Maryland County Public Law Library Standards 2009

Preamble

Believing that the county public law library is an integral and vital part of the legal community it serves, the members of the Conference of Maryland Court Law Library Directors urge county governments, courts and/or governing entities to adhere to the following standards. The members realize that because of the great variance in size and governance among county public law libraries, certain standards will be harder to achieve than others; but it is hoped that these standards will be guidelines for libraries to follow in order to assure the highest quality personnel, collection, and library services in county public law libraries throughout Maryland.

Maryland court libraries serve the judges and masters, attorneys, court and government agencies and the citizens of Maryland. The Conference 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:

Level 1 (Basic) Counties with population comprising less than 2% of the Maryland population	**Level 2 (Comprehensive)** Counties with population comprising more than 2% of the Maryland population

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 governing entity 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/library director to superiors should be defined by written policy. The head law librarian/library director should meet on a regular basis with his or her superiors to report and to receive policy directions.

C. The head law librarian/library director should be recognized as part of the management team of the library's governing entity and should participate in policy making which affects library operations.

D. The head law librarian/library director should initiate or take part in all planning and implementing decisions that affect the law library. Illustrations of such activities include the decisions to:
1.) Develop the vision, mission and goals of the law library:
2.) Develop and administer the library budget;
3.) Build and maintain a useful collection;
4.) Participate in library or related information networks;
5.) Coordinate implementation and upgrades of the library computer network;
6.) Hire personnel to assist customers, service the collection, and perform all administrative functions required of the law library;
7.) Plan and staff branch libraries, where appropriate;
8.) Design and maintain the physical plant;
9.) Coordinate outreach and partnerships within the organization and with the outside community;
10.) Plan for the succession of personnel; and:
11.) Manage all other library operations.

Comment:
The head law librarian/library director 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/library director should be involved in all planning, and in the implementation of any decisions that affect the law library. The head law librarian/library director must be apprized of decisions affecting the law library, and, in turn must advise the governing entity of the resulting advantages and disadvantages, costs and benefits of such decisions.

The head law librarian/library director should be deeply involved in the development and implementation of the law library's mission. By necessity, the goals and mission should include outreach to related entities and partners. In order to provide continued quality service the law library should develop a succession plan for key personnel.

As part of ongoing communication within the governing entity, 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 entity.

II. Budget

A. The budget of the law library should be separate and distinct from the budgets of other operations of its governing entity.

B. The budget of the law library should be adequate to ensure a complete, up-to-date collection, including print**,** non-print and electronic resources, with provision for new acquisitions and a qualified staff to maintain an acceptable level of library services described in the standards that follow.

C. The budget should include but not necessarily be limited to the following categories: 1) personnel costs, including salaries and benefits; 2) publication costs, including upkeep and subscription for both print and alternative formats including access to online electronic services; 3) supplies, equipment and appropriate technologies; 4) binding costs; 5) resource sharing, including networking and online bibliographic utilities; 6) physical space and maintenance; 7) membership in professional organizations, training and travel expenses for law library staff; and 8) such other categories as may be defined by law or practice.

D. The head law librarian/library director should prepare, justify 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 entity. The library's budget request should be supported by the governing entity.

Comment:
*The budget of the law library should be recognized as an integral part of its governing entity's overall budget process**.** The budget should accurately reflect all costs associated with the operation of the law library, including personnel and technological changes. The head law librarian/library director should have the primary responsibility for preparing, justifying, and managing the law library budget. However, the governing entity should be prepared to support the law library budget as a vital part of its mission. The governing entity 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 generally accepted accounting procedures.*

III. Personnel

A. The law library should be staffed during all hours of operation with appropriate personnel, qualified through education, training and experience. Staff should have expertise in administration, acquisitions, cataloging, reference, database and Internet

searching, instruction, and any other necessary skills to meet the goals of the library's mission. *The Competencies of Law Librarianship*, as established by the AALL may be used as an additional guideline. Sufficient information technology, technical, clerical, and secretarial personnel also should be made available to the law library to support these functions and assist the head law librarian/library director.

1. In a **Level 2** county the minimum educational requirement for the head law librarian/library director is an M.L.S. from an ALA accredited institution.

2. In a **Level 1** county the minimum educational requirement for the head law librarian/library director position is a BA\BS degree or a Paralegal Certificate. The individual in this position should consult with the Outreach Services Librarian of the Maryland State Law Library.

B. The salaries of the head law librarian/library director 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/library director should select and evaluate other library staff. All library positions, including the head law librarian/library director, should be specifically established within the governing entity's personnel classification system, and covered by the governing entity's personnel policy.

