



The Law Society of
Upper Canada

Barreau
du Haut-Canada



Beyond 2000:

The Future Delivery of
County Library Services
to Ontario Lawyers

First Report of the Working Group on Long-Term Delivery of County and District Library Services

August, 1998

Prepared for Convocation
by Professional Development and Competence Committee,
Working Group on Long-Term Delivery of County and District
Library Services

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Chapter 1

Terms of Reference, Committee Process and Structure of Report

MANDATE

1. On January 23, 1998 Convocation adopted recommendations from the Professional Development and Competence Committee calling for the formation of a Working Group with a three-fold mandate:
 - a) To establish policy objectives for the libraries;
 - b) To consider broad alternative approaches to delivery of library services in light of stated policy objectives; and
 - c) To consider the costs of viable alternatives.
2. The Working Group was directed to write a report which would:

“present a range of options for running the best possible province-wide legal library system (recognizing the constraints of resources etc.) which system ought to be able to exist regardless of which organization is operating it. Therefore the report will not address whether the Law Society or another organization should be charged with running the library system.”¹
3. The Working Group understood this mandate to mean that it should not include the Great Library in its study, since the Great Library is not part of the County Libraries. Nor did the working Group view its task as including recommendations for how the County Libraries should be administered. After there has been a determination of what services should be delivered and by what method such delivery should take place, an administrative model can be developed.
4. The Working Group’s approach to meeting its mandate is:
 - (i) to identify and explain policy issues upon which the direction of Convocation is sought;
 - (ii) to take a high level, general, view of various models; then,
 - (iii) seek guidance from Convocation as to which model or models to prepare, in detail, observing the policy issue directives received; and, in Phase II,

¹ Report by Professional Development and Competence Committee to Convocation, on January 23, 1998, paragraph 15.

- (iv) return to Convocation with detailed costs of only those models considered viable by Convocation and
 - (v) advise Convocation of the policy issues, alternatives and costs of *those* models.
5. The detailed background information is presented to assist Convocation with both Phase I and Phase II decisions. It includes general information about libraries and detailed information about County Libraries. To make library policy requires an understanding of the issues facing County Libraries (historical issues, current issues and possible future issues) and an awareness of the technological developments which are affecting the publication of information. Funding issues, while not determined until Phase II, need to be understood as part of the Phase I discussion since they have an impact on model design and services delivered.

COMMITTEE PROCESS

6. At least one member of the Working Group belonged to each of the County and District Law Presidents' Association, CBA-O, Ontario Courthouse Librarians Association and MTLA. All the Working Group members are familiar with the background and current issues of the County Libraries. Membership of the Working Group is:

Susan Elliott (Chair)	Peter Bourque (CDLPA)
Rich Wilson (Bencher)	Anne Matthewman (MTLA Librarian)
Michael Adams (Bencher)	Cynthia Simpson (Middlesex Librarian)
Holly Harris (CBA-O)	Janine Miller (Director of Libraries, LSUC)
	Susan Binnie (Policy Secretariat, LSUC)

7. Although individual Working Group members have strongly held views about County Libraries they all agreed to put aside any opinions which might be considered "political" and to examine the issues as dispassionately as possible, following vigorous discussion and debate. This was important so that as comprehensive and neutral a background report as possible could be developed for Convocation.
8. The Working Group met for six full-day meetings at Osgoode Hall over the course of four months. Extensive background material was considered by the Working Group. Many of the key background articles are reproduced in the Appendices.
9. At each meeting work from the prior meeting was reviewed. The tasks of the Working Group were discussed in three broad categories: policy, design principles, County Libraries generally. Financial information was examined in some detail. The Working Group has tried to table a report without taking a position on political issues, leaving those matters instead for all the stakeholders, including Convocation, to debate and determine.

PHASED REPORTS

10. This report is the product of Phase I of the work of the Working Group. The work was divided into two phases, so that decisions can be obtained from Convocation on Phase I issues before Phase II begins.

11. In our view, the two distinct policy areas which need to be developed by Convocation, and the order in which they should be addressed are:

Phase I - Library Design

- i. The kind of province-wide delivery of library services which should exist. This includes the structure (type and number of libraries) and the type of services (research, CLE, publications).

Phase II - Funding Methods

- ii The funding options or funding methods for such services.
12. The Working Group developed and debated these two distinct policy areas separately and urges Convocation to do so as well. Unless this distinction is observed, the library design process is overwhelmed with payment and funding issues.
13. However, funding constraints were not and are not to be ignored in the development of library design. The design principles discussed in Phase I assume that no more money will be spent on County Libraries overall than currently is being spent in total. (See discussion beginning at page 98.)
14. Two major decisions are required of Convocation as part of Phase I:
- i) **Policy Decision - System or No System:** Whether the County Libraries should become a system of libraries, rather than continue as a loose, ad hoc arrangement of libraries;
- ii) **Design Model Decision - How to Deliver Services:** Which of the possible model or models should be further developed, in detail, as a delivery model for county library services?
15. There are other decisions Convocation should make as part of the discussion of this Phase I report. These decisions are identified both in the report and in the Summary at the end of the report. The two decisions identified above however are the primary ones required before the Phase II work can proceed.
16. The delivery models outlined in this Phase I report serve only to *describe* the possible models, not detail them, and to set out the advantages and disadvantages of each model when tested against the overarching design principles and against the criteria for change.

17. The Working Group hopes the detail contained is sufficient to enable Convocation to direct the Working Group in Phase II to develop more fully the selected model(s) and any reasonable variations within those model(s). If it is not felt to be sufficient for that purpose then the direction of Convocation is sought as to what other information is required to enable the process to proceed to Phase II.
18. There is a policy issue which Convocation can postpone until Phase II. The **Phase II Policy Decision - Funding**: Whether there should be a change in funding of County Libraries to a profession-wide library levy with no local association library fee or, whether the current funding should be retained, which is a combination of a profession-wide levy and local library fees. Funding issues affect model design though so all the information is collected in this report.
19. This Report, Phase I:
- ◆ provides extensive background information;
 - ◆ identifies possible policy objectives, explains their importance and seeks preliminary direction as to which ones to apply;
 - ◆ sets out design principles for delivery of library services;
 - ◆ examines delivery options (models) at a high level of generality;
 - ◆ seeks guidance from Convocation as to which model or models to explore and design more fully using the preliminary answers to policy questions and design principles².
20. The Phase II report will develop in detail a model for the delivery of library services and will outline administrative and budget options for such model(s). The background information contained in this Phase I report will also be relevant to understanding the Phase II report as the same information will apply.

CONSULTATION PROCESS

21. This Report will be delivered to the Law Foundation of Ontario, County & District Law Presidents' Association (Executive and Library Committee), the Ontario Courthouse Librarians Association, each county library, Metro Toronto Lawyers' Association and Canadian Bar Association - Ontario.

² The purpose of this Phase I report is also to provide detailed factual background information to Convocation and other interested parties such as the Law Foundation of Ontario (LFO), the County & District Law Presidents' Association (CDLPA), the Canadian Bar Association of Ontario (CBAO), Metro Toronto Lawyers Association (MTLA), the Ontario Courthouse Librarians Association (OCLA) and the profession in Ontario about the County Courthouse Law Libraries (hereafter "the County Libraries") which currently operate in Ontario.

22. It will also be posted on the Law Society's website at <http://www.lsuc.on.ca>. and an announcement in both the Lawyers' Gazette and the Ontario Reports will alert interested parties to the existence of the report.
23. By tabling this Phase I report during the summer break of Convocation, the Working Group hopes all interested parties and stakeholders will have ample opportunity to review the report and make their preferences known to benchers over the intervening period before the content of the report is addressed by Convocation. It is expected Convocation will discuss the report in October, if the agenda permits.

Setting out the facts about and suggested policy framework for the County Libraries is a complex process. Interested parties may submit briefs or commentary with additional information to the Working Group at:

**Law Society of Upper Canada,
130 Queen Street West,
Toronto, Ontario, M5H 2N6
Attention: Policy Secretariat**

The Working Group will then assimilate all such supplementary information into a further report to be circulated prior to debate in Convocation. The deadline for receipt of such information is **October 8, 1998**. Comments prior to that date would be greatly appreciated.

Chapter 2

Executive Summary

Format of Report

24. This report is the product of Phase I of the work of the Working Group. The work was divided into two phases, so that decisions can be obtained from Convocation on Phase I issues before Phase II begins.
25. Two distinct policy areas need to be developed by Convocation and, the order in which they should be addressed are:

Phase I - Library Design

- i. The kind of province-wide delivery of library services which should exist. This includes the structure (type and number of libraries, delivery methods for services) and the type of services (research, CLE, publications).

Phase II - Funding Methods

- ii The funding options or funding methods for such services.
26. Two major decisions are required of Convocation as part of Phase I:
 - i) **Policy Decision - System or No System:** Whether the County Libraries should become a system of libraries, rather than continue as a loose, ad hoc arrangement of libraries;
 - ii) **Design Model Decision - How to Deliver Services:** Which of the possible model or models should be further developed, in detail, as a delivery model for county library services?

Libraries: Competence, Research and Supporting Users

27. Possessing legal research skills and being able to adapt to changing realities of practice are part of being a competent lawyer. Law libraries provide resources and tools to develop and maintain these skills.
28. Lawyers need to be better trained and educated in the use of libraries and in how to perform legal research, including appropriately using library staff and using electronic products.
29. There are many different kinds of research. Some research is best suited to hard copy while other research is best suited to electronic products. Knowing when to use which kind of medium is something in which librarians are proficient. There are categories of reference questions which librarians can answer and

there are more complex questions for which librarians can only provide guidance to lawyers.

30. By cataloguing information and organizing collections, libraries help users access legal information. A possible emerging field for libraries is to become more active in the actual creation and dissemination of legal information, rather than simply the passive distribution of it. Continuing legal education is an area where libraries are already active and, could expand their participation as publishers or distributors, as well as facilitating users' efforts to create legal information.

Organization of Libraries

31. County Libraries are not presently organized as a system of libraries and do not operate in a systematic way. There is no common, co-ordinated approach to the delivery of services nor a planned organization of resources. They have been described as a "hodge podge" loose association of individual libraries run by local committees with minimal Law Society oversight.
32. The benefits of a system approach need to be counterbalanced against the loss of local autonomy. An appropriate administrative model can alleviate some of the loss of local autonomy but cannot eliminate it.

Industry Trends and Issues

33. All libraries are faced with the problem that the publication and cost of information is expanding faster than the ability to acquire it and the funds to pay for it. The challenges libraries have include keeping up with technology changes, dealing with a proliferation of materials, using shrinking budgets to acquire more expensive materials and adapting to information demands driven by new technologies and expectations of users.
34. These challenges are coupled with a user population which also has limited financial resources and is not equipped with the research skills required in an electronic environment.
35. Librarians are constantly acquiring new skills for retrieving information. Today, librarians need to market those skills and transfer some level of skill to users through education and training.

County Libraries

36. County libraries were first recognized by the Law Society in 1879 in response to complaints from outside Toronto that the facility at Osgoode Hall did not serve the "country lawyer" and, local libraries were needed. There are now 47 county libraries, funded through a mixture of money raised locally by each association and those levied by the Law Society through the annual levy or received from the Law Foundation.

37. All County Libraries are located in County Courthouses, in county towns. The courthouse space is provided rent-free by the province, through the Attorney-General. Every library has some level of staffing, ranging from part time staff with no specific library training in the small libraries to several full time professional librarians with clerical and technical staff, in the large libraries.
38. Annually, about \$6 million is spent on County Libraries. Roughly one-half of the funds are raised through levies on the whole profession and the other one-half is raised through fees paid by local members of associations.
39. There are five sources of funds for County Libraries: LSUC annual levy, LSUC grant, LFO grant, local association fees, local association other revenue.
40. There are three main categories of library expenses: staff, books and office/other expenses. Some libraries have significant CLE programs, the revenues and expenses of which are shown under the category "other". A change in the bookkeeping records for County Libraries is required to provide better management information.
41. Long-term funding issues facing County Libraries, part of Phase II, are:
- ◆ should all members of the Law Society pay for the County Libraries?
 - ◆ how much, if anything, should local associations contribute to funding?
 - ◆ what other sources of revenue can be generated?
 - ◆ does the public have any responsibility for funding the County Libraries?
42. Increased materials costs over the past several years have forced libraries to cut subscriptions and not acquire new publications. This has resulted in some cases in greatly diminished quality with a lack of current materials, leading to a negative image of the library and affecting the ability of local associations to attract members.

Technology

43. Two kinds of technology are used in County Libraries - online services such as QL or the Internet and CD-ROM products from legal publishers. In a comparison of the currency of QL, CD-ROM and hard copy materials, CD-ROM was found to be the least current while QL was more current in 5 of 7 reports than either CD-ROM or paper.
44. There are many advantages and disadvantages to each of the three media (online, CD-ROM and paper). The electronic products take up far less physical space and do not require manual updating; they also can be searched by "key word" which is faster than manual searching. However, they can't be browsed as easily as paper and access is not reliable as hardware and software are not dependable. There is expensive, ongoing financial upkeep with electronic

products, particularly with changing hardware and, in the case of CD-ROM, access may be cut-off if the license expires; in effect, the product is rented.

45. Paper products are not going to disappear in the near future and a good library will support the best of both electronic and paper. Many resources, especially older ones, will never be digitized and will only be available in paper.
46. The profession is currently in a transitional stage, entering the electronic world gradually and not necessarily voluntarily. One county library has been temporarily displaced from its library and has substituted a wide-range of electronic products and computer terminals for its collection of materials, retaining only a core collection of reports in hard copy. While members initially expressed interest in the electronic option, use has been "woefully inadequate" with members instead travelling to a neighbouring county to access library materials.

Closing Libraries

47. If libraries are closed, for any reason, physical assets such as books, shelving, furniture and equipment will need to be disposed of; subscriptions cancelled and arrangements made with staff for appropriate termination payments. Depending on the number of libraries closed, this process could engage one full-time person for one year.
48. There would also be a tremendous effect on local associations, as the library facility is used for a variety of purposes. Given space problems in most courthouses, closing the library would probably mean permanently losing the physical space and displacing the association.

Delivery Models

49. Certain design principles have been applied to a review of a number of possible ways to deliver library services. Some of these principles establish that libraries promote and facilitate competence, provide a basic level of access to current and historic legal information and facilitate the flow of research in the profession.
50. Selecting any one service delivery model involves accepting a certain trade-off between cost, quality and convenience as it is unlikely that all three can be achieved at once.
51. The eight delivery models outlined fall generally into those which employ a system approach and those which do not. Ranging from a privatized model, with no Law Society funding or input to a fully integrated, blended system of tiers of libraries, to a model where there is only one, electronic library, the advantages and disadvantages of each model are set out.
52. Convocation is asked to answer the main policy question of whether County Libraries should operate as a system or not, and then to provide guidance as to the kinds of services which ought to be delivered such as CLE or reference

services, Convocation is then asked to select a model for the Working Group to develop in detail. The Phase II report will provide such detail.

53. Convocation will also be asked in Phase II to address the long-term funding issues of who should pay and for what should they pay?
54. A possible Phase III topic is to address the question of duplicate library resources by meeting with representatives from the Crown Attorneys and the judges.

Chapter 3

General Information about Law Libraries

55. To do a fair review of the County Libraries requires general knowledge of law libraries, their nature and purpose, as well as an understanding of the role of libraries and their organization.
56. The Working Group believes County Libraries should take into account modern design principles for libraries generally and for law libraries specifically, then tailor those principles to meet the needs of the lawyers of Ontario to serve both their clients and the administration of justice.
57. As part of an educational process about law libraries in general and, to provide adequate background for the review of the County Libraries, the following section of the report outlines the basics of law libraries - Why do they exist? How do they support the profession? How are competence and research related to law libraries?
58. Following the answers to these questions, this section of the report examines roles the libraries play in supporting the profession - cataloguing collections; CLE and publications; providing staff assistance to access legal information and, outlines the various staff roles found in law libraries.

WHY DO WE HAVE LAW LIBRARIES?

59. This question amounts to "Why don't we just use the books in our own offices or in public libraries - what's the purpose of buying materials and putting them in a central place set aside primarily for lawyers?"
60. The answers to this question are:

Financial Reasons - Economies of Scale:

- ◆ lawyers can't afford to buy all necessary books for their own offices
- ◆ economies of scale can be realised to purchase a better assortment of materials and to obtain volume discounts in an organized library collection

Competence-Related:

- ◆ to teach and inform lawyers and, those with professional staff, assist users through the maze of publications, paper and electronic, to refine and answer research questions

- ♦ organized libraries facilitate the research of legal information by making legal information more readily available to lawyers where they may practise - it is necessary to have local law libraries for this purpose
- ♦ they encourage competence in the legal profession
- ♦ they produce better advocacy in the legal system

Pure Purpose:

- ♦ public libraries don't contain specialized enough or current enough legal information to assist with the requirements of the administration of justice so specialized law libraries are required
- ♦ law libraries exist to be both a legal resource and an archive - a repository of historic and current legal information

61. Further discussion of the support provided by libraries to the legal profession can be found starting at page 23.

COMPETENCE AND LAW LIBRARIES

62. The Law Society has been examining its role in relation to competence in the legal profession. To this end, a Task Force was struck to establish a definition of competence, so that the definition could guide the profession and the work of the Law Society. The report of the Competence Task Force was adopted by Convocation on November 28, 1997. The full definition of competence contained in the report and accepted by Convocation is reproduced in the Appendices.
63. The definition does not address a standard of competence. Standards are left to be addressed when competence-related programs are designed. The County Libraries are a Law Society program in that \$116 of each lawyer's annual levy is used to fund part of their operation. Therefore, the definition of competence should underlie the development, administration and analysis of the County Libraries.
64. Knowledge of law and procedure, legal research skills, ongoing professional development and adapting to changing realities of practice are all part of the definition of competence. For every lawyer, a law library's resources and tools are sources from which to develop and maintain those skills.
65. The competent lawyer is also expected to implement a chosen course of action by applying skills which include legal research.

The next section of this report deals extensively with legal research. Research is a necessary professional skill for lawyers. The ability to provide proper tools for legal research is the main purpose of a law library. Librarians can provide such training and education in legal research techniques but lawyers need to

understand the research process itself before they will understand the need for such training and education.

RESEARCH AND LAW LIBRARIES

What is Legal Research?

67. We can begin with an example: in the late 1980s a group of law librarians in the UK, concluding that many law students beginning their articles were "unable to undertake basic legal research," began to offer an in-house course for large law firms called a "*Practical legal research course*." The courses were so successful that two years later arrangements were made to offer them publicly in co-operation with the Law Society's library.
68. What was at issue here and what kinds of problems underlay the students' inability to carry out "legal research"? The first question we should probably ask is what did the UK librarians mean by "legal research" and "practical legal research"? Three examples from among many similar definitions of legal research are provided as illustrations of answers found in the legal literature:
- ♦ . . . the lawyer's purpose in legal research is to discover all the diverse legal factors bearing on the issue and prepare a presentation of the full facts and the law. Legal research may be defined as the search for authority and precedent as found in the sources of our law.³
 - ♦ Legal research entails discovery of authoritative sources of laws in force at particular points of time, and interpretation of those sources.
 - ♦ Legal research is the investigation for information necessary to support legal decision-making. In its broadest sense, legal research includes each step of a process that begins with analysing the facts of a problem and concludes with applying and communicating the results of the investigation.⁵
69. The definitions share an abstract conception of legal research - as the search for legal authority and precedent and information. This may, to some extent, obscure the fact that legal research by practising members of the profession tends to be pragmatic; pragmatic, because legal research for practitioners is a response to the needs of real people to find answers to actual problems.

³ Surrency, Edward C. *A Guide to Legal Research*, 1959

⁴ Enid Campbell, Lee Poh-York, and Joyce Tooher, *Legal Research Materials and Methods*, 1996, at page 1. Provided by Australian scholars at Monash University.

⁵ *Fundamentals of Legal Research*, by Myron Jacobstein, Roy Mersky and Donald Dunn, 6th edition, 1994. Chapter written by Steven Barkan, Marquette University Law School.

70. We may also want to ask whether legal research is equally common in different fields of law. A Department of Justice report commented in 1972:

"The more frequently practiced areas of law, e.g. real property, estates, collection work and commercial law seldom require in-depth research. On the other hand, considerably more research is required for example in taxation, municipal law, insurance, labour and patent law which are areas of legal counsel less frequently required by the public."⁶

71. It seems evident that the need for research varies from field to field. However, it may also be said that the amount of research required in *all* areas of practice has increased exponentially since 1972 not only with the explosion of information but with the numerous amendments to the law in the last 25 years.
72. Furthermore, the need for research must vary from case to case according to the complexity of the case, according to the knowledge and experience of the lawyer and also according to the extent of specialization in that lawyer's practice and the level of sophistication of the client. In addition, the extent of the research which can or may be conducted will depend on the client's ability to pay for the time involved, perhaps the significance of the client to the law firm and the importance of the outcome of the case.
73. All this indicates is that there are several types of research which can be conducted. When designing library services, the kind of library which is established will depend upon the kind of research which it is supposed to facilitate.

Types of Research

74. For our discussion purposes, legal research can be classified into at least seven different types. These categories are not to be confused with the *kinds* of legal material which could be consulted. This is a list of the kinds of research one might be expected to carry out in the course of dealing with a matter:

- ◆ Primary study (and training)
- ◆ Scholarly research (and writing)
- ◆ Current Awareness
- ◆ Continuing Legal Education
- ◆ Research done in normal file preparation - prospective research
- ◆ Panic research - the judge just asked a question during trial - reactive research

⁶ Report on Operation Complex for the Department of Justice, April 1972

◆ Updating of existing legal research ("noting-up")

75. At the present time not every library in the County Libraries can provide *all* these kinds of research and so a policy decision should be made about the kind of research which any library or, the libraries collectively, will provide.
76. Some research is best suited to the use of hard copy materials; other research should be conducted electronically. The Appendices contain a memo by one of the Working Group members as to whether hard copy (paper) or electronic format materials are more suited to conduct a particular kind of research. As technology develops, what is best suited for a given medium may change.
77. Depending on the delivery model selected for library services it is possible to provide all types of research to all members of the profession. Whether this service should be provided is a design question and, ultimately, a question of cost.

What Is The Role of the Information Specialist In Research?

78. Reference services define the librarian/information professional's expertise. It is librarians who are able to guide users through the maze of print and, more recently, of electronic materials to the best source for the information to address the problem being researched. Technology cannot take the place of personal service. It is only through personal service that users are able to frame and define questions into an appropriately clear statement so that the necessary information is uncovered.
79. Information specialists provide the appropriate tools and work with users in applying those tools to locate cases, statutes, government or any other materials necessary to solve the problem. Their role is not to provide advice but to enable the lawyer to find the information and to facilitate that process by suggesting possible resources and providing access to the materials whether in print or electronically. They will not "do" the research for the users but will guide and assist them to facilitate and expedite the research process.

(For a full discussion of the various roles of library staff, see page 28.)

Categories of Reference Questions

80. While a good librarian or Information specialist knows where to go to find answers to research problems, not all problems can be addressed quickly by a librarian. Some difficult questions should be addressed only by a lawyer, with the assistance of a law librarian. Other questions do not require the extensive knowledge of an Information specialist and could be answered by other library staff. For example, a professional librarian is not required to answer simple *factual* points.
81. There are 3 basic categories of reference questions with which librarians deal:
 1. Factual Points - something can be looked up and an answer given in less than 5 minutes:

"Where do I get marriage certificates from Scotland?"

"Can you find me the latest Practice Direction on new bail assignment forms?"

2. More Complex Factual Information - more than one source of material has to be consulted to determine the answer but no more than 30 minutes would be required on an individual inquiry:

"What was the first code of Anglo Saxon law?"

"How is the term "route salesperson" interpreted in Employment Standards policy?"

3. A Grey Area - where interpretation may be required, not just fact finding; while the librarian would find the facts, it may be that a lawyer-librarian would have to conduct this kind of research; staff would probably give detailed "hands-on" instructions to the lawyer-user, demonstrating steps in locating the information but, due to time constraints, the librarian would expect the inquirer to carry out the actual work.

"I need to find all of the provincial statutes and regulations that regulate health care across Canada."

"I've heard about people selling their homes by holding contests. My client wants information about this. Do you need a special licence?"

What Is the Research Process?

82. The process by which the abstract *definition* of legal research is linked to the practical processes of doing legal research is what is important in County Libraries.
83. For the purpose of analysing the delivery of library services to Ontario lawyers, the research process is of particular interest.
84. The right approach required for solving a legal problem is set out very clearly by one writer:

"... when confronted with a legal problem, the initial aim must be to establish a search pattern to find the relevant law. This can only be done by carefully thinking through the problem and establishing what is being looked for; evaluating the starting point from information already acquired; and then selecting and using that material which will allow the relevant law to be found; all without wasting time.⁷

⁷ Robert Watt, *Concise Legal Research*, Sydney, 1993

85. Law librarians agree that their task is to retrieve legal information. But, before librarians can assist in the retrieval of pertinent information, practising lawyers and law students have to define each legal issue, usually by identifying the problem a client is facing. Although librarians can assist by providing information, it is lawyers who decide on the relevance of the information and its application to the client's problem.
86. Difficulties arise in several situations, for instance:
- ◆ when the problem posed by a lawyer is new or very complex;
 - ◆ when the lawyer's identification of the client's problem is preliminary or incomplete.
87. In the first case, access to a library with an extensive and current collection in a specialised area may be essential.
88. In the second case, the librarian will need to ask the lawyer to explain both the problem and the line of reasoning. Such an approach requires a qualified law librarian who can follow the legal issues well enough to provide additional suggestions.
89. The students considered by the British librarians as "unable to undertake basic legal research," could have suffered from one or both of at least two problems: an inability to analyse issues and present them clearly; or, an inability to use the tools available in a library setting to research the issues once identified. The first is either a problem of legal analysis or one of lack of basic legal knowledge. The second is one of ignorance of research processes or of the tools available in a particular setting.
90. When librarians teach legal research techniques, students need to be alerted to the fact that there are likely to be alternative methods of locating the right legal information. The method used in a particular situation will depend upon the alternative resources available to the researcher as well as the level of knowledge already possessed about the subject matter.

A Phase I policy question is whether every library of the County Libraries should be able to provide access to each type of research.

WHAT IS LEGAL INFORMATION?

91. The explosion of information brought about by new technologies in the last 20 years makes it an important topic for lawyers and for librarians.
92. Knowledge is what makes mere information valuable. Management guru Peter Drucker has said knowledge is "the only meaningful resource today".

93. Once information is readily available to everyone and is shared universally, such as via the Internet, it is the *knowledge* of what information to call for and how to put the information to work which will differentiate successful information users from others. Lawyers, trained and educated in the pursuit of legal knowledge, ought to be able to succeed in the face of competition from all other users of legal information, even with legal information freely available everywhere, because the information alone is not useful without knowledge of what to do with it.
94. For the purpose of this report the distinction between information and knowledge is important only to highlight the differing needs of library users and the various ways of meeting those needs. The kinds of needs a lawyer or researcher brings to a law library can be thought of as various knowledge requirements. Meeting those needs is done by the kind of information supplied.
95. When designing a delivery model for library services it is important to understand both the information needs of users and the kind of knowledge being applied in order to determine the services to be made available.

Information

96. The kinds of legal information which traditionally exist to meet research needs are:
- ◆ commentary, articles and texts
 - ◆ legislative materials, statutory and regulatory and citators
 - ◆ government documents
 - ◆ forms and precedents
 - ◆ legal dictionaries and words & phrases judicially considered
 - ◆ case reports and caselaw digests
 - ◆ case citators, cases judicially considered
97. In addition to these traditional sources of information, many kinds of information, not formerly found in a law library, are now available electronically via the Internet or other online services.
98. The variety of information sources used regularly by lawyers in their day to day practices begins to blur, if not eradicate, the distinction between "information" and "legal information". For example, the ability to locate a person's current address by using the Internet "411" web site is of enormous use to lawyers who are trying to locate people - clients, witnesses or debtors. Similarly, calling up a corporate prospectus for review online saves a lot of time and can provide instantaneous information to interested parties. There are even online language translation services available to help clients and lawyers whose first language is not English.

99. Accessing this legal information, applying knowledge to it and using the result to advise clients or develop legal theory is what sets lawyers apart from other consumers of legal information. It is this added value that lawyers apply to legal information that both makes the involvement of a lawyer necessary for consumers and makes access to legal information so important for lawyers.

Knowledge

100. Prof. Harry Arthurs has said that:

"Central to the very notion of a profession is the existence of a common body of knowledge which binds its members together, and which defines the profession's relationship to clients, to the state, and to other groups in society."⁸

"But, with the growth of knowledge and diversification of knowledge, that common core has ceased to exist. The desire to know, the need to know, the resources to know have divided us into subprofessions clustered around differing bodies of knowledge."⁹

101. Prof. Arthurs divides legal knowledge into three categories:

1. *Technical knowledge* - information about legal rules and procedures.
2. *Craft knowledge* - practical information and techniques which are of the essence of legal practise such as dealing with difficult clients or witnesses or how to devise an argument to appeal to a particular judge. This knowledge is defined and validated by an unstated consensus of what constitutes "good lawyering" and is transmitted through mentoring and other informal channels.
3. *Systemic knowledge* - how should law as a system resolve disputes, allocate economic benefits or distribute justice? Does the legal system work? If so, how? If not, why not?

102. Looking at these three kinds of knowledge Prof. Arthurs concludes the profession is weakest at acquiring systemic knowledge, which leads him to the following conclusion, among others:

"We are in the midst of a crisis which encompasses the creation, management, transmission and validation of all forms of lawyers' knowledge - technical knowledge, craft knowledge and systemic

⁸ H.W. Arthurs, *A Lot of Knowledge is a Dangerous Thing: Will the Legal Profession Survive the Knowledge Explosion?* The Dalhousie Law Journal, Dec. 18, 1995, at page 308.

⁹ Ibid., page 309.

knowledge. This crisis affects our ability to serve our clients and to serve society.”¹⁰

103. David Stager comments on the same knowledge explosion when he writes that, while lawyers know some rules and some procedures,

“... it is simply not possible to know all the rules, formal procedures, and practical techniques of all fields of law nor, indeed, in a changing and ever more complex legal system even those associated with a single field.”¹¹

104. Whether the conclusions of Prof. Arthurs and Prof. Stager are generally adopted by the profession, there is no doubt that there are different kinds of information needs and different degrees of knowledge which exist in the legal profession. One kind of library or one source of legal information cannot serve all the information needs. Each area of practice, including emerging subspecialties, has unique information needs. Library services must take into account all these factors.
105. When developing a collection of materials for either an individual library or a library system it will be necessary to determine which kinds of materials should be located in the library or held within the system. To answer that question requires a determination of whether the purpose of the County Libraries will be to provide information to assist with the development of all kinds of knowledge (technical, craft and systemic) or, only one or some of them.
106. At the moment the smaller libraries tend to provide technical knowledge while the larger libraries provide all three kinds but, with cuts in recent years, less systemic knowledge is available outside the Great Library and the university law libraries.

Another Phase I policy question is whether County Libraries (whether individually or as a system) should try to meet the needs of all three kinds of knowledge (technical, craft and systemic) or, just supply information to meet the need for one or some of them?

Research Ability of Lawyers

107. Lawyers need good legal research to underpin their work but it is not the centre of their work for clients - it is putting such research to use in applying their skills,

¹⁰ Ibid., page 300.

¹¹ In *Lawyers in Canada* (Toronto: University of Toronto Press, 1989) D. Stager & H.W. Arthurs.

knowledge and judgment (as set out in the definition of competence) which is the primary task of the lawyer.

108. While lawyers should not be expected to become experts in legal research, they should understand the fundamentals and should learn to use all the library's resources, including library staff and electronic library products, to the best advantage possible. This is increasingly important as the world moves toward more electronic information systems, away from paper-based information.
109. Librarians indicate the legal information contained in their law libraries could be accessed better by the profession. In part this is because lawyers need to adapt to the accelerated changes which are taking place in the legal publishing field and in the electronic and online services available to them. Also, it is because many lawyers, including those recently called, do not have a full appreciation of how law is developed.
110. For example, librarians say that lawyers particularly seem to need help with noting-up cases and learning to use legislation properly. These lawyers don't understand that regulations, and not just statutes, are part of the legislative scheme. Some online services and CD-ROM products are able to assist with this research but the paper materials are also necessary - most library users do not know which tools are reliable and which are not.
111. Discussion in the Working Group revealed that lawyers are generally not aware of the range of services available to them in the County Libraries, particularly in the larger libraries which are staffed by professional librarians. By and large lawyers still try to conduct legal research the way they originally learned to do it - hit and miss - in the library or, perhaps, with the assistance of QuickLaw. Librarians say there are two primary problems with the research skills of many lawyers:
 - (1) search queries are not well-formulated; and,
 - (2) lawyers do not know which materials are the best to use to locate the answers to their queries.
112. The Barreau du Quebec, in its 1996 publication *The Future of the Profession* made the following observations following a study of the profession in Quebec, conducted in 1994:

“ . . . if we want to benefit from technology, we must continually adapt ourselves to it. . . . Equipping oneself with computers, modems and software is not enough. . . . basic compulsory university training for all law students should include, among other things, practical training on how to use computers for legal research and consult databases, basic training on

computer assisted research management and an introduction to legal resources available on the Internet.”¹²

113. One common misconception about online searching is that “the students are learning it all in law school”. The Québec study found this was not true. In Ontario, while law students receive access to QuickLaw without charge, so they can learn how to use it, the Working Group was advised by the law librarians that the lack of cost means the students do not develop effective searching techniques as there are no financial repercussions for improperly framing a search. The consequences are that when the students graduate and begin searching for fee-paying clients, they run up very high QL charges initially, until they develop more refined searching abilities¹³. The current flat-rate pricing from QL, while more affordable, does not foster or encourage good general research skills or efficient QL search skills. It does limit the out-of-pocket financial cost of poor searches to a maximum monthly amount.

The Working Group considers it important to draw this need for better training and education in the use of libraries to the attention of the profession. Regardless of whether there is any change to delivery of services by County Libraries, lawyers need to be educated much better in the techniques of modern library research and use of library facilities, including electronic products and reference staff.

114. Librarians can supply a lot of information more efficiently and quickly than lawyers can otherwise obtain it. They work with the reference materials all the time, they are professionally trained in research techniques and they continue to upgrade those skills through ongoing educational seminars as well as on-the-job training.
115. With the magnitude of change prevalent in the law today, both in substantive and procedural law, it is unrealistic to expect lawyers to be completely conversant with all legal matters affecting their area of practice and also to be consummate researchers. But, the need for good research increases as the rapid pace of change in the law increases. Lawyers can't keep up with everything and research techniques are one of the skills which many lawyers have let slide. A necessary skill for all lawyers is to have a good understanding of what they are competent to do and what they should leave to others to do for them.
116. This is not to say that all lawyers are unaware of the services libraries can provide to users. The Appendices contain a sample of actual research questions

¹² Page III, *The Future of the Profession* - English translation of *La Pratique du Droit au Québec & L'Avenir de la Profession*, Barreau du Québec, 1996.

¹³ One of the librarian members of the Working Group related her experience with a student whose approach to QL searching was not to do any preliminary research to refine the topic but rather put in broadly worded search terms, then download the hundred or so cases returned and start reading them to see if they were relevant. A very expensive and inefficient approach.

recently asked by library users. The sample questions show that the reference services provided are so good that the Working Group is sure that if more lawyers were aware of what help could be obtained from law libraries, requests would come pouring in.

The Working Group urges readers to review the reference questions in the Appendices to obtain a better appreciation of the kinds of research assistance which can be provided to lawyers.

HOW DO LAW LIBRARIES SUPPORT USERS OF LEGAL INFORMATION?

117. Law libraries are not, as may once have been suggested, mere warehouses of information. They are not merely shelves of books randomly assembled, and legal information is not self-explanatory. Rather, libraries (physical ones or in cyberspace) provide a variety of services related to legal information, not the least of which is the organization and cataloguing of the information.
118. The draft report of the Courthouse and Law Society Library Management Group ¹⁴ dealing with Canadian Courthouse Library Standards in 1998 contains the following preamble:

"The law library is essential to the administration of justice in all jurisdictions. The quality of its legal services will be dependent upon the quality of its law library.

Legal information is the lifeblood of the legal system. The health of that system depends very heavily on the quality and accessibility of the information by which it is served. Any part of the system that is not adequately supplied is apt to fail in meeting the needs of those whom it is intended to serve. (Canadian Legal Information Centre. Legal information access ideals. ([Ottawa], 1992), p. 11-12.)

Access to legal information is vital to the effective operation of the Canadian judicial system. Canadian courthouse libraries provide access to legal information resources for all citizens, either through direct access to those resources, or through judges and lawyers who rely on those resources."

¹⁴ The Courthouse and Law Society Library Management Group is an ad hoc group of members of the Canadian Association of Law Libraries, which began meeting in the early 1980's. A set of standards for Canadian courthouse libraries was accepted in 1986 and, in the early 1990's it was decided it was time to revise the standards to incorporate two major changes - (1) the impact of technology and the explosion of electronic materials and (2) the description of collections in the new atmosphere of resource sharing amongst libraries. The standards will be published later this year.

119. To provide quality legal information requires cataloguing and professional management of the materials, enabling ready access to the collection.

Cataloguing

120. Efficient access to the information contained in a library requires the organized collection of the materials and the cataloguing or classification of those materials. Books and materials do not arrive at a library ready to put on the shelf or into circulation. A whole process is required to catalogue the information. This process can range in time from two hours to half a day in length for *each* new book or significant piece of information which is catalogued.
121. A mere collection of books is not a library, it's a "bunch of books". Anyone with a home library, a record collection or a videotape library understands that locating and using individual items in the collection or library is almost impossible unless it is organized in some fashion. Once the collection grows to several thousand items, used by hundreds of different people, the need for organization should be obvious.
122. The cataloguing process is so little understood outside the library community and so taken for granted by users that it astonished the non-librarian members of the Working Group to learn that there was no simple, standard, "pre-catalogued" process whereby material arriving at the library could just be inserted into the collection.
123. The Appendices contain a more detailed memorandum by one of the staff of the Great Library outlining the cataloguing process and explaining in lay terms some of its rigours. To gain a real appreciation of one of the essential services provided by a library, readers are urged to review this memorandum.

Other Ways Libraries Support Users

124. Cataloguing a collection establishes a means of organizing and therefore retrieving information. However libraries and Information specialists working in libraries provide many more services once the cataloguing has taken place. Libraries also:
- ◆ provide a way to research information using a variety of materials and sources of information
 - ◆ provide Information specialists to address users needs - lawyers are not able to stay current enough to be the best users of law libraries, and need someone to provide an information road map through a complex system; Information specialists are knowledgeable about the strengths and weaknesses of the many products which can be used to locate information
125. There are other services which libraries are considering and which County Libraries could move to in the near future:

- ♦ traditionally, libraries *create* very little information; they *receive* information from a source and circulate it to others who seek it out. This is described as a passive, *distribution* system
- ♦ with technology such as word processors, e-mail and the World Wide Web, libraries (and users) could actively disseminate information by *creating* it or assisting with its creation and then proactively *disseminating* it rather than just distributing it when users happen to seek it out ¹⁵

CLE and Publishing

126. A few of the larger County Libraries participate in the creation and delivery of CLE programmes for lawyers; with more technology available in the libraries it is possible to envision a more active CLE delivery role for libraries in future. Indeed, some academics predict that book publishers will increasingly provide courses, moving beyond providing books as supplementary materials to courses. Many authors will publish and distribute to readers directly online, bypassing publishers altogether.
127. The computer desktop and electronic publishing revolutions are contributing to a blurring of the traditional distinctions between legal research, legal publishing and continuing legal education. Professor Eli Noam writes:

“Publishers’ function in the future will extend far beyond providing books as supplementary aids to courses. Instead the publishers will increasingly provide courses themselves. They will become course publishers...

It is hard to imagine that the presently prevailing low-tech lecture system of university instruction will survive. Student-teacher interaction...comes with a big price tag. If alternative instructional technologies and credentialing systems can be devised, there will be an out-migration from classic campus-based higher education.

Electronic forms of instruction are not inferior to face-to-face teaching (though the latter is often romanticized); rather, they can be provided at dramatically lower cost...at present, private universities charge a tuition of nearly \$50 per lecture hour per student not counting most of the public and philanthropic support they receive,

¹⁵ The traditional library relationship, just like Internet usage, depends on the user “visiting the site” and seeking information which is stored there. This has become known as “pull” technology because the user goes and “pulls out” what s/he wants. Unless the users pay a call to a site, they do not receive the information. A more aggressive style of Internet marketing has recently emerged, exemplified by companies like Pointcast, where information is delivered to users automatically, in what is now described as “push” technology. There is great potential for practising lawyers in the “push” world if it is handled properly. Users could register their particular interests or practice areas with libraries and be advised by e-mail when new developments arise, relevant cases are decided or books are acquired. To save search time, intelligent search agents are being developed to scan the web for new postings which fit a user’s profile. These search agents, combined with library materials being “pushed” to lawyers would equip lawyers with the most up to date information, with the only effort required being that of reviewing the information at its point of delivery and deciding whether and how to use or store it.

or the opportunity cost of students' time. With such Broadway-show-sized prices - and without the latter's entertainment value - alternative providers inevitably will enter...[putting] together an effective and continuously updated teaching package, making the traditional teaching of universities look boring in comparison...a curriculum, once created, could be offered electronically...using the most effective and prestigious lecturers..."¹⁶

128. As CLE providers increasingly become publishers (both on paper and on-line), they will likely develop a closer relationship with County Libraries, collaborating in assessing lawyers' needs and responding with products that best meet them. If County Libraries become more aggressive about marketing their services and training lawyers to conduct proper legal research, they will need and want to access the expertise of the CLE providers in developing and running courses.
129. There are other reasons for libraries to consider becoming more involved in publishing or disseminating legal information. Commercial publishers have a for-profit imperative which can be at odds with the dissemination of legal information to the widest group possible. Commercial prices tend to be whatever the market will bear, or, often, whatever the more prosperous segment of the market will bear - an approach which strains library resources when acquiring materials and puts useful or essential works beyond the reach of many practitioners. Dependence on commercial publishers may also have the effect of restricting public and professional access to important legal information, if the current copyright litigation between the Law Society and certain publishers is determined in favour of the publishers.
130. One solution to this dilemma is for the profession to become more involved in publishing legal materials. For the County Libraries to enter the publishing field is not such a big step if proper collaboration with the profession takes place. Both the Canadian Bar Association - Ontario and the Law Society as well as local law associations already publish many very popular and extremely timely materials as part of their CLE programmes.
131. The Bar Admission Course materials are currently available only in paper format. They are placed in the County Libraries and are a terrific source of current legal information and precedents developed by leading practitioners. Publishing them online would increase their utility, particularly if the precedents could be used without the necessity of re-typing.
132. The Law Society currently publishes *Ontario Reports*, in paper format, under a contract with a commercial publisher. The electronic version is made available through QuickLaw under arrangement with the Law Society. Whether to continue these arrangements and whether to expand the electronic formats of publication are questions which will inevitably arise in the near future, when the publishing contract is due for review. If libraries are to be more active in the dissemination

¹⁶ Eli M. Noam, professor of finance and economics at Columbia University and director of the Columbia Institute for Tele-Information, in *Educom Review*, March/April 1998.

of legal information it will be important to determine their role as publishers or providers of the information contained in the Ontario Reports.

133. This year the Law Society will, for the first time, publish the *Special Lectures* volume itself rather than through a commercial publisher, enabling practitioners to acquire it at \$65 per copy or less, instead of the \$98-\$110 charged for comparable recent volumes in the series ¹⁷. The Law Society has also:
- ◆ received a Law Society Foundation grant to publish a one-volume annotated encyclopaedia of pleadings;
 - ◆ is preparing for publication what is intended to be a definitive annotated separation agreement;
 - ◆ will initiate a "new legislation handbook" series in 1998-99 (the first volume dealing with the amendments to the Condominium Act); and
 - ◆ may publish up to six handbooks in support of the proposed Requalification programme in 1999.
134. Various other projects are under consideration. The CLE Liaison Committee appointed under Convocation's authority is expected to recommend publication of a regular law-and-practice bulletin for all Society members.
135. There is a growing consensus in the profession that, with electronic dissemination of information, lawyers as a group need to re-consider their role in the creation and distribution of legal scholarship and practice materials. Lawyers for the most part write legal text books, produce CLE materials and select and annotate case materials with little or no compensation from publishers for their efforts. It may be that as a profession we should examine whether this is the best way of continuing to distribute legal information, especially now that issues of copyright protection, annual pricing policies and bundling of electronic materials are threatening to change access to this information in such a dramatic way.
136. In short, even apart from the traditional binders of CLE materials, the Law Society already has a *de facto* publications program, and it is worth asking whether the interests of the profession and public would be best served by expanding and systematizing it. If the Law Society were to adopt a more proactive approach to publishing, the longstanding links between the Society and County Libraries (and the County Libraries' links to the local Associations) would make the County Libraries the logical partners or adjuncts in such an enterprise.

¹⁷ The Law Society's CLE director reviewed a recent commercial publishing arrangement in which the commercial publisher charged \$125 for a publication of great interest to a certain segment of the profession. Unfortunately, at that price, fewer than 200 copies were sold. The CLE director determined that if the book had been alternatively published it would have cost about \$20 per copy and could have easily been sold for \$50-\$75 making the work accessible to many more of those for whom it was written and generating a reasonable profit for the publisher as well.

137. County Libraries, with their expertise, professional staff and technological infrastructure have the opportunity to become more involved in CLE delivery and to participate in electronic publishing to generate ¹⁸ and disseminate legal information rather than merely possess and distribute it. Whether County Libraries should pursue these avenues is something which ought to be further investigated and developed as part of the Phase II discussion since the analysis depends to some extent on whether a system of libraries is developed or, they remain in the current structure. Whether the Law Society becomes involved in this process is a decision which, while important, is independent of the approach taken by County Libraries.

WHAT STAFF POSITIONS EXIST IN A LAW LIBRARY?

138. There are three kinds of staff positions in a large library - professional librarians, library technicians and library clerks/assistants. In a small library, the person employed by the association is often called a "librarian" even though he or she may in fact be a library clerk or someone without any formal library training at all. This can lead to confusion in understanding the various roles and responsibilities of trained library personnel and can create unrealistic expectations by users and local library committees as to the ability of the local staff.
139. A lawyer does not want clients or consumers to confuse the lawyer's skills and training with the skills of a legal secretary or a law clerk. Similarly a librarian with a Master of Library and Information Science or Master of Library Science degree ought not be confused with a library technician who provides a valuable service but possesses a different skill set and training.
140. While not every library requires an information specialist, depending on the kind of service being rendered by the library, every library which contains books needs a staff person, at least part time, to keep order, shelve books, maintain the collection and provide assistance to users.
141. The Working Group feels it is worthwhile to set out the differences in training, skills and functions that each kind of library staff position entails, to further an understanding of the role of information specialists, technicians and clerks in libraries.

Librarians

(Master of Library Science or Master of Library and Information Science)

142. A librarian is a multi-skilled professional who works to assist people in finding, evaluating and interpreting information. Librarians create tools and organizational structures which help in this goal. The Master's degree provides training in core library functions. The librarian also studies management,

¹⁸ In addition to generating legal information, libraries could facilitate users' efforts to create and disseminate legal information and could cull sources such as courts for judgments already prepared in electronic format.

accounting, computer programming, staff management and generally acquires skills in public speaking, teaching, negotiating with vendors and staff management.

143. Professional librarians must have a Bachelor's degree followed by a Master's degree in Library Science (MLS) or, as it is called at some universities, a Master of Library and Information Science degree. Some believe that a Ph.D. will become more common in the coming years among professional librarians. Only 59 U.S. and 9 Canadian schools offer graduate library degrees that are accredited by the American Library Association. Graduate classwork includes classification, cataloguing, computer courses and reference work.
144. A librarian spends over 60 per cent of the day working with people, either library patrons or other staff and back-office workers. Librarians also work closely with other professional librarians; they loan books, advise each other, and discuss daily work issues on a regular basis. The professional library community is a very supportive one. Strong interpersonal skills are required for those who hope to succeed in this field.
145. Technology has had an enormous effect on the work of law librarians. The volume of information now available and the expertise required to find a piece of it has resulted in lawyers becoming more reliant on professional librarians. Librarianship now involves not only applying the traditional skills of acquisition, cataloguing, indexing, compiling bibliographies and general reference but also requires sophisticated analytical skills to be able to sift through the enormous quantity of information available, analyze the results and provide only that which is relevant. This wide range of skills is necessary whether dealing with print or electronic formats.
146. Librarians are challenged daily to find new and creative ways of obtaining obscure information; the most-cited positive aspect of their job is a sense of continuing education.
147. The modern librarian is running a business or a department within a corporation. The librarian makes personnel and staffing decisions, tracks inventory, sets and follows a budget, and oversees the direction of the library. Research and computer skills are important. Librarians work under real deadlines and significant pressure. .
148. The American Association of Law Libraries has identified 31 core competencies which provide a common denominator for describing what law librarians do. The entire list is reproduced in the Appendices. The top 5 core competencies are:
 1. Can assist in the use of electronic legal resources.
 2. Able to assist users with legal research using print resources.
 3. Able to provide experienced and customized reference services on law-related topics.

4. Able to evaluate both print and electronic resources, integrate them to meet the needs of the library users, and discard them when appropriate.
5. Able to evaluate the quality, authenticity and accuracy of sources, both traditional and electronic and convey the importance of these to the user.

Library Technicians

149. A library technician is a specially trained support staff member who maintains the backbone or infrastructure of library operations. Library technicians must have a Library Techniques diploma from a community college.
150. Library technicians may work in one or more of the core library functions: public services, acquisition and organization of library materials, bookkeeping or inter-library loan.
151. A library technician's work is detailed and likely is technology-based. The library technician is often the front-line staff member in a library. As such, the technician must be able to respond to basic and intermediate level information requests and to decide when to refer reference or research questions to a professional staff member.
152. Library technicians require analytical and organizational skills, interpersonal and communication skills, and often clerical skills as well. These skills may be used in:
 - ◆ running systems organized to order library materials
 - ◆ keeping track of materials received
 - ◆ assisting in cataloguing books and online sources
 - ◆ organizing items for binding
 - ◆ indexing legislation or court decisions
 - ◆ managing circulation of library books
 - ◆ carrying out interlibrary loan procedures
153. In some instances, library technicians with the appropriate training and experience may take full responsibility for the operation of a small library.
154. Library technicians require continuing education to keep up with the development of library systems, print and electronic resources, and technology.

Library Clerks/Assistant

155. Library clerks come from a variety of educational backgrounds.

156. In some respects the duties of a library clerk/assistant are similar to clerical positions in other organizations. General duties may include secretarial-receptionist functions such as:
- ♦ maintaining filing systems
 - ♦ answering telephones
 - ♦ typing correspondence
 - ♦ processing mail
 - ♦ general office management
 - ♦ ordering supplies
157. Clerical duties particular to a library may include:
- ♦ shelving books
 - ♦ keeping shelves and working areas in order
 - ♦ filing looseleaf services
 - ♦ working at the circulation desk
 - ♦ stamping and labelling incoming materials
 - ♦ repairing damaged books
 - ♦ assisting with facsimile and photocopy services
158. In some instances a library clerk/assistant may perform very basic directional type reference duties.
159. A library clerk must be organized, have good communication and interpersonal skills, and pay attention to detail.

The Roving or Circuit Librarian

160. In England, there is a new category of law librarian known as the Circuit Librarian. Five such librarians cover assigned regions and are responsible for "ensuring that the judiciary and court staff have access to those sources of information needed for the administration of justice."¹⁹ This person acts as a link between users and resources by visiting local libraries and discussing with library officers (a member of court staff assigned to library duties) such things as ensuring looseleaf services are updated, law reports are bound on a regular

¹⁹ *Spanning the Severn*, The Law Librarian, vol. 28, no. 4, December 1997 at p.212. This article is reproduced in full in the Appendices.

basis and superceded material is disposed of in accordance with published guidelines.

161. This is one way to provide smaller libraries with the services of a professional librarian while recognizing that their day to day staffing needs (and budget) only require the services of a library technician or clerk. The Blended System delivery model described at page 112 includes two roving librarians as part of the services model.

Chapter 4

Libraries - Common Issues & Industry Trends

OVERVIEW

162. This report is about the County Libraries in Ontario. However, the Working Group feels it is important to note there are issues and trends common to all libraries, in all countries.
163. This section of the report contains a snapshot of the common library industry issues. No extensive literature review was conducted as it would be beyond the resources of the Working Group. The World Wide Web was, however, searched and the following information retrieved. This information is presented to offer views of independent professional librarians in other systems about issues which the Working Group has determined also apply to the County Libraries.
164. The footnotes in this section contain references to the URL ²⁰ (world wide web address) where the full text of each article mentioned can be found.

UNIVERSITY LIBRARIES

165. Some university library systems are concerned with rising costs, loss of control over information and the cuts to collections which result. This is an all too common theme of the County Libraries.
166. The following excerpts from a Faculty Convocation Speech given at the University of Kansas on September 9, 1997 ²¹ by Provost David Shulenburg could just as easily have been remarks about the County Libraries in Ontario:

"The problem is that none of us can keep our library collections abreast of the scholarly knowledge being generated. The reasons for our failure are many and complex.

- ♦ the explosion in scholarly publications, both serials and monographs
- ♦ the extraordinary inflation in the cost of published material
- ♦ the failure of University Budgets to increase at a rate sufficient to cover these increases in volume and cost

²⁰ URL stands for Uniform Resource Locator. It is the "address" used to find information on the World Wide Web.

²¹ This speech was retrieved from the World Wide Web. The full text can be viewed by visiting <http://www.ukans.edu/~provost/cvospeech.html>.

First: The Explosion in Scholarly Communication.

We are all familiar with the increased number of outlets for scholarly writing. Ebsco is a jobber, serving primarily US libraries, that acts as the wholesaler between the publishers and the libraries to ensure subscription fulfillment. In 1996, Ebsco's customers requested from them 91,000 more serials and journals than in 1987. This is an increase of 55% in nine years or a compounded annual increase of 5.8% per year in the number of titles available."

"No public or private University can keep up with the additional scholarly communication being generated--- but much worse, every university is canceling serials and reducing the number of books purchased because the inflation rate for journals is so far above the rate of increase in institutional budgets."

"We, that is, all of the academy, got into this fix by one decision that is very old[:] a collective one whereby faculty assign away complete and total rights to intellectual property when a journal accepts a paper for publication. The result is that, "Universities cannot afford to buy access to the knowledge which they paid to have created."

167. Convocation has previously recognized that this same danger (of being unable to access the knowledge you create) exists in legal knowledge. As the cost of legal publications increases, lawyers and, therefore, their clients, cannot access the very law which they have helped create. One approach is to consider being more active as publishers in the dissemination of information as outlined in the discussion page 25. County Libraries could be ideal partners in any such initiative.
168. Some of the suggested solutions to these problems which were mentioned in Provost Shulenberg's speech are currently in place, such as ranking publications and consortia purchasing of electronic products. Other suggestions, such as Inter-Library Loans and co-ordinated collection activity, ought to be investigated.
169. The conclusion drawn by Provost Shulenberg and his colleagues is that "no library can keep up with the flow of scholarly production and [the Association of American Universities] calls for libraries to act as a single system to ensure that collectively we do keep up."

PUBLIC LIBRARIES

170. During Ontario's Library Week in October, 1995 Lorne Bruce⁶¹ delivered a speech entitled *Public Libraries and the Information Age* at the Kitchener Public Library.⁶²
171. In this speech he identifies a number of challenges facing the public libraries in Ontario:
- "Right now there are many challenges, perhaps too many for comfort. Management challenges, e.g. budgets--they are always a problem. Technological challenges, e.g. computers--they are always being upgraded. Educational challenges, e.g. learner centred environments created by the proliferation of information. There are, of course, other challenges, but I want to speak about the incredible growth of information that seems at times to engulf us and to submerge libraries."
172. After reviewing developments in technology and information processing, he makes the observation that:
- "Within a print and broadcast culture the typical user is not expected to invest significant amounts of money into information systems hardware (e.g. books, radios, portable television sets, videos, music recordings). Purchases were made for an item, such as a record, or for a right, such as admission to a movie theatre. However, with the growth of personal and business computing enterprises (sic) and new home games after the mid-1980s, a fundamental alteration is occurring. With computers and telecommunications systems, the user, not the manufacturer, publisher, or broadcaster, becomes responsible for significant financial outlays in the investment in information systems equipment and peripherals, such as Nintendo and modems which require frequent upgrades."
173. Later in his remarks Mr. Bruce examines the role of the public library - where does it fit into the information revolution - and says "I feel the basic question to be resolved right now is: *will libraries be able to adapt new technologies to information demands during a period of retrenchment in government funding?*"
174. He concludes his speech by saying that libraries have to try to develop new services, provide new resources and alter public perception that libraries are

⁶¹ Mr. Bruce is a librarian at the University of Guelph.

⁶² This speech was retrieved from the World Wide Web. The full text can be found by visiting <http://www.uoguelph.ca/~lbruce/info.html>, which is the site of *Libraries Today* a web site for those who are interested in the history of Canadian public libraries and librarians, especially in the province of Ontario.

mostly old-fashioned print warehouses. He suggests public libraries need to do five things in the next five years (then being 1995 - 2000), which are summarized below:

- ◆ Employ the power of information technology by emphasizing new roles in their public services.
 - ◆ Develop partnerships with other organizations - at the very least get library catalogues on local electronic FreeNet and develop WWW servers with navigational aids that allow people to find or discover information resources.
 - ◆ Promote the concept of end user empowerment - link people with information, without an intermediary, and provide an alternative to visiting the library - create virtual reference libraries.
 - ◆ Dramatically broaden the range of electronic services. For example, have people log-in to a local library by computer from their homes or offices and "chat" with staff about some specific query.
 - ◆ Develop libraries as learning centres and re-image libraries as important learning organizations where services continually change and improve.
175. Mr. Bruce's advice is taking hold in cyberspace - libraries are re-imaging themselves and putting users in touch with information in new and exciting ways. Samples of Virtual Libraries from the World Wide Web reproduced in the Appendices demonstrate how this is being done.

THE CHANGING ROLE OF LIBRARIANS

176. Within any discussion of the changing role of libraries and the challenges presented by the information and technology revolutions which have been occurring is always a discussion of what librarians should do to cope with these changes. A series of papers was posted to the Internet under the Follett Lecture Series ⁶³ which was held as part of the work of a committee in the United Kingdom devoted to examining the funding and future role of academic and research libraries. In these lectures, various UK authors and leading academics discuss the role of digital libraries, librarians and the Internet.

⁶³ Arising out of The Follett Report and the Follett Implementation Group on Information Technology was a series of lectures with the aim of raising awareness of international developments and issues relating to the electronic library. The series ran from May 1994 to March 1997 and featured 11 speakers with 13 lectures across the United Kingdom. All the papers and the report can be found at <http://www.ukoln.ac.uk/services/papers/follett/>.

177. One author, June Abbas, collected and reviewed the opinions of several other leading authors.⁶⁴ She determined that librarians had to change their roles and address head on the challenges - both threats and opportunities - presented by the Internet:

"The changing roles of librarians, as facilitated by the use of the Internet, should be of great concern to the profession. There are three major areas which should be addressed by the information profession to meet the challenges of these changes:

1. Because the Internet provides library patrons with a vast array of seemingly accurate information, librarians will need to increasingly adopt the role of teacher or guide. Patrons will not only need to learn how to best access information, they will also need to be taught to critically evaluate Internet resources to determine their validity. Librarians can and will need to provide this guidance.
2. Library professionals will need to address the issues of information organization and retrieval via the Internet. Librarians should remain proactive in dealing with policy and procedural issues concerning organization and access. In this way, the integrity of the information retrieved by library patrons can be ensured.
3. Library professionals should embrace the changes confronting them. Radical shifts in traditional ideas of service need not occur. Library professionals do, however, need to remain flexible and open to the potentials the Internet can have for the profession and for library patrons. For example, the concept of the non-physical, "virtual" library need not be a threat. Internet access should instead be seen as a means to augment information access for patrons. Library professionals who embrace this new environment of collaboration will be better able to provide customized service to their clients."

COSTS OF MAINTAINING A LIBRARY

178. It is well known that increasing subscription costs - both for paper materials and electronics - are hurting libraries everywhere. A separate discussion about the Financial Operation of the County Libraries starts at page 59. Below is general information from other sources about library costs, in general.

Electronic Materials

179. A significant portion of Provost David Shulenburg's speech (see footnote 21) examines the cost of maintaining libraries given the proliferation of information published and the private market forces at work. One excerpt in particular is very telling when looking at law libraries and considering electronic publications:

⁶⁴ Published in *School of Library and Information Management Emporia State University* Katharine Sharp Review ISSN 1083-5261, No. 5, Summer 1997, June Abbas and also at <http://edfu.lis.uiuc.edu/review/5/abbas.html>

“... electronic sources of information are affected by the same factors. For example, in 1995, the private publisher Reed-Elsevier acquired the critical Lexis-Nexis electronic database, a resource for much Law, Social Science, and Business publishing.

We have been paying \$1800 per year per port to access the key educational parts of Lexis-Nexis. Reed-Elsevier informed us this last fall that to acquire the same access in 1999 would cost \$45,240 per port-year. An increase of 25 times in price. The library's thinking based on this announced increase was to continue to receive Lexis-Nexis data, but to provide less access than in the past. By so doing we intended to hold our cost down to \$17,100 per port-year, an increase of a mere 1000% along with a reduction in access. However, during the last month Reed-Elsevier announced a new subscription service to Lexis-Nexis data. Under the new plan the cost of access will go up only 350%, to the equivalent of \$6,300 per port-year.

Instead of paying about \$25,200 per year we will now pay about \$87,000 per year. An occasion for great rejoicing.”

180. Another example of the cost of electronic or online materials is the new American service DIALOG Select which is an Internet service from the world leader in electronic databases. The service is designed for non-professional researchers but does require a “working knowledge” of the field being searched. The results are not ranked by relevance, are displayed in ASCII (plain, unformatted) text and contain about 250 databases which cannot be called up by name and are not organized in any preset group so the entire database is searched each time.
181. The cost of DIALOG Select ranges from a low of \$.50 per minute while connected to their database during the actual search to over \$3.00 per minute for more popular databases with the most common expenses being \$1 per minute. Document costs range from under \$1 per record for abstracts like MEDLINE to \$16.25 for a Population Demographics report. Full-text articles are between \$2 and \$3 each.

Paper Materials

182. The ever increasing cost of paper materials is set out in more detail starting at page 66. That this is a worldwide problem should not be doubted. The Follett Report dealt with increasing costs this way:

“Concern over increases in prices and costs has been compounded by trends in library spending in the last decade. Rising costs have created major problems for academic libraries, and expenditure has not been able to keep pace with price rises. As a result libraries have found it necessary to reduce the number of periodicals to which they subscribe, or to avoid taking out subscriptions to new journals. Attempts to protect periodical spending have often been at the expense of book purchasing. There is a vicious circle in which higher

prices prompt more cancellations, which in turn promote further price rises.”⁶⁵

183. This view of the cost of paper materials is consistent with every other commentary or report which deals with library costs ranging from prior reports dealing with the specific topic of County Libraries such as the Topp Report (page 60) to the more general review of the cost of law library materials as published by the Canadian Association of Law Libraries (page 66) to the plight of academic libraries as referred to by the Follett Report or the Speech given at the University of Kansas by Provost David Shulenburg.

⁶⁵ *Op. Cit.* Footnote 24.

Chapter 5

Historical Development of County Law Libraries

OVERVIEW

184. While the number of County Libraries has grown to 47 from the initial 7 association libraries first established in 1879, surprisingly little else has changed in the nature, purpose and administration (including funding) of the County Libraries since their inception by the Law Society. The libraries were originally funded in response to concerns expressed (since at least 1867) that the Great Library at Osgoode Hall primarily served Toronto practitioners although it was paid for with fees imposed on the whole profession.

1879 - LAW SOCIETY SELECT COMMITTEE & EARLY YEARS

185. On June 17, 1879 Convocation received the report (fully reproduced in the Appendices) of a "Select Committee on Aid to County Libraries" which Committee had been appointed "to enquire as to the practicability and expediency, and, if found practicable and expedient, to report a scheme for aiding in the establishment and maintenance of branch libraries in the county towns, for the use of the courts and profession."
186. There were 1104 members in the counties that year, about 1020 of whom were in practice. (There are currently over 26,000 members.)
187. Having established policy reasons (see below) for aiding County Libraries, the Select Committee recommended a financial and administrative scheme which has remained more or less intact to the present day, including a requirement that the local Association make an annual report to the Law Society showing the state of its finances and of its library.
188. A Standing Committee of Convocation was created to receive requests for libraries, subject to the directions of Convocation and subject to the Finance Committee retaining control over expenditure.

