

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Wednesday, September 6, 2006 at 5:00 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Owens, Harding, Nuckolls and Rackauskas

Members Absent: Member O'Connor

Staff Present: Mr. John Zeunik, County Administrator; Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present: Circuit Court Judge Ron Dozier, Director, Law Library

Others Present: None

Chairman Renner called the meeting to order at 5:05 p.m. He thanked Mr. Owens for overseeing the August meeting in his absence.

Chairman Renner presented the August 14, 2006 minutes to the Committee for approval.

Motion by Rackauskas/Harding to approve the Minutes
of the August 14, 2006 Committee Meeting.
Motion carried.

Circuit Court Judge Ron Dozier presented a Request for Approval to reduce the annual fee paid by the McLean County Bar Association for use of the Law Library from \$6,000.00 to \$1,800.00 and that this reduction in fee be retroactive for the last two years.

Chairman Renner asked why is there such a large reduction in the fee. Judge Dozier replied that, over the last few years, there have been drastic changes in the County Law Library. He noted that they disposed of most of the books due to the expense of maintaining the books and also due to the electronic access to the law books via computers. Judge Dozier added that the size of the library has been decreased. With these changes, there have been complaints about the Law Library, including concerns that the computers did not always operate properly.

Judge Dozier advised that the McLean County Bar Association did not pay their annual fee for 2005 and 2006 due to their concerns about the Library. Judge Dozier stated that he then proposed that the Bar Association annual fee be reduced to \$1,800.00. This amount is the same amount that the State's Attorney, Public Defender and the Circuit Court now pay for the use of the electronic law library. The Bar Association agreed to that proposal; however, they requested their contract be considered on a yearly basis.

Judge Dozier reviewed the history of the Law Library, noting that when he became Trustee of the Library there was a large debt owed to the General Fund. He advised that the Civil Filing Fee was increased from \$6.00 to \$10.00 in 2004 in order to reduce the deficit and to maintain the Library. Judge Dozier reminded the Committee that the \$10.00 fee was set to expire this year. At last month's Board Meeting, the Board approved maintaining the \$10.00 fee indefinitely. He indicated this fee increase has made it possible to significantly reduce the debt owed to the General Fund. Judge Dozier reported that the debt should be paid off in a couple of years.

Judge Dozier advised that, because the Civil Filing Fee is assessed, the Law Library must be open to the public. He stated that computers are available for use, as well as books on Illinois Law and the U.S. Supreme Court Law. Judge Dozier indicated that the \$10.00 fee allows the Law Library to buy the service of Lexis Nexis electronic program, maintain the books and continue to pay the deficit owed to the General Fund.

Judge Dozier stated that the County is not required to have a Law Library and can, at any time, close the Library and discontinue the \$10.00 Civil Filing Fee. However, the Judges, Public Defender and State's Attorney must still have access to electronic legal research. At this time, they are "piggy-backed" to the system in the Law Library.

Ms. Rackauskas asked if statistics are kept on who uses the Law Library. Judge Dozier replied that Mr. Scanlon has run some statistics, noting that the Library gets a lot of use by the State's Attorney, Public Defender and Judges. Ms. Rackauskas asked how often is it used by the private sector. Judge Dozier responded that it is difficult to differentiate the users. He estimated that seven or eight attorneys use the Library on an average of once a week.

Ms. Harding asked what would the Bar Association do if the County did not approve a reduction in their fee. Judge Dozier replied that the Bar Association would terminate their contract and the County would be faced with trying to collect the \$12,000.00 they owe from 2005 and 2006. He indicated that the Bar

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Association would likely contend that the changes made in the Law Library were a material breach of contract and cause the County to go into a protracted lawsuit.

Judge Dozier suggested that one of the main issues is whether or not the County should continue to maintain a Law Library. If not, there needs to be another source of electronic legal research for the Judges, State's Attorney and Public Defender. Judge Dozier pointed out that it is in the economic interest of the County to maintain the Law Library.

Ms. Rackauskas asked how do other Counties handle their Law Libraries. Judge Dozier replied that some Counties have a Law Librarian.

Motion by Owens/Nuckolls to Recommend Approval to
Reduce the Annual Fee Paid by the McLean County
Bar Association for use of the Law Library from
\$6,000.00 to \$1,800.00.

Mr. Owens asked who will take over as Trustee of the Law Library when Judge Dozier retires. Judge Dozier replied that it is required, by law, to be one of the resident Circuit Judges.

Ms. Rackauskas asked what is the status of repaying the debt to the General Fund and how will that be affected should the Bar Association fee be reduced from \$6,000.00 to \$1,800.00. Judge Dozier responded that the debt was as high as \$75,000.00 and it is now \$25,000.00. He estimated that the debt could be paid off in three years with the reduction in the Bar Association fee.

Motion carried on a vote of 3-1, with Member Harding
voting "No."

Judge Dozier offered to check how much it would cost to provide electronic legal access for the Judges, State's Attorney and the Public Defender if there was no Law Library.

Ms. Rackauskas suggested that a sign-in and sign-out sheet be provided in the Law Library to determine how often and who uses the Library. Judge Dozier indicated he would provide a sign-in sheet.

Chairman Renner asked if there were any further questions or comments for Judge Dozier. Hearing none, he thanked him for attending the meeting.

Chairman Renner presented the Monthly Caseload Report for July, 2006, as submitted by Ms. Amy Davis, Public Defender. He noted that Ms. Davis is preparing for a murder trial and was unable to attend the meeting. Chairman Renner asked if there were any comments or questions on the Public Defender's Monthly Caseload Report. There were none.

Chairman Renner presented the Monthly Statistical Report as submitted by Ms. Roxanne Castleman, Director, Court Services, and Mr. Dave Goldberg, Director, Juvenile Detention Center. Chairman Renner asked if the Committee had any questions. There were no questions.

Chairman Renner presented the Monthly Caseload Report and the Asset Forfeiture Fund Report as submitted by Mr. Bill Yoder, State's Attorney. Chairman Renner asked if there were any other comments or questions. There were none.

Chairman Renner presented the Monthly Statistical Report for the Children's Advocacy Center (CAC) and the CASA Report as submitted by Ms. Billie Larkin, Director, Children's Advocacy Center. Chairman Renner asked if there were questions or comments. There were none.

Chairman Renner presented the July, 2006 Monthly Statistical Report as submitted by Ms. Sandy Parker, Circuit Clerk. Chairman Renner asked if there were any comments or questions. There were none.

Chairman Renner presented a report from the Illinois Department of Corrections on the McLean County Jail. The report stated that McLean County is in compliance with the *Illinois Compiled Statutes* for County jails. Further, the McLean County Jail was commended in regard to meeting and/or exceeding the mandated suicide prevention/mental health issues training.

Chairman Renner presented the McLean County Detention Facility Population Report for June, 2006, as submitted by Sheriff Dave Owens.

Chairman Renner presented the August 31, 2006 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a pending total of \$1,287.60 and a prepaid total of \$1,658,709.83 for a fund total of \$1,659,997.43.

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Motion by Owens/Harding to recommend approval of
the Justice Committee bills as of August 31, 2006.

Motion carried.

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Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary