



Travis County Commissioners Court Agenda Request

Meeting Date: January 28, 2014

Prepared By/Phone Number: Lisa Rush, Law Library Manager 854-9290

Elected/Appointed Official/Dept. Head: Steven Broberg, Director of RMCR

Commissioners Court Sponsor: Samuel T. Biscoe, County Judge

Proposed Motion:

CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDING CHAPTER 38, LAW LIBRARY POLICIES.

Summary and Staff Recommendation:

Records Management recommends that the current Chapter 38 Library Policies repealed and replaced with the attached Chapter 38 Library Policies.

Budget and Fiscal Impact:

A 24x16x10 airline baggage sizer costs \$165.

Issues and Opportunities:

The replacement chapter updates the Law Library policy pertaining to use of the Library and equipment and the number and size of personal belongings a patron may bring into the Law Library. Section 38.005 was expanded to encourage patrons to provide feedback on the implementation and enforcement of the policy to the director of Records Management and Communication Resources.

Business Use

Section 38.003(e), *Business Use*, is a new policy. It states that the Law Library shall not be used in lieu of an office for running any type of business. The intention is not to limit the use of the Law Library by those who need the Library for research, to prepare pleadings, to hold mediations, to print, etc. The intent is aimed at attorneys and non-attorneys who keep daily office hours in the Law Library and who prevent others from using tables and computers for hours every day.

Personal Belongings

There is not enough space in the Law Library to safely accommodate all of the personal belongs our patrons desire to bring into the Law Library. Current library policies restrict the size of bags to 18 x 10 x18 but it does not restrict the quantity. The result is that patrons bring in several bags. The proposed policies increases the size limit to 24x16x10 inches or a volume of 3,840 cubic inches and specifies total baggage more than this volume is not permitted in the Law Library. The Law Library intends to purchase a baggage sizer of those dimensions. Personal belongs, regardless of quantity, fitting into the baggage sizer will be permitted in the Law Library.

The Law Library and Facilities Management have been communicating about the possibility of adding lockers to the Grange lobby area for visitors to store their additional personal belongings.

Equipment Use

When all the public access computers are functional, the Law Library has 12 computers available for public use. Four are designated for contracted database use (Lexis and Westlaw). The proposed policy states that computers may also be designated for specific sites and specific purposes, such as e-filing and completing electronic forms. General uses computers may be repurposed for designated use if too few research computers are available either because of computer malfunctions or more patrons needed to do legal research than we have legal research computers available.

Background:

Chapter 38 was adopted in 2008 and amended in 2009.

Required Authorization:

County Attorney's Office

cc:

Facilities Management

Exhibits:

Red-lined Chapter 38

Accepted Red-Line Chapter 38

Order adopting amendment

**Order of the Travis County Commissioners Court
Amending the Travis County Code, Chapter 38**

Pursuant to Chapter 2 of the Travis County Code, it is ordered that the Travis County Code is amended by repealing *Chapter 38. Law Library* policies and replacing it with the attached *Chapter 38. Law Library* policies.

The changes ordered shall become effective on January 28, 2014.

ORDERED on: (date) _____.

Travis County Commissioners Court

Samuel T. Biscoe
Travis County Judge

Ron Davis
Commissioner, Precinct 1

Bruce Todd
Commissioner, Precinct 2

Gerald Daugherty
Commissioner, Precinct 3

Margaret Gómez
Commissioner, Precinct 4

Chapter 38. Law Library

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38.001 General Information

The Law Library is intended for use by persons engaged in law-related research. The purpose of this policy is to ensure that Law Library patrons are provided a pleasant atmosphere that facilitates legal research.

