

MAINE STATE LEGISLATURE

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SURVEY OF
COUNTY LAW LIBRARIES
IN MAINE

Conducted for
THE INSTITUTE OF JUDICIAL ADMINISTRATION

by

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INTRODUCTION

"The level of judicial administration is directly related to the proper distribution of the necessary tools and access to them by all members of the bench and bar." [Kenyon]

The 104th Maine Legislature authorized a study of the operational aspects of the Supreme Judicial and Superior Courts in the broadest terms. This portion of the study focuses on the county law libraries, "necessary tools" of the judicial system of Maine.

In the conduct of this study the libraries have been surveyed, their current collections assessed, their financial condition, physical facilities, administration and services analyzed. Judges and lawyers were consulted and various reports examined. Mrs. Anne Rich, the only county law librarian in Maine, has been of inestimable assistance. The historical background was reviewed to suggest the legal framework and tradition within which these libraries exist.

From these data a picture emerges of eighteen similar yet separate collections, largely unserved by librarians, depending for their operation on committees of the Bar, on the Legislature for the allocation of county funds, and on the county commissioners for budgetary consideration and provision of suitable space. These libraries are extremely uneven in resources, hampered by inadequate financing and by casual administrative arrangements.

How can a more stable county law library system be developed, with present collections preserved and usefully expanded, and with adequate funds expended where most needed with intelligence, equity and economy? The following report addresses itself to these problems.

BACKGROUND

In 1820 the State of Maine had, in its nine counties, 207 attorneys serving a population of nearly 300,000 citizens. These attorneys were familiar with the provisions of Massachusetts law permitting the establishment of county law libraries (1815 Mass. Acts Ch. 177), and speedily adopted like provisions for the new State. The act provided that in every county having at least five resident attorneys they might organize to form a law library and chose from their number a clerk, a treasurer, and a librarian. (1821 Maine Comp. Laws Ch. 141 §5.)

An important second provision of the Massachusetts act was adopted in 1822: that the County Treasurer should pay attorneys' admission fees to the county law library for its support. The Clerk, Treasurer and Librarian of the association, as officers, were made liable for the proper use and accounting of these funds.

The significant features of the present county law library statute are all here: a law collection for county use, supported with public monies, under the direction of members of the bar. Although the sources of funds have varies from fees and assessments of members, to a portion of certain fines, to the present legislative authorization of county payments (see Appendix IV), the basic law remains unchanged.

Provisions found in other parts of the statutes serve to cement the general structure. Since 1899 the county commissioners have been expressly directed to "provide and keep in repair a suitable room in each courthouse for the county law library..." The act confirmed the usual location of these libraries. Indeed,

the allocation of space in the courthouse recognized and emphasized that these libraries are an element of the judicial system, not simply a convenience for private attorneys.

The content of the collections has also been a concern of government. First the counties, later the Supreme Judicial Court itself, were charged with binding and depositing sets of the briefs of the Supreme Judicial Court in the county law libraries in Augusta, Bangor and Portland. For the past fifty years the State custom of furnishing Maine statutes, session laws, court reports and digests has been a legal duty of the Maine State Library.

The potential of the most recent enactment (1955) has yet to be fully exploited: that "The Maine State Library shall give advice to all county law libraries as to administering them, selecting and cataloging books and other details of library management, and may send its employees to aid or assist in [their] improvement."

How well the legislation summarized above has served the needs of the judicial system may be judged by a consideration of the existing libraries in terms of their collections, finances, facilities, staff, and their relationship to each other and to the Maine State Library.

COLLECTIONS

The central, tangible feature of each county law library is the actual collection it contains. Many librarians in the United States have worked on minimum guidelines for standard collections, taking into account the courts and number of lawyers served. Parts of two recently published lists are adaptable as yardsticks for Maine. In her article on Development of the county law library, 62 Law Library Journal 140 (1969), Miss Jurkins outlines a basic working collection for a law library in a county with 100 or fewer attorneys and a court of general jurisdiction. Minor differences appear in a tentative draft prepared by New England law librarians for a collection serving 300 or fewer attorneys and a court of general jurisdiction, 43 Connecticut Bar Journal 139 (1969). Generally required are the following:

- A. Materials for the home state
Court reports, Digests, Shepard's Citations, Session Laws, Statutes, Attorney General's reports, Administrative rules and regulations, Local practice and textbooks, Local law reviews, Court rules
- B. National Reporter System, complete
- C. Shepard's citators for the National Reporter System
- D. American Digest System
- E. Modern Federal Practice Digest
- F. United States Code Annotated
- G. One current encyclopedia - either Am.Jur. or C.J.S.
- H. Legal dictionary
- I. Words and Phrases
- J. Restatements of the Law
- K. Uniform Laws Annotated
- L. Index to Legal Periodicals
- M. Martindale-Hubbell Law Directory
- N. American Law Reports, complete

(Comment: Recommendations for holdings of the statutes of other states, loose-leaf services, and treatises covering major areas of law have been arbitrarily eliminated for reasons which will be discussed later. Periodicals listed in the local Shepard's citator are desirable. Several Maine librarians have the Harvard Law Review but files of the A.B.A. Journal, Boston University Law Review and Yale Law Journal are found only in the Cleaves Law Library.)

Other holdings are suggested where the number of attorneys served is greater but Maine does not clearly fall within their range. Table 1 shows the number of volumes in each library and that portion of the population which makes up their circle of potential users.

