

# APPENDIX C:

## PROPOSED MINIMUM STANDARDS FOR MARYLAND COUNTY PUBLIC LAW LIBRARIES AND CHAMBERS COLLECTIONS

### Introduction

Believing that the county law library is an integral and vital part of the legal community it serves, the members of the State, Court, and County Law Libraries Section of the American Association of Law Libraries has urged county governments and/or governing bodies to adhere to the County Law Library Standards approved by the Executive Board of the American Association of Law Libraries. The Maryland Circuit Court Libraries Study Committee has reviewed these standards and recommends that these standards, with amendments appropriate to Maryland, be adopted as guidelines for Maryland Court Law Libraries.

Standards are established for the governance, the budget, personnel, information services, technical services and the collections of court libraries. In addition to collection standards for court libraries, standards for the chambers, courtrooms and shared collections of Maryland trial court judges have been formulated.

The standards are intended to act as minimum recommendations and should in no way be used as the basis for limiting the scope of library services or content.

Maryland court libraries exist to serve the judges and masters, attorneys, court and government agencies and the citizens of Maryland. As these libraries exist to serve all members of the public and should be open and accessible to all, therefore, the Committee recommends that all Circuit Court Libraries, with the exception of the Baltimore Bar Library<sup>2</sup>, be uniformly referred to as "County Public Law Libraries."

The Committee recognizes that Maryland circuit courts are located in counties of various geographic size and population with different levels of need and resources. For purposes of standards the county public law libraries are classified, based on the population of the county, as follows:

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<sup>1</sup> As submitted by the Standards Sub-Committee and recommended by the Maryland Court Library Study Committee on 11/17/00.

<sup>2</sup> The Baltimore Bar Library is an incorporated private membership library.

| Level 1 (Basic)          |              | Level 2 (Comprehensive) |                 |
|--------------------------|--------------|-------------------------|-----------------|
| Population up to 100,000 |              | Population from 101,000 |                 |
| Allegany                 | Queen Anne's | Anne Arundel            | Harford         |
| Calvert                  | St. Mary's   | Baltimore City          | Howard          |
| Caroline                 | Somerset     | Baltimore County        | Montgomery      |
| Cecil                    | Talbot       | Carroll                 | Prince George's |
| Dorchester               | Wicomico     | Charles                 | Washington      |
| Garrett                  | Worcester    | Frederick               |                 |
| Kent                     |              |                         |                 |

## I. Governance

- A. The position of the law library within the structure of the state judiciary should be defined by law. In addition, the law library should have a written mission and goal statement. The statement should reflect the statutory mandate.
- B. The relationship of the head law librarian to superiors should be defined by stated policy. The head law librarian should meet on a regular basis with his or her superiors to report and to receive policy directions.
- C. The head law librarian should be recognized as part of the management team of the library's governing body and should participate in policy making which affects library operations.
- D. The head law librarian should initiate or be involved in all planning and implementing decisions that affect the law library including but not limited to: 1) development and administration of the law library budget; 2) development of the collection, including bibliographic and physical control of facilitating access; 3) contracting for or participation in library or other information networks; 4) participation in local and/or statewide court electronic networks; 5) personnel to assist users, service the collection, and perform all administrative functions required of the law library; 6) physical facilities; and 7) management of library operations.

*Comment:*

*The law library should be recognized as a separate unit within the structure of the judiciary. The head law librarian should be part of the court management team that includes the court administrator, the court clerk and/or other administrative or department heads. The head law librarian should be involved in all planning, and in the implementation of any decisions that affect the law library. The head law librarian must be apprised and in turn must advise the governing body of the advantages and disadvantages, costs and benefits, of decisions affecting the law library.*

*To carry out the mission of the governing body as well as the law library, the head law librarian should report to and receive direction on policy issues from superiors.*

*As part of ongoing communication within the governing body, the law library should prepare and distribute an annual report of its activities. The report should include information about fulfillment of its mission and its participation in the mission of the governing body.*

## **II. Budget**

- A. The budget of the law library should be separate and distinct from the budgets of other operations of its governing body.
- B. The budget of the law library should be adequate to ensure a complete, up-to-date collection, including non-print and electronic resources, with provision for new acquisitions; and a qualified staff to maintain an acceptable level of library services as described in the standards that follow for personnel and collection.
- C. The budget should include but should not be limited to the following categories: 1) personnel costs, including salaries and benefits; 2) publication costs, including upkeep and subscription for both hard copy and alternative formats; 3) supplies and equipment; 4) binding costs; 5) resource sharing, including networking and online bibliographic utilities; 6) physical space and maintenance; 7) training and travel for law library staff; and 8) such other categories as may be defined by law.
- D. The head law librarian should prepare, present and manage the law library budget. The law library budget should be given equal priority with other services in the budgetary process

of the governing body. Its budget request should be defended vigorously by the governing body.

