Public Libraries and Access to Justice

8. Legal Aid, Law Library, and Court Collaborations for Public Libraries

Prepared by the Self-Represented Litigation Network
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There follow are number of very different accounts – use the ones that the presenter thinks will resonate.

The second section suggests products and processes that can come out of partnering – the slides act as a potential idea generator and checklist.
Stories

- Illinois Legal Aid Online and the Illinois Coalition for Equal Justice
- Minnesota Partnering Stories
- NY/Queens Librarian and New York Courts
- Web Chat initiatives in CA

Another nice example is Maine:
http://www.bangordailynews.com/detail/126797.html
The county legal self-help centers are based upon the public website www.IllinoisLegalAid.org – this is the free, statewide, legal-information website designed for Illinois residents who are unfamiliar with the civil legal system (meaning that they write the content on this website to be readable by everyday people, not lawyers). The website contains over 3000 pieces of content in 24 areas of law. The website includes videos, automated forms, and a “click to chat” service for people who can’t find the legal information that they are looking for.

Illinois Legal Aid Online (ILAO), provides ongoing support and training on the www.IllinoisLegalAid.org website for librarians, courthouse staff and domestic-violence-victims advocates. We also set up the county homepage for the legal self-help center.

Illinois Coalition for Equal Justice facilitates the legal self-help center planning process. They contact the important parties and sets up 2-3 planning meetings with a set agenda. They also work with the granting organization to make sure that the county or library gets its funds.

Some counties are willing to fund their own legal self-help centers (or use existing resources); this is usually true where the chief or presiding judges are particularly forward-thinking and supportive of providing resources to pro se litigants. In those counties, ILAO and ICEJ facilitate the same planning process and provide the same ongoing support but there is no grant/funding issues to address. Examples of these centers in Illinois are in Stephenson County, Will County and McHenry County.

Prepared by the Illinois Coalition for Equal Justice
Notes for slide 5

Of the 37 legal self-help centers currently in Illinois, 21 are of the “public library model,” and 16 are of the “court-based” model.

In all three models:
- All legal services provided in a comprehensive, self-help oriented legal information environment with self-help oriented, interactive sections and procedures to help the pro se litigant to deal with their case.
- All legal self-help centers based on the self-help oriented principles of the Illinois Legal Aid Online website.
- All legal self-help centers based on the Illinois Legal Aid Online website with the additional features of automated forms, chat service, and video resources.
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What they are doing in these rural communities is building a community collaborative that will support the legal self-help center. That takes time and a willingness to trust other groups and share responsibility for the center. That's why all of the partners need to know (or get to know) the other partners and make a commitment to use the center and, pardon the expression, "own" it.

Some stories:

In November 2009, they opened four legal self-help centers in predominantly rural counties. As part of the training on using the legal self-help center, they usually tell the librarians, circuit clerks, DV advocates and others that they should try to use the center materials so that they become familiar with how the site works, particularly the automated forms. One of the automated forms is a Power of Attorney for Health Care. It is built on the A2J software. They always recommend that they try this form and complete it for themselves, particularly if they don't already have a POA. They always tell them that they should have one, no matter their age.

The library director in one of these counties was talking to her mother about the center and particularly about the POW for Health Care. The mother expressed interest, they read up on the POA on the website and after reading about it, the mother, a woman in her mid-70s decided that she wanted to have a POA. Because she also needed a will, she went to an attorney and he prepared a Will and a POW for Health Care and Finances. Less than two weeks later, the mother of the library director had a stroke and ultimately died in mid-December. The librarian wrote to tell me how much it meant to her that because of the POA, that she was able to make the decisions that needed to be made for her mother, knowing that she was doing exactly what her mother intended.
The Illinois group adds that it is also important to note that when they go through the planning process, they "sell" librarians on the concept by offering them a complete set of materials for the centers, whether library-based or courthouse-based, which are personalized for each county, including a county-specific front page. The goal is to make it as easy as possible for the libraries to make this resource available to their patrons and, at the same time, to provide training and support to the librarians. They want these local people, the librarians, the judges and the circuit clerks to "own" the site to ensure that people are being referred to it from as many locations as possible. In the planning, they typically include as a planning committee the presiding or chief judge, the circuit clerk, the public library director, someone from the local domestic violence victim advocates, some legal aid representative and sometimes a member of the local bar association. They want to ensure that these people are aware of what's going on and that they are communicating with one another about the legal self-help center. The materials that they provide libraries and the judges and circuit clerks include signs that remind patrons what the librarians can and cannot do and a brochure about preparing for self-representation in court. They also provide training and training materials for the librarians and circuit clerks even when the center is located in the libraries. They want everyone to know what the centers can provide and what they cannot provide. As part of the continuing support, they have also instituted a regular update to navigators and librarian/navigators using a list serv. to keep them current on the changing resources available from Illinois Legal Aid Online and to re-enforce the role of the legal self-help center to provide legal information, not legal advice, to the people who use it.
Minnesota Collaboration Examples