Table 1
Book collections, lawyers, population, by county

County Libraries	Volumes	Lawyers*	Judges S.J.C.	Judges Sup.	1970 Pop.
Andros.	13,584	82	2	1	91,279
Aroos.-C.	3,616				
Aroos.-H.	9,499	53	1	1	94,078
Cumberland	23,802	335	2	2	192,528
Franklin	6,069	14			22,444
Hancock	9,585	31		1	34,590
Kennebec	10,067	129		2	95,247
Knox	7,731	24			29,013
Lincoln	5,210	19			20,537
Oxford-P.	7,164				
Oxford-R.	5,160	27		1	43,457
Penobscot	13,207	108	1	1	125,393
Piscataquis.	5,364	10			16,285
Sagadahoc	4,973	12		1	23,452
Somerset	12,661	22			40,597
Waldo	4,932	11			23,328
Washington	5,533	17			29,859
York	7,853	94		1	111,576
Totals	<u>156,101</u>	<u>988</u>	<u>6</u>	<u>11</u>	<u>993,663</u>

* Source: 1970 MAINE BAR DIRECTORY

A comparison of the inventories of each of the eighteen collections with the general guidelines may be summarized as follows:

- A. Maine materials: 18 virtually complete due to free distribution by the State
- B. National Reporter System:
 - 8 virtually complete
 - 1 all 2nd series complete
 - 7 Atl., N.E., F., F.S., U.S.
 - 1 Atl., N.E., N.W., F., F.S., U.S.
 - 1 sets incomplete or non-current

C.	Shepard's Citators for National Reporter System:		
		5	nearly complete
		8	none (except Maine)
		2	only for Reporter units held
		3	scattering
D.	American Digest System:		
		14	complete
		2	current units only
		2	service discontinued
E.	Modern Federal Practice Digest:		
		13	complete
		5	not available or service discontinued
F.	U.S.C.A.:	18	complete and current
G.	Am. Jur.+2nd	14	three of these not current
	C.J.S.	18	complete and current
H.	Legal dictionary	18	
I.	Words and Phrases	18	two non-current
J.	Restatements	14	complete
		2	1st series only
K.	U.L.A.	9	
L.	Index to Legal Periodicals	3	
M.	Martindale-Hubbell	3	current edition; 4 old editions
N.	A.L.R.	14	
		1	Reports but no digest volumes
		3	discontinued due to lack of funds

This summary may be translated into the holdings of the individual libraries by consulting the checklist in Appendix II. Additional volumes commonly noted in the several counties are listed in Appendix III.

It is hardly surprising that the five strongest collections coincide with concentrations of population and professional users - in York, Cumberland, Androscoggin, Kennebec, and Penobscot counties. Three other libraries are of above average strength: Aroostook, which has responded to the demands of geographical isolation; Hancock, with its tradition of local pride; and Somerset, reflecting the personal interest of a former Chief Justice. Higher standards might be applied to populous Cumberland County; yet its Cleaves Law Library already exceeds most of the suggested criteria, and further extensive resources are at hand in the 80,000 volume

library of the University of Maine School of Law. Similarly, the users of the Kennebec County Law Library also enjoy the convenience of the law collection of the Maine State Library.

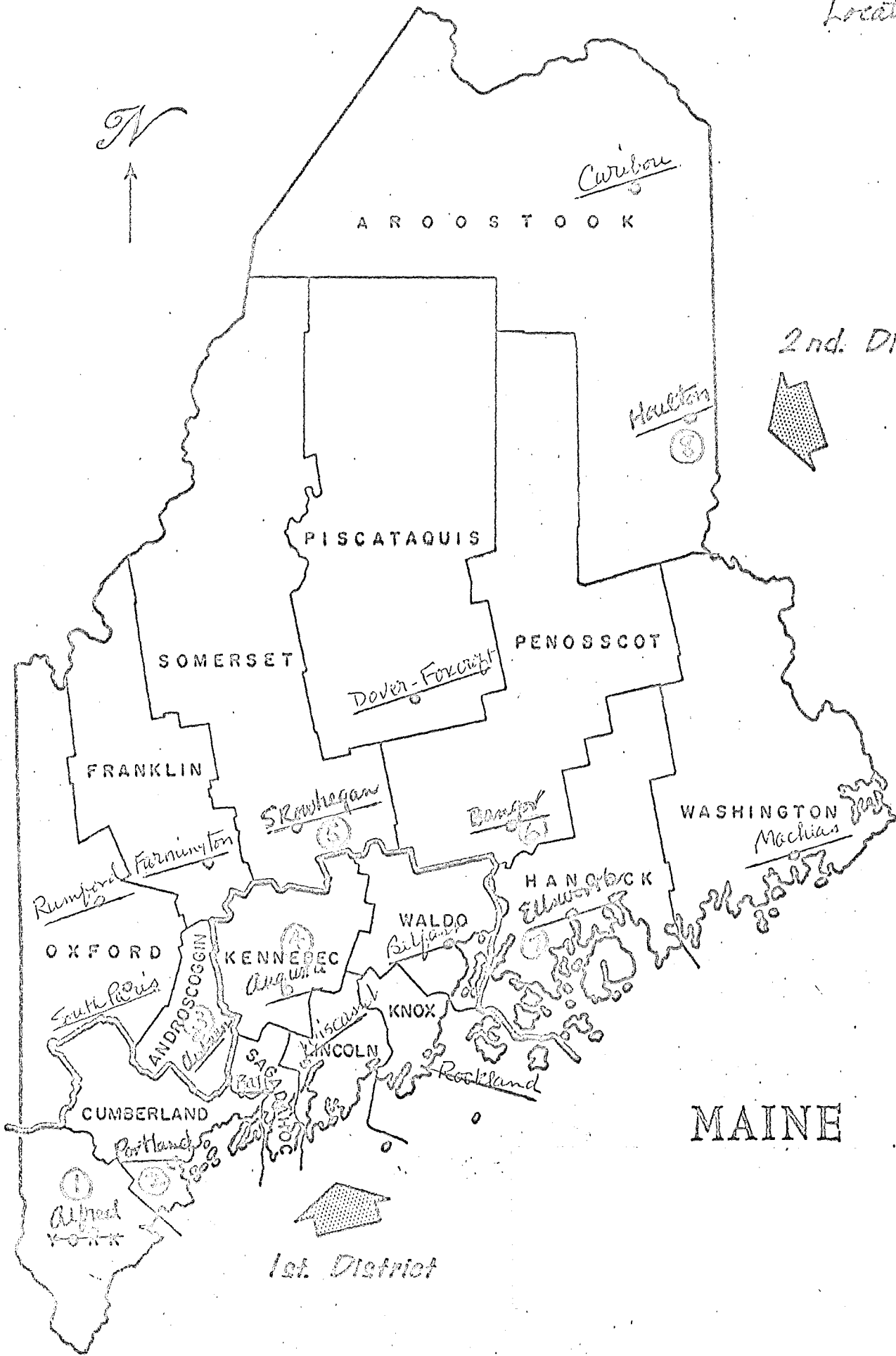
A glance at the map indicates that these eight better libraries are so spread across the State that no other county seat is more than sixty miles distant either from one of them or from the State Law Library. These are the libraries on which the judicial branch of government might focus major attention and support, depending on the overall recommendations for holding court and the projected level of court activity.