*Comment:*

*The budget of the law library should be recognized as an important feature of its governing body. The budget should accurately reflect all costs associated with the operation of the law library, including personnel and technological changes. The head law librarian should have the primary responsibility for preparing, presenting, and managing the law library budget. However, the governing body should be prepared to defend the law library budget as a vital part of its mission. The governing body also should be prepared to provide support throughout the fiscal year to ensure the administration of the budget complies with its overall mission and with accepted accounting procedures.*

### **III. Personnel**

- A. At a minimum the law library should be staffed during all hours of court operation with professional personnel, qualified through education, training and experience, in areas such as administration, acquisitions, cataloging, reference, including database searching, and any other necessary professional functions, sufficient to meet the goals of its mission. (*The Core Competencies of Law Librarianship*, included as Appendix D, in this Report should act as a reference.) Sufficient technical, clerical, and secretarial personnel also should be made available to the law library to support these functions and assist the head law librarian.
  - 1. Minimum educational requirements for the Head Law Librarian in a **Level 2** county are an M.L.S. from an ALA accredited institution.
  - 2. Minimum educational requirements for the Head Law Librarian in a **Level 1** county call for a paraprofessional with a BA/BS degree under the guidance of an Outreach Professional Resource position from the State Law Library or through a partnership with the local public library.
- B. The salaries of the head law librarian and all other library personnel should be commensurate with their education, training, experience and the extent of their responsibilities in keeping with similar positions in that jurisdiction.
- C. The head law librarian should appoint and evaluate the other library staff members. All library positions, including the head law librarian and all other library staff, should be

specifically established within the governing body's personnel classification system. The head law librarian and all law library staff should be covered by the governing body's personnel policy or a comparable plan for career employment.

- D. All law library staff should be given the opportunity to pursue a program of professional development that is relevant to their own needs and interests, as well as the interests of the law library. Such opportunity should include financial assistance.
- E. The law library staff should be encouraged to participate in local, regional, and national professional law library associations in, online discussion groups, and conferences as part of an ongoing program of professional development and education. The law library's budget should make provision for membership dues and appropriate reimbursements for conference registrations, travel and per diems

*Comment:*

*All law librarians in Level 2 counties should hold a graduate degree in library or information science. A law degree meets the requirements if the librarian possesses substantial law library experience. In addition the head law librarian should have substantial experience in the management of libraries.*

*Substantial experience means knowledge and practical application gained by the regular performance of duties that are usual to the position involved.*

*The library and its users benefit when the library staff members improve their skills through institutes, post-graduate courses, online discussion groups, online conferences, professional associations and meetings. Such continuing education is accepted in the legal profession and in fact required in many jurisdictions.*

#### **IV. Physical Plant & Facilities**

- A. The law library should be conveniently located in or adjacent to the county's circuit court house.

- B. Shelving should be arranged in a manner that allows for easy access to the collection. There also should be sufficient shelving or provision to permit adequate growth of the collection.
- C. Facilities should be provided for the use and storage of non-print and fragile materials under adequately protective conditions. Provisions should be made for the use of online and electronic data.
- D. There should be suitable and adequate equipment, work space, and comfortable seating for the library staff and users of the collection. Proper lighting and temperature control including heating, ventilation, air conditioning, and humidity control also should be provided.
- E. Conference areas, copiers, and electrical outlets for computer use, should be provided in the law library.
- F. Directories, library guides, and other signage to assist users in finding their way to and about the library should be provided.
- G. The law library should meet the requirements of the Americans with Disabilities Act of 1990.