Minnesota has been active in PL/ATJ via:
• Professional Library Associations
• Court, Legal Aid, Volunteer Attorneys
• Public Library/Law Library Connections
• State Library and State Law Library Support

Minnesota has been very active in collaborations and access to online legal information. Players have included the range shown on this slide.

These slides show many of the projects done for outreach. The slides contain hot links to key Minnesota-created resources. We hope you’ll have time to explore the hot-linked resources outside this presentation.

This focuses on a few stories of collaborative efforts in Minnesota.
1. County Law Library/Public Library staffing collaborations – e.g. Washington County, Dakota County. [Brian Huffman]
2. Minnesota Legal Services Coalition – past and planned collaborations with public libraries [John Freeman]
3. 2004 Gates Grant for Public Library training in online legal information [Mary Ann Van Cura, 3-6, as time permits]
4. Grants for Content Creation - Federal LSTA grants, administered by State Library agency, were awarded to county law libraries working in partnership with state courts and mn legal services coalition.
5. Map of Open-to-the-Public Libraries (Planned) – State Library Services is collaborating with the Dept of Education’s IT division to create an interactive GIS map of open-to-the-public libraries (i.e. public, county law, depository libraries whether in public, academic, or law libraries.
6. Champions make all the difference.
This slide illustrates:

*Collaborations across library associations – MLA supported MALL members/law librarians in presenting on legal topics. Click to view an excellent powerpoint presentation from 11/2009.

*Collaborations between MALL + Public Libraries + State Library agency (Gates grant-funded workshops) – the State Library administered funds and promoted to library staff, MALL found members willing to develop the workshop materials, MALL found members willing to train at 13 locations around state, public libraries provided workshop locations and promoted to library staff.

*Importance of champions – things happen in Minnesota because there are individuals who work on there are certain names that come up regularly -- people who regularly look for ways to support public library staff in serving the legal needs of the public.
These collaborations include state courts, legal aid, county law libraries, and public libraries.

LSTA grant awards to Ramsey and Dakota co law libs. Dakota’s grant for content on the court self help website; Ramsey’s grant for Md Mn Legal Svc development of interactive legal forms (more like letters and correspondence and not court forms). Both grants included training for public librarians; both grants include funds to place court pro se workstations in public libraries. The forms are powered by LawHelp Interactive as are the Illinois forms shared above.
State Library and Federal Grants
Reward Partnerships, Build Content

• Federal LSTA Grants administered by MN State Library Services for **content development** of Access to Justice Materials, awarded to:
  – Dakota County Law Library + MN State Court - grant for development of materials on state court self-help website - mncourts.gov
  – Ramsey County Law Library + Mid-Minnesota Legal Assistance – grant for development of interactive legal forms - health care directive, power of attorney, stop collection, security deposit, third party child custody (in development)

With reduced staff and resources, the state court system, legal aid, and law librarians saw the need to make it easier for the public to find understandable information and help themselves. Minnesota State Library Services and its federal LSTA grant committee recognized the value of the proposed new online content and the value of the partnership between the county law libraries and courts and/or legal aid. Self-help materials are available now. Interactive forms are in development (as of 1/2010).

