

SIXTEENTH ANNUAL REPORT
OF THE
BOARD OF TRUSTEES
OF THE
NEW YORK COUNTY COURTS
PUBLIC ACCESS LAW LIBRARY

OCTOBER 18, 2011

INTRODUCTION

This is the sixteenth Annual Report of the Board of Trustees of the New York County Public Access Law Library, presently located at 80 Centre Street in Room 468. It is submitted pursuant to *Guidelines for Boards of Trustees on the Care and Operation of Law Libraries*, dated October 13, 1993, and covers the period from April 1, 2010 to March 31, 2011. This report consists of a mission statement, sections pertaining to organization and staffing, Board activities, the collection, library services, security, statistics, recommendations, concluding remarks, and three appendices.

MISSION STATEMENT

The fundamental mission of the Public Access Law Library is to provide an open, easy, user-friendly avenue to legal information to a broad base of library patrons.

ORGANIZATION AND STAFFING

Prior to the enactment of Judiciary Law section 814 (L. 1993, ch. 662), there were few statutory provisions for public access to court libraries in New York State and none in New York County. In his letter of support dated July 13, 1993, Assembly Member G. Oliver Koppell wrote to Hon. Elizabeth D. Moore, Counsel to the Governor, that "A.3446A provides for unification of the State court library system and the establishment of uniform procedures for management and operation, including public access across the State...it will also ensure uniformity, economies of scale and open access, and encourage the creation of improved facilities."

The statute requires the appointment of boards of trustees to assist the Chief Administrative Judge in the care and management of libraries. In October 2009, Chief Administrative Judge Ann Pfau reappointed Hon. Barbara R. Kapnick to serve as Chairperson; reappointed Hon. Robert Jackson and M. Robert Goldstein, Esq. to serve as members, and appointed Elliott Wales, Esq.. David Badertscher, Principal Law Librarian, continues as an ex officio member.

In the autumn of 2010, Principal Law Librarian Julie Gick of New York Supreme Court, Civil Term retired after over forty years of serving New York State residents as a librarian in different capacities. She served on the Public Access Law Library's Board of Trustees since its inception and as the Board's longstanding Secretary. The Board of Trustees wishes to express its deep appreciation to Ms. Gick for her dedication and assistance both to the New York Supreme Court, Civil Term and the support she provided in extending library services to members of the public through the New York County Public Access Law Library.

The current Board of Trustees commenced October 3, 2009 and will continue through October 3, 2011.

Theodore Pollack has been serving as Senior Law Librarian of the Public Access Law Library since January 17, 2002. In addition to Mr. Pollack, the library staff includes Robert Rosensweig, a Court Analyst (JG 18), one library school graduate intern, one paralegal intern, and two clerical

interns. The interns each serve on a voluntary and part-time basis. Consequently, another full-time librarian title is vitally needed to serve the library's user base and assist in maintaining and augmenting library service, although the Board is cognizant of the fiscal restraints on the whole court system at the current time.

Currently, in the Public Access Law Library, one court officer serves a regular thirty minute assignment three times each day. It is imperative to maintain a regular Library security officer in order to deter and reduce security problems. Since this security arrangement was initiated, security issues have decreased and library operations improved.

BOARD ACTIVITIES

During the past twelve months the Board met on October 7, 2010; May 13, 2010, April 7 2011, and July 14, 2011 to discuss issues related to the Public Access Law Library.

During August through September 2010, the Public Access Law Library received an updated lighting system. This consisted of the replacement of all Library fluorescent lighting fixtures dating from the building's original construction with modern fluorescent lighting fixtures. Approximately thirty fixtures were upgraded. The resulting lighting system provides more lights and a type of light which is more conducive to reading.

During the installation of the these lighting fixtures, on Saturday, September 11, 2010, the Library was broke into. Thieves vandalized the Library copier and stole an undetermined amount of money consisting of dollar bills and change. Court security contacted the New York City Police Department, and a police report was filed.

The Library's Public access Network operating system was modified by the information technology personnel of New York Supreme Court, Civil Term. The updated system resulted from a slow Internet transmission speed of the Public Access Network that frustrated users when using legal databases and the Internet. The newly installed system provides faster access for public usage while maintaining system-wide security for staff computers. Certain features previously available such as downloading to portable media were disabled. However, email capability and access is enabled. Supplementing the operating upgrade was the installation of backup laser printers for each of the four Public Access Network terminals.

