

Access to Print, Access to Justice

KIMBERLY MATTIOLI

STUDENT SERVICES LIBRARIAN

JEROME HALL LAW LIBRARY

INDIANA UNIVERSITY, MAURER SCHOOL OF LAW

Research Question

- Are self-represented litigants negatively impacted by the shrinking print collections in public law libraries?

Hypothesis

- On the whole, self-represented litigants have less access to legal materials due to the shrinking print collections in public law libraries.

Library Budgets Shrink

- Libraries are forced to reduce their print collections
- Eliminate duplicative materials—primary sources, digests, encyclopedias, etc.
- Attorneys and students do not mind accessing legal information solely online

Self-Represented Litigants and the Resources they Use

- SRLs often rely on public law libraries
- Most likely need access mainly to primary sources and forms
- SRLs are more likely to be poor

Digital Literacy

- Poor individuals are more likely to be digitally illiterate
- Some people do not have access to a computer or the Internet
- Overlap between this group and self-represented litigants?

What People are Saying about Law Library Print Collections

- Too large
- Wasteful and unnecessary
- Pointless since lawyers don't consult books
- Emphasis is on access—nobody cares whether the materials are owned or licensed
- Maybe librarians feel nostalgic about print collections, but nobody else does

What Law Libraries are Doing with Their Print Collections

Survey of Academic, Firm, and Government Law Libraries:

- 2/3 of academic law libraries are eliminating primary sources and/or finding aids for primary sources
- 60% of firm libraries are eliminating primary sources or eliminating across the board. Others are getting rid of anything duplicative.
- 68% of government libraries are eliminating primary resources. Others are eliminating duplicative materials.
 - *“We maintain our Georgia print collection because 90% of our users are self-represented litigants who are not computer literate.”*

Three Aspects of Information Access

Physical

- Access to information, whether in print or electronically

Intellectual

- Ability to know how to access and how to understand information

Social

- Just because one *can* access information doesn't mean one *will*.

Technology Training in Libraries

- One of the largest part of service in many libraries
- Assistance with email, general Internet use, job applications, government filings
- General computer topics remain in high demand
 - “Libraries are still teaching people how to use a mouse and how to search on the Internet.”

Self-Represented Litigants

- Their numbers are increasing
- Cannot afford an attorney—sometimes they do not qualify for legal aid but do not make enough to pay for private counsel.
- Common in certain areas of law
 - Traffic
 - Landlord/tenant
 - Child support
 - Divorce

Law Library Resources for SRLs

- Traditional legal research help
- Referrals to other programs
- Computerized legal research
- Telephone reference
- Print materials collection for non-lawyers

What We Know

- The resources that law libraries collect for self-represented litigants

What Else We Need to Know

- How often are self-represented litigants using law libraries?
- What resources are they actually using?
- How are they accessing those materials?

How We Can Find Out

- Keeping statistics in our own libraries
- Surveying other libraries

Survey Questions

Does your law library serve self-represented litigants?



Do those patrons tend to use resources in print or online? Which format is more heavily utilized?



Does your library have plans to eliminate any of the print resources that self-represented litigants use?



Do self-represented litigants have other options for legal research help in your area?

Should We Care?

- Is this a problem that will resolve itself over time?
- Alternatively, is this a problem that will just get more complicated over time? Some people are able to use smartphones but not computers.
- What about self-represented litigants who are completely illiterate? What about non-English speakers?
- For academic librarians— isn't our main job to support the faculty and help students get ready to practice law?

What We Can Do

If forced to downsize:

- Make forms and research guides available in print
- Collaborate with local public librarians to set up computer training
 - Send patrons to public library
 - Have public librarians come to law library
- Consider ways to become involved with a self-help center
- Collaborate with law school clinics if possible