

MINNESOTA STATE LAW LIBRARY ANNUAL REPORT

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New Programs and Services

New Research Assistance Services

In 2018, the State Law Library began offering dedicated research assistance to Child Support Magistrates and the retired judges who serve as referees in attorney discipline cases. Neither of these groups have law clerks to assist them.

Latino Legal Experience in Minnesota Exhibit and CLE

The exhibit, the “Latino Legal Experience in Minnesota,” was available at the Minnesota State Law Library for two weeks in March. This exhibit celebrates the successes and accomplishments of Latino professionals in Minnesota’s legal community, and recognizes the legal struggles faced by the state’s Hispanic community. It was borrowed from the U.S. District Court, District of Minnesota.

In conjunction with the exhibit, the law library hosted a panel discussion with several of the people who helped develop the “Latino Legal Experience in Minnesota” exhibit. The panel discussion, which featured welcoming remarks from Minnesota Supreme Court Chief Justice Lorie S. Gildea, was moderated by Senior U.S. District Court Judge Ann D. Montgomery. Panelists included Minnesota Court of Appeals Judge Peter M. Reyes, Jr.; Ann Anaya of 3M, who previously served as an assistant U.S. attorney; and Assistant United States Attorney Lola Velazquez-Aguilu.



Pictured above: (left) Judge Ann D. Montgomery, Ann Anaya, Lola Velazquez-Aguilu, Judge Peter M. Reyes, Jr. (right) exhibit at State Law Library

Career Book of Chief Justice Russell Anderson

In 2018 the Minnesota State Law Library completed the career book of [Chief Justice Russell A. Anderson](#), who retired from the Court in 2008. His book was number 16 in the Minnesota Justice Series. The series was started in 1981 with Justice Fallon Kelly.

Attorney Roll Books – “the Missing Years”

For many years in Minnesota, attorneys would sign a roll book when they were sworn in. This practice was discontinued in 1983 after the court started using [MARS](#). Earlier this year Chief Justice Gildea decided the practice should be restarted. The new roll book was first used at the May 2018 swearing in ceremony. We witnessed the excitement new attorneys had when signing the book, and heard many people bemoan the fact that they had not been able to sign. At Justice Chutich’s suggestion, we created books for the missing years of October 1983 – April 2018. These books (and the original books) are kept in the State Law Library’s [Special Collection Room](#). They are available for attorneys to sign, and travel from time to time to special events at which groups of attorneys are gathered.

New Attorney and New Judge Materials

In 2018, the law library started two marketing initiatives. For any attorney who checks out a book for the first time, we send a welcome packet that includes a letter, the infographic below, a pen with our contact information, and a bookmark. New judges in Minnesota receive the judges’ infographic, a letter, and a pen with our law clerk help email address.

Services for Attorneys

- COLLECTION**
We have a large collection of legal materials, including treatises, CLEs, formbooks, and practice materials. Items can be checked out at the library or mailed to attorneys unable to visit the library.
- ELECTRONIC RESOURCES**
We offer access to Westlaw, HeinOnline, the NCLC Digital Library and academic and business databases in the library. We also maintain an archive of Minnesota Appellate Briefs and Opinions on our website.
- DOCUMENT DELIVERY**
We can email certain materials upon request. Contact a reference librarian if you need help accessing articles, cases, AIA opinions, or treatise sections.
- WEBSITE**
Our website has a wealth of information for attorneys, including a Legal Treatise Finder, our Resources for Attorneys page, and Legal Topics pages on over 300 topics.
- REFERENCE**
We offer reference help in person, by phone at (651) 297-7651, and by email at askalibrarian@courts.state.mn.us. We strive to respond to all questions within one business day.

<http://mn.gov/law-library/>

Services for Judges

- LAW CLERK HELP**
Our J.D. law librarians provide research assistance to your law clerks. We have a dedicated email, LawClerkHelp@courts.state.mn.us, where your clerks can send their research questions. Typically, clerks receive a complete response within 1-2 business days.
- RESEARCH ASSISTANCE**
Our librarians can assist judges with research in preparation for speeches, presentations, or cases. Contact askalibrarian@courts.state.mn.us or LawClerkHelp@courts.state.mn.us to discuss your request with a librarian.
- COLLECTION**
We have a large collection of legal materials, including treatises, CLEs, practice materials, and books about the law and the legal profession. Items can be checked out at the library or mailed to judges unable to visit the library. You will also get emails when we receive new titles.
- ELECTRONIC RESOURCES**
Our librarians have access to Westlaw, HeinOnline, Lexis Advance, PACER, Minnesota district and appellate court documents, and business and academic databases. We can email you or your clerks items from these sources.
- CURRENT AWARENESS**
Each month, we send out a selection of articles on topics of interest to the judicial branch. We subscribe to most legal periodicals, including legal law reviews and law journals.

