

ELEVENTH ANNUAL REPORT

**Board of Trustees of the New York County Courts
Public Access Law Library**

May 31, 2006

INTRODUCTION

This is the eleventh annual report of the Board of Trustees of the New York County Public Access Law Library, presently located at 80 Centre Street in Room 468. It is submitted pursuant to *Guidelines for Boards of Trustees on the Care and Operation of Law Libraries*, dated October 13, 1993, and covers the period from June 1, 2005 to May 31, 2006. This report consists of a mission statement, sections pertaining to organization and staffing, Board activities, the collection, library services, security, statistics, recommendations, concluding remarks, and an appendix.

MISSION STATEMENT

The fundamental mission of the Public Access Law Library is to provide an open, easy, user-friendly avenue to legal information to a broad base of patrons.

ORGANIZATION AND STAFFING

Prior to the enactment of Judiciary Law section 814 (L. 1993, ch. 662), there were few statutory provisions for public access to court libraries in New York State and none in New York County. In his letter of support dated July 13, 1993, Assembly Member G. Oliver Koppell wrote to Hon. Elizabeth D. Moore, Counsel to the Governor, that "A.3446A provides for unification of the State court library system and the establishment of uniform procedures for management and operation, including public access across the State...it will also ensure uniformity, economies of scale and open access, and encourage the creation of improved facilities." The statute requires the appointment of boards of trustees to assist the Chief Administrative Judge in the care and management of libraries. The current Board of Trustees commenced October 3, 2005. It consists of Hon. Stephen G. Crane, Chair; Hon. Robert Jackson; M. Robert Goldstein, Esq.; Alison F. Alifano, and Julie Gick, Principal Law Librarian. All were appointed by Chief Administrative Judge Jonathan Lippman to serve through October 3, 2007. David Badertscher, Principal Law Librarian, continues an ex officio member.

Theodore Pollack has been serving as Senior Law Librarian of the Public Access Law Library since January 17, 2002. In addition to Mr. Pollack, the library staff includes Robert Rosensweig, a Court Analyst (JG 18), and Yvonne Kennedy, a former volunteer at the public access library who replaced Candice Wilson-Miller. As a Senior Court Office Assistant (JG-12), Ms. Kennedy divides her time between 100 Centre Street and the public access law library. Alex Colgan, an experienced court attorney and former housing court judge, has begun assisting with reference work at the library. He also fills in at the Office for the Self-Represented as well as handling assignments within the Law Department. Another full-time librarian title is vitally needed to serve the burgeoning clientele. A court officer assigned full-time to the library is also a necessity.

BOARD ACTIVITIES

During the past twelve months the Board met on October 11, 2005; January 12, 2006; and May 11, 2006 to discuss public access issues.

The public access library received a second donation of books from the New York State Bar Association and from a private law firm. Judge Crane wrote a thank you letter to the Association and to D'Amato and Lynch on behalf of the Board.

The renovation of 80 Centre Street remains on hold for budgetary reasons. In January space became available for leasing adjacent to the New York County Lawyers' Association building. After careful consideration the Board concluded that it would not be practical to pursue it. The Board continues to favor the vacated Motor Vehicles Office space as an ideal location for the public access library.

In February, 2005 the District Attorney's Office moved its mail room operations to a large room approximately twenty feet away from the public access library. For safety and security reasons this seems a poor location for processing mail. There have also been complaints about smoking in the room. Judge Crane emailed Hon. Ann T. Pfau, First Deputy Chief Administrative Judge. An arrangement to trade space may be made so that the mail room is relocated away from the library.

Judge Crane wrote a letter on behalf of the Board to Hon. Ann T. Pfau, First Deputy Chief Administrative Judge, petitioning for the assignment of one court officer to the library, and for clarification as to whether Supreme Court Criminal or Civil Term should provide security personnel.

The libraries receive letters from around the world complimenting their selfless service to the public. For example, in April Mr. Badertscher received a letter of appreciation from a businessman who used the public access library and commended Mr. Pollack for his help in a suit against a Canadian defendant. Attached as an addendum are two typical letters of appreciation for their services.

