

*Minutes of the Meeting of the  
Consortium of County Law Library Resources Boards  
June 28, 2012, 11:00 a.m.  
Offices of the County Commissioners Association of Ohio, Columbus, Ohio*

The Consortium of County Law Library Resources Boards (hereinafter "Consortium") held a meeting at 11:00 a.m. on June 28, 2012 at the offices of the County Commissioners Association of Ohio in Columbus, Ohio. The following Board Members were in attendance: Judge Charles Schneider, John Leutz, Ken Kozlowski, George Baker, and Kathleen M. Dugan. Keith Blough and Galen Avery represented the Advisory Council in person, and Richard A. Baker participated by telephone. Also in attendance were Executive Director Angela Baldree, Assistant Attorney General Jennifer Croskey, Associate Assistant Attorney General Angela M. Sullivan, and Carol Ottolenghi, the Ohio Attorney General's Director of Library Services. Guests included Monica Overly from the Union County Law Library, and several county law librarians on the telephone.

Judge Schneider began the meeting at 11:05 a.m. and called for approval of the April 25, 2012 Minutes. Upon motion of Ken Kozlowski, seconded by George Baker, the Minutes were unanimously approved by the Board.

Angela Baldree then provided a financial report covering April and May, 2012. She indicated that all but two (2) counties have paid their 2% dues to the Consortium for 2010, but there are quite a few left to pay for 2011. She estimated that the Consortium might receive an additional \$45,000 for outstanding 2% contributions due this year. Judge Schneider indicated that he is impressed with dues compliance in the absence of an enforcement mechanism. Upon motion of Ken Kozlowski, seconded by George Baker, the financial report was unanimously approved by the Board.

Angela Baldree then introduced a proposal from LibraryWorld as a possible way to accomplish the Consortium's statutory responsibility to catalog the holdings of all Ohio county law libraries at the Consortium's expense. She indicated that three (3) county law libraries already have the product, and two (2) others are interested in acquiring it. Cataloging records would involve some expense for libraries, but each library could create its own catalog like branches of a main library. Ms. Dugan stated that LibraryWorld is a cloud-based, cost-effective product with all of the necessary library modules, but purchasing it would require annual maintenance costs. Although Ms. Dugan also indicated that she has always been in favor of a union catalog for the county law libraries, she nevertheless noted that times are changing because smaller county law libraries' print collections are dwindling, not many are circulating their materials, and very few provide print interlibrary loans. As a result, Ms. Dugan suggested polling the librarians. Those at the meeting in person and by phone from smaller libraries were all in favor of the product, although it became clear that not all possess a current inventory that could be used to catalog records. Ms. Baldree suggested buying it for all 88 libraries and retaining a subcontractor to catalog every library's holdings. Ms. Dugan liked the idea of a single cataloger for good authority control but felt that the Consortium should poll all county libraries to see if they want or need the product in order to save the Consortium money. Discussion then ensued about concerns from some of the larger county law

libraries where LibraryWorld would be duplicative of existing integrated library systems. Discussion was also had about the Ohio statutes and national litigation regarding patron data. Ms. Dugan suggested that each library could adopt a model policy to protect the confidentiality of patron records. Upon motion of George Baker, seconded by Ken Kozlowski, the Board unanimously voted that it is interested in LibraryWorld's proposal, it would like to offer Library World to county law libraries on a voluntary basis at Consortium expense, it is considering hiring someone to catalog libraries' records at the Consortium's expense, and it is instructing Angela Baldree to a) conduct a survey of county law libraries to determine which ones would be interested in LibraryWorld and b) follow-up with LibraryWorld to renegotiate a price for fewer subscriptions to meet the assessed interest.

Those present then discussed the potential cataloging position, and Judge Schneider indicated that it could be handled with another Memorandum of Understanding with a county law library, analogous to Ms. Baldree's current arrangement. Ms. Baldree offered to include in her survey a request for persons who might be interested in the position.

