This case study looks at the benefits found in joining statewide county law library consortia. Surveys of participating states show benefit use and preferences and indicate that while monetary benefits are found in statewide consortia, the biggest perceived benefit is in collaboration with other libraries in the network.

Introduction

1. Law libraries throughout the United States play an important role in access to justice. These libraries serve not only their local legal communities but also pro se litigants. This is especially true of government libraries, which include state, county, and court libraries. This study focuses on states’ county law libraries, which are frequently autonomous from one another. Would sharing costs, resources, and community knowledge benefit these libraries?

2. Few states have collaborations or consortia at the county law library level. Greater understanding of the types of collaborations available to this level of libraries is important, especially with regard to cost saving benefits. Many have fixed, statutorily funded budgets and little budgetary space to support the growing costs of collection development, especially electronic resources. With a fixed budget and increasing collection costs, county law libraries struggle to remain “vital part[s] of the legal community and of citizens’ access to a just legal system.”

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* © Meredith Weston Kostek, 2019.
** MLS, Indiana University at Indianapolis. This is a revised version of the winning entry in the student division of the 2018 AALL/LexisNexis Call for Papers competition.
Consortium membership may offer county law libraries a way to decrease costs, increase resources, and build communal knowledge, all while maintaining services for the communities they serve. Consortia are used throughout the academic law library world, with most of the 200+ law schools in the United States belonging to one or more consortia. Government law libraries, however, have been slow to join in statewide consortia. The economic and other benefits gained through consortia participation make this an area county law libraries should consider as they face ongoing budget and resource challenges while striving to serve their communities.

However, using data about academic law libraries to analyze county law libraries may cloud the results. For instance, Joseph Lawson cautioned against applying big-law survey data to smaller firms and solo practices. Lawson found that when national surveys were written, solo and small firms accounted for just under 14 percent of the survey respondents. In practice, solo attorneys accounted for 49 percent of all attorneys in 2005. Lawson concluded that national surveys did not always help researchers understand true trends in the legal community. With that in mind, county law libraries must be studied as separate entities from academic and law firm libraries to clearly determine how advantageous the consortium model will be to county law libraries.

This study examines consortia in three states that have established systems to share costs, resources, and community knowledge. It details how these collaborations began, their effectiveness, and the positive and negative effects for their members. Two states, California and Ohio, continue to have autonomous county-level law libraries, while maintaining a statewide consortium for members. California, being the most autonomous, has a voluntary consortium, while Ohio has a mandatory consortium. The third state, Massachusetts, has a statewide law library system, in which each library is a branch of the trial court system. Massachusetts, in this case study, is the least autonomous collaboration.

Literature Review

The dearth of recent literature concerning county law libraries and affiliated consortia made necessary a review of an analogous topic: current trends in library consortia among academic law libraries, academic libraries, and public libraries. Older articles on county law libraries, which focused on structure and statutory regulations, were used to establish a base of possible case study candidates. More recent research was used to establish patterns of consortia use and benefit analysis, largely among academic law libraries.

Although academic law libraries differ from county law libraries in their budgets, collection needs, and general service to the public, shared patterns do emerge. Electronic resource use and cost-benefit analyses of consortia use apply equally well to county law libraries. This article’s library candidates, interview questions, and hypothesis are based, then, on these more recent studies of academic law libraries.

3. Id. at 378–79, ¶¶ 1–2.
Jacquelyn Jurkins has examined the state statutes that created county law libraries throughout the United States. Although her 1969 article is dated in some respects, it creates a base of county law libraries and local bar libraries; the same is true of Marlene C. McGuirl's summary of law libraries serving their local bars. These two initial listings were used to establish a base inventory of county law libraries for the case study and review that follows. Additional information on county law library consortia membership was found in Koster and Houdek's listing of all law library consortia known in 1993; members included academic law libraries, state law libraries, and the two states' county law collaboratives then existing: California's and Oregon's.