COLLECTION

The collection consisting of approximately 300 print titles or about 10,000 volumes has been enhanced by public access to Lexis, LoisLaw and Westlaw. Purchases of new books have been limited due to budgetary constraints. Internet access is available for staff use as well as a cataloging account. The Criminal Term library has been assisting with requests beyond the scope of the public access library.

LIBRARY SERVICES

As part of its mission the New York County Public Access Law Library provides a number of services to its patrons. These services include the following:

REFERENCE SERVICES - The collection at the Public Access Law Library is largely

focused on New York State and general reference materials. The Criminal and Civil Branch libraries continue to assist with interlibrary loan requests and as reference resources. The Public Access Law Library is participating in LION, the court libraries automation system, and continues to participate in the Question Point collaborative virtual online reference service in conjunction with the New York Supreme Court Criminal Branch Library. Using this service Mr. Pollack has answered reference questions from members of the public worldwide. The library may refer some inquiries to the Office for the Self-Represented at 60 Centre Street.

The spectrum of library patrons using the library is wide. Affluent individuals are doing research on a variety of issues including estate matters. Others have privately indicated that they are on parole or recently released from prison and are litigating civil actions against the government. Some users are homeless and have personal difficulties.

The library has provided New York residents with forms and assistance for name changes and divorces, general New York civil practice research in a variety of legal cases ranging from slips and falls to trusts and estates litigation. Several people received help retrieving forms for criminal matters and research assistance involving probation and parole issues, newly discovered evidence and appeals to the United States Supreme Court. Students from the New York Paralegal School frequently utilize the public access law library for research involving New York negligence and evidence issues.

Mr. Pollack has dealt with a variety of telephone requests from libraries, law firms, and individuals throughout the United States and Canada for research aid. A German citizen enrolled in the University of Muenster emailed a reference question regarding Family Court history. A Rutgers sociology professor was assisted with material on the New York courts and laws for a potential book. Another patron was provided research help related to workplace accidents for a potential book. A self-described "neurologically disabled" patron received documents related to human rights and constitutional law through Lexis and fax. A deaf-mute patron needed federal court rules and substantive law pertaining to public support for a grandchild under the guardianship of a grandparent. Other questions involved self-represented litigants with housing and appellate matters concerning holdover, public housing and disabilities issues. Librarians have provided instruction in Lexis for attorneys and members of the public. Library staff have filled requests for New York Law Journal and Appellate Division records and briefs; interlibrary loans and access to METRO Consortium libraries.

A boxing historian used Lexis in the Public Access Law Library to research legislation on the powers of state boxing commissions in each of the fifty states. This research was used in his new book.

A producer of the American Experience Documentary Series performed research on defamation issues concerning Annie Oakley which aired on PBS in May, 2006.

Currently Mr. Pollack is working with the Second Circuit's library staff to provide access to Second Circuit records and briefs. The Second Circuit is no longer offering this service due to closing for

remodeling. The renovations are expected to take five to ten years to complete.

FACSIMILE SERVICES - Both the Supreme Court Criminal Branch and Civil Branch Libraries regularly fax reports of articles to the Public Access Law Library for public use.

INTERNET SERVICES - Patrons may consult the home page of the Unified Court System at <http://nycourts.gov>. A link from Law Libraries on the lower part of the page leads to a list of the

New York State trial court law libraries that are open to the public at <http://www.nycourts.gov/lawlibraries/publicaccess.shtml>. The court web site contains extensive information including careers in the court system, juror information, links to additional related sites, and the new commercial cases database. Users can also contact the library via e-mail.

TELEPHONE REFERENCE SERVICES - A unique feature of the Public Access Law Library is the toll free ready reference telephone number which people may dial for court information. Despite the fact this is the New York County Public Access Law Library calls from area codes used within New York City and the counties of Nassau, Suffolk and Westchester are automatically channeled to the New York County Public Access Law Library. A caller may dial 1-888-COURTNY (1-888-268-7869) and speak to a live person during business hours, or hear a voicemail message at other times. From April 2005 through March 2006 the COURTNY and the library phone numbers received 8836 calls.

CIRCULATION SERVICES - Because most of the collection consists of only one copy, circulation has been limited to court personnel in extenuating circumstances. The public has the use of books in the library, and a copy machine for patrons is available at 10 cents a page.

