

Douglas County Law Library

POLICY MANUAL

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Douglas County Law Library
Judicial and Law Enforcement Center
111 East 11th Street
Lawrence, Kansas 66044

Douglas County Law Library Policy Manual

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Introduction

Philosophy

All citizens of every state and territory of the United States of America have a fundamental right of access to justice. An essential element of access to justice is access to the sources of the law. By establishing statutory authority for the creation of county law libraries in the state, the Kansas legislature has recognized that law libraries are important elements in providing judges, attorneys, and members of the general public with access to those sources.

The Douglas County Law Library (DCLL) was created to provide improved access to legal research materials by all in Douglas County who need them.

Policy Manual

This manual will set down and organize all of the policies currently in effect for the DCLL, thereby creating a common frame of reference for all those involved with the library. The policies establish the general principles under which the library operates.

The manual is so organized that introductory and explanatory material appears first, followed by a section containing the policies approved by the Board of Trustees.

The section of the manual containing the policies is organized alphabetically by name of the individual policy.

The policies are recorded in their entirety and include a notation as to the date they were approved by the board. The dates of policy revisions are also noted.

Policies go into effect immediately upon approval by the board and remain in effect until revised or repealed by the board.

A copy of the policy manual, including all law library policies currently in effect, shall be made available in the library at all times. In addition, copies of the meeting minutes of the Douglas County Law Library Board of Trustees shall be compiled and made available in the library.

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Mission Statement

The mission of the Douglas County Law Library is to provide legal and law related resources through a law library, focused on a Kansas practice, conveniently located in the Judicial Center for use by the bar, bench and public.

Approved by the Law Library Board of Trustees, 8/21/03
Revised by the Law Library Board of Trustees, 10/18/07

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Law Library History

In the closing years of the 20th century, members of the local legal community perceived a growing need for a law library to serve the attorneys and general public in Douglas County. In the fall of 2000, the Honorable Michael J. Malone, then Chief Judge of the Seventh Judicial District, proposed to the Bench/Bar Committee of the Douglas County Bar Association that it consider establishing a county law library. The Committee decided to ask local attorneys if there was enough interest to move forward with the proposal. The Committee appointed a six-member subcommittee to coordinate and conduct an election on establishing a law library, pursuant to the requirements set forth in K.S.A. 20-3126(b).

On February 26, 2001, the committee held an election among local attorneys, asking whether or not a county law library should be established. They voted 109 in favor and 12 against, thereby approving the establishment of a library.

According to statute, the five sitting district court judges, the Honorable Michael J. Malone, the Honorable Robert Fairchild, the Honorable Paula B. Martin, the Honorable Jack A. Murphy, and the Honorable Jean F. Shepherd, became members of a board of trustees for the newly approved law library. Since the five members constituted a quorum of the new Douglas County Law Library Board of Trustees, they immediately held a meeting by e-mail on February 27-28, 2001. The board passed a motion that set the attorney representation on the Board at four members, two more than the statutory requirement that no fewer than two attorney members be elected to two-year terms on a county law library board. In addition, the board set the law library docket fees that are authorized in K.S.A. 20-3129, with collection to begin in March of 2001.

The board held an election to fill the four attorney positions on the board of trustees in May of 2001. Douglas County attorneys elected David J. Brown, Kay Huff, Margie Wakefield, and Charles Whitman, all of whom had been members of the Bench/Bar election subcommittee, to serve on the board.

The board held its first regular meeting on May 31, 2001. At that meeting, the Honorable Michael J. Malone was elected President of the Board, and Margie Wakefield was elected Secretary, both by acclamation. The board set the annual Law Library Registration Fee for local attorneys at the statutory minimum of \$10.00 and authorized Doug Hamilton, Clerk of the Douglas County District Court and, according to statute, Treasurer of the Law Library, to begin collecting the fee pursuant to K.S.A 20-3126(c).

Over the next year and a half, the board researched and investigated the necessities of opening and operating a law library, including the finding of a suitable location for the library and the hiring of a law librarian. The Judicial and Law Enforcement Center was undergoing renovation during that time, which allowed some flexibility in identifying a space for the library to occupy. The board chose an area on the south side of the Judicial

and Law Enforcement Center and next to the south entrance of the building as the location for the future library. The space had previously been part of the Citizen Review Board offices. Construction began to adapt the space for library use. During the summer of 2002, the board conducted a search for a law librarian with Kerry Altenbernd eventually being hired to fill the position. He began work on October 1, 2002 as the first Douglas County Law Librarian.

The board and the law librarian worked for the next seven months to finish renovation of the space, outfit the library, and otherwise make it ready for opening. A ribbon-cutting ceremony on May 1, 2003, marked the official opening of the Douglas County Law Library. On June 18, 2003, a new electronic key system became operational and made the library accessible to registered attorneys 24 hours a day, seven days a week.

At its January 15, 2004 meeting, the board of trustees voted in favor of allowing local artists to exhibit their works in the law library. As part of the celebration of the first anniversary of the law library, the Douglas County Law Library Art Gallery opened on April 30, 2004, with an exhibition of photography by local attorney Hudson Luce. Exhibits by other artists followed monthly thereafter.

In its 2004 session, the Kansas Legislature authorized the addition of a sixth district judge to the Seventh Judicial District. With the swearing in of the Honorable Stephen N. Six to that position on February 4, 2005, the membership of the library board increased to ten.

The addition of a sixth judge to the board caused its members to become concerned that the balance between attorneys and judges on the board might be disrupted. To mitigate any imbalance, at its January 20, 2005, meeting, the board approved the addition of a fifth attorney member to serve on the board. It was decided to fill that new position in the biennial attorney member election scheduled for that spring.

In the spring 2005 election, David J. Brown, Kay Huff, and Charles Whitman were reelected to the board. Shelley K. Bock and Stephanie J. Haggard were newly elected to the board. The five took office on May 1, 2005, the addition of one new attorney member bringing the total membership on the board to eleven. At the July 21, 2005, board meeting, Stephanie J. Haggard assumed the duties of Secretary of the Board.

In the spring 2007 election, Stephanie J. Haggard and Charles Whitman were reelected to the board. Martin L. Miller, Carolyn Simpson, and Kenzie Singleton were newly elected to the board. The five took office on May 1, 2007. At the July 19, 2007, board meeting Carolyn Simpson assumed the duties of Secretary of the Board.

On the occasion of his being chosen by Kansas Governor Kathleen Sebelius to fill the unexpired term of Paul Morrison as Kansas Attorney General, the Honorable Stephen N. Six resigned from his judgeship in the Seventh Judicial District on Friday, January 18, 2008. A search was begun to choose his successor and on March 31, 2008, the Honorable Peggy Carr Kittel, Judge Pro Tem in the Seventh Judicial District, was chosen by Governor Sebelius to fill the judgeship vacated by Judge Six. On April 9, 2008, the Honorable Peggy C. Kittel was sworn in as District Judge in Division VI of the Seventh

Judicial District of Kansas. With her swearing in as district judge, she became a member of the Law Library's Board of Trustees.

In 2008, Judge Jack A. Murphy decided to retire from his position as Judge in Division II, a position he had held since 1994, and so did not stand for retention in the November 4, 2008, general election. A search was begun to choose his successor and on December 12, 2008, Kansas Governor Sebelius chose local Lawrence attorney Sally D. Pokorny to fill the judgeship. Judge Murphy's last day on the bench was January 12, 2009. By retiring from the judgeship, he also retired from his position on the Law Library's Board of Trustees, a position he had held since its creation in 2001. On January 15, 2009, Judge Pokorny was sworn in as District Judge in Division II of the Seventh Judicial District of Kansas. With her swearing in as district judge, the Honorable Sally D. Pokorny became a member of the Law Library's Board of Trustees.

In the spring 2009 election, Kenzie Singleton, Charles Whitman, and Stephanie J. Wilson, who had previously changed her name from Haggard, were reelected to the board. Jody Meyer and Craig A. Stancliffe were newly elected to the board. The five took office on May 1, 2009. At the July 16, 2009 board meeting, Craig A. Stancliffe assumed the duties of Secretary of the Board.

In 2010, Judge Jean F. Shepherd decided to retire from her position as Judge in Division III, a position that she had held since 1984, and so did not stand for retention in the November 2, 2010, general election. Judge Shepherd's last day on the bench was January 7, 2011. By retiring from the judgeship, she also retired from her position on the Law Library's Board of Trustees, a position she had held since its creation in 2001. To fill the opening on the bench, Kansas Governor Mark Parkinson chose local Lawrence attorney Kay Huff from a pool of three names submitted to him by a search committee. On January 14, 2011, Judge Huff was sworn in as District Judge in Division III of the Seventh Judicial District of Kansas. With her swearing in as district judge, the Honorable Kay Huff rejoined the Law Library's Board of Trustees, on which she had served three terms as an attorney member, from 2001 to 2007.

In the spring 2011 election, Jody Meyer, Craig A. Stancliffe, and Charles Whitman, were reelected to the board. Julia V. Bellemere and Hatem Chahine were newly elected to the board. The five took office on May 1, 2011. At the July 21, 2011 board meeting, Julia V. Bellemere assumed the duties of Secretary of the Board.

