

SEVENTEENTH ANNUAL REPORT

OF THE

BOARD OF TRUSTEES

OF THE

NEW YORK COUNTY COURTS

PUBLIC ACCESS LAW LIBRARY

October 30, 2012

INTRODUCTION

This is the seventeenth 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, 2011 to March 31, 2012. 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 law libraries. Current members of the New York County Courts Public Access Law Library's Board of Trustees include: Hon. Barbara R. Kapnick as Chairperson; Hon. Robert Jackson of the New York City Council; Thomas Draper, Esq.; Philip Blue.

In December, 2011, after over thirty years of service, David Badertscher retired as Principal Law Librarian, New York Supreme Court, Criminal Term Law Library (First J.D.). Mr. Badertscher advised the Library's Board of Trustees ex officio since its inception and was responsible for oversight of staffing at the New York County Courts Public Access Law Library. The Board of Trustees wishes to express its appreciation to Mr. Badertscher for his dedication and assistance both to the New York Supreme Court, Criminal Term and the support he provided in extending library services to members of the public through the New York County Public Access Law Library.

In June of 2012, Robert Goldstein, Esq. submitted his resignation to the Board of Trustees. Mr. Goldstein similarly served on the Board of Trustees since the Library was founded. The Board of Trustees wishes to sincerely thank Mr. Goldstein for his participation on the Board and the advice and counsel he offered during his tenure.

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

3, 2013.

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 (Court Analyst), one paralegal intern and one clerical intern. Since the retirement of Principal Law Librarian, Mr. David Badertscher, Mr. Pollack has provided half-day or more coverage at the New York Supreme Court, Criminal Term Law Library (First J.D.). Mr. Rosensweig provides full day coverage at the New York County Courts Public Access Law Library. Each intern serves on a voluntary and part-time basis. Consequently, an additional full-time professional librarian is desperately needed to serve the library's user base and assist in maintaining and augmenting library service, although the Board of Trustees 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 the current security arrangement was initiated, security issues have decreased and library operations have improved.

BOARD ACTIVITIES

During the past twelve months the Board met on October 25, 2011, February 3, 2012, and June 21, 2012 to discuss issues related to the New York County Courts Public Access Law Library.

Due to budgetary limitations, the Board of Trustees in order to support the New York County Courts Public Access Law Library's mission filed to form a New York State non-profit corporation: "The Friends of the New York County Courts Public Access Law Library". Mr. Draper of Mazur Karp & Rubin, P.C. drafted the certificate of incorporation and handled all related procedural matters. The function of this non-profit corporation is to aid in securing and distributing grant funding from government agencies and other potential sources. Additionally, the non-profit corporation may serve as an instrumentality to receive and distribute donated equipment.

The Board of Trustees would like to thank Hon. Sherry Klein Heitler and Principal Network Administrator Jack Moy for their assistance in upgrading staff computers and public access computer terminals. Staff members of New York Supreme Court - Civil Branch's MIS Department performed the upgrade. Modernized computers used by the public work more effectively with court and third-party software. As a result, computer hardware and software issues should decrease, and online research efficiency and patron satisfaction should increase.

The Board of Trustees would like to thank the New York Law Journal for donating online access to www.nylj.com. Mr. Pollack contacted executives at the New York Law Journal seeking to restore donated access to the New York Law Journal website for users at the New York County Courts Public Access Law Library. On-site online access was restored by the New York Law

Journal for four public access terminals which is of great use for users performing legal research and accessing the New York Law Journal's current awareness and practice-related materials.

New York Supreme Court - Civil Branch administrators agreed to explore, within budgetary limitations, repairing or replacing the library's carpet with tile or new carpet.

COLLECTION

The collection, consisting of approximately 300 print titles or about 15,000 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 were terminated. However, many related titles and additional titles are available on the Public Access Lexis, Public Access Westlaw, or Loislaw subscriptions or on the staff LexisNexis, Westlaw, or Loislaw subscriptions.

LIBRARY SERVICES

As part of its mission the New York County Courts Public Access Law Library 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, users 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. Robert Rosensweig has largely handled the responsibility of responding to (800)COURTNY telephone inquiries.

Mr. Pollack continues to participate in an Office of Legal Information program that periodically responds to reference questions submitted by members of the public. Questions are sent to the Office of Court Administration through the Unified Court System's public Internet page: www.nycourts.gov . Moreover, library staff responded to approximately 100 document delivery requests through a program administered by the Office of Legal Information.

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 library users who have computers or tablets with wireless capabilities.

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 a fee of 15 cents per 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 - Appendix I 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:

Re: Appreciation for Ted Pollack
NY Supreme Court Public Access Library
80 Center Street, 4th Floor
Supervisor Mr. David Badertscher
Re: Ted Pollack, staff librarian
Mr. Badertscher,

I would like to express my gratitude to Ted Pollack for his expertise and support. Mr. Pollack has been instrumental in helping me research issues related to education and law. He was always professional, informative and considerate on the 3 separate occasions in which I visited the library.

