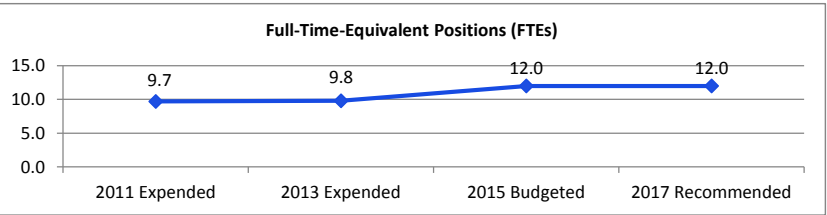
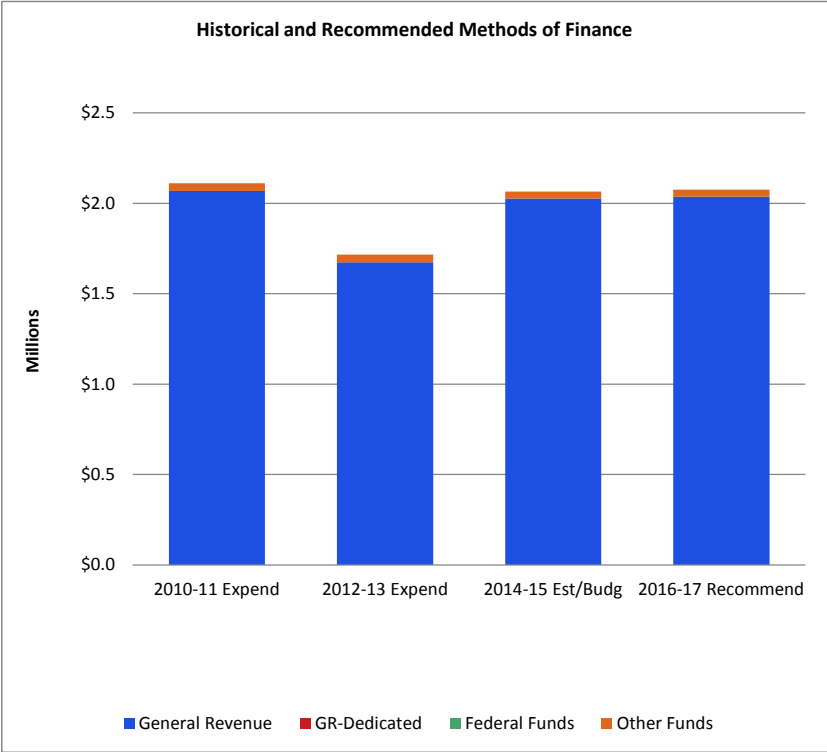


Strategic Fiscal Review 2016-17
State Law Library (243)
Schedule 1: Agency Overview

Mission Statement: To provide reputable legal information to the Texas Supreme Court, the Court of Criminal Appeals, the Office of the Attorney General, other state agencies, and the citizens of the state of Texas.

Legal Authority: Government Code, Chapter 91

Total Number of Programs: 2



Overview and Significant Findings

■ **Administration and Operation Program:** This program is responsible for a majority of the agency's operations and services which include the following five activities:

- A. Collection Management:** This activity involves the acquisition, organization, and maintenance of all print and digital resources used by the library to conduct research and answer questions.
- B. Judicial Collection:** This activity includes the purchase, distribution, and maintenance of all books ordered for the judges and staff of the Supreme Court of Texas, and Court of Criminal Appeals.
- C. Reference Services:** This activity includes assistance provided by agency staff to anyone requiring access to legal information and is the largest expenditure for the agency.
- D. Inmate Copy Services:** This activity includes fulfilling copy service requests for case files and providing legal reference material for incarcerated offenders within the Texas Department of Criminal Justice.
- E. Remote Access Service:** This activity includes online legal reference material provided to Library users and professional staff to manage digital subscriptions.

■ **Indirect Administration Program:** This program is responsible for central agency operations and oversight of the Administration and Operations program.