Franklin, Knox, Lincoln, Sagadahoc and Washington county law libraries serve the needs of their small constituencies to a limited degree. In the long run they really act as "life-saving stations" for the judge or attorney who needs to consult a digest or encyclopedia, or who finds Maine, Massachusetts and New York cases most persuasive. Their strength lies in the care with which their small collections have been assembled.

Recommendations:

That every library subscribe to the Index to Legal Periodicals to provide access to the periodicals available for circulation - or copying - at the Maine State Library, or for consultation at the University of Maine School of Law Library. The subscription price would be about \$25 yearly.

That the Chief Justice, after consultation with the bench, local library committees, and the State Law Librarian, adopt an outline of a desirable standard collection (including treatises) for major court centers, and adopt a policy to ensure the continued usefulness and improvement of satellite facilities. It is under-



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stood that such guidelines would not preclude desirable diversities dictated by local conditions.

That funds be provided in the budget of the judiciary commensurate with the policies adopted for the collections.

FINANCES

A minimum book budget for a county law library holding the basic materials would be about \$5000. Provision for purchase of new materials should be set at 20% of the upkeep budget. Recent experience with price increases suggests the wisdom of allowing another 10% for contingencies. These must be emphasized as current minimum figures for major collections and might prove little more than adequate for the smaller libraries until some improvements have been made in each.

At present funds come from the county budget in amounts approved by the Legislature. (Appendix IV details the sources and growth of funds from 1822-1970.) Biennially the county commissioners prepare budget estimates covering all county functions for presentation to the Legislature. These estimates form the basis for the tax which the county is permitted to collect. The request of the law library committee is considered along with the budgets of the clerk of courts, sheriff, etc. Due to the independent corporate existence of the law library associations their activities have often been treated as private in nature and funds for them have been budgeted reluctantly. Once approved by the county commissioners, however, library funds are usually approved by the Legislature. In the last two sessions the Legislature has expressed its concern with rising budgets by stating the stipends in such a way that nearly every county law library association has been forced to return to the next legislative session to substantiate its request simply to stay at the same level.

Legislative and county concern has also arisen over the

unpaid accounts of many of these libraries. Table 2 shows the 1970 budget for each library and the balances due one major publishing firm as of July 1970. It is obvious that these large balances place a heavy drag on any library. The rapid increase in the prices of books in the last few years and the publication of the 7TH DECENNIAL DIGEST placed strains on the budgets which have not been matched by a similar increase in funds. Too often library committees have been loathe to seek needed money because of the negative attitude of the counties, or else they have simply failed to act when action was needed.

Table 2
1970 Budgets and Debts

Library	Budget	Identified Debt
Androscoggin	\$6000	\$282.52
Aroostook-Caribou	1100	377.50
Aroostook-Houlton	3200	2103.25
Cumberland (Cleaves)	3000*	297.50
Franklin	3000	2352.00
Hancock	5000	210.00
Kennebec	5500	245.40
Knox	1700	1086.50
Lincoln	4000	288.00
Oxford-Paris	2250	560.50
Oxford-Rumford	2250	4080.25
Penobscot	2250#	205.00
Piscataquis	5000	4143.33
Sagadahoc	3250	1456.25
Somerset	5500	2009.75
Waldo	1500	2306.50
Washington	2500	1159.50
York	4000	228.00

*This represents only a fraction of the income of the Cleaves Law Library. About 87% of its budget comes from its trust funds.

#The Penobscot County Law Library receives yearly about \$1500 worth of books and loose-leaf services from the Bangor Public Library.

Accounts due one publisher may be indicative of other unpaid accounts. Publishers have willingly carried these substantial balances on the theory that the government will pay

"sometime". Nobody questions that these dollars represent value already on the shelves. Nobody questions that these libraries are struggling just to keep current; new materials can seldom be afforded.

Recommendations:

That each county law library be put on a current basis within the next biennium (1971-1972) through the appropriation of needed funds;

That the Chief Justice include in the budget for fiscal years 1973-1974 and 1974-1975, and thereafter, sufficient funds to implement policies adopted for the upkeep and improvement of collections, bearing in mind that the counties operate on a calendar. Thus judicial budget funds will be needed for the period from January to June 1973.

No single act will more clearly identify these libraries as an integral part of the operation of the judicial system, both as they serve the direct needs of judges and as they enable attorneys to present competent information to the courts.

PHYSICAL FACILITIES, STAFF AND USERS

Facilities

"The county commissioners shall, in the shire town of their county, provide and keep in repair courthouses with a suitable room in each for the county law library."
30 M.R.S. §301.

The quarters so provided range from the excellent new room in Hancock County to the vault-like chamber in Rumford. Some are antiquated in appearance, two have ceiling-high shelving difficult of access, several have little or no seating, one or two serve as passageways or waiting rooms for police officers on court duty, one doubles as a courtroom; in common they offer scant opportunity for growth beyond the immediate future. The newer quarters which house the libraries in Hancock, Knox, Lincoln and Washington counties have stimulated new interest and pride in their users. Penobscot County is presently considering how best to house its collection. County commissioners have also provided needed shelving, when asked, and in most cases provide janitorial services for the library rooms.

In many courthouses the attorneys' room is adjacent to the law library. This provides additional seating space and, very often, a telephone, if the library itself has no phone. It is common now in most county buildings to find a copying machine which can be used for a small fee.

Space limitations dictate that each library constantly assess its holdings for usefulness. Few can afford the luxury of shelving overlapping sets and old texts. Each volume must earn its claim to shelf room. The implications of this problem are discussed in the section on the Maine State Library.

Staff

The statutory officers of the law library associations, "a clerk, librarian and treasurer", are not to be confused with the term "staff". With the exception of the Cleaves (Cumberland County) Law Library none of the counties has any staff. The "librarian" mentioned in the statutes (27 M.R.S. §221) is usually an attorney who delegates his duties to another person, if someone can be found who is willing and able to do the filing and shelving for a small sum of money. Four libraries are well served by judges' secretaries, three by clerks of courts, one by a probate office clerk, one by a competent legal secretary; the other eight are cared for by attorneys who give their services on a fairly casual basis.