D. All law library staff should be given the opportunity to pursue a program of professional development that is relevant to the interests of the law library. Such opportunity should include financial assistance.

E. The library staff should be encouraged to participate in local, regional, and national professional law library associations. The law library's budget should make provision for such membership dues and other related staff development expenses.

F. The library staff should participate in conferences and online discussion groups as part of an ongoing program of professional development and education.

Comment:
The head law librarian/library director 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 customers benefit when library staff members improve their skills by participating in institutes, post-graduate courses, online discussion groups and conferences, in-service training, and professional associations. Such continuing education is accepted in all professions, and, in fact, is required in many jurisdictions.

IV. Physical Plant & Facilities

A. The law library should be conveniently located in or adjacent to the county courts building. Where appropriate, branch libraries should be considered at satellite court houses.

B. The law library's physical plant must meet various basic structural requirements necessary to adequately house and provide access to informational resources in a variety of formats. Attention should be given to existing building standards and floor loading capacity. 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 space for and growth of the collection.

C. Space and facilities should be provided for the use and storage of non-print and fragile materials under environmentally sound conditions. Public computers with printers should be made available to access commercial online and electronic services, including the Internet.

D. There should be suitable and adequate equipment, work space, and comfortable seating for the library staff and customers. Proper lighting and temperature control including heating, ventilation, air conditioning, and humidity control also should be provided.

E. There should be suitable and adequate security for the protection of library staff, customers and the collection.

F. The law library should provide suitable computer and communication equipment for use by the customers.

G. The law library should provide directories, library guides, and other signage to assist customers should be provided.

H. The law library should meet the requirements of the *Americans with Disabilities Act of 1990 as amended*.

I. There should be suitable and adequate space for conferencing, performing research and training.

Comment:
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 to assist users in finding their way about the library.

Adequate equipment may include photocopiers, fax machines, microform reader-printers, scanners, any necessary audio-visual equipment, computers (with appropriate software), and any other equipment/hardware/software needed to enhance library services.

V. Information Services

A. The law library's mission and goals statement should identify the levels of information service provided to its customers.

B. The law library should augment its resources through interlibrary loans, cooperative agreements, networks and in-house and remote online electronic services.

C. Library policies, approved by the governing entity, addressing customer reference assistance, including access to print, non-print and electronic legal information, should be formulated and conspicuously posted advising customers of information services available from the library.

D. The library should provide access to the Internet for customers. An appropriate use policy may be developed for approval by the governing entity.

E. The law librarian should have the authority and resources to plan and implement in-house library computer networks linking the library's online catalog, other library files, including technical processing operations, e-mail accounts, community based legal information resources, and other online information resources into a library web site. This web site should be designed either independently or in conjunction with the library's governing entity, to provide information about the library and its information services, to provide access to reference services and to maintain relevant links to law-related web sites within its own state/local jurisdiction.

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.

Libraries must consider the difference between the licensing of electronic information and the ownership of library materials. Technology has made it possible for the library to expand its capability to provide access to information not previously available within the library. However, in many cases, libraries cannot own electronic resources.

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

The library should develop a written reference policy to ensure that the information and assistance provided to customers is appropriate to the situation. This should include

service to remote customers as well as customers in the library. The policies should be posted or otherwise advertised so that customers are made aware of the availability of the resources or procedures necessary to access the materials.

VI. Technical Services

A. Acquisitions and Collection Development

1. Written policies for collection development and selection of print and/or non-print and electronic materials, including criteria for the selection and discarding of materials and the acceptance and disposition of gifts, should be formulated by the head law librarian/library director in consultation with staff and customers, and approved by the library's governing entity. *(A sample Collection Development Policy for Maryland Circuit Court Libraries can be found at the Maryland State Law Library Website.)*

2. The head law librarian/library director 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, in a combination of formats, 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 customers 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, environmental and customer 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 easy access to the appropriate selection tools necessary for informed decision-making when choosing materials for the collection.

Comment:
The law library should have a written collection development policy based upon its defined mission statement. The policy should address access, material, and service for its diverse customer groups; print, non-print and electronic; selection criteria and responsibility; and collection maintenance issues.

The law library should base its collection development strategies on combinations of print, non-print and electronic resources. It should be remembered that print is often necessary to allow multiple -customer access or to permit access during online downtime. If core collections of legal materials in print are replaced by electronic 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 and electronic sources, the planning and implementation of technology in county public law libraries should take the needs of all customers 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 self represented litigants and the public of their legal rights and responsibilities.

