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Janet Freeman
LawMatters

Nancy Hannum
LawMatters

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‘LawMatters at your local public library’

A history of BC’s program for public legal information and education in public libraries

Prepared by Janet Freeman, Courthouse Libraries BC LawMatters Program Coordinator
and Nancy Hannum, LawMatters Program Consultant



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‘LAWMATTERS AT YOUR LOCAL PUBLIC LIBRARY’; A HISTORY OF BC’S PROGRAM FOR PUBLIC LEGAL INFORMATION AND EDUCATION IN PUBLIC LIBRARIES.

By Janet Freeman, Courthouse Libraries BC LawMatters Program Coordinator and Nancy Hannum, LawMatters Program Consultant

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IN THE BEGINNING: RESEARCH ON PUBLIC LIBRARIES AS PARTNERS IN ACCESS TO JUSTICE

Public libraries have always been an important partner in the education of their communities in all aspects of knowledge, including the legal system. In the 1970’s the Law Reform Commission of Canada conducted a survey to research how and where the public found legal information. The resulting Law Reform Commission report published in 1975 included recommendations that more legal information materials be available for public libraries, as well as more training for public librarians to answer legal questions using both print materials and referral resources.¹

In British Columbia the Justice Development Commission was also surveying how the public could effectively access legal information. Their report published in 1974 focused on four areas of research, one of which was the “role of libraries and information centres”.² Recommendations included the provision of:

- more variety of legal information materials, including a “layperson’s legal encyclopedia”
- more training of public librarians in how to do legal research
- an annotated bibliography of legal materials prepared and distributed to all public libraries.³

¹ Friedland report *Access to the Law: A study conducted for the Law Reform Commission of Canada*. 1975. p. 89-90.

² Fenton, Rob. (1974). *A report to the Justice Development Commission*. Attorney-General, Province of British Columbia. p.1.

³ Fenton, p.11.

REPORTS BECOME SERVICES: “LEGAL INFORMATION TO THE PEOPLE”

As a result of the BC Justice Development Commission’s report, the Legal Information Services Program (LISP) was started in 1975 under the auspices of the newly created Legal Services Society. Led by librarian Meg Richeson, the LISP started a Public Library Program (PLP) and provided grants for BC public libraries to develop core legal collections, and offered training workshops for public librarians. In addition, Richeson also set up the Legal Resource Centre (LRC) to provide reference support to public libraries and the general public as well as the staff of Legal Services Society. The LRC housed legal reference and popular legal materials and continued to work with public libraries under the management of librarian Nancy Hannum from 1985 to 2002.

The LRC also provided a number of other services for public libraries and other legal information providers, such as:

- current legal awareness and legal bibliographies through the *LRC News* 1980 - 2002
- a guide to legal research titled *Taking the Law Into Your Own Hands*, 1981
- a conference titled *Access for All; Libraries, Legal Information and the Community* for all libraries and community workers, 1991
- a legal information phone help line, 1975 – 2002
- an Audio/Visual collection that won several National Film Board awards
- the *Electronic Law Library* website, which was a curated list of online BC and Canadian legal information designed for librarians and the public, 1998 – 2009.

THE BOOM FALLS: LEGAL AID FUNDING CUTBACKS OF 2002

When the BC Legal Services Society was faced with 40% reduction in government funding, many services were cut, including the Legal Resource Centre and the Public Libraries Program. The *Electronic Law Library* website was continued by Courthouse Libraries BC.

THE PHOENIX RISES: RETURN OF THE PUBLIC LIBRARIES PROGRAM THROUGH COURTHOUSE LIBRARIES BC’S ‘LAWMATTERS AT YOUR LOCAL PUBLIC LIBRARY’ PROGRAM

In 1975, Courthouse Libraries BC’s (CLBC) constitution included two purposes:

- (a) to provide, maintain, develop and improve law library services and collections for the benefit of members of the Law Society of British Columbia, members of the Judiciary of the

Province of British Columbia, and *members of the public*.

(b) *to assist public libraries to develop and improve collections of legal materials for use by the public* [italics mine]

Since Legal Services Society ran a public libraries program from 1975 – 2002, section (b) was not acted on until LSS funding cuts led to a gap in that service.

Under the leadership of CEO Johanne Blenkin, CLBC applied for funding to reconstitute the public libraries program. The BC Law Foundation approved funding for a three year project starting in 2007. Nancy Hannum was hired as a consultant and Janet Freeman as Coordinator. The project became known as ‘LawMatters at your local public library’, and was renewed by the Law Foundation with further funding in 2009.

A UNIQUE PROGRAM

Thus, from 1975 to 2002, and 2007 to the present day, BC was the first jurisdiction in Canada, and quite likely the English-speaking world, to develop an ongoing program to help public libraries provide legal information to the public. A review of legal literature found only one similar program: the Legal Information Access Centre (LIAC) of New South Wales, Australia, which operated from 1990 – 2014, and cited the BC Public Libraries Program as its model. (unfortunately the history of the LIAC paper is no longer available online; CLBC is contacting the current organization).