Minnesota continues to create valuable forms and contents for its statewide website. The materials created are shared with the public at large using the statewide website. From the website anyone with an internet connection can create the stop collection letters, power of attorneys, etc. Some people access the forms in libraries, some of them access them from court kiosks, and others access them from home or work.
Public libraries are natural meeting places and places where the community naturally goes to look for assistance. They are designed to have access to online computers that serve as gateways to the internet. In addition, they also have meeting rooms that the community can use, and staff that is available to help find information. Many public libraries have speaker events and they welcome legal issues and experts to be part of their speaker series.
One way to enhance public access to legal information and to trained assistance is via collaboration between public libraries and county law libraries.

Formal agreements are essential – between public libraries and county commissioners, etc. Expectations, legal requirements, and cost assignments must be clear.

More detail on Dakota County Progression toward collaborative staffing model:

Self-help and law librarian assistance provided to public in law library inside county courthouse.

Added: Hot line in public library, with small print collection and with terminal for access to online legal database. Law librarian readily available by phone.

Later: Full-time law librarian, who reports to county law library and is paid by county law library, works in a branch of the local public library.

Later: Public library staff benefit from interaction with embedded law librarian. Can answer increasing number of questions on their own.
MN Collaborations - Networking

- State Library Services invited local law librarian to blog on legal resources for public/librarians -- Legal Reference and “Do It Yourself” Resources (Guest Blogger, Sara Galligan) (BlogJunction Minnesota)
- Guest blog invite led to sharing of new guide -- “Self-Help Legal Resources—A Guide for Minnesota Public Librarians”
- Map of Open-to-the-Public Libraries
- Numerous efforts to work with public librarians are coalescing around more achievable outcomes, with more parties coming forward for widespread planning and implementation
A huge potential
Scope of the challenge

The Community We Serve - Queens

- 2,293,007 people per 2008 data from the US Census
- 10th in Population among U.S. Counties
- 1st in Asian Indians, Bangladeshis, Pakistanis, Ecuadorians, and Greek Speakers
- 2nd in Koreans, Colombians, Italians Speakers.
- 3rd in Speakers of Chinese, Russian, Polish, Hebrew and Hungarian
- 47.4% of total population foreign-born
- 54.9% Speak a Language other than English at home
- 160 languages spoken, in addition to English, representing 190 ethnic groups

Source: 2007 American Community Survey & 2000 U.S. Census
What patrons need and want.

**QL Collaboration Examples:**

---The Services...

The top 10 law topics of interest to our customers:

- Immigration & Citizenship
- Legal Forms
- Free Legal Advice
- Finding and Hiring a Lawyer
- Self-Representation
- Court System (Small Claims Court)
- Starting Small Business
- Bankruptcy
- Tenant Landlord Issues
- Writing Your Own Will

The most frequently used websites:

- [www.lawhelp.org/NY](http://www.lawhelp.org/NY)
- [www.NYcourts.gov](http://www.NYcourts.gov)
- [www.gpoaccess.gov](http://www.gpoaccess.gov)
- [www.loc.gov/law](http://www.loc.gov/law)
- [www.plo.org](http://www.plo.org)
- [www.getlegal.com](http://www.getlegal.com)
- [www.justicelearning.org](http://www.justicelearning.org)
**QL Collaboration Examples:**

**--The Databases…Legal Search**

- Collaborated with more than 200 local organizations, agencies, Queens library has created and maintained this database.
- These organizations provide various services to the residents of Queens.
- There are a total of 78 organizations, agencies are related to legal assistance categories.
- The search can be by service offered, location, target group, language, ethnic groups, zip code or just key word.
- The result includes name, address, telephone/fax #, website, alternative contact information, description, hours, eligibility requirements, service offered, language etc.

A collaborations base already in existence.
Queens Library’s WorldLinQ is the revolutionary international electronic resource. WorldLinQ™ provides scholarly and popular multilingual web resources to our customers worldwide. It has been compiled and maintained by a team of specialist librarians with expertise in their language fields.

WorldLinQ™ currently has eleven language modules including Arabic, Bengali, Chinese, Croatian, Czech, French, Korean, Romanian, Russian, Spanish, and Ukrainian. More language modules are under development.

Providing excellent international electronic resources to our worldwide customers is the goal of WorldLinQ™.
QL Collaboration Examples:
The Programs/Outreach Activities
(The New American Program)

The New Americans Program of Queens Library serves residents of Queens whose primary language is not English.

