

Oregon Reference Summit presents

Legal Reference in the Age of COVID: How Do You Respond?

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Agenda

- ▶ Introductions: Me – and you!
- ▶ About County Law Libraries
- ▶ Legal Reference Tips & Scripts
- ▶ Challenges During COVID

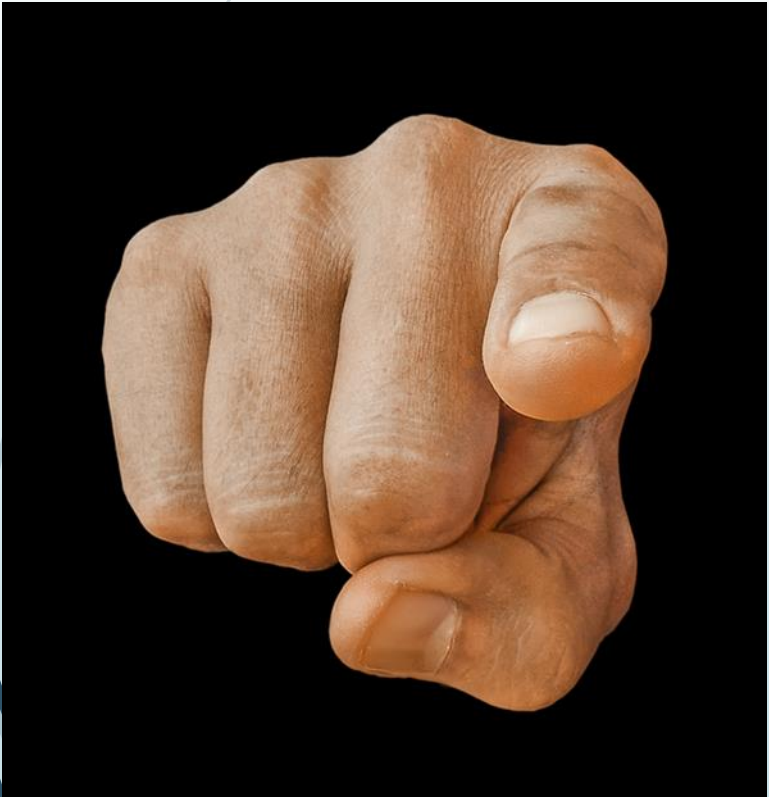
Introductions



Sue Ludington, MLIS

- ▶ Masters of Library & Information Science, University of Washington (2002)
- ▶ Public librarian in teen/youth services for 10+ years
- ▶ Paralegal Studies certificate, Portland Community College (2012)
- ▶ Library Assistant → Assistant Law Librarian, Washington County Law Library (2012 – 2018)
- ▶ Law Librarian, Lane County Law Library (2018 – present)

Introductions



Your Turn!

- Where: Oregon, Washington, Alaska
- Library Type: Public, academic, government
- Poll: Any previous legal reference training?

ABOUT COUNTY LAW LIBRARIES

County Law Libraries

- ▶ Oregon: counties **statutorily required to provide “a free law library...or law library services”** (ORS 9.815)
- ▶ Other states:
 - ▶ Washington: Any county with population 8000 or more ([RCW 27.24.010](#)). Also regional law libraries ([RCW 27.24.062](#)).
 - ▶ Alaska: No statutory requirement, but Alaska State Court Law Library system (16 locations) serves all residents.



