

Law on the Frontlines: Legal Reference for Public Libraries

Introduction

Law and legal reference constitute a specialized area of knowledge and resources. The best way to be comfortable with a specialized area is to deal with it often, an opportunity not always presented to the generalist in a public library system. It is possible, however, to develop ability in this area through training and practice.

Traditionally, training on legal reference has focused on the classic materials of law - cases, statutes, regulations, law textbooks, and on the formal process of legal research. Some of the materials referenced herein include these classics. The guidance and materials provided in these pages, however, focus less on classic legal research, and more on how to address the questions about challenging situations brought to the public library by everyday patrons. The information is structured to help the generalist at a public library to recognize and respond to questions about and for law.

The information contained in these pages partners with live training offered around the State. For interested library systems, [live training](#) is available upon request. Recordings of past trainings can also be accessed [on-demand](#).

Basic Elements help develop in reference staff the ability to:

- conduct an appropriate and helpful legal information reference interview
- respond to a legal question with confidence that the information is good and helpful, and does not constitute advice
- identify relevant and pertinent referrals from the broad spectrum available

Advanced (Topic) Elements delve more deeply into a topic within the law, and help develop:

- recognition of a possible law-related question
- understanding of the terminology related to a particular topic of law
- deeper knowledge of the contents of resources for a particular topic of law
- awareness of referral resources that may be topic-specific, rather than generally applicable

Element 1: [Access to Justice and the Public Library](#)

Access to justice is, general speaking, the ability of people to seek and obtain fair, accessible, and equitable assistance in reaching an outcome to their situation under the law. Public libraries are on the frontline for access to information, and therefore are on the frontline for access to justice.

Element 2: The Reference Interaction

A reference interaction encompasses more than the reference interview, the back-and-forth to clarify and hone. There is an awareness and a skillset employed throughout that enhance the actual interview.

Managing a legal reference interaction successfully is often the result of time, exposure, experience, and self-education. The first three are not readily accomplished when working in a general setting. The fourth, self-education, is the motivation behind these pages.

A problem or question does not always present itself as an obvious legal issue. Sometimes a patron is focused on the specifics of their particular situation and is missing the broader view. Sometimes, they are just not aware that their problem has a solution under the law.

Through self-education, staff can become familiar with the methods, restrictions, processes, and language of law-related topics, and serve their patrons more confidently and appropriately.

- Behaviors and Interpersonal Dynamics
- Recognizing the Difference between Information and Advice
- Rephrasing the Query
- Information-Gathering Questions (What to Ask)
- Identifying the Need

Element 3: Descriptive and Foundational Resources

Much of the information about law is contained in specialized resources – texts and databases that are written for lawyers, presume a level of knowledge, and are usually quite expensive. Law libraries dedicated to legal information contains collections of such materials.

Over the last decade or so, there has been significant growth in lower cost materials aimed at the non-lawyer, self-represented population. These come a variety of print, web-based, and database formats. For staff in a general library, such materials are more attainable; and for the patron population, such materials are eminently more comprehensible.

- Evaluation of Information
- General Sources
- Partnerships
- Understanding and Finding Forms

Element 4: About Law

To grow beyond the basics, it is critical to learn about the foundations on which our law is built. This amounts first and foremost to growing an understanding of basic civics – how the government is structured. Then, from that platform, develop the connection from the structure to the process – how is law made and where does it appear when made (published and official format). Law is a highly procedural field. If you can understand the underlying processes, you'll have a much better chance of identifying relevant and helpful resources for your patron.

- Location and Its Importance
- Civics and Government Organization
- Finding Law
- Court Structure and Process
- Language of Law
- Understanding and Finding Forms

Element 5: Referrals

There is an underlying belief among those who use libraries, and often those who staff them, that library staff can provide “answers.” As discussed in *Recognizing the Difference Between Information and Advice*, where legal information is concerned, most often, library staff provides *responses*, not answers. A critical and sometimes undervalued component of resources are *referrals* - where the person can go to get further information and often legal assistance.

The range of referrals for legal information and services is wide and tangled, and can present a challenge to a generalist unfamiliar with the intricacies of the relationships between non-profits, government entities, and the private sector. Element 5, therefore, focuses on describing, delineating, differentiating between and among the range. The goal is to help you identify where in the spectrum of options your patron might most likely get the next step of assistance needed, whether it's a deeper dive into a legal topic, assistance in drafting a motion to the court, or an evaluation of options to address a critical situation.

- Why and When to Refer
- Where to Refer: A Roadmap
- Resources for Referring

Element 6: Topics of Law

Elements 1 through 5 provide a foundation for addressing legal information questions generally. The resources discussed are often general in nature, and may be helpful across many legal topics.

Once the foundation is securely built, the next step is to further grow knowledge in topics within the law. Some topics are in their very nature the purview of attorneys almost exclusively – these are generally areas where there is little statutory or regulatory language, few if any specific procedures, and often, much of the “law” is based on cases or common law – on prior decisions of the courts. These areas are highly subjective, and library staff, even in law libraries, should tread carefully. These topics include, but are not limited to, torts and product liability, many property-related concerns, trusts and inheritance issues.

There are a number of topics, however, that are embedded in daily life, for which there are easily-accessible and helpful resources. With an advanced grounding in the language and resources for these topics, any reference staff can connect a patron to helpful, topic-specific resources.

- Language of Law
- Family Law
- Landlord and Tenant Law
- Employment Law
- Credit and Debt Collection Law

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Element 1: Access to Justice and the Public Library

Access to Justice is, generally speaking, the ability of people to seek and obtain fair, accessible, and equitable assistance in reaching an outcome under the law. Legal needs fall in a broad spectrum, from a need for basic legal information, to problems that can be dealt with using self-help resources and limited legal representation, to complicated issues requiring full legal representation.



Many people who need assistance do not receive it, because:

- They do not know they have a legal problem
- They do not know how to access affordable legal help

These problems can be solved through:

- Raising public awareness of where to find quality legal information
- Bringing the law to the people, instead of having them come to it

The best way to do this is through strategic partnerships between service providers (courts, legal service agencies, bar associations) and information providers (libraries, both law-specific and general).

Public libraries are on the frontline for access to information, about the law itself and helpful services. Public library staff are trained to locate accurate, trustworthy, reliable information. Public libraries are already recognized as information locations, and are already embedded in communities. In fact, people are already coming to public libraries with legal questions. But public library staff may not feel fully equipped to handle the rising tide of questions about law and legal situations. The information contained on these pages is intended to help equip the generalists on public library staff with the basic skills to address legal information questions.

Read more about Access to Justice and the Role of Libraries

- [Maryland Access to Justice Department](#)
- [Maryland Access to Justice Commission](#)
- [U.S. Department of Justice, Office for Access to Justice](#)

Element 2: The Reference Interaction

Overview

A reference interview or interaction for a legal question is conducted in much the same way any general reference interview would: library staff maintains calm and patience, asks the patron questions to clarify the request, and navigates the patron to and through resources.

The main difference separating general reference from legal reference is that most often, with a legal reference question, staff **RESPONDS** to the question with resources that address the underlying topic of the question. Staff does not **ANSWER** the question. A full and complete answer to most legal questions requires some level of interpretation - determining how the law might apply to the specific circumstances provided by the patron. As information experts, library staff can provide information to the patron, but not advice. This means, most of the time you are responding rather than answering. Law library staff rarely ask, "Does this fully answer your question?"

Basically, a legal reference interaction moves through these steps – sometimes repeating, sometimes in a different order. At each step, check in with your patron to make sure they are following along, and that your understanding of their request is still on target.

Steps

Step 1: Rephrase the request back to the patron

Step 2: Ask clarifying questions

Step 3: Identify the goal or need

Step 4: Locate information resources (starting places)

Step 5: Locate, if needed, more detailed or specific resources

Step 6: Explain the resources to the patron – expected content, how to use finding aids

Step 7: Identify referrals for further needs (more detailed resources, legal assistance)

Step 8: Set the patron loose to review. They'll come back if they need more!

The information about legal reference interactions explore how an interaction is conducted – the nuts and bolts of the conversation. They provide a foundation upon which to build knowledge and understanding of the resources for legal information. Resources change; what we provide looks different over time. But *how* we provide it is a skill set that can carry forward.

Contents

The material in this Element is broken into the concepts below for deeper exploration. Where helpful, examples or illustrations are included to help you connect the skill with real-life interactions.

- Behaviors and Interpersonal Dynamics
- Recognizing the Difference between Information and Advice
- Rephrasing the Query
- Information-Gathering Questions (What to Ask)
- Identifying the Need

Behaviors and Interpersonal Dynamics

Legal reference behaviors mirror general reference behaviors. The behaviors you use in other interactions work with legal interactions as well. Review the [RUSA Guidelines for Behavioral Performance of Reference and Information Service Providers](#).

For reference with a legal question, you may need to enhance those skills a bit, or add a few layers.

