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.
<table>
<thead>
<tr>
<th>Library Budgets Shrink</th>
<th>Self-Represented Litigants and the Resources they Use</th>
<th>Digital Literacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Libraries are forced to reduce their print collections</td>
<td>- SRLs often rely on public law libraries</td>
<td>- Poor individuals are more likely to be digitally illiterate</td>
</tr>
<tr>
<td>- Eliminate duplicative materials—primary sources, digests, encyclopedias, etc.</td>
<td>- Most likely need access mainly to primary sources and forms</td>
<td>- Some people do not have access to a computer or the Internet</td>
</tr>
<tr>
<td>- Attorneys and students do not mind accessing legal information solely online</td>
<td>- SRLs are more likely to be poor</td>
<td>- Overlap between this group and self-represented litigants?</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Physical</th>
<th>Intellectual</th>
<th>Social</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Access to information, whether in print or electronically</td>
<td>• Ability to know how to access and how to understand information</td>
<td>• Just because one can access information doesn’t mean one will.</td>
</tr>
</tbody>
</table>
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
<table>
<thead>
<tr>
<th>What We Know</th>
<th>What Else We Need to Know</th>
<th>How We Can Find Out</th>
</tr>
</thead>
</table>
| • The resources that law libraries collect for self-represented litigants | • How often are self-represented litigants using law libraries?  
• What resources are they actually using?  
• How are they accessing those materials? | • Keeping statistics in our own libraries  
• Surveying other libraries |
Survey Questions

1. **Does your law library serve self-represented litigants?**
2. **Do those patrons tend to use resources in print or online? Which format is more heavily utilized?**
3. **Does your library have plans to eliminate any of the print resources that self-represented litigants use?**
4. **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