LEGISLATION & LAW SOCIETY RULES

189. At the meeting of Convocation on June 24, 1879 a new rule was adopted which established the scheme for implementing the Select Committee's report. In order to establish a county library, members first had to incorporate an association, following which there were specific requirements that:
- ◆ the local Trustees hold all the books on trust for the Society in the event of dissolution of the Association,
 - ◆ a room for the books be provided if possible in the Courthouse,

- ◆ the books be for the use of the Judge of the County and those Practitioners who become members of the Association and, for the use during hearings, of all members of the Profession residing out of the County
 - ◆ at least one-half of the local fees and the whole of the aid from the Society be applied in the purchase, binding, and repairing of books for the Library
 - ◆ the Association transmit to the Society proof of incorporation, proof of the condition of its funds and library and proof of securement of a suitable room
190. To encourage establishment of libraries the Society would provide more liberal aid in the early years by way of an initial grant double the size of all local contributions or value of books donated, not to exceed however a maximum of \$6 per practitioner in the county in the first year, then annual grants not to exceed \$4 per practitioner in each of the first three years and a matching grant in years four and five, also not to exceed \$4 per practitioner, with the whole scheme to be reviewed in five years when it would have been "tested by practical experience."
191. Regulation 708 today provides a first year grant on exactly the same basis of double the amount contributed, but with a maximum amount of \$100 for each member in the county who belongs to the Association.
192. By 1884, the end of the five year period, 7 associations had been formed - Brant, Bruce, Frontenac, Hamilton, Middlesex, Ontario and Peterborough. The aid scheme was reviewed and the size of grants increased with the initial grant going from \$6 per member to \$20 and the maximum annual grant rising to \$5 from \$4.
193. By 1928 the provision for a maximum annual grant was deleted and in 1937 a new maximum of \$20.00 per member was re-established. In 1970 it became \$35.00 per member. Today it is set at \$3,000 per Association by Regulation 708, s. 31.
194. Special provisions were made for The County of York Law Association (now the Metropolitan Toronto Law Association). As it had so many more members paying annual fees York had a different (much lower) maximum grant than other associations.

HISTORICAL FUNDING

195. When the Select Committee established the libraries, it formulated a funding scheme which contained the following essential features:
- ◆ an initial grant from the Law Society to establish the library
 - ◆ annual grants, subject to a maximum amount

- ◆ local fees to be contributed and spent on certain matters such as books
 - ◆ special grants under the control of committees of Convocation
196. The original scheme was promulgated at a time when the Society had excess revenues over expenditures and 38 counties contained a total of 1020 practising lawyers. The concluding paragraph of the 1879 report noted that:

"The Committee, in conclusion, desire to point out that the maximum charge on the funds of the Society under the proposed plan, even on the improbable supposition that libraries will be formed in all the Counties named would be for the initiatory grant \$4368, and for the subsequent yearly grants \$2912, irrespective of the slight yearly increase in the number of practitioners. This would be considerably in excess of the annual expenditure on the library at Osgoode Hall."

197. The report did not develop any funding formula other than setting a maximum amount for grants and a policy statement that :

"Any scheme for the purpose should promote, as far as possible, a just distribution of the aid in proportion to local contributions . . . and should involve a limitation of the maximum aid, which would at once ensure its fair share to each county desirous of establishing a library, and prevent too great a drain on the resources of the society."

HISTORICAL POLICY DECISIONS

198. The minutes of Convocation indicate that the Select Committee stated the following policy reasons for establishing County Libraries:

- ◆ it is a subject of very great importance to the profession, the Courts and the public;
- ◆ the country (*sic*) practitioners do not derive the same measure of advantage from Osgoode Hall library which is obtained by the Toronto bar;
- ◆ having a considerable surplus of revenue over expenditure, there is no difficulty on financial grounds in carrying out a plan for moderate aid to county libraries . . . but it would be prudent to limit the guaranteed yearly expenditure by the society.

199. In a 1972 brief to the Ontario Law Reform Commission⁶⁶ from the Chief Librarian of the Great Library, the following passage appears:

"In summary, it is evident that from the earliest date the Law Society and the lawyers of Ontario considered county law libraries to be essential to the professional practice of law. By sponsoring their organization and upkeep, access to an up-to-date legal collection was promoted as a necessity for the professional competence of bench and bar. County law association libraries were to be autonomous under the local bar whose annual fees largely contributed to their support."

200. **The key historical policy points, which have existed since 1879, are:**

- ◆ libraries support competence
- ◆ the legal collection was to be up-to-date
- ◆ autonomous local administration was provided in exchange for local fee payments additional to Law Society fee payments

WHY ARE COUNTY LAW LIBRARIES LOCATED IN COUNTY COURTHOUSES?

(THE ADMINISTRATION OF JUSTICE AND COUNTY LAW LIBRARIES)

201. The primary reason libraries are located in County Courthouses appears to be that the administration of justice historically occurred in the local courthouses and so the practice materials, case law, rules of evidence etc. required to facilitate the hearings were located near at hand.
202. Historically and throughout the development of the County Libraries, it appears to have been an accepted "given" that the libraries would continue to be located in the County Courthouses.
203. The province of Ontario has recognized some responsibility for providing space for County Libraries over the years. Provisions requiring County or City Councils to provide accommodation for County Law Association libraries were first introduced in 1885 through amendments to the *Municipal Act* which provided that County Council and Cities and Towns separated from Counties:

"Shall from time to time provide all necessary and proper accommodation, fuel, light and furniture for the Courts of Justice other than the Division Courts and for the Library of the Law

⁶⁶ *County Law Libraries in Ontario. A Brief to the Ontario Law Reform Commission from the Chief Librarian and Inspector of County Law Libraries, 1972, at page 7.*

Association of the County such last mentioned accommodation to be provided in the Courthouse”⁶⁷

204. In 1968 the provincial government took over financial responsibility for the administration of justice and transferred all obligations and expenses from municipal councils to the Province. During this transfer of responsibility the relevant provisions of the *Municipal Act* were repealed and do not seem to have been re-enacted elsewhere other than through section 2 of the *Administration of Justice Act, 1968* (S.O. 1968, c.1) which provided that the Minister of Public Works could from time to time enter into agreements with municipal councils for the acquisition or assumption by Ontario of agreements relating to property and accommodation, furnishing or equipment previously entered into by the municipality for the purposes of the administration of justice.
205. Following assumption by the province of this responsibility, the Ministry of the Attorney General has provided an annual grant of \$200 per Association for the purchase of books. It purchased furniture and fixtures for local association libraries until 1988. In 1988 the Ministry adopted a new policy of not paying for consumable office supplies, equipment and telephones in the libraries but agreed to continue, subject to courthouse priorities, to pay for furniture and fixtures through the Sheriff's budget.
206. Since this 1988 decision, local law association libraries in need of funding for furniture and fixtures (including shelving) either have to raise it from local members or seek some priority in the local courthouse budget - a formidable task given government funding constraints of the last several years. For example, in the Metro Toronto Law Library the province paid for repairs to some chairs and then stopped; when new carpet was needed for the library, the association was told there was no money available. So, while the Attorney General's *policy* of paying for some of the fixed assets has not officially changed, since 1988 little or no funding has been made available to fulfill the needs which fall under the policy.

THE RESPONSIBILITY OF THE LAW SOCIETY FOR COUNTY LAW LIBRARIES

207. Convocation by virtue of subs. 62 (1) 24 of the *Law Society Act* (the "Act") may "make rules providing for and governing libraries."
208. Under s. 63, of the Act, Convocation may make regulations providing for the establishment, operation and dissolution of county and district law associations and may make regulations respecting grants and loans to such associations.
209. Regulation 708 to the Act contains an entire section on "County and District Law Associations", setting out a scheme for the establishment of associations. Under

⁶⁷ *Consolidated Municipal Act, 1883*, s. 465. (s. 469 provides the same requirements for separated cities and towns)

s. 25(1) of Reg. 708, the members of the Society in any county or any part thereof may, with the approval of Convocation, form an association and elect the trustees thereof. Thereafter various sections of the regulation indicate that an association is expected to establish and maintain a library and report to the Society's Chief Librarian about its library.⁶⁸

210. With the change in 1996 to the Society's committee structure, new rules were passed by which the Professional Development and Competence committee assumed the functions assigned to the former Libraries and Reporting committee under Regulation 708.

⁶⁸ See relevant excerpts of the Law Society Act and regulations in the Appendices. The Great Library at Osgoode Hall is not part of the County Libraries, although the Director of Library Services (formerly called the Chief Librarian of the Great Library) plays a role in receiving reports from the County Libraries and negotiating central purchases such as CD-ROM products.

The Current Operation of County Law Libraries (Non-financial)

DESCRIPTION OF THE COUNTY LIBRARIES IN 1998

Overall Administration

211. There are 47 County Libraries in Ontario, all established under the legislative scheme laid out in the *Law Society Act* and under regulation 708 (see page 44). All the libraries but 1 are located in the local county courthouse. The one exception is Welland which has been temporarily displaced as a result of renovations to the courthouse. All the libraries are in county towns.
212. Each local county library is overseen by a local library committee. About one-half of the funds to operate the library are raised through local association fees. This provides a definite and legitimate local authority over libraries. At one time briefly in the 1970's purchasing was done centrally for the libraries. It is now done locally, with the Great Library supplying information about possible selections to each local library committee or librarian.
213. There is a central funding committee of the County & District Law Presidents' Association ("CDLPA") composed of representatives from local library committees, which central committee meets twice a year during the plenary sessions of CDLPA. Additionally, executive members of the library committee meet often with the Law Society's Director of Library Services and with benchers from the Professional Development and Competence Committee to review funding commitments and library policy matters such as the recent initiative to provide computers to all libraries.
214. While there is a great deal of co-operation and information sharing between the Great Library and the CDLPA Library Committee and between each of them and the local association library committees, there is no formal arrangement which supplies administrative assistance or library expertise directly to the local association libraries. The Director of Library Services of the Law Society is in frequent contact with the County Libraries to share her professional expertise and discuss their annual reporting requirements but there is no single person charged with providing administrative, or other support to the 47 County Libraries.
215. All major decisions affecting the running of each local library - the acquisition of materials, the staffing of the library (including hours and rates of pay) and the services provided - are made at the local level through a combination of the library committee and the library staff person. Depending on the size of the library, the staff may be a clerical person not trained in library matters or, a library technician or, a professional librarian with a Master of Library and Information Science degree. The library committee may be a single local lawyer or several

local lawyers; the composition of the committee might change annually or remain the same for many years.

216. The libraries are unofficially designated by mutual agreement of the Law Society and the County Libraries, into one of three categories - small, medium and large. There are 30 small libraries, being those with an Association membership of under 100 members; 11 medium sized libraries, with Association membership of between 100 and 250 and 6 large libraries with Association membership of over 250. The largest 2 libraries are the Metropolitan Toronto Lawyers Association with membership of 3,500 and the Ottawa Carleton Law Association with membership of 1,102. The two smallest association libraries are Rainy River with 9 members and Parry sound with 12 members.
217. Although there are tiers of libraries (small, medium and large), there is no system. They are not organized in a way which works with a plan for achieving any stated common purpose or goals of organizing, categorizing, disseminating and making available reliable, relevant, current and historical legal information to all members of the profession in Ontario.
218. Assistance from the Great Library and the Director of Library Services is provided to the County Libraries in a variety of ways.⁶⁹ This is done by the Great Library without any overriding authority or particular mandate to improve, govern or even administer the County Libraries. The legislation merely requires an annual report from the local association to the Law Society.
219. Any group decision-making by the County Libraries as to resources or materials is very much a voluntary, individual, local process. The result is that there is no systematic approach to the provision of library services across the province, even though some individual County Libraries provide excellent service to members. The quality of services (collection, technology, staffing) provided by libraries of the same size varies from county to county based largely on local decisions.

Facilities

220. Space to house the library collection and the provision of a lawyer's lounge and robing rooms is provided rent-free by the Ontario Government carrying out the original provisions of the *Municipal Act*. In a majority of counties the Attorney General leases space from the County to operate the courts. In many courthouses the local County Council and the Courtroom occupy the same chamber.

⁶⁹ The Great Library catalogues the collections in the County Libraries, provides technical support by its Systems Administrator, generates and provides a monthly booklist and pays to convene twice yearly meetings of the CDLPA Library Committee (25 regional County Library Chairs and several county librarians) for the County Libraries. It also hosts and pays for an annual educational meeting in Toronto each year for all the County librarians. The Director of Libraries visits as many County Libraries in the course of a year as possible and spends part of each day on County Library matters.

The Appendices contain a more detailed memo of the services provided by the Great Library to the County Libraries and the cost of such services.

Location

221. Many of the County Libraries reside in historic courthouses which may be aesthetically pleasing but are not necessarily suitable for housing a modern technologically advanced library collection. Problems arise when cabling for computer equipment, fax lines and copiers is considered. In some libraries there is only one electrical outlet for the whole library. In other libraries new telephone lines cannot be installed because of heritage laws or physical or financial constraints, so that providing separate telephone lines for fax machines and computer modems is a major obstacle.
222. Although there are some exceptions, virtually all County Libraries are available for use by Crown Attorneys, Judges, Sheriffs and other court officials. Most library facilities also contain robing rooms, cloak rooms or lounge areas for the bar.
223. The Ontario government is presently reviewing all courthouse buildings as part of a \$200 million investment in courthouses and a number of courts are slated for removal to a new facility or a complete upgrade. County associations, when alerted to a possible change in the courthouse, try to work closely with Ontario Realty Corporation to lobby for sufficient space in new facilities as well as an appropriate layout, lighting, wiring and shelving. Unfortunately in many cases the initial renovation plans call for either a downsizing or elimination of the library facility and the local association has to lobby extensively to preserve the library space.

Rent

224. The issue of County Libraries paying rent to the province for the space they occupy in the courthouses has been raised several times in the last few years. Since the establishment of Ontario Realty Corporation (ORC) to manage the province's land holdings and space needs it seems that virtually every time a local courthouse is renovated or its space is reviewed in some fashion there is an indication to the local bar by ORC that the association will have to start paying rent for the library and/or could lose the library space entirely.
225. Although successive Attorneys-General have promised that no rent will be charged for the local law library, the problem does not go away and it is clear ORC's view of the matter is not consistent with that of the Attorney General's department. In 1998 three associations have already had to deal with these threats from ORC and it is entirely likely that more rent-based demands will arise during the course of the year.

Books

226. All libraries have acquired both Federal and Ontario statutes and reports (Dominion Law Reports and Ontario Reports) as well as some reports from other jurisdictions. Rules of practice, digests and leading Canadian and English texts were also purchased over the years as well as materials in an area of law which might have been particularly significant for local lawyers. When the libraries were originally set up there was an insistence that all should purchase the English Law Reports.

227. Each month hundreds of titles relevant to a law library are published in commonwealth and American jurisdictions. To assist local library committees to select appropriate books for their collection, the Great Library provides a monthly list of acquisitions from which local committees may make their own selection based on what is relevant for their members.
228. At one time in the 1970s library purchasing was done centrally by the Great Library which ensured that all the smaller collections were maintaining a common standard. Over the years this has changed so that each association selects and maintains its own collection, with minimal guidance and input from the Great Library. Usually a local association forms a library committee and the members of that committee assist the staff person to determine what to acquire. The result is that the interests and practice areas of the library committee members can heavily influence the acquisitions for that library.
229. Some associations are hesitant to spend the funding they receive on anything but the most basic report series. The associations were told there would very likely be a significant decrease in the amount of funding they receive and so they have retained some funds to cushion the blow. Consequently the text and looseleaf collections under these circumstances have drastically deteriorated. Some libraries have not purchased *any* texts in recent years with the result that the collection is now outdated and unreliable.
230. This local autonomy in selection of materials, coupled with the rising cost of books, the increasing number of publications and the advent of materials in electronic format means there is now a great disparity in the quality of collections across the province even among libraries of similar size. Access to legal information is therefore not uniform across the province as the holdings differ greatly.

Training for Library Users

231. The shift to doing research with a computer is a difficult process for some lawyers, particularly for those who cannot type and others who feel technically incompetent or intimidated. The emphasis in the large and medium libraries is and will continue to be to train library users in using electronic formats so that there will be not only acceptance of researching in a different way but a sense of comfort at the competence achieved.
232. Training in the use of electronic programmes has to include the basics of how to open and run the programme, which requires some degree of library information knowledge. To address this need, the Director of Libraries of the Great Library is working with the legal publishers to provide frequent training with the focus to date being on the smaller associations. A commitment has been made to provide this training on an ongoing basis as there will be a continuing need for all lawyers to update their technology skills while the number of electronic products increases and software to run them changes.
233. Training has been provided in some of the small libraries by publishers such as Carswell and QuickLaw and has been well received by lawyers. The librarians

in smaller libraries also participate actively in the training, in some cases receiving it and in other cases providing it.

Staff

234. Every library has a staff person although not all are full-time nor are they all trained in library services. Library staff are all hired and paid by the local associations at rates negotiated with the individual employee.

Large Libraries

235. In larger associations, experienced professional librarians run the libraries with a support staff of professionals, technicians and clerical people to carry out the many duties involved in running a large library. Most larger libraries are finding that with the move to technology they are understaffed. Lawyers are requiring a tremendous amount of staff help to enable them to do their research effectively.

Medium-Sized Libraries

236. These libraries generally have a library technician, sometimes with some clerical assistance. The technicians also spend a large amount of time assisting lawyers with the electronic as well as the paper tools.

Small Libraries

237. The small associations have only part-time staffing. Although these persons may in some instances be library technicians, usually only clerical qualifications are possessed. Many of the clerical staff have been long-time employees of the association and know the paper collections well. These staff are in the libraries approximately 12 hours per week.
238. Lawyers who are not technically proficient are having the most difficulty in these associations as the library staff person is often unable to assist with training since he or she is either not qualified to understand or use the electronic products or, works part-time, limited hours and is not available to help.
239. Many of the smaller libraries are inadequately staffed and maintained. Staff delivery of reference or research services to lawyers is not available. They simply don't have the funds, the level of demand or the size of collection to provide more than an extremely basic level of service. With funding cutbacks and loss of membership many libraries have not updated the text collection for years, resulting in deteriorating quality.

Equipment - General

240. Almost every county library has the following general office equipment:
- ♦ Photocopier (mostly Canon or Xerox)
 - ♦ Fax Machine (variety of Canon and some other brands)
 - ♦ Television (mostly 1988 or 1989 Magnavox)
 - ♦ VCR (variety of brands)

241. Miscellaneous office equipment reported by some libraries include typewriters, Dictaphones, telephone answering machines and calculators.
242. Most of the equipment has been purchased over the years through special grants from the Law Society and the Law Foundation of Ontario. Some of the equipment is leased, most of it is owned.

Equipment - Computer

243. In 1997 every library received computer equipment which was paid for out of the special library funds specifically accumulated by the Law Society for this purpose. The package included a Pentium computer with built-in modem, printer and a 23 drive CD-ROM tower.
244. According to a report from the Ontario Courthouse Librarians Association in October, 1997 the librarians were glad that the technology project had "resulted in kick-starting their associations into acquiring some hardware and software" but there was disappointment with the performance of the supplier and the installations across the province.
245. The librarians also pointed out that the computers have created a *large* extra burden for them and a lot of other work is not getting done, which is leading to stress and frustration for the staff.

Hours of Operation

246. Most County libraries are accessible by members 24 hours a day. Paid-up association members are given a key, pass card or code for the door. In a few cases, such as the Peel Law Association, the library operates during business hours only. This is due to the Court rules rather than the Association's rules, and is controlled by the hours that the Provincial security people are on duty.
247. Having access to the library at any time is important in associations where the library staff only work a minimal number of hours per week. The door to the library is generally kept locked so as to provide some security for the books and computer equipment which would otherwise disappear very quickly.

Lending Policies

248. There are both "official" lending policies in the County Libraries, instituted by the librarians and "unofficial" lending policies, instituted by the lawyer members.
249. In smaller libraries, members are allowed to borrow books, and in most cases there is no restriction on the amount of time that they may be kept. In most libraries there is generally a sign out book near the library door and, in the case of text books, the card inside the book is to be signed and dropped into a box. Neither of these methods works very well as lawyers are very lax in signing out materials. Often, after repeated general announcement requests for an unknown individual to return a book to the library, a new copy is purchased. Some months later it is likely that the original volume will inexplicably reappear in the library.

250. To retrieve borrowed books, in some smaller associations, the librarian or the chair of the library committee actually goes to the lawyers' offices and checks to see if any of the library's books are on the shelves. These books are usually easily found by identifiers such as a large fluorescent stripe which has been affixed to the spine, in the hope that it will be noticed and returned.
251. In the larger libraries where there are several staff, the lending of books is carefully monitored during the day, but they encounter the same problems with lawyers removing books after hours. Many people who do not want to bother signing books out will merely remove the sections of looseleaf services that they require. This creates an even greater problem as new filings cannot be inserted until the missing sections reappear, if ever. It also makes the service unreliable and perhaps dangerous, to use. Looseleaf releases have been held at the librarian's desk sometimes for up to a year waiting for a missing volume or missing pages to be returned so the information can be filed.

Marketing of Library Services

252. As the time available to conduct good, solid legal research is limited and as the complexity of such research increases, the Information specialists in libraries need to step forward and market their services for lawyers more aggressively, including in some instances charging a fee for research service.
253. Some County Libraries engage in marketing the services of their librarians and promoting the library facilities and collection. Librarians state they are no longer just the custodians of information, they are now partners in the quest to find it. They have to come up with innovative ways to make this known to lawyers. The larger County Libraries are aware of this need and the medium-sized County Libraries are also becoming aware of it. Marketing library services is one way of providing this information to library users.
254. The marketing message is simple: lawyers need to be made aware of the benefits of being trained in using the library: namely, increased professional competence, time and money savings, efficiency and gaining a competitive edge.
255. Marketing methods include providing an orientation tour to articling students; doing lawyer training on specific products or within specific practice areas; one-on-one training by invitation; flyers to members announcing the receipt of a new product.
256. Recently, the Metropolitan Toronto Lawyers Association published a special "Library Edition" of its newsletter, VOX. This special edition introduced the staff members, described library services, and contained testimonials from satisfied library users. This newsletter generated a great deal of response. Several members called the library asking for more information or to have a specific request fulfilled. The newsletter clearly served as a good reminder of the library's services and a simple, cost effective marketing tool promoting better usage of the library.

257. Approaches to marketing library services and increasing usage of libraries are set out in the section of this report dealing with Industry Trends, beginning at page 33. Librarians everywhere, including the County Libraries, are cognizant of the need to increase their profile and advertise their services so that users will take full advantage of the range of services in a library.

Payment for Research Assistance

258. Whether users of library services should pay for answers to reference questions is an issue within the library community generally. Some libraries charge for some kinds of reference assistance. Many do not charge at all but restrict the amount of assistance they will provide. An example of a library which charges and advertises its services is the public library in London, Ontario. The library advertises on the Internet that it will provide research services for a fee and that:

“... your cost varies according to the complexity of your request. Based on our experience, we find that many searches are completed in less than 1 hour. Fee includes professional research rate, disbursements such as photocopying, faxing, on-line databases charges, & delivery costs. Feel free to contact us anytime for a no obligation estimate of your request”⁷⁰

259. In designing a model for delivery of library services it will be important to address whether some or any reference questions will be answered for a fee and how that fee will be determined. It is suggested that this discussion be part of the Phase II detailed modelling as it will depend on whether there is a system approach to delivery of services or a continuation of the loose association of County Libraries.
260. Related discussions about User Fees can be found under “Issues in Financing the County Libraries - Who Should Pay? (Page 119) For What Should They Pay? (Page 125)

⁷⁰ See examples and rates quoted in London Public Library Web Page reproduced in the Appendices.

Chapter 7

A Library "System"

COMPONENTS OF A SYSTEM OF LIBRARIES

261. Libraries organized as a system and operated in a systematic way, possess certain basic characteristics:

- ◆ a common and co-ordinated approach to collection development achieving the objectives of the system, rather than of individual libraries
- ◆ development of levels of complexity with planning and deployment of all resources - staff, collections, funds, equipment - appropriate to those levels
- ◆ mobilization of resources, such as staff and equipment, within the system to respond to emergencies, short term needs and special circumstances
- ◆ utilization of all resources, particularly staff and reference services, based on need and demand, regardless of location
- ◆ access to all library system components by users, regardless of geographic proximity
- ◆ common financial planning and exploitation of common management systems and solutions
- ◆ minimization of duplicate resources and maximum deployment of scarce resources
- ◆ the library facility, either actual or virtual, provides the support to accomplish the goals of the law libraries
- ◆ a mechanism exists for organizing, categorizing, disseminating and making available reliable, relevant, current and historical legal information within the system without the necessity of each library, regardless of size or location, having to provide this information
- ◆ there is a planned organization of libraries as a group, to reduce demand on individual libraries

ARE THE COUNTY LIBRARIES A SYSTEM?

262. The 47 County Libraries are sometimes referred to as a "system" of libraries. In the unanimous opinion of the Working Group, these libraries cannot currently be defined as a system.

263. This view would appear to be shared by one of the members of the profession, Michael Hennessy, who has spent many years as a significant participant in a wide variety of library committees, including CDLPA committees, which have dealt with county library issues. In addition to his many years of involvement at all levels in the County Libraries, Mr. Hennessy was a key member of the committee which issued the Topp Report. (See page 60)
264. In a submission made to the Working Group, Mr. Hennessy observes that running the County Libraries has long been a partnership between the Law Society and the county law associations but, a partnership which has suffered as a result of the lack of structure. Mr. Hennessy recommends that a Joint Library Committee be formed to administer the County Libraries and make all key policy decisions affecting county Libraries which, he notes, would be "in contrast to the hodge podge, confused structure that currently exists."
265. Whether to change the structure of County Libraries from the loose association or "hodge podge" which exists and instead create a system is an important consideration because it has implications in a number of areas such as establishing collections of materials, sharing resources, establishing reliable accounting records and making the technology work effectively. There are also significant "political" issues in the counties over whether to have a system of libraries and, if so, at what cost - both in terms of money and, independence.

This is the first of the two primary policy issues which must be decided by Convocation in Phase I - should the County Libraries be formed into a library system or, should they continue in the present format of a loose association of individual libraries?

266. ***The Advantages of Establishing a System of County Libraries are:***
- ◆ reliable core collections of materials - both paper and electronic - can be established for each library, providing a level of predictability for lawyers as to the standard of the research materials locally available
 - ◆ specialized libraries can be set up within the system to address more demanding research needs and to meet local practice needs (such as mining claims or aboriginal rights) with access to those services being available to all members throughout the province, whether they reside in that particular area or not
 - ◆ economies of scale can be used as a group or system to negotiate better acquisitions of materials and equipment

- ◆ rational policies and standards could be developed for collections, development, library procedures and personnel matters
- ◆ duplicate materials in the system can be rationalized and made available to other libraries using a common understanding and approach to the development of the collections and the sharing of information
- ◆ true equal access to legal information and library resources can be achieved across the province, at the county level - the lawyer in remote or more distant areas of the province would have access to the same materials, professional assistance and expertise as the lawyer in downtown Toronto or Ottawa since all the libraries would be organized in a systematic approach to the delivery of services and information
- ◆ the special abilities of librarians with Master of Library and Information Services degrees could be carried throughout the province either through electronic services or by having them travel occasionally to county libraries to review the local holdings and assist with the maintenance of the collections
- ◆ if libraries choose to create and disseminate information to the profession or to increase their activities in CLE or research assistance for lawyers there can be a planned, uniform approach to the development and delivery of those services, ensuring equal access throughout the province rather than relying on individual libraries to provide services which may be beyond their capability or, stretch their resources too far
- ◆ it provides a single reference and entry point for suppliers, users, administrators and others who wish to interact with the County Libraries in the province, bringing with it efficiencies and consequent cost savings
- ◆ in some instances, it would relieve local lawyers of the onerous volunteer responsibility of running the local library

267. ***The Disadvantages of Establishing a System of County Libraries are:***

- ◆ some degree of local autonomy would be lost as certain decisions would be centralized
- ◆ as with any more centralized system there is a chance that an unwieldy administrative bureaucracy could develop, overwhelming the benefits of an organized and co-ordinated approach to collection development and provision of services

- ◆ there would undoubtedly be changes in the local library and change can be threatening and unwelcome in and of itself
 - ◆ local lawyers may not see the utility of improving their library, particularly if it means opening up access to other lawyers in the province to use the local facilities directly or by electronic access
 - ◆ would not provide as many opportunities for interesting volunteer work for local lawyers, particularly those interested in libraries or technology
 - ◆ 120 years of history would be replaced and, for some, that is reason enough not to change
 - ◆ the local library often is the focal point of an active association, offering CLE and social events to members; the move to a system could jeopardize these functions, unless local involvement is accommodated and encouraged
268. Although there are quantitatively more reasons to change to a system, the weight attached to having local autonomy should not be underestimated. It needs to be compared to the worth of the benefits attained in a system, which process will be a decision made by each individual, using many factors.
269. In addition to these disadvantages the Working Group recognizes and identifies as a real concern the fact that, depending on the structure employed for the administration of the System, the input of smaller libraries might not be adequately addressed. A system either "run from Toronto" or "run by the Law Society" ⁷¹ would not necessarily be acceptable to the members or to benchers.

⁷¹ As stated at page 1, the Working Group has been directed to approach the analysis of the County Libraries on the basis that any delivery model or system must be able to stand on its own, independent of the Law Society or any other body administering it such as a merged CBAO/CDLPA/MTLA organization. While the Working Group has not yet discussed the sort of administrative model which might be developed, since there must first be a policy decision to create a system of County Libraries, this does not appear to the Working Group to be an obstacle as any system of libraries can be developed with an administrative body which body then reports to whatever organization is charged with running the system.

For example, Michael Hennessy's submission (see page 55) is that a Joint Library Committee would consider all policy issues, recommend criteria for distribution of central funds, report to the Law Foundation and develop guidelines and resources for local libraries while controlling its own budget. This committee would have participation of all key groups, have a dedicated staff person and enjoy a significant measure of autonomy with the Law Society retaining fundamental control over how much money should be raised centrally.

The Working Group expects that should Convocation adopt a policy of changing the structure of the County Libraries from a loose *ad hoc* collection of libraries to an organized System, an appropriate administrative model will be required to address local concerns and others which may be identified in the course of designing the delivery model and developing the system.

If Convocation determines the loose association of libraries should continue then the Working Group expects to be instructed to determine what changes can be made to County Libraries on a purely voluntary basis to approach the benefits of a system, without imposing the structure of a system.

Current Financial Operation of the County Libraries

CURRENT FUNDING

270. There are presently five main sources of funding for local law association libraries being the three original sources which applied after establishment of a library (LSUC levy, LSUC grant, local fees) plus two new sources - grants from the Law Foundation of Ontario and locally raised revenues from operations such as photocopy or fax services and CLE.⁷²
271. The chart below shows funding, by source from 1992 to 1997. There is a large increase in funding starting in 1996. It is at this point that the annual fee increased from \$81 per member to \$116. In addition, there is an extra 6-month period when the Society changed its financial year end from June 30th to December 31. An explanation of the origin of the funds follows at the end of the chart.

County Law Library Funds Raised 1992 - 1997						
Funds	'92 - '93	'93 - '94	'94 - '95	'95 (6 mo.)	1996	1997
LSUC Levy	\$1,706,000	\$1,796,924	\$1,831,930	\$1,343,425	\$2,631,199	\$2,679,974
LSUC Grant	\$142,500	\$142,500	\$142,500	\$71,250	\$142,500	\$142,500
LFO Grant	\$929,000	\$774,000	\$619,000	\$309,500	\$619,000	\$619,000
Local Fees	\$1,615,032	\$1,695,750	\$1,754,513	n/a	\$1,759,076	\$1,768,768
Local Other	\$765,592	\$798,862	\$739,208	n/a	\$776,888	\$823,824
Total	\$5,158,216	\$5,208,129	\$5,087,245	\$1,724,175	\$5,930,659	\$6,036,063

272. The **LSUC levy** is charged to all members of the profession as part of their annual fee. It is currently \$116 of which \$35 was first levied in 1995/96 pursuant to the recommendations of the Topp Report (see below).

⁷² There is some debate as to whether to include this "Other" source of revenue as a funding source. As the charts and tables in the Appendices indicate, "Other" expenses are greater than "Other" revenue. Nonetheless it can be argued the "Other" expenses would exist in any event and, without "Other" revenue the grants and local fees would be forced to cover those expenses.

273. The **LSUC grant** is the historic annual grant, set by regulation at a maximum of \$3,000 per association.
274. The **LFO (Law Foundation of Ontario) grant** is a discretionary amount received on an annual basis from the LFO. The Law Society applies for a fixed amount and receives whatever the LFO determines it can pay out. -
275. The **Local fees** revenue is the total of local association library fees raised by all the counties. Many associations also charge a small (\$25 - \$50) social or separate fee for other association purposes, which amount is not included in this total.
276. The **Local "Other"** revenue represents gross income from other activities conducted by the association such as CLE events, photocopy or fax services.
277. Not shown in the above chart is special funding of an additional \$310,000 received in 1996 from the Law Foundation of Ontario for technology purposes.
278. In the last three years the special funding from the Law Foundation for technology initiatives, combined with a six month "stub year" period in 1995 when the Law Society changed its annual year end from June 30th to December 31st, and the way the Law Society has recorded these funds, have made it very difficult to follow County Libraries funding.⁷³

FUNDING AND REVENUE SOURCES

279. Funding of the County Libraries has been reviewed as recently as 1995 in a report from the Law Society's Libraries and Reporting Committee dated February 1, 1995, entitled "County Library Review Subcommittee Final Report: Funding of County and District Law Libraries". This report, a copy of which is found in the Appendices, has become known as the "*Topp Report*" and will be referred to as such hereafter.
280. Before detailing current funding issues, a note about the Topp Report may be appropriate as there is some confusion over what aspects of it were adopted by Convocation.

Topp Report

281. Dated February 1, 1995 the Topp Report outlines the case (at that time) for the need for more funding in the County Libraries, deals briefly with the general principles of competence, access to legal materials, electronic distribution of information and equal contribution to the cost of running the County Libraries.

⁷³ For the purposes of this report, an order of magnitude of the funds involved and an examination of the trends is all that is required, not a precise and detailed audit of the figures. The Professional Development and Competence Committee and the County and District Law Presidents' Association Library Committee are engaged in looking at the detailed accounting to make sure all the figures can be reconciled across various years and systems of accounting given the changes in the last few years.

282. The report reviews sources of funding and looks at three options for future funding (1) discontinue the Law Society funding, (2) maintain the status quo or (3) move to equal contribution by all members. It specifically does not address the question of how funds should be distributed or what the library system should look like, rather it urges as recommendation number 4 that these issues be reconsidered.
283. The Executive Summary of the Topp Report outlines the report recommendations as being:
- "1. That the Law Society continue to fund County and District Law Libraries through its collection of the County Library Levy.
 2. That henceforward funding of County and District Law Libraries be based on a principle of obtaining, within a time period of 5 to 10 years, equal contribution from all fee paying members of the Law Society.
 3. That in accordance with the principle of obtaining, within a period of 5 to 10 years, equal contribution from all fee paying members of the Law Society to the funding of County and District law Libraries,
 - i. in the financial year 1995/96, the County Library Levy be increased by \$35 (from \$81 to \$116); and
 - ii. in the financial years following 1995/96, the County Library Levy continue to be increased annually, by \$35 or as deemed necessary by the Libraries and Reporting Committee having regard to the circumstances then attaining (including, but not limited to, cost of materials and changes in technology), until such time as all fee paying members of the Law Society are contributing equally to the funding of the County and District Law Libraries.
 4. That the Libraries and Reporting Committee reconsider the principles and methodology of distributing to the County and District Law Libraries the funds collected by the Law Society through the County Library Levy and the grant from the Law Foundation of Ontario."
284. The Libraries and Reporting Committee of the Law Society received the Topp report and discussed it April 13, 1995. The report to Convocation from the Committee recommended adoption of the Topp report with the notation that *"Adoption of the Report would result in a \$35 increase in the County Library Levy for the 1995 - 96 practice year."*
285. On April 28, 1995 Convocation discussed the Topp report in the context of setting the Society's budget for the next year and setting the library levy as a component

of the annual fee. Unfortunately, it appears from a transcript of the meeting that rather than the report itself and the policy considerations in it being debated and voted upon, the sole issue determined by Convocation was:

"... the other matter to be dealt with, therefore, is the library request, library committee request, for an increase of \$35 in the library levy, \$35 for the annual fee respecting the library levy. It has been moved that the request be granted. . . ." ⁷⁴

286. On a vote of 16 to 8 this increase was approved. It does not appear that the report itself was adopted or approved or even discussed other than with respect to the \$35 increase in the levy.

287. Earlier in the debate about this \$35 increase it was made clear that although the report indicated an additional increase of \$35 *per year* should be granted for each of the next three years, until the local fee could be eliminated, the Libraries and Reporting Committee would not agree to recommend the three years of increases:

"... They [the County Libraries] wanted more frankly. They wanted a commitment from us of \$35 a year for each of 3 years and our committee said that is absolutely impossible, but we will recommend the \$35 for this year and we've got to keep working at this until we get it sorted out." ⁷⁵

288. It would appear therefore that only recommendation 3(i) of the Topp report (increase the annual levy to \$116 in 1995/96) was actually debated and voted upon at Convocation and none of the other recommendations was put to the meeting for consideration.

County Library Surplus Fund

289. In the special 6 month "stub" period which arose in 1995 with the Society's change of financial year end, a sum of \$1,343,425 was raised for library purposes through the annual levy. At present (August, 1998) there is a sum of \$1,872,549 remaining on hand for the County Libraries, largely as a result of this stub period. Over the years, Convocation had set up various funds to provide for future contingencies and projects the total of which was \$535,367 prior to the stub period.

290. This fund is available for county library purposes although for a period of time the library fund accounting was not able to verify the amount on hand. As recently as February of 1998 it was believed the fund had been almost depleted. It has only been since May '98 that the amount has been identified and agreed upon to the satisfaction of all parties.

⁷⁴ *Debates of Convocation*, transcript of the April 28, 1995 meeting at 181.

⁷⁵ *Ibid* at 154.

291. Unfortunately, the existence of this fund does not address any of the long-term funding issues for the County Libraries. It essentially represents an extra six months' funding and a reserve fund of about \$11,000 per library. It could assist with transition costs to a new system or equipment upgrading costs or it could help upgrade materials collections (which would be pointless unless they could be maintained). It will not address the long-term library funding needs or solve the financial pressures which the County Libraries are under from the combination of increasing costs and decreasing Law Foundation and other revenues.
292. The County and District Law Presidents' Association unanimously passed the following resolutions in May 1998 with respect to this surplus amount:
- "1. Any undistributed County Library funds be used for the direct use and benefit of the County Library system;
 - 2. Further, that the existence of this undistributed balance not be used to reduce the 1999 levy."
293. The Working Group feels the existence of the surplus fund points to the need for better accounting practices and policies at both the Law Society (to deal with tracking funds) and at the County Libraries (to manage funds). Earlier this year Convocation adopted new accounting procedures for the County Libraries, which should clarify and standardize future accounting of County Library funds collected or received by the Law Society.

RECENT TRENDS IN FUNDING

294. In the last five years the Law Foundation of Ontario has greatly diminished its contribution to County Libraries. It has indicated that a further significant decrease can be expected given the Foundation's current revenues.⁷⁶ Local association annual fees are increasing just to maintain the same level of overall contribution as local membership declines. Local revenue from other sources is holding steady but the net revenue figures show a deficit in 1997 as expenses increase. Only the Law Society contribution has been maintained or increased over the last five years, particularly since the additional \$35 levy.
295. The pressures on funding are heightened by the increase in the cost of publications, as shown in the charts beginning on page 66.
296. The libraries say they need more certainty of funding so that they can plan their collections two or three years at a time, utilizing the best mixture of paper, CD-ROM and online services. Stable, predictable funding permits better organization and planning, especially in periods of great transition.

⁷⁶ The Law Foundation has informed the Law Society that it expects to reduce funding for the County Libraries over the next two years by 50% of the level for 1997. The anticipated reduction is 20% in 1998 and a further 30% in 1999.

LONG-TERM FUNDING ISSUES

297. The Topp report recommended (but Convocation did not debate or determine) that local fees should be eliminated over time and funding should be provided by the profession as a whole. Once it is determined what *kind* of system there should be (i.e. the number of libraries and the services provided by those libraries) and in fact whether there should be a system or a loose arrangement of libraries, then it can be determined how the libraries should be funded and by whom. Convocation will be asked to address this issue in the Phase II report. The issues are identified and discussed in this report because knowledge of the funding issue is important to a determination of policy, even though the central funding issue may not be resolved until the next report.
298. The long-term funding issues facing the County Libraries include:
- ◆ should all members of the Law Society pay for the County Libraries?
 - ◆ how much, if anything should local associations contribute to funding?
 - ◆ what other sources of revenue can be generated?
 - ◆ does the public have any responsibility for funding the County Libraries?
299. These funding issues are discussed in detail starting at page 118. Whether profession-wide funding should entirely replace local association fees is the main policy question to be determined in Phase II. The other three issues identified above can also be dealt with in Phase II when a specific model or models for delivery of library services is detailed.

CURRENT COSTS

Categories of Costs

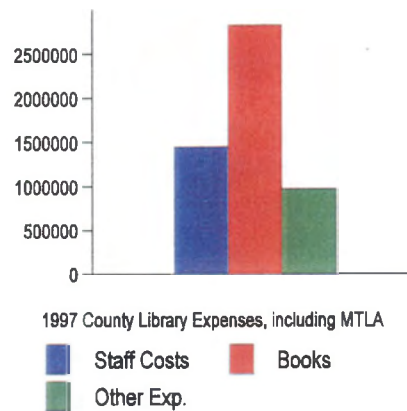
300. There are three categories of expenses in each county library. The two major expenses are books and staff. In addition, most libraries have other expenses which include not only office materials but also CLE expenses (in those areas where local associations provide CLE), fax and photocopy supplies and all the other general equipment and office overhead costs.
301. As a percentage of the overall costs of running a local law library staffing costs run from a low of 6.24% in Algoma to a high of 42.85% in Hamilton. Generally speaking the staff costs run about 15 - 20% of the overall costs in the small libraries; 25 - 35% of the costs of the medium-sized libraries and 35 - 40% of the overall costs of running the large libraries.
302. The cost of "books" (which includes all publications - looseleaf, texts, report series etc.) as a percentage of the cost of running the local libraries ranges from a low of 30.12% in Carleton to a high of 86.32% in Northumberland. Most libraries in the County Libraries spend well over 50% of their budget on books.

(Currently Carleton County reports a global amount including significant non-library revenues and expenses. Henceforth, it has been agreed that it will report, as other associations, only the library portion.)

303. Charts in the Appendices detail on a county by county basis the reported costs of running each of the local law association libraries as of December 31, 1997. A representative sample follows:

1997 County Libraries Expenses - Alphabetically by Association						
(excerpt only - see full chart in Appendices)						
Association	Staff Costs	Staff as % of Total	Book Costs	Books as % of Total	Local Expenses	Total Expenses
Carleton	220,971	38.38%	173,419	30.12%	181,390	575,781
Haldimand	9,500	16.08%	39,029	66.06%	10,553	59,083
Hamilton	125,020	42.85%	132,218	45.32%	34,534	291,773
Kent	9,713	17.58%	39,612	71.68%	5,933	55,259
MTLA	208,508	41.63%	173,883	34.71%	118,501	500,893
Middlesex	77,901	28.74%	130,311	48.07%	62,883	271,096
Muskoka	7,500	14.86%	39,145	77.54%	3,836	50,482
Peterborough	17,474	20.72%	59,206	70.19%	7,673	84,354
Rainy River	13,731	21.88%	45,564	72.61%	3,454	62,750
Renfrew	21,142	27.41%	37,236	48.27%	18,763	77,142
Simcoe	24,970	20.31%	68,495	55.71%	29,476	122,942
Sudbury	32,475	26.96%	67,422	55.97%	20,570	120,468

304. In 1997, the County Libraries spent a total of \$5,259,016 on operations. This is an average of \$111,893.96 per library. If Metro's total of \$500,893 is removed from the total then 46 libraries spent \$4,758,123 for an average of \$103,437.46 each.
305. The total spent on library staff across the County Libraries was \$1,449,446 or 27.56% of the total costs. Books received \$2,833,434, being 53.88% of the total and other expenses totalled \$976,096 or 18.56%.



306. Additional charts in the Appendices show the major expenses incurred in 1997 in the County Libraries, detailed on a county by county basis. What is not shown in the county spending charts is the central money spent on CD-ROMs, QuickLaw access and computer equipment for the County Libraries, all of which totalled \$1,178,610 in 1997.

Recent Trends in Costs

307. It is well known in the library community and indeed by lawyers in managing their own offices, that the cost of legal materials has been increasing steadily for years. In addition, the number of publications has increased (referred to as the "proliferation of law reports") making it impossible for any one person, office or library to keep an up to date and current collection of materials without substantially increasing the budget each year.

308. The Canadian Association of Law Libraries has for some years now tracked the cost of legal publications. It published the following charts on its web page.⁷⁷

Tracking the Cost of Canadian Legal Subscriptions - 1997

309. The following tables summarize the increase or decrease in subscription prices. (The headings have been added to clarify the data in the charts.)

Change in Cost of a Basket of Titles:

1993 + / - %	1994 + / - %	1995 + / - %	1996 + / - %	1997 + / - %
153 titles	153 titles	153 titles	242 titles	318 titles
+17.41%	+52%	+7.94%	+6.62%	+4.49%

⁷⁷ See Canadian Association of Law Libraries at <http://www.callacbd.ca>

Change in Subscription Costs, by Publisher:

Publisher	1994 +/-%	1995 +/-%	1996 +/-%	1997 +/-%
Butterworths	+2.99	+12.20	+8.27	+11.13
Canada Law Bk	+8.01	-0.40	+17.07	+8.72
Carswell	+2.53	+9.33	-0.01	+6.68
CCH & CCH/FM	+9.52	+9.60	+8.70	+1.74
Ed. Yvon Blais	N/A	N/A	+12.44	-9.01
Govt.	+14.35	-16.73	+17.20	-3.62
Maritime Law Book	-12.40	+10.02	+3.54	+3.88
SOQUIJ	N/A	N/A	+8.01	-6.26
Wilson & Lafleur	N/A	N/A	+9.84	+3.0
Misc. Publishers	+1.93	+22.39	+6.31	-5.13

Change in Subscription Cost, by Type of Publication:

Type of Publication	1994 +/-%	1995 +/-%	1996 +/-%	1997 +/-%
Digests (20 titles)	-10.89	+10.18	+8.14	-2.81
Journals (44 titles)	+17.09	+0.26	+5.11	+2.67
Law reports (54 ")	-2.67	+12.10	+2.42	+3.24
Legislation (29 ")	+10.67	-12.40	+13.28	-2.61
Looseleafs (171 ")	+9.96	+4.40	+6.81	+7.41

310. These charts show that the five primary publishers of legal materials in Ontario - Butterworths, Canada Law Book, Carswell, CCH and Maritime Law Book - have collectively increased their publication prices 22.95% over the last three years. As more publications change to looseleaf format, away from single texts, the impact of these price changes is felt every year.

ANALYSIS OF FINANCIAL INFORMATION

311. The Appendices contain a variety of charts showing the 1997 revenue and expenses of each library in the County Libraries. The highlights of this information are produced here. The original chart should be consulted for details and to see comparison of one library to another.

REVENUES

Total Revenue Distributed

312. Total revenue distributed and collected from all sources in 1997 was \$5,452,493 including \$823,824 of Other Revenue, which in some cases was significant CLE revenue. This is an average of \$116,010.49 per library. The total distributed to individual counties is less than the total collected as some funds are retained for central purchasing of CD-ROM products, QL services and PCs.
313. Metro Toronto and Carleton each had revenues in excess of \$500,000. If their numbers are removed from the totals the remaining 45 libraries received revenue of \$4,410,593 for an average of \$98,013.18 each.

Law Society Funds Distributed ⁷⁸

314. Of the \$2,860,648 distributed to associations by the Law Society in 1997 each association received on average about 2% of the total. When the amount distributed is calculated at a rate per member of the association, the numbers change dramatically. At the top end, Rainy River, with 9 members, received \$52,138 or \$5,793 per member while at the other end, Metro Toronto received \$90,432 and, with 3500 members, this represents \$26 per member. However Rainy River received only 1.82% of the total funds distributed while Metro Toronto received 3.16%.
315. The chart which follows is an excerpt of one contained in the Appendices which details all the Law Society funds distributed to each county and computes the amount distributed per member.

LSUC Funds Distributed in 1997, ranked by size of Association					
(excerpt only - see Appendices for full Chart)					
Association	# Assoc. Members	Funds Distributed	% of Total	Funds per Assoc. Member	Local Assoc. Library Fee per Member
Rainy River	9	52,138	1.82	5,793	300
Haldimand	26	50,517	1.77	1,943	275
Muskoka - Haliburton	38	50,146	1.75	1,320	180
Renfrew	55	54,187	1.89	985	325
Kent	70	45,885	1.60	656	220
Peterborough	97	54,689	1.91	564	250
Sudbury - Manitoulin	178	78,058	2.73	439	250
Simcoe	253	62,854	2.20	248	185

⁷⁸ This is the total of the LSUC annual levy of \$116, plus the annual grant and the Law Foundation funds. It does not include locally raised fees or revenues.

LSUC Funds Distributed in 1997, ranked by size of Association (excerpt only - see Appendices for full Chart)					
Association	# Assoc. Members	Funds Distributed	% of Total	Funds per Assoc. Member	Local Assoc. Library Fee per Member
Hamilton	576	114,378	4.00	199	243
Middlesex	622	98,690	3.45	159	200
Carleton	1,082	133,519	4.67	123	235
Metro Toronto	3,500	90,432	3.16	26	100

Other Sources of Revenue

316. Each local association raises a certain amount of money through local initiatives. CLE programmes, fax and photocopy charges all are important sources of revenue.
317. In 1997 this source totalled \$823,824 or an average of \$17,528.17 per library. Carleton raised \$186,339 locally and Metro Toronto raised \$128,943. If they are removed from the total then the other 45 libraries raised \$508,542 or an average of \$11,300.93 each.
318. As a percentage of total revenues, "other revenue" is 18.56% ranging from a low of 3.26% in Thunder Bay to a high of 43.08% in Welland.

EXPENSES

Total Expenses

319. In 1997 almost \$200,000 of revenue across all the County Libraries was unspent at the end of the year. Expenses averaged 94.70% of revenues with some associations spending 110% of their revenues (i.e. operating at a deficit) and others spending about 82% of their revenues.
320. The associations which managed to underspend their revenues did so by not acquiring books or other publications. Many also pay their staff poorly. The Working Group feels those associations which did not spend all their funds in 1997 will spend their funds in 1998 and were simply being overly cautious given the financial climate which prevails in the County Libraries. If that is not the case then the unspent money when juxtaposed to the deteriorating collections, indicates those associations need to review their commitment to having a library worth using.

Library Staff

321. Staff costs in 1997 were \$1,449,446 of which Metro Toronto and Carleton accounted for \$429,479, almost 30% of the total. Smaller associations spent 20% or less of their expenses on staffing; medium sized associations spent 25% - 35% and the larger associations spent about 40% on staffing.

322. The discrepancy in staffing costs is a reflection of the service provided and the qualifications of the staff. Staff in the larger associations are professional librarians possessing a Masters degree. Most of the medium sized libraries are staffed by a library technician or an individual with a university degree. The smaller associations tend to employ a clerical person with minimal library training whose job is to re-shelve books and keep the library tidy.

Books

323. The figures supplied as Book expenses may be somewhat distorted as some associations report their electronic and CD-ROM publications under "other" rather than under Books. Nonetheless the level of distortion in this respect is insignificant when looking at the amount spent across all County Libraries as a whole.
324. A total of \$2,833,434 was spent on books being an average of 53.88% of the total expenses. At the high end, Northumberland spent 86.32% on books while Carleton spent 30.12%.

Other Expenses

325. Offset against other revenues are other expenses associated both with producing the revenue (the cost of CLE, photocopy and fax) and with operating the library - telephone, office supplies, computer consumables etc. In 1997 the County Libraries as a whole spent \$152,272 more on "other" expenses than it raised through "other" revenues.
326. Unfortunately there is no consistent reporting of figures and no reliable analysis can be made of this category of expenses or revenues. At a minimum programme revenues and expenses (CLE, social events etc.) ought to be separated out from office administration expenses. Without such a breakdown, the best that can be said is that overall the other revenues and expenses cancel each other out.

The Working Group recommends that a standardized financial reporting and accounting method be adopted by each of the County Libraries and that it incorporate suitable management information to permit future analysis of all library revenues and expenses.

EFFECTS OF RECENT FINANCIAL EXPERIENCE

327. Financial strain in the County Libraries is not particularly new; it has existed in one form or another since the beginning. However, in recent years, so many subscriptions have been cancelled and "frills" trimmed from association budgets that only the basic collection itself remains to be cut.
328. In addition to cutting materials, local association libraries have failed to acquire new publications such as recent texts or journals. While this may not have a

critical impact over one or two years, the cumulative effect over several years is that the quality of the collection deteriorates and it becomes unreliable. The entire library investment is soon wiped out if members are afraid to use the source materials because they are out of date.

Cuts and Non-Acquisitions in 6 Libraries

329. The Working Group asked six of the local libraries - Ottawa, Sudbury, Hamilton, Thunder Bay, London and Windsor - to answer two questions:

“a) What have you had to cut from your collection?

b) What have you been unable to acquire that you feel was necessary in your collection?”

330. The librarians were asked to produce “an actual list with rationalization, not a wish list. It must be entirely defensible for the size of your local bar and their library needs. In other words the items you would have liked to purchase should be reflective of the practice areas of your bar.”

331. While some details differed in each library, it was clear that all the libraries surveyed handled the situation the same way:

- ◆ duplicate materials were cut first (with the effect that if an individual volume was removed from the collection or was in high demand, members could not obtain it) ⁷⁹
- ◆ if an electronic version was available in the library, the printed material was discontinued (thereby affecting users who were not computer literate)
- ◆ digests were cut across the board (removing broad-based search materials such as Halsbury's and The Digest)
- ◆ non-Canadian materials were cut before Canadian
- ◆ paper parts to reports were cut (current materials do not exist as a result unless they exist on QuickLaw and the user knows how to access QuickLaw)
- ◆ all discretionary purchases of new texts and new electronic products were postponed or, never made (2/3 to 3/4 of budgets are devoted just to maintaining existing subscriptions, which means only a small amount can be spent on discretionary purchases of new materials, some of which are too important not to acquire for even a basic law library)

⁷⁹ Details of subscriptions cut by each of the six libraries are outlined in the Appendices.

- ◆ lawyers would see on the shelves books marked as superceded or not current and would stop using the library (even though an up-to-date electronic version might be available in the library)
 - ◆ the easy to cut materials were cut about 10 years ago and so all the recent cuts negatively affected the collection
 - ◆ with cuts and non-acquisitions staff become even more important the discontinued books need to be labelled, electronic alternatives made available and users educated as to what resources can be used and how to find alternate sources of materials
332. Examples of some of the many products cut in each library are contained in the Appendices.

Results of the Cuts and Non-Acquisitions

333. The consensus of the six librarians consulted was that the financial cuts meant proper research and reference services and tools were disappearing from the libraries with the result that professional competency problems would arise. Lawyers were often unaware that the materials were out of date or, were unable to access alternate sources such as electronic or online services because they did not have adequate computer skills to do so.
334. Lack of current materials or inability to access the materials, leads to a negative image of the library and affects the ability of the local association to attract members, thereby further reducing revenues. Staff are needed to assist and train users on electronic products and direct them to alternative sources of materials and yet when budget cuts are threatened, such as by the Law Foundation, staff working hours are challenged, creating great stress on the staff and the users.

Chapter 9

The Role of Technology in Law Libraries

CAN LOCAL LIBRARIES BE CLOSED AND TECHNOLOGY SUBSTITUTED?

OVERVIEW

335. Some common questions put to the Working Group members by members of the profession aware of our meetings have been:

Isn't paper dead?

With the Internet and other electronic systems we don't really need libraries anymore do we?

Isn't it a lot cheaper to use the computer than have libraries all over the province?

336. In this section of the report we will address these issues and others which arise in the context of examining libraries and the impact on legal information of the digital age.

COMPONENTS OF AN "ELECTRONIC" LAW LIBRARY

337. There are 3 kinds of electronic legal products currently available in law libraries. Each kind of product possesses the potential to expand in content and usefulness over the next few years.
338. The following is an overview of the primary features of each kind of product.

CD-ROM

339. The legal publishers have now established a full range of standard materials on CD-ROM. The County Libraries subscribe to several of the more popular and current CD-ROM products⁸⁰. In fiscal 1997, \$291,000 was spent centrally on those products for the County Libraries. In 1998 it is anticipated \$370,000 will be spent on CD-ROM products. Many of the libraries purchased other CD-ROM products directly from the publishers. They are not shown separately in their budgets but rather are shown as part of book purchases.
340. One problem with CD-ROM products is that they tend to be sold on a "licence rental" basis. That is, the information on the CD-ROM expires annually and is not accessible unless a licence fee is paid to renew the ability to access it. The subscription not only automatically expires, the content is also lost. Books, once

⁸⁰ For example Carswell's Family Law Partner, Estates Partner and Criminal Law Partner.

purchased, are always accessible, even if they become out of date. CD-ROM may self-destruct or shut-down so that the information is available for only a limited time without further payment.

341. There are no pages to be torn out or go missing with a CD-ROM product and it takes up no shelf space at all. Unfortunately, when a whole series is placed on a CD-ROM it is available to only one user at a time, unlike a series of books which can be shared by several users. This problem should be offset by the speed of the CD-ROM searching which can use "key words" so, in effect, the series is "put back on the shelf" sooner when it is accessed electronically.
342. Often the pricing of a CD-ROM product is higher than the comparable print version. This is confusing to the purchaser as it appears the cost of a CD-ROM should be less than the cost of a book because the cost of technology is lower, it is easy and less expensive to deliver and fewer raw materials are used. The publishers defend the price of CD-ROM products by pointing out that they have many extra features which books do not, such as key word searching, downloadable precedents and hotlinks between cases and statutes.
343. It is not always possible to purchase the same product in both kinds of media so it is increasingly hard to compare features and benefits of CD-ROM and books. There is some expectation that publishers may abandon print materials for most publications and only use either CD-ROM or the Internet.
344. Carswell, Canada Law Book, Butterworths and CCH all have products available on CD-ROM. In addition, the federal and provincial governments have begun to make legislation available in this format. Legal directories and telephone book yellow pages are now being produced and distributed on CD-ROM so that quick reference materials can be accessed this way.
345. While new CD-ROM products tout "automatic updating" via the Internet, there is no such thing as fully automatic updating; someone has to intervene to request the update, log-on to the Internet and download the update. Even the most sophisticated products, which will do the log-on routine automatically, still need someone to request the download.

Internet

346. By the end of 1998 it is hoped that all libraries in the County Libraries will provide Internet access. Most if not all of the medium and large libraries currently support Internet access for users, some directly and others only through the librarian's computer.
347. Lawyers are increasingly turning to the Internet for information. A 1996 survey of U.S. lawyers⁸¹ found that 71% of lawyers use the Internet; 67% use it for e-

⁸¹ *The Internet Lawyer - Microsoft Corporation Survey* was conducted in the Fall of 1996 by mailing 21,000 questionnaires to randomly generated lists of legal professionals provided by the American Bar Association and others. This resulted in 1500 returned questionnaires. More details about the survey can be found at <http://www.internetlawyer.com/techpr.htm> which contains the January 27, 1997 Press

mail; 72% use it for research and 33% have web sites. There is no reason to expect these results to be significantly different in Ontario. Indeed, recent surveys ⁸² of the profession show over 90% of law offices have at least a 486 computer and about 50% had a modem capable of Internet access.

348. Most of the CD-ROM products which are currently available are expected to be available on the Internet as well. At the moment many publishers offer updates to the CD-ROM information by way of a hotlink ⁸³ to the Internet which can download current information related to the CD-ROM.
349. There is a terrific explosion of information of every kind on the Internet. Legal information sites are increasing exponentially. In the past few years many very useful web sites have emerged, some of which are listed in the Appendices, with a few examples of their home pages.
350. Several courts, including the Supreme Court of Canada, but not yet the Ontario Court of Appeal, are posting their decisions on the Internet, available free of charge but for the general Internet access charges (which are a flat rate of about \$25 - \$30 per month). Similarly the federal and provincial governments now have extensive Internet sites, including massive amounts of government documents and statistics as well as legislation and regulations.
351. Unfortunately, reliance upon these government information sites is a bit risky at the moment as they are not kept current and are not necessarily 'user-friendly' to search. But, they are free and the date of the currency of the information is shown at the site so users are aware of the limitations.
352. Generally, using information from the Internet is risky unless it has been somehow authenticated; you really have no knowledge of who has posted the information. If a site contains a re-print of an article there is no way to know whether it has been altered from its original format in any respect, so that the only real protection is to have knowledge of the re-publisher, which is difficult to verify. Furthermore, using legal information from the Internet is impossible

Release announcing the survey.

⁸² In addition to a survey by CDLPA, discussed at page 85, the Law Society and others recently completed a survey of 346 members of the profession which indicated that only 0.9% of those surveyed had *no* computer equipment and, over 93% had either a 486 or a Pentium computer.

⁸³ A hotlink is a now common computer software feature whereby information can be electronically "tied" or cross-referenced to other electronic information located in a completely different place. By 'mouse-clicking' on the information which is indicated (usually by using a different colour and being underlined) to be hotlinked to another place the reader is instantly 'transported' to the connected site. After reading the connected information the reader can then return to the originating place and resume where he or she left off.

This sort of high-level feature, which formerly was a value-added service only major publishers might consider providing, is now a standard feature in word processing programmes and so can be used by the original creator of a work at the time of its development, a factor which makes self-publishing an attractive feature for many authors.

unless courts are willing to accept it and there is a uniform method of citation developed, as discussed at page 81 of this report.

353. Among the electronic products, Internet legal research, as it stands now, runs a distant third in use and reliability, after the more systematic and efficient research methods like QL and CD-ROMs. The Internet can be viewed as more of a legal information source for the unskilled members of the public to obtain quick information without having the expertise or resources to access a proper law library. However, each week, the resources of the Internet improve, governments increase the information made available for free over the Internet while universities, law societies and bar organizations throughout the world move to add more and more content to the world wide web. It is only a matter of time (and organization) until the information on the Internet becomes reliable.
354. One approach to organizing information on the Internet is to create "Digital Libraries". The Appendices contains a brief synopsis of ongoing work in this area.

QuickLaw

355. Perhaps the electronic legal information with which the majority of lawyers in Ontario is most familiar is QuickLaw, which has been in existence now for over 20 years. QL, as it is known, contains over 1000 databases and bulletin boards of law, (QuickLaw) news and business information (QuickNews) and taxation (QuickTax).
356. Publishers who have significant information published on QuickLaw, such as their own report series, include Canada Law Book, Carswell,⁸⁴ CCH, LSUC (Ontario Reports), Western Legal Publications, and most major Canadian universities.
357. At present QL is the only electronic service which contains all the *unreported* Canadian judgments from federal and provincial jurisdictions. Some courts are posting judgments to the Internet now but, until there is a collection of such caselaw with a common interface and good search engine for access at the site, there will not be a viable research alternative to the QL system.
358. Both full text report series and digests of caselaw are online through QL. There are in fact so many hundreds of databases available on QL that a printout of the full list of legal databases covers 15 pages of single-spaced print.
359. In September 1997 the Law Society entered into an arrangement with QL whereby each of the libraries in the County Libraries would install QL and paid up members of each association would then be given a personal password to receive free access to the databases. Standardized computer and CD-ROM equipment was provided to every county library. Through special grants from the annual funds received by the Law Society for library purposes some libraries

⁸⁴ Just as this report is being written, Carswell has announced the termination of its arrangement with QuickLaw. Carswell will be setting up its own electronic database of its caselaw reports. QL will establish new subject matter databases on its site.

purchased extra computers with local funds. Onsite training was provided to the users by the librarians and by QL representatives. The Law Foundation provided a one-time start-up flat-fee to cover the cost of the first year of usage.