In the spring 2013 election, Julia V. Bellemere, Hatem Chahine, Jody Meyer, and Charles Whitman were reelected to the board, and Sarah Warner was newly elected to the board. The five took office on May 1, 2013. At the board's July 18, 2013, meeting, the Honorable Michael J. Malone stepped down from serving as President of the Board, a position he had held since May 31, 2001. Charles Whitman was unanimously elected as the new President. In addition, Sarah Warner assumed the duties of Secretary of the Board.

In late spring of 2014, the Honorable Michael J. Malone announced his retirement from his position as Judge in Division IV, a position that he had held since 1982. At its July

18, 2014, meeting, the Law Library Board renamed the Law Library to be the Michael J. Malone Douglas County Law Library. This was done to honor his being the driving force behind the creation and development of the Library. The name change became effective on August 28, 2014, when it was announced publically at a bar dinner held in Judge Malone's honor. His last day on the bench in Douglas County was August 29, 2014. By retiring from the judgeship, Judge Malone also left his position on the Law Library's Board of Trustees, a position he had held since its creation in 2001. To fill the opening on the bench, Kansas Governor Sam Brownback chose Assistant Douglas County District Attorney James R. McCabria from a pool of three names submitted to him by a search committee. On December 8, 2014, Judge McCabria was sworn in as District Judge in Division IV of the Seventh Judicial District of Kansas by his predecessor, the Honorable Michael J. Malone. With his swearing in as district judge, the Honorable James R. McCabria joined the Law Library's Board of Trustees.

In the spring 2015 election, Sarah Warner and Charles Whitman were reelected to the board, and Curtis G. Barnhill, Kyle Brittingham, and Napoleon Crews were newly elected to the board. The five took office on May 1, 2015.

Revised 5/1/15

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Governance

The District Court of Douglas County, Kansas, established the Douglas County Law Library pursuant to K.S.A. 20-3126 through 20-3132.

An eleven-member Law Library Board of Trustees (See Appendix a.1 for current board members) governs the law library. The board sets library policy, approves an annual budget, exercises control of expenditures within that budget, and hires the law librarian to organize and administer the day-to-day operations of the law library. The six district judges of Douglas County and five local attorneys comprise the board. The registered attorneys of Douglas County elect the attorney members to the board who serve two-year terms.

Revised 2/4/05

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Art Gallery Policy

The Douglas County Law Library shall provide gallery space to display works of art by local artists. The law librarian and other library staff shall work with representatives of local arts organizations to design, implement, and manage a program that will identify local artists who wish to display their works in the law library's art gallery, and facilitate the exhibition of the artists' work in the library.

Artists may use the art gallery as a venue to sell the works they are exhibiting. The library shall take no commission from the sale of art displayed in the gallery.

The library shall not be responsible for works of art exhibited in the library and shall make no warranty or guarantee on them.

Approved by the Law Library Board of Trustees, 10/28/04

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Budget and Finance Policy

Budget

The Douglas County Law Library budget is based on the current and future needs of the library as defined in its mission statement. State statutes vest the Douglas County Law Library Board of Trustees with the authority to determine the library budget.

The law library operates on a calendar year basis. The law librarian shall prepare the annual budget and submit a draft to the board of trustees for review in September of the year prior to the calendar year for which the budget is intended. The law librarian shall incorporate any suggested revisions into the draft budget and present the final budget to the board of trustees for review and approval in the budget hearing held during the October board meeting prior to the calendar year for which the budget is intended.

As required by statute, the Clerk of the District Court shall be the treasurer of the law library. The clerk shall collect, keep, and disburse library funds as directed by the board of trustees who has responsibility for approving expenditures and authorizing the clerk to make payments. In addition, as required by statute, the law librarian shall assist the clerk in the performance of the duties of treasurer of the library.

Revenue

The law library shall derive income as appropriate for its operations from statutory fees, receipts, sales, interest, and other miscellaneous sources.

Statutory Fees

As required by statute, the Clerk of the District Court of Douglas County shall collect from all attorneys required to register in Douglas County, an annual law library registration fee. The clerk shall prohibit any attorney who has not paid the fee from filing any material with the clerk's office. The annual Douglas County Law Library registration fee shall be set at \$10.00.

The court clerk shall also collect for the use of the law library those portions of the "Statutory Docket Fees" as proscribed in K.S.A. 20-3129. These fees shall be set at \$10.00 for "all cases commenced pursuant to chapter 60 of the Kansas Statutes Annotated," \$10.00 for all felony criminal cases, and \$7.00 for all other cases.

Receipts

The library will charge fees for self-serve photocopying and printing according to the Douglas County Law Library Photocopying Policy. Those fees will offset expenses incurred by the library in providing library patrons with equipment used for those services.

Sales

At the discretion of the law librarian or other designated law library staff, the law library will sell excess or outdated library materials and deposit or otherwise invest the proceeds for the benefit of the law library.

Interest

Excess law library funds shall be deposited and/or invested in order to derive interest and/or dividend income for the library.

Miscellaneous Sources

When appropriate, the library shall derive income from other sources including, but not limited to, fines for damage to library material or equipment, reimbursement of fees incurred by the library for interlibrary loan materials, and monetary donations to the library.

Expenditure of Library Funds

The board of trustees shall authorize all expenditures of the law library. In order to free the board from being required to authorize minor expenditures, the board may authorize a maximum amount for individual expenditures that the law librarian may make without first consulting the board. The law librarian shall facilitate the expenditure of funds previously authorized by the board by approving and preparing payment of those expenditures, out of law library funds, for the clerk of the district court when appropriate. As treasurer of the law library, the clerk of the district court shall complete the payment of those expenses authorized by the board that were previously approved and prepared by the law librarian.

The clerk of the district court, with the assistance of the law librarian, shall provide effective control and accountability for all funds, property and assets, and assure that they are used solely for authorized purposes. They shall also provide an accurate, current and complete disclosure of the library's financial records in a manner that fully identifies the source and use of funds. They shall maintain supporting documentation, such as canceled checks, paid bills, and payroll records in accordance with retention requirements.

When feasible, the law library will use local vendors for purchases.

Payments shall be made in a timely manner.

Capital Improvements

When feasible, the law library budget will include an annual allocation to a Capital Improvement Fund.

Banking

All banking will be done with Douglas County banks.

Purchase Card

The law librarian shall be responsible and accountable for use of the purchase card issued to the law librarian.

Reports

In order to provide an accurate picture of the law library's financial status, the law librarian and the clerk of the district court, in the capacity of treasurer for the law library, shall create a variety of monthly financial reports for dissemination to the Board of Trustees.

Financial Audits

Each year, an independent accounting firm experienced in performing financial audits shall perform a public financial audit of law library records. The clerk of the district court and the law librarian shall make all law library financial records and minutes of board of trustees meetings available to the auditors as part of the audit. In addition, they shall provide other appropriate assistance to the auditors to insure a complete and accurate audit.

The clerk of the district court and the law librarian shall also perform periodic internal financial audits.

The clerk of the district court or the law librarian shall present a copy of each audit report at a regular meeting of the board of trustees.

The law librarian shall maintain in the law library a copy of each audit report.

Retention of Records

The clerk of the district court and the law librarian shall retain law library budget and finance records in accordance with the Douglas County Law Library Records Policy.

Approved by the Law Library Board of Trustees, 10/28/04

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Circulation Policy

The Douglas County Law Library is a non-circulating library.

At the discretion of the law librarian, certain library materials may be checked out. The use of all other library materials shall be within the confines of the library. A checkout system shall be established by the law librarian, which shall include the name and contact information of the patron, the materials checked out, and the due date. The patron shall reimburse the library for any loss or damage incurred. Failure to return library materials when due may result in a loss of library privileges and/or assessment of replacement costs.

Approved by the Law Library Board of Trustees, 6/19/03
Revised by the Law Library Board of Trustees, 10/28/04
Revised by the Law Library Board of Trustees, 1/17/09

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Collection Development Policy

The Douglas County Law Library shall endeavor to maintain a high quality and relevant collection of law related materials through a systematic process of materials selection, maintenance, and weeding. The goal of this process is for the law library to fully support the research efforts of its patrons within the confines of its mission.

The law library's main emphasis shall be on electronic resources available on-line and accessible through the library's three workstations. The print collection, though relatively small, remains an important part of the resources of the law library.

The Douglas County Law Librarian assumes final responsibility for the selection of legal materials. The law librarian shall make selection decisions with due consideration being given to the legal information needs of the Douglas County District Court, its departments and employees, local judges and attorneys, and the general public.

Patron Suggestions

The law library shall actively solicit patron suggestions for new acquisitions to enhance its various print and non-print collections as well as hardware. The various methods to solicit these suggestions shall include:

- A suggestion box or other container located in a conspicuous area in the library;
- Requests in bar association publications.
- Mention during presentations to visiting groups and orientations.

The law library shall accept suggestions from all categories of patrons. The selection criteria noted below shall control acquisitions made pursuant to any such suggestions.

Electronic Resources

The majority of the law library's current electronic resources are accessible on-line. Other electronic resources in the law library include a few titles on videocassette and CD-ROM. As electronic resources develop and become available, the law library shall add those deemed appropriate to fulfilling the mission of the law library to the law library's collection, in accordance with the law library's selection standards.

On-Line Resources

The primary on-line resource for the law library shall be one of the major commercial on-line legal research databases. Other on-line resources shall be added, if and when appropriate to fulfilling the mission of the law library, in accordance with the law library's selection standards.

