

Oregon Library Association 2014 Annual Conference

PLAINTIFFS, PILLS, & PASSPORTS:

How to Reply to Legal, Medical, and Government Services Questions

Presented by

Arlene Weible, Oregon State Library

Judith Hayes, Tuality Healthcare Libraries

Sue Ludington, Washington County Law Library

Neil Miller, Lane County Law Library

Objectives

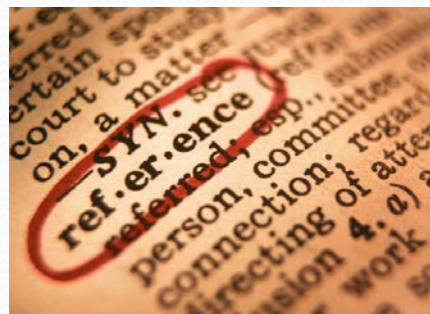
- How to answer patrons' specialized reference questions - often without answering the question!
 - Compassionate neutrality
 - Strategies for locating relevant agencies, departments, and organizations
 - Specific referral contacts and their services
- Examples of specialized reference questions and responses
- Audience questions and discussion

Challenges

- Patrons often end up at the library in frustration after trying other avenues
- Reference staff are committed to finding *answers* for patrons
- Reference staff lack authority to “answer” certain specialized questions
 - Unauthorized Practice of Law (UPL) or medicine
 - Distinction between reference and advice

Reference vs. Research vs. Referral

- Reference: Narrow question with specific answer
- Research: More in-depth, opportunity to offer user instruction
- Referral: Contact and general information for recommended relevant agencies and organizations
 - For many specialized reference questions, a referral is the optimal response



Medical Questions

*Judith Hayes,
Tuality Healthcare Libraries*

About Health Libraries

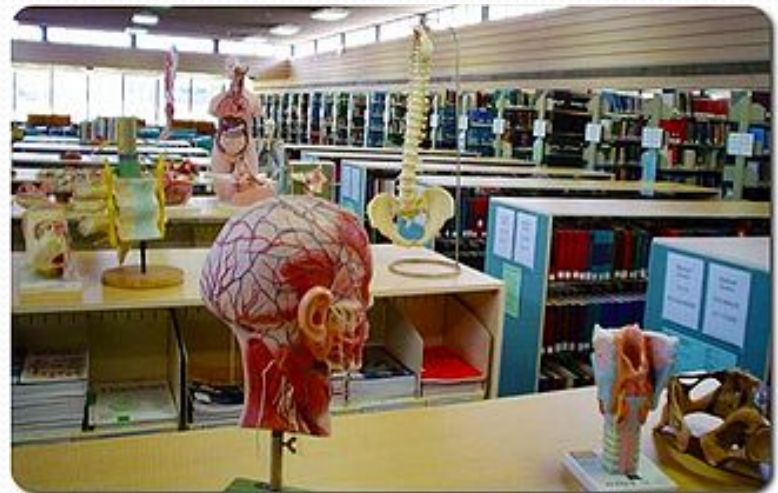
What does the Tuality Health Information Resource Center do?

- Research tougher medical questions, obtain ILL's
- Assist students/teachers on oral presentations using Models
- Help health educators design classes & conduct outreach
- Make referrals to community organizations and online resources

Referring to Health Library

Why refer a patron to a consumer health library?

- Broader medical resources
- Unique types of materials
- Deeper medical terminology
- The luxury of time



Health Questions & Resources

What is the number one health question at THIRC?

I want to know about my doctor!



Health Questions & Resources

Resources for learning about one's doctor:

- [Oregon Medical Board](#)
 - License and malpractice verification
 - Self-reported specialty board
- [American Board of Medical Specialties](#) to check specialty certification



American Board
of Medical Specialties

Higher standards. Better care.®



Health Questions & Resources

Online resources:

- [Medline Plus](#) - videos
- [PubMed](#)
- [Google Scholar](#)



Answering Health Questions

Remember: You are not a healthcare provider

- Don't diagnose



Answering Health Questions

Remember: It's not about you

- Don't talk about your experience with the disease



Answering Health Questions



Remember: The importance of privacy and HIPPA

- Try not to use email

Answering Health Questions

Remember: Compassionate neutrality

- Listen with empathy, not advice



Oregon Consumer Health Libraries

- Tuality Health Information Resource Center
(Tuality Healthcare, Hillsboro)
 - Part of Washington County Cooperative Library System (WCCLS)
- Planetree Health Resource Center
(Mid-Columbia Medical Center, The Dalles)
 - Part of the Sage Library Network in Eastern Oregon