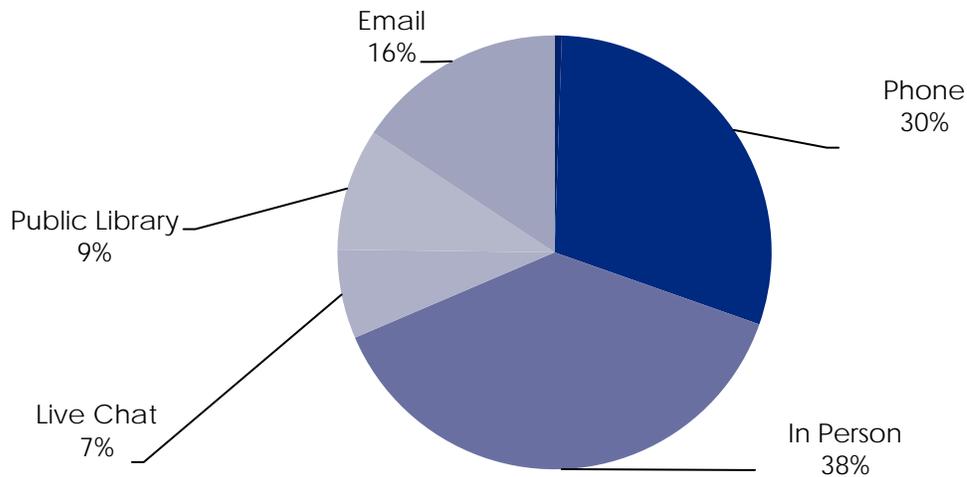
<http://mn.gov/law-library/>

Assisting our Patrons

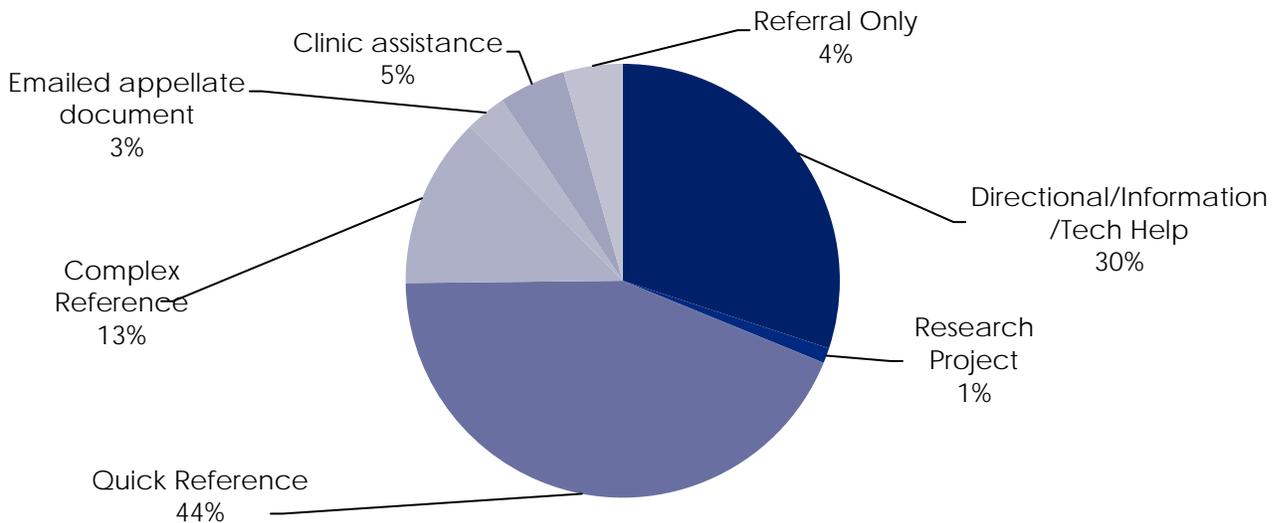
Answering Questions

Our patrons contact us in-person, via phone, chat, email, and mail. We make an effort to serve people in the manner that they prefer. In 2018, the reference librarians answered over 8000 questions. In addition, just over 3000 people who did not need assistance from staff visited the library to use our resources, and more than 500 people toured the library over the course of the year.