Other Electronic Resources

The law library shall collect material in other electronic formats, CD, CD-ROM, DVD, DVD-ROM, videocassettes, etc., as they become available and useful in fulfilling the mission of the law library, in accordance with the law library's selection standards.

Print Collection

The law library shall collect print material appropriate to fulfilling the mission of the law library, in accordance with the law library's selection standards.

The law library shall maintain as complete and current holdings as possible of the *Kansas Statutes Annotated*, *Kansas Administrative Regulations*, *Kansas Reports*, *Kansas Court of Appeal Reports - 2d*, *Session Laws of Kansas*, the Kansas Bar Association practice manuals, and other print material focused on Kansas law and practice. The library shall also maintain as complete a set as possible of superseded *Kansas Statutes Annotated* bound volumes and annual supplements.

The law library shall acquire at least one copy of the latest edition of *Black's Law Dictionary* for the reference collection.

Approval Plans, Standing Orders, and Package Plans

The law librarian or other designated library staff shall selectively utilize approval plans, standing orders, and package plans.

Updates to Materials

The law library shall purchase pocket parts, supplements, and other updates to keep the electronic and print materials in the collection current in accordance with the law library's selection standards.

Periodicals

The law library shall purchase periodicals for the collection appropriate to fulfilling the mission of the law library, in accordance with the law library's selection standards.

Interlibrary Loan Requests

The law librarian or other designated library staff shall evaluate interlibrary loan transactions to determine whether the requested materials merit consideration for purchase by the law library.

Selection

The law librarian or other library staff shall consider the following factors in the selection of material for the law library:

- Relationship of the title to the existing collection.
- Timeliness and scope of the material.
- Availability and frequency of updates and supplements.
- Requests for purchase from law library patrons.
- Reviews and recommendations.
- Authority of the author, editor, and publisher.
- Cost of the material.
- Format of the material.
- Physical condition of the material, its utility and durability.

Selection Aids

In the selection of materials, the library staff shall consult, but not limit itself to these selection aides:

- *ABA recommended law books.*
- *The legal information buyer's guide and reference manual.*
- American Association of Law Librarians publications.
- Publisher's bulletins.
- The staff and collections of other law libraries.
- Patron requests and recommendations.

Donations

The law library shall accept donations in accordance with the Douglas County Law Library Donations Policy. The law library's selection standards apply to donations.

Replacements

The law library does not automatically replace all missing resources. The existence of adequate coverage in the collection, cost of replacement, demand for the specific title or subject, and availability of newer or better materials on the subject are all considered before making a decision to purchase replacements.

Duplication

The law library shall not purchase duplicate and multiple copies of resources unless there is a demonstrable need for more than one copy.

Weeding

Law library staff shall weed material from the law library collection in accordance with the Douglas County Law Library Weeding Policy.

Approved by the Law Library Board of Trustees, 10/28/04

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Disposal of Surplus Materials Policy

The law library will periodically dispose of material no longer needed for its collection. Law library staff shall use the weeding criteria contained in the Douglas County Law Library Weeding Policy in evaluating material for disposal. The library may give away, sell, or discard as waste the weeded material. The law librarian shall exercise his discretion in the selection of the disposal method.

Revenues generated from sale of surplus library materials shall go into the law library's general account. The law library should give away unsold or unsaleable material if possible.

Library staff should first attempt to locate other libraries that could use material identified for giving away. Failing this, the law library should offer the material to its patrons.

Discarded material shall be recycled if possible. Library staff should put material in the trash only as a last resort.

Equipment and furniture

Disposal of surplus library equipment and furniture is at the discretion and under the direction of the Douglas County Law Library Board of Trustees.

Approved by the Law Library Board of Trustees, 10/28/04

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Disruptive Patrons Policy

In order to insure a pleasant and safe environment, conducive to research and study in the law library, the library shall not tolerate disruptions of normal library operations by library patrons.

To those ends, the law library has established this Code of Behavior:

Code of Behavior

- Those using the library shall only engage in activities in accordance with the legal research function of the library.
- Library patrons shall respect the rights of other library patrons and library employees and shall not interfere with the use of the library by others or interfere with library employees in the performance of their duties.
- Unruly behavior, which can reasonably be expected to disturb other library patrons or library staff, shall not be allowed.
- The use of electronic equipment by library patrons shall not disturb other library patrons or library staff.
- The bodily hygiene of library patrons shall not be offensive so as to constitute a nuisance to other library patrons or library staff.
- Abusive or obscene language shall not be allowed in the library.
- Alcoholic beverages, illegal drugs, firearms not carried by building security, and/or other weapons shall not be permitted in the library.
- Smoking shall not be permitted in the library.
- Food and drink shall not be permitted in the library.
- Animals shall not be permitted in the library, except for those needed to assist a library patron with a disability.
- Shoes or other footwear, shirts or other coverings of the upper body, and pants, skirts, or other coverings of the lower body shall be worn in the library.
- Use of the library telephone by library patrons shall be restricted to emergencies. No toll calls shall be made.

Library staff may limit a patron's library privileges for damaging library property, stealing library materials, threatening library patrons or staff, harming library patrons or staff, or other violations of the Code of Behavior.

The law librarian shall post the Code of Behavior in the law library.

Intervention by Library Staff

Library staff shall not allow patrons to disturb or otherwise negatively affect the peace in the library.

Library staff shall employ good judgment at all times and use the least necessary intervention to resolve problems.

Library staff shall call in building security personnel immediately any time they perceive a physical threat to either persons or property, and to enforce the expulsion of disruptive patrons.

Incident Records and Reports

The law librarian may keep records of disruptive incidents, including the name of the disruptive patron, in accordance with the Douglas County Law Library Records Policy. All incidents shall be reported to the law librarian. Incidents which could or do require expulsion from the library shall be reported by the law librarian or other designated library staff member on an Incident Report as soon as possible to the President of the Douglas County Law Library Board of Trustees. The report will include the date and time of the incident, the names of those involved, and a description of the incident and what actions the staff took.

Loss of Library Privileges

Continued or extreme disruptive incidents can result in the loss of library privileges for the individual involved. The law librarian shall be responsible for revoking those library privileges in accordance with the Douglas County Law Library Suspension of Library Privileges Policy. Upon request of the individual whose library privileges were revoked, the Law Library Board of Trustees shall review the decision of the law librarian. The decision of the board is final.

Approved by the Law Library Board of Trustees, 10/28/04

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Donations Policy

The Douglas County Law Library shall consider accepting donations of materials in any format, which may enhance and supplement its current collection. The law library shall not accept donations offered with conditions.

The law library's selection principles apply to donations. The decision to accept the donation shall be made considering the following factors:

- Relationship of the title to the existing collection.
- Timeliness and scope of the material.
- Availability and frequency of updates and supplements.
- Requests for purchase from law library patrons.
- Reviews and recommendations.
- Authority of the author, editor, and publisher.
- Work and expense required to process material.
- Format of the material.
- Physical condition of the material, its utility and durability.
- Availability of space in the library

The law librarian may accept the donation even though all or part of it is not appropriate to the law library collection, with the intent of making the inappropriate material available to another library, institution, or person. Disposal of the material shall be in accordance with the Douglas County Law Library Disposal of Surplus Property policy.

Generally, the donor has the responsibility to deliver the donations to the library. Upon its receipt, the donation becomes the property of the Douglas County Law Library to handle as it sees fit. Except in extreme cases, the library shall not return donated materials.

The law librarian shall acknowledge receipt of donations by a letter, which shall describe the material and its condition upon arrival.

The library shall place no monetary value on donated materials nor shall it make special arrangements for the housing and/or shelving of donations.

Approved by the Law Library Board of Trustees, 10/28/04

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Door Key Policy

All attorneys who have paid the law library fee in Douglas County may be issued one key to the entrance door of the Douglas County Law Library, allowing them access to the law library and its resources twenty-four hours a day, seven days a week.

A key shall be issued after an attorney pays the law library fee in Douglas County for the first time and signs a form acknowledging that the attorney has read this policy and agrees to abide by its stipulations. The key remains the property of the law library. The attorney may keep and use the key in accordance with law library policy as long as he or she does not become delinquent in paying the annual law library fee, or violate law library policy. The key is issued for the exclusive use of the person to whom it is issued. Unauthorized use of the key is grounds for revocation of key privileges. An attorney who becomes delinquent in his or her registration fee must turn in his or her key to the law librarian, other designated law library staff, or the Clerk of the District Court immediately upon becoming delinquent in his or her payments. In order to be reinstated and be reissued a key, an attorney who is delinquent in his or her law library fee must pay that fee plus a \$5.00 key reissuing fee. The law librarian may require an attorney to turn in his or her key for serious infractions of law library policy. The attorney must immediately turn in his or her key to the law librarian when asked to do so. Upon request of the attorney, the law librarian's decision shall be reviewed by the Law Library Board of Trustees.

If a key is lost or stolen, the attorney must notify the Douglas County Sheriff's Department, the Douglas County Maintenance Department, and the law librarian or other designated library staff immediately upon discovery of the loss. Any and all loss and damage suffered by the law library as a result of the improper use of a lost or stolen key that has not been reported to the entities noted above shall be the responsibility of the person to whom the key was issued. There shall be a \$25.00 reissuing fee charged to replace the key. If a subsequent loss of key occurs within 24 months of the first loss, the person to whom the key was originally issued shall be assessed an additional charge of \$50.00 for the replacement of the lost key.

