



Legislation Text

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Clerk 11/15/2005

AN ORDINANCE related to the support of the King County Law Library; recognizing the need for additional financial support for the King County Law Library; directing the director of the department of judicial administration to reallocate from the current seventeen dollars to twenty dollars the portion of superior court civil filing fees paid to the credit of the library as provided by RCW 27.24.070; amending Ordinance 12383, Sections 2 and 3 and adding a new chapter to K.C.C. Title 4.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The primary funding source, which supports the operation of the King County Law Library comes from fees assessed on civil filings in district and superior courts. The filing fee funding mechanism uses a fixed fee formula set by the legislature. The portion of the filing fee paid in superior court designated for the support of the King County Law Library was amended by the legislature in May 2005 under Chapter 457, Laws of Washington 2005 (Second Engrossed Substitute Senate Bill 5454), Section 16.

B. Filing fee income has failed to keep pace with the growing cost of law library operations driven primarily by escalating legal publication costs which account for half of the library's operating expenditures. Even with stringent collection management practices, the costs of providing a legal collection to support the research needs of the judiciary, prosecutor's office, government officials, practicing bar and members of the general public has increased significantly.

C. Concerned about the failure of the law library's existing funding sources to generate adequate funds to support current operating demands, in November 1995 the board of trustees of the King County Law Library revised the existing borrowing policies and instituted an annual subscriber fee for attorneys, businesses and residents of the county who wish to borrow books from the library.

D. While the institution of this fee created a new source of revenue, the library has adopted a deficit budget for the third year in a row- from 2002 through 2004. In prior deficit budget years, the library reduced spending by delaying special projects, curtailing the reinstatement of lapsed collection subscriptions and limiting spending for new books. The size of the deficit projected for 2006 makes such practices impracticable as the sole remedy. The trustees and staff spent the time during the seismic renovation relocation preparing for the return of the Seattle Library to the Courthouse by engaging in a space planning needs assessment. After developing a series of renovation goals, the board turned the library in a new direction when they initiated the planning process for the library's 85th Anniversary Capital Campaign. The goal of the capital campaign was to raise from private contributions the funds needed to renovate the sixth floor Courthouse space to better meet the needs of those who rely on the resources and services provided by the library. When the library returned to the Courthouse at the end of September 2004, the refurbished space contained new public computer work terminals, public wireless access, new carpet and paint, art pieces from the county's circulating collection, larger public conference rooms and a new information service counter and research assistance desk. While this capital campaign was successful, reliance on this method for a long-term funding solution is inadequate for the operation of the law library's two branches in Seattle and the Regional Justice Center.

E. The King County council last increased the law library's contribution from the superior court filing fee in 1996 with Ordinance 12383. Over the past nine years since this last increase, major changes in the legal publishing world have resulted in annual double digit price increases, an inflationary spiral that has forced changes in how the library provides access to legal information. In addition, over the last thirteen years since the legislature last increased the county law library's share of civil filing fees in superior and district courts, the

number of district court filings have dropped each year and the number of superior court civil filings has remained virtually unchanged. During the same period, the cost of resources provided by the law library has skyrocketed.

F. RCW 27.24.070 provides that, upon showing of need, the seventeen-dollar portion of the superior court fee paid for the support of the law library may be increased up to twenty dollars by the county council upon the request of the law library board of trustees. The law library board of trustees has requested that the King County Law Library's share of the superior court filing fee be increased effective January 1, 2006, to the statutory maximum of twenty dollars to support the operations of the Seattle Courthouse Law Library.

SECTION 2. Ordinance 12383, Section 2, and Ordinance 12383, Section 3, as amended by this ordinance, and sections 5 and 6 of this ordinance should constitute a new chapter in K.C.C. Title 4.

SECTION 3. Ordinance 12383, Section 2, is hereby amended to read as follows:

The ~~((D))~~director of the ~~((D))~~department of ~~((J))~~judicial ~~((A))~~administration is directed to ~~((reallocate from the current twelve dollars to fifteen))~~ allocate twenty dollars from the portion of the filing fee paid for civil filings in superior court to the credit of the King County Law Library as provided by RCW 27.24.070.

SECTION 4. Ordinance 12383, Section 3, is hereby amended to read as follows:

On or before ~~((August))~~ July 1~~((, 1996))~~ of each year, a report and review of ~~((L))~~law ~~((L))~~library financial status including the development of a proposed budget for the Kent Regional Justice Center branch law library shall be prepared by the King County Law Library and transmitted to the ~~((Council and the Executive))~~ superior court and the department of judicial administration for inclusion in the department of judicial administration budget submitted to the executive. The report shall include a recommendation on whether to include in the ~~((1997))~~ annual ~~((C))~~county budget any projected ~~((L))~~library budgetary shortfall resulting from operating costs associated with the Kent Regional Justice Center branch law library facility. The report also shall address potential funding sources, including, but not limited to ~~((Criminal Justice Excise Tax revenues))~~, a portion of criminal code filing fees or from the ~~((C))~~county general fund.

NEW SECTION. SECTION 5. To assist the council in reviewing the future needs of the law library, the law library board of trustees shall continue to submit to the executive and the council a proposed Kent Regional Justice Center Law Library budget with a request for supplemental funding on or before the first Monday in September each year.

NEW SECTION. SECTION 6. Pursuant to RCW 27.24.040, the law library board of trustees shall, on or before the first Monday in September each year, submit an annual report to the county council giving the condition of their trust with a financial report showing all receipts and disbursements of money.