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How to Use a Law Library

Penny A. Hazelton

University of Washington School of Law

Peggy Roebuck Jarrett

University of Washington School of Law

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Washington Legal Researcher's Deskbook, 2d

by
Penny A. Hazelton
Peggy Roebuck Jarrett
Nancy McMurrer
Cheryl Rae Nyberg
Mary Whisner

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Washington Legal Researcher's Deskbook, 2d

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INTRODUCTION

The *Washington Legal Researcher's Deskbook* has been written to assist lawyers, librarians, legal assistants, legal secretaries, and members of the public in the complex task of researching legal problems. This book focuses on the law of the state of Washington and the legal materials that are available to the Washington practitioner. The reader will not find answers to legal questions but rather will find a rich array of information that can help in the process of researching the law.

The importance of legal research certainly cannot be overstated. Most lawyers want to give good advice to their clients. If the client's problem is new to the practitioner, chances are good that a review of the legal issues and authority will be necessary. This may plunge the researcher into unfamiliar areas of law.

If it were not enough to want to give good advice, the Washington Rules of Professional Conduct (RPC) 1.1 require that a practitioner "shall provide competent representation to a client." This rule requires familiarity with the relevant law through previous knowledge or through conducting adequate research. No Washington State Bar Association Ethics Opinions interpret this rule regarding the standards for performing competent legal research.

A 1975 California Supreme Court case, *Smith v. Lewis*, 10 Cal.3d 349, 530 P.2d 589 (1975), articulates a standard of care for legal research. The standard requires (1) sufficient research (2) using standard research techniques (3) to obtain readily available authority. The Court found that the defendant lawyer failed to meet this standard of care. Cases in other jurisdictions have reached a similar result. Washington has apparently adopted this standard in *Halvorsen v. Ferguson*, 46 Wash. App. 708, 718, 735 P.2d 675, 681 (1986).

A study commissioned by the ABA Section of Legal Education and Admissions to the Bar recently listed legal research among ten skills necessary for the practice of law. The Task Force identified three specific skills needed for thorough and efficient research:

- 3.1 Knowledge of the Nature of Legal Rules and Institutions;
- 3.2 Knowledge of and Ability to Use the Most Fundamental Tools of Legal Research;
- 3.3 Understanding of the Process of Devising and Implementing a Coherent and Effective Research Design.

Task Force on Law Schools and the Profession: Narrowing the Gap, *Legal Education and Professional Development — An Educational Continuum* at 138 ("The MacCrate Report")(1992).

The legal researcher of the 1990s cannot rest on the knowledge of legal research tools acquired while in law school or even as recently as two years ago. The computerization of legal information has completely changed the world of legal research and the practice of law. Some recent commentators have even suggested that computerized research is required in order for practitioners to avoid malpractice. See David M. Sandhaus, *Computers Are Required for the Practitioner to Avoid Malpractice*, 47 Washington State Bar News 51-52 (no. 11, Nov. 1993); Robert C. Berring, *Technology and the Standard of Care for Legal Research*, 3 Legal Malpractice Report 21-22 (no. 4, 1992).

The purpose of this *Deskbook* is to provide a broad spectrum of information that would be helpful to the person who must research Washington State law. In the first chapter, I describe how to use a law library. From using law libraries in person to using law libraries without leaving the comfort of your home or office, the tips provided in this chapter will be useful to all legal researchers.

In the second chapter, I outline a strategy to help a legal researcher design a research process or framework. Practical tips for efficient use of legal tools are discussed. A reprint of an article that discusses the relative merits of computer and manual legal research tools has been included to help researchers sort through the maze of legal information products. If taking good notes is your downfall, be sure to read the note-taking article found near the end of this chapter. This piece is full of practical hints that can help any researcher create a fine research product.

Chapter three was written by Mary Whisner and is an excellent review of the most basic and important legal research tools used for researching Washington law. Ms. Whisner reviews secondary sources, statutes, city and county codes, administrative regulations, case law, case-finding tools, Attorney General Opinions, citator services, and basic citation information. She includes information about electronic versions of these information tools as well as the printed texts. Every legal researcher should be familiar with the contents of this chapter. This is one of the chapters that should be read completely by any researcher who must use Washington legal information resources.