Always start with what you CAN do.

Say right up front that you can help locate resources, provide referrals, and demonstrate how to use indexes and online databases. Play to your strengths - offer resources, demonstrate how to use them. Keep in mind that people with questions about legal problems are often angry, frustrated, and scared. Starting with what you can provide helps temper and calm those emotions.

If you need to, follow up the CAN statement with a qualifier about what you cannot do. For example, "As a librarian, I can help locate information resources that may help; only an attorney can apply that information to your set of circumstances."

Be approachable.

Make the patron feel comfortable. People with questions or concerns about law-related matters are often scared, angry, confused, frustrated, or all of the above. Your initial response sets the tone for the interaction.

People with tangled life – and legal – situations are feeling stress and anxiety. They may be facing a loss on a life-changing level: loss of income, a house, access to a child, loss of their freedom. They may be defensive from being denied assistance from other resources.

Maintaining a kind and approachable manner can calm their frustration and help the interaction proceed in a positive way.

Practice tip: draft sample scripts so you can respond calmly, maintaining your approachability. Repeat these scripts until they become easy to verbalize. This way, if you are feeling pressure during an interaction, you do not need to be nervous that you will trip up and say the wrong thing.

Be kind to yourself.

The tension between the emotions and needs of the patron and the limits staff must impose in order to do their jobs properly can foster fear and hesitation on the part of staff. Remind yourself that you cannot be all things to all people, that you have a skill set and can exercise it to the benefit of the patron. Stand firm on those limits. If you are feeling pressured, make sure to take a break - self-care is critical in this environment.

Remember that referring someone elsewhere is not a failure to assist, it is connecting someone with the best resource to help them.

Remind yourself that it's okay not to solve someone's problems. If someone came to the reference desk upset that their dog walker had just cancelled an hour before they were expected, would you feel obligated to walk the patron's dog? Or would you offer them a local phone directory and suggest looking under dog walking services?

Think of law questions as similar to homework questions – would you answer a chemistry assignment question? Or would you connect the student to information sources, and perhaps online tutors?

Keep an open mind; don't judge.

Legal problems can show people at their worst, or involve questions of extreme personal privacy. They are trying to make the best decision for themselves, often with little understanding of the process and factors involved. Your own beliefs or how you might approach the problem in your own life does not have any weight in this situation.

Listen patiently.

Sometimes the patron will need to vent a little. Often they are feeling unheard. Your listening skills may be the single most critical factor in the patron feeling helped and heard. And feeling heard can help calm the patron.

Do remember limits, though. You are not required to listen to every detail. And remember “be kind to yourself” – if the venting pushes your own emotion buttons, put a halt, gently, to the rant, and after the interaction, take time to soothe yourself.

Admit to ignorance.

Let them know they aren't alone in not knowing the information, then reassure them that, as an information professional, you are an expert at locating resources. Admitting you don't know can help set their expectations at an attainable level. In addition, sometimes the legal world can feel haughty or arrogant to people working with less knowledge of the arena. Admitting that you, too, don't know something in this arena can help the patron feel less lost.

Apply your search skills.

Ask where they have already looked; explain your strategy; work with the patron to evaluate the results; explain how they can use the resources themselves. Library staff are well-trained in search skills. We can apply these skills in any topical situation, familiar or not.

Identify and explain resources.

Explain to the patron what you are choosing to look at and why you chose a particular source. Demonstrate to them how to use the search engine, index, or table of contents. Explanations can help them improve their own skills, and give them more independence in pursuing their research as they progress.

Set appropriate limits.

Law-related questions often require the setting of limits. Establishing limits helps manage the patron's expectations, right up front. Let them know these limits as soon as possible. Tell them what kinds of materials you can provide; make sure they understand they might need an attorney.

Staff should know the limits under which they may provide service. Limits can be set by administration, related to time and resources expended or services that may be allowed.

Examples include:

- ability to act as a scribe for a disabled patron;
- number of free copies permitted;
- ability to access out-of-plan digital resources; etc.

Limits also include the library staff's own personal limits - how much emotion each staff member may be able to manage from a patron. This limit varies from one staff member to another.

Recognizing the Difference between Information and Advice

There are many resources to help library staff distinguish between legal information and legal advice (linked below). The line is often blurry. Law librarians and even attorneys do not always agree on where the line is. The tips below can help you recognize the difference.

People think of the public library as a place to find answers. With legal reference, many times you will not be finding an answer, but rather providing a response. That response will include information, but may not be specifically an answer.

What is the difference between advice and information?

Advice...

- Requires careful analysis of the law as it applies to a person's specific situation
- May affect someone's rights and responsibilities
- Keeps the decision-making in OUR hands

Information...

- Lets the other person know what possibilities are out there
- Educates the person about a topic without limiting options
- Puts the decision-making in THEIR hands

Exercise Your Skills

Librarians have a skill set that is particularly helpful with legal reference. Our strength is in our ability to teach people how to use resources, to lead them to and through materials that will help inform them. To state this more directly:

Librarians can...

- Help find resources and information to help with understanding legal problems and options
- Demonstrate how to use those resources
- Educate someone about what is in those legal information resources
- Suggest visiting a court library, where a broader range of resources may be available
- Direct someone to legal professionals or legal service providers who are equipped to offer interpretation and advice

Librarians cannot tell someone...

- What a law means (you CAN read them the text of the law)
- What choice to make between two or more options, or give an opinion about which choice should be made
- What the outcome of a court date might be
- If a court decision is relevant to their situation
- What form to use or what to write in a form or document (however, most courts allow a non-attorney to fill in blanks for a disabled patron, as long as the librarian sticks to the exact wording of the patron - check with your library system before do so to make sure you comply with institutional policies)
- Which lawyer to go to (unless your library serves as the contact for your county bar association's Lawyer Referral Service)

Read More About Information Versus Advice

Maryland Courts Access to Justice Department, [What Can I Do to Help You](#)

The What Can I Do materials include a booklet, desk card and poster, as well as a training video. The aim of the materials is to aid court staff in serving the public, but is also helpful to librarian as the distinguishing line is the same.

Southern California Association of Law Libraries (SCALL), Locating the Law: A Handbook for Non-Law Librarians, 5th ed. rev., [Chapter 4: Legal Reference vs. Legal Advice](#)

This resource provides an excellent summary of the why and the how: why the difference matters, and how to distinguish. Concrete examples of questions that fall on both sides of the line are offered. The material is directed at California librarians, but the overview and sample questions apply generally.

Findlaw's [What Is 'Legal Advice'?](#) provides additional illustrations as to what falls into each category.

Get training on how to distinguish information from advice, and learn how to turn an advice question into an information request to which you and your staff can respond. In-person training is available upon request from the [Thurgood Marshall State Law Library](#) (contact the [reference desk](#)) and other members of the [Conference of Maryland Circuit Court Law Library Directors](#).

Rephrasing the Query

The ability to rework and reword a patron's question so that library staff can address it as an information request is a trained skill.

When a patron asks a question that, taken as phrased, appears to request a legal opinion, your initial reaction might be to step back from that question, to respond with standard "we are not lawyers" patter, to raise a barrier so as not to venture into the area of unauthorized practice of law. However, take a second look at the question, and you might find that under the need for legal advice is a basic though unrecognized need for legal information. And information, legal or otherwise, is a library's specialty.

In all reference interactions, whether for legal information, medical information, homework, science fair, or reader's advisory, the first step a librarian takes is to rephrase the question, to confirm with the patron that your understanding of the question is on-target (see [RUSA's Guidelines for Behavioral Performance of Reference and Information Service Providers](#)).

Use this rephrase opportunity to change the perspective of the question. Look for the information nugget in the question. Look for key words that might help identify what it is the patron needs information about, then turn their question into one which you can address.

The following examples illustrate how to rephrase a legal advice question into a legal information question.

Examples of Rephrasing

Question: Is it legal for me to leave my daughter at home alone? She's seven.

Identify the nugget: child alone

Change the perspective: Does the law say anything about the age a child can be left alone?

Rephrase back to the patron: Okay, I understand you need information about what the law might say about the age a child can be left alone.

Question: My ex-wife won't let me see our son, and she wants to move with him to California. How do I stop her?

Identify the nugget: child custody, rights of father/non-custodial parent

Change the perspective: What does the law say about the rights of a non-custodial parent?

Rephrase back to the patron: Okay, I understand you need information about custody and visitation rights.

Question: I want to file a small claims case. I live in Maryland, but the company I'm suing is in Virginia. Where do I file?

Identify the nugget: small claims case, procedures for filing in two geographic locations

Change the perspective: What are the procedures for filing small claims cases in Maryland and Virginia

Rephrase back to the patron: Okay, I understand you need information about filing a small claims case in Maryland, and information about filing the same in Virginia.

Read More About Reference Interaction Skills

[LATI: Library Associate Training Institute](#). Maryland's LATI training includes essential reference interview skills.

