



Travis County Commissioners Court Agenda Request

Meeting Date: April 1, 2014

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

S. Broberg

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Records Management recommends that the current Chapter 38 Law Library Policies be repealed and replaced with the attached Chapter 38 Law Library Policies.

Budget and Fiscal Impact:

A 24x16x10 airline baggage sizer costs \$165. A mobile storage locker costs \$890. Photos attached.

Issues and Opportunities:

Note: The proposed amendments have been posted in the Law Library and on the website.

The replacement chapter updates the Law Library policy to address issues that have either arisen, or changed, since the current policy was adopted in 2009. The goal now, as it was in 2009, is a safe and pleasant environment for both patrons and employees.

Library Hours 38.002(b) – New

Clarifies that the County's business hours are Law Library's business hours and that Patrons may not stay past 5 p.m.

Computer Use 38.002(c) & 38.002(f) – Amendment

- General Use computers may substitute for legal research computers if too few research computers are available.
- Research computers may be dedicated to specific uses/websites such as e-filing.
- Patrons may not alter equipment nor load software on the computers.

Commercial Activity 38.003(j) – New

The Law Library may not be used for commercial activities.

Patron Belongings 38.003(k) – Amendment

- The amount of personal belongings carried into the Law Library is capped at one bag of 24x16x10 inches or a total volume of 3,840 cubic inches for multiple bags.
- County will not be responsible for personal belongings left in the Library.

Application & Enforcement of Policy 38.005 – New

Patrons are encouraged to provide feedback on the implementation and enforcement of the policy to the director of Records Management & Communication Resources

Background:

Chapter 38 was adopted in 2008 and amended in 2009. Proposed amendments were brought before Commissioners Court on January 28, 2014, Item #26, then posted in the Law Library and online for the month of February. The exception is 38.002(b), which was posted beginning Monday, March 17. The business/commercial use section was re-written by the County Attorney's Office. The Travis County courts were notified of the proposed changes.

New Policies

Sections 38.002(b), *Library Hours*, is intended to address the issue of a few patrons who *routinely* delay leaving as long as they can, despite warnings that the Library will close in 15 minutes, 10 minutes, 5 minutes, and 2 minutes. Staff may not leave for the day until all the patrons have left.

Section 38.003(f), *Commercial Use*, is intended to discourage patrons from setting up daily office hours in the Law Library, thereby preventing others from using tables and computers for hours every day. The intention is not to limit the use of the Law Library by those who need it for research, to prepare pleadings, to hold mediations, to make photocopies, etc. Indications that the Law Library is being used as a business office include:

- The Law Library receives mail addressed to these patrons and/or repeatedly receives phone calls for the patrons.
- Customers of the patrons ask librarians to locate the patron, take messages, or accept documents or money for the patron.

Amended Policies

Section 38.002(c), *Computer Use*, expands the number of research computers dedicated to such purposes as e-filing and to specific sites, such as TexasLawHelp.org. It allows General Use computers to be replicated for research use if too few research computers are available.

Section 38.003(k), *Personal Belongings*, caps the amount of personal belongings carried into the Law Library at one bag of 24x16x10 inches or a total volume of 3,840 cubic inches for multiple bags. Further, the County will not be responsible for personal belongings left in the Law Library.

The issue addressed is that 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. When patrons bring in piles of luggage or oversized bags the result is tripping hazards and crowded aisles. The luggage has the effect of "reserving" whole tables and computers when the patron leaves 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 after construction is completed. As an interim solution, a mobile storage locker can be placed in the Law Library. Patrons would be expected to place oversize belongings in the mobile locker and remove their belongings from the mobile locker when they leave the Law Library.

Required Authorization:
County Attorney's Office

cc: Facilities Management

Exhibits:

Photos of baggage sizer and mobile locker
Red-lined Chapter 38
Order replacing Chapter 38
Chapter 38, redline changes accepted

Exhibit Baggage Sizer



Closed Cage Carry-On Baggage Sizer with Sign Panel

(Model # BSCC22149 AL and BSCC241610 AL)

Features

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

Options

- » **Wheels:** for easy transport throughout the airport. Unit is stable when in use; tip to engage wheels (requires rubber feet.)
- » **Ruler Decal:** to measure unusually-sized luggage and other carry-on items.
- » **Rubber Feet:** keeps unit from sliding on airport floors.
- » **Custom Sizes Available:** for airlines outside the normal baggage sizer regulations, and transit companies with other size requirements.

