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2020



# MINNESOTA STATE LAW LIBRARY ANNUAL REPORT

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# COVID-19

As with most workplaces, COVID-19 changed our operations. Below is a timeline of how the library responded in 2020.

March 19	Library was closed to the public
March 20	Most staff started working from home
	Prison visits were suspended
	Public library visits were suspended
	In person appeals clinics were changed to phone
March 30	Minnesota Judicial Center was closed
	Skeletal staff was on-site for processing mail, invoices, and requests for print materials
	Librarians continued to assist patrons by email and phone
June 15	Library reopened to the public – by appointment only. Access to the stacks was restricted to staff.
	Most staff returned on staggered basis (5-7 people on-site per day)
November 30	Minnesota Judicial Center closed again
	Law Library strictly limited public access and focused on assisting patrons remotely
	On-site staffing was reduced

The law librarians found they were able to assist most patrons remotely using our online subscriptions to Westlaw, Lexis, and HeinOnline. We could respond to questions requiring our print collection by either scanning and emailing a portion of the book, or checking the book out to the patron and mailing it to them. With few exceptions the library was able to continue answering the reference desk phone during business hours. Many patrons told us they appreciated being able to connect with a live person.

# New in 2020

#### Mailing Court Forms Packets

Once libraries and self-help centers closed due to COVID, the State Law Library started mailing court forms to people who did not have access to a computer or printer. In 2020 we mailed 617 packets (forms and instructions). We provided this service free of charge.

#### Improvements to the MN Legal Periodicals Index

Since 1984 the State Law Library has been indexing Minnesota legal periodicals. The index includes the article title, source, citation, author's name, and 1-3 subject headings for 44 publications. Through the <u>MN Legal Periodical Index</u> (MLPI) researchers can access articles not available on Westlaw, Lexis, or HeinOnline. See, <u>List of Publications</u>. Some of the publications are not included in those online services, and for others, our indexing starts before most of the content on Lexis and Westlaw.

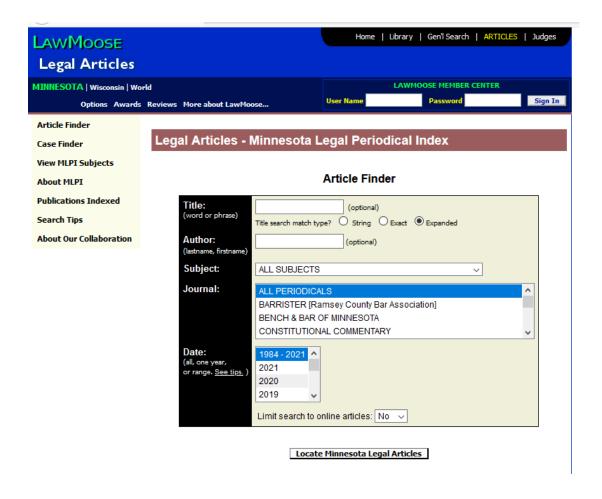
The index has been online since the 1990s, through the <u>LawMoose website</u>. (It started as a paper resource.) For many years we have wanted to transition the index to our own website, and add functionality. This became a reality at the end of 2020. Library staff worked with MN.IT to create a more user-friendly interface, with better searching capability. This is an index, not a full-text database, but the State Law Library has back issues of the publications and can scan and email any article needed by a researcher.

Our law librarians regularly use this tool to find articles about the following: justices; changes in the law (to assist legislative history research); and court history.

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Legal Topics Research Links Services About Us Ask A Librarian	
Search Website     Search Opinions     Browse Opinions by Date     Sear       Search Articles     Keyword Search:     Search	Sort By:     Image: Organization       Image: Organization     Image: Organization       Image: Organization     Image: Organization
Hide advanced options	
Author: (lastname or lastname, firstname)	Year (from): Year (to):
Subject: (enter keyword or select from list)	Copies of articles can be obtained through the State Law Library. Contact us at <u>askalibrarian@courts.state.mn.us</u> .
About Content	Search Clear

