

Impact of 2007 SB 712 on Washington County Residents

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SUMMARY

A reduction in county law library fee revenues would result in a corresponding reduction in the legal research services that are currently available to patrons of the county law library, including attorneys, judges, government employees, students, self-represented litigants, and the general public. These specialized legal research services are not available elsewhere in the county.

FACTS

- Oregon county law libraries do not receive any taxpayer revenues. The circuit court filing fee surcharge that is dedicated to county law libraries provides 95-100% of their funding. The remaining 0-5% comes from photocopy and printing charges on equipment law libraries purchase with these filing fee revenues.
- The Washington County Law Library is an integral part of an Oregon legal information network that provides legal research resources to attorneys, judges, government employees, students, pro se (self-represented) litigants, and the general public.
- Law library fees are used to purchase law books and database subscriptions. These fees are also used to hire qualified staff to manage the library, prepare the budget, maintain safe facilities, assist and instruct law library patrons on how to perform legal research, and all other work necessary to ensure the law library is run efficiently and effectively for the benefit of Washington County residents.
- Contrary to popular belief, not all resources needed for legal research are online and most of those that are online aren't free. The full-text and searchable Oregon and federal legal databases that exist are available by subscription only, at a cost many of those most in need of legal assistance cannot afford. Additionally, most pro se litigants need assistance understanding how laws are made and how to find them.
- County governing bodies already assess charges against law library funds for space and services. In Washington County, that charge accounts for 20-25% of the law library's annual filing fee revenues. This percentage is up from 14% ten years ago.
- Legal publication costs increase 6-25% annually. Law library filing fees have increased 0-3% annually. Some county law libraries have experienced a reduction in their filing fee revenues.
- Pro se litigant use of the Washington County Law Library has tripled over the past five years. *Legal Aid Services of Oregon* can serve only a small percentage of the people who need them. People who cannot pay an attorney or who cannot qualify for Legal Aid services then turn to the county law library, which may be the only other resource the pro se litigant has for information on and access to the judicial system.
- Without their county law library, Washington County residents would have to travel to the *State Law Library* in Salem to perform thorough legal research or to the *University of Oregon Law School* in Eugene, the only public law school library in the state.
- As the Umatilla County Law Librarian recently said during a conversation about the value of public law libraries: *"The folks who cannot pay for a private attorney and cannot get a legal aid attorney are already disadvantaged in being forced to be self represented. With the law library, they have a slim chance at self representation, but it is at least a chance. Without a public law library, they have no hope of achieving any sort of justice at all.... What is the point of operating court facilities if the system doesn't work for everyone?"*
- *"There is significant unmet need for outreach, community education and access to easily used, high quality self-help materials.... Lower income people obtain legal assistance for their problems less than 20% of the time."* (From, *The State of Access to Justice in Oregon*, by D. Michael Dale, published in 2000, sponsored by the Oregon State Bar, the Oregon Judicial Department, and former Governor John Kitzhaber.)