

Department Mission:

The mission of the Klamath County Law Library is to serve the legal information needs of Klamath County by providing access and use of legal reference materials and reference services to members of the legal community and the general public. The library provides users with legal resources by acquiring, organizing, and maintaining a collection of current and historical law-related materials which support the study and knowledge of United States law in Klamath County.

Mandated Services:

ORS 9.850 authorizes counties to use law library fees, collected by the court clerk, for the purpose of acquiring, maintaining or operating the law library at the county seat. This statute establishes that “no part of the monies, received from such law library fees shall be used for the purpose other than acquiring, maintaining or operating such law library.”

ORS 21.350 requires that the law library be “available at all reasonable times to the use of litigants, and permitted to be used by all attorneys at law duly admitted to practice in this state, without additional fees to such litigants or attorneys.”

Department Overview:

The Law Library is staffed by a single full time Library Assistant III (LA III). This LA III is part of the Library District’s personnel budget. The Law Library reimburses the Library District for this position at the end of each fiscal year.

The location of the Law Library is in a space within the Library District’s main library, across from the Courthouse. The Law Library provides a small print collection, required legal forms as approved by the court, and an extensive on-line legal reference service provided by Lexis and West legal publishers.

The LA III in the Law Library works closely with Court Administration to support litigants. The Court’s staff refers the litigants to the Law Library for specific statutes, law cases, or forms. The members of the Oregon State Bar have access through a coded locking door to the Law Library 7 days a week, 24 hours a day. The use of the Law Library by attorneys is uneven. The use of the Law Library by the public is heavy. Before approaching an attorney for assistance, the first stop for many people is the law library in order to try to understand the issues that face them.

Successes and Challenges:

2009-10

| | |
|------|---------------------------------|
| 408 | Attorney Research Contact Hours |
| 2301 | Public Research Contacts Hours |
| 851 | Public Hours |

| | |
|----------|---------------------|
| \$89,779 | Court Fees Received |
| \$7,481 | Average Per Month |

Our current year-to-date (YTD) statistics demonstrate a 10:1 ration of visits by the public vis-à-vis attorneys.

The challenge of the increasing costs of printed legal reference materials was met by migrating to on-line resources. However, recently the cost of these on-line resources has also begun to increase. The rising costs have meant that Law Library staff and the Advisory Board have had to become more selective and judicious in providing resources that stay within the revenue.

The greatest challenge during the prior year has been coping with the increase in usage by members of the public due to the downturn in the economy.

Budget Overview:

The primary source of revenue for the Law Library is the monthly portion of the fees collected by the Courts. A secondary sources of revenue are the “at cost charges” for copies of Court Papers (forms) that the Law Library provides to the general public.

The largest expenditures are for the LA III positions, software (on-line subscriptions to legal resources), for up-dating the print collection, and overhead charges. A new substitute position was authorized this fiscal year to assist with routine weekly duties and learn to cover for the full time staff person during vacations, illnesses, and training workshops.

Over the years the Law Library has been able to keep expenditures below revenue. The plans for this reserve are to act as a cushion against rising costs or decreasing revenue and to replace, on an irregular basis, print materials as the law changes. However; the primary focus of our print collection is Oregon laws and cases and this collection is kept current on a yearly basis and it is primarily these costs that determine what other collections--treatises, encyclopedias--we are able to update.

Significant Changes:

In 2009 House Bill (HB) 2287 imposed temporary fees and surcharges for the 2009-11 bienniums. The Law Library was excluded from receiving a percent of the surcharges. Therefore, the Courts predicted a revenue reduction for the Law Library in 2010. However, this turned out not to have happened and there has even been an increase in revenue this year.

The types and number of cases that preoccupy attorneys and the public change depends on current national and local issues. Therefore the Law Library staff working together with the Law Library Advisory Board responds to these changing issues by expanding and supplementing the print and on-line collections. The Advisory Board is comprised of the Court Administrator, two attorneys, and two lay persons. For example, during the water crisis, additional print reference materials covering land and water were added and recently more materials pertaining to bankruptcy were acquired.

Library Staff and the Advisory Board have developed a long range plan to update large sections of the print collection. The plan has saved staff time and is less expensive than buying regular inserts that maintain their legal currency.

Key issues:

HB 2710 that would radically change the fee distribution formula is now before the legislature. The Association of Oregon Counties and other Law Library supporters and users are trying to understand the new law and prepare for another possible change in revenue and regulations.