He helped me conduct computer searches. His knowledge and training was evident. For example, as I explained my questions to him in lay language he successfully translated them into highly effective targeted searches. I learned better ways to maximize my searches on the computer through his guidance and patience.

I am hopeful you are aware of the excellence and respect Mr. Pollack demonstrates to citizens making use of the library resources. It is wonderful to know that such people like him work in public service and are thorough, attentive and supportive.

Thank you for your time,
Dakota W.

Dear Mr. Badertscher:

I continue to receive excellent assistance from Ted at the 80 Center Street Public Law Library. He performs a very valuable service for myself and the public who cannot afford an attorney. With his assistance in locating sources of information, I was able to win a zoning case for my Coop, help a friend reverse a default judgement and defeat attorneys with twenty plus years experience. I also locate securities law cases helpful to my work.

Ted helps people level the playing field who go against members of the bar, The services provided are essential and as a taxpayer of the City and State of New York; it is a great use of taxpayer funds.

Thank You
Barry G.

Dear Ted,
Thanks very much for this information -- and for your prompt help.

Thanks again and best regards,
Bryan

Dear Mr. Pollack:
Thank you for the follow-up information.
Sincerely,
Stan
Associate Professor, Music & Entertainment Industry Studies
University of Colorado, Denver Campus

Re: Searching for Legal Briefs
Thanks very much!
Adrienne C.
Assistant District Attorney
Special Litigation Bureau
Westchester County District Attorney's Office

Re: Article
THANK YOU !!!!
Margaret - Law Librarian

SECURITY

The Board wishes to commend the Office of Court Administration, Capt. Frank C. Spagnolo and Lt. Allen Lasky for maintaining 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 2011 - MARCH 2012

MONTH	STAFF	ATTYS.	SELF-REP.	OTHER	MONTH	DAILY AVG.
APRIL	12	137	231	61	441	24
MAY	7	147	198	119	471	23
JUNE	35	146	164	102	447	21
JULY	23	103	225	58	409	22
AUGUST	15	113	265	61	454	24
SEPTEMBER	5	116	191	63	375	18
OCTOBER	24	110	199	62	395	19
NOVEMBER	22	120	191	31	364	20
DECEMBER	13	118	215	45	391	21
JANUARY	8	136	216	41	401	21
FEBRUARY	11	143	229	47	430	23
MARCH	4	159	248	54	473	22
TOTALS	179	1548	2572	744	5051	
MONTHLY AVG.	15	129	215	62	421	Daily Avg: 22

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. Additionally, some staff members resist signing the sign in log. As such, the above statistics are an under-representation of actual Library users.

The New York County Public Access Law Library participates in a 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 at one point were responsible for downstate New York State 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 2011 - 2012

APRIL	170
MAY	164
JUNE	205
JULY	210
AUGUST	150
SEPTEMBER	134
OCTOBER	172
NOVEMBER	176
DECEMBER	122
JANUARY	137
FEBRUARY	122
MARCH	<u>137</u>
	1899

The above number of (800) COURTNY calls handled by the New York County Courts Public Access Law Library is a significant decrease from the close to 3000 calls responded to in the previous fiscal year. Court Analyst Robert Rosensweig is the primary responder to these calls. The decrease is due to Mr. Pollack's coverage assignment at the New York Supreme Court Criminal Term Law Library each morning and some afternoons.

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

Staffing, 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. Seek adequate staffing in the New York County Courts Public Access Law Library;
2. Increase security in the library including a court officer;
3. Obtain a permanent site for the Public Access Law Library with larger quarters and easy access for patrons;
4. Pursue Library electrical wiring upgrade and reconfiguration to provide increased laptop availability for users;
5. Pursue the acquisition of new carpets in Library or maintenance of those presently installed;
6. Pursue sources for grants and additional funding for furniture and equipment;
7. Participate in library internship programs;
8. Investigate the feasibility of a separate public access library budget;
9. Explore donations from the legal community at law firms and law schools.

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

Hon. Robert Jackson

Thomas Draper, Esq.

