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# **Maryland Circuit Court Libraries Study Committee**

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**Report to the Hon. Robert M. Bell  
Chief Judge  
Maryland Court of Appeals**

**February 15, 2001**

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# APPENDIX A:

## STUDY COMMITTEE MEETING MINUTES

### Minutes / Action Items

#### Maryland Circuit Court Libraries Study Committee

#### Meeting

April 28, 2000

1. The initial planning meeting of the newly formed Court Library Study Committee was brought to order at 9:30 a.m. by the Co-chairs of the committee, the Hon. Theodore R. Eschenburg and Michael Miller.
2. **Committee members present** were Hon. Theodore Eschenburg, Michael Miller, Joan Bellistri, Hon. Roger W. Brown, John A. Buchanan, Esq., Kai Yun Chiu, Pamela Gregory, Lillian Himmelheber, Cathy Mazzola, Lisa Ritter, Betsy Sandison and Karen Smith. Ruth Henderson from the State Law Library staff of the Committee and Frank Broccolina, State Court Administrator was in attendance. Absent were Hon. Diane Leasure, Hon. Theodore Oshrine, Molly Ruhl, Hon. G. Darrell Russell and Robert Wallace.
3. Mike Miller initiated the proceedings by requesting all present to **introduce** themselves and briefly state their affiliations. Following introductions Betsy Sandison offered the group a nutshell view of the "day in the life" of a metropolitan area county law library.
4. Judge Eschenburg and Mike Miller briefly recapped for the Committee the **genesis of the formation of this study group** - where did the Committee come from and why was it established?

The points made:

- The most recent catalyst was a letter dated 7/22/99 sent to the State Court Administrator, Del. Joseph Vallario and the Rules Committee by the Treasurer of the Charles County Bar Association, John A. Buchanan, concerning various shortcomings of that county's law library. Mr. Buchanan, now a member of this Committee, spoke about that letter and what prompted its writing (see attachment #1).

- This letter was eventually placed on the agenda of the Maryland Conference of Circuit Court Judges meeting, and Mike Miller, the State Law Librarian, was asked to attend and address the issues raised in that letter.
  - Mr. Miller prepared an issues briefing paper (see attachment #2) submitted at the Conference meeting on 11/15/99. It was recommended that a study committee be formed to address various issues including funding, standards, outreach services by the State Law Library, technology, space and public access.
  - The Conference deferred making a motion to adopt the recommendation, whereby Chief Judge Robert M. Bell took the initiative and created this Committee.
5. The next segment of the meeting was used by Mr. Miller to briefly highlight the **recent history** of prior efforts made **to investigate/study the status of bar/county/circuit court libraries** in Maryland. (Attachments # 3,4,5,6 provide some documentation concerning that history). It was indicated that little benefit has accrued from the work of these earlier efforts, the most notable of which were 1979 and 1984 studies of Md. State Bar Association Special Committees.
6. Members of the Committee were then invited to share their reasons **why** this new **Study Committee** effort was **warranted**. After a brief discussion contributed to by county law librarians talking about inadequate funding, space problems, lack of standards, staffing, ownership, technology and public access, Judge Eschenburg asked **each** of the **librarians** to explain **how their particular county funds** the law library. The reporting began with Pamela Gregory describing the **Prince George's County** experience - servicing probably the largest local bar association in the State. In addition to statutorily provided funding schemes (attachments 7 & 8) Pam indicated that the appearance fee revenue was appropriated to the library via the County. Additionally, the library receives partial support from the organized Bar, and income generating photocopy/fax services. Librarian salaries are paid for out of county appropriations. A substantial amount of revenues intended for the library are also committed to circuit court judicial chambers collections. Bottom line, inadequate funding severely impacts on library's ability to offer necessary staffing levels, space to house a computer lab and properly develop print and electronic resources.
- Lillie Himmelheber, from **St. Mary's County**, reported their library receives support via appearance fees and one-half of circuit court fines and forfeitures administered through the County Commissioners Office.

