



CLALLAM COUNTY LAW LIBRARY BOARD MINUTES of September 27, 2023

MEETING OF THE CLALLAM COUNTY LAW LIBRARY BOARD

Chair Lindsey Schromen-Wawrin called the meeting to order at 11:04 a.m., September 27, 2023. Also present were Commissioner Ozias, and Brent Basden. Elizabeth Schwantor and Donna Knifsend were absent. Penny Ruby, Law Library Assistant, was also not present.

CALL TO ORDER, ROLL CALL

Schromen-Wawrin noted that Elizabeth Schwantor emailed that she would not be present, and she will be resigning immediately. He also spoke with Donna Knifsend, and she will not be present today and will be resigning. He mentioned that he added to the agenda to appoint a new Board of Trustees chair and vice chair because he has been on the board for over 5 years, and he is ready to not be over capacity with the items he has on his plate. He plans to resign.

REVIEW AND APPROVAL OF AGENDA

ACTION TAKEN: Ozias moved to adopt the agenda as presented, Basden second, mc

APPROVAL OF MINUTES

- September 21, 2022

ACTION TAKEN: Basden moved to approve the minutes as presented, Ozias second, mc

BUSINESS ITEMS

- Approve the Annual Report

Basden would like to note that Penny Ruby, the Law Library Assistant, is absent. Law Library Members confirmed they received the report. Schromen-Wawrin questioned what needs to be kept in print and what can be electronically. Members held a discussion.

ACTION TAKEN: Basden moved to approve the annual report, Ozias seconded, mc

- Proposed Renewal LexisNexis Contract
Law Library Board Members held discussion.

ACTION TAKEN: Basden moved to approve the LexisNexis contract renewal, Ozias seconded, mc

- Appoint new Board of Trustees chair and vice chair

Schromen-Wawrin clarified that after reviewing its President and there is no requirement to have a Vice President. He mentioned that 3 current members will be resigning. He noted that new members will be selected at the December annual Clallam County Bar Association Meeting. Members discussed who the Clallam County Board of Commissioners Chair and Presiding Judge will be in 2024. Members decided to create an Interim President and Vice President and hold a meeting in January 2024 to select a new President and Vice President.

ACTION TAKEN: Ozias move to nominate himself to serve as Interim President until the Clallam County Law Library can hold a meeting in January

Basden amended the motion to also nominate himself to serve as Vice President until the Clallam County Law Library can hold a meeting in January, Schromen-Wawrin seconded, mc

NEXT MEETING DATE

- Special meeting - Wednesday, January 24, 2024 at 12 p.m.
- September 25, 2024 at 11 a.m.

CONCLUDED - Meeting concluded at 11:33 a.m.

CLALLAM COUNTY LAW LIBRARY
Location: Rm 175 Basement
Mailing: 223 East 4th Street, Suite 17
Port Angeles, WA 98362-0149
(360)417-2287

TO: Board of Trustees, Clallam County Law Library

Lindsey Schromen-Wawrin (Attorney) (Chair)
Brent Basden (Superior Court Judge)
Mark Ozias (County Commissioner ex officio trustee)

FROM: Clallam County Law Librarian / (360) 417-2287 / pruby@co.clallam.wa.us
Penny Ruby

DATE: November 29, 2023

SUBJECT: DRAFT Minutes / Clallam County Law Library Board Of Trustees
Meeting held September 27, 2023, at 11:00 a.m.

Attended by Clallam County Law Library Trustees:

Lindsey Schromen-Wawrin (Attorney / Chair) In Person (LSW)
Brent Basden (Superior Court Judge) In Person (JB)
Mark Ozias (Ex Officio Trustee) In Person (CO)

Rachel Weed, Deputy Clerk of the Board, Clallam County Commissioners Office / In Person

The meeting noted above was held as scheduled and attended as noted. This meeting was also made available "remotely" (meeting information shared with Clallam County Law Library Board of Trustees -- as noted in Ms. Gores email of September 18, 2023, 3:20 P.M., Meeting ID: 875 561 7844, passcode: 12345).

