

Helping Library Users with Legal Questions

Deb Hamilton

Strategic Services Librarian – Law Collection

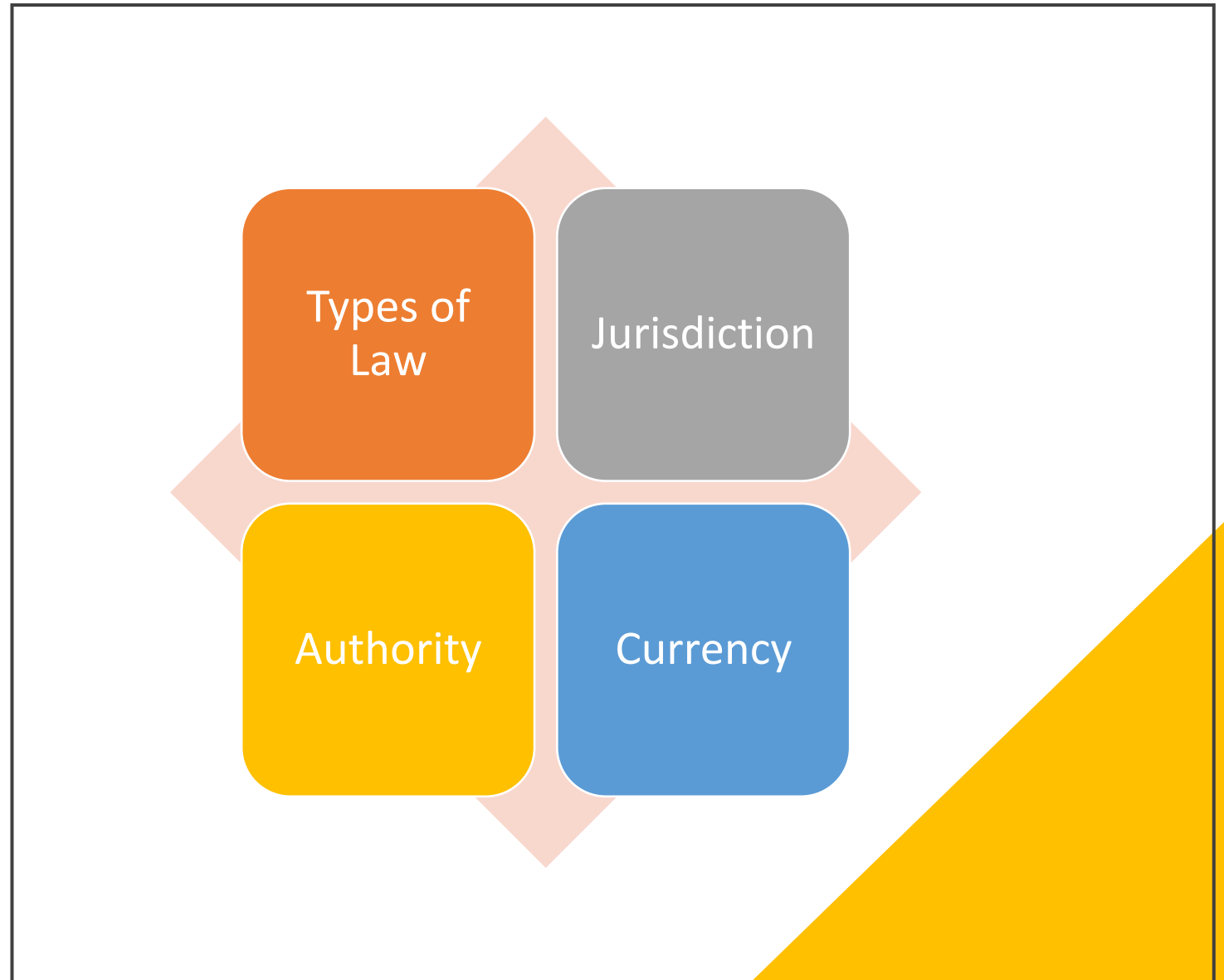
Pikes Peak Library District



Overview

- Legal Reference Basics
- Legal Reference Interview
- Legal Information vs. Legal Advice
- Strategies for Working with Patrons
- Online Resources

Legal Reference Basics



Types of Law

Law is generated by all branches and all levels of government.