Mr Pollack met with a New York City architect regarding a building space allocation survey. This survey was conducted as part of a periodic study involving usage of DCAS administered buildings. Mr. Pollack relayed concerns involving the need for increased electrical supply for laptop users. No formal report has been released at this time.

COLLECTION

The collection, consisting of approximately 300 print titles or about 15,00 volumes has been

enhanced by public access to Lexis, Loislaw, and Westlaw. The majority of the library's print collection are books ordered from LexisNexis and ThomsonWest. Other books and sets are ordered from independent publishers. Due to New York State's budgetary issues, print titles from independent publisher have been terminated. However, many related titles and additional titles are available on the Public Access Lexis or Loislaw subscriptions or on the staff LexisNexis, Westlaw, or Loislaw subscriptions.

LIBRARY SERVICES

As part of its mission provides a number of services to its patrons. These service include the following:

REFERENCE SERVICES

The New York County Public Access Law Library services a diverse user population. Users of the library are not limited to New York County. Due to the Library's closeness to major public transportation lines, user from other counties and states often visit the Library. Indeed, due to Manhattan's global prominence, international researchers use the Library.

The core collection of the library is approximately 15,000 volumes composed in large part of New York State case reporters, codes, encyclopedias, and treatises. Expanding upon the print collection are a variety of online legal databases. The different materials in the Library's collection provide a valuable asset in helping to execute the Library's statutory charge of providing the public with access to legal information and thereby making government more transparent and the legal system more open and navigable to members of the public.

On-site Library users span the socio-economic spectrum and range from the wealthy to the homeless. Research skill levels of users vary from basic to advanced. Staff members attempt to assist all users and guide them to appropriate resources and information. The research needs of the Library's patrons is predominantly related to civil law and often includes housing, torts, contract, bankruptcy, immigration and family law issues. Legal research involving criminal law issues from a smaller segment of Library research.

Library staff participate in the Office of Court Administrations 800-COURTNY / New York State Court Information Service. This is a telephone information program where members of the public call for court and government-related information. Staff of the Public Access Law Library participate in answering calls along with other Court library and administrative personnel. Public Access Law Library staff usually serve in this capacity approximately four hours each business day and respond to a wide range of calls necessitating the use of Internet, intranet and wiki resources.

In this operating year, Mr. Pollack began participation in a program administered by the Office of Legal Information and periodically responds to reference questions submitted by members of the public and sent to the Office of Court Administration through the Unified Court System's public Internet page: www.nycourts.gov

FACSIMILE SERVICES -

Both the Supreme Court Criminal Branch and Civil Branch Libraries regularly fax reports of articles to the Public Access Law Library for public use.

INTERNET SERVICES -

Patrons may consult the home page of the Unified Court System at www.nycourts.gov. A link from Law Libraries on the lower part of the page leads to a list of the New York State trial court law libraries that are open to the public at <http://www.nycourts.gov/lawlibraries/publicaccess.shtml>. The court web site contains extensive information including careers in the court system, juror information, and links to additional related sites. Users can also contact the library via e-mail.

Wireless Internet service is available and is used successfully by self-represented litigants and attorneys who have laptops.

TELEPHONE REFERENCE SERVICES -

Library patrons call with a variety of reference questions. Staff attempt to respond to ready reference, non-extensive, questions by telephone.

CIRCULATION SERVICES - Because most of the Library's book collection consists of only one copy, circulation has been limited to court personnel in extenuating circumstances. The public has the use of books in the library, and a copy machine for patrons is available at 15 cents a page.

PUBLIC ACCESS NETWORK- The court system implemented a Public Access Network (PAN) in this Library and other public access law libraries. In addition to Lexis, the public can use other online legal research services, such as Westlaw and LoisLaw, over high speed communication lines without compromising Court-based security. The technology can also restrict public usage of certain nonlegal web sites. There is a one hour time limit on computer usage which can be extended based upon user volume in the Library.

