85	13,097.15	14,099.42	13,045.95	13,634.85	14,828.26	11,416.60	
MAY	19,948.00	22,159.40	17,793.36	17,385.67	15,321.18	14,594.61	15,925.91	14,977.96	13,800.05	13,546.55	8,031.24	16,402.85	
JUNE	23,462.00	22,249.53	17,892.17	16,637.38	14,850.97	16,095.27	16,237.00	12,928.62	14,252.53	15,796.62	11.62	11,634.46	
<b>ANNUAL TOTALS</b>	<b>235,472.53</b>	260,296.77	230,610.81	204,385.29	182,611.11	174,589.13	169,679.33	164,783.38	173,090.01	170,059.22	154,596.88	133,488.69	45,686.13

FISCAL YEAR	2008/2009	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022
<b>SEPT. TOTALS</b>	<b>62,304.00</b>	68,660.13	60,920.71	55,320.79	47,761.26	48,319.33	43,983.51	42,259.22	45,824.11	45,088.31	46,670.10	26,631.19	45,686.13

Each current month's filing fee revenue represents income generated from the Court filings of two months ago. September revenue comes from July filings, etc.

**Marin County Law Library**  
**September 2021 WARRANTS**  
(Account Balance \$205,697)

**AP Processing Copy**

<b>Item No.</b>	<b>Vendor</b>	<b>Current Amount Due</b>	<b>Suggested Payment</b>
1	AT&T Calnet 3	\$ 110.47	\$ 110.47
2	CEB ( \$503.64 for Print, \$341.59 for OnLAW)	\$ 845.23	\$ 845.23
3	Comcast Business	\$ 190.81	\$ 190.81
4	Kaiser	\$ 1,123.22	\$ 1,123.22
5	Lexis	\$ 33.87	\$ 33.87
6	Sonic Email	\$ 24.00	\$ 24.00
7	SPTJ (Chien Liew Consulting)	\$ 1,137.50	\$ 1,137.50
8	US Bank (Renew Computers, Sonic, Marin Bar, Microsoft Store)	\$ 164.39	\$ 164.39
9	Westlaw Next	\$ 2,087.84	\$ 2,087.84
10	West Publishing	\$ 1,184.51	\$ 1,184.51
	<b>Totals:</b>	<b>\$ 6,901.84</b>	<b>\$ 6,901.84</b>

**Salaries: \$6,269.02**

**Total Expenses: \$6,901.84**

<b>Total Revenue Available:</b>	<b>\$ 205,697.00</b>
<b>Total Expenditures (proposed):</b>	<b>\$ 13,170.86</b>
<b>Remaining Cash Balance:</b>	<b>\$ 192,526.14</b>



# Marin County Law Library

Annual Report

FY 2020/2021

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## **Mission Statement**

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

## **Vision Statement**

Bringing Justice to Marin Through Information.

## **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 the Marin County Law Library have no formal legal training. At the same time, the primary and traditional funding source for the Law Library – a percentage of first appearance civil filing fees received by the Courts – has decreased substantially because county law libraries are no longer able to seek limited annual increases to the percentage of the filing fee designated for county law libraries and because the overall number of filings with the Court has declined. There are several reasons for this downward trend in court filings; the increasing use of alternative dispute resolution, the increasing number of litigants who qualify for fee waivers, changes to jurisdictional limits and new exemptions adopted into law.

In addition, the negative impacts of the coronavirus pandemic that began in March 2020 continued through June 30, 2021. When the Law Library abruptly closed to the public on March 17, 2020, never would we have imagined that it would remain closed until May 3, 2021. Thus, for Fiscal Year 2020 – 2021 (July 1, 2020 through June 30, 2021), the Law Library was physically closed to the public for 10 months of the year. Filing fees were dramatically reduced during the shutdown period because the court clerk's office was closed for several months; court staff were working from home and filings fell behind. In addition, there have been fewer people filing lawsuits during the pandemic. Although the courts reopened on June 1, 2020, there were severe restrictions to in-person appearances and no access to the court clerks at first; all filings were by mail or to a drop-box located in the Civic Center. Court efforts to bring filings current is ongoing, but intermittent, resulting in fluctuating monthly filing fee income for the Law Library, which ranged from \$382 to \$16,403.