Significant Observations and Considerations:

- 1. Funding:** Recommendations provide funding at 2014-15 levels with a slight increase of \$11,640 due to the biennialization of general state employee salary increases provided in the 2014-15 biennium for two programs: Indirect Administration and Administration and Operations.
- 2. Statutory Compliance:** Agency activities for the Administration and Operations program meet statutory obligations and provide additional services within statutory requirements that retain strong centrality to the agency's mission.
- 3. Recommendation:** Recommendations include amending Government Code, Chapter 91, Section 91.002 to require the State Law Library to establish a fee schedule for duplication services to incarcerated offenders of the Texas Department of Criminal Justice at the same amount per page as charged to the general public. This statutory change relates to copy service requests for case files by incarcerated offenders provided by agency staff and would eliminate the need for an associated rider in the State Law Library's bill pattern. It would not impact revenues or service levels.

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State Law Library (243)

Schedule 2A: Activity Listing -- Services and Administration

Agency Submission		LBB Staff Review and Analysis								
Agency Ranking	Program/Activity Name	Year Created	State Authority	Federal Authority	Authority	Mission Centrality	State Service Category	Service Area	Significant Audit and/or Report Findings	Outsourced Services?
	Indirect Administration	1972	Government Code, Chapter 91	None	Strong	Strong	Legal Services & Law Enforcement	Statewide	Yes	No
<u>Administration and Operations Program (Activity Details)</u>										
1	Collection Management	1972	Government Code, Chapter 91	None	Strong	Strong	Legal Services & Law Enforcement	Statewide	No	No
1	Judicial Collection	1972	Government Code, Chapter 91	None	Strong	Strong	Legal Services & Law Enforcement	Statewide	No	No
1	Reference Services	1972	Government Code, Chapter 91	None	Strong	Strong	Legal Services & Law Enforcement	Statewide	No	No
1	Inmate Copy Service	1980s	None	None	Moderate	Strong	Legal Services & Law Enforcement	Statewide	No	No
1	Remote Access Service	2013	Government Code, Chapter 91	None	Moderate	Strong	Legal Services & Law Enforcement	Statewide	No	No
Program Summary on Administration and Operations Program Included										

Notes: Indirect Admin:
2012 Post Payment Audit: The Comptroller's audit identified two significant findings in payroll: insufficient documentation/incorrect state effective service dates for certain employees and incorrect lifetime service credits for certain employees, one in purchasing concerning payment in excess of purchase order amounts, and one in expenditure approval concerning control weaknesses over expenditure processing. The agency responded to the audit findings by updating its policies and procedures to ensure compliance.

Inmate Copy Service: State Law Library activities without direct statutory authority include providing copies of court files held at the Court of Criminal Appeals, the Third Court of Appeals, and the Supreme Court to incarcerated offenders within the Texas Department of Criminal Justice for a per-page fee. A long standing rider has been continued in the agency's bill pattern to guide the agency's performance in this matter since at least fiscal year 1988. Integrated within this activity are actions performed by the Library with direct statutory authority such as answering basic legal reference questions from and providing copies of legal reference materials to incarcerated offenders and their families. These services provide a central, statewide resource for legal information, relieves Court personnel from these duties, and streamlines the copy request process.

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State Law Library (243)