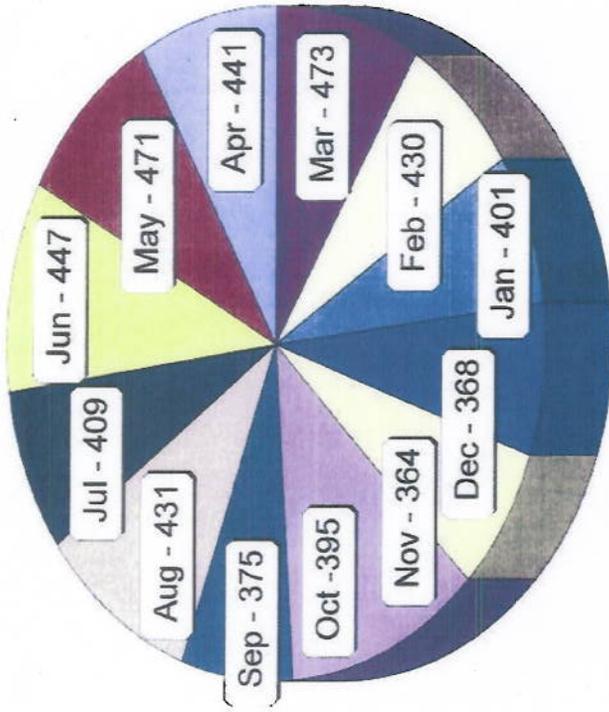
Thomas Marino, Esq.