Search Interface – New

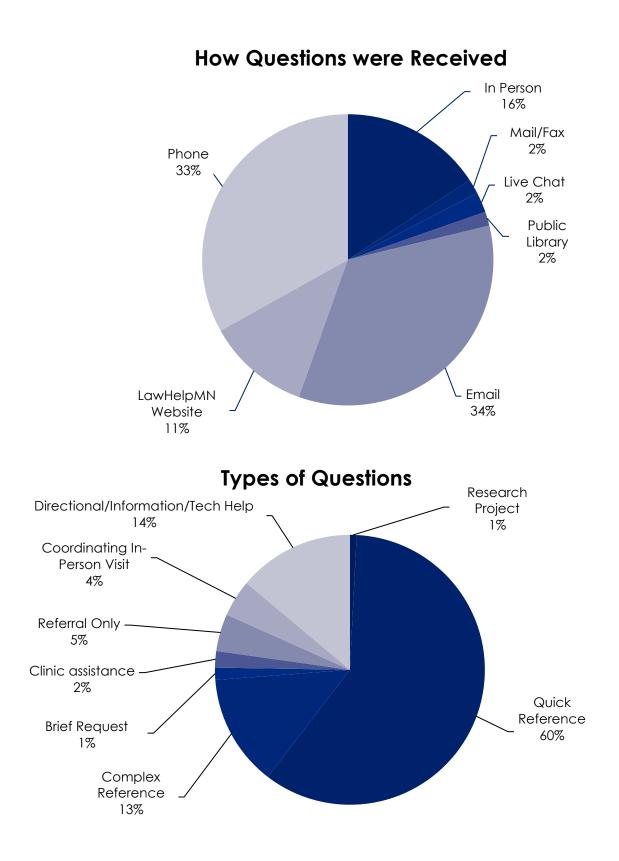
#### Search Interface – Old

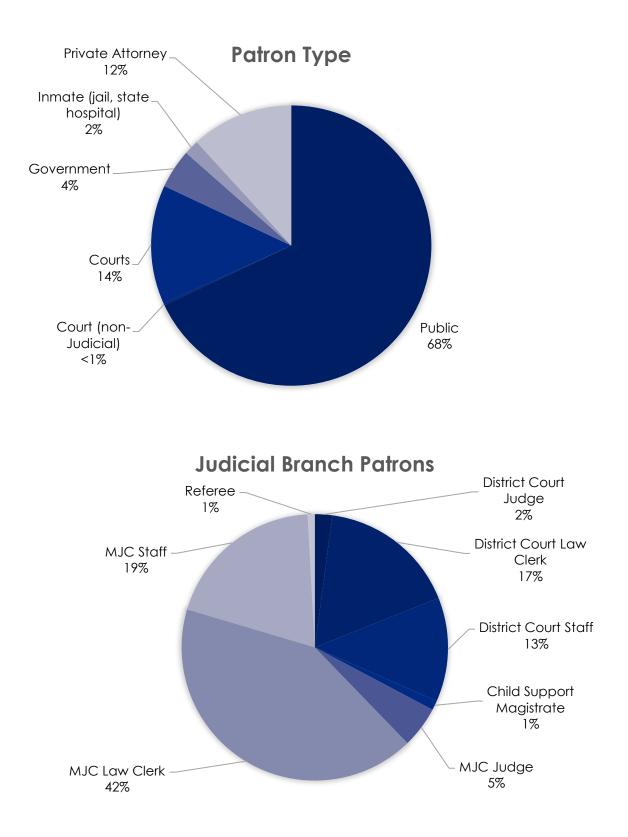


# Assisting our Patrons

#### Answering Questions

Our patrons can contact us in person, via phone, chat, email, and mail. We make an effort to serve people in the manner that they prefer. In 2020, the reference librarians answered over 9400 questions. This is a 13% increase from 2019, despite being closed for in person service for most of the year. Between 2019 and 2020 the percentage of requests from the public increased from 57% to 68%.





