

COUNTY OF SAN MATEO
Inter-Agency Correspondence

San Mateo County Law Library

DATE: October 5, 2004

BOARD MEETING DATE: October 19, 2004

TO: Honorable Board of Supervisors

FROM: Board of Law Library Trustees, San Mateo County

SUBJECT: Filing Fee Increase

Recommendation

Adopt a Resolution to increase the Law Library portion of the Superior Court civil filing fee from \$29.50 to \$32.50 effective January 1, 2005.

Background

The San Mateo County Law Library ("Library") provides free access to legal materials and resources to the public by maintaining a reference collection commensurate with the needs of the community. The main source of income for the Library is a component of the Superior Court civil filing fee, which accounts for over 95% of the Library's operating revenue. Pursuant to Business & Professions Code §6322.1, the Board of Supervisors has the authority to increase the fee \$3 in any given year.

Discussion

The Board of Supervisors have advised that a fee request is contingent on performance requirements: 1) Self-help terminals to assist self-represented litigants fill out court forms; 2) Educational programs to better prepare self-represented litigants for court; 3) Fundraisers; 4) Establish a foundation; 5) Reduction of research collection and share resources with other libraries through inter-library loan. These issues were discussed within the 2002 Board of Supervisors Law Library Committee Review. Some conditions have been met or already existed, such as public access computers with Internet access to legal self-help sites and long-standing use of inter-library loan. The Board of Law Library Trustees are of the opinion that other conditions create obstacles and risk for the Law Library and Trustees.

The Law Library fee portion is currently \$29.50. The Library is requesting a \$3 increase. The Library's Board of Trustees and staff believe that without adequate funding, significant cutbacks in services to the public would result through reductions in the reference collection and the number of hours that the Library is open to the public.

The fee was increased January 1, 2003 from \$26.50 to \$29.50. Revenues have not been able to keep pace with rising costs due to declining civil filings. In FY 2003-2004, the Library had total revenues of \$569,485. Of that amount, \$527,479 represented fee income. The remaining revenue of \$42,006 came from coin-operated copy machines, conference room rental, sale of used books, overdue fines, \$8,500 from California Business & Professions §17200 Restitution, a \$2,000 grant, and other miscellaneous revenue sources. (The Library did receive voluntary contributions in the amount of \$400, which were deposited with the Peninsula Community Foundation Law Library Fund.) Expenditures for FY 2003-2004 equaled \$542,916. Beginning FY 2003-2004, the reserve balance was \$37,515. At the conclusion of FY 2003-2004, the reserve fund was \$64,084. Savings were achieved only through budget and operations reductions, including reduction of hours. As of August 2004, the reserve fund was \$45,280. The Board of Law Library Trustees is of the consensus opinion that further cancellations and hours reductions would compromise the Library's ability to function as a viable research facility. Additionally, the Law Library is in need of new carpeting, interior painting and repairs, and replacement of reading room chairs.

Vision Alignment

The request for a fee increase keeps commitments Nos. 2, "provide equal access to educational opportunity" and 9, "responsive, effective and collaborative government," and goals Nos. 4, "residents have many educational and training opportunities beyond high school" and 22, "providing that County and local governments effectively communicate, collaborate and develop strategic approaches to issues affecting the entire County."

Fiscal Impact

There is no cost to the County.

BOARD OF LAW LIBRARY TRUSTEES

By Karen M. Lutke
Secretary - Librarian