The program works closely with ethnic community organizations and community libraries to assess local needs, link residents with existing neighborhood and system-wide library services, and create new services, programs and outreach activities.

Examples:
NYCourts; NYCACCESS
What they will build next.

QL Collaboration
--The Next Steps…

- Videoclips on the web
- Free legal forms online
- Legal Librarian/Law Library
- Staff training
- Partnership/stakeholder
- Law at the Library
- Programs/Outreach activities
- Pamphlets and bookmarks
The bar/legal aid partnering perspective in NY

LawHelp.org/NY
Collaborations/trainings with public and court libraries

- Public libraries have public access computers—making libraries a key location for information about the LawHelp/NY website
- We have targeted trainings to librarians who are often on the front line of questions regarding legal problems
  - We have trained hundreds of public library (PL) staff in the following large libraries:
    - Queens Library System
    - Brooklyn Library System
    - Main Manhattan Library
    - Bronx Library Center
LawHelp.org/NY
Collaborations/trainings with public and court libraries (cont.)

• And staff of smaller city and county libraries including: Pioneer Library System, Penn Yann Public Library, Buffalo & Erie County Public Library, Buffalo Central Library, Onondago County Library, Wood Library, Guilderland Public Library, etc.

– Collaborations with the Office of Court Administration:
  • We led a training for Law Librarians throughout the state, held at the NYS Judicial Institute
  • In court houses throughout New York State, LawHelp.org/NY & CourtHelp.org are jointly promoted on big posters in English & Spanish
  • Trainings to key civil society organizations such as religious institutions
  • Promotion of jointly produced (with legal services community) D.I.Y. A2J resources

Slide 23
Collaborations/Trainings with Public and Court Libraries (cont.)

- Other collaborative strategies include:
  - Links on public library websites and on other website serving large populations
  - Links on NYC’s 311 website and on 211 websites serving upstate counties
  - Mailings with brochures and other information
    (We have already sent more than 1,000 mailings to state agencies and libraries)
LawHelp.org/NY

Opportunities for future collaborations:

- Joint planning of outreach efforts re legal issues between legal service organizations, LawHelp/NY and library systems
  - Identifying problems
  - Setting goals and timetables
- Identifying more training and education opportunities
- Identifying key constituencies at the community level for targeted trainings—eg:
  - Focusing on top legal issues—foreclosures, bankruptcy and/or dealing with debt, domestic violence, immigration, etc.
  - Specific strategies to reach multilingual and LEP (limited English proficient) communities
  - Mining available data to target outreach, such as census figures, poverty data, prevalent language data, etc.

For other ideas that come up
The California law libraries have a collaborative service to answer questions by reference librarians throughout the state. Local library websites provide a link.
The California courts have added this link to their self-help website. That website gets over 7 million views each year and the volume of requests for information from the libraries increased substantially once the link was added. This provides the opportunity to users to get information that is not addressed, or that they cannot find on the website.

If your court has a self help webpage (not all courts do) link to it. If they don’t have a website for those without lawyers, ask that they provide one and volunteer to help them out what information to post on it and encourage them to talk to your legal aid groups also. There is no point in creating duplicative websites.
This is the webpage for the law librarian question page. It provides hours of operation and information about what services are available.

As your library partner if they have access to web chat platforms. If not, and you are in a legal aid program, contact Liz Keith at probono.net to find out if LiveHelp may be an option to increasing the success of finding legal information by the public at large.
Partnering Goals - 1
Library staff fully trained to assist SRL

• All library staff who have direct contact with SRLs have received training either in-person or online about their state’s client (LawHelp) website.
• Library staff are familiar with the range of resources and referral information available from LawHelp sites, and feel confident about their ability to navigate the site on behalf of SRL.

These next slides focus on the potential partnering goals that can be achieved.

They provide a checklist for partnerships to review how thy are doing.

These seem like reasonable starting goals for libraries.
Partnering Goals - 1

Library staff fully trained to assist SRL

- Library staff are knowledgeable about which Do-It-Yourself interactive legal resources are available in their State, and
- Library staff are able to assist SRLs in DIY Interview, or can advice SRL where to get help if needed.
- Library staff are able to advise SRL on where to find other self-help forms on their state’s court website.
Know the public library’s abilities and limits such as how the library is staffed as some libraries may not have reference staff with MLS degrees, may have to limit reference services, may have some restrictions or time limits on computer access, may have very limited budgets for computer upgrades and staff training, and will serve a very diverse group of patrons – only a small percentage will be there for legal reference. Don’t unintentionally create unrealistic expectations of service.