Topics of Questions Asked	Percentage
Legal Research	17.5%
Family Law	11.7%
Appeals	6.7%
Landlord/Tenant	5.9%
District Court Process/Records	5.2%
Criminal/Traffic	4.8%
Employment	4.3%
Probate/Estate Planning	3.3%
General Civil	2.8%
OFP/HRO	2.2%
Article Request	1.9%
Conciliation Court	1.7%
Consumer Issue	1.4%
Brief Request	1.4%
Other	1.2%
Real Estate/Zoning	1.1%
Bankruptcy/Debtor/Creditor, Business, IFP/Fee Waiver, Immigration, Juveniles, Name Change, Healthcare/Disability, Government Benefits, Tax	Each topic accounted for 1% or less

#### A Sampling of Interesting Questions

- I got COVID in jail and denied meds. Do I have a case?
- Can you tell me in what year Minnesota Rules Chapter 7060 was first promulgated? I know it was before 1978.
- A buddy was picked up in Scott County and I am curious why I can't see the police reports.
- I am trying to figure out whether a petition for restoration of firearm rights under Minn. Stat. 609.165, subd. 1d can be brought in the county where the petitioner resides or whether it has to be brought in the county where the disqualifying offense conviction took place.
- Where can I find the procedure for amending a city ordinance? I also need to know the time frame it takes.
- Has a sitting Minnesota Supreme Court justice ever lost his or her seat in an election?
- My nephew is having issues with a neighbor. The neighbor claims he has a right to drive on my nephew's land because there is an "ox cart trail." How do we go about learning more about this?
- Can a 15 year old with a Firearms Safety Certificate legally own a firearm if a parent purchases one for them?
- Can you carry a katana in public? And can you use it as a self-defense weapon?

- My father abandoned a trailer parked in a trailer park, he passed away. Now they are contacting me. I have no name on the title or estate and I want nothing to do with the trailer. Am I liable?
- Is driving without a license considered a misdemeanor? If so, will it stay on my record forever or will it be gone once I get my license? And can I get the misdemeanor expunged?
- I've been looking for examples of local or county ordinances that address agricultural land loss, support for agri-tourism operations, and land access for new and beginning farmers. What resources should I be looking into to find these ordinances?
- If a surveyor has done a survey of land but they disagree with the county recorder as to the property lines, which has legal authority? Is the survey the legal description or is the county recorder's map the legal description?
- Hello, I was wondering if there was a certain motion form or template to file so that I
  can get the discovery evidence from the prosecuting attorney. I can't find any form
  on the judicial branch website.
- Hello, I am looking for copies of Department of Labor & Industry rules promulgated in 1974 and 1977 on the topic of Fair Labor Standards and Child Labor. I don't see them in the 1982 MCAR on the Revisor's website and am hoping you have them. They were later codified in Minn. Rules in chapter 5200.
- MN Stat 169A.33 subd.2 refers to "physical evidence" of consumption in the body.
   What is the legal definition of that term? Does Black's Law Dictionary define it? Do any judicial decisions in MN?
- I need to verify that Minnesota Health Records Act 144.291–144.298 was enacted in 2007. More Specifically, I need to verify that Minn. Stat. 144.293, Subd. 2 has remained the same since 1991 (it had a predecessor statute 144.35). Also, I need to verify that 45 C.F.R. 164.514 was not finalized and effective until after the MHRA was enacted, specifically, March 26, 2013.
- My CT birth certificate doesn't match the name on my SSN or MN DL –and I can't get a REAL ID. How do I fix this?
- Do you have to disclose in a property transaction that a murder took place on the property?
- As I recall, the MN Court of appeals was started in 1983 with 12 members (8 appointed from one of the 8 congressional districts in the state and 4 at large members). Since that time, the size of the court has increased to its current size because of legislation. In what years were increases approved and how many judges were added in those years?

### Appellate Self-Help Clinics

Cases with at least one pro se party constituted about 25% of all filings to the Court of Appeals in 2020. To assist, the State Law Library offers two appellate self-help clinics. The general <u>Appeals Self-Help Clinic</u> is offered once per month. In 2020, the clinic assisted 125

people. The top four types of cases seen at the clinic were family law, civil, juvenile, and agency appeal. The State Law Library also continues to offer an <u>Unemployment Appeals</u> <u>Self-Help Clinic</u> twice per month. In 2020, the clinic assisted 38 people who were considering appealing their denial of benefits to the Court of Appeals. The vast majority of these types of appeals (80%) involve an unrepresented party.