Video/Audio available at the Clallam County Website with Clicks to:

Departments

Commissioners

Boards, Committees, and Commissions + (scroll down to)

Law Library Board (click on)

Clallam County Access to Live & Archived Meeting Recordings, Agendas & Minutes (scroll down to "Available Archives" heading and click on)

+Boards and Committees Meetings (scroll down to)

Law Library Board Meeting Sep 27, 2023 (click on Video)

(Scroll & Click hint – there are scroll bars-boxes within scroll bar boxes)

Time signature from 00:06 / 35:56 - to hear the word for word of summary below (recording a little low on volume to always catch exact wording).

At time signature 6:56

Lindsey Schromen-Wawrin - I'll call the meeting to order.

Roll was called and was attended by the Clallam County Law Library Trustees as noted on Page 1 above.

Video/Audio context for meeting motions can be viewed as noted above, or referenced in meeting summary (10 pages), attached for reference.

1) Motion re approve the Agenda
(which was distributed in September of 2023 and previously provided for review):

Commissioner Ozias – I would move we approve our Agenda.

Judge Basden – I'll second that.

Lindsey Schromen-Wawrin – Any objection to approving the Agenda? Hearing none the agenda is approved.

2) Motion re approve the Minutes from September 21, 2022?
(which was previously distributed for review):

Judge Basden – I will move to approve the Minutes.

Commissioner Ozias – I will second.

3) Motion re approve the Annual Report
(which was distributed in September of 2023 and previously provided for review):

Judge Basden – I will move to approve the Annual Report. (Page 3 Summary Attached)

Commissioner Ozias – And I will second your motion. (Page 3 Summary Attached)

Lindsey Schromen-Wawrin – Is there any further discussion? (Page 5 Summary Attached)

Lindsey Schromen-Wawrin – Any Objection to approving the Annual Report? (Page 5)

Lindsey Schromen-Wawrin – No Objection – that is approved by unanimous consent. (Page 5)

4) Motion re Proposed renewal LexisNexis Contract
(previously distributed for review and included in packet provided for this meeting)

Lindsey Schromen-Wawrin – “. . . is there a motion to recommend renewal of the LexisNexis contract? (Page 6 Summary Attached)

Judge Basden – I'll move that we recommend that. (Page 6)

Commissioner Ozias – I will second your motion. (Page 6)

Lindsey Schromen-Wawrin – Any further discussion? (Page 6)

Lindsey Schromen-Wawrin – Any objection to recommending renewal of the LexisNexis contract? (Page 6)

Lindsey Schromen-Wawrin – Alright. Hearing none – that recommendation is approved. (Page 6)

5) Motion for new Board Of Trustees positions identified as the “President” and “Vice President” (Page 6, 7, and 8 Summary Attached)

Commissioner Ozias – “. . . I would be happy to nominate myself to serve as interim president of this board until such time as we're able to hold a meeting in January with a newly constituted board.” (Page 7)

Judge Basden – “And I would combine that with . . . nominate myself to be the vice president to work together to make this happen”. (Page 7)

Lindsey Schromen-Wawrin - And so any objection? "... so unless there's an objection the Chair takes it as a motion ... to Mark being interim president for the Board Of Trustees and Judge Basden the um interim Vice President for the Board Of Trustees and then plan for a meeting in January to reconstitute the Board following the Clallam County Bar Association elections."

6) Motion re Board Of Trustees Meeting Date:

Lindsey Schromen-Wawrin – "Is there any objection to that Wednesday, January 24, noon 59 1:00 p.m. meeting as our next meeting time?"

Judge Basden – No Objection.

Commissioner Ozias – No Objection.

Lindsey Schromen-Wawrin - In that case we are adjourned. (Time 6:56 – 35:56)

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TO: Board of Trustees, Clallam County Law Library

Lindsey Schromen-Wawrin (Attorney) (Chair)
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Mark Ozias (County Commissioner ex officio trustee)

FROM: Clallam County Law Librarian / (360) 417-2287 / pruby@co.clallam.wa.us
Penny Ruby

DATE: November 29, 2023

SUBJECT: DRAFT Meeting Summary / Clallam County Law Library Board Of Trustees
Meeting held September 27, 2023, at 11:00 a.m.

