



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 4/11/00

April 3, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: FUNDING REQUEST SUBMITTED BY THE
SANTA CRUZ COUNTY LAW LIBRARY

Dear Members of the Board:

Attached is correspondence from Pat Pfremmer, Law Librarian and Secretary to the Board of Law Library Trustees, forwarding a request from the County Law Library for immediate financial assistance from the County in the amount of \$100,000, and for a like amount to be allocated on an annual basis in future years. As indicated by Ms. Pfremmer, while paid civil filings are the primary source of revenue generation for the Law Library, there has been a significant reduction in paid civil filings, resulting in a significant loss of funding. Consequently, the Law Library has been unable to purchase additional legal materials, subscriptions have been eliminated, hours of operation have been reduced, and salaries have been frozen since 1996. In spite of this, demand for services from the Law Library continues to increase.

While I share the concern of the Law Library that our local citizenry and members of the Bar need to have access to current legal reference materials, a request of this magnitude comes very late in the current fiscal year. In order for the Board to be able to consider this request, as well as any support in future years, I believe that the County Administrative Officer should review this matter and provide a report to the Board.

BOARD OF SUPERVISORS
April 3, 2000
Page 2

Accordingly, I recommend that the Board direct the County Administrative Officer to take the following actions:

1. Provide a report and recommendation to the Board, on or before May 2, 2000, in response to the request of the Law Library for financial assistance in the current fiscal year; and
2. Provide a report to the Board, in connection with our budget hearings for fiscal year 2000-01, as to the County's ability to provide ongoing funding to the County Law Library in fiscal year 2000-01 and beyond.

Sincerely,



MARDI WORMHOUDT, Chair
Board of Supervisors

MW:ted
Attachments

cc: County Law Library
County Administrative Officer

1957A6

LAW LIBRARY

**701 Ocean Street, Rm. 070
Santa Cruz, California 95060-4027**

(831) 457-2525
Fax: (831) 457-2255
Email: librarian@lawlibrary.org

Board of Law Library Trustees:
Hon. Samuel S. Stevens,
President
Thomas P. Dwyer, Esq.
Vice President
Michael J. Barsi, Esq.
Hon. Tom Kelly
Christine Patton, Esq.
David S. Spini, Esq.

Patricia J. Pfremmer
County Law Librarian

Dolores Wiemers
Assistant Law Librarian

March 23, 2000

Mardi Wormhoudt, Chair
Board of Supervisors
701 Ocean Street, Suite 500
Santa Cruz, CA 95060

Dear Chair Wormhoudt:


Thank you for your February 22, 2000, letter requesting more specific information about our need for immediate financial assistance.

The library request is for a \$100,000 annual subsidy.

When we discussed our financial situation with the public library it had been our goal to develop and implement an innovative collection sharing plan in exchange for money to support our book collection. The plan was to reestablish our collection of materials (both hard copy and electronic) at the FY 1996/97 level, and for this we need approximately \$92,000. per year, plus a 14% cost increase factor, for a total of \$104,880. per year. This amount of money would also be in keeping with what our income level would have been had we not witnessed a steady decline in paid civil filings since FY 1986/87.

We almost feel like we have to apologize for asking for this amount, but when we compare prior year budgets we wonder how we were able to survive as well as we have for so many years. Our 1992/93 budget was \$273,200; seven years later our budget is \$193,000. That in itself is an \$80,000 difference, not factoring in inflation.

We very much appreciate the fact that you are sympathetic to our financial dilemma. Please do not hesitate to contact me if you need more information.

Sincerely,

Pat Pfremmer, Law Librarian and
Secretary, Board of Law Library Trustees



0044

County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 464-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

WRITTEN CORRESPONDENCE AGENDA

February 22nd, 2000

Patricia J. Pfremmer
County Law Librarian
701 Ocean Street, Room 070
Santa Cruz, CA 95060-4027

Dear Pat:

Thank you for your letter dated February 17, 2000, alerting the Board to the critical fiscal situation facing the County Law Library. The services provided by the Law Library are truly of benefit to our local citizenry and to members of the Bar.