Washington State agencies promulgate a variety of administrative decisions or actions. These are ably discussed in the next chapter by Cheryl Nyberg. Pay particular attention to the description of the Administrative Procedure Act and its requirements. Ms. Nyberg discusses each state agency that issues administrative determinations and even provides a summary chart of the various sources of agency quasi-judicial actions in order to speed your research.

Never done a Washington legislative history? Follow the clear step-by-step directions written by Peggy Roebuck Jarrett in Chapter five on legislative history and bill tracking. Clearly our author has had some experience with this awesome task!

Ms. Jarrett shows the novice exactly how to follow the legislature's process and includes important tips for accomplishing this research chore efficiently and competently.

Using one or more of the many excellent handbooks and deskbooks available on Washington law can help the legal researcher quickly and efficiently define the problem and locate the primary sources to answer the question. In Chapter 6, Nancy McMurrer provides annotated descriptions both of broad, multi-topic sources and other, more specific titles listed by subject. Organized into sections on encyclopedic sources; deskbooks and treatises; continuing legal education materials; litigation aids (benchbooks, pattern forms, jury verdicts and judicial biographies); ethics opinions; directories; and current awareness services, this chapter is crucial for the researcher who is not intimately familiar with the wealth of secondary literature available in Washington.

This edition of the *Deskbook* contains a new chapter on nonlegal research written by Mary Whisner and Peggy Roebuck Jarrett. In a clear and direct style, the authors cover sources that will help you find information about people and organizations, find factual information, and improve your writing skills.

Peggy Roebuck Jarrett, Nancy McMurrer, and Mary Whisner have written the chapter on computer-assisted legal research (CALR). Although the *Deskbook* is replete with references to and discussions of electronic research tools, this section discusses CALR generally. Highlighting the electronic tools and information available to the Washington legal researcher, this chapter includes excellent sections on different types of access to computer-assisted legal research: online services, CD ROM products, bulletin board systems and the Internet. Comparative tables of the most important Washington legal materials and their availability on WESTLAW and LEXIS-NEXIS are also included. If you have little or no exposure to electronic legal information systems, this chapter is a must.

In the final chapter Ms. Jarrett compiles a collection of information about legal resources in Washington. Included here are tips on how to manage your library, hire a librarian, and select materials and research tools for your library. Lists of filing and library service organizations, document delivery services, legal publishers with addresses and telephone numbers, publisher information for Washington legal periodicals, Washington CLE providers, and libraries that have various city and county codes complete the informative material to be found in this section of the *Deskbook*. This chapter will be a great help to those trying to keep their libraries current and properly managed, to those making decisions about purchases for office libraries, and to those trying to locate legal materials available in the local area.

I am very pleased with the high quality of the material you will find within this *Deskbook*. Many thanks to the authors for their tireless work. Janet Abbott worked many hours to put our draft material into final form — thank you! Thanks

also to Reba Turnquist who helped update information about publishers, prices, and the like; to the Gallagher Law Library staff for being supportive and helpful; to the law librarianship student interns who helped cover the Reference Office when we needed extra time to write; to various colleagues around the state who responded cheerfully to our requests for information; and, finally, to our library patrons for asking us questions and helping us learn what legal researchers in Washington need to know.

Penny A. Hazelton
Seattle, Washington
July 1996

AUTHOR BIOGRAPHIES

PENNY A. HAZELTON. Professor Hazelton has been the Director of the Marian Gould Gallagher Law Library at the University of Washington School of Law since 1985. Teaching legal research to law students, law librarianship students (lawyers training to be law librarians), library students, attorneys, legal secretaries, and paralegals has occupied a good part of Professor Hazelton's twenty-year career. She earned her JD from Northwestern School of Law of Lewis & Clark College and received a Masters in Law Librarianship from the University of Washington in 1976. Professor Hazelton is a member of the Washington State Bar Association and has served as a member and Chair of its Editorial Advisory Board Committee. Professor Hazelton spent five years at the University of Maine and four at the U.S. Supreme Court Library as head of the research services department.