The formal officers, who are chosen by their fellow attorneys, pay the bills, select new books when funds are available, and account to the county commissioners for their expenditures. Lack of regular staff means that these collections are self-serving, that their usefulness is exploited only to the extent of the initiative of the user, and that materials such as loose-leaf services are impracticable because attention to filing is so irregular. Library committees find it difficult to make decisions relating to binding, discarding and proper development of the collection, without professional advice. The availability of such advice from the State Library is discussed later.

Recommendations:

That the judicial branch accept minimum responsibility for the day-to-day operation of these libraries. Funds should be made available to the clerks of courts' offices to pay some person

regularly in the office to attend daily to filing and shelving, or this might simply be included in the schedule of usual functions if the clerks' offices are upgraded.

That the need for a part-time librarian in Penobscot County be studied and appropriate funds made available in the judicial budget if the need is confirmed.

Users

The immediate circle of users varies from county to county, ranging from ten to well over three hundred. The lawyer finds the open stacks inviting and understandable. In a few libraries he has the assistance of a simple catalog, or the stack ends are adequately marked, or - as in Knoc County - the collection has been keyed to a floor plan.

Some libraries are kept locked and the key kept in the clerk's office; others are open during the hours that the county building is open; in a few counties attorneys have individual keys. In nearly all counties arrangements have been made with the sheriffs to admit attorneys to the libraries at other times. The Cleaves Law Library issues keys to members on an "as needed" basis for after-hours use.

The libraries get heavy use by justices of the Supreme Judicial Court. Superior Court justices tend to confine themselves to the Maine materials in chambers when they are on circuit but expect their home base libraries to have facilities for more extended research. In either case the justices expect the basic research to be done by counsel, followed by their own examination of materials cited. Kenyon's comment is worth repeating:

"The level of judicial administration is directly related to the proper distribution of the necessary tools and access to them by all members of the bench and bar." 62 Law Library Journal 139 (1969)

Use by the public has been sharply limited either by the rules of the library association or by custom. Lay persons do not easily serve themselves with such specialized reference tools. But law books are not widely available in Maine except through the State Library. Students of school law or those taking courses in the administration of criminal justice -- or, indeed, any citizen -- should be permitted to use the books in the library rooms. This use has posed no problems in a library as active as that in Penobscot County and would probably be of infrequent occurrence in most counties. Public access as a general policy is recommended.

ROLE OF THE MAINE STATE LIBRARY

The law collection of the Maine State Library is moderately comprehensive in Anglo-American materials, strong in state and federal statutes, laws and court reports, federal agency decisions, and English and Canadian laws and reports. Major periodicals and treatises are available. Records and briefs of the Maine Supreme Judicial Court from 1957 on are held for reference and circulation. The collection of Maine legislative materials is substantial.

This is a public law collection, principally devoted to serving the needs of the State's legal officers, the Legislature, the Bench and the Bar throughout Maine. It is equally available for use by all citizens. It handles questions by phone or by mail, and lends such materials as are not restricted to use in the library, either directly or by mail. The special WATS lines and teletype network of the State Library also serve as conduits for requests for legal materials.

It has a variety of relations with the county law libraries. The duty to furnish Maine Reports, statutes, supplements, and session laws is set by statute. (27 M.R.S. §61, 65) Through the cooperation of the judicial branch it has been able to furnish copies of Maine practice works such as Field, McKusick & Wroth on Civil Practice and Glassman on the Criminal Rules. The Maine Digest was also secured for these libraries.

More important are the possibilities which lie in its authority to give assistance in all aspects of library management: "The Maine State Library shall give advice to all county law libraries ... as to the best means of establishing and administering

them, selecting and cataloging books and other details of library management, and may send its employees to ... assist in the improvement of those already established." (27 M.R.S. §36) A reading of the biennial reports of the Maine State Library for the past ten or fifteen years will give a sense of the many contacts that have existed between the State and individual county libraries. Weeding problems, budgets, reshelving, insurance coverage, and needs - all have been handled, although on a sporadic, "when invited" basis.

A by-product of this study is a central record of the present holdings of the eighteen county law libraries. Already it has been found helpful in referring users to sources near them. It brings into clearer focus the policy of the State Library to supplement local collections with its more comprehensive coverage. For example: the cost of maintaining a collection of current state statutes is beyond local financial capacity. The State Library collection is a resource for the entire state. Again, county law libraries can discard some of their older, less-needed volumes to gain needed shelf space secure in the knowledge that the books will still be available in Augusta.

It is recommended that sufficient funds be included in the State Library budget to permit at least an annual visit to each county law library by a member of the State Library staff for the purpose of reviewing the collection with the local committee and making suggestions for improvements.

It is recommended that the State Library prepare manuals and participate in programs designed to train personnel in each county in basic law library tasks.

It is recommended that the State Law Librarian give advice and assistance when requested by the Chief Justice in developing a uniform policy for the overall management of the county law libraries, with a view to complementary and coordinated development of all law library resources in the State of Maine.

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APPENDIX I

CAPSULE COMMENTS ON INDIVIDUAL COUNTY LAW LIBRARIES

Androscoggin 85 attorneys 13,584 volumes

The law library is situated in a large room on the second floor of the courthouse; part of the room is equipped to serve as a court. Single justice hearings, bankruptcy proceedings, workmen's compensation cases, etc. bring a variety of traffic into the library.

The collection has been developed with care, meeting the minimum suggested standards. In addition there is a representative selection of major treatises and official reports for 25 states prior to the Reporter System. When more space is needed, volumes of state reports overlapping the Reporter System and some miscellaneous English reports can be discarded.

The justices housed in the building have taken an active interest in the library, keeping its budget abreast of costs and making additions with discrimination. Associate Justice Donald W. Webber is the librarian and his secretary keeps the library in order. There is a simple catalog.

Aroostook-Caribou 53 attorneys 3,616 volumes

Since 1921 a portion of the Aroostook County funds have been earmarked for the support of a second county law library located in Caribou. It occupies two small rooms on the second floor of the Caribou courthouse. There is virtually no space for further growth; shelving in one room is already ceiling-high.

Insufficient funds caused the discontinuance of many items in 1963-64, including the Atlantic, North Eastern, Federal Supplement and Federal Reporters. Other than Maine items which are furnished by the State, the only sets receiving current service are A.L.R., C.J.S., U.S.C.A., U.S.Led (2d series only) and the U.S. Supreme Court Digest. Lack of use is reflected in the two years of unfiled parts found in the library recently. Despite the fact that more than half the lawyers in Aroostook live nearer Caribou than Houlton, legal business takes them more often to Houlton.