I am very sympathetic to the financial dilemma the Law Library is currently experiencing as a result of the significant reduction in the number of paid civil filings. However, in order for our Board to be able to fully consider a request for financial assistance, we will need to have specific information as to the level of financial support being requested by the Law Library. As soon as we receive that information, I will be happy to review this matter with the County Administrative Officer.

Best wishes.

Sincerely,

MARDI WORMHOUDT, Chair
Board of Supervisors

MW:ted

cc: Clerk of the Board

1909A6

SANTA CRUZ COUNTY

LAW LIBRARY

701 Ocean Street, Rm. 070
 Santa Cruz, California 95060-4027

(83 1) 457-2525
 Fax: (831) 457-2255
 Email: librarian@lawlibrary.org

Board of Law Library Trustees:

Hon. Samuel S. Stevens,
 President
 Thomas P. Dwyer, Esq.
 Vice President
 Michael J. Barsi, Esq.
 Hon. Tom Kelly
 Christine Patton, Esq.
 David S. Spini, Esq.

Patricia J. Pfremer
 County Law Librarian

Dolores Wiemers
 Assistant Law Librarian

February 17, 2000

Board of Supervisors
 701 Ocean Street
 Santa Cruz, CA 95060

Dear Chair Wormhoudt and Board Members:

The County Law Library is having a funding crisis. This letter is a request for immediate financial assistance.

The law library's funding source is primarily civil filing fees. Under state law a portion of each civil filing fee is set aside for law library purposes. In our county the fee is set at \$23. This money represents seventy-five percent of our income; the balance is derived from fee-based services such as copy revenue, the sale of after-hours access cards, and fees for computer assisted legal research. In addition to fee income, the board of supervisors may appropriate additional funds from the county treasury for law library purposes. (Bus. & Prof. Code § 6324)

Our best efforts to reduce expenses and services over the past years have largely been temporary solutions to an ever increasing decline in revenue. We are at the point where we can no longer provide adequate services without outside assistance.

SIGNIFICANT FACTS**Filing Fees -**

- The total number of paid civil filings is lower than it was 22 years ago.
- Ninety percent (90%) of family law litigants represent themselves; the vast majority are entitled to fee waivers.
- Approximately one-third of all civil filing-fees are waived.

Budget Balancing Efforts -

- The book budget is at the 1993/94 level, which is meaningless in view of the fact that the price index for legal materials is double what it was at that time. No new titles are being purchased and subscriptions are continually being eliminated..
- Telephone reference services were reduced by 50% in 1998.
- Staff salaries have been frozen since August 1996. The law librarian's last merit, or step increase, was granted in 1991. The last merit, or step increase, for the assistant law librarian was in 1994. There have been no cost of living increases since 1996. Overall staff hours were reduced in 1997, and again in 1998.

We Are Not Unique -

- This is a statewide issue. Statewide initiatives are stalled in the political process. There are many competing interests for court-generated revenues.
- Long range solutions being explored. A complete overhaul of law library funding is being considered, but any real changes are years away.

Revenue Generating Ideas -

- We have been unsuccessful in lobbying the Public Library System for a share of Measure B funds.

The Library Trustees believe the decline in civil filings is a positive thing. Citizens are seeking other methods of dispute resolution, such as mediation and contractual arbitration. However, the business of the law library has not declined. People need legal information to prepare for mediation and arbitration.