ALA's [RUSA Guidelines for Behavioral Performance of Reference and Information Service Providers](#) (also noted above); see 3.0 Listening/Inquiring.

Information-Gathering Questions (What to Ask)

There are key questions you can ask your patron to help guide your choice of resources with which to start. Not all questions below are relevant for every inquiry, but many can be helpful in pinpointing the topic, what the patron is aiming for, and what you can provide.

Ask questions to help identify the topic or issue.

This sounds obvious, but always bears a mention. A reference interaction will include the asking of multiple questions aimed at determining what and how much information is needed. Part of this determination includes identifying the topic, first general, then more specific, about which information is needed. This is a process, not always arrived at with one or two questions.

- Ask open-ended questions to expand your understanding of what they are seeking;
- Ask closed-ended questions to help clarify or refine what they are seeking.

Remember your reference behaviors checklist, specifically the part about admitting to ignorance. You can't know everything about everything. A librarian's strength is in knowing how to find information. A vital part in finding information is asking questions.

What are you trying to accomplish today? What is your goal?

Someone with a legal situation, whether simple or complicated, may try to provide you with as much information as possible. Often, they provide more detail than you really need (or want). Rather than trying to respond to the full situation, it can be helpful to focus on one specific step – see a few trees, rather than the forest.

Illustration:

- Your patron is going through a complicated debt situation that includes a foreclosure. They may be focused on the overall loss of the property, and not looking at the short-

term goal of temporarily postponing the foreclosure sale or finding a place to move to for the short term. Asking what their immediate goal is helps point them, and you, to a limited question which you can address (for example, suggest they contact the [Maryland Court Help Center](#) or [MD HOPE](#) to help with a court filing to postpone the sale, or suggest they contact 2-1-1 for information about housing assistance).

Focusing on one goal helps you to identify one or two resources, which in turn will help the patron take one or two steps towards their end goal.

Where is this happening?

When looking for legal information, location is a critical concept. Where an action takes place can impact which laws apply, where documents are filed, and other details. For example:

Illustration:

- Your patron asks for information about amending their child support payments. You direct them to the [Maryland People's Law Library page on modification of child support](#) and provide them the contact information for your county circuit court's [family law help center](#). Only then do you find out that the child support agreement was established in Michigan...which has an entirely different set of laws.
- Your patron says their father-in-law wants a form for drafting a codicil (modification) to a will. You direct them to the general information about [modifications to wills on the Maryland People's Law Library](#) and recommend that they visit their nearest [Maryland public law library](#) for access to legal texts providing more depth on the topic. Only then do you find out that the father-in-law lives in West Virginia, which may have entirely different requirements for modifying a will.

Do you have any paperwork with you? Would you mind if I looked at it?

You may be reluctant to ask this question, thinking you'll either learn more than you want to, or the patron will expect more from you than you can provide. However, legal terms can be confusing to the non-lawyer, and government structure is not always understood by the citizens who live within it. Briefly stated - people will get things wrong. If your patron is carrying paperwork related to the question they are asking, seeing the actual words used in that paperwork can help correct any errors in understanding the patron might have.

Illustration:

- Your patron wants you to tell him when his court date is. You hop onto the Maryland Judiciary's website and check the [Case Search](#) system for the patron's name. After trying all kinds of alternatives (misspellings, middle initials), the only court record you can identify for this patron is a traffic court appearance from eight years ago. Then you notice the papers in your patron's hands. You ask to take a look, and see that your patron has received a summons for jury service. Case Search lists parties to cases, not jurors. So you suggest your patron contact the jury office at the court for which they were summoned.

What have you already looked at? Who have you talked to so far?

Asking what or whom they have consulted so far serves a three-fold purpose:

Time Savings

You may be saved time in not duplicating work already completed. Most reference staff will review and possibly take a second look at sources already consulted, but it can be a time-saver to know the first look has been taken.

Level of Understanding

Knowing what your patron has looked at can help confirm the level of understanding of resources that your patron has, and thereby help you choose which sources to point them to next.

Illustration:

- If your patron indicates he has already consulted a legal treatise, you may be able to presume he is familiar with more advanced legal materials, and may accept a referral to a [nearby public law library](#), staffed or unstaffed.

Topic Recognition

Sometimes, the patron does not use language you recognize as a particular area of law. If you ask where they have looked, and they indicate several sources, those sources may help you determine what the topic or area of law is, and therefore help point you to the next set of resources.

Illustration:

- Your patron asks about the procedure for kinship care. You think perhaps they are asking about guardianship, but aren't sure of the context, so you ask what they have consulted so far. Your patron says they have asked their local school, but the school wasn't helpful or didn't have a form. This shows you that kinship care is related to school, or education, so you check the Maryland People's Law Library, under the [Education](#) topic, and see a link to [School Enrollment and Informal Kinship Care Arrangements](#). Looking at the information page, you note a link to further [Kinship Care Resources](#).

Are you in court already or are you planning to be in court? Do you know what court you are in?

Certain resources apply to certain courts. If you can identify which court a patron's situation is or would be in, you can point them to more accurate and specific resources.

Illustration:

- Your patron is a minor asking if they have any say in which parent gets custody in their divorce. You know that divorce is a "family law" matter, which is in the Circuit Court, so you can point your patron to the [Family Law Help Center](#) at the local Circuit Court.

- Your patron is upset that their landlord isn't fixing the hot water problem in their apartment. You know that landlord/tenant matters are in District Court, so you can point your patron to the [District Court Help Center](#) as well as to the [District Court website](#) for more information.

The above examples are pretty straight-forward, unlike many reference questions, and there are certainly many more resources that could help for those questions. But knowing the court helps speed the interaction along.

Educate yourself about the basics of state and federal court structure.

There are a few easily-identifiable details that can point you and your patron to the right place. For Maryland state courts, these include:



If you’ve educated yourself about the general types of matters heard in the various Maryland courts, you’ll more easily be able to point, for example, a patron with a traffic question to District Court, or a patron with a probate question to Orphans Court.

Identifying the Need

To determine which resources to look at first, it is helpful to figure out what the patron is looking for by category, rather than topic. With legal information, the need falls generally into five categories. Many questions will fall into more than one category.

Once you have figured out which category or categories the question is for, you can move forward in selecting the resources to provide, or, if you have identified that the resources are not accessible in your library, point them to where they can find those resources.



Category 1: Information

Information is, simply, discussion about the law or an area of interest. The patron may not be pursuing legal action of any kind, but is curious or just wishes to know about something. They

may be thinking about taking action, but need more information before deciding. This category is also where many requests for legal advice fall - you can give information and also referrals for legal assistance (see Category 4: Legal Assistance, below).

Examples of requests for information:

- What are my chances of getting full custody of my children in the divorce?
You can find information on custody, generally.
- Can I record a phone call without telling the other person?
Look for information about audio-recording and privacy.
- What can I do if my former landlord refuses to return my security deposit?
There is an abundance of information about security deposit returns.

Category 2: Law

This request might be for the actual text of a statute, regulation, case, or rule. Usually, the patron has a citation of some kind, indicating the material they wish to see. Sometimes the citation is incomplete or incorrect in some manner. If you cannot locate the specific material, check the citation using the tools provided through this website.

Examples of requests for law:

- I need a copy of Brown vs. Board of Education.
- My traffic ticket says TA 21 801.1. What law is that?

Category 3: Services

This category encompasses a need for assistance with law or government services. Some legal questions are related to the services or benefits provided by government agencies, like Medicare or unemployment. Often, the agency managing the benefit has information on their website, as well as contact information where patrons can call to get responses to their questions.

Examples of services questions:

- How do I terminate Medicare Part B benefits?
- How can I get my Section 8 voucher back?
- What happens if I get an unemployment check after I found a job?

Category 4: Legal Assistance

Often, the patron needs someone who can provide interpretive guidance, analysis, or help writing legal documents. A question for legal assistance is often also, or phrased as, a question for legal information. Many people do not recognize the difference or separate the two in their minds. You can provide the information (see Category 1 above), then point them to locations where they can get interpretive guidance in moving forward.

Examples of legal assistance questions:

- Can I break my lease if my apartment is infested with bugs?
You can provide general information on lease-breaking, but since you cannot tell them whether their own situation qualifies to break a lease, you would also refer them to an attorney, usually through a self-help center, to speak to someone who can assess their situation and advise them.
- My ex is saying nasty things about me on her social media sites. Can I sue her for defamation?
You can provide general information about defamation in Maryland, but since you cannot tell the person whether the acts committed qualify as defamation, you also want to point them to legal assistance.
- Can I get custody of my grandchildren?
You can provide general information about custody and related procedures, but again, because you cannot assess their individual circumstances, you will also want to refer them to legal assistance.

All too often, questions are couched as “can I.” The accurate reply is – “maybe.” The real question is probably “how do I,” or “will I be successful if I...”

