

Study J-1307

April 10, 2000

First Supplement to Memorandum 2000-30**Law Library Board of Trustees (Comments of Santa Clara County Law Library Board)**

Attached is a letter from the president of the Santa Clara County Board of Law Library Trustees, which supports the tentative recommendation and opposes the concept of adding one or more public members to a law library board. We will discuss this letter at the Commission's meeting.

Respectfully submitted,

Barbara S. Gaal
Staff Counsel

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April 7, 2000

California Law Revision Commission
4000 Middlefield Road, Room D-1
Palo Alto, CA 94303-4739

Dear Commissioners:

The Santa Clara County Board of Law Library Trustees supports the Tentative Recommendation, Business and Professions Code, Section 6301 on the Law Library Board of Trustees.

This Board has just become aware of the Opposition Statement of the San Mateo County Law Library Trustees which will be presented to you on April 13, 2000 in Sacramento. (The Opposition Statement was forwarded by email on April 5, 2000 to California county law libraries by the San Mateo County Law Librarian.) Having reviewed the Opposition Statement yesterday, we would like to explain our position which, in contrast, strongly supports the Tentative Recommendation.

The Opposition Statement indicates a need for a change in funding for the support of county law libraries, specifically the establishment of general fund financing, and declares that the present system of funding by filing fee is inadequate.


We feel, however, that the current statutory scheme of funding works very well. The funding supplied by filing fee revenue is the appropriate and effective way to secure the financial future of county law libraries. General fund financing does not offer this security. Filing fee revenue, coupled with conservative fiscal management, enables a county law library to function very well, and the legislation that has created this process should remain in effect.

California Law Revision Commission
April 7, 2000

In addition, we feel that the present composition of the board of law library trustees is desirable—judicial officers, attorneys, and a member of the board of supervisors, all charged with maintaining the public interest. We are not eager to see this composition changed for the reason stated in the Opposition Statement, namely that a “board of supervisors would be more likely to appropriate general fund money” if it can appoint a member of the public to the law library board, because, as mentioned above, we do not view general fund financing as a better way to fund county law libraries.

Therefore, the Santa Clara County Board of Law Library Trustees respectfully requests that this statement of support of the Tentative Recommendation of Business and Professions Code Section 6301 be considered, and that the Commission does adopt its Tentative Recommendation.

Sincerely yours,


Steven L. Hallgrimson, Esq.
President, Board of Law Library Trustees
Santa Clara County

- cc: Board of Law Library Trustees
- Honorable Joseph Biafore, Jr., Superior Court
- Honorable Alfonso Fernandez, Superior Court
- Honorable Conrad L. Rushing, Superior Court
- Honorable Ray Cunningham, Superior Court
- Honorable John F. Herlihy, Superior Court
- Erica Yew, Esq.