

American Association of Law Libraries County Public Law Library Standards April, 2009

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 the vision, mission and goals of the law library;
- 2.) Develop and administer the library budget;
- 3.) Build a useful collection;
- 4.) Participate in library or related information networks;
- 5.) Coordinate implementation and upgrades of the library computer network;
- 6.) Hire personnel to assist customers, service the collection, and perform all administrative functions required of the law library;
- 7.) Plan and staff branch libraries, where appropriate;
- 8.) Design and maintain the physical plant;
- 9.) Coordinate outreach and partnerships within the organization and to the outside community;
- 10.) Succession planning for personnel; and
- 11.) 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.

The head law librarian should be deeply involved in the development and implementation of the law library's mission. By necessity, the goals and mission should include outreach to related entities and partners. In order to provide continued quality service the law library should develop a succession plan for key personnel.

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 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*.

I. There should be suitable and adequate space for computer-assisted legal research training.

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, 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. In addition, the library should provide or have access to an appropriately-sized computer training facility to allow instructional outreach to customers on computer-assisted research.

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 and resources to plan and implement in-house library computer networks linking the library's online catalog, other library files, including technical processing operations, e-mail accounts, 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, to

provide access to reference 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. The library should have the resources available to provide access as technology changes.

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 have already 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 and local court publications including, but not limited to, annual reports, judicial statistics, court and general 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 forms.
7. Local Federal rules and forms 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. In addition to the above, whenever possible, the county law library should serve as an access point to reliable websites that provide free access to case, statutory and administrative law as well as forms, treatises and other material from the primary jurisdictions serving the law libraries user community.

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. County law libraries should consider, where able, becoming federal or state depository libraries. Such status will assist the law library in developing both its core and secondary collections.

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. It should also be noted that self-help and other material designed to assist members of the public may need to be in multiple languages to reflect the needs of the community.