Only individual attorneys who have paid the annual law library fee, law library staff, individuals designated by the Douglas County Law Library Board of Trustees, and those specifically authorized by statute shall be issued a law library key. No provision has been made to issue keys to associations of attorneys, those employed by attorneys, or anyone else not noted above. Only authorized key holders are allowed access to the law library during non-public hours.

Approved by the Law Library Board of Trustees, 5/15/03

Revised by the Law Library Board of Trustees, 10/28/04

Douglas County Law Library Policy Manual

Electronic Resources Policy

The law library shall emphasize electronic resources in its collection because of limited law library space and budget, and because legal resources continue moving towards electronic formats.

Users of electronic resources in the law library shall act in accordance with the legal research mission of the library. Library patrons shall respect the privacy and sensibilities of other library patrons.

All library patrons shall have use of the major commercial on-line legal research database accessible through the library's workstations, other Internet and web based resources, CD-ROM and DVD resources, and word processing software.

The library will not allow patrons to access pornographic web sites on library workstations for personal interest. However, legitimate legal research involving these materials for a particular case or for other specific legal research needs may be allowed under certain circumstances. The researcher shall obtain written permission from the law librarian or other designated library staff member for this research in advance of commencement of the research. The law librarian or other designated library staff member shall keep a copy of the permission instrument in accordance with the Douglas County Law Library Records Policy. The researcher shall also make arrangements in advance to insure that other library patrons will not be impacted by accidental viewing of the sites. Failure of a patron to comply with these provisions in any manner shall result in immediate termination of all law library privileges for that patron with that patron being banned from the library, subject to appeal by the Board of Trustees in accordance with the Douglas County Law Library Patron Service Policy. There will be no exceptions to these provisions.

All law library patron workstations shall have a posted copy of this policy.

Approved by the Law Library Board of Trustees, 10/28/04

Douglas County Law Library Policy Manual

Food and Drink Policy

For the protection of library materials and equipment, no food and/or drink is allowed in the law library.

Approved by the Law Library Board of Trustees 8/21/03
Revised by the Law Library Board of Trustees, 10/28/04

Douglas County Law Library Policy Manual

Interlibrary Loan Policy

Because the Douglas County Law Library cannot have in its collection all legal research material, and therefore may not have some material needed by patrons, the law library will operate an interlibrary loan service for library patrons for the purpose of borrowing or obtaining copies of research material otherwise not available in the DCLL. The primary source for interlibrary loan material will be the University of Kansas Wheat Law Library. The Law Library will conduct all interlibrary loan transactions between the two libraries in accordance with the Douglas County Law Library/University of Kansas Wheat Law Library Interlibrary Loan Agreement (See Appendix: a.2). The DCLL will also borrow material on interlibrary loan from other libraries when necessary and appropriate, both for its own use and the use of DCLL patrons.

The DCLL will borrow material on interlibrary loan if there is a convincing and urgent need for the material. Some material may not be available for loaning or borrowing for a variety of reasons such as physical condition, frequency of use and archival status. Material obtained for DCLL patrons on interlibrary loan will be subject to the Douglas County Law Library Circulation Policy.

If appropriate, the library user will pay all usage fees incurred by the DCLL for interlibrary loans.

Law library staff will evaluate interlibrary loan transactions to determine whether the requested material should be considered for purchase by the DCLL.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Library Instruction Policy

Law library staff shall teach legal research methods and resources to current and potential patrons of the library to enable them to better utilize the resources of the law library.

Library instruction in the Douglas County Law Library shall consist of two separate components: library instruction performed during reference assistance in the library and library instruction performed in an educational setting, either in the library or in some other location, for the enlightenment and edification of current and potential library patrons.

Library staff shall perform library instruction while assisting library patrons. The results of library instruction for patrons shall be an improvement in their understanding and use of library resources that allows them to receive the maximum benefit from their use of the library.

The library shall organize a program of library instruction to teach legal research methods and resources to various groups and individuals as necessary and desirable. The program shall:

- Introduce potential or current patrons to legal research methods and resources.
- Increase potential or current patrons' knowledge of legal research methods and resources.
- Promote the existence, utility, and value of the law library to local attorneys and the public at large.

The law librarian and other designated library staff shall develop a curriculum of library legal research and resources instruction and conduct training and other educational sessions either in the library or at other appropriate locations. The law librarian or other library staff members will evaluate the curriculum at intervals for currency and effectiveness in the accomplishment of the curriculum goals set forth for the training.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Library Safety and Security Policy

The Douglas County Law Library Board of Trustees shall maintain a safe working environment for patrons and library staff and insure the security of library property.

Law library staff members shall enforce library policy and rules as necessary. The Douglas County Sheriff's Office shall handle building security matters. Emergency assistance to the law library should be summoned by dialing 8-911 on the library telephone.

Patron Misconduct

Because patrons are responsible for their own behavior while on library property, they shall observe the Code of Behavior contained in the Douglas County Law Library Patron Service Policy. In the event a patron or patrons present themselves or act in a manner disruptive to other persons in the library, library staff shall intervene in accordance with the Douglas County Law Library Disruptive Patrons Policy. Library staff and patrons shall not tolerate threatening or violent behavior and shall report such behavior immediately to building security.

In extreme cases, the law librarian may ban patrons from the library. The patron may appeal this decision to the board of trustees in accordance with the Appeals section of the Douglas County Law Library Patron Service Policy.

Injuries and Illness

The law library shall have a first-aid kit for minor injuries. Library staff or patrons shall summon emergency medical attention, building security and/or an ambulance for more severe injuries or illness. All injuries and illnesses that require more than minor first aid shall be reported to the law librarian. The law librarian shall keep a record of each such incident in a locked area in the court offices in accordance with the Douglas County Law Library Records Policy.

Other Emergencies

The Douglas County Law Library Procedures Manual shall contain information on emergency procedures for law library staff and patrons.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Lost and Found Policy

All property left or abandoned in the library shall be covered by this policy.

The law librarian shall make a reasonable effort to identify the owner of said property and return it to him or her.

Unclaimed property shall be held by the library for a period of thirty days, after which, if the property is not claimed, it shall be disposed of by the law librarian utilizing one of three methods; donation of the material to a local non-profit organization, recycling of the material, or discarding the material as trash. The choice of which of the three methods of disposal to be employed shall be made at the law librarian's discretion, unless the value exceeds \$100.

Approved by the Law Library Board of Trustees, 4/18/13

Douglas County Law Library Policy Manual

Lost or Damaged Law Library Property Policy

By virtue of using the Douglas County Law Library, patrons shall assume the responsibility for taking reasonable care of library materials, equipment, furniture, and carpet.

The law library shall assess a charge for repair or replacement on patrons who damage law library property as a result of malicious intent or through the violation of library policy. For repairs, the library shall assess to the responsible patron the actual cost of that repair plus a processing fee. For replacement, the library shall assess to the responsible patron the actual cost of replacement of the item, including all shipping and handling charges, plus a processing fee. If the damaged property cannot be repaired or replaced, the library shall assess to the patron a compensation charge equal to the value of the materials at the time the damage was inflicted as determined by the law librarian or other designated library staff, plus a processing fee. The library shall pay for repair or replacement of library property that is damaged through normal wear-and-tear.

A patron may lose library privileges as a result of damaging library property. The law librarian or the Board of Trustees shall limit the patron's privileges in accordance with the Douglas County Law Library Patron Service Policy. A patron may appeal any denial or restriction of library rights and privileges to the library board according to the Douglas County Law Library Patron Service Policy.

The law librarian shall keep a record, in accordance with the Douglas County Law Library Records Policy, of all instances of lost or damaged library property. The record shall include the manner in which the matter was handled and the outcome of the incident.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Nondiscrimination Policy

The Douglas County Law Library does not discriminate in providing library services to patrons. Library services are not denied or abridged to any individual based on race, color, national origin, religion, gender, age seniority, disability, occupation, or sexual orientation.

The library shall make reasonable efforts to accommodate those patrons with special needs.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Patron Service Policy

The Douglas County Law Library was established under the auspices of the District Court of Douglas County, Kansas, pursuant to K.S.A. 20-3126 through 20-3132. By statute, county law libraries are established when a majority of the attorneys required to register in that county, who have been admitted to practice before the Kansas bar, elect to do so. Those attorneys must register annually with the clerk of the district court of the county and pay the annual registration fee. Failure to do so prohibits an attorney from filing any material with the clerk of the district court's office. The clerk of the district court in Douglas County shall send out notices no later than December 1st of the previous year to notify local attorneys that the annual registration fee for the following year is due by the 1st of January of that year. Because local attorneys have the responsibility for establishing and directly supporting the law library, the law library's main emphasis is to support the needs of those local attorneys. However, the law library also has a statutory responsibility to serve the public.

In order to accomplish these goals, the Douglas County Law Library Board of Trustees has set the mission of the law library to be:

Mission Statement

The mission of the Douglas County Law Library is to provide legal and law related resources through a law library, focused on a Kansas practice, conveniently located in the Judicial Center for use by the bar, bench and public.