PUBLIC ACCESS NETWORK - The court system implemented a public access network (PAN) in the public access law library. In addition to Lexis, the public can use other online legal research services over high speed communication lines without compromising intranet security. The technology can also restrict public usage of nonlegal web sites. There is a one hour time limit on computer usage which can be extended depending on demand. The IT department tested the wireless network and found it to be functioning although the signal can be weak and variable.

SECURITY

The Board wishes to commend the Office of Court Administration, Capt. Frank C. Spagnolo, Lt. Allen Lasky, and Sgt. John Sbarbaro, for enhanced security measures at 80 Centre Street. Two panic or distress buttons have been installed at the public access library. The presence of a security officer on the fourth floor during the day would be helpful to reduce the number of incidents in the library. Disappearance of library materials has decreased since the implementation of the Check Point security system.

STATISTICS

The number of patrons using the Public Access Law Library since 1995 - 1996:

	Court	Attorneys	Self- Represented	Unidentified	Telephone Inquiries
<u>1995-1996</u>	386	704	804	731	N/A
<u>1996-1997</u>	570	1152	2065	903	N/A
<u>1997-1998</u>	451	1449	2126	1149	N/A
<u>1998-1999</u>	384	1390	3406	1614	N/A
<u>1999-2000</u>	395	1549	4259	1430	N/A
<u>2000-2001</u>	245	1399	3816	1303	N/A
<u>2001-2002</u>	N/A	N/A	N/A	N/A	N/A
<u>2002-2003</u>	140	1157	2861	863	4232*
<u>2003-2004</u>	277	1174	2958	1029	6350
<u>2004-2005</u>	401	1254	2655	1104	7572
<u>2005-2006</u>	332	1460	3394	1128	8836

*August 1, 2002 - March 31, 2003

The library began keeping telephone statistics in 2002. During 2005-2006 there were a total of 8836 telephone reference inquiries. Despite occasional glitches in phone service the number of calls and complexity of questions continue to increase. Telephone calls have also increased due to questions about the enhanced and expanded court web site.

Attendance is on the increase over the last few years. People are more aware that there is a law library available to them. Name change forms are distributed by local courts and through information on the internet. Referrals are made from other libraries and the Office for the Self-Represented. A number of requests are received via email, standard mail, and telephone.

The library remains an extremely busy place, because of the location and hours our library is serving users from other counties, judicial districts, states, and foreign nations. Our policy of openness has made the library an inviting and user-friendly research center.

RECOMMENDATIONS

Security concerns, accessibility, and adequate funding for collection development continue to be the major focus of the Board's agenda. To that end the Board recommends the following steps be taken to ensure that the library fulfills its potential:

- 1) Increase security in the library including a court officer and security equipment enhancements.
- 2) Obtain a permanent site for the Public Access Law Library with larger quarters and easy access for patrons.

- 3) Acquire two new computers and upgrade printers for enhanced online legal research.
- 4) Locate ADA compliant accommodations.
- 5) Participate in library internship programs.
- 6) Investigate the feasibility of a separate public access library budget.
- 7) Explore cooperative ventures between the library and community resources.
- 8) Consider space saving formats when fiscal controls are lifted.

CONCLUDING REMARKS

The Board is aware of the importance of the Public Access Law Library to the dissemination of legal information in the community and is committed to the fulfillment of its mission. The members of the Board wish to express their appreciation for the support and interest of the Chief Administrative Judge and the Office of Court Administration in the continued performance of its charge. We look forward to another productive year.

Hon. Stephen G. Crane, Chair

M. Robert Goldstein, Esq.
Hon. Robert Jackson
Alison F. Alifano
Julie Gick

David G. Badertscher, *ex officio*

From: "Marcus Schaerff" <schaerf@uni-muenster.de>
To: "Theodore Pollack" <TPOLLACK@courts.state.ny.us>
Date: 12/1/2005 5:01:11 AM
Subject: AW: Urgent Help

Dear Mr. Pollack,

I am most thankful for your very kind, quick and complete help in this matter. The information you sent me was exactly what I needed.

I cannot say how thankful I am for your help and kindness in this matter.

The People of the great State of New York can be very happy to have someone like you working for them.

Again, I would like to thank you for your excellent work and for your endeavors in this matter.

