

CLARK COUNTY LAW LIBRARY

Board of Trustees Annual Report

2007

Introduction

The Clark County Law Library Board of Trustees presents this 2007 Annual Report, as required by RCW 27.24. This Report is based on information supplied by Maria Sosnowski, Law Librarian. This Annual Report covers the period from January 1, 2007 through December 31, 2007.

The Clark County Law Library strives to provide access to legal information to all patrons who come through the door. The Library offers personal, professional assistance without any strings attached. Our mission is to ensure that the Clark County Law Library provides a community resource for access to justice for people of any age, income, or educational level.

We invite your comments and cooperation. Please feel free to contact members of the Board, or Law Librarians Maria Sosnowski and Lesley Buhman, to share your thoughts about the Library. Board members include Judy Zeider (Chair), Commissioner Marc Boldt (designee of Board of Clark County Commissioners Chair, Betty Sue Morris), Judge John Nichols, Judge Roger Bennett, and Meridee Pabst.

Who the Library Serves

The general public is the largest user group in the Law Library. During 2007, 77% of the reference questions answered in the Library came from members of the public. Two paralegal programs (Clark College and Everest College) use the Library to teach their students legal research.

The Library also serves 9 Superior Court judges, 6 District Court judges, a magistrate, 4 court commissioners, 500 or more Clark County attorneys as well as attorneys from other counties and Oregon. The Library also provides reference services to inmates in the Clark

County Jail and provides interlibrary loan services to other libraries on an as-needed basis.

Collection

As of December 31, 2007, the Clark County Law Library had approximately 20,500 volumes and 1,000 supplements and advance sheets not attached to individual volumes. The Library also has Washington State Supreme Court Briefs, individual local court rules, and the periodical Jury Verdicts Northwest.

The Law Library currently subscribes to Shepard's citations and Westlaw, two on-line legal databases. Westlaw has databases for cases and statutes from all states and federal circuits, numerous Washington materials, and various secondary source materials. Shepards offers the ability to check to see if a cited case is still good law.

Currently, 69 books are on the missing book list. This does not include missing books that have been replaced, or outdated items that would have been discarded due to age. The Library has at times been able to replace missing items at no cost from various listserves that the Librarian belongs to.

Donations

The Clark County Bar Association's Law Library Committee set up a sponsorship and donation program in 2003. A liaison from that committee also attends Law Library Board meetings. Each year, a letter goes out to the membership in the CCBA newsletter, letting them know about our sponsorship program and asking for monetary donations. The Law Library also accepts book donations if they are materials that the Library can use or which are likely to sell.

During 2007, the Library received a cash donation from Bill Nelson. Mr. Nelson has been a regular library supporter. A copy of the Public Records Act Deskbook was donated by the Administrative Law Section of the Washington State Bar Association.

The Law Library added three volumes to the collection in exchange for the Law Librarian agreeing to write reviews for them. Those were: Defending and Preventing Employment Litigation, Essentials of Removal and Relief: Representing Individuals in Immigration Proceedings, and Reductions in Force in Employment Law.

Missing volumes are also sometimes replaced via listserves, enabling the Library to replace items at no cost; however, we did not receive any books this way during the year.

ADA Compliance and Usability

During the year, the law library was assessed for ADA compliance. Issues that were noted included lack of room for wheelchairs at the copiers and public computers that were too

high for use by those in wheelchairs.

The copiers and table serving them were rearranged to provide the space needed for wheelchairs, and IT was asked to move one of the public computers from the high counter to a lower counter. The library also purchased a height-adjustable chair to serve the ADA computer, which has wheels to allow it to be rolled out of the way for wheelchair users, and which makes the computer more accessible for those people who are not in wheelchairs.

The County also agreed to pay for new shelving along the back wall of the library. Given that we don't expect to get more space until the new justice center is built, the additional shelving will help us house the collection until that time. New shelving was installed in the fall. The entry area was also brightened up with a coat of paint and different lighting, so that people are greeted with a brighter area when they enter. This also makes it easier to read the monitors and materials in the public counter area.

The Library purchased new chairs for the public reading area. The previous chairs were approximately 20 years old and very worn.

Books and Print Materials

Due to the escalating costs of maintaining the sets that we have, the Library has been reluctant to make many new acquisitions unless they are low cost or Washington-specific titles. And due to space restrictions, we cannot purchase items that need extensive shelf space. We have been purchasing some small specialized treatises to try to build up areas of the collection that are weak or in subjects that are popular.

