

Regular Meeting of the Board of Law Library Trustees of Marin County

LIBRARY DIRECTOR:
Jason Voelker

A California Independent Public Agency Under
Business & Professions Code Section 6300 et seq.

Monday, June 16, 2014, at 5:15 p.m.



BOARD OF TRUSTEES:
Benjamin Gale, President
Steven Schoonover, Esq.
Marta Osterloh, Esq.
Sam Ware, Esq.
Alexandria Quam, Esq.
Robert Begley, Esq.
Elliot Bien, Esq.

Present: Ben Gale, Steven Schoonover, Alexandria Quam, Bob Begley,
Elliot Bien and Jason Voelker, Ex-Officio Secretary.

Absent: Sam Ware, Marta Osterloh.

Call to Order

Ben Gale determined that there were sufficient members to constitute a quorum, convened the meeting at 5:23 p.m., and thereafter presided.

1. Approval of May Minutes

May's minutes were reviewed and subsequently tabled as there were not enough voting members to constitute a quorum. Sam Ware and Marta Osterloh were not present, Steve Schoonover was absent for this portion of the meeting, and Ben Gale abstained because he was not present at May's meeting.

2. Open Forum

In addressing the Board, Bill Hale expressed concern about library patrons stealing books. He suggested higher security and a sign informing patrons that they will be prosecuted for theft. Responding to Alexandria's question concerning the amount of theft that occurs, Jason stated that we see a small amount of theft in comparison to other law libraries across the state. Although there is no way to entirely eliminate theft, certain precautions have been taken including the staff desk being placed at the front entrance to monitor exit flow, a book security system, and periodic rounds made by staff. Jason stated that tougher security measures could be taken, but that he did not see a legitimate library interest in sacrificing the community's comfort for higher security.

Steven stated that cameras are a good deterrent and inquired as to whether there would be cameras when we return to 20 North San Pedro. Jason was not aware of a new camera system but agreed to inquire with Dorren Hill, Chief of Construction for the County of Marin. Elliot suggested that the Library post a sign

that alerts patrons that they may anonymously report theft to the Librarian. Elliot then asked Jason to place this issue on July's agenda for further discussion.

3. Financial Report

3.1 May's Fiscal Report:

Jason presented the Library's Financial Statement. The unrestricted fund balance as of May 31, 2014 was \$22,381.57. The income from Court filing fees was \$14,850.97, \$1,786.4 below that of June 2013. The Unrestricted Fund Balance on June 16, 2014 was \$33,278.13, including the June filing fee deposit.

Alexandria stated that she recently met with the Marin County Superior Court's accountant who agreed to provide her with an excel spreadsheet of the Court's Schedule of Law Library Revenues. Alexandria noted that the Library's filing fee revenue is prepared two months prior to being dispersed, and that the Court's schedule allows Library filing fee income to be viewed two months in advance. Ben stated that this is good information to have, as it will allow the Library to monitor future income when considering current expenses. Alexandria agreed to bring a copy of the report to the next meeting.

3.2 June Warrants

Jason presented a schedule of warrants for payments in June. Motion by Ben, seconded by Steve, that all warrants on the schedule be paid as listed. Motion approved 5-0, with Sam Ware and Marta Osterloh abstaining because they were not present.

4. Librarian's Report

4.1 New Staff and Volunteers

In addressing the Board, Jason stated that the Library's two new staff members, Laurie Valaa-Olsen and Robert Carrington, are a good fit and have completed their initial orientation. There is more SAP training required, but both staff members know their way around the Library and have been invaluable in furthering our mission to the community.

The Library has also been fortunate in recruiting Timothy Allison as its newest volunteer. Tim has agreed to assist in the process of upgrading our catalog software system to one that will support online public access via our website. Online public access will allow library patrons to survey the collection prior to physically coming in and will aid the Library in its document delivery retrieval service. Tim has previous experience working on software databases. The experience he brings to the table is priceless.

Ben liked the idea of upgrading our catalog software system and asked that the new card catalog incorporate the publications we subscribe to from Westlaw Next so patrons can also see what's available within our online collection.

4.2 Discuss Closure of Marin's Lawyer Referral

Jason expressed serious concern about the Marin County Bar recently terminating the Lawyer Referral Service. In the past, if a patron needed a lawyer or if library staff was unable to assist a patron with referencing a legal problem, a quick referral to LRS was helpful. However, with the closure of LRS, library staff is unable to provide community members with local referrals.

Alexandria suggested that the Trustees consider creating a lawyer referral service or a panel here at the Marin County Law Library. Attorneys could pay an annual fee to have their names added to a panel, including a panel for modest-means clients. Jason stated that he spoke with Rodney Low, Office of Legal Services of the State Bar. Rodney is the LRS Coordinator for all lawyer referral services in Northern California. During the conversation Jason inquired into whether a law library would be permitted to operate a LRS. Rodney stated that he saw nothing in the rules that would prevent a law library from operating an LRS and provided an application if the Library chooses to pursue this further.