The head law librarian/library director, as a member of the governing entity'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 developments that have already taken place in information delivery such as microforms, audiovisual, optical media, compact discs, fax machines, 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 networking agreements among county public law libraries and other libraries enable cost effective purchasing and sharing of resources. Participating libraries extend both their research resources and their budgets by not duplicating unnecessarily the purchase of materials.

B. Cataloging

1. The entire collection, including non-print and electronic resources**,** should be cataloged and classified in a system that promotes quick, easy retrieval of material by both customers 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 electronic formats based upon and compatible with national standards. Whenever possible, existing paper catalogs and files should be converted to electronic ones.

C. Collection Management

1. The library's collections should be maintained in good physical condition. The library should establish a preservation and disaster preparedness program which addresses such environmental aspects as lighting, air pollution, proper storage, and temperature and humidity control.

2. Serial publications in print and received in unbound form, except those of temporary value, should be either bound, properly stored or acquired in a durable and accessible non-print format.

Comment:
Maintenance of the library collection includes book cleaning, repair and binding. Preventive maintenance includes attention to environmental aspects such as lighting, adequate air circulation, air pollution, temperature and humidity. 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 customers.

VII. County Public Law Library Collection

A. Maryland Publications

1. A complete collection of the published decisions of the Maryland courts.
2. Current annotated set of state/local court rules and a collection of superseded state/local court rules.
3. Annotated Code of Maryland and complete set of older statutory compilations and superseded volumes of current compilations.
4. A complete set of session laws, including a current session law service, if available.
5. The Maryland constitution as well as various historical versions of the constitution and any published debates/proceedings of state constitutional conventions.
6. Local, county and municipal codes, charters, by-laws or ordinances within area served.
7. Code of Maryland Regulations (COMAR) and the Maryland Register.
8. Published decisions of state administrative agencies.
9. A complete set of Attorney General Opinions.
10. Maryland Law Encyclopedia.
11. Significant state-oriented legal treatises and practice materials.
(Maryland Titles Recommended for County Law Libraries can be found at the Maryland State Law Library Website.)
12. Selected legal periodicals and newspapers.
13. State and local bar publications and ethics opinions.
14. The state digest.
15. A citation service, such as Shepard's or Keycite for Maryland.
16. State-oriented reference tools including state government manual, legal/social services directories, city and/or county directory.
17. Significant state and local court publications including, but not limited to, annual reports, judicial statistics, court and general legal forms, policy statements, and bench books.

B. Federal Publications

1. Official or another reporter of the decisions of the Supreme Court of the United States
2 . A U.S. Supreme Court digest.

3. At least one annotated version of the United States Code.
4. *U.S. Statutes at Large* or other commercial federal session law service.
5. All published decisions of the U.S. Courts as needed.
6. Federal court rules and forms.
7. Local Federal rules and forms for courts within jurisdiction.
8. Federal case digest.
9. *Federal Register* and the *Code of Federal Regulations.*
10. A citation service, such as Shepard's or Keycite, for reports and codes held by the library.
11. U.S. Government Manual.

C. General United States Publications

1. Published decisions of state court reports as needed
2. State case digests as needed.
3. Current statutory compilations for contiguous states, as needed.
4. *American Jurisprudence 2d* or *Corpus Juris Secundum*.
5. *American Law Reports*
6. General legal forms set.
7. *ABA/BNA Lawyers Manual of Professional Conduct*.
8. American Law Institute Restatements.
9. *Uniform Laws Annotated*.
10. A basic collection of legal texts, treatises, practice materials and looseleaf services of contemporary value on subjects of interest to the legal community and the public. (Recommended General Treatises for the Core Collection can be found at the Maryland State Law Library Website.)
11. A broad selection of legal periodical titles.
12. A legal periodical index.
13. A citation service, such as Shepard's or Keycite, for case reporter and code units held by library.
14. Legal reference tools including dictionaries, a thesaurus, judicial biographical and legal abbreviations directories, legal quotations compilations and *Martindale-Hubbell Law Directory*.
15. General reference tools, including an unabridged dictionary, atlas, and statistical abstracts.
16. A collection of general legal and self-help titles on subjects of interest to the public and self represented litigant.

Comment:
The materials recommended above provide the basis for a strong core county public 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 development of a collection that meets or exceeds the standards.

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

It should be noted that it is critically important that a proper mix of print, non-print and electronic resources be maintained in county public law libraries. It should also be noted that self-help and other material designed to assist members of the public may need to be in multiple languages to reflect the needs of the community.