



ANNUAL REPORT

2022

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Welcome to the Olmsted County Law Library 2022 Annual Report

The year 2022 saw changes in how the state court administration and subsequently, the county district courts addressed COVID-19. There was an easing of precautions, and an opening of the court rooms for in-person hearings. Most of the in-person hearings are the contested hearings, i.e., jury and court trials, and contested criminal and civil matters. Many of the remaining hearings continue to be held via Zoom.

As a result of increased in-person hearings, and a decrease in COVID-19 policies in place in the community in general, the Law Library has seen a 15% increase in total contacts from last year.

The Law Library acquired an old set of legal books called Minnesota Reports, from Fillmore County Law Library due to the library closing. The Reports entail cases argued and determined in the Supreme Court, beginning in 1858, when Minnesota was still a territory. We received more books than we could hold in one bookcase so when a patron expresses interest in the book set, we give them one of the remaining books so the treasure can be shared with the community.

The Law Library also acquired a brand-new set of books, the Minnesota Practice Series set. It had not been updated since 2018 and since it's highly utilized by our local attorney community, an update was an important step to make.

The Law Library is now working with a new accounting firm, Haworth & Company, Ltd. We're very pleased with the services provided, the professionalism exhibited, and the expediency in which our queries are answered.

The Law Library welcomes two new Board members, Attorney Christopher Coon and Olmsted County Commissioner Brian Mueller. We very much appreciate their willingness to serve on the Board and to give of their interest and expertise by providing guidance to the business of the Law Library.



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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.

2022 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, which constitutes a change from previous years due to the increased need for this kind of clinic.

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 2022:

Criminal Expungement: Grant Borgen (5)

Family:	Danielle DiFiore (2)	Arens Dilaveri (4)	Steve Dittrich (8)
	Jared Hines (3)	Dan Honsey (4)	Cathy Jones (1)
	Amber Lamers (3)	Andre Novack (2)	Carole Pasternak (13)
	Opal Richards (1)	Steve Rolsch (1)	Nicholas Rotar (6)
	Tammy Shefelbine (3)		

Financial: Alec Osland (12)



2022 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:

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.

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.

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.

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.

Technology and Communications:

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

Outreach Type	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Clinics	221	215	188	208	187	170	149	166	178
ADC	262	327	269	369	488	367	382	115	104
CLEs	211	275	197	311	201	214	0	0	0
Outreach Totals:	694	817	654	888	876	751	531	281	282
Overall Totals	6048	7529	6020	6559	5880	6358	4115	4743	5536
Outreach % of All:	11.47%	10.85%	10.86%	13.54%	14.90%	11.81%	12.90%	5.93%	5.09%

2022 Statistics by Case Topic & Contact Type

	Jan	Fe	Mr	Ap	My	Jun	Jul	Au	Sep	Oct.	Nov.	Dec	Total
Appeals					1		3	3	2	7	2		18
Bankruptcy/Foreclosures													0
Car Titles					1		1			1		2	5
Child Custody/Visitation	12	25	34	30	30	30	29	45	31	23	26	4	319
Child Support	5	6	8	14	15	10	9	14	9	3	5	0	98
Conciliation Court	24	23	35	14	16	22	31	28	30	44	20	13	300
Contempt					2						1		3
Criminal Expungement	7	7	18	11	15	6	15	8	4	7	6	6	110
Debtor/Creditor					2		1		1	2	1	2	7
Divorce/Annulment	35	39	59	48	47	21	28	28	31	36	42	35	449
Driver's License		1	1	1				3					6
Eviction Expungement					5		2	2	1		4		14
Ex Parte			1	1	2	1		5			3		13
Forfeiture (Car/Other)	1		1		1	1					1		5
General Civil	9	16	26	34	9	4	19	17	21	22	23	10	210
Gen'l Criminal and DUI	10	11	21	19	20	17	20	11	4	20	14	19	186
Guardianship	4	9	9	4	9	1	6	13	8	6	10	2	81
Harassment	11	7	21	8	13	9	10	5	7	11	5	3	110
IFPs	31	32	53	32	24	35	38	40	25	42	45	32	429
Judgment/Garnishment		1	3	2	4	3	4	4	1	3	3	2	30
Landlord	6	8	6	6	15	7	10	8	7	12	5	5	95
Legal Research	6	9	10	11	8	9	8	6	3	14	13	16	113
Miscellaneous	12	14	10	20	15	4	15	15	19	14	22	17	177
Name Change	17	14	19	20	23	18	22	30	10	11	15	7	206
Order for Protection	5	5	7	9	8	5	13	6	10	5	7	7	87
Paternity/Adoption	1		2			3	3	1				4	14
Serving Documents		1	1	1	1	2	2	2	1	4	3		18
Subpoenas	1		1		2		2	2		3			11
Tenant	7	5	10	5	9	6	3	3	3	5	3	3	62
Wills/Probate	5	7	12	13	11	9	1	12	4	7	8	2	91
Total Walk-In Contacts	168	240	368	303	308	223	295	311	232	303	286	189	3226
Total Attorney Contacts	4	4	8	10	2	5	9	6	4	7	9	6	74
Total Clinic Contacts	15	3	21	16	13	18	16	18	14	14	14	16	178
Total E-mail Contacts	72	93	137	79	47	67	61	88	57	50	60	73	884
Total Phone Contacts	92	88	138	87	84	66	79	99	80	100	80	77	1070
ADC and Outreach	7	12	8	9	2	15	3	3	10	8	17	10	104
TOTAL CONTACTS	358	440	680	504	456	394	463	525	397	482	466	371	5536

