

Practice Resource Centres:

More than a “Law Library”

Introduction

The County & District Law Presidents’ Association (henceforth “CDLPA”), possesses a strong interest in the future of Ontario’s law libraries. Recently, the question has been raised regarding why Ontario’s law libraries are necessary and relevant in today’s legal world, given the existing and developing funding pressures for LibraryCo and the Law Society of Upper Canada, as well as changes to the use and delivery of legal information generally.

Based on information collected, it appears that a strong and well-connected network of county & district law libraries serves to directly benefit the legal community and ultimately, the general public, by facilitating access to a wide variety of services. This is an integral part of practicing outside of larger centers, and is driven primarily by the staff employed in each county and district.

Law libraries have already evolved and transformed into invaluable *Practice Resource Centres* that offer users a multitude of resources including access to business equipment, conference space, Continuing Professional Development courses, community centers, and acting as hubs and offices for local Associations, in addition to legal research and collections.

Background

To appreciate where we are and decide where we are going, one must understand the history. LibraryCo came about as the result of the efforts of the Law Society of Upper Canada (LSUC) and CDLPA to organize the County and District law libraries across the province. A tiered system was developed that resulted in five regional libraries, fifteen area libraries and twenty-eight local libraries. There was also established a core collections list, an essential collection list, and the establishment of salary bands and job description for library staff.

Attached as Appendix “A” is the breakdown of the various regional, area and local law libraries across the province. It is worth noting that the majority of the law libraries are staffed on a part time basis, and therefore are open different hours and days depending on the specific location.

In the past, LibraryCo had proposed that fifteen local law libraries be de-staffed in favour of a more centralized distribution center. This was vigorously objected to by CDLPA and the membership we serve. CDLPA has always taken the position that a strong library system is rooted in appropriate levels of staffing available in all County and District libraries.

Although funding has remained stable, in the past year it has become clear that the current level of funding for County and District law libraries is being scrutinized, and may not continue if value cannot be demonstrated.

Further, the legal landscape has changed, in many areas affecting the legal profession, including the provision, delivery and use of legal information. It is appropriate given the changes to legal research, paper and print collections and online resources, to review and critique the existing system to find more creative ways of delivering the services, while maintaining the broad range of services available through these Practice Resource Centers.

The Practice Resource Center – not just shelves with books

In order to analyze the existing system, it is critical to understand what a Practice Resource Centre already provides to lawyers across the province.

It is our belief that there remains an antiquated and misinformed understanding of the quality, value and services provided that must be confronted when considering what the long term future is for Practice Resource Centres.

To that end, the CDLPA Library Committee has conducted an online survey designed to determine what activities were carried on in the Practice Resource Centres, what service they provided to lawyers in their areas, and what future uses are being considered.

In this web based survey, completed in May 2013, 93% of County and District Law Libraries participated, designated as 13% as Regional, 31% as Area and 56% as Local. The demographics of the participating Associations ranged from 13 Association members, to 1493 Association members.

The survey results overwhelmingly support CDLPA's belief that the County and Districts are already actively engaged in the provision of resources and services that support the Practice Resource Centre concept, grouped as follows:

- 1) Legal Research and Information
- 2) Business Center
- 3) Education Center
- 4) Conference Centre
- 5) Community Center

Legal Research and Information

At the outset, it must be acknowledged that a primary function of the Practice Resource Centre is the supply of legal information and research facilities. Part of the justification for their existence, is to ensure that lawyers, from across the province, have access to the most complete and current selection of legal resources. Moreover, these resources are available in a geographically accessible location.

As a starting point, this accessibility to legal information helps guarantee that access to quality and competent legal representation is available to all members of the public, regardless of their geographical location. While some of the larger, urban firms have extensive private libraries, the

vast majority of lawyers in Ontario cannot afford to purchase all of the necessary books, journal subscriptions, and periodical collections for their own offices and rely on the Practice Resource Centre for access to same. Maintaining the accessibility of legal resources to those outside of larger centers, keeps those in rural areas on an even playing field with those with greater financial resources or in larger urban centers.

The usage levels observed in Practice Resource Centers regarding legal research and information remain high. It must be recognized when referencing the following statistics that certain percentages may reflect that services could not be offered daily as a result of the fact that the Practice Resource Centers are not open Monday to Friday, full time. As the majority are only staffed on a part-time basis, the numbers may not reflect the usage when the library staff person is not there.

According to the survey, 73.3 % of libraries were providing daily reference services in person in the library, with 24.44% indicating weekly reference services in person. In addition, 82.22% reported reference services via phone, fax and email daily, with another 15.56 % indicating weekly on same.

