



**1999 Annual Report:
150 Years of Library Service**

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Abstract

When organizations reach milestone years, it is appropriate to take time to reflect on the history of the organization. In 1999 the Minnesota State Law Library celebrated 150 years of library service.

In preparing for this celebration, Minnesota State Law Library staff researched the early years of the Library. Staff located the first handwritten Library Annual Report, submitted by Charles Cavalier in the form of a letter to Governor Ramsey of the Minnesota Territory. The similarities and differences in librarianship then and now are striking. This year's 1999 Annual Report is presented in a law review format. The body of the report is a transcription of the original 1850 letter, and the extensive footnotes give the reader an update to the Library in 1999. This shows the evolution of the State's oldest agency, from a one-person operation to today's full-service public law library.

1999 ANNUAL REPORT:
150 YEARS OF LIBRARY SERVICE*

*Territorial Libr¹
St. Paul Oct 29, 1850*

Sir:

The appointment of Territorial Librarian² with which you were pleased to honor me being about to expire on the 6 Nov next, it becomes my duty to lay before you a statement of the affairs of the library for the time during which I have acted.³

Upon the commencement of my duties I found that only part of the appropriation of \$5000.00 for the library had been expended. But since that time the full amount has been applied as required in the 17th sec. of the "Act to establish the territorial

* This report was conceived and written by Marvin Roger Anderson, State Law Librarian; Sara Galligan, Barbara Golden, Daniel Lunde and Karen Westwood, State Law Library Department Heads.

¹ The Minnesota State Law Library (MSLL) is a direct descendent of the Territorial Library, which was established by the organic act creating the Territorial Government of Minnesota and passed by the U.S. Congress on March 3, 1849.

² Governor Ramsey appointed Charles Cavalier as Minnesota's first Territorial Librarian. He took office in November of 1849 and made his first report to the Governor on October 29, 1850. This document is a transcription of that first report, the original of which can be found in the Minnesota Historical Society Archives. The current, and 25th, State Law Librarian is Marvin Roger Anderson, appointed by the Minnesota Supreme Court on March 3, 1980.

³ See Appendix for a "statement of the affairs of the library" (including professional involvement) in 1999.

government of Minnesota" and the books are now in the library.⁴

Besides which Congress has contributed triplicate copies of Congressional Acts from the year 1843 to 1849 and one copy of the "United States Exploring Expedition" in seven vols with an atlas.⁵

The States of Penn. Ohio, N Car, New Jersey, Del., Mich, Ind, Wis and Florida have courteously sent copies of the Laws and Reports of their respective states for the years 1849-50. Also duplicate copies of the "Sixty third annual Report of the Regents of the University of the State of New York", and one of the "First Biennial Reports of the Geology of Alabama" have been sent to the library, and all are received and acknowledged.⁶

⁴ A cursory check of available Library records seems to indicate that this may be the only time in the Library's history that part of an appropriation was not expended.

⁵ MSLL has always received U.S. Government Documents. In the last 50 years the Library has been a part of the U.S. Government Depository System. Under this agreement, MSLL currently receives 17% of all items published by the federal government. The Library collects materials published by Congress, Department of Justice, U.S. Judiciary, executive offices and commissions, Library of Congress and other federal administrative agencies. In addition, the Library receives items selected by fourteen other Minnesota state government agencies, processes and catalogs the items and sends them to those agencies for housing. This *Shared Depository Program* was singled out for praise in a recent review by the U.S. Superintendent of Documents as a model to be followed by other law libraries.