Philip Blue

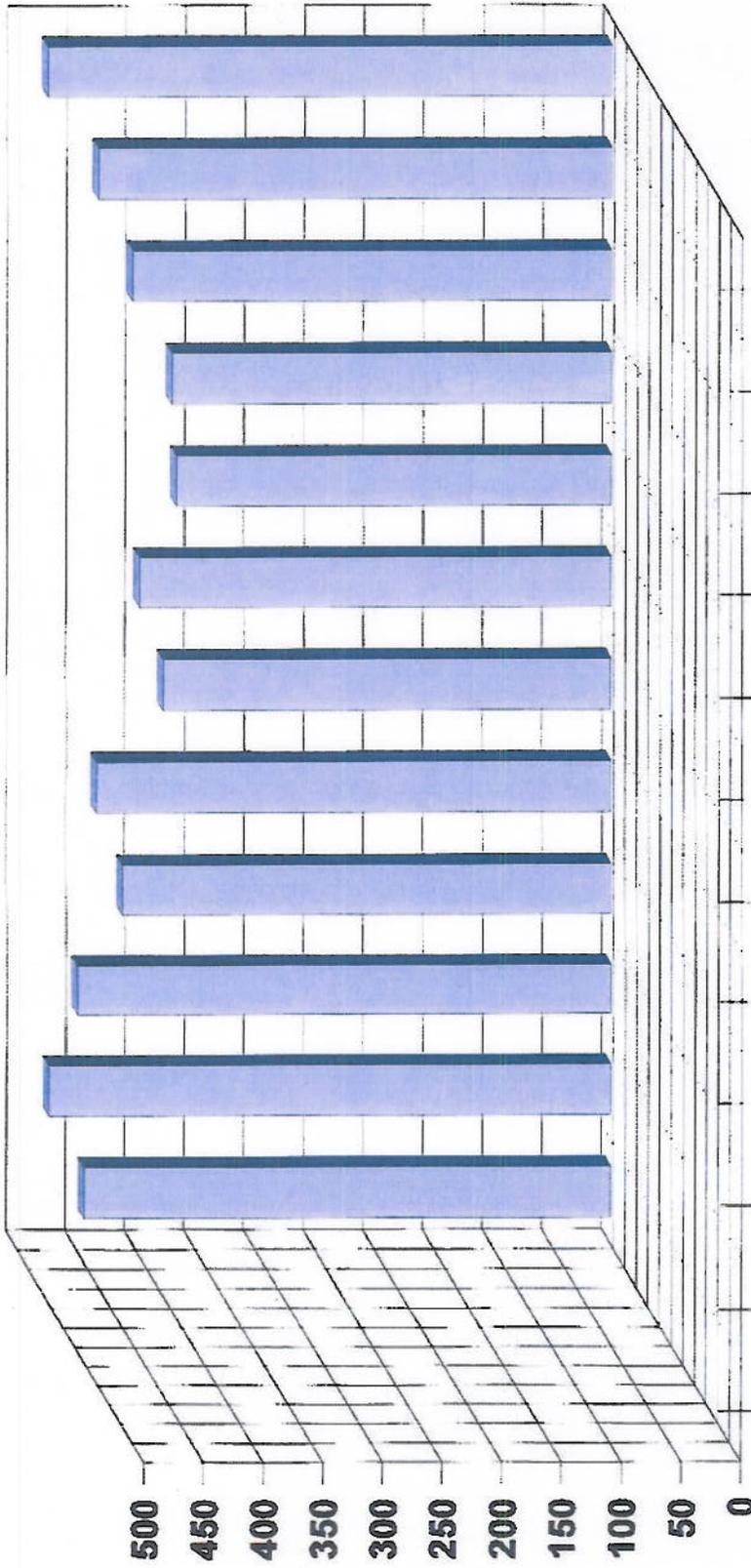
APPENDIX I

GRAPHS

Public Access Law Library On Site Monthly Usage 2011 - 2012

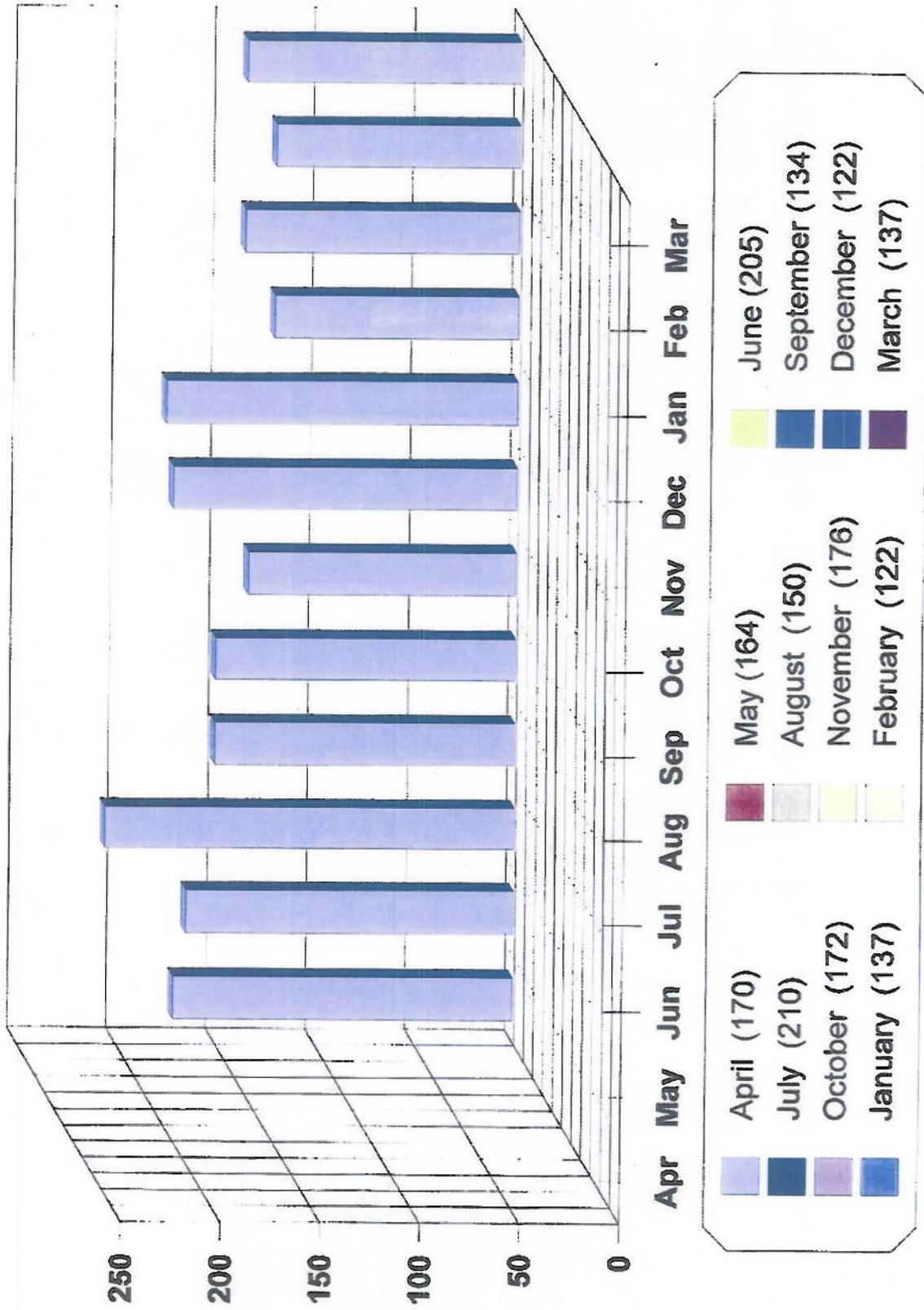


Public Access Library Monthly On Site Usage 2011 - 2012

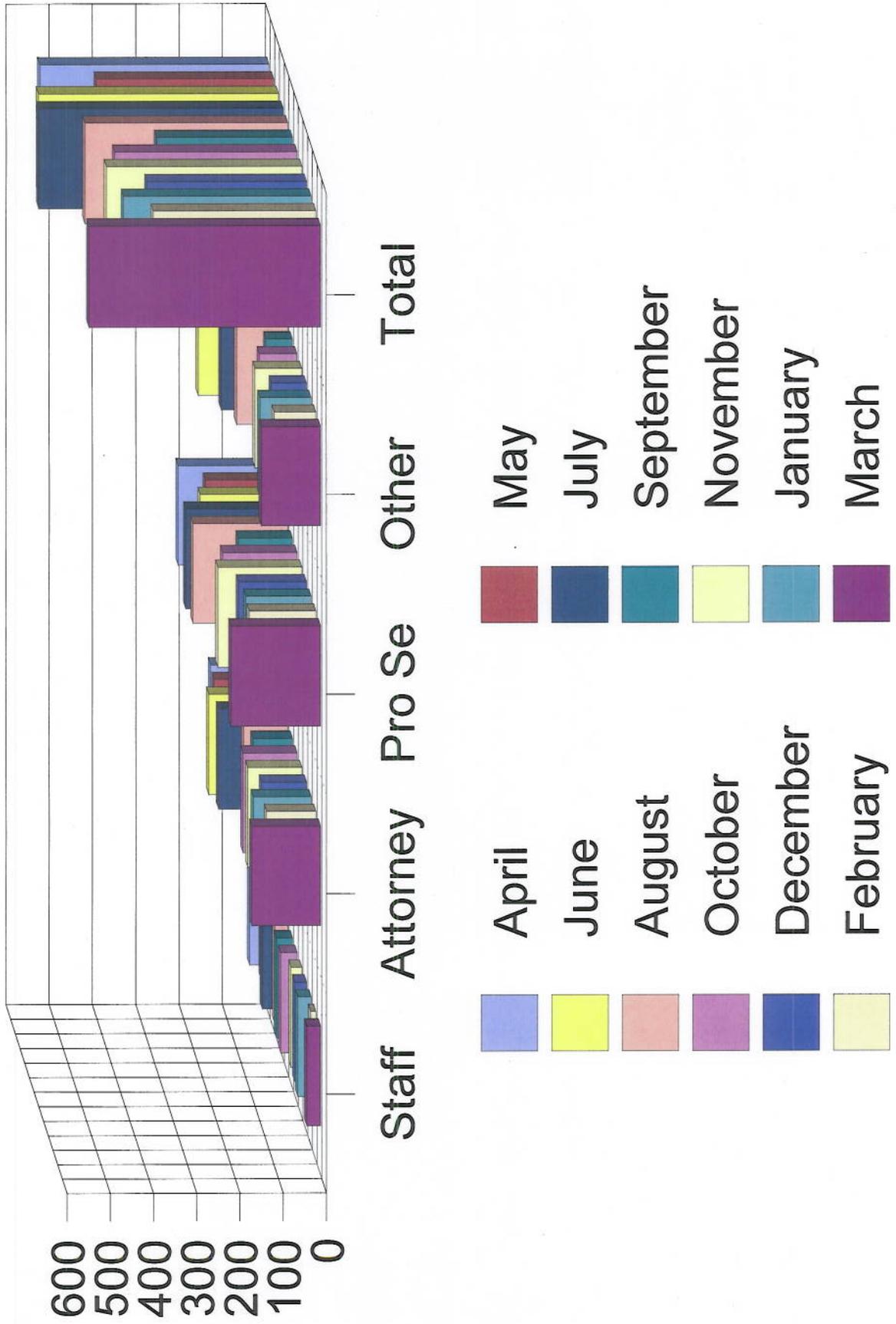


April (441)	May (471)	June (447)