- 360. The Working Group received information to indicate that as users were trained and became aware of the QL service in the library, their usage increased both in terms of the number of users and the amount of time they used the service each month.
- 361. As lawyers become familiar with the availability of the QL service in the libraries and receive training to use it and, as librarians in the smaller libraries gain more experience with QL, the usage is steadily increasing. This supports the Working Group's opinion that it is essential to provide education and training for lawyers and other users of libraries, in order to receive the full benefit of the many services available.

COMPARISON OF COSTS AND CONTENT: QL, CD-ROM AND PAPER/HARD COPY

- 362. The Appendices contain a chart of the cost and content of materials published in all three locations - QL, CD-ROM and paper or hard copy. Where the publication is available on QL the date from which the information is available is shown.
- 363. The chart shows that pricing varies by publisher. Often there is a discount available if both print and CD are purchased. Usually the CD version costs more than print but, in many instances, the publication is available either only on CD or only in print.
- 364. The CD version of some products is "bundled" so that individual materials cannot be purchased. This means that the purchaser acquires a whole library of materials and cannot just purchase one item. The Carswell Corporate Law Partner (\$2400) contains several products - Ontario Corporation manual, Canadian Corporation manual, Business Law Reports, CBCA and OBCA. If you want to purchase just the Ontario Corporation manual you must buy the print version (\$460) or, pay for electronic products you may not want. Carswell has similar pricing and arrangements with respect to Civil Practice, Family Law and Employment Law.
- 365. There is a concern when reviewing the products available that the publishers will, in fact, discontinue publication of printed materials where they perceive it to be economically advantageous to make that decision. The Canadian legal materials market is small. Costs of paper, distribution and promotion of these materials is high. It would be a prudent and legitimate business decision by the publishers to say that print materials for which there is currently only marginal demand should be either discontinued or bundled into other electronic products. Whether such decision is in the interest of the consumer or the administration of justice is not a concern of most publishers or of any business.

366. What this means is that law libraries will need to be able to respond to such decisions by providing the information in the form it is available. It could also mean that governments, law societies and bar organizations will be forced to enter into the electronic publishing business to make sure the information they deem necessary or important to the administration of justice is preserved, if not on paper then at least in an affordable electronic form.⁸⁵

367. A member of the Working Group compared the contents of hard copy publications (which were up-to-date in filings at the time) to what was available on QuickLaw, to determine which was most up-to-date and current. The findings indicated that in 5 report series, QuickLaw was more current than the hard copy on the shelf. In 2 report series, the hard copy was more current. Also, both QuickLaw and the paper product were more current than the CD-ROM version in the 3 instances where the material was available in all three formats.

368. **Advantages and Disadvantages of Electronic Library Materials:**

Advantages

- ◆ space is freed up as shelf space is not required; whole report series can fit on one CD-ROM or be available over a telephone line
- ◆ there are no loose-leaf filings to be out of date or lost; the material is automatically updated
- ◆ any word can be a key search word; users aren't limited to predefined index and subject headings
- ◆ librarians can be freed up to answer reference questions quickly over the telephone using the speed and efficiency of electronic products
- ◆ searching for information is much faster
- ◆ search terms can be more flexible - there is no need to duplicate the author's or publisher's selection of key words or index terms
- ◆ it is extremely portable; a whole encyclopaedia can fit into a shirt pocket
- ◆ contents can be updated quickly, instantaneously if the Internet is used
- ◆ multi-media (audio and video enhancements) can produce superior interactive information products while paper remains a one-way, static delivery vehicle
- ◆ Global distribution of information is the same cost (to the publisher) as single output distribution once the information is posted to the Internet or put in electronic format

⁸⁵ See discussion at page 25 about CLE and publishing initiatives which can be explored.

Disadvantages

- ◆ every product uses a different system, so that off-site technical support by the publishers is very important and is not always helpful
- ◆ you can't "skim" or browse through the materials and indexes the way you can with paper products, so a whole different approach to research is required
- ◆ lawyers don't have the time to learn all the new systems and practise law too
- ◆ a lot of equipment is required - work stations, hardware, modems, telephone lines, cables, printers - which someone needs to maintain, upgrade and have proficiency in using
- ◆ old courthouses do not accommodate updated electrical wiring - one of the courthouses has a single electrical outlet for the whole library
- ◆ old courthouses do not necessarily accommodate installation of new telephone lines because of design, tenancy arrangements or historical preservation; online access should have a separate, dedicated telephone line
- ◆ dependency on machinery means if the machinery is not working none of the resources can be accessed; if 1 book in a report series is missing, the series is still there (although if what you *need* is in the missing book, having the rest of report series on the shelf isn't much consolation!)
- ◆ the technology itself is not always reliable; one day a CD-ROM will work and the next day it won't; CD-ROM towers, once all the rage, are now viewed as difficult to manage and too quirky to be efficient
- ◆ if there are only 1 or 2 computers in the library, users may have to wait their turn to access the system; how many terminals are enough and, can they be installed given wiring and telephone constraints? ⁸⁶
- ◆ usage is tied to the library site or, a remotely licensed location
- ◆ there is a significant cost, in both money and human resources in regularly upgrading and replacing computer hardware to be able to use new software
- ◆ technology is not always intergenerationally compatible, so that if the technology changes significantly the information can become inaccessible and therefore either lost or hard to access: microfiche records, 8-track audio tapes, DOS and Windows 3.1 are examples

⁸⁶ A September 1997 issue of MacLean's magazine stated the number of full time law students per library computer terminal ranged from 5 (Western) to 23 (Dalhousie) with eight law schools having 10 or fewer students per PC and eight law schools having between 11 - 23 students per PC.

- ♦ users are reluctant to give up paper and reliance on the printed word in favour of retrieving electronic information; even if libraries change, the users have a long educational path to follow to become proficient users of the new services unless there is appropriate training provided to users and professionally trained staff are available to assist them

369. **Advantages and Disadvantages of Paper/Books**

Advantages

- ♦ has a feel which users appreciate and many prefer over a computer screen
- ♦ is highly portable; no special equipment is required to access the contents
- ♦ can easily be browsed or skimmed without external aids or special knowledge
- ♦ is the best medium for complex thoughts and long narratives ⁸⁷
- ♦ is a high contrast medium which can be viewed from any angle, unlike computer screens which have poor resolution and need good lighting as well as the right angle of viewing
- ♦ can be stored for hundreds of years and still transmit the information contained in it
- ♦ is harder to plagiarize or pirate a complete work; on the Internet you can easily cut and paste or download any of the information then re-post it as your own but to do this with a complete book or even a chapter of a book requires a lot more effort and cost
- ♦ if you want a quick answer and you know the correct source, it is often faster to pull a single book off the shelf than spend the 10 minutes or more required to sign on to the computer to access what is needed

Disadvantages

- ♦ contents are either static and quickly outdated or, extra labour is required to update them if they are looseleaf services
- ♦ looseleaf services suffer from partial contents being removed and not replaced, making the service dangerous to use
- ♦ takes up a lot of physical space to store
- ♦ locating specific information within text requires an understanding of the index and its organization, because there is no key-word facility available

⁸⁷ Generally speaking people will download and print out text which is longer than 500 words if it contains information they wish to refer to again or contains complex sentence structures. Office e-mail is often printed out even though it is very brief - there is a need to preserve the content, file it, review it at leisure etc. which cannot be replicated in electronic information.

- ♦ distribution requires multiple handling, warehousing and various delivery expenses

CITATION OF ELECTRONIC SOURCES OF CASELAW FOUND ON THE INTERNET - IT MAY BE THERE BUT, CAN YOU USE IT IN COURT?

370. On November 20 - 22, 1997 a conference entitled "*The Official Version*", was held under the auspices of the Canadian Association of Law Libraries and The Legal Research Network. The entire conference was devoted to issues surrounding the creation, preservation, storage and retrieval of digital legal information in Canada and worldwide. The conference proceedings and background papers can be found at <http://www.callacbd.ca>.
371. The three background papers discussed at the conference show the range of issues which arise in the area of electronic caselaw:
- "The ABC's of Authentication"
- "Preserving the Canadian Legal Heritage"
- "Case Law Citation in Canada: Proposals for Reform"
372. A very practical problem for lawyers using electronic searching tools is the citation of cases found on-line: how do you reliably cite a case which is reported nowhere else but on the Internet (or at least you are unaware of any other publication source). Also, how do you know it is an authentic case? The present Canadian system of citation includes reference to decisions published electronically by QuickLaw but, when published and cited this way, they are considered "unreported". With respect to judgments published on CD-ROM or on the Internet not only are they considered "unreported", they are virtually incapable of being cited as there is no generally accepted citation system.
373. To the uninitiated, this may seem like "much ado about nothing" - it's on the Internet so, as this report does for some matters, just refer to the URL (world wide web address) and be done with it. But, as one small example of the problem - how do you refer to a precise point in the decision when electronically published decisions have no standard page or paragraph identifiers?
374. Space does not permit even a review of the nature and extent of the problems discussed at this conference with developing citation systems for electronically published documents. Many organizations, including the American Association of Law Libraries, the Canadian Judicial Council and QuickLaw among others, have failed to agree upon a standard. It appears much work is still to be done before lawyers will be able to comfortably and reliably use caselaw retrieved from an electronic source.

WHAT'S THE CONCLUSION - PAPER OR DIGITAL?

375. The importance of recognizing the advantages and disadvantages of the various kinds of media is that each of the media present obstacles which will need to be overcome before lawyers accept a wholesale change to a digital library world. Even if the full range of electronic products existed and was affordable (which isn't the case at present) and the users were all proficient with them (which they aren't) there are thousands of volumes of written materials, used everyday by lawyers, which do not exist in an electronic form of any kind and which will probably never be electronically digitized.
376. These paper products (also known as "books") will have to continue to exist and be accessible somewhere in the County Libraries. They will not have to be available in every library - they are not presently available in every library. Electronics in the form of fax machines, e-mail and telephone services may make these materials more available than they currently are, thus representing a good marriage between the old paper-based product and the new electronic technology.
377. If the County Libraries' enormous archival body of caselaw, texts, journals, reports and government documents as well as CLE materials, Bar Admission course materials and university law reviews is not preserved then not only will future legal research suffer, our Ontario legal history will be lost, perhaps forever. The County Libraries are not the only location for these works but they are the location for many of them. Having County Libraries with legal information makes sure the knowledge is spread throughout the province to all lawyers who need it rather than having it isolated in a few major centres.
378. On a going forward basis there is no doubt that more materials will be produced electronically and many of those publications currently purchased in paper format will, in future only be purchased in electronic format.⁸⁸ Nonetheless, publishers and scholars now say that the digital world and the paper world will complement each other and neither will predominate in the foreseeable future. Certainly some kinds of information are most efficiently, cost effectively and best provided electronically while other kinds of information are better suited to books, journals and articles.
379. **The answer to the question "Paper or Digital" is "Strive for the best of both".**
380. When comparing the advantages of books and digital information it has been said by one author that "The advantages of the all-digital future are primarily

⁸⁸ See discussion at page 71 and in the Appendices regarding "Cuts and Non-Acquisitions" where it is clear that libraries are already preferring to purchase electronic products over paper ones when resources are scarce.

mechanical advantages; the disadvantages prevail when people enter the equation".⁸⁹

381. This author, Walt Crawford, describes himself as "a lifelong technologist who's been on the Internet since the late 1980s" and makes his living by "designing and promulgating services that run on the World Wide Web." He has published a book entitled *Future Libraries: Dreams, Madness & Reality* and currently is writing a book which has the working title of *Being Analog: Building Tomorrow's Libraries*. His conclusion about the future of libraries in the article referred to above is that:

- ◆ The future means both print and electronic communication.
- ◆ The future means both linear text and hypertext⁹⁰.
- ◆ The future means both mediation by librarians and direct access.
- ◆ The future means both collections and access (electronic).
- ◆ The future means a library that is both edifice and interface.

382. The March 12, 1998 edition of the *Toronto Star* in its *Fast Forward* technology section, contained two feature articles dealing with libraries and the future of printed materials:

"Whither the Printed Word - with the proliferation of electronic text, has the Gutenberg Revolution run its course? Don't bet on it." By Derek Thomson

"A Library Without Walls - If the Internet puts all the world's information in the hands of everyone, will we still need the bricks and mortar buildings?" By Tim Philip.

383. These authors point out that much of the consternation and alarm which now can be heard about digital text echoes that first heard when the printing press was introduced. When print was first mechanized and mass distribution became possible (rather than hand reproduced manuscripts) there was concern over loss of control, diminishing quality and the fact that suddenly virtually *anyone* could distribute printed words.
384. Existing book collections and government documents aren't currently digitized. In fact anything produced more than 20 years ago is certainly not in electronic format and the utility of converting historic materials to electronic format is not great given the need to produce current materials and the cost (money and time) of such conversions.

⁸⁹ *Paper Persists - Why Physical Library Collections Still Matter* 1998 January/February ONLINE by Walt Crawford also at <http://www.online.com/onlinemag>. A copy of this article is in the Appendices.

⁹⁰ "Linear text" refers to printed words; "hypertext" is the electronic 'hotlink' kind of text described in detail in footnote 83.

385. In addition, centuries of artwork, photographs, audio tapes and phonographic records are not digitized and available online although they are works which are accessible in libraries and through books as well as in their original state.
386. Today, the world is in a transitional phase between the book and online text. The length of this phase will depend on whether hardware and software advances can overcome many of the obstacles noted above. While optimistic about technological progress, the authors of these articles both express the opinion that books and libraries still have a place and will continue to do so for many years.

WHAT DO COMPUTER- INDUSTRY LEADERS SAY ABOUT PAPER AS A SOURCE OF INFORMATION?

387. Bill Gates publishes a column on the Internet ⁹¹. In response to the question "*When will we see a paperless society?*" (Posted 11/19/97) he answered:

"Paper won't vanish entirely, but in the years ahead the role of paper will decline dramatically in both the office and home.

Short or structured documents will be the first to move away from paper. You'll use your computer to review and pay bills or fill out forms. . . .

Many longer documents will move to computer screens once technology improves sufficiently that a screen is as pleasant and easy to use as paper. We're still a few years away from lightweight screens that offer the resolution of high-quality printing, but that day will come. . . .

We will never see paper eliminated entirely, of course. But a society in which paper has a much-diminished role is clearly on its way."

388. In another recent column (04/08/98) a similar question was asked of Bill Gates and he answered as follows:

Q. "Do you think Internet publications will replace printed publications one day?" (The question was specific to newspapers.)

A. "Internet publications will replace print publications but not for a long time. It may take 20 years for the screen to get cheap enough and good enough to displace paper."

(He then goes on to discuss the newspaper industry - whether newspapers will disappear (they will) and whether the Web will be the source of news stories (it will).)

389. The Appendices contains an overview of some long-range developments in the technology industry which could affect libraries such as, "electronic paper".

⁹¹ The two columns cited here can be found at <http://www.eu.microsoft.com/BillGates>. They are columns dated 11/19/97 and 04/08/98.

A Period of Transition in Technology for the Legal Profession and for Law Libraries

390. This section of the report looks at the general issues of:

- ◆ the readiness of the profession to embrace technology, particularly for research and reference purposes
- ◆ the transitional stage in which libraries currently exist, given the rapidly developing electronic world.

IS THE LEGAL PROFESSION READY TO EMBRACE LIBRARY TECHNOLOGY?

391. An electronic library model cannot be imposed unless the users of the library are able to access the technology and perform proper research. Indeed, unless the legal profession is proficient at using electronic library products it would be counter-productive to increase significantly the electronic services available in libraries.

392. In early 1998 the County & District Law Presidents' Association conducted an informal survey of its members to obtain general information about their technological proficiency and readiness for the emerging computer demands being placed on lawyers through electronic registration of title documents to e-filing of court papers. The complete survey questionnaire and responses can be found in the Appendices.

393. The CDLPA survey results are not at all statistically reliable given the method of distribution (self-selecting sample from the back page of the January '98 newsletter) and the lack of demographic variables against which to analyze the results, as well as the imprecise wording of the questions. The survey results cannot be said to be representative of the whole profession as the respondents' profiles, when compared to Law Society member profiles, are not similar enough to support the drawing of any conclusions for the whole profession. The results cannot even be said to be representative of the views of all CDLPA members as there is no comparative data available.

394. However, as "anecdotal" evidence of the state of readiness of 631 members of the profession (about 6% of the CDLPA membership) for computerized work, the following information is interesting to consider:

- ◆ 57% of the respondents did not utilize either the QuickLaw or Carswell CD-ROMs in the local library
- ◆ 79% of those who did not own a computer or have Internet access

were prepared to invest in the technology

- ◆ 96% of those who did not have computer skills were ready to acquire such skills (This however is an example of the problem with the survey methodology in that with a self-selecting sample responding to a "Technology Survey" it is likely that those who responded were already favourably disposed to technology. In answer to another question 54% of the respondents rated their own computer literacy as either excellent or good and another 37% rated themselves as fair. Only 9% said their computer literacy was "poor".)
 - ◆ 56% were not in favour of any requirement that lawyers across the province access library resources through the Internet - 44% were in favour of this (The precise question was "Are you generally in favour of the Law Society's suggestion that it will be a requirement for lawyers across the Province in the future to access the Law Society's Library resources through the Internet?" No such suggestion was actually made, as far as the Working Group is aware, and there was no explanation provided or context given for the question. Were county libraries to close or the Great Library? What exactly was being "required" and what options existed?)
 - ◆ of those respondents who possessed a computer, 10% used it mainly for research with docketing, pleadings, accounting and word processing being the main use for 90%
395. The long-term future for delivery of library services may well be an electronic library as the primary or perhaps only delivery model. However, before then there is a long period of transition. Supply and demand for electronic library services will have to merge much more closely than they do now for it to be an acceptable sole delivery model.
396. But, during the transitional period, increasing use of electronic products will continue in libraries of all kinds. Publishers may discontinue paper products or price them in such a way that they will no longer be attractive to even the most computer illiterate members of the legal profession. It would be folly not to be prepared for this progression in the supply of products.
397. Current changes in the profession will require real estate lawyers to register documents electronically and litigators to file pleadings electronically. Clients are now demanding correspondence by e-mail. Corporate departments must file security documents electronically. As a result, the profession is becoming more computer literate every week, albeit in some cases on an involuntary basis. The transition has definitely begun.
398. The length of this transitional period is unknown but is certain to be in excess of five (5) years, perhaps as long as ten (10) years, largely because of the education and training required for thousands of members of the profession to enable them to be good, proficient consumers of electronic services. These services include but are not limited to library services.

THE EXPERIENCE IN WELLAND COUNTY

399. One of the County Libraries has actually undergone the experience of becoming an "Electronic Library", although the experiment was not done voluntarily.
400. In 1996 it was announced that the Welland County courthouse would undergo extensive renovations and, for a period of two years, the library would have to move to temporary facilities. The space allocated in the temporary facilities would be 350 square feet, rather than the 1,100 square feet in the courthouse.
401. The association determined it could not transfer its nearly 15,000 volumes of books to the temporary facility and so sought an alternative resource - electronic formats.
402. In March of 1997, after much research, consultation and hard work, the association library was up and running in its temporary facility with 6 computers and a Windows NT server. To offset the cancellation of all but one reporting service, 11 CD-ROM titles were acquired. The Ontario Reports and the official versions of the Federal and Provincial Statutes and Regulations were kept current, in book form.
403. Training sessions were held by the publishers and were well attended by the local members of the bar. The librarian also took special training and conducted training for members.
404. The librarian's report on the success of the electronic library is as follows:

"Initially, most of the members expressed great interest and the computers, although not in great demand, were generally well received. The addition of QuickLaw was also a boon. Extensive training was also offered and participants were very enthused with the addition of this service to the Library. From March to December 1997, the cancelled reports were kept on the shelves, in an attempt to "wean" the lawyers away from the books in print form. I actively encouraged the use of electronic technology, as opposed to the hard bound copies of the topical reports.

During this time, all members were kept up-to-date with any new developments concerning the move to the temporary facilities and all were kept apprised of the limited availability of the print collection when we were re-established at the interim courthouse.

We have now been in the interim courthouse for approximately six months. With the limited space that was made available, the library offers all of the classified textbooks and looseleaf services on a current basis, with the remainder of the materials available on CD-ROM and/or QL. Any missing gaps are filled by interlibrary requests to other law associations. Of note, the remainder of the collection that is not in storage is available to the members in print version in an offsite location. The Vice President houses most of the older

print collection in his extra office space. The books have been unpacked and reshelfed, but he has reported that usage is minimal at this time.

To date, the library usage is woefully inadequate and I believe there are many factors that come into play. I have canvassed the members with respect to their feelings on the adequacy of the library and the reasons for lack of use are as follows:

(The report then lists and discusses the following factors :

- ♦ *library location* (aesthetics are undesirable)
- ♦ *court location* (Provincial Court criminal has moved to Lincoln County and so many Welland members are now using the Lincoln library)
- ♦ *size of library* (one reading table and 3 chairs)
- ♦ *financial restraints* (not enough allowed on Legal Aid certificates for adequate research)
- ♦ *lack of remote access* (members are geographically scattered and would prefer remote access to the library technology rather than driving in to use it)
- ♦ *resistance to new technology* (found to be at the heart of the problem; the lawyers appear to lack the initiative and motivation to learn the new technology and, even the ones who received training did not go back to use it, thereby losing the skill)."

405. Despite the above report, the librarian concludes by indicating she is optimistic that the profession will become more comfortable with using electronic technology as time passes, particularly as practice requirements such as TitlePLUS cause them to become computer literate.

LIBRARIES ARE ALSO IN A TRANSITIONAL STAGE

406. Unbeknownst to the Working Group at the time of its discussions, a funding review committee in the United Kingdom (previously referred to at page 36) was examining whether an electronic library could prevail over traditional paper products. When reviewing the academic libraries in the UK and the funding requirements for their future the Follett Report ⁹² conclusions included the following with respect to reliance on information technology as part of the future:

"However, whilst technology has the potential fundamentally to change information provision in higher education, even its most optimistic advocates suggest that change take place gradually, and

⁹² See footnote 63.

will need to be managed in conjunction with handling traditional library resources. It is very unlikely that books, periodicals and other traditional media will be superseded in the foreseeable future. In the last decade, for instance, when the scope and range of information technology has dramatically increased, so equally has the number of periodicals being published, and the number of books. What is likely is that traditional media will be supplemented by new technology based forms of information storage and dissemination."

407. It is the unanimous view of the Working Group that, at this time, electronic library products, online services, the Internet and the legal profession are all in a period of transition and development. None is yet at the point where the administration of justice or professional competence can be achieved or maintained through purely electronic access. The content of most electronic library products is not reliable enough; the profession is not proficient enough at using the products nor is it comfortable enough to rely solely on computers to make technology the only delivery model.
408. With aggressive education and training, the profession will become computer literate and able to make the transition to more electronic services in all aspects of their professional life. Libraries, CLE providers and bar organizations need to co-operate to assist the profession with this challenge.

Chapter 11

Costs of Closing Libraries

OVERVIEW

409. Any re-organization or restructuring conducted in the 1990's involves "downsizing" which, in this case, could mean closing libraries.
410. Given the geographical proximity of some of the smaller libraries to medium-sized libraries and the amount of money being spent on maintaining those smaller libraries, some might contend that it would be more efficient to close them and redistribute the funds to improve the medium-sized libraries.
411. At the other extreme is the argument that the large libraries which exist in major centres and duplicate facilities of local law school libraries could be closed and the funding which is now supplied to those libraries could be either redistributed or saved altogether.
412. At pages 103 to 108 there is a separate description and analysis of the advantages and disadvantages of these alternative delivery models. This section of the report looks at the generic costs of closing libraries - any libraries - which costs will need to be taken into account should a decision be made to close even one library.
413. Before a decision is made to close a library, for any reason, there are a number of factors to be considered.
414. First there is the question of what does "closing" mean. Closing a library may mean:
- ◆ Completely dismantling it, disposing of all the assets, vacating the physical space and discontinuing any form of financial support; or,
 - ◆ Discontinuing ongoing financial support but leaving the existing facility in place; or,
 - ◆ Variations of the above whereby certain services are removed (no longer funded), other services are continued and the question of the physical location of the library is resolved either by remaining in the current location, moving to another physical location or, becoming a "cyber-library", using technology only
415. The discussion in this section looks at the considerations involved in the first two kinds of closings. If either of the above kinds of closing takes place, there will not be instant savings to the County Libraries as there will be significant work involved in dealing with the closure, as set out below.

LEGISLATIVE CONSIDERATIONS

416. The Law Society does not have a direct power to close county law libraries but does have the more drastic unilateral right to dissolve county law associations⁹³. As the library is run by the local association and the books are held in trust by its trustees, dissolving a local association would effectively close a library and require the return of the books to the Law Society.
417. This would obviously be an extreme and unpopular way to deal with closing a library as well as being cumbersome. There is also an issue as to whether all the books would have to be returned or just the ones purchased with Law Society funds - an issue the Working Group did not address as no actual closings are yet being considered.
418. Another way to "close" a library could be to remove its funding. The Law Society is not legislatively compelled to provide more than \$3,000 to an individual association, by way of annual grant. All funds paid over and above that amount are in the discretion of Convocation after receiving a report from the Director of Libraries.
419. Removing funding would not guarantee the closing of a library, particularly the larger libraries, where it might just drive the local members to privatize their collection.

CATEGORIES OF CLOSING EXPENSES

Disposal of Assets

420. If a library is closing completely then the physical assets such as books, tables, chairs, shelving and tenant's improvements need to be sold or moved to other libraries.⁹⁴
421. All subscriptions would have to be cancelled and, where possible, transferred to others. This all has to be done by manual effort.
422. *Book disposal* is an expensive and time-consuming process:
- ◆ announcements over the Internet and by mail are run to find new owners for the books
 - ◆ rare books will be taken up but not if they are in poor shape

⁹³ Section 63 of the *Law Society Act* (Regulations), provides Convocation may make regulations providing for the "establishment, operation and dissolution of county and district law associations and respecting grants and loans to such associations."

⁹⁴ Although s.27 of Regulation 708 provides that on dissolution or winding-up of an association the books shall be returned to the Society it is doubtful that the Society would want more than a very small number of any of the books and certainly would not want them returned to Osgoode Hall for disposal if better options were available.

- ◆ there is a glut of law books on the market given government cutbacks and law firm downsizing
 - ◆ dealers will take a set of books or two but not all of them
 - ◆ 90% of the books will need to be given away or destroyed as they are not very saleable - for example 1915 Ontario Appeal Cases
 - ◆ some books can be disposed of to members at low cost or for free but there is a significant labour cost to this process ⁹⁵
 - ◆ interior designers will buy leather bound books for set decorations but will not be interested in the other books
 - ◆ the cost of disposal will probably exceed the proceeds realized
423. Equipment which is owned and in working condition can be sold or redistributed following a similar process to the disposal of books. If the equipment is not too out of date, it will be transferable or saleable. Older computer equipment (more than 4 or 5 years old) might be donated to a school, church or charitable organization but is otherwise not in demand. As with books, the cost of disposal of equipment will probably exceed the proceeds realized.
424. *Furniture* can be used elsewhere but there might be an issue as to who owns it. The Attorney General originally paid for the furnishings for libraries, until 1988 and has sporadically paid for some furnishing in some libraries since 1988. The ownership issue would have to be resolved prior to disposal and would be different in each county.
425. *Shelving* is in the same category as furniture in that some is owned by the local association and other shelving is owned by the province with each county having a different arrangement. In any one library some shelving may be owned by the association and the balance owned by the province.

Termination of Employees

426. Every library employs at least one staff person. Most of them have been so employed for many years, either full-time or part-time. Any library which closes will have to deal with termination pay for staff. Some staff may be able to move to other libraries but this would not apply universally and probably would be taken up by a very few of all the current library staff in all the County Libraries.
427. In some libraries the severance pay would be far in excess of the minimum requirements of the *Employment Standards Act* as the staff have been employed for many, many years. If a lot of libraries were to close, it would be

⁹⁵ When libraries weed their collections in the normal course of operating, the process is to pull the books, organize them by subject, price them, track the sale and then reconcile the accounting after the sale is finished. It is labour intensive and tends not to recover the cost of the process. It is designed to try to find a new home for the books, without having to destroy them.

prudent to set aside funds for possible litigation in the event employees disagree with the termination amount. Legal advice should be obtained to be sure employees are treated properly if their employment is terminated.

Utilities, Telephone and Equipment Contracts

428. If a library is closed and the physical space vacated, the office supplies, equipment and utility services will need to be terminated. The suppliers will need to be notified to discontinue services and arrangements made for final payment of accounts. If there are long-term leases for photocopiers, facsimile machines or computers then termination, buy-out or transfer clauses will need to be triggered. There will be one-time termination costs in many cases as lease buy-outs arise. Funds will have to be set aside for this expense.
429. It is anticipated that if a library is closed the local association will not necessarily co-operate with the cancellation of services and disposal of equipment, therefore a contract employee will need to be hired to deal with these matters.

Relocation Costs

430. To close a library responsibly, an inventory of the assets should first be done then the assets offered for sale or transferred to other libraries in an organized fashion. Even if the assets are given away, there will be costs to box and transfer them as well as costs of determining through mail, faxes, advertisements etc. whether there is any demand or need for them.
431. To transfer assets within the remaining libraries would require determining their need and then devising a process to allocate and distribute the assets based on those needs. A process for resolving competing claims for any desirable assets such as newer equipment would have to be instituted.
432. Depending on the number of libraries closed and the size of them, as well as the kind of closing, dealing with all the disposal and transfer logistics of the closing would require the services of 1 person, full time for anywhere from 6 to 12 months. That person will need appropriate support systems, office arrangements and a budget for the closing period.
433. While a budget could not be estimated until the number and kind of closings was determined and an inventory of assets completed, it can safely be assumed that a one-time staff cost of \$50,000 to \$100,000 plus closing expenses would be required if more than a small handful of small libraries were to be closed given all the tasks which need to be performed and assuming no co-operation from the local associations.

EFFECTS OF CLOSING LIBRARIES. INCLUDING THE EFFECT ON REMAINING LIBRARIES

434. Unless all the libraries were closed, the remaining libraries would be expected to deal with the demands of former users of the closed libraries. This would require an analysis of the increased demand likely to occur and then a re-organization of the remaining libraries to provide the following:

- ◆ additional staff to deal with increased demand
 - ◆ creation of more staff work areas
 - ◆ creation of more user work areas
 - ◆ installation of more electrical components and equipment to provide more work stations and tools for users
 - ◆ possibly, increased space would be required
435. The requirement for and cost of any of the above would depend entirely on which libraries closed and which remained open as the facilities across the province vary greatly. An analysis of the expected transfer of demand for services would need to be conducted as part of the closing process.

Local Associations

436. If a library located in a major centre, such as Toronto, Ottawa, London or Hamilton is closed, the profession in those centres is sufficiently large that an option might be to transfer the library and its assets to the local association who might then "privatize" the library. (See discussion at page 109 about Privatized Libraries.)

437. However, a library located in a smaller centre would undoubtedly be closed without any transfer of assets to the local members. If a local association is denied library funding, it is unlikely that they would co-operate in the dismantling or relocation of the library, leaving the Law Society to deal with all the closing costs. If the library is closed without consensus of the local lawyers, it is also likely some associations would pursue litigation against the Law Society to try to prevent the closure. It would be preferable to engage in a process with the local lawyers to resolve issues wherever possible.

Loss of Association Meeting Space

438. It is likely that if an association library were to close the province would reclaim the library space for other purposes. If the association wanted to maintain the space for its own business, it would probably have to enter into negotiations with Ontario Realty Corporation to rent the premises at market rent.⁹⁶ Since the library is provided to the association without charge (as a result of the historical requirement of the municipalities, assumed by the province) to provide accommodation for the law library there is no reason to presume the space would be available rent-free for other purposes.

439. Most county libraries are used for many purposes related to the administration

⁹⁶ In a 1995 survey of county associations conducted by the County & District Law Presidents' Association the average library space for associations with under 50 members was 786.28 square feet. Moving expenses were estimated to be between \$1,000 and \$6,000. Rental costs for similar sized space were estimated to run between \$6.00 and \$15.00 per sq. ft., which would result in annual rent of between \$4,716 and \$11,794. Leasehold improvements and tenant fixtures varied in estimation between \$1,000 and \$25,000. The costs for larger associations would be proportionately higher.

of justice in addition to researching the law. In 1995 CDLPA sent a questionnaire to each county association seeking information on the size, utilization and other facilities attached to each county library. Under the question "is the library used for other purposes" the following were some of the responses:

- ◆ association meetings
- ◆ private meetings
- ◆ continuing legal education
- ◆ orientation sessions for articling students
- ◆ solicitor-client consultations
- ◆ mediation
- ◆ pre-trials
- ◆ legal aid area committee
- ◆ meetings with public officials
- ◆ LSUC displays (200th anniversary etc.)
- ◆ photocopy, fax and telephone for use of members
- ◆ receptions (newly appointed or retiring court officials)
- ◆ bench and bar committee meetings
- ◆ viewing of disclosure videos in criminal matters

440. These are not isolated or one-time uses. The written response from the Peel Law Association sets out the many uses the library space is put to in a typical year:

"The Lounge is used by the Peel Law Association for meetings and for CLE programs. The Lounge is used by the General Division Court for Motions Court, Assignment Court, Civil Non-Jury Trials, meetings with Jury. The Lounge is used by the Peel Criminal Lawyers' Association for their monthly meetings. The Lounge is used by the Provincial Crown Attorneys for social events. The Lounge is used by the Ministry of the Attorney General for press Conferences (announcing the new courthouse), retirement receptions, staff training sessions wedding showers, Christmas buffets. The Lounge is used by Legal Aid for training sessions. The Lounge is used by the Ministry of Consumer and Commercial Relations for meetings. The Lounge is used by court reporters for meetings. The Lounge is used by the Sheriff's Office for land sales."

441. Space in courthouses is at a premium. If association library space is lost, it will probably never be recovered by the association. It undoubtedly would be used for court or court related purposes. No courthouse library should be closed unless it is very clear that the space will not be needed by the profession at some time in the future. At a minimum, alternate meeting space should be provided and no need for a physical library ought to exist before a local library is closed.

Possible Delivery Models for County Law Libraries

LEVEL OF DETAIL PROVIDED IN THIS REPORT ABOUT EACH MODEL

442. This section of the report outlines the basic details of possible models for the delivery of county library services to lawyers in Ontario. Details are not provided as developing the models fully will be Phase II work, using the policy directives of Convocation from this Phase I report.
443. Some of the models which follow use somewhat simplistic criteria and, in many cases, would cause significant changes to the existing philosophical underpinnings of the County Libraries. Nonetheless, there is a defensible management rationale for each of the models and they do highlight well the approaches which could be taken to funding the County Libraries and delivery of library services.

GENERAL CONSIDERATIONS

444. As noted in the discussion beginning at page 54, the present County Libraries are not really part of a "System" but rather a collection of independent libraries run on an *ad hoc* basis.
445. Without knowing whether Convocation and the profession would prefer a system of libraries or the continuation of an *ad hoc* independent collection of libraries, delivery models suitable to each approach were examined. The models range from maintaining the Status Quo to developing a fully Blended System. They have been examined, at a high level of generality, to explore the advantages and disadvantages of changes to the current system and to start to identify the underlying policy considerations which each model presents.
446. In the course of this examination of possible models certain fundamental or overarching principles have been explored and developed, and fundamental criteria for change discussed.

Should Law Libraries Remain in County Courthouses?

447. A fundamental design question is where should the libraries be physically located and, in fact, do they require a physical space?
448. One of the primary issues to consider is the effect on local law associations of removing libraries from the courthouses, (see "Costs of Closing Libraries" at page 90); another issue is the practical one of whether there are acceptable alternative locations in place and how emerging electronic technology affects the location of libraries. (See also "Close Where Alternatives Exit" page 103, "Can

Local Libraries be Closed and Technology Substituted?" page 73 and "Electronic Library - Single Library" at page 116).

449. Leaving those issues aside, as they have been addressed elsewhere in this report, there is the fundamental question of where in 1998 and, looking ahead for the next several years, does the administration of justice take place and, do law libraries still need to be located there to facilitate such administration?
450. Although very few of the Provincial Courts are located in County Courthouse buildings they dispose of the bulk of court matters as the following chart compiled from statistics at the Ministry of the Attorney General web site⁹⁷ shows:

ONTARIO COURT STATISTICS 1993/94 - 1996/97		
	General Division	Provincial Court
Total Criminal Charges Disposed of	84,543	7,594,348
Total Youth Charges Disposed of		414,923
Total Civil Cases Disposed of	54,713	
Total Civil Motions Heard	81,577	
Total Family Matters/Applications disposed of		300,667
Total All Matters	305,376	8,309,938

451. Courts do not hold a monopoly on the administration of justice today. Administrative tribunals conduct an increasing amount of business in our justice system and even non-boards such as registry and land titles offices are part of the administration of justice by definition in the *Administration of Justice Act*.
452. Finally, with alternative dispute resolution and mediation increasingly becoming part of the administration of justice, the county courthouse is no longer the only location where justice is administered. The question arises as to whether law libraries are still most appropriately located in County Courthouses if a policy objective is to serve the administration of justice.
453. The Working Group has not addressed this question other than to note it as an observation regarding the underlying policy that law libraries serve the administration of justice by being located in the County Courthouses. It may be a point to consider in future design decisions, particularly if new libraries or library affiliations open.

⁹⁷ See <http://www.gov.on.ca:80/ATG/english/cad/cadstatt.htm>

CRITERIA FOR CHANGE - SYSTEM DESIGN CONSTRAINTS

454. The Working Group recognizes as a general principle that change to the County Libraries should not be made just for the sake of change, even if the current model is not working as well as it might. If Convocation directs the Working Group to design in more detail one or more of the following models the broadest criteria which govern that design need to be established. The Working Group sets out in this section of the report the proposed design criteria, for the approval and comment of Convocation.

455. At a province-wide level (i.e. not an individual library level) the Working Group suggests the most general guidelines for changing the current arrangement are:

- a.) **No change should take place to the County Libraries unless it can be demonstrated that the change results in:**

The Same Quality (or More) for No More Money

- ◆ overall quality will be improved or at least remain the same and total funding will not be increased;⁹⁸
- ◆ improved quality means better services, consistent services and access to more information throughout the province

- b.) **An unacceptable change to County Libraries was determined to be:**

Less Money and Less Quality

- ◆ a model by which quality is further reduced and total funding is also reduced was not considered by the Working Group - the status quo may well in fact be the model of less for less
- ◆ there is no merit in deliberately making change to the county libraries which further diminishes the quality of the collections, even if funds can be saved, as it would be a false economy

⁹⁸ Over time increases would be necessary, if only because of inflation. The premise however is that the funding would remain at the same level, relative to other revenues and costs and in the context of the economy as a whole.

As a design principle, the Working Group seeks confirmation that a deliberate change to the County Libraries in which "less is received for less" *at a provincial level*, is not an acceptable outcome of change.

This means that implementing change requires that either overall quality is maintained or improved and total funding is not increased - the mix of funding contributors and the individual library funding allocations may change - but overall the County Libraries would continue to receive no increased funding (see footnote) and, the quality of services in the province should be improved or, at least, maintained.

WHAT DESIGN PRINCIPLES APPLY TO AN EXAMINATION OF THE MODELS?

456. Rather than look at precise resources which should exist in an individual library, the Working Group started from an examination of what a library or a library system should provide to its members.
457. After reviewing and discussing the general principles of libraries, law libraries and library systems, as well as the goals of competence and the nature and purpose of research, the Working Group struck the following overarching design principles against which to test the models being explored:
458. When designing the delivery model for County Libraries, sufficient resources will be required to:
- ◆ promote and facilitate competence in the profession
 - ◆ provide a basic level of access to current and historic legal information for the profession in Ontario
 - ◆ recognize the uniqueness and diversity of the province, particularly the north and its huge geographical distances
 - ◆ facilitate the flow of research in the profession
 - ◆ support the administration of justice in the province
 - ◆ support and encourage collegiality in the profession
459. When examining individual county libraries, if no system approach is taken to the delivery of library services, then the same design principles would apply except

that access would not be province-wide for all members and the acquisition of library materials would be more directly tied to individual budgets. The lack of province-wide access results from a combination of no system and local funding dictating some exclusivity of access.

If Convocation feels any of these design principles are irrelevant or should not be a factor in the detailed Phase II design process, the Working Group seeks such feedback otherwise it will assume the principles should be applied.

HOW IS QUALITY DETERMINED?

What Trade-Offs Might there Be in Designing Models?

460. With limited and diminishing funds trying to obtain ever more expensive materials for increasingly disillusioned consumers there are bound to be trade-offs both by the supplier (the Libraries) and by the consumer (lawyer using library services).
461. The trade-offs by the supplier involve eliminating less-often used materials, cutting "frills" and reducing services which, although nice to have, are not core services deemed necessary for the greatest number of consumers.
462. The trade-offs by the consumer-lawyer involve a willingness to pay for a service which provides soft goods (information and knowledge) rather than hard goods (books, money). The consumer-lawyer will compare having more disposable income in hand to paying for future services. In any situation, there is a point where the consumer is unwilling to pay any more and the supplier is unable to provide any more for the amount the consumer will pay. Where that point exists in supplying and paying for library services depends on the underlying value system brought by the consumers: what is it worth to them?
463. There are some basic truths which apply when determining what tradeoffs to make:
- ◆ there is a difference between "knowing costs" and "assessing value";
 - ◆ in assessing how to deploy scarce resources value judgments will be brought to bear which are, by nature, highly subjective and individual;
 - ◆ the trade-offs will vary over time as outside factors such as the economy and expectations of future trends change
464. In the County Libraries currently and, under most of the possible models examined, there are three primary factors which are traded-off against each other:



465. There is a simple relationship among these three variables and, inevitably, sacrifices are made to one or more of them to try to increase another. For example, to provide more convenient access may mean keeping libraries open for longer hours. This means overall costs increase, less money is available for collections and quality suffers. With less quality, users turn to other resources and the convenience, which was originally sought, disappears because the resources are not available.

DESCRIPTION OF MODELS CONSIDERED - ADVANTAGES AND DISADVANTAGES OF EACH MODEL

466. Although the Working Group requires policy direction in order to proceed to develop fully a model for the future delivery of library services to the profession, it is aware that policy directions will not be given in a vacuum.
467. To assist the development of library policies an analysis of the various delivery system models which could be used to implement such policies is required. However, there are so many models that it would not make any sense to develop any of them until the general policy direction and basic design principles are established.
468. Set out in the following section is an overview of the library service delivery models which were discussed at some length by the Working Group. A brief description of each model as well as the major advantages and disadvantages of each is outlined in point form. No extensive design or costing was done for the reasons set out above.
469. Each model also is identified as being appropriate either to a system approach for delivery of services or, no system.

A. STATUS QUO

Description of Model - No System

470. The complete description of the current County Law Libraries can be found at page 46. As a library services "model", the highlights of the status quo are presented below.

- ◆ funding remains as is, with risk of loss of Law Foundation money or, severe curtailing of LFO grant being imminent and local association members expressing an increasing intolerance for local fees escalating
- ◆ the administrative structure is small, medium and large libraries operating independently of each other and independent of the Great Library although loosely co-ordinated and assisted by CDLPA Library Committee
- ◆ currently this model serves 10,123 association lawyers
- ◆ total annual cost is about \$5 - \$6 million divided roughly evenly between local members (paying association fees as well as the annual Law Society levy) and LSUC members
- ◆ there would be no real change to the financing of the existing county libraries and no change of structure other than those matters identified elsewhere as applying regardless of the policy decision, such as better training and education of library users, the funding for which would have to come from either special sources (such as the Law Foundation) or, the current library fund surplus or, existing budgets

Advantages

- ◆ this is a familiar model, understood by the profession and generally accepted, even though far from perfect
- ◆ northern Ontario has several libraries, recognizing their special needs
- ◆ non-members of local law associations are not affected by diminishing quality and presumably obtain legal information elsewhere, satisfactorily (or else use the library without payment of association fees)

Disadvantages

- ◆ doesn't address disintegrating quality and increasing cost pressures - is a "less for less" model
- ◆ cost/quality pressures cause unplanned and unfocussed responses to market forces and funding changes
- ◆ no systematic approach to rationalization or utilization of resources to avoid duplications, maximize collections and provide equal access across the

province

- ♦ physical space problems are beginning to appear in many libraries and status quo will not address need for space
- ♦ has for years been criticized by users, CDLPA, LFO and others familiar with county libraries as being unsatisfactory - costs go up, quality goes down, local associations lose members and there is no overall plan for addressing these issues

B.

CLOSE WHERE ALTERNATIVES EXIST

Description of Model - System

471. Where an alternate law library exists within a reasonable driving distance, close the local courthouse library to eliminate duplication of resources. Whether the alternate source should be improved or changed in some way before the local library is closed would need to be assessed on a case by case basis.

- ♦ try to make arrangement with alternate law library (e.g. law school law library, Great Library, Supreme Court library) to improve access and increase holdings as required to have a superior resource for lawyers in the community than existed prior to closure of local courthouse library
- ♦ probably have to close courthouse library as no ability to require other library in the community to close instead - model would require examination of this option - the better library should remain open and accommodate users of the closed library

Variations within this Model:

472. There are two principal alternative libraries which might be found to exist within the same area as a county law library:

- (1) a university law school law library
- (2) a university general library the existing legal materials of which could be increased.

473. While public libraries also exist, the Working Group considered that they were too far removed from the more specialized services of a law library and too cumbersome to deal with at a provincial level to be included in the range of models.⁹⁹

⁹⁹ At least one community - Orillia - may be interested in exploring the concept of partnering with a public library. While most of the 45 lawyers who practice in Orillia apparently belong to the Simcoe County Law Association and use the courthouse library in Barrie there is a courthouse in Orillia which houses two busy courtrooms (General Division and Provincial Court) but has no room for a library. A proposal

474. It is feasible to consider closing those courthouse libraries which are within a reasonable driving distance of such university libraries. As the definition of "reasonable" driving distance could vary, the models below consider the impact of considering both a ½ hour drive and a 1 hour drive as reasonable.
475. To collect all these variables together for comparison, there is a table at the end of this subsection, presenting the key information within each variation. The Appendices contain complete lists of the libraries which would remain open and those which would close under each model.

Close County Library if Law School in Same County

- ◆ 6 courthouse libraries would be closed - London, Windsor, Ottawa, Kingston, Toronto, Peel
- ◆ all closed libraries are large libraries except Kingston which is medium; Hamilton would be the only large library which remains open as there is no law school in Hamilton
- ◆ 6,271 local association members would be displaced into alternate libraries
- ◆ \$543,547 (1997 LSUC funds distributed) would be available for redistribution to the remaining 41 libraries, being an average of \$13,257 each library (subject to deduction for any costs incurred to improve the alternate library to provide better service)

Close County Library if Law School within a ½ hour drive of County

- ◆ 10 courthouse libraries would be closed and 37 remain open
- ◆ most of the closed libraries are in the larger associations
- ◆ none of the remotely located libraries are affected
- ◆ 6,436 local association members would be displaced into alternate libraries
- ◆ \$786,257 (1997 LSUC funds distributed) would be available for redistribution to the remaining 37 libraries, being an average of \$21,250 each library (subject to deduction for any costs incurred to improve the alternate library to provide better service)

Close County Library if Law School within a 1 hour drive of County

- ◆ 30 courthouse libraries would be closed and 17 remain open
- ◆ only the small libraries, far from urban centres, remain open

received from Gregory Mulligan, one of the local lawyers who is very interested in libraries and technology, suggests exploring a partnering arrangement with the Orillia public library. This would increase the overall number of libraries in the County Libraries. Mr. Mulligan points out the same arrangement might be of interest to Collingwood, Niagara Falls and Markham lawyers as well. Mr. Mulligan's proposal is contained in the Appendices.

- ◆ 9,238 local association members would be displaced into alternate libraries
- ◆ \$1,913,538 (1997 LSUC funds distributed) would be available for redistribution to the remaining 17 libraries, being an average of \$112,561 each library (subject to deduction for any costs incurred to improve the alternate library to provide better service)

Close County Library if a University Library or a Law School Library Exists in the Same County

- ◆ 14 libraries would be closed
- ◆ the libraries with the best collections, the largest memberships and heaviest use would close
- ◆ 8,089 members of local associations would be displaced into alternate libraries (and, where the university does not have a Law School, the university would have to agree to house a collection for use by local lawyers, presumably for additional cost)
- ◆ \$1,107,702 would be available for redistribution, (less an unknown amount required to persuade universities without a law library to accept and maintain a sufficient collection of legal materials)
- ◆ 33 remaining libraries could receive on average up to \$33,566 each library

Close County Library if a University Library or a Law School Library Exists within a ½ Hour Drive in the County

- ◆ 26 libraries would close and 21 remain open
- ◆ 8,940 local association members would be displaced into alternate libraries
- ◆ \$1,727,310 (less an unknown amount required to persuade alternates without a law library to accept and maintain a sufficient collection of legal materials) would be available for redistribution
- ◆ 21 remaining libraries could receive an average of up to \$82,253 per library
- ◆ the open libraries would be divided with 15 having access to a general university library which has been supplemented by legal materials and 6 others having access to a law school library, which may or may not need supplementary materials to serve the needs of local lawyers
- ◆ only 1 of the open libraries has a membership over 200, 1 has a membership of 77 and the remainder are all under 50 in size of membership

Close County Library if a University Library or a Law School Library Exists within a 1 Hour Drive in the County

- ◆ 40 libraries would close and 7 remain open

- ◆ 10,038 local association members would be displaced into alternate libraries
- ◆ \$2,477,677 (less an unknown amount required to persuade universities without a law library to accept and maintain a sufficient collection of legal materials) would be available for redistribution
- ◆ 7 remaining libraries could receive on average almost \$354,000 each library
- ◆ the remaining libraries would be the smallest libraries and presently serve the fewest number of members
- ◆ the amount available per library could not realistically be used given both physical limitations and practical limitations of spending so much money for a small library so overall savings would be incurred plus the open libraries would be at their best, with technology, collections and staff

Advantages of These Models

- ◆ eliminates some multiple and duplicate resources
- ◆ frees up funds for other resources and improvements in the open libraries
- ◆ integrates practising lawyers into the overall legal community and promotes more collegiality with the academic community
- ◆ model of “close where law school libraries exist” can redistribute funds to smaller and medium sized libraries in County Libraries, improving their overall quality, while not sacrificing quality of legal information available in larger communities
- ◆ local association library dues (averaging \$250) would be eliminated for lawyers where a local courthouse library closed

Disadvantages of These Models

- ◆ radical change to existing system with major centres no longer having law libraries in county courthouses so, impacts administration of justice
- ◆ would require lawyers to compete with students for access to materials
- ◆ is community-based and won't necessarily serve practising lawyers
- ◆ requires co-operation and “buy-in” of the alternate libraries who may need to change their hours of operation, access policies and services provided as a result of increased demand by local lawyers - no guarantee this can or will be done, even if promises are made and, if there is extra cost to the alternative library (such as increased staffing) it is likely the local lawyers or the Law Society would be expected to cover the increased expenses
- ◆ generally speaking, these models close the bigger, better, well-staffed

libraries which could diminish the overall quality of research services available in the province, even though the funds get redistributed to smaller and medium libraries

- ◆ local lawyers in communities with closed courthouse libraries would not want to continue to pay local library levy or, possibly, the LSUC annual levy, in which case no costs savings would be realized and no funds would be available to redistribute to improve the remaining libraries or reduce overall library costs
- ◆ runs great risk of providing "less for less" since the alternate libraries are outside the control of CDLPA or LSUC (many of the "Privatized" system Disadvantages would also apply to these models since the closed libraries in effect make a form of privatization in those communities)
- ◆ doesn't save physical costs - heat, light and utilities - of local association library space unless the physical space is also surrendered (see separate discussion about "Costs of Closing Libraries" at page 90) and, the alternate library might demand financial contribution to the cost of such services
- ◆ requires a long transition to deal with collection amalgamations and closure of large libraries, distribution of assets and negotiation arrangements with alternate libraries, depending on the location and number of libraries closed

CLOSE WHERE ALTERNATIVE LIBRARIES EXIST					
Model (Alternate and driving time)	Number of Libraries Closed	Number of Libraries Open	#Assoc'n Members Affected by Closing	Total Funding Available for Redistribution from Closed Libraries	Ave. Funding Increase per Library Available for Open Libraries
Law School	6	41	6271	\$543,547	\$13,257
Law School + ½ hr.	10	37	6436	\$786,257	\$21,250
Law School + 1 hr.	30	17	9238	\$1,913,538	\$112,561
University Library/Law School	14	33	8089	\$1,107,702	\$33,566
University Library etc. + ½ hr	26	21	8940	\$1,727,310	\$82,253
University Library etc. + 1 hr.	40	7	10038	\$2,477,677	\$354,000

C.

CAPPED FUNDING - AUTONOMOUS LOCAL LIBRARIES

Description of Model - No-System

476. This would cap overall funding at 1997 or 1998 level, with no increases for the next several years.

- ◆ similar to status quo model but with stated policy of no further increases
- ◆ each local law association determines how and what to include in the library and how to cope with cost/funding/quality pressures
- ◆ probable that some libraries would form together into regional "groups" to try to rationalize resources and minimize impact of capped funding
- ◆ does not prohibit local association fees increasing, just "turns off the tap" of Law Society funding increases
- ◆ an administrative body could assume control and management of the libraries and the Law Society could simply turn over funds to that body to determine distribution or, LSUC could strictly control distribution of funds
- ◆ assistance from the Director of Libraries and staff of the Great Library would be withdrawn if complete autonomy was provided to local libraries

Advantages

- ◆ establishes cost controls for members of LSUC - no further fee increases as a result of library levies - provides certainty for planning and budgetary purposes
- ◆ revenue/funding is predictable for all parties
- ◆ could encourage more creative solutions to current library issues by forcing creativity and not just "throwing money" at the problems but, given the years of reduced funds and increased costs to date, there may be no more creative solutions for some time, which the financial situation re-balances
- ◆ permits local needs to be met without any central pressures (other than possible regional pressure created if alliances form)

Disadvantages

- ◆ does not necessarily improve the overall system, simply transfers the problems to a local level by downloading all responsibility without corresponding expertise or system for dealing with issues
- ◆ members of LSUC will still want access to all libraries in the province in exchange for paying annual levy and that issue will have to be resolved either by denying such access, keeping the existing regulation or attaching specific

access requirements to the funding

- ♦ minority interests are less likely to be served, especially in the north where geographic distances make it difficult for those lawyers and libraries to strike strategic alliances with other libraries
- ♦ if unstructured alliances form this will produce uncertain results and uneven quality in the libraries across the province

D.

REGIONAL/AREA SYSTEM

Description of Model - System

477. Close all the small libraries and maintain the medium and large libraries as regional and area libraries to serve all lawyers in a defined geographic space (or, perhaps, province wide)

- ♦ 30 libraries would close (details in the Appendices)
- ♦ 1,470 local association members would be displaced
- ♦ \$1,535,832 would be available for redistribution to remaining 17 libraries, an average of \$90,343 each

Advantages

- ♦ frees up a lot of funding without displacing a lot of local members, compared to other models
- ♦ concentrates libraries where largest population of both public and profession

Disadvantages

- ♦ concentrates facilities in the golden horseshoe
- ♦ particularly diminishes library resources in the north and does not recognize their needs given extreme distance from larger centres
- ♦ gives more money to those who also have alternate resources and penalizes smaller communities who don't have law schools or universities (or even large public libraries) to assist them

E.

PRIVATIZED LIBRARIES

Description of Model - No System

478. No Law Society funds provided at all for libraries.

- ◆ stop funding County Libraries and get out of the business
- ◆ expect the profession to provide for themselves (through their own office libraries, the Internet, public libraries, law schools etc.) or through third party suppliers such as legal publishers and QL who might organize a "system"
- ◆ the "Close Where Alternatives" models contain aspects of a privatized system in that various County Libraries close and rely instead upon alternate resources such as law school or university libraries

Advantages

- ◆ less total funding - no library levy or local levy, which saves each member an average of \$366 if they belong to a local association, \$116 if they don't belong to local association
- ◆ brings benefits of free enterprise to bear - more variety, competition for users, might recognize individual needs
- ◆ could be more innovative as would be completely unfettered by professional issues or politics
- ◆ is fair across the province in that no one receives anything and everyone has to fend for themselves

Disadvantages

- ◆ is highly speculative - will the private market fill the void - is the market large enough to justify investment for private entrepreneurs?
- ◆ may end existence of most local law associations
- ◆ market power of profession as a group is replaced by individual power and therefore ability to deal with suppliers is greatly diminished
- ◆ responds only to financing issues, does not foster or promote competence
- ◆ is probably "less for less"
- ◆ leads to loss of control over access to legal information
- ◆ LSUC still insists on competent profession but does not provide even minimum library assistance to accomplish competence
- ◆ may not respond to diversity and uniqueness needs as private enterprise tends to service the greatest common denominator located in the most populous markets
- ◆ costs and materials supplied will be based on criteria of for profit businesses which may not agree with goals of competence and administration of justice
- ◆ have to deal with extensive costs - financial and non-financial - of closing all

libraries in an existing system and dealing with assets of those libraries (see separate discussion of "Costs of Closing Libraries" at page 90)

- ◆ requires a very long transition period to make sure a replacement system is put in place by private providers

F.

DIRECT SUBSIDY OF INDIVIDUAL LAWYERS - NO COUNTY LIBRARIES

Description of Model - No System

479. A variation of a fully privatized system, which could take place in two primary ways:

- ◆ subsidize lawyers financially and let them select their own products/tools for pursuing competence and legal research/information
- ◆ purchase at a volume discount 1 or more products for lawyers to use at a substantial savings - QL, CD-ROMs, CEDs etc.
- ◆ a variation of this model already exists whereby all lawyers receive the Ontario Reports and the Ontario Lawyers Gazette as well as free entry to the Law Society and LPIC web sites for those equipped to access the Internet

Advantages

480. In addition to the Privatized system Advantages, which apply here too, are the following advantages:

- ◆ encourages *some* level of access by directly subsidizing the lawyers rather than the purely passive and non-directed fully privatized system
- ◆ puts responsibility for obtaining legal information directly into hands of individual lawyers who can select materials they need for their own practices
- ◆ obtains better pricing than lawyers could obtain individually
- ◆ puts *something* in the lawyer's office, rather than totally optional private system

Disadvantages

481. In addition to Privatized system Disadvantages, which apply here too, are the following disadvantages:

- ◆ requires an administrative process to collect and re-distribute the funds
- ◆ will not deliver all necessary legal information, just selected materials which may or may not be appropriate or adequate for individual's need

- ◆ may not get sufficient range of products to justify expenditure
- ◆ won't provide much choice without spending a lot of money
- ◆ if electronic products such as QL or CD-ROMs, will require lawyers to purchase hardware if not already computerized
- ◆ if all lawyers receive same subsidy, will waste money on those who either don't need the subsidy or don't use it to acquire library services; if differential subsidies are distributed, will be subject to criticism, regardless of the method selected

G. **BLENDED SYSTEM**

Description of Model - System

482. The Blended System model is comprised of three separate library types:

Regional Libraries - 7
 Area Libraries - 12
 Local Libraries - 28

483. Recognizing there are small, medium and large libraries in the province already, the Blended System provides services by creating regional, area and local libraries which share some resources and build collections in concert with each other:

- ◆ while no libraries in the province would close, the nature of the services provided, the mixture of electronic products and printed material and the resources available in the province would change as different libraries provide different services and use various electronic facilities to deliver services throughout the system
- ◆ there would be an organized approach to development of a system-wide collection and research facilities would be made available to all via electronic means (fax, Internet, photocopies)
- ◆ the libraries would be staffed and books and electronic materials supplied to them in a way which takes into account the unique travel requirements of the north, the current level of use of the libraries and the existing staffing
- ◆ do not just blend existing services but rather make available the facilities of one level of library to other levels - example, local libraries can access electronically the materials of an area library

- ♦ the suggestion of which libraries would probably be in which category is based on current size, existing use and expected services to be provided in a blended system of services (such as research, training)
- ♦ proper staffing, established collection standards and delivery of services, particularly reference and research services from regional and area libraries to local libraries would achieve the blending of resources while preserving access to all services throughout the province
- ♦ the model assumes that the existing geographical distribution (in counties) is optimal given the location of the lawyers and that given rent-free space provided by the province in the Courthouses, changing the library locations would not be feasible at this time, even if otherwise justified (which was not explored)
- ♦ all the libraries would contain electronic products, Internet access and some books, with the smaller ones (local libraries) handling only a core collection of texts ¹⁰⁰ and print materials with extensive CD-ROM and online access
- ♦ one or more 1-800 telephone numbers would be in use to permit members to access services in the various levels of library, regardless of location
- ♦ the number one question posed when any change envisions reduced print materials being available in a library is "What do I do when in the midst of a trial the Judge asks for a case?"
- ♦ lawyers would probably find the case available if they were in the regional or area library or, if they were in a local library, would either telephone one of the regional or area libraries using the 1-800 telephone number or consult the online catalogue to find the location of the case and upon locating the case, arrange to have it faxed to them
- ♦ alternatively, with Quick Law access available in every library, the case probably could be located electronically and printed for submission to the judge - however this requires the judges to accept such printout as valid
- ♦ common costs for all 47 libraries are estimated ¹⁰¹ at \$1,590,000 including:
 - insurance (current cost)
 - telephones (new and existing local lines, fax, 1-800 numbers, modem line)
 - Internet access (monthly \$25 - 30 per library)
 - Quick Law access and maintenance (continuation of current plan)

¹⁰⁰ The Appendices contain an example of a list of suggested core texts for County Libraries, compiled by the reference staff of the Great Library.

¹⁰¹ This is a rough estimate only, developed to determine whether the Blended System model approach was feasible and could supply better services within the constraint of the same amount of money being available. A detailed budget will be provided once a model is selected.

- CD-ROM products (significant increase in number of products)
- Reserve for Equipment Upgrade (based on upgrade every 3 years)
- Circuit Librarian/Trainer - salary and mileage for two "roving" librarians
- ◆ depending on the administrative and management model employed in the system a further allowance of up to \$150,000 should be included to allow for an executive director, some secretarial assistance and the cost of meetings of the administrative and, or, advisory bodies
- ◆ the total estimated ¹⁰² cost to run the blended system, including the common costs, would be in the range of \$4,730,000 to \$5,095,000 depending on whether Metro Toronto is included as a regional centre or as a local library

Regional Libraries

- ◆ 7 regional libraries(Windsor, London, Hamilton, Sudbury, Thunder Bay, Ottawa and Metro Toronto) would have larger collections than the other libraries and correspondingly larger budgets; they would be multi-staffed and do research for users in the local libraries
- ◆ the role of the Metro Toronto library has been assumed to be as a regional library, not a local library, even though the Great Library is virtually next door; this is because the county libraries currently do not include the Great Library and because the Working Group's mandate is to consider a system which can exist independently of any organization (including the Law Society) which might be administering it, therefore we have not been able to assume or assign a role to the Great Library
- ◆ 6,455 association lawyers would be served by these libraries (2,955 without Metro Toronto)
- ◆ 2 of the 7 regional libraries (Ottawa and Metro Toronto) would be larger than the other regional libraries in order to service the local legal community and the extended user area responsibilities of the region, including assisting the area libraries when appropriate
- ◆ staff in the regional libraries would be two professional librarians (MLIS) and one technician per library with the larger two libraries having more staff

Area Libraries

- ◆ 12 libraries would be area libraries, based on their location and current size as well as expected usage (Sault St. Marie, Cochrane/Timmins, Kingston, Kenora, St. Catharines, Kitchener, North Bay, Brampton, Barrie, Peterborough, Rainy River/Fort Frances, Pembroke)
- ◆ 1,758 association lawyers would be served by these libraries

¹⁰² *Ibid.*

- ♦ as can be seen from the list above, proportionately more area libraries would be located in the north where local libraries would not contain enough printed materials to provide access for the profession within a reasonable driving distance
- ♦ the northern area libraries would have slightly more extensive collections than the southern ones
- ♦ professional staff, at least a library technician, would be employed in each library

Local Libraries

- ♦ 28 libraries would be local libraries with electronic products, existing books and a core collection of ongoing subscriptions (looseleaf and textbooks) and clerical staff
- ♦ 1,808 association lawyers would be served by these libraries
- ♦ collections would be organized, developed and superior to the existing collection and services of the small libraries
- ♦ these would contain primarily but not exclusively electronic materials
- ♦ clerical staff with sufficient hours to maintain collections, shelve books, update products etc. would be provided, probably about 10-15 hours per week at \$12 per hour
- ♦ two roving or circuit professional librarians would assist the local libraries with maintenance of the collection, including electronic products

Advantages

- ♦ major benefits are realized in small libraries where collections will be improved through combination of electronic and print materials and proper staffing
- ♦ overall cost is the same or less
- ♦ access to services and collections is increased to a province-wide level from a county specific level
- ♦ realizes all the benefits of having a system instead of an ad hoc collection of libraries
- ♦ local libraries receive much more in the way of electronic products, CD-ROM and textbooks which are not obsolete
- ♦ improves local collections as well as province-wide collection by making available the most current materials and providing a means of accessing them with the assistance of appropriate professional staff

- ♦ if coupled with elimination of the local association library fee through an increased LSUC levy (see page 122), it also eliminates staff time spent on many administrative matters such as sending fee notices and maintaining user lists for library access

Disadvantages

- ♦ requires a system of libraries with concomitant loss of local authority (see discussion at page 56)
- ♦ spends \$150,000 - \$200,000 on having a staff person available in local libraries to shelve books, make service calls and provide human contact for local bar when another system might have no staff person and save the money for other purposes
- ♦ requires marketing of services, education of users and training lawyers about using library services and employing research techniques and skills
- ♦ unless training, education and appropriate staff assistance is available members will not use local library electronic products - there will need to be a transition period for libraries and members to adjust to having a system which incorporates more electronic products
- ♦ unless an administrative structure is developed to work within the model to overcome issues of local autonomy and input, it will disintegrate as a result of lack of co-operation from the local libraries

H. ELECTRONIC LIBRARY - SINGLE LIBRARY

484. "Do we really need libraries anymore, with the Internet and other online services?"
485. As this was probably the number one question posed to the Working Group it is separately developed and discussed at page 73 where the component parts, the advantages and disadvantages of an electronic library are fully set out.
486. The profession and libraries are both in a transitional period with respect to technology, as discussed at page 85. This makes it difficult to embrace a fully electronic library system at this time.
487. Electronic products are increasingly forming part of all libraries, including County Libraries. While not a single electronic library model, the Blended System envisions a system whereby the smaller libraries receive many more CD-ROM and electronic products but maintain a core collection of texts.

