

Written comments for the Chief Judge's Hearings on Civil Legal Services

Submitted to the Task Force to Expand Access to Civil Legal Services

From the Law Library Association of Greater New York

September 26, 2011

New Yorkers deserve access to civil legal services regardless of their financial situation. The state's diverse libraries and librarians play an essential role in providing legal information, research and access to materials in the face of their own diminished staff and resources. In order to better serve the legal research needs of all New Yorkers, the Law Library Association of Greater New York (LLAGNY) supports expanding civil legal resources, including support for publicly available law library collections and staff.

On behalf of our Association, I, as Vice President, sincerely thank Chief Judge Lippman and the Task Force to Expand Access to Civil Legal Services for their efforts to find solutions to this growing need and for this opportunity to submit our comments.

Many of our law librarians and information specialists, especially those in the New York State Unified Court System's law libraries, work directly with the public. These professionals are at the front line of court service to patrons representing themselves and attorneys representing others. The self-represented generally have few authoritative legal resources on which to rely. Solo-attorneys or those employed in legal aid centers or legal clinics often lack sufficient funds for resources. Court librarians provide vital services, including research help, tools and instruction tailored to the individual needs of patrons. Equally important, court librarians assist court personnel, the judiciary and its administration, extending to them the same reference, research, tools and instruction.

Our academic librarians support the educational needs of those who will soon enter the legal field. These librarians provide legal research instruction, guidance and resources to students who often participate in legal clinics serving civil legal needs.

Academic libraries continue to provide support for alumni, some of whom, now retired and without substantial legal research tools of their own, may volunteer their legal services to the economically disadvantaged.

Approximately seventy percent of LLAGNY members work in private law firms whose associates are encouraged to serve the public through pro bono legal work. Growing litigation areas such as consumer credit, mortgage foreclosure, landlord and tenant issues, and problems caused by the current high unemployment rate and distressed business environment contribute to the need for public legal services. Private law library staffs and resources support the pro bono, assigned or appointed counsel, and other low or no fee work performed by firm lawyers.

In addition to our members' paid work, committees within and activities sponsored by the Law Library Association of Greater New York speak directly of the Association's volunteer efforts to meet the legal information needs of the public. Examples are:

- \* Outreach Programs Committee - Bridge the Gap annual program paving the transition from law student to practicing associate
- \* Pro Bono Committee - offering no cost legal research and reference service to those without law library resources
- \* Education Committee - providing free or nominal cost continuing professional education for our members
- \* Government Relations Committee – identifying opportunities for LLAGNY to track government activities and be alert to changes in laws affecting libraries

LLAGNY and its members are also actively:

- \* Increasing educational opportunities (such as the recently evolving Practising Law Institute joint partnership in creating the Research Briefings programs)
- \* Creating self-help procedural programs or continuing legal research instruction for the public (e.g., CALI - Center for Computer-Assisted Legal Instruction)
- \* Exploiting the existing professional network of the state's libraries in a coordinated effort to provide legal help information, interlibrary loans, and referrals
- \* Ensuring that the online government legal information used by the public is authentic, trustworthy and preserved

Reductions in library staff and funding continue to impose consequences on those most in need of our support. Bear in mind that:

- 1) Government requires citizens to privately litigate in order to enforce public rights.
- 2) In order to hold government accountable, citizens must be able to find records of government actions. Libraries provide these materials and librarians provide instruction.
- 3) Expanding legal services while cutting library subscriptions denies volunteer lawyers support via library resources.

4) Courts need to develop a public policy of archiving their precedents through the State Reporter. The reliance upon private publishers is no longer an effective solution since increases in price and changes in format impede the public's ability to access these documents.

The Law Library Association of Greater New York has participated in the metropolitan New York City area's legal community for over 70 years. Since 1949, LLAGNY has been a chapter of the American Association of Law Libraries. We have a membership of over 650, made up of law librarians, lawyers, legal publishers, legal research instructors, and other information specialists. We may be employed in New York City or New York State government agency and court libraries, in private law firms, in corporations, in academic institutions, or in legal publishing entities. We are united in our objective "to develop and increase the usefulness and efficiency of law libraries." In doing so, we play an active role, providing effective assistance, efficient resources and network support, either directly or indirectly, to those in need of civil legal services. LLAGNY welcomes an opportunity to help find solutions to better meet the civil legal service needs for New Yorkers.

Sincerely,

William R. Mills  
Vice President/President Elect  
Law Library Association of Greater New York