The Library purchased the following new titles in 2007:

- Defending Drinking Drivers
- Attacking and Defending Drunk Driving Tests
- Causes of Action
- Nursing Home Litigation: Case Investigation and Preparation
- Nursing Home Litigation: Pretrial and Trials
- Oregon Civil Procedure
- Oregon Family Law
- Commercial Real Estate Leasing
- Numerous Nutshell titles from West
- Numerous titles from NOLO

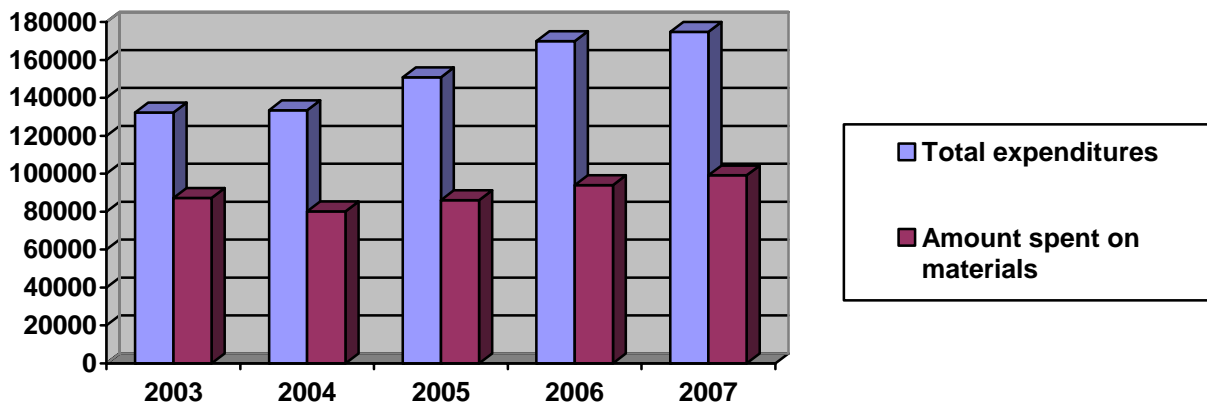
The Library also continues to purchase nearly all of the new Continuing Legal Education books from the state bar or the Washington State Trial Lawyers Association and all of the Washington State Bar Association Deskbooks. We also purchased CLE books from Lorman, NBI, and the King County Bar Association. During 2007 we purchased 108 CLE books. We

also continue to receive free CLEs from the Clark County Bar Association.

The Library also continues to receive state Supreme Court briefs from the State Law Library, and Jury Verdicts Northwest/Northwest Arbitration from the publisher. However, we've been told that Jury Verdicts will no longer be provided free after 2008.

This year 57% of our expenditures were on materials (which includes computer databases as well as print materials). There are many titles that we expect to update in either 2008 or 2009. We have been setting a higher percentage of our revenues aside into our reserve account so that when price increases again exceed our budget we will be able to absorb that for several years. (See Financial Report, below, for more information) Figure 1 shows the relationship between the amount spent on materials and our total budget.

Figure 1: Total Revenue and Amount Spent on Materials 2003 - 2007



Database and Computer Resources

The Library offers internet-based Shepards and internet-based Westlaw. The Westlaw subscription includes cases and statutes for all states and federal circuits, an extensive Washington database, and some secondary materials. This contract was renegotiated during 2006 and a new 3 year contract was signed. Westlaw is an attractive service to attorneys, is used regularly by pro se patrons doing legal research, and is also used by the Librarian to assist patrons.

We also continue to offer Shepards, a Lexis product, as an online subscription. This contract is the same from year to year and offers national Shepards service with a case citation.

The Library offers printing from the computers at 25 cents per page. This allows patrons to print materials they find on free websites as well as our paid subscription websites. Some of that material is not available in print in the Library.

Increased Public Hours for Next Year

At the end of 2007, the Board voted to increase the public hours of the law library. Hours will increase in January by 50% from 20 to 30 open hours per week. This increase in hours is made possible because we have been saving, rather than spending, the additional money we get from the filing fee increase that started in July, 2005. Our self-generated revenues have also been increasing, which will help us absorb the added expense of more hours.

