



ANNUAL REPORT

2021

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Welcome to the Olmsted County Law Library 2021 Annual Report

The year 2021 was not without its challenges. COVID-19 made a distinct impression on how the district court and the law library operate and provide services to the community. When the pandemic reached Olmsted County in the middle of March 2020, we were required to respond to a new, fluid, and ever-changing pandemic scenario. The Law Library closed to the public on March 23, 2020 and remained closed for several months, as did District Court and the entire Government Center. The remaining year of 2020 and 2021 saw many changes and how we assisted law library patrons and the community also changed. Our state leaders did their best to help guide us when new science and new facts emerged, as was often the case throughout the year. Therefore we encountered ever-changing Minnesota Supreme Court Orders and Executive Orders from the Governor, all of which had an impact on the functioning of the Law Library and District Court.

As was outlined in the last annual report, the law library implemented safety measures to mitigate the spread of COVID-19 to include but not limited to: modifying the free legal clinics to a remote process whereby the registrants met with volunteer attorneys over the telephone rather than in person; safety measures were implemented, i.e., only two patrons were allowed in the reading room at a time, the law library entrance was modified and a doorbell was installed to notify the librarians that a patron needed help, the public computer terminals in the reading room were available by appointment only to allow the librarians time to disinfect each terminal after use, handled print material was quarantined for 72 hours before reshelving after use, a plexiglass divider was placed on one of the library tables which allowed the librarian and patron to more safely sit down together at a workspace if needed, face masks were required to be worn by all patrons and staff; and the Continuing Legal Education (CLE) seminars were foregone another year. Despite the challenges we experienced, the law library saw a 13.24% increase in total contacts from the year before.

The law library increased its CLE materials as they are the most popular publications used by the attorneys and self-represented community alike. Some of the older, no longer current materials were culled, making for a more robust and useful set of materials. Thomson Reuters allowed for patrons of the law library to obtain a temporary password so they did not have to leave their offices to come to the law library to use the library's digital research subscription. This was used to a healthy extent by the smaller law firms in our community. The law librarian called the digital research customer service section of Westlaw, requested a temporary password for the inquiring patron attorney, and passed the information on to the attorney. This was a big bonus for attorneys who did not need to leave their offices to do digital research and it was much appreciated by those who utilized the services.

The law library continued its relationship with Swon Tax Prep (formerly known as Med City Tax Services) throughout 2021.

The librarians continued to assist detainees in the Adult Detention Center with legal research material and court paperwork through the ADC kiosk program. 2021 brought a precipitous drop in the number of detainees served compared to 2020. We can only surmise that COVID-19 has also restricted the movement of detainees.

The law library was the recipient of a grant from the American Rescue Plan Act, which was administered by the State Library grant program. We secured \$8,250 which is bookmarked to ameliorate our 2022 monthly costs related to the law clinics offered through a partnership with Legal Assistance of Olmsted County.

The pandemic also brought unforeseen decreases in the law library's income stream. The law library's 2020 and 2021 revenue collection were lower than expected because court case filings were down due to COVID-19. We were able to cut costs, however, in areas such as electronic material subscriptions, print material subscriptions, office supplies, and CLE-related costs. These cuts, along with overall savings on personnel expenses, allowed the law library to wrap up 2021 in the black.

With the arrival of vaccines, it is our hope everything will normalize and we will be able to provide services in much the same manner as we did before. That being said, one thing we've discovered is the attorneys who volunteer their time to assist registrants with brief legal consults really like the remote legal clinics. They were able to remain in their offices and still connect with the registrants over the phone, thereby avoiding the issue of leaving their office, traveling time, and finding and paying for parking at the government center. We don't foresee this aspect of the services we provide to change even as we get back to normal.

The law library is in discussions with the Olmsted County Bar Association about co-sponsoring CLEs for the attorney community, so it appears free CLEs may return to Olmsted County.



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Joint Law Library/LAOC Clinic Program



Background

In September of 2011, the Law Library entered into an agreement with Legal Assistance of Olmsted County (LAOC) to provide free, brief legal advice clinics to self-representing litigants who live in Olmsted County, or who have their cases filed and being heard in Olmsted County. The agreement went into effect on October 1, 2011. By January of 2013, the joint clinics had matured into a program offering a regular schedule of Family, Financial and Criminal Expungement clinics.