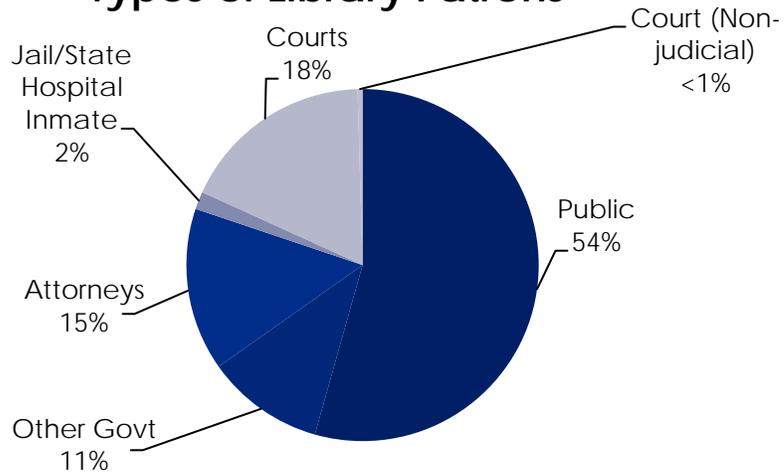
How Questions were Received



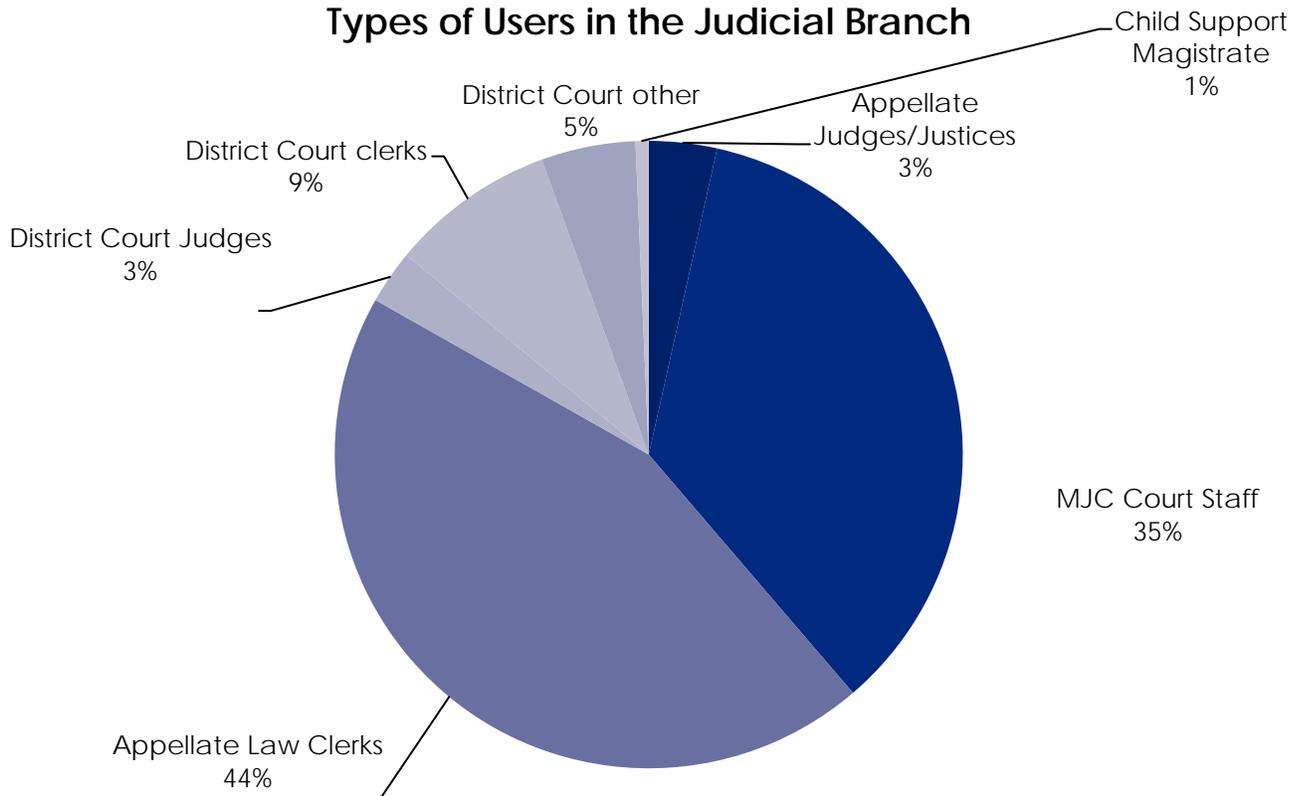
Types of Questions



Types of Library Patrons



Types of Users in the Judicial Branch



Topics of Questions Asked	Percentage
Legal Research	21%
Appeals	21%
Family	13%
Criminal	8%
Other	7%
District Court Procedure	6%
Probate/Estate Planning	4%
Consumer/Bankruptcy/Debtor/Creditor	4%
Landlord/Tenant	3%
Employment	3%
Conciliation Ct	2%
Real Estate/Zoning, OFP/HRO, Name change, Immigration, Child/Minors (non-family), Business, Fee Waivers	Each topic accounted for 1%