2022 Usage and Statistics

IN-PERSON SERVICE STATISTICS BY TOPIC

	2014	2015	2016	2017	2018	2019	2020	2021	2022
FAMILY	1311	1445	1167	1252	1271	1446	820	969	1189
CIVIL	1424	1873	1443	1836	1583	1617	713	940	1163
CRIMINAL	235	277	259	247	281	290	130	234	296
PROCEDURAL	427	813	733	775	596	298	311	428	619
TOTALS:	3397	4408	3602	4110	3731	36551	1974	2571	3267

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

	2014	2015	2016	2017	2018	2019	2020	2021	2022
Walk-in	3397	4408	3602	4110	3731	4023	1974	2571	3226
Atty.	654	698	388	402	325	240	72	43	74
Clinics	221	215	188	208	187	170	149	166	178
Email	210	143	175	111	323	428	632		884
Phone	1128	1396	1233	984	837	1021	1110	1216	1070
CLE	211	275	197	311	201	214	0	0	0
ADC	262	327	143	369	488	367	382	115	104
Totals	6048	7529	6020	6559	5880	6358	4115	4743	5536

Olmsted County Law Library Financing and Budget: A Basic Primer

(a copy of the 2022 final budget 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 2022 annual budget?

As part of creating a budget for any year, the Law Library's Executive Committee (Board Chair, Board Treasurer, and 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 included the following:

Base 2022 Budget Assumptions

1. The Law Library's Reserve Balance (Reserve) should be maintained at a level equivalent to one/half year's expenditure (about \$100,000). A balance below that level should be considered a "red zone".
 - a. We cannot justify asking for a fee increase unless the Reserve is projected to enter the "red zone", which is not projected to happen in 2022.
 - b. The level of income from fees dropped during Covid. We hope that as the courts address the backlog of cases and resume "normal" business, income will rise to

the 2019 level and the reserve balance will stabilize.

2. The current level of staffing (1.2 FTE) is sufficient to provide an acceptable level of service.
 - a. The Law Library hours are from 8:30 am to 4:30 pm with full staff coverage;
 - b. The law librarian should receive a COLA increase equivalent to county employees; and
 - c. The librarian assistant should begin receiving PERA in 2022

3. The current level of investment in print and on-line resources (\$30,000/year) is sufficient to provide an acceptable level of service.
 - a. The Minnesota Practice Series (MPS) has not been updated since 2018. This creates a noticeable gap in the resources our attorneys utilize. We are applying for an \$8,000 state grant – if we receive it, we plan to apply it towards updating that resource.

4. The LAOC contract should be renewed for 2022 with the same level of service as was provided in 2021 at the rate of \$1,000 per month.

**2022 Final Budget Statement
Adopted Budget versus Actual Usage**

EXPENSES	2022 Adopted <u>Budget</u>	2022 Actual <u>Budget</u>	Budget v. Actual <u>Amount Available</u>	Percent <u>Available</u>
6111 Salaries	67,235	68,020		
6120 PTO	6,029	6041		
6121 Holiday	2,906	2,866		
6100 Payroll exp	5,713	5716		
6153/54 FICA	5,827	5924		
6155/56/22 UI OTP		(2,040)		
Salaries Subtotal	87,710	86,527	1,183	1.35%
6206 Staff Dev	550	0	550	100%
6211 Tel/Comp	4,800	4,609	191	4%
6212 Postage	300	88	212	70%
6259 LAOC Comp	12,000	12,000	0	0%
6272 CLE Mileage	550	0	550	100%
6288 VD, DS	4,900	5,213	(313)	(7%)
6410 Office Sup	3,700	3,812	(112)	(3%)
6421 Library Sup	150	0	0	100%
6441 Books Print	30,000	22,649	7,351	24%
6443 Online Mtrls	21,000	21,377	(377)	(2%)
6611 Comp Equip	1,500	660	840	56%
6801 Bank Fees	200	113	87	56%
6810 Acct/Payroll	5,880	6,323	(443)	(8%)
Materials Subtotal	85,530	76,844	8,686	11%
Expense Total	173,240	163,371	9,869	6%
REVENUE				
Gen Gov't Fines/Fees	168,677			
IRS	168			
Interest MM Act	766			
Educ Vendor – Grant	6,000			
Revenue Total	175,611			