The size of the county makes one hesitate to recommend discontinuance of this library. Unless there is more active interest and use, its existence serves only to siphon off funds which could well be spent in Houlton.

Query: Does it serve any need of the District Court which holds sessions three times weekly in the Caribou courthouse?

Aroostook-Houlton 53 attorneys 9,499 volumes

A large, second floor room is devoted to the library, well lighted, with adequate seating, and kept in excellent order by the Clerk of Courts.

The collection meets nearly all of the minimum standards and has a good selection of major treatises. Shepard's citators for some parts of the Reporter System and the Index to Legal Periodicals would fill the most noticeable gaps.

The present budget is inadequate and its sizable debt suggests it has been insufficient for some time. Its collection is so sound basically that efforts should be concentrated on putting its finances on an adequate, current footing.

Query: Can Aroostook County support two law libraries?

Cumberland 340 attorneys 23,802 volumes

The Nathan and Henry B. Cleaves Law Library is the foremost county law library in the State. Its operation is one of the principal functions of the Cumberland Bar Association. Use is restricted to members of the Association though judges and visiting attorneys from other counties are welcome. Located on the third floor of the courthouse its rooms are spacious, dignified and well lighted, though the stacks are rather old-fashioned.

The Librarian and her assistant run a very professional shop. There is an excellent dictionary catalog and a Kardex system for checking in continuations. The collection has been developed and cared for with great discrimination. In addition to the standard items state reports prior to the Reporter System, English and Canadian reports, loose-leaf services, sixty periodicals, selected medical texts, ABA package plan publications, C.F.R., New England state statutes, and special series covering government contracts, labor, taxation and trade cases are available. It holds one of the three sets of the briefs of the Maine Supreme Judicial Court, with a card index for those prior to 1947 (later briefs bound by citation). Materials of particular interest to the local bar have been assiduously collected.

At the center of legal activities in the State, its reputation for service has brought it a substantial endowment. The county contribution is small and should be increased to reflect the major contribution the library makes to the judicial system.

It should be noted that the 80,000 volume library of the University of Maine Law School is open to all attorneys for consultation. Standard collections of federal materials serve the immediate needs of the federal judges in the federal building.

Franklin 14 attorneys 6,069 volumes

The library almost completely fills its quarters on the second floor of the courthouse, including a small mezzanine. Seating space is limited but the adjacent attorneys' room can be used. The appearance is generally dingy.

Like five other libraries it has the Atlantic, North Eastern, Federal Supplement, Federal and U. S. Reports. The texts are few in number but are well-selected for the legal business of the area. Although it is difficult to recommend discarding anything in a small library, space needs are so critical that it may become necessary to retire most of the collection of reports prior to the Reporter System (12 states), relying on the State Library for these older cases.

Funds are insufficient to keep sets current as the large indebtedness indicates.

The size of the bar and limited court activity tend to show that this collection represents all that is desirable.

Hancock

32 attorneys

9,585 volumes

The second floor room in the 1966 addition to the courthouse is the most attractive law library in the State. Well lighted and pleasingly decorated, it is kept in excellent order by the secretary of the resident judge.

The collection meets nearly all minimum standards, contains a representative selection of major treatises, and the reports for thirteen states prior to the Reporter System.

Its funds are just adequate to meet the current budget but will not stand the strain of further inflation. Its geographic location enables it to serve a fairly wide area. It should receive continued attention and support as one of the key libraries.

Kennebec

132 attorneys

10,067 volumes

This good basic collection is overflowing its quarters on the second floor of the courthouse. It contains most of the minimum standards and a small collection of representative texts. The emphasis is on primary sources, the major resources of the State Library being near at hand.

The resident judges take an active interest in the library, helping to keep funds abreast of needs. Secretaries to the judges keep the library in good order.

The library contains one of the three official sets of bound briefs of the Maine Supreme Judicial Court yet due to lack of room must shelve many of them in a basement vault.

Knox

24 attorneys

7,731 volumes

Attractive new quarters in a recently completed addition to the courthouse are situated on the second floor. Shelving also carries over into an adjacent attorneys' room. Overflow shelving is still available in an old third floor room and it is almost fully occupied. Despite the renovation there is space only for a limited collection.

This library was severely curtailed some years ago due to inability to find needed room for shelves. The volume count still includes many copies of old Maine department reports which add nothing to the law collection. There are also state reports for twenty-six states, several of which overlap the Reporter System. Currently received are the Atlantic, N.E., N.W., F., F.S., and U.S. reports. The Federal Reporters come as gifts. There are only two or three texts.

Funds are inadequate for upkeep and the outstanding debt is a drag. The deficit should be cleared up and the annual grant increased enough to keep sets current. Many sets need binding.

A member of the bar prepared a listing of the collection keyed to a floor plan for use in locating volumes. The Clerk of the District Court keeps the library in order.

Lincoln

19 attorneys

5,210 volumes

An attractive room on the second floor of the new wing of the courthouse houses this immaculately kept library. The Clerk of Courts takes pride in its condition. During sessions of the District Court the room seems to double as a waiting room for police officers and other persons in attendance.

The collection, though small, is carefully selected, having the most used parts of the Reporter System with citators, selected treatises, etc.

Funds have been barely adequate for upkeep and threat of a reduction has lead the library committee to discontinue service on some sets.

Libraries such as Knox, Lincoln, Franklin and Sagadahoc fill only limited needs of their constituencies. If they contain the Digest System, and if they would add the Index to Legal Periodicals, they would have the keys to the large collection of the Maine State Library.

Oxford-Paris

27 attorneys

7,164 volumes

Oxford is the only county other than Aroostook which maintains two law libraries. The courthouse in Paris is an old-fashioned building and the second floor area devoted to the library is old. Although the shelves are nearly full, considerable room would be gained by discarding the volumes of the sixteen state reports which overlap the Reporter System - or by relying on the State Library entirely to supply older cases.

Both Oxford libraries have suffered severely from inadequate funds, causing many sets to be discontinued. Carefully selected treatises are largely without supplementation.