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

Example of Mobile Locker

Call Us 1.888.978.7759

Products
Account Tools
Help Center

Home

Material Handling

Trucks & Carts

Trucks-Security &

Little Giant® Mobile Storage

Little Giant® Mobile Storage

Little Giant® Mobile Storage Locker 1 Center Shelf 30x60 Polyurethane Whls

Sold by: globalindustrial.com

Stock No: WGB288078

Availability: Usually ships in 10 to 13 days

Price: \$889.00

Chapter 38. Law Library¹

Contents:

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38.005	Application and Enforcement of Policy 5
38.006	Posting of Law Library Policy 5

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)~~ Library Hours. The Law Library is open and staffed during County business hours of 8 a.m. to 5 p.m., Monday through Friday. Patrons who repeatedly delay exiting the Law Library until past 5 p.m. may have their library privileges restricted or suspended.

~~(c)~~ Computer Use. There are two use categories of computers: General Use and Legal Research.

~~(1) Use of Legal Research Computers.~~

~~(1A) General Use Computers. Computers labeled "General Use" may be used for non-legal research purposes. No time limit applies to use of General Use computers during the County business day with the following exceptions:~~

~~(A) If another patron needs to use the computers for legal research and no other legal research computer is available; or~~

~~(B) If, due to computer malfunctions or similar issues, two or fewer research computers are available for legal research.——The Law Library provides computers to aide patrons in their legal research. Use of the 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.~~

¹ Chapter 38 was replaced on 4/7/2009, (Item 11).

(2B) Legal Research Computers

- (A) All computers not labeled General Use are Legal Research computers.
- (B) Legal Research computers may be used for up to two (2) hours per County business day.
- (C) Patrons who are not attorneys, legal professionals, or law students may be required to have a Law Library staff member assist them in accessing and using online databases and/or conducting legal research.
- (D) Designated Legal Research computers. Computers designated as "Lexis-dedicated" or "Westlaw-dedicated" for specific databases, sites, and uses may must 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 online databases and/or conducting legal research.
- ~~(2) Use of General Use Computers: Computers labeled "General Use" may be used for non-legal research purposes. No time limit applies to use of General Use computers during the County business day.~~
- ~~(3) Use of of the any computers to view pornography or play games may will result in the patron lead the patron to being asked to leave and/or being restricted from using the computers.~~
- (34) Patrons who use the Law Library printers/copiers/scanners will be charged \$.20 per printed page/image. If a patron has accumulated unpaid printing/scanning charges amounting to \$5.00 or more, the patron shall be restricted from printing/scanning until such time as the overdue sum is paid in full.
- (45) Computer use log: Law Library staff may maintain an electronic log of patron use of computers and internet access when required to document infractions of the policy.

(de) 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.

(~~ed~~)

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."

(~~fe~~)

Equipment. Patrons shall not attempt to make repairs or alterations to Law Library computers, software, or equipment. ~~Patrons should instead ask staff for assistance.~~ All software must be loaded by staff.

(~~gf~~)

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

(~~hg~~)

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) Sleeping. Sleeping is prohibited in the Law Library.
- (f) Eating. Eating is prohibited in the Law Library. Beverages are permitted except in the computer area.
- (g) 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) Cell phones. Because ring tones can be loud, patrons' cell phones ~~should~~ must be set to "vibrate" or turned off. Any cell phone calls ~~should~~ must be made outside the Law Library as telephone conversations may ~~disrupt~~ disrupt ~~the concentration of~~ other patrons. Patrons who receive a cell phone call ~~should~~ must step ~~into the hall~~ outside of the Law Library to hold the conversation.
- (i) Laptop computers. Laptops may be plugged in to draw AC power. The volume on all laptops must be set to "mute."
- (j) Commercial Activities. The Law Library shall not be used for commercial activities, which activities include using the library as a law or business office.
- (kj) Baggage Personal Belongings
 - (1) Patrons' personal belongings ~~should~~ must 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 ~~Sleeping bags~~, bedrolls, 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 must limit their carry-in items to those materials necessary to accomplish their legal research. For safety and security, carry-in items larger than 24 inches x 16 inches x 10 inches or having a combined volume of over 3840 cubic inches are not permitted in the Law Library.
 - (53) Patrons may not leave belongings unattended for more than 30 minutes or after 5:00 p.m. Law Library staff may remove the belongings left unattended more than 30 minutes and place them in the custody of County security personnel. Items that are left unattended shall be handed over to County security personnel. The County will not be responsible for any belongings that are lost or stolen. Arranging for the retrieval of such belongings shall be the sole responsibility of the patron.

(k) Hygiene/Offensive Behavior. Any patron, as well as the personal belongings of any patron, emanating an odor (including perfume) constituting a nuisance to other patrons and is detectable from more than eight (8) feet away may 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.

~~(l) Smoking. No smoking or use of tobacco products is permitted in the Law Library at any time.~~

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

~~A patron who violates the policy will be 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. 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 members maintains an "incident log" in which all violations of ~~this~~ policy are recorded. Patrons who repeatedly violate ~~this County~~ policy ~~may will~~ 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 the Law Library policies 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.

**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 April 1, 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

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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.”

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