Schedule 2B: Activity Listing -- Fiscal

Agency Submission					LBB Staff Review and Analysis								
Agency Ranking	Program/Activity Name	1st Year Full Implementation	2010-11 Expended	2012-13 Expended	2014-15 Est / Budg	2015 FTEs Budg	2016-17 Recommended	2017 FTEs Rec.	Percent Change from Base	FTEs Change from Base	Revenue Supported?	Appropriate Use of Constitutional and GR-Dedicated Funds?	Agency Funding Alternatives in Recs?
	Indirect Administration	\$ 26,195	\$ 359,444	\$ 363,015	\$ 388,756	3.0	\$ 381,034	2.9	-2.0%	-0.1	No	NA	
Administration and Operations Program Activities (5)													
1	Collection Management	\$ 6,630	\$ 194,330	\$ 169,391	\$ 211,061	1.7	\$ 184,879	1.7	-12.4%	0.0	No	NA	No
1	Judicial Collection	\$ -	\$ 192,144	\$ 154,334	\$ 155,952	0.0	\$ 162,674	0.0	4.3%	0.0	No	NA	No
1	Reference Services	\$ 85,919	\$ 1,313,080	\$ 929,316	\$ 1,015,869	5.3	\$ 1,067,654	5.3	5.1%	0.0	Yes	NA	No
1	Inmate Copy Service	\$ -	\$ 78,120	\$ 95,424	\$ 88,386	0.9	\$ 92,462	1.0	4.6%	0.1	Yes	NA	No
1	Remote Access Service	\$ -	\$ 552	\$ 4,486	\$ 204,677	1.1	\$ 187,638	1.1	-8.3%	0.0	No	NA	No
Total		\$ 118,744	\$ 2,137,670	\$ 1,715,966	\$ 2,064,701	\$ 12	\$ 2,076,341	\$ 12	\$ (0)	\$ (0)			

Program Summary on Administration and Operations Program Included

Note: *Qualified* indicates that the agency may be using the funds for the purpose(s) intended or for similar purposes which are not specifically authorized by the constitution or statute, or that there may be conflicts within authorizing laws.

Strategic Fiscal Review 2016-17
State Law Library (243)

Schedule 2C: Program Listing -- Explanation of Recommendations

Agency Submission		LBB Staff Review and Analysis	
Agency Ranking	Program/Activity Name	Funding Compared to 2014-15	Explanation of Recommendations
Indirect Administration		↓	Recommendations provide approximately \$0.4 million in General Revenue for Indirect Administration. This includes a decrease of \$7,722 due to reallocation of funds from Indirect Administration to Administration and Operations for anticipated reductions in personnel-related expenditures within Indirect Administration offset by a slight increase due to the biennialization of general state employee salary increases provided in the 2014-15 biennium.
Administration and Operations Program (Five Activities)			
1	Collection Management	↓	Decreases in Collection Management are due to the agency transitioning to a new service delivery model in fiscal year 2015 that will result in subscription cost reductions going into the 2016-17 biennium.
1	Judicial Collection	↑	Increases in Judicial Collection in 2016-17 are due to anticipated increases in legal reference material costs.
1	Reference Services	↑	Increases in Reference Services in 2016-17 are due to agency plans for full staffing for this service and fund transfers from Remote Access Services to Reference Services.
1	Inmate Copy Service	↑	Funding recommendation to increase funding for the Inmate Copy Service activity in 2016-17 for salaries and wages associated with the agency anticipating to fill a vacant position in fiscal year 2015 for responsibilities that include Inmate Copy Service. Statutory recommendation to establish a fee schedule for duplication services to incarcerated offenders of the Texas Department of Criminal Justice at the same amount per page as charged to the general public.
1	Remote Access Service	↓	Decreases in Remote Access Service in 2016-17 are due to anticipated cancellation of a remote access resource subscription unless an agency exceptional item is approved. These funds would be transferred to Reference Services (See also, Items Not Included in Recommendations - Senate #2).
Program Summary on Administration and Operations Program Included			

Strategic Fiscal Review 2016-17
Schedule 3: Assessments of Mission Centrality and Authority

State Law Library (243)

Mission centrality is a judgment of how directly connected a program is to the core mission and goals of the agency, as identified in statute, agency strategic plans, or other documents.

Authority is an assessment of how strong and explicit the legal basis is for the existence of the program and the way in which the agency is administering it.

MISSION CENTRALITY			
	Weak	Moderate	Strong
A U T H O R I T Y	Strong		<u>Administration and Operations Program (1)</u> Collection Management Judicial Collection Reference Services
	Moderate		<u>Administration and Operations Program (1)</u> Remote Access Service Inmate Copy Service
	Weak		

Note: The matrix does not include Indirect Administration programs.

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Schedule 4: Constitutional and General Revenue-Dedicated Accounts

The State Law Library does not have any Constitutional or General Revenue-Dedicated Accounts. The agency is funded entirely through General Revenue and Other Funds, including Appropriated Receipts and Interagency Contracts.

