

Dougherty Circuit Bar Association

Dougherty Bar Bulletin

James H. Moore, III, President-Elect
Hon. Nancy S. Stephenson, President-Elect
Kimberly Reid, Secretary-Treasurer
Gordon R. Zeese, Editor

Volume 21
Issue 5
August 2004

President Jim Moore's Message

"I eagerly await the opportunity to "pick up the gavel" from Ken Hodges as Dougherty Bar Association President for the 2004-2005 year (although apparently I inadvertently missed his efforts to pass the gavel to me at the end of the last meeting by leaving early!).

In preparation for our new bar year, the Executive Committee (made up of past Presidents Kelly Boswell, Walter Kelley and Ken Hodges, as well as Secretary Kimberly Reid, Bulletin Editor Gordon Zeese, President-Elect Judge Nancy Stephenson and myself) met on August 3rd to plan activities for the upcoming Bar Association year. As was the case last year, we will be meeting on a bi-monthly basis, with meetings in August, October and December of 2004, as well as February, April and June of 2005. Our December meeting will take the form of our Christmas party, to be held on a specific date to be announced during the first full week of December. Once again this year, we plan to have the party at the Shackelford House on Dawson Road. Further details on that gala will follow in coming weeks.

We plan to get this year's meetings off to a good start on Wednesday,

August 25th, with Lauren Adams, the new Dougherty County Law Librarian, who has some exciting new resources at the Law Library about which we all need to learn. Lauren will be making what I understand to be an excellent Powerpoint presentation and I urge all of our members to be present to find out what our newly refurbished law library has to offer Dougherty County's practicing attorneys.

During October, we are planning to combine our bar meeting with an opportunity to receive some Continuing Legal Education. Assuming he has fully recovered by then (and we all certainly hope and pray that will be the case), Ken Hodges and his staff will be making a CLE presentation on trial advocacy. Please note that the presentation will not be limited to the criminal practice but will also be useful for those involved in civil litigation as well. As a special highlight of the CLE presentation, Judge Gray has agreed to participate and give his "view from the Bench", focusing on sensitive recusal issues which come up from time to time. Not only will the program be interesting, but it will be a convenient and economical chance to accrue CLE credits. Future newsletters will give you more detail, but please go ahead mark Wednesday, October 27, 2004 on your calendar to take advantage of this excellent CLE opportunity.

Last, and certainly not least, Law Day festivities are always a focal point of our Bar Association year. President-Elect Judge Nancy Stephenson (who I understand is resting comfortably after her recent surgery) will undoubtedly do a stellar job in making certain that the Dougherty Bar Association "brings home the gold" once again in terms of the State Bar's annual Law Day Award. Once she is "back in the saddle", I am sure Judge Stephenson will be calling upon many of you to assist her in those efforts. She and the rest of the Bar Association membership will appreciate your contribution when you heed her call to service.

Please make every effort to join us at this year's meetings, beginning this Wednesday at 12:30 p.m. at Merry Acres. We only have five official meetings during the year (six if you count the Christmas party) and we hope to continue last year's record of excellent attendance at each and every one of these gatherings. We will try to make your expenditure of time worthwhile in seeing to it that each meeting includes interesting and informative speakers, to go along with the excellent company of your fellow practitioners that is always available!

I look forward to serving you as President during the coming Bar year and much appreciate the opportunity to do so!

Sincerely,
Jim Moore

Treasurer's Report

By Kimberly Reid

The Bar Association has a current balance of \$18,160.93, which reflects the bulk of our annual revenue, which is from dues payments. These funds will be used throughout the upcoming year to pay for the meeting luncheons at Merry Acres, the Christmas Social, and the Spring Barbecue. Funds will also be utilized for mailing the monthly newsletter and for Law Day activities. The Bar does not have any outstanding obligations at this time.

New Pattern Jury Instructions

By Hon. Loring A. Gray

The Council of Superior Court Judges' Pattern Jury Instruction Committee has recently published revised versions of both the Criminal and Civil Charge Books. Copies are available from the Carl Vinson Institute of Government at the University of Georgia, and are available electronically in the Georgia Trial Court Desktop research platform by contacting CX Corporation at www.cx2000.com or 336-272-3884. There are many substantial changes, especially in the civil area, and the Judges of the Dougherty Circuit urge all attorneys to update their libraries to include these volumes.