Since March 2007 wireless internet access is available for up to 15 users at a time. Signal strength can vary based upon location in the Library. Due to the increased usage of laptops by Library users, it is vital that an electrical rewiring and update of the Library occur. Currently, there is only one available outlet for users to plug in laptop computers. As a result, disputes over access to the outlet for low battery running computers occur periodically.

PATRON FEEDBACK - Below are excerpted exemplary letters of appreciation from researchers who have used the New York County Public Access Law Library. Appendix II consists of additional emails and general comments from library researchers regarding their opinions of library services at the New York County Public Access Law Library:

Dear Mr. Badertscher,

I am writing to commend Ted Pollack for his exemplary assistance and customer service. As I prepared for trial (pro se) he expertly guided me during each of my visits to the library to resources

that would assist in my preparation, making it that much easier to navigate a complex system of which I had no prior knowledge. He took the time to patiently answer my plethora of questions, make helpful suggestions, and guide me through the electronic databases (even when it meant losing a few minutes of his lunch break).

I remain impressed, and thankful.

Sincerely, Daniel C.

Subject: RE: Annual Reports of the Criminal Court

Hi Ted,

The information is excellent. Thank you for all of your help.

Pat S. (New York City Police Department)

Re: Requested case — Gluska v. Kirshman

Thank you , thank you! And yes, I would very much appreciate your arranging a pass to New York Law School I look forward to hearing from you again and also again thank you for this effort.

Angelynn C.

RE: Seabury Commission

Dear Mr. Pollack,

I sincerely appreciate your thoughtfulness in looking for these records. Thank you.

Best, Fiona N (University of Illinois, Urbana-Champaign)

SECURITY

The Board wishes to commend the Office of Court Administration, Capt. Frank C. Spagnolo and Lt. Allen Lasky for enhanced security measures at 80 Centre Street. On February 1, 2010 Justices Heitler and Kapnick, Major Fennell and Captain Spagnolo met to discuss security issues.

The following measures were adopted. A court officer is present three times a day for a half hour period. Security should be called regarding any problem library users. The Code of Conduct will be given by security personnel to the problem patron and instruction regarding the section(s) violated. An incident report should be made. Potential bans of patrons should be directed to Judge Heitler's office for review.

Disappearance of library materials has decreased since the implementation of the Check Point security system.

STATISTICS

The number and self-described classification of patrons using the Public Access Law Library is

compiled in a table below.

ATTENDANCE TOTALS FOR APRIL 2010 - MARCH 2011

MONTH	STAFF	ATTYS.	SELF-REP.	OTHER	MONTH AVG.	DAILY AVG.
APRIL	45	135	210	140	530	25
MAY	29	138	158	85	410	25
JUNE	28	161	181	185	555	26
JULY	48	149	225	143	565	30
AUGUST	30	102	219	118	469	23
SEPTEMBER	37	91	125	61	314	25
OCTOBER	38	125	172	87	422	23
NOVEMBER	25	125	194	108	452	24
DECEMBER	27	104	157	81	369	19
JANUARY	31	134	151	118	434	23
FEBRUARY	12	114	154	96	376	23
MARCH	<u>32</u>	<u>159</u>	<u>207</u>	<u>137</u>	<u>535</u>	<u>25</u>
TOTALS	382	1537	2153	1359	5431	291
MONTHLY AVG.	32	128	179	113	452	24

The above statistics, however, are admittedly not a complete representation of the on-site user volume at the New York County Public Access Law Library. They are a compilation of user sign-in log entries. The statistics rely on users to sign into the Library when entering. At times, staff are unable to monitor patron log entries because they are assisting on-site users or off-site callers. As such, the statistics are an under-representation of actual Library users.

The New York County Public Access Law Library participates in State-wide program that responds to telephone calls made to the Unified Court System's 800-COURTNY telephone information service. Staff of the Public Access Law Library used to be responsible for downstate calls prior to implementation of an Office of Court Administration managed program that includes approximately twenty call operators that field requests of various types.

Below is a chart of call volume of 800-COURTNY calls handled by the New York County Public Access Law Library staff:

800-COURTNY TELEPHONE CALLS FY 2010 - 2011

APRIL	261
MAY	188
JUNE	301
JULY	286
AUGUST	289

SEPTEMBER	243
OCTOBER	262
NOVEMBER	206
DECEMBER	312
JANUARY	246
FEBRUARY	186
MARCH	<u>100</u>
	2880

Name change forms are distributed by local courts and through information on the internet. Referrals are made from other libraries and the Office for the Self-Represented. A number of requests are received via email, standard mail, and telephone.