38.002 Services

- (a) Intent to utilize resources. Patrons shall be engaged in activities associated with the use of a public law library while in the Law Library. Patrons not engaged in reading, studying, or using Law Library materials may be required to leave the Law Library.
- (b) Computer use
 - (1) Use of Legal Research Computers
 - (A) The Law Library provides computers to help patrons in their legal research. Use of the legal research computers to play games, view pornography, or for other non-law related uses is not allowed and may lead to the patron being asked to leave or restricted from using the computers.
 - (B) Designated computers
 - (i) Computers designated for specific sites, databases or uses may be used solely for the purpose of conducting legal research using those proprietary tools or for the use specified. Examples of specific sites/databases include Westlaw, Lexis, Texas.gov, and TexasLawHelp.org. Examples of specific uses include e-Filing and completing electronic forms.
 - (ii) Designated computers may be used for up to two (2) hours per County business day.
 - (iii) Patrons who are not attorneys, legal professionals or law students may be required to have a Law Library staff assist them in accessing and using designated computers.

- (2) Use of General Use Computers
 - (A) Computers labeled "General Use" may be used for non-legal research purposes.
 - (B) No time limit applies to use of General Use computers during the County business day with the following exceptions:
 - (i) If another patron needs to use the computer for legal research and no other legal research computer is available; or
 - (ii) If, due to computer malfunctions or similar issues, two or fewer research computers are available for legal research.
 - (C) Use of the computers to view pornography or play games may lead the patron to being asked to leave or restricted from using the computers.
- (3) Patrons who use a Law Library device to print will be charged \$.20 per printed page. If a patron has accumulated unpaid charges amounting to \$5.00 or more, the patron shall be restricted from using the device until such time as the overdue sum is paid in full.
- (4) Computer use log. Law Library staff may maintain an electronic log of patron use of computers and internet access.

(c) Circulation of Materials

- (1) The Law Library circulates materials to patrons who are current members of the State Bar of Texas and who present a valid membership card.
- (2) The Law Library shall discontinue circulating materials to patrons who fail to return materials.
- (3) Materials may be checked out for three business days. Materials marked "Reference" or "Library Use Only" may not be circulated.
- (4) Patrons who remove materials from the library without checking the materials out shall be asked to leave and restricted from returning.

- (d) Fax Services. The Law Library takes reasonable steps to protect the confidentiality and privacy of faxes sent from the Law Library. However, if it comes to the attention of Law Library staff that a patron is sending faxes that, in the reasonable opinion of Law Library staff, are threatening in nature, the Law Library may discontinue providing the fax service to that patron permanently. All patron faxes will contain a cover sheet with this disclaimer:

"The information contained on the attached pages, which are being transmitted by a fax machine located in a Travis County Law Library, has been prepared, assembled, and compiled by a private citizen acting in his/her own capacity, without the control, direction, endorsement, sponsorship or control of Travis County. Travis County and

the Law Library staff make no representation or warranty, express or implied, or assume any legal liability or responsibility for the contents of the information contained on these pages, nor for the accuracy, completeness, usefulness, timeliness, or fitness for any particular purpose of any such information. Travis County, and its officials, agents and employees shall not be liable for any loss or injury, however arising, resulting in whole or in part from the use of any information contained in the information being transmitted or from any reliance placed thereon.”

- (e) Equipment. Patrons shall not attempt to make repairs or alterations to Law Library computers or equipment. Patrons should instead ask staff for assistance.
- (f) Telephones. The Law Library provides a public access telephone for use by patrons. Calls shall be limited to a maximum of 5 minutes.
- (g) Restricted Areas. Only public areas of the Law Library may be accessed by patrons. Patrons are restricted from entering: the Book Processing Room, Law Librarian offices, the corridor connecting the Law Library to RMCR offices, the area behind the Front Desk, and Copy Rooms.