July (409)	August (431)	September (375)
October (395)	November (364)	December (368)
January (401)	February (430)	March (473)

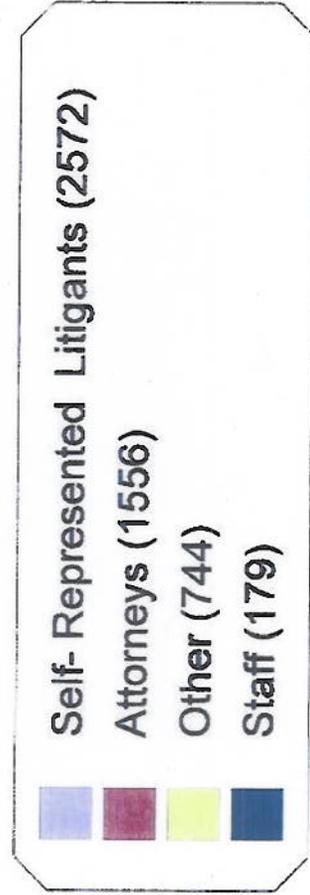
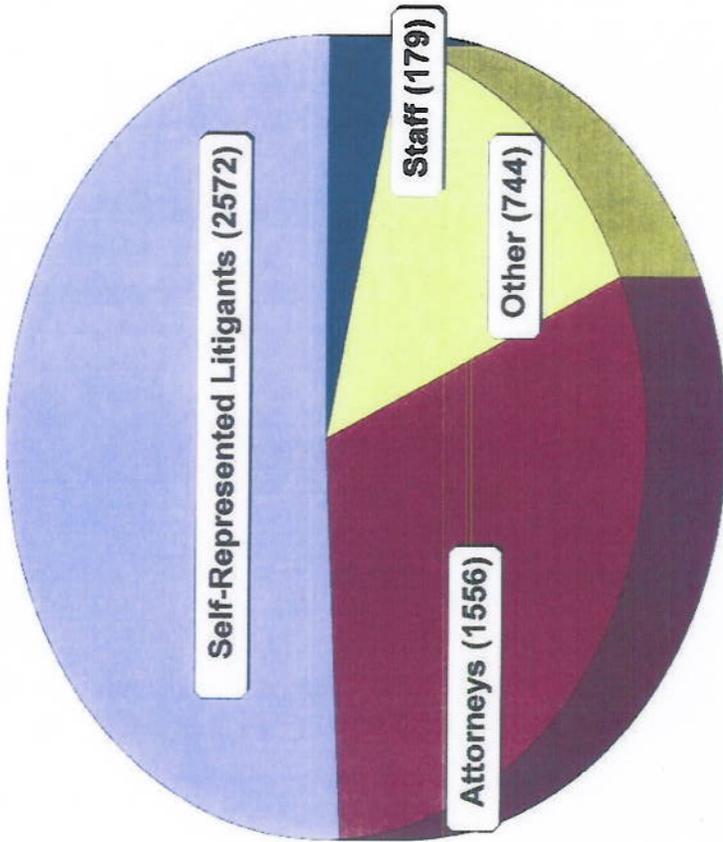
(800)COURTNY CALLS ANSWERED BY PUBLIC ACCESS LIBRARY STAFF FY2011-12