Oregon Consumer Health Libraries



- Salem Community Health Education Center
(Salem Health, Salem)
- Local hospital library

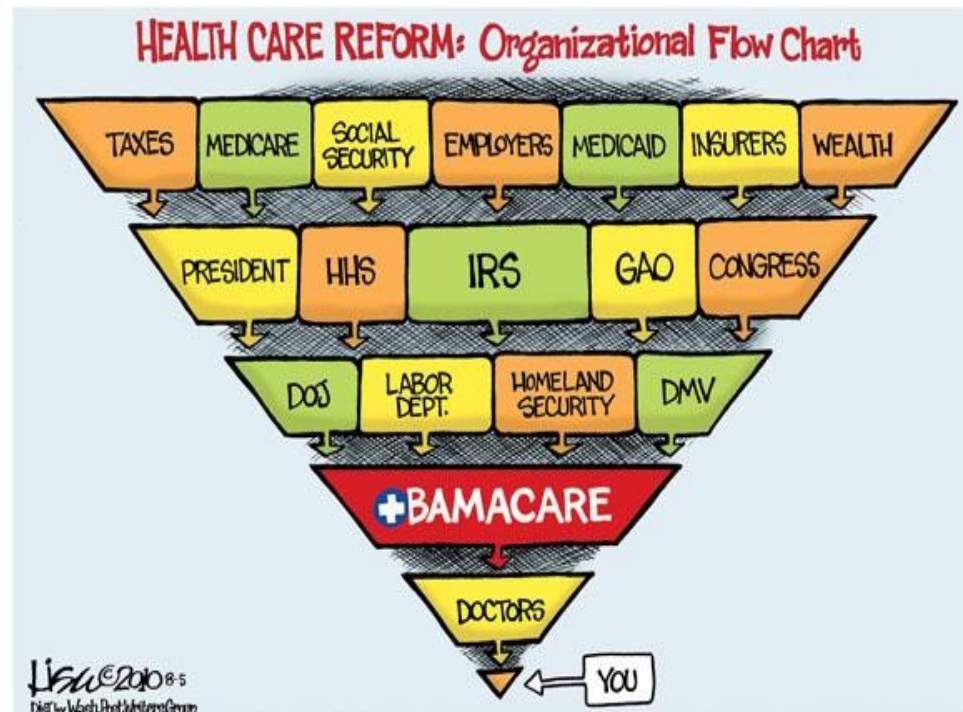
Government Services Questions

*Arlene Weible,
Oregon State Library*

Government Services Questions

- Government has complex structures
- By the time a citizen comes to the library, they have likely failed to have their question answered at a government office
- Library is considered a friendly place, government is not

Obstacles for Citizens



Copyright Lisa Benson

Complex situations may involve multiple services from different agencies

Obstacles for Citizens

- Many questions are not easily answered by a web page, since they involve individual circumstances
- Finding a knowledgeable person to answer a question
- Government officials can be less than responsive to email



Strategies for Librarians

Reference interview:

- Have they called someone before?
- City or State or Federal?
- What would solve their problem?



Strategies for Librarians



Learn about government services:

- [oregon.gov - How do I?](#)
- [Oregon Blue Book](#)
- [League of Oregon Cities Handbook](#)
- [Guide to Oregon Counties](#)

Strategies for Librarians

Use FAQs and Contact Us or Directory web pages

- Use of phone contacts over email contacts
- [State Phone Book](#) - lists state employees by unit or program
- Call ahead, emphasize trying to help a citizen



Strategies for Librarians

Can't find a name?

- Call a general number, but be patient!
- Ask for the name and phone number of the person you are being transferred to
- If you need to leave voicemail, be brief

Strategies for Librarians

Use the experts!

- [Oregon State Library, Government Research Services](#)
- [Federal Depository Libraries; Government Information Online](#)
- Ombudsman Advocate Offices



Strategies for Librarians

Use the experts!

- Nonprofit service organizations: Bring them to the library!
 - [AARP Tax Help](#)
 - [Cover Oregon Community Partners](#)



Legal Questions

*Sue Ludington,
Washington County Law Library*

*Neil Miller,
Lane County Law Library*

Common Legal Matters

- *Family law*: divorce, custody, paternity, parenting plans
- *Juvenile law*: emancipation, delinquent/criminal acts of minors
- *Probate*: guardianship, adoption, wills & trusts
- *Consumer/debtor*: bankruptcy, foreclosure
- *Small claims court*: procedures, court rules, filings

Unauthorized Practice of Law



- The risk of liability
- Establish and train staff on library policy for answering legal questions
- Legal advice or not?

