

## **SISKIYOU COUNTY PUBLIC LAW LIBRARY**

### **SUMMARY AND BACKGROUND**

Business and Professions Codes sections 6300 through 6363 mandate that every county will provide a law library and a board of trustees to manage the funds received, and will provide sufficient space for the law library. In Siskiyou Cotmty, \$26 of every civil filing fee and \$8 of every small claims filing fee are deposited into a trust account to fmd the law library. Until 2012, the Superior Court provided and staffed a law library for the citizens of the county.

Under California Codes, the cotmty, not the state, is now responsible for providing a law libraly. Therefore, after the Superior Court became a state entity, they turned this duty over to the colmty in July 2012.

Since that time, the law library has been difficult to find. The Civil Grand Jury was interested in the location and operations of this "branch" of the public library, after Jury members were unable to find the law library.

### **METHODOLOGY**

The Civil Grand Jury reviewed California Codes, budgets, documents and minutes from Board of Supervisors meetings and interviewed staff.

### **DISCUSSION**

The law library board of trustees consists of four judges, two local attorneys and a citizen at large. There are currently two vacancies: one citizen at large, and one attorney. The make-up of the board of trustees is statutory tmder Business and Professions Code section 6301. The meeting requirements are fotmd in Business and Professions Code section 6304, which allows the board to set a meeting schedule, but the Code section requires monthly meetings. Currently the Board meets annually to verify that the law library is properly maintained.

While the board oflaw library trustees administers the budget for the law library, the funds from civil filing fees are not sufficient to hire a law librarian and provide a legal research collection at the same time. The civil filing fees received annually are approximately \$25,000. Those funds are currently deposited into the Siskiyou County Library budget. While Business and Professions Code section 6345 provides that the board of law library trustees may appoint a law librarian, that cmmot occur without adequate funds for payment of wages. Siskiyou County has not ever had a trnined law librmian; court staff provided legal research information during the time the court provided space for the law library.

The law library is housed in the Yreka Branch of the Siskiyou County Public Librmy under Business and Professions Code section 6361, quoted in full: "The board of supervisors of the county i n which the law library is established shall provide sufficient quarters for the use of the library upon request of the board of law library trustees, except that the board of supervisors

need not provide such quarters when the board of law library trustees determines it has sufficient funds, over and above those necessary for operation and maintenance expenses, to provide its own quarters. Such provision may include, with the room or rooms provided, suitable furniture, window shades, floor coverings, lighting, heat and telephone and janitor service." There seems to be some disagreement over whether the board of supervisors or the board of law library trustees would be responsible for the specifics of the presentation of the law library.

It is not, however, part of the branch, which is run by the Yreka Friends of the Library group. At this time, there is no law librarian serving in Siskiyou County. A law librarian functions in a specific reference capacity, which requires specialized training. Under the current model, the Siskiyou County librarian is not available for any research or reference services. Further, a public librarian is not trained to offer law librarian services.

Another challenge for the community is physically locating the law library in the Yreka Branch. There are no signs in the public library directing users to the law library, there is no single designated area for the law library and the law library is not referenced on the Siskiyou County Public Library website. For that matter, the law library is not referenced on any other public information materials produced for the Siskiyou County library. Local attorneys donate time every other week to assist those with legal research needs.

There is a law book collection; it is not located in one spot in the public library. These books are not included in the circulating collection of the public library and are not currently being updated. Part of the collection of books that used to reside in the public law library in the courthouse are grouped together in one shelving area, but are unmarked. There is also a collection of current titles from NOLO Press, a self-help publisher, but it is located in a different area of the library. The law books, other than the NOLO books, are no longer updated, making them of limited use. However, attorneys review them to make sure they are still useful to some degree. There are no signs indicating that they are not updated. As reference books, they cannot be checked out, but there are copy machines in the library, so one could copy pages as needed.

In addition, two public access computers dedicated to the law library, with access to a Westlaw account and a HeinOnline account for legal research, are available. However, a password is required to access these accounts; this is not made clear to the public and the passwords are not posted. These resources are current, and should be relied upon for current legal information. At the time of this writing, these computers were marked "Out of Order". These computers are located near the area where the book collection is located and do have a sign designating their use.

Local attorneys who donate time are an excellent resource for those who require assistance in locating legal information. It is often necessary to determine where to locate the information one needs, based on jurisdiction, whether one is dealing with regulations rather than codes and other specialized circumstances. These attorneys can guide the public to the information they need. They are not, however, available to give legal advice or assist in legal matters. There is no

information posted as to when an attorney is available.

Presently, the community is being poorly served by a public law library, paid for by civil filing fees, but invisible to the public. With a few inexpensive changes, this problem could be easily rectified so that the public would be able to access this critical resource.

## **FINDINGS**

- F1. There are no signs in the library defining the location of the law library describing the collection, or explaining the use of dedicated computers, making the law library difficult to find or access unless the volunteer attorneys are available.
- F2. There is no mention of the public law library in any informational materials or on the public library website. Therefore, the general public is unaware of the law library's existence and its possible benefits to those who require legal assistance.
- F3. There is no central area to house the public law library, effectively making the law library difficult to use.
- F4. The collection is not easily accessible to the public and not all staff or volunteers are familiar with its location. Therefore the law library collection paid for by the board of law library trustees is invisible to the public.
- F5. While online databases are available, there are no instructions or passwords posted to facilitate public use, causing the databases to be inaccessible to the public.
- F6. While attorneys regularly volunteer and assist the public in using the law library, there is little publicity regarding this service, which is the only way the public is currently able to access the law library collections.

## **RECOMMENDATIONS**

- R1. There should be adequate signage directing the public to the public law library, describing the law library collection and explaining how to access the dedicated computers. These can be printed at negligible cost and should be posted within 90 days of the publication of this report.
- R2. At the very least, a brochure should be created to outline public law library information and the Siskiyou County Public Library web page should be updated to include information about the public law library by the end of the year.
- R3. The Public Law Library should be housed in one clearly designated area of the Yreka branch of the Public Library immediately.

- R4. Volunteers at the Yreka Branch Library should be trained regarding the location and use of the Public Law Library. They should be able to direct the public to the designated space. This training should be completed immediately.
- RS. Instructions for use of the computer databases and access to passwords should be made readily available to the public.
- R6. Volunteers at the Yreka Branch Library should be trained immediately to give information as to attorney availability at the law library.

### **REQUEST FOR RESPONSES**

Pursuant to Penal Code section 933.05, the Grand Jury requires responses as follows:

From the following governing bodies:

- Siskiyou County Board of Supervisors please respond to R1 - R6.

Pursuant to Penal Code section 933.05, the Grand Jury requests responses as follows:

From the following governing bodies:

- The Board of Law Library Trustees are asked to respond to R1-R6.

### **INVITED RESPONSES**

- The Siskiyou County Librarian is invited to respond to R1 - R6.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.