A Sampling of Interesting Questions

- Hi, I own a 40 acre piece of land. This land has been owned and farmed by my family since 1936. The land is accessed by a cartway path which has been in use since 1936 by us and before by others. Three parcels of adjoining land are crossed in this path to my 40 acres. I was always told that the cartway must be two rods or 33 feet wide to access my land since there is no other way to my property from another road. There is no legal description of a right of way on any legal document of the land. Is there a statute that pertains to right of way? Thank you for any assistance or direction
- Hi, 11 years ago we moved our mobile home from a park and put it on a basement. We struggle with insurance and refinance as it is still consider a mobile home. How do we change that to a single family home?
- If I have a tenant on my property and the property owner's dog jumps and scratches my vehicle, what kind of insurance (if any) covers damages? Homeowners, vehicle insurance, renters insurance?
- I'm wondering how I might go about searching for information on the transfer of the state highway building, later transportation building, to the care/ownership of the Department of Administration.
- I am doing a PhD at the University of Glasgow on e-cigarette policy development. I have recently been reviewing all the e-cigarette legislation in the USA. I was wondering if Minnesota has any bills relating to e-cigarettes. If so, what evidence was used to create the legislation i.e. why were these regulations suggested and what evidence was used to back these statements up? Also, were there any bills that did not pass?
- I'm looking to find the actual case of M'Naghten. It's a case derived from Europe somewhere from the 1800's, however the "insanity" rules came from this case. Any thoughts or ideas of where I may look to find the real case? I try google but mostly everything I find are summaries. I'm wondering if the actual case is available somewhere.

I do have a citation of M'Naghten (1843) 8 Eng. Rep. 718. I tried Westlaw but nothing seems to come up. Again, any ideas are greatly appreciated.

- How many mattresses can I have on my bed? The landlord told me having the mattresses stacked was a violation of the fire code.
- Are there penalties for filling in wetlands?
- Can you tell me the year that Minn. Stat. 541.02 was first enacted? I believe I have it back to 1905 or so, but need to know the first date it was passed and the language that original statute contained. (And the language of any amendments.)
- I am a research librarian with the law firm of [national firm]. One of our attorneys is needing a history of the 1977 adoption by the Minnesota Supreme Court of its Rules of Evidence, particularly with focus on MRE 803 generally (Hearsay Exception) and specifically on MRE 803(8), MRE 803(7) and MRE 803(6). He is interested in any committee notes, text of any Rules of Evidence prior to 1977 in Minnesota, the draft of the 1977 rules prior to adoption, and the 1977 enacted version. Can you provide me with guidance on how I might access them?
- We are looking at Minnesota Title Standard No. 34. We are trying to get a copy of the authority cited for that title standard. I am looking for--Mark B. Dunnell, ed, 2 Dunnell Minnesota Digest: A Digest of the Decisions of the Supreme Court of the State of Minnesota 6282 (Mason 3d ed 1951). Thanks for your help.

Appellate Self-Help Clinics

The State Law Library offers two appellate self-help clinics. The general [Appeals Self-Help Clinic](#) is offered once per month. In 2018 the clinic assisted 181 people. The top three types of cases seen at the clinic were family law, civil, and evictions. The State Law Library also continues to offer an [Unemployment Appeals Self-Help Clinic](#) twice per month. In 2018, the clinic assisted 51 people who were considering appealing their denial of benefits to the Court of Appeals. The vast majority of these types of appeals (89%) involve an unrepresented party.

Online Presence

Opinion and Briefs Archive

Since 1996 the State Law Library has provided an online, [searchable database](#) of appellate court decisions. In 2018, the library began adding NW2d cites to the metadata so that opinions could be retrieved by the NW2d citation.

The library also maintains a [searchable database](#) of appellate briefs from published Minnesota Court of Appeals and Supreme Court cases. Coverage goes back to 2005. New in 2018, we started adding briefs "on demand." At the request of patrons, briefs not currently in the archive are added. We are typically able to do so within one business day.

Link Rot Project

To ensure that patrons are able to access websites that are referenced in appellate court opinions, we developed a process of archiving these web pages. Through this process, an

archival copy of the referenced web page is saved on a static server and the link in the opinion is overwritten with a link to the archived copy.

A retroactive process was needed to address opinions issued since 2008. That process addressed 183 opinions and required ~30 hours of staff time. Many pages were no longer available and research was required to retrieve the cited materials.