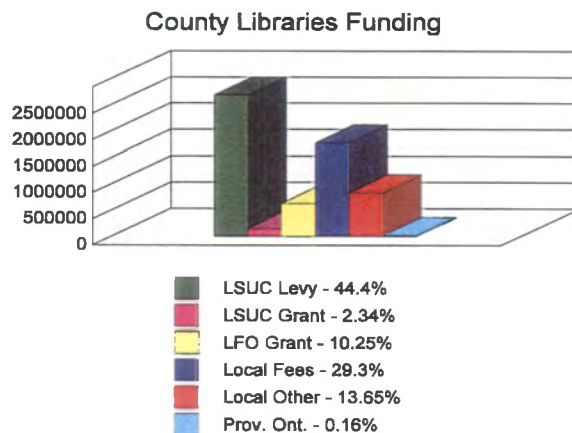
488. Changes to the County Libraries can make them more efficient, increase the ability to disseminate legal information and improve the quality of the collections through proper planning and good library management. But, in the unanimous opinion of the Working Group, closing the libraries in favour of a single electronic library or a few electronic libraries is not an idea whose time has yet arrived.¹⁰³ There are better ways to approach the delivery of library services to the lawyers of Ontario in the next decade while lawyers and technology both adapt to changing conditions.

¹⁰³ Some members of the Working Group might be persuaded to close some of the libraries based on certain criteria but no members favour massive closings of County Libraries at this time and, until Convocation gives general policy direction to the Working Group, there has been no detailed examination of whether any particular libraries could or should close. Similarly, until model design begins, there has been no examination of detailed savings which could be achieved or waste reduced in the 47 libraries as the answer would be based, at least in part, on whether there is a system or not.

Issues in Financing the County Libraries

OVERVIEW

489. The issue of how to finance the County Libraries is simply the issue of who should pay for them. It is a separate issue from how the library services delivery system should be designed. The Working Group approached the topics of funding and delivery separately, but with the previously identified constraint that whatever delivery system is ultimately designed, the funding for the County Libraries will not exceed the current total funding.
490. The County Libraries are supported by a budget of \$5 - \$6 million per year (the difference in amount depends on whether local revenue apart from fees is included in the total or not (over \$800,000 in 1997).
491. In 1997, all the members of the Law Society contributed \$2,679,974 or 44.40% of total revenue by way of the levy and \$142,500 or 2.34% by the annual grant. Local law association members contributed \$1,768,768 or 29.30%. Local "other" revenue totalled \$823,824 or 13.65%. The Law Foundation of Ontario added \$619,000, being 10.25%. The Province of Ontario contributes \$200 per library per year (\$9400) but no other funding, nor do any of the counties or municipalities in which the libraries are located contribute any funding.



492. Historically, all the members of the Law Society contribute part of the funding and members of local associations contribute part of the funding. This means that lawyers who do not belong to local associations contribute some funding to the local law library but not as much as lawyers who are members of the local law association.
493. The legislation (see Appendices) prohibits lawyers who are not members of their local association from using the local library. Increasingly, this is causing

problems both for the libraries and for those lawyers who for a range of reasons (financial and other) do not join their local association.

Who should Pay?

494. The background information detailing the issues involved with the policy decision of who should pay for County Libraries is set out below. While the decision of who should pay can wait until Phase II, an understanding of the issue is essential to the Phase I decisions.
495. The Topp report (see page 60) recommended that all fee paying members of the Society contribute equally to the funding of the County Libraries and that this be achieved over a time period of 5 to 10 years by increasing the annual levy an amount of \$35 per year until local contributions could be eliminated. One such increase has been added to the annual levy, in 1995/96, and remains part of it.
496. The Working Group has determined that an increase in the annual levy of between \$75.27 and \$81.75 will provide enough funding to eliminate the local association fee and keep the overall funding at the same level with such funding all members of the Society would have access to all libraries in the County Libraries. (See calculations at page 122-123).
497. Whether all members of the Society should support the County Libraries, eliminating local library fees, is a question which must be addressed when the Phase II report is delivered. Information relevant to that decision is presented here as it is important in the context of selecting a delivery model to understand the larger issues (funding) which will be part of Phase II.
498. Set out below is a summary of *who* might contribute to the County Libraries funding and *why* they would or would not do so.

Taxpayers/Governments - "The Public"

499. Why should the public, through either the provincial or federal government or both, contribute any funding to the County Libraries? Because:
- ♦ the libraries support the administration of justice and the taxpayers/government are responsible for its funding so they should support the library system
 - ♦ access to the law is fundamentally important and, without properly equipped local law libraries available to lawyers, their clients (the public) will not have such access
 - ♦ the public might be more inclined to provide legal materials to the public library system than to the County Libraries however, as the lawyers are the agents of the public and as members of the public can access the County Libraries, it makes at least as much sense for the public to support the County Libraries
500. It can be argued that the public should pay for placing "the law" in the libraries - statutes, regulations, provincial and federal case reports. This could be done

either by direct financial contribution or by delivering the materials without charge - and, if promoted, should apply to both the provincial and federal governments.

501. The notion that the public, at least through the provincial government, might contribute significantly to funding the County Libraries or perhaps fund them entirely, is not without precedent - both historic and recent. But, if the public contributes a significant amount of funding, it is expected that they will want a say in how the County Libraries are run.
502. In Ontario, from 1916 to 1988 the province contributed some funding. In 1916 \$4,000 per year, equally distributed among the then 25 libraries was paid by the province at a time when local association membership fees were \$3 to \$12 each. During this same period, local municipalities were required by the *Municipal Act* to provide accommodation, fuel, light, stationery and furnishing for the local law association library. Eventually the financial support diminished, the Attorney General assumed the responsibilities of the local municipalities and, since 1988 there has been virtually no cash support for the County Libraries from the public, although rent-free space continues to be provided. (See discussion at page 48).
503. In Manitoba, the Law Society's libraries were transferred to the province in 1985 in return for certain funding commitments. As of April 1, 1999, ownership and control of the libraries will return to the Law Society but the province of Manitoba will continue to fund the libraries through the provision of space, staff and a diminishing annual financial contribution over a five year period. For the five years following that, the province will continue to provide space for the libraries and thereafter, arrangements will have to be agreed upon. It appears from the experience in Manitoba that the province failed to keep the libraries in a satisfactory state during the late 1980's and throughout the 1990's while costs increased and they failed to introduce either electronic access or other library services which are common in all other provinces.
504. Most county courthouses contain 3 libraries - the lawyers' library, the judges' library and the Crown Attorneys' library. Admittedly only the lawyers' library is of any substance but the other two libraries (paid for by the public) represent a duplication of resources and expense which ought to be examined by the organizations charged with providing those services.
505. The Working Group suggests before dealing with duplicate library resources in courthouses, the County Libraries must deal with their own needs in the Phase II process. The Phase II design could certainly "keep an eye" on the fact that other libraries exist but to address that problem would, in the opinion of the Working Group, unduly delay other, more constructive changes to the County Libraries.

All Members of the Law Society

506. Why should a University Professor who is a member of the Law Society pay for Province-wide, community-based County Libraries for all lawyers?
507. Why should a lawyer in a large law firm, with an in-house library and professional

librarian support the County Libraries?

508. Why should a lawyer in eastern Ontario pay for libraries in the south-west or north of the province?

Because:

- ◆ all lawyers in the province have an interest in preserving the collected legal history of the profession and of the province
- ◆ all lawyers in the province have an interest in promoting the ongoing competency of other lawyers, *inter alia*, through adequate research facilities
- ◆ it is far less expensive to support competence and research collectively, than individually, so economies of scale and number can be realized
- ◆ supporting competence, through libraries, is also much less expensive than either having more cases in the discipline system or defending negligence claims, each of which arises to some extent if competence is not maintained and supported
- ◆ the total annual library cost for members who belong to local associations (including MTLA) will be reduced
- ◆ the county system contains materials not in the university library or large firm library
- ◆ no educated profession should fail to maintain libraries supporting the members
- ◆ the benefits go beyond the immediate group of users, extending to the public, other parties, the administration of justice
- ◆ there is a certain mobility in the practice of law (University, government or private practice) which requires adequate library resources to service this mobility
- ◆ through research conducted using the libraries the law will develop
- ◆ lawyers from large law firms already consume services provided by the County Libraries - they use the materials when they are in court and they use the specialized materials of the larger County Libraries such as MTLA and Ottawa
- ◆ university libraries primarily serve faculty and students and do not address the needs of practitioners
- ◆ if the professor returns to practice, the large firm lawyer leaves the

firm or the eastern Ontario lawyer moves, they will need the county law libraries at that time

509. Members of the Law Society currently pay \$116 annually toward the County Libraries. When considering funding the County Libraries and wondering whether all members of the Law Society ought to pay the whole cost instead of just part of the cost, another way to ask the question may be:

“Are you willing to pay \$16 a month (less than \$200 per year) in order to receive access to a fully integrated system of legal materials and staff resources to enable you to address all the research needs of your practice?”

510. For 10,123 members this monthly cost would be a *decrease* in the annual cost of their library access by an average of \$160 per member¹⁰⁴. For about 13,377 members of the Law Society it would be an increase in their annual library cost of between \$75 and \$82 per year or, less than \$7 a month, as calculated below.
511. To replace the present level of library funding provided by local association members would mean an increase in the Law Society annual levy of between \$75.27 to \$81.75 while eliminating the need for local fees, which average \$242. ***Readers are cautioned that the calculation which follows is based on replacing existing funding and is only provided as an example.*** When an actual model is designed in Phase II, appropriate financial forecasts can be made as part of the model(s) and a more precise calculation provided.
512. The calculation is as follows:

To Replace Local Library Fees Only

Amount of Local Library Fees Paid in 1997		\$1,768,768
Number of LSUC full-time equivalent (FTE ¹⁰⁵) fee paying members	÷	<u>23,500</u>
Increase to Annual Fee per FTE Member (\$1,768,768 ÷ 23,500)		\$ 75.27

¹⁰⁴ The average county law association library fee is \$242. If it were eliminated in favour of an increase to the annual LSUC fee of \$82, the net saving to a member of a county law association would be \$160. As a comparison, an Altman Weil Pena 1996 Survey of Law firm Economics determined that an average *per lawyer* expense for reference material for a small law firm (under 9 lawyers) was \$3,898 and for firms of 75 or more lawyers it was \$4,122 *per lawyer*.

¹⁰⁵ As there are different categories of membership and fees paid to the Law Society, the annual levy is calculated on the basis of full-time equivalent fee paying members (FTE), which in 1997 was 23,500. If all members of county and district law associations pay FTE then, given 10,123 county members, there are 13,377 remaining FTE members.

**To Replace Local Library Fees and
Net Loss from Other Revenues in 1997**

Amount of Local Library Fees Paid in 1997		\$1,768,768
Plus Other Revenues raised	+	823,824
Less Other Expenses incurred	-	<u>976,096</u>
Total Library Fees & Net Other Revenue to be Replaced		\$1,921,040
Number of LSUC full-time equivalent fees (FTE)	÷	<u>23,500</u>
Increase to Annual Fee per FTE Member (\$1,921,040 ÷ 23,500)		\$81.75

All Members of Local Counties

513. Presently, only members of local *associations* pay a local library fee and other members of the Society, practising in the county, do not. The question is whether all members of a particular county ought to contribute to the library in that county, regardless of whether they join the local law association? This question would apply only if any local fee was still to be levied. It would not apply if all members of the Law Society paid an amount to eliminate the local funds.

- ♦ all the same reasons from the previous pages in favour of supporting the library at a provincial level apply at the county level
- ♦ in addition, the county lawyers benefit everyday, directly, from having the resource in their community as other lawyers are better able to practice given access to appropriate resources
- ♦ some county lawyers who do not belong to their local association demand to use the library but the legislation (see Appendices) requires them to belong to the local association to do so - either a province-wide levy of all members and elimination of the local association fee or, a requirement that each lawyer in a county contribute to the specific library in that county, regardless of association membership, would correct this problem
- ♦ if all local LSUC members pay for the local library, the total annual library cost for the vast majority of lawyers in the county will be reduced as a result of having more members contributing (unless the association enjoys 100% membership in which case there is no savings because there are no new fee paying members; none of the associations currently enjoy 100% membership)

Only Members of Local Associations

514. The status quo as it pertains to the local library fee is that it is part of the local association membership fee and so it is only paid by association members. As association membership declines and library costs increase, there is increasing pressure to change the status quo and move to the Law Society library levy

increasing to the point it can eliminate the local library fee.

515. There are two problems with having only local association members pay for the libraries:

- ◆ having only association members support the County Libraries means that about 10,000 members pay for library facilities which can be accessed by all 27,000 lawyers¹⁰⁶
- ◆ as the Law Society library levy increases, there is a disincentive to join local law associations so, as identified in the Topp report, it becomes necessary to completely eliminate the local levy and substitute a provincial levy otherwise the net funding is decreased, the members of the profession and of local associations are both dissatisfied and the County Libraries cannot operate because the funding is not stable enough for long-term planning

Users of the Library

516. The category of possible payors includes one known as "User Pay". The question is whether funds should be raised by charging users for services and, if so, how much and for what services.

517. There are two distinct philosophical approaches to the question of whether to have a user pay for library services. One school of thought is that the information contained in the libraries, accumulated in this case over a period of 120 years, is the common property of the whole community and is a public 'good' which ought to remain as accessible and open to consumption as possible, charging the lowest possible cost to the greatest number of members of the community. This is the traditional view of professionally accredited librarians and archivists who work in the field.

518. The other view held of libraries is that the information stored there is essentially a commodity; it has a market value and users should be charged at market rates for accessing the information. Users are treated as consumers who pay for what they use. As with health care, this would lead to a differential access to the system based on ability to pay and would mean that clients of some users would receive different access than clients of other users. This philosophy, which amounts to "rent a book" is at odds with a belief that the law libraries are a repository of shared knowledge and collected wisdom supported by the profession to maintain a level of general competence to support the administration of justice.

¹⁰⁶ The only exception, and it is an important one, is that non-members of a local association are not entitled to use the local association library, by virtue of regulation 708 (see Appendices). Most, if not all, local associations enforce this requirement. However, a non-member of a local association can use all the other County Libraries in the province, as long as they are in the county on legal business. Where counties are in close proximity to one another, this is beginning to cause problems as non-members use a neighbouring county's facilities. For example, Welland County lawyers are using the library in Lincoln County but pay no local fee to support it.

519. There are two general categories of "User Pay" which could be considered for County Libraries. These are:

(1) a library membership system where the funding comes entirely from members who then are the only ones entitled to use the library:

- ◆ there would be a charge for basic services which would permit access to the library, rudimentary reference services and pay the cost of staffing and the collection
- ◆ it is unlikely that on an annual basis the required total funding for County Libraries could be raised in this manner without charging a significant amount many times higher than the current combined Law Society levy and local association fee

(2) charging users for certain services which could be deemed "special" such as the more complex reference questions or providing Internet or QL access:

- ◆ there is already some User Pay in existence in each library by charging for photocopies and faxes - it could be that the charges for these services should be increased
- ◆ in addition to the traditional services, libraries might become more commercial and could generate some revenue-producing materials such as guides to legal resources on the Internet, which could be used in the library without charge but which could also be sold for use outside the library

520. The Phase II model(s) should examine User Pay and provide more detailed estimates of the revenue potential and its possible impact on the use of libraries.

For What Should They Pay?

521. Combined with the question of who are the possible payors for the County Libraries is the question of "for what should they pay"? This question has to a large extent already been canvassed under the various categories of possible payors and why they might pay for libraries. Other, non-financial, factors which should be considered in the delivery design process are set out below.

522. There are four different kinds of structures which funders or payors could be asked to support:

- ◆ all the County Libraries - a System
- ◆ the local courthouse library - an individual library
- ◆ individual library services consumed by a user - User Pay
- ◆ local enhancements to standard library services - System + local

523. Below is a brief description of what each of these structures entails.

All the County Libraries - A System

524. One of the policy options already identified is to form a system of libraries rather than continue the present loose association.
525. There presently is no real "system", just 47 separate libraries (see discussion at page 54). To be effective, a library system must be planned and co-ordinated. A library system operates with standards for collections, staff, cataloguing, charges and all other major operational or administrative matters. Establishing standards does not mean all libraries would be identical, it means a minimum level of access would be established and materials required for each area would be identified and made available.
526. The establishment of standards to ensure quality and consistency runs headlong into the need and desire for local control and input - don't run things "from Toronto" is a familiar cry whether in relation to the County Libraries or a provincial social welfare programme. While it is not a guarantee that local concerns will be addressed, a properly designed administrative board should be able to overcome many of the issues. It will not be able to preserve full local autonomy though.
527. In a system of libraries there are different services available in different libraries but within the whole system all services are available and accessible to all members. Without technology this would only be a theory as it would not be practical to send materials to remote areas of the province by courier or mail. With technology - whether it is telephone, fax, e-mail or the Internet - delivery of research information and library materials to all areas of the province from any location is a realistic option.
528. When looking at reference services a system needs to address whether it is sufficient that somewhere in the system a library is capable of supporting the research in question and appropriate access to the research is available, either with or without a charge for the service. It is not likely for example that all 47 libraries in the County Libraries need to provide all kinds of reference services, as long as somewhere in the system such service is both available and accessible throughout the province.

The Local Law Library

529. The local law library model is the status quo. Variations are possible but the essence of the structure is that there is full local autonomy and decision-making without any collective responsibility among the libraries.
530. At a payment level, there is currently a mixed model of provincial and local fees. If the provincial levy was eliminated, local lawyers would have to decide whether to support their own local library. They could have whatever structure they saw fit, including restricted access, services of any kind, for any fee. If an insufficient number of lawyers chose to support the library, there would be none. Smaller centres would not be able to afford libraries comparable to larger centres unless the local lawyers decided it was worthwhile to pay more or do fund raising to establish the library.

531. When carried to the point where provincial funding is eliminated and local libraries are supported only by local fees, this structure allows absolute local control and autonomy and ensures that a library only exists if enough people support it. It removes responsibility for professional competence and preservation of the law from the profession's level and establishes it at an individual level.
532. In the model design section of this report there are several variations of this format - ranging from a fully Privatized model to the Status Quo to a Capped Funding model.

Individual Services

533. This structural model is, essentially, the "User Pay" question put into effect. The design question is which services should be included and paid for by the "group" - whether it is the province, the local bar or members of the local association - and which services should be provided but only at additional cost?
534. The difficult question in this area is to determine the amount of research assistance which should be included as part of the basic service. User pay for "hard services" such as photocopies and faxes is not controversial provided the fee charged is reasonable; should the librarians also provide a basic level of research assistance without charge? Should the libraries try to market research, just as the Legal Aid Research Facility does and the Law Society's former SearchLaw programme did?
535. If the individual is less directly involved in paying for the library (by changing from local fees to provincial fees) does it affect the level of service and the kind of service provided, as well as paid for, by individual users?
536. These questions need to be addressed once a delivery model is designed.

Enhancements to Local Libraries/Services

537. One of the questions which arises if the County Libraries become a system is can the local lawyers enhance or upgrade the services supplied to their library as part of the system and, if they can, are they then permitted to restrict access to those services?
538. At one level, the ability to add to the "system" library is only a positive. If there are other services the profession desires and they wish to pay for those services separately, why shouldn't they do so?
539. The Working Group response would be that enhancing local services would be acceptable, provided the additional services are not in conflict with the system and provided that no restricted access exists. Restricting access, even to services directly paid for and provided by the local bar, would begin to erode all the benefits of the system and the reasons for having a provincial fee (which eliminates the local fee) would be diminished. If enhanced services are needed for a particular reason the better approach would be to examine the need and adjust the system to supply those services rather than split the library services.

Chapter 14

Summary

540. In accordance with its mandate, the Working Group has presented throughout this report a range of policy options and design principles for review and consideration by Convocation, as well as extensive background materials. A summary of the policy options and design principles is set out below.
541. The report also outlines 8 models (with 6 variations within 1 model) for the delivery of library services. The Working Group is prepared to design and develop in more detail whichever model(s) Convocation directs. The Working Group's preference would be to design one model, but, if Convocation determines it is interested in two models being developed, the Working Group will endeavour to do so, within its time and resource constraints.
542. There are also Recommendations which the Working Group wishes to make, none of which would appear to be particularly controversial but all of which assume there will be County Libraries or a county library system in future. If Convocation determines that the preferred library model is a Privatized system or Direct Subsidy of Individual Lawyers - No County Library, then the recommendations would not apply, other than as guidelines to private providers.
543. The Recommendations apply regardless of the policy options or the delivery models selected, save for the case where there are no libraries at all run by the profession. The Recommendations arise from the Working Group's belief that no matter what delivery model is selected, the profession needs to have a better understanding of the important role that libraries play in any lawyer's competence. Libraries have to take the initiative and assume responsibility for marketing their services. Also, libraries, particularly smaller ones, need to be more aggressively managed to realize all the benefits available and to have sound financial plans which can respond to changing times.

RECOMMENDATIONS

- i. That libraries engage in a planned and systematic training and education of the legal profession, starting with users of library services, about:
 - (a) the electronic and online library products available;
 - (b) how to consult library staff for reference matters;
 - (c) basic library research concepts and techniques.
- ii. That libraries examine their role as providers of legal information and consider:
 - (a) what role to play, either alone or in conjunction with CLE providers, in the continuing legal education of the profession;

- (b) whether to become more active in the dissemination of legal information (for example by becoming publishers of legal information) and move away from the traditional distribution role of a library. (Pages 25 to 28)
- iii. That libraries consider various ways to market all library services, both traditional and emerging non-traditional services, with a view to bettering:
 - (a) the competence of the legal profession;
 - (b) the administration of justice;
 - (c) service to the public of Ontario, by lawyers in Ontario

and, implement the most appropriate methods.

- iv. That better financial and management information records be designed for use by the libraries to permit both funders and librarians to make better decisions about resources, collections and budgets. In addition to improving financial reporting mechanisms to the Law Society, libraries need to acquire financial management skills appropriate to their level of funding and responsibility.
- v. That standardized financial reporting and accounting methods be adopted by each of the County Libraries that incorporates suitable management information to permit future analysis of all library revenues and expenses.

POLICY OPTIONS

544. The following policy options have been identified in the report. The Working Group would appreciate the guidance of Convocation with respect to these options either by way of a decision (vote) or, direction (extensive discussion) sufficient to guide development of delivery model(s):

Research/Reference Services

- i. A policy question is whether every library of the County Libraries should be able to provide access to each of the seven types of research. (Page 14)
- ii. Should County Libraries (whether individually or as a system) try to meet the needs of all three kinds of knowledge (technical, craft and systemic) or, just supply information to meet the need for only one or some of them? (Page 19)

System or No-System

- iii. This is the primary policy issue which must be decided by Convocation - should the County Libraries be formed into a library system or, should they continue in the present format of a loose association of individual libraries? (Page 55)

- iv. The Working Group expects that should Convocation adopt a policy of changing the structure of the County Libraries from a loose *ad hoc* collection of libraries to an organized System, an appropriate administrative model will be required to address local concerns and others which may be identified in the course of designing the delivery model and developing the system.
- v. If Convocation determines the loose association of libraries should continue then the Working Group expects to be instructed to determine what changes can be made to County Libraries on a purely voluntary basis to approach the benefits of a system, without imposing the structure of a system. (Page 58)

FUNDING

Provincial Fees Only or Local Only or Mixed?

(Answer following Phase II report, reported here only for information and context.)

545. The Working Group has determined that an increase in the annual levy of between \$75.27 and \$81.75 will provide enough funding to eliminate the local association fee, keep the overall funding at the same level and provide all members of the Society access to all libraries in the County Libraries. (See calculations at page 122).
- i. Whether all members of the Society should support the County Libraries, eliminating local library fees, is a question which must be addressed when the Phase II report is delivered. (Page 119)
 - ii. The precise *amount* of increase to the annual fee would not be set until a proper budget was prepared for a specific model. The policy question of "who should pay?" can be answered independently of setting the specific amount, as long as the overall constraint of "no increase in total funding" is observed.

DESIGN PRINCIPLES

Amount of Overall Funding and Quality in the Libraries

546. As a design principle, the Working Group seeks confirmation that a deliberate change to the County Libraries in which "less is received for less" *at a provincial level*, is not an acceptable outcome of change.
- i. This means that implementing change requires that either overall quality is maintained or improved and total funding is not increased - the mix of funding contributors and the individual library funding allocations may change - but overall the County Libraries would continue to receive no increased funding and the quality of services in the province should be improved or, at least, maintained. (Page 98)

Overarching Design Principles

- ii When designing a system of county libraries sufficient resources will be required at a system-wide level, to:

- ◆ promote and facilitate competence in the profession
- ◆ provide access to current and historic legal information for all members of the Law Society, throughout the province
- ◆ recognize the uniqueness and diversity of the province, particularly the north and its huge geographical distances
- ◆ facilitate the flow of research in the profession
- ◆ support the administration of justice in the province
- ◆ support and encourage collegiality in the profession

When examining individual county libraries, if no system approach is taken to the delivery of library services, then the same design principles would apply except that access would not be province-wide for all members and library materials would be more directly tied to individual budgets. (Page 99)

547. If Convocation feels any of these design principles are irrelevant or should not be a factor in the detailed Phase II design process, the Working Group seeks such feedback otherwise it will assume the principles should be applied. (Page 100)

Different Services but Provincial Access in a System

548. A system of libraries carries with it the design model that there are different services available in different libraries but within the whole system all services are available and accessible to all members. Without technology this would only be a theory as it would not be practical to send materials to remote areas of the province by courier or mail. With technology - whether it is telephone, fax, e-mail or the Internet - delivery of research information and library materials to all areas of the province from any location is a realistic option. (Pages 55 - 56)
- i. The Working Group seeks confirmation that different levels of services are acceptable within individual libraries but, if a system approach is adopted, all services would be available by some means to users.

DELIVERY MODELS

549. The following delivery models have been identified and are outlined in the body of the report beginning at the page shown:
- A. Status Quo - page 102
- B. Close where Alternatives Exist - page 103
- (a) . . . Law School in Same County - page 104
 - (b) . . . Law School within 1/2 hour drive . . . - page 104
 - (c) . . . Law School within 1 hour drive . . . - page 104
 - (d) . . . University Library or Law School in Same County . . . - page 105

(e) . . . University Library . . . within 1/2 hour drive . . . - page 105

(f) . . . University Library . . . within 1 hour drive . . . - page 105

(Chart summarizing monetary implications of these models - page 107)

- C. Capped funding - Autonomous Local Library - page 108
- D. Regional/Area System (Close small libraries) - page 109
- E. Privatized Libraries - page 109
- F. Direct Subsidy of Individual Lawyers - No County Libraries - page 111
- G. Blended System - page 112
- H. Electronic Library - Single Library - page 116

RELATIONSHIP OF MODELS TO POLICIES

550. There is a certain amount of interdependence between the policy options and the delivery models. Some policy decisions would be entirely incompatible with some of the delivery models - for example, a policy decision of no system of libraries is inconsistent with the Blended System model.
551. Grouped below under the policy decision heading of "System" or "No-system" are the delivery models which could follow such policy:

FITS IN A SYSTEM

Close Where Alternatives Exist:

Law School within County
Law School within ½ hr.
Law School within 1 hr.
University within County
University within ½ hr.
University within 1 hr.

Regional/Area system (Close Small Libraries)

Blended System

FITS IN NO-SYSTEM

Status Quo

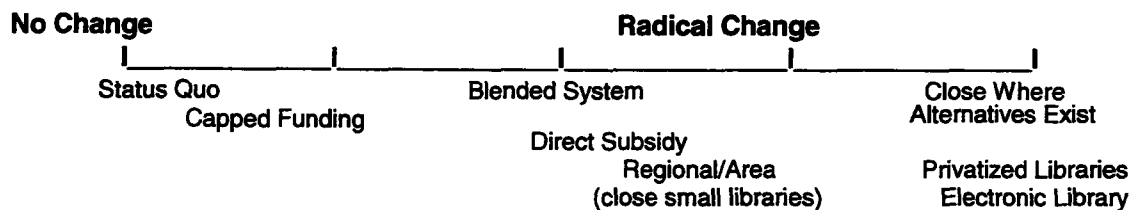
Capped Funding - Autonomous Local Library

Privatized Libraries

Direct subsidy of Individual Lawyers
- No County Library

Electronic Library - Single Library

552. In terms of the magnitude of change which adopting any of the model designs would bring to the County Libraries they would fall on a continuum of change at different points:



Chapter 15

Further Reports

PHASE II

553. The primary purpose of the Phase II report will be to develop in detail a model or models for the delivery of library services, following the direction of Convocation received as a result of the Phase I report discussions.
554. Any model design will have an administrative outline and budget recommendations (process, constraints, amounts). However the budget recommendations will be at a policy level and not necessarily at a detailed level, as detail will undoubtedly be part of the future administrative process.
555. The major policy decision which Convocation will be asked to make in Phase II is to determine whether all members of the Society should support the County Libraries, eliminating local library fees. (See discussion at pages 119 to 125.)
556. Also identified in this report as possible Phase II topics are:
1. To examine, in accordance with the Competence Task Force report, the appropriate role for the Law Society in County Libraries.
 2. To determine how to deliver research and reference services.
 3. To recommend whether to institute or recommend a fee be charged Users of certain services and provide more detailed estimates of the revenue potential and its possible impact on the use of libraries.
 4. To explore further how and whether to disseminate/publish legal information electronically.
 5. To examine various industry responses to the combination of increasing cost of publications and proliferation of materials and consider which ones can be applied in County Libraries, as well as to recommend any other solutions.
 6. To assist Convocation with the consideration of whether funding for County Libraries should become fully provincial rather than divided between provincial and local fees and levies, demonstrate how such funding would work within the model(s) designed.
 7. While leaving details to a possible Phase III report or a separate study altogether, be cognizant of the fact that there are often multiple libraries in a courthouse and suggest any reasonable approach to dealing with these duplicate resources.

PHASE III

DUPLICATE LIBRARY RESOURCES

557. How to deploy library resources most effectively across the province, across the administration of justice and with a proper recognition of the roles and responsibilities of other participants in the justice system, primarily government and the courts, is an important question but one which is outside the scope of Phase I and, in all likelihood, outside the scope of Phase II.
558. The Working Group believes there is a need to work toward elimination of duplicate resources in the library system (see page 120). For example, many courthouses contain three libraries - judge's, crown attorney's and local association's - and no rationalization of their holdings or co-ordination of collections takes place. There has not been sufficient time in Phase I, nor will Phase II have enough time, to delve into this problem.
559. If Convocation so directs, a Phase III directive could be to meet with the organizations representing the Crown Attorneys and the judges¹⁰⁷ of the province in an attempt to resolve duplication of library services.
560. To address this topic properly will require input from a number of other organizations and government departments so it falls outside the current time frame and mandate of the Working Group. It may or may not be something Convocation wishes to have studied as part of County Libraries in future; hence the suggestion that it be left to another Phase or, an entirely separate, future study of County Libraries.

¹⁰⁷ In 1992 a thorough review of the all judge's libraries at all court levels in the province was undertaken under the guidance of Mr. Justice Horace Krever and a committee. In its final report dated August, 1992 entitled *Review of Judicial Libraries* prepared by Janet M. Darby and Maria C. Martin for the committee, appears the following statement:

"6.2 Our research shows that judges at all court locations around the province rely heavily on local Law Association libraries as a right set out in the regulations of the Law Society Act, several judges we interviewed, as well as a number of questionnaire respondents, suggested that this arrangement be expanded. In particular, it was suggested that funds be diverted to the Law Associations in return for a more formal arrangement for the delivery of library services to the judiciary."

The report indicates that in 1992, 89% of the justices of the Ontario Court of Appeal used the then York County library and the Great Library at Osgoode Hall and 25% of them used one of the libraries at least once a week. In the counties, 83% of the General Division justices used the local association library. In the Provincial Courts only 25% of the courts had a library available.

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ARTICLES and INFORMATION

Law Libraries in Other Jurisdictions

1. Presented below is a summary overview of law library systems in other jurisdictions: other provinces, the United States and the Commonwealth. Information as to the precise nature and structure of the law libraries and the satisfaction of the library users as well as the library funders is virtually impossible to obtain within the scope of the Working Group's mandate.
2. Some facts in other jurisdictions clearly speak to quality issues. In Manitoba for instance, the Law Society and the profession are quite unhappy with the state of the libraries which have been run by the province. As a result, the libraries are now reverting to the profession. The President's Report in the January 1998 edition of the Law Society publication says "We have fallen far behind other jurisdictions both in terms of the introduction of electronic access and implementation of other service programs."
3. Other facts indicate the concern of funders as costs increase. In Nova Scotia, a new funding arrangement has been entered into in the last three years to try to improve the library services, reduce the cost of operations and pool resources among the judges, Crown Attorneys and barristers because users were concerned with the quality of library services available and access to the libraries.

CANADA

British Columbia

4. The system consists of 51 libraries: a central library in Vancouver (the B.C. Courthouse Library) and 50 smaller libraries located across the province. It is operated by the B.C. Courthouse Library Society (BCCLS), and is funded by the Law Foundation (60%), Law Society (17%) and library services and publications (23%). The system is highly centralized with one budget administered by the BCCLS. Selection, purchasing and cataloguing of library materials are also centralized.
5. The libraries are divided into 5 levels to determine staffing and funding. As the resource library and administrative office for the system, the Courthouse Library in Vancouver has a total staff of 25 (12 in reference; 7 technical services; 5 photocopying; 1 to supervise branch operations). Three libraries (level 2) have a full time staff person, while the other libraries (levels 3-5) are staffed from 20 hours a week to five hours a month. Computers, printers and CD ROMs for patron use are currently being installed in level 2 and 3 libraries, and will be available in level 4 and 5 libraries in the next few years.
6. Reference services are provided from the Courthouse Library and 6 of the larger regional libraries. The Vancouver library serves lawyers across the province, relying on phone, fax and e-mail. The library's catalogue will be accessible through the Internet by next month. The library charges for document delivery and online searching and produces publications for sale.

Alberta

7. In 1996 the Alberta Joint Library Committee issued a restructuring report which, as of May 1998, had not been implemented and was still being discussed.
8. The Alberta Law Society library system has no central Law Society library separate from Courthouse libraries. The smaller courthouse libraries in towns in the northern half of Alberta are administered by the main courthouse library in Edmonton while those in the southern half of the province are administered out of Calgary. The local libraries are staffed on a part-time basis by a library technician or assistant and a professional librarian from either Edmonton or Calgary is responsible for supervising them.
9. Acquisitions and cataloguing are done centrally by the two main libraries and the librarians make periodic visits to the smaller libraries in their jurisdiction.
10. The Joint Committee proposals recommended outsourcing the management and operation of the courthouse libraries to the University of Alberta which would then provide all courthouse library services to the legal profession in Alberta primarily on a document delivery system to enhance local collections. The Alberta government, which currently provides the staffing and the physical infrastructure, would turn over such responsibility to the Law Society of Alberta.
11. In outlining these recommendations The Law Society of Alberta Annual Report for 1996 said:

"The benefits of outsourcing include merger of library resources and services, reduction of duplication of resources, access to new technology, development of legal research tools, closer access to law faculty members and streamlined administration."

and

"With the changing mix of print and electronic sources of material, the plan addresses the fact that library users will find that accessing these materials will become increasingly complex. The role of librarians will change to meet the needs of users and will provide more research assistance in accessing materials. Instead of borrowing books, users will receive more and more legal information through document delivery services that provide photocopies, fax or materials through QL or the Internet."

12. The Provincial Court Judges Library Committee reviewed the plan and decided that the 16 legal reference libraries they run should not be included given the concerns of their library users.

Manitoba

13. There are currently five Law Society libraries - the Great Library in Winnipeg and 4 regional libraries. All are located in courthouses. These five libraries, as well as the Attorney General's library, judges' libraries and Department of Justice libraries, are administered by the Manitoba government under the Legal Library Resources program.

14. This arrangement was entered into in 1985, when due to funding problems, the Law Society transferred control of its libraries to the government. Under a memorandum of agreement, the government assumed responsibility for operating and maintaining the libraries and the Law Society agreed to provide a fixed annual contribution. Since 1992, funds have also been contributed by the Manitoba Law Foundation. Fees from library photocopy and fax services must by law go into the government's Consolidated Revenue Fund.
15. The Manitoba Department of Justice, through the Director, Legal Library Resources, is responsible for administering the system's budget. Selection, purchasing and processing of library materials for the system is done centrally. The Chief Librarian of the Great Library and the judges may select some items for their collections.
16. The 1985 agreement which merged the Law Society and government libraries under government control has recently been renegotiated. There has been increasing dissatisfaction with the arrangement over the years. Funding problems have continued and the profession has been concerned about the deterioration in legal research collections and services. Under a proposed new agreement, the Law Society will take back ownership and control of its libraries effective April 1, 1999. What form this ownership will take and what the new funding responsibilities of the parties will be has not yet been worked out.

Nova Scotia

17. The system consists of a central library, the Nova Scotia Barristers Library in Halifax and 13 county barristers' libraries located in courthouses. The county libraries were originally established and funded by the Nova Scotia Law Foundation. Most of the county libraries arose in the last ten years as a result of the expressed need by county lawyers for county libraries. Funding problems resulted in a new arrangement begun in 1995, whereby the Nova Scotia Barristers Society took over administration of the system.
18. Funding is shared between the Barristers Society and the local bar associations. Agreements have been signed with each county library outlining funding responsibilities. The Barristers Society provides funds for a basic collection and for 15 hours of staff time (library clerk) per month, while the local bar contributes funds to maintain the library. The system's budget is administered by the Barristers Library and local budgets by local bars. The Barristers Library is responsible for selecting and purchasing materials as well as maintaining a union catalogue of the system's collection. However county libraries may select and purchase some of their own books.
19. The Barristers Library has 4.4 full time positions, including 2 professional librarians. The County libraries are staffed only 15 hours a month. Reference services, online databases and CD ROMs are available only in Halifax. County libraries are currently not automated.

Newfoundland

20. There is no county library system in Newfoundland. The Law Society of Newfoundland maintains a library in St. John's. It is funded by the Law Society (50%), the Law Foundation (30%) and revenue from library services (20%). Staff

library. The district law societies are required by the Law Practitioners Act (S.N.Z. 1982, No. 123) to provide libraries at the courts. However only 3 (Auckland, Wellington and Christchurch) have proper libraries with professional staff. Only information about Auckland could be obtained.

Auckland District Law Society Library

28. This system consists of a central library, the Auckland High Court Library, a smaller library at the High Court in Whangarei, and 11 district court branch libraries. All are administered by the Auckland District Law Society, and funded through the library component of the Law Society levy (approx. 50%) and through library services (approx. 50%). The system's budget is administered by the central library. Acquisitions and technical services are also centralized.
29. The Auckland High Court library has a staff of 10. The Whangarei High Court Library has one part time librarian. The branch libraries have small collections and no staff. They are nominally run by a local practitioner, and visited occasionally by staff from the Auckland library. The central library is highly automated and charges for most services, including online searching, document delivery and Interlibrary Loan. The library serves Auckland District Law Society members as well as legal practitioners across N.Z. The library also provides access to LINX, the cooperative database (caselaw, journals and texts) of the Auckland, Wellington and Christchurch District Law Societies libraries.

AUSTRALIA

New South Wales

30. The library of the Law Society of New South Wales is located in Sydney, in close proximity to several other law libraries, namely the NSW Bar Association Library, the Supreme Court Library and the University of Sydney Law School Library. Although there is no formal arrangement connecting these libraries, they frequently borrow materials from each other. This ability to share resources has enabled the Law Society library to provide its users with a broader range of information, while allowing it to specialise its collection in practice materials.
31. Funding for the library comes from practising certificate fees. (All lawyers in NSW need a certificate issued by the Law Society to practise.)
32. The library has a staff of 6. There are three professional librarians who handle the high volume of reference requests. The library is highly automated, and has been using CD ROM and online services for some time. Its catalogue is now accessible via the Internet. Physical space is quite limited and most lawyers do not actually visit the library. The library lends almost all of its collection, including law reports and legislation. (This necessitates purchasing up to 10 copies of these materials.)
33. Most reference inquiries are received by phone, fax or e-mail. The library serves a broad user base, including NSW Law Society members, as well as lawyers from other states, New Zealand and overseas. Lawyers are charged for photocopying, downloading and online charges but not for staff time.

UNITED STATES

34. There are 4 basic types of American law libraries which are of interest for the purposes of this Report:

Court Libraries

35. Court libraries exist at various levels of the American judicial system. Their primary mandate is to serve the judiciary but most are also used by the legal profession, government staff and often the public. These libraries usually report to the court administrator or presiding judge.

Bar Association Libraries

36. These libraries are owned and funded by bar associations, and access is restricted to fee-paying bar members. They are typically located in metropolitan areas and thus serve legal practitioners in a limited geographic area. Bar association libraries are generally single entities with no branch or satellite libraries.

State Law Libraries

37. Most U.S. states have a law library established to serve the state as a whole. This library may be the state's Supreme Court library, a department of the state library, or a separate library. State libraries are government funded, often by an appropriation through the state's judicial budget. State libraries act as back-up support for local or county law libraries. Some state libraries control, or provide management advice to, their state's county law libraries.

County Law Libraries

38. Almost 40 states have statutes providing for the creation of county law libraries. Typically these libraries serve the local bar, judges, state and county officials, as well as the public. They are government funded, through state or county appropriations, from the budget of the judicial system, or through a portion of court filing fees.
39. Those county libraries funded through state appropriations are typically linked through a central administrative office or the state law library. Libraries that are financed locally through county appropriations or court fees are generally more autonomous.
40. While these types of libraries differ considerably from our typical provincial law society library system in organization, funding and clientele, some comparisons can be made with those state law libraries with responsibility for county law libraries. One such system is found in Minnesota.

Minnesota State Law Library and County Law Library Program

41. The Minnesota State Law Library was established in 1849. It is funded by state appropriation through the judicial budget. The library is under the supervision of the justices of the Minnesota Supreme Court. The library's principal mandate is to serve the Supreme Court. In addition, it serves the Court of Appeals, state government, including the Attorney General's office, local government, county law libraries, the Minnesota legal profession, and the public. The library also runs an outreach service for inmates in Minnesota prisons.

42. The library has a staff of 17, including 7 librarians. It provides reference services, circulation, online catalogue, online searching (on a cost recovery basis), and a photocopy/fax service. Users can access the library's catalogue and order photocopies through the library's web site.
43. The library is required by law (Minn.Stat. s.134A.16) to advise and assist the development of county law libraries throughout the state. The County Law Library Program is administered by a Minnesota State Law Library librarian acting as Program Coordinator. The Coordinator visits the 87 county law libraries and makes recommendations to solve problems or deal with issues the libraries are facing. The Coordinator also provides training in law library management and develops cooperative programs.

Core Competencies: What Law Librarians Do

The thirty-one competencies identified on the AALL Credentialing Survey comprise a solid core of what law librarians do. They provide a common denominator for describing the field, and can be communicated and publicized with the goal of educating the larger communities within which law librarians work.

All the following competencies described in the questionnaire for this survey received extremely high support from law librarian respondents. The following is the order of priority given them by the respondents. All 31 together comprise what AALL views as the core competencies for law librarian professionals.

1. Can assist in the use of electronic legal resources.
2. Able to assist users with legal research using print resources.
3. Able to provide experienced and customized reference services on law-related topics.
4. Able to evaluate both print and electronic resources, integrate them to meet the needs of the library users, and discard them when appropriate.
5. Able to evaluate the quality, authenticity and accuracy of sources, both traditional and electronic, and convey the importance of these to the user.
6. Able to evaluate the need for new and evolving technology, and implement required changes.
7. Able to be an articulate spokesperson, promoting the library and advocating its needs.
8. Can make selection decisions, in consideration of all relevant factors, including the library's collection development policy, differences among formats, and costs of purchase and upkeep.
9. Able to provide training for users that will promote the effective use of new technologies for the retrieval of information.
10. Well versed in the legal profession.
11. Understands planning, budget preparation, and control in the library setting.
12. Able to measure and evaluate the quality of library services.
13. Able to provide leadership within the parent organization to ensure that the library remains vital to that organization.
14. Actively identifies needs and provides training and guidance on the organization and use of legal resources.
15. Able to improve the power and scope of library services by making outside collections and databases accessible through resource sharing.
16. Capable of selecting, supervising, evaluating and developing library personnel.
17. Knowledgeable about the acquisition and management of a diverse collection of legal treatises and continuations.
18. Able to develop collection policies appropriate to the overall mission of the parent organization.
19. Knowledgeable about commercial, governmental, and non-profit information providers, and has the ability to follow movements of and changes in these providers.
20. Knowledgeable about information and library science theory: information creation, organization, and delivery.
21. Able to analyze needs and provide physical facilities that guarantee a high level of service.
22. Can make decisions regarding purchase of software and hardware necessary for accessing information in electronic form.
23. Able to provide skilled and customized reference service on relevant, non-legal topics.
24. Understands the social, political and economic context in which the legal system(s) exists.
25. Capable of monitoring trends in specific legal fields.
26. Able to select and implement an appropriate level of cataloging, classifying, and indexing that meets the needs of the institution.
27. Able to assist non-lawyers in accessing the law.
28. Able to select and implement an automated processing system appropriate to the needs of the institution.
29. Able to create guides (handouts, aides, pathfinders, bibliographies) on legal and related topics.
30. Able to create and select catalog records according to national standards and accepted practices.
31. Can apply appropriate preservation techniques to the library's collection.

Association Credentialing Programs

AALL's research into the interest in credentialing is strongly tied to the significant investment involved in creating such a program. Steps required to create a credentialing program include:

- Committee planning effort to set standards
- Creating an instrument to evaluate competencies
- Developing a curriculum so that members can prepare for a test
- Administering the program (executive staff)
- Marketing and promoting the program

PRINTED MINUTES, V. 1, 1879 - 1891

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The Report was adopted.

Report of Select Committee on Aid to County Libraries, was received, read, and ordered for consideration forthwith.

The Report was read clause by clause, amended as below : And adopted as amended.

To the Benchers of the Law Society, in Convocation :—

The Select Committee appointed "to enquire as to the practicability and expediency, and, if found practicable and expedient, to report a scheme for aiding in the establishment and maintenance of branch libraries in the county towns, for the use of the courts and profession," to which committee was referred the proposed motion of Mr. Irving on the same subject, beg leave to report as follows :—

1. The committee met on eleventh June, A. D. 1879. Present—The Treasurer, Mr. Irving, and Mr. Hodgins, and came to the following conclusions :

2. The establishment and maintenance of County Libraries is a subject of very great importance to the profession, the Courts, and the public. From the necessity of the case, the country practitioners do not derive the same measure of advantage from Osgoode Hall library which is obtained by the Toronto bar ; and although the annual fees paid by the profession are now more than compensated by the reports provided for them, yet the profession generally has a just claim to consideration in the appropriation of the surplus revenues derived from other sources.

It is on these grounds expedient to aid in the proposed object.

3. The report of the Finance Committee, of twenty-sixth May, last, shewing a considerable estimated surplus of revenue over expenditure, there is no difficulty, on financial grounds, in carrying out a plan for moderate aid to county libraries ; but it would be prudent, in view of the large fixed charges, the fluctuating character of the income, and the possibility of other demands, to limit the guaranteed yearly expenditure by the society to a sum well within the estimated available surplus.

4. There is no impracticability on other grounds in aiding in the object referred to.

5. Any scheme for the purpose should promote, as far as possible, a just distribution of the aid in proportion to the local contributions to the same object ; and should involve a limitation of the maximum of aid, which would at once ensure its fair share to each county desirous of establishing a library, and prevent too great a drain on the resources of the society.

6. The Committee find that, according to the last law list, the practitioners in each county or united counties number as follows :—

Algoma and Thunder Bay	4
Brant	17
Bruce	22
Carleton	46
Essex	16
Elgin	15
Frontenac	21
Grey	24
Halton	13
Hastings	43
Huron	32
Haldimand	10
Kent	20
Lennox and Addington	9
Lambton	14
Lawark	13
Lincoln	24

22 50.

Leeds and Grenville	15
Middlesex	59
Northumberland and Durham	34
Norfolk	18
Oxford	28
Ontario	27
Peel	10
Peterborough	20
Prince Edward	6
Prescott and Russell	4
Perth	31
Renfrew	14
Simcoe	37
Stormont, Dundas, and Glengary	18
Toronto	260
Victoria	21
Wentworth	75
Wellington	45
Welland	14
Waterloo	18
York	7

making a total of 1104. Of these, so far as the Committee can estimate, about 1020 are actually engaged in practice. To ascertain the estimated number it would therefore be necessary to reduce the number above given by an average of about eight per cent. Toronto and York (numbering 287) as having full use of Osgoode Hall library, and Carleton (numbering 46) as being allowed access to the Parliamentary library, may be excluded from the calculation. This would reduce the number to 791 ; deducting 8 per cent., there remain 728 practitioners more or less likely to avail themselves of a proper scheme.

7. The Committee propose the following scheme :—

(1.) That a Standing Committee be formed to be called The County Libraries Aid Committee, to which shall stand referred all correspondence on the subject, and which shall have power, subject to the directions of Convocation, to work the scheme so far as the Society is concerned ; the finance committee retaining its control over expenditure.

(2.) That the practitioners in any County or union of Counties may form a library association under chapter 168 of the Revised Statutes of Ontario, by the name of "the (name of County town or the County, or union of Counties), Law (or Law Library) Association."

(3.) That it shall be provided by the Constitution of the Association, that

(a) The trustees thereof shall hold all the books thereof on trust, in case of the dissolution or winding up of the Association, or the disposal of its property, to satisfy and repay to the Law Society all sums advanced by the Society to the Association.

(b) That a room for the custody and use of the books, and proper arrangements for their custody, shall be provided if possible in the Court House.

(c) That the books shall be for the use of the Judges of the County and of those practitioners who become members of the Association and pay the prescribed annual and other fees, and also for the use, during Courts and hearings before the Master in Chancery, of the Judges and of all members of the profession residing out of the County.

(d) That the prescribed annual and other fees shall not exceed for those practitioners who do not keep offices in the County town one-half of the amount fixed for those who do keep offices in the County town.

(e) That at least one half of the said fees and the whole of the aid at any time granted by the Law Society shall be applied in the purchase, binding, and repairing of books for the library.

(f) That the Association shall make an annual report to the Law Society, shewing the state of its finances, and of its library, with such other particulars as may be required by the Standing Committee.

57. 24
(4.) That the Association shall transmit to the Law Society proof of its incorporation and a copy of its declaration and by-laws, containing the above provisions, and proof of the condition of its funds and library; and proof that it has acquired a suitable room therefor, with such other particulars as may be required by the Standing Committee.

(5.) That the Standing Committee being satisfied that the conditions above named have been complied with may report thereon to the Finance Committee; stating the amount to which on the principle hereinafter stated the Association is entitled, and thereupon the Finance Committee may authorize payment thereof.

(6.) That, it being expedient (with the view of encouraging the formation of the libraries), to grant more liberal aid during the early years after their institution, the grant in aid from the Society shall be for the initiatory or first grant, an amount double the amount of the contributions in money actually paid, or of the value of books actually given, from all local sources, such grant, however, not exceeding a maximum sum of six dollars for each practitioner in the County or union of Counties; and for each of the first, second, and third years an amount double the amount of the fees actually paid by such practitioners to the Association, such grant, however, not exceeding a maximum sum of \$4 for each such practitioner; and for each of the fourth and fifth years an amount equal to the amount of the fees so actually paid; such grant, however, not exceeding \$4 for each practitioner, and that after the end of five years, by which time the working of the scheme will have been tested by practical experience, the whole question be open for reconsideration.

(7.) That such annual grant be payable on the 31st day of December in each year next after the termination of the fiscal year of the Association, provided the required reports and information have been supplied on or before the 1st day of the said month of December; and that in case of default the grant be not payable for three months after such reports or information have been supplied.

(8.) That the Standing Committee shall report to Convocation on the first day of Hilary term in each year on their operations for the previous year.

The Committee, in conclusion, desire to point out that the maximum charge on the funds of the Society under the proposed plan, even on the improbable supposition that libraries will be formed in all the Counties named would be for the initiatory grant \$4368, and for the subsequent yearly grants \$2912, irrespective of the slight yearly increase in the number of practitioners. This would be considerably in excess of the annual expenditure on the library at Osgoode Hall.

EDWARD BLAKE,
Chairman.

June 17th, 1879.

Mr. Hodgins moved the suspension of rule 8.

Mr. Hodgins moved that the following rule be adopted:

RULE ADOPTED JUNE 24TH, 1879, IN PURSUANCE OF THE REPORT DATED
JUNE 17TH, 1879.

"That Branch Law Libraries for the use of the Courts and the Profession be established in each County Town, on the following conditions:"—

(1.) That a Standing Committee be formed, to be called "The County Libraries Aid Committee," to which shall stand referred all correspondence on the subject, and which shall have power, subject to the directions of Convocation, to work the scheme so far as the Society is concerned; the Finance Committee retaining its control over expenditure.

(2.) That the Practitioners in any County or union of Counties may form a Library Association, under chapter 168 of the Revised Statutes of Ontario, by the name of "The (name of county town or the county, or union of counties), Law (or Law Library) Association."

25 52
(3.) That it shall be provided by the Constitution of the Association, that—

(a) The Trustees thereof shall hold all the books thereof on trust, in case of the dissolution or winding-up of the Association, or the disposal of its property, to satisfy and repay to the Law Society all sums advanced by the Society to the Association.

(b) That a room for the custody and use of the books, and proper arrangements for their custody, shall be provided if possible in the Court House.

(c) That the books shall be for the use of the Judges of the County and of those Practitioners who become members of the Association and pay the prescribed annual and other fees, and also for the use, during Courts and hearings before the Master in Chancery, of the Judges, and of all members of the Profession residing out of the county.

(d) That the prescribed annual and other Fees shall not exceed for those Practitioners who do not keep offices in the county town one-half of the amount fixed for those who do keep offices in the county town.

(e) That at least one-half of the said fees and the whole of the aid at any time granted by the Law Society shall be applied in the purchase, binding, and repairing of books for the Library.

(f) That the Association shall make an Annual Report to the Law Society, shewing the state of its finances, and of its library, with such other particulars as may be required by the Standing Committee.

(4.) That the Association shall transmit to the Law Society proof of its Incorporation, and a copy of its declaration and By-laws containing the above provisions, and proof of the condition of its funds and library; and proof that it has acquired a suitable room therefor, with such other particulars as may be required by the Standing Committee.

(5.) That the Standing Committee being satisfied that the conditions above named have been complied with, may report thereon to the Finance Committee; stating the amount to which, on the principle hereinafter stated, the Association is entitled, and thereupon the Finance Committee may authorize payment thereof.

(6.) That, it being expedient (with a view of encouraging the formation of the libraries), to grant more liberal aid during the early years after their institution, the grant in aid from the Society shall be for the initiatory or first grant an amount double the amount of the contributions in money actually paid, or of the value of books actually given, from all local sources, such grant, however, not exceeding a maximum sum of six dollars for each practitioner in the county or union of counties; and for each of the first, second, and third years an amount double the amount of the fees actually paid by such practitioners to the Association, such grant, however, not exceeding a maximum sum of \$4 for each such practitioner; and for each of the fourth and fifth years an amount equal to the amount of the fees so actually paid; such grant, however, not exceeding \$4 for each practitioner, and that after the end of five years, by which time the working of the scheme will have been tested by practical experience, the whole question be open for reconsideration.

(7.) That such annual grant be payable on the 31st day of December in each year next after the termination of the fiscal year of the Association, provided the required reports and information have been supplied on or before the 1st day of the said month of December; and that in case of default the grant be not payable for three months after such reports or information have been supplied.

(8.) That the Standing Committee shall report to Convocation on the first day of Hilary Term in each year on their operations for the previous year.

153. ~~26~~

The rule was read a first time.

Mr. Hodgins moved that the said rule be read a second time. *Carried.*

Mr. Irving moved that the following gentlemen be appointed the County Libraries Aid Committee:—

Messrs. Hoskin, Kerr, Miller, Robertson, Meredith, Hector Cameron, and Benson.

Mr. Robertson moved that 1000 copies of the Report and Rule as to County Libraries, be printed and distributed to the members of the profession. *Carried.*

A letter from Miss Cameron, the Telegraph Operator, to the Treasurer, asking for leave of absence, was read and referred to the Finance Committee.

A letter from the assistant in the Library, asking for leave of absence, was referred to the Library Committee.

The Secretary laid before Convocation the bill of costs of Mr. John B. Read, Solicitor of the Society, which was referred to the Finance Committee with power to act.

Mr. MacLennan moved that the salaries of the Reporters be after the 1st of October next payable monthly, instead of quarterly, subject to the production of the usual certificate of the Editor. *Carried.*

Mr. Hodgins moved that Mr. J. K. Kerr's name be substituted for that of Mr. Leith as a member of the Committee on the Journals of Convocation. *Carried.*

The Library Committee's report of 14th June as to the tenders for the new Catalogue was received and read, and ordered to be considered forthwith.

The Library Committee report as follows:

The Library Committee beg leave to be authorized to employ Mr. G. Mercer Adam, the lowest tenderer, to compile a Descriptive Catalogue of the Library, in accordance with the specification which the Committee drew up (and placed in the Library) at the sum of \$150, to be paid upon

27. 54.

the completion of the work upon the certificate of the Chairman of the Library Committee.

The Committee further beg that leave be given to Mr. Adam to have access to the Library under such regulations as the Librarian may find convenient.

On behalf of the Committee.

(Signed)

ÆMILIUS IRVING.

24th June, 1879.

The Report was adopted.

Convocation adjourned.

(3) A regulation made under clause (1)(g) may provide for levies that exceed the amount of financial support received by the parties to a proceeding. Idem

(4) A regulation made under clause (1)(g) may provide for levies based on a formula that takes the amount of an award or settlement fund into account. Idem

(5) A levy under clause (1)(g) against a settlement fund or monetary award is a charge on the fund or award. 1992, c. 7, s. 3, *part*. Idem

LEGAL EDUCATION; DEGREES

60.—(1) The Society may maintain the Bar Admission Course and programs of continuing legal education. Bar Admission Course

(2) The Society may grant degrees in law. R.S.O. 1990, c. L.8, s. 60. Law degrees

INDEMNITY FOR PROFESSIONAL LIABILITY

61. The Society may make arrangements for its members respecting indemnity for professional liability and respecting the payment and remission of premiums in connection therewith and prescribing levies to be paid by members or any class thereof and exempting members or any class thereof from all or any part of any such levy. R.S.O. 1990, c. L.8, s. 61. Indemnity for professional liability

RULES

62.—(1) Subject to section 63, Convocation may make rules relating to the affairs of the Society and, without limiting the generality of the foregoing, Rules

1. providing procedures for the making, amendment and revocation of the rules;
2. prescribing the seal and the coat of arms of the Society;
3. providing for the execution of documents by the Society;
4. respecting the borrowing of money and the giving of security therefor;

5. fixing the financial year of the Society and providing for the audit of the accounts and transactions of the Society;
6. providing for the time and manner of and the methods and procedures for the election of benchers;
7. providing procedures for the election of the Treasurer, the filling of a vacancy in the office of Treasurer, the appointment of an acting Treasurer to act in the Treasurer's absence or inability to act, and prescribing the Treasurer's duties;
8. providing for the appointment of and prescribing the duties of the Under Treasurer and the Secretary, one or more deputy secretaries and assistant secretaries and such other officers as are considered appropriate;
9. respecting Convocation;
10. providing for the establishment, composition, jurisdiction and operation of standing and other committees and delegating to any committee such of the powers and duties of Convocation as may be considered expedient;
11. governing honorary benchers, persons who are benchers by virtue of their office and honorary members, and prescribing their rights and privileges;
12. governing members and student members or any class of either of them, and prescribing their rights and privileges;
13. prescribing fees and levies for members and student members or any class of either of them, and providing for the payment and remission thereof and exempting any class of either of them from all or any part of such fees or levies;
14. respecting the Compensation Fund and prescribing the amount of the levy to be paid to the Society for the Fund and exempting any class of members from all or any part of such levy;
15. prescribing oaths and affirmations for members and student members or any class of either of them;
16. providing for the payment to the Society by any member of the cost of any investigation or audit of the member's books, records, accounts and transactions;

17. requiring the payment of interest on any amount owed to the Society by a member, student member or law corporation and prescribing the interest rate;
18. providing for and governing meetings of members or representatives of members;
19. prescribing procedures for the call to the bar of barristers and the admission and enrolment of solicitors;
20. defining and governing the employment of student members while under articles;
21. providing and governing bursaries, scholarships, medals and prizes;
22. providing for and governing extension courses, continuing legal education, and legal research;
23. governing degrees in law;
24. providing for and governing libraries;
25. providing for the occasional appearance as counsel in the courts of Ontario and before provincial judges, with the consent of the Treasurer and of the court or judge, of members of the legal profession from outside Ontario;
26. providing for the establishment, maintenance and administration of a benevolent fund for members and the dependants of deceased members;
27. prescribing forms and providing for their use, except the form of summons referred to in subsection 33 (10). R.S.O. 1990, c. L.8, s. 62 (1); 1991, c. 41, s. 5.

(2) The rules made under subsection (1) shall be interpreted as if they formed part of this Act.

Interpretation of rules

(3) A copy of the rules made under subsection (1), as amended from time to time,

Availability of copies of rules

(a) shall be filed in the office of the Attorney General; and

(b) shall be available for public inspection in the office of the Secretary. R.S.O. 1990, c. L.8, s. 62 (2, 3).

REGULATIONS

63. Subject to the approval of the Lieutenant Governor in Council, Convocation may make regulations respecting any matter that is outside the scope of the rule-making powers specified in section 62 and, without limiting the generality of the foregoing, Regulations

1. respecting any matter ancillary to the provisions of this Act with regard to the admission, conduct and discipline of members and student members or any class of either of them and the suspension and restoration of their rights and privileges, the cancellation of memberships and student memberships, the resignation of members, and the readmission of former members and student members;
2. requiring and prescribing the books, records and accounts to be kept by members and providing for the exemption from such requirements of any class of members;
3. requiring and providing for the examination or audit of members' books, records, accounts and transactions and the filing with the Society of reports with respect thereto;
4. authorizing and providing for the preparation, publication and distribution of a code of professional conduct and ethics;
5. respecting the reporting and publication of the decisions of the courts;
6. defining and governing the employment of barristers and solicitors clerks;
7. respecting legal education, including the Bar Admission Course;
8. providing for the establishment, operation and dissolution of county and district law associations and respecting grants and loans to such associations;
9. prescribing the form of the summons referred to in subsection 33 (10).
10. authorizing investments for the purposes of clause 56(1)(d);
11. prescribing service charges and other fees, other than amounts charged for issuing certified cheques against the joint account, for the purpose of paragraph 1 of subsection 56(3.1);

12. designating any or all of the following, or any class or classes thereof, as financial institutions in which joint accounts must be established for the purposes of section 57.1,

- i. banks listed in Schedule I or II to the Bank Act (Canada),
- ii. registered trust corporations,
- iii. provincial savings offices.
- iv. credit unions and leagues to which the Credit Unions and Caisses Populaires Act, 1994 applies. R.S.O. 1990, c. L.8, s. 63; 1991, c. 41, s. 6; 1994, c. 27, s. 49(9, 10).

