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

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

Monday, October 19, 2015, at 5:15 p.m.

Present: Robert Begley, Sam Ware, Elliot Bien, Denise Bashline, Trudy Verzosa,
Alexandria Quam and Laurie Vaala-Olsen, Acting Secretary.

Also Present: Bill Hale

Call to Order

Board Vice President Sam Ware called the meeting to order at 5:21 p.m., and thereafter
presided.

1. Approval of the Minutes

1.1 The board was unable to approve the August 24, 2015 Minutes because it
lacked a quorum of trustees that were in attendance at the August 24 meeting.
Likewise, the board was unable to approve the September 21, 2015 Minutes because it
lacked a quorum of trustees that were in attendance at the September 21 meeting. The
Minutes will have to be approved at the November board meeting.

Bill Hale requested to change one word in the second paragraph of the August
24, 2015 Minutes, from resolved to perfected. However, the change could not be made
because there was no quorum to approve the amended Minutes.

Bill distributed a handout which contained the proposed changes to the
September 21, 2015 Minutes. It will be attended to at the November Board Meeting.

2. Open Forum

Bill Hale read into the record a one page document that he had prepared regarding the
fiduciary responsibilities of the trustees of the Law Library. The handout is attached to
the Minutes.
3. **Financial Report**

3.1 **September 2015 Fiscal Report**

The Unrestricted Fund Balance on September 1, 2015 was $56,144.77. Filing fee revenue received in September was $14,699.61. The Unrestricted Fund Balance on September 30, 2015 was $58,706.48. Current Unrestricted Fund Balance is $53,323.29. There was a discussion regarding the amount budgeted for telephone and internet, because the actual expenses are and will continue to be greater than what was budgeted. Laurie did not have all of the phone and internet expense data when she prepared the projected budget in February 2015. The revised estimate includes: 1) $80 to 90 per month for two AT&T telephone lines, which is a government rate so it is discounted, 2) $145 per month for the Sonic Internet service, 3) $135 per month for the monthly maintenance of the internet and network, and 4) $135 per hour rates for additional consulting work performed by SPTJ, which I estimated at 7 months, or $945.

We are under budget for our publications expense because some of the publications are charged on a quarterly basis.

3.2 **Warrants**

Laurie presented the October Warrants. She recommended not paying the Ingram invoice until the account gets straightened out. She mentioned that she still has not solved the $800 to $1,000 discrepancy between what CEB says we owe and what Laurie thinks we owe. Elliot moved to approve the warrants as modified, excluding the Ingram Invoice and paying only $1,000 of the $1,777.34 CEB warrant. Alexandria seconded. The motion passed with 4 Ayes, 0 Noes, and 0 Abstentions.

4. **Librarian’s Report**

4.1 **Online Card Catalog**

Laurie distributed a sample page of the Law Library’s Publications Inventory in Excel spreadsheet format. The board requested that the inventory be presented in alphabetical order by title. The final version will be placed on the Law Library’s website in searchable PDF format. Patrons will be able to search it but not to sort it as it will be password protected. The board was pleased with the list.

4.2 **Report on CCCLL Fall Meeting**

Laurie reported on the CCCLL Fall Business Meeting, which was held in Fresno on October 16, and thanked the board for their support. The theme of the meeting was Reimagining the Law Library. It included a presentation on Outreach Beyond the Traditional, an effort to become better informed about the variety of services available and to better coordinate those services. In addition, CCCLL’s lobbyist will be working on a budget ask for the 2016 fiscal year.

4.3 **Computer Virus**
Laurie reported on a virus problem that has cropped up on one of the public access computers. The board asked if removing the problematic computer would be a great inconvenience. Alexandria asked if we could switch that computer to the front desk; Laurie stated that Chien indicated it would cost a lot to do that because he would have to reconfigure it for staff use versus patron use. Alexandria was concerned that it would be expensive to keep the computer free of the virus and advised disconnecting that computer until we can replace the software with Microsoft Office Professional, which will restrict patron access more extensively. Sam agreed, recommending that the computer be disconnected until January 1. Elliot moved that we remove the public computer with the Home version of the Microsoft Office Software Program until January 1, 2016. Alexandria seconded. The motion passed with 4 Ayes, 0 Noes, and 0 Abstentions.

5. Unfinished Business

5.1 Review and Discuss Analysis to Increase Staff Pay by Reducing Law Library Hours of Operation

Bill suggested we more aggressively try to rent out the Law Library conference room by marketing its availability at the Board of Supervisors meetings. There was discussion about marketing the conference room in the Bar Association Newsletter. Laurie estimated that the conference room is currently being used at about 20 per cent of its capacity. Laurie recommended raising the daily rental rate for the conference room before we embark on a major publicity campaign because it currently is being rented out for $30 an hour or $120 per day (essentially giving 4 hours away for free).