In the early phase of the shutdown, staff remained on the payroll as adjustments were made to work remotely. However, when it became clear that the shutdown would continue indefinitely, it was necessary to furlough staff as a prudent fiscal measure. Although many library tasks did not adapt well to remote work, the Reference Librarian was able to provide research assistance working from home. Thus, the Law Library started the 2020-2021 fiscal year with staff working from home in a limited capacity and on an as-needed basis. The initial months of the fiscal year were focused on expanding the range of legal

resources available to the public from the Law Library's website, as well as adapting the Law Library's community service programs, Lawyers in the Library and First Thursdays at the Law Library, to the Zoom platform.

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

People with little access to and little understanding of the legal system need additional attention and place a greater demand on Library Staff because of the time required to assist them. 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 on Zoom, for the period November 2020 through June 30, 2021 (the in-person program shut down in March 2020 and was re-established on Zoom in November 2020), reflect that self-represented patrons were approximately 49% women, 56% white, 33% employed, 20% retired, 11% were living on unemployment benefits, and 44% of 75% who answered the question about income had incomes of \$3,000 or less per month. Fewer participants answered the question about income during the pandemic and the percentage of people with incomes of \$3,000 or less was lower than in the past. This suggests that a larger percentage of higher income workers were seeking assistance from the program during the pandemic.

#### **Profile**

The Law Library is one of the oldest in the state, celebrating 130 years in 2021 as a resource for our legal community and county 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 Judges of 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 257,500 Marin County residents. It serves 12 Superior Court Judges, 1 Court Commissioner, 1 Referee, and 2,350 Marin County attorneys.

Prior to the coronavirus pandemic, the Law Library was 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 Friday; it was closed on weekends. From July 1, 2020, through May 2, 2021, the Law Library was closed to the public with staff working remotely from home. The Law Library Director remained on the payroll as the sole full-time employee. Staff began returning to work in the Law Library facility in October 2020. By February 2021, the Law Library was fully staffed to its pre-pandemic levels even though the facility was still closed to the public. We re-opened to the public on May 3, 2021, with reduced hours and limited days

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totaling 20 hours per week. By June 2021, the Law Library had expanded its hours to 8:30 until 6:00 p.m. Monday through Thursday, and 8:30 until 12:00 noon on Friday, a total of 41.5 hours per week, only 4 hours less than before the pandemic.

### 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
Kristine Fowler Cirby, Esq.	Nov. 17, 2020 – Nov. 16, 2023	President/Delegate of the Court
Tracy Barrett, Esq.	Feb. 2, 2021 – Jan. 31, 2022	Vice President/Delegate of the Board of Supervisors
Denise Bashline	June 20, 2021 – June 19, 2024	Delegate of the Court
Jonathan Frieman, J.D.	Feb. 2, 2021 – Jan. 31, 2022	Delegate of the Board of the Board of Supervisors
Donald Drummond, Esq.	June 17, 2020 – June 16, 2023	Delegate of the Court
Walter Cook, Jr.	Nov. 17, 2020 – Nov. 16, 2023	Delegate of the Court
Hon. Kelly V. Simmons	June 21, 2021 until proxy is appointed	Judge of the Superior 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. Staff do not, however, provide legal advice, although we refer patrons to other legal service providers and programs where patrons might receive legal advice.

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.

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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.

Library Staff typically track patron demographics, although we did not track demographics for assistance provided to patrons remotely during the Shutdown.