Elliot stated that the apparent reason for the decision to end LRS is that it received fewer and fewer calls from the public, and increasingly, the calls LRS did receive did not turn into litigation matters that resulted in sustainable revenue to LRS. Since the Library is currently struggling through its own financial hardships it is may not be the best time to incorporate the two models.

Considering something smaller than LRS, Alexandria stated that the Library could develop something that resembled a panel listing where attorneys could pay an annual fee to be in the Library's directory. Alexandria said that she would speak about this matter with Elizabeth Brekhus, Marin County Bar Association President, and get back to the Board at the next meeting.

5. Old Business

5.1 Discuss Meeting with Marin Community Foundation

Steve, Alexandria and Jason spoke about their meeting with the Marin Community Foundation. MCF has three primary focus areas it supports: Education, affordable housing, and poverty. Although MCF considers grant proposals for legal service organizations within the community, legal services receive less funding than MCF's three primary focus areas. Responding to Bob's question concerning which legal entities MCF supports, Steven stated that MCF supports the Canal Community Alliance and Legal Aid of Marin, and is not in a

position to support the Law Library as MCF is in the process of making cutbacks to the services they provide to the legal community.

Alexandria felt that the meeting with MCF was productive and that a number of good ideas were discussed. She noted that MCF referred us to its Evaluations Officer, Heather Johnson. Heather provides local organizations with fundraising concepts and is willing to assist the Library with marketing ideas in the future.

5.2 Execute Contract for Fully Integrated Copy & Print System

The Board reviewed two quotes obtained for an integrated print system at the Library's new location – one from Lucas and the other from Ray Morgan Company. Each quote provided state-of-the-art photocopy machines, copy card readers and printers with a net average savings of \$1,400 a year. After going over the pros and cons of each quote, Elliot moved to authorize Jason to execute whichever of the contracts he deemed most suitable for the Library, subject to the ratification of the Board at its July Meeting. The motion was seconded by Alexandria and subsequently approved 5-0, with Sam Ware and Marta Osterloh abstaining because they were not present.

5.3 Implementation of Document Delivery Fee Schedule and Credit Card System

The Trustees discussed a pricing schedule for document retrieval services and the implementation of a credit card system at the Law Library. After addressing the cost-recovery statutes involved (Bus. & Prof. Code § 6360) there was a Motion by Bob, seconded by Steven, that the Library implement a credit card system and set the document retrieval service at \$15 per document request with an additional charge of \$0.25 per page. Motion approved 5-0, with Sam Ware and Marta Osterloh abstaining because they were not present.

6. New Business

6.1 Determine Whether \$9,527 of ADR Funds was properly Deposited into the Law Library's Account During Fiscal Year 2008

Jason presented a report he received from the Department of Finance. In it, DOF claims that the \$9,527 that the Law Library holds in account 2120053, monies held in trust, belongs to Dispute Resolution. Per DOF, the funds were received in March and April of Fiscal Year 2008 by the Library's previous Director, Hal Aigner. Hal was apparently required to transfer those funds to account 80301, Dispute Resolution, but apparently never did so. DOF has researched the inflow of funds into 80301 from Fiscal Year 2008 to the present and can find no record of them ever being transferred to Dispute Resolution. DOF has now asked that the funds be returned to the County.

Bob stated that the statute of limitations appears to be an issue, with the previous director having long since retired and six years having passed since the transactions occurred. With the amount of time that has passed and the non-availability of the people involved it would be difficult to impossible to determine whether there is a back-story or justifiable reason as to why those funds have remained in the Library's account for the past six years. Jason concurred, asserting that detrimental reliance may also be an issue as well since the FY 2014-2015 Budget was created with the assumption that those funds belonged to us.

Ben noted that although the loss of these monies would assuredly create further hardships for the Library, he believed we should return them to the County in order to avoid a conflict with DOF and the Administrator's Office. Ben recounted the financial problems the Library has had during the previous two years and reminded everyone how much assistance the County has provided during these tough times. Ben stated, and the Board agreed, that we should ask to keep the monies, but, in the event the County declines, promptly return the funds to DOF.

6.2 Discuss Article for Marin Lawyer

This matter was tabled for further discussion at the Board's next meeting.

6.3 Discuss Library's Return to 20 NSP and Fundraising

Jason informed the Board that 20 NSP has undergone major renovation and is near completion. The Library's physical relocation is scheduled for early September. Steven stated that we should begin planning our open house to welcome in the community, share the projects we've been working on throughout the year, and highlight new projects and partnerships. The Board thereafter discussed the theme of the open house and agreed that we should invite the Presiding Judge to provide opening remarks at our new location. Alexandria agreed to speak to Judge D'Opal and will apprise the Board of the outcome at its next meeting.

7. Adjournment

All business before the Board having been considered, the meeting was adjourned at 7:22 p.m. The next Marin County Law Library Board of Trustees meeting is Monday, July 18, 2014 at 5:15 p.m.

Respectfully submitted,

Ben Gale, Chair

Jason Voelker, Ex-Officio Secretary