Category 5: Forms

Sometimes, the request is for a form. Sometimes, the request is for a procedural action of some kind that probably needs a form or the drafting of a legal document, like a will, or power of attorney.

In Maryland, there are few standardized forms. More often, people need templates or samples to help illustrate what the document might look like, and information to describe the contents. Element 4: About Law, includes a section on Understanding and Finding Forms to help address this area.

Reassess as You Go

Remember to reassess the question as you move along. A question for information may include a need for legal assistance and/or a need for referrals for government services. Many requests for specific documents (a Code section, for instance), may be embedded in a general request for information.

Element 3: Descriptive and Foundation Resources

Much of the information about law is contained in specialized resources – texts and databases that are written for lawyers, presume a level of knowledge, and are usually quite expensive. Law libraries dedicated to legal information contains collections of such materials.

Over the last decade or so, there has been significant growth in lower cost materials aimed at the non-lawyer, self-represented population. These come in a variety of print, web-based, and database formats. For staff in a general library, such materials are more attainable; and for the patron population, such materials are eminently more comprehensible.

A reference interaction with a member of the general public will most often rely first upon these types of materials. These provide a foundation for understanding the more complex possibilities many legal situations involve – particularly because they are easier for non-lawyers to understand.

When dealing with information about law, it is critical to understand what is a good source, and what may not be; and to know of one or two good basics where just about any question can get its start.

- Evaluating Legal Information
- General Sources
- Partnerships
- Forms

Evaluating Legal Information

The vast amount of legal information widely available, particularly through the internet, includes helpful and relevant material, but also inaccurate, biased, or just plain incorrect information. It is important to be certain of the reliability of the information you provide to your patron.

Librarians are taught to evaluate information sources, in many formats, for reliability. The same criteria for assessing the reliability of a general source apply to legal information sources. There are additional, perhaps more specific, criteria that should be applied in determining whether legal information is good to pass on to your patron.

Authority

- Who is responsible for the content?
- Is the author and/or body responsible for the content clearly identified?
- Is the author and/or body a reliable source?

This is particularly critical for online resources. Official law comes from governmental bodies (see: [Maryland Public Library Toolkit](#) under government structure and sources of law). Websites authored by the originating government body are a highly reliable source. There are other reliable sources, including reputable educational (law school) or community (not-for-profit legal aid groups) organizations. Evaluate these on a case-by-case basis. Try to think about whether the source has a potential bias (see Objectivity, below). Think about how much getting the information right means to the author. For example, a law firm blog has a vested interest in posting correct information, as they would not want to misinform potential clients.

Objectivity

- Is there a bias present that could impact the reliability or usefulness? (see Authority, above)
- Is more than one argument or side presented?

Suppose your patron is a landlord with a question about a situation with a tenant. Much of the information about landlord-tenant law is written from the tenant's viewpoint. This might make the information less helpful to your landlord patron. On the other hand, do not discount information because it is coming from the opposite direction. If the source is reliable source it may still help inform someone of the general area of law.

Accuracy

- Does the source provide citations so you can verify the information?

Suppose a patron asks what constitutes an official will in the state of Maryland. You find a source that states that, for a Maryland will to be official, it must be signed and witnessed. However, beyond the statement itself, the source does not point you to where the law actually says that exact information - no Maryland Code citation, no reference to any cases or regulations. Nice though the statement is, with no citation backup you cannot verify the information as true, and so cannot rely on that source.

Coverage

- Does the source include the appropriate material for your need? Keep in mind there are different kinds of law (statutes, regulations, cases, etc.), resources (official or unofficial), and multiple jurisdictions.

If your patron asks for statutory law, and the fabulous resource you found talks about the State Department of Education's regulations on the issue, you may not be finding coverage of what the patron wants. Similarly, if your patron asks for Maryland law on an issue, and the resource you found discusses Delaware law, you are not finding the proper coverage.

Timeliness

- When was the information written?
- Is there an indication of the last update or review of the information?

Laws change all the time, and legal situations can rise or fall on how the language read at the time of the event. If someone asks for the current law on an issue, and you find what looks like a wonderful site with statutory text and explanations, but the date indicates the page was last updated in 2007, clearly this is not reliable and accurate for the situation.

Read Further:

- American Association of Law Libraries (AALL) [Guide to Evaluating Legal Information Online](#) (2016)
- Maryland People's Law Library, [Evaluating Legal Websites](#)

General Sources

At the start of a reference request, rather than attempt a comprehensive review of resources, it is often best to check one or two well-known, reliable, and general sources that cover a wide range of topics, particularly if you are still learning about law and how topics might be organized and sub-divided.

Remember to review with a critical mind any sources, even those considered reliable. Review Evaluating Legal Information (above) periodically to refresh your memory about important criteria.

For Maryland Questions

[People's Law Library of Maryland](#)

The Maryland People's Law Library (PLL), a legal information site managed by the Thurgood Marshall State Law Library, provides Marylanders with information and summaries about the law, links to primary and secondary legal sources, and referrals to legal services. PLL covers many topics and is a good starting place for almost any topic, including procedural questions.

[Gateway to Maryland Law](#)

For primary sources – the text of actual statutory language (Code), regulatory language (COMAR), court Rules, and cases, start at the one-source-for-all page. The Gateway provides reliable links to online primary law sources, and includes a collected list of county and municipal codes in addition to state materials.

[Maryland Courts](#)

The Maryland Judiciary's website contains a vast amount of helpful material. In addition to standard court-related information such as court structure, jurisdiction, contact phone numbers, and court forms, Maryland's courts also make available extensive [resources for self-help persons](#). These include, but are not limited to:

- [Court Help Videos](#)
- [Court Help Centers](#)
- [Free Online Classes \(Webinars\)](#) on many helpful topics (some are on-demand, some are scheduled live). These can be helpful to your patron, and also to you for furthering your understanding of frequently-asked-about areas of law.

The Maryland District Court has [Information Brochures](#) on common topics including landlord/tenant, garnishing wages, collecting a judgment, expungement and more. Brochures are available in several languages, usually Spanish, French, Russian, Korean and Chinese.

In addition to printable information brochures, the District Court also has helpful information pages on a number of other topics, linked right in the center of their [welcome page](#).

The Maryland Court of Special Appeals' publication, [A Guide for Self-Representation](#), is helpful for those pursuing an appeal in Maryland's Court of Special Appeals.

[Maryland Public Library Toolkit](#)

Many further resources to help guide you through a legal information reference request are grouped in the Toolkit.

For General and Non-Maryland Questions

[Cornell's Legal Information Institute \(LII\)](#)

The [LII's encyclopedia, Wex](#), is a great starting point for descriptions of legal terms and concepts. If the question posed includes terms that are unfamiliar, and you'd like to get a good footing before digging further, start here. This can be particularly helpful if the question comes from a student assignment, and the information they are seeking is more theoretical than practical.

On the LII home page, choose Legal Encyclopedia, then All Wex Articles. Or, use the search engine in the upper right, and filter for Wex.

[Nolo.com](#)

Nolo is a publisher of legal information for non-lawyers. There are several excellent options for print publishers of legal resources for non-lawyers, but Nolo also produces a [free online encyclopedia](#) – essentially, a brief, distilled version of their full publications – that can provide a good basic foundation for further research. Much of the information in the Nolo online encyclopedia is non-state-specific, and use of the information must be accompanied by a look at state-specific laws and information. But there are some state-specific articles, and some state survey articles, and a number on Maryland law in particular. These can help augment the information provided on PLL.

As the online materials are a briefer version of the information in Nolo's publications, identifying a brief online article can help point you and your patron to a longer publication that might be in your library's collection, available through interlibrary loan, or available for purchase by the patron at a bookstore.

[LawHelp.org](#)

Operated by [Pro Bono Net](#), a national nonprofit organization and a major player in the Access to Justice movement, LawHelp provides a platform for reliable state-specific legal information, similar to what the People's Law Library is for Maryland. In fact, if you click on Find Help by State and choose Maryland, you will be directed to the PLL site.

LawHelp is an excellent starting place if you are looking for state-specific information for a non-Maryland state. As Maryland not just a small state, but a rather sprawled one, many counties

border other states, and many public library systems therefore get questions about laws in those neighboring states. LawHelp helps point you to useful resources.

For topic-specific resources, see the Topic Articles

Partnerships

You might think your library has limited or no resources at all for law-related questions. Before you move forward with other resources, check in your own system. Most public libraries have access to information about law, either right there in the library, or a short distance down the road.

In Your Own Library

- **Check your system's catalog.**
Look in particular for publications by Nolo or Sphinx, both publishers of legal information for non-lawyers (see Online Sources for Getting Started for a description of Nolo's free online encyclopedia). Your library may even purchase and keep updated publications from the [State Bar Association](#), the [National Consumer Law Center](#) or other organizations focused on law. Note what is in your own branch, and what may be available from other branches in your system.
- **Check your system's database collection.**
Public library database access may include helpful resources. Look for databases like Gale Legal Forms, for sample forms, or Gale eBooks, which includes a collection of law-based titles helpful for school homework and National History Day projects. Sometimes, there may be a subscription to a limited version of Westlaw or Lexis.