⁶ The Minnesota State Law Library has exchanged statutes, rules and reporters with other states throughout its long history. However, in recent decades the number of sets we exchange has declined significantly. This is due in large part to states contracting their printing to private publishing companies. The fewer number of available exchange copies is a contributing factor to the increased cost of maintaining the Library's primary law collections. In 1999

Several Literary and Scientific associations have kindly bestowed their Productions⁷ and the Hon. H. H. Sibley has contributed in public Docts. scientific reports maps etc. - some 37 different works⁸ making the whole No. of vols in the library 2120.⁹

The library has been visited generally by our citizens of both sexes and has been a favorite resort for strangers who have spent a few days or weeks in our Ter. All are well pleased and pronounce it a collection of choice and useful works.¹⁰

MSLL received official statutes from 24 states in exchange for *Minnesota Statutes*. We also received 26 legislative manuals in exchange. A variety of publications, including Attorney General opinions, administrative rules, rules of court and case reporters, are received from 15 states in exchange for sets of *Minnesota Rules*.

⁷ In the 1870's scientific and other nonlegal books were transferred to the University of Minnesota and the Minnesota Historical Society. On July 1, 1878 the State Library's jurisdiction was transferred to the Supreme Court, effectively changing it to a law library.

⁸ Our most recent private donation occurred in September 1999. Former Governor Elmer L. Andersen donated \$10,000 to establish a rare book fund in honor of the late Minnesota Supreme Court Chief Justice Peter S. Popovich. Governor Andersen also donated the oldest text in the Special Collections Room, *Natura Brevium* an indispensable practitioner's book published in 1557. The *Peter S. Popovich Rare Book Fund* will be used for purchase of additional rare volumes and to help preserve many volumes in the collection which have fallen into disrepair.

⁹ The total volumes in the Library numbered over 267,000 in 1999. The Minnesota State Law Library Special Collections Room alone now contains approximately 1,900 volumes.

¹⁰ MSLL continues to enjoy the patronage of citizens of both sexes who come into the Library daily. In 1999 patrons not only came into the Library in person but were able to visit the Library via telephone, fax and computer. Phone requests, fax exchanges and e-mail communications are a large component of the full range of reference services offered to the public. The Library web site

The Law department is very frequently referred to by "Gentlemen of the Legal Profession" who commend very highly the selection and advise the procurement of a few more digests and reports of the different states to render it complete. The miscellaneous selection is very popular " and with the addition that should be made from year to year we will have one of the best libraries in the West."

Having the precedent of the other states and territories before us; the Legislature will no doubt appropriate yearly from \$500.00 to \$600.00 as a Library Fund for the purpose of obtaining new works and keeping up with the progress of the

<<http://www.courts.state.mn.us/library>> averaged 5100 visits a month in 1999, including guests from more than 80 countries around the world. A separate search engine for the archive of appellate opinions averaged more than 10,000 visits a month. Minnesota State Law Library staff members maintain this archive. The Library faxed more than 3,000 pages in 1999 and fielded requests from almost every state and many foreign countries. The increased use of Internet technology around the world has resulted in more varied requests, and from many international locations.

¹¹ For approximately five years the Library has sponsored and housed a popular book exchange. Minnesota Judicial Center employees are encouraged to donate books they no longer wish to keep and take titles that interest them. This collection, composed mainly of novels, has expanded over the years and remains popular among our colleagues in the building.

¹² Attorneys currently represent about 25% of the Library's patrons, and patron recommendations continue to be taken into consideration when the Library makes purchasing decisions. A comprehensive collection development plan has been implemented, and Library staff members consult with other librarians, professional literature and professional standards in the process of building and maintaining the Library's collections.

territory.¹³

I would recommend the addition of a splendid Bible and all works that relate to the North Western Territory as books that are daily enquired for, and would be a great acquisition to the Historical department.¹⁴

There are duplicate copies of works in the miscellaneous department which, in the opinion of those conversant with large libraries might be sold or exchanged for others and I would recommend to the next legislature the passage of an act to that effect.¹⁵

¹³ If only today's political environment afforded such feelings of optimism and confidence when approaching the legislature! For years legislative appropriations have barely maintained the collection. For the first time, in 1999, after years of requesting funding for technology, the Library's biennial appropriation included money to upgrade computer hardware and software. This was critical since most of the Library's computers were not Year 2000 compliant, and the Minnesota Judicial Center technology department was able to provide only limited technical support because the Library's computer software and hardware was outdated. The Library now meets the requirements stated in *Local Area Network Standards and Guidelines for the Minnesota Court System*.

