

ROLE OF CALIFORNIA COUNTY LAW LIBRARIES IN ACCESS TO JUSTICE

California County Law Libraries (CLLs):

- Assist self-represented individuals who do not have counsel as they try to learn what their rights and obligations are and represent themselves both in and out of court.
- Provide an outlet and source of support to self-represented litigants in the face of a national crisis in the number of individuals who are fending for themselves in court because they cannot afford or access legal representation.
- Are essential to the justice system, reducing stress on the overburdened court system.
- ‘Level the playing field’ by making expensive legal resources available to all.
- Have no income or subject matter restrictions; CLLs help anyone who walks in the door.
- Assist with more than: 500,000 in-person visits, 150,000 sessions at public computers and millions of website visits per year
- promote economic recovery by helping small businesses, assisting individuals with workforce re-entry and speeding resolution of disputes.

Approximately 80% of CLL patrons are not legal professionals. They are individuals who cannot navigate the law without help and need individualized assistance.

CLLs fill in when other agencies are unable to assist:

- Legal aid organizations have subject matter, and often income, restrictions, so they refer people to CLLs.
- Self-Help Centers and other court services are limited in subject matter, and often hours, so they refer people to CLLs.
- Public libraries and community organizations lack the expertise to answer questions about the law, so they refer people to CLLs.

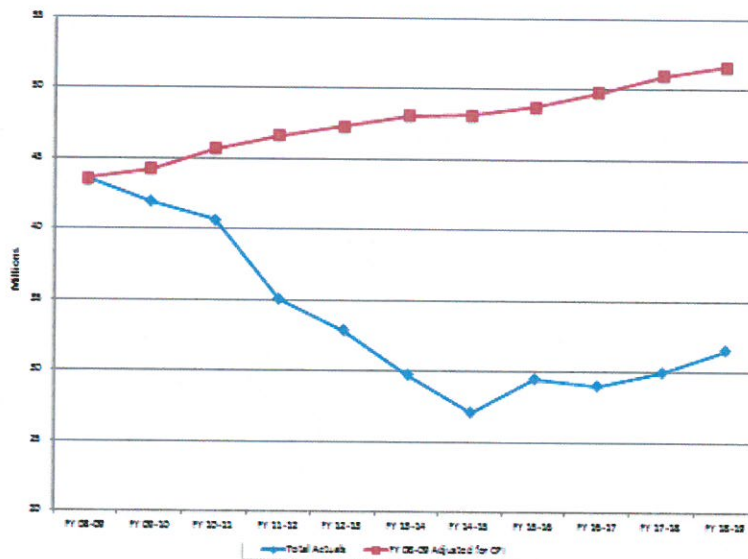
On the reverse side is a representative list of topics covered by CLLs (gathered from a statewide, week-long data collection process); the vast majority of these subject areas are not covered by any other no-cost agency.

In other words, for many self-represented litigants in California, County Law Libraries provide the only available access to legal resources.

**Requests for Assistance Received at California County Law Libraries
Sampling of Topics Over a One Week Period**

Adult adoption	Immigration law
Agriculture lease agreement	Indian welfare act
Appeals	International arbitration
Bankruptcy	Juvenile dependency
Breach of contract	Landlord-tenant
Calculating statutes of limitations	Legislative histories
Caregiver's authorization affidavit	Living will/durable power of attorney
Child custody	Mechanics lien
City ordinances	Mediation
Civil-grant deed	Medical malpractice
Conservatorship	Motion for continuance
Consumer and debt collection laws	Name change
Copyright/fair use	Native American adoption
Court order to obtain death certificate	Neighbor law
Court's self-help section on website	Paying down non-securitized creditors
Defending against harassment claim	Personal injury
Disability discrimination	Petition to seal arrest record
Divorce	Police misconduct
Dog bite	Quiet title/real property issues
Domestic violence forms	Removal of executor in probate matter
Elder law and abuse	Resources for finding an attorney
Employment law	Retail law re refund/exchange
Enforce civil judgement	Seal court records after judgement
English translation Puerto Rico cases	Small claims
Environmental law	Social security disability benefits
Eviction	Special needs trust
Expungement	Termination of parental rights
Failure to appear	Transfer on death deeds
Family reunification/juvenile court info	Transfer tax affidavit
Federal civil rights	Trust revisions
Foreclosure	Vacate default judgment
Foreign marriage registration	Visitation
Fraudulent transfers	Wage and hour claims
Grandparent adoption	Warranty of habitability
Grandparent visitation rights	Wills
Grant deeds	Workers compensation
Guardianship	Wrongful termination
How to present evidence (what is hearsay?)	

CALIFORNIA COUNTY LAW LIBRARIES FUNDING LOSS



Over 90% of County Law Library (CLL) funding comes from civil filing fees (ranging from \$2 to \$50 per case, depending on the county and the type of case).

CLLs have lost more than 30% of their revenue since 2009 due to a decrease in the number of case filings and an increase in the number of fee waivers granted.

CLL revenue is now barely half of what it would have been if 2009 revenue had continued, adjusted for inflation (CPI).

Over that same time period: 1) the cost of legal materials has increased more than 80% and 2) civil filing fees have increased four times (increasing by approximately 26%) but no part of those increases has gone to CLLs

Apart from the one-time allocation received in late 2018, CLLs have never received any general fund money.

Before the Uniform Civil Filing Fee Act, counties had authority to provide additional civil filing fees to CLLs and did so regularly. (From 1994 to 2005, 75% of all counties used their authority to improve funding for their local law libraries.) The State Legislature eliminated that authority. Since 2008, the funding of County Law Libraries through civil filing fees has been entirely within state control.

When the state eliminated local control over those revenues, it also established a Task Force on Civil Fees, which found (in its Feb 22, 2007 final report):

"Without immediate consideration of a filing fee increase or identification of alternative revenue sources, law libraries will not be able to fund their increased operating costs in 2008."

Increases in the small claims court jurisdictional limit have decreased funding for CLLs because the fee provided to law libraries in small claims cases is only \$2, just a small fraction of the revenue CLLs receive for other civil matters.

A decade has gone by since the uniform state approach to filing fees and the finding that CLLs urgently need alternative funding yet we have not received any filing fee increase or alternative revenue source.

Some CLLs have closed and others are at risk of closing. All CLLs have made cuts negatively impacting the public (reduced hours, closed locations, eliminated materials, lengthened wait times and levels of service, etc.)