Space Issues

The Library has run out of space. All duplicative materials have been discarded. Every year the Librarian must make decisions about what materials must be discarded to make room for newer or more popular materials. Patrons have asked about some of the missing materials and are disappointed that they are no longer available.

In addition, reporters are shelved on the very top shelf, which requires a ladder to reach. Some items are shelved where there is space, rather than where they should logically go, resulting in difficulty finding materials for those not very familiar with the collection.

The Library is now to the point of being forced to discard useful but lesser-used materials to make room for expanding reporter series. Space, as well as cost, is considered in deciding which items to add to or cut from the budget. At this point, we are unable to add any big sets due to lack of room. Sometimes this results in a lower-quality title being selected because it needs less shelf space.

The main holding of the Law Library is case reporters. These reporter series are vital resources for the Law Library that would cause great hardship to the community if they were discontinued. The Law Library simply must have more space. In order to continue these series, we will have to stop getting other items, or discard more materials.

In 2007, the County paid for new shelving along the back wall of the library. Given that we don't expect to get more space until the new justice center is built, the additional shelving will help us house the collection until that time. Although this allows more room for materials, it cut down on the space for seating in the reading area. Now the library is limited to 4 tables and a total of 12 chairs in the reading area. As patrons often use an entire table for one person, given the need for multiple resources and documents, this has resulted in all of the tables being full at the same time more often, and the need for strangers to share a table.

Cost Increases of Materials

The Library is still experiencing disproportionate inflation in subscription costs. Most of our materials come from two vendors, and due to a series of mergers and acquisitions, many of the smaller publishers have disappeared. West Publishing accounted for 71% of the materials budget during 2007, and has had increases in prices ranging from 10 – 20% most years. Due to selective returns during the year, the increase in filing fee revenues, and budgeting to spend less than our available revenues, the Library has been able to avoid cuts to the budget for several years.

Book costs increase around 8-15% each year. As an example, over the past 4 years a volume of Federal Reporter has increased 41%, Washington Shepards have increased 55%, and the Washington Code Annotated has increase 70%.

Washington materials are all kept updated according to publisher's schedules. That is not true for many other materials. There are a number of sets in the Library which are no longer updated regularly, but instead are on a rotating 3 or 5 year cycle. There are also some sets that the Library maintains but due to the cost lack a current index. While this is not as desirable as having fully updated materials, it is one way the Library is trying to stretch our revenue and budget for the future.

The Law Library has begun to set aside a reserve account as a portion of each year's budget, to pay for replacement of certain book sets in 3-5 year cycles. This saves money because it is cheaper to replace sets every few years than to update them annually. However, this also means that these sets are no longer current. There are 11 items due for replacement or updating in 2008.

Use Statistics

The Law Library purchased and installed a door counter late in 2005. This year is the first full year we have statistics on the number of people coming into the library both during open hours and while we are closed. The door counter is an electronic beam that counts the number of times it is broken, so when a multiple people come in as a group it may not accurately count each person. However, it will show a trend over time of the number of people entering the library each day.

