



## **DELL DEHAY LAW LIBRARY POLICIES**

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## **MISSION**

The Dell DeHay Law Library's mission is to provide access to legal information for the judiciary, state and county officials, members of the State Bar of Texas, and all residents of Tarrant County. Without access to legal information, there can be no justice, and the Law Library strives to play an active role in that effort.

## **PURPOSE**

The Dell DeHay Law Library of Tarrant County (hereinafter "Law Library") is a public law library that is open to all for the purposes of legal research and court-related activities. The Law Library's policies are designed to protect the rights and safety of its patrons and staff members, and to preserve library materials, facilities, and property. Behavior that disrupts or obstructs others' use of the Law Library, threatens the safety or health of patrons or staff, or inhibits the ability of staff to perform their duties is strictly prohibited. It must also be understood that legal and ethical codes prohibit Law Library staff from providing legal advice, legal opinion, or interpretation of legal resources. Clarification on the differences between legal advice and legal information is available upon request.

## **SECTION ONE: AUTHORITY**

These policies are authorized by section 323.024 of the Texas Local Government Code.<sup>1</sup>

## **SECTION TWO: SERVICES**

(a) Law Library Hours. The Law Library shall be open to the public Monday through Friday, from 8:00 a.m. to 4:30 p.m., excepting County holidays. Patrons who repeatedly delay exiting the Law Library after closing may have their library privileges restricted or suspended.

(b) Reference. The Law Library staff will provide information and access to materials in the collection to the fullest extent possible. All conversations with Law Library staff are to take place at the Reference Desk and have no expectation of privacy or confidentiality.

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<sup>1</sup> TEX. LOCAL GOV'T CODE § 323.024 (West 2005).

(1) A non-exhaustive list of what Law Library staff can do includes:

- i. Assist in locating and using resources related to a legal research topic, including relevant websites
- ii. Provide information about agencies and organizations that offer legal assistance
- iii. Provide assistance in obtaining answers to factual questions
- iv. Direct patrons to resources that may help them learn how to perform legal research
- v. Refer patrons to other libraries when the Law Library does not have what the patron is needing

(2) Because of the ethical and legal implications surrounding the unauthorized practice of law, patrons must be advised that the Law Library staff shall not engage in the non-exhaustive list of activities:

- i. Interpret the text of a statute, opinion, regulation, rule, order, or other legal material
- ii. Determine the relevance of sources of legal authority when applied to a specific situation
- iii. Answer a question that requires legal advice
- iv. Advise any patron on the status of the law on a particular issue
- v. Advise patrons of their legal rights
- vi. Advise patrons as to how the law might apply to their particular situation
- vii. Recommend a specific course of action or select specific forms for a patron to file
- viii. Assist in completing or filling out legal forms of any kind
- ix. Recommend a specific attorney to assist a patron
- x. Calculate court deadlines
- xi. Perform legal research for a patron

(c) Prioritization. Patrons that are physically present in the Law Library receive priority over telephone, mail, and email patrons.

(1) Telephone Reference – Law Library staff will not read statutes, regulations, court rules, or extended passages from other sources over the phone. An excessive amount of staff time should not be substituted for research that should be conducted by the phone patron. Telephone reference should be handled with a high degree of sensitivity to the increased chances of miscommunication or misunderstanding on the part of the patron or staff member. The caller, when appropriate, will be encouraged to come to the Law Library to conduct research.

(d) Equipment and Resources. The Law Library provides a variety of equipment and resources to assist patrons when conducting legal research. Some of these include:

(1) Computer Stations are available for patron use. If multiple individuals are waiting to use a computer station, Law Library staff may limit the time allowed at a computer station by any one patron. Computer stations are shut down 10 minutes before the Law Library closes.

(2) Photocopiers are available for patron use and are self-service. If multiple individuals are waiting to use the photocopy machines, Law Library staff may limit the time allowed at a machine by any one patron. Photocopiers are shut down 10 minutes before the Law Library closes. Patrons are responsible for following applicable copyright laws.

(3) Printers. All prints from computers shall be picked up from the Reference Desk. Prints are charged per page and are printed in black and white only. Patrons are responsible for paying for everything they print, even if it is printed in a way that they did not expect. Because of this, it is recommended that patrons use the Print Preview option on the computer before printing. Printers are shut down 10 minutes before the Law Library closes.