- Lisa Ritter, representing the **District Court Administrative Office** described an attempt to build and maintain a standard core collection of legal resources for the District Court bench. Currently each **District Court** courthouse has a **common area "law library"** which is shared by the judges at each address. Funding comes via the State budget process and the biggest challenge is identifying those informational resources which may be of greatest practical value for judges throughout the State and incorporating those materials in the common law libraries in the District Court buildings.
- Judge Roger Brown deferred to Kai-Yun Chiu of the **Baltimore Bar Library** to describe the current funding status there. Incorporated as a non-profit organization, the Bar Library is unlike any other court library in Maryland. Revenues come from membership fees paid by the practicing bar (50%) and appearance fees (50%). Ms. Chiu described an environment where there is a rapidly dwindling membership base, as most larger law firms have turned to desktop access for legal research sources and many firms have also relocated out of the downtown area. Located in the Clarence Mitchell Courthouse, the Bar Library is open to dues paying members and Baltimore Court and City employees.
- Cathy Mazzola, Librarian and Jury Commissioner from **Dorchester County** painted a bleak picture of the status of the court library located in the courthouse in Cambridge. This library is also supported by way of a combination of appearance fees and percentage of fines/forfeitures. It was suggested that this study committee consider recommending creating of a regional county law library concept, especially for the Eastern Shore counties. Regional public law libraries may then be able to meet minimum standards for collection/staffing and technology.
- Karen Smith, Director of the **Montgomery County Circuit Court Library** reported funding for their library comes via appropriation from the County Council and through collection of one half of the fines and recognizances forfeited to the circuit court. As with the previous reports, this particular revenue stream has been very erratic and generally on the decline over the past seven years.
- Joan Bellistri, Librarian for the **Anne Arundel County Circuit Court Library** indicated funding comes to the library from fines and forfeitures and appearance fees. A drastic reduction in revenues from the fines was experienced since the same day jury trial rule went into effect in 1993. The resulting reduction has been from \$96,000 in 1993 to \$37,800 in 1999. She indicated that the library's expenditures exceeds its revenues by at least \$1,000 each month and for the first time they will be in the red this year.



- John Buchanan, Esq. Representing the **Charles County Law Library**, indicated inadequate funding was realized via the two statutory schemes alluded to by previous speakers. He suggested the establishment of statewide standards for county law libraries which should include a uniform system for funding of these libraries.
7. After an "intermission break", Judge Eschenburg made remarks reconfirming the fact that the tremendous variation in funding schemes and levels of funding, attested to by the just completed discussion, highlights the importance of concentrating on this issue as one of the Committee's primary charges.
  8. Mr. Miller introduced a brief review of the **mission of the Committee** as is documented in Judge Bell's letter appointing the members of this study group. (See attachment #9) As an addendum, the mission of the county law libraries themselves - these libraries:

"shall provide adequate and timely legal information to the judiciary, government (state & local), members of the bar and citizens of each county in the form most comprehensible to every type of user - bearing in mind that ready and convenient access to such information is vital to the justice system of a democratic society".

"will collaborate with existing organizations to maximize the delivery of legal information and to avoid costly/duplicative services".

"will utilize information technology to deliver legal information wherever financially feasible and acceptable to users".
  9. Judge Eschenburg briefly described the **technology enhancements** - made for the court library and practicing bar in **Worcester County**. A CDROM network has been established which provides uniform access to many of the standard reference sources required to research legal authority.
  10. Mr. Miller indicated that, due to time limitations there would be no discussion of the **background reading material** circulated to Committee members prior to the meeting. He encouraged every to become familiar with those materials, especially the AALL Standards for County Law Libraries. He also indicated that the piecemeal approach to "correcting" funding shortfalls via the legislative process has failed to resolve this particular problem. Since 1974, Section 7-205 of the Courts Art. has been amended 34 times and Art. 38 Sec. 5, 44 times.