First Thursdays at the Marin County Law Library, a community service program that was launched in-person in November 2019, but then suspended March 17, 2020, had been re-established on Zoom by July 1, 2020. Thereafter, it did not miss a beat with its monthly program offerings. Its purpose is twofold; first, to provide an informal opportunity for representatives of various local service agencies, nonprofits, county departments and county programs to inform the public about the services they offer, and second, to increase public awareness of the legal resources and services available at the Law Library. Presenters have included Marin Center for Independent Living, Youth Transforming Justice (fka Marin Youth Court), STAR Court, Marin District Attorney's Office, Spahr Center, Homeward Bound, Vivalon, Marin Community Clinics, Center for Domestic Peace, San Francisco-Marín Food Bank, Canal Alliance, North Marin Community Services, Family Caregiver Alliance, Marin Election Department, Women Helping All People, Marin County Public Defender's Office, New Beginnings Law Center, Buckelew Programs – Suicide Prevention, and Family and Children's Law Center. Initially, the meetings were held at the Law Library but they had to be transitioned to the Zoom platform after Stay at Home Orders were issued in March 2020 due to the COVID-19 Pandemic. The transition to an online platform turned out to be a stroke of good fortune for it facilitated our ability to record the presentations and place the videos on the Law Library's YouTube Channel for future viewing by a wider audience. Unfortunately, the presentations that were made before the coronavirus shutdown were not recorded, but the video library continues to expand each month.

**Lawyers in the Library** is another community service program offered at the Law Library. It was created in collaboration with the Marin County Bar Association in the Fall of 2016. Attorney volunteers meet with members of the public for 20 minutes on the second and fourth Thursday of every month on a first come, first served basis to provide legal information and guidance. The program provides assistance to members of the public regardless of the subject matter of their legal need or their income level, a feature which distinguishes it from other legal services programs in the county. 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. Since the Fall of 2019, the panel of attorney volunteers has included a bilingual attorney to meet with Spanish-speaking patrons at each of the twice monthly Lawyers in the Library program dates.

# Marin County Law Library

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While the Lawyers in the Library program was suspended during the initial months of the COVID-19 Shutdown, it was re-established on Zoom by November 2020. The online platform greatly increased the time commitment to administer the program but it also may have facilitated access for a broader spectrum of the public, such as those who are homebound or living in more distant areas of the county. The online registration process has been a hindrance for some patrons who may not be technologically savvy, but we do our best to assist them and provide an option to register in person at the Law Library, if necessary.

### **Library Collection**

The Law Library maintains a collection of 19,742 print publications, including reporters, treatises, practice manuals, law reviews and journals, periodicals, and other printed materials. The Law Library spent \$63,277 updating its publications. We acquired 200 new volumes, discarded 115 outdated volumes, sold 59 volumes, and received 33 donated used books during the 2020/2021 Fiscal Year. These figures reflect that the Law Library was closed for 10 months during the fiscal year and that updates that were received simply accumulated in the Law Library without being processed until October 2020 during the shutdown because of the stay-at-home orders. The accumulated updates included volumes received from March 2020 through June 2020, which was part of the previous fiscal year during which the Law Library was closed.

Because the cost of legal materials has been increasing at about 15% per year, not all sets of publications are being kept current as funding for the Law Library has not kept pace with the rate of inflation. This year 38% 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.