In studying consortia in academic library settings, Sharon Bostick has written a historical overview of types of consortia. She lists four types of historical consortia: large consortia concerned primarily with computerized large-scale technical processing; small consortia concerned with user services and everyday problems; limited-purpose consortia cooperating on limited special subject areas; and limited-purpose consortia concerned primarily with interlibrary loan (ILL) or reference network operations. While these four types of consortia remain, Bostick argues that additional types of consortia have emerged in the past 20 years, including regional academic groups, statewide consortia, and the most common: automation of library processes. Taken together, she sees that new types of consortia have emerged alongside new types of needs in the library setting.

Bravy and Feather use a case study method to study the impact of electronic access on Georgetown University's law library. They address "in quantitative terms the impact of such services [digital, electronic, and Internet products] on traditional library functions." Their study includes photocopying, circulation, and shelving, and they determine that at Georgetown traditional means of getting information decreased while use of electronic services increased over one decade.

Amanda Runyon has looked at the increased use of electronic resources and its budget implications on academic law libraries across the country. She noticed a pattern of increased budgets for electronic resources and the decreased use of print collections in all libraries studied, even when the budget of the academic law library did not increase from previous years. Together these articles speak to the increased proportion of library budgets for electronic resources and the increase in use of electronic resources in academic law libraries since 2000.

Several researchers have looked at the successes and drawbacks to academic and public libraries joining consortia. Among the successful outcomes was that of the University of Colorado system's consortium, analyzed using a cost-benefit

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8. Id. at 129.
analysis and return on investment.\textsuperscript{11} Megan Oakleaf uses the same approach to quantify the value of the library.\textsuperscript{12} Mark Rowse shows the successful consortium benefit of higher usage levels of the increased holdings.\textsuperscript{13} Diane Klaiber further finds benefits, based in part on the successful New England Law Library Consortium (NELLCO), in areas of collective bargaining, professional collaboration among member libraries, staff development, and fewer hours in negotiation of contracts with vendors.\textsuperscript{14}

\textsuperscript{13} Some drawbacks of consortium membership include “Big Deal” renewal practices, a sales force unfamiliar with consortia and who lack the authority to make decisions, no-cancellation clauses, increases in unused products, and forced participation, according to Rowse.\textsuperscript{15} Pan and Fong identify additional drawbacks to consortium membership, such as relinquishing autonomy and contributing money to programs that are not supported by each library.\textsuperscript{16} However, after weighing the successes and drawbacks of consortium membership, all researchers recommended membership.

### Methodology

\textsuperscript{14} I began with a general survey of all states with county law libraries. Using the findings from Jurkins’s study as a framework, I analyzed government law library data for the base appearance of collaboration on a statewide level.\textsuperscript{17} California was noted as being a part of an established consortium by Koster and Houdek.\textsuperscript{18} Further study revealed Ohio’s 2011 consortium. Massachusetts was also noted from the original survey as having a different structure than many other states, and so it was added to the general pool for further investigation. Additionally, Minnesota, Maine, and New Hampshire were also considered for possible investigation.

\textsuperscript{15} I investigated each state’s system of county law libraries to find a sufficient continuum of collaboration. I chose California, with a voluntary consortium, Ohio, with a mandatory consortium, and Massachusetts, with a statewide system, to best exemplify this continuum.

\textsuperscript{16} Initial phone interviews were performed with persons or groups of people with knowledge of the collaboration. From these interviews, I wrote state specific questions for a general online survey taken by each state’s county law libraries. Surveys for California and Ohio were distributed through the consortia’s listservs. Additional follow-up was performed via targeted phone calls and emails for law libraries that had not responded by the deadline. Massachusetts trial court libraries were contacted individually because of the relatively small sample.

\begin{itemize}
  \item \textsuperscript{13} Mark Rowse, \textit{The Consortium Site License: A Sustainable Model?}, 53 LIBRI 1 (2003).
  \item \textsuperscript{15} Rowse, \textit{supra} note 13, at 6.
  \item \textsuperscript{16} Pan & Fong, \textit{supra} note 11, at 185.
  \item \textsuperscript{17} Jurkins, \textit{supra} note 4.
  \item \textsuperscript{18} Koster & Houdek, \textit{supra} note 6, at 818–19.
\end{itemize}
¶17 I conducted personal phone interviews with open-ended discussion questions for the initial reviews of the programs to better understand the benefits available and to better use the information for a larger survey of the county law libraries in each state. The open-ended question format allowed me to create close-ended questions for an online survey that I expected would better illustrate uses and benefits of the collaborations. Narrowing the questions to close-ended questions simplified the data analysis since similar answers and feedback were received.