*Comment:*

*The county law library should be housed in the same building or in close proximity to the courts it serves in order to provide convenient library access by county officials, the judges, court personnel, staffs of prosecutor and public defender offices, bar members, litigants, county jail inmates, and the general public.*

*Provisions should be made for the installation and use of copiers, computer workstations, with word processing software, microform reader-printers, audiovisual equipment, and any other equipment needed to enhance library services.*

*The library should be user-friendly with various devices provided to assist users in finding their way about the library.*



## V. Information Services

- A. The law library's vision, mission and goals statement should identify the levels of information service provided to its user groups.
- B. The law library should augment its resources through interlibrary loans, cooperative agreements, networks and online electronic data.
- C. Library policies concerning user access to print and electronic legal information should be formulated and conspicuously posted and advertised to advise users of the extent and availability of such resources.
- D. The library should provide access to the Internet for customers.

### *Comment:*

*The law library should provide access to legal information in a manner that is efficient, economical, reliable, and in accordance with accepted standards and measures of performance. Most libraries maintain collections that not only serve the court and its personnel, but also local government officials, the staffs of prosecutor and public defender offices, bar members, litigants, county jail inmates and the general public.*

*Libraries must consider the concept of access to legal information versus ownership of materials. The information explosion has made it difficult for any one library to hold all legal information within its walls. Technology has made it possible for the library to expand its capability to provide access to information not available within the library.*

*Interlibrary loans and strong cooperative agreements or networks among county law libraries and other law libraries provide one approach towards making legal information accessible to all users of the library.*

*The library should develop a written reference policy to ensure that the information and assistance provided to their users is appropriate to the situation. This should include service to off-site users as well as users in the library. The policies should be posted or otherwise advertised so that users are made aware of the availability of the resources or procedure necessary to access the materials.*

## VI. Technical Services

### A. Acquisitions

1. Written policies for collection development, including criteria for the selection and discarding of materials and the acceptance and disposition of gifts, should be formulated by the head law librarian in consultation with staff and users, and approved by the library's governing body.
2. The head law librarian should have the authority to select materials to be added to the collection in accordance with the collection development policies; or to delegate such authority to a qualified staff member.
3. All materials should be current with respect to continuations, supplements, and replacements. Sets should be complete. Multiple copies should be available where heavy usage requires them. All superseded material stored or maintained in the library should be clearly indicated as such and should be retained only if it continues to serve as a useful source of information for users of the library.
4. The library should acquire and provide access to information in the most appropriate format, print, non-print, and electronic, based on economic, technical and environmental considerations.
5. The law librarian should have the authority to join library or other information networks that can aid in acquiring, sharing, and providing access to information services.
6. The library should have available resources, appropriate to its needs, for use in the selection of materials.

*Comment:*

*The law library should have a written collection development policy based upon its defined mission statement. It should address access, material, and service for its diverse user*



*groups, print and alternative formats, selection criteria and responsibility, and collection maintenance issues.*

*The law library should base its collection development strategies on combinations of traditional and automated research resources. It should be remembered that hard-copy is often necessary to allow multiple-user access or to permit access during computer downtime. If core collections of legal materials in hard copy are replaced by electronic research services, questions may arise as to whether database availability alone, without prompt and adequate assistance by trained librarians, provides sufficient access to legal information. Whether policies are adopted to provide basic legal information through print or through non-print sources, the planning and implementation of technology in county public law libraries should take the needs of all users into account.*

*The law library should strive to provide access to legal information that is comprehensive as well as authoritative. In addition to the standard primary and secondary sources, every effort should be made to acquire materials to assist and inform pro se litigants and the public of their legal rights and responsibilities.*

*The head law librarian, as a member of the governing body's planning team, should take an active role in the acquisition of materials, whether it is actually selecting the materials, or the delegation and oversight of the duty.*

*Technological developments are having a major impact on the development of law library collections. As a result of technological developments that already have taken place in information delivery such as microforms, audiovisual, optical media, compact discs, telefacsimile, online data bases and library automation, the concept of the law library as a depository of books has given way to the actuality of the law library as a total information resource and network.*

*Cooperative agreements of networking among county law libraries and other libraries enable participating libraries to purchase materials jointly, share the use of materials and alert each other to the contents of their collections. Participating libraries extend both their research resources and their budgets by not duplicating the purchase of materials.*

B. Cataloging

1. The entire collection, including non-print materials, should be cataloged and classified in a system that promotes quick, easy retrieval of material by both users and library staff. National standards for bibliographical records should serve as guidelines for cataloging and organizing materials.
2. The law library should join a computer-based library network for cataloging and other library services. Complete holdings information should be included on the records in the cataloging utility to facilitate the electronic exchange and sharing of information.
3. Library catalogs and other files should be generated in machine readable formats based upon and compatible with national standards. Whenever possible, existing paper catalogs and files should be converted to electronic ones.
4. The law librarian should have the authority to oversee the planning, funding, and implementation of in-house library computer networks linking the library's online catalog, other library files, technical processing operations, community based legal information sources, and other online information sources available from remote locations into a single electronic information resource.