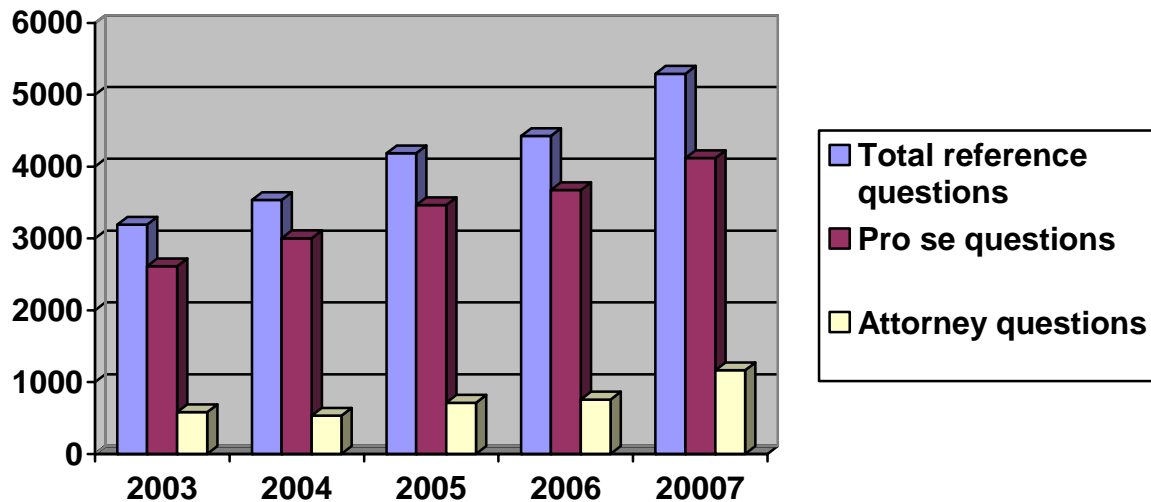
A. Number of people through the door

For 2007 there were a total of 10,207 people through the door, which includes 2,299 during closed hours and 7,908 during open hours. Attorneys with keycards can enter during closed hours so long as the building is open. This is a decrease on last year's door count of 11,364. Due to placement of the ADA computer workstation, the door counter sometimes gets bumped which puts it out of alignment and affects its accuracy.

B. Reference questions

The Library answered 5,292 reference questions during 2007, up from 4,425 during 2006. This is a 20% increase in the number of reference questions in just one year. Of the 5,292 questions, 4,117 of them came from pro se patrons (non-attorneys) with the rest coming from attorneys. Approximately 77% of the questions the Law Library helps with are from non-attorneys, and 23% are from attorneys. Figure 2 shows the increase in reference questions from 2003 to 2007.

Figure 2: Reference Questions 2003 – 2007 by Attorneys and Pro Se Patrons



C. Circulation

Non-reserve books may be checked out on the honor system by judges, lawyers, and county officials. During 2007, 569 items were checked out. Five items were sent and 15 items received through interlibrary loan during this period. Due to the limited collection, the Library borrows far more than it lends. Nearly all of our interlibrary loans come from the State Law Library, due to their large collection and policy of not charging for this service. Items that are not available from them can usually be obtained from Lewis and Clark’s Boley Law Library, also at no charge.

D. Inmate Requests

During the period covered by this report, the Library received ten documented inmate requests.

E. Westlaw Use

During the year, library patrons conducted 5,499 total transactions using Westlaw, an

increase of 30% over the 4,217 transactions last year. Westlaw use figures are broken down by databases as illustrated in Figure 3 on the next page.

Figure 3: Westlaw Use for 2007

Database	% Use	What it Covers
Analytical	7.6%	Secondary sources such as American Jurisprudence, forms, Proof of Facts, Restatement
Washington	90.9%	Cases arising in Washington, statutes, court rules, administrative rules, attorney general opinions
Results Plus	1.5%	Databases outside our plan that have relevant information

Financial Report

The money in our budget comes from our statutory share of filing fees and any additional funds we are able to generate ourselves. Self-generated revenues come from form kit sales, after-hours access keycards for attorneys, copier revenues, and the sale of outdated volumes. The Law Library continues to look for ways to increase our self-generated revenues (see Figure 4 on the next page for a comparison of income from filing fees vs. self-generated revenues). Our revenues came from the following sources:

1. Filing fees. In 2007, we received \$42,465 from District Court filings, and \$128,555 from Superior Court filings. This was an increase in filing fees of 23% from District Court and 5% from Superior Court over 2006.

2. Form kits. We sold three types of form kits during the year, which raised \$13,074 in net revenues during the year. This is an increase in net revenues of 37% over the \$9,533.10 in net revenues we had last year from form kit sales. Our kits are sold to Pioneer Printing, Snohomish County Law Library, Skagit County Law Library, and Pierce County Law Library.

3. After-hours access keycards. We also continue to charge attorneys for after-hours keycards, which raised \$5,556 for 2007, compared with \$4,845 in 2006.