HB 2710 creates a new civil litigant filing fee structure. All of the fees are established permanently and if passed will become effected July 1, 2011

We are concerned that HB 2710 will:

- destabilize county law library operations
 - decrease or eliminate local law library services
 - add an unnecessary layer of government bureaucracy because counties already oversee and annually audit their law library budget
 - add additional operational cost because it imposes a 5% -8% collection management fee
 - politicize the distribution process
 - create competition among the county law libraries for funds

Klamath County, Oregon
2011-2012 Budget Financial Presentation
712 Law Library

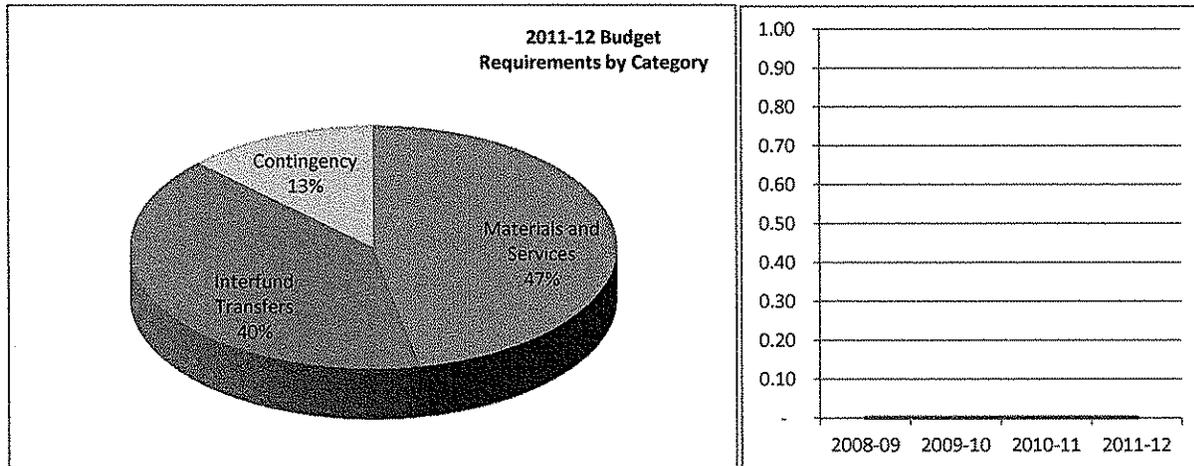
| | 2008-09 Actual | 2009-10 Actual | 2010-11 Budget | 2011-12 Budget |
|--|-------------------|-------------------|-------------------|-------------------|
| <u>Requirements by Budgetary Category</u> | | | | |
| Materials and Services | - | 56,230 | 58,259 | 61,706 |
| Interfund Transfers | - | 43,012 | 47,664 | 53,036 |
| Subtotal Current Expenditures | - | 99,242 | 105,923 | 114,742 |
| Contingency | - | - | 21,339 | 16,758 |
| Unappropriated Fund Balance | - | 53,667 | - | - |
| Subtotal Noncurrent Expenditures | - | 53,667 | 21,339 | 16,758 |
| Total Requirements by Budgetary Category | - | 152,909 | 127,262 | 131,500 |

| | | | | |
|------------------------------------|----------|----------------|----------------|----------------|
| <u>Requirements by Fund</u> | | | | |
| Law Library (760) | - | 152,909 | 127,262 | 131,500 |
| Total Requirements by Fund | - | 152,909 | 127,262 | 131,500 |

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|---|----------|----------------|----------------|----------------|
| <u>Resources by Budgetary Category</u> | | | | |
| Charges for Services | - | 7,782 | 5,500 | 5,500 |
| Fines and Forfeitures | - | 89,780 | 76,000 | 84,000 |
| Investment Earnings | - | 1,237 | 2,500 | - |
| Beginning Fund Balance | - | 54,110 | 43,262 | 42,000 |
| Total Resources by Budgetary Category | - | 152,909 | 127,262 | 131,500 |

| | | | | |
|---------------------------------------|---|---|---|---|
| Full-Time Employee Equivalents | - | - | - | - |
|---------------------------------------|---|---|---|---|

| <u>Mandate</u> | Total Cost | Personal Services | FTE |
|-----------------------|-------------------|--------------------------|------------|
| Watermaster | 131,500 | - | - |
| Total Mandates | 131,500 | - | - |



Budget Worksheet Report

| Account Number | Description | 2009 Actual Amount | 2010 Actual Amount | 2011 Amended Budget | 2012 Requested Budget |
|---|---------------------------|--------------------|--------------------|---------------------|-----------------------|
| Fund: 760 - Law Library | | | | | |
| Revenue | | | | | |
| Department: 712 - Law Library Dept | | | | | |
| Account Classification: CS - Charges for Service | | | | | |
| 34230 | Fees - Photocopy | \$0.00 | \$7,781.50 | \$5,500.00 | \$5,500.00 |
| Account Classification Total: Charges for Service | | \$0.00 | \$7,781.50 | \$5,500.00 | \$5,500.00 |
| Account Classification: FF - Fines and Forfeitures | | | | | |
| 34300 | Fees - Court | \$0.00 | \$89,779.88 | \$76,000.00 | \$84,000.00 |
| Account Classification Total: Fines and Forfeitures | | \$0.00 | \$89,779.88 | \$76,000.00 | \$84,000.00 |
| Account Classification: IN - Interest | | | | | |
| 39150 | Investments - Interest On | \$0.00 | \$1,237.02 | \$2,500.00 | \$0.00 |
| Account Classification Total: Interest | | \$0.00 | \$1,237.02 | \$2,500.00 | \$0.00 |
| Account Classification: OT - Other | | | | | |
| 36340 | Donations | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Account Classification Total: Other | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Account Classification: FB - Fund Balances | | | | | |
| 31001 | Beginning Fund Balance | \$0.00 | \$54,110.28 | \$43,262.00 | \$42,000.00 |
| Account Classification Total: Fund Balances | | \$0.00 | \$54,110.28 | \$43,262.00 | \$42,000.00 |
| Department Total: Law Library Dept | | \$0.00 | \$152,908.68 | \$127,262.00 | \$131,500.00 |
| Revenue Totals | | \$0.00 | \$152,908.68 | \$127,262.00 | \$131,500.00 |