FRENCH NAME; TRANSITIONAL

64. A reference in any Act, regulation, contract or other document to Société du barreau du Haut-Canada shall be deemed to be a reference to Barreau du Haut-Canada. R.S.O. 1990, c. L.8, s. 64.

Reference to name

65. This Act may be cited in French as Loi sur le Barreau. R.S.O. 1990, c. L.8, s. 65.

Citation of Act

PART II AMENDMENTS

66. Section 1 is amended by adding the following definition:

"law corporation" means a corporation that holds a certificate of authorization issued or renewed under section 61.2 ("société juridique professionnelle").

67. Subsection 33(1) is amended by striking out "or 38" in the second line and substituting "38 or 38.1".

(10) A person becomes a student-at-law in the Bar Admission Course upon,

- (a) completing and filing the application form provided by the Society;
- (b) paying the fees prescribed by the rules; and
- (c) commencing a teaching term or service under articles of clerkship.

(11) A person who has become a student-at-law in the Bar Admission Course shall file with the director of the course, on or before the last business day in August,

- (a) a certificate of graduation or qualification referred to in subsection (9);
- (b) a certified copy of the student's university record other than from law school;
- (c) articles of clerkship; and
- (d) any other evidence of compliance with subsection (9) or this subsection that the director requires.

(12) Convocation may revoke a student membership if, in its opinion, the requirements of subsection (9), (10) or (11) have not been met. O. Reg. 579/92, s. 2, as revised in R.R.O. 1990, Supplement Vol. 3.

COUNTY AND DISTRICT LAW ASSOCIATIONS

DEFINITIONS

24. In this section and in sections 25 to 35,

"association" means a county or district law association;

"Committee" means the Libraries and Reporting Committee;

"county" includes a union of counties and a territorial district;

"trustees" where an association is incorporated, means the directors of the corporation. R.R.O. 1990, Reg. 708, s. 24.

FORMATION

25.—(1) The members of the Society in any county or any part thereof may, with the approval of Convocation, form an association and elect the trustees thereof.

(2) At the time of the formation of an association or at any time thereafter, upon and in accordance with the request of Convocation, the trustees shall cause the association to be incorporated.

(3) Upon formation, an association shall send to the Chief Librarian a certified copy of its constitution and by-laws and thereafter shall send all amendments thereto as they are made, and, upon incorporation, an association shall send to the Chief Librarian a certified copy of its letters patent and by-laws and thereafter shall send all amendments thereto as they are made, and, in either case, proof of the condition of its funds and that proper accommodation has been provided for its library, together with an undertaking that the association has knowledge of and will comply with the regulations applicable to county law libraries and with such other particulars as are required by the Committee. R.R.O. 1990, Reg. 708, s. 25.

TWO LIBRARIES IN ONE COUNTY

26. Where sittings of the Ontario Court (General Division) are held in two or more places in a county, the association of that county may establish a library in each such place, and, where more than one library has been so established, the amount of the annual grant from the Society to the association may be increased by an amount not exceeding 50 per cent of the grant that would otherwise be made. R.R.O. 1990, Reg. 708, s. 26.

BOOKS HELD IN TRUST

27. The trustees of an association shall hold the books of its library in trust for the Society and in case of the dissolution or winding-up of an association or the disposal of its property, it shall return the books to the Society. R.R.O. 1990, Reg. 708, s. 27.

APPLICATION OF FUNDS

28. At least one-half of the fees received by an association from its members and the whole of the aid at any time granted to the association by the Society shall be applied in the purchase, binding and repairing of books for its library and in paying for telephone service and the salary of its librarian. R.R.O. 1990, Reg. 708, s. 28.

ANNUAL REPORTS

29.—(1) Every association shall make a report to the Society before the end of February in each year showing the state of its finances and of its library as of the close of the previous calendar year, together with such other information as may be required by the Committee.

(2) If the Committee is satisfied that an association has complied with the regulations applicable to county law libraries, it shall make a report thereon to Convocation. R.R.O. 1990, Reg. 708, s. 29.

FIRST-YEAR GRANTS

30. The Society's grant in aid to an association for its first year shall be a sum equal to double the amount of,

- (a) the contributions in money actually paid to the association; or
- (b) the value of the books actually given to the association from all local sources,

but the amount of such grant shall not exceed \$100 for each member of the Society in the county who is a member of the association. R.R.O. 1990, Reg. 708, s. 30.

ANNUAL GRANTS

31.—(1) The Society's grant in aid to an association in each year after the first year shall be \$3,000.

(2) A grant in aid under subsection (1) shall not be paid until the Committee makes a report to Convocation under section 29.

(3) Convocation, having regard to the report of the Chief Librarian on the condition of an association's library and the association's library requirements, may vary the amount of a grant in aid to the association under subsection (1).

(4) Where an association has complied with the regulations applicable to county law libraries, all sums making up the annual grant payable to the association shall, on the recommendation of the Committee, be paid before the end of March. R.R.O. 1990, Reg. 708, s. 31.

SPECIAL GRANTS

32.—(1) When any association that has been established for at least two years and that has regularly made the required returns and that has complied with the requirements of the regulations applicable to county law libraries satisfies Convocation that the association is unable to purchase such reports or text books as are necessary to make the library thoroughly efficient and useful having regard to the locality in which the library is established and the number of members of the Society who are members of the association, or that it requires financial assistance in any way, Convocation, on the recommendation of the Committee, may make a special grant either of books or of money to the association or may advance by way of a loan without interest to the association a sum not exceeding the estimated amount of the next three years annual grants.

(2) Any loan made under subsection (1) shall be repaid out of future annual grants or otherwise in such manner as Convocation may direct.

(3) Security may be required to be given to the satisfaction of the Committee for the due expenditure of any money grant or loan made under this section or for the repayment of any such loan. R.R.O. 1990, Reg. 708, s. 32.

SUSPENSION, REDUCTION, ETC., OF GRANTS

33.—(1) Where an association does not comply with the regulations applicable to county law libraries, Convocation may suspend all or part of any grant otherwise payable for such time as Convocation directs or may make a reduced grant or may refuse to make any grant.

(2) Where the failure to comply consists only in the failure of an association to transmit to the Chief Librarian of the Society its annual report on or before the end of February and where this failure is rectified before the end of May in the same year, the Committee shall make a special report to Convocation and Convocation may either refuse to make the annual grant or may grant a lesser sum than the sum that would otherwise be payable.

(3) Where the failure to comply continues beyond the end of May, the grant that would otherwise have been payable to the association except for such default shall, if made, be reduced by 10 per cent. R.R.O. 1990, Reg. 708, s. 33.

USE

34. County law libraries are for the use of,

- (a) paid-up members of any county law association;
- (b) members of the Society from outside the county while in the county on legal business;
- (c) Ontario Court (General Division) judges, Ontario Court (Provincial Division) judges, and justices of the peace; and
- (d) the members of administrative or quasi-judicial boards or commissions or other tribunals established or provided for by any Act while exercising their functions in the county. R.R.O. 1990, Reg. 708, s. 34.

35.—(1) If in the opinion of the Committee a county law library is not being properly cared for or for any other reason it is not being satisfactorily maintained, the Committee may, with the approval of Convocation, require the trustees of the association to return the books comprising its library to the Chief Librarian at Osgoode Hall at the expense of the association in which case the trustees shall so do.

(2) If the trustees do not return the books when required or if there are no trustees capable of acting or willing to act, Convocation may make such steps to obtain the books as they consider advisable, and any expense incurred in so doing shall be paid by the association to the Society. R.R.O. 1990, Reg. 708, s. 35.

**LIBRARIES AND REPORTING COMMITTEE
COUNTY LIBRARY REVIEW SUBCOMMITTEE**

FINAL REPORT: FUNDING OF COUNTY AND DISTRICT LAW LIBRARIES

Members of the Subcommittee:

Robert C. Topp (Chair)

Ian A. Blue

Rino C. Bragagnolo

Victor Colebourn (County of York Law Association)

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February 1, 1995

LIBRARIES AND REPORTING COMMITTEE

COUNTY LIBRARY REVIEW SUBCOMMITTEE

FINAL REPORT: FUNDING OF COUNTY AND DISTRICT LAW LIBRARIES

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EXECUTIVE SUMMARY

(Recommendations)

1. That the Law Society continue to fund County and District Law Libraries through its collection of the County Library Levy.
2. That hence forward funding of County and District Law Libraries be based on a principle of obtaining, within a time period of 5 to 10 years, equal contribution from all fee paying members of the Law Society.

Note: Currently, all fee paying members of the Law Society (in the same fee category) pay the same County Library Levy. Only a portion of those members, however, are members of a County or District Law Association and pay, as part of their membership fees in the County or District Law Association, a Library Fee. The Library Fee varies depending on the County or District wherein each member resides. The result is that some members contribute more than others to the funding of County and District Law Libraries. The Subcommittee recommends that all fee paying members contribute equally to the funding of County and District Law Libraries. This recommendation necessarily involves an increase in the County Library Levy. The Subcommittee is conscious that funding of County and District Law Libraries is but one financial concern of the Law Society. The Subcommittee, therefore, recommends that equality of contribution be achieved over a period of 5 to 10 years.

3. That, in accordance with the principle of obtaining, within a period of 5 to 10 years, equal contribution from all fee paying members of the Law Society to the funding of County and District Law Libraries,
 - i. in the financial year 1995/1996, the County Library Levy be increased by \$35 (from \$81 to \$116); and
 - ii. in the financial years following 1995/1996, the County Library Levy continue to be increased annually, by \$35 or as deemed necessary by the Libraries and Reporting Committee having regard to the circumstances then attaining (including, but not limited to, cost of materials and changes in technology), until such time as all fee paying members of the Law Society are contributing equally to the funding of County and District Law Libraries.
4. That the Libraries and Reporting Committee reconsider the principles and methodology of distributing to the County and District Law Libraries the funds collected by the Law Society through the County Library Levy and the grant from the Law Foundation of Ontario.

LIBRARIES AND REPORTING COMMITTEE

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INTRODUCTION

The Subcommittee could not overlook that it must deal with the problem of funding of County and District Law Libraries for 1995/1996 in the knowledge that the costs of operating and maintaining library resources are increasing and will need to increase due to several factors:

- *Electronic distribution of information and other technological advancements will require capital expenditures to network County and District Law Libraries to remote information sources. The days of libraries being nothing more than storage places for books are numbered.*
- *Staff costs to service the technology.*
- *Demands from law book publishers for royalty payments. The current dispute between the Law Society and Carswell is a harbinger of similar and more pressing demands that will be made in the future.*
- *The increasing costs of legal textbooks, law reports and periodicals and the proliferation of services (see section 1.3 of the Report, and Attachments A and B).*
- *The falling off of membership in County and District Law Associations reduce revenue.*

The Subcommittee while conscious of these factors cannot solve them. What it can do, and hereby does do, is recommend to the Libraries and Reporting Committee that all these factors are interrelated and must be managed in a comprehensive, realistic, and economic manner. There must be a plan for making County and District Law Libraries technically competent, contemporary and at the same time for dealing with legal publishers to blunt their financial demands.

It is not within the mandate of the Subcommittee to make any recommendations with respect to distribution of the funds collected by the Law Society. However, the Subcommittee recognizes that the distribution of these funds, and the grants from the Law Foundation of Ontario, is an important matter which should be re-examined, in consultation with representatives from the County and District Law Presidents' Association, as to the principles and methodology of distributing these funds and the grants to the County and District Law Libraries.

The Subcommittee now turns to its immediate task.

LIBRARIES AND REPORTING COMMITTEE

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1 BACKGROUND TO RECOMMENDATIONS

1.1 REPORT OF THE SPECIAL COMMITTEE ON PRIORITIES AND PLANNING

1.1.1 On April 26, 1994, the Special Committee on Priorities and Planning reported to Convocation with recommendations as to the amount of the County Library Levy,¹ and the amount of the grant from the Law Foundation of Ontario to the County and District Law Libraries, for the financial year 1994/1995.

1.1.2 Despite a request from the Libraries and Reporting Committee, and the County and District Law Presidents' Association, that the County Library Levy be increased by \$3 from \$81 to \$84, the County Library Levy was maintained at \$81. The grant from the Law Foundation of Ontario was reduced by \$155,000 from \$774,000 to \$619,000.

1.1.3 The Special Committee on Priorities and Planning made the following comments respecting its recommendations:

The Committee does not recommend that Convocation accept the Libraries and Reporting request for an increase in the library levy. Over the past year, discussions have been taking place between the Law Society, the County of York Law Association, and the County and District Presidents' Association as to what direction the funding of the libraries throughout the province should take. This Committee recommends that the library levy not be increased by \$3 and that the increase in costs be met out of the funds already held in reserve by the Law Society on behalf of the libraries. The recommendation means that the sum of approximately \$65,000 that would have been generated by the \$3 levy increase be taken out of the current reserve of \$267,000, in addition to the sum of \$155,000 which the Library

¹ The annual fee paid by members comprises the following component parts:

1. A General Membership Fee.
2. A County Library Levy.
3. A Lawyers' Fund for Client Compensation Fee.
4. An Ontario Legal Aid Levy.

As part of the annual fee, the County Library Levy is collected by the Law Society. The amount collected is then distributed to the 47 County and District Law Libraries as recommended by the Libraries and Reporting Committee.

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Committee proposed to use to make up for the reduction in the Law Foundation grant. Further, a full report should be submitted to Convocation not later than the early spring of 1995 so that Convocation can debate and determine the funding of the libraries over the next few years. There are a number of proposals being discussed at this time, but it is not the function of this Committee to recommend any of those proposals. However, the Committee sees little point in simply adding, on an ad hoc annual basis, an increase to the library levy without a thorough determination of the expenditures of the various county libraries and the funding mechanisms for them. [Emphasis added]

- 1.1.4 Convocation adopted the recommendations of the Special Committee on Priorities and Planning.

1.2 COUNTY LIBRARY REVIEW SUBCOMMITTEE

- 1.2.1 As a result of the Report of the Special Committee on Priorities and Planning, the Libraries and Reporting Committee struck the County Library Review Subcommittee. Benchers Ian Blue, Rino Bragagnolo and Robert Topp (Chair) were appointed to the Subcommittee. The following non-benchers participated in the work of the Subcommittee: Victor Colebourn (from the County of York Law Association), Michael Hennessy (representative of the County and District Law Association on the Libraries and Reporting Committee), and Michael O'Dea (past Chair of the County and District Law Presidents' Association). Staff support to the Subcommittee was provided by Glen Howell (Chief Librarian) and Elliot Spears (Staff Lawyer, Research).

- 1.2.2 The mandate of the County Library Review Subcommittee was to consider the direction that funding of the County and District Law Libraries should take in the future.

1.3 INCREASED COSTS: THE NEED FOR FUNDING

- 1.3.1 Attached to this report as Attachment A is a table which sets out the digests and other research tools; reports, statutes, regulations and other reference tools; and loose leaf services to which the County and District Law Libraries subscribe. These subscription services are basic to a general law library.
- 1.3.2 The table in Attachment A also sets out the annual cost of the subscription services for the period 1991 to 1994. Over this period, the annual cost of the subscription services increased each year. In 1994, the subscription services cost 40 percent more than they did in 1991, and 13 percent more than they did in 1993.

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- 1.3.3 In 1993 and 1994, there was no increase in the County Library Levy to offset the increase in the cost of the subscription services.
- 1.3.4 In 1994, there was also no increase in the Library Fee, charged by the County and District Law Associations as part of their membership fees, to offset the increase in the cost of the subscription services. Given the economic climate, the Law Associations found it almost impossible to raise the Library Fee to cover increased costs.
- 1.3.5 In addition to the increased cost of the subscription services, over the same period of time, the County and District Law Libraries have had to contend with the cost of the accelerated introduction by commercial publishers of looseleaf texts. Some of these looseleaf texts are new editions of previously hardbound classics; others, are new titles. Many of these texts are basic to a non-specialized law library.
- 1.3.6 The looseleaf texts differ from "traditional" texts in that they require regular updating. The acquisition of a looseleaf text involves an initial purchase cost and subsequent update costs. Attached to this report as Attachment B is a table which lists 27 basic looseleaf texts, the purchase price of the texts and the cost of their updates. In 1994, the total cost of updating the 27 texts amounted to \$5,095.
- 1.3.7 Faced with a lack of increased funding to offset increased costs, the County and District Law Libraries have responded by cutting their costs: They have started to cancel subscriptions to basic legal materials, and the majority of the Libraries (almost all of the small ones) have stopped purchasing textbooks. For some of the Libraries, 1994 was the second year of such cost-cutting measures.

1.4 GENERAL PRINCIPLES

- 1.4.1 The County Library Review Subcommittee formulated a number of general principles, which guided its deliberations and which underlie its recommendations.

1.4.2 Competence

- 1.4.2.1 Professional competence comprises two elements: practice skills and knowledge of relevant legal principles. Knowledge of legal principles is acquired initially through formal legal education. However, that knowledge needs continuous updating; and, in day to day practice, a member maintains and obtains a knowledge of relevant legal principles through legal research. Sound legal research is thus an integral part of professional competence.

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1.4.2.2 The Law Society is under an obligation to the public to ensure that its members are, and continue to be, competent.

1.4.2.3 The Role Statement² of the Law Society reads, in part:

The Law Society of Upper Canada exists to govern the legal profession in the public interest by:

- ensuring that people of Ontario are served by lawyers who meet high standards of learning, competence and professional conduct;

* * * *

for the purpose of advancing the cause of justice and the rule of law.

1.4.2.4 The Commentary³ to the Role Statement reads, in part:

The Law Society has a public obligation ... to ensure that the people whom it admits to membership and on whom it confers the right to practise law, are indeed fit to practise and competent to offer legal services. The Law Society also has an obligation to ensure that its members continue to be fit, qualified and competent. [Original emphasis]

² The Role Statement was adopted by Convocation on October 27, 1994.

³ The report from the October 13, 1994 meeting of the Research and Planning Committee includes the following recommendations (adopted by Convocation on October 27, 1994) relating to the Role Statement and Commentary:

... [T]he Research and Planning Committee recommends that Convocation:

- (a) adopt the Role Statement and Commentary;
- (b) direct the Priorities and Planning Committee or its successor committee to employ the Role Statement, the Commentary and the Report of the Subcommittee as a guide in preparing budgetary and program recommendations in future fiscal years;
- (c) direct all committees to review their current and proposed activities, programs and proposals in light of the Role Statement, the Commentary and the Report of the Subcommittee;

* * * *

- (e) direct that the Role Statement and Commentary be supplied together when the Role Statement is requested by a member of the profession or the public.

The recommendations necessarily express the views of the Research and Planning Committee that the Role Statement and Commentary go hand in hand.

- 1.4.2.5 To the extent that professional competence includes sound legal research, the Law Society has an obligation to the public to ensure that its members have ready and equal access to legal research facilities with materials of appropriate scope and quality. The County and District Law Library system is a ready means of ensuring such access.

1.4.3 Electronic Distribution of Information (EDI): Access to Legal Materials

- 1.4.3.1 The advent of EDI, among other technological advancements, has revolutionized the way materials may be accessed. It is clear that EDI represents the future for the County and District Law Library system, as a cost effective means of keeping all libraries equally "stocked" with up-to-date legal materials.

- 1.4.3.2 However, EDI is not an immediate solution to either the problem of equal access to basic legal materials or the increasing cost of maintaining the County and District Law Library system.

1.4.4 Equal Contribution to Cost

- 1.4.4.1 Subsection 2(2) of the *Law Society Act* reads:

The Society is a corporation without share capital composed of the Treasurer, the benchers and the other members from time to time.

- 1.4.4.2 The responsibilities of the Law Society with respect to the public are, in fact, the responsibilities of the profession as a whole. There is no apparent reason why any cost of fulfilling these responsibilities should be borne more by some members of the profession than by others.

- 1.4.4.3 The cost of maintaining the County and District Law Library system should be borne equally by all members of the profession.

1.4.5 Law Foundation of Ontario

- 1.4.5.1 A specified object of the Law Foundation of Ontario is to establish and maintain a fund which may be used for the purpose of "[t]he establishment, maintenance and operation of law libraries" (*Law Society Act*, R.S.O. 1990, c. L.8, s. 55).

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- 1.4.5.2 An equitable distribution of funding for County and District Law Libraries among all fee paying members, as envisioned by the recommendations hereto, will not be achieved without the continued funding support of the Law Foundation of Ontario identified in section 55 of the *Law Society Act*. The Subcommittee would expect that any future consideration of amending the existing statutory obligation of the Law Foundation would be firmly resisted.

1.5 CURRENT SOURCES OF FUNDING

- 1.5.1 In Ontario, there are 47 County and District Law Libraries. At present, they have three sources of funding: funds collected by the Law Society through the County Library Levy, Library Fees collected by the County and District Law Associations, and grants from the Law Foundation of Ontario.

1.5.2 The Law Society: County Library Levy

- 1.5.2.1 The Law Society's annual fee includes, as a component thereof, a County Library Levy.

- 1.5.2.2 The County Library Levy is collected from all fee paying members of the Law Society. The resulting pool of money is distributed to the County and District Law Libraries on the recommendation of the Libraries and Reporting Committee. The amount of money received by any County or District Law Library varies depending on a number of factors, including the annual cost of maintaining and updating basic legal materials.

- 1.5.2.3 In 1994, a total of \$2,560,630 was paid to the 47 County and District Law Libraries comprising money collected by the Law Society through the County Library Levy and the grant from the Law Foundation of Ontario. This represents 52 percent of the total amount of revenue the County and District Law Libraries project to receive in 1994.

1.5.3 The County and District Law Associations: Library Fee

- 1.5.3.1 Each County and District Law Library is also supported by members resident within the County or District and belonging to the County or District Law Association. The membership fee of each County or District Law Association includes, as a component thereof, a Library Fee.

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- 1.5.3.2 Not all fee paying members of the Law Society pay the Library Fee. Membership in a County or District Law Association is voluntary; therefore, payment of the Library Fee is voluntary. (In general, participation rates are high for smaller associations, lower, for the largest associations. In relation to library use, this is often explained in terms of ready access: Members in large metropolitan centres have access to several well stocked law libraries. By contrast, members in the smaller associations rely almost exclusively on their County or District Law Libraries. Their alternative is to maintain their own library, which, given the economic climate and the increasing cost of legal materials, is not a workable alternative.)
- 1.5.3.3 Not all members who pay the Library Fee pay an equal amount. In 1994, the Library Fee ranged from \$85 (County of York) to \$400 (Lindsay). (The mean Library Fee (which also happens to be the median) was \$225.)
- 1.5.3.4 In 1995, notwithstanding the difficult economic climate, 20 County and District Law Associations were compelled to raise their Library Fee, some by a substantial amount (for example, Algoma raised its Library Fee by \$75; Stormont/Dundas, by \$60; and Lambton, by \$45). Attached to this report as Attachment C is a list of the 20 County and District Law Associations that raised their Library Fee in 1995. The attachment also sets out the amount of the increase for each of the 20 Law Associations.
- 1.5.3.5 The Library Fees collected by any County or District Law Association are paid directly to the Law Library of that County or District. No portion of the Fees is distributed to any other County or District Law Library.
- 1.5.3.6 In 1994, there were 24,000 fee paying members of the Law Society. 11,064 of these were members of a County or District Law Association and paid a Library Fee. The total Library Fees collected by all 47 County and District Law Associations amounted to approximately \$1,700,000. Other revenue generated by the County and District Law Libraries amounted to approximately \$700,000. In total, these amounts represent 48 percent of the total amount of revenue the County and District Law Libraries project to receive in 1994.

1.5.4 Law Foundation of Ontario

1.5.4.1 Subsection 55(1) of the *Law Society Act* reads, in part:

The objects of the Foundation are to establish and maintain a fund to be used for any or all of the following purposes:

* * * *

3. The establishment, maintenance and operation of law libraries.

* * * *

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- 1.5.4.2 In accordance with the *Law Society Act*, the Law Foundation of Ontario pays a grant to the County and District Law Libraries. This grant is distributed to the Law Libraries in a fashion similar to the distribution of the pool of County Library Levies collected by the Law Society.
- 1.5.4.3 For the operating year 1994, the Law Foundation of Ontario made a grant of \$774,000 to the County and District Law Libraries.

1.6 CURRENT SOURCES OF FUNDING AND THE RESPONSIBILITIES OF THE LAW SOCIETY: ANALYSIS

1.6.1 Library Fees

- 1.6.1.1 The Library Fees collected by the County and District Law Associations are voluntary. Currently, they are paid by only one half of the profession.
- 1.6.1.2 While not all members who join a County or District Law Association do so in order to use its law library, to the extent that even one member joins a County or District Law Association because it is the only way that a member can have access to a law library, it cannot be said that there is equal access to legal research facilities across the province. Further, to the extent that one member in one County or District pays more than another member in another County or District to access a law library, it also cannot be said that there is equal access to legal research facilities across the province.
- 1.6.1.3 This situation is inconsistent with Law Society's obligation to the public to ensure that its members are, and continue to be, competent, which includes an obligation to ensure that its members have ready and equal access to legal research facilities.

1.6.2 Equal Contribution

- 1.6.2.1 The current funding situation may be summarized as follows: 100 percent of the profession bears 52 percent of the total cost of maintaining the County and District Law Library system. 46 percent of the profession bears an additional 48 percent of the total cost of maintaining the County and District Law Library system. There is no equal contribution among the profession to the cost of maintaining the County and District Law Library system.

1.6.2.2 The responsibilities of the Law Society with respect to the public are, in fact, the responsibilities of the profession as a whole. The Law Society/profession is under an obligation to the public to ensure that its members are, and continue to be, competent, which includes an obligation to ensure that its members have ready and equal access to legal research facilities.

1.6.2.3 There is no apparent reason why the cost of maintaining the County and District Law Library system should be borne more by some members of the profession than by others.

1.7 OPTIONS FOR FUTURE FUNDING

1.7.1 The Subcommittee considered a number of options for future funding of the County and District Law Library system.

1.7.2 Discontinue Law Society Funding

1.7.2.1 The Law Society may opt to discontinue collection of the County Library Levy. The responsibility for funding the County and District Law Library system would then be borne by members of the County and District Law Associations (and by members of the public through grants from the Law Foundation of Ontario).

1.7.2.2 This option is inconsistent with the Law Society's obligation to the public to ensure the competence of the profession by providing equal access to legal research facilities.

1.7.3 Maintain Status Quo

1.7.3.1 At present, the Law Society, through its collection of the County Library Levy, and the grant from the Law Foundation of Ontario, contributes approximately 52 percent of the total cost of maintaining the County and District Law Library system. Library Fees and other revenues collected by the County and District Law Associations account for 48 percent of the total cost.

1.7.3.2 The Law Society could continue to contribute at least 55 percent of the cost of maintaining the County and District Law Library system. If the cost rises, the County Library Levy would be increased, but only proportionately. Members of the County and District Law Associations would continue to contribute, through Library Fees, no more than 45 percent of the cost.

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- 1.7.3.3 This option perpetuates existing problems: Equal access to legal research facilities will not exist. Some members will continue to pay more to access a law library than will others. And, the responsibility of ensuring that all members of the profession have ready and equal access to legal research facilities, as part of an obligation to the public to ensure that the members of the profession are, and continue to be, competent, will continue to be shouldered by only part of the profession.

1.7.4 Equality of Contribution

- 1.7.4.1 The County and District Law Library system could be supported exclusively, or significantly, by the Law Society through its collection of the County Library Levy. The amount of the Levy would be increased (over time), and the Library Fee, abolished or set at a nominal rate (over the same period).

- 1.7.4.2 There are strong arguments of principle in support of this option: By exclusively, or significantly, supporting the County and District Law Library system, the Law Society would be assured that every member of the profession would have ready and equal access to legal research facilities. Sound legal research being an integral part of professional competence, the Law Society would be fulfilling its obligation to the public to ensure that its members are, and continue to be, competent.

- 1.7.4.3 This option would also work to ensure that the entire profession, not just a portion of it, would be fulfilling the obligation to the public to ensure that its members are, and continue to be, competent, which includes an obligation to ensure that its members have ready and equal access to legal research facilities.

1.8 IMPLEMENTATION OF EQUALITY OF CONTRIBUTION

1.8.1 Timeframe

- 1.8.1.1 A policy of equal contribution to the funding of County and District Law Libraries may be implemented immediately. This would call for a significant increase in the County Library Levy.

- 1.8.1.2 The Subcommittee, however, is conscious that funding of County and District Law Libraries is but one financial concern for the Law Society. The Subcommittee, therefore, recommends that equality of contribution be achieved over a period of 5 to 10 years.

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1.8.2 Should the Library Fee be abolished?

1.8.2.1 Equality of contribution presumes that any existing mechanism which would, advertently or inadvertently, result in an inequality of contribution should be abolished. This suggests that funding for the County and District Law Library System should be raised via a mandatory fee (i.e., the County Library Levy) and not via a voluntary fee (i.e., the Library Fee collected by the County and District Law Associations).

1.8.2.2 Where equality of contribution is being achieved gradually, however, it is not workable to abolish the voluntary fee (i.e., the Library Fee collected by the County and District Law Associations).

1.8.2.3 While it is not within the mandate of the Subcommittee to make any recommendations with respect to the Library Fee collected by the County and District Law Associations, it is understood that the Library Fee will be set having regard to the rate of the County Library Levy.

1.9 DISTRIBUTION OF FUNDS TO THE COUNTY AND DISTRICT LAW LIBRARIES

1.9.1 It is not within the mandate of the Subcommittee to make any recommendations with respect to distribution of the funds collected by the Law Society through the County Library Levy and the grants made to the County and District Law Libraries from the Law Foundation of Ontario.

1.9.2 However, the Subcommittee recognizes that the distribution of these funds and the grants is an important matter which should be re-examined.

1.9.3 Accordingly, the Subcommittee recommends that the Libraries and Reporting Committee, in consultation with representatives from the County and District Law Libraries, reconsider the principles and methodology of distributing these funds and the grants to the County and District Law Libraries.

1.9.4 Attached to this report as Attachment D is an outline of distribution guidelines canvassed by the Subcommittee in its brief consideration of the matter of distribution of funds to the County and District Law Libraries.

2 **RECOMMENDATIONS**

2.1 That the Law Society continue to fund County and District Law Libraries through its collection of the County Library Levy.

2.2 That hence forward funding of County and District Law Libraries be based on a principle of obtaining, within a time period of 5 to 10 years, equal contribution from all fee paying members of the Law Society.

Note: Currently, all fee paying members of the Law Society (in the same fee category) pay the same County Library Levy. Only a portion of those members, however, are members of a County or District Law Association and pay, as part of their membership fees in the County or District Law Association, a Library Fee. The Library Fee varies depending on the County or District wherein each member resides. The result is that some members contribute more than others to the funding of County and District Law Libraries. The Subcommittee recommends that all fee paying members contribute equally to the funding of County and District Law Libraries. This recommendation necessarily involves an increase in the County Library Levy. The Subcommittee is conscious that funding of County and District Law Libraries is but one financial concern of the Law Society. The Subcommittee, therefore, recommends that equality of contribution be achieved over a period of 5 to 10 years.

2.3 That, in accordance with the principle of obtaining, within a period of 5 to 10 years, equal contribution from all fee paying members of the Law Society to the funding of County and District Law Libraries,

- i. in the financial year 1995/1996, the County Library Levy be increased by \$35 (from \$81 to \$116); and
- ii. in the financial years following 1995/1996, the County Library Levy continue to be increased annually, by \$35 or as deemed necessary by the Libraries and Reporting Committee having regard to the circumstances then attaining (including, but not limited to, cost of materials and changes in technology), until such time as all fee paying members of the Law Society are contributing equally to the funding of County and District Law Libraries.

2.4 That the Libraries and Reporting Committee reconsider the principles and methodology of distributing to the County and District Law Libraries the funds collected by the Law Society through the County Library Levy and the grant from the Law Foundation of Ontario.

ATTACHMENT A

Three Year Percentage Increase in Costs – 1994 over 1991

January 1995

Basic Subscriptions for Ontario's County Law Libraries (excluding Looseleaf Texts)

DIGESTS AND RESEARCH TOOLS		PUBLISHER	1991	1992	1993	1994	3-year INCREASE '94 over '91
1	CANADIAN ABRIDGMENT	Carswell	\$4,520	\$6,868	\$6,618	\$9,065	101%
2	CANADIAN ENCYCLOPEDIA DIGEST (Ont)	Carswell	\$1,954	\$2,062	\$2,193	\$2,426	24%
3	HOLMESTED & WATSON Ont. Civil Proc.	Carswell	\$432	\$619	\$605	\$561	30%
4	ALL-CANADA WEEKLY SUMMARIES	CLB	\$951	\$1,037	\$1,050	\$1,457	53%
5	WEEKLY CRIMINAL BULLETIN	CLB	\$655	\$601	\$687	\$793	21%
SUB-TOTAL			\$8,512	\$11,187	\$11,153	\$14,302	68%
REPORTS							
6	CANADIAN CRIMINAL CASES	CLB	\$927	\$1,091	\$1,027	\$1,027	11%
7	CARSWELL PRACTICE CASES	Carswell	\$875	\$1,387	\$1,433	\$1,653	89%
8	CRIMINAL REPORTS	Carswell	\$916	\$893	\$1,131	\$1,258	37%
9	DOMINION LAW REPORTS	CLB	\$1,258	\$1,234	\$1,303	\$1,357	8%
10	ONTARIO REPORTS (bound vols.)	Butt	\$234	\$257	\$337	\$338	44%
11	REPORTS OF FAMILY LAW	Carswell	\$896	\$889	\$941	\$1,014	13%
12	SUPREME COURT REPORTS	S&S Canada	\$110	\$240	\$308	\$326	196%
13	WESTERN WEEKLY REPORTS	Carswell	\$785	\$849	\$1,077	\$1,288	64%
14	CANADIAN RIGHTS REPORTER	Butt	\$971	\$725	\$921	\$830	-15%
15	MOTOR VEHICLE REPORTS	Carswell	\$997	\$867	\$1,169	\$1,116	12%
16	REAL PROPERTY REPORTS	Carswell	\$829	\$901	\$1,047	\$1,121	35%
SUB-TOTAL			\$8,798	\$9,333	\$10,694	\$11,328	29%
STATUTES/REGULATIONS/REFERENCE							
17	CANADA STATUTES (bound vol.)	Supp & Serv Can	\$196	\$94	\$265	\$519	165%
18	CANADA STATUTE CITATOR	CLB	\$170	\$184	\$184	\$184	8%
19	ONTARIO STATUTES (bound vol.)	Queen's Print	\$30	\$35	\$35	\$37	23%
20	ONTARIO STATUTE CITATOR	CLB	\$167	\$196	\$174	\$176	5%
21	O.S.C. - CURRENT BILLS SERVICE	CLB	\$156	\$165	\$167	\$172	10%
22	ONTARIO ANNUAL PRACTICE (Carthy)	CLB	\$62	\$65	\$65	\$69	11%
23	ONTARIO CIVIL PRACTICE (Watson)	Carswell	\$62	\$64	\$59	\$63	2%
24	CRANKSHAW'S CRIMINAL CODE	Carswell	\$797	\$825	\$924	\$743	-7%
25	MARTIN'S CRIMINAL CODE	CLB	\$58	\$61	\$61	\$61	5%
26	WILLISTON & ROLLS Court Forms/2d ed	Butt.	\$320	\$473	\$358	\$338	-6%
27	O'BRIEN'S FORMS	CLB	\$673	\$489	\$852	\$747	11%
SUB-TOTAL			\$2,691	\$2,651	\$3,144	\$3,109	16%
LOOSE LEAF SERVICES							
28	CANADA CORPORATION MANUAL		\$428	\$449	\$449	\$449	5%
29	CANADA INCOME TAX GUIDE + ACT REG'S		\$420	\$450	\$473	\$486	16%
30	CANADA COMMERCIAL LAW GUIDE		\$375	\$410	\$430	\$445	19%
31	CAN. ESTATE PLANNING AND ADM. REPORT		\$345	\$385	\$405	\$415	20%
32	CANADA FAMILY LAW GUIDE		\$395	\$435	\$455	\$470	19%
33	CANADA INSURANCE LAW REPORTS		\$320	\$355	\$375	\$385	20%
34	ONTARIO CORPORATION MANUAL		\$428	\$449	\$449	\$449	5%
35	ONTARIO REAL ESTATE LAW GUIDE		\$375	\$410	\$430	\$445	19%
SUB-TOTAL			\$3,086	\$3,343	\$3,466	\$3,544	15%
TOTAL			\$23,087	\$26,514	\$28,457	\$32,283	40%

ATTACHMENT B

Examples of **NEW Looseleaf Texts** - 1990 TO 1993 (selected as "Basic" for the Counties)

		Edition	Purchase Price	1994 Updating Cost
<u>A. CARSWELL</u>				
Armstrong	Estate Administration		165	345
Auerback	Annotated Ontario Municipal Act		195	255
Bernstein	Child protection law in Canada.		138	332
Hogg	Constitutional law of Canada.	3d	165	79
Holland	Cohabitation: the law in Canada.		125	164
Houlden & Morawetz	Bankruptcy.	3rd	195	766
Lamont	Lamont on Real Estate Conveyancing.	2d	135	159
Loeb	Condominium law & administration.	2d	148	104
Macaulay & Doumani	Ontario land development: legislation & practice.		115	255
Macklem & Bristow	Construction, builders' & mechanics' liens in Can.	6th	138	338
Marriott & Dunn	Practice/mortgage remedies in Ont.	5th	135	289
McLaren	Secured transactions in personal property. (3 vols)	2d	195	538
Mewett	Witnesses.		135	57
Pask & Hass	Division of pensions.		125	161
Wilton	Enforcement of Family Law Orders		140	174
Woodward	Native law.		115	106

B. CANADA LAW BOOK

Adams	Annotated Ontario Business Corporations Act.		85	149
Harris	Weapons offences.		108	78
Keith	Ontario Health & safety law; a comparative guide		95	78
Waddams	Law of damages.	2d	125	101
Parry	Employment standards handbook.	2d	114	151
Sharpe	Injunctions & specific performance.	2d	110	76
Adams	Canadian labour law: a comprehensive text.	2d	200	190
Hainsworth	Divorce Act manual. (Succeeds Reville's manual.)		90	150
Salhany	Canadian criminal procedure.	6th	160	New

C. BUTTERWORTH

Ruby	Sentencing	4th	135	New
Wilson	Children and the Law		225	New

Total 3,811 5,095

ATTACHMENT C



OFFICE OF THE
CHIEF LIBRARIAN
(416) 947-3397

OSGOODE HALL
130 QUEEN ST. W.
TORONTO, ONTARIO
M5H 2N6

THE LAW SOCIETY OF UPPER CANADA

County Library Fee Increases for 1995

	<u>Amount of Increase</u>	<u>1995 Library Fee</u>
	\$	\$
Algoma (93)	75	300
Brant (94)	20	270
Carleton (1,039)	15	235
Halton (180)	11	236
Hastings (75)	15	275
Lambton (70)	45	275
Leeds & Grenville (43)	20	270
Lennox & Addington (18)	25	250
Lincoln (231)	15	245
Norfolk (40)	20	200
Northumberland (49)	20	250
Oxford (49)	20	230
Rainy River (10)	25	300
Stormont/Dundas (74)	60	260
Temiskaming (22)	20	240
Thunder Bay (192)	10	230
Welland (129)	25	250
Wellington (130)	20	235
York County (4,300)	5	90
20. York Region (228)	5	225
(number of 1994 members in brackets)		176

February 1, 1995

ATTACHMENT D

THE LAW SOCIETY OF UPPER CANADA

LIBRARIES AND REPORTING COMMITTEE

COUNTY LIBRARY REVIEW SUBCOMMITTEE

FINAL REPORT: FUNDING OF COUNTY AND DISTRICT LAW LIBRARIES

1 DISTRIBUTION OF FUNDS TO THE COUNTY AND DISTRICT LAW LIBRARIES

1.1 As a minimum expectation, in relation to any deeming provisions contained in the report and in the distribution guidelines below, the same level of consultation and co-operation between the Law Society and the County and District Law Associations will continue thereby recognizing a commitment by the Law Society and the profession to the policy of maintaining a properly funded basic library system in each of the Counties and Districts.

1.2 Proposed Distribution Guidelines

1.2.1 The Subcommittee offers the following as possible distribution guidelines:

1. As is done presently, each County or District Law Library should receive, as a basic level of funding a fixed amount of money which corresponds to the amount of money deemed necessary to maintain the library at a minimum standard of quality.
2. Each County or District Law Library should be eligible to be considered for further grants from the Law Society (i.e., funds in excess of the basic level of funding).
3. The amount of any further grant (if any) to a County or District Law Library should be determined having regard to the number of lawyers that the library serves, the availability to lawyers in the County or District of alternative resources, and any special needs or circumstances of a County or District.
4. There should be a maximum level of funding, representing the most funds that a County or District Law Library could receive.
5. To the extent that the reconsideration of the principles and methodology of distributing to the County and District Law Libraries the funds collected by the Law Society through the County Library Levy and the grant from the Law Foundation of Ontario results in a significant departure from the historic funding patterns for a County or District, the implementation of the new policies should be phased in.

D - 2

6. In recognition of the fact that the County of York Law Library has particular concerns that need to be addressed by any distribution policy, the distribution policy eventually settled on should result in the County of York Law Library receiving the maximum level of funding available to all County and District Law Libraries.
7. All County and District Law Libraries should be required to submit an annual budget as a precondition to receiving any amount of funding from the Law Society.



The Law Society of
Upper Canada | Barreau
du Haut-Canada

Notice to the Profession

Definition of the Competent Lawyer

The profession is advised that on November 28, 1997 Convocation approved the inclusion of a definition of the competent lawyer in the Foreword to the Professional Conduct Handbook. The definition was developed by the Competence Task Force with a view to guiding the profession and informing the competence-related work the Law Society undertakes.

The enumerated skills, attributes, and values set out in the definition are equally essential components of the definition of the competent lawyer. There may be additional components, but those included in the definition provide an essential framework for lawyer competence. The approved definition is as follows:

A competent lawyer has and applies relevant skills, attributes, and values in a manner appropriate to each matter undertaken on behalf of a client. These include:

- i. knowing general legal principles and procedures, and the substantive law and procedure for the areas of law in which the lawyer practices;*
- ii. investigating facts, identifying issues, ascertaining client objectives, considering possible options, and developing and advising the client as to appropriate course(s) of action;*
- iii. implementing the chosen course of action through the application of appropriate skills including:*
 - (a) legal research,*
 - (b) analysis,*
 - (c) application of the law to the relevant facts,*
 - (d) writing, and drafting,*

- (e) negotiation,*
- (f) alternative dispute resolution,*
- (g) advocacy, and*
- (h) problem solving ability*
as each matter requires;
- iv. *communicating in a timely and effective manner at all stages of the matter;*
- v. *performing all functions conscientiously, diligently, and in a timely and cost effective manner;*
- vi. *applying intellectual capacity, judgment, and deliberation to all functions;*
- vii. *complying in letter and in spirit with the Rules of Professional Conduct;*
- viii. *recognizing limitations in one's ability to handle a matter, or some aspect of it, and taking steps accordingly to ensure the client is appropriately served;*
- ix. *managing one's practice effectively;*
- x. *pursuing appropriate professional development to maintain and enhance legal knowledge and skills; and*
- xi. *adapting to changing professional requirements, standards, techniques, and practices.*

Requests for the Reports of the Competence Task Force, questions, and comments should be addressed to:

Sophia Sperdakos
Policy Secretariat
Law Society of Upper Canada
Osgoode Hall, 130 Queen Street West
Toronto, Ontario M5H 2N6
(416) 947-5209
facsimile: (416) 947-7623
E-mail: ssperdak@lsuc.on.ca

SAMPLE QUESTIONS

QUICK REFERENCE

(Factual answers would be given for these questions. Quick reference questions can be answered in less than 5 minutes)

Where do I get marriage certificates from Scotland?
What is the name and address of the governing body for lawyers in North Carolina.
How do you address a retired judge?
When does this regulation come into force?
I need the consumer price index for 1994.
Is Bill 24 in force yet?
What does LLL stand for?
What's a good medical dictionary?
What's the best source on construction liens?
What does BLR stand for?
What is the address of the Old Bailey?
What is the latest edition of Gatley on Libel?
Have you received the new CLE material on the Family Support Guidelines?
Is there an office consolidation of the Immigration Act?
Where are the precedents for statements of claim?
Do you have the Binational Panel decisions?

REFERENCE/RESEARCH INQUIRIES

(Factual answers would be provided for these questions where possible. Several sources would likely be consulted but no more than 30 minutes would be spent on an individual inquiry.)

Is the Metro Toronto Housing Authority a government agency? I need to know what limitation period they fall under.
What was the first code of Anglo Saxon law?
Where do I find information on enforcing this Ontario judgment in Portugal. Do we have a reciprocal agreement with them?
Where can I find decisions of the regulatory bodies of doctors, dentists, engineers, etc.
How did they repeal the photo radar provisions? The section still seems to be in the statute.
What was the rule in British Columbia regarding third party proceedings in 1924?
Has Ontario amended its Rules of Civil Procedure yet to conform to the recent change in the Criminal Code re fines?
Where can I find the incorporating act for the Art Gallery of Ontario.

Where can I find the Helms-Burton Act.
 Where can I find the immigration annex to the GATS?
 Has s. 23 of the Quebec Companies Act been amended?
 Do you have Prohibited Transaction Exemption 84-14 under the U.S. Employee Retirement Income Security Act?
 What is the authority for the "John School" (communicating for prostitution) programme?
 I need information on family law in Guyana.
 Do you have a buy/sell agreement for gold or precious metals?
 What is the definition of moral turpitude in the U.S. for immigration purposes?
 Do we have the internal police guidelines on the use of pepper spray?
 Do you have anything that tells me how lie detectors work?
 What was the prejudgment interest rate in 1982?
 Do you have an international form of wills treaty? Has Egypt signed it?
 Does the U.K. have an extradition treaty with Costa Rica?
 Is Canada a party to the Foreign Arbitral Awards Convention?
 Where can I find the MAI convention. It may still be in draft form.
 I need a copy of the treaty that ended WWI.
 I need partnership law in Malaysia.
 Do you have the recent case on same-sex adoption.
 What's the recent case in the SCC on police hot pursuits and private homes?
 What is the 1996 deductible for non-pecuniary loss under s. 267 of the Insurance Act
 Do you have EC directive 77/62 and how can I find its U.K. implementing legislation.
 Do you have anything on contests or promotions? I couldn't find anything in the catalogue.
 Where is the report on multiculturalism and the justice system.
 Do you have anything on limited partnership in France?
 Do we have anything on ethical consideration in handling an estate file?
 Do you have anything on exclusive distribution?
 Where is the list of hospitals under WCB regulations?
 Are there any directories of German lawyers on the Internet?
 I want to start using the Internet. What are the best sites?
 This case refers to the Waterloo Commission. What is it?
 What is the Silverado Accord?
 Where can I find information on project financing.
 I need information on the salaries of lawyers.
 Where can I find the Rules that used to be called the Unified Family Court Rules.

RESEARCH QUESTIONS

(Examples of questions where staff would give detailed "hands-on" instructions demonstrating the steps involved in locating the information, but due to time constraints, would generally expect the inquirer to carry out the work)

I need to know the legislative intent of this change to the Insurance Act?

I need to know when this section of the Municipal Act was first enacted? I think it was in the 1800s.

I need to find all of the the provincial statutes and regulations that regulate health care across Canada.

(Examples of questions where staff would not attempt to give specific answers but would suggest or assemble particular books or services for the patron to consult. The volume of inquiries received permits a limited amount of time to be spent on individual questions and staff are not permitted to give legal opinions.)

Where an employer loses the services of an employee through an accident caused by a third party, can the employer sue for damages?

Does this credit application violate any privacy laws?

Can a pension fund sue under its own name?

Who owns the cremated ashes of my client's husband? My client asked her husband's parents to pick up their son's ashes. Now they won't give them to her.

My client was injured during the Santa Claus. Can we sue the municipality?

A refugee claimant belonged to an arm of the military in his home country that has been accused of crimes against humanity. What effect will this have on his refugee claim?

For sentencing purposes, will the court take into account a previous conviction that is 8 years old?

Can my client claim for workers compensation? He developed aviaphobia working at the airport

My client had a long-standing commercial relationship terminated without reasonable notice.

There was nothing in writing. Can we sue?

1/3/98

**COUNTY OF CARLETON LAW ASSOCIATION
ASSOCIATION DU BARREAU DU COMTE DE CARLETON**
Court House, Law Library, 161 Elgin Street, Rm. 2004
Ottawa, Ontario K2P 2K1

Tel: (613) 233-7386

Fax: (613) 238-3788

Email: info@ccla.ottawa.on.ca

TELECOPIER TRANSMITTAL FORM

DATE: March 25, 1998

TO: Holly Harris

FROM: Karen MacLaurin

NO. OF PAGES: 4

RE: REFERENCE QUESTIONS FOR WORKING GROUP MEETING

Attached please find a list of reference questions handled by staff at the CCLA library and compiled by Ramona Jaunceika-Devine, Lesley LeMarquand and myself. We did not divide our questions exactly as Janine Miller did in her list.

Our QUICK REFERENCE questions were handled in 5 minutes or less whether the client consulted us in person or over the telephone, fax or email.

Our REFERENCE/RESEARCH QUESTIONS required up to 30 minutes to answer. If the client was at the library, we would work with them through the steps and ensure they consulted appropriate tools. If their time frame was short, we would assist throughout the procedure. Most of these questions, however, involved staff doing research, checking the collection, QL, cd's and the internet, and making telephone calls to our contacts and then presenting a collection of materials or the appropriate expert to the client.

The RESEARCH QUESTIONS INVOLVING LENGTHIER RESEARCH TIME involved more steps in order to locate the answer or the expert with the answer.

We have not included the usual reference questions we handle daily such as: how do you update a statute? how do you update a regulation? how do I use the Abridgment in print or cd? These are reference questions where we walk the client through the steps and ensure they are comfortable with the procedure. The time required is dependent on the client.

Hope this helps.

Office of the Privacy Commissioner Legal Services Received
MAR 25 1998
Reçu Services juridiques Commissariat à la Protection de la vie privée

COUNTY OF CARLETON LAW ASSOCIATION
ASSOCIATION DU BARREAU DU COMTE DE CARLETON

SAMPLE REFERENCE/RESEARCH REQUESTS

QUICK REFERENCE - answered in 5 minutes or less

- Is the *Tenant Protection Act* in force? Do you know when it will be proclaimed?
- What are the ESC's and where can I find them?
- I need a copy of the Practice Direction from Justice Chadwick on court-connected mediation. Where can I get one?
- How do you calculate the percentage increase in the Consumer Price Index?
- Can you find the address of a lawyer in Belgium whose last name is xxxxxx?
- Do you have *The Law and Higher Education: A Case Book on Colleges in Court*? How can I get a copy?
- What is the federal government web site?
- Where can I obtain a copy of the Federal Court Case Management Rules which are coming into force in April?
- I am looking for a tax case XXXXX in the GTC but can't find it. Is this a correct citation for a reporter? Is there an alternate cite?
- What is the equivalent to Canada's Receiver General in the United States?
- Has the *Bulk Sales Act* been repealed?
- Can you find me the latest Practice Direction on new bail assignment forms?
- Can you get me a copy of the Quebec *Charter of the French Language* in English?
- Where do I locate tariffs for Small Claims Court?
- Can I get form 115 and 116 of the *Bankruptcy and Insolvency Act* in French?
- Where can I get information on joining the New York State Bar and sitting their exams?
- Where can I obtain information on the Commercial Law League of America?
- I need to know about XXXXXX, the Campaign Chair for the National XXXXXX Party. Is he a lawyer and where can I find more information?
- Have you got a cv on newly appointed Justice XXXXXX?
- Can you recommend a web site that consolidates whatever provincial legislation is available on the Internet?
- What is the Chadwick chart on costs and where do I find an explanation?

REFERENCE/RESEARCH INQUIRIES - maximum 30 minutes spent answering questions

- I am looking for an unreported Ottawa case on impaired driving - I think the judge was Bélanger. Where can I get a copy?
- How is the term "route salesperson" interpreted in Employment Standards policy?
- What is the limitation period in the *Alberta Employment Standards Act* for payment of wages?

- Can you get me a copy of an article from the *British Journal of Industrial Medicine*?
- I've tried getting a copy of an article in *International Immunology* but other libraries have been unable (unwilling) to help. Can you get it for me?
- Can I sue firefighters for negligence re: improper extinction of fire?
- There is an Italian/Latin inscription on the old court house "Per purificare la parabola". What does it mean and what is its origin?
- My client could be charged under s.9 of the *Radiocommunications Act*. Is it true that he won't have a criminal record?
- Where can I find the full citation for the Helsinki 5 international agreement on export guidelines?
- Is the federal Charter Challenges program still in existence?
- Are Ontario judgments re: shareholders agreements enforceable in Aruba and/or Panama?
- There is a list of questions for examination of judgment debtor. Where can I find them?
- I need to see a copy of an Order-in-Council from 1977. How do I get it?
- I'm looking for a copy of judicial conflict of interest guidelines. Where can I find them?
- Does India have a statute of limitations, particularly in the area of contracts?
- What is the meaning of the phrase "Material to the insurance"?
- What is the time period in which severance pay must be paid to an employee of the public service?
- What amendments have been made to the *Detroit and Windsor Subway Company Act*?
- I need to review decisions made by the Umpire under the *Employment Insurance Act*. I believe these decisions are referred to as the Canadian Umpire Benefits (CUBs). Where can I find them?
- What is the usual interest rate chargeable on an invoice for services rendered?
- I understand that under the new Child Support Guidelines those who fail to pay support, or who pay late, can have their drivers' license revoked at renewal time. Is this true?
- Is "Khat" covered by the *Controlled Drugs and Substances Act*?
- What is the equivalent legislation in other provinces to Ontario's *Substitute Decisions Act* and *Powers of Attorney* legislation?
- What is the proper procedure and format for preparing an Appeal Book for the Supreme Court of Canada?
- Can I get a copy of the *Public Sector Pension Reform Act*? If that isn't the correct title, where do I find this information?
- Can you find all the provincial legislation which incorporates the Royal Canadian legion?
- What is the RAND formula?
- Is pepper spray legal? Where do I find the lists of banned substances?
- Where can I get more information on the stock fraud case involving Irving Kott in the 1970's?
- There is a CLE programme on the *Canada Labour Code* being held this month somewhere in Canada. Where can I find more information?
- Where can I get a copy of a case involving termination of an employee and Dare Personnel?
- Where can I find a pardon application form?
- Where can I find cases dealing with suspensions of liquor licenses, over the past 5 years, due to serving illegal alcohol?

- Where do I find information on admissibility and authentication of computer printouts?
- What legislation does the NWT follow in terms of fraudulent conveyances?
- What is the history of wearing wigs in court?
- How and where do I find the authoritative textbook setting out how to train and race horses? I need this for an upcoming arbitration hearing.
- The President of my condominium went bankrupt but did not resign. How do I obtain more information about the bankruptcy and whether or not it has been discharged?
- Are private libraries exempt under Bill C-32?
- Does the AG have a green paper on contingency fees?
- What is the proper citation for the *Rome Copyright Convention*?
- Under ss. 18 or 20(1) of the *RCMP Act*, is there an arrangement with Ontario to enforce provincial law through the RCMP?
- The CBC needs to interview family law lawyers regarding Kanata boys suing their father for support. Can you provide names and more information on the case?
- Can you provide me with cases involving damages for whiplash greater than \$45,000?
- Judge Sparrow read her reasons in Court re: sentencing in the *R v Lorange* case. She is on vacation and no one has a copy. Where do I get a copy of the written reasons?
- Where can I find practical information on the mechanics of setting up and operating a Benevolent Fund?
- My client was forced to get out of the military under the "fat man" policy? Is there a statute of limitations and what is the procedure for redress?
- Where can I find a copy of an old Ontario case heard by Judge MacTavish on February 21, 1900 - *Burroughs v Burroughs*?
- What is the enabling legislation for the National Defence Medical Centre?
- Where do I find the form under the Narcotics Control regulations SOR/78-154, s.2?

RESEARCH QUESTIONS: REQUIRING LENGTHIER RESEARCH

- I want to determine what the law says regarding the incontestability of contracts for disability insurance. My client was disabled some years ago, the original insurance application was honoured and the insurance company has been paying out for some years. Now they are refusing to continue to honour the claim. I don't know where to find the answer - possibly in the legislation or in common law? Where should I be looking?
- I've heard about people selling their homes by holding contests. My client wants information about this. Do you need a special licence?
- Would the *Tobacco Control Act* fall under a strict or absolute liability situation?
- Two municipalities in Ontario are amalgamating. One of them wants to protect money in a "reserve fund" to apply to their former municipality. Can this be done?
- Funds were collected to lobby against a bill. There is an excess of funds now that the lobbying is complete. Is there provincial or federal legislation which describes how such funds must be disposed of?

g:\wp61\library\refquest.wpd

MIDDLESEX QUESTIONS

(a selection, in the order received)

1. What is the address for the Director of the Ministry of Consumer & Commercial Relations.
2. I need a recent Ontario Court of Appeal case—Doherty was one of the judges—concerning a statement given to an insurer that can be used against the giver at an arson trial.
3. What is the address of the Ontario Court General Division in North Bay.
4. In a QL case, how do I go to a particular phrase without having to page through each of the 34 screens.
5. Do we have two specific CBAO binders? (did not include titles here)
6. Where on QL can I find information on victim authored sentencing?
7. Do we have a source that consolidates the old Education Act with the new Bill 160.
8. Do we have the “American Abridgement”?
9. I need a copy of the Workplace Safety & Insurance Act enacted 1997.
10. How many practising lawyers are there in Middlesex County? What percentage of these are MLA members? 87% (623/722)
11. Do we have the B.C.W.L.D.?
12. Are there any recent materials on drainage law? Do we have Drainage Cases?
13. I need the act and any books on the Substitute Decisions Act.
14. What is the most recent edition of the Annotated H.T.A.? Do we have it? Is it in?
15. Can you show me how to work the C.E.D. on CD-ROM?
16. I’m looking for the full-text of a W.C.B. case and I’m having trouble pulling it off QL.
[Ed. note: that’s because it isn’t in the ORP database!]
17. Where would I find a book with the latest amendments to the Bankruptcy...Act included.
18. How do I find the in force date of a particular Criminal Code amendment.

Metropolitan Toronto Lawyers Association - Court House Library
Information/Reference Questions* - March 16-25

*does not include direct requests for cases to be faxed or photocopied or staff assistance with lawyer access to QL

1. Questions directed to computer assisted legal research service

- Copy of a case (unreported and reported) or noting up of a case - 31 requests
- cases/info on phrase "ostensible authority"
- suit of an insurance company against an uninsured motorist for damages
- fiduciary duty of financial advisor to client
- committal at preliminary hearing on charges of possession of narcotic for purposes of trafficking
- opening address by crown referring to evidence later ruled inadmissible
- disclosure of draft report from expert witness
- sexual assault and conditional sentence
- interim injunction, preservation of goods sold
- water in basement
- exclusive dealership agreement
- sexual assault more serious than "touching"
- conditional sentence for trafficking in narcotic

2. Examples of specific items questions (61 requests)

- several were for particular textbooks
- requests for rules of practice, criminal code, rules of criminal procedure
- requests for particular report series
- directories (lawyers, phone)
- particular statutes or regulations
- pre- and post-judgement interest rates
- meanings of abbreviations
- medical dictionary

3. Examples of questions requiring some intervention (59 requests)

- finding citations for particular cases
- which gov't agency deals with gaming houses and social clubs
- information on custody and access
- how to use particular products - eg. Canadian Abridgment, looseleaf reporters, Halsbury etc.
- general materials on specific areas of law - eg. occupier's liability, estates administration, no-fault insurance, etc.
- history of a case - how to find
- finding alternate cites
- consideration of and updating statutes and regs

-appropriate precedents/forms for particular situations

2.

-how to find out if someone has a will

-info on electronic registration (real estate)

4. More complex reference questions

-history of criminal courts in Quebec - turned out that lawyer wanted transcript of an 1880s case!

-what constitutes a "fair trial"

-comparison of Mechanics' Lien Acts across the country

-comparison of Garage keepers/storage keepers legislation

-damages for mental problems caused by seeing a fire

-information on "detrimental reliance"

-information on "abusive dominance"

NOTE

-time period in which questions were gathered included March Break which may have affected number and type of questions

-roughly 1/3 of these questions were "court-generated"



Main Lobby, Central Library

305 Queens Avenue, London, Ontario N6B 3L7

• Phone: (519) 661-2300 • Fax: (519) 661-2556

• E-mail: research.unlimited@treasure.lpl.london.on.ca

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- current awareness clipping services: we monitor current literature for you
- resource lists: of articles, publications, addresses - you tell us!
- tours of library resources tailor-made for your clients and staff
- quick copying and delivery of articles

You will receive ~

- the information you need, at your office or home, by fax, courier or mail

We promise ~

- reliable, confidential and customized solutions in a timely manner - your deadline is our deadline.

Our rates ~

- your cost varies according to the complexity of your request. Based on our experience, we find that many searches are completed in less than 1 hour.
- fee includes professional research rate, disbursements such as photocopying, faxing, on-line databases charges, & delivery costs.
- feel free to contact us anytime for a no obligation estimate of your request.

Some sample requests and typical costs ~
actual costs depend on complexity of search and resources used

Mailing lists: "My company is targeting service companies in Southwestern Ontario with more than 20 employees. Can you provide me with a list?" ... *in mailing list format \$100*

Industry profiles: "What's the present state and future prospects of the biotechnology industry in Canada?" ... *bibliography and full text articles \$100*

Resource lists: "I need an update of AIDS research reported in the last two months." ... *bibliographic citations \$40*

Local research: "I need information about one of London's landmarks for a magazine story." ... *articles and archival material \$50*

Company profiles: "Can you give me some background information on a company to whom I am about to make a proposal?" ... *recent articles & financial statements \$60*

Current awareness: "I would like to know how frequently my law firm is mentioned in the London Free Press and Financial Post." ... *bibliographic citations \$30/month*

Fax service: "I need an article I saw last Wednesday in the Globe & Mail - in my hands before lunch!" ... *faxed copy \$5*

General: "I'm writing a novel and need to know what was going on in Toronto on November 16, 1947. Can you give me some detailed information?" ... *newspaper articles \$35*

This page was last modified on July 10, 1998.

All About LPL	Services/Programs	Reference Desk	On the Shelves
Career Centre	Kids' Club	Just for Fun	Catalogue
Around Town	Search our Site	Feedback	Home

London Public Library 305 Queens Ave. London, Ontario CANADA N6B 3L7

I The Assignment

The assignment was to look at the various kinds of legal research from the point of view to their current and possible future adaptability to hard copy and electronic format. Recall that the kinds of legal research for these discussion purposes are considered to be:

1. Primary study and training
2. Scholarly research and writing
3. Current awareness
4. Continuing legal education
5. Research done in normal preparation of our files (pro-active research)
6. Panic research (reactive research)
7. Updating existing legal research

(Please note that the classification of research is not the same as the classification of legal material. The former is a classification of activities while the latter is a classification of material. It has been said that legal material can be classified under the following heads: case reports, statutes and regulations, statute citators, articles and texts, cases judicially considered and case law digests.

II Some Advantages and Disadvantages of the Media

1. Hard Copy

Advantages

- ☐ large volume of it already exists
- ☐ no learning curve to use
- ☐ portable
- ☐ no technology needed to read
- ☐ lends itself to study and browsing

Disadvantages

- ☐ expensive to produce, store and distribute
 - ☐ ties us to the publishers' cartel
 - ☐ we lose control of our own product
- ☐ non-dynamic; does not cross reference itself readily; to achieve the cross

referencing we do, we consume vast amount of paper and expertise

- unwieldy to revise and update (see related point below)
- wastes a lot of paper: especially:
 - looseleaf updates which require an entire sheet to change a few words all of which may go unread
 - much paper volume necessary to achieve cross referencing.