It is also important to recognize the many court services do not generate library income, yet the people who are involved in these systems are frequently the most demanding and needy library users:

No fees are generated by criminal court matters, including traffic court.
No fees are generated by LPS filings (mental health).
No fees are generated by the D.A.'s family support services.
No fees are generated once a case proceeds to the various state appellate courts.
No fees are generated by filings in federal courts.
No fees are generated by filings in various state and federal administrative courts, such as worker's compensation, labor commissioner, motor vehicles, etc.
No fees are generated by the various county administrative hearings (e.g. land use).
No fees are generated by small claims court.
Virtually no fees are generated by filing domestic violence and civil harassment restraining orders.
Very few fees are generated by family law litigants and tenants in eviction proceedings.

All of these people rely heavily on law library services.

The three attachments provide additional information:

- 1) Civil Filing Fee Income, a 20-year comparison
- 2) A "Letter to the Editor" written by a San Mateo County Law Library Board member; the story is essentially the same for our library. The letter provides excellent background information; and
- 3) *Trouble Among the Stacks*, **The Recorder**, Jan. 25, 2000. An article about the San Mateo County Law Library.

Thank you for your attention to this very serious situation.

Sincerely,



Patricia J. Pfremmer
County Law Librarian and Secretary to the
Board of Law Library Trustees

Attach (3)

Santa Cruz County Law Library
Civil Filing Fee Income
1977/78 thru 1997/98

0048

<i>Fiscal Year</i>	<i>Actual Filing Fee Income</i>	<i># Paid Filings</i>	<i>Index</i>	<i>Income in 1997/98 dollars</i>
1977/78	\$ 39,984 ¹	6664	100	\$ 143,276
1978/79	52,138	7448	130	160,138
1979/80	52,982	7569	133	162,734
1980/81	71,556 ²	7532	179	161,943
1981/82	91,075	7590	228	163,185
1982/83	93,917	7828	235	168,302
1983/84	97,777	8148	245	175,182
1984/85	104,151	8679	260	186,599
1985/86	103,621	8635	259	185,653
1986/87	109,068	9089	273	195,414
1987/88	99,100	8258	248	177,547
1988/89	94,896	7908	237	170,022
1989/90	95,243	7937	238	170,646
1990/91	155,612 ³	7780	389	167,270
1991/92	153,208	7660	383	164,690
1992/93	154,444	7722	386	166,023
1993/94	158,620	7931	397	170,517
1994/95	148,570	7428	372	159,702
1995/96	157,492	7874	394	169,291
1996/97	134,254	6713	336	144,330
1997/98	142,900 ⁴	6647	357	142,900
1998/99	149,721	6509	374	149,721
1999/00 est.	140,000	6086	350	140,000

¹ Fee increased from \$5 to \$7: effective 1/1/78

² Fee increased from \$7 to \$12: effective 1/1/81

³ Fee increased from \$12 to \$20: effective 7/1/90

⁴ Fee increased from \$20 to \$23: effective 1/1/98

[Editor's note: This letter was in response to comments made in a local paper concerning San Mateo County Law Libmty's filing fee increase. It was reprinted in its entirety as a Guest Opinion piece and is a wonderful example of the strong support our Trustees can give us. The Board of Supervisors did compromise on an increase - see "Member News " section on p.23]

September 25.1999

Jerry Fuchs
INDEPENDENT NEWSPAPER
23 17 Broadway, Suite 110
Redwood City, CA 94063

Rc: San Mateo County Law Library

Dear Mr. Fuchs:

I am commenting on statements concerning the funding of the San Mateo County Law Library which you made in your 9/25/99 column. Simply put, your conclusions, that the public is paying for that facility and will be asked to pay more when other sources of revenue "dip" is not entirely correct., perhaps because you have not been made aware of all the facts.

The San Mateo County Law Library is a County facility, serving all members of the public at no charge to them. The Library's existence is mandated by State law. Business and Professions Code §6300 et seq. The responsibility for funding the operation of the Library is entirely that of the County of San Mateo. The beneficiaries of this County facility are all the people of the County. About one-third of the Library's users are not attorneys. Many of these people are researching their own legal matters or are students.