Library Access

The law library will be open to the general public during hours posted outside the library entrance door and on the library's web site. Licensed attorneys in Douglas County who have paid their annual law library registration fee will have access to the library 24 hours a day, 7 days a week, except when access to the building is made impossible due to mechanical, electrical, or other repairs and service and during emergencies.

Access to Materials and Services

All patrons have access to all materials and services in the law library. Law library policies and procedures will not unduly restrict access to materials for use within the legal research scope and mission of the library. The library shall make all reasonable efforts to accommodate and fulfill the legal research needs of patrons with disabilities as defined by the Americans with Disabilities Act

Standards

The law library shall follow the *American Association of Law Libraries County Public Law Library Standards, July, 2002* (see appendix a.3) whenever possible.

Basic Services

Based on the criteria identified above, the library's basic services shall include:

- Acquiring, cataloging, and making available legal research materials.
- Providing access to library materials and information not immediately available. Such access may be provided through interlibrary loans and reference networking through electronic and other means.
- Assisting library patrons in locating the materials, services, and information they need, by providing written aids, training opportunities, and individual reader and reference assistance as necessary.
- Providing services and programs targeted to the information needs of identified patron groups.
- Making the general public and targeted audiences aware of library services through community relations efforts.
- Providing a minimal level of individualized value-added services such as photocopiers, telephone reference, and in-house reference service. Such services may be limited through restrictions on time and effort or through incidental fees for cost recovery.

Before offering them, the law librarian and other library staff shall carefully evaluate other services and programs that go beyond basic services for their costs and benefits to patrons, the community, and the library.

Library Key

Attorneys who have paid their annual law library registration fee, those individuals authorized by statute, and other individuals authorized by the court shall be issued a key to allow access to the law library twenty-four hours a day, seven days a week. Upon signing a form acknowledging that the attorney has read the Douglas County Law Library Door Key Policy and agrees to abide by its stipulations, a key will be issued to the individual by the Douglas County Sheriff's Office. Key holders must follow the requirements contained in the Douglas County Law Library Door Key Policy or be subject to loss of the privilege to have a library key.

Circulation of Materials

The DCLL is a non-circulating library. With the prior approval of the law librarian or his designee, patrons may take material out of the library in accordance with the Douglas County Law Library Circulation Policy.

Fee Schedule

Only the Library Board of Trustees may adopt or change fees. The fees are:

- Interlibrary loan: Actual charge from loaning institution.
- Photocopies: \$0.10 per exposure.
- Internet printouts: \$0.10 per page.
- Damaged Materials: see below.

Interlibrary Loan

The law library will operate for library patrons an interlibrary loan service in accordance with the Douglas County Law Library Interlibrary Loan Policy. If appropriate, the library patron will pay fees incurred by the library for interlibrary loan services to that patron.

Lost or Damaged Materials and Equipment

Instances when patrons damage law library materials or equipment as a result of malicious intent or through the violation of library policy shall be handled according to the Douglas County Law Library Lost or Damaged Materials and Equipment Policy.

Disruptive Patrons

Patrons who disturb or otherwise negatively affect the peace in the library may be asked to leave the library premises in accordance with the Douglas County Law Library Disruptive Patrons Policy. If necessary, library staff shall summon building security to enforce the request.

Code of Behavior

- Those using the library shall only engage in activities in accordance with the legal research function of the library.

- Library patrons shall respect the rights of other library patrons and library employees and shall not interfere with the use of the library by others or interfere with library employees in the performance of their duties.
- Unruly behavior, which can reasonably be expected to disturb other library patrons or library staff, shall not be allowed.
- The use of electronic equipment by library patrons shall not disturb other library patrons or library staff.
- The bodily hygiene of library patrons shall not be offensive so as to constitute a nuisance to other library patrons or library staff.
- Abusive or obscene language shall not be allowed in the library.
- Alcoholic beverages, illegal drugs, firearms not carried by building security, and/or other weapons shall not be permitted in the library.
- Smoking shall not be permitted in the library.
- Food and drink shall not be permitted in the library.
- Animals shall not be permitted in the library, except for those needed to assist a library patron with a disability.
- Shoes or other footwear, shirts or other coverings of the upper body, and pants, skirts, or other coverings of the lower body shall be worn in the library.
- Use of the library telephone by library patrons shall be restricted to emergencies. No toll calls shall be made.

A library patron shall have library privileges limited for intentionally damaging library property, stealing library materials, threatening library patrons or staff, harming library patrons or staff, or other major violations of the code.

The Code of Behavior shall be posted in the law library.

Denial of Library Privileges

Only the Douglas County Law Library Board of Trustees or the law librarian may deny or restrict law library rights and privileges granted by statute or by DCLL policies. Patrons may appeal any denial or restriction of library rights and privileges to the library board.

Appeals

The library and patron should make an effort to resolve any conflicts informally prior to a formal appeal. Failing this, a patron may appeal an action or ruling of the library and/or law librarian by filing an appeal to the Law Library Board of Trustees with either the law librarian or the President of the Board. The appeal must be made in writing. The President of the Board shall place the appeal on the agenda of a future board meeting. The board shall go into executive session to discuss the appeal. The decision of the board of trustees shall be final and shall be communicated to the patron and the law librarian.

The law librarian shall keep a record of the appeal and its outcome on file in accordance with the Douglas County Law Library Records Policy.

Approved by the Law Library Board of Trustees 10/28/04
Revised by the Law Library Board of Trustees, 10/18/07

Douglas County Law Library Policy Manual

Photocopying and Printing Policy

The Douglas County Law Library shall provide equipment to serve as photocopier and networked printer for the library work stations. This equipment shall allow patrons to make self-serve photocopies and library staff assisted prints from library work stations. Registered attorneys shall have the option of individual electronic accounts in which they can deposit funds and have charges automatically deducted for both self-serve copies and prints from networked library work stations.

The library shall charge a fee of \$0.10 per image for self-serve photocopying and printing services.

Patrons shall have the responsibility for observing copyright regulations. Patrons shall also be responsible for any damage caused to copying equipment beyond normal wear and tear.

The library shall provide a paper-recycling container near the copier/printer for disposal of unusable copies in accordance with the Douglas County Law Library Recycling Policy.

Patrons wishing to use their own paper in library equipment or to take materials out of the library to make copies on their own equipment shall need to obtain permission in advance from the law librarian or other designated staff member.

Failure to comply with the provisions of this policy may result in loss of electronic account privileges for registered attorneys. Failure to comply with the provisions of this policy by any patron may result in, depending on the circumstances, loss of some or all law library privileges for that patron. Any decision made to ban a patron from using the library because of violation of this policy shall be subject to appeal by the Board of Trustees in accordance with the Douglas County Law Library Patron Service Policy.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Procedures Manual Policy

The Douglas County Law Library shall have a procedures manual which will reflect the policies contained in this policy manual. The law librarian shall compile and maintain the procedures manual.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Records Policy

Douglas County Law Library records shall be maintained in a secure location.

Retention

Records retained according to statute or regulation shall be maintained in active files for the time required by the statute or regulation. When the period for retention of the records has passed, the law librarian and/or the Law Library Board of Trustees shall review the records and retain, archive, or dispose of them as deemed appropriate.

The DCLL shall maintain records retained according to its policy in active files for as long as circumstances require, as determined by the nature and content of the records. The law librarian and/or the Law Library Board of Trustees shall review the records at intervals and retain, archive, or dispose of them as deemed appropriate.

Other law library records, not specifically subject to statutory, regulatory, or policy control, shall be maintained in active files for as long as circumstances require, as determined by the nature and content of the records. The law librarian and/or the Law Library Board of Trustees shall review the records at intervals and retain, archive, or dispose of them as deemed appropriate.

The Douglas County Law Library Archives

Records withdrawn from active files and identified for retention by the law librarian and/or the board of trustees because of their importance in the history of the creation, organization, and operation of the law library, along with any other material so identified, shall be added to and maintained as part of, the Douglas County Law Library Archives. The law librarian shall serve as the archivist and, along with other library staff, shall maintain the archives in the law library, or other suitable location, using accepted archival principles and practices.

Records important to the history of the law library, whose nature requires that they either be retained indefinitely in active files or be archived by another department or branch of the court or government shall, if circumstances permit, be copied to add to the archives.

Disposal

Sensitive records identified for disposal shall be shredded and/or sent to a secure paper recycling facility. The DCLL shall recycle all non-sensitive records in accordance with the Douglas County Law Library Recycling Policy.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Recycling Policy

The Douglas County Law Library shall recycle all materials capable of being recycled including paper, plastic, glass, and metal. The library shall place an appropriately marked container near the copier/printer to facilitate the recycling of paper. Other material will be recycled as necessary in the most convenient manner available.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Reference Policy

The Douglas County Law Library shall provide reference service to judges, attorneys, and members of the general public in person, by telephone, and by e-mail to facilitate their locating and utilizing library resources. Except under special circumstances approved by the law librarian or board of trustees, library staff shall not perform research for patrons. When appropriate, library staff shall give instruction in the techniques of research using various sources. Telephone reference assistance shall usually be limited to general queries on the holdings, hours, and policies of the law library.

Reference service shall be available at all times during public hours posted in the library and on the library's web site. At other times, reference service will be available when library staff is available.

Library staff shall at all times provide reference assistance in a pleasant, courteous manner. Difficult patrons shall be handled according to the Douglas County Law Library Disruptive Patrons Policy.