38.003 Environment

- (a) Disruptive behavior. Patrons shall respect the rights of other patrons. Patrons shall not harass or annoy other patrons, or otherwise behave in a manner which may be reasonably expected to disturb others.
- (b) Theft and vandalism. Patrons shall not write in, damage, remove pages, or mark on Law Library books or other Law Library property.
- (c) Noise. To avoid disturbing other Law Library patrons, patrons shall observe silence except when requesting assistance from the reference desk staff. Noise and loud or profane language will not be tolerated. Patrons who need to converse must do so quietly so as not to disturb others.
- (d) Solicitation. Selling and solicitation are prohibited in the Law Library.
- (e) Business Use. The Law Library shall not be used in lieu of an office for running any type of business.
- (f) Sleeping. Sleeping is prohibited in the Law Library.
- (g) Eating. Eating is prohibited in the Law Library. Beverages are permitted except in the computer area.
- (h) Children. Unattended children are not allowed in the Law Library. In the event that a child is left unattended for more than 15 minutes, Law Library staff shall notify the Travis County Sheriff's Office. Any adult who brings a child into the Law Library must supervise and monitor the child's behavior at all times.
- (i) Cell phones. Because ring tones can be loud, patrons' cell phones should be set to "vibrate" or turned off. Any calls should be made outside the Law Library as telephone conversations may disrupt the concentration of other

patrons. Patrons who receive a cell phone call should step into the hall to hold the conversation.

- (j) Laptop computers. Laptops may be plugged in to draw AC power. The volume on all laptops must be set to "mute."
- (k) Personal Belongings
 - (1) Patrons' personal belongings should fit neatly under the table and may not take up so much space as to deny other patrons a seating opportunity at the same table.
 - (2) Walkways and aisles shall be kept clear and unobstructed by personal items.
 - (3) Bedrolls, sleeping bags, and blankets are not permitted in the Law Library.
 - (4) Patrons should limit their carry-in items to those materials necessary to accomplish their legal research. For safety and security, bags larger than 24"x16"x10" (twenty-four inches x sixteen inches x ten inches) or bags having a combined volume of over 3840 cubic inches are not permitted in the Law Library.
 - (5) Patrons may not leave belongings unattended for more than 15 minutes or after 5:00 p.m. Law Library staff may remove the belongings left unattended more than 15 minutes and place them in the custody of County security personnel. Arranging for the retrieval of such belongings shall be the sole responsibility of the patron.
- (l) Hygiene. Any patron, as well as the personal belongings of any patron, emanating an odor (including perfume) constituting a nuisance to other patrons and that is detectable from more than eight (8) feet away will be asked to leave the library until the situation can be corrected.
- (m) Offensive Acts. No spitting, cursing or other acts or behavior considered offensive in the reasonable opinion of Law Library staff will be permitted.

38.004 Compliance with Laws; Violations

- (a) Patrons shall comply with all federal, state and local laws, rules, regulations and ordinances while in the Law Library, including without limitation:
 - (1) copyright, trademark and other intellectual property laws governing access, use, duplication, manipulation, distribution or other handling of materials located in the Law Library or materials accessed through Law Library resources;
 - (2) privacy and/or confidentiality laws applicable to electronic communications, cable and video technology and the internet; and

- (3) laws prohibiting cybersquatting, dilution, deceptive trade practices, unfair competition, and unlawful electronic or computer information transactions.
- (b) Patrons who violate any such laws shall be asked to leave the Law Library and may be restricted from returning.

38.005 Application and Enforcement of Policy

Any violation of this policy shall result in the responsible patron being asked to leave the Law Library until such time as the patron, in the reasonable opinion of Law Library staff, is able to demonstrate an ability and willingness to comply with this policy. Law Library staff maintains an "incident log" in which all violations of this policy are recorded. Patrons who repeatedly violate this policy may be subject to additional Law Library access restrictions and/or restrictions on use of Law Library resources.

Patrons with questions about the amendment, application, or enforcement of this policy are encouraged to contact the director of Records Management and Communication Resources.

38.006 Posting of Law Library Policy

For patrons' information and convenience, a copy of this policy shall be posted in the Law Library, on the Travis County Law Library webpage, and on the entry screens of all Law Library computers.

