

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 1
Yeas:	Cameron, Conger, Matthews, Sheehan, Smith J., Holvey, Whisnant
Nays:	0
Exc.:	Clem
Prepared By:	Jan Nordlund, Administrator
Meeting Dates:	2/10, 3/24

WHAT THE MEASURE DOES: Allows counties with population not more than 400,000 to use law library fees to acquire, maintain, or operate a law library or to provide free library services. Allows such counties to contract with a law library association or other organization to operate a law library or provide law library services. Requires the State Court Administrator to, every two years, conduct a survey of county law libraries and report to the Legislative Assembly.

ISSUES DISCUSSED:

- Affect of technology on library operation and use
- Who county could contract with to provide law library service
- Funding source for law libraries
- Position of Oregon Library Association and Association of Oregon Counties
- Lane County's request to be treated same as counties with population exceeding 400,000

EFFECT OF COMMITTEE AMENDMENT: Requires the State Court Administrator to, every two years, conduct a survey of county law libraries and report to the Legislative Assembly. Specifies the scope of the survey. Allows law library fees to be used to acquire or maintain (in addition to operate) a free law library.

BACKGROUND: Current law allows counties with populations exceeding 400,000 to contract with a law library association or corporation that owns and maintains a law library for the use of the library by judges, commissioners, district attorneys and all bar members. Counties with population exceeding 400,000 (2006) are Multnomah and Washington. Some smaller counties have entered into arrangements to have their law library administered by another organization. Union County has Eastern Oregon University maintain its law library. Jackson and Douglas counties have the county public library maintain their law libraries.

Historically, law libraries were located in or near the judge's chambers or courtroom. In 1981, the Legislative Assembly turned over the administration of the courts from the counties to the state judicial branch. But the law library remained a county facility to be staffed by county personnel, or in the case of counties exceeding 400,000 in population, to be contracted out. All county law libraries are funded by a percentage of the litigant filing fee.

Oregon's County Law Libraries is a report released in December 2010; a federal grant was awarded to the Oregon Council of County Law Libraries to fund the project. The report notes that funding levels, service, and staffing at county law libraries varies widely. In 19 counties, there is no staff trained specifically for the library and no library services provided. In six counties there is at least one full-time staff to operate the library that is staffed and open at least 40 hours per week. The general recommendation of the report is to have counties enter into intergovernmental agreements to deliver effective, efficient, and equitable access to legal materials. The report suggests that if this does not happen voluntarily, then the Legislature should authorize another entity to do so; that entity should most likely be the Oregon Law Library.

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This summary has not been adopted or officially endorsed by action of the committee.