In addition, the following notable statistics were collected regarding services being provided in the libraries relating to legal research and information:

	DAILY	WEEKLY
Access to Print Collection	95.56%	4.44%
Access to Online Collection	91.11%	4.44%
Computer use for lawyers conducting online research	95.56%	4.44%
Assistance by staff to lawyers conducting online research	62.22%	28.89%
Assistance to other County Libraries	28.45%	31.11%

Not all the collections are being maintained to the same standard. It must be acknowledged that the significant rise in publications costs is eroding library collections and the maintenance of core collections has become impossible given the increase in the subscriptions costs over the last 5 years. According to our survey, the result of the existing funding issues is that 40.91% of Associations have found it necessary to supplement the grant monies received to operate their Practice Resource Centres in the last two years, in amounts ranging from \$1,000.00 to as much as \$20,000.00 for the larger Associations. The balance of the Associations indicated they, “simply work with what we received from LibraryCo”, each year.

As such, there is an existing issue that the minimum collections standards are already at risk, and texts and loose-leafs are being eroded to stay within budget.

This issue is also faced with changes in the provision of electronic resources available in the Practice Resource Centres. It is clear that there are many differences between them on what services are available outside of the current LibraryCo toolkit of resources.

For example, at 84.09% of respondents, the statistics showed that LexisNexis Quicklaw was by far the most widely available online resource. However, the percentages dropped significantly regarding what other online resources were available, with DivorceMate and CCH coming in as available at 47.73 % and 25% respectively, and a list of eight other online resources appearing in various libraries across the province.

Rather than seeing the advent of electronic resources as a reason to reduce either the physical library space or centralize staffing, CDLPA believes it should increasingly be seen as an opportunity to re-imagine and expand the way in which Practice Resource Centers are already being used.

As noted by LibraryCo, libraries across the country are increasingly shifting their focus from a “passive resources-based model to an active information services model.” This new model puts the professional librarian and library staff at the centre of the model as the real added value to users. As it is clear the delivery and access of legal information has changed, it appears that the existing Toolkit and all other available electronic resources should be examined and form the cornerstone of any proposed changes to the existing system. However, it must also be recognized the core role the librarian or library staff play in this model and the delivery of these services in the Practice Resource Centres.

The reality is that the legal profession in Ontario is a diverse community made up of lawyers, paralegals, law clerks, and law students practicing in a variety of environments, from sole practitioners to large, intra- and international firms. Access to core legal information is a vital part of maintaining competency standards across the province, and across the diverse group who practices law. Given the LSUC’s mandate to regulate the profession in the best interest of the public, it appears that maintaining access to legal resources and materials is keeping with maintaining competency standards and therefore should be a priority.

Educational Center

Since January 1, 2011, lawyers have been required by the LSUC to complete 12 hours of continuing professional development (CPD) in eligible activities each calendar year. Prior to the implementation of the current CPD requirements, Practice Resource Centres were already assisting with continuing legal education programs and the distribution of materials relating to same.

When asked about whether the library space had been used for CPD programming in the last year, 65.9 % of respondents indicated they were, with 29.55% indicating that they would hold CPD’s in their space, if it were available.

In the result, the Practice Resource Centre also encompasses the reconfiguration of physical library space to create learning and resource commons that better accommodate research, networking, and education. Given the LSUC mandate for Continuing Professional Development,

these services being offered and implemented at Practice Resource Centres provides further proof of the necessity of maintaining the existing spaces.

With that, it's clear that the proper execution of CPD courses, particularly in rural areas, requires a library staff person to assist in arranging the program, setting-up the space or equipment if in the Practice Resource Centre itself, or other assistance in providing the CPD for the local bar.

The survey confirmed that library staff in the Practice Resource Centres are already active participants in performing these tasks. Of the current staff, 79.06% reported in the last year the organization and scheduling of CPD activities, with 13.95% indicating they would, if they were able to provide the service.

The survey also revealed that staff in the Practice Resource Centres were central to the distribution of information regarding CPD's including providing information to Associations about CPD options, distributing notices of CPD programs or sessions, cataloguing and display of LSUC CPD's on disc, and providing direction on the use of technology for accessing same. Staff also reported assisting lawyers with information to access the LibraryCo Toolkit, including ID's and passwords and assisting with LSUC portal access to input CPD hours.

In addition to formal CPD programming, 95.55% of respondents indicating they organized other training sessions for lawyers, such as online legal research training.

In addition, when asked an open question regarding what projects or changes they would like to undertake, many respondents indicated plans for renovation to provide proper space and supply for CPD sessions, both live and video replays. In addition, there were comments regarding proper equipment and training needed to present CPD's to the local bar. Although not based in a statistics necessarily, these responses show a clear appetite for CPD programming and training to be readily available through the Practice Resource Centres.

Conference Center

Face to face meetings among members of the bar have been, and continue to be, fundamental to the efficient and collegial practice of law. Over 70 % of survey participants confirmed that meetings by and among lawyers occurred in the Practice Resource Centres. The scope and size of these "conferences" is significant.