It is worth noting that after we implemented this process, the Supreme Court began its own process of attaching a copy of referenced websites to their opinions. Thus, we are currently only archiving web pages referenced in the opinions of the Court of Appeals.

Social Media

The library now has 301 [Facebook](#) followers. This is an increase of 38% from 2017. The library's [Twitter feed](#) now has 1,400 followers, up 4% from last year.

Current Awareness

Each month, the State Law Library compiles a list of articles of interest to the courts and distributes the articles to all members of the Judicial Branch via email. We continue to get positive feedback for this service.

Interlibrary Loan

The State Law Library provides an interlibrary loan service for the Judicial Branch. This includes both books and journal articles. In 2018, the library obtained 84 items for the court and loaned 92 items to other libraries.

Continuing Legal Education

The State Law Library offers [free CLEs](#) for the judicial branch and other interested attorneys. In 2018, the library hosted twelve CLE programs (10 standard credits and 2 elimination of bias credits). The library offers several CLEs for on demand credit via its website. This has been a popular feature. Two of the CLEs that have been available for viewing on our website for almost two years have each been utilized by over 600 attorneys.

Law Clerk Assistance

The library communicates to the court's law clerks via a quarterly law clerk newsletter, and has a dedicated law clerk assistance email account. It is a popular resource and the library regularly gets emails from law clerks all over the state. From 2017 to 2018, the number of requests from district court law clerks increased by 163%.

In the fall, the library's Outreach Librarian and Head of Public Services presented three sessions of a "Prepare to Practice" course for outgoing appellate law clerks. In addition, they presented the same course via webinar for district court clerks.

The State Law Librarian taught several training sessions for the new appellate law clerks on how to do Minnesota legislative history research. In addition, the Outreach Librarian and Head of Public Services provided training for the new clerks on the Minnesota legal resources available at the State Law Library.

In December, Outreach Librarian Sarah Larsen provided three trainings to the 6th District and 7th District law clerks on Minnesota legal research.

Kudos

The State Law Library aims to provide excellent service to all of our patrons. We appreciate knowing if we are succeeding.

- I am always impressed by not only how quickly I get response from the reference librarians, but how thoroughly the issues are evaluated and researched. – *district court law clerk*
- Thank you. Your office is always so prompt and helpful! – *Assistant County Attorney*
- Thank you so much! You are all wonderful and I am grateful that you are willing to help me so often! – *appellate court law clerk*
- I thank you for your expert and timely assistance. Librarians Rule! – *out of state law firm*
- Thank you, from bottom of my heart! You go beyond your expectations! I really appreciate it! – *member of the public*
- I appreciate you for your kindness. It gives me a sense of having a friend/link in the right place. - *attorney*
- Thank you for your quick response. The information was very helpful. - *magistrate*
- I appreciate everything you've done on this – I love it when the library helps me figure out what I should have been asking rather than what I actually asked. – *appellate court law clerk*
- Once again, I am amazed at how responsive the help line is. Thank you very much. – *district court law clerk*
- Thank you and the others in the Law Library--you all have been extremely helpful! – *member of the public*
- This is solid gold assistance. Thanks so much! – *attorney*
- For the last 10 years you have been giving me substantial help with legal material. I wanted to thank you for all of your help and let you know I was able to get re-sentenced. - *inmate*

Outreach

The State Law Library makes an effort to reach people outside of our walls. We travel to public libraries, bar associations, and county law libraries in order to raise awareness of the State Law Library and its services. Since 2017 we have had a librarian dedicated to these activities.

Legal Community

- February – Liz Reppe spoke to the 6th District Bar Association about how the State Law Library can assist attorneys.
- March - Liz Reppe spoke to the Range Bar Association meeting about law library services for attorneys.
- March – Liz Reppe was a speaker at the Dickinson Law Review Symposium, the topic of which was “Access to Justice — Innovations and Challenges in Providing Assistance to Pro Se Litigant”. She spoke about the State Law Library’s appellate self-help clinics.
- March – Sarah Larsen presented a CLE on skip tracing for the 3rd District Bar Association.
- May – Liz Reppe co-presented on the appellate courts at the Minnesota Court Business Conference.
- May and October – Sarah Larsen staffed a table at the new attorney swearing in ceremony and provided information about how the State Law Library can assist new lawyers.
- September – Elvira Embser-Herbert spoke at the Minnesota Women Lawyers Event “A Celebration of Women on Minnesota’s Highest Court”. Her presentation was titled “‘Firsts’ for Women on the Minnesota Supreme Court”