Attorneys who use the Library do so in order to benefit their clients. Most sole practitioners and attorneys in smaller firms cannot afford to maintain extensive libraries. The larger firms and those which have a very specialized practice, for the most part, maintain their own specialized libraries yet rely on this facility for other purposes.

Neither the Library's entire collection nor any significant portion of it is duplicated in any other public library in the County system, any public library run by a city in this County or in any of the schools or colleges in this County. Students from all the colleges in this county use our Library. Students who are in Canada College's paralegal and criminal justice programs or who are in College of Notre Dame's and Menlo College's business programs are assigned work which requires their use of a Law Library. We also see students from several nursing and health care worker programs and other certification programs doing their school work in our Library. There are many students who attend schools outside of San Mateo County who reside here and use this Library to complete their assignments,

Because this facility is available to the public and all County employees, significant savings are enjoyed by County departments and many other publicly supported institutions which share this facility or refer their users to it. This is the only law library between San Francisco and San Jose which is open to the

public except for a small branch of the Santa Clara County Law Library which is in Palo Alto.

I serve as a Trustee of the Law Library and share with the other Trustees and the Director a continuing concern that the Library be adequately funded so as to be able to perform its mission. Not lavishly funded, but adequately. In the last several years, there have been severe economic pressures put on the Library by outside events over which we have had no control. So far, we have coped as described below. You will see that further cut-backs may result in many users not having access at reasonable times and may seriously impair the usefulness of the collection.

Recently, and to the Library's detriment, there has been a great number of mergers in the legal publishing business which drove up prices of already expensive law books. Whatever competition between publishers there might once have been has pretty much disappeared. Price increases have lately been far beyond what could have been anticipated through inflation and customary, periodic price increases. To deal with this, the Library has already trimmed its collection to the fullest extent we believe to be prudent while still maintaining a quality collection.

The Library has taken other steps to reduce its costs of operation. The branch at the County courthouse in San Mateo was closed several years ago. More recently, the branch in the South San Francisco courthouse has had its collection reduced substantially, which also freed quite a bit of scarce space for other County agencies. The Library turned this space over to the District Attorney's Office and to the Courts, both of which were very appreciative.

The Library has already cut back hours of operation in Redwood City so as to only stay open those hours when usage has historically been the greatest. The Library closes earlier every evening than had been the case and is not open at all on most holidays.

Notwithstanding other economies implemented, it appears that salary increases will soon be necessary in order to recruit and retain personnel, both the part time staffers who are present in the evenings, weekends and holidays and the full time staff

The Library is not now competitive with comparable, prevailing wages in the private sector. Full employment in the present robust economy has already been seen to be affecting the Library's ability to hire part time help at current wages offered to prospective employees. Part time employees have not received any pay increases since 7/93.

Nor are wages the Library pays competitive with comparable, prevailing wages in the public sector. Full time Library employees last received a 3% salary increase effective 7/1/97 and a 4% increase effective 7/1/99. (7.1% spread over those two years). County employees received a 9% increase spread over the 18 months of 1/97 through 10/98 and will soon begin to negotiate another round of salary increases.

The County does not contribute any funds to the operation of the Library, notwithstanding that is mandated to provide for such a facility. The County does provide the building, retaining a portion of it and the parking lot for use by the County for other purposes. The major source of Library operating funds is derived from a portion of court filing fees.

In theory, the Library presently receives \$23.00 from each civil tiling. However, filing fees are not paid by many (and maybe not even most) users of the San Mateo County Courts. The

ATTACH- 2 Page 1

number of filings from which the Library receives funds has been **down significantly recently** -- about 9% in the last year alone. But last year was not an anomaly in which we saw the Library's revenues "dip" as an isolated event. The number of such filings has steadily dwindled over **recent** years and is now down about **30%** from that of 1988.

I have no statistics which might explain this, but I believe that many **cases** that could have been filed in the Municipal Courts are now being filed in the Small Claims Court or not at **all**. Please **see** the enclosed copy of a recent magazine article on this subject.