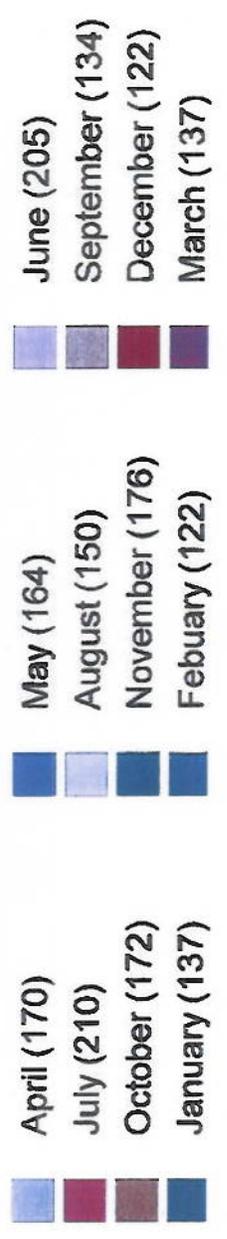
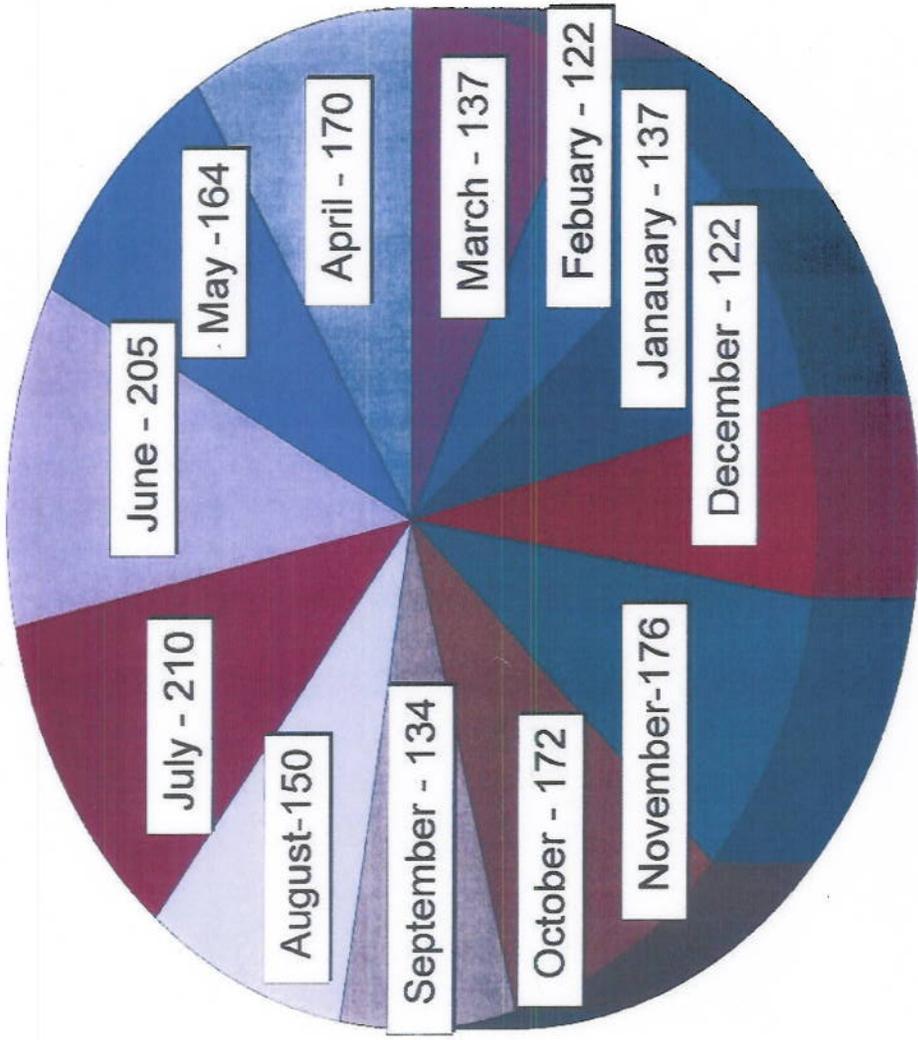
Monthly Library Usage By Patron Classification 2011-2012



