



## **LANE COUNTY LAW LIBRARY ADVISORY COMMITTEE**

Virtual (GoToMeeting)

**Tuesday, September 29 | 10:00 a.m. – 11:30 a.m.**

### **MEETING MINUTES**

#### **1. Call to Order**

Secretary Sue Ludington called the meeting to order at 10:06 a.m. (quorum met)

#### **2. Welcome/Introductions**

Sue welcomed everyone, and introductions were made for the record.

Members present: Kari Malone, Jenny Jonak, Kristynn Johnson, Erika Hente

Staff/Ex-Officio: Sue Ludington, Law Librarian

Members absent (excused): Shane Davis, Marc Friedman, Victoria Nguyen

#### **3. Public Comment (none)**

#### **4. Review and Approval of Minutes (December 3, 2019 meeting)**

Kari moved to approve the February meeting minutes as submitted; Kristynn seconded. Because Jenny abstained from voting, the approval of minutes is pending until majority (quorum) is confirmed.

ACTION: Sue will find out if approval of minutes can be done via email.

#### **5. Updates to Agenda**

- a. Old business: Elect new LLAC Chair and Vice-Chair

#### **6. Announcements/Reports**

- a. Lane County Commissioner Pete Sorenson – liaison to Law Library – to leave office in January. New liaison should be known before the end of the year. Election to fill Pete's position (District 3, South Eugene) between Joel Iboa and Laurie Trieger, though any one of the 5 commissioners could be named as liaison.

#### **7. Old Business**

- a. Recruitment of new committee members and nomination/appointment process. Of the 9-member roster, 3 members are Lane County Bar Association (LCBA) appointees; 2 of these are practicing attorneys and each serves a 2-year term. Jenny Jonak and Shane Davis are the new LCBA attorney appointees; terms are July 2020-June 2022. The remaining LCBA appointment is of a law school student, who holds a 1-year term on the LLAC. This year, Victoria Nguyen is that student. She has an

incredibly busy schedule, but we look forward to meeting her at our October meeting.

Per the bylaws, LLAC members must elect the committee Chair and Vice-Chair each year. Jenny had previously volunteered via email to serve as Chair, and Shane Davis said he would serve as Vice Chair. Following discussion by members, Erika moved to elect both to the officer positions; Kari seconded.

- b. FY20-21 budget review/update. Sue informed that the OJD appropriation for law libraries was cut by \$900,000 for the 2020-21 year during the emergency session that occurred over the summer. This is a 25% reduction, which is quite significant and unsettling. For Lane County, this amounts to approximately \$76,000 cut from the Law Library. Because there is no new courthouse on the horizon, monies that had been in reserve for a new library project could now be used to cover the loss. Sue had also budgeted for a 2<sup>nd</sup> Extra Help staff person (\$40,000) but due to COVID, is not pursuing to fill that position.

Generally it doesn't bode well for county law libraries overall. It is unclear at this time what will happen to the total appropriation (which has held steady at \$7.5 million for the last 10 years) during the 2021 legislative session. Sue is chair of the Oregon Library Association's legislative committee this year; both OLA's lobbyists and Sue's boss, Alex Cuyler (Lane County's Intergovernmental Relations Manager) gave written testimony in August in opposition to \$900K cut.

Jenny asked for a comparison of last year's and this year's revenue. Sue estimated the 2-year appropriation for Lane County is around \$600,000, so each year is about \$300,000. With a 25% reduction, the 2020-21 revenue is about \$225,000.

- c. Media equipment purchase by LCBA. At the start of the calendar year, past LLAC Chair Sebastian Tapia had inquired about whether or not LCBA could store media equipment they purchased in the Law Library. It would have been available to reserve for LCBA events, and possibly LCBA attorneys or related professionals could check out with deposit. To date, Sue has heard any follow up.  
ACTION: Sue will reach out to Sebastian to find out what the status is since COVID.
- d. OECI terminals to be made available in Lane County's public libraries. TCA Liz Rambo and Sue had previously been in talks to pursue the installation of OECI terminals (or equivalent OECI access on existing library terminals) at the county's various public libraries. Sue had reached out to public library directors, and all were on board. Unfortunately since COVID has more or less closed the public libraries, this project has been put on hold. Sue doesn't want to necessarily push the court to move forward, with everything else going on.

ACTION: If possible, Kari will reach out to Liz during a regular meeting to see if she

can find out where the court stands on the project at this point.

## 8. New Business

- a. LLAC bylaws. Despite the work LLAC did on bylaws over 2019, Sue hasn't gone through laborious process of presenting to County Commissioners for their final approval. Main changes included Article II, Sec. 2(B) (describing LCBA's relationship with LLAC); Article III (detailing committee membership, and "categories" of members); Article V, Sec. 1(A) and (B) (establishing month for officer election); Article VI, Sec. 6 (allowing for virtual participation).

Per Article X, these bylaws are supposed to be reviewed annually by LLAC. Question: How often to Commissioners meet?

ACTION: Sue to determine upcoming Commissioner meeting schedule and estimate timeline for getting bylaws approved. Sue to find out if email among LLAC members can be method for reviewing and approving bylaws.