The library remains an extremely busy place. Due to its location in Manhattan and convenient proximity to major public transportation routes, our library is serving users from other counties, judicial districts, states, and foreign nations. Our policy of openness has made the Library an inviting and user-friendly research center.

RECOMMENDATIONS

Security concerns, accessibility, and adequate funding for collection development continue to be the major focus of the Board's agenda. To that end the Board recommends the following steps be taken to ensure that the library fulfills its potential:

1. Increase security in the library including a court officer and security equipment enhancements;
2. Obtain a permanent site for the Public Access Law Library with larger quarters and easy access for patrons;
3. Pursue Library electrical wiring upgrade and reconfiguration to provide increased laptop availability for users;
4. Pursue the acquisition of new carpets in Library or maintenance of those presently installed;
5. Pursue sources for grants and additional funding for furniture and equipment;
6. Participate in library internship programs;
7. Investigate the feasibility of a separate public access library budget;
8. Explore cooperative ventures between the library and community resources.

CONCLUDING REMARKS

The Board is aware of the importance of the Public Access Law Library to the dissemination of legal information in the community and is committed to the fulfillment of its mission. The members of the Board wish to express their appreciation for the support and interest of the Chief Administrative Judge and the Office of Court Administration in the continued performance of its charge. We look forward to another productive year.

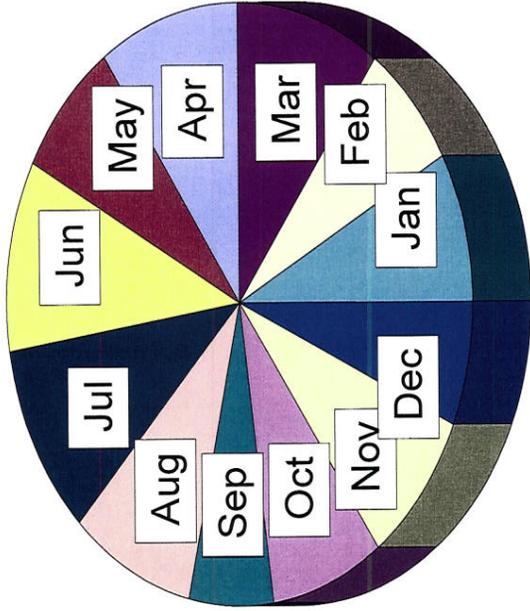
Hon. Barbara R. Kapnick, Chair

M. Robert Goldstein, Esq.
David G. Badertscher, ex officio
Hon. Robert Jackson
Elliott Wales, Esq.

APPENDIX I

GRAPHS AND CHARTS

Public Access Law Library Monthly Visitor Pie Chart



April (530)

June (555)

August (469)

October (422)

December (369)

February (375)

May (410)

July (565)