Library staff shall not give legal advice or interpretation at any time.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Suspension of Library Privileges Policy

Circumstances may arise which may require, for the good of the Douglas County Law Library and library users, that the library suspend a patron's law library privileges. The DCLL can suspend library privileges for any length of time, from one day to permanent suspension, depending on the seriousness of the offense. Loss of library privileges will result in that person being banned from entering the law library and using its resources. The law librarian shall make the decision on whether to suspend library privileges.

All law library patrons must conform to its rules and policies. Since registered attorneys have the additional privilege of 24 hours a day, 7 days a week access to the library, there are additional requirements that they must meet in order to exercise that privilege.

Grounds for suspending Library privileges for all patrons include:

- Continued or persistent loud talking which disturbs other library patrons.
- Continued or persistent use of obscene and/or abusive language in the library.
- Continued or persistent failure to follow library rules.
- Failing to follow legitimate requests and/or instructions by law library staff.
- The improper use of library materials and/or equipment.
- Committing theft of library materials and/or equipment.
- Failing to pay any library related costs or fees.
- Committing any type of fraud against the library.
- Knowingly writing an insufficient funds check to the library.
- Displaying violent and/or destructive behavior toward objects and/or people in the library.
- Committing vandalism of any kind in the library.
- Committing an illegal act in the library.
- Committing a serious infraction of law library policy.
- Tampering with or intentionally obstructing the view of library security cameras.
- Other unspecified acts determined to be detrimental to the peace and/or safety of library patrons and staff.

Grounds for suspending Library privileges for registered attorneys:

Registered attorneys may have their law library privileges suspended for all of the actions noted in the previous section. In addition, they may have their 24, hours a day, 7 days a week access privilege suspended for the following reasons:

- Failing to register annually and pay the required annual law library registration fee, due the 15th of January of each year.
- Having the attorney's license to practice law suspended or revoked.

When notified that the 24/7 privilege has been suspended, the attorney must surrender the library door key issued to him/her either to the law librarian, as noted in the Douglas County Law Library Door Key Policy, or to another authorized person. If only the 24/7 privilege has been suspended, depending on the reason the privilege was suspended, the attorney may retain other library privileges intact and have full access to the library and its resources during public hours.

Appeals

Upon request of the individual involved, the Law Library Board of Trustees shall review the law librarian's decision to suspend that patron's library privileges. The decision of the board of trustees is final.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Visiting Attorneys Policy

The Douglas County Law Library shall allow, as a courtesy, temporary access to the law library during non-public hours to visiting attorneys who are not registered or otherwise entitled by statute or law library policy.

Each administrative assistant of the six divisions of the district court shall have a library key to check out to visiting attorneys to provide them temporary access to the law library during not-public hours.

The law library shall have a procedure for issuing temporary library keys to visiting attorneys. The law librarian shall maintain the procedure in the Douglas County Law Library Procedures Manual.

The visiting attorney shall immediately report the loss or theft of the key to the administrative assistant who issued the key, the Douglas County Sheriff's Department, the Douglas County Maintenance Department, and the law librarian or other designated library staff. Any and all loss and damage suffered by the law library as a result of the improper use of a lost or stolen key that has not been reported to the entities noted above shall be the responsibility of the visiting attorney to whom the key was issued. There shall be a \$25.00 fee charged to replace the key. If a subsequent loss of key occurs within 24 months of the first loss, the replacement charge shall be \$50.00.

The visiting attorney shall be subject to all policies and rules of the law library. Failure to comply shall result in the visiting attorney losing library key privileges.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Volunteers Policy

The Douglas County Law Library shall have a volunteer program to provide a capable and dependable voluntary work force to assist with the day-to-day operations of the law library and its special projects. The law library shall emphasize attracting the most qualified candidates and retaining them, thus optimizing staff time required for training, supervising, and assuring continuity of workflow.

To meet these objectives, the program shall:

- Enlist individuals from the community with certain general and specific qualifications to support and carry out the goals of the law library.
- Maintain open and steady communications with volunteers.
- Establish and implement mechanisms to ensure the volunteer's success in the work place.
- Direct a workable, efficient system for integrating volunteers into the workflow of the law library through adequate orientation, scheduling, specific assignment training, consultation and evaluation.
- Publicly recognize the accomplishments of a law library volunteer, if the volunteer so desires.

The law librarian shall create and keep current position descriptions for the various volunteer positions in the law library. Persons to fill those positions shall be sought through appropriate methods. The law library shall keep records on all volunteer employees, including but not necessarily limited to, periodic evaluations of the employee's performance. The law librarian shall maintain the records in accordance with the Douglas County Law Library Records Policy.

The law librarian shall hire and terminate the employment of volunteers in the library. The law librarian shall use appropriate employment standards and practices at all times.

If deemed appropriate when considering the duties of a particular volunteer position, background checks shall be performed on persons applying for that position prior to their being accepted for employment in the library.

The law librarian shall maintain the Douglas County Law Library Volunteer Handbook that shall include all pertinent aspects surrounding the employment of volunteers in the law library.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Weeding Policy

When appropriate, the law library will withdraw material from its collection. The law librarian will make the final decision as to what material shall be weeded from the collection and what the final disposition of that material will be. Records of weeded material shall be kept in accordance with the Douglas County Law Library Records Policy.

Material to be weeded will be:

- Obsolete or outdated materials that have no historical or research value.
- Worn out or extensively damaged materials that can not be economically repaired but can still be replaced.
- Surplus copies of material.
- Other material deemed to be inappropriate for the law library's collection.

Weeding determinations will be based on the following factors:

- Potential use by judges, attorneys, and the general public.
- Significance of the subject matter.
- Availability of other materials on the subject.
- Relevance to the library's collection.
- Current and permanent value as research material.
- Cost of replacement.
- Physical condition of the material.
- Duplication in the collection or in the local library community.
- Available space in the law library.

Material not to be weeded

The law library will maintain as complete a set as possible of the hardbound volumes of *Kansas Reports* and *Kansas Court of Appeal Reports - 1st and 2^{d.}*, regardless of the condition of individual volumes. Because of their continuing value for legal research, the library will retain one copy of all superseded *Kansas Statutes Annotated* hardbound volumes and annual softbound supplements that can be located. The library will also retain *Session Laws of Kansas* volumes for at least twenty years from date of publication.

Withdrawal from collection

Prior to disposal, library staff shall withdraw weeded material from the library catalog and have marks of ownership by the law library removed or altered indicating withdrawal from the library's collection.

Disposal

Weeded material will be disposed of in accordance with the Douglas County Law Library Disposal of Surplus Materials Policy.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

Workstation Usage Policy

Library patrons shall use the law library workstations in accordance with the legal research mission of the library. Library patrons shall exercise care so as not to physically damage the workstations or to infect them with viruses, worms, Trojan-horses, or other pernicious electronic programs and software.

Library patrons shall have access to workstations on a first-come, first-served basis. Library staff shall not take reservations for workstations. Workstation users shall consider other library patrons and will not monopolize the use of workstations. Library staff may put reasonable limits on the time that patrons may use a workstation. Library patrons shall respect the privacy and sensibilities of other library patrons.

The Douglas County Law Library shall reserve two library workstations for the use of registered attorneys at all times.

Failure to responsibly operate and share the library workstations may result in loss of library privileges for that patron with the possibility of that patron being banned from the library, subject to appeal by the Board of Trustees in accordance with the Douglas County Law Library Patron Service Policy.

Approved by the Law Library Board of Trustees 10/28/04

Douglas County Law Library Policy Manual

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Douglas County Law Library Policy Manual

Appendix 1

Douglas County Law Library Board of Trustees

Charles E. Whitman, Esquire - Term expires 5/2017 -- President of the Board,
785-843-9460

The Honorable Robert Fairchild, District Court Judge, Division 1, 785-832-5265

The Honorable Sally D. Pokorny, District Court Judge, Division 2, 785-832-5248

The Honorable Kay Huff, District Court Judge, Division 3, 785-832-5230

The Honorable James R. McCabria, District Court Judge, Division 4, 785-832-5124

The Honorable Paula B. Martin, District Court Judge, Division 5, 785-832-5323

The Honorable Peggy C. Kittel, District Court Judge, Division 6, 785-832-5144

Curtis G. Barnhill, Esquire - Term expires 5/2017, 785-856-1628

Kyle Brittingham, Esquire - Term expires 5/2017, 785-330-5090

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Revised 1/28/09
Revised 5/4/09
Revised 1/19/12
Revised 7/18/13
Revised 12/8/14
Revised 5/1/15

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Appendix 2

Douglas County Law Library/ University of Kansas Wheat Law Library Interlibrary Loan Agreement

The following terms comprise the Interlibrary Loan relationship between the Douglas County Law Library (DCLL) and the University of Kansas Wheat Law Library (KUWLL). They may be altered at any time with the consent of both parties.

Patrons of the DCLL who are also residents of the State of Kansas may obtain a free “Law-Only Kansas Resident Borrower Card” from the KUWLL to check-out material from the KUWLL. To maximize both the efficient use of library staff time and the access that patrons of the DCLL have to the holdings of the KUWLL, those patrons of the DCLL who need to obtain material from the holdings of the KUWLL are encouraged to use such a card and check-out material themselves from the KUWLL whenever possible.