Oxford-Rumford

27 attorneys

5,160 volumes

Since 1917 a second law library has been maintained by the county in the Rumford Municipal Building. The Library suffers from totally inadequate quarters, a sort of vault-like room with a flimsy mezzanine, the whole serving as a passageway and gathering place for persons and officers attending District Court sessions. Everything is extremely dirty. There is no seating.

The collection has suffered from lack of attention, lack of funds, and a crippling balance of unpaid bills. Strenuous efforts were initiated last year to coordinate the Paris and Rumford collections, discontinue some sets and generally to try to get a grip on the situation. Rumford has much yet to be done. It is largely a collection of the Reporter System, the Digests and C.J.S. There are only a handful of texts.

A comparison of the holdings of the two Oxford law libraries suggests that they could be merged without too much duplication. The present system simply provides two grossly inadequate libraries. Action may depend on recommendations for location of court facilities.

Penobscot

110 attorneys

13,207 volumes

The present quarters on the second floor of the courthouse are filled to overflowing and many volumes are in storage awaiting the provision of new - or additional - space. Although the room is very high, the building is structurally unable to bear the weight of an additional level of stack.

The collection is excellent, meeting the minimum standards with the exception of the Index to Legal Periodicals. It is one of the three libraries which contains an official set of the briefs of the Maine Supreme Judicial Court (in storage at the moment). The collection of English materials is also in storage. There is a good collection of loose-leaf services.

Although the county grant is small, a substantial supplement is provided by the Bangor Public Library whose ample book funds enable it to spend over \$1500 each year in purchases for the law library. It is prepared to purchase newer texts.

The library seems to get intensive use, as well as heavy traffic, from its nearness to one of the court rooms and to the attorneys' room. Students from area colleges are welcome to use the library.

The volume of court business, the size of the county bar, the central location of Bangor in relation to outlying areas, make the further development of this library desirable. A most competent person now files in the looseleaf materials but more general services could be provided by a regular, part-time staff member.

It should be noted that the Bangor Public Library carries on its reference shelves several legal books commonly of interest to laymen and that basic federal practice works and reports are available in the federal building for the use of federal officials.

Piscataquis

10 attorneys

5,364 volumes

Unattractive old quarters are located on the second floor of the courthouse. The office of the District Judge opens off the library room and houses some of the collection.

The room is crammed with old reports and seldom used texts which largely obscure the recent attempts to revitalize the collection. Again, it is hard to recommend discarding when a library has so small a collection but all of these small libraries must be encouraged to rely on the State Library for the older materials.

The Legislature has approved additional funds to permit the purchase of the federal reporters yet the debt noted seems to indicate that the appropriation was inadequate. The size of the county bar and limited court activity discourage increased development of this library.

Sagadahoc

12 attorneys

4,973 volumes

Located on the third floor of the courthouse in a very poorly equipped room are some elements of a good basic collection. A reorganization was carried out in Bath in the 1950s but demands for space in the building caused a shift in the location of the library. Some potential users are now unaware that the library

exists. Inadequate funds have been a constant problem.

The texts are carefully selected, citators cover the units of the Reporter System which are available and the Clerk of Courts does a good job of housekeeping. Ceiling-high shelving makes some of the books inaccessible. Attorneys are apt to drive to nearby Wiscasset or go to Portland or Augusta when they want to use law books.

Sagadahoc would be a more viable county if Brunswick were added to its territory. Now its size militates against much further development of the library.

Somerset

22 attorneys

12,661 volumes

The late Chief Justice Edward F. Merrill combined his talents as a Yankee trader with his intellectual instincts to create this fine, small library. It is housed on the second floor of the courthouse in a fair sized room with a good working area.

Of the standard items it lacks only the Shepard citators and the Index to Legal Periodicals. It contains nearly all of the state reports prior to the Reporter System, an excellent selection of major treatises, and English reports for the period from 1865-1924. There is little use now for the latter. Reliance on the English law collection at the State Library will answer most needs in the State.

Funds are inadequate for upkeep as evidenced by the outstanding indebtedness. Supplementation for texts is costly. Every effort should be made to keep this collection current and intact.

Waldo

11 attorneys

4,932 volumes

The second floor room assigned to the library is pleasant but not well adapted to its purpose. The shelving is inadequate and old. Space is needed and some could be gained by discarding the collection of obsolete texts. The state reports for eleven states might be considered next as candidates for discard.

Several attempts have been made to improve the library but the interest has never been sustained over a long enough period to show good results. Nor have funds been adequate. Nearness to the better county law libraries in Bangor and Ellsworth, combined with the size of the bar, limit the demands for further development.

Washington

17 attorneys

5,533 volumes

This is a small but useful collection housed in attractive new quarters on the second floor of the courthouse. It is well cared for by the attorney-librarian.

For many years a second collection was maintained in Calais but this was discontinued when the Superior Court term in Calais was abolished in 1965. Useful parts of the Calais library were brought to Machias. The funds are barely adequate for current upkeep though attempts have been made to keep the budget abreast of needs.

Some older materials are still housed in a third floor room in another part of the building. As space is needed in the main area, the older texts could be retired to the third floor.

These libraries located in remote areas serve surface needs of their users. More extended research requires travel to larger libraries.

York.

94 attorneys

7,853 volumes

The attractive quarters on the second floor of the courthouse are nearly full. The working space is pleasant. A clerk in the Probate Office keeps good order. Temporary shelving in the attic of the building has been used to store less used volumes.

The collection contains most of the minimum standards with the exception of citators and has a fair selection of treatises covering major subject fields.

Funds are barely adequate. Serving a sizable bar in a county having a fairly heavy volume of litigation, this library should receive support as a major court facility.

