



OLMSTED COUNTY LAW LIBRARY
ROCHESTER, MINNESOTA

ANNUAL REPORT

2018

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Welcome to the Olmsted County Law Library 2018 Annual Report!

2018 brought a few new changes to the Olmsted County Law Library. Overall, however, 2018 was a continuation of 'business as usual.' The Law Library saw its five-dollar increase in criminal fees take effect on August 1, hopefully helping the library with its slow but steady drop in income. Another change was the addition of Suzanne Peterson as a third part-time law librarian in late October. We also welcomed Commissioner Gregory Wright to the Law Library Board of Trustees, who was formally introduced at the March Board of Trustees Annual Meeting in March.

The Joint Law Library/LAOC Clinics Program continued to be well received, serving a historically consistent number of individuals. 2018 saw an increase in the number of requests for law library services through the ADC Kiosk Program. The Law Library's free CLE seminars continued to be well attended, and included legal topics such as understanding mental illness, legal tech review, data privacy, bail bonds, and intellectual property basics. We wrapped up 2018 with a Law Library Holiday Open House in December where we were able to enjoy the company of court and county staff, local attorneys, the judiciary, and any others interested in some warm cider and a cookie.

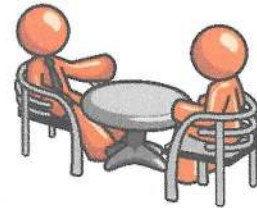
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Joint Law Library / LAOC Clinics Program

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 clinics 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 very 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.



2018 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 was offered each week**, with the exceptions of Thanksgiving and Christmas weeks.

Financial Law Clinics, where topics include debtor/creditor or pre-bankruptcy counseling; real estate / mortgage foreclosure; answering a debt-related law suit 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 was offered each month, except a combined November/December offering in early December.**

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 was offered every other month** (Jan., March, May, July, Sept. and Nov.).

The Law Library received incredible effort and support from our partner for this program, Legal Assistance of Olmsted County. We thank them for helping to make this program a success. We also thank the wonderful local attorneys who generously volunteered their time and expertise in 2018; without them, this program would not exist.

LAOC: Karen Fairbairn Nath, Executive Director; and Kayleen Asmus, Volunteer Coordinator

Volunteer Attorneys and the number of clinics they provided in 2018:

Criminal Expungement:		David Liebow (5)	Mike Walters (1)
Family:	Danielle DiFiore (8)	Arens Dilaveri (1)	Michelle Dobson (1)
	Mary Dunlap (3)	Daniel Honsey (7)	Amber Lawrence (2)
	Ashley Kuhn (2)	Carrie Osowski (4)	Carole Pasternak (4)
	Opal Richards (2)	Steve Rolsch (5)	Jessica Schimelpfenig (4)
	Cheyenne Wendt (2)	Richard Wright (4)	
Financial:	Bill French (2)	William Oehler (1)	Gerald Weinrich (2)



CLEs in 2018

Continuing Legal Education (aka CLE) is an essential component of an attorney's requirements for continuing licensure to practice law in Minnesota. The Law Library offers three days of programming each year, 5 free credits each day, to assist attorneys in maintaining their professional and ethical continuing educational requirements.

This programming would NOT be possible without the assistance of the attorneys who donate their time and expertise to providing these sessions. We thank all the speakers who made our 2018 programming a success!

Friday, June 15, 2018: "Magna Carta Day!"



Bruce Cameron, "Putting Alternate Fee Models Into Practice." 1 Standard CLE credit. Event code **257972**.

Kyle White, Esq., Part 1 - "Challenging the Criminal Justice System to Understand Mental Illness", **and Part 2** - "From Russia With Love: Fetal Alcohol Spectrum Disorders (FASD) and the Criminal Justice System." 1 Elimination of Bias credit and 1 Ethics credit; Event Code **257974**.

Grant Borgen, "Personal Injury Law for the Non-PI Lawyer." 1 Standard CLE credit; Event code **257978**.

Aylix Jensen and Allan Witz, "10 Easy Ways to Avoid Ethics Violations." 1 Ethics CLE credit; Event code **257983**.

Friday, July 13, 2018: "Friday the 13th!!!!"



Bruce Cameron, "Legal Tech Review; What's Hot for 2018." 1 Standard CLE credit; Event code 258825.

Jim McGeeney, "Bail & Bail Bonding." 1 Standard CLE credit; Event code 259262.

Stacy Harper, "Data Privacy and Security: Ethical Obligations and the Protection of Client Data." 1 Ethics CLE credit; Event code 258840.

Joan Bibelhausen, "The Path to Lawyer Well-Being: Reducing the Stigma about Mental Health." 1 Elimination of Bias CLE credit; Event code 259066.

Joan Bibelhausen, "The Path to Lawyer Well-Being: A Lawyer's Duty of Competence." 1 Ethics CLE credit; Event code 259067.

Friday, September 21, 2018: "International Day of Peace!"



Bruce Cameron, "Being Clued in: Why you should consider the monkey brain when starting a law practice." 1 Standard CLE credit; Event code 260880.