One-on-one meetings between counsel are vital to productive settlement and procedural matters. Mostly informal, these meetings are conducted in the Practice Resource Centres away from members of the public and clients. Discussions can be frank and open sometimes involving other counsel resulting in more efficient use of court time and a corresponding reduction in client costs, among other benefits.

Further, there are no time limits restricting the meetings as there may be if counsel must use the other meeting rooms in the courthouse. Other meeting rooms are needed for duty counsel and for other stakeholders to meet with members of the public. During meetings counsel have the ability to review legal materials when required, have access to their offices and facilities to produce proper Minutes of Settlement and draft Orders for the court.

Local associations make use of the conference space for many types of meetings. Local executive meetings most often use the library space. Smaller subsets of the bar including but not limited to, the criminal practitioners, real estate lawyers, and the family bar, hold committee meetings in the Practice Resource Centres as well.

Further, larger and more formal meetings often occur in the Practice Resource Centre. Judges, Crown Attorneys and court staff often join lawyers in meetings concerning local issues, administrative matters and other topics such as the Justice on Target initiative. These meetings require sufficient space and design for effective discussions and often the space available in Practice Resource Centres are the ideal location.

It is not anecdotal that lawyers in the county and districts are using the Practice Resource Centres to meet with colleagues. When questioned about providing meeting space for lawyers, 71.11% of respondents indicated this was occurring on a daily basis, and 20% indicating on a weekly basis. The spaces provide comfortable private locations for lawyers to negotiate cases with local counsel, out-of-town counsel, provincial and federal Crowns, without interruption. These statistics would not reflect time that lawyers use the Practice Resource Centre after hours, or when unstaffed for whatever reason.

Community Center

The Practice Resource Center is vital to students, new calls to the bar, and members who frequent the Courthouse. The space enhances and supports the collegiality of the bar to the benefit of all those in the legal system. The survey indicated that the library staff were providing assistance to out-of-town lawyers on a daily basis in 44.44% and on a weekly basis 42.22%. There were also respondents who indicated they provided services such as orientation for new lawyers, articling and summer student for the library, services and information on the local Association.

The Practice Resource Centre acts as a physical meeting place where members of the legal profession – especially those working as sole practitioners or in smaller chambers settings, and those in rural areas – can engage in a dialogue with one another, drawing on the experience and expertise of colleagues and in turn elevating the quality of representation provided to clients.

The lawyers' lounge, often directly connected to the Practice Resource Centre, serves a much more important function for lawyers in rural areas which is difficult to quantify but must be considered. Lawyers in search of assistance from colleagues whether on practice issues, legal questions or personal matters can find such input and advice in the lounge setting. It allows for relaxed yet confidential discussions on a multitude of topics. For those who have limited years of experience and work outside the big firm setting this type of input and advice is invaluable. Often questions can be posed to many counsel at the same time, "Has anyone ever . . . ?"

These types of informal discussions are a vital part of the mentoring of younger lawyers, new calls and articling students. The Practice Resource Centre offers an informal mentoring system between members of the bar, often when an urgent or concerning issue arises. The ability to have available a senior member of the bar, not necessarily from your own firm, available to offer

brief mentoring services is impossible to quantify, but directly improves competency in the profession.

In the survey, respondents indicated that 75.56 % offered lounge services to the membership. Lounges which generally include tables and chairs, fridges, cupboards and coffee service provide an “office break room” for lawyers who are spending extended periods of time in the courthouse. Others, including Crowns, staff and the judiciary, who spend significant time in the courts all have their own separate facilities. Associated with the lounge is often lockers and robing rooms for storing personal effects.

As technology allows more functions to be completed from a remote location there can be an unintended consequence. Sole practitioners, in particular, may feel isolated multiplying the effects of stress and anxiety. The lounge at a Practice Resource Centre provides a place where can expect to interact with colleagues in a relaxed environment.

Further, many of the local associations have long rich histories. The Practice Resource Centres preserve local traditions, documents and histories of the various Associations. It cannot be ignored that the Practice Resource Centre is a cornerstone of the Associations across the province. In the survey, all respondents reported providing assistance to the local Law Association at some point in the preceding year.

Business Center

A practical reality of the Practice Resource Center is that it allows members to have access to a business center when away from the office. Practitioners, particularly those in litigation, criminal, and family matters, spend a significant time at Courthouses, as do many young lawyers, articling students and summer students.

The statistics were clear: 100% of respondents indicated that they currently provided access to facsimile machines, photocopiers, computers, and printers for members, or out-of-town members at their law libraries.