CHAPTER 38. LAW LIBRARY

38.001 General Information

The Law Library is intended for use by persons engaged in law-related research. The purpose of this policy is to ensure that Law Library patrons are provided a pleasant atmosphere ~~which that~~ facilitates ~~the performance of~~ legal research.

38.002 Services

- (a) **Intent to utilize resources.** Patrons shall be engaged in activities associated with the use of a public law library while in the Law Library. Patrons not engaged in reading, studying, or using Law Library materials may be required to leave the Law Library.
- (b) **Computer use.**
- (1) **Use of Legal Research Computers.**
- (A) The Law Library provides computers to ~~help~~ patrons in their legal research. Use of the ~~legal research~~ computers to play games, view pornography, or for other non-law related uses is not allowed and may lead to the patron being asked to leave or restricted from using the computers.
- (B) Designated computers. Computers ~~designated for specific sites, databases or uses designated as "Lexis-dedicated" or "Westlaw-dedicated"~~ may be used solely for the purpose of conducting legal research using those proprietary tools ~~or for the use specified~~. ~~Examples of specific sites/databases include Westlaw, Lexis, Texas.gov, and TexasLawHelp.org~~ ~~Examples of specific uses include e-Filing and completing electronic forms.~~ ~~Research-designated~~ computers may be used for up to two (2) hours per County business day. Patrons who are not attorneys, legal professionals or law students may be required to have a Law Library staff assist them in accessing and using ~~designated computers, online databases and/or conducting legal research.~~
- (2) **Use of General Use Computers:**
- (A) ~~Computers labeled "General Use" may be used for non-legal research purposes.~~
- (B) ~~No time limit applies to use of General Use computers during the County business day, with the following exceptions:~~
- (i) ~~If another patron needs to use the computer for legal research and no other legal research computer is available; or~~
- (ii) ~~If, due to computer malfunctions or similar issues, two or fewer research computers are available for legal research.~~
- (C) ~~Use of the computers to view pornography or play games may lead the patron to being asked to leave or restricted from using the computers.~~
- (3) Patrons who use ~~the a~~ Law Library ~~device to print, ers or similar devices~~ will be charged \$.20 per printed page. If a patron has accumulated unpaid ~~printing~~ charges amounting to \$5.00 or more, the patron shall be restricted from ~~printing using the device~~ until such time as the overdue sum is paid in full.

Comment [LR1]: Since this policy was written in 2009, new legal research and legal applications helpful to our patrons have been developed. Currently, the Law Library does not have an e-filing station but expects to have one in the future.

Comment [LR2]: Malfunctions happen unpredictably, and when they do, we need to prioritize the use of the computers for legal research.

Comment [LR3]: The Law Library is moving to multifunction devices that are printers, but are also scanners, faxes, and copiers.

- (4) **Computer use log.** Law Library staff may maintain an electronic log of patron use of computers and internet access.

(c) **Circulation of Materials.**

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- (2) The Law Library shall discontinue circulating materials to patrons who fail to return materials.
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- (4) Patrons who remove materials from the library without checking the materials out shall be asked to leave and restricted from returning.

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(e) **Equipment.** Patrons shall not attempt to make repairs or alterations to Law Library computers or equipment. Patrons should instead ask staff for assistance.

(f) **Telephones.** The Law Library provides a public access telephone for use by patrons. Calls shall be limited to a maximum of 40-5 minutes.

(g) **Restricted Areas.** Only public areas of the Law Library may be accessed by patrons. Patrons are restricted from entering: the Book Processing Room, Law Librarian offices, the corridor connecting the Law Library to RMCR offices, the area behind the Front Desk, and Copy Rooms.

38.003 Environment

- (a) **Disruptive behavior.** Patrons shall respect the rights of other patrons. Patrons shall not harass or annoy other patrons, or otherwise behave in a manner which may be reasonably expected to disturb others.
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- (c) **Noise.** To avoid disturbing other Law Library patrons, patrons shall observe silence except when requesting assistance from the reference desk staff. Noise and loud or

profane language will not be tolerated. Patrons who need to converse must do so quietly so as not to disturb others.

(d) **Solicitation.** Selling and solicitation are prohibited in the Law Library.

~~(e)~~ **Business Use.** The Law Library shall not be used in lieu of an office for running any type of business.

~~(e)~~(f) **Sleeping.** Sleeping is prohibited in the Law Library.

~~(f)~~(g) **Eating.** Eating is prohibited in the Law Library. Beverages are permitted except in the computer area.

~~(g)~~(h) **Children.** Unattended children are not allowed in the Law Library. In the event that a child is left unattended for more than 15 minutes, Law Library staff shall notify the Travis County Sheriff's Office. Any adult who brings a child into the Law Library must supervise and monitor the child's behavior at all times.

~~(h)~~(i) **Cell phones.** Because ring tones can be loud, patrons' cell phones should be set to "vibrate" or turned off. Any calls should be made outside the Law Library as telephone conversations may disrupt the concentration of other patrons. Patrons who receive a cell phone call should step into the hall to hold the conversation.

~~(i)~~(j) **Laptop computers.** Laptops may be plugged in to draw AC power. The volume on all laptops must be set to "mute."

~~(j)~~(k) **Baggage Personal Belongings**

(1) Patrons' personal belongings should fit neatly under the table and may not take up so much space as to deny other patrons a seating opportunity at the same table.

~~(2)~~ Walkways and aisles shall be kept clear and unobstructed by personal items.

~~(3)~~ Suitcases, ~~bedrolls~~ Bedrolls, sleeping bags, and blankets are not permitted in the Law Library.

~~(4)~~ Bags larger than 18"x18"x10" (eighteen inches x eighteen inches x ten inches) are not permitted in the Law Library. Patrons should limit their carry-in items to those materials necessary to accomplish their legal research. For safety and security, bags larger than 24"x16"x10" (twenty-four inches x sixteen inches x ten inches) or bags having a combined volume of over 3840 cubic inches are not permitted in the Law Library.

~~(5)~~ Patrons may not leave belongings unattended for more than 30-15 minutes or after 5:00 p.m. Law Library staff may remove the belongings left unattended more than 30-15 minutes and place them in the custody of County security personnel. Arranging for the retrieval of such belongings shall be the sole responsibility of the patron.

(k) **Hygiene.** Any patron, as well as the personal belongings of any patron, emanating an odor (including perfume) constituting a nuisance to other patrons and that is detectable from more than eight (8) feet away may will be asked to leave the library until the situation can be corrected. No spitting, cursing or other acts or behavior considered offensive in the reasonable opinion of Law Library staff will be permitted.

Comment [LR4]: The Law Library encourages the use of its spaces for such purposes as mediation, study, preparation of filings, research, etc. This section is not meant to limit those uses. The issue we are trying to address is attorneys, paralegals and non-law related business persons commandeering tables and computers all day, every day to run their businesses out the Law Library.

Comment [LR5]: When this policy was written in 2009 we did not have the problem of patrons bringing more than two bags into the Law Library. Now patrons are bringing in three or four or more smaller bags.

Comment [LR6]: The size is based on carryon baggage sizes for public transportation. Airlines increased their baggage size in 2011. The proposed size either matches or exceeds the new size restrictions for the major airlines.

Comment [LR7]: Changed from "may" to "will" due to advice from attorney about avoiding arbitrary enforcement.