Types of Referrals

- Legal assistance providers
- Court and county departments
- Law school libraries & county law libraries
- Other agencies

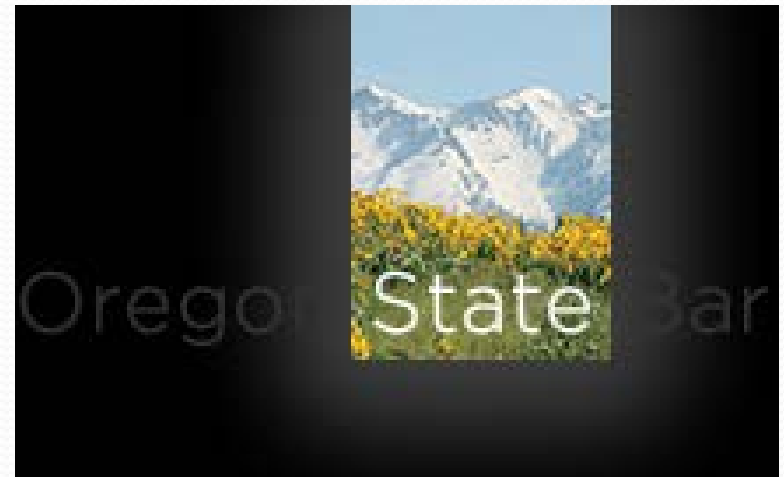


Legal Assistance Providers

- Oregon State Bar
- Legal Aid
 - Oregon Law Center
 - Legal Aid Services of Oregon
 - Lane County Legal Aid & Advocacy Center/Senior Law Service/Survivor's Justice Center/Civil Clinic
 - Jackson County Community Legal Services
- St. Andrew Legal Clinic

Legal Assistance Providers

- Oregon State Bar Lawyer Referral Service
 - Lawyer Referral
 - Modest Means
 - Problem Solvers
 - Military Assistance Panel



Legal Assistance Providers

- Legal Aid
 - Oregon Law Center (OLC)
 - Legal Aid Services of Oregon (LASO)
 - Lane County Legal Aid & Advocacy Center/Senior Law Service/Survivor's Justice Center/Civil Clinic
 - Center for Non-Profit Legal Services (Jackson County)



**Center for
Non-Profit
Legal Services**



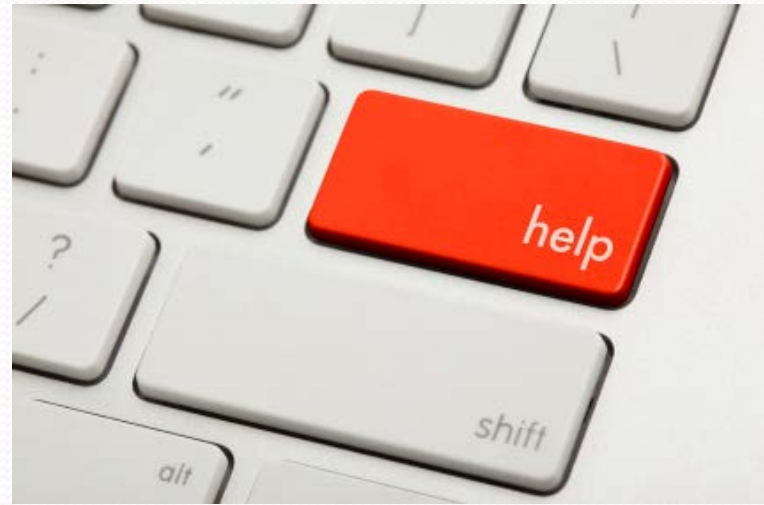
**Lane County Legal
Aid and Advocacy
Center**

Legal Assistance Providers

- Legal Aid

- Civil legal help for low-income residents (120% of poverty level)
- Multiple LASO/OLC offices around the state
- Limited resources = only able to help 15% of need (fewer than 2 in 10)
- Areas may include administrative, family, housing/foreclosure, seniors, consumer debt, farmworker program
- Heavily reliant on volunteer lawyers

Legal Assistance Providers



- Legal Aid

- LASO: www.lasoregon.org
- Oregon Law Center: www.oregonlawcenter.org
- Best site that covers both: www.oregonlawhelp.org