¶18 Participation in the survey by Ohio county law libraries was 32 percent. California participation was 30 percent, and Massachusetts participation was 33 percent.¹⁹ Participation was spread evenly among the different budgets, from $20,000 to more than $1 million, and throughout the states geographically. Survey questions covered overall library budget, staffing, benefits of using collaboration, frequency of use, most and least beneficial aspects of collaboration, whether the library found collaboration to be monetarily beneficial, and whether the library found collaboration to be beneficial overall.

¶19 Results were analyzed for trends. Each question’s results were analyzed as a whole and also within budgetary ranges to visualize trends within specific economic groups.

Consortial History and Results by State

California

¶20 California’s history with county law libraries began in San Francisco in 1853 when William B. Olds advanced the city $20,000 for the purchase of 4000 law books.²⁰ While Olds expected a return on his large investment, San Francisco merely thanked him for his generosity. Eventually, the state legislature authorized the purchase of his library, and it was moved to Sacramento to establish the California State Law Library. At that point, Olds received $17,250 for his library.²¹

¶21 However, this was the beginning of a recognized need for a law library in San Francisco. In 1865, lawyers in San Francisco created the San Francisco Law Library Association. Membership was based on a fee structure, and funds were used to purchase books for the library. The fee structure could not support the cost of the library, so in 1870 people from San Francisco petitioned the legislature to set up a “permanent and public law library”²² for the city of San Francisco, to be paid for by fees from each civil suit filed in the district court. The library bill became law on March 9, 1870.²³

¶22 In 1874, the San Jose Law Library was established along the same lines. A fraction of civil filing fees in the district court of Santa Clara County was used to

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¹⁹. Ohio had 28 respondents of a possible 88; California had 12 respondents of a possible 40; and Massachusetts had 5 respondents of a possible 15.
²¹. Id. at 242.
²². Petition in Reference to Establishing a Public Law Library for San Francisco, reprinted in 3 Appendix to Journals of Senate and Assembly of the California Legislature (1870).
²³. Watson, supra note 20, at 243.
support the library. However, it was not until 1891 that statewide county law libraries were established by the legislature.

¶23 Los Angeles was a growing city with the advent of the transcontinental railroad. With that growth came lawyers and the need for a law library. Los Angeles struggled, much like the early law library in San Francisco, with establishing an ongoing source of funds. Having failed twice to secure ongoing funds for the Los Angeles law library, the lawyers of Los Angeles turned to the state legislature. However, unlike San Francisco and San Jose, Los Angeles petitioned for all California counties to be able to use a portion of the funds from district court fees to establish a county law library.

¶24 On March 30, 1891, the governor signed the County Law Library Bill. By the end of 1891, 23 counties had established law libraries. An additional 20 were formed by 1900. In total, 58 county law libraries were established under this bill. However, the law libraries were viewed as autonomous, sharing only funding source protocol. In fact, it was written in 1969 that “it is hardly accurate to speak of a ‘system,’ since it is not an organized or integrated network, but a group of similarly fragmented units left to develop in their own capacity.”

¶25 In the late 1970s, California recognized the need to organize county law libraries in some way. In response, the Council for California County Law Libraries (CCCLL) was formed to provide a network of benefits for its members. In 1993, California was listed as one of only two states that had a consortium for its county law libraries.

¶26 Membership in the CCCLL is voluntary, and of the 58 potential member counties, between 40 and 45 maintain membership in it. Membership dues are collected annually and are based on the population of the county. Dues are as little as $90 in small counties and can exceed $8000 in the largest counties. Law libraries pay between one-tenth of a percent and one percent of their total budget for CCCLL membership dues.