# Marin County Law Library

Annual Report

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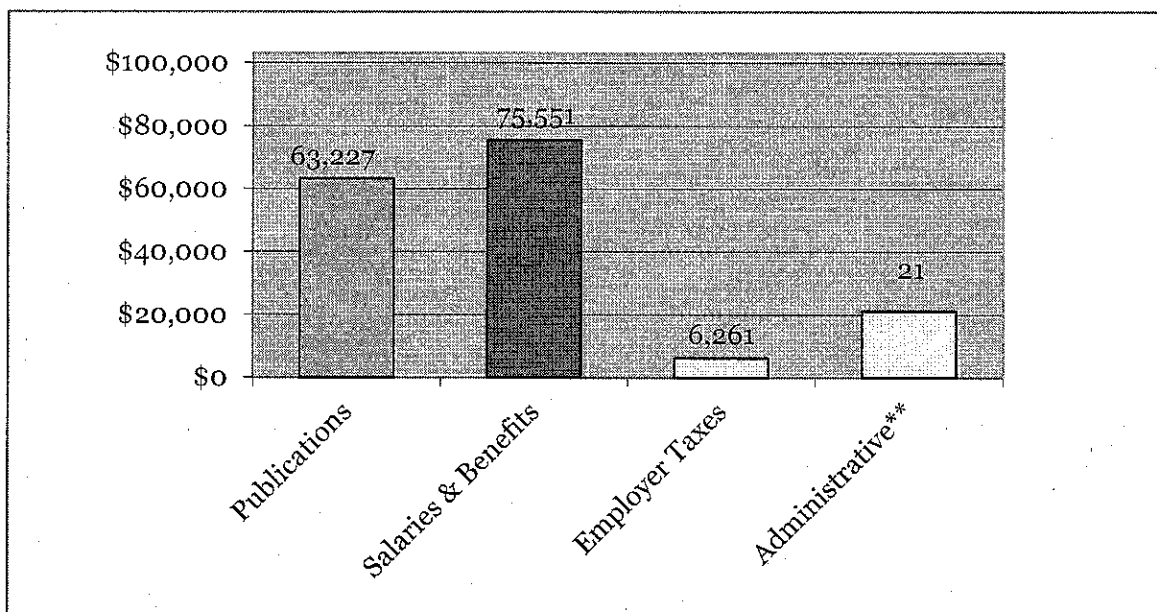


Fig. 1

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

### Electronic Resources

The Law Library continued its subscription to the Westlaw database, which includes cases and statutes for all federal circuits, an extensive California database, and a wide selection of secondary materials, such as the Rutter Practice Guides and Witkin. Westlaw is an attractive service to attorneys and is also used regularly by self-represented patrons doing legal research. During the pandemic shutdown, we provided remote access to Westlaw from a link on the Law Library's website. KeyCite, Westlaw's legal citator, is critical for checking the currency of legal authorities cited in pleadings and briefs filed with the Court.

In June 2020, the Board approved renewal of the Law Library's subscription to CEB OnLAW, a digital database of CEB's entire set of California practice and procedure publications. During the pandemic shutdown, we provided limited remote access to the CEB Pro database from a link on the Law Library's website.

### Infrastructure and Other Resources

The Law Library has six computer workstations (four available to the public), three printers, two photocopiers and one multifunction printer/copier/scanner/fax machine. The workstations provide access to legal resources on the Internet. The four public access computers are available for general and legal research, downloading of forms, and legal word processing tasks at no cost to the public.

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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 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 Law 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 throughout Marin County routinely send individuals to the Law Library for that specific purpose.

### **The Law Library 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 and First Thursdays at the Marin County Law Library programs, 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. These resource links were greatly expanded following the coronavirus pandemic Stay-at-Home Orders. In addition to the Westlaw Edge and CEB Pro legal databases, we also provided hotlinks to relevant publications of the National Consumer Law Center, including protection from judgment creditors, consumer debt advice, newly implemented consumer protections in response to COVID-19, enforcing the CARES Act credit reporting protections, summary of foreclosure alternatives with COVID-19 hardships, and mortgage relief for homeowners affected by COVID-19. In addition, the Law Library added links to resources regarding tenant relief and protection from eviction due to the impacts of COVID-19, as well as links for assistance for small landlords and for homeowners about avoiding foreclosure.

### **Financial Report**

The Closing Financial Statement for Fiscal Year 2020/2021, showing all income and expenditures, is attached hereto.

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The Law Library had a net positive budget balance for 2020/2021 of \$32,033. This is attributable to the \$61,172 check we received from the California State Budget to backfill reduced filing fee revenue resulting from court closures during the pandemic shutdown. The Law Library's fund balance as of June 30, 2021 was \$107,541.