The reduction in Law Library hours of operation will affect the entire staff; Kelly, Robert, Liz and Laurie. Trudy directed the board’s attention to the analysis that she prepared, pointing out that the staff will earn more money working fewer hours. The total savings to cut 8.5 hours per week is roughly one month’s worth of filing fee income, or about $14,852.50. Elliot pointed out that in principle he is in support of cutting back hours to provide for increased pay for staff because Marin hours are so high compared to other Law Libraries. Bob inquired about the demand for Law Library services; i.e. which days and times of day are busiest. Laurie stated she has been compiling that information for the past month; she will prepare a report of that data for the November Board meeting. There was discussion regarding the reliability of the data that has been and is being collected; Laurie stated that it is as reliable as it can be but acknowledged it is not perfect.

Trudy inquired about the volume of self-represented litigants using the Law Library. Sam pointed out that litigators must have access to the Law Library on the weekends, especially if they are in trial. Bill stressed the importance of pursuing more aggressive fundraising efforts. Alexandria expressed that we have made efforts in regard to fundraising, but that the time has come to make some difficult decisions to adjust to the more limited budget that is our present reality. Alexandria requested that Laurie propose a schedule that she thinks would work best for Law Library Staff and Patrons at next month’s meeting. Sam emphasized that the board must insure that it provides the public with adequate notice of proposed changes to the Law Library’s Hours of Operation before the changes are implemented. The board plans to discuss and decide
on one of various proposals for reducing Law Library Hours of Operation at the November meeting, vote on the chosen proposal at the December meeting, and then implement the chosen proposal on January 1, 2016. That schedule will provide the public with more than adequate notice.

5.2 Review and Discuss Current Law Library Employment Policy and Possible Revisions to Clarify Its Application

Laurie underlined the sections of the Employment Policy that currently are not being followed, such as two weeks of paid vacation (section VI. A) and reasonable paid leave for certain activities (section VI. B). She also obtained the definitions for the types of employment appointments from Human Resources; they are attached to the Agenda Packet. Trudy said she is curious how the Law Library got from the 2003 Employment Policy to the current situation. Alexandria suggested that the Law Library had the same employees for a long time and perhaps there were no issues during that time. There was acknowledgement that Staff will be getting three days of paid leave annually based on the law that took effect July 1, 2015. Laurie said the person she spoke to in Payroll told her that the numbers in the records indicated that she is an Extra Hire and not a Regular Hire even though her employment documents state “Regular Hire”. At the November board meeting, the board will discuss and decide whether to provide the benefits described in the Employment Policy or revise the Employment Policy. Also, the board will hear from Steven regarding his conversation with the County Counsel regarding the 2003 Employment Policy.

5.3 Review and Discuss Type of Petty Cash Account Most Suitable for Law Library Small Purchases

Laurie reported that the CAL-Card credit card has a tight monthly schedule for submission of documentation and approvals of the charges prior to the County Department of Finance making the payment for the credit card billing statement. The board suggested that the Law Library apply for a card in the name of one of the Law Library Assistants so that Laurie can be the Approver. Laurie reported that the County Auditor stated it is possible that the CAL-Card program might not work for the Law Library, but she will look into it further and report back next month.


7. Adjournment

All business before the Board having been considered, Trudy moved to adjourn the meeting, and Robert seconded. The meeting was adjourned at 7:20 p.m. The next meeting of the Marin County Law Library Board of Trustees will be held on Monday, November 16, 2015, at 5:15 p.m.

Respectfully submitted,

Sam Ware, Vice President

Laurie Vaala-Olsen, Acting Secretary
Your Fiduciary Responsibilities
THE MARIN COUNTY LAW LIBRARY BOARD OF TRUSTEES

Fiduciary responsibilities, need be viewed in much broader terms than legal ones — especially in relationship to an entity as important as the Law Library. These fiduciary responsibilities extend to duty care, duty of obedience, and duty of loyalty.

Duty of care requires that a trustee perform his or her responsibilities as a board member in good faith and with the care that an ordinarily prudent person in a like position would use under similar circumstances. Some of the requirements for acting with due care and due obedience on this board are:

- Adopting policies and procedures that provide for effective oversight of management. What you have done is just the opposite participating in depriving the library of just that requirement — extraordinarily effective management. [—the answer to your prayers.]

- Act in an independent manner and exercise independent judgment in matters affecting the Library.

- As to newer members of the board, to affirmatively obtain information necessary, such as past closed session minutes, in order to assume an intelligent position from which to make an informed judgment about matters on which the board must make decisions on behalf of the Library.

Your duty of loyalty is basically one that requires that you, the individual trustee, always act in the best interest of the Library and not the incompatible whims of an appointing bench and/or its court executive officer.

Bill Hale
October 19, 2015