

Maintenance of Legal Collections in a Public Library

Responses from Caitlin Hoag

March 2013

Editor's Introduction:

The following questions were posed to Caitlin Hoag, Law Librarian, Kalamazoo Public Library and one of the trainers for the workshop series *Michigan Legal Help: How the Public Librarian Can Assist Those Representing Themselves*. They serve as the basis for a chapter of the same title in the forthcoming *Michigan Legal Research: A Handbook for Non-Law Librarians* to be published by the Legal Reference Roundtable and the Library of Michigan. Caitlin's comments appear as she initially responded to the questions with some background information added as notes. If you have any questions, please feel free to contact me at koscielniakk@michigan.gov.

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What do you consider a core collection for a public library the size of Kalamazoo? What titles would you include?

Caitlin: KPL is in a somewhat odd situation—we are a well-funded library with additional support from the County that is solely for use in the Law Library. A library our size is unlikely to have the funds we have to support our collection, so I'm making recommendations with the idea that there isn't much money. We have a subscription to WestlawNext that is vital to our collection, but is very expensive, and I can't imagine a library without a dedicated law library being able to afford it. But I would highly recommend it if they could!

I would consider a core collect to include:

- *Michigan Compiled Laws Annotated* (MCLA) - There is a compact version available. **Editor's notes:** *Michigan Compiled Laws Service* (MCLS) is also an annotated edition of the Michigan Compiled Laws (MCL), but is

- published by Lexis, not West. The text of the statute sections is the same in all editions covering the same dates.
- *United State Code Annotated (USCA) or United States Code Service (USCS)*—We get the USCS, but the USCA would be just as good. **Editor’s notes:** These titles contain the United States Code reprinted by West and Lexis. The text of the law is the same in both, but the annotations to cases and research resources like articles and books are probably different.
 - *Michigan Court Rules—State and Federal*
 - Michigan Reports/Appeals Reports and *Shepard’s Case Citations*
Editor’s notes: “Shepard’s” enables the researcher to determine if the case is still “good law,” that is to say, a court will still view it as acceptable precedent with respect to the situation currently at issue. Most law libraries now have Shepard’s or its Westlaw counterpart, “Key Cite,” in electronic format only.
 - *Michigan Digest*
Editor’s notes: A digest organizes case law by subject or legal issue.
 - *Michigan Divorce Book (with minor children and without)* by Michael Maran
 - *Black’s Law Dictionary*
 - A wide variety of books published by [NOLO](#) (I’ll go into more detail in the next question)
 - Pamphlets from local congress(wo)men. [Peace of Mind](#), [Tenants and Landlords](#).

Editor’s notes: the pamphlets/booklets are also available on the Michigan Legislature website at <http://legislature.mi.gov> under the “Publications” link.

Caitlin: Beyond that there are some very good sources that I use on a daily basis in the law library, but that are less generalized than the resources above. I’m not certain the type of regular use they would get at a public library that isn’t known for its law collection, but they are great resources.

[State Appellate Defender Office](#) Defender Series—Great resources for criminal law research, otherwise *Gillespie’s Michigan Criminal Law and Procedure with Forms, 2d* would work.

- *Defender Motion Book*
- *Defender Trial Book*
- *Defender Habeas Corpus*
- *Defender Plea, Sentencing, and Post-Conviction Book*

Editor's notes: for more information on purchasing these titles, please contact SADO at <http://www.sado.org>. "Gillespie" is a legal encyclopedia focusing on Michigan criminal law. It is available through West, see <http://legalsolutions.thomsonreuters.com/law-products>. There is also a "deskbook" available that contains basic information on law and procedure.

If this were a small, rural library, what titles would you buy? Would you buy any at all?

Caitlin: There are so many great resources online, that for a small, rural library, I would recommend only a few things. Here are the websites I presume would supplement a rural library's collection:

- [Michigan Legal Help](#)
- [Michigan Legislature](#)
- [Michigan's One Court of Justice](#)
- [State of Michigan website](#), including departments such as the Secretary of State
- Any local/county government sites

Editor's notes: An outstanding source of information on the Michigan Courts website is the "Benchbook Series" published by the Michigan Judicial Institute. Although they are written for attorneys and judges, they can really help to provide an overview of court procedure in a given area of law to the layperson as well as leading him or her to actual case or statutory citations. To access the series, see <http://courts.mi.gov/education/mji/pages/default.aspx>, "Publications" link. The Courts' Web site also contains free, downloadable court forms acceptable in Michigan courts throughout the state - look under "Quick Links" on the main page.