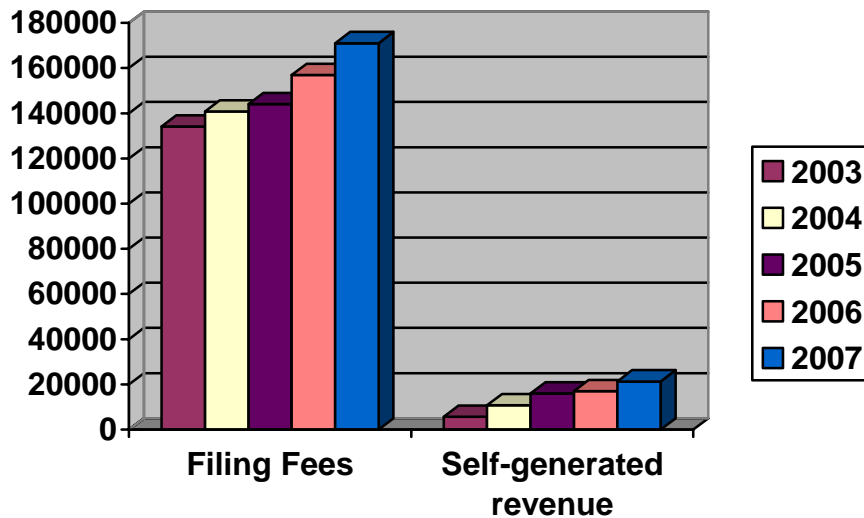
4. Copier. We raised another \$944 from our share of copier revenues, a decrease of 19% from 2006. Copier revenues are also reportedly decreasing in other law libraries around the state.

5. Sale of outdated materials. The Library has also taken advantage of opportunities to sell old volumes. Certain materials, which in the opinion of the Librarian would be likely to sell, are listed for bid. This allows the Library to raise a nominal amount of money from items that would otherwise be discarded. During the year, we raised an additional \$843.50 this way.

6. Jail contract. The Board of Trustees signed an interlocal agreement (in 2006) with the Clark County Sheriff to provide services to the county jail facility to maintain their law library. In return, the Jail compensates the Library for the time of the law librarian. We received \$893 from the Jail during the year.

Total self-generated revenues: Our total self-generated revenues were \$21,310.50 during 2007, which is 10.6% of our total revenues. This is a 20% increase in self-generated revenues over the \$17,003 raised in 2006. Our form packets continue to do very well, especially with the expansion into other counties. While the Library is always considering additional ways to generate revenue, we are fairly limited in the options available by statute and by the legal requirement of open access.

Figure 4: Law Library Income by Category 2003 - 2007



*Self-generated revenue includes revenue from after hours access keycard sales, a portion of copy card revenue, and revenues from the sale of form packets. Beginning in 2005, it also includes money from bids on discarded items. Beginning in 2007, it also includes money from servicing the jail law library.

We have been setting aside a portion of our revenues each year to pay for updates of titles that are only updated every 3-5 years, to pay for the cost of additional shelving or moving the library when the new building is completed, and to absorb the cost of future increases in the cost of books and online resources. We've also been building the reserve with the hope of being able to expand public hours. See more on that below.

The Law Library reviewed materials that came in on subscription during the year to ensure that our expenses would not exceed our budget. Every item that comes into the library is evaluated in terms of cost, amount of use, viable alternatives, and potential benefit. Indexes are not updated automatically, but rather every few years.

The Library also maintains a reserve account to cover months when the Law Library is not credited for its share of filing fees on time, or to cover unexpected expenses such as equipment repair and replacement. We also expect to be relocated in the next few years and have set aside reserves for costs that will be associated with moving. And we project that in the future expenses will again exceed revenues and so are building a reserve account to offset that. As a result, our expenses have been kept below our income in order to allow our reserve account to grow.

Figure 5 shows our total income compare with both budgeted and actual expenses for the last 6 years. Our revenues exceeded projections by \$26,062. By maintaining our conservative approach to the materials budget, the Library came in a bit under budget for expenses and over budget for revenues, allowing us to build up our reserve account.

Figure 5: Income and Expenses for 2002 - 2007

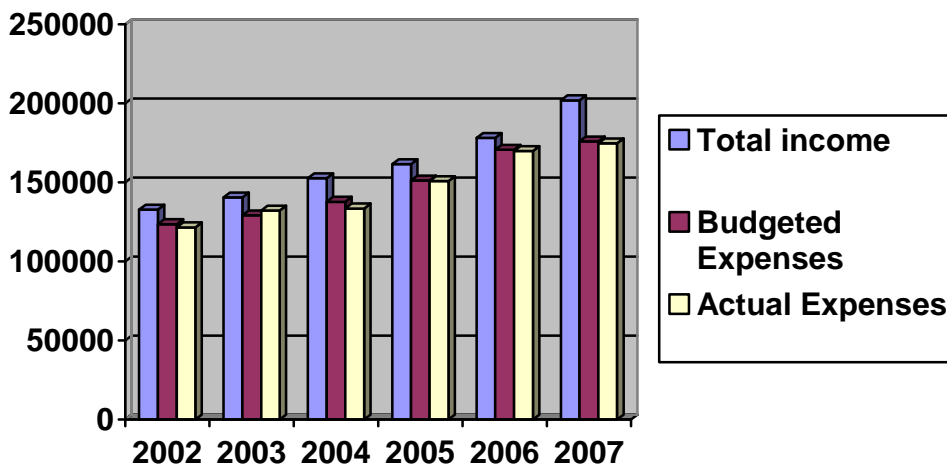


Figure 6 shows a pie chart of expenses broken down by category. The greatest expense is books and materials. The reserve account is also partially for future purchases of books that are updated only periodically.

