

Public Libraries and Access to Justice:
4. Online Legal Problem Solving



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- Leah Margulies, LawHelpNY
- Judy Meadows, Montana Law Library
- Vince Morris, Arkansas Legal Services Partnership
- Tina Sibbitt, New Mexico Access to Justice Commission

Please note that the example faculty notes below are not necessarily designed for repetition in the presentation. You should talk about the local environment, and local resources, and rely on local partners to get this information correct. The language in the faculty notes should be seen as a resource, as should the customized FAQ you develop from the FAQ template.

The FAQ Concept

- The idea as aid to informational assistance
- How used as navigator
- Role of components
- A note on state customization
- Encourage to suggest general resources

The idea as aid to informational assistance – according to the American Library Association, in 2007 there were 9,214 public library systems in the U.S., with 16,604 buildings. That’s a lot of places with information providers – librarians – to guide people to the answers they seek. Frequently Asked Questions are one of several information tools that librarians can use to help patrons find those answers.

How to use FAQs as navigator - This session will show how you can create and use FAQs by learning how end users navigate to the information, and how different information components can interact. Please feel free to share websites and resources for the FAQs as we go along.

State customization – please also bear in mind that because each state has the right and authority to create its own laws and rules so long as they are consistent with the U.S. Constitution and any related federal laws, each state’s FAQs will have unique elements that are relevant only in that state. Or, in some instances, only within a local community as cities and towns may also write local ordinances and rules enforceable only within their borders. One example is the city of Shaker Heights, Ohio where the City code can limit what colors you can paint your house. Some cities may not allow RVs to be parked in driveways, may ticket you if your grass gets too tall, or tell you how high you can build a fence. Be aware that there may be some very specific resources for your community as well as general resources that can be used statewide.

Keep in mind the questions that you hear most often from patrons, and make sure you include FAQs on those questions. Include difficult questions that

Lets Talk Approach

- The navigator role
- How it operates
- Advantages and consistency with ethics
- Value of FAQ to navigator role

The navigator role and how it operates. Navigators find paths to destinations and guide others to that destination. Librarians find information and guide patrons to that information. Every journey, like every reference request, has a starting point and librarians use the reference interview as their starting point to determine which information path will be useful. Sometimes you need to know where the patron wants to end up – the stopping point, like when you Mapquest a route. Knowing the destination can be vital in determining which resources to use. Sometimes the destination may be far different than you or the patron imagined.

To carry the navigator example further, knowing how to use an astrolabe to shoot the stars is a great skill, but you also have to know how the stars relate to destinations on land or sea to get to the right place. The positions of the stars will be different at different times of the year or in different latitudes, even as the resources necessary to navigate a court case will be different depending on the type of case and the court in which it is heard. Knowing what legal and court resources are freely available will get you and your patron to the correct destination. FAQs act as your astrolabe, your Mapquest, your GPS in navigating the legal system. Remember when crafting the FAQs that you want to go from Point A to Point B, not travel around in circles, so make the journey worthwhile and effective.

Example -- Family

- I want a divorce.
- I just got a paper from the court that my husband wants to reduce child support
- How do I reduce child support payments

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Many legal patrons have questions that relate to family law, like wanting to file for divorce, or trying to stop the other parent from reducing child support payments. Or in some instances, a parent paying child support may have become unemployed and can no longer pay the original support amount. In many areas failure to pay child support can mean loss of a driver's license or other professional licenses need to get a job, and can even lead to arrest.

An example from Montana: http://courts.mt.gov/library/topic/end_marriage.mcp.x. Note that there is a self-executing questionnaire at the top which leads people to the right to the forms for the type of divorce they would qualify for. LSC TIG funding has supported the development of statewide legal aid websites in all 50 states. The content is developed and managed by legal aid, pro bono and court programs locally, and posted on two main platforms. LawHelp.org is the national gateway to all of these sites. They contain resources that help low and moderate-income people find free legal aid programs in their communities, answers to questions about their legal rights, court information, legal forms and instructions, links to social service agencies, and more. Many statewide websites have advisory committees with public library involvement, or partner with their local libraries on outreach.

Example -- Home

- I just got a foreclosure notice
- I just got an eviction notice
- I have no heat and my house is 50 degrees and my 90 year old mom has pneumonia

Example -- Work

- I think I was discriminated against
- I got fired. I need unemployment

Example -- Health

- I lost my health insurance

Example -- Food

- We are hungry and have no cash for food

Example -- Accident

- I was in a car smash

My patrons speak mostly Spanish and have legal questions

- Most statewide websites have content in other languages
- All LSC funded programs must provide free interpreters
- All courts must have a language access protocol in civil cases
- In criminal law, courts provide interpreters
- See resources/handouts

Example -- Referral

- I have an abusive spouse, and he says he will take my children away.
- Safety planning/dv counseling

Lessons of Examples

- Benefits of FAQ
- Need for good content
- Getting staff to general comfort with content

Benefits of the FAQs are that they aid in navigating an often maze-like path through the court system and legal justice system. They build staff confidence that your library is providing good information, and FAQs are a big help to patrons as they can learn to navigate the system on their own, gaining confidence and self-sufficiency along the way.

The FAQs need accurate, up-to-date content to ensure librarians and patrons get the correct information in an accessible format. Inaccurate or outdated information on a court website could cause a patron to lose his or her case. One Ohio court website created a few problems for patrons trying to expunge their criminal records because the scanned copy of the expungement form cited to an area of Ohio law that did not exist. Eventually another local court posted a correct expungement form that we were able to use as a resource.

Library and court staff will be more comfortable using the FAQs if they are able to look over the FAQs, offer suggestions, and provide input on content and usage. The library staff version of an FAQ template may look a little different than a simpler, to-the-point version for the public. The staff version could contain tips, say in the area of domestic violence, to successfully ferret out the necessary information for proper referrals in the midst of an emotion-filled interview. The staff version could also contain tips on how to avoid giving legal advice vs. helpful procedural information in response to certain questions.

Lessons for Local Training

- OK not to know
- Lots of content
- Referrals are OK
- It IS informational!

Reference librarians are used to knowing answers to patron questions, or at least where to find answers. Finding legal resources that are free, readily accessible, and written in plain English has been a problem in many states. These FAQs can help to correct that situation. In legal reference it is OK not to know the answers about a court procedure, case, or statute. This training and the FAQs will show you where to look.

The FAQs should become your go-to place for answers or additional resources. FAQs should cover a lot of legal ground to ensure there is something for many contingencies. Remember, that not every situation is covered by a law.

Referrals are OK. Once you have partners or resource providers, it is OK to send patrons to those partners and resource providers. Remember that we want you to act as navigators, not attempt to be lawyers.

The FAQs and the public librarian training are informational, a way to keep public library staff in the loop about legal resources and options available to staff and patrons. The training is not intended to turn anyone into law librarians or attorneys. The law librarians and attorneys are your partners and partners share the load.

Regular and frequent review of FAQs for currency and also to review any problems that have arisen in practice, plus new FAQs