Library Community

- March – Erica Nutzman co-presented with Legislative Reference Library Director Elizabeth Lincoln at the Minnesota Library Technology Conference on the topic of Minnesota’s Digitized Legal Archives.
- March – Outreach Librarian Sarah Larsen presented “Legal Resources for Public Library Patrons” for the Waseca Public Library staff.
- April – The law library helped plan an educational program for public librarians (co-sponsored with the Minnesota Coalition of County Law Libraries).
- May – Sheri Huppert and Elvira Embser-Herbert presented on the library’s use of live chat at the University of Minnesota’s Enhancing Quality Staff Day.
- May – Sarah Larsen presented “How to Find People Using Free Internet Sites” at the Anoka County Library Staff Day.
- June – Susan Trombley presented “Law Librarianship in and Out of Prison” at the Great Lakes Library Symposium.
- July – Liz Reppe co-presented “Our Knowledge Put into Action: Helping Public Librarians Learn Basic Legal Research” at the American Association of Law Libraries Annual Meeting.
- July – Sarah Larsen was a panelist for the Roundtable on Immigration at the American Association of Law Libraries Annual Meeting.
- July – Sarah Larsen presented a poster session on the library’s legal reference at the public library program.

- October – Sarah Larsen co-presented “Meeting Patrons Where They Are: Legal Partnerships at the St. Paul Public Library” at the Minnesota Library Association Conference.
- October - Susan Trombley presented “Law Librarianship in and Out of Prison” at the Minnesota Library Association Annual Conference.
- October - Susan Trombley spoke to the Mitchell Hamline Law School Criminal Law Society about the Law Library Services to Prisoners Program.
- November – Liz Reppe presented to the staff at the Little Falls Public Library and the St. Cloud Public Library about legal research.
- November – Jean Anderson spoke to a class of MLIS students at the College of St. Catherine about prison law librarianship.

Public

- Five law librarians from the State Law Library regularly visit St. Paul public library branches to help people locate legal information. The branches include: Rice Street, Central, Rondo, Arlington, and Sun Ray. Librarians visit each branch twice per month.
- August – Sarah Larsen, Elvira Embser-Herbert, and Liz Reppe helped to staff the court’s State Fair booth.

County Law Libraries

By statute, the State Law Librarian is tasked with assisting and advising county law libraries. The library has two programs for county law libraries. Members receive materials and assistance from the State Law Library. In 2018, 50 county law libraries (out of 82) participated.

- April – Visit to the Redwood County Law Library
- June – Visits to Cottonwood, Murray, Wilkin, Grant, Big Stone, Stevens, and Becker County Law Libraries
- August – Visits to Cook and St. Louis County Law Libraries
- October - Helped plan educational program for county law library staff (co-sponsored with the Minnesota Coalition of County Law Libraries)
- November – Visit to St. Louis County Law Library

Newsletters

The State Law Library uses three newsletters to connect to patrons. There is a newsletter for law clerks that goes out four times per year, a county law library version that goes out twice per year, and a general newsletter, [Inter Alia](#), that is sent four times per year.

Display Cases

Library staff create new displays several times a year to engage visitors to the library and promote the library collections. In 2018, the library presented the displays Animal Law, Latino

Legal Experience, Sources of Law (in conjunction with Law Day), Treasures of the Special Collection, Election Law, and Women in the Law.



Managing the Collection

Our Technical Services Department is responsible for making all types of library materials available to the public and the judiciary. We ensure that the materials are relevant, current and easy to find, on and off-line. We also make briefs available to the public in a variety of formats: print, microfiche and through the online archive. In addition, we preserve historic court materials, send out a monthly new books list, and we work with six regional county law libraries to make their materials searchable online.

2018 Statistics

- 1,129 items circulated
- 2,648 continuation items added in the three libraries (new replacement volumes and hardbound supplements)
- 453 new titles added
- 203 original cataloging records created
- 1,553 briefs processed
- 512 Federal Depository Library items added
- 671 titles cataloged for County Law Libraries, 4910 deleted (catalog cleanup in preparation for migration)

Special Projects

Software Migration

The technical services department has spent the last two years preparing to migrate our catalog data to a new software platform. This project will be complete in early 2019 when the library goes live on the new software. In addition the staff has completed the project to clean up the library catalog data in preparation for the migration.

Preserving Court History

In 2018, the library had the original 1858 Roll of Attorneys rebound with a new leather cover. This helps to preserve the pages and make the book more stable for handling. The State Law Library has made a number of contributions to the Minnesota Digital Library (MDL) in past years and we plan to continue offering our unique materials for digitization and public access. In 2018, the library contributed three oral history interviews along with their transcripts. They are interviews with Chief Justice Peter Popovich, Justice Sandra Gardebring, and Chief Justice Sandy Keith. The library also proposed to contribute an additional four oral history interview videos which will be available in spring 2019.

