

Talking to Librarians about LawMatters: Promising Practices

The report of a telephone survey of 20 small- and medium-size public libraries in British Columbia

Nancy Hannum

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About this report

This report highlights feedback from a telephone survey of 20 small and medium-size public libraries in British Columbia on the LawMatters Program of Courthouse Libraries BC. LawMatters provides collection development grants as well as reference training and support to assist 243 BC public libraries to provide legal information to every community in the province.

This report is available online at www.bclawmatters.ca.

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LawMatters

At your local public library

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Introduction

Since 2007, the LawMatters program has provided grants, training and support to help the 243 BC public libraries provide legal information to people in every community, and help people know where to look and how to take the first or next step for legal information. LawMatters has been particularly concerned with enhancing public access to legal information in small communities where there tends to be less access to legal services.

With the program now in its 4th year, the goal of this report is to identify “promising practices” in public libraries which enhance their ability to provide legal information to the public. We focused a small telephone survey on 20 small and medium size public libraries to inquire further about how LawMatters is working for them and about any special practices they use to enhance legal reference services in their community. We also noted the promising practices of LawMatters identified by these libraries and the several collaborative practices between Courthouse Libraries BC and the public libraries.

This report provides insights and perceptions from librarians and library reference staff. It is a follow-up to the comprehensive evaluation of LawMatters training and two year reference survey conducted by Janet Currie of Focus consultants, see: *LawMatters Public Library Legal Resources Program Final Training and Legal Reference Survey Findings Final Report*, April 2010 and in *LawMatters at Your Local Public Library: A Report for Public Librarians*, December 2010. See www.bclawmatters.ca, Evaluation Reports.

Context: Library Usage in Small & Medium-size Communities

In small communities the public library is often **the** place to go for information.

“People come for everything under the sun.”

“In our community public libraries are considered the “Third Place” to be, as home is first and work place second. Seniors come regularly, sometimes even to read their own books.”

Youth use the libraries for computer access including laptop users. Libraries often experience a rush at opening time for computer access. In addition, several libraries reported that language tutors use the library with their students, both children and adults. In some small communities libraries reported very high use by vacationers. One library near a large city reported changes in demographics as poorer people move further away from the city for lower cost housing and identified an increase in the number of people seeking welfare application forms.

Although hours of operation can be limited, most small libraries are open at least part time 5-6 days a week, including several evenings. In one community the library is one of the few places in town that has high speed access to the internet; most residences and businesses out of town and even some in town have only dial-up access. In most communities, public libraries are the only service that provides a

number of free computers to the general public. In a couple of communities, there are people who don't have telephones, which also reduces access to information.

In small communities there is always a larger community with a larger library and more services down the road. These nearby resources can include a larger regional library branch, a courthouse library branch or a college library branch. But librarians report that for people without cars or public transportation, this option is not always available.

People usually start with their local public library, whatever the size.

“They come when they need the library for legal information; they don't browse, they come with a specific question.”

In the Northeast the public makes use of the BC OneCard¹ as workers travel throughout the region for work. In regional systems they can get additional reference support and resources from their system without leaving town. Even in small independent libraries, people can rely on inter-library loans, though inter-library loans are not often used for legal information.

The Findings: Changes in Public Library Use and Access to Legal Information since 2007

We wanted to know if there have been significant changes in public library use and access to legal information since the LawMatters program began, either related to LawMatters or to external factors.

1. Patron Use/Changes

Most respondents said that they don't think there has been significant change in the nature of library use. They did comment on an increase in self-represented litigants and an increase in people being sent to libraries to access government forms, specifically welfare forms. One librarian found that people were more able to help themselves in family law and other matters including self representation. Self-represented litigants make regular heavy use of the library, including printing material from legal databases or websites.

Some libraries reported receiving more legal reference questions since 2007; respondents thought the use had gone up as library staff became more skilled doing legal reference work. On the other hand, one person commented that they get fewer reference questions since Clicklaw² came online in 2009. Patrons can use Clicklaw themselves for simple questions but they come to library staff for more complex

¹ BC OneCard allows any BC resident with a valid public library card to check out materials at any public library in the province.

² The Clicklaw website www.clicklaw.bc.ca is another initiative of Courthouse Libraries BC. It includes plain language legal information, commonly asked questions and a HelpMap of community legal resources.

questions. The public make heavy use of the free public legal information pamphlets, online legal resources and 1-800 telephone services.

