

Issue Brief: 2009 HB 2831
Reduces County Law Library Revenues by 50%

Background:

County law libraries are not supported by general fund or other taxpayer revenues. The Oregon Legislature authorized the establishment of county law libraries in 1907 and provided for their funding by a portion of the litigant filing fee. Today, all 36 Oregon counties collect litigant filing fees to support their law libraries.

From 1965 until 1997 the amount of the law library fee was 40% of the uniform filing fee. In 1997 the percent was reduced to 33% and in 2007 the Legislature reduced the percent to 28%.

Pro se (self-represented) litigant use of the county law libraries has tripled over the past five years. State-wide, the average number of in-person county law library users is between 3,000 and 3,500 a month and a similar number of visits monthly to our websites for legal research guides and links.

Oregon county law libraries provide unique legal research services, not available anywhere else, to all Oregonians.

Washington County Law Library Position:

The Washington County Law Library opposes legislation to reduce the amount of filing fee revenue devoted to county law libraries, which would effectively close many small or rural county law libraries and decimate services and collections of all other county law libraries.

County law libraries “level the playing field” for lawyers who compete with large law firm lawyers; county law libraries provide irreplaceable legal reference services to public library reference staff and to pro se litigants.

The passage of 2009 HB 2813 benefits certain individuals at the expense of all others who are served by county law libraries, including pro se litigants who have mental and physical disabilities, veterans, the homeless, prisoners, families, children, former inmates, disabled, small businesses, landlords, tenants, and people facing eviction, foreclosure, and bankruptcy, and nonprofit organizations.

The following services will be reduced or eliminated, increasing costs for end-users:

1. Hours open to the public
2. Legal reference assistance to the public and to public library reference staff
3. Legal research services to judges, judicial assistants, government attorneys, county counsel, district attorneys, paralegals, legal secretaries, court reporters, and interpreters
4. Legal research assistance to local attorneys and organizations that provide legal services
5. Legal research service to solo and small law firm attorneys and to law firm librarians
6. Legal research database training
7. Mediated legal assistance referrals to state and local government agencies and nonprofits
8. Creation and posting to county law library websites of various legal research guides
9. Local availability of legal research materials that exist in print only
10. Oregon law library inter-library loan services

The following agreements or contracts will have to be renegotiated or canceled:

1. Purchases of legal research databases and treatises
2. Partnerships with local public libraries and legal service organizations

More information:

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