### **Library Funding**

Stable, consistent and adequate funding is a pressing issue for the Law Library – and for county law libraries across the state. Historically, the Law Library has derived more than 90% of its annual operating funds from a fixed share of designated civil filing fees: \$32 from fees paid for every first-appearance paper filed with the Marin County Superior Court. That \$32 figure has not changed since 2006 while the fees received from first appearance papers filed with the Court has declined 48.7% since FY 2010/2011. The one-time funding allocation that the Law Library received from the 2018 California State Budget Act significantly increased the Law Library's operating funds in FY 2018/2019. Although county law libraries did not receive California State Budget funding in FY 2019/2020, the funds we received in FY 2020/2021 meant the difference between a negative budget balance and the positive budget balance that we had at the end of the year. Fortunately, the California Legislature has committed to annual budget allocations for county law libraries in the FY 2021/2022 and FY 2022/2023 budget years. However, there is no guarantee of future funding commitments after that so it is anticipated that continuing advocacy efforts by county law libraries will be necessary.

In addition to the steady annual decrease in the number of cases filed with the courts, 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 civil filing fees that was allotted to Law Libraries. Consequently, the Law Library experienced a 48.7% decline in filing fee income from FY 2010/2011 to FY 2020/2021.

### **Income Streams and Reserves**

#### **Filing Fee Income**

In Fiscal Year 2020/2021 the Law Library received \$133,488 in filing fees, a 13.7% decrease from the previous year (which was also impacted by the pandemic shutdown for 3-1/2 months), and a significant 21.5% decrease from FY 2018/2019, the last full fiscal year of Law Library operations that was not impacted by the pandemic shutdown.

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

The Law Library raised \$3,767 in self-generated revenue, down 62% from the previous year. That sum came from funds that were in the petty cash box when the COVID-19 Shutdown began, combined with charges for photocopies, document faxes and scans, and



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book sales from the two months of FY 2020/2021 that we were open. There were no proctored exam services or conference room rentals in FY 2020/2021. The self-generated revenue comprised 1.9% of our total revenue, down 3.7% from the previous fiscal year.

## **Reserve Funds**

The Law Library has \$10,000 in reserve funds at the present time.

## **Effect of Decreasing Budget**

Due to the funding decline since FY 2010/2011 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 year-old updates.

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

## **Fundraising Possibilities**

The Law Library's network infrastructure is outdated, increasingly unreliable and needs to be replaced. These circumstances hampered our ability to transfer programs to a digital platform and roll them out to the public during the pandemic. First, the Law Library's internet bandwidth had to be increased to accommodate the technological demands of online programming. Now, several essential components of our network infrastructure need to be replaced and upgraded to maintain a secure and reliable internet connection. This work will cost \$30,000 but is necessary in order to continue serving patrons, both online and in-person at the Law Library. The Law Library plans to seek grants to defray some of the cost, but will need additional funding sources.

The Marin County Board of Supervisors may 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 Trustees' commitment to helping self-represented patrons because of the large unmet need for these services in Marin, it is hoped that the County would recognize that a small investment to support the Law Library's effort could reap great rewards.

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## **Conclusion**

The Trustees of the Marin County Law Library remain committed to providing access to legal resources for all the residents of Marin. In the past year when the Law Library facility was closed for 10 of 12 months, that commitment necessitated expanding the Law Library's internet bandwidth to support online access to a much broader spectrum of Law Library programs and services. In addition, it required increased technological savvy and skill from the Director and Staff to develop and maintain the online services and to support the public's use of those services. As we look to the future, keeping in mind that the Law Library is the safety net for the entire county in terms of access to justice, we will have to invest in replacement of our outdated network infrastructure, an essential component of our ability to provide robust and reliable online resources, services and programs.

FY 2021-2022

Staff Wage Increase Calculations - Prepared 9/17/21

CURRENT ANNUAL WAGES EXPENSE - ALL STAFF							
Hourly Rate	Hours Per	Weekly	#Weeks Annual	Annual	#Months Annual	Monthly	Total Wages
EE-1	\$ 16.25	8	\$ 130.00	52	\$ 6,760.00	12	\$ 563
EE-2	\$ 15.00	10	\$ 150.00	52	\$ 7,800.00	12	\$ 650
EE-3	\$ 15.00	20	\$ 300.00	52	\$ 15,600.00	12	\$ 850
<b>Subtotal:</b>				<b>\$ 30,160</b>		<b>\$ 1,863</b>	<b>30,160</b>
3 x \$7,000 =		21,000	Employer UI & ETT Taxes/EE/Yr to \$7K Max @3.40%:			\$ 714	
			Employer Taxes @ 10.55%:			\$ 3,182	
<b>GRAND TOTAL:</b>						<b>\$ 34,056</b>	
(Wages + Employer Taxes)							