Another website to consider is the **MeL Legal Gateway**, as of this writing being reformatted to include, where possible, more of the types of resources described

here (to see the version current as of 10/2013, go to <http://www.mel.org/legal>). The Legal Gateway also includes a link to *LegalTrac*, an online resource for articles written on numerous legal topics and issues, providing the researcher background on the substantive, as opposed to procedural, aspects of the case. As a rule, the Legal Gateway generally points to resources or Web sites for legal research that are free or of low-cost to the end-user

Caitlin: Paired with these websites, it's really NOLO's time to shine. Even though they are not specific to Michigan law, the NOLO books can answer basic questions and often refer to state laws. They are affordable and worth the money. I specifically recommend:

- *Every Tenant's Legal Guide*
- *Every Landlord's Legal Guide*
- *NOLO's Simple Will Book*
- *NOLO's Essential Guide to Divorce*
- *101 Law Forms for Personal Use*
- *Plan Your Estate*
- *Represent Yourself in Court*
- *Make Your Own Living Trust*

Caitlin: In addition to the NOLO books, the *Michigan Divorce Book* (with and without minor children) by Michael Maran is an absolute necessity for every library. It was last published in 2009, but I believe a new edition is being published this year. I also can't stress enough how important it is to get resources from local politicians. We get a number of brochures and pamphlets from our local congressional offices that are fantastic—the [Tenants and Landlords](#) booklet answers a great number of questions we get in the Law Library, and it's nice to be able to give them to our patrons. **Editor's notes:** Check on Amazon.com – it looks like the “without” book was reprinted earlier in 2013.

If you could only spend \$50 or under per title, what would they be?

Caitlin: Basically, the NOLO titles I listed above and the *Michigan Divorce Books*. Hands down, those would be the most useful for the money (and about the only books you could get for that money!).

Are there any messages, words of wisdom, etc., that you would want to share with other public librarians on building and maintaining a legal collection?

Caitlin: One of the most important things is to know your patrons. Pay attention to what type of legal questions you are getting and build your collection on those questions. And then keep it updated! Also, be aware of what is available in the community; is there a local college that has MCLAs, so that the free online version is enough for your library? Are there resources that you can get from your congressional offices? Is there a local bar association that is willing to donate materials?

Editor's notes: The biggest trick to legal materials is keeping them updated, and subscriptions may or may not reflect the price of the updates, supplements or "pocket parts" needed to keep the set current. Updates may be released annually, quarterly or even weekly depending on the resource. They serve to keep the material up-to-date until a new edition or replacement volume is published. Staff time is needed to track and file updates.

To check for law libraries in your area that are open to the public, and may have more current and extensive collections, see the *Michigan Directory of Law Libraries* – link at <http://www.michigan.gov/lawlibrary>. Caution your patrons to contact the library ahead of time to check on resource availability, access, and any change of hours – things are changing very quickly for law libraries these days.

If you suddenly had a budgetary windfall, what titles are you missing now that you would absolutely like to have?

Caitlin: Honestly, I don't know how to answer this. We're able to cover the basics with the materials we have, and the resources I want every once in a while are too specific to warrant purchasing (such as tax tribunal reports or bankruptcy case law, questions about which we rarely get), so even if I had the money I wouldn't purchase them. If a library was looking to splurge on a legal set, I would recommend West's *Michigan Legal Forms*.

Editor's notes: Since these questions were posed last March, many of you have also asked about resources for finding court opinions and decisions – “case law”-online. As Caitlin noted, subscriptions to services traditionally used by legal professionals like West or Lexis are very expensive, but larger public libraries, especially libraries now also serving as a “county law library” for their area, may have acquired access to these editorially-enhanced materials either through CD or specially-priced online subscriptions meant for use by students or government. Other services like Loislaw, Casemaker and Fastcase may provide inexpensive alternatives for libraries, although LRR has not had an opportunity to investigate this.

Free, annotated court decisions online are rare to nonexistent, although new services are cropping up that may help provide subject and keyword access to this material. Courts themselves often provide copies of more recent decisions and orders, but usually without any added material that helps the user to understand what is happening in the case or what attorneys and courts might identify as legal precedent or important issues. Access to free case law online – both Michigan and federal - may be found through some of the following sites:

Michigan Courts: One Court of Justice

<http://courts.mi.gov>, see the “Cases, Opinions and Orders” link

Google Scholar

<http://scholar.google.com>

There are numerous online examples of how to use Google Scholar to find cases

Legal Information Institute (LII)

<http://www.law.cornell.edu>

Justia

<http://www.justia.com>

Some newer sites at which we've been looking recently are:

Ravellaw.com <http://www.ravellaw.com> (doesn't like Internet Explorer)

Wellsettled.com <http://www.wellsettled.com> (this one appears to tie into LII and Google Scholar and has keyword capability)

Again, we encourage you to check the Michigan eLibrary Legal and Government Gateways when MeL appears in its reformatted version later this year. Two of the MLH trainers, Bernadette Bartlett and Kimberly Koscielniak, are involved in reformatting these areas of MeL and have done so with the legal reference questions that we've heard and that you've shared with us in mind. Many of the *free, online resources* you see mentioned here will appear on the Gateways, which we hope will provide more direct access to these sites for you and your patrons and help you to build a robust legal collection for your library no matter what the size or budget.