¶27 Membership allows for county law libraries to stretch limited resources further with discount purchasing, consortium model pricing on EBSCO, CEB, HeinOnline, and Westlaw, and cataloging products. The CCCLL also provides listserv support, education and training, biannual conferences, ILL, and an advocate in the state legislature. While each county law library remains independent from the others, the CCCLL allows its member libraries to increase their purchasing power and create a collegial atmosphere for sharing ideas and concerns across the libraries.

¶28 According to California Business and Professions Code §§ 6320–6326, a portion of civil filing fees from each case filed in a county is used to fund the law library of that county. Section 6321 specifies the exact amounts for each county per

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24. Id. at 244.
25. Id. at 245.
26. Id. at 250.
27. Id. at 251.
29. Koster & Houdek, supra note 6, at 818, 826.
31. Id.
32. Id.
civil court filing. Fees range from $4 per filed case in Alpine County to $50 in Sacramento County.33 Specified amounts and size of the county establish a general trend that the larger the population of the county the larger the budget for the law library.

¶ 29 The distribution of budget income for the counties surveyed was evenly proportionate to the general population of California. The smallest county surveyed also had the smallest budget, in the $20,001–$50,000 range, while the largest county surveyed had the highest budget of more than $1 million (see figure 1).

¶ 30 Budgets for county law libraries in California are split in many ways. Some counties must purchase and maintain the buildings for the law library, while others are given space within the county government buildings. Budgets also pay for employee salaries and benefits packages, monthly bills (utilities, etc.), equipment, education and training and, most of all, updated versions of books, databases, and resources necessary to run the law library.

¶ 31 The CCCLL provides many benefits of membership to its 40+ members. Some of these benefits defray costs for the law library, while others help build a collegial atmosphere among the law libraries. The CCCLL provides a listserv for members to share ideas and to ask for help finding materials or with other library issues, such as ILL; catalog help both through OCLC and in creation of a catalog through Koha, a vendor consortium that includes discounts on EBSCO, CEB, HeinOnline, and Westlaw; education and training; advocacy at the state legislative level; conferences on library topics; and a semiannual meeting.35

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34. **CCCLL interview, supra** note 30.
35. **Id.**
According to overall survey results, members of the CCCLL rank the listserv (91.67%), the semiannual meeting (91.67%), and advocacy (83.33%) as those benefits used most. Survey results rank the catalog (16.67%) and ILL (33.33%) as least used (see figure 2).

When ranking benefits by frequency of use, members of the CCCLL ranked the benefits in almost the exact order, with only the vendor consortium moving up the list to the second most-used benefit.

When results are broken down by budget, the top ranking three are little changed except in law libraries surveyed in the $500,001–$1 million range. Here, the vendor consortium is ranked as most frequently used, followed by the listserv, ILL, education and training, and advocacy. This may indicate that higher-budget law libraries have a greater use for the vendor consortium than lower-budget law libraries, or simply that higher-budget libraries can consider purchasing more with their greater budgets.

When asked for the single most beneficial product or item provided by the CCCLL to the members, collegiality and the use of the listserv were combined and ranked first, with 41 percent of the members surveyed mentioning that type of benefit. The vendor consortium was the second-ranked benefit with 25 percent of the members mentioning the consortium. Advocacy was also mentioned by 8 percent of survey participants.

The benefits CCCLL members most wish were provided include a shared union catalog, instructional materials, healthcare, organized sharing of e-documents, mentoring for new law librarians, and more money. No single answer showed a consensus of thought on the matter.

Survey results showed that 75 percent of the surveyed libraries reported the benefits received were monetarily beneficial to the law library, while the remaining 25 percent said the fees were not monetarily beneficial to the law library. However,
91 percent of respondents said the consortium, on a whole, was beneficial to the library. This suggests that nonmonetary benefits, such as collegiality, can make a consortium beneficial to most participants.

Ohio

¶38 On January 1, 2011, Ohio changed its county law library system to require all 88 county libraries to join a newly formed consortium. Prior to this date, county law libraries were maintained by private associations using public funding to buy books and maintain facilities.