Beyond Your Library - Partnerships

Partnerships with other organizations are a great resource. Partner organizations provide information in areas the library might not have in-house:

- informational brochures
- a great database or set of books
- clinics or limited representation

They also add readily accessible levels of expertise on whom you and your staff can rely.

Partnerships do not have to be formally established, they can be as simple as a connection you made at a recent conference, a contact at an organization who already calls you, or just a geographically close entity.

- **Check out any neighboring libraries.**
Local community colleges often have paralegal or law-related courses and have corresponding collections in their libraries. Area universities similarly may have public access to their extensive collections. Use their websites to view policies and collections before reaching out or directing a patron.

- **Look for your nearest public law library.**

Maryland has [multiple law libraries](#) open to the public. These include, in addition to the State Law Library in Annapolis, libraries in the Circuit Courts: 21 of the 24 Circuit Courts have a law library, and of those, eight have librarians who can help connect you to further resources. And the Universities of Maryland and of Baltimore both have law libraries generally open to the public. If one is close to you, arrange for a visit so you can familiarize yourself with their collections and services.

- **Review your local government directory.**

Look for an office with a focus related to the query (and note this method for identifying referrals, as well). For example, if your library is getting a growing number of questions about assessing assets for Medicaid eligibility, reach out to your county's Office of Aging. They likely get similar questions. Perhaps they have brochures or publications you can make readily available to your patrons.

- **Connect with your local bar association.**

Bar associations make great partners for information related to law. They have a vested interest in the public being correctly informed about law matters. They often have work groups or committees specializing in particular areas of the law, like family law, or elder law. They may publish a newsletter or journal, with information about local court processes, new legislation, and other matters of concern. And they may publish more in-depth topical introductions to law. These are all great resources for assistance and information, both for your staff and for your patrons.

The more you work with other organizations, the better the understanding of who does what. This makes future referrals more accurate, which is always a good goal.

Element 4: About Law

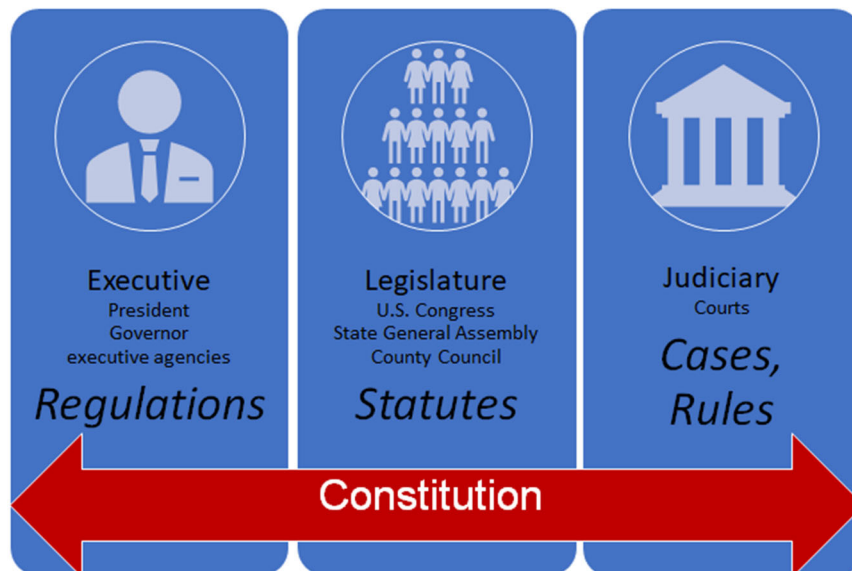
To grow beyond the basics, it is critical to learn about the foundations on which our law is built. This amounts first and foremost to growing an understanding of basic civics – how the government is structured. Then, from that platform, develop the connection from the structure to the process – how is law made and where does it appear when made (published and official format). Law is a highly procedural field. If you can understand the underlying processes, you’ll have a much better chance of identifying relevant and helpful resources for your patron.

- Civics and Government Organization
- Location and Its Importance
- Finding Law
- Court Structure and Process
- Language of Law
- Understanding and Finding Forms

Government Organization

An understanding of the organization of the bodies of our government, how they interact with each other, and what law they produce, is essential to the ability to provide pertinent and helpful resources for a legal reference question.

It may be helpful to think of government organization as a series of “threes.” There (generally speaking) three bodies of government: executive, legislative, and judicial. Each of these bodies of government produces part of “the law.”



Read more about Government Organization

There are many great resources for learning more about the structure of government:

- The [National Constitution Center](#) in Philadelphia includes [educational videos](#) on their website. Generally intended for school audiences, these are yet a helpful way for anyone to learn more about government structure.
- Schoolhouse Rock, fondly remembered by children of several generations, produced the Three Ring Government video that is still the gold-standard for quick and informative. A quick search of YouTube pops up several options for watching this three-minute gem.

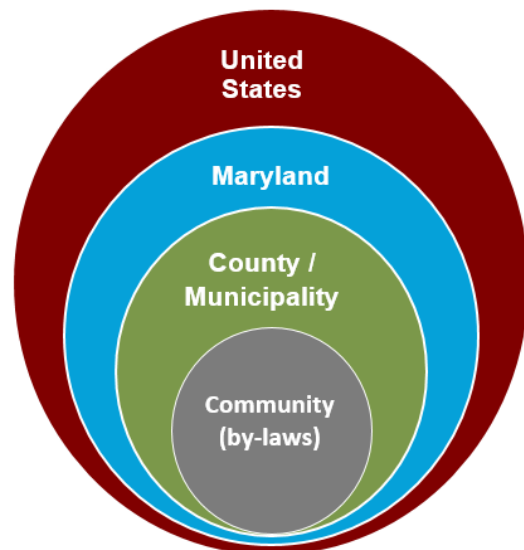
Location and Its Importance

There are also three “levels” of government: federal, state, and local (county/municipal). At each of these levels, law is crafted (though not necessarily all three types – generally, at the local level, there is legislative law, and sometimes regulatory, but rarely a form of judicial law).

Federal law applies to the full country, state to the individual state, and local to the borders of its location. Each lower level is subject to the upper ones as well. Thus, someone living in Baltimore County is subject to Baltimore County’s laws, Maryland’s laws, and the laws of the United States.

Though not included in the “threes”, in some areas of Maryland, community by-laws can form a sort of fourth level. Residents of communities with covenants and by-laws are subject to the language of those documents as much as to county, state, and federal law.

An important information-gathering question to ask in a reference interaction is, where? Where the situation is happening and/or where the party or parties involved in the situation reside is a critical element to addressing a legal situation. Where an action takes place can impact which laws apply, where documents are filed, and other details. For illustrations, see Where is this happening, under Information-Gathering Questions (What to Ask).



Finding Law

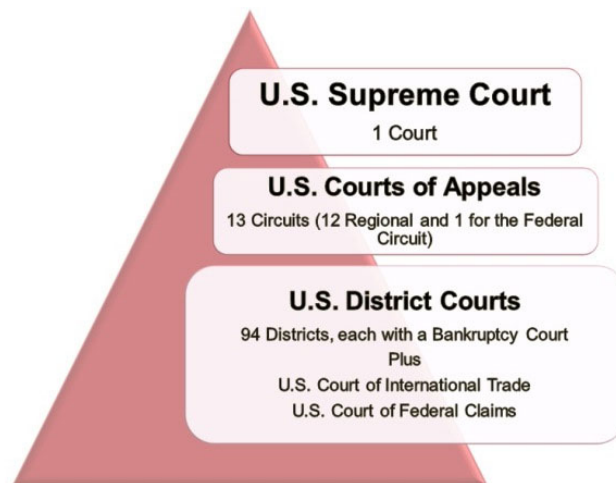
For the best collection of reliable online Maryland primary law sources (Code, cases, and regulations), see the Library's [Gateway to Maryland Law](#). Resources are also separately enumerated below.

Watch the Maryland Courts' video, [What is the Law?](#) for a good visual of the different kinds of law.

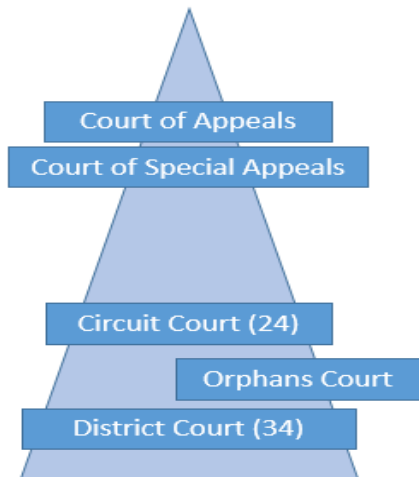
Court Structure and Process

The court system can be pictured, somewhat, as another “three” – generally speaking, courts at the federal and state level have three levels: trial court, mid-level appellate court, and highest court.