PEGGY ROEBUCK JARRETT. Peggy Roebuck Jarrett received a BA in Economics from the University of California, Davis, in 1981 and an MSLS from the Catholic University of America in 1984. Ms. Jarrett spent seven years working in private law firm libraries in Washington D.C. and Seattle before joining Gallagher Law Library in August of 1990. Ms. Jarrett is a member of the reference staff and is also the Collection Development - Documents Librarian. She has served as President of the Law Librarians of Puget Sound and is an active member of the American Association of Law Libraries.

NANCY M. McMURRER. Ms. McMurrer received a BA in History/Political Science from Furman University in 1966 and a JD from the University of Virginia Law School in 1969. She practiced with the Office of Chief Counsel, Internal Revenue Service from 1969 until moving to Germany in 1976. She earned her Masters of Librarianship with Law Librarianship Certificate from the University of Washington in 1990. Ms. McMurrer was a Reference Librarian with a law firm in Seattle before joining the reference staff at the University of Washington in 1994. Nancy McMurrer is a member of the Virginia State Bar Association, the American Association of Law Libraries, and the Law Librarians of Puget Sound.

CHERYL RAE NYBERG. Cheryl Nyberg received her BA cum laude in English in 1977 and her MS in Library Science in 1979, both from the University of Illinois at Urbana-Champaign. Before joining the Gallagher Law Library reference staff in 1995, she worked at the University of Illinois Law Library for fifteen years, principally as government documents and reference librarian. Since 1985, she has authored the *Subject Compilations of State Laws* bibliography series. Her articles have appeared in *Government Publications Review*, *Jurisdoks*, *Law Library Journal*, and *Legal Reference Services Quarterly* and her chapter on federal and state government documents is included in *Law Librarianship: A Handbook for the Electronic Age* (Rothman, 1995). Cheryl Nyberg is an active member of the American Association

of Law Libraries and the Law Librarians of Puget Sound, and is a former officer and member of the Mid-America Association of Law Libraries.

MARY WHISNER. Mary Whisner received a BA in Philosophy from the University of Washington in 1977, a JD from Harvard Law School in 1982, and an MLIS from Louisiana State University in 1987. Ms. Whisner clerked for Judge Stephanie K. Seymour of the U.S. Court of Appeals, Tenth Circuit, and practiced law for two years in Washington, D.C. at the National Labor Relations Board and the Lawyers' Committee for Civil Rights Under Law. She has been on the reference staff of the Gallagher Law Library at the University of Washington since 1988. Mary Whisner is a member of the American Association of Law Libraries, Law Librarians of Puget Sound, and the Washington State Bar Association.

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HOW TO USE A LAW LIBRARY
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Chapter 1
HOW TO USE A LAW LIBRARY
Penny A. Hazelton and Peggy Roebuck Jarrett

Libraries exist to acquire, give access to, and safeguard carriers of knowledge and information in all forms and to provide instruction and assistance in the use of the collections to which their users have access. . . . [Libraries] are about the preservation, dissemination, and use of recorded knowledge in whatever form it may come . . . so that humankind may become more knowledgeable; through knowledge reach understanding; and as an ultimate goal, achieve wisdom.

— Crawford and Gorman, *Future Libraries: Dreams, Madness and Reality* (ALA, 1995)

The purpose of this chapter is to help law library users acquaint themselves with and find their way around law libraries as well as understand the range of services these libraries offer. The pointers discussed in this chapter have just as much relevance in regular libraries as in specialized law libraries. Any library can appear to be intimidating. But there is often a lot you can do to orient yourself to a new law library. If all else fails, find someone to ask!

I. Getting Acquainted

The most important information about a law library is usually something you can find out before you even leave home or work – the hours the library is open and whether or not the library is open for your use. A simple call to the library can save you valuable time. You may also find these hours published in the local telephone book. Some law libraries, especially corporate and private firm libraries, have a limited clientele. Many county law libraries are open limited hours and some of the collection may be in private offices in the courthouse. Save yourself frustration and call first. A complete list of all law libraries in the state of Washington can be found in Appendix 1 at the end of this chapter.

Regardless of the size or type of law library you visit, you will want to acquaint yourself with the most important characteristics of that library before you begin your research. Many libraries post maps or guides that show the various parts of the library and the locations of the collection, services, staff, and other important features. Keep one handy! Some libraries have audio tape guides to the collection and services. Familiarize yourself with the layout of the collection. You can save a lot of time if you understand the scope of the collection and how to locate materials once you begin to do research.