¶39 The 60th General Assembly of Ohio first established county law library associations in 1872, when it passed an act defining the general boundaries for such organizations.36 Included were size requirements for counties to provide a law library (a population of 50,000–150,000) and the presence of a police court. All counties that fulfilled these basic requirements organized a law library for the free use of its law books to all county officers and judges of that county, the same use as its association members. The act also established the county law librarian position and its funding, mandating that a fixed amount not to exceed $500 per annum be paid from the county treasury.37 The act established the method of using court fines to pay for the books in the law library.38

¶40 Just one year later, the same General Assembly passed “An Act to Extend the Provisions of the Act Entitled 'An Act to promote and encourage Law Library Associations.'”39 This April 18, 1873, extension added more county law library associations to the Act. It changed the population guidelines to 31,500–90,000 citizens, thus increasing the number of counties subject to its requirements.

¶41 By the 1880s, Ohio’s Revised Statutes had well established the place of the county law library and county law librarian in Ohio. This included the overseeing of the books, the management of the library, and the librarian’s role as court crier.40 Over the years, Ohio changed some things about the county law library associations, but overall they remained much this way until 2005. That year, county law libraries were discussed as being budgetarily unfriendly to the state as a whole. Ohio county law libraries had to show some collaboration to continue to receive funding. A task force was established and from that grew a voluntary consortium.41 Proving that collaboration and a pooling of resources could be established among an autonomous group led the way to House Bill 420 in December 2008. This legislation enacted into law the groundwork for the Consortium of Ohio County Law Libraries (COCLL).42

¶42 After more than 130 years of established county law library associations, the task force, made up of eight members, created a new system for the law libraries in Ohio. Membership in the task force included county law librarians, lobbyists, county commissioners, county commissioner lobbyists, and judges. The task force...

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37. Id. at 166.
39. Id. at 141–42.
40. 1 REV. STAT. OHIO §§ 423–424 (1884).
met every other week from March 2005 until 2009. Each week a small section of
the bill would be discussed. A final proposal was made in 2009. On January 1, 2010,
the bill establishing the county law library consortium was final.\footnote{43}

\¶43 County law libraries in Ohio went through a great deal of change during
this period. Ohio had 88 counties, each with libraries run differently. Some were
supported mainly by local bar associations, some were unstaffed shelves in a court-
room, and some were well-oiled machines that had consistent and plentiful fund-
ingsources. The consortium was created to bring these disparate libraries together
and help them universally deal with new funding sources and governance by a Law
Library Resource Board for each library.

\¶44 The mandatory consortium receives 2 percent of the statutory income of
each Ohio county law library. With this income, the COCLL provides grants of up
to $5000 per library (up to 12 to 14 libraries) for staff training and career develop-
ment, programming for patrons, technology, or multiagency collaboration, along
with myriad other services.

\¶45 While the consortium is mandatory, meaningful participation is not.
Therefore, some libraries take great advantage of the benefits provided, while oth-
ers do not. At the end of the year, the COCLL reviews the finances and often
returns a portion of the unused fees to the libraries on a pro rata basis. Currently,
refunds have been provided four out of the past seven years.

\¶46 The 88 counties in the mandatory law library consortium are funded in
part by fines and penalties assessed in the courts.\footnote{44} As with California, relative size
matters when receiving these funds. The larger a county’s population, the larger its
court’s fines and penalties are likely to be. In the surveyed counties in Ohio, popu-
lation size corresponded with budget size. The largest county surveyed had a bud-
get of more than $1 million, and the smallest county surveyed had a budget in the
$20,001–$50,000 range. The budget distribution of surveyed law libraries showed
most surveyed libraries falling in the $150,001–$500,000 range (see figure 3).

\¶47 After 2011, Ohio county law libraries became county agencies and thus
were limited in the fees they could charge.\footnote{45} To combat some of the lost revenue,
the COCLL increased its benefits to the consortium members. These benefits
include a general listserv to answer questions and pose reference questions to par-
ticipating libraries, free books published by Matthew Bender, grants by the COCLL,
discounted vendor pricing, ILL, education and training, basic support for the law
libraries, a catalog, pocket part exchange, and an e-book program.

\¶48 Looking at all law libraries surveyed, the benefits most used were the list-
serv (85.71%), the free books (85.71%), and the grant money (71.43%). The least-
used benefits were the e-book program (25%) and the pocket part exchange
(32.14%) (see figure 4).