1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	
										A. Maine materials
x	x	x	x	x	x	x	x	x	x	1. Maine Reports
x	x	x	x	x	x	x	x	x	x	2. Digest
x	x	x	x	x	x	x	x	x	x	3. Shepard Cita.
x	x	x	x	x	x	x	x	x	x	4. Session Laws
x	x	x	x	x	x	x	x	x	x	5. Revised State.
			x				x	x		6. Legis. Record
x	x	x	x	x	x	x	x	x	x	7. Atty.Gen.'s Repts.
x	x	x	x	x	x	x	x	x	x	8. Adminis. Rules
			17-	15-	19-		19-			9. Practice works
x	x	x	x	x	x	x	x	x	x	10. Maine Law Review
										11. Court Rules
										B. National Reporter System + Shepard's Citations
xs	x	x	xs	x	xs	x	xs	x	x	1. Atlantic
		nc	xs			x			nc	2. California
			xs			x				3. N.Y. Supplement
xs	x	xs	xs	x	xs	x	xs	x	x	4. North Eastern
	1st	x	xs			x				5. North Western
		2d	xs			x				6. Pacific
		2d	xs			x				7. South Eastern
		2d	xs			x				8. Southern
		2d	xs			x				9. South Western
xs	x	2d	xs	2d	xs	x	x	x	x	10. Federal
xs	x	x	xs	x	xs	x	x	x	x	11. Fed. Supplement
xs	x	x	xs	x	xs	x	x	x	x	12. U.S. (any ed.)
										C. American Digest System
x		x	x	x	x	x		x	x	1. Century - 5th
x	x	x	x	x	x	x		x	x	2. 6th Decennial
x		x	x	x		x	x	x	x	3. 7th Decennial
x	x	x	x	x		x	x	x	x	4. General Dig. 4th
x	nc	nc	x	x	x	x			x	D. Modern Fed. Prac. Digest
										E. Fed. & State Statutes
x	x	x	x	x	x	x	x	x	x	1. U.S.C.A.
									x	2. Massachusetts
nc	nc		x	x	x	x	x	x	x	F. American Jurisprudence
										or
x	nc	x	x	x	x	x	x	x	x	Corpus Juris Secundum
x	x	x	x	x	x	x	x	x	x	G. Dictionary
x	nc	x	x	x	x	x	x	x	x	H. Words and Phrases
x	x	x	x	x	x	x			x	I. Restatements of the Law
x	x		x			x			x	J. Uniform Laws Annotated
										K. Index Legal Periodicals
nc				nc	nc				nc	L. Martindale-Hubbell
nc	nc	nc	x	x	x	x	x	x	x	M. American Law Reports

DIGESTS

Maine-Atlantic: Andros., Aroos.-H., Pen., Pisc., Sag., Som., Waldo., Wash., York (5 others have discontinued)
 North Eastern: Aroos.-H., Lincoln, York
 United States: Andros., Aroos.-C., Aroos.-H., Cumb., Kennebec, Lincoln, Pen., Sag., Som., Waldo, York
 Massachusetts: Andros., Cumb. (nearly all have old Mass. digs.)
 New York: Andros.

REPORTS (SEL. & ANNO.)

Am. Decs. Andros., Cumb., Han., Ken., Pen., Pisc., Som., Wash.
 Am. Repts. Andros., Cumb., Fr., Han., Ken., Pisc., Som., Wash.
 Am. St. Repts. Andros., Cumb., Han., Ken., Pen., Pisc., Sag., Wash.
 York
 Ann. Cases Andros., Cumb., Han., Ken., Ox-P., Som., Wash.
 L.R.A. All except Knox, Oxford-Paris, Sagadahoc

AMERICAN JURISPRUDENCE SERIES

Legal Forms Andros., Aroos.-H., Cumb., Fr., Han., Lin., Pen., Sag., Som., Wash., York
 Pleading &
 Practice Forms All except Ken., Knox, Ox-P., Ox-R., Waldo
 Proof of Facts Andros., Cumb., Fr., Han., Ox-P., Pen., Pisc., Sag., Som., Wash., York
 Trials Andros., Cumb., Han., Sag., Som., Wash., York

FEDERAL

U.S. Code Cong. & Ad. Cumb., Fr., Han., Lin., Ox-P., Pen., Som., Waldo
 Fed. Tax Regs. Aroos.-C., Cumb., Fr., Han., Lin., Som.
 Barron & Holtzoff All except Aroos.-C., Ox-P and Ox-R, Waldo
 West's Fed. Forms All except Aroos.-C., Waldo
 Wright & Miller Andros., Cumb., Fr., Han., Knox, Lin., Ox-R., Pisc. Som., Wash.
 Moore Andros., Cumb., Han., Ken., Lin., Pen. Sag., Som., Waldo, York

STATE REPORTS (Prior to Reporter System)

Androscoggin - 24 states (several overlap Reporters)
 Aroostook-Houlton - 8 states
 Cumberland - complete
 Franklin - 12 states
 Hancock - 13 states
 Kennebec - 26 states
 Knox - 26 states (several overlap Reporters)
 Lincoln - 3 states
 Oxford-Paris - 16 states
 Penobscot - 25 states
 Piscataquis - 3 states
 Sagadahoc - 6 states
 Somerset - 43 states
 Waldo - 11 states
 Washington - 2 states
 York - 7 states

All have substantial sets of Massachusetts Reports except Aroos.-C. and Ox-R. The other most common states are N.Y., New England, N.J., Penn., Mich., Ill., Ohio

1822 - 1967 Fees of attorneys admitted to practice.
 1887 10% of fines for violations of laws re liquor and nuisances - not exceeding \$100. -
 1889 10% of fines but not exceeding \$300. - yearly.
 1893 20% of fines " " " \$500. - yearly.
 1907 Each County to receive \$500. - from County Treasurer

	Andros.	Aroos.-C.	Aroos.-H.	Cumberland	Franklin	Hancock	Kennebec	Knox	Lincoln	Oxford-P.	Oxford-R.	Penobscot	Piscataquis
1912								\$250					
1917											\$500*		
1921		\$500*											
1929			\$800				\$800						
1931				\$1000		\$1000							
1939													
1941							\$1000						
1943		\$800	\$1100		\$150			\$1000					
1945	\$1500						\$1500						
1947									\$500	\$1000	\$1000		
1949												\$1500	\$800
1951	\$2000				\$1250						\$1250		
1953		\$1700	\$2000		\$1500	\$2000		\$1000	\$1250		\$1750		
1955	\$2750						\$2500	\$1500		\$1500	\$1750		\$1200
1957		\$1100	\$2200			\$2000	\$2750					\$2000	\$1500
1959					\$1750	\$2500	\$3250		\$5000	\$2000	\$2250	\$2250	
1961	\$5000 \$4250 (62)	\$3200	\$3000			\$3000		\$1700		\$2250			
1963													
1965	\$5000				\$2000				\$2500				
1967	\$1000				\$3000		\$5500	\$2000	\$4000				\$3000
1968	\$7000				\$3000		\$5500	\$2000	\$4000				\$3000
1969	\$6000				\$3000	\$5000	\$5500	\$1700	\$4000				\$5000
1970	\$6000				\$3000	\$5000	\$5500	\$1700	\$4000				\$5000

