

2
673
A56
S75
V.18
00.4

STATE, COURT



& COUNTY LAW LIBRARIES

Volume 18, Number 4

Summer, 1992

A Special Interest Section of the American Association of Law Libraries

SEARCHED
MAY 21 1992
SERIALIZED
COURT REPORTER

Chair's Message

In March I represented State, Court, & County Law Libraries at the Third National Court Technology Conference in Dallas by staffing the AALL exhibit booth. Shirley David was on the faculty, and other SCCLL member attendees included Karen Moss (U.S. Court of Appeals, 1st Circuit), Thaddeus Bejnar (New Mexico State Law Library), and Ruth Etheredge (National Center for State Courts). Karen and Ruth were instrumental in helping me to get the booth put together—"slot A goes where?!!" Our friends from the Dallas County Law Library—Marcia Baker and June Clee—helped to staff the booth, and were a great help.

Representing our Association at CTC III was an incredibly rewarding and exhilarating experience. It was the perfect avenue for "Passing the Word"! Exhibitors, such as document imaging companies and micrographics distributors, wanted to know how to get in touch with law libraries. Court administrators and judges were excited about how to get us involved in some of their projects. Many wanted to know if they should hire a real librarian, or if they should send their librarians to our meetings(!). And the MIS people were quite startled to hear us say that libraries should be included in court automation planning.

I frequently become frustrated when I sense that public law libraries are misunderstood, unappreciated or ignored by those people with whom we work or by other members of AALL. I have come to realize, however, that others aren't going to appreciate how smart, talented, and creative we are if someone doesn't clue them in in the first place! I think it is indeed possible that our colleagues in AALL who have worked only for law firms or in academia haven't a clue about us: they need to be told about the incredible balancing acts we perform, the burdens of being publicly funded, the wealth of experience we have in teaching, and the challenges of dealing with illiterate pro se's, high school students, and Supreme Court Justices during the same half hour.

We—that means you, my good friends—need to get out of your offices, out of your libraries, and out of your courthouses, and spread the news. Go to your state library association and your state bar association. Be a workshop presenter. Staff an exhibit booth. Hand out your business card. Distribute literature. Be a speaker at Rotary. Let your community, your bench, bar, and fellow librarians know who you are. Tell them what you can do for them. You indeed are the very best sales force we have in marketing what we need. Don't ever forget: until others understand all we can do, they will be unable to help us get what we want!

Consult, inform, network—PASS THE WORD! If we can't help ourselves, who's gonna do it for us?

(Continued on page 9)

CONTENTS

Message from the Editors	2
AALL Meeting Reminders	2
U.S. Court of Appeals Library	3
Standards Committee	4
Letter to the Editor	5
Budget Practices in Libraries	6
Law Librarianship Research Survey	10
Membership/Subscription Meeting	12
SCC/SIS Annual Meeting	12
Proposed Amendments to Bylaws	13

Message from the Editors

This is the last issue of the Newsletter for this year. Kathy and I are appreciative for all of the assistance that we have received from the members of our committee. This Newsletter would not be published were it not for their voluntary efforts. They have really followed through this year, and provided us with articles on a variety of topics, and we could not have done it without them.

Kathy and I have decided to pass the baton to a new team next year, and this will be our last issue as editors. We have thoroughly enjoyed editing your newsletter for the past two years. However, we are willing to assist the new editor/s next year, and we even have some articles ready for the first issue.

See you in San Francisco!

*Regina Smith
Kathy Coon*

State Court and County Law Libraries 1991/92 Officers

CHAIR

*Judy Meadows,
State Law Library of Montana*

VICE-CHAIR, CHAIR ELECT

*Pamela Gregory,
Circuit Court Library
for Prince George's County*

SECRETARY, TREASURER

*Frank Herch, (1989-1992)
Clark County Law Library*

MEMBERS-AT-LARGE

*Charles Dyer, (1990-1993)
San Diego Law Library*

*Brenda Woodruff-Kelley, (1989-1992)
Toledo Law Association Law Library*

*Regina Smith, (1991-1994)
Jenkins Memorial Law Library*

IMMEDIATE PAST CHAIR

*Joel Fishman
Allegheny County Law Library*

AALL ANNUAL MEETING REMINDERS

Persons With Special Needs

Special Meals

Persons requiring vegetarian or Kosher meals for the President's Luncheon and the Closing Banquet are reminded to stop by the Information/Hospitality Desk to request their meals. Requests for both events must be made by 5:00 P.M. Sunday, July 19, 1992.

