



ANNUAL REPORT 2023

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Welcome to the Olmsted County Law Library 2023 Annual Report

The year 2023 saw an increase in the number of individuals and attorneys assisted in the physical library space and a decrease in the number of emails and phone calls made to the law library. The number of attorneys utilizing the law library has nearly doubled from 2022. The number of detainees requesting legal research is at an all-time low, impacting the law library's numbers overall. The drop began in 2020, with the onset of COVID-19, and has continued to drop each year thereafter. In discussions with the Programs Office Manager of the Olmsted County Sheriff's Office, the department in charge of connecting detainees to legal services offered by the law library, the final thought is it is related to the significant drop in the number of individuals who are being held in-custody on a day-to-day basis. Because the Adult Detention Center (ADC) is experiencing a smaller number of individuals being held on bail or bond, the number of requests for legal research has also seen a significant decrease. We are working with the ADC to see if there is anything it wishes to see from the law library to assist in its mission and we will continue to work with the ADC in this manner. The number of patrons assisted through the joint partnership law clinics is very similar to last year. The clinics are still conducted via phone conference.

The Law Library was approached by Olmsted County Bar Association to see if it could be a partner in offering the legal community a half-day of Continuing Legal Education classes. The Law Library's contribution is to gain accreditation for each of the courses offered from the Minnesota State Board of Continuing Legal Education.

The Law Library is working with both Legal Assistance of Olmsted County and Olmsted County District Court Administration to figure out the best way to increase the usage of the legal kiosk which resides in a conference room on the 5th floor and to work with District Court in advertising the Law Library's services to the larger community. When District Court moved from the 5th floor to the 4th floor, it lost a lot of visibility to the larger public, which may not have made the trip to the government center specifically to use the law library but upon seeing it, decided to stop in for whatever type of issue that had been on their mind. We've discussed creating a message board to hang in the foyer of District Court so people can read it while waiting in line at the court administration counter.

The Law Library received a donation of MN Statutes Annotated books from Hennepin County Library, and thereafter entered into a contract with Thomson Reuter to receive current updates on a yearly basis. This has added significant updated materials to our current collection. Not necessarily on a legal level, but important to the youngest of our community, the Law Library has a shelf dedicated to the children who accompany their parents to the Law Library. We've received many donations of children's books and they are encouraged to pick one, or five, to read while in the law library and to take home with them so we can encourage reading and build a special memory about the place they visited in the Government Center.



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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.

2023 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 month.

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 2023. Without them, this program would not exist.

LAOC: Karen Fairbairn Nath, Executive Director; and Samantha Fletcher, Volunteer Coordinator.

Volunteer Attorneys and the number of clinics they provided in 2023:

Criminal

Expungement: Grant Borgen (5) Matthew De Jong (2)

Family: Steve Dittrich (8) Jill Frieders (1) Jared Hines (6)
Dan Honsey (4) Cathy Jones (3) Ashley Kuhn (1)
Amber Lamers (2) Andre Novack (1) Carole Pasternak (8)
Steve Rolsch (8) Nicholas Rotar (12)

Financial: Alec Osland (12)



2023 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>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Clinics	215	188	208	187	170	149	166	178	177
ADC	327	269	369	488	367	382	115	104	96
CLEs	275	197	311	201	214	0	0	0	0
Outreach Totals:	817	654	888	876	751	531	281	282	273
Overall Totals	7529	6020	6559	5880	6358	4115	4743	5536	5079
Outreach % of All:	10.85%	10.86%	13.54%	14.90%	11.81%	12.90%	5.93%	5.09%	5.37%