11. Mr. Miller very briefly spoke about the Nationwide Working Group he chairs which is in the process of studying the need for a **model county law library code**. This Working Group's first year's effort will result in recommending to the American Association of Law Libraries that a group be formed to draft such a model code. Hopefully, the efforts of this organization may be of some benefit to Maryland's county law library study.
12. The Meeting drew to a conclusion with a discussion centered around the subdivision of labor to accomplish various identified tasks. It was decided that three subcommittees would be formed addressing **funding, standards** and **technology**. Members appointed to these focus groups were:

**Funding:** Mike Miller, Chair, Judge Eschenburg, Judge Leasure, Judge Brown, Robert Wallace, Karen Smith and John Buchanan

**Standards:** Joan Bellistri, Chair, Judge Oshrine, Molly Ruhl, Betsy Sandison, Lisa Ritter, Lillie Himmelheber, Cathy Mazzola

**Technology:** Pam Gregory, Chair, Judge Russell, Kai-Yun Chiu

Hopefully, these subcommittees will be able to initiate an action agenda and begin addressing their focus topics prior to the second general meeting of the Committee that was set for **June 23, 2000** at 9:30 a.m. in the State Law Library Conference Room.

There being no further business the Committee to Study Court Libraries adjourned at 12:00 noon.

**Minutes/Action Items**  
**Maryland Circuit Court Libraries Study Committee**  
**Meeting**  
**June 23, 2000**

1. The second meeting of the Court Library Study Committee was brought to order at 9:30 a.m. by the Committee's Co-chairs Judge Eschenburg and Mike Miller.
2. **Committee members present** were Hon. Theodore Eschenburg, Michael Miller, Joan Bellistri, John Buchanan, Kai-Yun Chiu, Pamela Gregory, Lillie Himmelheber, Hon. Ted Oshrine, Betsy Sandison, Karen Smith and Robert Wallace. Absent were Hon. Roger Brown, Cathy Mazzola, Hon. Diane Leasure, Molly Ruhl and the Hon. Darrell Russell.
3. Co-chair, Mike Miller presented the **minutes** of the first meeting **for approval**. After a motion, the minutes were approved as submitted.
4. Permission was granted to **audio tape proceedings**.
5. Mr. Miller advised the Committee that **Cathy Mazzola** had terminated her employment with Dorchester County Circuit Court on May 31<sup>st</sup>. Ms. Mazzola has expressed an interest in remaining on the Committee. After a brief discussion, it was suggested that Judge Bell be contacted and solicit his input on this vacancy.
6. The Co-chairs led a discussion **re-stating the mission/objectives of the Study Committee**. It was made clear that the work product and initial results of the effort of the group will be communicated to the Chief Judge of the Court of Appeals by December 1, 2000. The Committee is encouraged not to independently negotiate any proposals with legislative or executive branch personnel in the interim.

**Pam Gregory** inquired about the form/substance of the written work product and encouraged the drafting of a succinct report accompanied by an executive summary. **Judge Eschenburg** - foresees a position letter/report from the Committee reflecting the work of each focus group, as approved by the Committee of the whole. **John Buchanan** reiterated his desire to see the draft of a statute addressing the various issues identified by the Committee. **Betsy Sandison** commented that the report will have to contain some level of detail, as any standards proposals will require a fair degree of specificity. **Kai-Yun Chiu** suggested that we invite Judge Bell to one of the last meetings where the report/recommendations can be formally presented and he can be briefed on details. The subject of the responsibility for drafting the report was raised. No clear answer on this point was agreed upon.

**Judge Oshrine**, raised a legitimate question concerning the relevance of this Committee's work for District Court judges throughout the State. After a lengthy discussion, which touched upon various points, among them, District Court judges common libraries and possible standards for them, Judge Rasin's concern for representation on the Committee, growing research needs for this court's judges, networked access to legal information, it was agreed that a large percentage of the population approaching the District Court system, the "People's Court", are heavy users of the information services of county law libraries. Having the input and perspective of this segment of the State Judiciary on not only standards for chambers libraries but assisting the public law library achieve their missions will be instrumental in offering a well rounded work by-product.

**Judge Eschenburg** reiterated that the technologies in use today, both CD ROM networked products, as well as online databases are being made available to all judges, statewide. He recounted the network currently in use in Worcester County where the Bar (County Law) Library provides access to a number of Maryland CD ROM legal products from West Group. These products are available to Courthouse staff as well as members of the relatively small practicing bar in the County.