There are many litigants who use the Library, yet **contribute nothing** toward its **cost** of operation. This includes **those** in the Small Claims **Court**, criminal defendants and low income people who have been exempted from paying any filing fees. Additionally, voluntary use of alternative dispute resolution **processes such** as arbitration and mediation has also contributed to **a reduction of cases filed in the courts each year and the consequent** loss of revenue for the Library. However, the persons who elect to proceed outside the courts still are seen to use the Library to prepare their case in the alternative forum. **Notwithstanding that these and many other persons do not contribute at all to the cost of** operating the Library, these very **persons** represent a significant **portion** of its users, perhaps fully one-third of the users. And they are the very persons with who **staff** must spend a disproportionate amount of time to show them how to use the Library.

Filing fee increases for Library funding since 1973 have been quite **infrequent** and **modest** as you can see **from** the following chart. By law, the County Board of Supervisors could have authorized filing fee increases several times in past years in addition to those it did, but **was** not asked to do so by the Library trustees. If the present request for an increase is **granted**, it will **amount to a 3% per year increase from 1/1/91 through 12/31/00**. If it is not granted, the result will be that fees will have gone up only **1.5% per year from 1/1/91 through 12/31/00**.

PORTION OF COURT FILING FEE ALLOCATED TO THE LAW LIBRARY

prior to	8/1/73	\$ 5.00
as of	8/1/73	7.00
as of	1/1/82	9.00
as of	1/1/83	11.00
as of	1/1/85	12.00
as of	6/26/90	16.00
as of	1/1/91	20.00
as of	1/1/98	23.00
Requested as of	1/1/00	26.00

A welcome source of incidental income for the Library has long been **from** copy machine profits. This income instantly went down at the rate of some **\$5000** per year when the County closed **off the Marshall Street** entrance to the Court House. People are not willing to **walk** an extra block to use the Library's copy machine. We have raised the fee for using the machine, but that has not offset the reduction in use.

The only remaining source of income for the Library has been **from** donations. In March of 1999, the Library was granted **funds to purchase new chairs and an after-hours book drop off box**. The County was **saved** the expense of *providing* these items which **cost about \$3,000.00**. The Library has **benefitted** over the years

from much appreciated donations by **attorneys** and others of used, but useful books to replace worn out volumes on the Library's shelves. Some donated books replaced **worn** out volumes that were still valuable resources but which were no longer in print.

The three vital components to maintaining a fine research facility such as we now have are the collection, the staff and the physical plant. So far we have been able to maintain all three. **When the** above described sources of funds **become** inadequate to maintain each component of this facility as it is **presently** constituted, its Board of Trustees will have to make some tough decisions and **will** have to determine where its priorities are.

The timing of authorization of any increase in filing fees is **crucial**. By law, any fee increase can only take effect on January First of any year. So, if a fee increase is not soon authorized by & Board of Supervisors, to take effect on 1/1/00, any shortfall in **income** which **the** Library may incur over the following **12** months may force undesired cutbacks that will inconvenience the public and which may result in otherwise avoidable **expenses** in future **years**.

Electing to make **further** cutbacks on the size of the collection or deferring its maintenance will make the Library far less useful to all users. Any immediate savings will probably be eaten up by the far greater costs of restoration to its present status **at a later date -- after it is seen how vital this facility is to us all**. It is likely that other facilities **will** have to be created and housed by other County agencies to replace what presently exists in the present location and to do so may well wind up being at a greater over-all cost to the County.

Electing to further cut the hours of the Library's operation will probably mean that it will have to be closed all evenings, holidays and weekends. **The** people who use the Library at those times are, for the most **part**, not members of the legal profession who must work during the hours the Library will remain **open**. Thus, **the** "public" that you refer to in your article will be the most obvious, immediate losers.