Attended by Clallam County Law Library Trustees:

Lindsey Schromen-Wawrin (Attorney / Chair) In Person (LSW)
Brent Basden (Superior Court Judge) In Person (JB)
Mark Ozias (Ex Officio Trustee) In Person (CO)

Rachel Weed, Deputy Clerk of the Board, Clallam County Commissioners Office / In Person

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Time signature from 00:06 / 35:56 - to hear the word for word of summary below (recording a little low on volume to always catch exact wording).

At time signature 6:56

Lindsey Schromen-Wawrin (LSW) - I'll call the meeting to order.

Roll call:

Lindsey Schromen-Wawrin (LSW), Chair, our President of the Law Library Board Of Trustees, here with Judge Basden and Commissioner Ozias. We are missing Elizabeth Schwantor, one of the Clallam County Bar Association Trustees, who just notified us that due to unforeseen circumstances she needs to resign immediately from the Board. Also, I had the opportunity last week to talk with our other Board member from the Bar and she has had some pretty serious medical issues earlier this year and those are continuing and so she is asking us to find someone else.

On the agenda I put appoint new Board Of Trustees Chair and Vice Chair because I've been on, for I think, over five years now and I'm ready to not be over capacity in the things I have on my plate, so my intent is to resign from the Board at the Clallam County Bar Association annual meeting. We'll have elections for new Board members which is something we need to just "routinize" in the Bar Association. There are supposed to be 4 year terms per statute and we have not been following that. So it sounds like we'll have to do 3, unless somebody twists my arm - which I really hope doesn't happen.

So – I'll call the meeting to order. Do we need more roll call than that?

Rachel Weed, Deputy Clerk Of The Board, No that's fine.

LSW - Review and approval of agenda. Does anyone have additional items for the agenda?

Commissioner Ozias (CO) – I would move we approve our agenda.

Judge Basden (JB) - I'll second that.

LSW – Motion to approve the agenda and it is seconded. Any objection to approving the agenda? Hearing none the agenda is approved. Is there any public comment? I don't think there is anyone online. (Rachel Weed, No one is online.) And there is no one else in the room so we are done with public comment.

Is there a motion to approve the minutes from September 21, 2022?

JB – I will move to approve the minutes.

CO – I will second.

LSW – Any comment? Any objection to approving the minutes from September 21, 2022? Hearing none those minutes are approved.

So Business Items. Approve Annual Report. The Annual Report prepared by Penny Ruby – are long.

JB – We should maybe make note that she isn't able to be here today.

LSW – Yeh. I didn't realize she wasn't going to be able to be here.

JB – Didn't I see something about medical?

CO- Yeh. I think it was unexpected. She emailed yesterday, or a couple of days ago.

LSW – Did you want to discuss first or did you want to have a motion first?

JB – I'm not sure what the motion would be, I just thought we should note that she's not here.

LWS – Oh. I just meant about the Annual Report (inaudible).

JB – I will move to approve the Annual Report.

OC – And I will second your motion.

LSW – I have something to say, I just want to see if either of you want to speak to it first. The gist of it is that we are still in transition from figuring out what we want to keep in print and what works electronically and I feel like ten years out of Law School now I don't have a good grasp of what the electronic resources are and do we still need Washington Digest in print and updated? Do we still need RCWA in print and updated? Or is that now available through the computer console?

So I think that's ongoing work but not something we're going to solve right now.

CO - Is that something that might be appropriate to request a recommendation from the Bar Association or do you have any suggestions as to how we would ultimately make that determination?

JB – Well this is – yes – um – last year in the meeting we formed a little committee to kind of take a look at that – more so related to the jail. Ms. Schwantor and I did speak about that and finally concluded that mainly this is more of an issue of economics than desires. I mean for example, the Superior Court, we've given up our subscriptions to the hard copy, the bound copies, just because it's a lot of money and there's just no reason why we can't just look at it on our screen and if we really want something, we can just print it and so it just seems that continuing to pay for hard copies is (inaudible) and so why ask.

I mean there are still people that kind of like a book in their hands and I understand that – I kind of do too – but you know its just not where we're headed.

LSW – So do you know if the Washington Digest and the RCWA are available through the subscription that the Law Library has?

JB – I believe that the basic package is the RCW, I think it has the Washington Appellate and Supreme Court decisions – and then there's some secondary services like Washington Practice and I'm not sure if there are the Bench Books – but actually if you have the Washington Statutes and Case Law and Washington Practice, which is really just kind of a commentary on the Statutes and the Case Law and then you also have Rules Of Evidence and the Court Rules, that's 95% or maybe more than 95%.