### Online Presence

#### Website

The law library's website saw 171,247 unique visitors in 2020, a 4.4% increase from 2019. Our <u>legal research guides</u> had 62,397 views total, a 77% increase in views from 2019. The most popular guides in 2020 were Appeals; Wills, Trusts, and Estate Planning; Child Custody and Parenting Time; Divorce/Dissolution of Marriage; and Employment Law.

#### Justice and Judge Biographies

One of the highlights of the website is the collection of <u>Supreme Court justice biographies</u>. The retired justices' pages were completed in 2020. Some of the sources used for research include <u>newspapers.com</u>, Ancestry, historical directories, and the resources of the Minnesota Historical Society. Biographical pages for the <u>Court of Appeals judges</u> were also completed last year. Biographies of the <u>State Law Librarians</u> are being added, starting with the oldest.

#### **Opinion and Briefs Archives**

Since 1996 the State Law Library has provided an online, <u>searchable database</u> of appellate court decisions. In 2020, the library added 1,194 opinions to the database.

The library also maintains a <u>searchable database</u> of appellate briefs from published/precedential Minnesota Court of Appeals and Supreme Court cases. Comprehensive coverage goes back to 2005, and staff adds additional older briefs or briefs from non-precedential cases as requested. Last year library staff added 725 briefs to the online archive.

#### Social Media

The library now has 385 <u>Facebook</u> followers. The library's <u>Twitter feed</u> now has 1,448 followers.

#### Current Awareness

Each month, the State Law Library complies a list of articles of interest to the courts and distributes the articles to all members of the Judicial Branch via email. The library also sends out a <u>list of new books</u> each month.

### Interlibrary Loan

The State Law Library provides an interlibrary loan service for the Judicial Branch. This includes both books and journal articles. In 2020, the library obtained 120 items for the court and loaned 58 items to other libraries.

### Continuing Legal Education

The State Law Library offers <u>free CLEs</u> for the judicial branch and other interested attorneys. In 2020, the library hosted eleven public CLE programs (11.5 standard credits). The library also offers several CLEs for on-demand credit via its website. This has been a popular feature. We had 13 CLEs available for on-demand credit during 2020. 6,479 people registered to view those CLEs last year.

#### 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. (35 counties in 2020!) Last year we saw a 57% increase in District Court law clerk questions.

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

The Outreach Librarian presented a "Minnesota State Law Library Overview" to the Fourth Judicial District civil and criminal law clerks in February. Additionally, she presented a CLE webinar on "Minnesota Legal Research" to district court clerks in March and April.

#### Kudos

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

- Thank you both so much! This was exactly what I was looking for, and was so helpful.
   ~appellate law clerk
- Thank you for putting on such fantastic free CLE's! The State Law Library is an incredible resource and I'm so glad I've become more familiar with the services the Law Library offers. I wish I had known more about the things you do when I practiced in outstate Minnesota—especially the web resources the library hosts and produces. I had no idea what I was missing, but now that I know, I'm grateful for all that you do! Thanks again. ~ district court law clerk
- You're always so helpful, and fast! ~ MJC staff
- This is great. I appreciate your help on this so much. You have made my day, and probably the rest of the week as well. ~government agency attorney