Prior to requesting any fee increase, the Trustees **considered** the past history of fee rates and the marked decrease in filings over the last several years. We believe that the requested fee increase is justified and that the timing of it is in the best interest of the Library, the County and all its citizens.

Finally, I invite you to visit the Law Library to see for yourself this fine public facility which costs the citizens of San **Mateo** County virtually nothing. Call me if you would like me to meet you there when you make your tour. Our Director is Karen Lutke who, **I am** sure, will **be** happy to discuss with **you** her concerns and to answer any questions you may still have.

Following your consideration of that which is contained in this letter, your tour of the Library and **further** research that you will undoubtedly do, I am sure that you will become an avid supporter of the Law Library. Such support will be greatly appreciated by all concerned.

Yours,

Michael Bursak
cc: Karen Lutke

Board of Trustees
Board of Supervisors

• ☐☐☐☐☐☐☐☐

Singer's Gunslinger

Gospel diva CeCe Winans' Canadian driver is facing the music from the INS over carrying a concealed weapon.

Page 3



Bipartisan Appeal

Democrat Robert Hert...g became speaker-elect Monday with votes from the GOP and members of his own party.

Page 2

Where's the Be

Daro Inouye is a big guy, and defense attorney wants to pu between him and clients. See

0051

RECORD

*****5-DIGIT 95060
219837 REC 120600
LIBRARY
SANTA CRUZ CO SUPERIOR COURT
701 OCEAN ST RM 102
SANTA CRUZ CA 95060-4086

124TH YEAR NO. 17

WWW.CALLAW.COM

\$1.00

Trouble Among the Stacks



JASON DOY

Statewide decrease in civil filings is forcing county law libraries to cut back services

By MIKE MCKEE

Karen Lutke has 34,000 volumes in her book collection at the San Mateo County Law Library. But she still can't guarantee that patrons will find what they want on their next visit.

That's because purse strings are tight these days and some materials have been

sacrificed to cut costs: But Lutke, director of the Redwood City facility, isn't the only librarian up to her neck in budget woes.

Across the state, county law libraries are feeling the financial pinch. Cutbacks in the stacks have become commonplace and salaries are so stagnant that longtime

See DROP page 11

LEANER SHELVES: To shore up declining budgets attributed to a reduction in civil lawsuits, county law librarians are looking to Sacramento for changes in the way their facilities are funded.

Co
Ex
Ex

By PA

Calif
eral jud
review>
and Eff
the stat
ney app
imates
Appeals

Calif
"manda
guidelir
sent co
convict
panel co

The
can't ap
row inr
if the a
nia.

Pass
states t
establis
tem tha
comper
al habe
pursue
the stat
appeals

But i-

la w rec
their fe
ly — w
tion —

take no
prison:
circuits
cide de
comple

this fast
Calif
ing that
cess in
"Not

ATTACH. 3

17

Drop in Filings Creates Shortfall for Libraries

Continued from page 1.
government employees are looking elsewhere in search of better pay.

"We've had to cancel a substantial number of publications. The first 10 go were duplications and books that were highly specialized," says Lutke. "There just has been a steady decline in funds. And once you pay for the upkeep, there's nothing left for salary increases. That's a big issue, considering what dot-com economics has done 10 this area."

Ironically, law libraries' woes are due to an almost unbelievable fact: Lawyers just aren't suing as much as they once did.

Since 1941, when the California Legislature mandated that all of the state's 58 counties maintain law libraries, funding has come primarily from a small percentage of the filing fees charged by counties for each new civil suit. But civil filings have dropped steadily throughout the past decade, causing the cash pool for law libraries to evaporate faster than 3 reservoir during a drought.

Statistics compiled by the Judicial Council show that civil filings — not counting small-claims matters that require no filing fees — dropped statewide from 1.4 million in 1995-96 to 1.23 million in 1998-99. Filings in San Mateo County fell from 21,388 to 16,852 during that time. Other Bay Area counties have also witnessed declines in case filings in recent years.