County Law Libraries



- ▶ **Free and open** at reasonable hours
- ▶ Place to ask legal problem or **law-related questions**, conduct **legal research**, and learn about legal **resources and referrals**
- ▶ Administrative & governance **structures vary**
- ▶ **Vast differences** in available resources and services

County Law Libraries

Resources and services commonly available in larger Oregon County Law Libraries

- ▶ **Print and electronic, primary and secondary** legal research materials
 - ▶ Includes statutes, rules, regulations, caselaw, finding aids like digests, treatises, other annotated and interpretive resources
- ▶ Comprehensive **Oregon legal research collection** including Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR), Oregon Reports (*appellate cases*), Oregon Laws (*session law*), and Oregon legislative history minutes and exhibits

County Law Libraries

Resources and services commonly available in larger Oregon County Law Libraries



- ▶ **Continuing Legal Education** materials for attorneys
- ▶ **Internet accessible public computers**, including Oregon eCourt Case Information (OECI)
- ▶ Computer **printing/photocopying/scanning**
- ▶ **Meeting room**/attorney work room
- ▶ Study tables, media equipment, **quiet, neutral space**

County Law Libraries

Resources and services commonly available in larger Oregon County Law Libraries

- **Professional Law Librarian with embedded subject expertise and extended time to knowledgably and meaningfully converse with patrons!**



LEGAL REFERENCE TIPS & SCRIPTS

Legal Reference Tips

Legal Information → YES!

Legal Advice → NO!

INFORMATION	ADVICE
Find statute, rule, or ordinance by index or citation without interpretation.	Explain or interpret what a statute means, attempt to “find the law,” or address questions about statutes of limitations.
Find court cases on a particular topic but not apply to individual circumstances.	Make determination on relevance of caselaw to patron’s legal problem or recommend legal options patron should pursue.
Locate court rules for particular court without explanation.	Identify proper jurisdiction for a patron’s legal claim.
Find various court forms, samples of pleadings, and authoritative templates without telling patron which one to use.	Provide a specific legal form for patron’s legal matter.

Legal Reference Tips

- ▶ Never start a response to a patron with **what you CAN'T do**...yet clearly communicate you are **not an attorney**.
- ▶ You will **not find “the answer”** to patrons' legal problem questions, but rather resources and/or referrals.
- ▶ If there is **more than one answer to a legal reference question**, it is asking for legal advice.



Legal Reference Tips

- ▶ Use traditional reference interview **listening skills** and **reframe the question**:
 - ▶ What should I do? → How can I research?
 - ▶ What does this law mean? → What can I read that will help me understand?
 - ▶ Is this legal? → Where can I get advice?

Legal Reference Scripts

Sample Reference Scripts

- ▶ **“My new neighbors have blocked the easement between our properties that enables access to my home. The easement has been in place for decades, but now they won’t talk to me. What should I do?”**

“Wow, that sounds terrible! I’m not a lawyer so don’t know what your legal options are, but I can definitely point you to resources to learn about easements, like the Oregon State Bar’s *Land Use* treatise and *Neighbor Law* by Nolo. There are also property maps in Deeds & Records that could be helpful. Most importantly, I’ll show you how you can get a consultation with a lawyer. If your neighbors are uncooperative, you’ll likely need assistance from an attorney sooner than later.”

Legal Reference Scripts

Sample Reference Scripts

- ▶ **“I ended a lease and my landlord returned my security deposit. Now he says there’s damage and I need to pay him back some of the deposit. Is that legal?”**

“Hmmm, I don’t know the answer to that question, but I can show you how to use the index to the Oregon Revised Statutes to find landlord-tenant laws. We also have a Legal Aid handout on tenants’ rights, and a copy of Nolo’s *Every Tenant’s Legal Guide* on the shelf. Keep in mind, due to differing interpretations, very often there isn’t a single “right” answer to many legal questions. But let me help you get started on your research, and hopefully you can find out!”

Legal Reference Scripts

Sample Reference Scripts

- ▶ **“What are the laws on expungement? I received a DUI conviction 10 years ago and want to know if the law says it’s been long enough to get it off my record.”**

“You’re not alone – this is a common question! I admit I don’t know the exact answer, but fortunately the Lane County Circuit Court has a packet on expungement, with forms and instructions, available online. It probably won’t cover everything, but it’s a good place to start. It has citations to expungement laws, and I’ll show you where you can read those in the Oregon Revised Statutes. The Oregon State Bar has a good article on the topic too.”