- As a new employee, let me just say I love this email [new books list]! What a great service. ~ district court staff
- Thank you so much. This service has been fantastic! A bright ray of sunshine in our pandemic filled lives. ~attorney
- Thanks so much for your assistance again! You're the best! If you were closer I'd bring you a box of chocolates ha! ha!. ~member of the public
- I really cannot tell you how much I appreciate your prompt and thorough responses.
   ~appellate law clerk
- Perfect, thank you so much! I'm always so impressed by how quickly you all are able to get things to us! I (and the attorneys at the firm) really appreciate it! ~attorney
- Thank you so much for this update [regarding continued law clerk assistance during COVID]! I was just chatting with another law clerk about this topic. You all provide great support. ~ appellate law clerk
- Thank you so much for your time and persistence. I really appreciate you and your staff for the deep dives I've requested. You law librarians have provided resources I can't get and answers I couldn't find. May you always have the funding you need to provide such valuable service. ~district court clerk
- I wish I could send you guys a Christmas card or gift. Truly grateful for the help.
   ~attorney
- Thank you so much for the information you provided. It's so complex I believe if a person doesn't understand these terms and processes, it's a little like jumping into the deep end without taking swimming lessons first. What a good resource to have available. *~member of the public*
- Very glad this group exists for guidance. I had a wonderful conversation with [the clinic attorney]. Appreciate all you do, as well as this follow-up! ~appeals clinic customer
- Thank you for the information and the speedy turnaround. This is exactly what I needed. I remembered the substance of the law but not where to find it. ~district court law clerk
- Thank you so much for your quick response, this has helped so much! ~attorney
- A picture [scan of a book] is worth a thousand words! Thank you for your response and the efficiency with which you delivered it! ~government attorney

# Outreach

The State Law Library makes an effort to reach people outside of our walls. In a typical year we travel to public libraries, bar association meetings, 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. In 2020 we continued our outreach primarily online.

# Legal Community

- January Sarah Larsen and Liz Reppe presented the CLE "Minnesota Legislative History Research" as part of the law library's CLE program
- February Sarah Larsen presented "Minnesota State Law Library: Who We Are, What We Do, and How We Can Help You" at Mitchell Hamline for their Judicial Writing course
- February Sarah Larsen presented "Legal Research Tips & Tricks" to the Legislative Budget Office
- August Liz Reppe was part of a CLE panel on appellate pro se assistance for the Colorado Bar Association
- August Susan Trombley organized and moderated the CLE "Behind the Walls -COVID in the Correctional Setting" for the MSBA
- September Sarah Larsen and Ellen Jaquette presented the CLE "How to Find (Almost) Anything" to the Ramsey County Bar Association
- October Liz Reppe presented the CLE "Minnesota Legislative History Research" for the MSBA
- November Susan Trombley co-presented a CLE for the MSBA on "Covid and the Caregiving Crisis"

# Library Community

- April Sarah Larsen presented "Access to Civil Legal Justice" as part of the WebJunction public librarian training
- November Liz Reppe presented an overview of the state court system to the Capitol Area Library Consortium (CALCO).

### 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. This was suspended in March, due to COVID-19.

### 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 2020, 50 county law libraries (out of 82) participated.

- January and February Visited the Goodhue County Law Library
- June Attended the Cottonwood and Murray County Law Libraries' Board of Trustee meetings via Zoom
- July Visited Cottonwood, Murray, and Nobles County Law Libraries

- September Visited Big Stone, Grant, Stevens, Traverse, Washington and Wilkin County Law Libraries
- October Helped coordinate training for county law library and self-help center staff
- November Visited the Becker, Wadena, and Nobles County Law Libraries
- December Visited McLeod and Sibley County Law Libraries

#### 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, <u>Inter Alia</u>, 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. Often the displays connect with events or exhibits. In 2020, the library presented the display "Before They Were Justices", which featured justices who held non-legal jobs both before and after they were on the court. No further displays were created due to the library closing to the public in March 2020.





# 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 new books list, and we work with six regional county law libraries to make their materials searchable online.

### 2020 Statistics

- 895 items circulated (Library closed to the public starting in March 2020)
- 3110 updates added in the three libraries (new replacement volumes, hardbound supplements, loose-leafs, pocket parts)
- 445 new titles added
- 5292 electronic resources added
- 141 original cataloging records created
- 1265 briefs processed
- 269 Federal Depository Library items added

• 296 titles cataloged for county law libraries, 393 deleted

# Special Projects

#### Preserving Court History

The State Law Library has contributed to the <u>Minnesota Digital Library (MDL)</u> in past years and we plan to continue offering our unique materials for digitization and public access. In 2020, the library submitted a proposal to add ten oral history interviews along with their transcripts. They are interviews with Justice Alan Page, Justice James Gilbert, Justice Sam Hanson, Justice Helen Meyer, Justice George Scott, Justice Esther Tomljanovich, Justice Lawrence Yetka, and Justice John Simonett. The proposal was accepted and the interviews will be added to the collection in 2021. The Law Library item from the Minnesota Reflections collection that was most heavily used in 2020 was the Roll of Attorneys (1858-1970).