The Law Library item from the [Minnesota Reflections](#) collection that was most heavily used in 2018 was the Roll of Attorneys (1858-1970). In addition, the library is working with [LLMC](#) to digitize the historic handwritten briefs. This project is expected to take a number of years due to the fragile nature of the materials. One volume had been scanned by the end of the year. In December of 2018, the library purchased a microfiche scanner that will allow us to digitize briefs from 1980-2006 for addition to the online briefs archive.

Special Collections Room

The Special Collections Room has seen a number of improvements in the last couple years. The collection has been thoroughly weeded, inventoried and reorganized. The library has also purchased a number of historic volumes for the Special Collection. One new volume of note, [Broom's Maxims](#) was originally owned by the Minnesota Territorial Library but was sold in 1876. It still has the library's plate in the front of the book and a note explaining the sale.

Minnesota Legal Periodical Index

The [Minnesota Legal Periodical Index](#) (MLPI) is a database of Minnesota legal periodicals that the State Law Library has developed and maintained since 1984. In 2018, the Cataloger indexed 866 articles for the MLPI.

Appellate Briefs

The library provides access to appellate briefs in multiple formats. For Minnesota appellate decisions that are published in the Northwestern Reporter, the library binds the briefs and

their addenda to ensure long-term access. These materials are heavily used by, and circulated to, attorneys.

- 100 volumes of bound briefs were added to the collection.
- 577 sheets of microfiche were produced. (Library staff prepares the briefs for microfiche processing. Area law libraries that do not have print copies of briefs purchase the microfiche.)
- 690 briefs were redacted and added to the library's [online database](#). The database is complete back to 705 N.W.2d.

Law Library Service to Prisoners (LLSP)

About the Program

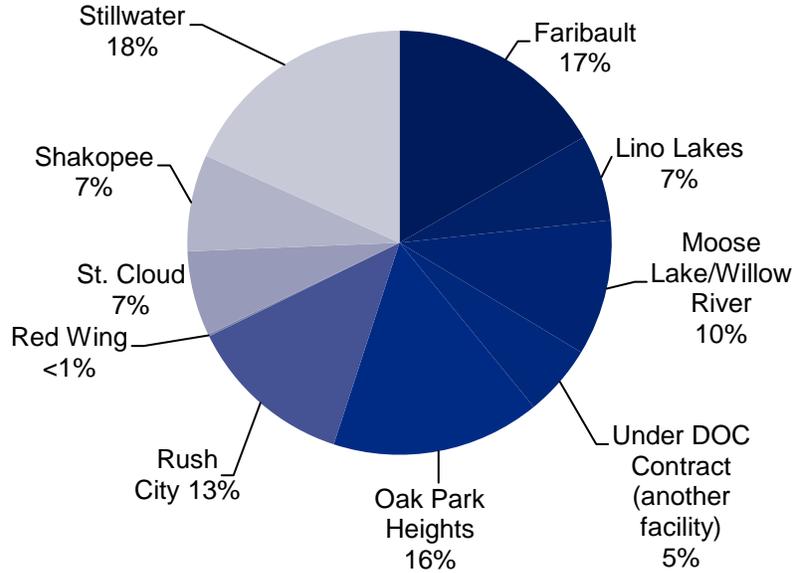
The mission of LLSP is to provide law library service to state inmates incarcerated in Minnesota. LLSP is funded by an inter-agency agreement between the State Law Library and the DOC. The program expenses are provided by inmate canteen and phone services, and not paid for by Minnesota taxpayers.

Law librarians provide access to legal materials, both at the correctional facilities and the Minnesota State Law Library (MSLL). Circuit-riding prison law librarians, based at MSLL, conduct monthly visits at eight adult correctional facilities to meet with inmates. Questions that cannot be answered on-site using the prison collections of core legal materials are researched at MSLL. Inmates also write or call LLSP for assistance with their legal research. In addition, the program provides law library services to Minnesota Department of Corrections (DOC) staff and DOC inmates housed in other facilities, such as county jails, state hospitals, and other states.

2018 Statistics

9,849 DOC inmates
89 Prison visits
8,296 Estimated miles travelled
1,204 Inmate interviews
2,383 Individual inmates assisted
39,296 Inmate requests processed

Distribution of Total Inmate Requests by Facility 2018



Professional Activities in the Legal/Library Community

Legal

- Liz Reppe served on the following committees: Triage Portal Advisory Committee, MSBA Legal Assistance to the Disadvantaged Committee, and Justice for All Steering Committee.
- Erica Nutzman served on the Minnesota Supreme Court Historical Society's Preservation Committee.
- Sarah Larsen served on the Minnesota Judicial Branch State Fair Booth Steering Committee.