* First time

	Andros.	Aroos.-C.	Aroos.-H.	Cumb.	Franklin	Hancock	Kennebec	Knox	Lincoln	Oxford-P.	Oxford-R.	Penobscot	Pisc.
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	Sagadahoc	Somerset	Waldo	Washington	York
1822					
1887					
1889					
1893					
1907					
1911					
1917					
1921					
1929					\$750
1931		\$750			
1939					\$1250
1941					
1943				\$900	
1945		\$1500	\$850		
1947					
1949					\$1750
1951					
1953		\$2500		\$1200	\$2250
1955					
1957					
1959		\$3000		\$1500	\$3500 (\$60)
1961	\$1500	\$3500	\$1500		\$4500 (\$62)
1963	\$4500				
1965	\$2000			\$1800	
1967	\$4000	\$5500	\$2500	\$5000	
1968	\$2500	\$4500	\$2500	\$5000	
1969	\$3250	\$5500	\$1500	\$2500	
1970	\$3250	\$5500	\$1500	\$2500	
	Sagadahoc	Somerset	Waldo	Wash.	York

GENERAL NOTE:

These sums represent the money available for book purchases, less \$200-\$300 usually paid the persons who does the library shelving. Substantial amounts spent by the county commissioners over the years for quarters, shelving, etc. are not reflected.

Title 27 Maine Revised Statutes §221-224, as amended

Ch. 7 COUNTY LAW LIBRARIES 27 § 223

CHAPTER 7

COUNTY LAW LIBRARIES

Sec.

- 221. Formation; officers; regulations.
- 222. Duties of treasurer and clerk.
- 223. Accounts of treasurer.
- 224. Payments for use and benefit.

§ 221. Formation; officers; regulations

In every county where 5 or more attorneys reside, any 5 of them may procure themselves and the other attorneys resident in the county to be incorporated as provided for the purpose of establishing a law library. The notification required, if posted in some conspicuous part of the courthouse 7 days previous to their meeting, is sufficient. They may take the name of "The trustees of the law library in the County of;" and at such meeting, which shall be held at a term of the court therein, they may choose a clerk, librarian and treasurer, to be sworn and hold their offices during the pleasure of the corporation. They may make all necessary and lawful regulations. At their meetings, the oldest member present shall preside.

R.S.1954, c. 54, § 17.

§ 222. Duties of treasurer and clerk

The treasurer of each library association, under the direction of the trustees, shall apply all moneys received of the county treasurer, and all bequests and gifts, to form a law library under the appointed regulations. The clerk shall keep an exact record of all their proceedings.

R.S.1954, c. 54, § 18.

§ 223. Accounts of treasurer

The treasurer shall keep an exact account of all moneys, gifts and bequests belonging to the corporation, and annually settle the same on oath, in the manner prescribed. The treasurer, librarian and clerk shall be answerable for all misfeasance in an action by the corporation. The treasurer shall, annually, before the 2nd Wednesday in January deposit in the office of the Treasurer of State a statement of the funds received by the corporation during the year preceding.

R.S.1954, c. 54, § 19.

§ 224. Payments for use and benefit

The treasurer of each county shall pay annually to the treasurer of the Law Library Association of his county for the uses and benefits of the county law library, as follows:

Androscoggin, ~~\$7,000~~ \$6,000 for the year ~~1967~~ 1969 and ~~\$7,000~~ \$6,000 for the year ~~1968~~ 1970 and \$5,000 thereafter,

Aroostook, \$4,300 of which \$3,200 shall be for the use and benefit of the county law library in the court house at Houlton in said county and \$1,100 shall be for the use and benefit of the county law library in the court house at Caribou in said county,

Cumberland, \$3,000 which shall be paid to the treasurer of the Cumberland Bar Association for the Nathan and Henry B. Cleaves Law Library,

Franklin, \$3,000 for the year ~~1967~~ 1969 and \$3,000 for the year ~~1968~~ 1970 and \$2,000 thereafter,

Hancock, ~~\$3,000~~ \$5,000 for the year 1969 and \$5,000 for the year 1970 and \$3,000 thereafter,

Kennebec, \$5,500 for the year ~~1967~~ 1969 and \$5,500 for the year ~~1968~~ 1970 and \$3,250 thereafter,

Knox, ~~\$2,000~~ \$1,700 for the year ~~1967~~ 1969 and ~~\$2,000~~ \$1,700 for the year ~~1968~~ 1970 and \$1,700 thereafter,

Lincoln, \$4,000 for the year ~~1967~~ 1969 and \$4,000 for the year ~~1968~~ 1970 and \$2,500 thereafter,

Oxford, \$4,500 of which \$2,250 shall be for the use and benefit of the county law library at South Paris and \$2,250 shall be for the use and benefit of the county law library at Rumford,

Penobscot, \$2,250,

Piscataquis, ~~\$3,000~~ \$5,000 for the year ~~1967~~ 1969 and ~~\$3,000~~ \$5,000 for the year ~~1968~~ 1970 and ~~\$1,500~~ \$3,000 thereafter,

Sagadahoc, ~~\$1,000~~ \$3,250 for the year ~~1967~~ 1969 and ~~\$2,500~~ \$3,250 for the year ~~1968~~ 1970 and \$2,500 thereafter,

Somerset, \$5,500 for the year ~~1967~~ 1969 and ~~\$1,500~~ \$5,500 for the year ~~1968~~ 1970 and \$4,500 thereafter,

Waldo, ~~\$2,500~~ \$1,500 for the year ~~1967~~ 1969 and ~~\$2,500~~ \$1,500 for the year ~~1968~~ 1970 and \$1,500 thereafter,

Washington, \$5,000 \$2,500 for the year ~~1967~~ 1969 and \$5,000 \$2,500 for the year ~~1968~~ 1970 and \$2,500 thereafter,

York, \$4,000.

The treasurer of each county shall pay to the treasurer of the Law Library Association of his county all money received from persons admitted upon motion to practice in courts of record as attorneys without a certificate from the Board of Examiners of Applicants for Admission to the Bar.

The treasurer of each Law Library Association shall account to the county commissioners of his county for all receipts and disbursements made under this section. All receipts, debts and disbursements shall be subject to audit and shall be set forth in the county report.