During this discussion **Robert Wallace** interjected an observation concerning the way these law libraries are referred to by a large segment of the bench and bar. The misnomer, "Bar Library", is a term whose time has outlived its usefulness. In Anne Arundel County, the circuit court considers this library the court's library. **Karen Smith** reminded all that this issue of how these libraries should be named was visited by earlier study commissions. It was suggested that the more politically correct/astute name should be county law library - especially when legislative support may be sought for public funding.

7. Mr. Miller provided the Committee with an update on the **statewide contract negotiations for computer-assisted legal research** for all courts, including staffed county law libraries. It was indicated that:

- Lexis & Westlaw were the vendors negotiating **for the contract**
- there is a 5 member evaluation committee
- there will be a 3 yr. Contract w/ option to extend for 2 yrs.
- proprietary software will be non-existent within two years - access will be via .com
- there are security issues of going over Internet
- the new contract to be implemented by Sept. 1<sup>st</sup>.

**Kai-Yun Chiu** and **Betsy Sandison** spoke of importance of choosing vendor who provided Shepard's Citations (Lexis). Discussed law clerk preferences and whether or not both vendors will continue to distribute gratis their CD ROM Md. products to Circuit & District court judges.



8. **Mr. Miller** spoke about the **subcommittee effort** and separated the meeting into the three focus groups to initiate efforts at addressing/identifying issues associated with technology, standards and funding. Each group was provided an hour to work on a plan of attack on each topic and then were invited back to report to the full committee on any progress. Membership of the three groups are as follows: **Funding:** Mike Miller, Chair, Judges Eschenburg, Leasure, Brown, Robert Wallace, Karen Smith & John Buchanan. **Standards:** Joanie Bellistri, Chair, Judge Oshrine, Molly Ruhl, Betsy Sandison, Lisa Ritter & Lillie Himmelheber. **Technology:** Pamela Gregory, Chair, Judge Russell and Kai-Yun Chiu.
9. Before breaking down to focus group discussions Mr. Miller distributed copies of the unanalyzed results of a **survey of county law libraries** in fourteen states. There were a total of 261 responses and all were encouraged to review the statistics when working on their focus group reports.
10. The Full Committee recessed and broke into three groups for an hour deliberation and then reassembled at 11:15 to provide a thumbnail sketch of the groups' activity:

#### **STANDARDS REPORT - Joanie Bellestri**

- minimum standards as a **goal**
- consider **classifying** counties by population
- address District/Circuit Court **chambers collection standards**
- consider a **survey** of judicial **chambers libraries**
- apply **SCCLL Standards for County Law Libraries**, as well as update collection content standards for Md. circuit court libraries

#### **TECHNOLOGY REPORT - Pamela Gregory**

- "Technology is good!"
- will distribute copies of **ABA Judicial Division Guidelines/Recommendations for Computer Support for Judges** to Committee
- identified following **issues**:
  - (1.) **IS support** critical in delivery of information services. If no support from court/county, library needs staff to accomplish.
  - (2.) **Technology changes** rapidly - can't predict/plan for more than 2 yrs. out.
  - (3.) **training/skills** component of providing networked/electronic resources mandatory and must be part of funding component.
  - (4.) all county law libraries, especially smaller jurisdictions, require **assistance in implementing/accessing**

technology. Suggested source for assistance, especially for smaller counties, is an "outreach librarian" from the State Law Library or regionally.

#### FUNDING REPORT - Mike Miller

- J. Buchanan - vision of a **statewide "commission"** overseeing county law libraries - assuring more equitable access to legal information. Suggests possible draft legislation.
- **strategy** - who should Committee approach, other than Judge Bell/Frank Broccolina with any proposals?
- discussed current **funding structure** - do we want to continue to amend or write entirely new funding legislation?
- R. Wallace - suggestion to have **state fund the minimum core standard collection** for each county and allow each local jurisdiction continue to access funds generated via fines/fees to develop locally specialized resources
- M. Miller - county law **libraries in a non-traditional setting**. Anecdotal information where county law library collection/services transferred to "close by" public or academic library. Advantages - more space in courthouse, longer hours of access, professional reference assistance.
- J. Eschenburg - reluctance on part of judiciary to buy into statewide commission/funding scheme

11. The date set for the next full Committee Meeting is Friday, August 25, 2000 from 9:30 - noon. **NOTE: This is a change! The meeting will be held in the Anne Arundel County Circuit Court Library in the Circuit Court in Annapolis. Joanie Bellistri will be our host.**
12. It is hoped that by the next Committee Meeting the three subcommittees will have met and will be ready to submit a preliminary report identifying major issues their focus group will be addressing.
13. There being no further business the meeting adjourned at noon for lunch.