Bruce Cameron, "The Backfire Effect: How the Monkey Brain reacts to Persuasion." 1 Standard CLE credit approved; Event code 260879.

Ryan D. Sharp, "The Business of IP." 1 Standard CLE credit; Event code 260881.

Marshall Tanick, "Tanick's Top 10." 1 Standard CLE credit; Event code 261090.

Marshall Tanick, "Happy Birthday, Privacy!" 1 Standard CLE credit; Event code 261091.

2018 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 sessions(CLEs) for members of the judiciary and local bar associations.

Full statistics follow, but here are the statistics for Community Outreach services only, including the Outreach percentage of the whole for each year.

Outreach Type	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Clinics	167	211	221	215	188	208	187
ADC	373	605	262	327	269	369	488
CLEs	95	252	211	275	197	311	201
Outreach Totals:	635	1068	694	817	654	888	876
Totals / All Categories	4630	5341	6048	7529	6020	6559	5880
Outreach % of All:	13.71%	20%	11.47%	10.85%	10.86%	13.54%	14.90%

2018 Statistics by Case Topic & Contact Type

	Jan	Fe	Mr	Ap	My	Jun	Jul	Au	Sep	Oct.	Nov.	Dec	Total
Divorce/Annulment	28	33	35	51	31	50	39	53	32	35	42	37	466
Child Custody/Visitation	25	29	19	29	55	33	27	33	37	38	17	15	357
Child Support	6	5	14	12	6	19	13	15	13	13	14	10	140
Paternity/Adoption	3	1	2	0	2	3	4	4	2	1	4	0	26
Legal Research	9	13	7	13	17	12	15	10	9	5	5	1	116
Criminal Expungement	12	7	9	6	11	9	8	16	10	10	5	4	107
Car Title Issues	0	1	4	2	2	2	0	1	3	4	1	1	21
IFPs	20	16	31	29	30	25	16	32	24	25	19	22	289
Name Changes	14	15	17	19	18	17	18	17	15	6	6	7	169
Conciliation Court	17	18	17	30	24	20	22	30	30	20	30	31	289
General Civil	12	14	18	17	17	19	19	29	14	17	11	9	196
Gen'l Criminal & DUI	13	18	20	14	17	20	15	12	12	12	11	10	174
Judgment/Garnishment	4	6	11	4	7	4	4	8	6	3	7	11	75
Harassment	5	10	8	13	20	16	23	10	17	5	14	11	152
Order for Protection	4	5	3	11	6	9	10	14	9	2	10	4	87
Landlord	10	10	16	11	6	8	4	19	6	15	20	9	134
Tenant	3	4	12	3	5	5	5	9	8	2	8	14	78
Eviction Expungement	0	4	1	2	0	2	3	5	3	0	1	6	27
Guardianship	6	4	2	2	5	10	3	10	4	10	4	3	63
Wills/Probate	2	4	8	4	4	4	1	7	6	6	4	2	52
Appeals	0	1	3	1	0	1	3	4	6	3	1	5	28
Debtor/Creditor	1	2	0	0	0	0	2	1	3	0	3	1	13
Contempt	2	4	2	0	1	2	2	2	5	2	3	1	26
Car Forfeiture	3	5	5	5	4	5	1	5	5	5	0	6	49
Drivers License	1	0	0	2	0	0	0	1	0	2	1	0	7
Subpoenas	1	1	1	2	2	3	3	1	2	1	2	4	23
Ex Parte	0	0	0	0	0	0	0	0	1	0	0	0	1
Serving Documents	7	5	4	3	3	5	8	13	6	1	6	3	64
Bankruptcy/Foreclosure	1	0	0	2	1	0	0	1	2	0	0	2	9
Misc.	45	37	45	39	52	37	36	35	36	46	45	40	493
Total Walk-In Contacts	254	272	314	326	346	340	304	397	326	289	294	269	3731
Total Attorney Contacts	48	23	27	28	30	31	23	29	28	24	15	19	325
Total Clinic Contacts	23	13	18	12	17	16	13	15	17	9	21	13	187
ADC & Outreach	48	38	48	48	30	143	98	60	75	29	37	35	689
Total E-mail Contacts	8	5	10	7	17	5	8	8	13	10	15	5	111
Total Phone Contacts	89	56	83	64	63	64	97	94	63	60	65	39	837
TOTAL CONTACTS	470	407	500	485	503	599	543	603	522	421	447	380	5880

2018 Usage and Statistics

IN-PERSON SERVICE STATISTICS BY TOPIC

	2012	2013	2014	2015	2016	2017	2018
FAMILY	1036	1083	1311	1445	1167	1252	1271
CIVIL	737.5	882	1424	1873	1443	1836	1583
CRIMINAL	225	192	235	277	259	247	281
PROCEDURAL	204.5	251	427	813	733	775	596
TOTALS:	2203	2408	3397	4408	3602	4110	3731

FAMILY includes: Divorce/Annulment, Child Custody/Visitation, Child Support, Paternity/Adoption, Name Changes, Order 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 Misc.