The library is working with <u>LLMC</u> to digitize the collection of historic handwritten briefs. This project is expected to take a number of years due to the fragile nature of the materials. 16 volumes were scanned by the end of 2020.

The Law Library also worked with the Minnesota Supreme Court Historical Society on a grant project to transcribe a number of oral history interviews and videos of other significant events. The transcripts have now been added to the library's collection.

### Minnesota Legal Periodical Index

The <u>Minnesota Legal Periodical Index</u> (MLPI) is a database of Minnesota legal periodicals that the State Law Library has developed and maintained since 1984. In 2020, the Cataloger indexed 1477 articles for the MLPI. A number of the added articles are from the earlier paper versions of the MLPI from before it went online.

### 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. This year the library continued a project to digitize older briefs from our microfiche collection using the scanner we acquired at the end of 2018.

- 37 volumes of bound briefs were added to the collection.
- 725 briefs were redacted and added to the library's <u>online database</u>. The database is complete back to 705 N.W.2d with additional older and newer cases being added regularly.
  - 262 of the added briefs were digitized from microfiche and added to the library's archive.

# Law Library Service to Prisoners (LLSP)

### About the Program

The mission of LLSP is to provide law library service to state prisoners. 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 are not paid for by Minnesota taxpayers.

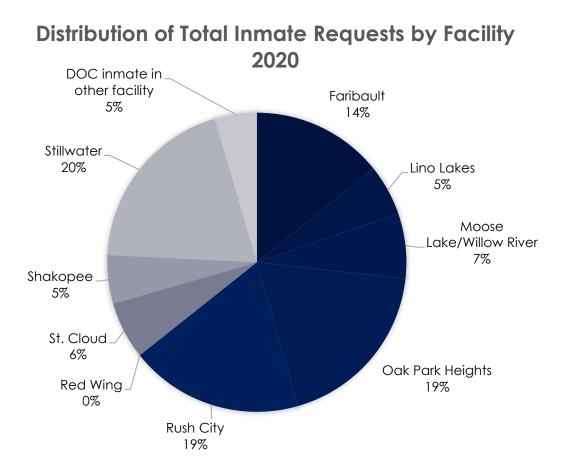
Circuit-riding prison law librarians, based at MSLL, conduct monthly visits at eight adult correctional facilities to meet with inmates. Questions that cannot be answered on-site using the prison collections of core legal materials are researched at MSLL. Inmates also write or call LLSP for assistance 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.

As with most organizations, the COVID outbreak required some changes to our service. In the middle of March 2020, in-person prison visits stopped and have not resumed. A 2019 pilot project in which kites were received from facility librarians as an email scan, became the easiest way for inmates to request information. As LLSP staff pivoted to alternate work schedules and locations there was little disruption in service. For the first few months there was minimal phone availability, but by July LLSP was back to answering the phone on a regular schedule. Also, since the in-person visits were stopped in March, LLSP changed to mailing responses weekly rather than every other week.

As the LLSP offices are on the Capitol complex, there was also a slight disruption of service during the civil unrest over the summer and fall.