Sincerely,

Marcus Schaerff

-----Ursprüngliche Nachricht-----

Von: Theodore Pollack [mailto:TPOLLACK@courts.state.ny.us]
Gesendet: Mittwoch, 30. November 2005 22:25
An: schaerf@uni-muenster.de
Betreff: Re: Urgent Help

Below is an article that appears to be relevant to your request. I will attempt to find additional material. Please confirm receipt.
Introduction to the Unified Family Courts New York Law Journal April 16, 1997, Wednesday

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New York Law Journal

April 16, 1997, Wednesday

SECTION: LAW AND CHILDREN; Pg. 3

LENGTH: 3757 words

HEADLINE: Introduction to the Unified Family Courts

To: The Public Access Law Library Librarians

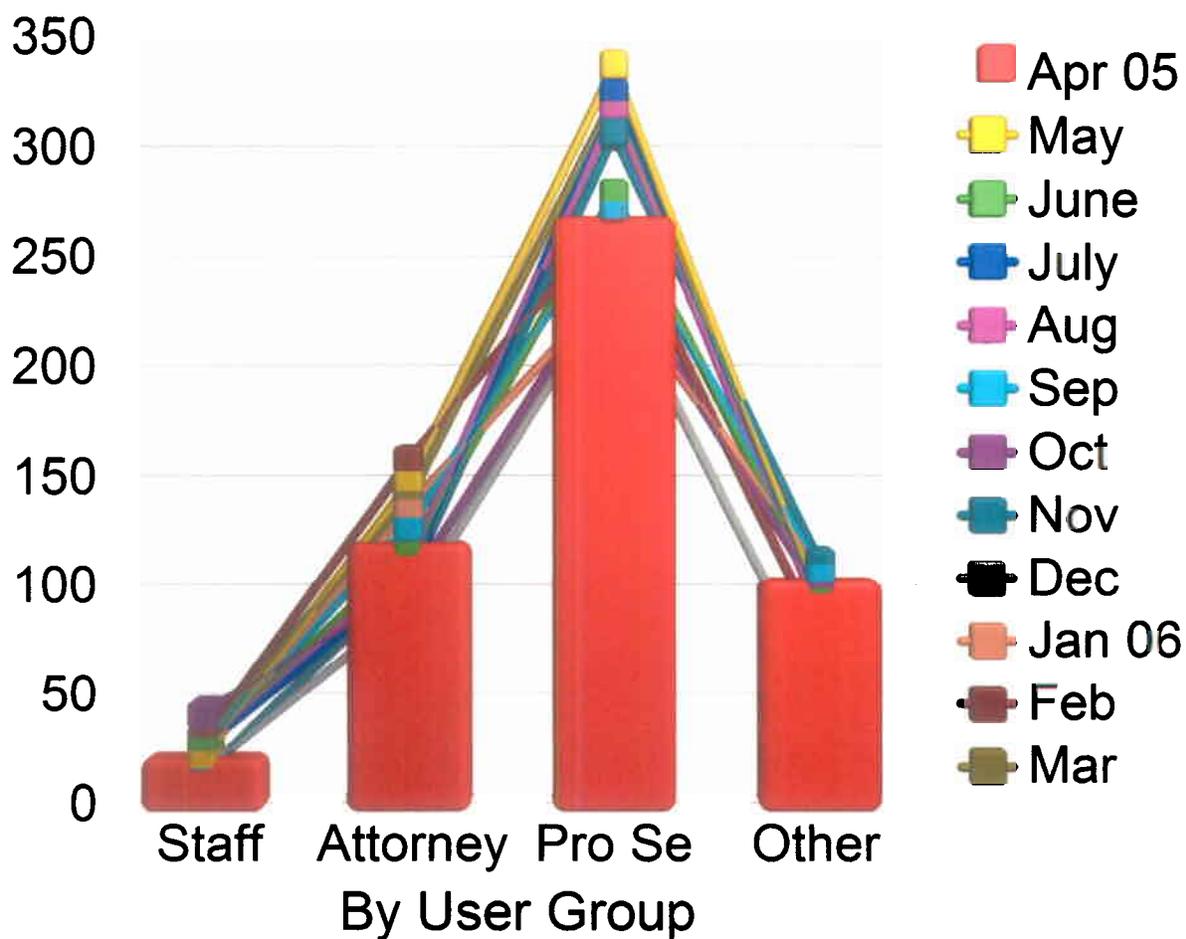
Dear Librarians,

Thank you very much for always making time to address my questions. Your expertise has been an invaluable resource and greatly appreciated.