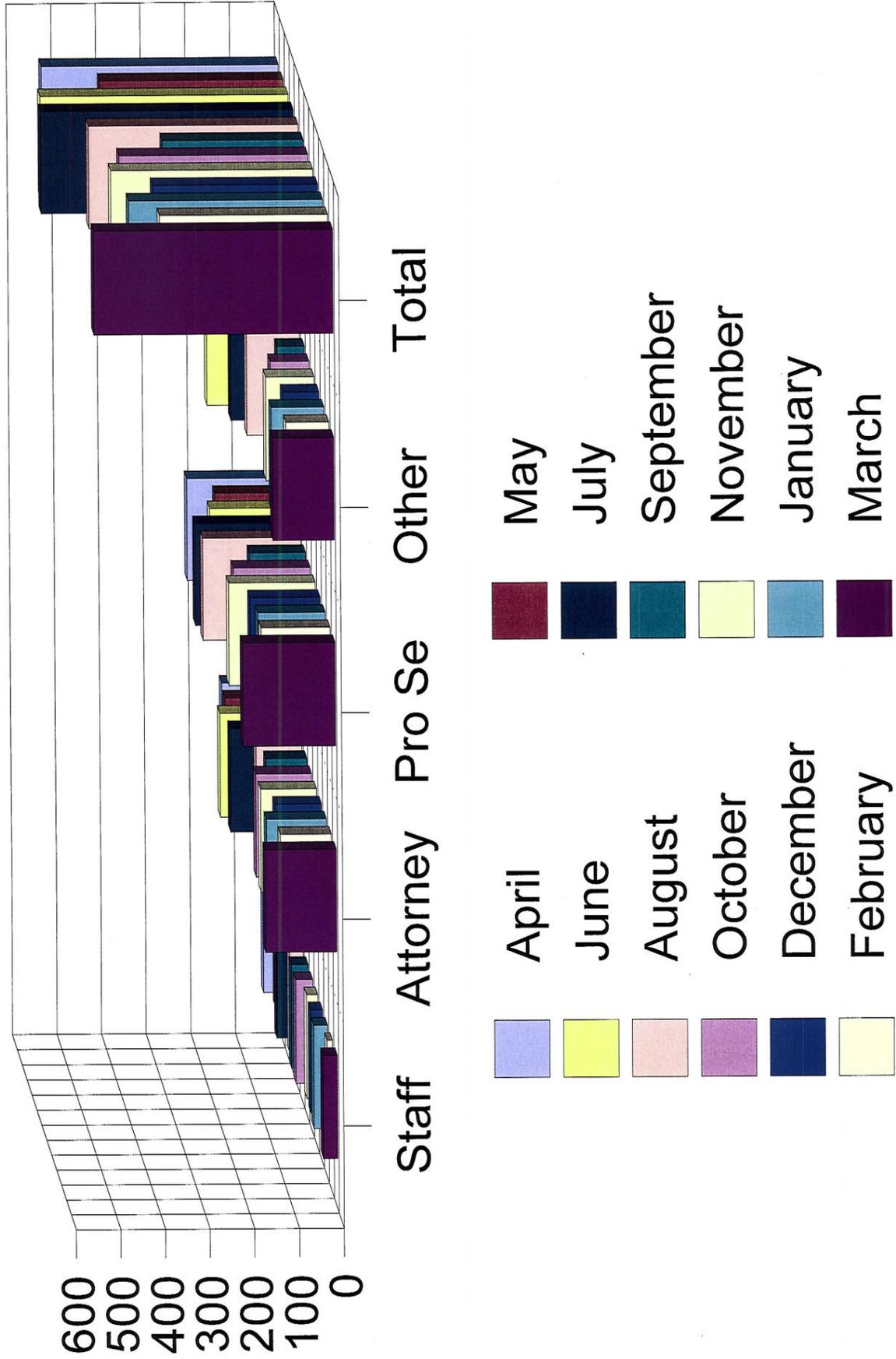
September (314)

November (452)