2. Electronic

Advantages

- “democratic” in that it can be produced by anyone
- collapses the traditional classifications of functions of libraries, continuing legal education, communication and even the very production of material
- dynamic and interactive; both the user and the producer of the writing can change the product and provide for electronic cross reference
- lends itself to case research, updating, database archiving; less so to study and browsing

Disadvantages

- needs to be learned
- cost of technology; libraries will have to provide sufficient machines to enable people to read the product; this leaves open the question as to whether we provide enough machines to service the users typically present on the Director’s visits to the libraries or enough to service the number of users present on the day previous to those visits
- not a comfortable way to read
- copyright problem; gaining access to the product

III Primary study and training

- | | | |
|----|------------------------------|--|
| 1. | Kinds of legal material used | All |
| 2. | Format | Hard copy; CD-ROM and online |
| 3. | When/where used | Libraries, home, prolonged and not necessarily near computer |

- | | | |
|----|-------------------|--|
| 4. | Features of use | Spans entire gamut of legal material |
| 5. | Where we might go | <p>Writers will generate work for online use rather than for published writing. Writers will prepare hot links in original material just as they underline and bold now. In an even more advanced scenario, we could all have electronic paper books, such as was described in one of the articles we received from Susan. As we read this material, we could tag pertinent sections to be sent elsewhere. An example of use might be the writing of an essay consisting of several discrete sections. We could tag portions to be sent to files subdivided according to the section of the essay. These would form the footnotes or study comments for the actual writing of the essay. It is easily conceivable that the footnoting would be done automatically.</p> |

IV Scholarly research and writing

As in primary study and training

V Current awareness

- | | | |
|----|------------------------------|--|
| 1. | Kinds of legal material used | Case reports, articles and texts |
| 2. | Format | Probably hard copy |
| 3. | When/where used | Slack time; probably not near a computer |
| 4. | Features of use | <p>Casual browsing, fortuitous discovery. Informal and varied settings in which this takes place makes it less of a candidate for on-line and CD-ROM</p> |
| 5. | Where we might go | <p>Some room for links online. As we read this, we could send it to files for later use. (For example, while browsing our electronic <i>Ontario Reports</i>, we might come upon a case applicable to a particular matter we are handling. We</p> |

could tag relevant sections to be sent to the client file.)

VI Continuing legal education

- | | | |
|----|------------------------------|---|
| 1. | Kinds of legal material used | Articles |
| 2. | Format | Hard copy but some disk presentation to achieve economy |
| 3. | When/where used | At and after presentations |
| 4. | Features of use | Typically involves expensive travel for many to attend sessions |
| 5. | Where we might go | Writers will prepare hot links in original material just as they underline and bold now. This has the advantage of putting all of the background and statutory material in front of the reader at first reading.
Interactive chats on Internet or Intranet |

VII Research done in the ordinary course of case preparation (pro-active research)

- | | | |
|----|------------------------------|--|
| 1. | Kinds of legal material used | All |
| 2. | Format | Hard copy; CD-ROM and on-line |
| 3. | When/where used | Can be anywhere but more likely to be near a computer
Done in an orderly way in preparation for later needs |
| 4. | Features of use | Reduced time pressures such that the researcher can use the best features of all formats |
| 5. | Where we might go | Optimized use of hard and electronic copy Users could, for example, resort to hard copy summaries of the law and branch onto disk for more esoteric discussions facilitated by hot links to other sources. Some might prefer to use more advanced texts in hard copy to deal with some of their problems. We could increasingly make this available in electronic format |

VIII Panic research done in difficult circumstances in trial or negotiation situations
(reactive research)

- | | | |
|----|------------------------------|--|
| 1. | Kinds of legal material used | All with emphasis on case reports, digests, statutes and regulations |
| 2. | Format | Hard copy; CD-ROM and on-line |
| 3. | When/where used | Usually at court; more likely to be near a computer |
| 4. | Features of use | In time pressure situations |
| 5. | Where we might go | Optimized use of hard and electronic copy |

IX Updating existing legal research An obvious candidate for electronic research

COUNTY LIBRARY CATALOGUING COSTS TO THE GREAT LIBRARY

Function	Type of cost	Time spent in a year	Annual cost in \$
Cataloguing of titles GL does not have (therefore requires original cataloguing)	(a) staff costs (cataloguers) (b) deriving from a utility	120 hrs	2,900.00 164.00
Adding county locations; generation of labels, shelf list cards, floppies, CD-ROM	staff cost (Aurora)	18 weeks	11,769.00
Card and labels stock, floppies			700.00
Mailing	Canada Post parcel charges		????
CD-ROM catalogue	Vendor's cost		6,100.00
Best-Seller annual maintenance fee	Vendor's cost		7,475.00
Unix annual maintenance	Vendor's cost		4,608.00

NOTE: If the Great Library stopped performing these services for the County Libraries, each county would need to do the following:

1. Have its entire catalogue produced. The Great Library could provide the data (on a tape) but a vendor would have to take this data and create 47 individual catalogues. Those could be either card catalogues or electronic catalogues. (This would be an Initial cost)
2. In the case of card catalogues, the librarians would need to file these cards in proper order. (Initial cost)
3. If a county opts for an electronic catalogue software would need to be purchased. (Initial cost)
4. The ongoing cataloguing with its related functions (labels, shelf list cards) could be performed
 - (a) in each library, or
 - (b) by a vendor (either for the whole group or for a selection of libraries who choose this route.

(This would be an Ongoing cost.)
5. Where a card catalogue is selected as an option, cards will have to be filed on an ongoing basis. (Ongoing costs)

OTHER COSTS INCURRED OR SERVICES PERFORMED FOR THE COUNTY LIBRARIES BY THE STAFF OF THE GREAT LIBRARY

Technical support provided by Great Library Systems Administrator.

This amounts to approximately 12 hours per month.

Added to the time spent are the actual costs for long distance telephone charges which the library absorbs.

Acquisitions department

Provides a monthly booklist. This takes approximately 4 hours to prepare. 47 copies are then produced and mailed, actual costs amount to \$87.55 a month excluding the staff time it takes to do this.

CDLPA Library Committee

This committee, made up of 25 Regional County Library Chairs and several County librarians, meets twice a year at the Law Society. The funding for travel, accommodation and meals is accounted for in the Great Library budget. In 1998 the amount allocated was \$22,000. These funds were not budgeted against the monies collected for the County libraries.

County Librarians

County librarians are invited to attend an annual educational meeting in Toronto in October every year. The Great Library budget includes an amount to cover the travel expenses and meals at the Law Society over the two days of the meeting. These funds were set at \$10,000 for the 1998 budget year. Funds for accommodation are supplied by the local County Association for their librarian.

Director of Libraries

Funds in the amount of \$11,000 are provided annually to pay for the Director of Libraries to travel to the 47 County Libraries. The Director of Libraries spends part of every day on County Library matters. This time ranges from a short phone call to deal with a problem or provide an answer to a question, to several hours preparing and negotiating a group product purchase on behalf of the County Libraries, dealing with the insurance company on the policy, monitoring the budgets and assisting in solving local problems.

WHAT IS INVOLVED IN CATALOGUING COLLECTIONS AND WHY IS IT DONE?

Books and the information contained in them (which a library acquires at a high cost) would be of little use to a library user if the library did not provide systematic access to them. This access is provided by way of (i) the library catalogue and (ii) the organized arrangement of books on the library's shelves.

The library catalogue is a listing of all books in the library's collection. The basic function of a library catalogue is to show users what the library has by a certain author, title or subject. Additional searching capabilities provided by electronic catalogues broaden the traditional author/title/subject access as the searching can now be done by using almost any word in a catalogue record. The quality of the catalogue determines the success of finding relevant information in the library's collection, and the expediency with which it is located.

An organized arrangement of books on library shelves is accomplished by assigning each book a "call number". The call number is a book's shelf address. It expresses each book's subject and places it with similar books in that subject area on the shelves. The use of call numbers is facilitated by employment of a classification scheme. Classification schemes are elaborate and methodically developed tools which group subjects together in an order relevant to each area of knowledge (see the enclosed outline).

How is cataloguing done?

To carry out their cataloguing programmes, libraries employ staff who specialize in cataloguing. They (i) ensure that each book and the information contained in it is properly catalogued and represented in the library catalogue, (ii) maintain the catalogue and ensure its integrity and consistency, (iii) select the relevant software and hardware and keep updating it as the technology advances, (iv) are responsible for proper functioning of the existing software, (v) maintain internal files that keep an inventory of each physical item in the collection, (vi) generate spine and circulation card labels, (vii) prepare the books for shelving (place the labels on and in the books, set up storage boxes, etc.).

Cataloguing a book involves a number of steps:

A standard catalogue record is comprised of:

- (1) Physical description which captures the author's name, title, place of publication, date of publication, pagination or number of volumes, size, price, etc. In addition to these, each library may expand this standard record by including additional information considered to be important to its special clientele. For example, many law books "hide" valuable and often hard to come by information in the documents appearing in the appendices. The cataloguer assesses the value of such information to the library's clientele and notes the existence of these documents in the catalogue record. Another type of note produces a list of authors and titles of each paper in a collection of individual papers (e.g., CLE programmes). Having these notes indexed ensures that each document can be easily located through a catalogue search.
- (2) The second step involves assigning subject headings to the book. The role of a cataloguer is to identify the topic(s) of the book and translate this into suitable subject headings. To ensure consistency in the use of subject headings cataloguers

use standard lists of subject headings such as the list developed by the Library of Congress from which they select and assign appropriate headings. These headings are then indexed to enable the catalogue user to look for a book by subject. Assigning subject headings is a very demanding task involving a selection of the most appropriate subject headings as well as making a decision on the depth of the subject analysis (i.e., is one general subject heading enough, or should the book be assigned a variety of more detailed and specific headings?). The degree of depth of subject analysis will depend on a number of factors: (i) the knowledge the cataloguer has about the information needs of the library's clientele; (ii) how well he/she knows the library's collection; (iii) how important it is to the library that the user finds all the information available in the collection and that it is found speedily.

- (3) The next step is to send the book to its proper place on the shelf. This is done by assigning a "call number" (address) to the book. In the process the cataloguer selects, from a classification schedule, a number that best expresses the book's subject matter. This basic number is then expanded by additional numbers which allow the books on one subject to be grouped by jurisdiction, and within a jurisdiction by author or title. The arrangement of books by their subjects facilitates open access to the library shelves whereby library users can find all the books on one subject in one place and can consult each book on the shelf.

Why Isn't there a Central or Pre-Catalogued System for Books?

Cataloguing is a very time consuming task. To catalogue an individual book and get it on the shelf may be as quick as two hours or as slow as half a day. The library community's various efforts to cut down on cataloguing costs by providing cataloguing data from central agencies have not met with success.

Cataloguing-In-Publication (CIP) is a programme which set out to provide a cataloguing record in each book published by major Canadian and U. S. publishers. Because these catalogue records are created before a book is completed and published they contain incorrect data and are very crude and incomplete; they also lack, in most instances, classification numbers from the special classification scheme used in the Canadian law libraries. In addition, only about 25% of books received in the Great Library for example include the CIP record.

Computer technology brought about a new kind of programme - national bibliographic databases. These central databases made the cataloguing of the national libraries such as National Library of Canada or the Library of Congress available to the subscribing libraries. At the same time the subscribing libraries contributed their own catalogue records thus increasing the volume of records available. In addition to providing access to their databases the database providers generated catalogue cards and book labels for each subscribing library. As the individual libraries began to acquire their own automated systems, they stopped contributing their records to the central databases. As a result the Canadian database presently contains catalogue records provided mainly by the National Library of Canada and the Library of Congress. As these agencies are far behind with their cataloguing, their catalogue records become available too late for those libraries which need to get their books catalogued and on the shelves as quickly as possible.

The Cataloguing Staff

Cataloguing departments requiring more than one cataloguer divide the work between professional librarians (graduates of a Master of Information Science programmes),

paraprofessional librarians (library technicians with a college diploma) and library clerks. The work of a cataloguing department is naturally determined by the library's overall mandate. The staff responsibilities outlined below describe the basic functions only.

Professional librarians/cataloguers are responsible for subject cataloguing (assigning subject headings and classification numbers). They also review the work of library technicians (descriptive cataloguing) and examine each book to ascertain if special notes are needed to note any documents included in the book (e.g., appendices, special tables, etc.). Besides cataloguing activities, professional librarians/cataloguers are responsible for the selection and installation of software/hardware as well as for the ongoing review of new software/hardware with the view of enhancing access to the collection and reducing cataloguing costs. Professional librarians are also responsible for the proper functioning of the existing software reviewing and revising the system's configuration on an ongoing basis to enhance the system's functions.

Library technicians, are responsible for the descriptive cataloguing.

Library clerks generate book labels and prepare books for the shelves. They also maintain internal library files - inventory files.

LIST OF CORE TITLES FOR COUNTY LIBRARIES
(as recommended by the reference staff of the Great Library - 1998)

AUTHOR	TITLE	PRICE
Armstrong, Anne E.P.	<i>Estate Administration: a solicitor's reference manual, 1984 -</i>	\$250.00 Looseleaf
Ball, Stacey Reginald	<i>Canadian Employment Law, 1996 -</i>	\$185.00 Looseleaf
Brown, Craig	<i>Insurance Law in Canada, 1997</i>	\$60.00
Chotalia, S. Pundit	<i>Human Rights Law in Canada, 1995 -</i>	\$130.00 Looseleaf
Dunn, G. William and Graye, Wayne S.	<i>Marriott and Dunn Practice in Mortgage Remedies in Ontario, 1991 -</i>	\$195.00 Looseleaf
Fridman, G.H.L.	<i>The Law of Agency, 7th ed., 1996</i>	\$86.00
Fridman, G.H.L.	<i>The Law of Contract in Canada, 3rd ed., 1984</i>	\$110.00
Harris, Peter J.	<i>Young Offenders Act Manual, 1984 -</i>	\$169.00 Looseleaf
Houlden, Lloyd W. & Morawetz, Geoffrey B	<i>The 1998 Annotated Bankruptcy and Insolvency Act, 1997</i>	\$95.00
Law Society of Upper Canada	<i>Legislation and Rules Manual/Professional Conduct Handbook, 1994 -</i>	Looseleaf
Linden, Allen M.	<i>Canadian Tort Law, 1997</i>	\$186.00
MacDonald, James C. et al.	<i>Law and Practice under the Family Law Act of Ontario, 1986 -</i>	\$85.00 Looseleaf
MacDonald, James C.	<i>Canadian Divorce Law and Practice, 2nd ed., 1986 -</i>	\$390.00 Looseleaf
Macklem, Douglas N. and Bristow, David I.	<i>Construction, Builders' and Mechanics' Liens in Canada, 6th ed., 1980 -</i>	\$185.00 Looseleaf
McIntyre, W.A.	<i>Practical Wills Drafting, 1992</i>	\$86.00
McKenzie, Gavin	<i>Lawyers and Ethics: Professional Responsibility and Discipline</i>	\$145.00 Looseleaf
Mole, Ellen E.	<i>Wrongful Dismissal Practice Manual, 1986 -</i>	\$440.00 Looseleaf

AUTHOR	TITLE	PRICE
Ditta, Susan and Crisp, Heather and Joffe, Hal	<i>Ontario Limitation Periods: a handbook of limitation periods and other statutory time limits, 1978 -</i>	\$185.00 Looseleaf
Orkin, Mark M.	<i>The Law of Costs, 2nd ed. 1987 -</i>	\$100.00 Looseleaf
Salhany, Roger E.	<i>Canadian Criminal Procedure, 5th ed.</i>	\$165.00
Segal, Murray D.	<i>The 1998 Annotated Ontario Highway Traffic Act</i>	\$65.00
Sopinka, John, Lederman, Sidney N. and Bryant, Alan W.	<i>The Law of Evidence in Canada, 1992</i>	\$203.00
Waddams, S.M.	<i>The Law of Damages, 2nd ed., 1996 -</i>	\$174.00 Looseleaf
Williams, E. K. and Rhodes, F. W.	<i>Canadian Law of Landlord and Tenant, 6th ed. 1988 -</i>	\$375.00 Looseleaf

Examples of the Titles Cut by County Libraries in Response to Recent Financial Experiences

In response to the questions:

- "a) What have you had to cut from your collection?
- b) What have you been unable to acquire that you feel was necessary in your collection?"

posed by the Working Group to six of the County Libraries, the following details were received:

Sudbury - starting January 1, 1996 cancelled about ½ their loose-leaf subscriptions including: the Canadian Abridgment, the Canadian Encyclopedic Digest, Houlden on Bankruptcy Law in Canada, MacDonald Canadian Divorce Law and Practice, McLeod Breathalyzer Law in Canada, Armstrong Estate Administration, MacDonald Law & Practice under the Family Law Act, Marriott Mortgage Remedies, Watson Ontario Civil Procedure and Harris Wrongful Dismissal; in September 1997 they cancelled several more publications, including: the Practitioner's Income Tax Act and GST Annotated, Bowland Annotated Ont. Human Rights Code, Weekly Digest of Family Law, Canadian Rights Report and Atrens Criminal Procedure.

Windsor - cut all digest services, all components of the Canadian Abridgement, a few reporter series such as Ontario Family Law Reporter, Criminal Reports and a few loose leaf services such as Canadian Regulation Service, Ontario Criminal and Sentencing digest and both the All England Reports and the Supreme Court of Canada Decisions, totalling about \$20,000 or 20% of the book budget. The cuts were implemented over a two year period starting in 1997 and were made in response to statements about future funding cuts warning the association that funding could be cut in the next year with less Law Foundation money available.

Hamilton - tried to cut only titles such as ACWS and Dominion Tax Cases which are available in some other format such as QL but found that lawyers were often unsatisfied because they didn't realize the material was available in another format. Also cut the paper parts to many subscriptions such as the DLRs and could not purchase the Carswell "Words and Phrases" set even though one volume had been received as a promotion and lawyers were interested in using the others.

Thunder Bay - cuts from the collection ACWS, CCH Canadian Director's Manual, Halsbury's Laws of England (3d) Canadian converter and is considering cancelling several loose-leaf services, ordering the annual replacements instead. Space is a critical problem and they would like to order more CD-ROM products and cut the print materials.

Middlesex - since 1996 have cut about \$20,000 in texts, law reports and services including many British materials (The Digest, Halsbury's) and U.S. reference materials (Corpus Juris) plus second copies of popular Canadian texts such as Choate on Discovery and Segal's Manual of Motor Vehicle Law. Titles cancelled include the soft parts of many case reporters such as RPR, MVR, RFL, Employment Law, Insurance Law, Criminal Reports and the CCLT. Lawyers from smaller counties use the library,

particularly for non-Canadian sources so the cuts have been felt in many counties. Items they would have liked to have acquired but could not afford include the Federal and Ontario Statute Citators on CD-ROM and various CD-ROMs such as Personal Injury Partner. One problem is that if more CD-ROMs are acquired they will need another computer station to use them.

Ottawa-Carleton - in 1996 cut Halsbury's and The Digest; in 1997 cut all Maritime Law Book law reports (Alberta reports, B.C. Appeal Cases, Federal trial reports, Manitoba reports, National Reporter, New Brunswick Reports, Ontario Appeal cases etc.) and all 31 Matthew Bender texts, mostly looseleaf and mostly on advocacy; in terms of books not acquired, the latest edition of many texts such as Insurance Law in Canada, Linden Canadian tort Law, Remedies and the Sale of Land, McGregor on Damages, Benjamin: Sale of Goods, Canadian Native Law Reporter and current statutes and regulations for other provinces.

Publications Cost Comparison

Title	Print cost	CD-ROM cost	Content same on all	In package	Date on QL
CCH					
Canadian Securities Law Reporter	1,260	1,300 ~			
Canadian Family Law Guide	675	775			
Ontario Family Law	675	450			
Canadian Estate Administration Guide	530	610			
Canadian Estate Administration & Planning	668	850			
Canada Corporations Law Reporter	695	785			
Ontario Real Estate Law Guide	635	725 *			
Ontario Corporations Law Guide	595	665			
Alberta Corporations Law Guide	640	735			
British Columbia Corporations Law Guide	575	660			
Canadian Insurance Law Reporter	595	665 *			
Employment Standards (Benefits & Pensions; & Safety & Health)	750 750	695			
Focus on Canadian Employment & Equality	265				
Labour Relations	395	395			
Canadian Labour Law Cases	495	495			
Employment & Labour combined	415	1,100 ~			
Ontario Accident Benefit Case Summaries	355				
Ontario Pay & Employment Equity Guide	275				
Canadian Tax Reporter	1,270	1,750	Same		
Dominion Tax Cases	625				
Canadian Tax Library & Dominion Tax Cases	electronic only	2,595	Same as print components		1920-
Canadian Tax Library Plan & Tax Window	electronic only	3,395	Same as print components		
Canadian Tax Library Plan & GST Library	electronic only	4,050	Same as print components		
Canadian Current Income Tax Proposals	205				
Provincial Tax Reports All Provinces & Terr.	2,110		Same as print		

Canadian Tax Library plan & Provincial Tax	electronic only	5,995 ~	Same as all individual print components		
Canadian Goods & Services Tax Reporter	470				
Canadian GST & Commodity Tax Cases	320				
Canadian Income Tax Research Index	360				
Canadian Commercial Law Guide	645	740 *			
Alternative Dispute Resolution Practice	480				
Alberta Corporations Law Guide	560				
British Columbia Real Estate Law Guide	600				
Business Franchise Guide	1,350				
Canadian Government Programs & Services	425				
Canadian Health Facilities Law Guide	640				
Canadian Industrial Relations & Personnel Dev.	545				
Canadian Real Estate Income Tax Guide	285				
Canadian Small Business Financing & Tax	445				
Canadian Tax Forms	335				
Canadian Tax Objection & Appeal Procedures	305				
Canadian Transportation Law Reporter	475				
Common Market Reporter & Doing Business in Europe	2,945				
Copyright Law Reports	1,140				
Directors Manual	295				
Ottawa Letter	475				
Government Assistance Manual	250				
Provincial Legislative Record	260				
Trade Regulation Reports	3,245				
Canadian Corporate Secretary's Guide	395				

CANADA LAW BOOK					
Canada Statute Citator	275	945			1985- & current bills
Ontario Statute Citator	209	945			1990- & current bills 7/10 prov.
Canadian Criminal Law Library - CCCs Martin's Criminal Code	115 x 9 = 1035 77	1,150			1971-1986 D 1987- FT
Weekly Criminal Bulletin	212 x 3 = 636				1976- D
Dominion Law Reports - 4th series	139 x 10 = 1,390	1,150			1955-86 D 1987- FT
Dominion Report Service	electronic only	175/month			1964-
All Canada Weekly Summaries	175 x 7 = 1,225	Some on Statute CD			1977-
Ontario Municipal Board Reports	248	-			1989-
CARSWELL					
<i>Securities Partner</i> (Incl. relevant statutes)	electronic only	1,200			
Alboini: Securities Law & Practice	900	Incl. on CD			
Canadian Cases on the Law of Securities	135 x 4 = 540	Incl. on CD			1993-
<i>Corporate Law Partner</i>	electronic only	2,400			
Ontario Corporation Manual	460	Incl. on CD			
Canada Corporation Manual	460	Incl. on CD			
CBCA	21	Incl. on CD			
OBCA	24	Incl. on CD			
Fraser & Stewart: Company Law of Canada	150	Incl. on CD			
Business Law Reports	140 x 4 = 560	Incl. on CD			1986-
<i>Canadian Abridgment</i> - Case digests	3,600	1,500		*	1803-
Canadian case citations	2,475	700			

Canadian statute citations	1,295	740			
Canada Tax Service	1,395	2,995			
Canadian Encyclopedic Digest	2,100	1,200		*	
Civil Practice Partner	electronic only	2,200		*	
Carswell's Practice Cases	150 x 10 = 1,500	Incl. on CD			1985-
Ontario Civil Practice	522	Incl. on CD			
Ontario Small Claims Court Practice	68	Incl. on CD			
Holmested & Watson: Ont. Civil Procedure	68	Incl. on CD			
Sgayias: Federal Court Practice	96	Incl. on CD			
Supreme Court of Canada Practice	69	Incl. on CD			
Bankruptcy Partner (Incl. all relevant statutes)	electronic only	2,400			
Canadian Bankruptcy Reports (all series)	900	Incl. on CD			1984-
Houlden & Morawetz : Bankruptcy ...	700	Incl. on CD			
Estates Partner (Incl. relevant statutes)	electronic only	1,750		*	
Estate & Trusts Reports	750	Incl. on CD			1984-
Armstrong: Estate Administration	260	Incl. on CD			
Schnurr: Estate Litigation	90	Incl. on CD			
Criminal Law Partner (Incl. relevant statutes)	electronic only	1,950			
Crankshaw's Criminal Code	850	Incl. on CD			
Criminal Reports	1,134	Incl. on CD			1984-
Family Law Partner (Incl. relevant legislation)	electronic only	895		*	
Reports of Family Law (1971-)	130 x 7 = 910	Incl. on CD			1984-
MacDonald & Ferrier: Canadian Divorce Law	390	Incl. on CD			
McLeod: Child Custody	150	Incl. on CD			
MacDonald & Wilton: Law under FLA	290	Incl. on CD			
McLeod & Mamo: Matrimonial Property	240	Incl. on CD			
Wilton & Miyauchi: Enforcement of Family Law Orders & Agreements	150	Incl. on CD			
Municipal & Planning Law Reports	135 x 6 = 810				1986-
Ontario Regulations Service	650	Incl. on Ont. Statute CD			

Ontario Statutes & Bills	65	Incl. on Ont. Statute CD			1990-
Canada Regulations Index	660	Incl. on Can. Statute CD			Dec 1995
Real Property Reports	145 x 7 = 1015				1978-
Western Weekly Reports	145 x 10 = 1450				1968-1991 D 1991- FT
<i>Employment Law Partner</i> (Incl. legislation)	electronic only	1,800			
Canadian Cases on Employment Law	140 x 6 = 840	Incl. on CD			1984-
Canadian Cases on Pensions & Benefits	140 x 4 = 560	Incl. on CD			1993-
Sproat: Employment Law Manual	160	Incl. on CD			
Tarnopolsky: Discrimination & the Law	180	Incl. on CD			
Mendes: Racial Discrimination	104	Incl. on CD			
Harris: Wrongful Dismissal	240	Incl. on CD			
Rudner: Employment Insurance Statutes	70	Incl. on CD			
Canadian Cases on the Law of Torts	140 x 4 = 560				1983-
Canadian Cases on the Law of Insurance	145 x 7 = 1015				1984-
Motor Vehicle Reports	130 x 5 = 650				1984-
Canada Reporter - Federal	electronic only	1,800		*	
Canada Reporter - Ontario	electronic only	1,800		*	1971-1983 D 1984- FT
Administrative Law Reports	155 x 6 = 930				1983- FT
QL					
Canadian Judgments - all provinces					± 1981- FT
Supreme Court Reports	170				1876-1925 D 1926- FT
Federal Court Reports	200				1980- FT

[illegible]

TECHNOLOGY SURVEY

Given the Law Society's current proposal that CLE may be offered on-line in the near future, the Executive of CDLPA would like to have a general idea of how many in the profession have access to and are able to use a computer. Your response to this survey will help in this endeavour, and we would appreciate it if you would take a few minutes of your time to complete and return this survey.

Please circle the appropriate response:

1. Year of Call

Pre '60 60-69 70-75 76-80 81-85 86-90 91-95 95-97

2. Practice

Sole 2-5 6-9 10+

3. Do you personally use a computer at your office?

Yes No

4. If no, do you plan on purchasing a computer for yourself within:

1 year 2 years 3 years 4 years 5 years Never

5. If you do not have a computer at present, is the reason:

Cost Lack of computer skills

Other (please indicate): _____

6. If yes, do you use the internet?

Yes No

7. Do you use e-mail?

Yes No

8. What do you mainly use your computer for?

Research Docketing Pleadings Accounting

Other (please indicate): _____

9. How would you rate your computer literacy?

Excellent Good Fair Poor

10. Do you make use of the Quicklaw and Carswells programs currently offered at your local library?

Yes No

11. If no, why not?

Unaware it was available Have access at office Lack of knowledge

Other (please indicate): _____

12. If you (or your office) do not presently own a computer and do not have internet access, are you prepared to invest in the necessary technology to do this?

Yes No

13. If you do not presently have the necessary computer skills to do this, are you prepared to acquire or upgrade them?

Yes No

14. Are you generally in favour of the Law Society's suggestion that it will be a requirement for lawyers across the Province in the future to access the Law Society's Library resources through the internet?

Yes No

Completed surveys should be returned to:

CDLPA Head Office
133 Britannia Avenue
Hamilton, Ontario, L8H 1X2
Fax: 905-312-4554 1703

TECHNOLOGY SURVEY - RESPONSES FROM THOSE WHO USE A COMPUTER

TOTAL RECEIVED: 482

1. Year of Call

Pre '60	2%
60-69	7%
70-75	14%
76-80	18%
81-85	20%
86-90	16%
91-95	18%
95-97	5%

CDLPA TECHNOLOGY SURVEY

Distributed in *President's Voice Newspaper*

January/February 1998

N=631. Survey response rate:

2. Practice

Sole	42%
2-5	31%
6-9	8%
10+	19%

3. If yes, do you use the internet?

Yes	63%
No	37%

4. Do you use e-mail?

Yes	63%
No	37%

5. What do you mainly use your computer for?

Research	16%
Docketing	18%
Pleadings	21%
Accounting	23%
Word Processing	18%
Other	4%

6. How would you rate your computer literacy?

Excellent	16%
Good	38%
Fair	37%
Poor	9%

7. Do you make use of the Quicklaw and Carswells programs currently offered at your local library?

Yes	43%
No	57%

8. If no, why not?

Unaware it was available	6%
Have access at office	48%
Lack of knowledge	21%
Other	25%

9. If you(or your office) do not presently own a computer and do not have internet access, are you prepared to invest in the necessary technology to do this?

Yes	79%
No	21%

10. If you do not presently have the necessary computer skills to do this, are you prepared to acquire or upgrade them?

Yes	96%
No	4%

11. Are you generally in favour of the Law Society's suggestion that it will be a requirement for lawyers across the Province in the future to access the Law Society's Library resources through the internet?

Yes	56%
No	44%

**TECHNOLOGY SURVEY
RESPONSES FROM THOSE WHO DO NOT USE A COMPUTER**

TOTAL RECEIVED: 149

1. Year of Call

Pre '60	10%
60-69	22%
70-75	21%
76-80	21%
81-85	16%
86-90	9%
91-95	1%
95-97	0%

2. Practice

Sole	41%
2-5	39%
6-9	7%
10+	13%

3. If no, do you plan on purchasing a computer for yourself within:

1 year	24%
2 years	20%
3 years	15%
4 years	1%
5 years	10%
Never	30%

4. If you do not have a computer at present, is the reason:

Cost	23%
Lack of computer skills	58%
Other	19%

5. What do you mainly use your computer for?

Research	10%
Docketing	15%
Pleadings	20%
Accounting	30%
Word Processing	25%
Other	0%

6. **How would you rate your computer literacy?**

Excellent	1%
Good	2%
Fair	18%
Poor	79%

7. **Do you make use of the Quicklaw and Carswells programs currently offered at your local library?**

Yes	37%
No	63%

8. **If no, why not?**

Unaware it was available	5%
Have access at office	14%
Lack of knowledge	61%
Other	20%

9. **If you(or your office) do not presently own a computer and do not have internet access, are you prepared to invest in the necessary technology to do this?**

Yes	63%
No	37%

10. **If you do not presently have the necessary computer skills to do this, are you prepared to acquire or upgrade them?**

Yes	78%
No	22%

11. **Are you generally in favour of the Law Society's suggestion that it will be a requirement for lawyers across the Province in the future to access the Law Society's Library resources through the internet?**

Yes	26%
No	74%

Digital Libraries on the Internet

The report of the Working Group deals with the role of technology in law libraries. Today, the role of the Internet figures prominently in any discussion of technology. Librarians throughout the world are engaged in projects designed to "tame the Internet" and deal with the millions of pieces of information which can be accessed electronically through the Internet.

One of the biggest drawbacks to accessing any information on the Internet, including legal information, is that it is not well organized, relying instead on programmes called "search engines" to locate information. Depending on the key words you input and the search engine you use, you will get vastly different results while searching for information.

In response to this problem libraries are establishing web sites called "Digital Libraries" where they organize and catalogue electronic information, just as with paper information. This is such a vital requirement for efficiently accessing electronic materials on the Internet that many universities are actively pursuing the establishment of digital libraries. In one project, 15 major research libraries together with several industry partners in the United States have agreed to collaborate on the establishment of a digital library. It is a major undertaking, both technologically and from an information perspective and it will take many years to complete the architecture just to develop *requirements* for the placing and retrieval of information.

The Association of Research Libraries (<http://arl.cni.org/>) has posted a document at <http://sunsite.berkeley.edu/ARL/definition.html> which describes succinctly the concept of "Digital Libraries":

"There are many definitions of a "digital library." Terms such as "electronic library" and "virtual library" are often used synonymously. The elements that have been identified as common to these definitions are:

- The digital library is not a single entity;
- The digital library requires technology to link the resources of many;
- The linkages between the many digital libraries and information services are transparent to the end users;
- Universal access to digital libraries and information services is a goal;
- Digital library collections are not limited to document surrogates: they extend to digital artifacts that cannot be represented or distributed in printed formats.

Purposes

The purposes of a North American digital library system are:

- to expedite the systematic development of the means to collect, store, and organize information and knowledge in digital form; and of digital library collections in North America;
- to promote the economical and efficient delivery of information to all sectors of North American society;
- to encourage co-operative efforts which leverage the considerable investment in North American research resources, computing and communications networks;
- to strengthen communication and collaboration between and among the research, business, government, and educational communities;
- to take an international leadership role in the generation and dissemination of knowledge in areas of strategic importance to North America;
- to contribute to the lifelong learning opportunities of all North Americans."

These exciting developments in Internet library services are extremely expensive and at least five years from fruition.

County Libraries must monitor the progress of all technology, including digital libraries. However, the design and delivery of library services for Ontario lawyers cannot wait for these developments to take place.

MEMO

Re: **Legal Information Sites and virtual libraries on the World Wide Web**
Sample home pages

The following section contains sample pages downloaded from the World Wide Web (the Internet). The pages have been selected for inclusion because they demonstrate the range and breadth of legal information available on the Internet.

The sample pages are drawn from Canadian and American sites; government, university and private enterprise. Only the first page is shown for most sites as the purpose of reproducing the pages is to show the nature of the information which can be obtained.

At the end of these web site materials is some information which is posted at *The Internet Lawyer* web site, about using the Internet for legal research.

Note to Readers

The following sample pages are just the "tip of the iceberg" for each of the sources. Whenever a phrase is underlined, "double-clicking" the cursor on the phrase will provide access to the materials or source noted.

For example, the first page of the "Virtual Canadian Law Library" which is reproduced contains a list of titles under a heading "Legal Sources". Following each title there is a number in brackets. For example:

- Parliament and Legislatures (16)

appears as the first item under Legal Sources.

As it is underlined, double-clicking on the phrase will send the reader to another page, with a further list of topics. (The actual page which appears after double-clicking is the page which follows in the text).

The (16) reference indicates that there will be sixteen further references found once the page "Parliament and Legislatures" is accessed.



VIRTUAL CANADIAN LAW LIBRARY

[Français](#) [English](#)

• [Coming soon : a new Virtual Canadian Law Library](#)

Material organized by type or source

Legal Sources

- [Parliament and Legislatures](#)(16)
- [Legislation and Regulation](#)(50)
- [Governmental Departments and Statutory Bodies](#) (47)
- [Municipalities](#) (73)
- [International Resources](#)(91)
- [Judicial Decisions](#)(25)
- [Monographs and Periodicals](#)(39)
- [Canadian Law Faculties - Research Centres](#)(39)
- [Law Libraries](#) (19)
- [Law Related Organisations and Associations](#)(25)
- [Canadian Law Firms](#)(151)
- [Law Societies](#)(10)
- [Legal Publishers](#)(23)
- [Search Engines](#) (2)
- [Conference Proceedings](#)(12)

Legal Topics

- [Employment and Labor Law Resources](#)

Update: April 8th 1998

You are the 16789th visitor to come to this site since the 96/03/17. Thank You.

The Virtual Library is directed by professor Daniel Poulin. Dario Iezzoni was the first person to take care of the library. Jennifer Beaulieu continued his work. It is now Éric Labbé that is in charge.



VIRTUAL CANADIAN LAW LIBRARY

[Français](#)[English](#)

Material organized by type or source - Parliament and Legislatures

Federal Parliament

- [Parliament of Canada](#)
- [Committees of the House of Commons](#)
- [Debates of the House of Commons of Canada](#) (Hansard)

Provincial Legislatures

Alberta

- [Legislative Assembly of Alberta](#) (Access to the Hansard Index)

British Columbia

- [Legislative Assembly of British Columbia](#) (Access to the Hansard Index)

Manitoba

- [Legislative Assembly of Manitoba](#) (Access to the Hansard Index)

New Brunswick

- [Legislative Assembly of New Brunswick](#)

Newfoundland

- [House of Assembly Newfoundland and Labrador](#)

Nova Scotia

- [House of Assembly of Nova Scotia](#)
- [Debates and Proceedings](#) (Hansard)
- [Legislative Committees](#)

Ontario

- [Ontario legislative assembly](#) (Access to the Hansard Index)

Prince Edward Island

- [Legislative Assembly of Prince Edward Island](#) (Access to the Hansard Index)

Québec

- [National Assembly of Quebec](#)
- [Travaux parlementaires](#)
- [Journal des débats](#)

Saskatchewan

- [Legislative Assembly of Saskatchewan](#)

Other Jurisdictions

Northwest Territories

Yukon

| [PARLIAMENT AND LEGISLATURES](#) | [Legislation and regulation](#) | [Governmental departments and Statutory Bodies](#) | [Municipalities](#) | [International Organizations](#) | [Judicial Decisions](#) | [Monographies and Periodicals](#) | [Canadian law faculties - Research centers](#) | [Law library](#) | [Law related organisms and associations](#) | [Canadian law firms](#) | [Canadian law societies](#) | [Legal publishers](#) | [Directories of legal sites](#) | [Conferences](#) |

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VIRTUAL CANADIAN LAW LIBRARY



Français English

Material organized by type or source- Judicial Decisions

Federal Courts and Administrative Tribunals

- [Canadian Artists and Producers Professional Relations Tribunal](#)
- [Competition Tribunal](#)
- [Federal Court of Canada](#)
- [Supreme Court of Canada](#)
 - [Decisions of the Supreme Court of Canada relative to the *Charter of Rights and Freedoms*](#)
- [Standards Council of Canada](#)

Provincial Courts and Administrative Tribunals

Alberta

- [Alberta Human Rights Commission](#)
- [Alberta Labour Relations Board](#)
- [Natural Resources Conservation Board](#)

British Columbia

- [British Columbia - Court of Appeal](#)
- [British Columbia - Supreme Court](#)
- [Environmental Appeal Board Decisions](#)

Ontario

- [Environmental Assessment Board of Ontario \(Gopher Menu\)](#)

Québec

- [Banque Tribunaux du Québec](#)
- [Tribunal des droits de la personne](#)

Decisions by Subjects

- [Canadian Charter of Rights Decisions \(Minister of Justice of Canada\)](#)
- [Canadian Human Rights Reporter](#)

- [Case Digest hot picks](#) offered by the B.C. Continuing Legal Education Society
- [Decisions in computer law](#) (UQAM)
- [Decisions in constitutional law](#) (UQAM)
- [Decisions in criminal law](#) (UQAM)
- [Decisions on cyberspace law](#) (Electronic Frontier Canada)
- [Decisions in family law \(Quebec\)](#) (UQAM)
- [Director/Deputy Director of Waste Management, appeal decisions under the *Waste Management Act*](#) (British Columbia)

Searchable Databases

- [QuickLaw](#)
- [Soquijj](#) (Société québécoise d'information juridique)

[Parliament and Legislatures](#) | [Legislation and regulation](#) | [Governmental Departments and Statutory Bodies](#) | [Municipalities](#) | [International Organizations](#) | JUDICIAL DECISIONS | [Canadian law faculties - Research centers](#) | [Law library](#) | [Law related organisms and associations](#) | [Canadian law firms](#) | [Canadian law societies](#) | [Legal publishers](#) | [Directories of legal sites](#) | [Conferences](#) |

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VIRTUAL CANADIAN LAW LIBRARY

[Français](#) [English](#)

Material organized by type or source- Law Libraries

Canadian Libraries

- [National Library of Canada](#)
- [Supreme Court of Canada Library](#)

Provincial Libraries

Alberta

- [University of Calgary Law Library](#)
- [Alberta Justice Libraries](#)
- [University of Alberta Law Library - John A Weir Virtual Law Library](#)

British Columbia

- [University of British Columbia Legal Resources](#)

Manitoba

- [University of Manitoba Law Library - E.K. Williams Law Library](#)

New Brunswick

- [University of New Brunswick Law Library - Gerard V. LaForest Law Library](#)

Nova Scotia

- [University of Dalhousie Law Library](#)

Ontario

- [Queen's University Law Library - William R. Lederman Law Library](#)
- [University of Ottawa Law Library - On-Line Legal Information System \(OLLIS\)](#)
- [University of Toronto Law Library - Bora Laskin Law Library](#)

Québec

- [Virtual Canadian Law Library \(CRDP - Montréal University\)](#)
- [Laval University Libraries](#)
- [Virtual Law Library - Laval University](#)
- [McGill University Law Library](#)
- [Montréal University Law Library](#)
- [ATRIUM](#)

Saskatchewan

- [University of Saskatchewan Law Library](#)

Other Libraries

Northwest Territories

Yukon

[Parliament and Legislatures](#) | [Legislation and regulation](#) | [Governmental Departments and Statutory Bodies](#) | [Municipalities](#) | [International Organizations](#) | [Judicial Decisions](#) | [Monographies and Periodicals](#) | [Canadian law faculties - Research centers](#) | [LAW LIBRARY](#) | [Law related organisms and associations](#) | [Canadian law firms](#) | [Canadian law societies](#) | [Legal publishers](#) | [Directories of legal sites](#) | [Conferences](#) |

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[Click here to join the legal information revolution!](#)

WWLIA : The World Wide Legal Information Association
 Dictionary USA Canada Australia New Zealand UK
 Fun Kids Museum Police Station About Us Help Us
 Making Legal Information Available To The World



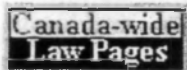
The Canadian Legal Information Centre

LAWisdom: "He's a lawyer, and to a lawyer, if it ain't complicated, it don't matter whether it works or not because if it ain't complicated up enough, it ain't right and so even if it works, you don't believe it."
 William Faulkner.

[Click here to join the legal information revolution!](#)

Info-centre For Canadian Legal Information On The Web.

AB - BC - MB - NB - NFLD - NWT - NS - ONT - PEI - QUE - SK - YUK



Information from lawyers; no \$400/hourly fee!

- [Canadian Human Rights Law Centre](#) ... "equal before and under the law and has the right to the equal protection and equal benefit of the law". **NEW!**
- [Canadian Bankruptcy Law Centre](#) ... bankruptcy, insolvency, credit bureaus, debt collectors and all that fun stuff. **NEW!**
- [Canadian Criminal Law Centre](#) ... get busted in style.
- [Canadian Real-Estate Law Centre](#) ... not "for sale".
- [Canadian Contract Law Centre](#) ... offered and accepted.
- [Canadian Trust Law Chamber](#) ... rise from the dead.
- [Canadian Law: A History](#) ... who was that Riel guy anyway?
- [Canadian Court Decisions & Legislation](#): list of what's Canadian & out there on the Web.
- [Canada's Law Societies](#): vital stats on Canada's bars; the legal ones, that is!
- [The Legal Dictionary](#): plain language, online and hypertexted
- [The Police Station](#): 911 on the Web.
- [For Kids Only](#): enter at your own risk!
- [LAW Museum](#) which includes:
 - [History of the Law](#) ... from Moses to GATT.
 - [LAW Archives](#) ... our verbatim collection of the important legal texts in history.
 - [LAW Hall-of-Fame](#) ... international and timeless.
 - [LAW Hall of Horrors](#) ... no thanks; not for me.
 - [LAW Hodgepodge](#) ... legal lore of all kinds and countries.
- [The WWLIA "Law School"](#): Enter here for a free law degree...if you've got what it takes.
- [LAWHumor: The Dumbest Things Ever Said In Court.](#)

- The World's Funniest Lawyer Jokes ... We've succumbed even though it may cause professional family stress.
 - About the World Wide Legal Information Association: just who the heck are we anyway?
 - Go to the Home Page of the WWLIA: the Mother of all WWLIA pages!
-

Rated  by Yahoo.



@canadas.net

Cool Site of the Day

The "World Wide Legal Information Association" is a proud made-in-Canada World Wide Web site (Canadian non-profit corporation based in Victoria, British Columbia).

Design and original concept: Lloyd Duhaime

URL: <http://wwlia.org/ca-home.htm>

[Click here to join the legal information revolution!](#)



HELP US HELP YOU!

We want to get bigger and better for you. Find out how you can help by clicking here!

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WWLIA : The World Wide Legal Information Association
 Dictionary USA Canada Australia New Zealand UK
 Fun Kids Museum Police Station About Us Help Us
 Making Legal Information Available To The World

Canadian Court Decisions & Legislation.

- [Court decisions \(case law; jurisprudence\)](#)
- [Legislation \(laws, statutes\)](#)

Note: Only a few governments have substantially completed the transition to an Internet-based legal information system. For judicial decisions and provincial statutes, the other provinces still leave, their citizens, both legal and lay, at the mercy of governmental or commercial legal publishers, charging horrendous prices.

For updates, corrections, or if you know of a Internet resource of Canadian court decisions or legislation that is not listed here, please leave us an e-mail by [clicking here](#) with details so that we can share it immediately with others. Thanks!

Canadian Court Decisions

- [Supreme Court of Canada decisions since 1989 including the most recent cases!](#)
- [Federal Court of Canada decisions](#)
- [British Columbia Court of Appeal and Supreme Court decisions](#)

Canadian Legislation

- [Canada: Statutes of Canada](#) ... the whole collection including the *Criminal Code*; but rumour has it that the *Income Tax Act* is missing
- [Canada: Divorce Act](#) ... our own home-grown version.
- [Alberta: Statutes of Alberta](#)
- [British Columbia: Revised Statutes of British Columbia](#)
- [New Brunswick: Statutes \("Acts"\) of New Brunswick](#)
- [Ontario: Statutes of Ontario](#)
- [Quebec: Lois du Québec/Statutes of Québec](#) ... *télécharger les fichiers, en format WordPerfect 5.1, des lois et des règlements du Québec* ... download Quebec statutes in WordPerfect format.

● [Canadian Legal Information Centre](#)

● Go to the legal information centre of [AB](#) - [BC](#) - [MB](#) - [NB](#) - [NFLD](#) - [NWT](#) - [NS](#) - [ONT](#) - [PEI](#) - [QUÉ](#) -



library publications

In addition to work for MPPs and legislative committees, the Ontario Legislative Library produces general distribution publications geared to Members' interests and needs. These publications may be of interest to the broader public and are made available here.

Library publications include the following long-standing series from the Legislative Research Service:

- **Notes** are short and timely summaries of task force or government reports, court decisions or other key policy developments;
- **Backgrounders** provide 5-7 page overviews of significant contemporary policy issues; and
- **Current Issue Papers** analyze complex public policy issues in more depth, reviewing relevant research literature, examining legislation or policy in other jurisdictions, and summarizing major lines of debate.

Notes

- N-15** **August Civic Holiday.**
July 1998, by Waltraud Al-Zain.
- N-14** **Accountability and Governance in the Voluntary Sector: Roundtable Discussion Paper.**
July 1998, by David Rampersad.
- N-13** **The Shanay Johnson Inquest Jury's Recommendations for Child Welfare.**
June 1997, by Ted Glenn.
- N-12** **Money Well Spent: Investing in Preventing Crime. A Report by the National Crime Prevention Council.**
March 1997, by Ted Glenn.
- N-11** **Alternative Service Delivery in Ontario: The New Public Management.**
January 1997, by Ray McLellan.
- N-10** **Funding of Private Religious Schools: Adler v Ontario.**
January 1997, by Susan Swift.
- N-9** **Excellence, Accessibility, Responsibility: Report of the Advisory Panel on Future Directions for Post Secondary Education.**
January 1997, by Alison Drummond.
- N-8** **Canada-Wide Accord on Environmental Harmonization.**
December 1996, by Lewis Yeager.
- N-7** **Recommended Internet Resources: Environment, Science & Nature.**
December 1996, by Lewis Yeager.
- N-6** **Same Sex Benefits: Dwyer & Sims v. Municipality of Metropolitan Toronto.**
November 1996, by Susan Swift.
- N-5** **British Columbia's New Ministry of Children and Families.**
October 1996, by Ted Glenn.

Backgrounders

- B-21** **Pros and Cons of Referendum.**
April 1998, by David Pond.
- B-20** **The Charter of Rights and Referendum Campaigns: The Case of Libman v. Quebec (Attorney General).**
April 1998, by Philip Kaye.
- B-19** **The Calgary Declaration.**
April 1998, by Ted Glenn.
- B-18** **Overview of Federal/Provincial/Territorial Referendum Legislation.**
April 1998, by Philip Kaye.
- B-16** **Saving for Retirement in Ontario: a Guide for the Perplexed.**
June 1998, by Ted Glenn.
- B-15** **BC Supreme Court Ruling on Charity Gaming.**
April 1998, by Andrew McNaught.
- B-14** **The Municipal Restructuring Process in Ontario.**
February 1998, by Jerry Richmond.
- B-13** **Electricity Restructuring and Nuclear Power Renewal in Ontario: A Glossary and List of Acronyms.**
February 1998, by Lewis Yeager and Christine Mills.
- B-12** **The Caucus in the Canadian Parliamentary System.**
December 1997, by Ted Glenn.
- B-11** **Ontario's Environmental Planning and Approval Process for Land Development: An Overview.**
December 1997, by Lewis Yeager.
- B-10** **"Who Does What" Reforms.**
February 1998, by Alison Drummond.
- B-9** **Negotiations on Self-government Arrangements with First Nations.**
September 1997, by Alison Drummond.
Provides a brief overview of past Aboriginal self-government initiatives, some current developments across Canada, and the effect of self-government on social issues in First Nations communities.
- B-8** **The Recent Round of Canada Pension Plan Negotiations.**
August 1997, by Ted Glenn.
Explains how the Canada Pension Plan operates and provides background on recent reform proposals.
- B-7** **Labour Mobility in the Construction Industry between Ontario and Quebec.**
April 1997, by Steve Poelking.
Explains the specific and distinctive framework for labour relations in the construction industry in Ontario and Quebec and problems for workers and contractors working in the other province.
- B-6** **Exotic Species in Ontario.**
January 1997, by Lewis Yeager.
Addresses the problems encountered when non-native aquatic animals and plants are introduced to lakes, wetlands and rivers.
- B-5** **Remembrance Day in Ontario.**
November 1996, revised October 1997 by David Pond.
Provides the salient facts on Remembrance Day in Canada, including a short history and overview of key policy issues related to Remembrance Day in Ontario.
- B-4** **Post-Secondary Education Reforms in Other Provinces.**
November 1996, by Alison Drummond.
Examines reforms in other provinces in response to lower funding levels for post-secondary education.
- B-3** **Gambling.**
September 1996, by Steve Poelking.
Provides a brief history of legalized gaming and an estimation of its impact on charitable gaming and gaming addiction.

Current Issue Papers

ontario

[Assembly](#) | [Government](#) | [Politics](#)

Legislative Assembly of Ontario

Legislative Assembly

Assembly Documents

[Budget Speech](#) and related documents

[Hansard](#)

[Members](#)

[Journals](#)

This page allows access to: Orders and Notices, Standing Orders of the Legislative Assembly, Status of Bills, Votes and Proceedings

[Throne Speech](#) and related documents

[Election Finances, Commission on](#)

[Elections Ontario](#)

[Environmental Commissioner of Ontario](#)

[Information and Privacy Commissioner](#)

Access to the Freedom of Information and Protection of Privacy Manual, annotation of access and privacy legislation and the Directory of Records (searchable).

[Ombudsman Ontario](#)

[Provincial Auditor, Office of the](#)



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Federal

Government of Canada

Links to federal departments and agencies, programs, and services. Allows document search.

News releases and new publications - Government of Canada

Regular updates from Web sites across the federal government.

Parliamentary Internet

Official site of Parliament with searchable full-text House and Senate publications for current session.

Canadian Government Electronic Directory Services

The searchable federal telephone directory.

Canadian Government Information on the Internet

Anita Cannon's gateway to federal, provincial, and municipal government sites. Subject and jurisdictional access.

Canadian Intergovernmental Conference Secretariat

Senior level intergovernmental meetings, current and archived; some reports full text.

Canadian Parliamentary Review

Full text of selected articles on Canadian politics and government published by the Canadian Region of the Commonwealth Parliamentary Association. Cumulative Index v. 1 to v. 21 available.

Canadian Public Policy

Formerly *Public Sector*, now only available on the Internet.

Centre d'information pour les francophones du Canada **NEW!!**

Public information centre on the French-language Internet services offered by the federal, provincial and territorial governments of Canada.

Frank Magazine

Selections from the satirical news magazine.

The Hill Times: Canada's Parliamentary Newspaper

Independent political news and information on events in Ottawa and activities of MPs and their staff. Links to Canadian political party sites.

Info 2000 **NEW!!**

Information, reports and links about the millenium bug, Treasury Board of Canada.

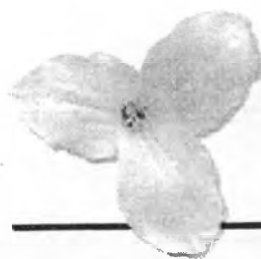
Intergovernmental Online Information Kiosk

Gateway to federal, provincial, and municipal government sites.

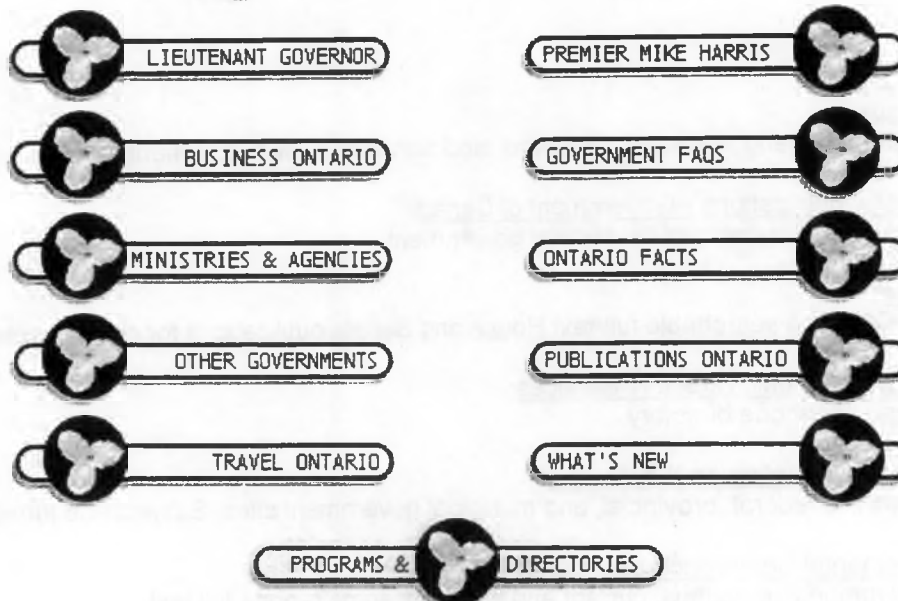
Statistics Canada

The Unity Link

A partisan pro-Canadian Unity site edited by Graham Murray



ONTARIO



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[Text version](#)

Comments, feedback and general inquiries to: feedback@gov.on.ca Technical inquiries to: webmaster@gov.on.ca

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PUBLICATIONS ON THE WEB

Other Interesting Sites

ONTARIO

[Main Menu](#)[Site Help](#)[Search](#)[What's New?](#)[Feedback](#)[Français](#)

The following is a partial listing of publications currently available on other Ontario Government sites.

- [Adoption Information](#)
- [Air Quality Index](#)
- [Bills and Status of Legislation](#)
- [Changes to the Retail Sales Tax Act](#)
- [Citizens Guide to the Land Use Planning System in Ontario](#)
- [Courts Administration - Help With Small Claims Court](#)
- [Employer's Guide to the Employment Standards Act](#)
- [Fire Safety for Apartments in Houses: For Homeowners and Tenants](#)
- [Fire Statistics](#)
- [Guide to Ontario Works](#)
- [Guideline for Safe Operation of Powered Lift Trucks](#)
- [Ministry of Agriculture, Food and Rural Affairs, Information and Resources](#)
- [Ministry of Education and Training - Online Publications](#)
- [Ministry of Health - Online Publications](#)
- [Occupational Health and Safety](#)
- [Office of the Premier](#)
- [Ontario Economic Update](#)
- [Ontario Fishing and Hunting Regulations](#)
- [Ontario Human Rights Commission](#)
- [Ontario Insurance Commission](#)
- [Ontario Parks](#)
- [Rabies Information](#)
- [Road Safety](#)
- [Sexual Assault - Dispelling the Myths](#)
- [Sustaining a Civic Society in Ontario](#)



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[I Passez au français I](#)[I What's New I](#)[I Publications I](#)[I Bank home page I](#)

Bank of Canada **Bank of Canada Review**

List of articles - updated 12 August 1998



The *Bank of Canada Review* is a quarterly publication that contains economic commentary and feature articles. Summaries of major articles from 1994-1998 are available on-line. Except for the two most recent issues, the full text of most articles is available.

[Summary of
most recent issue](#)

Summer 1998



Recent economic and financial developments
(with update on 12 August)
by Bank staff

Labour force participation in Canada: Trends and shifts
by Irene Ip

The declining supply of treasury bills and the Canadian money market
by Serge Boisvert and Nancy Harvey

Spring 1998



Recent developments in the monetary aggregates and their implications
by Bank staff

Canada-U.S. long-term interest differentials in the 1990s
by Kevin Clinton

Measurement biases in the Canadian CPI: An update
by Allan Crawford

The use of forward rate agreements in Canada
by Jean-Yves Paquette and David Strélski

law school

us code

supreme
courtus
constitution

federal

ny court
of appeals

ucc

state

world

topics

legal ethics

law library

about us

Welcome to the Legal Information Institute

a research activity of the Cornell Law School

This web site holds the Internet publications of the Legal Information Institute, a part of the Cornell Law School.

The server offers the LII's collection of recent and historic Supreme Court decisions, its hypertext versions of the full U.S. Code, U.S. Constitution, Code of Federal Regulations, Federal Rules of Evidence and Civil Procedure, recent opinions of the New York Court of Appeals and commentary on them from the libulletin-ny, the American Legal Ethics Library, and other important legal materials -- federal, state, foreign and international. It holds the LII's e-mail address directory of faculty and staff at U.S. law schools as well as contact information on other people and organizations in the field of law. It is host to the Cornell Law Review, and offers information about Cornell Law School and the Cornell Law Library.

Internet activity is only one of the LII's activities, which include consulting, software development, and electronic publication on disk and CD-ROM. All electronic products of the LII can be ordered and purchased directly from this site.

- Site tour
- Items of Special Current Interest
- Main Menus (Legal Topics, Sources, Organizations, People)
- About This Site and the LII
- Additional WWW Sources (Law and Other)

Not sure where to find it? Try a search of the LII topical pages:

Items of Special Current Interest Available via the LII Server Include:

- New or Newsworthy
 - The LII's Amistad Site
 - UNABOM Case: Insanity Defense and Diminished Capacity
 - LII's Eye on the Courts - Newsworthy Decisions on the Net
 - What LII's BigEar Has Heard on Law-Related Lists
 - New From the LII
 - LII's collection of authoring aids for those who build atop our collections: LII Building Blocks
 - Immediate Downloading of LII Course Materials
[LII Disk Publications Now Available in Both Hypertext and Word-Processor Formats For Immediate Purchase and Download]
 - What Do Law Students With Laptops and Electronic Casebooks Do? (P. Martin 1996) and Digital Technology, Access to Legal Information, and Dispute Resolution -



Cornell Law Library

Myron Taylor Hall
Ithaca, New York USA
14853

What's New	InSITE
Cornell Legal Research Encyclopedia	International Labor
Int'l Court of Justice	Death Penalty Project
Using the Library	Legal Research Guides
Law Student Services	Law Faculty Services
Reference Desk	Faculty Publications
Law Journals	Law Schools
Cornell Law School	Legal Information Institute
Cornell Law Review	Empirical Studies
Practice Training 1	Feedback

WHAT'S NEW

Updated July 10, 1998

InSITE

A current awareness service of Cornell Law Library, now featuring a searchable database of annotated legal websites.

Library Gateway

A new, integrated interface to networked resources at Cornell University Libraries.

Selected Acquisitions List

Selected list of recent acquisitions.

Download CALI Lessons

CALI provides more than 100 interactive lessons and tutorials to help students. Click on Download CALI to download the lessons to a personal computer.

UN Decade of International Law

Current and archived issues of the American Society of International Law's newsletter.

Cornell Law Library Newsletter

Vol. 7 no. 1 (March 1998)

CORNELL LEGAL RESEARCH ENCYCLOPEDIA

FindLaw
Internet Legal Resources


FirmsOnline
Free Web Sites


Laws
Cases & Codes


Legal News
Today's News


LawCrawler
Web Search


Free EMail
@ JUSTICEMAIL

CAL LAW
www.caliaw.com

Internet California legal news

FindLaw: News and Reference: Reference Sources

- **FindLaw Directories** - Government Listings, Yellow Pages, E-Mails, Phone Numbers, Maps & Directions, City Information and More.
- **FindLaw Legal News** - latest legal news stories, updated throughout the day and night.
- **Other Legal News Sources**
- **General News Sources**
- **Library Information and Resources**

Legal Reference

- **ABA Special Committee on Citation Issues** includes Committee Report and Recommendations
- **The American Standard Law Dictionary** from CyberNation
- **Black's Law Dictionary** contains some of the words from the Corporation Law Dictionary.
- **The Bluebook: A Uniform System of Citation** (16th ed.)
- **Finding What You're Looking For Online: A Primer Geared Toward Legal Research**
- **Five Hour Law School** designed for training non-lawyer employees of Thomson Legal Publishing. Includes glossary of legal terms as well as information on legal books and citation.
- **Glossary of Legal Terms** from the Missouri State Bar
- **Glossary of Legal Terms** from the Wisconsin State Bar
- **The Law Office Dictionary** searchable
- **The Legal List** an online reference book on doing legal research on the Internet.
- **'Lectric Law Library** contains the "Lawclopedia"
- **Legal Research on the Web** A how-to article on using the Web for Legal Research. One lecture out of an online course for legal research.
- **Legal Citation** by Peter Martin of Cornell Law School
- **Legal Research: Nolo's Legal Encyclopedia** Find answers to your legal questions: research cases, statutes and ordinances, online and in print.
- **List of Law Related Internet Books and Newsletters** focuses on the Internet as a technology, rather than as a field of law. By Burgess Allison
- **REFLAW Contents** - The "Virtual" Law Library Reference Desk from Washburn Law School
- **Timetable of World Legal History** at WWLIA
- **West Legal Directory Law Information Center** includes legal dictionary, legal encyclopedia selections, overview of U.S. court system.
- **The WWLIA Legal Dictionary**
- **Other Legal Indexes**

General Reference

- **AltaVista Translation** translates Web pages as well as text.
- **Elements of Style** by William Strunk, Jr.
- **Eurodicautom** translates European languages in a number of specialized areas including law.
- **Information Please** searchable almanac.

TIL ONLINE

- [How to SUBSCRIBE](#)
- [NEW Issue](#)
- [Cool Sites for Lawyers](#)
- [TIL's Internet GURU](#)

RESEARCH

- [Legal Research](#)
- [NEW Research Resources](#)
- [Fact-Finding Research NEW!](#)
- [Selected Articles](#)

MARKETING

- [Law Firms Online \(Annotated\)](#)
- [Web Designers](#)
- [Interactive Legal Marketing](#)

PRODUCTS

- [TIL Store](#)
- [TIL-Microsoft Study](#)
- [Legal Vendors](#)

THE INTERNET LAW

Navigating the Internet... for the Legal Pro

WHAT'S NEW

- The Internet Lawyer - [July 1998](#) is online
- Fact-finding guides from Josh Blackman's new b
Internet Fact Finder for Lawyers: [How To Find on the Net](#), published by the American Bar Asso
- Get the latest [Legal Technology News Briefs](#) col
Andy Adkins, from Law Office Computing mag
- [The Internet for the Legal Profession tutorial](#). Pu
Andy Adkins' Internet tutorial for The Florida B
of articles.

