

LLNE LAW LIBRARIANS OF NEW ENGLAND

April 6, 2015

Senator Jane Kitchel
Chair
Senate Committee on Appropriations
Vermont State House
115 State Street
Montpelier, VT 05633-5301

Senator Alice W. Nitka
Vice Chair
Senate Committee on Appropriations
Vermont State House
115 State Street
Montpelier, VT 05633-5301

Dear Chair Kitchel, Vice Chair Nitka and Members of the Committee:

I am writing on behalf of the executive board and the members of the Law Librarians of New England. We are a professional organization of law librarians from across the six New England states. Our members come from all segments of the legal community, including academic libraries, federal and state courts and agencies, county and public law libraries, corporate legal departments, publishers, vendors, bar associations, and private law firms. We are also a regional chapter of the Association of American Law Libraries, a national organization committed to leadership and advocacy in the field of legal information and information policy.

I write to urge you to oppose the severe budget cuts to the Department of Libraries proposed in H. 490, which would result in the closure of the Vermont State Law Library. Closure of the State Law Library will have a serious negative impact on state agency staff, the courts, members of the public, attorneys and others who rely on the State Law Library to access the important legal information they need. While we understand the difficult decisions facing the state of Vermont as legislators look to close a \$113 million budget gap, we urge you to provide adequate funding to the Department of Libraries so that it can keep the State Law Library open.

The State Law Library is a unique institution. According to V.S.A. Title 22 Chapter 013 Section 00605, "The duties and functions of the Department of Libraries shall be to provide, administer, and maintain...(1) A law library to serve the Supreme Court, the Attorney General, other members of the Judiciary, the legal profession, members of the Legislature, officials of State government and the general public." The State Law Library is the only library in Vermont that has this mission; as such, it is the only institution dedicated to ensuring that all of the people of Vermont, no matter their geographic location or income level, have access to legal information such as Vermont Supreme Court decisions and agency decisions, and legal resources such as forms and information about the legal process. While the only other public law library in the state, the Vermont Law School Julien and Virginia Cornell Library, is open to the public, its mission is to serve students and faculty; it does not provide public access to commercial databases and has a limited print collection. VLS is also located far from the state capital in rural South Royalton.

In Fiscal Year 2014, the State Library responded to 3,339 reference questions. Of these, nearly 30 percent were related to law. The State Law Library answered 264 questions by phone, 324 in person, 131 by email, and 42 by mail. Without access to the State Law Library, hundreds of library users may not

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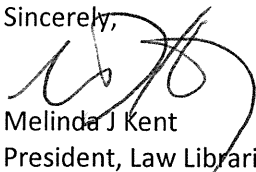
find answers to their legal questions. In addition, State Library staff reported 2,303 visits in Fiscal Year 2014. Of those, 1,386 were attorneys or the general public. The Law Library also received hundreds of visits from the Judiciary and Attorney General's office. The Law Library estimated its Fiscal Year 2016 budget at just over \$150,000. Based on the significant impact the State Law Library has on the community despite its modest budget, we believe that Vermont is getting a good deal.

The State Law Library plays a special role in helping disadvantaged and pro se litigants who, without the State Law Library, may be unable to access official legal resources. As Vermonters confront legal issues such as foreclosure, divorce, and bankruptcy, the State Law Library is the only place to turn. The state law librarian is specially trained to efficiently find legal information in a cost-effective manner. Public libraries simply do not have the resources or staff expertise to guide users through the complex legal system. Indeed, if the State Law Library is forced to closed, Vermont will be one of the only states that does not have a State Law Library serving its citizens. If disadvantaged and pro se litigants are not prepared because they could not do the proper research or follow the proper procedures, it will impact the time that court staff and judges will need to spend on each case. Ultimately it will be more difficult for these litigants to receive justice.

Despite common assumptions, not all legal material is available online. In fact, many legal materials are only available through a commercial legal research database like Westlaw, to which the State Law Library maintains a subscription. Small law firms that cannot afford to maintain their own subscriptions rely on the State Law Library's subscription to commercial databases, as do members of the public.

We urge you to provide adequate funding to the Department of Libraries so that it can keep the State Law Library open to the public. As you consider alternatives to closing the State Law Library, we would be happy to work with you to find a solution that would be less burdensome on the people of Vermont.

Sincerely,



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CC:

Members of the Senate Committee on Appropriations
Sen. John Campbell, Senate President Pro Tempore
Rep. Shapleigh Smith, Speaker of the House
House Committee on Appropriations
Senate Committee on Judiciary
House Committee on Judiciary
Governor Shumlin
Supreme Court Justices

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