LSW – I mean that's the content, but you're still missing, I think, 2 of the key finding tools which is the annotations in the RCW – but it sounds like maybe that's included? Maybe that's not and the Digest is a different kind of finding tool that incredibly valuable.

JB – I guess its been even longer since I've been in Law School – so I know how I do my own research and if you're using like Lexis or West Law – then there are key codes and so if you – you know you can drill down from – if you bring up the Statute then it will tell you all the key codes and you can kind of go from there to . . .

LSW – So it sounds like its annotated.

JB – It is annotated and particularly the Statutes – you know each Statute give you all the cases that have spoken to that statute – or at least – lots of them – and so I would think that they do. I guess maybe what I should do is wander down to the jail and ask to log on and just see – U know – how that works – but my impression . . .

LSW – Yeah, that works –

JB – But my impression and understanding is that they have access to what they need and actually we rarely see anything – rarely maybe too strong a work – we don't see information coming out to the local jail – in terms of legal research – it comes out of the prison system – from their law library – you know as we get writs from Inmates at Walla Walla and Clallam Bay.

You know we've had a couple of criminal trials where a person has elected to represent themselves. I've done two I think – Judge Barnhart – I don't know if Judge Erickson has done one – but – in those situations we've made very particularized rulings related to the needs of that individual and you know – what do you want – and then we've utilized the Prosecutor's office to make sure and I think our own office and the Law Library to make sure they have what they need for their case. So its not such a volume that everybody needs everything. If you get 1 or 2 or 3 cases a year where someone is representing themselves then its probably cheaper or more efficient to just meet that individual need as opposed to try and provide everything for everybody and the rest of them have attorneys – so anyway -.

LSW – The topic and key number system and descriptive word index part of the Digest are the part of the Digest that I am still not sure – I just need to spend an hour down there.

JB - And I could too – you know maybe I'll just want down to talk to – uh you know – when the library is open and just reaffirm what's still there um and um – but even you know like the Revised Code of Washington, I mean all that stuffs available online – ah – so – uh - but I can also go down and check to make sure.

LSW – Yeah – and just to clarify my concern is not the RCW – I can pull up here (lap top) but the --- but the annotations is the key part and the ability to go into the Law Library and say I want to find the answer to this particular question is impossible to do if you don't have the finding tools.

JB – I agree.

LSW – But because we're in the transition to electronic resources it seems like we're moving to more being on the computer – the space now – I've used it – it's a quiet space – you have access to this computer – it works in that way – so I think there's just a little bit more review of like what's needed, what's not needed.

JB – I'm willing to take the assignment to go to both the Jail and the Law Library and just double check to see what's there.

LSW – So – Penny's two Schedules, Budget Change Requests, to me speak to this question of where are we at in this transition to electronic resources. I don't feel the need to take action on either of those because I think we haven't actually degraded the library, we've just converted them, we've just converted them to more - (@ 18:25) _____? which was going to happen basically due to technology.

Remind me – we did make a motion to approve the Annual Report?

CO – I believe it has been moved and seconded.

LSW – Is there any further discussion?

Any objection to approving the Annual Report?

No objection – that is approved by unanimous consent.

LSW – Our next item is the proposed renewal of the Lexis Nexis contract. I apologize I'm not fresh on that.

CO – I would imagine that this is probably just a formal endorsement from this Board that we should – that there would be an indication to IT and the Commissioners – due process – that this would be the appropriate resource expenditure.

JB – Right and I believe that it is – I mean – I think that is what you have to have.

CO – What we have now and when – if and when – we have a recommendation for an additional resource – whether that's online or if print is the right tool for any reason – we'll look for a recommendation to this Board as to what additional resource would be necessary.

LSW – There was a comment on the very last page of the Annual Report about the amount of the budget line item Lexis Enhanced – Full Federal appears to be \$3,004.00 more than (@ 20:26) _____? and I'm not quite sure how to understand that. On the very last page of the Annual Report.

CO – That just looks like probably the cost of the increase for the service.

LSW – OK.