Legal Reference Scripts

Sample Reference Scripts

- ▶ **“I want to file the paperwork to get guardianship of my grandson. Do you have the forms to do that?”**

“I don’t know the specific steps, but do know that guardianship is complicated and, like so many legal proceedings, there are no simple, fill-in-the-blank forms. Instead, you would draft your pleadings and motions from scratch. While we have some terrific resources to learn about guardianships – like the *Legal Guide to Grandparents and Other Relatives Raising Grandchildren*, as well as sample templates from a *Guardianship* treatise and CLE called *Guardianships and Conservatorships* – I also strongly encourage you to meet with an attorney. This is something you want done right the first time!”

CHALLENGES DURING COVID

COVID Challenges

Challenges

- Responding to patron questions via phone/email/text
 - Usually requires phone call *AND* email
 - Digital delivery of library materials involves scanning, creating PDFs, adjusting file sizes, verifying websites and links, and more
- Patron access to computer/non-phone device (or internet/wifi) sometimes limited or non-existent

The screenshot shows the Washington County Law Library website. The header includes navigation links for HOME, NEWS, CALENDAR, CONTACT US, and SERVICES, along with a language selection dropdown. The main content area is titled "Virtual Information Desk" and provides several contact options:

- E-mail:** lawlibrary@co.washington.or.us
- Phone:** (503) 846-8145
- Chat:** Coming Soon
- In Person*:** [Hours and Directions](#) (Note: *Contactless checkout only.)
- Video Call:** Call or e-mail (see above) to schedule a video call session. We use Microsoft Teams, which will allow you to see the librarian, and the librarian to share their screen with you.

Other Research Options include [Online Resources](#) and [OregonLegalResearch](#) website.

Footer information: 1 NE Lincoln Street, Hillsboro, OR 97124-3036, Suite: 250-L. Phone: (503) 846-8880. Fax: (503) 846-3515. Email: Law Library. This page maintained by: Law Library. Disclaimer and Privacy Statement. Select Language dropdown.

COVID Challenges

MLL Home 1890-2020

MULTNOMAH LAW LIBRARY About Services Research

Remote Database Access and Free Trials

You will need to call the library for a remote access code and instructions in order to access most of our databases. Go to [Databases A-Z](#) for a complete list. We use Chrome Remote Desktop. You will need to download the app [here](#). You have to request a new code prior to each new session.

The following databases have special instructions:

Lexis
Sign up for a [Lexis Remote Patron Access ID](#). You will receive an access ID within one business day.

Bloomberg Law
Call the library to receive a login and password.

Westlaw
Sign up for a [free Westlaw trial](#). It is good for 20 hours of Westlaw and Practical Law access over 14 days. If your email is already known to Westlaw (Thomson Reuters), use a different email or a made-up one. Select "Government - State or Local" as your organization type.

Legal Source
[Legal Source](#) is available remotely. The patron ID is the state postal abbreviation and the password is the name of the county. It contains thousands of full-text articles from legal periodicals and it indexes many, many more.



Clackamas County Law Library
Appointment Request Form

Note: Due to the COVID-19 pandemic, some Law Library resources may not be accessible at this time. After you submit this form, a Clackamas County Law Library staff member will respond to you by email within 24 hours. If you do not receive a response within that time period, please call 503-655-8248 and leave a message.

* Required

Name *

Your answer

Email *

Your answer

Phone

Your answer

County and State of your home residence

Your answer

Day Preferred

Monday

Challenges

- Delivery of resources
 - Snail mail
 - Curbside service to attorneys
 - Library visits by appointment
 - Remote access to traditionally in-house-only databases

COVID Challenges

Challenges

- ▶ Changing laws
 - ▶ Eviction moratorium
 - ▶ Business shut-downs
 - ▶ Stimulus checks
 - ▶ Mask mandates
 - ▶ Paycheck Protection Program /
Emergency Rental Relief
- ▶ Other??



Thank you

Questions? Now or Anytime!

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