Persons with Disabilities

Persons with a disability requiring auxiliary aids and services as well as others who may require transportation to and from the Opening Reception and the President's Luncheon are reminded to check the appropriate box(es) on page 30 of the Preliminary Program.

Program Changes

- A-6 "The Lavender Library..."
10:15 a.m. - 11:45 a.m. (date/time change) 7/21/92
- AALL Executive Board Training and Executive Session:
8:00 am - 6:00 pm (time change) 7/16/92
- AALS Section on Libraries Executive Committee
4:00 pm - 5:30 pm (add) 7/18/92
- AALL 1992/93 Committee Chairs
12:30 pm - 2:00 pm (add) 7/18/92
- Council of Newsletter Editors
7:00 am - 8:00 am (add) 7/19/92
- Foreign Comparative & International Law SIS:
Asian Law Working Group
1:00 pm - 2:00 pm (add) 7/19/92
- Legal Information Services to the Public SIS:
Business Meeting and Luncheon
1:00 pm - 2:30 pm (add luncheon) 7/19/92
- Micrographics & Audio-Visual SIS Business Meeting
3:00 pm - 4:30 pm (add) 7/19/92
- Ohio Regional Consortium of Law Libraries
4:00 pm - 6:00 pm (add) 7/18/92
- Online Bibliographic Services SIS Business Meeting
3:15 pm - 4:45 pm (add) 7/19/92
- Online Bibliographic Services SIS 1992/93 Board Meeting
4:45 pm - 6:15 pm (add) 7/21/92
- Technical Services SIS Business Meeting
1:30 pm - 3:00 p, (correct time) 7/19/92
- Thompson/Carswell Film (CANCELED)
- University of Washington Alumni Reunion
7:30 pm - 9:00 pm (time change) 7/19/92

United States Court of Appeals Library, 3rd Circuit

By Bobbi Cross, Systems Librarian

U.S. Court of Appeals, 3rd Circuit Library

The Third Circuit Library is 1 of 13 federal circuit court libraries throughout the country. Our role, how we operate, our services and audience, are intertwined in the federal court system and the circuit library system.

The basic organization of federal courts has always been based on regions (although some such as the Federal Circuit Court are not). Since the rigors of "riding" the circuit (as in horse) were often harsh, proximity was important. The 13 circuits today started as 3 with the Judiciary Act of 1789. It provided for 3 circuits; the Southern, Middle and Eastern. The Third Circuit's predecessor, the Middle Circuit, included Pennsylvania, New Jersey, Delaware, Maryland and Virginia.

The early circuit courts were basically trial courts, with little difference between then and federal district courts. A panel of 3, 1 district court judge and 2 Supreme Court justices, handled the early circuit courts. This panel tradition remains today with 3 appellate judges hearing all appeals from the district courts. The district courts originally encompassed a single state, but today there are now 6 district courts within the Third Circuit alone.

The 3 circuit arrangement lasted until 1801, when Congress created more circuits to reduce the strain on the riding justices. The Judiciary Act of 1801 provided for the debut of the Third Circuit, consisting of Pennsylvania, New Jersey and Delaware. But continuing long trips into the wilderness of an untamed America were still producing fatigued justices. Congress passed the Judiciary Act of 1802, restructured the circuits again, making them smaller and creating more of them. This time the Third Circuit included only Pennsylvania and New Jersey. Delaware was given to the Fourth Circuit, but by 1866, the state was back in the Third Circuit.

Circuit judge positions were created by the Judiciary Act of 1869, allowing the riding justices to stay in Washington and tend to the growing Supreme Court docket. Industrial expansion increased government regulations and legislation, and the enforcement of these laws caused federal caseloads to grow rapidly. A few more acts were passed to alleviate these caseload burdens, but these were interim measures at best. The Circuit Court of Appeals Act of 1891 created intermediate appellate courts called Courts of Appeals, although there were still the original circuit courts. This caused great confusion until the circuit courts were abolished with the Judiciary Code of 1911. The 1911 Act added more circuit judges to preside over the new courts of appeals. Since 1911, the Third Circuit's structure has remained intact, except for the addition of the Virgin Islands. The U.S. Virgin Islands were acquired from Denmark in 1917 and appeals from the Islands' local

court were made to the Third Circuit. It was not until 1948 though, that the U.S. Territory of the Virgin Islands became a formal part of the Third Circuit. Our lucky director gets to visit these Court of Appeals Libraries at least once a year!