The libraries' plight hasn't gone unnoticed, though. San Mateo County Superior Court Judge Quentin Kopp, among others, hopes to stanch the funding leak by getting Sacramento politicians to approve the first new funding source in 59 years.

Kopp, in particular, would like to see law libraries benefit from a portion of the statutory penalties paid by the state's thousands of criminal defendants.

"Criminal law research by non-lawyers

feared in 1995, when legislators balked at making taxpayers pay for libraries they felt benefit only lawyers.

"Take a look at some of the statistics. To the extent they had statistics," says former Assemblyman Phillip Isenberg, who headed the Assembly Judiciary Committee when that panel rejected the idea. "It was just 3 situations where they couldn't have any justification that the taxpayers should pay for it."

Law librarians, however, note that non-lawyers comprise a large portion of their patrons.

For example, during debate over the 1995 bill — which would have increased the percentage of civil filing fees going to law libraries and imposed a fee on actions in small-claims court — Sacramento County law librarians pointed out that 58 percent of their inquiries came from the public. Solano County officials reported that the public represented 93 percent of their patrons.

"People often will use the law library not only to go to court," says Charles Dyer, president of the Council of California County Law Librarians, "but to also deal with their taxes, writing up a contract or a lease, or looking up the Uniform Building Code if they are a contractor or dealing with a contractor."

Various factors apparently have contributed to the falloff in civil filings. More cases are going to mediation and arbitration rather than to court. Some child support cases are handled by district attorney's offices these days and require no fee. And many personal injury cases are being handled in small-claims court because they aren't profitable for attorneys.

Add in steep price hikes in the book publishing industry, and law libraries face the task of determining which kind of law books to provide, says Dyer, who's also head of the San Diego County public Law Library.

"You might have to make a choice between a title dealing in aviation law or one dealing in divorce law. The more specialized ones will get dropped," he says. "We gave up a long time ago being supportive of foreign law."

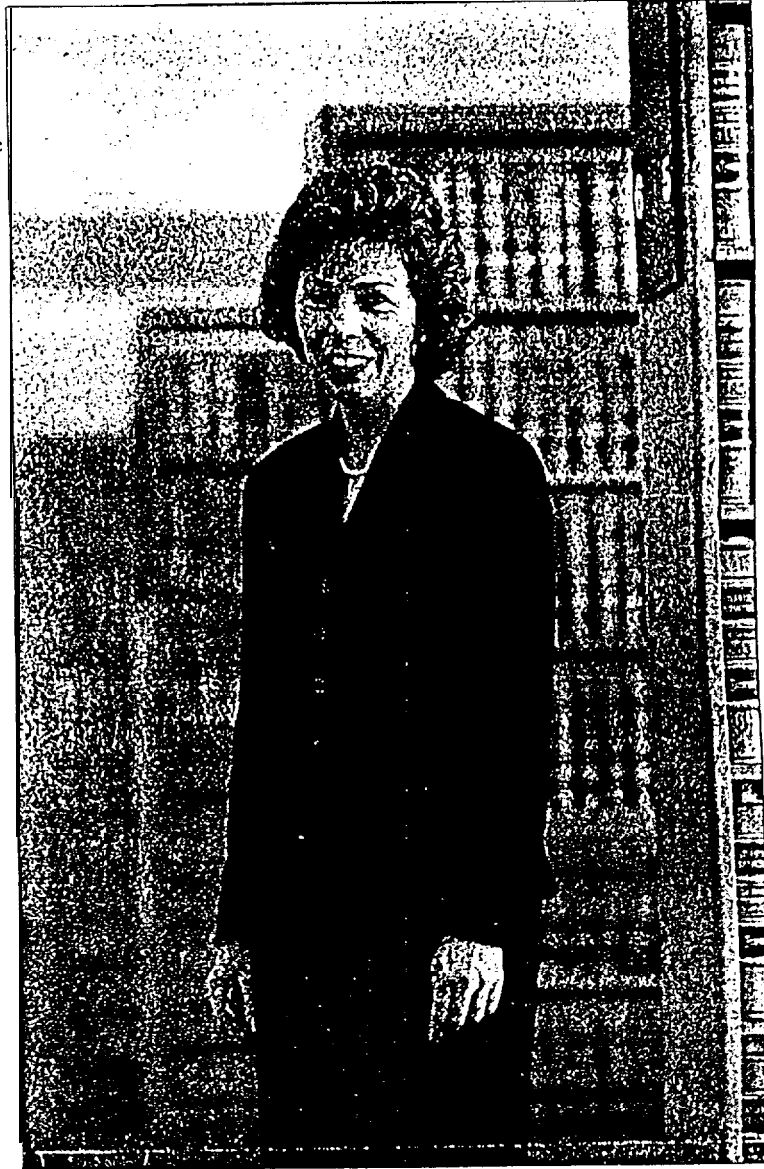
In San Mateo, Lutke has responded to squeezed budgets by cutting subscriptions, reducing library hours, forgoing law updates, and holding onto old carpets and worn-out chairs.