#### 2020 Statistics

- 9,381 DOC inmates (as of 01/01/2020)
- 8,330 DOC inmates (as of 07/01/2020)
- 17 MCF prison visits
- 707 Phone calls
- 1,446 Estimated miles travelled
- 241 Inmate interviews (in-person)
- 2,153 Individual inmates assisted
- 37,473 Inmate requests processed



# Professional Activities in the Legal/Library Community

#### Legal

Sarah Larsen

- Self-Represented Litigant Working Group
- MSBA Access to Justice Committee & Resource Development Subcommittee

Erica Nutzman

- Minnesota Supreme Court Historical Society's Preservation Committee

Liz Reppe

- Triage Portal Advisory Committee
- Public Access Rules Committee
- Implementation of Legal Paraprofessionals Committee

Susan Trombley

- MSBA Criminal Law section (student, nonvoting member)

# Library

Leslie Greenwood

- Chair, Membership Committee, Minnesota Association of Law Libraries
- Member, Bylaws Committee, Government Law Libraries Special Interest Section, American Association of Law Libraries
- Volunteer, 50 State Toolkit Committee, Legal Information Services to the Public Special Interest Section, American Association of Law Libraries

Sheri Huppert

- Member, Regional Advisory Group that represents depository libraries in Minnesota, Michigan, and the Dakotas.
- Member, Government Relations Committee, Minnesota Association of Law Libraries
- Member, Minitex/PALS Interlibrary Loan Committee

Sarah Larsen

- Leadership Academy Fellow, American Association of Law Libraries
- Member at Large, Minnesota Association of Law Libraries
- Chair, Education Committee, Government Law Libraries Special Interest Section, American Association of Law Libraries
- Member, Education Committee, Minnesota Association of Law Libraries
- Co-Chair, MALL Meet Ups
- Vice Chair, Legal Information Services to the Public Special Interest Section, American Association of Law Libraries
- Volunteer, 50 State Toolkit Committee, Legal Information Services to the Public Special Interest Section, American Association of Law Libraries
- Chair, Minnesota Coalition of County Law Libraries

Erica Nutzman

- Past-Chair, Technical Services Section, Minnesota Library Association
- Member, MNPALS User Council
- Member, MNPALS Governance Structure Task Force
- Member, MNPALS Reports Work Group
- State Government Libraries representative to Minitex Policy Advisory Committee
- Member, CALCO Archives Committee
- Member, Archives Committee, Minnesota Association of Law Libraries

Liz Reppe

- Board member, Government Law Libraries Special Interest Section, American Association of Law Libraries
- Member, Inclusion, Diversity, and Equity Awareness Special Committee, American Association of Law Libraries

Susan Trombley

- Chair, Exchange Committee, Minnesota Association of Law Libraries

- Co-Chair, Newsletter Committee, Minnesota Association of Law Libraries

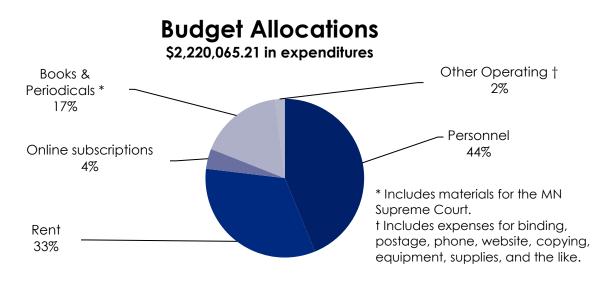
Elizabeth Tuckwood

 Member, Cataloging Steering Committee, Minnesota Program for Automated Library Systems (MNPALS)

#### Librarian-Authored Materials

- Susan Trombley - Leanne Fuith & Susan Trombley, Covid-19 and the Caregiving Crisis, Bench & B. Minn. 27 (October, 2020).

# Financial Summary (FY20)



# Library Staff

Jean Anderson, Law Library Service to Prisoners Librarian Elvira Embser-Herbert, Head of Public Services Jacob Frank, Technical Services Clerk Leslie Greenwood, Reference Librarian Sheri Huppert, Government Documents Librarian Ellen Jaquette – Reference Librarian (until October 2020) Elizabeth Karges, Technical Services Technician Debbie Kitzmann, Technical & Outreach Services Clerk Sarah Larsen, Outreach Librarian Alyssa Matlon, Technical Services Clerk Erica Nutzman, Head of Technical Services Liz Reppe, State Law Librarian Alec Shaw, Intern (until October 2020) 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 Paul Thissen who is the library's Supreme Court liaison. The law library is appreciative of his interest and guidance.