Ms. Baldree then introduced the proposal from Fastcase as a potential expense for the Consortium. After Joseph Hodnicki offered his favorable comments on the product, Ms. Dugan distributed a chart comparing Fastcase with Casemaker from the Ohio State Bar Association ("OSBA"). Ms. Dugan then stated that she confirmed with the OSBA that it is still offering Casemaker for free to all county law libraries. As a result, the Board did not move forward with the Fastcase proposal.

Ms. Baldree then raised the issue of the Board's current Memorandum of Understanding ("MOU") with the Lake County Law Library. Jennifer Croskey indicated that the MOU currently allows for a six (6) month extension with modifications, and Ms. Baldree indicated that she would be interested in continuing to serve as the Board's Executive Director unless someone else comes forward. In response to Ms. Dugan's request about the future workload, Ms. Baldree indicated that she would not need to make as many site visits in the future. Upon motion of John Leutz, seconded by Ken Kozlowski, the Board unanimously voted to 1) support a continuation of the Lake County MOU and 2) request that Ms. Baldree ask her Board whether and under what terms it would be willing to enter into a six (6) month extension.

Jennifer Croskey then advised the Board that county law libraries are entitled to Juvenile Court fines and penalties because same are considered prosecutions under Title 55 pursuant to OAG 87-023, which overruled OAG 82-062. Ms. Baldree indicated that she would circulate information on this issue to all county law libraries after the meeting. Upon motion of Ken Kozlowski, seconded by George Baker, the Board unanimously voted to allow the Attorney General at its discretion to request a formal or informal opinion or memorandum of law on whether Juvenile Court fines should be included in calculating the 2% dues each county law library pays to the Consortium.

Jennifer Croskey then indicated that she provided a privileged, attorney-client document to all current Board members with a status report on the issue of whether the Consortium is a state agency. She stated that continuing work needs to be done on this issue toward a lengthy opinion that

will answer lingering questions.

Judge Schneider then raised the issue of the monetary balance in the Consortium's account. Ms. Baldree suggested that instead of amending the statute to permanently reduce dues, she would like to award each county law library a grant in the form of a percentage of the dues paid in 2012. Although Ms. Dugan favored taking the issue of a statutory reduction to the county law libraries for a vote, she nevertheless suggested that, if permissible, grants would be a good, interim step to determine how much money the Consortium actually needs to operate in the future. The Judge and Ms. Dugan then suggested various ways of arriving at a proper figure or percentage, and Jennifer Croskey indicated that she would research the legalities of awarding grants. Upon motion of John Leutz, seconded by George Baker, the Board unanimously voted that 1) it is the Board's intent to return approximately \$100,000.00 to county law libraries in 2013 and 2) the Board asks counsel for recommendations on how to spread that sum equally on a percentage basis among county law libraries that apply and have paid their dues in 2012.

Ms. Baldree then reminded everyone that the deadline for county law libraries to accept the current Loislaw proposal is August 1, 2012. She also indicated that the State Auditor's office is still working on a flow chart of fines and penalties. She further indicated that she is still trying to obtain patron access proposals from both Lexis and Westlaw, but Westlaw has stated that it will not make a proposal unless the Board agrees not to negotiate with Lexis. The Judge indicated that this behavior is inappropriate, and Ms. Dugan added that the Consortium intends to negotiate with multiple vendors as options for county law libraries interested in different competitor's products. Upon motion of John Leutz, seconded by Ken Kozlowski, the Board unanimously voted to instruct Ms. Baldree to deny Westlaw's requests and inform Westlaw that the Board is interested in negotiating with and making available more than one (1) vendor's products.

Upon motion by Ken Kozlowski, seconded by George Baker, the Board unanimously voted to adjourn the meeting at 12:35 p.m.

Respectfully submitted,



Kathleen M. Dugan, Esq., MLS, Secretary