

## **Additional Library Services and Responsibilities Policy**

**As Adopted by the Board of Directors on December 5, 2022**

### **Background and Purpose**

1. The Law Society of Ontario (LSO)'s [By-Law 13](#) charges LiRN with establishing guidelines and standards for the organization and operation of the Ontario county and district law library system ("Libraries").
2. LiRN provides financial support to the Libraries by the transfer of grants to county and district law associations ("Law Associations"). Each Library funded by LiRN is required to be operated by its Law Association in accordance with the guidelines and standards established by LiRN.
3. The [Grant Administration Policy](#), adopted by LiRN's Board of Directors on September 3, 2021, requires Law Associations to identify and separate Law Association operations from Library operations, and LiRN grants are to be accounted for as restricted for Library purposes.
4. The Amended and Restated Unanimous Shareholder Agreement (USA) dated November 29, 2019, states that LiRN may conduct an audit of expenditures related to the Law Association's grant at the direction of the LSO.
5. The *Core Library Services and Library Management Responsibilities Policy*, adopted by LiRN's Board of Directors on August 31, 2022, sets out the services and library management responsibilities that LiRN expects funded Libraries to provide.
6. LiRN acknowledges that many Law Associations offer services and have need for staff to execute responsibilities in addition to those required by that policy.
7. The purpose of this policy is to:
  - a. Define library-related and association-related activities;
  - b. Acknowledge that some activities may defy rigid classification as "library-related" and "association-related" and provide guidelines to determine where an activity falls on that spectrum; and
  - c. Confirm that the LiRN grant is intended to cover staff salaries only to the extent that the assigned activities are library-related, while facilitating the flexibility for Law Associations and Libraries to function as intended.

### **Library-Related Activities**

8. Library-related Activities include:
  - a. The services and responsibilities listed in the *Core Library Services and Library Management Responsibilities Policy*.
  - b. Additional Library Services are services available to Library users that require the specialized skills in information retrieval and dissemination generally possessed by librarians and Library staff, including:
    - i. Current awareness
    - ii. Library website development and maintenance
    - iii. Library social media management
    - iv. Library Training
9. While Additional Library Services may be made available to members or non-members in the Law Association's discretion, they are still considered to be library-related activities.
10. Events and meetings that are related to Library-related Activities are also considered to be library--related Activities.

### **Association-Related Activities**

11. Association-related Activities are tasks related to managing the Law Association that do not require the specialized skills in information retrieval and dissemination generally possessed by librarians and Library staff, including:
  - a. Organizing and facilitating Law Association events and meetings not related to Library-related Activities.
  - b. Building and maintaining relationships with local organizations, governments, judiciary, and other legal associations for purposes other than promotion of Library services; and
  - c. Developing and implementing policies and procedures for Association other than Library policies and procedures.

### **Special Cases**

12. Certain activities have both library-related and association-related characteristics. In these cases, Law Associations should use their best judgement in determining whether the activity is library-related or association-related.

13. Factors to be taken into consideration to determine if an activity is library-related include whether the activity:
  - a. Relies on the specialized skills in information retrieval and dissemination generally possessed by librarians and Library staff;
  - b. Falls within LiRN's mandate as set out in LSO By-Law 13, its Unanimous Shareholder Agreement and is in alignment with LiRN's Strategic Plan.

*Continuing Professional Development (CPD)*

14. Many Law Associations provide CPD programming. The classification of such programs as library-related or association-related will vary.
15. Law Associations will use their best judgement to determine whether CPD programming is library-related or association-related.
16. Factors to be taken into consideration to determine that an activity is library-related include:
  - a. Whether the activity relies on the specialized skills in information retrieval and dissemination generally possessed by librarians;
  - b. Whether the program is a replay of content created by another organization;
  - c. Whether the program is intended to be not-for-profit; and
  - d. Any other pertinent factors.
17. Factors to be taken into consideration to determine that an activity is association-related include:
  - a. Whether the program is original, therefore relying on content creation and event management skills that commonly fall outside the skills generally possessed by librarians;
  - b. Whether the program is intended to be for-profit; and
  - c. Any other pertinent factors.

*Board-related Duties*

18. Law Associations are run by volunteer boards.
19. Library management includes working with and reporting to the Law Association's board and/or Library Committee.
20. In some cases, the board may request Library staff to manage the board and/or act as secretary to the board.

21. Law Associations will use their best judgement to determine whether Library staff's board duties are library-related or association-related.
22. Factors to be taken into consideration to determine that an activity is library-related include:
  - a. Whether the majority of the board-related duties is related to reporting on and setting policies for the Library; and
  - b. Any other pertinent factors.
23. Factors to be taken into consideration to determine that an activity is association-related include:
  - a. Whether the majority of the board-related duties work is related to the functioning of the board or the non-library aspects of the Law Association; and
  - b. Any other pertinent factors.

#### ***Use of LiRN Grant for Library Staff Salaries***

24. As the employer, Law Associations may assign additional tasks and duties to Library staff, including association-related activities.
25. The LiRN grant is intended to cover salaries for staff carrying out library-related activities. Where association-related activities are assigned, the Association will:
  - a. Ensure the completion of all tasks required to offer the services and execute the responsibilities listed in the *Core Library Services and Library Management Responsibilities Policy*.
  - b. Ensure the completion of all tasks required for Additional Library-related Activities.
  - c. Maintain any revenue generated from these additional services in an account separate from the LiRN grant money.
  - d. Contribute a proportional percentage of the Library staff salary if the association-related activities take up more than 15% of the total Library staff's working hours.

#### ***Audit***

26. If concerns about a Law Association's use of the LiRN grant arise and cannot be resolved, LiRN may conduct an audit at the LSO's direction pursuant to the USA.

***Transitional Period***

27. Upon adoption of this policy by LiRN's Board of Directors, there will be a two-year transitional period for Law Associations to come into compliance. At the end of this two-year period, the Board will review this policy.