- b. Senate Judiciary Committee workgroup formed, pertaining to SB 858 (2019). Sue provided background to SB 858, which didn't pass but resulted in the formation of a workgroup. WG finally organized in September 2020, first meeting October 8. Notice of WG was posted to OSB-Sole & Small Firm Section listserv, inviting any interested attorney to inquire about participating on WG. Alex approved for Sue to be on WG (he is also on it). Also joined by Lee Van Duzer (Washington County Law Library); as Oregon Library Assn members, Sue and Lee supported by OLA lobbyists, who too are on WG. Other county law librarians on WG include those from Clackamas & Multnomah. New to WGs, Sue asked if anyone knew if they function as discussion/conversation only, or whether specific action will come out of it. Still unknown, but seems a bill could potentially be presented by WG in 2021 session.

Biggest questions involve funding of county law libraries, and what should be defined as "county law library services." Sue had experience with OLA when they went through process of passing legislation to statutorily define "public library," so knows this is no easy task.

Sue wants LLAC to frankly discuss how Lane County Law Library is relevant, and how can it better implement its services to all patrons during COVID (and, going forward, remotely in general). Erika described how legal aid is conducting intake over the phone, and then client hearings using iPads. Cell phone not a great device for clients to use to view docs, but that's often what they're limited to. Biggest barriers are people not having devices or strong enough internet connections.

Questions for legal aid and law library, if wanting to pursue remote assistance by making a computer/tablet available to clients/patrons in adjacent space or other location near the office/library: How to create private space to ensure

confidentiality? How to keep space sanitized?

Sue has offered Law Library space(s) to Presiding Judge, as she hears sufficient social-distancing can be difficult in courthouse. No requests so far.

Sue interested in how law library might facilitate getting devices to people who need them. She spoke about being a panelist on conference program this summer where she discussed providing legal info services to rural communities. In that presentation, she talked about South Carolina law school's pro bono grant project that enabled them to build customized bus, complete with meeting rooms . They have ideas for bus to go to rural areas and offer, for example, basic wills or similar legal actions. Sue fantasizes about implementing something like that in Lane County, which is geographically quite large.

Sue asks what can be done to demonstrate value of law library services, for both attorney patrons (30%) and non-attorney patrons (70%). She's pondered the idea that, if law library appropriation is maintained, Lane could maybe partner with select number of rural counties to serve as hub for law library services; something like a "red phone" or kiosks available locally for direct connection, or possibly "roving" law librarian services.

Sue suspects that WG progress favoring county law libraries will not be easy, so endorsement, advocacy, etc. by LLAC will be sought after and appreciated.

Jenny asked if there will be opportunity to present to the WG or otherwise weigh in; in response, Sue described how HB 4097 (2018) went down, and how the hearing might have benefited from having additional lawyer advocacy. (The law changed in Multnomah only. The law library ended up with just 1/3 of its original appropriation, and the remaining 2/3 went to the "Legal Resource Center" at the new courthouse, because the new law allowed them to label "court facilitation" as law library service.) Sue imagines a world where the county and court collaborate together, with both sides wanting to preserve the unique services of law libraries while pursuing inclusion of court facilitation. She invites LLAC for conversation, advice, etc. and wants to keep LCBA in the loop.

- c. Collection weeding project and withdrawals. Sue has envisioned turning part of law library into a self-help center for some time; the law library/self-help center arrangement common in many other states (some even include attorneys/legal aid staff), great models to emulate. A SHC in the library would require getting rid of good portion of print collection; COVID has allowed Sue to dive into this project. Barring objections from LLAC, Sue intends to first weed Federal and Federal Supplement Reporters (the enormous sets published by West that no one uses anymore). The library stopped buying more than 10 years ago, and subscribes to Westlaw online where same information can be found. Erika asked how much

federal case law is of importance to the public; Sue said minimal. Recommended that library have alternative to what's weeded. No Oregon materials will be weeded. Sue continues to solicit attorney feedback on treatises, what's useful and what's not.

- d. Lexis contract expiration. The Law Library has "staff only" Lexis subscription via 3-year contract; costs \$170/month (as compared to "patron access" subscription via Westlaw contract, which costs \$1440/month). Remote access to Westlaw since COVID has not been simple, especially because they limit the number of hours a person can use it; Sue has been frustrated to pay when Westlaw isn't making it easy for patrons. Lexis told Sue their patron access is currently unlimited and simple for all patrons to use remotely.

Lexis contract expires 10/31 and Sue is considering upgrading to "patron access" subscription, with 32-month contract period to coincide with the Westlaw contract. That way, both contracts would end at the same time (31-DEC-2022), and a decision could be made to switch completely to Lexis' patron access, if sufficiently comparable and/or Westlaw becomes cost-prohibitive. Sue plans to talk to her supervisor and county counsel before taking action.

Comments: Erika mentions having access to Fastcase via OSB membership, and with recent upgrade, it's good, reliable, and easy to use. Supplemented by Legal Aid's Lexis account, which is used minimally (cost based on minimum # of hours and per transaction options). Jenny's familiar with Westlaw, but it's a bonus and luxury at her firm. She agrees library should make it available; could Sue provide link and instructions, send out to LCBA to better promote?

Law Library also subscribes to National Consumer Law Center materials (print and online). Erika confirmed content is dense, aimed at consumer attorneys, not appropriate for non-lawyers.

ACTION: Sue will get Westlaw access info to Jenny.

9. **Next Meeting:** Tuesday, October 28, 12:00-1:00pm

Erika manages group meeting on Tuesdays, so her attendance may be limited.

10. **Adjourn**

The meeting was adjourned at 11:35am.