Getting Acquainted

- Hours
- Map
- Collection Layout
- Library Guide
- Services

You will also want to know the rules of the library. Is there a published guide or handout that includes the library's organization, maps, hours, lists of services, and other helpful hints? If not, at a minimum you will want to know if you need to register to use or borrow from the library, under what circumstances you can borrow materials, circulation rules (such as, what books may be borrowed, length of loan period, fine policy), whether food and drink can be consumed in the library, whether you can be paged in case of a telephone call, where and how you can plug in your laptop, and the location of photocopy machines.

II. People in Libraries

Many people fail to take advantage of all a library has to offer because they do not know what library staff can do to help them. Law libraries that are staffed full-time may offer a wide variety of services. Reference service, training in use of library collections and electronic information sources, and borrowing books or materials from other libraries (interlibrary loans) are examples of some common services. Even in a library with a single, part-time employee, you may be surprised about the range of services offered. Get to know the library staff; they are the real asset of a good library.

Effective Use of Library Staff

- Identify Services Offered
- Use Self-Help
- Ask the Right Person
- Clearly State Your Question
- Expect to Do More Research
- Conduct Your Own Legal Research

Exactly what services are offered by the law library you are using? Check the research guides and posted signs for some help. Ask someone on the staff. Will the library accept telephone reference questions or must you come to the library in person? Will the staff read sections of cases or statutes over the telephone? Is there someone available to instruct you in using the *Washington Lawyer's Practice Manual* or in compiling a Washington legislative history?

Can the librarian suggest a better approach to finding legal authority in a new area of law you need to research? Does the reference librarian give instruction in the use of the library's online public catalog? How can you find the number of cases filed in the U.S. District Court of the Western District of Washington? What is the fastest way to find a law review article on Washington State Indian hunting and fishing rights? Thousands of questions like these are asked and answered every day in libraries by reference librarians.

People with many different levels of education and experience work in law libraries. Some libraries have care-takers (people who shelve books, check in new materials, lock and unlock library entrances, file looseleafs and otherwise maintain the library). Many law libraries hire professional librarians who have very specialized

expertise with legal materials. See Chapter 9, Section I, Managing Your Library: With or Without a Librarian.

In a small law library, the staff is likely to be very familiar with the contents and organization of the collection, but may not be able to help the library user with research strategy or the use of a particular tool. In a law library with many staff, you should be able to find someone who is knowledgeable about the use of various research tools as well as those who are intimately acquainted with the organization and contents of the collection. Librarians can help you locate specific tools, learn to use these research legal tools, and help you understand how to update and verify the information you have located. It is not usually a good idea to ask the student worker at the Circulation Desk how to shepardize a case. And while the reference librarian can probably tell you where the restroom is located or how to check out a book, it would be a better use of the librarian's time if you asked the student worker at the Circulation Desk those questions.

In a busy or understaffed library, you may find no one available at the moment you need help. Use a little self-help. If your question is related to the use of the library's online public catalog, is there a help file online or a poster or brochure that will easily answer your question? Did you read the introductory "How to Use this Book" section of the looseleaf that is new to you? Try not to become frustrated while you wait for assistance. Instead, use your time efficiently. Save your questions for the library staff when you really need their help.

Once you have identified the appropriate person to talk with, you will get more out of the exchange if you know exactly what you want to learn. Get in the habit of asking your questions clearly and concisely. If you need help with the use of a particular research tool, such as an electronic product or a looseleaf service, say so. If you have already conducted some research and you need help thinking about the next step, explain what you have already done. This will help the librarian know what not to suggest! Expect the librarian to ask you some questions about your request. Her job is to try to understand what you really want. Be flexible and adaptable. Assume that you will have to do more research. Often there is no easy answer, just more steps to follow or try.

Few law libraries will actually conduct legal research for you. That is, most law libraries will help you identify and locate material that may answer your question, but will not actually find the answer for you. The law is a complicated and interrelated system. Law is produced by all branches of our government at all levels of government (international, federal, state, city, county, tribal) creating a web of sources that must be checked for nearly every legal question asked. No one wants to give you the wrong legal information; to protect the public (you) from the unauthorized practice of law, most law libraries will limit the extent of research they will actually do for you. Law library staff will not interpret cases or statutes for you. Consider that you may

need some professional legal assistance. Appendix 2 at the end of this chapter contains a list of legal services available to indigent or low income persons.