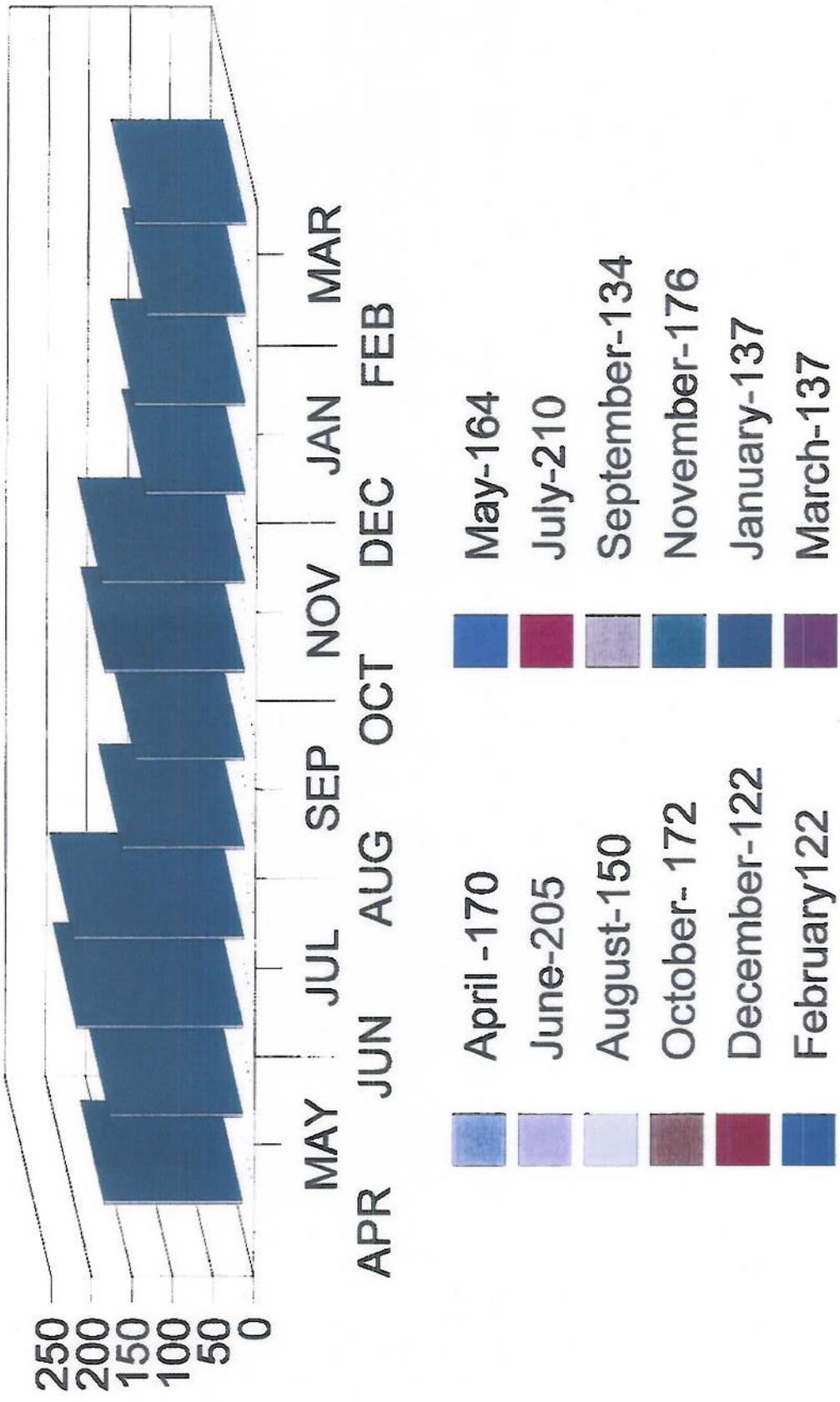
Public Access Law Library On Site Usage 2011 - 2012



(800)COURTNY TELEPHONE CALLS ANSWERED BY LIBRARY STAFF FY2011-2012



(800) COURTNY MONTHLY TELEPHONE CALLS FY 2011-2012



APPENDIX II

THANK YOU NOTES

RE: Law Library
To Whom It May Concern:

For about six years now, I have been going to the Public Access Law Library at 80 Centre Street in Manhattan. I have an ongoing legal case with my landlord and have had to represent myself pro se. The resources of the Library are exceptional. I get cases and statutes off Lexis and there are the actual issues of the New York Law Journal and bound volumes of case decisions.