Strategic Fiscal Review 2016-17
State Law Library (243)

Schedule 5: Program Summary

Agency Ranking	1 out of 2
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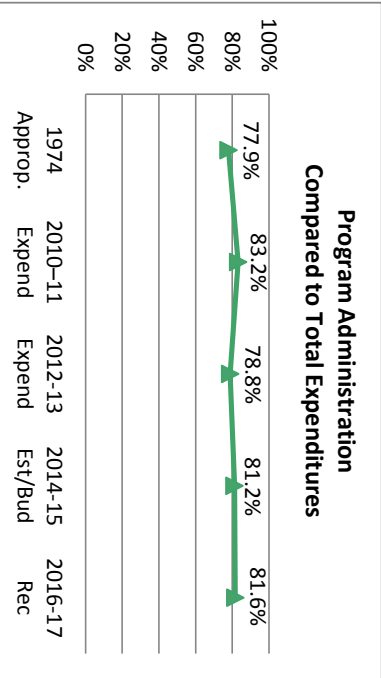
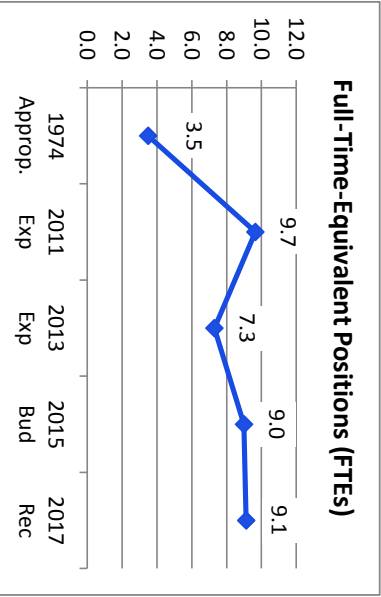
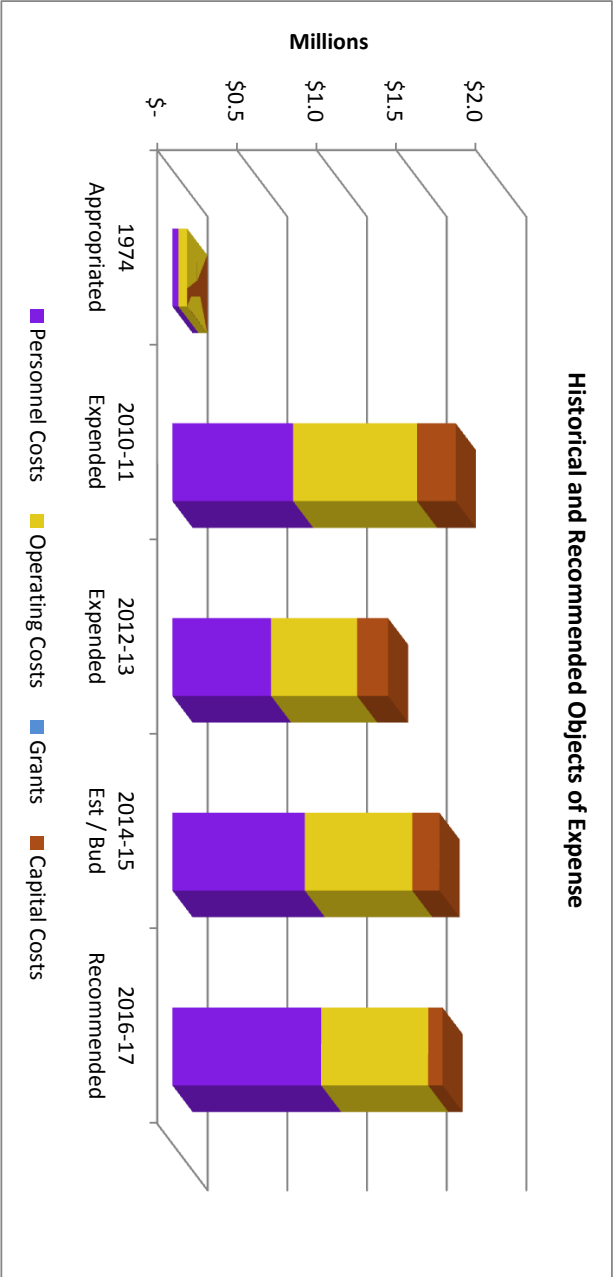
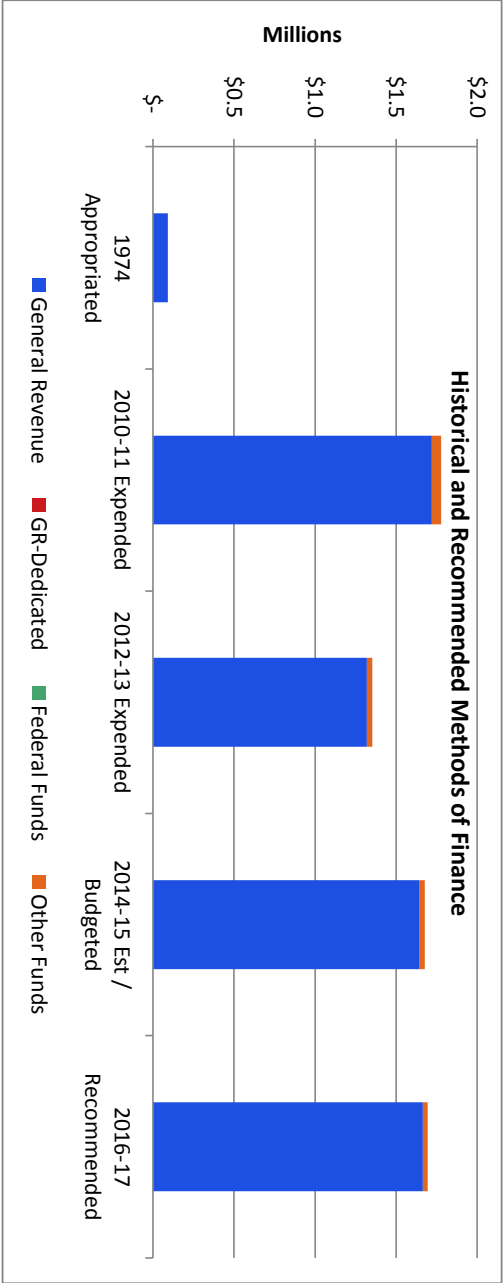
Program: Administration and Operations