38.004 Compliance with Laws; Violations

(a) Patrons shall comply with all federal, state and local laws, rules, regulations and

ordinances while in the Law Library, including without limitation:

- (1) copyright, trademark and other intellectual property laws governing access, use, duplication, manipulation, distribution or other handling of materials located in the Law Library or materials accessed through Law Library resources;
 - (2) privacy and/or confidentiality laws applicable to electronic communications, cable and video technology and the internet; and
 - (3) laws prohibiting cybersquatting, dilution, deceptive trade practices, unfair competition, and unlawful electronic or computer information transactions.
- (b) Patrons who violate any such laws shall be asked to leave the Law Library and may be restricted from returning.

38.005 Application and Enforcement of Policy

Any violation of this policy shall result in the responsible patron being asked to leave the Law Library until such time as the patron, in the reasonable opinion of Law Library staff, is able to demonstrate an ability and willingness to comply with this policy. Law Library staff maintains an "incident log" in which all violations of this policy are recorded. Patrons who repeatedly violate this policy may be subject to additional Law Library access restrictions and/or restrictions on use of Law Library resources.

Patrons with questions about the amendment, application, or enforcement of this policy are encouraged to contact the director of Records Management and Communication Resources.

Comment [LR8]: Purpose of addition: provide a non-librarian pathway for patron feedback on the policy.

38.006 Posting of Law Library Policy

For patrons' information and convenience, a copy of this policy shall be posted in the Law Library, on the Travis County Law Library webpage, and on the entry screens of all Law Library computers.

Examples of Airline Baggage Sizers



Baggage Sizer - Cage Only (Model # BSCO22149-AL and BSCO241610-AL)

Features

- » **4 Side Cage:** ensures accurate measurement of baggage.
- » **Felt on Bottom:** to protect floors from scratching.
- » **Clear Anodized (Silver) Aluminum Construction:** for easier handling and lower shipping costs.

Options

- » **Signage Panel:** digitally printed for marketing and information display.
- » **Custom Sizes Available**

Cage Only Baggage Sizer (Click on a Model Number to Request a Quote)		
Model	Cage Size	Poster Size
BSCO22149-AL	22" W x 14" H x 9" D	20" W x 14" H
BSCO241610-AL	24" W x 16" H x 10" D	20" W x 16" H



Baggage Sizer - Closed Cage (Model # BSCC22149-AL and BSCC241610-AL)

Features

- » **4 Side Cage:** ensures accurate measurement of baggage.
- » **Felt on Bottom:** to protect floors from scratching.
- » **Top Bar Included:** to prevent poster from pulling out during use.
- » **Replaceable Poster:** to update branding or messages. Single sided standard, double sided optional. Poster priced separately.
- » **Clear Anodized (Silver) Aluminum Construction:** for easier handling and lower shipping costs.

Options

- » **Wheels:** for easy transport. Unit is stable when in use; tip to engage wheels (requires rubber feet.)
- » **Ruler Decal:** to measure odd sized items.
- » **Rubber Feet:** keeps unit from sliding.
- » **Custom Sizes Available**

Closed Cage Baggage Sizer (Click on a Model Number to Request a Quote)		
Model	Cage Size	Poster Size
BSCC22149-AL	22" W x 14" H x 9" D	22" W x 28" H
BSCC241610-AL	24" W x 16" H x 10" D	24" W x 28" H



Baggage Sizer - Open Ended (Model # BSOE22149-ST and BSOE241610-ST)

Features

- » **Smooth Sheet Metal Lined Cage:** keeps handles and straps from getting snagged during use.
- » **Open End:** allows bags to slide in and out more easily.
- » **Top Bar Included:** to prevent the poster from pulling out during use.
- » **Rubber Feet:** keeps unit from sliding.
- » **Replaceable Poster:** to update branding or messages. Single sided standard, double sided optional. Poster priced separately.
- » **Durable Welded Steel Construction:** with customizable powder coat finish. Grey/Silver standard.

Options

- » **Wheels:** for easy transport. Unit is stable when in use; tip to engage wheels (requires rubber feet).
- » **Ruler Decal:** to measure odd sized items.
- » **Logo Decal:** for additional branding.
- » **Custom Sizes Available**