An Important Community Resource

The joint clinic participants come from all walks and stages of life, as diverse as the makeup of our community. Based on the statistical information they provide, we know the clinic participants are often of lower income, with fewer resources to turn to for help when they need it. They may not make much, but sometimes it is too much to qualify for any types of legal aid. Many of those who come to the Law Library have little or no prior experience with the courts, or indeed with anything “legal” in their lives. They are confused, they are scared, some are angry while some are in tears, but they all come to the Law Library looking for help, often in the form of legal advice. Law librarians, however, cannot give legal advice, opinion, or interpretation. Law librarians can offer information, but this falls short of what many clinic participants need.

Our joint clinic program with LAOC is a crucial “gap-filler” for many Law Library patrons. In addition to receiving desperately needed legal advice, clinic participants also benefit in other ways. Being involved in the legal system can be difficult and stressful, especially for someone attempting to represent themselves in a legal system they may not be familiar with or understand, while also trying to deal with the frustration of rules that seem more “guideline” than “bright line.” The ability to meet with an attorney who understands, supports, and advises them, and who gives them *an answer*, is an incredible gift and benefit to a clinic attendee. The clinic statistics demonstrate that these joint clinics are immensely important to the people who participate in them, often bringing them a level of comfort and relief that was not present beforehand.

The Joint Clinics Program is a very important community resource. The Law Library holds its partnership with LAOC in high regard. It is our hope that, together, we can make the Joint Clinics Program a continued reality.

2021 Joint Legal Clinics Offered

Family Law Clinics, where topics include divorce; legal separation; annulment, parenting time (aka visitation); custody; child support; adoption; and maintenance. The typical appointment length is 30 minutes. *(CHIPs cases are specifically **excluded** from these clinics, as parents in these proceedings usually have court-appointed counsel of their own. Detailed property division or settlement questions are also excluded, as inappropriate for a “brief advice” meeting.)* **One Family Law Clinic is offered each week.**

Financial Law Clinics, where topics include debtor/creditor or pre-bankruptcy counseling; real estate / mortgage foreclosure; answering a debt-related lawsuit against you; and garnish/asset levy (from the debtor side only). *(Landlord/Tenant cases are specifically **excluded** from these clinics, as LAOC provides a Landlord/Tenant 24-hour hotline, and a Tenants’ Rights clinic each week.)* **One Financial Law Clinic is offered every month – a change from previous years when it was every other month. It was increased to every month because the need for this kind of clinic has increased.**

Criminal Expungement Clinics, a class-room style clinic that includes review of the statute and procedure; tips for completing and serving the paperwork; and an opportunity for participants to briefly discuss their own case(s) privately with the volunteer attorney. **One Criminal Expungement Clinic is offered every other month** (Jan., March, May, July, September, and November).

The Law Library receives incredible effort and support from our partner for this program, Legal Assistance of Olmsted County. We thank them for helping make this program a success. We also thank the wonderful local attorneys who generously volunteered their time and expertise in 2021. Without them, this program would not exist.

LAOC: Karen Fairbairn Nath, Executive Director; and **Victoria Ness**, Volunteer Coordinator.

Volunteer Attorneys and the number of clinics they provided in 2021:

Criminal Expungement: Grant Borgen (6)

Family:	Danielle DiFiore (9)	Arens Dilaveri (2)	Steve Dittrich (2)
	Peter Foss (1)	Dan Honsey (6)	Ashley Kuhn (5)
	Amber Lamers (1)	Carole Pasternak (11)	Opal Richards (3)
	Steve Rolsch (5)	Nicholas Rotar (6)	

Financial: Alec Osland (10)





2021 Library Administration

The Law Library provides many important services, but underlying these efforts are the administrative responsibilities and duties that keep the library functioning at the high level deserved by our patrons. These tasks include but are not necessarily limited to:

Space Management:

Everything to do with the library's physical space, from designing the layout of furniture and location of shelves and equipment, to making sure the tops of the stacks get dusted.

Materials/Resources Acquisition and Cataloging/Indexing:

Maintaining an adequate mixture of print and electronic materials to satisfy the research and interest needs of the library's patrons, including acquiring, cataloging, and making the items available for public use. This includes continually seeking additional resources to assist self-representing litigants in the Self-Help Corner.

Technology and Communications:

Design, implement and maintain the Law Library's technology, equipment, and website.

Reference and Research Support:

Provide all library patrons with help in using all available resources in any format and assist with expert legal research tips and tricks.

Community Outreach:

Create and present programming and services for focused populations, such as the Joint Clinics program, the Pre-Trial Detainee (ADC) service, and Continuing Legal Education (CLE) sessions for members of the judiciary and local bar association.