Since every library and every library worker is different, get in the habit of asking what range of questions different staff people can handle. You may be surprised at the range of knowledge and experience library staff have. Use them. They are usually working in libraries because they like to help people, and they want to be of service to you. Exploit this rich resource!

III. Collection Organization

Traditionally, law library collections are somewhat self-organizing. The large runs of case reporters and multivolumed legal encyclopedias, digests, and statutes are fairly easy to organize alphabetically by jurisdiction or form. Even the first-time user of a particular law library can ordinarily find the primary legal materials and many finding aids sets in the typical law library.

However, most law libraries (and other kinds of libraries with legal collections) have a lot more than just these large sets. Secondary legal materials (books about the law) are somewhat harder to organize in a way that library users can locate easily. So, many law libraries, usually the larger ones, have adapted a classification scheme that organizes the collection generally by subject. This scheme may be applied just to books about the law or to all materials in the collection. The book or set is assigned a classification number and this number is printed on a label and affixed to the spine of the book (sometimes called a spine label).

The idea is to give the library user browsing capability so that all books on a particular subject will be shelved near each other. There are several different classification systems used in law libraries. Some libraries will have a combination of systems, perhaps mixing a jurisdictional arrangement for the largest and most popular sets with some kind of subject arrangement.

You may be familiar with the Dewey Decimal system of classification or call numbers; however, today most law libraries use the Library of Congress scheme. In the LC system, the letter K preceding a series of numbers means the subject of the book is law. Books about American law are classified KF, and books about Washington law are classified KFW. Similarly, books about the law of the states that begin with the letter M will be classified KFM.

A typical LC (Library of Congress) number might look like this:

KFW
152
.W37
1982

In this example, the KFW means that the book is about Washington law, and the second line means the book is about commercial law. Once a book has been assigned a subject, the many books on Washington commercial law will be arranged alphabetically by the author's name (in this case the Washington State Bar Association); thus, the third line of this classification number — .W37. The decimal in front of the W37 is important because the second and third lines are read together as a decimal. The last line in this call number refers to the date this volume was first published.

If the law library you are visiting uses a classification scheme to organize its collection, become familiar with it. There may be handouts or guides that alert you, for example, to see call number KF 8835 for books on practice and procedure or KF 3310 for books on labor law. Understanding the shelving system (classification scheme) can save a lot of time when researching.

IV. Access to the Collection

Even a classification scheme that organizes the collection by subject can be confusing to a library user if the entire law library is housed on several floors or in various offices and corridors. To give better access to their materials, many libraries catalog their collections. That is, a library staff person looks at the book received; describes it by noting the author, title, publisher, year published, language and other descriptive features; and assigns appropriate subject headings to the work. A catalog or bibliographic record is then created using this information and can be made available to library users in several forms: the traditional card catalog, a book catalog, a microfiche COM (computer-output-microfilm) catalog, a CD ROM catalog, and the public online catalog (sometimes called OPAC, online public access catalog).

Bibliographic Record

- Author
- Title
- Subject Headings
- Publisher
- Date and Place of Publication
- Format
- Language
- Supplementation

The traditional library catalog is composed of many drawers of 3½ x 5 inch cards.¹ These cards include the description of the work as noted above. Duplicate copies of these cards are filed so that library users can look up a book by the author, title, and subject. However, there is usually only one card catalog — it will not be located on every floor of the library.

¹ You may remember seeing these fly out of the drawers in the New York Public Library in the movie *Ghostbusters* or have read about the destruction of them in the New Yorker article, *Discards*, by Nicholson Baker (April 4, 1994 at 64-86).

Many libraries still use a manual or traditional card catalog. Even libraries that have a more technologically advanced catalog may still have some of their collection represented only in the traditional card catalog. For example, the Gallagher Law Library of the University of Washington School of Law has a large collection of Chinese, Japanese, and Korean (CJK) law books. Until recently the online public access catalog at the University could not display the oriental (CJK) characters, so much of that collection is accessible only through the paper card catalog.

