



LANE COUNTY LAW LIBRARY ADVISORY COMMITTEE

Virtual (GoToMeeting)

Tuesday, October 28 | 12:00 p.m. – 1:00 p.m.

AGENDA

Committee Charge: Advise the Law Librarian and Board of County Commissioners regarding the operations, policies, and financial requirements necessary to maintain adequate law library facilities and services. Make recommendations for project priorities and long-range planning goals.

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| 1. Call to Order/Welcome/Introduction | 12:00pm |
| a. Victoria Nguyen introduction | |
| 2. Public Comment (3 minutes per person) | 12:05pm |
| 3. Review and Approval of Minutes (September meeting) | 12:10pm |
| 4. Updates to Agenda | 12:10pm |
| 5. Announcements/Reports | 12:10pm |
| 6. Old Business | 12:15pm |
| a. LLAC bylaws – moving forward with final, formal approval (<i>I, D <5 minutes</i>) | |
| b. Senate Judiciary Committee workgroup formed, pertaining to SB 858 (2019) . Sue participating. If passed, SB 858 would have expanded the statutory definition of law library services to include “court facilitation programs” beyond just Multnomah County; based on HB 4097 , which passed in 2018. (<i>I, G 15 minutes</i>) | |
| c. Collection weeding project & withdrawals (<i>I, <5 minutes</i>) | |
| d. Lexis contract expiration (<i>I, <5 minutes</i>) | |
| 7. New Business | 12:35pm |
| a. Eviction mediation/diversion program possibilities at Circuit Court (<i>I, G 20 minutes</i>) | |
| 8. Next Meeting Tuesday, December 1, 3:30-5:00pm | |
| 9. Adjourn | 1:00pm |

Legend: *I = Inform, G = Generate ideas, D = Decide*

Date: October 23, 2020

To: SB 858 Legislative Workgroup c/o Gillian Fischer, Committee Counsel, Legislative Policy and Research Office

From: Oregon county law librarians Lee Van Duzer (Washington), Sue Ludington (Lane), Jenn Dalglish (Clackamas), Martha Renick (Multnomah)

Subject Memo: *OREGON COUNTY LAW LIBRARY SERVICES*

On Thursday, October 8, 2020, the SB 858 (2019) Workgroup had its first meeting in advance of the 2021 Legislative Session. At the conclusion, Gillian Fischer asked the county law librarians to compile a list of county law library services to better understand the work and activities that take place in these institutions. Below is a basic list of services occurring every day in Oregon county law libraries:

- **Legal research guidance and instruction** using primary and secondary materials to research the law and legal topics
- **Legal reference assistance** (e.g. responding to patrons' legal questions and related problems) in person, by telephone, or via email, chat, text, or virtual meeting
- **Local referrals** to: legal advice or consultation programs; social service agencies; housing, public benefits, consumer hotlines; government and non-profit organizations serving immigrants, disabled, veterans, etc.
- **Plain language legal information materials**, pathfinders, guides, and explanations of the legal process for the public
- **Specialized legal materials (both print and electronic)** including continuing legal education (CLE) seminar products, legal treatises, bar association publications, law reviews, legislative history sources, and primary local and state law archival materials for attorneys, judges and court staff, and other legal professionals
- **Circulation of law library materials** to attorney patrons, including curbside delivery during COVID
- **Document delivery** of materials from the law library's collection, either in print or digitally
- **Access to court forms**, sample templates, and examples of pleadings
- **Access to public computers** for legal research on the internet, subscription legal databases like Lexis and Westlaw, and Oregon county/state court records databases
- **Usage of and assistance with technology equipment**, including printers, photocopiers, scanners, etc.
- **Local court and county navigation guidance**, directional information, and descriptions of court departments and functions
- **Meeting rooms and quiet spaces** for reading, studying, attorney-client meetings or depositions, or preparing for court
- **Educational events and other programming** such as workshops, public information presentations, and webinars
- **One-on-one legal assistance programs** connecting pro bono attorneys with individuals in need of limited legal advice/representation, such as "Lawyer in the Library" and Expungement Clinics
- **Reference and research services to prisoners and county jail inmates**
- **Professional degreed law library staff** with specialized subject matter knowledge, customer service expertise, and law library management skills (including materials selection and collection development, personnel administration, budget and financial planning, website development, vendor contract negotiation, etc.)
- **Collaboration with local bar associations, schools, and public libraries**, including programming, staff training, and resource sharing

We look forward to sharing more information as needed and invite any and all questions.