The staff working at the Library have been extremely helpful to me. They are always courteous and show me references and citations that I could not get myself. Mr. Pollack has been very cooperative. I can honestly say that without the help of the Library and its staff, I would not have been able to successfully defend myself all these years.

I also met a few other pro se litigants at the Library who have ongoing cases with their landlords and we often compare notes about our cases. I know they feel the same way as I do about the great help the Library and staff have been.

Thank you for your attention to this e-mail.

Raymond, Self-represented Litigant

RE: New Blog
Hi Ted,

This is great. I don't know where you find the time for supplying content. You've included great resources for this specialty. Bravo!!!

I'll link to it from our website and share with Kyle in NYC Criminal.

Principal Law Librarian

RE: Article
Fabulous, Ted. Thanks very much.
Judge

RE: NYC Green Book
Thanks Ted. This is terrific.
Rena

RE: Perjury Material
This is wonderful, Ted. Thank you so much.
Law Librarian

RE: Interlibrary Loan - Civil Practice Report
That's it! Thanks very much Ted! Have a good weekend.
Ken, Federal Court Librarian

RE: NY Law Journal Articles
Thanks, these are great.
Nina, Court Attorney

RE: Green Book Directory
Thank you so very much!!!
Geraldine

RE: Board of Immigrations Appeals Decision
I can't thank you enough, Ted.
Chris, Court Attorney

RE: Research Assistance
Thank you very much for your assistance on this matter. I think this is helpful and I will show it to the Judge.
Shirley, Legal Intern

Re: Assistance for an atty
Thanks a lot.
Law Librarian

RE: Legal Briefs
Thank you very much. I will contact you if I need further assistance.
Shirley, Legal Intern

RE: Website
Wow, that's it!! I feel like a nincompoop now. Thank you so much, Ted. Sometimes you need

someone else to point out the obvious! Many thanks,
Ann, Attorney

RE: Old Statute

Thank you very much for your help today -- Walter was about to find the book I needed and the statute was easy to locate within the book.

Thanks again!

Elizabeth, Court Attorney

RE: Chapter Law

This is great - thanks.

Susan, Court Attorney

RE: Loislaw

I was able to use Loislaw. Thanks for all your help Ted.

Oma

Re: Finding the McKinneys Session Laws or the Legislative Annual

Thanks for this information, it was very helpful.

Nina, Court Attorney

RE: Dalton and Danneman Article

Thanks, this is great.

Judge

RE: Hate/Bias Crimes

Ted- Thanks for your help !

Michael, Court Attorney

RE: Fraud Definition

Thank you very much.

Christopher, Court Attorney

RE: Penal Law and Criminal Procedure Law Request

Thank you for your assistance in this matter. Have a great weekend.

Dorienne

RE: Bill Jacket

Thanks! I just received it. Much appreciated.

Law Librarian

RE: Law Library Referrals

Thank you, Mr. Pollack, for being of great assistance to me in a short amount of time.

John

RE: Requested Article

Thanks for your prompt assistance, Ted. I very much appreciate it.

Best,

Joe, Court Attorney

RE: Reference Assistance

Thank you very much, I appreciate your help with this.

Anne, Court Intern

RE: Assistance

Thanks Ted. My story hasn't run yet but I'll send you a link when it does.

Best,

Ray, New York Times Reporter

APPENDIX III
PROCLAMATIONS

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 David Badertscher (New York State Supreme Court, Criminal Term- First Judicial District) for his many dedicated years of service both to the New York State Supreme Court and for his service as an ex officio member of the New York County Courts Public Access Law Library Board of Trustees. Mr. Badertscher served on the Board of Trustees from its inception in 1995. He oversaw personnel-related issues at the New York County Courts Public Access Law Library. Moreover, he coordinated many library policies and programs. Through his guidance and expertise, he strove to provide the highest level of quality service to members of the public as well as court staff. Thus, he greatly aided in extending library services to the public thereby assisting 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
Hon. Robert Jackson
Thomas G. Draper, Jr., Esq.
Philip Blue
Thomas V. Marino, Esq.

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 Hettler
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 the service of former Board member, M. Robert Goldstein, Esq. Mr. Goldstein served on the Library's Board from its founding in 1995 through 2012. During this interval, while maintaining an extremely active and successful law practice, Mr. Goldstein offered wise counsel and insightful guidance on library-related issues and programs. In so doing, he enthusiastically helped extend library services to the public and demonstrated his deep concern for the role of libraries in general and with respect to the practice of law.

With grateful appreciation,

New York County Public Access Law Library
Board of Trustees

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