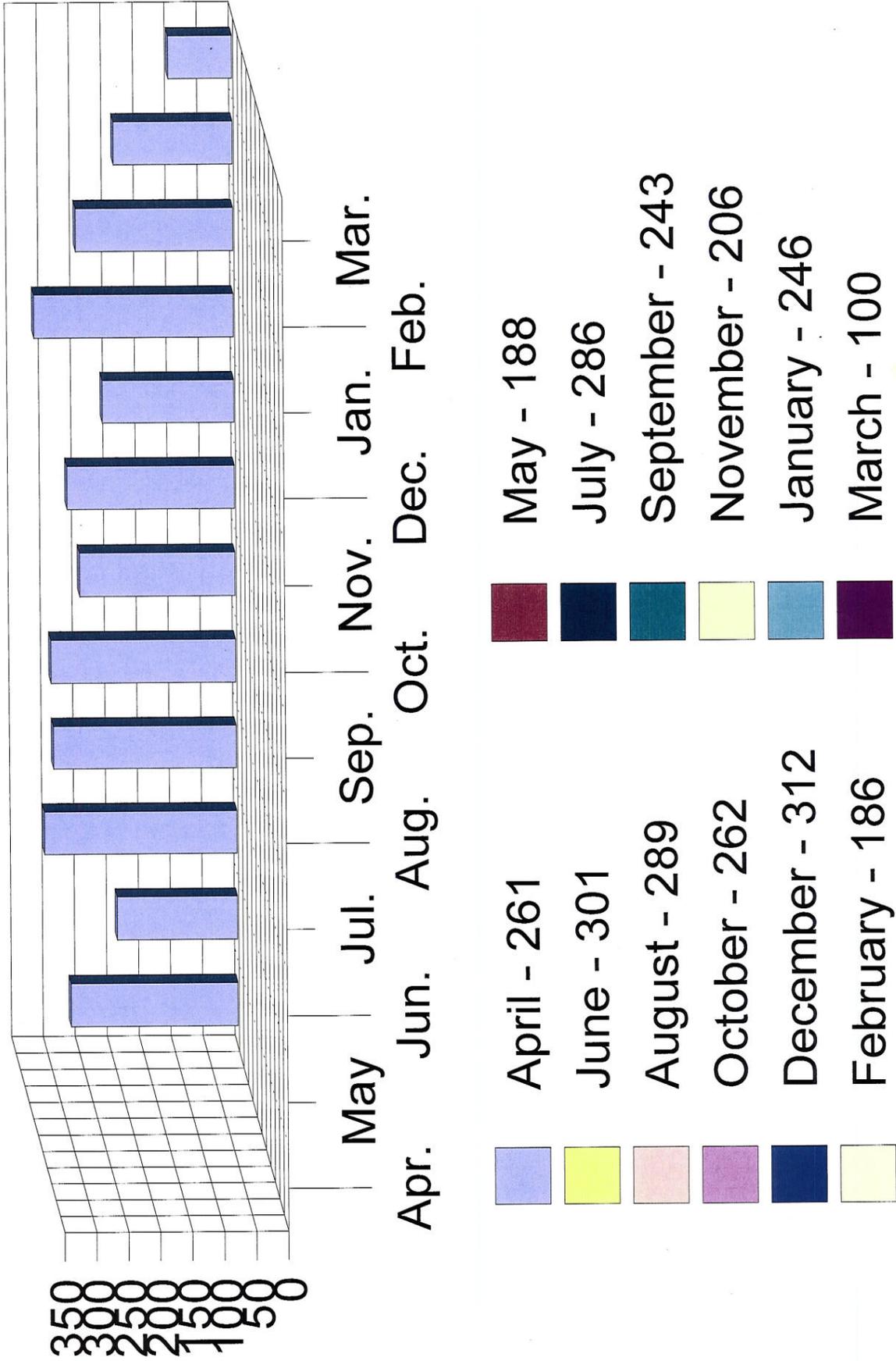
January (434)

March (535)

Monthly Library Usage By Patron Classification



FY 2010 - 2011: 800-COURTNY CALLS PROCESSED



APPENDIX II

THANK YOU NOTES

AND

GENERAL COMMENTS REGARDING

LIBRARY SERVICE

Subject: RE: Annual Reports of the Criminal Court

Thank You. That is very helpful. Anything else you could provide would be excellent.

Thank You.

Pat (New York City Police Department)

Re: Verizon Manhattan White Pages 2009 - 2010

Hi Ted.

Thank you so much. I really appreciate the help.

Suzanne, Head Law Librarian

Re: Civil Practice Annuals

Thanks Ted, I'll let the judge know. As always, your help is greatly appreciated.

Ryan- Assistant Law Clerk, New York Supreme Court

Re: Bill Jacket

Thanks so much Ted! That link should be very helpful in the future.

Iris, New York Supreme Court

Re: Requested Case

Mr. Pollack:

This attachment was well received. Thank you very much for going the extra mile for me.

Sincerely, "Sonny" F.

Dear Mr. Pollack:

Thanks for your prompt attention. I need this rather urgently.

Unfortunately the mess I get is the file is damaged and cannot be opened.

If you would could you kindly resent the PDF attachment

Sincerely,

S.G. F.

Re: Bill Jacket

Thank you Mr. Pollack. Cardozo has the state register back to 1979. I will run up there to take a look. Thanks again for your help.

Edward H., Public Interest Fellow

New York City Health & Hospital Corporation

Office of Legal Affairs

Re: Microfiche

Thank you Mr. Pollack for your speedy reply!!! Please ask front desk to hold the microfiche and we will have someone from our firm come in to get a copy this coming Monday. Again, I appreciate your help in finding this for us. Have a lovely weekend.