¹⁴ The Minnesota State Law Library's *Collection Development Plan*, which is available in part on the Library's website <<http://www.courts.state.mn.us/library/cdp.html>>, guides prudent new additions to the Library's collections. During this time of rising publisher costs, nearly all of the book purchasing budget is spent on maintaining continuing sets, such as case reporters, statutes and digests. Unfortunately, in recent memory, the *Collection Development Plan* has been employed more often to decide what to cancel rather than order.

¹⁵ The Minnesota State Law Library has fewer duplicate titles today than in the past. Rising costs of publications, combined with the ability to use technology to meet some research needs, have prompted Library staff to cancel multiple copies of all but the most essential legal materials. On the other hand, MSLL has actively

As the legislature at its last session failed to pass any act in relation to the library, I would suggest that at as early a period as convenient during the next session they pass Laws regulating the same.¹⁶

collected multiple copies of older Minnesota statutes, regulations and reporters. When a county law library, or any other Minnesota law library, needs to fill gaps in their collections, MSLL is able to provide the material free of charge. This storage collection is comprised of volumes donated to the State Law Library by other libraries, individuals or law firms which are discarding them.

In addition, MSLL receives multiple copies of certain state publications (including *Minnesota Statutes* and *Minnesota Rules*) and distributes these to county law libraries and prisons throughout the state.

¹⁶ In the early years the State Librarian as appointed by the Governor, and the Library responded to legislative needs. However, for more than 120 years MSLL has reported to the Minnesota Supreme Court, and the State Law Librarian has been appointed by the Court. The State Law Library continues to provide a full range of law library services to all our patron groups, including the legislature. As a member of the judicial branch, the Library offers services beyond those typically performed by most libraries. One of these services is the *Briefs Program*, whereby the Library creates a permanent collection of all Minnesota Appellate Court briefs for published opinions. This program allows the Appellate Clerk's Office to discard paper copies of the briefs that are found in MSLL's collection and saves precious space for other purposes in the Judicial Center.

Shortly after the Minnesota Appellate Courts began releasing opinions via the Internet, MSLL librarians recognized the need to archive the decisions so that more than the current week's opinions would be available to the public. Library staff also saw the potential of keeping these archived cases on the Internet rather than in paper. The Library's Electronic Services Librarian coordinates the archiving of opinions and works closely with the Courts to ensure that all of these cases are available on the Internet. Now all Minnesota appellate cases from May 1996 are fully searchable on the Library's website <<http://www.courts.state.mn.us/library/archive>>. Thus patrons can go directly to the website and do not have to contact the Appellate Clerk's Office.

Upon retirement of a Supreme Court Justice, the Library staff begins the process of assembling a *Judge's Book*, which provides an overview of the Justice's career. The book is presented to the Court

I think that the number of books should be limited to five at any one time for any one having the privileges of the library except in extra-ordinary cases to be left to the discretion of the librarian. The time might be extended so as to permit the retaining of miscellaneous books for a period not to exceed two weeks without renewal. With Law Books I do not think the Regulations can be too strict.¹⁷

There will probably be an effort made to have the privileges of the library extended to the public generally: If so it should be done with extreme caution requiring a payment or deposit as it would be asking too much of the librarian to say who are responsible and who not.¹⁸

It is hardly necessary to state the number of vols now out of the library as they can be seen by my

and to the retired justice at an Extraordinary Session of the Supreme Court.

In these and other ways, the Library is an integral, active participant in the important work of the Appellate Courts.

¹⁷ In 1999 the Library's generous circulation policies and readily available photocopiers decrease the incentive for theft and vandalism of library materials. Circulation was robust in 1999, with nearly 8,000 items borrowed by patrons.