In one community there are three people in town who act as informal advocates; they bring people to the library from the food bank for assistance with information about their legal issues. They use the public access computers for welfare applications and they know about Clicklaw and PovNet. They often bring in people from the Indian Reserve who are not always comfortable coming into a library. For these people their main use of the local library is for legal information.

2. Resource Gaps and Needs

Respondents noted that the number of useful legal titles from Self Counsel Press has dropped considerably in the last ten years, and added that the CD Rom format of many Self Counsel Press titles is problematic for libraries. Respondents also listed the following gaps in legal information, particularly for plain language print resources:

- Driving issues – *Fight that Ticket* continues to be identified as a book they still need, that needs updating.
- Help for self-represented litigants
- Living wills
- Day care contracts and other contracts
- Help with Supreme Court forms
- Cross-border issues – including US patents
- Budgeting and consolidation loans

3. Changes in the library from improved print and electronic resources

“Yes. People can get their hands on information right away.”

- Patrons and staff are increasingly coming to rely on the Internet
- And people still want paper.
- The collections are improved with LawMatters grants.
- LawMatters’ *Law Books for Libraries* core list of recommended titles has been widely used by libraries to enhance their collections and is reviewed yearly by most respondents.
- Changes in the collection:
 - Several libraries have integrated many legal reference materials into the circulating collection. One library reported changing their subject access to become more like a bookstore.
 - In one case LawMatters funding prompted the re-cataloguing of all legal information to make it more accessible.

- The always popular free public legal information booklets are often kept near the reference desk so librarians can direct people to their use.
- Clicklaw has made “the most” impact on changing legal reference work. Two libraries reported that vacationers make use of Clicklaw, and that the Clicklaw HelpMap is very useful for people who want to know where to go for legal help when they get home.
- QP LegalEze is available to the public, but troublesome to use even with the staff training experience.
- Two people said they missed LawLINE (which was cancelled in March 2010) because there is no place to refer patrons for legal advice on the telephone, unless the issue is in family law.

4. Changes in patron uses of print and online information

When libraries first reviewed the use of electronic resources, it was acknowledged that access to these resources would vary greatly based on differences in the users (age, poverty, electronic literacy).³ This analysis still applies, although the statistical changes are beyond the scope of this report.

“It is still a big mistake to assume that everyone can use the computer: people with no computer skills, many seniors, or new Canadians with English as a second language still are not able to use the computer for legal reference.”

“Mostly people like print or print-offs, especially for longer questions. They don’t want to talk that much about a legal problem.”

“People want the piece of paper, not the Internet; they may need help with reading. Print can feel non-threatening. Also, sometimes the computers are not working.”

However, respondents confirmed earlier perceptions that many people continue to use both print and online information including one librarian who responded that 90% of people with legal questions still have a preference for print or print-outs they can take home. This finding is consistent with recent studies that conclude that reading about complex topics online results in less comprehension than reading print.⁴

In our telephone survey however, new differences emerged. One of the key factors which affected the print or online choices was the reference question itself. One librarian described it as differences in the people vs. differences in the questions. The choice of print vs. online is often about the nature of the information, the source of the information and the currency of the information.

There are challenges with each of the options for published print, downloads and online resources:

³ See Andrew Reddick and Christian Boucher. (October 2002) *Tracking the Dual Digital Divide*. Retrieved August 24, 2011 from <http://www.nald.ca/library/research/digital/tracking/cover.htm> .

⁴ See Arizona State University, Mesa, “To Scroll or Not to Scroll: Scrolling, Working Memory Capacity, and Comprehending Complex Texts” 2009. Retrieved September 7, 2011 from <http://casanchez.faculty.asu.edu/pubs/scroll.pdf>