TIL

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The Internet Lawyer Library

Annotated Legal Research Links

Each month, **The Internet Lawyer** features a *New Legal Resources* column ([Here](#) is this month's column).

Included here are some of the **outstanding** sites featured in past columns.

Try your own free copy of **The Internet Lawyer**.

<u>FEDERAL</u>	<u>STATE</u>	<u>INTERNATIONAL</u>
<u>PRACTICE SPECIFIC</u>	<u>TECHNICAL</u>	<u>MISCELLANEOUS</u>

FEDERAL

- [Great Federal Sites](#) article
- [FindLaw](#)
The comprehensive legal research site.

Judicial

- [United States Federal Courts](#)
The US Federal Courts Home Page is maintained by the Administrative Office of the US Courts on behalf of the US Courts. This site serves as a clearinghouse for information from and about the Judicial Branch of the US Government.
- [Emory Law Library](#)
An online law library sponsored by Emory Law School. Emory Law Library has recently added searchable databases for the 4th, 6th and 11th Circuit Federal cases on-line.
- [Emory University Law School's Courts Publishing Project \(CPP\)](#)
Provided are six of the fourteen primary Internet federal caselaw collections, and it typifies the approach used by Internet caselaw publishers. As noted on the CPP information page, "on a daily basis, Emory Law connects to the Eleventh Circuit's Internet site and uses special software to download the cases. The cases are then . . . converted into an Internet-ready format, and then uploaded to the Law School's publicly-accessible Internet site."
- [Federal Courts Finder](#)
This site provides a map of the US which you can click on with your mouse to go directly to federal opinions relevant to the jurisdiction. For example, if you click on New York State, you'll be taken to the Second Circuit of Appeals opinions at Touro Law Center.
- [Cornell Legal Institute Circuit Court Search](#)
They have built a search engine which permits comprehensive searching of most US Circuit Court of Appeals decisions on the net. You can search by keyword or phrase, party name and citation (usually the docket number).
- [U.S. Supreme Court](#)
FindLaw provides a searchable database of all Supreme Court cases since 1937. The cases are searchable by citation, case name and full text and browsable by year and US Reports volume. The cases contain US Reports page markers and hyperlinks within the cases to other cited cases.

Legislative

- [US House of Representatives Internet Law Library](#)
The directories contain over 7,500 links to the law resources of the Internet. Some of the materials available include full text Federal and State Laws as well as Treaties and International Law documents.
- [United States Code](#)
A full-text, searchable, version of the US Code, generated by the Government Printing Office's CD-ROM.
- [Thomas - Legislative Information](#)
A service of the US Congress, which contains the full text of pending and passed legislation, the full text of the Congressional Record, Hot Legislation, a link to the house of Representatives Gopher, the C-Span Gopher, the US House of Representatives Audit, and other Government listings and links.

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STATE

We're retooling this section. Back soon.

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INTERNATIONAL RESOURCES

NON-COUNTRY SPECIFIC

- [Annotated International Legal Guides](#)
The Cornell University Law Library page offers several annotated international law-related research guides. Annotation is the value-added feature that legal Net-indexes need.
- [Avoiding Disease Overseas](#)
The Center for Disease Control is the bible when it comes to knowing what medications to take before you travel.
- [Embassies](#)
Embassies and consulate offices can be rather useful when you need to retrieve documents, or need a lead to local counsel in a foreign country. This site includes links to U.S., Canadian, European, and other world embassies.
- [European Law Dictionary](#)
Eurodicautom is a translator to and from Danish, Dutch, English, French, German, Italian, Portuguese, Spanish, Swedish, and Finnish. Search for terms or abbreviations, and limit by subjects, including Customs, Economics, Employment, Environment, Finance, Insurance, Law, Taxation, Telecom, and Trade.
- [International Dictionaries](#)
Four hundred dictionaries, over 130 different languages, brought to you by Bucknell University. What more could you want?
- [International Dictionaries II](#)
Bookmark this page! It links to lots of dictionaries, including many foreign language and grammar translators.
- [International Governments](#)
This is a pretty comprehensive-looking centralized listing of world government sites.
- [International Trade Law](#)
Treaties, Conventions, Model Laws, Rules and other relevant trade instruments dating from 1883.
- [International Trade Library](#)
Provides trade regulations for a number of countries. Appears to be U.S.-focused.

- International Travel

The U.S. State Department offers free updates on foreign political and health situations. Before embarking, search for daily updates and security incidents.

COUNTRIES

- African Water

Covers the water policy, water resource management, water supply and environmental sanitation, water conservation and demand management.

- Austria Telecom Law

The Austrian Telecommunications Act went into force on August 1, 1997.

- Australian Law

The Attorney General's Department and the Australian Legal Information Institute both provide free searchable legislative and caselaw databases. Free, instantaneous (mileage may vary) access to the laws of the planet seems realizes the promise of Internet technology. <http://law.gov.au/>

- Belize

The Belize Chamber of Commerce and Industry has posted a searchable directory of all Chamber members and their businesses in Belize. The University of Texas provides a broader collection of information about Belize, including its constitution, and economic data.

<http://www.lanic.utexas.edu/la/ca/belize/>

- Bosnia and Herzegovina

The embassy of these countries in Washington, DC provide some useful data, including brief company profiles! (see "Alphabetical Listing of Companies").

- China

The "Internet Chinese Legal Research Center" links to legal resources for Mainland China/People's Republic of China, Taiwan, and Hong Kong. Info is provided in English and Chinese, and includes legal research guides and bibliographies.

- Central Europe Economics

Of special interest here is the statistical database, which provides current monthly economic statistics by country, as well as historical data (back to 1990).

- France

Collection of french legal sites.

- Guam

Kuentos Communications (a Guam-based ISP) is the source of this collection of legislator profiles and full-text law.

- Hong Kong

Provided by the government's Intellectual Property (IP) Department, this page displays new IP laws including bill summary, full text and status.

- Hong Kong

The Bilingual Laws Information System supplies full text of Hong Kong law in English and Chinese.

- Japanese Patents Free

InterLingua Linguistic Services, a patent translation firm in Redondo Beach, CA offers free quarterly email delivery of recent Japanese patents (Japan publishes patents 18 months after filing). The service (known as "Patent Monitor") provides titles, numbers, inventors, and descriptions in the following categories: semiconductors and flat panel displays, batteries and power cells, advanced polymers, biotechnology and optoelectronics. Email subscription requests (including your name, firm and email address) to: japanese3@aol.com.

- Japanese Patent Office

Lots of valuable info here, from the PO itself, including: procedure for patent application, info on searching the patent database, overview of the office and policies, and statistical data.

- EU Parliament

Links to European Union news, press releases, legislative sessions, etc.

- Mexico

The U.S.-Mexico Conflict Resolution Center disseminates information concerning international private commercial arbitration and dispute resolution focusing on the U.S., México and Latin

- America.
- Mexico Business Directory
This site lists some 5,000 Mexican companies and includes information on the companies' products and services.
- Netherlands
Zip over to this European computer for the draft Treaty of Amsterdam as agreed to in June.
- Netherlands
Small collection of Dutch law in English.
- New Zealand
This Patent Office site provides info on the applying for Patents, Trade Marks and Designs.
- Panama
The law firm Fabrega, Barsallo, Molino & Mulino offers information on doing business in Panama, privatizations, trusts, foundations, trademarks and other matters.
- Russia
Large collection of links to Russian law. Check out Russia on the Net too (www.ru).
- Russia
Lots of Russian legislation in English here, everything from copyright and housing law, through labor and taxation.
- Russia
Links to lots of Russian and regional legislation, lots in English.
- Senegal
Senegal's Constitution is available in French.
- South Africa and Ireland
Lecturer Ron Huttner, of the University Of Melbourne law faculty has added legal resources for these countries to his link collection.
- St. Kitts & Nevis
"The twin-island nation of St. Kitts & Nevis is located in the northern section of the Eastern Caribbean, approximately 1,300 miles southeast of Miami, Florida." This government site provides a Directory of Government Ministries, though not much else of substantive value to legal pros.
- Trinidad
The law firm M. Hamel-Smith & Co., based in Port of Spain, provides this "doing business" guide to Trinidad and Tobago. Firm lawyers have written overviews and nuts-and-bolts discussions of substantive business law including real estate, judgement enforcement and intellectual property.
- Turkey
Site is provided by the Undersecretariat of Foreign Trade of the Republic of Turkey. Data available focuses on foreign trade.
- UK Law Enforcement
This is curious. Here you'll find a long list of British law enforcement agencies, including lots of regional police authority pages. Looks like effective public relations. For example, take a look at the Merseyside Police page. We haven't noticed such a broad use of the Net among U.S. police departments.
- UK Prosecutor
The Crown Prosecution Service (CPS) is the Government Department which prosecutes people in England and Wales who have been charged with a criminal offence. This site explains the CPS' place in the criminal justice system (in English and Welsh).
- United Kingdom
Delia Venables is a computer consultant to lawyers, based in East Sussex, England. She publishes the bimonthly Internet Newsletter for Lawyers, is author of the Guide to the Internet for Lawyers. In addition, she maintains a jam-packed Web site, including directories of UK solicitors/barristers. Worth several visits.
- United Kingdom Again
The publisher Sweet and Maxwell provides free access to several databases (choose "Current Legal Info"), including summarized cases, a guide to to all UK case law from 1989 to 1995 and Legal Journals index. The site also provides a listing of UK courts.

Return to the [TOP](#) of this page.

PRACTICE SPECIFIC RESOURCES

- [Antitrust](#)
Giuliano Chicco of GE Legal Information Resources authored this review of domestic and international antitrust sites on the Web.
- [Art Law](#)
The law firm Molton & Meekins provides this virtual treatise on artist's rights, recovering lost or stolen art work, and related federal and state law. Useful if you have any interest in buying or selling art, or representing artists.
- [Bankruptcy](#)
The law firm Bovitz & Spitzer has an extensive collection of bankruptcy-related links.
- [Bankruptcy](#)
The American Bankruptcy Institute (ABI) provides interesting content, including Today's Bankruptcy Headlines, court opinions, statistics, recent legislative bills, and portions of the ABI Journal online.
- [Collections](#)
The National Association of Credit Management posts this article concerning how to collect small claims judgements.
- [Computer Law](#)
The International Computer Law Observer is a free email report providing monthly coverage of significant legal developments from around the world relating to computers, technology and the Internet. The editor is William S. Galkin, Esq. located in Israel.
- [Copyleft](#)
Software developers have long originated a number of unique approaches to intellectual property "ownership" including freeware, and copyleft. The latter involves software that contains a modified copyright statement that asserts the author's ownership, but also gives away certain rights, including redistribution, and derivative work rights. This site serves as a copyleft primer.
- [Environmental Sites](#)
eNetDigest (tm) is a weekly online guide to international (including the U.S.) environmental, agricultural and natural resource sites. You can browse through the subject index which leads to annotated links. The annotations discuss site contents and design.
- [Environmental Treaties](#)
Environmental Treaties and Resource Indicators (ENTRI) is a pretty remarkable database that enables you to find world environmental treaties, and lots of information about each. You can query based on date when a treaty entered into force, which treaties are in force for a given state, which states are party to a given treaty, etc., etc. Great resource!
- [HMO Liability](#)
The Health Administration Responsibility Project (HARP) is for those seeking to establish the liability of Managed Care organizations and Nursing Facilities. Includes a listing of pending federal bills.
- [Human Rights](#)
Northwestern University's Library has compiled this collection of links to pages which relate to independence, liberation and secessionist movements around the world.
- [Immigration Law](#)
Immigration Communique provides weekly updates on issues of interest in the immigration and nationality field.
- [Internet Law](#)
- [Labor Law](#)
The Jackson Lewis law firm offers forms for the new credit reporting act and lots of legal employment law links.
- [Medical Malpractice](#)
This forum is intended for practitioners (medical and legal) and lay people concerned with medical negligence. Subscribe by typing JOIN in the body of the message and email to: med-malpractice@groupserver.revnet.com

- [Nazi Gold Links](#)
- [Outer Space Law](#)
The Archimedes Institute aims to facilitate the development of sensible legal standards for the space beyond earth's atmosphere. This site provides an extensive library of space law and policy documents, including international agreements, domestic legislation, reports, academic monographs, and a substantial bibliography of aerospace resources.
- [RealEstateDaily](#)
Daily publication for buyers, sellers, individual and institutional investors, and real estate brokers. Includes a browsable and searchable archive.
- [Real Estate List](#)
RealEstateLaw is a discussion group for real estate attorneys, and other professionals who have an interest in the discussion of real estate legal issues on an international basis.
- [Real Property](#)
This looks like the future of real property sales - see property in distant (or local) locales online via streaming video. Check out the demos.
- [Securities Law](#)
Research Librarian Genie Tyburski of Ballard Spahr Andrews & Ingersoll in Philadelphia authored this collection of primary and secondary sources, as well as reference tools, search services and discussion groups, all focused on securities law.
- [Tax](#)
The Bureau of National Affairs offers some "current notification publications" including focus on multi-state taxation developments. Documents are provided in Lotus Notes Web formats. FREE 30 day trials are currently available on all services.
- [Tobacco](#)
The Liggett settlement documents have been posted by the State Tobacco Information Center.
- [Trademark](#)
Corporate Intelligence in Washington State offers access to trademark and patent databases. The site claims to have images of patents back to the year 1790, and access to the "U.S. Federal Trademark database" dating to 1884. Fees are \$35 for 12 hours of usage. Pretty remarkable if it's legit.
- [Witchcraft Law](#)
Okay, so it's not a common practice area, AND it's late for Halloween. Even so, it's an interesting reading list. Right? Boo!

INTERNET LAW

- [CyberLaw Papers](#)
Professor Patrick Wiseman of the Georgia State University College of Law offers a course titled "Law and the Internet." He uses the Net as the primary text, and has placed the course syllabus, and several years' worth of his students' papers online. The papers cover a range of legal issues, including tax, pornography, individual rights, etc.
- [Cyberspace Law](#)
Jerry Kang of the University of California, Los Angeles Law School built this collection of recent cyberspace caselaw. For each case, there's a brief explanation, and links to the ruling and/or other case info. Also includes a link to FindLaw's legal news search engine.
- [Digital Signature Law](#)
Queen Mary and Westfield College provides this international (including U.S.) collection, which links to sites all over the Web for full-text of statutes.
- [Domain Name Woes](#)
Lawyer Carl Oppedahl provides this compendium of lawsuits relating to internet domain names.
- [Existing Laws Work on Net](#)
Some 180 lawyers meeting in San Francisco this past summer at a PLI's Internet Law Institute "concluded that cyberspace was virtually no different from "terra firma" when it comes to the applicability of the law."
- [FUN!](#)
lawgirl.com features a legal question and answer board and interactive copyright registration and help pages.

- [Linking Liability](#)
Netscape World online has an article discussing the legal issues pertaining to framing AND linking to other people's sites without their permission.
- [Online Law Collection](#)
This is great content for a law firm to provide. McBride Baker & Coles provides this collection of state, federal and international legislation relating to digital signatures, electronic signatures, and cryptography.
- [Web Law](#)
Practical Internet law primer from C-Net, with lots of examples of copyright, trademark and libel problems

Return to the [TOP](#) of this page.

MISCELLANEOUS RESOURCES

- [Articles Selected by Editors at The Internet Lawyer](#)
- [Avoid Carpal Tunnel](#)
Rather than waiting for your doctor to prescribe, be proactive and click over to these no-wait animated exercises you can do right at your desk!
- [Corporate Information](#)
Here you'll find an extensive collection of research sources for U.S. public and private companies, and company resources for many other countries.
- [Dictionaries](#)
Onelook links to more than 100 technical dictionaries (scientific, business, medical, legal terms, etc). We ran tests with a couple of obscure chemical and insurance-related terms and the thing works!
- [Disciplined Attorneys](#)
Misconduct.com is a resource for investigating attorney misconduct. It has a searchable database of attorneys who have been disciplined for professional misconduct and/or unethical behavior. The site also hosts the rules and codes of conduct.
- [Find-a-Grave](#)
Search by name, location, claim to fame for the burial locations of noteworthy folks.
- [Follow that Flight!](#)
The most interesting thing about Trip.Com is "Flight Tracker," which allows you to follow commercial airline flights while in progress. For any given flight, you can see the air speed, altitude, precise geographic location, and estimated arrival time. In addition, the site enables you to make airline reservations, view airport maps, etc. They used this the first time the Beatles came over from the UK. Back then it was called AM radio.
- [Geography](#)
Luigina Vileno wrote this list of Web geography sources, including maps, weather sources, etc.
- [Great Law Books](#)
Thane Messinger, author of [The Lawyer's Jungle Book](#) has created a list of law books useful to lawyers, and law students.
- [Guide to Law Online](#)
Prepared by the U.S. Law Library of Congress, this annotated guide to online-available law covers international and US sources.
- [How to Find Anything on the Net](#)
- [Human Anatomy](#)
As you move your cursor over the body, a Java applet displays the name of the body part. When you click on the name a clear description is displayed. When you click on the tiny looking glass icon within the name window, you'll get a lateral view/closeup of the body part. Pretty neat.
- [Kelley Blue Book](#)
This standard automobile price guide is an excellent free Internet source. Use it to check the value of your used car and to find pricing on new vehicles.
- [Language Translator](#)

Digital's Altavista site has added a free translation service. This is a computerized translator, that may miss subtle meanings and colloquialisms. But the tool will translate a grammatically correct document into something comprehensible. The translator will turn English into French, German, Portuguese, Spanish, and vice versa.

- Law School List

- Naked in Cyberspace

This fine book is a great guide to conducting fact-finding research online. This online site provides many useful links to finding personal info online. U.S. Law School List

- Really Old Legal Documents

The Wiretap site has been providing access to historical documents for years, although we've always wondered who was responsible for this site. No question who's responsible for the Avalon project - it's the folks at Yale University. And what a great collection, including Jefferson's documents, Confederate States of America docs, pre-18th century docs, etc.

- WOW

Search all the publicly available Oklahoma City bombing trial transcripts, and lot of other texts, including all of Shakespeare, the North America Free Trade Act, the Bible, hundreds of literary works, the U.S. Constitution, etc.

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www.internetlawyer.com

Legal Internet Column from Law Office Computing Basic Library Resources on the Net

by **Josh Blackman**
FIND/SVP
The Internet Lawyer

Generally, when legal professionals discuss using the Internet for research, they're thinking about two things. Either they're considering using the Net to supplement traditional legal research tools, like case law books, Lexis, or a treatise on CD-ROM, or they plan to use the Net for general research purposes. As a traditional legal research tool, the Net has value, but it is nowhere near as comprehensive as the traditional resources. It's usually much cheaper than books or Lexis, but it's a much more modest source.

However, when it comes to general research, the sort that lawyers do lots of, though such fact-finding skills aren't taught in law school, the Net excels. Whether you need to find people, to research companies, to conduct medical research, or to keep aware of news items, the Net provides extensive, often unique, and often free sources. The Internet has evolved to the point where, in many cases, it is a reasonable substitute, and sometimes even superior to the traditional library.

Dictionaries

Let's consider a third research use of the Net. Beyond legal research and fact-finding, there's simple reference. Whether you need a dictionary, a currency converter, an atlas, a phone directory, or even a language translator, the Net is the place to go. Especially for those of us with high-speed desktop access to the Net, it's often simpler to pull up Merriam Webster's Online Dictionary, than it is to pull down the paper version from the shelf.

In addition, the Net features a wider range of dictionaries than you probably have available. For example, for those struggling through computer-related matters, there's a very comprehensive high tech dictionary online, as well as a pronouncing dictionary, a rhyming dictionary, and an acronym database that will help you decipher the alphabet soup world we live in. Finally, the OneLook page links to over 200 specialized dictionaries including business, slang, medical, sports, science, and religion. The Net also offers a profusion of legal dictionaries. Here's a short list:

- Black's Corporation Law Dictionary
- Plain Language Legal Dictionary
- Lectric Law Library
- Legal Terms European Law Dictionary - Eurodicautom is a translator to and from Danish, Dutch, English, French, German, Italian, Portuguese, Spanish, Swedish, and Finnish. Search for terms or abbreviations, and limit by subjects, including Customs, Economics, Employment, Environment, Finance, Insurance, Law, Taxation, Telecom, and Trade.

Thesauri

- Merriam Webster
- Roget's
- Phrase Finder

Atlases

Maps lend themselves extremely well to software, especially online software that can be quickly updated and distributed to anyone who needs direction, anytime, anywhere. Internet-based maps have the unique ability to be linked to Web sites, and other databases. For example, the InfoSpace phone directory page will show you a map of the people and businesses you locate. If you search for the research firm FIND/SVP using the InfoSpace Yellow Pages, you will not only find the phone number

and address for the firm, you can also click on the "Map" button to receive a bird's eye view of the precise location of the firm in New York City. Another button will provide you with directions. Try looking up an individual, and InfoSpace will also tell you who that person's neighbors are.

Mapping software on the Net is very useful if you're travelling somewhere you haven't been before. You could even pull up the map while you're talking to a colleague on the phone, and she could describe how to reach her office, pointing out the cross streets on your screen. And of course, you can also print the maps before you get on the road. Finally, maps are useful if you run a law firm that you'd like clients to find. The personal injury firm Irwin & Boesen is among those who recognize the importance of showing clients where in the world they're located. It's surprising more firms don't put maps on their Web sites. If you'd like to visit a few of the Internet map providers, try these:

- [U.S. Street Maps](#)
- [MapQuest](#) - Interactive Atlas
- [World Maps](#)

Phone Directories

There are lots of phone directories online. Database America (<http://www.databaseamerica.com/>) is the primary provider of phone book data. These databases are the quickest way to locate people and companies in the United States. Here are a few specialized directories:

- [Area Code Lookup](#)
- [800 Phone Directory](#)
- [Cyber411](#) Allows the user to search some 15 engines, including AltaVista, Excite!, Lycos, Webcrawler and Yahoo. In addition to the Web searching capabilities, Cyber411 includes yellow pages listings for 16 million U.S. businesses and city maps for many localities
- [Zip Code Lookup](#) (U.S. Postal Service)

Miscellaneous Reference

While the Net generally provides superiority over the traditional library reference desk in terms of speed, it surely wins in terms of availability. Last time I checked, the library is not open 24x365. The Internet is. In addition to the above sources, here are a few additional references you may find handy. Consider putting them into your bookmark list.

Case Citation Guides

- [Blue Book](#)
- [Citing the Net in Scientific Papers](#)
- [Currency Converter](#)

Quotations: [Bartlett](#)

Language Translators

- [LOGOS](#)
- [Multiple](#)
- [Language Identifier](#)
- [Anagram Server](#)

Josh Blackman is the author of: The *[Internet Fact Finder for Lawyers: How To Find Anything on the Net](#)*, published by the American Bar Association and *[How To Use The Internet For Legal Research](#)*, published by FIND/SVP (800-346-3787) and editor of *[The Internet Lawyer](#)* newsletter.



BASIC LIBRARY RESOURCES

TIL

Atlas	Case Citations	Currency Converter	Dictionary
Legal Dictionaries	Language Translators	Thesaurus	Phone Directories
Quotations	Library Catalogs	Zip Code Lookup	Fun

Atlas

- U.S. Street Maps <http://www.mapblast.com/>
- MapQuest - Interactive Atlas <http://www.mapquest.com/>
- World Maps http://www.lib.utexas.edu/Libs/PCL/Map_collection/Map_collection.html

Case Citation Guide

- Blue Book <http://www.law.cornell.edu/citation/citation.table.html>
- Citing the Net in Scientific Papers <http://www.cas.usf.edu/english/walker/mla.html>

Currency Converter <http://www.xe.net/currency/>

Dictionary

- Merriam Webster <http://www.m-w.com/netdict.htm>
- One Look - links to dozens of specialized dictionaries, including pronunciation, slang, acronym medical, sports, science, religion and technology-related. <http://www.onelook.com/>
- High Tech Dictionary <http://whatis.com/>
- Business Jargon <http://www.usca.sc.edu/folsom/bjquotes.html>
- Investor Glossary <http://www.investorwords.com/>
- Pronouncing <http://www.speech.cs.cmu.edu/cgi-bin/cmudict>
- Rhyming <http://www.cs.cmu.edu/~doughb/rhyme.html>
- Acronyms <http://www.ucc.ie/info/net/acronyms/acro.html>

Legal Dictionaries

- Black's Corporation Law Dictionary http://www.alaska.net/~winter/black_law_dictionary.html
- Plain Language" Legal Dictionary <http://www.wwlia.org/diction.htm>
- 'Lectric Law Library Legal Terms <http://www.lectlaw.com/ref.html>
- European Law Dictionary - Eurodicautom is a translator to and from Danish, Dutch, English, French, German, Italian, Portuguese, Spanish, Swedish, and Finnish. Search for terms or abbreviations, and limit by subjects, including Customs, Economics, Employment, Environment, Finance, Insurance, Law, Taxation, Telecom, and Trade. <http://www2.echo.lu/edic/>

Language Translators

- AltaVista <http://babelfish.altavista.digital.com/cgi-bin/translate?>
- LOGOS <http://www.logos.it/query.html>
- Translator's Companion <http://www.lai.com/lai/glossaries.html>
- Travlang's Translating Dictionaries <http://dictionaries.travlang.com/>

- Other <http://rivendel.com/~ric/resources/dictionary.html#main>
- Language Identifier <http://www.cs.cmu.edu/~dough/ident.html>
- Anagram Server <http://www.wordsmith.org/anagram/>
- Mega Bucknell Site <http://www.bucknell.edu/~rbeard/diction.html>

Thesaurus

- Merriam Webster <http://www.m-w.com/mw/theslimt.htm>
- Roget's http://humanities.uchicago.edu/forms_unrest/ROGET.html
- Phrase Finder <http://www.shu.ac.uk/web-admin/phrases/>

Phone Directories

- National Directory Assistance <http://www.555-1212.com/>
- Area Code Lookup <http://www.555-1212.com/aclookup.html>
- Area Code Directory <http://www.connectionsmagazine.com/page2.html>
- 800 Phone Directory <http://www.tollfree.att.net/dir800/>
- Cyber411 <http://www.cyber411.com/> Allows the user to search some 15 engines, including AltaVista, Excite!, Lycos, Webcrawler and Yahoo. In addition to the Web searching capabilities, Cyber411 includes yellow pages listings for 16 million U.S. businesses and city maps for many localities
- Also see [How to Find People](#)

Quotations

- Bartlett <http://www.cc.columbia.edu/acis/bartleby/bartlett/>

Library Catalogs

- Yahoo's Library Collection <http://www.yahoo.com/Reference/Libraries/>
- Law Library Links <http://law.house.gov/114.htm>

Zip Code Lookup

- FIND zip from address/firm http://www.usps.gov/ncsc/lookups/lookup_zip+4.html
- FIND city from zip <http://www.usps.gov/ncsc/>

FUN

- Calculators <http://www.sci.lib.uci.edu/HSG/RefCalculators.html>
- Cool Sites for Lawyers <http://www.internetlawyer.com/cool.htm>
- Flight Tracker <http://www.thetrip.com/>
- Britannica's Lives <http://www.eb.com/calendar/calendar.html>

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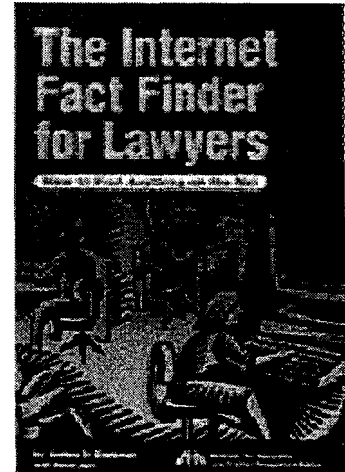
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The Internet Fact Finder for Lawyers: How To Find Anything on the Net

a new book from the American Bar Association
by Josh Blackman

- About the book
- Buy the book
- Book featured in Legal Research Course
- Guides from the book:
 - Basic Library Resources
 - How to Get News on the Net
 - How to Find Experts on the Net
 - How to Find People on the Net
 - How to Research Companies on the Net
 - How to Conduct Competitive Intelligence on the Net
 - How to Conduct Medical Research on the Net



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How to Research Companies on the Net

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Phone Books	Public Companies	Annual Reports	SEC Filings
Private Companies	Associations	Non-Profit Organizations	Other Corporate Resources

Business Phone Books:

- [AT&T Internet Toll Free 800 Directory](#)
- [Bigbook](#) Search though 16 million listings.
- [BigYellow](#)
- [Company Fax Lookup](#)
- [GTE Superpages](#) Enables reverse searching (enter phone number to find business).
- [Multiple Business Phone Books](#) Pulls together several databases, including the Switchboard Directory, AT&T Directory, and GTE Interactive Yellow Pages.
- [SalesLeads USA](#) American Business Information enables free searching though more than 14 million yellow page listings.
- [Domain Name Lookup](#) Netpartners
- [InterNic](#)
- [Major Corporations](#) Quick links to many large corporate sites.
- [Networth](#)

PUBLIC COMPANY STARTING POINTS

- [Wall Street Research Network](#) Lists not only U.S. public companies, but also Canadian companies whose shares trade on the Toronto, Vancouver, Montreal, and Alberta exchanges. This appears to be one of the most comprehensive company sites on the Net. Data presented for each company includes links to the company home page and SEC filings, links to company news (courtesy of Yahoo), and lots of data about the company's stock.
- [Yahoo! Company Information](#) Very easy to use. The screen presents scrollable lists of companies. Opposite each company are three options: News, Profiles or Quote. The News option lists news articles from the past seven days. Yahoo draws its articles from the following news sources: Reuters General News, Reuters Securities News, PR Newswire, Business Wire and UPI. The Profile option lists the company's address, phone, fax and top executives. Links are provided to the company home page, stock price and SEC filings.
- [Companylink](#) Provides cross-indexed access to data on some 45,000 U.S. companies. This database, compiled from Hoover's Online and CorpTech can be searched based on the company name (or portion thereof, or ticker symbol). In addition, you can narrow your search by specifying a Primary Industry and state. The results presented for each company include the basic contact info, as well as the nature of ownership (public vs. private). In addition, Companylink provides

free links for each company to the home page, stock prices and charts, a local street map and local weather, headlines of all related news stories, and the full text of today's news articles. For an additional fee, you can get the full text of all related news stories, summary profiles (including the CEO, annual sales and employee count).

- Major Corporations This site provides links to several hundred corporate sites, and several other domestic and international corporate directories.

Annual Reports

- Public Register's Annual Report Service
- Investor Relations Information Network
- Annual Reports Library
- Brainwave
- Global Corporate Information Services: Japanese Company Reports Global Corporate Information provides annual reports for over 100 companies, short profiles of more than 800 companies, and links to 285 company home pages. The site can be viewed in English or Japanese.

SEC Filings

- EDGAR

PRIVATE COMPANY STARTING POINTS

- Hoover's Online
- Dun & Bradstreet
- Webgator This page links to a number of state corporate records offices. Most of these do not yet provide actual corporate data on the Net, although some do link to corporate forms and procedural information.

ASSOCIATIONS

- Associations Online The Internet Public Library provides this collection of over 500 links to associations on the Net. You can search by title of association or category. Categories include arts, business, computers, entertainment, health, industry, labor, law, science.
- American Society of Association Executives Features several directories of association.
- Nonprofits Online You can use this database to search for an organization's Web page by name, or browse through the hundreds of listings.
- Professional Organizations Index Directories included are business related: accounting, appraisal, banking, brokerage, entrepreneur, law and venture capital.
- Associations Database is a searchable directory of international business related associations.

NON-PROFIT ORGANIZATIONS

- National Council of Nonprofit Associations This page features links to non-profits throughout the U.S.

- Internet NonProfit Center Locate non-profits by searching the NonProfit Locator database (by keyword, zipcode or state) of one million+ nonprofits. The data is drawn from the IRS. In addition, this site houses an extensive collection of links to non-profit organizations.
- Non-Profit Resource Center is a service from John Farino, CPA, which provides some accounting-oriented and introductory info on non-profits.
- Non-Profit Resource Collection
- Foundation Resource Center - serving needs of grant needers and grant makers
- Sample Non-Profit By-laws/Articles of Incorporation
 - Colorado
 - California
 - Pennsylvania
 - Minnesota (<http://www.mista.org/articles.html>)
 - Indiana
 - State Charity Regulators

OTHER CORPORATE RESOURCES

- Corporate Governance
- Corporate Finance Center
- Corporate Counsel Weekly Summaries from BNA
- Guide to Using the Net for Company Research
- Limited Liability Companies
- Mergers and Acquisitions Marketplace This site provides resources for selling, buying and investigating businesses.
- Merger and Acquisitions/Venture Capital Meta Site This site houses an extensive collection of m&a related links.
- Public Records KnowX provides free "adverse filings," on businesses. Adverse filings involve bankruptcies, judgements, liens, lawsuits and UCCs. Free results are very summarized, for example: "Joe Smith is a plaintiff in a suit filed in New York." You'll pay between \$2.50 and \$9 for a more detailed record. Data is drawn from the Information America database.
- Secretary of State Corporate Records
- Thomas Register of American Manufacturers "Search 155,000 US and Canadian Companies to find the industrial products or services you need."

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WHAT OTHER ELECTRONIC DEVELOPMENTS ARE ON THE HORIZON THAT COULD AFFECT LIBRARIES?

1. The long-term funding needs of the County Libraries will be shaped in part by future technologies. At present these technologies are too remote to be quantified for funding purposes. The range of technologies does however indicate the kind of flexibility which the County Libraries will need in developing their role in the administration of justice and in constantly reviewing their ability to respond to the changing demands of users and publishers arising from general technological advancements.
2. The current period of transition is also a period of great innovation. Many of the following products have the potential to have a great impact on libraries.

Electronic Paper

3. A sidebar article in the technology section of the *Toronto Star* referred to in the main report at page *** discusses the work currently being undertaken at Massachusetts Institute of Technology where scientists are experimenting with "electronic paper" in an effort to overcome one of the major obstacles to digital text - the feel and portability of paper cannot yet be reproduced in an online environment. At MIT scientists are working on a special paper which is impregnated with electronic circuitry that enables areas of the paper to turn dark in response to electrical stimuli, thus producing "print". When the stimuli is removed, the paper reverts to an all white colour.
4. If this kind of electronic paper ever becomes commercially viable it will present interesting possibilities whereby a reader could download a book, read it, and then replace it with another downloaded book. The graphics or illustrations on the "paper" could be dynamic, showing moving parts rather than drawings.
5. Bridging the technological "gap" between the feel of paper, the user-friendly ability of paper to permit browsing and scanning and the enormous multi-media advantages of technology as well as the storage capacity of computers could truly enable consumers to have the best of both worlds. Libraries would definitely have new roles to play in such a world.

DVD

6. Although many computer users are just now acquiring CD-ROM drives, the industry has already moved on to DVD (Digital Video Disc) that is an optical disk format that looks much like CD-ROM. A DVD drive fits into a desktop computer, much like a CD-ROM drive.
7. A first generation DVD disk can hold 4.7 gigabytes¹ of information with the promise that future disks will store 17 gigabytes. In comparison, a CD-ROM holds only 650

¹ In computers, a gigabyte is a unit of measurement equal to one billion bytes. A byte is 8 bits. A bit is the smallest unit of information in computers. It takes 8 bits to make up 1 byte or character.

megabytes or roughly 2/3 of 1 gigabyte. DVD holds from 6 times to 50 times more than a CD-ROM.

8. Hollywood supports the new DVD format because movies can be stored on them. Computer industry vendors support them because they can hold multiple CD's and store more much audio and video to accompany text. This kind of industry support means they will continue to grow and expand in use.
9. With a DVD storage medium which can hold the equivalent of hundreds of books as well as a feature length movie, the potential for impressive CLE and interactive books exists. As with CD-ROM the one drawback at the moment is the lack of an industry standard to permit re-writeable ² DVD so that users can record as well as play the disks. When that is resolved in the next few years, the applications for DVD in publishing, CLE and libraries will begin to be realized.

E-Mail

10. Thanks to the growth of the world wide web, e-mail has now evolved to the point where most businesses have access to it and some use it extensively. It is estimated there are 10 million people with access to the world wide web and 50 million people with e-mail access, worldwide.
11. From a library perspective, the feature of e-mail which may make it a most attractive tool in the future is the ability to "push" information to subscribers by way of *listserv*. Through this feature thousands of people can be sent information such as a newsletter, by the press of a button. In fact, to reach one million people is as easy as reaching one person!
12. To subscribe to most lists is free: all the subscriber needs is an e-mail account. The cost of production and distribution is similarly low, enabling anyone to become an online publisher. (This is both the greatest strength and greatest weakness of this technology.)
13. Librarians already use *listserv* extensively for exchanging professional information. There are thousand of lists on the World Wide Web - anywhere from 150,000 to 350,000 have been estimated to exist. Setting up lists for lawyers with particular research needs, practice areas or other common information interests could easily be done.

If libraries are to become disseminators of information, actively providing legal information to lawyers, "*listserv*" (an electronic mailing list) is one way to accomplish this at very little cost. The price of e-mail to one person or 100,000 is about the same. The recipient can subscribe or unsubscribe simply by sending e-mail to the host.

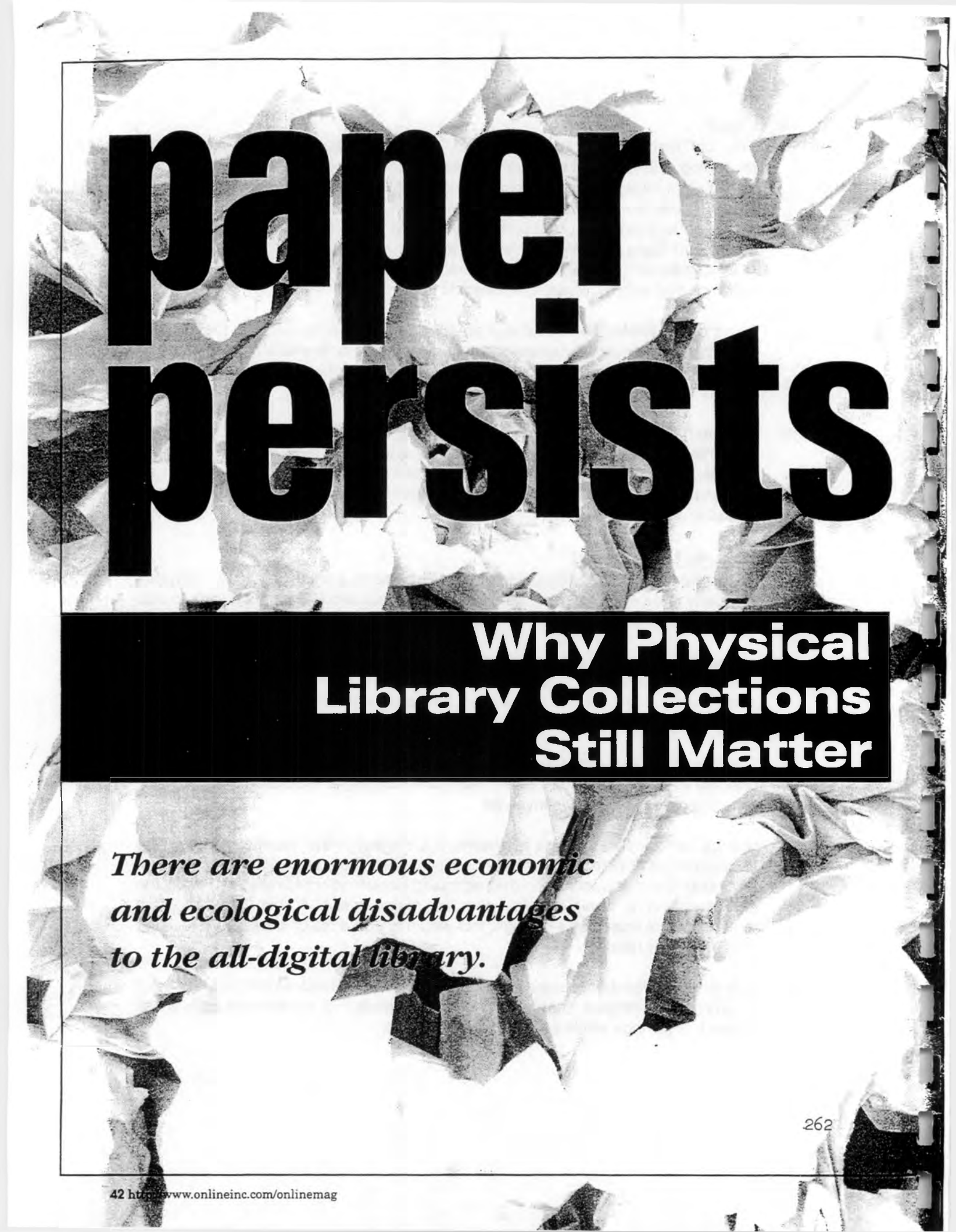
² "Re-writeable" refers to the ability to record information more than once on the surface of the media (DVD or CD) so that users can change the contents by "over-writing" or "re-writing" much as is done if an audio tape is re-recorded. With CDs and DVD the manufacturers have yet to agree upon a standard format to permit such re-writing.

Television

14. The "old" technology of television will in the future be harnessed to provide new technology - the Internet and more. Microsoft has entered into an agreement with Tele-Communications Inc. to put Windows CE (a less full-featured version of Windows) on 5 million digital televisions in 1999. Similar arrangements to use television for computer programmes have been made by Sun Microsystems (for Java) and Sony. As virtually every home in North America has at least one television set and only 40% have personal computers, the attractiveness of moving software and web browsers to televisions is obvious.
15. The move to interactive television is envisioned by those familiar with the industry as a chance to change a national infrastructure. It will cost a lot of money and take a long time but, in the end, it could change completely the way people shop, obtain education, communicate with each other and work.
16. For libraries, the move to Internet delivery over television means all the services presently confined to PCs can be expanded to reach everywhere, in a more affordable and user-friendly way. If libraries want to market services such as research and CLE, the ability to deliver services through television for the price of e-mail is very attractive.

Faxing over the Internet

17. According to the April 1998 edition of *Wired* magazine a small San Jose, California company is developing computer chip circuitry that allows manufacturers to add Internet capability to everyday devices at low cost.
18. If added to a fax machine, this chip would mean the fax machine could dial up a local Internet service provider (which is the normal way to connect to the Internet) and then send and receive faxes over the Internet thereby saving long distance charges.
19. For libraries in a co-operative system this means that transmitting materials from one site to another is virtually free (subject to copyright restrictions) as no long-distance charges would be involved.
20. But, as using a chip involves hardware, it is subject to the vagaries of changing standards and of increased software demands. Significant developments (the kind that occur every few months in the technology industry) could rapidly outdate the chip meaning it would require periodic replacement. If the price of such replacement is reasonable enough, this would not be a major impediment to using this method of faxing.
21. This potential development means libraries could serve world-wide markets without incurring long-distance charges. The cost of replacing a hardware chip which allows this savings would be well worth the price.

The background of the entire page is a high-contrast, black and white image of crumpled paper. The paper is folded, torn, and bunched in various ways, creating a complex, textured pattern of light and dark areas. This visual metaphor likely represents the 'paper' mentioned in the title.

paper persists

Why Physical Library Collections Still Matter

*There are enormous economic
and ecological disadvantages
to the all-digital library.*

Last week, Patrick Hogan called from ALA Editions. "The project's been approved, and the written contract is in the mail." The contract is for a new book on the future of media and libraries that I'll start writing as soon as I finish this article; the book should appear in time for the American Library Association's 1999 Midwinter Meeting. Why would *ONLINE* readers care about this? I'd like to think that some of you will buy the book, but more interesting, given projections of the past years, is the mere fact of this transaction leading to a printed book.

I'm a lifelong technologist who's been on the Internet since the late 1980s. I make my living designing and promulgating services that run on the World Wide Web. I should know better than most that print is dead, the book is obsolete, the future belongs entirely to digital transmission, and the screen's the place for reading. This is not going to be a quickie book about using the Web, writing Java, or any of those hot topics. So why am I contributing to a dead medium?

Because paper persists. A paperback book is the best way for me to communicate a fairly lengthy and complex narrative discussion.

Paper persists. The physical print collections in public and academic libraries will continue to grow and be central to the missions of those libraries.

Books continue to matter, now and for any plausible future. Not as the *only* means to transmit information, entertainment, and knowledge—that hasn't been true for more than a century. Not as the *dominant force* among media—that hasn't been true for decades. But as a vibrant, healthy medium—one that serves a variety of needs better than any alternative and that makes good economic, ecological, and technological sense for the new millennium—the book just isn't going away.

Neither are print magazines, such as the one you're reading now. Magazines and journals are very different sets of media with different strengths, characteristics, and problems; the very real problems of scholarly journals don't have much to do with the future of magazines—but that's another topic, to be taken up some other time.

If your first reaction to this article's title was "Well, of course" then you're in the mainstream for 1998—but you might have been considered a Luddite among high-ranking librarians of the 1980s and early 1990s. If your reaction is "That's stupid. Print is dead: that's inevitable" then you'll dismiss this article anyway, and might as well turn the page now. Outside the library profession, prophecies of the death of print and the all-digital future began in the late 1980s, reached a peak around 1992-1994, and are now declining into the oblivion they deserve. Within the field, however, the "common knowledge" that print was dying seems to go back much further, typically as part of a clarion call for libraries to reinvent themselves for the all-digital future.

BACK TO THE FUTURE: A PowerPoint Fable

What follows is a lie. There was no single meeting at which all the great library minds concluded that the

future should be all digital, and PowerPoint didn't even exist in 1977. But let's pretend there was a grand summit meeting, say as a preconference to the American Library Association's 100th Anniversary annual meeting that year. All the top people in libraries and library schools attended. For the keynote at this meeting, a great guru of libraries and technology presented the following as a slowly building and absolutely compelling PowerPoint presentation. You can imagine the bullets sweeping onto the screen, accompanied by suitable music and fireworks. Here's the final screen:

- **When** reading from digital devices is as comfortable, effective, and fast as reading from printed books and serials (or more so), and
- **When** digital reading and storage devices are omnipresent, and
- **When** digital distribution replaces print publishing for all new materials because it's cheaper, faster, and better, and
- **When** all existing library materials are converted to digital form, and
- **When** digital communications facilities are so fast and inexpensive that transmission of publication equivalents is essentially instantaneous and free, and
- **Given** that publishers won't stand in the way of institutions making single purchased or converted publications simultaneously available throughout the institution, nation, or world, **then:**
- **Libraries will and must** convert to digital distribution as a more effective way to carry out their missions.

That all makes pretty good sense—although I would argue that most of those "whens" should be "ifs." In the early days, some of them probably were stated as "if and when."

But then two things happened, over a period of years:

1. The "ifs" became "whens."
2. People remembered the conclusion without remembering all the premises.

These assumptions grew during the 1970s and early 1980s, remarkable times for academic libraries and technology. Those were growth years, when everything seemed possible and everything desirable seemed almost inevitable. Barriers of money and technology were scarcely barriers at all. Technology lowered the money barriers, and grant or government funding took care of the rest.

THE GREAT TECHNOLOGICAL HANDWAVE

One trend that began in the eighties has continued far beyond its useful life. That is the great technological handwave—the futurist's response to any shortcomings in technology, any unmet needs, anything that's lacking. When you hear, for example, "we can confidently project that such devices will be commonplace in the next two years," you're hearing the great technological handwave. Flat screens

If every long text is printed out each time it is used...a typical public library would spend much more on printing and licenses than its current total budget and would use at least 50 times as much paper as at present.

with better resolution and readability than printed pages? Two years from whenever you ask. High-speed interactive communication for every household at costs so low nobody will notice? Well before the end of the century. And so on.

The great technological handwave turns "ifs" into "whens" and "whens" into "just a couple more years." The great technological handwave rejects budgetary arguments, since as we all know technology just keeps getting cheaper and cheaper until it's essentially free.

The cousin of the great technological handwave is that magic word "inevitable." The great digital convergence? Inevitable. The death of print? Inevitable. Which is another way of saying, "you probably won't like this, and I can't make a compelling case." If the case is strong, the I-word is pointless. These days, inevitability is invoked whenever one questions the common assumptions of the past. What once was desirable is now inevitable. When you hear "inevitable," substitute "rowrbazzle." It means as much and it's more fun to say.

As for the great technological handwave? Technological improvement is neither smooth nor entirely predictable, even vastly-improved tools rarely catch hold immediately, and most new devices and techniques never become important. Paraphrasing Paul Saffo, it's true enough that we tend to overestimate the short-term significance of new technologies and underestimate their long-term significance—but Saffo fails to point out that, perhaps 80 percent of the time, the new technologies simply disappear or fade into specialized use.

Unless you really did fly to work in your personal helicopter from your solar-powered household, or sat back as your car drove itself on today's digitally-controlled freeways, you would do well to treat the great

technological handwave with a smile and deep distrust.

DECONSTRUCTING INEVITABILITY

What happens if the premises arguing for library conversion to digital fail? Logically, if the premises are invalid, then the conclusion is false or at least unsupported. So we must either validate each premise or conclude that the premise really isn't necessary; otherwise, the argument for converting to digital libraries is without foundation. Let's examine each "when" from that mythical 1977 PowerPoint presentation.

Reading from Digital Devices

One absolute article of faith in the 1970s, 1980s, and early 1990s was that the DynaBook, or its equivalent, was just around the corner. This device offers better readability than a book and easier navigation. It is light enough in weight and has a high enough battery life so that it is as portable as a book; with rapid replacement of contents, it functions as a universal book. Every projection I've seen had such a device on the market long before now, at an extremely modest price.

It hasn't happened, and there's every reason to believe that it won't. Reading from digital devices, whether portable or desktop, suffers in several areas—among them light, resolution, speed, and impact on the reader—and there has been essentially no improvement in any of these areas in the last five years.

Many futurists have conceded this point. They now admit that people will print out anything longer than 500 words or so. It's just too hard to read from a computer, and it doesn't seem likely to get a lot easier. If every long text is printed out each time it is

used, there are enormous economic and ecological disadvantages to the all-digital library: briefly, a typical public library would spend much more on printing and licenses than its current total budget and would use at least 50 times as much paper as at present.

Omnipresent Electronics

What ever happened to Sony's BookMan, their portable digital book? Why didn't the DynaBook ever emerge as a real device? Why aren't we all using Personal Digital Assistants for most of our reading? The answers are complex, but the overall situation is clear. The PDAs being produced today and designed for tomorrow aren't intended to function as book replacements: the screens are small, hard to read, and awkward to navigate for lengthy text. It's increasingly clear that the public as a whole has no need for—or interest in—digital book equivalents.

Two-thirds of adult Americans, and a higher percentage of children, use their public libraries. Roughly two-thirds of adult Americans purchased books last year. I'd guess that an even higher percentage reads magazines or newspapers. Is it possible that electronic tablets could achieve such ubiquity in the next few years—or even the next couple of decades? I doubt it.

The Death of Print

We've heard about the death of print for years now, too often from within the library field. While print has been dying, the publishing industry has been growing. As a long-term trend, more books are being published and purchased, more issues of magazines are being circulated, and more revenue is making a substantial industry even larger.

One academic library expert anticipated in 1992 that the market for information printed on paper would shrink by 50 percent within five years. By the end of 1997, the market for information printed on paper was substantially larger than in 1992.

Print publishing is actually several related industries, most of which are

The public as a whole has no need for—or interest in—digital book equivalents.

The Library of Congress continues to acquire new print materials much faster than it digitizes old ones.

healthy and growing. For a variety of reasons, not the least being people's preferences, I don't see the situation changing soon. Publishers don't spend much time these days talking about the death of print—that was last decade's news. They certainly hope to be part of the new markets that complement print, but they know print isn't going away.

Universal Conversion

When will all existing library materials be converted to digital form? Not in my lifetime, probably not in yours, and quite likely never. The task is too big and too expensive, and the reward keeps diminishing.

The book I wrote with Michael Gorman, *Future Libraries: Dreams, Madness & Reality* (ALA Editions, 1995), deals with conversion questions in some detail. The digital conversion efforts being mounted by the Library of Congress and a cluster of university libraries provide strong indications of what's happening. To wit, collections of material will be digitized, primarily material that can't be made available otherwise: unique photographs, manuscripts, brittle books of unique importance, and the like. My organization, the Research Libraries Group, is involved in such efforts, as are many others. These projects will yield digital collections that enhance and extend libraries. They will not yield all-digital libraries, and there's no indication that such efforts would ever scale up to complete conversion.

The Library of Congress continues to acquire new print materials much faster than it digitizes old ones. If anyone still has universal conversion as a goal—which I doubt—we're moving backwards.

Digital Communications

We come now to the fifth "when," and it's a doozy: when communications are essentially free... Who's providing those unlimited pipelines? Who's paying for the technical support to keep them operational? Where did we ever come up with such nonsense as "essentially free"?

"Essentially free" is another way of saying "phenomenally expensive, but the incremental cost becomes small." "Essentially free" is a technological handwave. It's always wrong. If it is possible to build an international network that could actually provide everyone with universal multi-way video-speed communications capabilities, from any point to any point, it would probably cost hundreds of billions of dollars—and as projections of the possible revenue become more realistic, the will to spend that money vanishes.

"Essentially free" is essentially nonsense. Yes, a \$2500 PC purchased today is some 75 times as powerful as the \$2500 PC of 1988—but that doesn't mean you can buy a useful PC for \$33! Technology doesn't work that way; increased performance for a price doesn't mean that prices keep going down for acceptable performance.

Publishers and Rights

Finally, there's that crucial "given." That digital resources won't raise new issues of rights, payment, and so on. Once a library buys a book or sound recording, they can lend it out over and over, with no further payment required. It's supposed to be better yet with digitized materials—many people can read or use the item simultaneously. What a cost savings!

But it won't happen that way. The Association of American Publishers, for one, has made it clear that their view of digital resources in libraries is strictly pay per view, with libraries essentially serving as distributors for the publishers.

The publishers' attitude is justified. It's unreasonable to expect publishers to survive—or the editorial, acquisition, publicity, and other publishing functions to continue—if they face the possibility of a single copy being sold, then distributed universally. For that matter, what non-academic author will write if the total compensation is royalty on a single copy?

It's not a sufficient answer to say that digital resources can be made

available with simultaneous user restrictions, so that only one or two readers can use them at a time. For online indexes, that methodology makes perfect sense; it's how RLG typically sells Eureka and Zephyr services, for example, and increasingly how other online resources are sold.

But what do simultaneous-use restrictions mean for digital book replacements, where users will read from printed copies? The restriction lasts long enough for a reader to download the file; then another user can happily download it while the first is printing it locally. The net effect is still publication without repeat sales.

What the publishers want is a hefty fee each time a file is touched or downloaded or examined to any real extent. Is that unreasonable? Perhaps not, where end-users are concerned. When you add the cost of printing to the download fee, the end-user's cost is likely to be comparable to what they'd pay to buy the item now (although the resulting stack of paper won't be as convenient as a book). But for libraries, as compared to circulating or reference collections of published books, it's a terrible idea.

Publishers have accepted (if not always graciously) the idea that one copy of a book will be read *sequentially* by quite a few different people. They produce mass-market paperbacks to encourage people to buy copies of some books, at a price less than that of photocopying a library book and yielding a much more convenient (and legal) product. This continuing balance has worked to the mutual benefit of publishers and libraries.

In an all-digital age, things would be different—and I see no likelihood that the differences would favor libraries. Publishers issue papers calling for cooperation with libraries, but only on publishers' terms. And, I say again, those terms are at least partly reasonable.

Six Strikes, No Hits

That's the last of the premises leading up to the inevitability of all-digital libraries. Do such libraries still seem inevitable, in the foreseeable future? Not to me—at least not for public and academic libraries. There will certainly be some special

libraries that lack central physical collections and still serve their users well—indeed, such “virtual libraries” already exist.

THE FUTURE'S NOT WHAT IT USED TO BE

You still see projections of an all-digital future and the coming irrelevance of print collections, but those projections become ever more otherworldly as time goes on. Within the library field, such assertions seem to come primarily from three sources:

- Academic and other librarians who love the world of “information” and hate dealing with physical collections—reshelving, planning additions, making sure cleanup gets done—all that nasty stuff. This shrinking band of true believers dwell on the advantages of virtuality and steadfastly ignore all the problems.
- A shrinking number of library school faculty and others who settled on the “accepted wisdom” of the all-digital future many years ago and who can't be bothered to change their minds at this late date.
- People who have never cared for boring old text, who sincerely believe that visual media work better for all forms of communication, and who see the “death of print” as part of their preferred multimedia future.

Outside librarianship, most such projections come from futurists and self-serving prophets, who rely on the comforting fact that nobody seems to care how often a futurist is wrong, as long as he or she is interesting.

Why did so many futurists and technologists proclaim the death of print in the past, and why do some still do so? A variety of motives present themselves, including the simplification that comes with projecting visions for the future; taking narrow perspectives on technological

possibilities, without considering broader issues; assuming that everyone has the same fascination with the new and impatience with the old that some futurists exhibit; and even the need to be controversial.

Whatever the reasons, some still proclaim that the all-digital future is just around the corner, ready to sweep away all traditional media in a grand, enlightening convergence. Some will even tell us that history is dead—that the history of new media altering but rarely obliterating older media, the history of people adding new choices without eliminating older choices, the history that shows most technological innovations simply failing, that all this history is simply irrelevant.

Since claims that history is dead cut off logical discussion just as surely as claims of inevitability, the only reasonable response to such claims is: “Nonsense. People are still people, and neither history nor natural laws have been repealed.”

Sensible thinkers have pretty much abandoned the death-of-print school. When Bill and Melinda Gates established the Gates Library Foundation last year, they deliberately used the word “library” and asserted that books would continue to be at the core of good libraries in the future, even as they help libraries to expand their resources beyond books. Indeed, some editors of *Wired* magazine, home to one of the most assertive death-of-print claimants, have admitted that when complex thoughts need to be understood, boring old books work best.

DATA, INFORMATION, MEANING, KNOWLEDGE, UNDERSTANDING, WISDOM, AND NARRATIVE

One tenet of the all-digital believers is that all that counts is information, and that information is more malleable and available when it's handled digitally. Further, the volume

of information in the world doubles every five years, and the amount of digital information is growing so rapidly that print occupies a narrow niche in comparison. These are both at best half-truths.

“Information” has become a bland, almost meaningless word. In many cases, what's really meant is data: that is, raw facts. That's certainly true in the case of “doubling every five years.”

No doubt the amount of raw data generated and stored does double every five years. It's certainly true that the number of characters printed in books in any given year is trivial compared to the number of bytes of raw data generated in that same year. That's been true for some time now; it's also entirely irrelevant. It not only compares apples with oranges, it compares pineapples with pole-vaulters.

A simple calculation will show how trivial the volume-of-raw-data argument really is. Let's say that 1.5 billion books are printed in the United States in a given year. At an average of 600,000 characters per book, that's 900 terabytes of “data.” Now consider the broadcast of a three-hour World Series game seen by ten million people. Given that a standard TV signal uses a bandwidth of 5MHz, equivalent to 625,000 characters per second, those viewing that broadcast receive, in total, 6,750 terabytes: seven times as much as all the books for that year, in a single World Series game! (Similarly, more “information” enters my house each day on the 80-channel TV cable than I will ever read in books and magazines throughout my life.)

To which the only reasonable response is: “So what?” Raw data isn't information, and the fact that each television viewer sees “one book's worth” of raw data each second is irrelevant for any rational purposes.

Information requires mental or mechanical processing—it requires organization and context to make it at least minimally meaningful.

For that matter, books aren't entirely about information, any more than public libraries are entirely about information. Books are about meaning, knowledge, understanding, wisdom, and narrative: words given life.

It's unreasonable to expect publishers to survive—or the editorial, acquisition, publicity, and other publishing functions to continue—if they face the possibility of a single copy being sold, then distributed universally.

Quoting from *Future Libraries: Dreams, Madness & Reality*:

Knowledge can be defined as information transformed into meaning... Understanding is knowledge integrated with a world view and a personal perspective and exists entirely within the human mind, as does wisdom, understanding made whole and generative.

What of narrative? I use *narrative* as shorthand for literature of all sorts, including prose, poetry, nonfiction and fiction. There seems little doubt that narrative communicates best in printed form—that the interaction between author and reader, with the reader bringing his own mental images into play, works best in print.

PEOPLE AREN'T MACHINES

I've heard plaintive cries along these lines: "But these technologies are so neat, and they would offer so much, why doesn't their inevitable triumph happen faster?" Perhaps because people aren't machines, and don't respond mechanically. The advantages of the all-digital future are primarily mechanical advantages; the disadvantages prevail when people enter the equation. That's not an easy problem to solve, since eliminating the people tends to eliminate the market as well.

True digital zealots will accuse me and other "book lovers" of being irrational—but a preference for a medium that works beautifully over one that works less well is not only rational, but eminently sensible.

It's been demonstrated repeatedly that people will pay to have good public libraries: most bond and tax override elections succeed. Those who have talked to the people consistently get a more refined message: what people want from their libraries most, and what they'll most readily pay for, is a good supply of books. Almost any public librarian in touch with their community, no matter how rich, advanced, or sophisticated the community, will have one answer to the question: "What single thing are your customers most ready to pay for?" The answer is always books—not "information" but books. Librarians ignore that answer at great peril.

PLAUSIBLE FUTURES:

Paper Persisting

Some areas of book publishing have already been replaced (partly or wholly) by digital publications and distribution. That's as it should be. I shed no tears when *Readers' Guide to Periodical Literature* is replaced by online and CD-ROM indexes. Most households are better served by \$30-\$50 CD-ROM encyclopedias updated every year or two than by massive \$600-\$1500 print encyclopedias that the households will never update. While good print atlases continue to matter, the best CD-ROM atlases offer ways of seeing the world that a print atlas can't duplicate—and these days, most newer CD-ROMs also point to newer updates on the World Wide Web.

One thoughtful analyst suggests that half of what's now printed in book form (that is, sheets of paper somehow bound into volumes) could be replaced by digital publishing and distribution, even as bookstores and public libraries thrive. How? By replacing most or all of the parts catalogs, operating manuals, maintenance guides and similar items that aren't meant to be read end to end, but require brief consultation from time to time. Such replacement should help traditional book publishing by reducing the demand for paper, ink, and press time, and by further weakening the already-questionable ecological arguments against printed books. These changes would further increase the ratio of stuff that's only in digital form to stuff that's in printed form, but that's a pointless ratio in any case.

Books matter, and will continue to matter, because people learn from them and enjoy reading them. Public and academic libraries will continue to rely heavily on printed collections because they work so well for the ideas of the future as well as the record of the past and present. Of course, libraries will extend those printed collections with in-house media collections, borrowed physical resources, and an ever-growing array of digital publications and online retrieval: that's neither revolutionary nor even new.

The "And, Not Or" Vision

Visions are wonderful things, though frequently misleading. I've

always disclaimed any thought of being a visionary—but, as it turns out, I do have a vision of sorts. That vision is embodied in the phrase "And, Not Or," which I first used in fall 1992, when I began speaking out about the future of libraries and print. That vision can be summarized as follows, excerpted from a longer version in *Future Libraries: Dreams, Madness & Reality*:

- The future means both print and electronic communication.
- The future means both linear text and hypertext.
- The future means both mediation by librarians and direct access.
- The future means both collections and access.
- The future means a library that is both edifice and interface.

That's my vision for the future. It's a vision that will enter into future articles about aspects of media and libraries. And it's a vision that calls for strong printed collections at the heart of every public and academic library, just as strong libraries function at the heart of every community, college, and university.

*Author's Note: Portions of this article (specifically the PowerPoint fable) first appeared in different form in speeches delivered in late 1996 and early 1997. If you were expecting a personal computing article here, don't worry—I'll still be writing those, mixed roughly half and half with essays on the future of media and libraries. Although you can't place advance orders for my next book yet (its current working title is *Being Analog: Building Tomorrow's Libraries*), *Future Libraries: Dreams, Madness & Reality* continues to be great reading—and it won't be replaced by the new book.*

—Walt Crawford

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Spanning the Severn

Eleanor J. Brookes

Wales & Chester and Western Circuits Librarian, the Court Service

Having agreed to talk to you today about my role as a Circuit Librarian, I started to think about the theme of this year's conference — bridging the gap — and how this applies to my post. As Western Region Circuit Librarian, I am responsible for providing library and information services to the Wales & Chester and Western Circuits. These two areas are literally bridged by the Second Severn Crossing. Hence the title of my presentation, *Spanning the Severn*. Being a circuit librarian also involves crossing metaphorical bridges. The way in which I seek to bridge gaps in information provision will form the basis of this paper.