**MINUTES / ACTION ITEMS**  
**Maryland Court Library Study Committee Meeting**  
**August 25, 2000**

1. The **third meeting** of the Court Library Study Committee was brought to order at 9:30 a.m. in the Anne Arundel County Circuit Court Library by Committee Co-Chairs Hon. Ted Eschenburg and Mike Miller.
2. **Committee members present** were Hon. Ted Eschenburg, Mike Miller, Joan Bellistri, Betsy Sandison, Molly Ruhl, Kai-Yun Chiu, Robert Wallace, Cathy Mazzola, Lillie Himmelheber, Karen Smith, John Buchanan and Pam Gregory. Absent were Hon. Roger Brown, Hon. Diane Leasure, Hon. Ted Oshrine and the Hon. Darrell Russell.
3. Mike Miller presented the **minutes** of the second meeting **for approval** and they were adopted as submitted.
4. The meeting was thought to have been **audiotaped**, though the tape recorder malfunctioned and these minutes were reconstructed from a fleeting memory and a few notes.
5. The Committee welcomed the **return** of **Cathy Mazzola** who expressed her gratitude in being able to represent her Eastern Shore counties (Dorchester & Talbot).
6. A new, **revised membership** list was distributed.
7. Chairs of the various focus groups proceeded to present verbal reports on the progress of their groups efforts/activities. **Pam Gregory** addressed **technology**-related issues and **Joan Bellistri** gave a report on the work of the **standards** focus group. **Mike Miller** explained that due to an illness the **funding** focus group's meeting set for Aug. 2<sup>nd</sup> had been canceled and had nothing of substance to report. The F.Y. 2000 Revenue Receipt report compiled by the AOC was distributed showing fine and appearance fee receipts for court libraries.

All committees were encouraged to prepare a **written draft/outline** of their focus group work by the next full Committee Meeting.

8. The Committee devoted the next portion of the meeting discussing the actual **written report** that will be presented to Judge Bell on Dec. 1, 2000. Ideas were solicited for the organization, content, authorship and promotion of any recommendations forth coming from the Committee. A **timeline** was set for the preparation of the **draft report** of Nov. 10, 2000.
9. **Joan Bellistri** and **Robert Wallace** proudly provided a tour of the impressive new Anne Arundel County Circuit Court library for Committee members.
10. The three **Sub-committees convened** for brief meetings to work on their various focus issues.
11. The full Committee re-convened and addressed the establishment of a **final schedule** for **future meetings**. It was decided to hold **two** full Committee meetings, one on Oct. 13<sup>th</sup> and the final gathering would be on Nov. 17<sup>th</sup>. It was suggested that Judge Bell, Judge Paul Weinstein (Chair of the Conference of Circuit Court Judges) and Frank Broccolina (State Court Administrator) be invited to this last meeting to receive a preliminary briefing on the forthcoming final report/recommendations.
12. Finally, Mike Miller gave a brief status report on the state-wide **Lexis contract**. He indicated that the service is projected to begin 10/01/00 and outlined content of this web-based online legal research service.
13. There being no further business the Committee recessed for lunch.