- **Currency:** In all cases, the need for currency is critical. This can be most difficult for print publications but note that electronic publications are not necessarily more current.
 “I have to convince people to use print sometimes. They think the net is gospel.”
- **Complexity:** Electronic databases can be complex and difficult to use, e.g. QP Legaleze isn’t easy for first-time users, and library staff don’t always have time to help. Staff have a preference for using BC Laws or the user-friendly web portal, Clicklaw.
- **Cost:** Computer print-out fees (approximately 25 cents/copy) can be daunting for people who need lots of material. In some libraries, local community advocates make heavy use of printing information for their clients. In particular, statutes now have to be printed out, and a great deal of government information is available online only.
 “People want to take legal information home to read carefully. As a result, those who can find a print version get information for free, but people printing off the net have to pay.”
- **Online forms:** These are particularly challenging for both library staff and patrons. Some spoke about difficulties for individuals and for library staff when people use the library for filling in and filing government forms. In particular, they referred to applications for social assistance. Issues that arise include:
 - assisting people who have no computer skills
 - limited access time for public computers, concerns about privacy and downloading forms, particularly for print purposes which often take more time than library time limits allow.
 - library staff are asked to assist with answering questions on very complex forms, which is beyond the scope of how library staff can help, and may be considered legal advice.
 - if people don’t come with specific form numbers, library staff may be asked to provide advice about which form is appropriate, which can be legal advice if there are a number of forms to choose between.
 - questions about how to save the data, or how to do e-filing from a library.
 - questions about how to print the form with the data, or without the data.
 - in some cases people are sent to the library by government offices (including Service BC) to use the computer for online applications. (Service BC offices usually have only one public access computer)

Recommendation: To convene a small consultation between BC Housing and Social Development and other appropriate government representatives (eg. Service BC) and library staff who deal with public access and use of online government forms (possibly include a PovNet representative). The purpose would be to make recommendations to government agencies which require online applications, such as social assistance, and sort out what libraries can do and cannot do with patrons, and to document this information in a short and clear protocol statement.

5. Improved staff skills

“Staff are better prepared and more confident and the patrons are getting better information.”

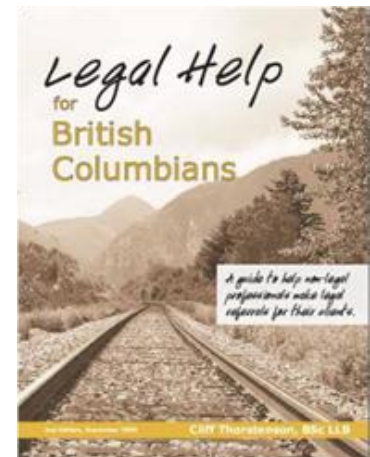
- Librarians reported that the LawMatters training has made a difference in the way staff handle legal questions.
- Staff are more willing to take on the legal questions.
- There is improved speed in finding legal information.
- The training has helped staff become familiar with and use the new and more diverse print materials.
- Training has helped staff know how to look at a legal question and clarify the approach to a legal question, as well as knowing the difference between legal information and advice, and the importance of neutral information and confidentiality.
- Staff have more awareness of and sensitivity to the legal problems that patrons may have.
- The Clicklaw website training helped staff become more confident that they can give patrons current reliable referrals and other online legal information.

Promising Practices: Public Libraries

1. Reference desk fully resourced

Respondents confirm that good library reference practices and pro-active librarianship are both good practices for legal reference service. Specific suggestions included:

- Keep a current legal reference binder at the desk with quick staff access to frequently used booklets, the 1-800 numbers handout⁵, legal FAQ's and local referrals,
- Maintain legal pathfinders and key legal websites on the library's website.
- Use Clicklaw www.clicklaw.bc.ca, the portal for BC public legal information, which includes many legal topics and commonly asked questions, as well as a HelpMap for local services. Clicklaw is one of the key websites on public library website reference sources.
- Be familiar with key print reference resources such as: *Legal Help for British Columbians: A Guide to Help Non-legal Professionals Make Legal Referrals for*



⁵ LawMatters publishes a handout of toll-free phone numbers for BC legal information and advice, see www.bclawmatters.ca under Legal Information Toolkits for Public Libraries.

Clients by Cliff Thorstenson, Dial-A-Law Scripts, UBC Law Students Legal Advice Manual (LSLAP), Martin's Criminal Code.

- Keep extra copies of the free booklets to hand out from the reference desk or nearby pamphlet rack. “We have four boxes of the free materials indexed and prominently located in the reference section. We also have a second set of all the publications for circulation.”

2. Referrals to other legal service providers

We asked library staff about their practices of referring to local or provincial legal service providers. In some cases, librarians said “no one has asked for a referral.” But others confirm a significant increase in referral to community agencies after participating in a LawMatters workshop, as indicated in *LawMatters at Your Local Public Library; a report for public librarians*⁶. In this survey, people reported an increase in their ability to refer, as well as more knowledge of referral options. They noted that the 1-800 resources handout is very helpful, as is the Clicklaw HelpMap. In particular the libraries who had held community forums⁷ indicated a much closer working knowledge of local services and an improved ability to refer clients with specific legal needs.