Library

- Erica Nutzman
 - Chair-Elect, Technical Services Section of Minnesota Library Association
 - State Government Libraries representative, Minitex Policy Advisory Council
 - Member, Systems Steering Committee, Minnesota Program for Automated Library Systems (PALS)
- Sheri Huppert
 - Member, Regional Advisory Group that represents depository libraries in Minnesota, Michigan, and the Dakotas.

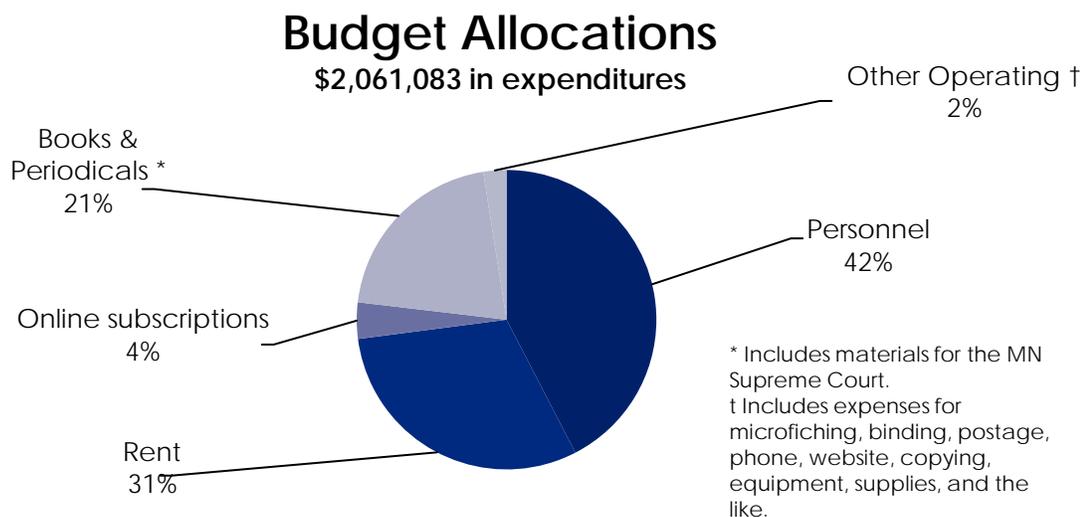
- Elizabeth Tuckwood
 - Member, Cataloging Steering Committee, Minnesota Program for Automated Library Systems (PALS)
- Leslie Greenwood
 - Membership Chair, Minnesota Association of Law Libraries
- Sarah Larsen
 - Member at Large, Minnesota Association of Law Libraries
 - Member, Education Committee, American Association of Law Libraries Government Law Libraries Special Interest Section
 - Volunteer, 50 State Toolkit Committee, Legal Information Services to the Public Special Interest Section of the American Association of Law Libraries
- Susan Trombley
 - Chair, Exchange Committee, Minnesota Association of Law Libraries
- Liz Reppe
 - State Government Libraries representative, Minitex Policy Advisory Council
 - Member, American Association of Law Libraries Digital Access to Legal Information Committee

Librarian-Authored Materials

- Leslie Greenwood and Sarah Larsen, [*Minnesota's Not-So-Blazing Trail to Women's Suffrage \(and Beyond\)*](#), With Equal Right (Fall 2018).

Financial Summary

This is the summary for fiscal year 2018.



Library Staff

Jean Anderson, Law Library Service to Prisoners Librarian
Elvira Embser-Herbert, Electronic Services Librarian/Head of Public Services
Jacob Frank, Technical Services Clerk
Leslie Greenwood, Reference Librarian
Sheri Huppert, Government Documents Librarian
Elizabeth Karges, Technical Services Technician
Debbie Kitzmann, Technical & Outreach Services Clerk
Sarah Larsen, Outreach Librarian
Susan Larson, Head of Public Services/Reference Librarian
Alyssa Matlon, Technical Services Clerk
Erica Nutzman, Head of Technical Services
Joan O., volunteer
Liz Reppe, State Law Librarian
Stephanie Thorson, Law Library Service to Prisoners Librarian
Susan Trombley, Law Library Service to Prisoners Librarian
Elizabeth Tuckwood, Technical Services Librarian

Leadership

Many thanks go to Associate Justice David Stras, our Law Library Supreme Court Liaison for the past 5 years. Justice Stras became Judge Stras when he was appointed to the 8th Circuit Court of Appeals in January of 2018.

Associate Justice Paul Thissen was appointed to the Minnesota Supreme Court in May and became the library's new liaison. The law library is appreciative of his interest and guidance thus far.