ANNUAL WAGES EXPENSE with Staff Increase to \$17/Hour							
Hourly Rate	Hours Per	Weekly	#Weeks Annual	Annual	#Months Annual	Monthly	Total Wages
EE-1	\$ 17.00	8	\$ 136.00	52	\$ 7,072.00	12	\$ 589
EE-2	\$ 17.00	10	\$ 170.00	52	\$ 8,840.00	12	\$ 737
EE-3	\$ 17.00	20	\$ 340.00	52	\$ 17,680.00	12	\$ 1,473
<b>Subtotal:</b>				<b>\$ 33,592</b>		<b>\$ 2,799</b>	<b>33,592</b>
			Employer UI & ETT Taxes/EE/Yr to \$7K Max @3.40%:			\$ 714	
			Employer Taxes @ 10.55%:			\$ 3,544	
<b>GRAND TOTAL:</b>						<b>\$ 37,850</b>	
(Wages + Employer Taxes)							

ANNUAL WAGES EXPENSE with Staff Increase to \$18/Hour							
Hourly Rate	Hours Per	Weekly	#Weeks Annual	Annual	#Months Annual	Monthly	Total Wages
EE-1	\$ 18.00	8	\$ 144.00	52	\$ 7,488.00	12	\$ 624
EE-2	\$ 18.00	10	\$ 180.00	52	\$ 9,360.00	12	\$ 780
EE-3	\$ 18.00	20	\$ 360.00	52	\$ 18,720.00	12	\$ 1,560
<b>Subtotal:</b>				<b>\$ 35,568</b>		<b>\$ 2,964</b>	<b>35,568</b>
			Employer UI & ETT Taxes/EE/Yr to \$7K Max @3.40%:			\$ 714	
			Employer Taxes @ 10.55%:			\$ 3,752	
<b>GRAND TOTAL:</b>						<b>\$ 40,034</b>	
(Wages + Employer Taxes)							

ANNUAL WAGES EXPENSE with Staff Increase to \$19/Hour							
Hourly Rate	Hours Per	Weekly	#Weeks Annual	Annual	#Months Annual	Monthly	Total Wages
EE-1	\$ 19.00	8	\$ 152.00	52	\$ 7,904.00	12	\$ 659
EE-2	\$ 19.00	10	\$ 190.00	52	\$ 9,880.00	12	\$ 823
EE-3	\$ 19.00	20	\$ 380.00	52	\$ 19,760.00	12	\$ 1,647
<b>Subtotal:</b>				<b>\$ 37,544</b>		<b>\$ 3,129</b>	<b>37,544</b>
			Employer UI & ETT Taxes/EE/Yr to \$7K Max @3.40%:			\$ 714	
			Employer Taxes @ 10.55%:			\$ 3,961	
<b>GRAND TOTAL:</b>						<b>\$ 42,219</b>	
(Wages + Employer Taxes)							

EE-1  
 EE-2  
 EE-3

ANNUAL WAGES EXPENSE with Staff Increase to \$20/Hour							
Hourly Rate	Hours Per	Weekly	#Weeks Annual	Annual	#Months Annual	Monthly	Total Wages
\$ 20.00	8	\$ 160.00	52	\$ 8,320.00	12	\$ 693	
\$ 20.00	10	\$ 200.00	52	\$ 10,400.00	12	\$ 867	
\$ 20.00	20	\$ 400.00	52	\$ 20,800.00	12	\$ 1,733	
			<b>Subtotal:</b>	\$ 39,520		\$ 3,293	39,520
						Employer UI & ETT Taxes/EE/Yr to \$7K Max @3.40%:	\$ 714
						Employer Taxes @ 10.55%:	\$ 4,169
						<b>GRAND TOTAL:</b>	\$ 44,403
							(Wages + Employer Taxes)