Articles or other material of reasonable length published in periodicals, monographs, electronic media, or other formats that are in the holdings of the KUWLL may be requested by patrons of the DCLL. If the request meets the guidelines of the KUWLL, it will be scanned or otherwise reproduced electronically and sent to the DCLL in PDF format for use by the requesting patron. This service will be performed free of charge if the request is made through the DCLL. Requests made directly to the KUWLL will incur a charge. All charges incurred through the use of this service will be the responsibility of the requesting patron.

For material requested by a DCLL patron that is not in the holdings of the KUWLL or not otherwise available from them, the interlibrary loan staff of the KUWLL will search WorldCat and/or other databases for the DCLL to locate other libraries who own the requested material. DCLL staff will take the results of this search and follow standard interlibrary loan procedures to send requests to those libraries to borrow such material. The KUWLL will have no responsibility for interlibrary loans between the DCLL and other libraries, initiated in behalf of DCLL patrons or other parties, beyond their searching of databases for potential interlibrary loan sources.

The DCLL may borrow material directly from the KUWLL in instances when such material is needed to be temporarily added to the DCLL’s holdings. DCLL staff will be responsible for pick-up and return of such material to the KUWLL.

Neither the DCLL nor its patrons will have any special privileges when it comes to borrowing from the KUWLL. All guidelines and rules of the KUWLL concerning the

circulation of that library's materials will also apply to such material when requested by, loaned to, and/or in the possession of the DCLL and/or its patrons.

Approved by the Law Library Board of Trustees 10/28/04

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Appendix 3

American Association of Law Libraries County Public Law Library Standards, July 2002

Preamble

Believing that the county public law library is an integral and vital part of the legal community it serves, the members of the State, Court, and County Law Libraries Section of the American Association of Law Libraries (AALL) urge county governments, courts and/or governing entities to adhere to the following standards. The members realize that because of the great variance in size and governance among county public law libraries, certain standards will be harder to achieve than others; but it is hoped that these standards will be guidelines for libraries to follow in order to assure the highest quality personnel, collection, and library services in county public law libraries throughout the United States.

I. Governance

- A. The position of the law library within the structure of the governing entity should be defined by law. In addition, the law library should have a written mission and goal statement. The statement should reflect the statutory mandate.
- B. The relationship of the head law librarian to superiors should be defined by written policy. The head law librarian should meet on a regular basis with his or her superiors to report and to receive policy directions.
- C. The head law librarian should be recognized as part of the management team of the library's governing entity and should participate in policy making which affects library operations.
- D. The head law librarian should initiate or take part in all planning and implementing decisions that affect the law library. Illustrations of such activities include the decisions to:
 - 1) develop and administer the library budget;
 - 2) build a useful collection;
 - 3) participate in library or related information networks;
 - 4) coordinate implementation and upgrades of the library computer network;
 - 5) hire personnel to assist customers, service the collection, and perform all
 - 6) administrative functions required of the law library;
 - 7) plan and staff branch libraries, where appropriate;
 - 8) design and maintain the physical plant; and,
 - 9) manage all other library operations.

Comment:

The law library should be recognized as a separate unit within its governing entity. In some states the county public law library is part of the judicial system. In those states where the county public law library is not a part of the judicial branch, the law library should be recognized under the law as a distinct unit within its governing entity.

The head law librarian should be part of the management team that may include the court administrator, the court clerk and/or other administrative or department heads. The head law librarian should be involved in all planning, and in the implementation of any decisions that affect the law library. The head law librarian must be apprized of decisions affecting the law library, and, in turn must advise the governing entity of the resulting advantages and disadvantages, costs and benefits of such decisions.

To carry out the mission of the governing entity as well as the law library, the head law librarian should report to and receive direction on policy issues from superiors.

As part of ongoing communication within the governing entity, the law library should prepare and distribute an annual report of its activities. The report should include information about fulfillment of its mission and its participation in the mission of the governing entity.

II. Budget

- A. The budget of the law library should be separate and distinct from the budgets of other operations of its governing entity.
- B. The budget of the law library should be adequate to ensure a complete, up-to-date collection, including print, non-print and electronic resources, with provision for new acquisitions and a qualified staff to maintain an acceptable level of library services described in the standards that follow.
- C. The budget should include but not necessarily be limited to the following categories: 1) personnel costs, including salaries and benefits; 2) publication costs, including upkeep and subscription for both print and alternative formats including access to online electronic services; 3) supplies, equipment and appropriate technologies; 4) binding costs; 5) resource sharing, including networking and online bibliographic utilities; 6) physical space and maintenance; 7) membership in professional organizations, training and travel expenses for law library staff; and 8) such other categories as may be defined by law or practice.
- D. The head law librarian should prepare, justify and manage the law library budget. The law library budget should be given equal priority with other services in the budgetary process of the governing entity. The library's budget request should be defended vigorously by the governing entity.

Comment:

The budget of the law library should be recognized as an integral part of its governing entity's overall budget process. The budget should accurately reflect all costs associated with the operation of the law library, including personnel and technological changes. The

head law librarian should have the primary responsibility for preparing, justifying, and managing the law library budget. However, the governing entity should be prepared to defend the law library budget as a vital part of its mission. The governing entity also should be prepared to provide support throughout the fiscal year to ensure the administration of the budget complies with its overall mission and with generally accepted accounting procedures.

III. Personnel

- A. The law library should be staffed during all hours of court operation with professional personnel, qualified through education, training and experience. Staff should have expertise in administration, acquisitions, cataloging, reference, database and Internet searching, instruction, and any other necessary professional skills to meet the goals of the library's mission. *The Competencies of Law Librarianship*, as established by the AALL may be used as an additional guideline. Sufficient information technology, technical, clerical, and secretarial personnel also should be made available to the law library to support these functions and assist the head law librarian.
- B. The salaries of the head law librarian and all other library personnel should be commensurate with their education, training, experience and the extent of their responsibilities in keeping with similar positions in that jurisdiction.
- C. The head law librarian should select and evaluate other library staff. All library positions, including the head law librarian, should be specifically established within the governing entity's personnel classification system, and covered by the governing entity's personnel policy.
- D. All law library staff should be given the opportunity to pursue a program of professional development that is relevant to the interests of the law library. Such opportunity should include financial assistance.
- E. The library staff should be encouraged to participate in local, regional, and national professional law library associations. The law library's budget should make provision for such membership dues and other related staff development expenses.
- F. The library staff should participate in conferences and online discussion groups as part of an ongoing program of professional development and education.

Comment:

All law librarians should hold a graduate degree in library or information science. A law degree meets the requirements if the librarian possesses substantial law library experience. In addition, the head law librarian should have substantial experience in the management of libraries. Substantial experience means knowledge and practical application gained by the regular performance of duties that are usual to the position involved.

The library and its customers benefit when library staff members improve their skills by participating in institutes, post-graduate courses, online discussion groups and

conferences, in-service training, and professional associations. Such continuing education is accepted in all professions, and, in fact, is required in many jurisdictions.

IV. Physical Plant & Facilities

- A. The law library should be conveniently located in or adjacent to the county courts building. Where appropriate, branch libraries should be considered at satellite court houses.
- B. The law library's physical plant must meet various basic structural requirements necessary to adequately house and provide access to informational resources in a variety of formats. Attention should be given to existing building standards and floor loading capacity. Shelving should be arranged in a manner that allows for easy access to the collection. There also should be sufficient shelving or provision to permit adequate space for and growth of the collection.
- C. Space and facilities should be provided for the use and storage of non-print and fragile materials under environmentally sound conditions. Public computers with printers should be made available to access commercial online and electronic services, including the Internet.
- D. There should be suitable and adequate equipment, work space, and comfortable seating for the library staff and customers. Proper lighting and temperature control including heating, ventilation, air conditioning, and humidity control also should be provided.
- E. There should be suitable and adequate security for the protection of library staff, customers and the collection.
- F. Conference areas, copiers, fax machines, sufficient electrical outlets, and networking capability for computer use and Internet access should be provided in the law library.
- G. Directories, library guides, and other signage to assist customers should be provided.
- H. The law library should meet the requirements of the *Americans with Disabilities Act of 1990 as amended*.

Comment:

The county public law library and any branch library should be housed in the same building or in close proximity to the courts it serves to provide convenient library access by county officials, judges, court personnel, prosecutor and public defender office staff, attorneys, litigants, the general public and county jail inmates. In counties with large geographical areas, law library service may be extended by a branch library, or, in the alternative, by electronic remote access.

At a minimum, the county public law library should be equipped with photocopiers, fax machines, microform reader-printers, an accessible public phone, any necessary audio-visual equipment, computers (with appropriate word processing and browser software), and any other equipment/hardware/software needed to enhance library services. A crucial component of providing access to electronic information is the baseline need for

coordinated connectivity to reliable electronic networks. These network connections, in most circumstances, should be provided and supported by the library's governing entity. The library should be customer-friendly by providing various directional aids to assist customers in finding their way about the library.