Figure 6: Expenses for 2007

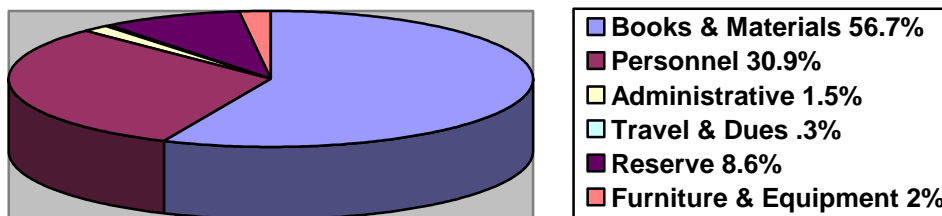


Figure 7 shows revenues by source. And finally, Figure 8 lists expenditures and revenues by category and provides totals for each category.

Figure 7: Revenues for 2007

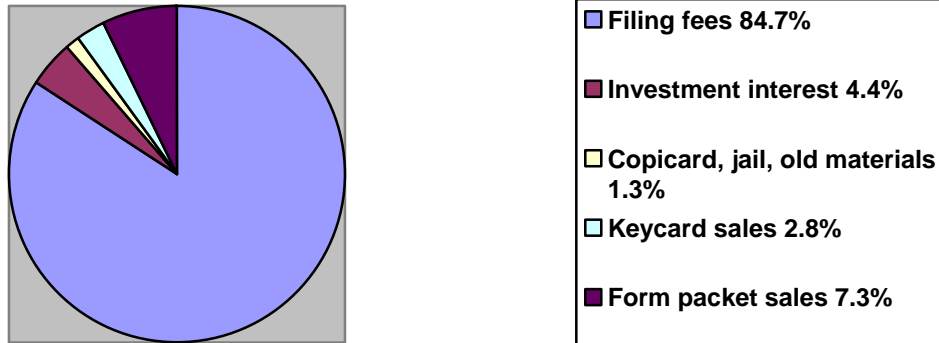


Figure 8: January – December 2007 Expense and Revenue Numbers

EXPENDITURES

Salary & Benefits	\$50,795
Books & Materials	99,106
Telephone	462
Temporary Employment	3,347
Office Supplies	2,090
Dues & Travel	579
Reserve Account	14,851
Furniture & Equipment	3,476

Total \$174,706

REVENUES

District Filings	\$42,465
Superior Filings	128,555
Interest	8,884
Copico	994
Keycards	5,556
Form Packets	14,660
Jail	893

Total \$201,957

Due to fluctuations in monthly expenses and revenues, as well as unexpected price increases or equipment costs, the Library needs to have a healthy reserve account. Also, since we started placing some items on a rotating update basis, we need to build up reserves for the future planned purchases to update the items. Filing fees fluctuate quite a bit. We have also chosen to use the increase in filing fees to continue to build up the reserve account to buffer for the inevitable time in the future when our expenses exceed our revenues. This way, we hope to

be able to continue operating without cuts for several years after our revenues stop keeping up with expenses. We are also constrained by space in purchasing additional materials.

Summary

During 2007, the Law Library continued its policy of conservative budgeting and aggressive materials acquisition policies, and ended the year with revenues in excess of expenditures. However, the Library continues to deal with a lack of space and spiraling materials costs, which have negatively impacted the quality and extent of the collection.

For 2008, the Library will continue to focus on increasing self-generated revenue. Each item that comes into the Library will be evaluated in terms of cost, space, and potential alternatives in order to offer the best possible collection within our limitations. We will also increase the public hours by 50% to better serve the population.

Submitted on behalf of the Board of Trustees by:

_____ signed by Judy Zeider _____
Judy Zeider, Chair

_____ 7/1/08 _____
Date