Outreach Type	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Clinics	211	221	215	188	208	187	170	149	166
ADC	605	262	327	269	369	488	367	382	115
CLEs	252	211	275	197	311	201	214	0	0
Outreach Totals:	1068	694	817	654	888	876	751	531	281
Overall Totals	5341	6048	7529	6020	6559	5880	6358	4115	4743
Outreach % of All:	20%	11.47%	10.85%	10.86%	13.54%	14.90%	11.81%	12.9%	5.93%

2021 Statistics by Case Topic & Contact Type

	Jan	Fe	Mr	Ap	My	Jun	Jul	Au	Sep	Oct.	Nov.	Dec	Total
Appeals		2	3	2	3						1	1	12
Bankruptcy/Foreclosures					1						2		3
Car Titles		1			1	3	1	2		1	4	1	14
Child Custody/Visitation	17	30	16	25	14	23	34	46	39	25	26	17	312
Child Support	7	4	2	6	5	14	8	13	11	9	5	4	88
Conciliation Court	11	6	13	22	20	11	11	27	14	21	6	14	176
Contempt	1	3			1	1							6
Criminal Expungement	4	4	12	9	7	8	8	6	6	2	22	2	90
Debtor/Creditor	4							2		1	4	2	13
Divorce/Annulment	17	17	36	23	19	10	43	40	36	41	30	23	335
Driver's License		1	5					2		1	2	1	12
Eviction Expungement	1			1	3	1					6	1	13
Ex Parte			1				1		1	1	2		6
Forfeiture (Car/Other)	4	4	3		2				1	5	1	1	21
General Civil	4	7	12	15	9	12	24	29	19	21	15	15	182
Gen'l Criminal and DUI	8	7	28	17	12	8	17	11	11	11	5	9	144
Guardianship	4	6	6	7		3	4	8	6	1	14	8	67
Harassment	7	4	13	9	6	7	9	8	13	14	8	7	105
IFPs	13	14	28	31	18	19	31	23	24	45	13	27	286
Judgment/Garnishment	3	3	7	1	3	5	2	2	5		2	1	34
Landlord		5	2	3	3	5	10	8	11	8	4	5	64
Legal Research	3	4	10	7	9		13	6	3	15	11	7	88
Miscellaneous	10	12	14	11	15	14	16	11	10	8	7	19	147
Name Change	13	2	15	12	13	15	12	5	10	12	7	18	134
Order for Protection	5	4	1	1	1	2	15	13	6	8	12	4	72
Paternity/Adoption		1	3	1		2	1		3	2	1	2	16
Serving Documents	4	2	2	2	5	4	2	1	1	7			30
Subpoenas		1	2	2		1			1	2		3	12
Tenant	2	6	4	7	5	3		3	2	3		10	45
Wills/Probate	2	1	3	2	3	3	1	3	4	9	3	10	44
Total Walk-In Contacts	144	151	241	216	178	174	263	269	237	273	213	212	2571
Total Attorney Contacts	2		1	1	8	1	6		1	11	7	5	43
Total Clinic Contacts	11	10	14	17	19	14	13	10	15	14	17	12	166
Total E-mail Contacts	13	29	38	14	41	63	64	58	74	73	41	124	632
Total Phone Contacts	81	96	109	104	119	147	109	110	85	90	77	89	1216
ADC and Outreach	10	7	10	14	5	6	15	13	9	11	5	10	115
TOTAL CONTACTS	261	293	413	366	370	405	470	460	421	472	360	452	4743

2021 Usage and Statistics

IN-PERSON SERVICE STATISTICS BY TOPIC

	2013	2014	2015	2016	2017	2018	2019	2020	2021
FAMILY	1083	1311	1445	1167	1252	1271	1446	820	969
CIVIL	882	1424	1873	1443	1836	1583	1617	713	940
CRIMINAL	192	235	277	259	247	281	290	130	234
PROCEDURAL	251	427	813	733	775	596	298	311	428
TOTALS:	2408	3397	4408	3602	4110	3731	3651	1974	2571

FAMILY includes: Divorce/Annulment, Child Custody/Visitation, Child Support, Ex Parte, Paternity/Adoption, Name Changes, Orders for Protection, and Contempt.

CIVIL includes: Car Title issues, Conciliation Court, General Civil, Harassment, Landlord, Tenant, Eviction Expungement, Guardianship, Wills/Probate, Debtor/Creditor, Car Forfeiture, Drivers' License, Bankruptcy/Foreclosure, and Miscellaneous.

CRIMINAL includes: Criminal Expungement, General Criminal/DUI.

PROCEDURAL includes: Legal Research, IFPs, Judgment/Garnishment, Appeals, Subpoenas, and Serving Documents.