The Third Circuit "headquarters" are located in Philadelphia. Here, along with other departmental units of the Court, the Library provides its services in supporting the administration of justice. We are a "Court of Appeals" Library but our service extends to all judges and law clerks in the 6 district courts of the Third Circuit. Although an exact date of the first Third Circuit Library is not documented (or at least accessible), the first entry in the original accessions book is for the Code of Federal Regulations, Supplement 1940. The first library was in the Circuit's second building at 9th and Market Streets. The first courthouse at that location was demolished in 1937; the second courthouse, a WPA project, housed the Court from 1937 to 1975. The Third Circuit Library at this location is now the Pennsylvania Superior Court Library.

1975 saw 2 major changes for the Library. The move to the new, present courthouse at 6th & Market, and the establishment of the satellite library system in the Third Circuit. This pilot project, granted by the Judicial Conference of the U.S., led to professionally staffed libraries in Newark, Pittsburgh, and Wilmington. The project was a great success and other circuits followed the example. Since 1975, the Third Circuit Library System has gained a professionally staffed library in Trenton, and para-professional staffs in our Scranton, Harrisburg, St. Thomas and St. Croix libraries for a total staff of 24 throughout the System.

Another milestone for circuit libraries was in 1982 with the implementation of the Federal Courts Improvement Act, P.L.97-164. This Act amended §713 of title 28, United States Code by giving us our own heading, "Librarians". Prior federal law in 1948 only mentioned court librarians under the heading "Criers, Bailiffs and Messengers". We definitely were not criers or bailiffs, so guess what that left! We have come a long way.

All Court of Appeals Libraries are overseen by the Administrative Office of the U.S. Courts in Washington. All Libraries must follow directives handed down by this office and all monies except for local funds collected from the local bar are allocated from Washington. The present state of the economy and burgeoning federal deficit place great constraints on us. In spite of this, the Third Circuit Library System has made great strides in automation over the last three years. We have a total of 23 PCs in the System, with the Main Library in Philadelphia operating under a Novell network. We have an

(See Third Circuit on page 12)

STANDARDS COMMITTEE

*By Sandy Marz, Chair
Washoe County Law Library*

The Standards Committee recommends a regular review of standards every six years because of the changing environment of law libraries.

Suggestions for review by committee members:

Appellate Court Standards

I. Governance

- B. Standard should be more prescriptive - for example, libraries serving appellate court should be in judicial branch unless there are compelling reasons for a different structure.
- E. Add planning - for example, planning that affects significant areas of an appellate court library's operations or services should involve the head librarian from inception as director or advisor

II. Budget

- A. Define more clearly - for example, line item budget with specifics such as personnel, training & computer services
- B. Stress importance of library budget equal to budget of other court services when defending budget

III. Personnel

- D. Change this section with personnel to volume count to include more criteria than volume count as a basis for Law Library standards II E

IV. Physical Plant and Facilities

- D. Add adequate fire controls such as sprinklers

V. Information Services

Address library hours - for example, minimum of 40 hours during regular business hours and evenings and weekends as needed by patrons (courts & public)

VI. Technical Services

Add networking to provide electronic access to outside collections

County Law Library Standards

Preamble

Add an account of standards revision and approval by Executive Board of AALL. Recognize diversity of organizational structures and sizes of county law libraries in terms of 1) size, 2) organization, 3) sources of revenue, 4) budgets and 5) patron populations

II. Personnel

- E. Change this section with personnel to volume count to include more criteria than volume count as a basis for professional employees

III. Physical Plant and Facilities

C. Add adequate fire controls such as sprinklers

Generally the language and requirements throughout the standards should be tightened up even if explanatory phrases in form of a commentary are added to indicate expected levels of compliance in different levels of libraries.

Since the next review and recommendation period is 1994, I plan to write sample revisions and circulate among committee members for comment. It has been suggested that advisory councils be formed and included in the development and review process. The advisory councils would be made up of librarians, judges, court administrators and members of the bar. The purpose of this council would be to achieve a common consensus upon which a wide endorsement of the standards could be based.

The current standards are in 81 Law Library Journal S-1 (follows p. 385). Please write to me with your comments on Law Library Standards so they can be considered by the Committee.

Sandy Marz, Chair
Washoe County Law Library
P.O. Box 11130
Reno, Nevada 89520

Committee:

Evelyn Brandt	Karen Richardson
Nancy Cheng	Susan Southwick
Barbara Golden	David Voisinet
Eric Low	

A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own Governors, must arm themselves with the power which knowledge gives.

James Madison