\¶49 Unlike California, actual frequency of use ranked the benefits in a different
order than overall use of the COCLL benefits.\footnote{46} Basic support and the catalog were
ranked much higher than they were under overall use. Figure 5a lists percentage of county law libraries using the provided benefit, and figure 5b lists the actual use, based on frequency of use, by the county law libraries.
When budget was accounted for in the ranking of benefits, some trends occurred. County law libraries with budgets from $20,001–$50,000 and from $50,001–$150,000 ranked the grant benefit as tied for first on the list of used benefits. These $5000 grants can be the equivalent of what a small county law library contributes to the COCLL with its mandatory fee of 2 percent of the budget. County law libraries with budgets greater than $150,000 ranked this benefit an average of fifth of nine benefits.

The free Matthew Bender books ranked as the top-used benefit for libraries with budgets from $150,001–$500,000, and law libraries with smaller budgets also
ranked this benefit highly. However, libraries with budgets greater than $500,001 ranked it lower.

Finally, the e-book program was ranked as the most frequently used benefit for law libraries with budgets from $500,000 to $1 million. The e-book benefit was not highly ranked in law libraries with smaller budgets. This could be due generally to increased use of e-books in larger libraries or the general needs of patrons in larger counties.

The benefit most frequently cited in the open-ended survey question, “What benefit of the COCLL is most helpful to this library?” was the collegiality and use of listserv among the county law libraries to answer questions of the COCLL librarians. Forty-six percent of respondents said this benefit was the most helpful, followed by the free books (25 percent), vendor discounts (17 percent), catalog (10 percent), and grants and e-books (7 percent each).

When looking at cost-benefit analysis, 75 percent of respondents said the COCLL was monetarily beneficial. However, when the respondents were grouped by budgets, there were clearly some budget groups that did not agree that the COCLL was monetarily beneficial. Only 65 percent of respondents in the budget group of $150,001–$500,000 thought the COCLL was monetarily beneficial. In the budget category of $500,001–$1 million, none of the respondents thought the COCLL was monetarily beneficial. Written responses included: “services are not in line with the monetary value,” “right now the cost of being a part of the COCLL cost us more than we save,” “we pay more in 2% dues than we receive in tangible or intangible benefits,” and “we are a small library with a core collection. The 2% we give to the consortia takes away purchasing new materials and employee raises.” Clearly a breaking point occurred when benefits provided were less than the mandatory 2 percent fee. This point appeared to be around $150,000–$1 million.

However, in line with consortia membership being about more than monetary benefit, 92 percent of respondents thought that membership in the consortium was beneficial to the county’s law library. This percentage was higher than the 75 percent who judged it was monetarily beneficial.

Massachusetts

Massachusetts began establishing local law libraries when the Massachusetts General Court passed chapter 177 of the 1815 Acts and Resolves. This chapter allowed any lawyer in a county to “form a law library, for the use of said county, under such reasonable regulations as the said association may appoint.” Later, in 1842, legislation established specific procedures for creating county law libraries. This legislation allowed all residents of the county to access the books in the law library.

47. The $20,001–$50,000 group ranked it as tied for first, and the $50,001–$150,000 group ranked it as tied for second.
48. The $500,001–$1 million group ranked it as tied for sixth, and the greater than $1 million group ranked it as tied for third.
49. Two percent of $150,000 is $3000, and 2% of $1 million is $20,000. Most of the respondents who answered that the COCLL was not monetarily beneficial had higher county populations than those who answered that it was monetarily beneficial. However, this was not universally true.
By 1856, 7 county law libraries operated in Massachusetts. By the late 1800s, 13 counties had county law libraries. Suffolk County, the county where Boston is located, already had a private law library established prior to the 1815 Acts and Resolves, and so did not establish a county law library. It remains open today.\(^{51}\)

Prior to 1856, the public county law libraries were funded by the cost of admission of all lawyers at the bar of the Circuit Court of Common Pleas or from fees paid to the county's clerk of courts. After 1856, legislation passed allowing county commissioners to use general funds to finance county law libraries.\(^{52}\)