10/12/00

**Minutes/Action Items**  
**Maryland Circuit Court Libraries Study Committee Meeting**  
**October 13, 2000**

1. The **fourth meeting** of the Court Library Study Committee was brought to order at 9:30 a.m. by the co-chair, Mike Miller.
2. **Committee members present** were Mike Miller, Joan Bellistri, John Buchanan, Kai-Yun Chiu, Pamela Gregory, Lillie Himmelheber, Cathy Mazzola, Hon. Ted Oshrine, Molly Ruhl, Betsy Sandison and Robert Wallace. Also in attendance was Ron Holt, Law Clerk for the Hon. Donald F. Johnson, Circuit Court for Dorchester County. Absent were Hon. Ted Eschenburg, Hon. Roger Brown, Hon. Diane Leasure, Hon. Darrell Russell, Karen Smith and Lisa Ritter.
3. An abbreviated form of the **minutes** from the third meeting were **approved** as submitted. High points of those minutes included action items addressing: Draft Committee report due 11/10/00; Final Report due 12/1/00 to Judge Bell; set future Committee meeting dates; and that Judge Bell, the State Court Administrator and Judge Weinstein would be invited to attend our last meeting on Nov. 17<sup>th</sup>.
4. The three **subcommittee chairs** presented **status reports** beginning with
  - A. **Technology** (Pam Gregory) Pam distributed copies of the ABA Judicial Division's, **Guidelines and Recommendations Relating to Computer Support for Judges**. This report will act as a catalyst to drive home the importance of using technology to access legal information in court libraries as well as within judicial chambers and law clerk offices in each courthouse. Pam indicated that her focus group's report will be brief and concentrate on issues relating to:
    - provision of library public access workstations and courtroom/chambers access to the Internet
    - the librarian's role in providing gateway/training services to entire user population
    - necessity for continued training for everyone
    - importance of good working relationships with IS departments

Mike Miller inquired if Maryland's judges have addressed the various technology issues in an organized effort. Robert Wallace indicated that there appears to be no organized movement and that there has been a piecemeal approach, at least in Circuit Courts, in providing judges with the necessary technology tools to access word processing, networking and online information. Ron Bolt, indicated that Judge Johnson has adopted technology in the workplace and at home but that, to date, he (Ron) only has ability to do CD Rom research in the Cambridge court house.



Discussion continued for sometime concerning the practical advantages of having access to and using technology and the **role the librarian** plays in facilitating access to and offering on-site training for the public and court personnel. Filtering and Internet use policies were also reviewed in various jurisdictions.

B. **Standards** (Joan Bellistri) circulated an initial draft report entitled, **Maryland Circuit Court Library Standards**. It was obvious that a great deal of work/thought went into this draft. The subcommittee has met on numerous occasions to work out the standards which address not only collection content, but personnel issues and standards for chambers collectons.

- Joan solicited **reaction/input** from the full Committee on the draft. It was suggested that after reviewing the document comments and suggestions should be communicated as soon as possible. One suggestion made was to add a requirement addressing the need for **Internet access** both in the court library as well as judges chambers and law clerks offices.
- the draft has **re-categorized levels of circuit court libraries** from A,B,C,D to a "Level 1" and "Level 2" and based these levels on population and size of bench/bar.
- the draft currently does not reflect **cost figures** to meet standards and it was suggested by Robert Wallace that this information is a critical component that will tie in funding plans with the standards. It was suggested that the State Law Library provide the **cost of a core collection** using their fiscal records, the library's website and Ken Svengalis's publication.

John Buchanan reiterated the importance of endorsing **minimum levels of collection content and funding** for every jurisdiction, thereafter, there was a lively discussion concerning **re-naming** the **title** of the **standards** draft, and, in fact re-naming the Committee to incorporate the word **public**. The advantages and disadvantages of this name amendment was debated and it was determined that the name "Circuit Court Public Library" would not be an accurate way to refer to the Baltimore Bar Library because of its corporate structure, nor the District Court libraries which are not open for public use.

The Committee passed a motion adopting the name "**County Public Law Library**" with all but one voting in the affirmative that vote was abstention. Judge Oshrine and others on the Committee recommended that a **footnote** appear in the Committee's report **explaining** why the Bar Library and District Court libraries are an exception to this name change.

- C. **Funding** (Mike Miller) distributed copies of
- (1.) **Funding Ideas** to be discussed at Sub-Committee Meeting on 11/3/00
  - (2.) **Revised compilation** of Court Library **Revenues** via Fines/Appearance Fees from F.Y. 1993-2000
  - (3.) Md. Statutes addressing **funding** of **Public Libraries** and Library Funding Formula Estimates

The funding ideas outlined covered earlier deliberations of this focus group. The full Committee participated in an active discussion centering around the inadequacies of the appearance fee and fine schemes in the Courts Art. and Art. 38 §5 of the Code.