JB – I mean I think what - maybe what we're adding is – I mean the way that Lexis works is that you - they have a vast array of materials and depending on your subscription, its like TV – how many channels do you get – and so it looks like the request – there is just to add access to all the Federal materials, I think that would be reasonable.

LSW – That makes sense to me.

JB – Given particularly in the criminal area, understanding what the Federal Court -- understanding -- what the courts are saying about constitutional provisions -- search and seizure -- I don't think you could adequately do research if you didn't have that . . .

LSW – Yeh. JB – . . . check . . . I think that would be reasonable.

LSW – The contract in the meeting packet includes Washington Enhanced with the Full Federal – the monthly commitment is blank – that's on page two . . .

JB – Well if you subtract 3,024.00 from 7,452.00 and I think you get the number.

LSW – Yeh. And then one other thing I noticed it's a monthly billing instead of an annual billing -- I have no idea if there is a discount for annual billing instead of monthly, but I don't see a reason not to do the cheaper billing frequency.

CO – Absolutely -- I would just be happy to just sort of double check that with IT to see why that's the case.

LSW – With those comments in mind is there a motion to recommend renewal of the LexisNexis contract?

JB – I'll move that we recommend that.

OC – I will second your motion.

LSW – Any further discussion? Any objection to recommending renewal of the LexisNexis contract? Alright. Hearing none -- that recommendation is approved.

LSW – As to Board of Trustees Chair and Vice Chair -- after I added that to the agenda, I reviewed the statute and its technically "President", so that would be Board President -- and there's no requirement to have a Vice President or Vice Chair, however, I think its just a best practice if something unforeseen happens -- so um -- as we discussed at the top of the meeting it sounds like the three of us who are Clallam County Bar Association representatives are either resigning or have resigned, before, or basically after this meeting, but we'll find new people in December at the Clallam County Bar Association meeting. That would leave two logical people to be the President and Vice President.

CO – The main concern that I would have is I don't anticipate being Chair of the Board next year and so it's likely that this Board will have a new Ex Officio member serving in my position.

JB – Well I don't, I suppose, know whether I'll be the Presiding Judge next year. It's typically rotated, ah, but is it possible that -- uh -- I mean I hate to punt too far, but is it possible that say -- January -- we have a short meeting to see who is sitting around the table to have a discussion?

CO – That makes sense to me.

LSW – So could we, so, just to clarify, the State Statute that governs this Board says:

- (1) Unless a regional law library is created pursuant to RCW 27.24.062, every county with a population of three hundred thousand or more must have a board of law library trustees consisting of . . .

Oh, that's the wrong subsection . . .

So the subsection for our size is: "The chair of the county legislative authority is an ex officio trustee . . .",

so that's covering the Chair of the County Commissioners,

" . . . the judges of the superior court of the county shall choose one of their number to be a trustee, and the members of the county bar association shall choose three members of the county to be trustees."

So, you know it doesn't matter who the presiding judge is.

JB – Right. It's just that we've typically had the presiding judge sit on this board and if that's not me, I hate to volunteer somebody else – (that is not present?) – laughter re: volunteering _____?

LSW – At least for the purpose of making sure that next meeting happens, um, can we create an interim president and an interim vice president, um, at this point – just so that – um – staff are – know who to go to for the agenda review?

JB – Well, um, we can, and I, it sounds like its more definite that you're (CO) not going to be here?

CO – I would be very, very surprised if I were chair of the board next year. I also don't mind serving as interim president of the board and making sure we get a meeting organized in January. I'd be happy to do that.

JB – Ah whatever is, well ah . . .

OZ – It might be easier for me to do that and work with our team, ah . . . it would be just one less connection that would need to be made, so I would be happy to nominate myself to serve as interim president of this board until such time as we're able to hold a meeting in January with a newly constituted board.

JB – And I would combine that with . . . nominate myself to be the vice president to work together to make this happen.

LSW – I'm gonna assume that that's a motion.

CO – Yes.

LSW – And so any objection.

JB – I'm amending his motion to add myself.

LSW – Well it's a nomination but it was phrased as a motion so unless there's an objection the Chair takes it as a motion and – any objection to Mark being interim president for the Board Of Trustees and Judge Basden the um interim Vice President for the Board Of Trustees -- and then a plan for a meeting in January to reconstitute the Board following the Clallam County Bar Association elections.