2023 Statistics by Case Topic & Contact Type

	Jan	Fe	Mr	Ap	My	Jun	Jul	Au	Sep	Oct.	Nov.	Dec	Total
Appeals	2				4	1	4			1		4	16
Bankruptcy/Foreclosures		1	1		1								3
Car Titles	1	5	2	1		2				7	2	2	22
Child Custody/Visitation	34	25	44	37	36	29	28	32	19	38	32	15	369
Child Support	13	9	9	18		13	12	13	12	8	5	10	122
Conciliation Court	17	20	32	22	33	31	16	16	24	30	23	20	284
Contempt							1				5		6
Criminal Expungement	5	9	4	6	9	5	11	12	11	17	8	9	106
Debtor/Creditor	1	1	3	5		1		1	3	2	3	4	24
Divorce/Annulment	49	32	50	31	42	49	28	53	44	44	54	46	552
Driver's License				2						1	1		4
Eviction Expungement	1	1			2				4	2	2	1	13
Ex Parte				5		1	1	2	2		1	2	14
Forfeiture (Car/Other)		1							1	1			3
General Civil	16	6	15	19	20	20	9	13	8	22	14	11	173
Gen'l Criminal and DUI	18	12	17	22	23	11	11	21	18	18	22	15	208
Guardianship	9	3	6	3	10	9	16	13	5	17	9	3	103
Harassment	6	2	8	1	3	9	8	3	2	12	3	3	70
IFPs	34	29	41	30	35	28	30	55	43	51	37	31	444
Judgment/Garnishment	1	3	3	6	5	2	5	5	6	4	3	4	47
Landlord	6	10	5	6	13	17	9	10	8	8	7	3	102
Legal Research	12	15	21	7	15	9	13	15	17	6	15	15	160
Miscellaneous	20	19	17	25	17	9	14	21	16	21	16	16	211
Name Change	18	21	25	10	8	23	12	32	17	20	12	15	213
Order for Protection	9	1	2	12	2	5	7	2	5	8	2	3	58
Paternity/Adoption	2		1	3	1	3		2		2			14
Serving Documents	2	2	5	5	4	1	1			1	2	1	24
Subpoenas	3	1									2		7
Tenant	4	4	2	4	1	3	1	6	3	0	6	7	41
Wills/Probate	7	5	7	5	9	4	8	10	10	7	4	8	84
Total Walk-In Contacts	223	237	320	295	293	285	245	338	278	348	290	248	3400
Total Attorney Contacts	11	4	12	10	18	10	9	8	17	12	19	10	140
Total Clinic Contacts	17	8	18	12	16	13	12	14	21	20	13	13	177
Total E-mail Contacts	38	37	46	66	40	44	32	36	46	39	39	28	491
Total Phone Contacts	71	49	69	46	58	83	61	44	97	57	69	71	775
ADC and Outreach	13	3	5	12	6		3	4	15	7	20	8	96
TOTAL CONTACTS	373	338	470	441	431	435	362	444	474	483	450	378	5079

2023 Usage and Statistics

IN-PERSON SERVICE STATISTICS BY TOPIC

	2015	2016	2017	2018	2019	2020	2021	2022	2023
FAMILY	1445	1167	1252	1271	1446	820	969	1189	1260
CIVIL	1873	1443	1836	1583	1617	713	940	1163	1195
CRIMINAL	277	259	247	281	290	130	234	296	314
PROCEDURAL	813	733	775	596	298	311	428	619	698
TOTALS:	4408	3602	4110	3731	36551	1974	2571	3267	3467

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

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Walk-in	4408	3602	4110	3731	4023	1974	2571	3226	3440
Atty.	698	388	402	325	240	72	43	74	140
Clinics	215	188	208	187	170	149	166	178	177
Email	143	175	111	323	428	632		884	491
Phone	1396	1233	984	837	1021	1110	1216	1070	775
CLE	275	197	311	201	214	0	0	0	0
ADC	327	143	369	488	367	382	115	104	96
Totals	7529	6020	6559	5880	6358	4115	4743	5536	5119

Olmsted County Law Library Financing and Budget: A Basic Primer
(a copy of the 2023 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 2023 annual budget?

As part of creating a budget for any year, the Law Library’s Executive Committee (Board Chair, Board Treasurer, and law librarian) 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 2023 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 2023.
 - 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.
4. The LAOC contract should be renewed for 2023 with the same level of service as was provided in 2022 at the rate of \$1,000 per month.

**2023 Final Budget Statement
Adopted Budget versus Actual Usage**

EXPENSES	2023 Adopted <u>Budget</u>	2023 Actual <u>Budget</u>	Budget v. Actual <u>Amount Available</u>	Percent <u>Available</u>
6111 Salaries	76,472	68,972		
6120 PTO	6,791	8,471		
6121 Holidays	3,571	3,498		
6100 Payroll Exp	6,450	6,071		
6153/54 FICA	6,579	6,192		
6155/56/22 UI OTP	0	0		
Salaries Subtotal	99,863	93,204	6,659	6%
6206 Staff Dev	550	174	376	68%
6211 Tel/Internet	4,800	3,049	1,751	36%
6212 Postage/Frght	300	131	169	56%
6259 LAOC Comp	12,000	12,000	0	0%
6272 CLE Mileage	550	111	439	80%
6288 VD, DS	5,700	4,927	773	14%
6410 Office Sup	4,500	2,622	1,878	42%
6421 Library Sup	150	0	150	100%
6441 Books Print	20,000	26,846	(6,846)	(34%)
6443 Elec Mtrls	22,451	13,411	9,040	40%
6611 Comp Equip	1,500	1,302	198	13%
6801 Bank Fees	200	0	200	100%
6810 Acct/Payroll	5,000	5,042	(42)	(.84%)
6910 Inv. Fees	0	106	(106)	(100%)
Materials Subtotal	77,701	69,721	7,980	10%
Expense Total	177,564	162,925	14,639	8%
 REVENUE				
5312 Gen Gov't Fines/Fees		206,537		
5415 Grant Revenue		2,250		
5520 Interest Rec (MM acct)		<u>1,009</u>		
Revenue Total		209,796		