Budget Worksheet Report

| Account Number | Description | 2009 Actual Amount | 2010 Actual Amount | 2011 Amended Budget | 2012 Requested Budget |
|---|---------------------------|--------------------|--------------------|---------------------|-----------------------|
| Expenses | | | | | |
| Department: 712 - Law Library Dept | | | | | |
| Account Classification: PS - Personal Services | | | | | |
| 63940 | Workmans Compensation Tax | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 63941 | Workmans Compensation | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 63990 | Cell Phone Allowance | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Account Classification Total: Personal Services | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Account Classification: MS - Material and Services | | | | | |
| 44030 | Supv Travel & Training | \$0.00 | \$1,073.10 | \$2,000.00 | \$2,000.00 |
| 44100 | Supplies - Office | \$0.00 | \$2,670.60 | \$3,000.00 | \$3,000.00 |
| 44110 | Supplies - Other | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 44200 | Dues / Fees | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 44640 | Telephone | \$0.00 | \$802.22 | \$750.00 | \$750.00 |
| 44700 | Postage | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 44730 | Printing | \$0.00 | \$0.00 | \$20.00 | \$0.00 |
| 44830 | Maintenance Contracts | \$0.00 | \$73.68 | \$75.00 | \$0.00 |
| 45880 | Computer Software | \$0.00 | \$14,697.00 | \$17,000.00 | \$18,000.00 |
| 46140 | Books | \$0.00 | \$16,531.27 | \$15,000.00 | \$18,000.00 |
| 99760 | Insurance/Liability | \$0.00 | \$568.00 | \$600.00 | \$600.00 |
| 99770 | Administrative Services | \$0.00 | \$12,524.00 | \$12,524.00 | \$12,524.00 |
| 99780 | Space Rent | \$0.00 | \$7,290.00 | \$7,290.00 | \$6,832.00 |
| Account Classification Total: Material and Services | | \$0.00 | \$56,229.87 | \$58,259.00 | \$61,706.00 |

Budget Worksheet Report

| Account Number | Description | 2009 Actual Amount | 2010 Actual Amount | 2011 Amended Budget | 2012 Requested Budget |
|--|--------------------------------|--------------------|--------------------|---------------------|-----------------------|
| Account Classification: IF . Interfund Transfers | | | | | |
| 99110 | Trans - Library | \$0.00 | \$40,944.00 | \$45,596.00 | \$49,156.00 |
| 99460 | Trans - Equip Rent & Revolving | \$0.00 | \$1,870.00 | \$1,870.00 | \$1,870.00 |
| 99781 | Trans - Steering Committee | \$0.00 | \$0.00 | \$0.00 | \$1,800.00 |
| 99782 | Trans - EMail Accounts | \$0.00 | \$198.00 | \$198.00 | \$210.00 |
| 99783 | Trans - Phones | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Account Classification Total: Interfund Transfers | | \$0.00 | \$43,012.00 | \$47,664.00 | \$53,036.00 |
| Account Classification: CR . Contingencies and Reserves | | | | | |
| 99750 | Operating Contingency | \$0.00 | \$0.00 | \$21,339.00 | \$16,758.00 |
| Account Classification Total: Contingencies and Reserves | | \$0.00 | \$0.00 | \$21,339.00 | \$16,758.00 |
| Department Total: Law Library Dept | | \$0.00 | \$99,241.87 | \$127,262.00 | \$131,500.00 |
| Revenue Totals: | | \$0.00 | \$152,908.68 | \$127,262.00 | \$131,500.00 |
| Expense Totals | | \$0.00 | \$99,241.87 | \$127,262.00 | \$131,500.00 |
| Fund Total: Law Library | | \$0.00 | \$53,666.81 | \$0.00 | \$0.00 |

Budget Worksheet Report

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|-----------------------|--------|--------------|--------------|--------------|
| Revenue Grand Totals: | \$0.00 | \$152,908.68 | \$127,262.00 | \$131,500.00 |
| Expense Grand Totals: | \$0.00 | \$99,241.87 | \$127,262.00 | \$131,500.00 |
| Net Grand Totals: | \$0.00 | \$53,666.81 | \$0.00 | \$0.00 |