Programs and services provided by the State Law Library

Legal Authority: Government Code, Chapter 91.

Year Created	1972	Performance and/or Operational Issue No	Outsourced Services Revenue Supported	No
Authority	Strong		Use of Dedicated Funds	Yes
Centrality	Strong			NA
Service Area	Statewide	State Service Category	Legal Services & Law Enforcement	

Major Activities	2014-15 Estimated	2015 FTEs	2016-17 Recommend	2017 FTEs	% of Total
Collection Management	\$ 211,061	1.7	\$ 184,879	1.7	10.9%
Judicial Collection	\$ 155,952	0.0	\$ 162,674	0.0	9.6%
Reference Services	\$ 1,015,869	5.3	\$ 1,067,654	5.3	63.0%
Inmate Copy Service	\$ 88,386	0.9	\$ 92,462	1.0	5.5%
Remote Access Service	\$ 204,677	1.1	\$ 187,638	1.1	11.1%
TOTAL	\$ 1,675,945	9.0	\$ 1,695,307	9.1	100.0%



Program: Administration and Operations

Agency Ranking1 out of 2

Summary of Recommendations

1 Recommendations for this program provide approximately \$1.7 million in All Funds for the 2016-17 biennium. This is a slight increase from 2014-15 levels due to reallocation of funds to the Administrations and Operations Program from Indirect Administration and the biennialization of 2014-15 general state employee salary increases.