I commend all of you for the way in which you selflessly touch the lives of your fellow citizens. Kindest regards

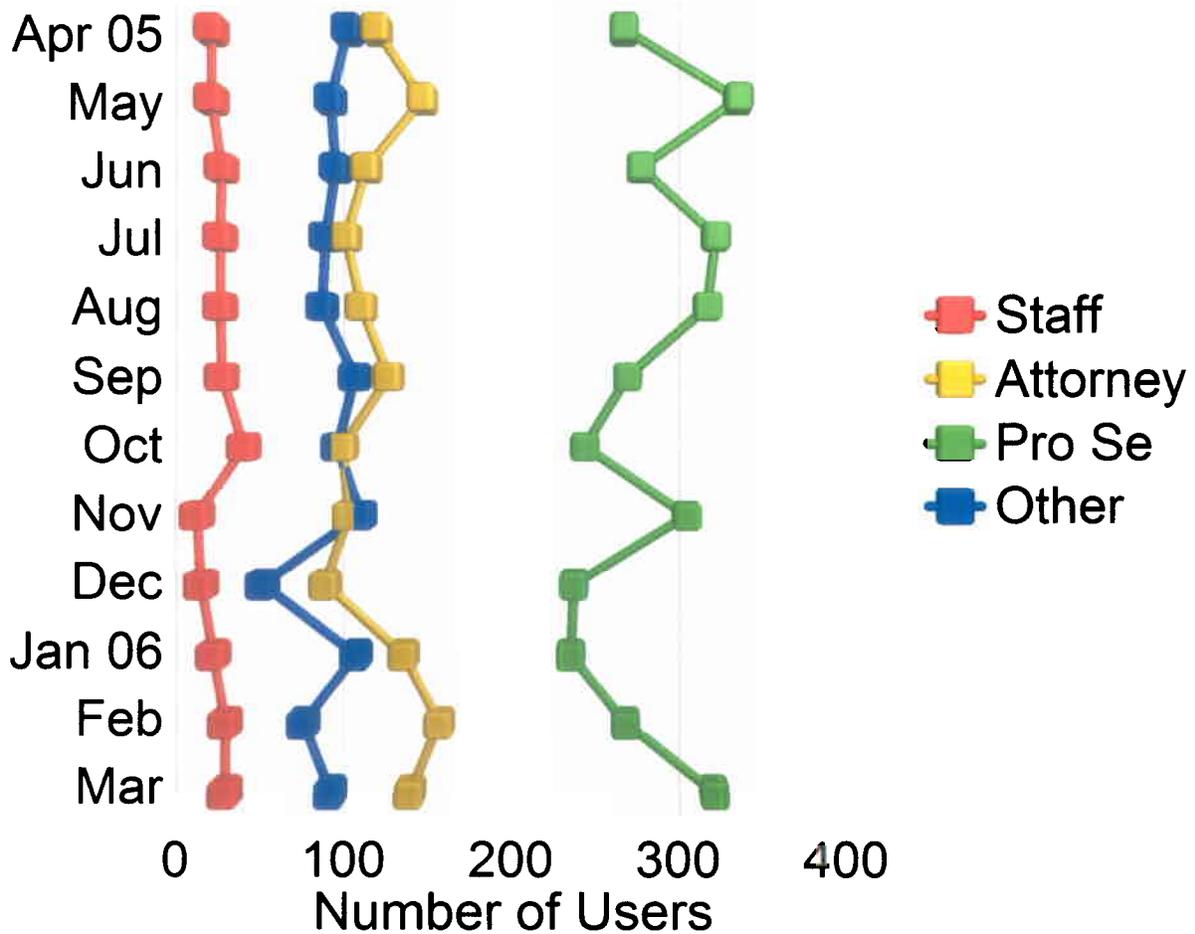
Anne-Marie Terrell

Library Statistics 2005 - 2006



Library User Statistics

2005 - 2006



Library Telephone Statistics 2005 - 2006