Other jurisdictions have offered some aspects of legal information services to libraries. For a full list, see the **Appendix 1** article *Legal information services to public libraries across Canada and internationally*.

KEY FEATURES FOR SUCCESS IN BC: PROVINCIAL COLLABORATION AND CONSULTATIONS

A central feature of both the LRC and the LawMatters programs has been the close collaboration with the Libraries and Literacy Branch (LLB), formerly the Public Library Services Branch of the BC Ministry of Education. The LLB “provides leadership for B.C.’s public libraries through advice, training, funding and support for a number of provincial programs”. LawMatters public librarian training initiatives were integrated with the LLB’s provincial training programs such as the online Community Librarian Training Program, and the provincial webinar series of professional development for librarians. The LLB also provided updated contact information for public libraries, helped facilitate and promote LawMatters activities, and distributed LawMatters printed legal guides.

LLB also provided support and information about library needs and interests, based on the work of its regional consultants.

LawMatters held a series of provincial consultations with public librarians in order to provide feedback and recommendations for next steps, and also conducted two province-wide legal reference surveys to determine the scope of legal reference, including what legal topics were most often asked by the public. Reports may be found at the [LawMatters Background and Reports](#) page, as well as this article's bibliography.

THE RATIONALE: PUBLIC LIBRARIES ARE THE IDEAL LEGAL INFORMATION DELIVERY SYSTEM

The LawMatters program works with all 240 BC public libraries throughout the province. Public libraries are the ideal agency to deliver legal information because they are located in every community, often have extended hours of opening, access to public computers and printers, in-person assistance and a wide range of information topics and services. Librarians are trusted as neutral and well trained in research skills. In addition, many libraries offer classes on computer literacy, English language skills, and guest speakers on legal topics.

In 2010, public libraries reported that they receive at least 35,000 legal reference questions per year and found that the most popular topics were real estate, landlord tenant, strata title, neighbours, wills and estates, separation and divorce. Public librarians are well situated to provide ongoing direction to public legal information providers. For example, a series of surveys of public librarians resulted in a prioritised list of legal information gaps topics, see **Appendix 2** *Public Legal Information Gap Topics Identified by BC Public Librarians*.

The print collections of public libraries also provide an important solution to the problem of the digital divide. As a recent U.K. paper noted, about one third of the public does not use the Internet, or “is unhappy doing so”.⁴ Other research has noted that reading about complex topics online results in less comprehension and retained knowledge than reading print.⁵

⁴ Smith, Roger (2014) Digital Delivery of Legal Services to People on Low Incomes. The Legal Education Foundation. p. 5.

⁵ Mangen, Anne, Bente R. Walgermo, Kolbjørn Brønneick. (2013) Reading linear texts on paper versus computer screen: Effects on reading comprehension. *International Journal of Educational Research* 58 (2013) 61–68.

SNAPSHOT OF LAW MATTERS SERVICES TO PUBLIC LIBRARIES

LawMatters provides:

- Grants and collection development advice for libraries to purchase current print legal information materials, and also recommends weeding out-of-date titles.
- Training in legal reference, including in-person workshops, webinars and online courses.
- Support in answering difficult legal reference questions.
- Current awareness of legal information resources and services through a **LawMatters blog** and regular email updates.
- Distribution of a series of print legal guides (including titles such as *Grandparents Raising Grandchildren; A Legal Guide*, *Learning About the Law*, *Legal Help for British Columbians*, *JP Boyd on Family Law*, *Dial a Law*).
- Support for libraries to host a local **Community Legal Information Forum**. The forums provide an opportunity for public libraries to introduce community agencies to library legal resources, and to encourage inter-agency cooperation in meeting the legal information needs of the community.

LAW MATTERS COLLABORATES WITH INNOVATIVE PROGRAMS

As a community outreach program of Courthouse Libraries BC, LawMatters actively engages with other CLBC outreach programs such as the Clicklaw website and Clicklaw Wikibooks.

CLBC's **Clicklaw** website offers a curated collection of plain language legal information and referral resources. The LawMatters Program Coordinator acts as a Clicklaw Co-Editor and contributes to selection of resources and the writing of Clicklaw common questions, based on ideas and feedback from public librarians.

The **Clicklaw Wikibooks** program consists of a series of online legal guides that can be easily updated and printed or downloaded as an ePub. Wikibooks are written and edited by a team of volunteer lawyers. At the current time, there are 22 Wikibooks available and more are planned for the future. The first Wikibook, *Legal Help for British Columbians*, was selected as a training tool for public librarians and resulted in the discovery of the wikibook platform as an innovative publishing tool.

WHAT OF THE FUTURE?

At the present time, the LawMatters funding from the Law Foundation of BC will end in 2017. Courthouse Libraries BC has made a commitment that the LawMatters Program will continue, but the service may change. LawMatters evaluation studies have found that the collection development advice and legal reference and current awareness support from LawMatters and Courthouse Libraries BC is highly valued and should continue even if there is no further funding for the collection grants to libraries. The LawMatters role in the distribution of printed legal guides has been identified as critically important for library patrons who are not able to use computers, and for people wanting detailed research.