Visit the library’s website to see what resources are available, what policies and services are posted, and how the library presents online information to their patrons. Stroll through the building(s) to check out how the computers are laid out, if there is a separate computer lab open to the public, how busy it gets at the reference desk, and how the staff interacts with patrons.

The public librarians should also know what their partners or resources can do for patrons. Don’t unintentionally promise services that your partner or resource cannot provide.

Partnering Goals - 2
Content Comprehensive and Appropriate

- Know the public library’s abilities and limits (staffing, budget, technology, computer policies, time limits, meeting rooms)
- Know abilities/limits for all partners (services, accessibility, budget, staffing)
Remember that your patrons have many barriers to information such as illiteracy or inability to speak English. They may have emotional barriers, such as fear of the legal system or court system, lack of knowledge about the court system, or distrust of authority. Other barriers can include lack of transportation to the courts, physical or mental disabilities, inability to find a babysitter for children, or inability to risk job loss by taking time off to go to the courthouse during business hours.

Be aware of broader issues that can distract the patron, such as family problems, job problems, homelessness, mental health issues, and stress. In their daily interactions with the public, librarians are aware of many of these issues. Librarians have dealt with young children left to fend for themselves at the library for days on end because the parent(s) could not afford day care, a situation that is especially prevalent during summer vacation and school breaks. Public libraries have experienced homeless people attempting to live in the library, washing their clothes in the library restrooms, attempting to store their belongings on unused shelves, and so on.

Be aware of social service agencies and government programs that can help patrons deal with their broader issues. One patron spent about forty minutes insisting that there were drug tunnels connecting her house to underground drug caves beneath Lake Erie, her house was under surveillance by various gangs and government agencies, and so on. Eventually she quieted down and said that she was seeing a therapist but had gone off her medications, and was upset because she was being evicted. Since her immediate need was the eviction, we referred her to the Tenants Organization, and also 211 First Call for Help in case she needed emergency housing as well as further assistance with her medications and mental health issues.
Bobby-Friendly websites and law-for-the-layperson publishers can be great resources for library patrons. A list of publishers is available as a handout. Nolo Press has many excellent plain English law books, but be aware that some are state-specific and should only be used for those states. The Nolo Press books tend to be generic, but they are readable and informative.
It is of vital importance that public librarians be involved in planning programs or resources for public librarian patrons. Don’t let others make assumptions about your library and its resources, including what is available in your collection. Because the assumption often is that every book ever published is always available, every court form is sitting at the reference desk for patrons to instantly pick up, every court form is a fill-in-the-blank form, and the librarians will fill it out for you and type your court documents! Know your Patrons – public libraries have many ways of marketing their programs and services to the public. Those same methods should be used to market legal resources and partnerships, by passing out bookmarks and flyers, through posters at the library, through interactions with staff and patrons at the reference and circulation desks, through local community events, by linking resources on the library home page, by designing library programs that showcase the partnerships or resources. Send some of those bookmarks and posters down to the local courthouse or legal aid office, or wherever your partners are located. Your partners should also provide website links to your library resources and materials. Know your partners and how to reach them – keep contact lists up-to-date, try to have face-to-face meetings with your contact people, be aware of what services they can offer, whether a real person answers the phone or if patrons will encounter a computerized phone tree, what time they are open (and closed) and alternative ways to contact them. Also have back-up services or agencies in case your primary resource or partner is not available. Government agencies and courts have limited services hours, are frequently closed on federal holidays, or may have to take furloughs because of budget considerations.
Listen to your patrons, your partners, to the community at large. Is there a particular legal issue that is the hot topic in your community? Does the local court or legal aid office have information on the topic? Is another agency or organization available to provide information or services? The issues can be big or small, statewide or local.