Federal courts call their initial trial level court a “District” court. The federal trial court for Maryland is the Federal District Court for the District of Maryland. The mid-level courts are called the Courts of Appeal, with states grouped within a “circuit.” Maryland is in the 4th federal circuit, with the court called the Fourth Circuit Court of Appeals (or Court of Appeals for the 4th Circuit). And the highest court is the U.S. Supreme Court.



<https://judiciallearningcenter.org/levels-of-the-federal-courts/>



In Maryland, there are two trial-level courts: District Court and Circuit Court. The mid-level appellate court is the Court of Special Appeals, and the highest court, the Court of Appeals.

The [District Court](#) generally hears smaller cases, including small claims, traffic, landlord-tenant, and lesser criminal and civil matters. There are District Court locations in each county and Baltimore City; some have more than one location.

The [Circuit Court](#) generally hears family matters (divorce, child custody and support, etc.), as well as larger criminal and civil matters. Circuit Courts are where jury trials are held. If your patron indicates a jury is involved, their case is not at District Court, but rather at Circuit Court. There is a Circuit Court in each county as well as in Baltimore City, for a total of 24 locations.

The appellate courts – Court of Special Appeals and Court of Appeals – are both located in Annapolis. Generally, cases from the trial level can be appealed to the Court of Special Appeals, and from there, to the Court of Appeals. The appeals process can be complicated, and where a particular case is appealed depends on multiple factors, including where it originated, whether it has been appealed before, and more.

In addition to the courts listed above, there is also an additional court, called the Orphans Court, where wills, estates, and other probate matters are handled.

Learn More About the [Maryland Court System](#)

Language of Law

The legal world uses many words that are unique to the legal field – for example, *certiorari*, *tort*, and ----. The legal world also sometimes has different usages or meanings of standard vocabulary – *negligence*, for example, has specific meaning to attorneys.

It is helpful, when assisting with a legal reference question, to either understand the jargon, or be able to look it up quickly. Getting a quick grasp of the meaning of the vocabulary will help you connect your patron to appropriate topical resources.

When a patron uses words that look unfamiliar, it is good to have tools at your fingertips to help you identify those odd elements. Once you have identified the material requested, you can actually go find it.

There are many ways to locate the meaning of a term when used in law, both in print and on the Web.

The most commonly-used legal dictionary is Black's Law Dictionary. Published since 1891 and now in its 11th edition (2019), Black's is often available in general public libraries. Check your library's catalog and reference collection. Black's provides not just definitions, but sometimes references to cases that may further explain a term, which can be helpful if the patron's question is about the term itself.

If you don't have access to Black's, there are any number of other print dictionaries your library may have instead. Additionally, there are a large number of glossaries and vocabulary lists on the Internet that are easily accessible.

Maryland Judiciary, [Glossary of Court Terms](#)

U.S. Courts, [Glossary of Legal Terms](#)

Cornell's Legal Information Institute, [Wex](#)

Nolo's [Dictionary of Law Terms](#)

Understanding and Finding Forms

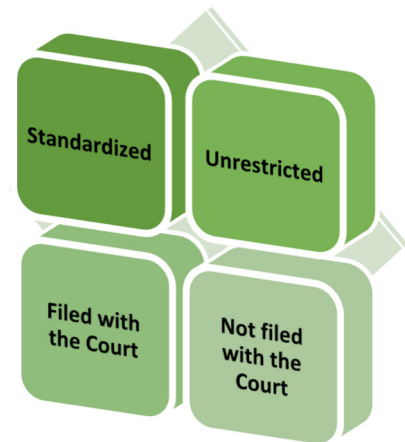
The business of law is transacted in large part by forms and filings. Almost every legal action begins with a form: filing for divorce; transferring property; forming a business corporation; making a contract; filing a complaint; etc. However, in Maryland only a small number of legal actions have standard fill-in-the-blank forms. For most civil legal actions, a patron must find information about formatting and content, and structure their own document.

Often, when a patron asks for a form, they are hoping there is a simple one-pager with blanks to fill in, like filling out an emergency contact form for your child's school. The patron may also believe that the action they intend to take is easy, simple, and can be addressed in such a one-pager. This is rarely the case.

Library staff try to identify generally what the patron would like the form to address (via the reference interview), and to point them to resources that will help them choose for themselves a form or sample form and draft their own document. There are many sources of forms and information about forms, so even though we cannot determine the perfect form for them (see *Recognizing the Difference between Information and Advice*), we have an opportunity to point them helpfully and effectively.

Types of Forms

- Some forms are standardized by law – courts, statute, or regulation. This means that the governing body has developed a specific look for the form, with those highly-desired blanks to be filled in. “Fillable” forms are available for...
 - Many [District Court](#) actions (small claims, landlord-tenant);
 - [Family actions](#) in Circuit Court (divorce, child support, guardianships, name changes);
 - Powers of Attorney (standardized by [MD Code, Estates & Trusts Article, Title 17](#)).
- Some "forms" are more unrestricted in their content, allowing flexibility to accommodate many possibilities. These includes actions like more complicated motions and complaints, wills, contracts and leases.
- Some forms are filed with a court; some do not need to be filed with a court to take effect. Some may not need to be filed with a court until a later time or a specific circumstance (examples: a will; a power of attorney).



Finding Forms

Forms from the Court are linked through the courts' website. There is a [Court Forms Finder](#) to help guide a patron to the needed forms.

The Maryland People's Law Library's [Find Court and Legal Forms](#) has an overview and list. This is more comprehensive, as it links to forms the court provides as well as to forms found in other locations.

Federal forms are sometimes available from the website of the federal court. The U.S. District Court for the District of Maryland, for example, has a page [District Court Forms](#), and an additional page of Self-Represented Forms that help support the self-represented.

Additional resources for forms and formatting of documents and filings are linked in the Maryland Public Library Toolkit. See the Toolkit at [11.State Judicial Law, Part D: Forms](#)

Element 5: Understanding and Finding Referrals

There is an underlying belief among those who use libraries, and often those who staff them, that library staff can provide “answers.” As discussed in [**distinguishing advice?**], where legal information is concerned, most often, library staff provides *responses*, not answers. A critical, sometimes undervalued, component of resources are *referrals* - where the person can go to get further information and often, legal assistance.

The range of referrals for legal information and services is wide and tangled, and can present a challenge to a generalist unfamiliar with the intricacies of the relationships between non-profits, government entities, and the private sector. Element 5, therefore, focuses on describing, delineating, differentiating between and among the range. The goal is to help you identify where in the spectrum of options your patron might most likely get the next step of assistance needed, whether it’s a deeper dive into a legal topic, assistance in drafting a motion to the court, or an evaluation of options to address a critical situation.

Purpose of Referrals

We do our best service when we link a patron to the resource that best fits their need. Sometimes the best resource is something in our library. Sometimes, the best resource is elsewhere. Our best service, in that instance, is connecting the patron to “elsewhere.” There are several reasons why “elsewhere” may be best:

- library staff has hit a roadblock in knowledge or resources
- the required time investment to make progress is too burdensome
- the patron refuses to accept the information provided
- the patron really does need advice or representation

Comprehensive Referral Resources

There are many compiled lists and directories of resources for referring someone elsewhere for assistance. As with descriptive and foundational resources, your best bet is to know a few good comprehensive resources that will provide referrals for a range of topics.

- The [People’s Law Library’s Legal Services Directory](#) includes many referrals, local and statewide, for general to topical assistance. The Directory can be filtered by category (subject) and by county, enabling library staff to provide an on-point resource list to the patron.
- [Maryland Court Help Centers](#) are available in several formats. There is a statewide telephone and chat service, as well as walk-in, face-to-face assistance for family law matters at Circuit Courts, and for District Court matters at some District Court locations.
- Maryland has many organizations providing legal assistance for a wide range of areas (see the PLL directory). The “big three” are often a good starting place:
 - [Maryland Legal Aid](#) provides direct legal assistance for many civil matters, for those who income-qualify.
 - [Civil Justice, Inc.](#), can help connect people to information and legal services.
 - [Maryland Volunteer Lawyers Service](#) (MVLS) also helps connect people to information and legal services.

To find legal assistance for matters outside of Maryland, [LawHelp.org](#) helps connect to assistance across the country. Use the link at the top to Find Help by State.

The topics in Element 6 provide referrals for more specific topics – organizations or clinics that specialize in a single area of law.

A Deeper Roadmap for Referrals

There is considerable overlap in what different types of legal assistance entities do to help. Generally speaking, they fall into six broad (and often overlapping) categories. In no particular order, these are: government agencies; social services; law libraries; self-help centers; legal clinics; lawyers.

Practice Tips

- Make and keep at hand a list of frequent referrals, organized in the order you find the quickest and most useful.
- If you are not sure what referral to use, law libraries make a quick and excellent contact. If you don't have a public law library near you, reach out to the next closest one. Create an informal partnership and lean as needed.