¹⁸ MSLL is now truly a State Law Library. Not only do our services extend to the "public generally," the Library offers services to all county law libraries in the State and to Minnesota inmates (through a program operated jointly with the Minnesota Department of Corrections). Rather than exercising "extreme caution," the State Law Library embraces the challenge of making legal information available to the greatest number of citizens. With the increasing number of *pro se* litigants, law libraries throughout the state and nation are faced with the challenge of providing legal material to a diverse, ever-widening range of patrons.

successor on the Lib Journal charged to those having the privileges of the library.¹⁹

The books lost before I took charge of them are the following. One copy Senate Docket Vol. 7 1847-8 Vol. 10 of Mo Reports and Thier's Hist of the Consulate and Empire of Napoleon Vol 2 and charged to a Mr Mitche Mrs. Eastman's Dakota. Vol 15 Peters Reports may and it may not have been in the library when I took possession. If it was in some individual has removed and retained it without my cognizance.²⁰

The books of the library are all numbered and a catalogue made out alphabetically for the same. It is in the chronicle office and I hope will be published before the Legislature convenes.²¹

¹⁹ With a small collection, it is easy to keep track of items that are checked out. As libraries grow in size and sophistication, circulating materials becomes more of a challenge. The Library has recently completed labeling books in the collection with special bar-code labels and will soon have an automated circulation system. This will not only allow the Library to track its circulating materials more closely, but patrons searching the catalog via the Internet will be able to tell if an item is checked out without having to call or come into the Library. As always, Library circulation records are considered private data and the names of patrons associated with the subject matter of their research will not be released to anyone without a court order.

²⁰ It would seem that Mr. Cavalier was fiscally responsible for all books in the Library and was held accountable for any missing items. While current MSLI staff are not under the same pressure to keep the collection intact, the Library has developed circulation and photocopy policies that we believe help keep the theft and loss rate to a minimum. These days MSLI's goal is to provide access to information, not to serve as a gatekeeper of a collection of books.

²¹ Access to a Library collection is achieved primarily through a good catalog. The cataloging function enables books to be placed on the shelves in subject order. The catalog also allows patrons to search for materials by subject, author or title. The Library currently uses

Respectfully Submitted
Chas Cavalier
*Ter Librarian*²²

To His Excellency
Governor A. Ramsey
*Of Min Ty*²³

WebPALS which provides online access to its resources <<http://www.pals.msus.edu>>. In a few years MSLL will be moving to a new statewide integrated library system as part of the Minnesota Library Information Network (or MnLINK). MnLINK will allow patrons to search most Minnesota library resources from any computer connected to the Internet, determine if an item is on the shelf, and order the item to be sent directly to them. This end result will appear as one seamless catalog to library patrons throughout the state, but it entails years of preparation to get disparate computer systems, cataloging protocols and library policies unified into one system. MSLL continued to work toward this goal in 1999 by bar-coding the collection, correcting catalog records and preparing to implement an online checkout system.

²² Respectfully Submitted by Marvin Roger Anderson, State Law Librarian; Sara Galligan, Barbara Golden, Daniel Lunde and Karen Westwood, State Law Library Department Heads; and the staff of the Minnesota State Law Library: Charles Balenger, Bill Erlandsen, Debbie Kitzmann, Cathy Knoke, Susan Larson, Mark Perkins, Dennis Skrade, Laurel Stiebler, Elizabeth Tuckwood, Anne Tuveson, Jan Watson and Julie Weston.

²³ To The Honorable Chief Justice Kathleen Blatz, Associate Justice Joan Lancaster (Supreme Court Law Library Committee), Members of the Minnesota Supreme Court, Chief Judge Edward Toussaint, Jr., and Members of the Minnesota Court of Appeals.