The State of Ohio listened when the foreclosure crisis hit the state, and set up the Save the Dream program, with public libraries as the meeting places for participants. The program had statewide impact. Several years ago our patrons repeatedly asked for information about emancipation of minors and about expungement of criminal records, issues not covered on the Ohio Bar Association website at that time. We contacted the Bar Association and they were able to post articles on those topics on their public resources page. Although the issue started out as a local inquiry, posting the articles on a statewide resource gave it much greater impact.

Pass the word about legal resources and partnerships via the usual suspects discussed earlier, but also be cognizant of web-based methods, like Facebook, MySpace, YouTube, Twitter, and new methods as they develop. Pass out bookmarks and flyers at book clubs and book discussions, Friends of the Library meetings, job fairs, local newspapers and radio programs, senior centers, and other community gathering places.
Partnering Goals - 4
Libraries are Ready and Willing to do Triage and Make Referrals

- Librarians have capacity to identify broad area of law
- Legal content is organized by substantive area of law and region
- Librarians are “natural” researchers

This requires training that goes beyond knowing what content is where.

It requires an ability to know what areas of law may apply, who needs help, and where it is.

The referral portions of websites are a valuable tool, particularly lawhelp, since its referrals are by topic area.
Partnering Goals - 4
Libraries are Reading and Willing to do Triage and Make Referrals

- Librarians can quickly identify best source of legal assistance based on the problem/issue presented by using online and other tools
- Ideas to streamline process (for example, adding lawhelp.org to favorites link, etc)
One common barrier to self represented litigants who might be referred to online access tools to court forms, etc., is simply unfamiliarity with using computers, the Internet, and such things as interactive forms. Public libraries already train many users in these devices. Using online legal materials as samples in such training can be useful for those who are there because of legal needs. Such training should be based on hypothetical situations, not the users’ own personal situations, thus avoiding giving legal advice, but care should be given in arranging such exercises. Consultation with law trained researchers and field testing can improve results.

Public libraries already refer English as a second language users to either their own literacy programs or programs supplied by other agencies. For users who have both legal problems and English language proficiency issues, public librarians can recommend literacy programs as helpful. In addition to training in regular grammar and vocabulary, exposure to linguistic representations of local cultural content, such as idioms and business jargon, improves comprehension for such litigants. In civil matters, exposure to American business culture is especially helpful. Within particular immigrant populations, there are also cultural differences with regard to family relations, property rights, and zoning, which can be noted in literacy training.
Librarians at public law libraries, especially in the larger metropolitan areas, sometimes hold classes for self-represented litigants. Several have partnered with public libraries to make such presentations at public libraries. Public libraries have also partnered with local bar associations, who will supply attorneys for short courses at the libraries in substantive law areas, such as getting a divorce, landlord-tenant problems, consumer protection, and immigration cases. One under-utilized technology in this regard is videoconferencing. Many courthouses, and indeed, some large law firms, already have videoconferencing facilities, which with planning could be hooked up with those available at public libraries.

If your public library is already using chat room reference services, such as Question Point, and there are public law libraries within your state, consider bringing those libraries into the group that is servicing the chat room reference service. The Southern California Library Cooperative works with several California county law libraries to provide law reference for part of the day.

**Partnering Goals - 5**

*Libraries are Regarded as Potential Trainers for Other Components of Access System.*

- Libraries can host trainers such as law librarians and attorneys.
  - Teaching legal research.
  - Substantive law classes.
  - Training through videoconference.
- Chat room reference.
  - Bringing law libraries into the group.

Notes for slide 39
Each state has an access to justice commission. Try to find out who the members are, and get to know them. Ask your legal aid contacts to share information with the library on those groups and the projects they are working on. Sometimes there are openings to join a commission. When such opportunities arise, get involved. In addition, legal aid groups also do routine needs assessment. Ask Legal Aid to include you in the surveys they do to determine what needs the public presents. A good person to talk may be the legal aid litigation director or an executive director.

See separate PowerPoint #7 on these Commissions and equivalent bodies.
**Partnering Goals - 6**

**Libraries are Included in Planning for Access to Justice**

**Approaches**

- Identify your issues of particular interest
- Reach out to members of your state team
- Identify members and staff of the groups you’re interested in – reaching out to key members
- Submit feedback to the statewide websites
Conclusion

- Partnering takes work
- Partnering takes commitment
- Partnering has huge payoff