The responses also indicated that a wide variety of other business equipment was also available for use in the law libraries including:

- 1) Office Supplies
- 2) WiFi
- 3) Scanners
- 4) Court Apparel
- 5) Projectors
- 6) Televisions and DVD players
- 7) Telephones
- 8) Shredders
- 9) Binding machines
- 10) First Aid Supplies

It is clear that lawyers are using the Practice Resource Centre to ensure the smooth daily transitions required in their practices, whether making extra copies of a case for a judge, faxing a document or asking the library staff for a pencil. Having access to these business centers, and the staff who can quickly and effectively guide lawyers through using same, is an invaluable service provided in every County and District currently in varying degrees.

Having access to these types of services also serves a greater good of keeping legal costs down for clients. For example, if a lawyer can draft a Minutes of Settlement or an Order in a Practice Resource Centre, without having to return to their physical office, or make further Court appearances, there is a direct savings to the client, and a benefit to the Court. These types of uses in the Practice Resource Centre promote access to justice and justice on target initiatives but reducing client costs and court time.

Other Benefits - Public

To the extent that they provide access to legal information and resources, Practice Resource Centres, such as those county and districts open to the general public, have and will continue to play a role in preserving access to justice for all.

The survey revealed that within the last year, 68.89 % of respondents had provided physical directions to the general public, with 44.45% being on a daily or weekly basis.

Further, 56.81% reported providing physical directions to a self-represented individual in the last year.

There are other more unique benefits to the public occurring in some areas of the Province; for example, requests for will searches were reported as coming to the library staff, and the library staff were forwarding requests from individuals to the Association memberships in attempting to assist locating a will. Also, library staff reported liaising with local organizations and schools regarding the Practice Resource Centre or the Courthouse generally.

Conclusion

From the statistics collected, it appears clear that Practice Resource Centers are a vital gateway to the Canadian legal system and provide comprehensive, efficient, and equitable access to legal information and resources for the legal community, which is a major benefit to the general public.

It is clear that the staff in these Practice Resource Centres, under the direction of local Associations, are already actively engaged in transforming their spaces from more historical, passive, storage type model to that of an active, service-oriented center, providing a variety of essential services to the practicing bar.

The reduction or elimination of funding to Practice Resource Centers will fundamentally affect local Associations and the lawyers within those Associations. Given the wide range of valuable services provided, library closures, staffing cuts and/or the centralization of library services,

would inevitably affect the quality of legal representation in the province and potentially increase the hardships already faced by members of the public regarding legal costs, open the door to competency issues, and creating an overall unacceptable reduction in access to justice across the province of Ontario.

As was succinctly put in the Law Society of Upper Canada's 2012 Annual Report and Performance Highlights:

“The mandate of the Law Society of Upper Canada is to ensure that Ontario lawyers meet high standards of learning, competency and professional conduct.”

It appears the Practice Resource Center currently supports fulfilling all of these requirements, through its legal research and information, its business, conference and community centers, the provision of CPD programs, and overall, its commitment to providing a variety of essential uses and services to the practising bar.

Appendix “A”

Regional Libraries

- [County of Carleton Law Association](#)
- [The Essex Law Association](#)
- [The Hamilton Law Association](#)
- [Middlesex Law Association](#)
- [Toronto Lawyers' Association](#)

Area Libraries

- [Algoma District Law Association](#)
- [Durham Region Law Association](#)
- [Frontenac Law Association](#)
- [The Halton County Law Association](#)
- [District of Kenora Law Association](#)
- [The Lincoln County Law Association](#)
- [The Nipissing Law Association Library](#)
- [Peel Law Association](#)
- [The Peterborough Law Association](#)
- [The County of Renfrew Law Library Association](#)
- [Simcoe County Law Association](#)
- [Sudbury District Law Association](#)

- [Thunder Bay Law Association](#)
- [Waterloo Region Law Association](#)
- [York Region Law Association](#)

Local Libraries

- [Brant Law Association](#)
- [Bruce Law Association](#)
- [The Law Association of the District of Cochrane](#)
- [Dufferin County Law Association](#)
- [The Elgin Law Association](#)
- [Grey County Law Association](#)
- [The Haldimand Law Association](#)
- [Hastings County Law Association](#)
- [Huron Law Association Inc.](#)
- [The Kent Law Association](#)
- [Lambton Law Association](#)
- [The County of Lanark Law Association](#)
- [The Leeds & Grenville Law Association](#)
- [The Lennox & Addington Law Association](#)
- [Manitoulin District Law Association](#)
- [The Muskoka Law Association](#)
- [Norfolk Law Association](#)
- [The Northumberland County Law Association](#)
- [Oxford County Law Association](#)
- [The Parry Sound Law Association](#)
- [County of Perth Law Association](#)
- [Prescott & Russell Law Association](#)
- [The District of Rainy River Law Library Association](#)
- [Stormont, Dundas & Glengarry Law Association](#)
- [The Temiskaming Law Association](#)
- [Victoria-Haliburton Law Association](#)
- [The Welland County Law Association](#)
- [Wellington Law Association](#)

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