Announcements

The Dougherty Circuit Bar Association wants to recognize outstanding community participation by our lawyers and law firms. Please send your suggestions for this recognition

to your officers. There is no particular deadline for nominations, just keep them coming throughout the year.

Judge Nancy S. Stephenson is one of those responsible for choosing the legal organ for publication of legal notices in Dougherty County. If you have suggestions or recommendations on this subject please get them to her office for her consideration.

After this issue the Dougherty Circuit Bar Association will no longer mail the Dougherty Bar Bulletin to those who have not paid their bar dues. Please send in your bar dues payment to our Treasurer.

Get Well Soon!

The Dougherty Circuit Bar sends our best wishes for a speedy recovery to Ken Hodges, Greg Edwards, and Judge Nancy S. Stephenson

Next Meeting Wednesday August 25th at 12:30 p.m. At Merry Acres

Beginning with the October 27, 2004 meeting, we will begin the Bar Association's meetings at noon rather than 12:30 p.m.. Please note this change on your calendars.

Changes At The Dougherty County Law Library Mirror Wider Trends

By Lauren Adams

Recent visitors to the law library have noticed that significant changes are taking place. The changes at the law library are not unique. Law librarians across the country must respond to two major challenges: increasing numbers of *pro se* litigants and the skyrocketing costs of legal materials. This article will outline these two major challenges, and then explain how the Dougherty County Law Library is responding.

Courts are flooded with self-represented litigants. In a survey conducted for the 1999 National Conference on *Pro Se* Litigation, court personnel "reported that self-representation had increased moderately or dramatically in the preceding five years." The vast majority of *pro se* litigants choose self-representation because they cannot afford an attorney, and they are unfamiliar with how the legal system works. In many cases, the opposing party is represented by counsel.

Despite the ignorance of most *pro se* litigants, Georgia courts hold them to the same standard as litigants who are represented by an attorney. Legal Aid and *pro bono* projects have so far been unable to meet the legal needs of lower income people. All of these factors combine to create a real risk of injustice. "Access to the courts, and thus justice, is denied if the public cannot avail itself of legal information. Only public law libraries can provide the public with free, accurate and

the courts, and thus justice, is denied if the public cannot avail itself of legal information. Only public law libraries can provide the public with free, accurate and up-to-date legal information, which is essential in a society such as ours with its complex laws and systems.”

The second challenge facing law libraries is the exponential growth in the cost of library materials. Libraries worldwide are reducing their collections of books and journals at a time when scholarly information is exploding. Between 1986 and 2000, the Consumer Price Index increased by 46%, while the cost of books increased by 62%, and the cost of scholarly journals increased by 169%. If academic and research libraries were to maintain their collections at 1980s levels, their budgets would require an increase of 250%. Libraries have reduced their acquisition of books by 26% since the mid-1980s.

The Dougherty County Law Library is responding to the challenge of *pro se* litigants in several ways. We now have form packets which can be purchased by *pro se* litigants or downloaded from our

website for free. Additionally, our website contains links to helpful legal information. While I am not permitted to give legal advice to *pro se* litigants, I can show them how to find legal information. My colleagues at the San Diego County Public Law Library have developed several workshops for *pro se* litigants on legal research and civil pre-trial procedures. In the future we could have workshops here as well. Currently, one-third of visitors to the law library are attorneys, and the other two-thirds are the self-represented.

The increasing expense of legal materials has affected the law library even though we have not experienced the budget cuts which have afflicted other libraries. In Dougherty County, we are conserving resources by discontinuing the Federal print collection, with the exception of the *U.S.C.A.* and *Moore's Federal Practice*. We are using the monetary savings to update and strengthen our Georgia print collection as well as to provide online access to federal and multi-state sources. Having a smaller print collection means that we have more

space for the future growth of our Georgia collection. The former Federal room is now a conference room which attorneys can reserve for closings, depositions, and other meetings. Reservations can be made on-line or by telephone.

Since not all attorneys are comfortable with online legal research, we will hold training classes at the library. Those who attend will receive CLE credit. During the next three months, I will create an on-line computer catalog. Patrons will be able to find out what we have before they come to the library.

Pro se litigants are not going away; it is predicted that their numbers will keep increasing. The rapid increase in the cost of library materials shows no sign of leveling off. But the Dougherty County Law Library will continue to serve the legal information needs of our community. We especially welcome suggestions and requests from the Dougherty County bar.

Laureen Adams is the new Dougherty County Law Librarian. She will be the speaker at the August 25, 2004 meeting of the Dougherty Circuit Bar Association.