Anecdotal information was shared by various Committee members concerning frequent instances of appearance fees and fines being waived by circuit court judges. It was observed that the language of § 7-204 of the Courts Art. is **not** a good example legislative drafting and was suggested that this section be re-written and made uniform for every circuit court. Cathy Mazzola asked if the **percentage** of fines turned over in various jurisdictions for the use of the library could be increased. The use of appearance fees and fines for purposes other than the library was also discussed. More than a few Committee members were of the opinion that "potted plants" in the courthouse are not as critical as a current and complete legal reference collection for use by the court and public.

**Other points** covered in the **funding discussions** included other reasons for declining revenues - change in jury trial prayers to possibilities of fees not being properly collected/accounted for by Clerk's Office and deposited in fund for the library. Ideas for alternative sources of funds were reviewed. A trend apparently has emerged for the piecemeal State takeover of some of the reimbursable expenses of operating circuit court and court-related functions. It was pointed out that perhaps the minimum standard for a Level 1 and 2 library could eventually be underwritten by the State as a reimbursable expense, while the county could continue to utilize the fees raised via appearance fees/fines to bring the various county law libraries above a mere minimum standard of collection/services.

- 5. Mike Miller provided a status report on the new **state-wide court Lexis contract** which became effective Oct. 2, 2000. He spoke about some of the initial problems being encountered - connectivity, ID's/passwords and training.
- 6. The Committee was reminded that our **draft report** was due Nov. 10<sup>th</sup> and the cooperation of all was solicited. A brief discussion ensued concerning the layout of a draft, length, the fact that this was a "study document" and not a "White Paper" on the topic.

7. Two additional items discussed:

(a.) A concept called the "**Md. Digital Library**" and how this consortium idea might be utilized by a cooperative effort among county law libraries - handouts describing this networking venture were provided.

(b.) The Third Annual **Md. Circuit Court Library Conference** was announced and all were invited to attend at the Anne Arundel County Circuit Court Library on Wed. Nov. 15<sup>th</sup>.

8. The last item for discussion centered around a request made by the co-chair for **volunteers** to help **prepare** for the **Committee's last meeting** scheduled for Nov. 17<sup>th</sup>. Judge Bell, Frank Broccolina and Judge Weinstein will be invited to attend that meeting. Joanie Bellistri, Pam Gregory, Cathy Mazzola and Mike Miller will make appropriate preparations for this gathering. The invited guests will hopefully have copies of the Committee's draft report in hand before that date.

9. There being no further business, the meeting adjourned at noon for lunch.

11/2/00

**Minutes / Action Items**  
**Maryland Circuit Court Libraries Study Committee Meeting**  
**November 17, 2000**

1. The fifth and final meeting of the Court Library Study Committee was brought to order at 9:30 a.m. in the State Law Library Conference Room by co-chairs Hon. Theodore Eschenburg and Mike Miller.
2. Committee members present were Hon. Theodore Eschenburg, Mike Miller, Joan Bellistri, Hon. Roger Brown, John A. Buchanan, Kai-Yun Chiu, Pamela Gregory, Lillie Himmelheber, Cathy Mazzola, Lisa Ritter, Molly Ruhl, Karen Smith and Robert Wallace. Absent were Hon. Diane Leasure, Hon. Ted Oshrine, Hon. Darrell Russell and Betsy Sandison.
3. Mike Miller welcomed distinguished guests, the Hon. Robert M. Bell, Chief Judge of the Court of Appeals and Frank Broccolina, State Court Administrator. It was announced that Committee member Betsy Sandison, Librarian at the Baltimore County Circuit Court, gave birth to a daughter approximately three weeks earlier. All offered their congratulations.
4. The Minutes from the previous Committee meeting of Oct. 13<sup>th</sup> were submitted for and received approval.
5. Mike Miller submitted for open consideration a few issues that received little or no attention by the Committee in the course of its deliberations - governance, public access, networking with public libraries, and the work of the Md. Legal Assistance Network.  
Some of the points made during the discussion of this agenda item:
  - public access has been an issue addressed, especially as concerned "bar libraries" and standards recommendations concerning calling these libraries public.
  - the tremendous variation in governance of these libraries from none to formal boards, and the role of circuit administrative judges in providing formal leadership. Was suggested that legislation should address this provision, which is currently absent.
  - Frank Broccolina spoke to the importance of county law libraries continuing to work with the MLAN program in carrying out their mission of providing access to legal information/access to the courts for low, middle income Marylanders. Discussed our role in helping to develop the content of the People's Law Library website and using our geographically dispersed presence to help LSC in teaching self-helpers and providing resources they can access.