(4) Public Telephone. The Law Library provides a public access telephone for use by patrons. Calls are restricted to local numbers only and shall be limited to a maximum of 5 minutes.

(5) Fax Machine. The Law Library has a fax machine that is available for facsimiles to be sent and received. The fax machine is shut down 10 minutes before the Law Library closes. When sending a fax, a cover

sheet provided by the Law Library is required. The Law Library does not charge for the cover sheet or count it as one of the pages faxed when calculating payment. The required fax sheet will contain the following disclaimer:

“The information contained on the attached pages, which are being transmitted by a fax machine located in the Dell DeHay Law Library of Tarrant County, has been prepared, assembled, and compiled by a private citizen acting in his/her own capacity, without the control, direction, endorsement, sponsorship or control of Tarrant County. Tarrant County and the Law Library staff make no representation or warranty, express or implied, or assume any legal liability or responsibility for the contents of the information contained on these pages, nor for the accuracy, completeness, usefulness, timeliness, or fitness for any particular purpose of any such information. Tarrant County, and its officials, agents and employees shall not be liable for any loss or injury, however arising, resulting in whole or in part from the use of any information contained in the information being transmitted or from any reliance placed thereon.”

(6) Circulation of Materials. The Law Library collection is non-circulating, with the exception of Continuing Legal Education (“CLE”) Materials. CLE Materials may be checked out by patrons who are current members of the State Bar of Texas for the purpose of satisfying their CLE requirements with the State Bar. CLE Materials may be checked out under the following guidelines:

- i. CLE Materials may be checked out for a period of 3 days.
- ii. The Law Library shall discontinue circulating materials to patrons who fail to return materials in a timely fashion.

### **SECTION THREE: CONDUCT**

#### **(a) Resources and Equipment**

(1) Patrons shall be respectful of all library resources and equipment. Patrons are prohibited from defacing, marking on, or mutilating any type of resource or equipment.

- (2) Patrons shall not remove pages from bound volumes. Patrons may remove pages from loose-leaf publications if they are intending to make a copy with the photocopiers. Once a copy has been made, the patron is responsible for returning it to the exact location it was removed from.
- (3) Patrons shall use chairs, tables, and other furnishings for their intended use. Patrons shall not stand on chairs or sit or lay down on tables. Patrons shall not lay or sit down on the floor. Patrons shall not rearrange furniture.
- (4) Patrons shall not have more than 15 print resources out at one time. After a patron is done using a resource, it may be placed on the Law Library's re-shelving cart. Except for a few resources, the Law Library has only one copy of each print resource or volume. Monopolizing print resources prevents other patrons from being able to use those items.
- (5) Patrons shall not use resources or equipment for their own exclusive use or prevent other patrons from access to those resources/equipment. This includes leaving currency in photocopy machines for the purpose of reserving a specific machine not currently in use. Patrons shall not place any kind of sign on any computer or use belongings to indicate equipment is reserved or in use.

(b) Computer Stations

- (1) The primary purpose of the computer stations is for legal research. Patrons may use them for general use provided that no individuals are waiting to use them for legal research. Patrons are prohibited from the following non-exhaustive list:
  - i. Accessing games or pornography;
  - ii. Changing the settings on computer stations;
  - iii. Downloading or uploading software;
  - iv. Hacking;
  - v. Listening to audio on a computer without headphones. Patrons must supply their own headphones;
  - vi. Inserting personal USB or flash drives into the Law Library's computers because they may contain viruses.