Government Agencies

Often, questions that sound like they are about law are really about handling a matter with a government agency. If you can identify the government agency and locate contact information, you have connected your patron with the resource best able to answer not only the question asked but also any follow-up questions.

Illustrations:

Tax questions - state or federal: both the [Maryland Comptroller](#) and the [IRS](#) have extensive information and contacts on their websites.

- How do I know if I'm eligible for an Earned Income Tax Credit?
- Do I need to pay employment tax for my nanny?

Motor vehicle registration and driver licensing: the [Maryland MVA's website](#) is very helpful.

- I have a license from another country, how do I get a driver's license in the United States?
- How long do I have after moving to Maryland before I need to re-title my vehicle?

License requirements for professions: start with the Maryland Department of Labor, Licensing & Regulation's [Division of Occupational and Professional Licensing](#). Their Quick Links provide access to numerous business and professional licensing requirements.

- What kind of license do I need to open a sporting goods store?
- Who do I call about my construction license?

The [Maryland Manual](#), published online by the Maryland State Archives, arranges Maryland state, local, and even federal government agencies into an accessible one-stop location. The configuration of the site presumes a level of knowledge of how government is organized (see Element 4 About Law: Civics and Government Organization), but there is also a handy search bar.

For federal agencies, the [U.S. Government Manual](#) has long been the standard resource for identifying federal government entities.

Social Services

Social services can be government agencies or not-for-profits. Social can help with questions that may sound like legal questions but are actually about solving a particular problem. And like agencies, if you can connect the patron with an appropriate social services entity, you have provided not just assistance for the question asked but also with assistance for related matters going forward.

Illustrations:

- Child support enforcement: the [Child Support Enforcement Agency](#) connects people to local CSEA offices for assistance.
- Living benefits like help buying food or paying energy bills, or obtaining medical assistance: the [Maryland Department of Human Resources](#) connects to these services through its website, and offers an 800-number for questions.
- Questions related to homelessness, which can span a wide range, including expungement, public benefits, subsidized housing and more: the [Homeless Persons Representation Project](#) provides legal help, as well as connections to other assistive services.

Immigration, disability claims, and innumerable other topics fall into this category, too: there are many more agencies that can be listed here. An excellent way to locate an assistance group is through the Maryland People's Law Library [Legal Services Directory](#).

Law Libraries

Because law library staff handle law questions regularly, they have the experience to address questions about legal matters with targeted materials and referrals. Law library collections contain a broad range of resources on the law, general and specific, many of which cannot be found in a public library. For example, most public law libraries have free public access to legal databases (Lexis, Westlaw, and others), as well as print materials like the Maryland Law Encyclopedia and extensive forms books to help patrons locate appropriate forms (see Finding Legal Forms for more information). Law librarians are happy to work with generalist colleagues in getting the patron's needs addressed. Maryland is fortunate to have public law libraries in several locations around the state.

Examples include questions that ask about the law in an area, in a more descriptive fashion, such as:

- What is the law governing taking photographs in a public place?
- What does the law say about searching student lockers?
- What is the law about discharging a firearm on private property?
- What laws regulate cemeteries?

[Maryland Law Libraries](#), a directory of all Maryland public law libraries, is on the Courts' website.

If you need to reach beyond Maryland, the Law Library for San Bernardino County (CA) includes on their website a handy [map for locating public law libraries](#) all over the United States. Or simply Google "public law library" and the state name.

Self-Help Centers

Self-Help Centers come in many forms. They may or may not be staffed. Some are staffed by librarians, others by legal professionals, or both. Help centers are organized to address the needs of the self-represented patron (whether litigant or not). There may be extensive signage, print finding aids, computer interfaces and other aids to help point the untrained patron to helpful legal materials. They often have forms collections. Self-help centers are especially good referrals for motivated and independent patrons. They are most often intended to provide short-term assistance - a brief discussion of processes and next steps, and references to information materials and/or forms to help the patron/litigant move forward.

Illustrations:

- For procedural questions of all sorts for court actions, start with the [Maryland Court Help Centers](#). If you know the patron's action is in District Court, start with the [District Court walk-in centers](#). Not sure if it's a District Court action? Review the [Maryland Court System](#).
- For family law questions like modification of child support, or complications in a divorce action, direct people to the courts' [family services programs and help centers](#).

Legal Clinics

Legal clinics are staffed by legal professionals who are able to offer analysis of a patron's legal situation. Clinics may have short-term or sometimes longer-term relationships with patrons (clients). Generally, they have more hands-on assistance than Help Centers. Many specialize in an area of the law, like criminal, or landlord-tenant, or disability. Some are restricted to low-income persons, some are open to all.

Examples of good questions to send to a legal clinic include:

- I need help figuring out what to write in my motion.
- Family law questions, again like the Self-Help Centers
- How can I set up a guardianship for my aging parent?
- My landlord isn't doing anything about the roach problem in my apartment, what are my options?

Legal clinics may be operated as Lawyer in the Library programs. These are available in many locations, run in partnership with law libraries, public libraries, and legal services organizations. Check with your local public law library or public library system, or review the [PLL Legal Services Organization](#) for local or topical organization who might hold clinics.

Lawyers

Lawyers are trained to analyze legal situations for possibilities and to identify options within the specific circumstances, as well as offer an opinion as to the merits of each option. It may feel like you are excusing yourself from assisting, but in many situations a lawyer is the best possible option for your patron. There are many resources available to help you help a patron locate an attorney, and many options within those resources to accommodate expenses (note below in the Resources for Referring, the option for limited scope assistance). The [Public Library Toolkit](#) can point you to the best starting resources.

Examples of questions that need an attorney's input:

- [Tort](#) questions, like personal or product liability (think "damages"). Issues in tort claims are complicated, often governed by case law, and require interpretive assistance. For a better understanding of the range, see the Cornell Legal Information Institute's entry on Torts. See also the Maryland People's Law Library on [Maryland Personal Injury Law](#).
- Contract questions. Like torts, contract law is quite complicated. For descriptive information on why, see the Maryland People's Law Library on [Contracts](#).
- [Estates and Wills](#). Though there is plenty of information about drafting wills and settling estates, because the potential complications involved it is generally recommended that an attorney be consulted for situations in this area.

Element 6: Topics of Law

Elements 1 through 5 provide a foundation for addressing legal information questions generally. The resources discussed are often general in nature and may be helpful across many legal topics.

Once the foundation is securely built, the next step is to further grow knowledge in topics within the law. Some topics are in their very nature the purview of attorneys almost exclusively – these are generally areas where there is little statutory or regulatory language, few if any specific procedures, and often, much of the “law” is based on cases or common law – on prior decisions of the courts. These areas are highly subjective, and library staff, even in law libraries, should tread carefully. These topics include, but are not limited to, torts and product liability, many property-related concerns, trusts and inheritance issues.

There are a number of topics, however, that are embedded in daily life, for which there are easily-accessible and helpful resources. With an advanced grounding in the language and resources for these topics, any reference staff can connect a patron to helpful, topic-specific resources.

- Language of Law
- Family Law
- Landlord and Tenant Law
- Employment Law
- Credit and Debt Collection Law

Family Law

What is Family Law?

Family law encompasses the many legal aspects of marriage, parenting, and family care. This includes marriage and resultant situations like divorce, as well as parenting situations – child custody, visitation, and support, and paternity. Also generally in this category you may find discussed issues related to guardianship (of children), adoption, and even name changes.

Common Areas of Concern

Lack of child support payment

Breach of visitation schedule

Modifications of child support payments

Establishing or modifying a guardianship of a minor

Birth certificate issues (corrections and amendments, most often)

Establishing paternity

Marital property division

Helpful Details

To identify where resources are likely to be found, there are a few details that can help connect you to the right place:

- **State law** generally establishes how marriage and families are defined, established, and dissolved. Therefore, most processes for divorce, child custody, and child support are done at the State level.
- In Maryland, family law cases are generally heard in the **Circuit Court** for the county in which the involved parties reside.
- **Federal law** is increasingly including broad-level legislation within areas such as child welfare, child support services, adoption, and child protection. Depending on the topic of concern, federal law may include information on family-related matters.

Examples of Questions

- I need to get a divorce. I don't trust my husband, so can I get full custody?
- My kids' father owes me child support. Can I stop letting him have visits with them until he pays? How do I make him pay?
- I owned my house before I got married. Now that we're splitting up, can my spouse claim any right to it?
- My new husband wants to adopt my child from a previous marriage. My child's father has never paid any support, and never been interested in being a parent. Do I have to get his permission for the adoption?