In 1921, Howard Stebbins praised the Massachusetts county law library system, saying,

The court house of every county except Suffolk contains one of these free libraries; . . . almost all are equipped with a full collection of state and federal reports, statutes and textbooks. . . . Title to the books remains in the county; management of the libraries is vested usually in a law library association, more rarely in a bar association and in one or two instances directly in the county commissioner.\(^{53}\)

In 1978, a large reorganization of the court system in Massachusetts took place. The Court Reorganization Act created a trial court administered by a chief administrative justice. County law libraries fell within the jurisdiction of this new trial court.\(^{54}\) An advisory committee for law libraries was created in 1979, and an inventory was taken of all the current county law libraries. Differences were found among the libraries, leading to a recommendation to create a position to oversee all county law libraries. This position, the law library coordinator, was tasked with writing a report on the conditions of the county law libraries and making recommendations as to how to develop the libraries as a unified system rather than a group of individual county law libraries.\(^{55}\)

To best serve judges, lawyers, and the public, changes were made to the role of law librarian, too. A new trial court policy stated that an attorney practicing law could not simultaneously work for the trial court. Since many county law librarians were also practicing attorneys in the county, many quit as county law librarians. This allowed the new law librarian positions to be filled with professional law librarians.\(^{56}\) Creating an organized system of law libraries was the goal of the trial courts of the late 1970s and early 1980s, and the following techniques were used to achieve it.

Starting in the late 1980s, the Trial Court Law Libraries (TCLLs) introduced computers into the libraries. This acquisition not only helped patrons with computer legal research, but also created a way for the law libraries to share a union catalog and have uniform policies on circulation and ILL. This change also allowed all trial court law libraries to communicate more efficiently and to use newly combined resources.\(^{57}\)

The TCLLs used this efficiency to introduce legal education and onsite training to its list of benefits to the legal community. Additional benefits included

\(^{51}\) Id.  
\(^{52}\) Id. at History 2.  
\(^{53}\) Id. at History 3.  
\(^{54}\) Id.  
\(^{55}\) Id. at History 4.  
\(^{56}\) Id. at History 5.  
\(^{57}\) Id. at History 6.
a universal website, e-books, remote access to online legal databases, membership in the New England Law Library Consortium (NELLCO), and grants. In addition, general book purchases, online database access, and catalogs were purchased by the general TCLL budget for all TCLLs. Each TCLL was then given additional money from the state budget allotment to purchase materials specific to the county’s needs.

Overall, being part of the TCLL system allowed for bulk buying of legal resources, professional collaboration among the law librarians in the system, representation on a greater scale in professional organizations, and vendor negotiation. However, the individual TCLLs have less control over budget items and budget amounts and could see disadvantages as the state has fewer budget dollars to dole out.

Individual TCLLs depend less financially on county size for their budgets than California or Ohio libraries because money allotted to the TCLL is not based on money from filings at the county’s trial court. The operational budget is received through state funding authorized from the state’s legislature. Each year, the trial courts are allotted a certain sum, and from that an overall TCLL budget is created. In fiscal year 2015, that allotment was $5.4 million for salary, books, and general operational costs of all the law libraries.

The TCLL system has 15 law libraries throughout Massachusetts. Several larger counties, including Plymouth, Bristol, Essex, and Middlesex, have two law libraries in the county. Nantucket and Dukes counties do not have a TCLL, and Suffolk County has an independent law library that receives some state funding (FY 2016: $1.8 million), but mostly receives funding from membership dues.

The TCLL system, since 2013, has not had a head librarian overseeing the general direction of the system. Instead a trial court manager oversees the system. Each law library within the system is headed by a law librarian, and several law libraries have assistants. The system allows for travel between law libraries so vacations, staffing shortages, and illnesses are covered without detriment to the public. Recent staff cuts have reduced staff throughout the system from 48 in 2008 to 34 in 2015. In addition, the two smallest trial court law libraries, in Taunton and New Bedford, have closed.