Ruth C. - Attorney

Ted,

Just letting you know that I have found the briefs for the case Ginezra v. Ifantopoulos and won't be needing you to order them. I really appreciate your help and your offer to track them down for me. Have a good day.

Jim E. - Research Associate, Nationwide Research Company

RE: St. Kitts & Nevis statutes

Thank you very much Mr. Pollack, I appreciate your assistance.

Best regards, Tobias D. - Legal Intern ((Immigration Rights Organization)

RE: Certificate of Disposition

Thank you so much for your help. I talked to the Criminal Court and found out how to request the document we need. Again, thank you and have a great day!

Cindy ~ De Soto Trail Regional Library - Camilla, Georgia

RE: New York State DMV non-license identifications

Ted,

Thank you so much for getting back to me. Have a Great Day!!

Karen

RE: Pardon Information

Thank you for your assistance.

Paralegal NCO, Office of the State Judge Advocate

RE: School Law

Dear Mr. Pollack,

Thank you so much! I truly appreciate your help. Unfortunately, I just ordered it online for \$110.00

Right now, I will just wait for it. If for some reason it doesn't arrive, I will let you know.

Best Regards, Alice K.

RE: Contact Numbers for Dissertation Research

Thank you so very much, Mr. Pollack.

Celia B.

RE: Criminal Court Information

Dear Mr Pollack,
Thank you for taking the time to research these phone numbers for me. You have been very helpful. I managed to acquire the information I needed. Have a wonderful weekend.
Sincerely, Raul P.

RE: Database Access

Thank you Ted. This information will be very helpful.
Arlene J , Sr. Law Librarian - New York Supreme Court

New York State is currently facing a severe budget crisis.

Please write any comments that might aid in maintaining current library services and prevent budget cuts.

Comments may be anonymous.

Thank you for your support!

This is a wonderful service for people who can not pay for a lawyer - Please expand the hours, The people are very helpful.



April 12, 2011

Court NY County libraries are an essential tool to insure that our democracy thrives from the ground up. Most in the library are too busy to even write to urge the necessity of the information they access so as to thereafter affect the legislatures in their towns, cities, and capital. Thank you for continuing to assure access to these libraries continues despite ~~the~~ budgetary constraints.

[Redacted]
60 Centre St, N.Y. N.Y.

Please don't close
the law library. It
is an essential tool
for the public in
the pursuit & main-
tenance of individ-
ual rights.

Thank you

A thick black horizontal bar redacting the signature of the sender.

4/11/11

4/14
~~7/22~~

INDISPENSIBLE TO PRO SE APPLICANTS; LOOK TOWARD ATTORNEYS GUILTY OF MALPRACTICE TO ASSIST W/ BUDGET CUTS.

4/14/11

AN OUTSTANDING STAFF, HELPFUL TO ALL.

All remarkable personnel offering invaluable insights equally to all visitors

APPENDIX III

PROCLAMATION



State of New York
UNIFIED COURT SYSTEM
FIRST JUDICIAL DISTRICT
NY COUNTY PUBLIC ACCESS LAW LIBRARY
80 Centre Street, Room 468
New York, NY 10013-4395
Office (646) 386-3715
Fax (212) 374-0401

Hon. Sherry Klein Heitler
Administrative Judge

Hon. Michael J. Obus
Administrative Judge

Proclamation

The Board of Trustees of the New York County Public Access Law Library would like to acknowledge former Principal Law Librarian Julie Gick (New York State Supreme Court, Civil Term) for her many dedicated years of service. For sixteen years from its founding, Ms. Gick served on the Board of Trustees as its Secretary and for over twenty-seven years served in the New York State Unified Court System. Ms. Gick always strove to provide the highest level of quality service in all her work related endeavors. In her joint supervisory role overseeing the Public Access Law Library, she greatly aided in extending library services to the public and thereby assisting library staff in executing their statutory charge to serve the public.

With grateful appreciation,

New York County Public Access Law Library
Board of Trustees

Hon. Barbara R. Kapnick, Chairperson
M. Robert Goldstein, Esq.
Hon. Robert Jackson
Elliott Wales, Esq.
David G. Baderstcher, *ex officio*