CRIMINAL includes: Criminal Expungement, and General Criminal/DUI

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

STATISTICS BY SERVICE TYPE

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>Totals</u>
Walk-in	2203	2408	3397	4408	3602	4110	3731	23,859
Attorney	426	485	654	698	388	402	325	3378
Clinics	167	211	221	215	188	208	187	1397
ADC	373	605	262	327	269	369	488	2693
CLE*	95	252	211	275	197	311	201	1542
Email	125	142	175	210	143	175	111	1081
Phone	1241	1238	1128	1396	1233	984	837	8057
Totals	4630	5341	6048	7529	6020	6559	5880	42,007

Olmsted County Law Library Financing and Budget: A Basic Primer

(a copy of the 2018 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. In 2018 the Olmsted County the Law Library received a civil fee of \$15.00 for all types of civil cases, and a \$10.00 criminal fine on all cases other than parking tickets between January 1 and June 30, 2018. On July 1, 2018 an approved increase in the Law Library criminal fine took effect, raising the criminal fine to \$15.00 going forward.

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 of 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 2018 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 2018 (adopted in late summer of 2017, when the budget for 2018 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. We clearly need to ask for a \$5.00 increase of criminal fees, effective as of July 1, 2018. This increase will require approval from the Local Bench and from the County Board.¹
3. The current level of staffing (1.25 FTE) is sufficient to provide an acceptable level of service.
 - a. The Law Library hours are from 8 am to 4:30 pm with full staff coverage
 - b. Library staff should receive COLA increases equivalent to county employees (the current estimate is based on a 2.5% increase each year, which may change once the actual COLA figures are announced).
4. The current level of investment in print and on-line resources (\$70,000) is sufficient to provide an acceptable level of service. (This amount may be adjusted annually for inflation.)
5. The LAOC contract has not been renewed, as reflected in the draft budget.
6. Computer and network equipment were largely replaced in fall of 2015, and library furnishings were upgraded with the move to new space in May 2016. No major upgrades are anticipated in these areas in 2018 or 2019.

¹ The process to implement a criminal fine increase was successfully completed in January 2018, taking effect on July 1, 2018.

2018 Final Budget Statement
Adopted Budget versus Actual Usage

<u>Fund/description</u>	<u>2018 Adopted Budget</u>	<u>2018 Actual Budget</u>	<u>Budget v. Actual Amount Available</u>	<u>Budget v. Actual Percent Available</u>
EXPENSES				
6111 Full-time Salaries (1.25 FTE)	\$ 88,061	\$ 84,114.51	\$ 3,946.77	4.48%
6120 PTO (aka vacation)		\$ 6,011.97		
6121 Holiday		\$ 3,654.70		
6132/6152 Combined PERA	\$ 5,687	\$ 6,453.32		
6153 FICA-County share	\$ 5,367	\$ 7,170.43		
Salaries Subtotal	99,115	\$ 107,404.93	\$ (8,289.57)	-8.36%
6206 Staff Development	\$ 500.00	\$ 718.00	\$ (218.00)	-44%
6211 Telephone & Comm.	\$ 4,900	\$ 4,878.75	\$ 21.25	0%
6212 Postage & Freight	\$ 200	\$ 338.60	\$ (138.60)	-69%
6259 Compensation / other (LAO)	\$ 12,000	\$ 12,000.00	\$ -	0%
6272 Mileage (CLE speakers)	\$ 300	\$ 309.30	\$ (9.30)	-3.10%
6288 Other Svcs (VD,DS,Beck, oth)	\$ 4,000	\$ 4,460.98	\$ (460.98)	-12%
6410 Office supplies (Beckley's)	\$ 3,000	\$ 2,336.24	\$ 663.76	22%
6421 Library Supplies (Demco)	\$ 100	\$ -	\$ 100.00	100%
6441 Books & Periodicals / Print	\$ 40,000	\$ 20,311.52	\$ 19,688.48	49.22%
6443 Electr Bks & Periodicals	\$ 30,000	\$ 36,208.40	\$ (6,208.40)	-21%
6610 Furniture & Equip.	\$ -	\$ -	\$ -	
6611 Computer Equip	\$ -	\$ 2,609.37	\$ (2,609.37)	-21%
6991 I/G Central Svcs (copying)		\$ 268.80	\$ -	
Materials Subtotal:	\$ 95,000	\$ 84,439.96	\$ 10,560.04	
Total Expense Unit 1240	\$ 194,115	\$ 191,844.89	\$ 2,270.47	
REVENUE				
5312 Gen'l Govt. (fines/fees)	\$ 150,000	\$ 156,532.45		
5115 Reserve Usage	\$ 44,115	\$ 35,312.44		
5116 Reserve Buildup	\$ -	\$ -		
5550 Interest Income-Pooled				
Category 53 Subtotal	\$ 194,115	\$ 191,844.89		



**Olmsted County Law Library
cordially invites you to our**

Holiday Open House

**December 7, 2018
11 am to 1:30 pm**

**151 - 4th St. SE, 5th Floor
Rochester MN 55904**

**RSVPs are appreciated
staff@olmstedlawlibrary.com**

**507-218-3778
(leave a message)**