Services provided by the TCLL system to the individual trial court law libraries include a union catalog, ILL, OCLC, Westlaw and Lexis, pocket part distribution, professional collaboration, and training and education. Westlaw and Lexis, provided as one statewide contract to all trial court law libraries, is used constantly and is the most frequently used resource provided.

58. Id. at History 6–7.
60. Id.
63. Gee, supra note 61.
64. Telephone interview, supra note 59.
65. Gee, supra note 61.
66. Id.
§69 ILL, the union catalog, and OCLC were the next most frequently used resources. However, training and education were rarely used by surveyed libraries because “it is difficult to find time to take education courses provided” (see figure 6).

§70 The benefit listed by all interviewed libraries as the most beneficial was the comradery between libraries. This comradery allowed libraries to more easily share resources, reach out to colleagues to ask specific questions, and facilitate ILL by better understanding what each library has in its collection. “Relationships between libraries” was stressed by each library interviewed as being important to the overall health of the library system.

§71 Libraries interviewed generally stated satisfaction with the overall library system. However, budget concerns, lack of future planning for the system, and lack of systemwide meetings were all stated as evidence of room for improvement in the system.

Discussion

§72 County law libraries frequently seem to reinvent the wheel because there is little coordination among many of the states’ county law library systems. However, some states combat this with the introduction of statewide collaborations, consortia, and systems. County law libraries are not studied as often as academic law libraries, so thorough research in the form of case studies of several states was needed to understand whether these collaborations could benefit all county law library systems.

§73 Research showed that consortial members in academic law libraries viewed the consortia as more than a monetary benefit, and the additional assistance provided by the consortia made membership worthwhile. The above reported research for county law libraries indicates that this is also true of county law libraries in collaborations. While monetary spending was listed as a benefit, even counties whose fees surpassed the monetary benefit they received judged the consortium as worthwhile overall.

§74 A major component of each collaboration is the networking available to all librarians in the system. This study found all three states’ consortia members ranked this as the most beneficial item of the collaboration. Whether within a system like Massachusetts’s that goes as far as substituting for a fellow librarian when on vacation or in a consortium with an active listserv, this benefit is the most valuable to working librarians in county law libraries.

§75 Centralized leadership and vision for the future is also necessary for collaborations to continue to function in the best possible way. Centralization allowed relatively autonomous county law libraries in California to create an effective and beneficial consortium. Ohio also uses centralized leadership to create a vision for the future, one that solidifies its relatively new system. However, the decentralization of Massachusetts’s trial court law libraries’ leadership could potentially affect its vision for the future. When planning a consortium, centralized leadership should be a main consideration.

67. Id.
Each type of consortium studied carries advantages and disadvantages. Participation is lowest when it is voluntary; however, autonomy is highest in this same category. When participation is mandatory, cost becomes more of a concern, and autonomy can be sacrificed. A universal system is mandatory and sacrifices autonomy; however, key services, like Westlaw and Lexis, typically are purchased more easily and at lower cost. Prioritizing the needs of the consortial members can help determine what type of consortium, if any, is best for each state’s county law library system.

Conclusion

County law libraries provide vital services to the legal community and public throughout the United States. Fixed budgets and the high cost of materials can make county law libraries less than effective in providing necessary legal research for patrons. Combining resources in a consortium model creates benefits for the library and its patrons in increased services and collaboration.

Research into the topic of county law libraries can and should be expanded; however, from these results it is clear that county law library consortia more or less follow the trends of academic law library consortia, if on a smaller scale. Testing additional results, including budget procurement and patron access, will increase the data on county law libraries and make them a more integrated part of the broader research on law libraries.

One specific question to address is whether a state needs to create a consortium to glean some of its benefits. It appears that while collaboration without a consortium, voluntary or mandatory, is possible, lack of the centralized leadership found in the consortial model may ultimately undo the benefits.
§80 Should a state look to a consortial model for its county law libraries? Careful consideration of desired outcomes is necessary in deciding what model to follow. Is autonomy a high priority? Is strong leadership a possibility? How much is each library willing (or able) to spend to join a consortium? Is creating a statewide system a better solution than the state’s current model? Can a state create the collaboration of a consortium without a centralized leadership? Answering these questions will help in deciding the best step forward for each state’s county law library system.