STATISTICS BY SERVICE TYPE

	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
Walk-in	2408	3397	4408	3602	4110	3731	4023	1974	2571	30224
Atty.	485	654	698	388	402	325	240	72	43	3307
Clinics	211	221	215	188	208	187	170	149	166	1715
Email	142	175	210	143	175	111	323	428	632	2339
Phone	1238	1128	1396	1233	984	837	1021	1110	1216	10163
CLE	252	211	275	197	311	201	214	0	0	1661
ADC	605	262	327	143	369	488	367	382	115	3058
Totals	5341	6048	7529	6020	6559	5880	6358	4115	4743	52,467

Olmsted County Law Library Financing and Budget: A Basic Primer

(a copy of the 2021 final budget figures follows this page)

Where does the Law Library's funding come from? County law libraries in Minnesota are governed by Minnesota Statutes chapter 134A, and "library fees" are in section 134A.10. In all counties other than Hennepin and Ramsey, the county law library may collect a fee on civil filings, and a fine on criminal matters. These fees are set by permission of the local judicial bench and are also approved by the County Board.

The Olmsted County Law Library has no other source of revenue than what is received through court fees and fines, although it would be statutorily possible for the county to make an appropriation to the Law Library's budget/Fund, should they see the need or have a desire to do so. In addition, the Law Library Fund is dedicated to use for law library needs and programs only, and by statute funds can only be disbursed at the express direction of the Law Library Board of Trustees. (MN Statutes 134A.13.) In addition, because this is a dedicated fund, any balance unused at the end of a budget year automatically rolls over and continues to be part of the Law Library's continuing Fund Balance, giving the Law Library an opportunity to build up funds in anticipation of upcoming capital expenses, and to do longer-range planning than would otherwise be possible.

What does the Law Library's funding pay for? In a word – everything. Law Library funds support all the library's functions and services – the books and electronic resources; the technology and equipment; the furniture, shelving, and office space needs; all special program expenses; and all staff expenses.

What assumptions did the Law Library Board make when determining the scope and detail of the 2021 annual budget?

As part of creating a budget for any year, the Law Library's Executive Committee (Board Chair, Board Treasurer, and all Law Librarians) first determine a set of presumptions to work from. These presumptions change as needed with each new annual budget cycle. Our Base Assumptions for 2021 (adopted in early winter of 2020, when the budget for 2021 was created) included the following:

1. The Law Library's Fund Balance should be maintained at a level equivalent to one year's expenditure (about \$200,000). A balance below that level should be considered a "red zone."
2. The current level of staffing (1.1 FTE) is sufficient to provide an acceptable level of service.
 - a. The Law Library hours are from 8 am to 4:30 pm, with staff covering hours from 8:30 – 4:30.
 - b. Library staff should receive COLA increases equivalent to county.
3. The level of investment in print and on-line resources is reduced from \$70,000 a year to \$55,000 a year. At this time, the reduction still allows the law library to provide an acceptable level of research and reference services. This amount needs to be reviewed and adjusted annually as needed for inflation.
4. \$12,000 is included in the Draft 2020 Proposed Budget for a joint clinic partnership with Legal Assistance of Olmsted County.

2021 Final Budget Statement Adopted Budget versus Actual Usage

Fund/description	<u>2021</u> <u>Adopted</u> <u>Budget</u>	<u>2021 Actual</u> <u>Budget</u>	<u>Budget v. Actual</u> <u>Amount Available</u>	<u>Bud</u> <u>Perc</u>
EXPENSES				
6100 Payroll exp. (cty.PERA)	\$5,990	\$5,512		
	\$	\$		
6111 Salaries (1.2 FTE)	79,785	65,918.00		
		\$		
6120 Vacation/PTO	9,712	10,060.00		
		\$		
6121 Holiday	2668	2,590.00		
	\$	\$		
6153/6154 FICA Library share	7,051	6,013.00		
		\$		
6155/6156/6122 UI OTP		181.00		
		\$	\$	
Salaries Subtotal	105,206	90,274.00	14,932.00	
	\$		\$	
6206 Staff Development	500.00		500.00	
	\$	\$	\$	
6211 Telephone & Comm.	5,200	4,616.00	584.00	
	\$	\$	\$	
6212 Postage & Freight	150	60.00	90.00	
6259 Compensation / other (LAOC)	\$ 12,000	\$ 12,000.00		
	\$	\$	\$	
6272 Mileage (CLE speakers)	500	-	500.00	
6288 Other Svcs (VD,DS,Beck, other)	\$ 4,700	\$ 4,761.00	\$ (61.00)	
	\$	\$	\$	
6410 Office supplies (Beckley's)	3,300	1,489.00	1,811.00	
	\$			
6421 Library Supplies (Demco)	150			
	\$	\$	\$	