- Public Law
- Constitutions
- Statutes/Codes
- Regulations/Executive Orders
- Case Law/Common Law

- Forms
- Court Rules



Jurisdiction

- Local – e.g. barking dogs, fence lines, minor crimes like traffic infractions, shoplifting
- State – e.g. divorce, landlord tenant, wills/estates (probate), contracts, torts
- Federal – e.g. bankruptcy, copyright, discrimination, ADA



Authority

- **Primary Authority – The law itself**
 - Constitutions
 - Statutes/Codes
 - Regulations/Rules
 - Executive Orders
 - Case Law/Common Law
- **Secondary Authority – Interpretations and explanations**
 - Dictionaries/Encyclopedias
 - Nolo Books/Nutshell series
 - Treatises/Practice Aids/CLE Materials
 - Law Reviews

Currency

- Is the law up to date?
- Know your legislative session and where to look for new laws
- Especially important when researching case law





Legal Reference Interview

Legal Reference Interview Process

1. Use open ended questions to determine the subject area
2. Determine jurisdiction
3. Brainstorm a list of key words to search with
4. Locate resources and demonstrate how to search and use the resources

Legal Reference Interview

Goal: To locate binding primary authority for the question at hand

Avoid: Giving legal advice or interpreting sources

Legal Information v. Legal Advice

Information	Advice
Direct patrons to where they can find forms and instructions for forms	Recommend a specific legal form; fill out a form; draft legal documents for a patron
Suggest resources; locate an item or law using a citation	Tell the patron this is the law he is looking for without him providing a citation
Legal definitions; Procedural definitions	Legal interpretations; Procedural advice
Cites of statutes, court rules, and ordinances	Research of statutes, court rules, and ordinances
Options	Opinions
General Referrals	Subjective or biased referrals

Strategies for Working with Patrons



Think in terms of sources, not answer or interpretations



Try to move the patron one step forward



The law is confusing so patrons may not use the correct terms or tell you everything that is pertinent



Take your time and don't take things personally



Listening as a service



Refer, refer, refer....

Online Resources

Florida Courts

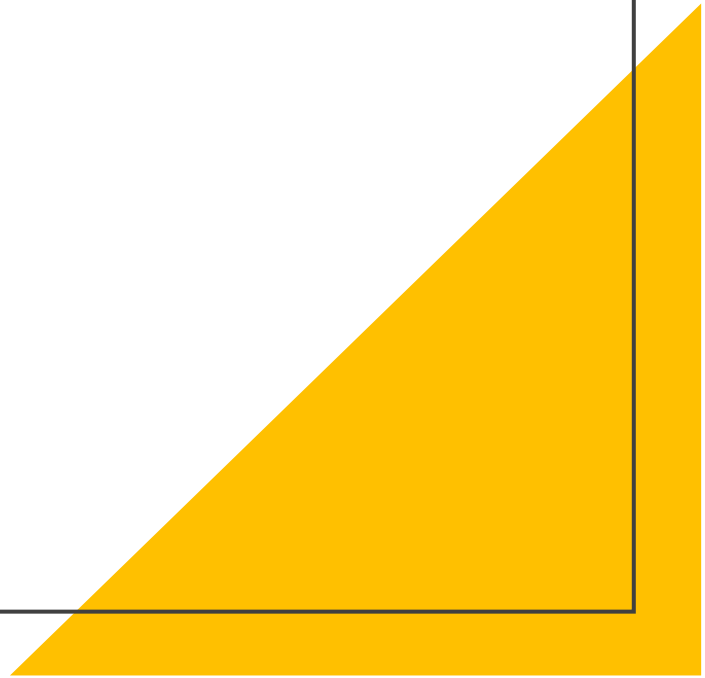
Florida Bar

Florida Statutes

Florida Regulations

Federal Resources

Aggregator Sites





Other Trainings



WebJunction – [Improving Access to Civil Justice Through Libraries](#)

Niche Academy – [Assisting Patrons with Legal Questions: Legal Reference Interviews, Referrals, Programming, and Outreach](#)



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Library Users**
— WITH —
Legal Questions



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Deborah A. Hamilton

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Questions?

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