CO – Lindsey, would you suggest that it would be easiest for members of the Bar if we were to try and establish that date either now or relatively soon so that um people know what to plan for? Or would it be more ah – would it be better to wait and see (who the Bar appoints?) and then attempt to schedule a date based on their schedules? I'm happy to do whatever you think would be most effective with the members of the Bar.

LSW – I think it could go either way and we could pick a kind of default date now if that makes sense – because this room reservation is awfully complicated and then if that doesn't work – then we reschedule it.

JB – My view, almost always, if you don't have a plan, you can't change it.

CO – That's fine with me. Mostly, I am a little bit, not really, uncomfortable – but I feel like the Bar Association representative are key members of this Board and I don't want to presume what would work best for them, but I would be happy to set a meeting date so that we could know what we're shooting for.

JB – I would think like maybe Wednesday the 17th of January?

Some date discussion . . .

JB – OK, the 24th?

OC – That's a great day for me.

LSW – OK, so what time on the 24th? So at noon?

JB – Yeh.

LSW – Alright, so I'll work with the new Bar members to um, to make sure the transition happens in December, um, and the default next meeting will be January 24th at noon, um, and that will be a "Special" meeting - so just to make sure that – it might make sense to maybe have an orientation or something like that – as an Agenda item.

JB – Well maybe, also an agenda item is to pick when we'll have an annual meeting.

LSW – Yeh, we have a default date of September 25th at 11:00 a.m. and we've set that as a recurring meeting, so we don't - it's not a "Special" meeting -- is my understanding of where we're at with that.

CO – Does it have to be a "Special" meeting with just sort of one subject – or can we just notch up a Board meeting so we can touch on an orientation and maybe do a check in on – is there any update on electronic material.

LSW – I think I should defer to the County's Civil Attorney on the question of whether that can be a regular meeting. I mean the requirement from State law is that we have at least one meeting a year – and then for the Open Public Meetings – if its not a regularly recurring meeting – I think we're stuck with it being a "Special" meeting – but I don't remember that part of the OPMA well enough to actually say.

CO – OK. Well, I will double check and if it has to be a single subject "Special" meeting then we'll focus in on nominating new Board President and Vice President. If we can hold it as a regular meeting, then maybe we can add – if there is any update on additional electronic resource – that may or may not be necessary – and doing a little bit of orientation.

LSW – I don't think it has to be a single subject "Special" meeting – its just with a "Special" meeting – everything that's going to be discussed should be on the agenda.

CO – OK. Well, I guess that's right.

JB – And I will just take the initiative to do a little checking with the jail law library and issue a – ah – what I find to the Board.

CO – That would be great.

JB – And then we could . . . if somebody feels the need to – you know – maybe I'll try to send a recommendation or something like that.

CO – If you think about it – when you do that – um – give me a call. I wouldn't mind tagging along if my schedule allows.

LSW – Is there any objection to that Wednesday, January 24th, noon to 1:00 p.m. meeting as our next meeting time.

JB & CO – No objection.

LSW – So ah, there's nobody else from the public here in the room and I assume there is nobody online and so our next meeting date will happen January 24th, and then at this point – September 25th at 11:00 a.m. will be the next regular meeting of this body.

CO – And Lindsey, what is the best way to share the agenda - to communicate with the Bar?

I'm checking with the Bar President that this election can be on the annual meeting, aka holiday party in December. I don't know what that date is, and I don't know if that date's known yet. Um – and so I think we'll be able to internally, within the Bar, pick 3 people, or twist three people's arms and then I'll make sure that we get those people's names to you and your staff.

CO – So when we get this agenda put together, which we're just going to try and get done in the next week or so, would it be better for me to get that to the Bar through you, or would it be more appropriate for us to communicate directly with the President?

LSW – I think its just going to be those three people. Um, consider me the liaison for making sure this happens. One of our concerns within the Bar is if we do 3 appointments every 4 years, it could easily get forgotten within 4 years time and so we were discussing having staggered appointment – but you know – given Elizabeth and best laid plans – or not. So we'll figure that out kind of what our schedule is – but ideally as the Bar we adhere to the Statute as much as possible. Its not always the Bar Association's forte. Any other discussion?

LS – In that case we are adjourned.