Apply the Process

First - Untangle the question

- Rephrase the question
- Gather details (who, what, when, where, other)

- Identify the type of need (information, law text, legal assistance, government services, forms)

Next - Initiate the research process

- Identify broad legal topics and search terms
- Locate foundational resources to begin a deeper search trail
- Find applicable local, state, or federal law

Then - Provide resources and referrals

- Foundational / descriptive resources
- Referrals for deeper level assistance or legal advice

Foundational Resources for Family Law

- People’s Law Library is the best starting place for this topic. For additional materials, see “Self-Study” below.

Primary Resources

For family law questions, the citations below point to the general location of much of the law for the topic. Note that there may be other locations within each resource that have related information.

- Maryland Statutory Law (MD Code)
 - Family Law Article
- Maryland Regulatory Law (COMAR)
 - Title 07. Department of Human Services, Subtitle 02. Social Services Administration (adoption, kinship care, and more)
 - Title 07. Department of Human Services, Subtitle 07. Child Support Administration
- Maryland Court Rules
 - Title 9. Family Law Actions
 - Note that general procedural Rules within Title 2. Civil Procedure-Circuit Court may also be important
- Forms
 - Many family law forms are available from the Courts website. Because the courts do provide a number of family forms, this should always be the first place to look for forms for family law questions.

Connect to Legal Assistance

Statewide:

- Women's Law Center of Maryland
- Civil Justice Inc.
- MVLS
- Maryland Legal Aid
- Court Help Centers
- PLL Legal Services Directory

Local:

- Montgomery County Bar Pro Bono Program
- Prince George's County Community Legal Services

Self-Study

Build your skill at responding through regular self-study. The resources below will help enhance your knowledge and understanding of this topic.

- PLL topics: Family Law
- Maryland Courts: Children & Family Legal Help includes articles and a helpful video collection
- Fader's Maryland Family Law, by Cynthia Callahan and Thomas C. Ries (LexisNexis), is the Maryland text on this topic. Some libraries have the text in their collections; check yours to find out. A review of the contents alone can help ground you in the major subtopics for this area.

Landlord and Tenant Law

What is Landlord-Tenant Law?

Landlord-tenant law (LLT) generally includes law related to residential rental properties, like apartments and houses. This includes public housing (Section 8 and other types) – but significantly does not include mobile homes or commercial properties. Generally, it also does not address HOAs or condo associations.

Common Areas of Concern

Rent disputes
Maintenance disputes
Entrance issues
Nuisance concerns
Ending a lease early
Security deposits

Helpful Details

To identify where resources may be found there are a few details that can help connect you to the right resources:

- **State law** generally dictates lease language (broadly), particularly which provisions must be in the lease.
- **Local law** (county or municipal) more commonly addresses specifics regarding livability or habitability, property conditions, and other details.
- **Federal law** addresses such areas as low-income and public housing, as well as discrimination issues.
- In Maryland, LLT cases are generally heard in **District Court**. The docket (or case listing) of LLT cases is often referred to as “Rent Court,” though there is not technically a court with that name. Cases are generally heard in the county in which the property is located.

Examples of Questions

- My landlord says I’m out tomorrow if I don’t pay up. Can he evict me without a court order?
- The back steps of my rental house fell in. Do I have to repair them, or does my landlord need to do that?
- My tenant painted all the walls black before moving out. It’s going to take multiple layers of paint to cover that up. Can I keep the full security deposit to offset the cost?

Apply the Process

First - Untangle the question

- Rephrase the question
- Gather details (who, what, when, where, other)

- Identify the type of need (information, law text, legal assistance, government services, forms)

Next - Initiate the research process

- Identify broad legal topics and search terms
- Locate foundational resources to begin a deeper search trail
- Find applicable local, state, or federal law

Then - Provide resources and referrals

- Foundational / descriptive resources
- Referrals for deeper level assistance or legal advice

Foundational Resources for Landlord-Tenant Law

- People’s Law Library is the best starting place for this topic. PLL provides informational articles, and includes links to further material from the Maryland Courts and more.

Primary Resources

For LLT questions, the citations below point to the general location of much of the law for the topic. Note that there may be other locations within each resource that have related information.

- Maryland Statutory Law (MD Code)
 - Real Property Article, Title 8 (landlord/tenant actions)
- Maryland Court Rules
 - Title 3: Civil Procedure – District Court
- Forms
 - Many LLT forms are available from the Courts website. Because the courts do provide many forms for these actions, this should always be the first place to look for forms for LLT questions.

Connect to Legal Assistance

- Court Help Centers
- Fair Housing Action Center of Maryland
- PLL Legal Services Directory, which will connect to MVLS, Maryland Legal Aid, and more

Self-Study

Build your skill at responding through regular self-study. The resources below will help enhance your knowledge and understanding of this topic.

- PLL topics: Landlord-Tenant
- Maryland Courts: under Court Help: Housing, you’ll find videos and free online classes, as well as a nice collection of information brochures
- Guide to Maryland Landlord-Tenant Law, from the Fair Housing Action Center of Maryland (2020)

Public Benefits Law

What is Public Benefits Law?

Public benefits law covers a wide range of assistance provided by the government. As we know from government structure, there are multiple levels of government, and a wide range of agencies that may be involved. The biggest challenge with this area of law is identifying the agency or agencies involved.

Public benefits can include the following, and more:

- Food stamps (SNAP, TANF)
- Temporary Cash Assistance (TCA)
- Social Security (SSI, SSDI)
- Medicaid
- Utilities relief
- Unemployment insurance

Common Areas of Concern

Patrons may arrive with many challenges, but these are probably the most common:

- Eligibility requirements
- Applying for benefits
- Appealing a benefit determination
- Language and technology access

Helpful Details

To identify where resources are likely to be found, there are a few details that can help connect you to the right place:

- **Addressed mainly by local, state and federal law**
Often, there is language at both the state and federal levels, and then implementation is a combination of local and state
Example: public housing or Section 8 housing, where language related to eligibility, application, certification and more is generally in federal law, but local public housing agencies administer local housing. See, as a start, HUD's Public Housing Program.
- **Rarely a court-related matter; more often an administrative hearing matter**
Generally speaking, applications for benefits are managed by the executive branch (government agencies). In Maryland, there is a process to appeal a decision of a government agency that is initially in the executive branch. Such appeals move to the courts after a certain number of steps.
Example: see the Md Department of Labor's Unemployment Insurance Appeals
- **Referrals most often include government agencies**
Because, as said above, the services and processes are generally provided for at the governing agency.
- **Complex subject matter means extensive general resource reading**
Often, the patron needs to read basic information, such as that offered in the example

links above, in order to better understand the context of their situation. Thus, the library points to these resources, and provides access.

Examples of Questions

- My spouse died. Can I still collect the SSI we were getting?
- Can someone with partial custody of the kids apply for and get food stamps?
- My daughter is disabled. Is she eligible for Medicaid benefits? How much could she get?
- I lost my job because of COVID, and now I'm really struggling to pay my bills. My water and electric bills are overdue, is it legal for my utilities to be turned off during the pandemic?
- My application for unemployment was denied. Can I ask them to look again?

Apply the Process

First - Untangle the question

- Rephrase the question
- Gather details (who, what, when, where, other)
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- Identify broad legal topics and search terms
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Then - Provide resources and referrals

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Foundational Resources for Public Benefits Law

- For information across a wide range of topics
 - People's Law Library
 - Nolo online and print materials
- Medicare
 - US Centers for Medicare & Medicaid Services
 - MD Department of Health, Maryland Medicaid
- Food and Cash Assistance
 - MD Department of Human Services, Food & Cash Supplements
- Unemployment
 - MD Department of Labor, Division of Unemployment Insurance
- Social Security
 - SSA Benefits
- Utility Assistance
 - USA.gov Help With Bills
 - MD Department of Human Services, Home Energy
 - MD 2-1-1 Utility Assistance

Primary Resources

- Maryland Statutory Law (MD Code)
 - Human Services Article
 - Labor & Employment Article, Title 8. Unemployment Insurance
- Maryland Regulatory Law (COMAR)
 - 07 Department of Human Services; 07.03 Family Investment Administration
 - 09 Department of Labor; 09.32 Unemployment Insurance
- Maryland Court Rules
 - Title 7. Appellate Review in Circuit Court
- Forms
 - Applications for benefits are generally found as links on the pages of the government agency responsible for the program

Connect to Legal Assistance

Statewide:

- Civil Justice Inc.
- MVLS
- Maryland Legal Aid
- Disability Rights Maryland
- Court Help Centers
- PLL Legal Services Directory

Local:

- Montgomery County Bar Pro Bono Program
- Prince George's County Community Legal Services

Self-Study

Build your skill at responding through regular self-study. The resources below will help enhance your knowledge and understanding of this topic.

- PLL topics: Government Benefits & Services; Employment
- Unemployment Insurance in Maryland: A Guide to Reemployment, Maryland Department of Labor
- COVID-19 Health Crisis: Financial Relief Guide for Marylanders, Maryland Department of Labor
- Frequently Asked Questions: COVID-19 and Maryland Unemployment Benefits, Maryland Legal Aid