LawMatters continues to hear from public librarians who stress the importance of providing legal information in print as well as digital⁶. Their comments underscore the important findings of the law reform commissions reports of the 1970's. These reports have stood the test of time as they identified the need for public access to quality legal information, and the role of public libraries to work in partnership to fulfill the need. And as pioneering librarian Meg Richeson stated in 1980:

“I believe that librarians are one missing link in the chain, the network, which will someday make legal information readily available and understandable to all Canadians.”⁷

⁶ Hannum, Nancy. (2011) *Talking to Librarians about LawMatters: Promising Practices*. Courthouse Libraries BC. p. 7.

⁷ Richeson, Meg. (1980). Law and the Practising Librarian: Public legal education and information. In H. Creech, (Ed.), (1983). *Libraries and the Law*. Proceedings of the Atlantic Provinces Library Association Conference. Dalhousie University Libraries and Dalhousie University School of Library Service: Occasional Paper 31. p. 31.

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APPENDIX 1: LEGAL INFORMATION SERVICES TO PUBLIC LIBRARIES ACROSS CANADA AND INTERNATIONALLY

List compiled by LawMatters Program Coordinator, Courthouse Libraries BC, 2014.

Alberta:

- 1977 - 1980's Legal Materials Placement Project provided funds for public libraries collection upgrading and training.
- 2010 - Law for Seniors in Alberta project provided training and materials for public libraries in topics for seniors.
- No current coordinated programs.

Saskatchewan:

- 1980's small grants and training for library regions through Public Legal Education Association of Saskatchewan.
- No current program.

Ontario:

- 2011 - 2012 Some workshops for librarians offered by Community Advocacy & Legal Centre (Belleville) and Community Legal Education Ontario (CLEO).
- Currently: Webinars and bulletins for library staff developed by CLEO.

Australia:

- 1990 The Legal Information Access Centre of New South Wales (LIAC) opens. (Centre planners visited BC in the 1980's and modelled the LIAC after BC's Public Library Program). LIAC provides regularly updated collection development information, a series of legal books, and training for public libraries.
- June 2014 LIAC ceased to exist, and some services (plain language website and legal titles for public libraries) are now provided by the State Library.

United States:

- Early 2000's – current. *Public Library Toolkit* published by the American Association of Law Libraries describes the process of legal research and recommends a core legal collection for public libraries, and is maintained each year.

- A few workshops for librarians were held by state law libraries, but no coordinated, ongoing programs were developed.
- 2010 - “Public Libraries and Access to Justice” national conference and **webinar** series held by Pro Bono Net. Follow-up trainings and partnerships were encouraged.
- 2012 Minnesota Public Libraries and Access to Justice Project offered workshops and webinars on legal resources and legal referrals.
- 2013 Webinars for public library staff by the US Institute of Museum and Library Services included legal topics.
- 2014 - *Law Libraries and Access to Justice: A Report of the American Association of Law Libraries Special Committee on Access to Justice* report published. The report recommends that law libraries assist public libraries with core collection advice and legal research training.

APPENDIX 2: PUBLIC LEGAL INFORMATION GAP TOPICS IDENTIFIED BY BC PUBLIC LIBRARIANS

Polls conducted by LawMatters Program Coordinator, Courthouse Libraries BC, 2013.

Participants were asked what gaps exist for legal topics where mid-level material in print is needed. (i.e. beyond simple factsheets or online materials).

Topics were adapted from the report *Clicklaw and Beyond*, G. Reid, 2009 and updated using topics from *The Law Handbook*, New South Wales, 2012.

Poll results from 2 public library conference events and one focus group in 2013:

Total # votes	Topic
33	Accidents and compensation: Liability for injury or damage - injury or damage caused by animals - injuries to animals - motor vehicle accidents - property damage - personal injury - sample letters - workers compensation - dispute resolution - common law damages.
18	Neighbours and Pets: Dividing fences - fencing agreements - boundaries - encroaching buildings - trespass - entry of water - access to neighbouring land - noise - animals - trees - privacy - land use - objections - nuisance.
17	Health and the Law: - regulating doctors and other health professionals - medical negligence – seeking damages for negligence – Health privacy - Fertility and conception issues - Artificial reproductive technology – wrongful birth and wrongful life – surrogacy – cloning – abortion. End of life issues - Voluntary euthanasia – palliative care - Human right to health - Medical ethics and human rights law – Access to medical records
5	Doing legal research: finding the law - material about the law
2	Prisoners: BC prison population - remand - going to jail - transfers - segregation - medical care - communication with prisoners - telephone and visits - prison

	discipline - complaints by prisoners - appeals and legal actions - release - social security.
0	Insurance: Insurance policies – cover notes – legal rights and responsibilities – exclusion clauses – duty of disclosure – claiming on insurance – where to take disputes – health insurance.
0	Voting & Elections - The Main Kinds of Elections - Who Gets to Vote? - Enrolment and Voting Integrity - Who can become an Election Candidate? - Drawing Electoral Boundaries - How are Votes Counted to find a Winner?