- Judge Eschenburg commented that economic realities prevent many smaller counties from providing professional library assistance to service collections.

6. The proceedings moved to the heart of the purpose for the final meeting, a vote on recommendations put forth by the three subcommittees - technology, standards and funding. A "ballot" was prepared and submitted to all members present for the recommendations votes.

- (a.) Pam Gregory presented the **Technology Subcommittee** proposals by initially calling for the endorsement of the **ABA Guidelines Relating to Computer Support for Judges** as a base document of authority in this subcommittee's efforts. There was lively discussion on various points of the recommendations covering - security, privacy, censorship, the different mission of public libraries and county law libraries, Internet access, networking digital collections of importance to judges and practitioners, and the necessity of guaranteeing continued access to core law collections in non-electronic formats.

Five recommendations were voted on (See the text in the Committee's Final report p. 14) and all received the unanimous endorsement of the Committee except the first which calls for at least two public access workstations providing among other things, access to the Internet. The vote on this item was 12 yes 1 no.

- (b.) The **Standards Subcommittee** recommendations generated discussion among Committee members. Joan Bellistri, chair of this subcommittee presented two basic recommendations, both which received unanimous approval by the full Committee. (See the text on p. 13 and Appendix C of the Committee's Final Report.
- (c.) The **Funding Subcommittee's** report and recommendations laid out a number of possible actions to be considered as solutions to the long term fiscal neglect of most of the State's county law libraries. A lengthy discussion ensued among committee members and guests concerning this subcommittee's recommendations/proposals. For the full text of those items presented (see pp. 15-16 of the Committee's Final Report). No vote was taken, per se, on each of the eight proposals though there appeared to be a consensus that all approaches had some merit. Among some of the points made during the deliberations:
- increasing **appearance fees** would probably meet with some resistance among the bar and other groups.



- someone has to generate hard figures on what dollars it will take to provide adequate funding for many of the county law libraries to meet even minimum standards. Mike's research indicates that the core minimum \$ needed to **maintain** the proposed standard collection is currently around \$50,000 - \$60,000/yr.
  - the fines/forfeitures method is the mainstay for some jurisdictions in supporting the law library, especially where the court has altered fine amounts to stay current with rates of inflation. Fines revenue has dissipated in some jurisdictions that have gone to same day jury trial - fine \$ stays in District Court.
  - real "hodgepodge" of schemes with every county doing something a little different.
  - Judge Bell - must come up with a scheme that could be sold to legislature.
  - reasons for fiscal crisis discussed (see pp. 9-12 of the Final Report).
  - consensus that a surcharge on landlord-tenant actions in District Court for use of the law libraries would not fly - better concentrate on other small claims actions.
  - was agreement that some effort needed to "remind" the circuit court judges as to how court libraries currently rely on fines/appearance fees to pay the law collection bills.
7. The meeting concluded with an expression of appreciation from the Committee co-chairs to all who participated, contributed in addressing the charge given to the Committee by Judge Bell. Both Judge Bell and Frank Broccolina extended their thanks and indicated that the group's efforts will be received and appropriate action(s) taken to adopt actions necessary to begin addressing the positive role these court libraries play in the administration of justice in our State. It was made clear that the Court may call on this group at some future point to possibly continue the effort.
8. There being no further business the Committee adjourned its final meeting at 12:00 noon.