Good referral practice requires knowledge of appropriate referrals, accurate contact information and the ability to refer people with legal problems who may require further assistance or legal advice.

3. Referral to the library for legal information

Most respondents didn't know if their patrons had been referred to the library but thought it was an interesting question to pursue. In some cases respondents said “everyone comes to the library first”. Other librarians reported that people sometimes say “I was told I could find certain information in the library”, but didn't know who did the referral. Most commonly, libraries reported that referrals for specific information came from BC government offices such as Service BC who send people to the library for forms.

In several cases the librarians knew the local service agencies and spoke about the mutual networking that takes place in the community, such as brown bag lunches and discussions about information sharing. One librarian reported seeing the results from outreach to local lawyers. She had informed the lawyers about LawMatters and saw some resulting referrals to the library for particular legal information resources.

⁶ See p. 4.

⁷ See *Community Legal Information Forums in BC Public Libraries* handout under LawMatters Resources for Community Groups and Libraries at www.bclawmatters.ca

Promising Practices: LawMatters Resources⁸ and Communications

1. LawMatters Resources

Law Books for Libraries; Recommended Titles for Public Libraries

This selection tool is updated and sent out annually by LawMatters with the funding announcement. This is the most heavily used LawMatters tool by librarians, who commented that the information is well covered and very useful.

LawMatters Free Titles Order Form for public legal education brochures

These resources are the most popular titles for the public, and it can be difficult to keep them in stock; “they are soaked up”. They are popular with people who want a print copy to take home and read carefully. One library near a large First Nation reported that the booklist on Aboriginal wills “went out like hotcakes”. In particular the *Legal Help Guide for British Columbians* by Cliff Thorstenson was mentioned as a key resource.

Recommendation: Given the usefulness and popularity of the free public legal education publications, LawMatters should continue to work with the publishers of these materials to keep an active publication and dissemination service to public libraries and other community outlets. This includes the need to keep publications current and to maintain a responsive ordering system for bulk materials and wide dissemination to these organizations of first sample copies for new publications.

The Template for Separation/Divorce

This resource was mostly unknown by respondents. Despite separation and divorce being one of the top questions, the respondents did not respond strongly to this idea. One person said she wished she had had it “last week.” But another commented in some detail as to why it wouldn’t be particularly useful for patrons.

“It might be useful for librarians, but patrons come with specific questions and don’t generally want a general introduction to the subject.”

2. LawMatters communications with libraries

LawMatters Blog

⁸ All available at www.bclawmatters.ca

The LawMatters blog includes lists of new online legal information as well as reports of program activities such as training and community forums. The blog seemed to be unknown to most respondents, although those who used the blog were enthusiastic.

However, the most requested need was to alert people to changing laws, new publications and weeding out-of-date publications. All of these things are covered in the blog, but people preferred the idea of an ALERT email notification.

Recommendation: To explore two options of communicating legal information updates: (a) post more legislative and weeding updates through the blog, and encourage library staff to subscribe to the blog via email, or (b) develop a separate email ALERT service for legislative and weeding updates, that can be archived.

LawMatters website

Some librarians were not aware of the website, although several were happy to hear about it and looked it up as we spoke.

Promising Practices: LawMatters Collaboration with Public Libraries

1. Staff Training

Now that LawMatters has passed its initial stages of funding updated and enhanced collections, providing *Law Books for Libraries* and initial staff training⁹; what is the best role for LawMatters in sustaining legal reference services?

Most agreed that the key to improving legal reference services is an increased staff awareness of the resources and how to use them. LawMatters can have a significant impact on small libraries by enhancing the legal reference skills and staff awareness of and experience with legal information. One library had all their staff take either the webinars or the



LawMatters Training in Cranbrook

⁹ Note that trainings have included: on-site Introduction to Legal Reference and LawMatters, webinars on QP LegalEze/BC Laws, CanLII, Clicklaw, workshops on family law, a six week on-line course on Legal Reference Sources in partnership with the Community Library Training Program of the Libraries and Literacy Branch of the Ministry of Education. Detailed evaluation of these programs is included in the Currie report.

six-week online legal reference sources and they requested continuing opportunities for refresher and updating courses.

