

SUBJECT: Allowing county law library funds to be used for litigant self-help centers

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 8 ayes — Smithee, Gutierrez, Hernandez, Laubenberg, Murr, Neave, Rinaldi, Schofield

0 nays

1 absent — Farrar

WITNESSES: For — Patricia McAllister, Texas Access to Justice Commission; Randall Chapman, Texas Legal Services Center; (*Registered, but did not testify:* Donald Lee, Texas Conference of Urban Counties; Lisa Rush, Travis County Law Library)

Against — None

BACKGROUND: Local Government Code, sec. 323.021 allows a commissioners court to use its law library fund to establish a county law library at the county seat. The law library fund is composed of fees collected in civil case filings.

DIGEST: HB 1021 would allow county law library funds to be used to establish self-help legal resource centers for litigants representing themselves.

The bill would allow law libraries to be established jointly between counties. A county commissioners court could establish a law library outside its county seat.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

SUPPORTERS SAY: HB 1021 would address a growing need for public access to legal resources by explicitly allowing counties to establish self-help centers for the public through their law library funds. The number of Texas civil

litigants representing themselves is rising each year, and the bill would help them navigate the complexities of the courts.

Expanding public access to legal resources would increase efficiency for courts and litigants. Individuals representing themselves in legal proceedings often are unfamiliar with court procedures, which can lead to delays and legal issues. When litigants can access self-help centers and arrive at court with the appropriate forms and an understanding of procedures, they can better represent themselves and avoid being sent away to properly prepare.

HB 1021 also would allow counties to pool resources to create jointly funded law libraries. This would help smaller and rural counties that may not generate sufficient civil court fees to maintain or staff a law library. A larger county without a law library could partner with another county to expand their residents' access to legal information. For example, Williamson County does not have its own law library, and its residents often go to the Travis County Law Library for information and assistance. However, the reference attorneys can help only people whose cases are filed in Travis County. HB 1021 would let counties work together to address their residents' needs.

The bill would allow counties to maximize resources when deciding where to establish law libraries. In some counties, the county seat is sparsely populated compared to other areas. Counties could identify a location for their law library that most benefited their residents.

HB 1021 would not increase fees. Counties would use existing fee revenue in their law library funds for self-help centers and joint libraries.

OPPONENTS SAY:
No apparent opposition.

NOTES: A companion bill, SB 937 by Zaffirini, was left pending following a public hearing of the Senate Committee on Intergovernmental Relations on March 20.