*Comment:*

*Technology has changed the library catalog into a virtual bibliographic resource allowing the library's staff and users to determine the availability of sources of information, not only within the library but worldwide.*

*Manual card catalogs and paper files can no longer be considered adequate systems to access legal information, given the sophisticated access potential of electronic systems.*

*It is essential that the library use a cataloging utility and include complete and accurate holdings information so that its users, staff, and other libraries can gain access to its resources.*

*The use of cooperative cataloging products and services should be utilized as a means of simplifying and speeding up the cataloging process while keeping its cost down.*

**C. Collection Management**

1. The library's collections should be maintained in good physical condition. The library should establish a preservation and disaster control program.
2. Serial publications received in unbound form, except those of temporary value, should be either bound or stored in a durable and accessible non-print format.

*Comment:*

*Maintenance of the library collection includes book cleaning, repair and binding. Cleaning is a matter of periodically dusting and cleaning the books and shelves. A systematic screening of the collection will permit minor repairs to prevent major problems.*

*Preservation has two aspects. The first is stopping damage before it starts. The second is the repair of damage already done to prevent further harm and to make the material available for future users.*

*Preventive maintenance includes attention to environmental aspects such as lighting, air pollution and consistent temperature and humidity levels.*

**VII. Collection**

**A. Maryland Publications**

1. The published decisions of Maryland Appellate courts:  
Maryland Reports  
Maryland Appellate Reports  
Maryland Advance Sheets

2. Annotated Code of Maryland (If space permits, a complete set of the older statutory compilations and superseded volumes of current compilations.)
3. Laws of Maryland - **(Level 2)**
4. Maryland Digest 2d
5. Maryland Law Encyclopedia
6. Citator service for Maryland
7. COMAR and Maryland Register
8. Maryland Attorney General Opinions
9. MSBA Opinions on Ethics
10. Significant state-oriented legal treatises and practice materials. *(List of suggested materials to be made available through the State Law Library website.)*
11. Selected legal periodicals and newspapers:  
Daily Record  
Maryland Bar Journal  
University of Maryland Law Review  
University of Baltimore Law Review  
*(List of suggested legal journals to be made available through the State Law Library website.)*
12. Court rules and significant state court publications, including annual reports, judicial statistics, policy statements, and bench books such as:  
Maryland Rules of Procedure (retain superseded editions if space permits)

Maryland Trial Judges Benchbook  
Maryland Sentencing Guidelines Manual  
Annual Report of the Maryland Judiciary

13. County and municipal codes, charters, and ordinances of home and contiguous counties.
14. State-oriented reference tools including state government manual, legal/social services directories, city and/or county directory such as:

Maryland Manual  
Maryland Lawyers Manual  
Local phone books  
State Government Telephone Directory

**B. Publications concerned with federal law**

1. A reporter of the decisions of the Supreme Court of the United States, either: Supreme Court Reporter or Supreme Court Reports L. Ed.
2. A Supreme Court case digest
3. United States Code Annotated or United States Code Service
4. *Statutes at Large* or other federal session law service such as the United States Code, Congressional and Administrative News.
5. All published decisions of the U.S. District Courts, U.S. Courts of Appeal, and U.S. Bankruptcy Courts.
6. Federal case digest

7. Code of Federal Regulations and Federal Register
8. Citator service for reports and codes held by the library.
9. US Government Manual
10. United States Law Week

**C. General United States publications**

1. Units of the National Reporter System, as needed.  
Atlantic Reporter 1<sup>st</sup> and 2<sup>nd</sup> (Level 1)  
All other units 1<sup>st</sup> and 2<sup>nd</sup> (Level 2)
2. American Digest System units, as needed.
3. American Law Reports (A.L.R.)
4. Current statutory compilations for contiguous states, as needed.  
PA, DE, VA, DC, WVA (Level 2)
5. American Jurisprudence 2d and/or Corpus Juris Secundum.
6. General legal forms set such as:  
West's Legal Forms or Am. Jur. Legal Forms, or Rabkin & Johnson Current Legal Forms
7. ABA/BNA Lawyers Manual of Professional Conduct.
8. American Law Institute Restatements.



9. Uniform Laws Annotated. (Level 2)
10. A basic collection of legal texts, treatises, practice materials and looseleaf services of contemporary value on subjects of interest to the legal community. *(List of suggested available materials to be made available at the State Law Library website.)*
11. A broad selection of legal periodical titles. *(List of suggested titles to be made available at the State Law Library website.)* Minimum follows:  
ABA Journal  
National legal paper such as Lawyers Weekly or the National Law Journal
12. A legal periodical index such as:  
Current Law Index (print)  
Index to Legal Periodicals (print or electronic)  
Legaltrac (electronic)
13. Citator service for units held by library.
14. Legal reference tools including dictionaries, thesaurus, citation standards manuals, judicial biographical directories, legal abbreviations, legal quotations, and Martindale-Hubbell Law Directory.
15. General reference tools, including unabridged dictionary, atlas, statistical abstracts.
16. A collection of general legal and self-help titles on subjects of interest to the public and pro se litigant. *(List of suggested materials to be made available at the State Law Library website.)*

*Comment:*

*The materials listed above are recommended as the basis for a strong county law library collection. The list may be used as a checklist for collection evaluation purposes, but should not be used to limit the scope or growth of a collection that meets or exceeds the standards.*

*Alternative forms of publication or cooperative agreements with libraries within a reasonable geographic area will satisfy the collection requirements if staff is available to assist users in effectively accessing resources, including off-site resources.*

## **Standards for Court Chambers' Collections**

### **Introduction**

It was once possible for every circuit court judge to have every title on Maryland law available. Today, the number of titles on Maryland law has increased dramatically along with the costs of all legal publications, and in many courts there is no space in which to house a comprehensive chamber's collection. Shared judicial collections, judicial reserve collections and online access to Maryland titles can address judges access to the many Maryland materials that can not be housed in the individual chambers' library.

### **A. Circuit Courts**

1. The following core collection, print, (the latest edition) and or electronic, should be available in all chambers:

Annotated Code of Maryland

Maryland Reports (lack of space and availability of many older volumes may limit number of volumes)

Maryland Appellate Reports

Maryland Rules of Procedure (2c.)

Jury Instructions (Criminal and Civil)

Trial Judges Benchbook

Maryland Sentencing Guidelines Manual

Maryland Evidence Handbook

Hanford Criminal Trial Manual

Hanford Family Law Manual

Citator Service

Local, city and county codes

Maryland Lawyers Manual

Maryland Judicial Ethics Handbook

Diagnostic & Statistical Manual of Mental Disorders (DSMD)

2. The above core should be augmented by shared collections or electronic resources containing the following:  
Maryland Digest  
Maryland Law Encyclopedia  
Black's Law Dictionary
3. Additional, frequently used titles should be kept in the county public law library in a judicial reserve area for chambers' use.
4. All chambers and courtrooms should have Internet access.

**C. District Courts**

1. The following core collection, print and or electronic, should be available in all chambers and on the bench:<sup>3</sup>  
Maryland Rules of Procedure \*  
Maryland Civil Pattern Jury Instructions  
Maryland Criminal Pattern Jury Instructions  
Article 27 of the Annotated Code of Maryland\*  
Courts and Judicial Proceedings Article of the Code\*  
Family Law Article of the Code\*  
Maryland Vehicle Laws \*  
Trial Handbook for Maryland Lawyers / Stein  
Maryland Lawyers' Manual
2. The following titles are recommended for each District Court library collection.  
Annotated Code of Maryland (two in larger jurisdictions)  
Local City/County Codes (two in larger jurisdictions)  
Maryland Reports

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<sup>3</sup>An asterisk (\*) indicates titles that should be available on the bench as well.

Maryland Appellate Reports  
Citator Service  
Maryland Digest  
Maryland Law Encyclopedia  
Maryland Rules of Procedure  
Maryland Civil Pattern Jury Instructions  
Maryland Criminal Pattern Jury Instructions  
Trial Handbook for Maryland Lawyers / Stein  
Maryland Lawyers' Manual  
Black's Law Dictionary

3. All chambers and courtrooms should have Internet access.