In order to give you an insight into my work, it will first be necessary to deal briefly with the Court Service in general and how Library and Information Services fits into that framework. Having given some background information, I will then move on to my role and responsibilities.

The Court Service

In April 1995, the Court Service, which has been in existence since 1971, became an Executive Agency of the Lord Chancellor's Department (LCD). The Court Service undertakes administrative and support tasks for the Court of Appeal, the Supreme Court, the High Court, the Crown Court, county courts, the Probate Service and those tribunals, such as the Immigration Appellate Authorities, which are attached to the Service. For operational purposes, the Court Service is divided into eight commands: the Criminal Appeal Office; the Supreme Court Group and six circuits covering England and Wales amongst which the Crown Courts and county courts are divided.

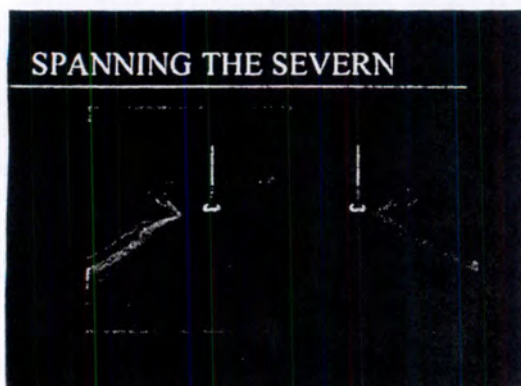
During the Court Service's first months as an Executive Agency, a management structure review was undertaken. This led to the centralisation of the three main support services, namely accommodation,

personnel and training, and information systems. Four regional support centres and several sub-offices have subsequently been opened. The main purpose of these centres is to allow court managers to concentrate on the core work of running the courts.

Library and Information Services (LIS) operates within the Accommodation Procurement Libraries Records Division and has had experience in providing this type of support service to the judiciary and to the courts since the 1980s. Whilst the majority of LIS staff are London based, 13 members of staff are located in eight other major centres throughout England and Wales, including here in Newcastle.

The Head of Library and Information Services is based in the Court Service headquarters building, Southside, in London. There are two Senior Librarians, one of whom is the Resource Manager and the other the Senior Circuit Librarian. The Resource Manager is based in Southside and is responsible for the work undertaken by the Systems and Acquisitions section, the Office Manager and LIS staff based in the LCD Headquarters and Law Commission libraries. The Senior Circuit Librarian is responsible for LIS staff based out on circuit and for the Supreme Court Library where her office is based.

In addition to my post, there are four other circuit librarians: the Midland and Oxford Circuit Librarian whose office is in Birmingham County Court; the North Eastern Circuit Librarian who is based in Sheffield Combined Court Centre; the Northern Circuit Librarian who works from Liverpool Combined Court Centre; and the South Eastern Circuit Librarian whose office is in Chelmsford Crown Court. My office is based in the Law Library in Cardiff Crown Court where I have the support of a



full-time Library Assistant who is also experienced in Crown and county court work.

The Western Region and its Libraries

As I mentioned earlier, the Western Region comprises two circuits: the Wales & Chester and Western Circuits. Each circuit is headed by a Circuit Administrator and the courts on each circuit are subdivided into three groups. Group managers have responsibility for each of these six groups. There are 76 courts across the region, each of which is headed by a Court Manager. The Western Region is served by 86 circuit judges, 64 district judges and 162 recorders.

One of my main objectives as a Circuit Librarian is to ensure that the judiciary and court staff based in the Western Region have access to those sources of information needed for the administration of justice. In addition to providing a regional library and information service, I also manage the Law Library in Cardiff Crown Court. The library was purchased from the local law society in the early 1990s. It is used not only by court staff and members of the judiciary sitting in the court but by local advocates. At the time the library was purchased, LIS agreed to continue to provide access to advocates and good use is made of this facility by them. Barristers and solicitors are able to borrow most titles held by the library for three working days. During 1996, over one thousand items were borrowed and the library is also used on a daily basis for research purposes.

The Woolf report recommended that "both professional litigators and unrepresented litigants should have access to court libraries". Whilst LIS is primarily concerned that court libraries are able to supply judges and courts with the publications necessary to their work, it is LIS policy to permit access, as far as possible, to litigants in person. Indeed such persons do make occasional use of the library in Cardiff Crown Court. However, security arrangements are of paramount importance and it is not always practical to provide such access, particularly in courts which do not have staffed libraries and/or where the collection is in a secure area. Although the library in Cardiff Crown Court falls into the latter category, access is possible provided litigants have made an appointment and are able to present some form of identification at the security desk prior to being escorted to the library.

It may be of interest to note that the *BIALL Directory* lists the other court libraries which have professional or full-time staff and which can generally be used by litigants on an appointment basis. The Supreme Court Library at the Royal Courts of Justice in London is also available to litigants and is open during normal office hours. Whilst my colleagues and I are always willing to give assistance and point people in the right direction, we have neither the legal qualifications nor the time to undertake research on behalf of litigants.

My Role and Responsibilities

How then do I seek to ensure that the judiciary and Court Service staff who are not based in Cardiff have access to the information they require?

The first way of ensuring such access is through the supply of personal copies of legal publications to circuit judges. Newly appointed circuit judges are given the opportunity to select a number of publications from a list drawn up by a standards committee on which the judiciary have representation. Some titles are only supplied to judges sitting on particular types of cases. For example, *Archbold* can be supplied to circuit judges who sit on criminal cases for more than 30 days per annum whilst the *County Court Practice* is an option for those who sit on civil cases for more than 30 days per year. As a circuit librarian, requests for titles which do not appear on the standards list can be supplied at my discretion. However, due to budgetary constraints, this inevitably involves a trade-off against one of the standard titles. By providing personal copies of standard titles, LIS seeks to ensure that members of the judiciary have access to a basic library at home, at their base court or when sitting at another court on the circuit.

The *Recommend Standards* document also contains details of the publications which LIS is able to supply to courts. The development of court collections in the Western Region has been one of my major projects. Each court is entitled to receive certain publications depending on its size and jurisdiction. Thus, a county court with more than 250 sitting days per annum which is also a family hearing centre will have a larger collection of legal publications than a county court which has fewer than 100 sitting days per year and no additional jurisdiction. When calculating which publications a court is entitled to receive, all sitting days (circuit judge, district judge, recorders, deputy circuit and district judges and assistant recorders) are counted.

Whilst the provision of legal publications to circuit judges and courts helps to meet information needs, it would be impossible to equip each judge and each court with all the information which will ever be

Court Library Officer's Duties

- ◆ Record receipt of publications
- ◆ Create and maintain locations records
- ◆ Introduce signing out system
- ◆ Update loose-leaf works
- ◆ Arrange for law report parts to be bound
- ◆ Replace obsolete editions and ensure that court's collection is up-to-date

required in the administration of justice. Consequently, one of my main functions is to act as a central enquiry point for the Western Region. In addition to the library's book stock, I have access to LEXIS and an increasing number of CD-ROM products. If I am unable to answer an enquiry using these resources, then I can use Dynix, the service's automated computer system, to check the catalogues of the LCD Headquarters, Law Commission and Supreme Court Libraries. Last year, I added the holdings for each of the courts in the Western Region to the system and, if appropriate, an enquirer can be directed to another court in their vicinity. Any enquiry which cannot be answered locally or via one of the three London libraries is directed to the Enquiries Librarian who is based in Southside and has access to a wider range of online databases and outside organisations. To comply with LIS service standards, all enquires must be acknowledged within one working day and answered within one working week. Whilst many of the enquiries which we receive in Cardiff come directly from members of the judiciary, the majority are channelled to us by court library officers.

Library Officers

Each court in the Western Region has a member of staff responsible for maintaining its collection of legal materials. These library officers undertake a variety of task on behalf of LIS.

- On receipt of a textbook, looseleaf update or supplement, the library officer notes the details on a pro-forma monthly return sheet before signing and forwarding the despatch note to the Library Assistant in Cardiff. It is an audit requirement that receipt of all items supplied to the courts be recorded on Dynix prior to the invoice being passed for payment. The Library Assistant cannot achieve the LIS' target of 100 per cent receipting without the co-operation of the court library officers. Although it is sometimes necessary to chase courts from which a despatch note for a particular title has not been received, this usually uncovers some problem such as non-delivery rather than failure on the part of the library officer to perform the task. Subscription items are recorded on separate pro-forma sheets designed to enable library officers quickly to identify when parts have not been received.
- Although LIS strongly recommends that legal publications be held in central collections, this is not always feasible. Publications are often kept in a number of locations and it is of the utmost importance that library officers based in courts where collections are scattered maintain good location records. On the Western Region, this is achieved by means of an alphabetical holdings list for the court which gives details of the location of each title. The list is duplicated and a copy placed in each courtroom, judge's chamber and office.
- Several of the larger courts in the region do have

separate libraries and the library officers based in these courts are encouraged to introduce a signing out system in order that publications may be quickly traced. In the majority of cases, an exercise book is used for this purpose although a small number of courts do use a slip system.

- Ensuring that looseleaf publications are updated on receipt of each new release is one of the library officer's main duties. Often this task is delegated to another member of court staff and it is the responsibility of the library officer to provide training in the art of updating looseleaf works.
- Binding of law reports is undertaken on an annual basis by courts. On the Wales & Chester Circuit, the Library Assistant co-ordinates this work as the circuit's binding budget is held by LIS. The role of library officers on the Wales & Chester Circuit is simply to ensure that all the parts and indices are ready for collection. On the Western Circuit, the library officer is also responsible for obtaining funding from the Court Manager and contacting the bindery to arrange the collection of parts for binding.
- Finally, library officers ensure that court collections are kept up-to-date not only by updating loose-leaf works and recording receipt of law report parts but by disposing of superseded material. Disposal guides for publications supplied to the courts have been produced by LIS and issued to all library officers. The guides contain details not only of which superseded items should be retained but which should be discarded on receipt of a new edition. Material no longer required by the courts is often donated to local citizen advice bureaux or to Book Aid.

The role of library officer is held by many different grades of court staff. On the Western Region, those responsible for maintaining the courts' collections of legal publications range from paperkeepers to court managers. Whilst a few library officers do have some experience of updating manuals, the majority are either designated the responsibility as a result of having expressed interest in acquiring an additional role or because their post lends itself to absorbing the duties involved without adversely affecting the court's targets. Supporting and encouraging library officers is an important aspect of my work as a circuit librarian since the duties which they undertake enhance the service provided by LIS to the courts and judiciary.

There are a variety of ways in which I am able to provide advice and assistance to court staff concerning the management and maintenance of library resources. Two years ago, I co-ordinated the production of a court library officer's handbook. A copy of the handbook, which is intended to act as a reference tool for library officers, was distributed to each court in England and Wales. In addition to documents such as the *Recommended Standards* and disposal guides, the handbook contains job cards for each of the tasks undertaken by library officers and a set of pro forma record sheets.

Personal contact with library officers is achieved through visits to the courts. During these visits, I discuss any problems which the library officer may be encountering in relation to their duties with the line manager and/or Court Manager. Visits may also include a training element if, for example, a new library officer has been appointed or the existing library officer requires additional training in a particular aspect of their work.

A series of one-day training courses for library officers based on the Wales & Chester and Western Circuits provided me with an opportunity not only to train officers in their duties but also to initiate the development of information retrieval skills. The training days also afforded library officers the unique opportunity to meet and share common problems (eg how to incorporate their duties into an existing workload) and to find practical solutions to these problems.

Co-ordinating

During court visits and training courses, the availability of either the Library Assistant or myself at the end of the telephone is always emphasised. The central circuit enquiry point acts not only as a means of obtaining material unavailable locally but as an advice centre for library officers who have queries relating to their role.

In order to ensure that information resources available through LIS are fully utilised, a marketing group has been established to co-ordinate the publication of promotional material and to explore ways in which users can be encouraged to use the resources available locally and centrally. This has led to the introduction of the monthly *Legal Information Update*, which contains details of articles published in journals and law reports supplied to the courts. Details of cases reported in newspapers together with recently published statutes and statutory instruments also appear in the update. Circuit staff produce a bi-monthly newsletter designed to raise awareness of the latest editions of publications and to draw attention to new services, eg the provision of legal material on CD-ROMs.

Since the end of last year, both the newsletter and

the update have been made available to judges via the Libinfo conference on FELIX, an electronic message system used by the judiciary to exchange information. Access to FELIX has also assisted in the handling of enquiries as members of the judiciary are able to send requests for information (eg copies of transcripts) via e-mail.

As Circuit Librarian, I am constantly seeking means of narrowing the gaps which exist in information provision in the Western Region. Work is currently being undertaken by the Systems Manager on networking the LIS computer system. This will enable members of the judiciary to have access to a variety of CD-ROMs and will help to alleviate the problems caused when relevant material is not held by a small court located in an isolated part of the region.

Within the next few weeks, I will be linked to SOAP (Southside Office Automation Project), the network used by members of Court Service staff based in Southside. Using this network will enable me to gain access to the e-mail systems which are being introduced on the Wales & Chester and Western Circuits. In the future, I hope to use these systems as a means of disseminating information to court library officers and perhaps as a means of distributing the circuit newsletter and update.

Finally, I have approval from the Wales & Chester and Western Circuit administrators and group managers to establish 18 monthly meetings with court library officers. These will be held at a location central to each group and will include training elements together with sessions on developments in services to the courts and judiciary. The meetings will also act as a forum for the discussion of problems being faced by library officers.

Conclusion

I have sought to give you an insight into my work as a circuit librarian and, in particular, the way in which I seek to meet the information needs of members of the judiciary and court staff. Acting as a link between users and resources is an integral part of a post which I find both challenging and rewarding. "Bridging the gap", I think you may agree, is an apposite way of describing the function of that post.

FINANCIAL CHARTS and DATA

Association (listed Alphabetically)	# LSUC Members	Local Assoc. Mbrs.	Assoc'n. Library Fee	Local Fees Collected	Funds Distributed*	Total Rev. (Including Local Rev.)	Library Staff Costs	Cost of Books	Total Expnse. (Including Local Exp.)	Local Expenses	Local Revenue	Local Rev. minus Local Exp.
Algoma	116	77	325	24,781	56,234	80,698	5,333	67,046	85,468	13,089	0	-13,089
Brant	99	84	250	21,000	51,186	72,431	15,184	47,439	69,298	6,675	245	-6,430
Bruce	35	45	110	5,510	55,385	66,019	8,400	44,703	59,707	6,604	5,124	-1,480
Carleton	2,463	1,082	235	217,845	133,519	537,703	220,971	173,419	575,780	181,390	186,339	4,949
Cochrane	67	57	250	13,625	73,192	95,685	19,908	67,470	102,352	14,974	8,868	-6,106
Dufferin	43	34	220	7,066	49,188	56,615	10,664	41,154	55,677	3,859	361	-3,498
Durham	335	189	230	41,951	62,456	113,916	19,239	65,324	94,533	9,970	9,509	-461
Elgin	51	45	255	11,985	52,238	71,535	11,810	49,343	64,723	3,570	7,312	3,742
Essex	188	367	230	82,113	75,955	175,369	68,240	87,772	169,188	13,176	17,301	4,125
Frontenac	225	113	150	15,390	60,495	81,098	28,350	46,389	81,098	6,359	5,213	-1,146
Grey	61	64	220	10,780	49,836	63,762	12,432	44,221	61,841	5,188	3,146	-2,042
Haldimand	30	26	275	6,130	50,517	64,887	9,500	39,029	59,082	10,553	8,240	-2,313
Halton	337	156	236	35,496	67,112	110,525	34,000	46,967	106,023	25,056	7,917	-17,139
Hamilton	670	576	243	132,662	114,378	313,773	125,020	132,218	291,772	34,534	66,733	32,199
Hastings	106	78	275	21,506	51,860	84,579	18,312	47,507	74,746	8,927	11,213	2,286
Huron	31	28	300	6,148	51,566	62,152	6,100	49,406	62,434	6,928	4,438	-2,490
Kenora	45	51	300	12,100	48,414	61,199	10,985	38,318	58,389	9,086	685	-8,401
Kent	86	70	220	15,512	45,885	61,867	9,713	39,612	55,258	5,933	470	-5,463
Lambton	86	57	300	17,100	46,225	70,206	6,670	50,921	62,338	4,747	6,881	2,134
Lanark	42	40	200	6,900	52,380	59,398	6,635	39,868	51,067	4,564	118	-4,446
Leeds & Gren.	53	47	290	14,627	54,692	80,065	10,000	43,552	67,211	13,659	10,746	-2,913
Lennox & Add.	14	18	260	4,680	50,695	55,204	7,000	43,310	52,444	2,134	0	-2,134
Lincoln	237	231	245	55,105	73,028	154,431	51,055	61,526	148,574	35,993	26,298	-9,695
Metro Toronto	10,339	3,500	100	284,822	90,432	504,197	208,508	173,883	500,892	118,501	128,943	10,442
Middlesex	728	622	200	122,100	98,690	276,100	77,901	130,311	271,095	62,883	55,310	-7,573
Muskoka	51	38	180	7,325	50,146	57,411	7,500	39,145	50,481	3,836	0	-3,836
Nipissing	35	69	240	16,420	49,887	75,700	12,096	55,440	74,067	6,531	9,393	2,862
Norfolk	32	42	214	8,988	50,207	71,350	5,860	34,642	60,501	19,999	12,155	-7,844
Northumberland	58	46	250	11,500	45,403	60,562	4,016	53,772	62,294	4,506	3,659	-847
Oxford	52	45	272	12,278	46,472	61,416	14,013	39,667	63,827	10,147	2,666	-7,481
Parry Sound	19	12	200	2,400	43,484	45,685	3,300	31,430	38,053	3,323	0	-3,323
Peel	744	343	270	84,849	85,104	216,843	86,889	77,886	219,848	55,073	46,890	-8,183
Perth	47	41	180	6,975	45,022	61,059	4,820	36,124	49,815	8,871	9,062	191
Peterborough	108	97	250	26,458	54,689	84,432	17,474	59,206	84,353	7,673	3,285	-4,388
Prescott	48	38	200	7,500	46,765	54,542	7,685	43,291	60,110	9,134	277	-8,857
Rainy River	11	9	300	2,500	52,138	62,764	13,731	45,564	62,749	3,454	8,126	4,672
Renfrew	73	55	325	17,300	54,187	85,423	21,142	37,236	77,141	18,763	13,936	-4,827
Simcoe	309	253	185	51,110	62,854	133,750	24,970	68,495	122,941	29,476	19,786	-9,690
Stormont, Dun.	181	66	260	17,680	50,094	71,248	6,000	50,293	60,983	4,690	3,474	-1,216
Sudbury	75	178	250	42,125	78,058	139,753	32,475	67,422	120,467	20,570	19,570	-1,000
Temiskaming	22	21	280	5,880	52,565	58,706	15,663	33,591	53,732	4,478	261	-4,217
Thunder Bay	185	197	230	39,224	65,786	113,918	30,009	79,789	113,494	3,696	8,908	5,212
Victoria Halib.	36	37	400	14,800	55,280	75,629	13,180	50,290	69,332	5,862	5,549	-313
Waterloo	516	387	250	95,100	71,933	181,588	42,732	81,979	176,488	51,777	14,555	-37,222
Welland	165	125	250	31,080	57,251	106,721	26,508	32,200	103,142	44,434	18,390	-26,044
Wellington	152	137	250	32,137	55,748	119,709	18,636	70,214	110,710	21,860	31,824	9,964
York Region	1,022	230	225	48,205	72,017	140,870	38,817	75,050	143,458	29,591	20,648	-8,943
TOTAL:	20,428	10,123	242	1,768,768	2,860,648	5,452,493	1,449,446	2,833,434	5,258,976	976,096	823,824	-152,272

(average)

NOTES: "local fees" x " Local Assoc. members" does not total "Local Fees collected" as some associations have varying scales of fees.

* Funds Distributed is the total of the LFO funds of \$619,000 plus LSUC \$142,500 plus LSUC annual levy of \$116 - \$2,099,148. It does not include central funds paid directly for CD-ROM, QL and PCs.

County Law Library Funding - 1990 - 1997 * - Overview of Sources of Funds Distributed

	'90 - '91	'91 - '92	'92 - '93	'93 - '94	'94 - '95	1996	1997
LSUC Levy	1,260,000	1,410,000	1,560,000	1,706,000	1,802,000	1,876,000	2,099,148
LSUC Annual Grant	142,500	142,500	142,500	142,500	142,500	142,500	142,500
Law Foundation Grant	867,000	929,000	929,000	774,000	619,000	619,000	619,000
Local Revenue			765,592	798,862	739,208	776,888	823,824
Local Assoc. Fees	1,423,453	1,497,833	1,615,032	1,695,750	1,754,513	1,759,076	1,768,768

TOTAL FUNDING	\$3,692,953	\$3,979,333	\$5,012,124	\$5,117,112	\$5,057,221	\$5,173,464	\$5,453,240
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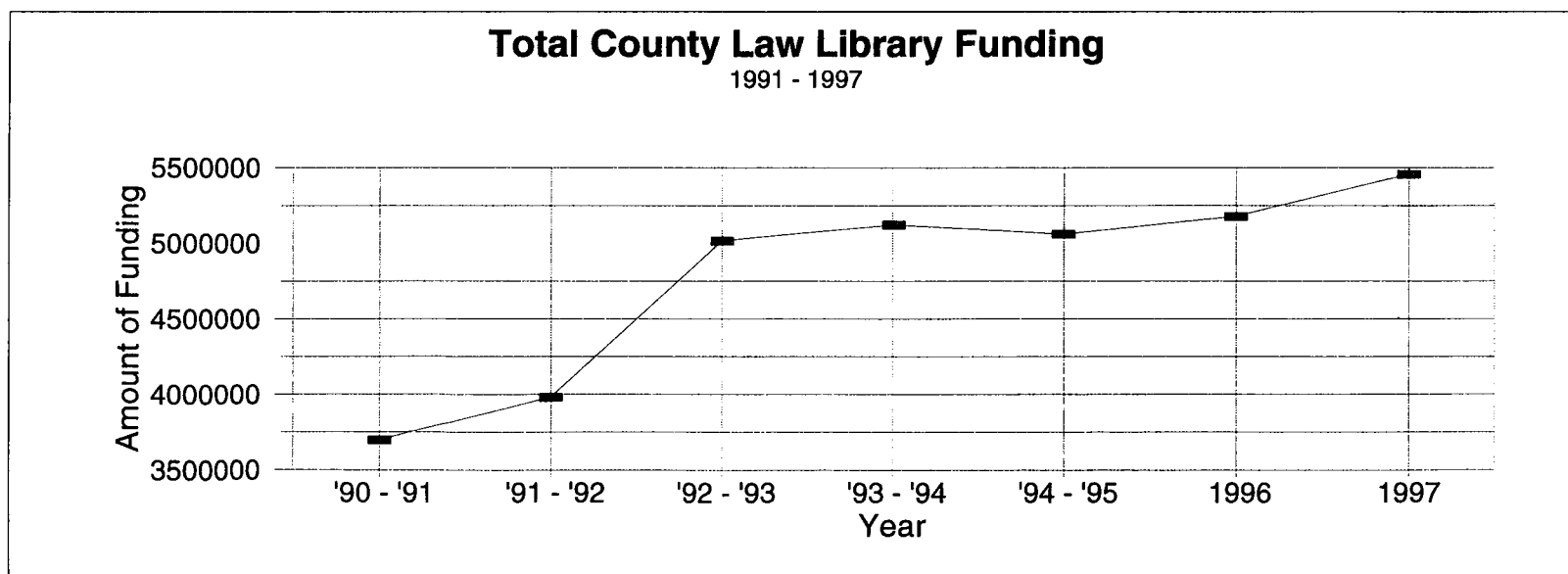
* NOTE: The figures do not reflect extraordinary funding or special central funding for CD-ROM, QuickLaw and computers. This chart represents the normal amount of funding distributed annually.

LSUC Levy applies to all fee-paying members. For 1997 it is \$116 per full fee-paying member.

LSUC Annual Grant is required under Reg. 708, s. 31 (1) and has over the years been replaced by the separate County Law Library Levy.

Law Foundation Grant is an annual, discretionary grant from the Law Foundation. For 1998 and 1999 the Foundation has indicated the grant will probably be reduced by 50%, as its revenues have declined significantly the past few years.

Local Assoc. Fees are set by each County Law Association for their members. (See separate chart showing each county's fees)



Association (Alphabetical Order)	Funds Distributed	% of Total Distributed	Local Assoc. Members	Funds per Assoc. Member	# LSUC Members	Funds per LSUC Member	LPIC Members	Funds per LPIC Member
Algoma	56,234	1.97%	77	730	116	485	90	625
Brant	51,186	1.79%	84	609	99	517	91	562
Bruce	55,385	1.94%	45	1,231	35	1,582	32	1,731
Carleton	133,519	4.67%	1,082	123	2,463	54	1,409	95
Cochrane	73,192	2.56%	57	1,284	67	1,092	53	1,381
Dufferin	49,188	1.72%	34	1,447	43	1,144	35	1,405
Durham	62,456	2.18%	189	330	335	186	249	251
Elgin	52,238	1.83%	45	1,161	51	1,024	51	1,024
Essex	75,955	2.66%	367	207	188	404	402	189
Frontenac	60,495	2.11%	113	535	225	269	165	367
Grey	49,836	1.74%	64	779	61	817	62	804
Haldimand	50,517	1.77%	26	1,943	30	1,684		
Halton	67,112	2.35%	156	430	337	199	265	253
Hamilton	114,378	4.00%	576	199	670	171	550	208
Hastings (& Prince Edward)	51,860	1.81%	78	665	106	489	98	529
Huron	51,566	1.80%	28	1,842	31	1,663	31	1,663
Kenora	48,414	1.69%	51	949	45	1,076	40	1,210
Kent	45,885	1.60%	70	656	86	534	70	656
Lambton	46,225	1.62%	57	811	86	538	76	608
Lanark	52,380	1.83%	40	1,310	42	1,247	38	1,378
Leeds & Gren.	54,692	1.91%	47	1,164	53	1,032	47	1,164
Lennox & Add.	50,695	1.77%	18	2,816	14	3,621	14	3,621
Lincoln	73,028	2.55%	231	316	237	308		
Metro Toronto	90,432	3.16%	3,500	26	10,339	9	8,539	11
Middlesex	98,690	3.45%	622	159	728	136	583	169
Muskoka (& Haliburton)	50,146	1.75%	38	1,320	51	983	48	1,045
Nipissing	49,887	1.74%	69	723	35	1,425	69	723
Norfolk (& Haldimand - LPIC)	50,207	1.76%	42	1,195	32	1,569	68	1,481
Northumberland	45,403	1.59%	46	987	58	783	46	987
Oxford	46,472	1.62%	45	1,033	52	894	50	929
Parry Sound	43,484	1.52%	12	3,624	19	2,289	18	2,416
Peel	85,104	2.97%	343	248	744	114	539	158
Perth	45,022	1.57%	41	1,098	47	958	41	1,098
Peterborough	54,689	1.91%	97	564	108	506	88	621
Prescott	46,765	1.63%	38	1,231	48	974	41	1,141
Rainy River	52,138	1.82%	9	5,793	11	4,740	11	4,740
Renfrew	54,187	1.89%	55	985	73	742	65	834
Simcoe	62,854	2.20%	253	248	309	203	267	235
Stormont, Dun.	50,094	1.75%	66	759	181	277	65	771
Sudbury (& Manitoulin)	78,058	2.73%	178	439	75	1,041	159	491
Temiskaming	52,565	1.84%	21	2,503	22	2,389	25	2,103
Thunder Bay	65,786	2.30%	197	334	185	356	163	404
Victoria Halib./Lindsay	55,280	1.93%	37	1,494	36	1,536	33	1,675
Waterloo	71,933	2.51%	387	186	516	139	441	163
Welland	57,251	2.00%	125	458	165	347		
Wellington	55,748	1.95%	137	407	152	367	120	465
York Region	72,017	2.52%	230	313	1,022	70	617	117
TOTAL:	2,860,648		10,123		20,428		15,964	

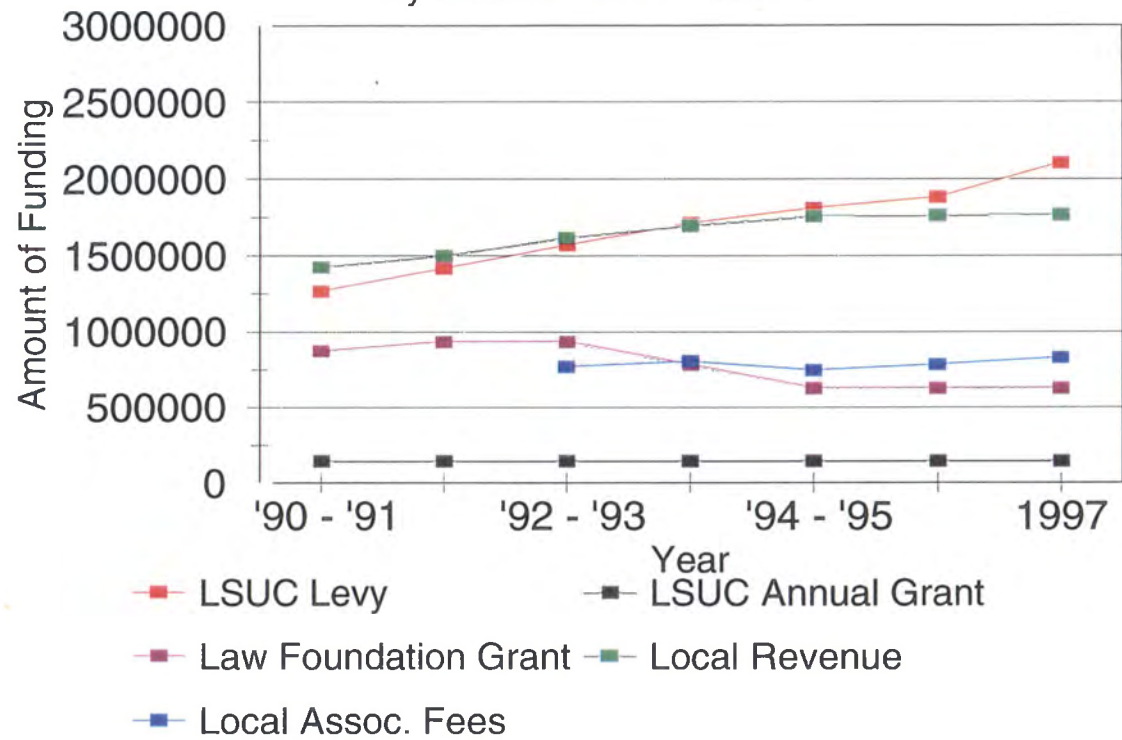
* LSUC \$116 levy
of \$2,099,148 and
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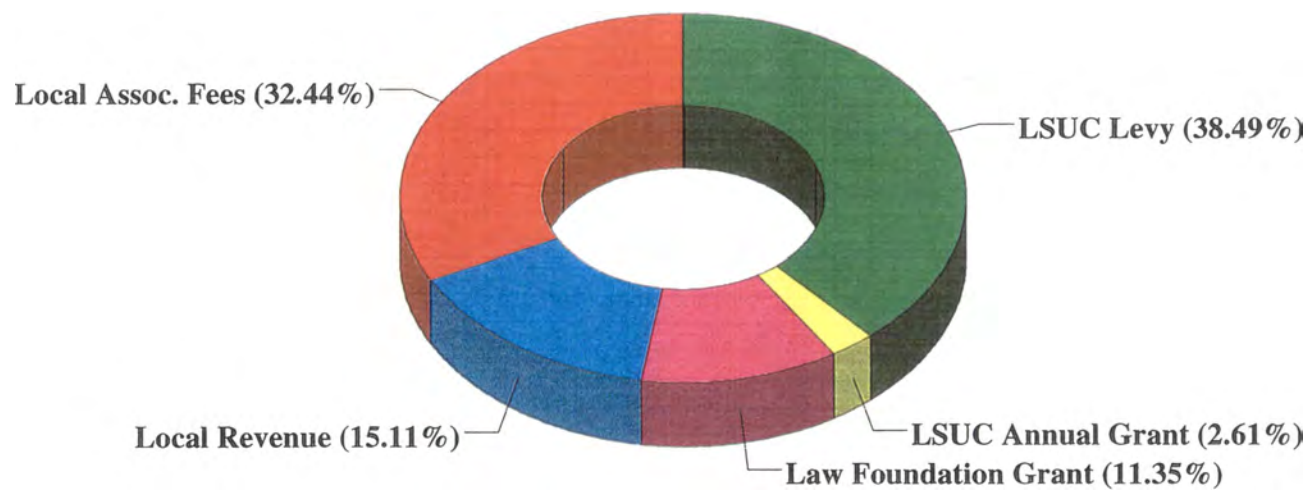
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County Law Library Funds Distributed
By Source - 1991 - 1997



1997 County Library Funds Distributed By Source



Association	Funds Distributed	% of Total Funds	Local Assoc. Members	Funds Distributed per Assoc. Member	# LSUC Members	Funds Distributed per LSUC Member	# LPIC Members	Funds Distributed per LPIC Member
Rainy River	52,138	1.82%	9	5,793	11	4,740	11	4,740
Parry Sound	43,484	1.52%	12	3,624	19	2,289	18	2,416
Lennox & Add.	50,695	1.77%	18	2,816	14	3,621	14	3,621
Temiskaming	52,565	1.84%	21	2,503	22	2,389	25	2,103
Haldimand	50,517	1.77%	26	1,943	30	1,684		
Huron	51,566	1.80%	28	1,842	31	1,663	31	1,663
Dufferin	49,188	1.72%	34	1,447	43	1,144	35	1,405
Victoria Halib./Lindsay	55,280	1.93%	37	1,494	36	1,536	33	1,675
Prescott	46,765	1.63%	38	1,231	48	974	41	1,141
Muskoka (& Haliburton)	50,146	1.75%	38	1,320	51	983	48	1,045
Lanark	52,380	1.83%	40	1,310	42	1,247	38	1,378
Perth	45,022	1.57%	41	1,098	47	958	41	1,098
Norfolk (&Haldimand - LPIC)	50,207	1.76%	42	1,195	32	1,569	68	1,481
Oxford	46,472	1.62%	45	1,033	52	894	50	929
Bruce	55,385	1.94%	45	1,231	35	1,582	32	1,731
Elgin	52,238	1.83%	45	1,161	51	1,024	51	1,024
Northumberland	45,403	1.59%	46	987	58	783	46	987
Leeds & Gren.	54,692	1.91%	47	1,164	53	1,032	47	1,164
Kenora	48,414	1.69%	51	949	45	1,076	40	1,210
Renfrew	54,187	1.89%	55	985	73	742	65	834
Cochrane	73,192	2.56%	57	1,284	67	1,092	53	1,381
Lambton	46,225	1.62%	57	811	86	538	76	608
Grey	49,836	1.74%	64	779	61	817	62	804
Stormont, Dun.	50,094	1.75%	66	759	181	277	65	771
Nipissing	49,887	1.74%	69	723	35	1,425	69	723
Kent	45,885	1.60%	70	656	86	534	70	656
Algoma	56,234	1.97%	77	730	116	485	90	625
Hastings (&Prince Edward)	51,860	1.81%	78	665	106	489	98	529
Brant	51,186	1.79%	84	609	99	517	91	562
Peterborough	54,689	1.91%	97	564	108	506	88	621
Frontenac	60,495	2.11%	113	535	225	269	165	367
Welland	57,251	2.00%	125	458	165	347		
Wellington	55,748	1.95%	137	407	152	367	120	465
Halton	67,112	2.35%	156	430	337	199	265	253
Sudbury (& Manitoulin)	78,058	2.73%	178	439	75	1,041	159	491
Durham	62,456	2.18%	189	330	335	186	249	251
Thunder Bay	65,786	2.30%	197	334	185	356	163	404
York Region	72,017	2.52%	230	313	1,022	70	617	117
Lincoln	73,028	2.55%	231	316	237	308		
Simcoe	62,854	2.20%	253	248	309	203	267	235
Peel	85,104	2.97%	343	248	744	114	539	158
Essex	75,955	2.66%	367	207	188	404	402	189
Waterloo	71,933	2.51%	387	186	516	139	441	163
Hamilton	114,378	4.00%	576	199	670	171	550	208
Middlesex	98,690	3.45%	622	159	728	136	583	169
Carleton	133,519	4.67%	1,082	123	2,463	54	1,409	95
Metro Toronto	90,432	3.16%	3,500	26	10,339	9	8,539	11
TOTAL:	2,860,648		10,123		20,428		15,964	

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Association	Local Assoc. Members	Total Revenue (All Sources)	Total Expenses	Total Revenue less Total Expenses	Expenses as % of Revenue
Perth	41	61,059	49,815	11,244	81.59%
Durham	189	113,916	94,533	19,383	82.98%
Parry Sound	12	45,685	38,053	7,632	83.29%
Leeds & Gren.	47	80,065	67,211	12,854	83.95%
Norfolk	42	71,350	60,501	10,849	84.79%
Stormont, Dun.	66	71,248	60,983	10,265	85.59%
Lanark	40	59,398	51,067	8,331	85.97%
Sudbury	178	139,753	120,467	19,286	86.20%
Muskoka	38	57,411	50,481	6,930	87.93%
Hastings	78	84,579	74,746	9,833	88.37%
Lambton	57	70,206	62,338	7,868	88.79%
Kent	70	61,867	55,258	6,609	89.32%
Renfrew	55	85,423	77,141	8,282	90.30%
Bruce	45	66,019	59,707	6,312	90.44%
Elgin	45	71,535	64,723	6,812	90.48%
Haldimand	26	64,887	59,082	5,805	91.05%
Temiskaming	21	58,706	53,732	4,974	91.53%
Victoria Halib.	37	75,629	69,332	6,297	91.67%
Simcoe	253	133,750	122,941	10,809	91.92%
Wellington	137	119,709	110,710	8,999	92.48%
Hamilton	576	313,773	291,772	22,001	92.99%
Lennox & Add.	18	55,204	52,444	2,760	95.00%
Kenora	51	61,199	58,389	2,810	95.41%
Brant	84	72,431	69,298	3,133	95.67%
Halton	156	110,525	106,023	4,502	95.93%
Lincoln	231	154,431	148,574	5,857	96.21%
Essex	367	175,369	169,188	6,181	96.48%
Welland	125	106,721	103,142	3,579	96.65%
Grey	64	63,762	61,841	1,921	96.99%
Waterloo	387	181,588	176,488	5,100	97.19%
Nipissing	69	75,700	74,067	1,633	97.84%
Middlesex	622	276,100	271,095	5,005	98.19%
Dufferin	34	56,615	55,677	938	98.34%
Metro Toronto	3,500	504,197	500,892	3,305	99.34%
Thunder Bay	197	113,918	113,494	424	99.63%
Peterborough	97	84,432	84,353	79	99.91%
Rainy River	9	62,764	62,749	15	99.98%
Frontenac	113	81,098	81,098	0	100.00%
Huron	28	62,152	62,434	(282)	100.45%
Peel	343	216,843	219,848	(3,005)	101.39%
York Region	230	140,870	143,458	(2,588)	101.84%
Northumberland	46	60,562	62,294	(1,732)	102.86%
Oxford	45	61,416	63,827	(2,411)	103.93%
Algoma	77	80,698	85,468	(4,770)	105.91%
Cochrane	57	95,685	102,352	(6,667)	106.97%
Carleton	1,082	537,703	575,780	(38,077)	107.08%
Prescott	38	54,542	60,110	(5,568)	110.21%
TOTAL:	10,123	\$5,452,493	\$5,258,976	\$193,517	94.70%

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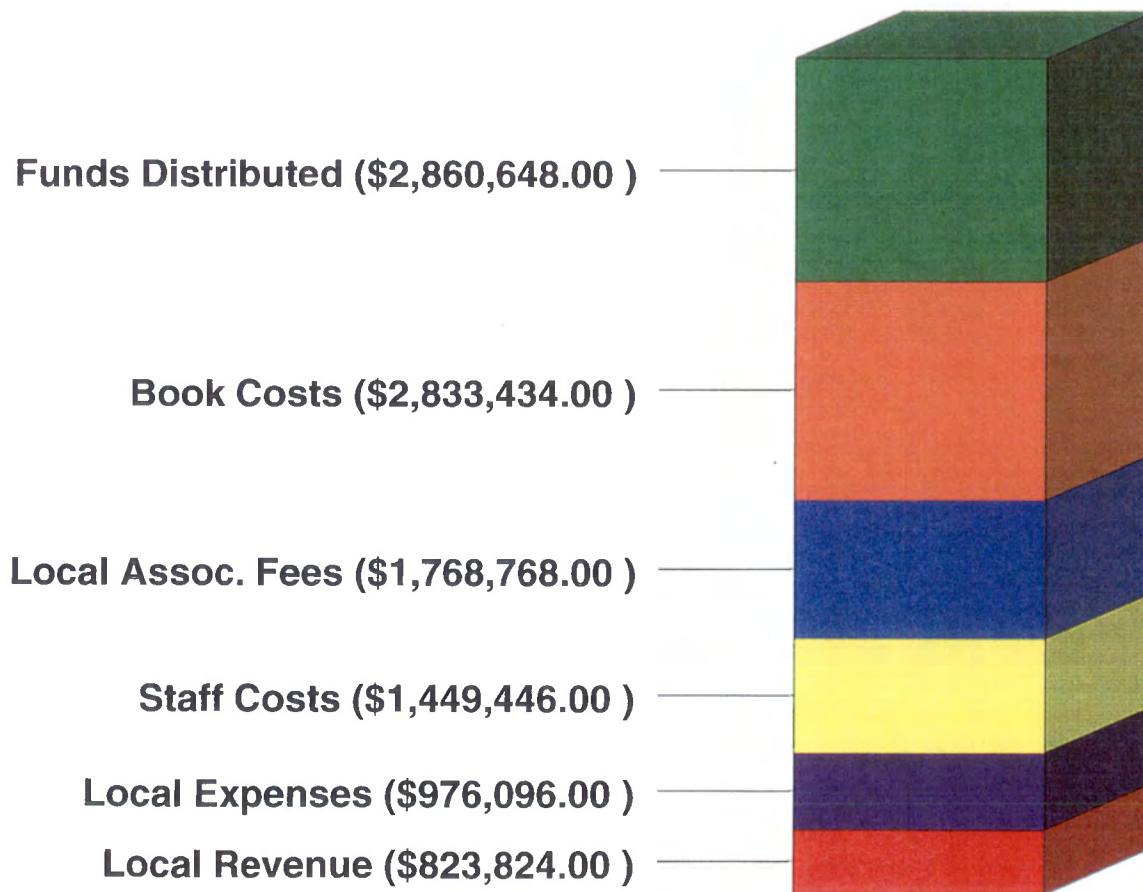
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1997 Revenue/Funding and Expenses

(All County Libraries & MTLA)



DELIVERY MODELS: INFORMATION and DETAILS



C. H. HEWSON BOURNE, Q.C.
DONALD W. JENKINS, Q.C.
GREGORY M. MULLIGAN, B.A., LL.B.

Bourne, Jenkins & Mulligan

BARRISTERS, SOLICITORS & NOTARIES PUBLIC

TELEPHONE (705) 326-3565
FAX (705) 326-8360

OLD FIRE HALL
P.O. BOX 368
27 PETER STREET N.
ORILLIA, ONTARIO L3V 6J8

April 9, 1998

Law Society of Upper Canada
Osgoode Hall
130 Queen Street West
TORONTO, Ontario
M5H 2N5

Attention: Ms. Janine Miller
Director of Libraries

Dear Ms. Miller:

Re: CDLPA Library Committee
Pilot Project Proposal

I read with interest the policy secretariat preliminary report regarding the future of county and district libraries. The report stresses the need for innovative concepts and partnering to take advantage of new technologies. I have an idea for a pilot project which could provide a valuable model for providing lawyers with additional access to these new technologies.

The proposal would involve partnering with the Orillia Public Library to provide access for lawyers in a small city which has courts but not a county library. The following overview will provide you with further background information for consideration.

The Community

Orillia is a city of about 27,000 people located approximately 40 kilometres north of Barrie which is the county seat for Simcoe County. The community services a large trading area for the north end of Simcoe County and the south end of the District of Muskoka.

The Legal Community

Orillia contains approximately 45 lawyers made up of a mix of sole practitioners and members of small firms ranging from 2 to 8 lawyers. Most of the lawyers are members of the Simcoe County Law Association and thus enjoy library privileges at the Courthouse Library in Barrie. Many lawyers also belong to the Orillia Law Association which is an informal association of lawyers in the community.

The Courts

Orillia has a courthouse containing two courtrooms located on the grounds of the Huronian Regional Centre. The courthouse provides court for the Ontario Court (Provincial Division), Ontario Court (General Division) Small Claims Court, Ontario Court (General Division) Family Court (the new unified Family Court), as well as, Highway Traffic Court. This is a busy courthouse and the courtrooms are used on an almost daily basis. However, it does not contain any library facilities whatsoever.

Legal Research

Lawyers in the community have the typical problems of maintaining an adequate library in a small firm or sole practitioner environment. Some lawyers are taking advantage of quick law and maintaining a small law library. Lawyers who need to do more research must travel to the library in Barrie which would involve travel time of at least one hour for a return trip.

The Orillia Public Library

The library is centrally located in downtown Orillia. With a limited budget, it has attempted to stay abreast of new technology. It has two computers with internet access for the general public. It has recently entered into a partnering agreement with the CIBC which provided a new card and recording-keeping system for the library's catalogue of books. The public library is open six days a week including weekday evenings until 8:00 p.m.

The Proposal

The proposal would be for the Great Library or the Simcoe County Law Association to enter into a partnering agreement with the Orillia Public Library. The library would be provided with a computer, printer and CDrom tower similar to the package that was provided to county and district law libraries across Ontario. It would also be provided with quick law access. The library would provide suitable space and general supervision for the computer. The lawyers would be responsible for their own training. Many lawyers have already taken training at the County library in Barrie and would be expected to continue that training, if necessary, through the County library. The librarians at the Orillia library would also have access to the system so that they could access federal and provincial Statutes and Regulations and the CEDs.

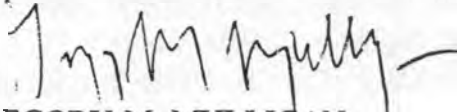
Other Communities In Ontario

The experience from this pilot project could be of great assistance to other communities in Ontario which find themselves in a similar situation. There are significant numbers of lawyers in communities which are geographically separated from the County Law Library. The communities of Collingwood, Niagara Falls and Markham are just a few examples.

If you would like to explore this proposal further, please do not hesitate to contact me. I would be glad to arrange a meeting with representatives of the Orillia Public Library.

Yours truly,

BOURNE, JENKINS & MULLIGAN



GREGORY M. MULLIGAN

GMM:amp

cc. Peter Bourque

If a Law School Exists in the County
Close the Local Law Library

Libraries remaining open	No. in Assoc.	1997 LSUC Funds Distributed	Association libraries closed	No. in Assoc.	Law school
Algoma/Sault Ste. Marie	77		Carleton/Ottawa	1082	Carleton or Ottawa Law
Brant/Brantford	84		Essex/Windsor	367	Windsor Law
Bruce/Walkerton	45		Frontenac/Kingston	113	Queen's Law
Cochrane/Timmins	57		MTLA/Toronto	3500	Univ. of Toronto Law
Dufferin/Orangeville	34		Middlesex/London	622	Western Law
Durham/Oshawa	189		Peel/Brampton	343	Osgoode Law
Elgin/St. Thomas	45				
Grey/Owen Sound	64				
Haldimand/Cayuga	26				
Halton/Milton	156				
Hamilton	576				
Hastings/Belleveille	78				
Huron/Goderich	28				
Kenora	51				
Kent/Chatham	70				
Lambton/Sarnia	57				
Lanark/Perth	40				
Leeds/Brockville	47				
Lennox/Napanee	18				
Lincoln/St. Catharines	231				
Muskoka/Bracebridge	38				
Nipissing/North Bay	69				
Norfolk/Simcoe	42				
Northumberland/Cobourg	46				
Oxford/Woodstock	45				
Parry Sound	12				
Perth/Stratford	41				
Peterborough	97				
Prescott & Russell/L'Orignal	38				
Rainy River/Fort Frances	9				
Renfrew/Pembroke	55				
Simcoe/Barrie	253				
Stormont/Comwall	66				
Sudbury	178				
Temiskaming/Haileybury	21				
Thunder Bay	197				
Victoria Haliburton	37				
Waterloo/Kitchener	387				
Welland	125				
Wellington/Guelph	137				
York Region/Newmarket	230				
Total no. of members	4096			6027	
1997 LSUC Funds Distributed		2,316,453			544,195

Funds Distributed
per Member

\$566

\$90

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$544,195/4,096)

\$133

**If a Law School Exists Within a .5 hr. Drive
Close the County Law Library**

Libraries Remaining Open	No. in Association	1997 LSUC Funds Distributed	Association Libraries closed	No. in Assoc	1997 LSUC Funds Distributed	Universities & Law Schools
Algoma/Sault Ste Marie	77		Carleton/Ottawa	1,082		Carleton & Ottawa Law
Brant/Brantford	84		Elgin/St. Thomas	45		Western Law
Bruce/Walkerton	45		Essex/Windsor	367		Windsor Law
Cochrane/Timmins	57		Frontenac/Kingston	113		Queen's Law
Dufferin/Orangeville	34		Halton/Milton	156		Osgoode Law
Durham/Oshawa	189		MTLA	3,500		Univ. of Toronto Law
Grey/Owen Sound	64		Middlesex/London	622		Western Law
Haldimand/Cayuga	26		Lennox/Napanee	18		Queen's Law
Hamilton	576		Peel/Brampton	343		Osgoode Law
Hastings/Belleville	78		York Region/Newmarket	230		Osgoode Law
Huron/Goderich	28					
Kenora	51					
Kent/Chatham	70					
Lambton/Sarnia	57					
Lanark/Perth	40					
Leeds/Brockville	47					
Lincoln/St. Catharines	231					
Muskoka/Bracebridge	38					
Nipissing/North Bay	69					
Norfolk/Simcoe	42					
Northumberland/Cobourg	46					
Oxford/Woodstock	45					
Parry Sound	12					
Perth/Stratford	41					
Peterborough	97					
Prescott Russell/L'Orignal	38					
Rainy River/Fort Frances	9					
Renfrew/Pembroke	55					
Simcoe/Barrie	253					
Stormont/Cornwall	66					
Sudbury	178					
Temiskaming/Haileybury	21					
Thunder Bay	197					
Vic. Haliburton/Lindsay	37					
Waterloo/Kitchener	387					
Welland	125					
Wellington/Guelph	137					
Total no. of members	3,647			6,476		
1997 LSUC Funds Distributed		2,125,086			735,562	

Funds distributed,
per Member

\$583

\$114

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$735,562/3,647)

\$202

**If a Law School Exists within a 1 Hour Drive
Close the County Law Library**

Libraries remaining open	No. in Assoc.	Association libraries closed	No. in Assoc.	Law School
Algoma/Sault Ste. Marie	77	Brant/Brantford	84	Western Law
Bruce/Walkerton	45	Carleton/Ottawa	1,082	Ottawa or Carleton Law
Cochrane/Timmins	57	Dufferin/Orangeville	34	Osgoode Law
Grey/Owen Sound	64	Durham/Oshawa	189	U. of T. Law
Haldimand/Cayuga	26	Elgin/St. Thomas	45	Western Law
Kenora	51	Essex/Windsor	367	Windsor Law
Nipissing/North Bay	69	Frontenac/Kingston	113	Queen's Law
Norfolk/Simcoe	42	Halton/Milton	156	Osgoode or U. of T. Law
Parry Sound	12	Hamilton	576	U. of T. Law
Peterborough	97	Hastings/Belleville	78	Queen's Law
Rainy River/Fort Frances	9	Huron/Goderich	28	Western Law
Renfrew/Pembroke	55	Kent/Chatham	70	Windsor Law
Sudbury	178	Lambton/Sarnia	57	Western Law
Temiskaming/Haileybury	21	Lanark/Perth	40	Queen's Law
Thunder Bay	197	Leeds/Brockville	47	Queen's Law
Victoria-Haliburton/Lindsay	37	Lennox/Napanee	18	Queen's Law
Welland	125	Lincoln/St. Catharines	231	U. of T. Law
		MTLA	3,500	U. of T. Law
		Middlesex/London	622	Western Law
		Muskoka/Bracebridge	38	Osgoode Law
		Northumberland/Cobourg	46	U. of T. Law
		Oxford/Woodstock	45	Western Law
		Peel/Brampton	343	Osgoode Law
		Perth/Stratford	41	Western Law
		Prescott Russell/L'Orignal	38	Ottawa or Carleton Law
		Simcoe/Barrie	253	Osgoode Law
		Stormont/Cornwall	66	Ottawa or Carleton Law
		Waterloo/Kitchener	387	Osgoode Law
		Wellington/Guelph	137	Osgoode Law
		York Region/Newmarket	8,889	Osgoode Law
Total no. of members	1,162		8,961	
1997 LSUC Funds Distri	947,110		1,913,538	

Funds Distributed,
per Member

\$815

\$214

Open Libraries per
Member Funds Available
from Closed Libraries
Funds Distributed
(\$1,913,538/1,162)

\$1,647

If a University Library Exists in the County Close County Law Library

Libraries Remaining Open	No. in Assoc.	1997 LSUC Funds Distributed	Association libraries closed	No. in Assoc.	Universities & Law Schools
Algoma/Sault Ste. Marie	77		Carleton/Ottawa	1,082	Carleton & Ottawa Law
Brant/Brantford	84		Essex/Windsor	367	Windsor Law
Bruce/Walkerton	45		Frontenac/Kingston	113	Queens Law
Cochrane/Timmins	57		Hamilton	576	McMaster U.
Dufferin/Orangeville	34		Lincoln/St. Catharines	231	Brock U.
Durham/Oshawa	189		MTLA	3,500	Univ. of Toronto Law
Elgin/St. Thomas	45		Middlesex/London	622	Western Law
Grey/Owen Sound	64		Nipissing/North Bay	69	Nipissing U.
Haldimand/Cayuga	26		Peel/Brampton	343	York Law
Halton/Milton	156		Peterborough	97	Trent U.
Hastings/Belleville	78		Sudbury	178	Laurentian U.
Huron/Goderich	28		Thunder Bay	197	Lakehead U.
Kenora	51		Waterloo/Kitchener	387	Waterloo U.
Kent/Chatham	70		Wellington/Guelph	137	Guelph U.
Lambton/Sarnia	57				
Lanark/Perth	40				
Leeds/Brockville	47				
Lennox/Napanee	18				
Muskoka/Bracebridge	38				
Norfolk/Simcoe	42				
Northumberland/Cobourg	46				
Oxford/Woodstock	45				
Parry Sound	12				
Perth/Stratford	41				
Prescott & Russell/L'Orignal	38				
Rainy River/Fort Frances	9				
Renfrew/Pembroke	55				
Simcoe/Barrie	253				
Stormont/Cornwall	66				
Temiskaming/Haileybury	21				
Victoria-Haliburton/Lindsay	37				
Welland	125				
York Region/Newmarket	230				
Total no. of members	2,224			7,899	
1997 LSUC Funds Distributed		1,776,663			1,083,985

Funds Distributed
per Member

\$799

\$137

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$1,083,985/2,224)

\$487

**If a University Library Exists Within a .5 Hour Drive,
Close County Law Library**

Libraries Remaining Open	No. in Assoc.	1997 LSUC Funds Distributed	Association libraries closed	No. in Assoc.	1997 LSUC Funds Distributed
Algoma/Sault Ste. Marie	77		Brant/Brantford	84	
Bruce/Walkerton	45		Carleton/Ottawa	1,082	
Cochrane/Timmins	57		Elgin/St. Thomas	45	
Dufferin/Orangeville	34		Essex/Windsor	367	
Durham/Oshawa	189		Frontenac/Kingston	113	
Grey/Owen Sound	64		Haldimand/Cayuga	26	
Hastings/Belleveille	78		Halton/Milton	156	
Huron/Goderich	28		Hamilton	576	
Kenora	51		Lennox/Napanee	18	
Kent/Chatham	70		Lincoln/St. Catharines	231	
Lambton/Sarnia	57		MTLA	3,500	
Lanark/Perth	40		Middlesex/London	622	
Leeds/Brockville	47		Nipissing/North Bay	69	
Muskoka/Bracebridge	38		Northumberland/Cobourg	46	
Norfolk/Simcoe	42		Oxford/Woodstock	45	
Parry Sound	12		Peel/Brampton	343	
Prescott Russell/L'Orignal	38		Perth/Stratford	41	
Rainy River/Fort Francis	9		Peterborough	97	
Renfrew/Pembroke	55		Simcoe/Barrie	253	
Stormont/Cornwall	66		Sudbury	178	
Temiskaming/Haileybury	21		Thunder Bay	197	
			Vic. Haliburton/Lindsay	37	
			Waterloo/Kitchener	387	
			Welland	125	
			Wellington/Guelph	137	
			York Region/Newmarket	230	
Total no. of members	1,118			9,005	
1997 LSUC Funds Distributed		1,133,338			1,727,310

Funds distributed per Member

\$1,014

\$192

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$1,727,310/1118)

\$1,545

**If a University Library Exists Within a 1 Hour Drive,
Close the County law Library**

Libraries Remaining Open	No. in Assoc.	1997 LSUC Funds Distributed	Association libraries closed	No. in Assoc.	1997 LSUC Funds Distributed	Universities & Law Schools
Algoma/Sault Ste. Marie	77		Brant/Brantford	84		Western Law & McMaster U.
Bruce/Walkerton	45		Carleton/Ottawa	1,082		Carleton & Ottawa Law
Cochrane/Timmins	57		Dufferin/Orangeville	34		Osgoode Law
Grey/Owen Sound	64		Durham/Oshawa	189		U. of T. Law
Kenora	51		Elgin/St. Thomas	45		Western Law
Parry Sound	12		Essex/Windsor	367		Windsor Law
Rainy River/Fort Frances	9		Frontenac/Kingston	113		Queen's Law
Renfrew/Pembroke	55		Haldimand/Cayuga	26		McMaster U.
Temiskaming/Haileybury	21		Hatton/Milton	156		McMaster U.
			Hamilton	576		McMaster U.
			Hastings/Bellefonte	78		Queen's Law
			Huron/Goderich	28		Western Law
			Kent/Chatham	70		Windsor Law
			Lambton/Sarnia	57		Windsor Law
			Lanark/Perth	40		Queen's Law
			Leeds/Brockville	47		Queen's Law
			Lennox/Napanee	18		Queen's Law
			Lincoln/St. Catharines	231		Brock U.
			MTLA	3,500		U. of T. Law
			Middlesex/London	622		Western Law
			Muskoka/Bracebridge	38		Osgoode Law
			Nipissing/North Bay	69		Nipissing U.
			Norfolk/Simcoe	42		Osgoode Law
			Northumberland/Cobourg	46		Trent U.
			Oxford/Woodstock	45		Western Law
			Peel/Brampton	343		Osgoode Law
			Perth/Stratford	41		Western Law
			Peterborough	97		Trent U.
			Prescott Russell/L'Orignal	38		Ottawa or Carleton U.
			Simcoe/Barrie	253		Osgoode Law
			Stormont/Cornwall	66		Ottawa or Carleton U.
			Sudbury	178		Laurentian U.
			Thunder Bay	197		Lakehead U.
			Vic. Haliburton/Lindsay	37		Trent U.
			Waterloo/Kitchener	387		Waterloo U.
			Welland	125		Brock U.
			Wellington/Guelph	137		Guelph U.
			York Region/Newmarket	230		Osgoode Law
Total no. of members	391		Total no. of members	9,732		
1997 LSUC Funds Distributed		485,435			2,375,213	

Funds Distributed, per Member

\$1,242

\$244

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$2,375,213/391)

\$6,075

Regional/Area System (CLOSE ALL SMALL COUNTY LIBRARIES)

Libraries Remaining Open	No. in Assoc.	1997 LSUC Funds Distributed	Association libraries closed	No. in Assoc.	1997 LSUC Funds Distributed
Durham/Oshawa	189		Brant/Brantford	84	
Essex/Windsor	367		Bruce/Walkerton	45	
Frontenac/Kingston	113		Cochrane/Timmins	57	
Halton/Milton	156		Dufferin/Orangeville	34	
Hamilton	576		Elgin/St. Thomas	45	
Lincoln/St. Catharines	231		Grey/Owen Sound	64	
MTLA	3,500		Haldimand/Cayuga	26	
Middlesex/London	622		Hastings/Belleveille	78	
Peel/Brampton	343		Huron/Goderich	28	
Simcoe/Barrie	253		Kenora	51	
Sudbury	178		Kent/Chatham	70	
Thunder Bay	197		Lambton/Sarnia	57	
Waterloo/Kitchener	387		Lanark/Perth	40	
Welland	125		Leeds/Brockville	47	
Wellington/Guelph	137		Lennox/Napanee	18	
York Region/Newmarket	230		Muskoka/Bracebridge	38	
			Nipissing/North Bay	69	
			Norfolk/Simcoe	42	
			Northumberland/Cobourg	46	
			Oxford/Woodstock	45	
			Parry Sound	12	
			Perth/Stratford	41	
			Peterborough	97	
			Prescott & Russell/L'Orignal	38	
			Rainy River/Fort Frances	9	
			Renfrew/Pembroke	55	
			Stormont/Corwall	66	
			Temiskaming/Haileybury	21	
			Victoria-Haliburton/Lindsay	37	
Total no. of members	7,604			1,360	
1997 LSUC Funds Distributed		1,325,464			1,535,184

Funds Distributed, per Member

\$153

\$1,068

Open Libraries per Member
Funds Available from Closed
Libraries Funds Distributed
(\$1,535,184/8686)

\$177

BLENDED MODEL

REGIONAL "A" (MTLA excluded)

Associations, excluding MTLA	No. of Association members	1997 LSUC Funds Distributed
Carleton/Ottawa	1,082	
Essex	367	
Hamilton	509	
Middlesex/London	622	
Sudbury	178	
Thunder Bay	197	
Total	2,955	566,386

REGIONAL "B" (MTLA included)

Associations, including MTLA	No. of Association members	1997 LSUC Funds Distributed
Carleton/Ottawa	1,082	
Essex	367	
Hamilton	509	
MTLA	3,500	
Middlesex/London	622	
Sudbury	178	
Thunder Bay	197	
	6,455	656,8

Funds Distributed,
per Member

\$191.67

\$101.

Area Libraries

Association	No. of Association Members	1997 LSUC Funds Distributed
Algoma/Sault Ste. Marie	77	
Cochrane/Timmins	57	
Frontenac/Kingston	113	
Kenora	51	
Lincoln/St. Catharines	231	
Nipissing/North Bay	69	
Peel/Brampton	343	
Peterborough	97	
Rainy River/Fort Frances	9	
Renfrew/Pembroke	55	
Simcoe/Barrie	253	
Waterloo/Kitchener	387	
TOTALS:	1,742	742,155

Funds distributed
per Member

\$426.04

Local Libraries

(ELECTRONIC & CORE COLLECTION ONLY)

Association	No. of Association members	1997 LSUC Funds Distributed	No. of Association members, if	1997 LSUC Funds Distributed
Brant/Brantford	84		84	
Bruce/Walkerton	45		45	
Dufferin/Orangeville	34		34	
Durham/Oshawa	189		189	
Elgin/St. Thomas	45		45	
Grey/Owen Sound	64		64	
Haldimand/Cayuga	26		26	
Halton/Milton	156		156	
Hastings/Belleville	78		78	
Huron/Goderich	28		28	
Kent/Chatham	70		70	
Lambton/Sarnia	57		57	
Lanark/Perth	40		40	
Leeds/Brockville	47		47	
Lennox/Napanee	18		18	
MTLA			3,500	
Muskoka/Bracebridge	38		38	
Norfolk/Simcoe	42		42	
Northumberland/Cobourg	46		46	
Oxford/Woodstock	45		45	
Parry Sound	12		12	
Perth/Stratford	41		41	
Prescott & Russell/L'Orignal	38		38	
Stormont/Cornwall	66		66	
Temiskaming/Haileybury	21		21	
Victoria Haliburton	37		37	
Welland	125		125	
Wellington/Guelph	137		137	
York Region/Newmarket	230		230	
Total Members	1,859		5,359	
Total Funds Distributed		1,461,675		1,552,107

Funds Distributed,
per Member

\$786.27

\$289.63

Estimate of Blended System Costs

(Costs Common to all Libraries)