APPENDIX
SELECTED "AFFAIRS OF THE LIBRARY"

Events

- School Year - "Everybody Wins Power Lunch Reading Program" Sponsor
- March 16, 1999 - Freedom of Information Award Presentation
- March 26, 1999 - Law Library Service to Prisoners Annual Meeting
- November 5, 1999 - County Law Library Program Annual Meeting
- November 5, 1999 - Celebration of Minnesota State Law Library's Sesquicentennial Anniversary

Marvin Roger Anderson, State Law Librarian

- African-American Milestones in Legal History: 141 Years of Firsts. Contribution to For the Record: 150 Years of Law & Lawyers in Minnesota.*
Published by the Minnesota State Bar Association, June 1999.
- Co-Chair, Local Arrangements Committee for the 2001 American Association of Law Libraries National Meeting in Minneapolis, MN.
- Co-Chair, Millennium History Project, Minnesota State Bar Association (publisher of *For the Record: 150 Years of Law & Lawyers in Minnesota*)
- Coordinator, Minnesota Courts Sesquicentennial Planning Committee
- Executive Producer, Inside/Straight: The Third Branch (a 20-minute video on the Minnesota Appellate Courts)
- Judge, Minnesota Book Awards (for Mystery)
Recipient 1999 Spirit of Law Librarianship Award
- Three Plus One for the Road.* Contribution to "Meet My Mentor": A Collection of Personal Reminiscences. 91 *Law Library Journal* 183 (1999).
- Vice-Chair, Board of Directors, University of Minnesota Archie Givens Sr. Harlem Renaissance Collection
- Vice-Chair, Program Committee, Friends of the Saint Paul Public Library

Sara Galligan, Head of Technical Services

Book Reviewer, *Legal Information Alert*
Chair, Capitol Area Library Consortium Legislative Committee
Co-Chair, Capitol Area Library Consortium Automation Committee
Coordinator, Minnesota Judicial Center "Take Your Daughters to Work Day"
President, Minnesota Association of Law Libraries
Recipient, J.D. - William Mitchell College of Law
Representative, Project for Automated Library Systems Advisory Group on Government Documents
Speaker, "Professional Ethics and Legal Research" for Minnesota Association of Law Libraries Legal Research Institute

Barbara Golden, Electronic Services Librarian

Chair, Minnesota Association of Law Libraries Exchange Committee
Judge, Minnesota Book Awards (for Science Fiction and Fantasy)
"Minnesota Legal Periodical Index" [computer database].
MnLINK RFP Subcommittee
MnLINK System X Contract Negotiation Team
President, MnSCU/PALS
Deans/Directors/Coordinators Executive Committee
Speaker, "Researching Minnesota Law" for Minnesota Association of Law Libraries Legal Research Institute
Webmaster. <http://www.courts.state.mn.us/library/>

Daniel Lunde, Head of Public Services

Chair, Minnesota Association of Law Libraries Archives Committee

Dennis Skrade, Cataloger

Presenter, University of Minnesota Panel on Outsource Cataloging
President, Capitol Area Library Consortium
Representative, Project for Automated Library Systems Cataloging User's Group

Laurel Stiebler, Gov't. Documents Coordinator

Chair, Metronet Advisory Committee

Chair, MinntroDocs

Anne Tuveson, Outreach LibrarianRecipient, Masters Degree in Library and
Information Science - University of
Wisconsin Milwaukee**Karen Westwood, Head of Outreach Services**Administrator, Minnesota Courts Sesquicentennial
Planning CommitteeChair, American Association of Law Libraries Social
Responsibilities Special Interest SectionChair, Millennium History Project Photos and
Graphics Subcommittee, Minnesota State
Bar Association (publisher of *For the
Record: 150 Years of Law & Lawyers in
Minnesota*)Contributor, *For the Record: 150 Years of Law &
Lawyers in Minnesota*. Published by the
Minnesota State Bar Association, June
1999.Executive Producer, Inside/Straight: The Third
Branch (a 20-minute video on the
Minnesota Appellate Courts)