Legal Assistance Providers

- St. Andrew Legal Clinic
 - “Bridging the Gap” - provides family law assistance to people with low to moderate income
 - Sliding fee scale
 - \$35-\$50 intake appointment required

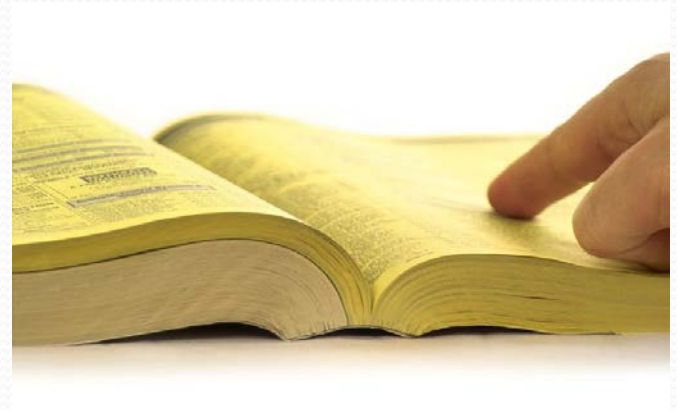


Legal Assistance Providers

- **St. Andrew Legal Clinic**
 - Both full representation and limited representation agreements available
 - Will also help with pro se litigation at hourly rate:
 - Discuss case
 - Review paperwork
 - Document review
 - Retainer fee required (\$750 - \$2500)

Legal Assistance Providers

- Other providers following St. Andrew model
 - Unbundled services & limited representation agreements
 - Sliding fee scales
- One idea: Create directory of low-income legal providers in your community



Court & County Departments



- Family Law Assistance Programs
- Mediation/Conciliation Services
- Juvenile Services
- Probate
- Domestic Relations
- Court Records

Court & County Departments

- **Family Law Assistance Programs/Facilitators**
 - Provides assistance to self-represented parties in family law court actions (divorce, custody, parenting time, etc.)
 - Varying degrees of assistance statewide
 - May provide forms, assistance in filling out forms, information about court procedures



Court & County Departments

- **Family Law Assistance Programs/Facilitators**
 - Generally no assistance for:
 - Third party custody (e.g., grandparents)
 - Disestablishment of paternity
 - Adoption/guardianship
- Oregon Judicial Department [Family Law website](#)
 - List of local courts and facilitators
 - Forms and information for divorce, domestic violence, parenting plans, and more

Court & County Departments

- **Divorce Mediation & Conciliation Services**
 - County department or court program through Family Court Services
 - Mediation services, education programs, custody and parenting time evaluations, & couples counseling
 - Assist with parenting plans, modification, and enforcement



Court & County Departments

- Divorce Mediation & Conciliation Services



- Note: Child Support issues handled through District Attorney's office

- [Oregon Child Support Program](#)

Court & County Departments

- **Juvenile Services**

- County department that operates Delinquency Court for youth offenders (ages 11-17) and provides counseling, probation, and detention services
- May offer assistance with:
 - Emancipation
 - Expunction of records
 - Community service opportunities
 - Victim services
 - Help for parents of youth engaged in risky behavior

Court & County Departments

- **Probate**
 - Estate administration
 - Guardianship or protective proceedings
- **Domestic Relations**
 - Divorce, custody, restraining orders, some adoption
- **Court Records**
 - General facts on specific court case
 - Access to OJIN/eCourt

Law Schools & County Law Libraries

- Law schools
 - University of Oregon
 - Willamette University
 - Lewis and Clark Law School



Law Schools & County Law Libraries

- **County law libraries**
 - Counties required by statute to provide law library services
 - Some counties much more robust than others
 - Print and electronic resources for all patrons
 - Guidance for public library staff via phone, email, Answerland
 - [Oregon Council of County Law Libraries](#)

Other Agencies

- 211Info

- Statewide network of basic health and social services
- Resources searchable online or by calling 211

- Community Alliance of Tenants

- Renters' rights hotline and tenant education
- Referral to landlord/tenant law attorney

- Disability Rights Oregon

- Protects rights of persons with disabilities
- Disability-related legal issues

Other Agencies

- Consumer Protection, Department of Justice
 - Consumer-related questions and complaints
 - Information and resources on mortgage fraud, ID theft, elder abuse, veterans rights, and more
- Oregon Bureau of Labor & Industry (BOLI)
 - Enforces anti-discrimination laws in workplaces, housing and public accommodations
 - Enforces compliance with state wages, hour laws, and employment terms and conditions

Questions & Discussion



Onward!

Thank You