- (2) The Law Library reserves the right to regularly delete files from computer and network drives.
  - (3) The Law Library is not responsible for any lost data or damages arising from computer, Internet, printer, or electrical malfunction.
  - (4) By using the Law Library computers, each patron acknowledges and assumes all responsibility related to the security, privacy, and confidentiality risks inherent with the use of technology. The Law Library does not make any assurance or warranties relating to such risks.
- (c) Children. Children are allowed in the Law Library, but must be accompanied by an adult and supervised at all times for their own safety.
- (d) Conducting Business. Patrons shall not use the Law Library for conducting a practice of law or any other business activity. The Law Library shall not be used in lieu of an office.
- (e) Cell Phones. Holding conversations on a cell phone while inside the Law Library is prohibited. As a courtesy to other Law Library patrons, patrons are asked to turn their cell phones off, to silent, or vibrate. If a patron must make or take a phone call, patrons are asked to step outside the Law Library's doors.
- (f) Smoking. Smoking and the use of other tobacco or vapor products is prohibited.
- (g) Unattended Belongings. Any bags, boxes, briefcases, etc. left unattended may be reported and removed by Courthouse Security. The Law Library is not responsible for any lost, stolen, or damaged personal items.
- (h) Behavior.
- (1) Patrons must conduct themselves with appropriate behavior and interact with Law Library staff and other patrons in a respectful manner. Behaviors that are inappropriate include but are not limited to inebriation, threats, insults, yelling, and/or using profane or foul language.
  - (2) Patrons are prohibited from engaging in disruptive and unsafe actions, such as loud talking, screaming, running, throwing things, pushing and shoving, or by behaving in a manner which can reasonably be expected to disturb others.

- (3) Patrons are not allowed to stare at or follow another patron or Law Library staff member in a manner that is intimidating or can reasonably be expected to disturb another.
- (4) Patrons shall not solicit, panhandle, sleep, or loiter in the Law Library.
- (5) Patrons shall not enter areas intended for Law Library staff only or represent themselves as if they are members of Law Library staff.
- (6) Appropriate clothing, including shirts and shoes, must be worn in the Law Library at all times.

#### **SECTION FOUR: VIOLATIONS OF LAW**

- (a) Patrons and Law Library staff shall not engage in activities that violate federal, state, or local law or regulation, including but not limited to the unauthorized practice of law.
- (b) When Law Library staff observe what they believe to be a crime, a threat to public safety, or a violation of policies, Law Library staff may contact Courthouse Security or other law enforcement officials and disclose as necessary.
- (c) Patrons who violate any such laws shall be asked to leave the Law Library and may be restricted from returning.
- (d) Copying equipment is made available to patrons for their copying needs. The copyright laws of the United States govern the making of photocopies or other reproductions of copyrighted materials. The person using the photocopying equipment is liable for any infringement.

#### **SECTION FIVE: FEES AND PAYMENT**

- (a) The Law Library charges the following fees:
  - i. Printing from the computers is \$0.25 per page, in black and white only.
  - ii. Photocopying from the photocopiers is \$0.20 per page, in black and white only.
  - iii. Sending and/or Receiving facsimiles via fax is \$1.00 per page.



- (b) Payment may be made with cash or credit/debit card. However, when using a credit/debit card, a processing fee will be added to the total amount.

## **SECTION SIX: GIFTS**

- (a) Under Section 323.022 of the Texas Local Government Code, “[t]he commissioners court may receive any gift or bequest to the law library. Title to a gift or bequest vests in the county. A conditional gift or bequest shall be administered as designated by the donor.”<sup>2</sup>
- (b) Due to space restrictions, the Law Library is not able to accept large amounts of print resources for donation.

## **SECTION SEVEN: ENFORCEMENT**

- (a) All members of the Law Library staff have the authority and the responsibility to enforce Law Library policies. All members of the Law Library staff are authorized to determine whether a patron is abiding by these or other Law Library policies. The Law Library reserves the right to respond to any and all conduct not expressly set forth herein but which is deemed by Law Library staff to interfere with the use of the Law Library by other patrons or interfere with the performance of the duties of the Law Library staff.
- (b) Failure to abide by these policies may result in:
- i. Suspension and/or Removal from the Law Library
  - ii. Suspension of equipment and use privileges

## **SECTION EIGHT: SEVERABILITY**

The provisions of these policies are severable. If any word, phrase, clause, sentence, section, provision, or part of these policies should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent that these policies would have been adopted as to the remaining portions, regardless of the invalidity of any part.

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<sup>2</sup> TEX. LOCAL GOV'T CODE § 323.022 (West 2005).

## **SECTION NINE: AMENDMENTS**

These policies may be amended at any time at the discretion of the Tarrant County Commissioners Court.

## **SECTION TEN: POSTING**

These policies are available upon request at the Law Library and posted on the Law Library's webpage.