Senate Bill 858

Sponsored by COMMITTEE ON JUDICIARY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows any county governing body to enter into intergovernmental agreement with Judicial Department to provide law library services or enter into contract with law library association or corporation owning and maintaining law library convenient to courthouse for use by legal community.

A BILL FOR AN ACT

1
2 Relating to law library services; amending ORS 9.820.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 9.820, as amended by section 1, chapter 29, Oregon Laws 2018, is amended
5 to read:

6 9.820. (1) [*In all counties containing more than 700,000 inhabitants, according to the latest federal*
7 *decennial census, the governing body of the county*] **A county governing body** may:

8 (a) Enter into an intergovernmental agreement with the Judicial Department to provide law li-
9 brary services; or

10 (b) Enter into a contract with any law library association or corporation owning and maintain-
11 ing a law library in the county at or convenient to the courthouse, for the use of the library by the
12 judges of the circuit and county courts, county commissioners, district attorney and all members of
13 the bar.

14 (2) Law library services may include services provided by a family law facilitation program es-
15 tablished under ORS 3.428 or a court facilitation program established under section 2, chapter 29,
16 Oregon Laws 2018.

17

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

Enrolled House Bill 4097

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Chief Justice Thomas A. Balmer for Judicial Department)

CHAPTER

AN ACT

Relating to legal resources; creating new provisions; and amending ORS 9.820.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 9.820 is amended to read:

9.820. (1) In all counties containing more than [400,000] **700,000** inhabitants, according to the latest federal decennial census, the governing body of the county may:

(a) **Enter into an intergovernmental agreement with the Judicial Department to provide law library services; or**

(b) **Enter into a** contract with any law library association or corporation owning and maintaining a law library in the county at or convenient to the courthouse, for the use of the library by the judges of the circuit and county courts, county commissioners, district attorney and all members of the bar.

(2) **Law library services may include services provided by a family law facilitation program established under ORS 3.428 or a court facilitation program established under section 2 of this 2018 Act.**

SECTION 2. (1) **The presiding judge for a judicial district may establish a court facilitation program to assist litigants in court proceedings other than family law proceedings as provided in ORS 3.428. In developing the program, the presiding judge shall jointly plan with the State Court Administrator, the local bar association, the law library established under ORS 9.815, the local recipients of funding under ORS 9.572 and other persons as the presiding judge deems appropriate. The presiding judge shall supervise the operation of the program. Program services must be provided by court employees or other persons approved by the presiding judge in facilities under the supervision and control of the court or other facilities approved by the court. The program may provide:**

(a) **Educational materials.**

(b) **Court forms.**

(c) **Assistance in completing forms.**

(d) **Information about court procedures.**

(e) **Referrals to agencies and resources that provide legal and other services.**

(2)(a) **All materials, instructions and referral lists provided through the program must be approved by the presiding judge.**

(b) **Forms provided through the program must be approved by the presiding judge and the State Court Administrator.**

(3) Except for fees authorized under ORS 21.245, services provided through the program must be provided without charge.

(4) An employee or other person providing services to litigants through a court facilitation program as provided in this section is not engaged in the practice of law in this state for the purposes of ORS 9.160.

(5) Except as provided in subsection (6) of this section, an employee or other person who assisted litigants through a court facilitation program may not, for a period of one year after leaving the program, charge or collect any fee from a litigant for services relating to a matter that was the subject of assistance under the program.

(6) The prohibition in subsection (5) of this section does not apply to persons admitted to the practice of law in this state.

Passed by House February 21, 2018

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 1, 2018

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2018

Approved:

.....M.,....., 2018

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2018

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Dennis Richardson, Secretary of State