Fiscal and Policy Issues

1 Remote Access Services: Recommendations do not include additional General Revenue funding requested by the agency in the amounts of \$250,000 to update legal reference material and provide remote access to library ebooks and databases for online users and \$106,000 with additional authority for 1.0 FTE for one new librarian position to assist with answering remote legal reference questions and to help train public and county law librarians in using digital resources.

The State Law Library voluntarily launched it's remote access services in August 2013 under its own initiative to provide electronic legal reference materials online to remote library users and for other public law libraries that lack legal reference material. This service is provided through subscriptions to online databases and ebooks with statewide licenses that cover a range of topics including general legal information, case law, and standardized legal forms. The Library offered 18,759 eTitles to 1,245 registered users in its first year of operation, fiscal year 2014. Those users downloaded approximately 5,000 topical reference guides that were developed by the library on selected areas of the law. The agency anticipates 1,500 remote access users will register for Remote Access Services for each year of the 2016-17 biennium.

The agency has indicated that funding used in the 2014-15 base for remote access services would not be sufficient to continue the same service levels in the 2016-17 biennium unless an associated exceptional item is approved because the agency would be unable to maintain a statewide license for the Lexis ebook program. Without this license, the number of eTitles offered remotely would decrease from an anticipated 18,819 in fiscal year 2015 to 18,759 each year of the 2016-17 biennium, or 60 titles (or fiscal year 2014 levels). The agency's 2016-17 base request reallocates these funds for regular books and reference databases (See also, Items Not Included in Recommendations - Senate #2 and #3).

Performance and/or Operational Issues

1 2012 Post Payment Audit: The Comptroller's audit identified two significant findings in payroll: insufficient documentation/incorrect state effective service dates for certain employees and incorrect lifetime service credits for certain employees, one in purchasing concerning payment in excess of purchase order amounts, and one in expenditure approval concerning control weaknesses over expenditure processing. The agency responded to the audit findings by updating its policies and procedures to ensure compliance (See also, Schedule 2A Activity Listing).

Recommended Statutory Changes for Program Improvement

1 Fee Schedule for Duplication Services: Amend Government Code, Chapter 91, Section 91.002 to require the State Law Library to establish a fee schedule for duplication services to incarcerated offenders of the Texas Department of Criminal Justice at the same amount per page as charged to the general public. This recommendation would codify a longstanding rider requirement included in the Law Library's bill pattern (since at least fiscal year 1988) and would not impact revenues or service levels.

Funding Alternatives Not Included in the Recommendations	Change from Recommendations		
	GR-Related	All Funds	2017 FTEs
1 Inmate Copy Services: General Revenue funding reduction to eliminate the inmate copy service activity. This reduction would shift responsibilities to Court of Criminal Appeals, Supreme Court, and 3rd Court of Appeals staff for responding to case file requests. The reduction would also shift responsibilities for answering legal reference questions from incarcerated offenders within the Texas Department of Criminal Justice (TDCJ), their attorneys, and their families to TDCJ unit libraries. Elimination of this service would reduce the amount of information transactions performed by 1,100. These include answering legal reference questions and fulfilling requests to copy court files or library documents.	\$ (90,754)	\$ (92,462)	(1.0)
2 Librarian Salaries: General revenue funding to raise staff librarian salaries to the national average for salaries to public law librarians (7.0 FTEs) to improve the agency's ability to hire and retain qualified public law librarians.	\$ 100,000	\$ 100,000	0.0
3 Print and Virtual Resources: General Revenue funding to update current print resources and purchase new materials, and to continue providing remote access statewide to databases and ebooks (See also, Selected Fiscal and Policy Issues #2). The Law Library projects an increase of approximately 600 legal reference items resulting in an additional 1,000 information requests from library users with this additional funding.	\$ 400,000	\$ 400,000	0.0
4 Digital Resource Training: General Revenue funding with increased authority for 1.0 FTE for one additional librarian (\$53,000 each year) to train public and county law librarians on the use of digital resources and to answer reference questions generated from remote library users. The Law Library projects that this will increase the number of individuals instructed from an estimated 450 in fiscal year 2015 to a projected 600 in fiscal year 2016, an increase of 150 individuals.	\$ 106,000	\$ 106,000	1.0