To make up some of the difference, she tried raising photocopying fees from 10 cents per page to 15 cents. But copier income dropped when many patrons refused to walk an extra block to the library after the county closed one main entrance to the courthouse for safety reasons.

Last year, Lutke asked county supervisors to raise the library's portion of each civil suit filing fee from \$23 to \$26. But she got only \$25, which will still result in a financial shortfall.

Kopp got involved after joining the law library's board of trustees. He's hoping his contacts in Sacramento will help to advance the cause.

His proposal, which he has suggested to state Sen. Byron Sher, D-Stanford, and Assemblyman Scott Baugh, R-Huntington Beach, is to siphon off a small portion of the financial penalties imposed against convicted criminal defendants.



DROPPING BOOKS: Karen Lutke, director of the San Mateo County Law Library, has some difficult choices to make because of financial cutbacks.

"You might have to make a choice between a title dealing in aviation law or one dealing in divorce law. . . . We gave up a long time ago being supportive of foreign law."

— Charles Dyer,
Council of California
County Law Librarians

and lawyers accounts for a considerable amount of county law library usage." Kopp, a former state senator, wrote in a letter to legislators late last year. "Yet the criminal justice system defrays no part of county law library costs."

Law librarians like Kopp's idea. But finding a legislative sponsor might be difficult. The last such effort went down to de-

In a letter to Sher last year, Kopp used the example of 3 persons convicted of driving while impaired by alcohol. A first-time offender, said Kopp, pays a standard \$400 fine, plus \$731 in penalties and administrative fees. "A small portion of the penalty assessment (not the fine) can, and should, be allocated to the county law library. I suggest \$5," wrote Kopp.

Barry Schnitt, 3 legislative aide to Sher, says no decision has been made about whether to introduce legislation. But Kopp's idea isn't unprecedented.

Currently, 21 states fund their law libraries through criminal penalty assessments as well as civil filing fees. "Criminal assessments are the second-most popular way of financing law libraries in the country," says Tony Nevarez, a Sacramento solo practitioner and lobbyist for the Council of California County Law Librarians.

Dyer says he would welcome funding

from criminal court sources, but believes it would be no more than "a stopgap for a few years."

"It's time for the state to begin to look at some sort of [new] appropriation method for the county law libraries," he says.

No matter what happens, Nevarez believes the average Californian needs 10 understand why law libraries are important.

"If the law library does not exist, I imagine the information is somewhere, but you're going either to the city council, the city hall, the county board of supervisors, the federal court building," says Nevarez.

"The county law library is the one place where you can get the federal law, the federal regulations, the federal cases, the state laws, regulations, cases, county and city ordinances all under one roof."

Associate editor Mike McKee's e-mail address is mmckee@therecorder.com