- In all cases people requested continued training.
- Some requests were for more local training sessions, as travel is difficult even within regional areas.
- ‘Beyond Hope’ conference is an important training option for northern libraries.
- More difficult is getting replacement time for staff in small libraries; regional and local training might make this easier.
- Webinars work for most libraries.
- Subject requests for more training included: landlord/tenant, wills/estates, family law, help with BC OnLine and Registrar of Companies, how to work with self-represented litigants
- In some of the regional libraries, the local library assistants don’t seem to have received much training, and reference questions are still sent to the closest librarian. In other libraries it was helpful for the library assistants to take the training.
- Libraries where the introductory workshop was held prior to the introduction of Clicklaw were less likely to mention Clicklaw as a resource.
- QP LegalEze training was good for the knowledge gained, but several people reported they still find it difficult to use; “it just didn’t stick for some people.”

2. Promotion

Most libraries have promoted access to legal information either within the library through displays or in the wider community by participating in various community events such as Law Week or sending information to the local media. In one case, a library newsletter devoted one issue to Clicklaw. Several respondents commented on the involvement of librarians and library staff in community activities which gives the library “a finger in every pie in the community.” But for many libraries promotion has not been an on-going high priority.

Promotion can be a challenge for public libraries for several reasons:

- Particularly in small libraries there is limited staff time or resources (e.g. colour printers) to undertake the ‘extra’ work involved in promotion,
- Promotion isn’t in the skill set of many library staff members.
- Libraries are often so busy that they don’t “need” promotion,
- Libraries can be hesitant to promote a service about which they are not fully confident,
- Promoting access to legal information in the library can raise expectations in the community beyond what libraries can provide; i.e. legal advice, legal problem solving. Timing is critical. Libraries have to be ready to provide the service.

- Time to meet with community groups, do a column in agency newsletters, sponsor brown bag lunches for local agencies
- One person spoke of needing assistance arranging speakers for public legal information events.

LawMatters distributes the LawMatters poster, handout and Legal Information Reading Guides¹⁰ to agencies, and has provided a newspaper article template for libraries to use. Some libraries would like LawMatters to run a promotional campaign for all public libraries, but others caution that the program should not be over-promoted; the message may be too ambitious for some libraries or raise expectations about getting legal assistance.

One suggestion for LawMatters promotion was to present a colloquium on LawMatters and Clicklaw to the UBC School of Library, Archival and Information Studies.

3. Community Legal Information Forums¹¹

Community forums have been held in public libraries in five communities as collaborative efforts between the local library and LawMatters. The forum is a local session held at the library with invitations to a wide range of local service agencies. The idea is to connect the library to a range of other community service providers by holding an information-sharing forum about each other's services and resources. The forums provide an opportunity for community networking as well as keeping each participant group current on new resources, community needs and in particular legal information which may be useful to agencies or their clients at the public library.



Coquitlam Community Legal Information Forum

The forum events have been very successful, but the option was not well known to survey respondents.

Recommendation: LawMatters should do more promotion of the forums with public libraries. Several participants in the survey indicated an interest.

¹⁰ Available from www.bclawmatters.ca under Resources for Community Groups and Libraries

¹¹ See p.7

General Comments

Participants were very glad we called and, though often busy and difficult to schedule, they were glad to talk about what is happening in their library. One unanticipated consequence on the survey was the keen interest of several people who didn't know much about LawMatters or certain aspects of LawMatters. As we spoke, several individuals were simultaneously looking online to the website, the blog and Clicklaw as we spoke, often with enthusiasm. One commented on being grateful for LawMatters: "otherwise I would have to figure all this out myself and I don't have a legal background."

Many expressed thanks for the grants and the program as well as for Clicklaw:

- "Grants are essential and it has been beneficial that the amounts can be negotiated."
- "Legal information is essential to have in public libraries- we need you in the small libraries."
- "LawMatters is essential because legal questions are complex even though we don't have a lot of them."
- "I worry that the legal section would fall by the wayside without the LawMatters funding."

Summary of Recommendations

1. To convene a small consultation between BC Housing and Social Development and other appropriate government representatives (eg. Service BC) and library staff and a PovNet representative who deal with public access and use of online government forms. The purpose would be to make recommendations to government agencies which require online applications, such as social assistance, and sort out what libraries can do/cannot do with patrons and to document this information in a short and clear protocol statement.
2. To enhance the publication and dissemination of public legal education materials to public libraries.
3. To explore two options of communicating legal information updates:
 - a) post more legislative and weeding updates through the blog, and encourage library staff to subscribe to the blog via email, or
 - b) develop a separate email alert service for legislative and weeding updates, that can be archived
4. To do more promotion of the forums with public libraries.