V. Information Services

- A. The law library's mission and goals statement should identify the levels of information service provided to its customers.
- B. The law library should augment its resources through interlibrary loans, cooperative agreements, networks and in-house and remote online electronic services.
- C. Library policies, approved by the governing entity, addressing customer reference assistance, including access to print, non-print and electronic legal information, should be formulated and conspicuously posted advising customers of information services available from the library.
- D. The library should provide access to the Internet for customers. An appropriate use policy may be developed for approval by the governing entity.
- E. The law librarian should have the authority to plan and implement in-house library computer networks linking the library's online catalog, other library files, including technical processing operations, community based legal information resources, and other online information resources into a library web site. This web site should be designed either independently or in conjunction with the library's governing entity, to provide information about the library and its information services, and to maintain relevant links to law-related web sites within its own state/local jurisdiction.

Comment:

The law library should provide access to legal information in a manner that is efficient, economical, reliable, and in accordance with accepted standards and measures of performance. Although some county public law libraries serve narrow constituencies, most libraries maintain collections that not only serve the court and its personnel, but also local government officials, prosecutor and public defender office staff, attorneys, litigants, the general public and county jail inmates.

Libraries must consider the concept of access to legal information versus ownership of materials. The information explosion has made it difficult for any one library to hold all legal information within its walls, however, technology has made it possible for the library to expand its capability to provide access to information not previously available within the library.

Interlibrary loans and strong cooperative agreements or networks among county public law libraries and other libraries provide one approach towards making legal information accessible to all customers of the library.

The library should develop a written reference policy to ensure that the information and assistance provided to customers is appropriate to the situation. This should include service to remote customers as well as customers in the library. The policies should be posted or otherwise advertised so that customers are made aware of the availability of the resources or procedures necessary to access the materials.

VI. Technical Services

A. Acquisitions and Collection Development

1. Written policies for collection development and selection of print and/or non-print and electronic materials, including criteria for the selection and discarding of materials and the acceptance and disposition of gifts, should be formulated by the head law librarian in consultation with staff and customers, and approved by the library's governing entity.
2. The head law librarian should have the authority to select materials to be added to the collection in accordance with the collection development policies; or to delegate such authority to a qualified staff member.
3. All materials should be current with respect to continuations, supplements, and replacements. Sets should be complete. Multiple copies, in a combination of formats, should be available where heavy usage requires them. All superseded material stored or maintained in the library should be clearly indicated as such and should be retained only if it continues to serve as a useful source of information for customers of the library.
4. The library should acquire and provide access to information in the most appropriate format, print, non-print, and electronic, based on economic, technical, environmental and customer considerations.
5. The law librarian should have the authority to join library or other information networks that can aid in acquiring, sharing, and providing access to information services.
6. The library should have easy access to the appropriate selection tools necessary for informed decision-making when choosing materials for the collection.

Comment:

The law library should have a written collection development policy based upon its defined mission statement. The policy should address access, material, and service for its diverse customer groups; print and alternative formats; selection criteria and responsibility; and collection maintenance issues.

The law library should base its collection development strategies on combinations of traditional and electronic resources. It should be remembered that print is often necessary to allow multiple -customer access or to permit access during online downtime. If core collections of legal materials in print are replaced by electronic services, questions may arise as to whether database availability alone, without prompt and adequate assistance by trained librarians, provides sufficient access to legal

information. Whether policies are adopted to provide basic legal information through print or through non-print and electronic sources, the planning and implementation of technology in county public law libraries should take the needs of all customers into account.

The law library should strive to provide access to legal information that is comprehensive as well as authoritative. In addition to the standard primary and secondary sources, every effort should be made to acquire materials to assist and inform pro se litigants and the public of their legal rights and responsibilities.

The head law librarian, as a member of the governing entity's planning team, should take an active role in the acquisition of materials, whether it is actually selecting the materials, or the delegation and oversight of the duty.

Technological developments are having a major impact on the development of law library collections. As a result of developments that already have taken place in information delivery such as microforms, audiovisual, optical media, compact discs, fax machines, online data bases and library automation, the concept of the law library as a depository of books has given way to the actuality of the law library as a total information resource and network. Cooperative networking agreements among county public law libraries and other libraries enable cost effective purchasing and sharing of resources. Participating libraries extend both their research resources and their budgets by not duplicating the purchase of materials.

B. Cataloging

1. The entire collection, including non-print and electronic resources, should be cataloged and classified in a system that promotes quick, easy retrieval of material by both customers and library staff. National standards for bibliographical records should serve as guidelines for cataloging and organizing materials.
2. The law library should join a computer-based library network for cataloging and other library services. Complete holdings information should be included on the records in the cataloging utility to facilitate the electronic exchange and sharing of information.
3. Library catalogs and other files should be generated in electronic formats based upon and compatible with national standards. Whenever possible, existing paper catalogs and files should be converted to electronic ones.

Comment:

Technology has changed the library catalog into a virtual bibliographic resource allowing the library's staff and customers to determine the availability of sources of information, not only within the library but worldwide.

Manual card catalogs and paper files can no longer be considered adequate systems for accessing legal information given the sophisticated access potential of electronic systems.

It is essential that the library use a cataloging utility and include complete and accurate holdings information so that its customers, staff, and other libraries can gain access to its resources.

The use of cooperative cataloging products and services should be utilized as a means of simplifying and speeding up the cataloging process while keeping its cost down.

C. Collection Management

1. The library's collections including electronic and non-print materials shall be maintained in good physical condition. The library should establish a preservation and disaster preparedness program which addresses such environmental aspects as lighting, air pollution, proper storage, and temperature and humidity control.
2. Serial publications received in unbound form, except those of temporary value, should be either bound or stored in a durable and accessible non-print format.

Comment:

Maintenance of the library collection includes book cleaning, repair and binding. Cleaning is a matter of periodically dusting and cleaning the books, shelves and appropriate non-print and audiovisual materials and equipment. Periodic screening of the collection will permit minor repairs to prevent major problems. Preventive maintenance includes attention to environmental aspects such as lighting, adequate air circulation, air pollution, temperature and humidity. Preservation has two aspects. The first is stopping damage before it starts. The second is the repair of damage already done to prevent further harm and to make the material available for future customers.

VII. County Public Law Library Collection

A. Publications of the county public law library's home state:

1. A complete collection of the published decisions of state courts.
2. Current annotated set of state/local court rules. If space permits, a collection of superseded state/local court rules.
3. Current statutory compilation, annotated if available. If space permits, a complete set of older statutory compilations and superseded volumes of current compilations.
4. A complete set of session laws, including a current session law service, if available.

5. The current state constitution as well as various historical versions of the constitution, and any published debates/proceedings of state constitutional conventions.
6. Local, county and municipal codes, charters, by-laws or ordinances within area served.
7. Current state administrative code, if available.
8. Published decisions of state administrative agencies.
9. A complete set of Attorney General opinions.
10. The state legal encyclopedia, if available.
11. Significant state-oriented legal treatises and practice materials.
12. Selected legal periodicals and newspapers.
13. State and local bar publications and ethics opinions.
14. The state digest.
15. A citation service, such as Shepard's or Keycite.
16. State-oriented reference tools including state government manual, legal/social services directories, city and/or county directory.
17. Significant state court publications including, but not limited to, annual reports, judicial statistics, legal forms, policy statements, and bench books.

B. Publications covering federal law:

1. Official or another reporter of the decisions of the Supreme Court of the United States.
2. A U.S. Supreme Court digest.
3. At least one annotated version of the United States Code.
4. *U.S. Statutes at Large* or other commercial federal session law service.
5. All published decisions of the U.S. District Courts, U.S. Courts of Appeal, and U.S. Bankruptcy Courts.
6. Federal court rules and local rules for courts within jurisdiction.
7. Federal case digest.
8. *Federal Register* and the *Code of Federal Regulations*.
9. A citation service, such as Shepard's or Keycite, for reports and codes held by the library.
10. *U.S. Government Manual*.

C. General United States publications:

1. Units of the National Reporter System, as needed.
2. American Digest System units, as needed.
3. Current statutory compilations for contiguous states, as needed.
4. *American Jurisprudence 2d* and/or *Corpus Juris Secundum*.
5. *American Law Reports* and *American Law Reports Federal*.
6. General legal forms set.
7. *ABA/BNA Lawyers Manual of Professional Conduct*.
8. American Law Institute Restatements.
9. *Uniform Laws Annotated*.

10. A basic collection of legal texts, treatises, practice materials and looseleaf services of contemporary value on subjects of interest to the legal community and the public.
11. A broad selection of legal periodical titles.
12. A legal periodical index.
13. A citation service, such as Shepard's or Keycite, for case reporter and code units held by library.
14. Legal reference tools including dictionaries, a thesaurus, judicial biographical and legal abbreviations directories, legal quotations compilations and *Martindale-Hubbell Law Directory*.
15. General reference tools, including an unabridged dictionary, atlas, and statistical abstracts.
16. A collection of general legal and self-help titles on subjects of interest to the public and pro se litigant.

Comment:

The materials recommended above provide the basis for a strong core county public law library collection. The list may be used as a checklist for collection evaluation purposes, but should not be used to limit the scope or development of a collection that meets or exceeds the standards.

Alternative forms of publication or cooperative agreements with libraries within a reasonable geographic area will satisfy the collection requirements if staff is available to assist customers in effectively accessing resources, including remote resources.

It should be noted that it is critically important that a proper mix of print and electronic resources be maintained in county public law libraries. While online technology will provide a fundamental baseline for research platforms of future law libraries, certain print collections will always be needed and should be retained as part of the libraries holdings as a balance against countless deficiencies inherent in today's electronic media.