Though not as common, book and microfiche COM catalogs are still in use today. A book catalog is exactly what it sounds like. Rather than the description of each book or set on a 3½ x 5 card filed in a drawer, the descriptive entries are put on pages in a book with many entries on a single page. Several copies are usually in various locations throughout the library. Access is ordinarily through author, subject, and title, the same as the card catalog. Book catalogs can be easily updated and replaced as new materials are added to the collection. However, due to the cost of printing, it is rare to find a book catalog updated more than once or twice a year. Be sure to look for a supplement!

Microfiche COM catalogs are really book catalogs put on microfiche. You will find these catalogs where the collections are so large that a book catalog would be cumbersome and hard to use. Microfiche COM catalogs require a special piece of equipment, the microfiche reader. Such catalogs are portable and easy to update as new materials are added. However, due to the cost of producing the microfiche, the reality is that most microfiche catalogs are updated from one to four times a year. Check to see if a supplement has been issued.

Types of Library Catalogs

- Card Catalog
- Book Catalog
- Microfiche COM Catalog
- CD ROM Catalog
- Online Public Access Catalog

Public catalogs in CD ROM format are relative newcomers to libraries. Bibliographic descriptions of the library's holdings in computerized form represent the basis for this type of catalog. These catalogs may be in more than one location depending on whether they are networked. Access is usually better than with the other types of catalogs.

In other words, most CD ROM catalogs give you more than just author, subject and title access. For example, some CD ROM catalogs may allow key word searching in various fields. Key word searching is very powerful since you can look for individual words in, say, the title field without having to remember the exact title of the book you want to locate. The most powerful of these catalogs allow you to combine words from the author and title fields to locate needed materials. This feature is especially useful since so many of the important works in law are known by

the author's last name and the subject written about (e.g., Prosser on Torts, Corbin on Contracts).

Online public access catalogs (OPAC) are now very common in many types of law libraries. These catalogs have the advantages of portability (wherever there is appropriate equipment), frequent updating, and flexible access to the library collection using more than author, subject, and title. In addition, the better OPACs can reveal whether the book you want is actually in the library or checked out and what the most current issue or supplementation is for the book or set. Though every OPAC has different search and record features, many are truly light years ahead of all other types of library catalogs.

Keep in mind that online catalogs keep improving — check out new features of the OPAC you use regularly. You never know what it might have learned to do! These online catalogs can be real time-savers and can help you find materials you may not even have known existed.

V. Access to the Contents of the Library Collection

A. Searching Bibliographic Records

Online public access catalogs have really changed how we obtain access to library collections of all kinds. The ability to search by more than just the author, title, and subject has given us powerful access to the contents of a library's collection. For example, you can find out whether the library has the Wigmore on Evidence treatise even if you cannot remember the exact title and you do not want to hunt through the hundreds of entries under the subject heading, Evidence. You can find all books in Chinese on intellectual property or search for all books on reserve at the University Law Library dealing with local government law. You can restrict your search to those books published since 1990 or identify looseleaf services on Washington State environmental law.

Capabilities of the scope discussed in the preceding paragraph are not common to all online public catalogs. But find out what the catalog you are using can do for you. Printed guides, short tips posted near the terminals and online help screens can help familiarize you with the features of an online catalog.

Access to the full bibliographic or catalog record (library-talk for the description of the book or set we discussed in Section IV) for each title in the library's collection is possible in online catalogs which allow complete indexing and searching of all elements of the record. If you are a LEXIS-NEXIS, WESTLAW, or CD Law user, you will recognize this feature as the equivalent of full-text searching.

Below you will see a bibliographic record for a commonly used set of books on Washington commercial law. Every word in this bibliographic record can be used

Washington Legal Researcher's Deskbook, 2d

as a search term. Note the various fields highlighted at the left of the display. Each of these fields can be separately searched. You can do a key word search, looking for word(s) in several fields or just look for a word or words in one field.

Title: Washington commercial law deskbook.
Pub. Info.: Seattle, WA : Continuing Legal Education Committee, Washington State Bar Association, 1982.
Phy Descript: 4 v. (loose-leaf) ; 27 cm.
Notes: Loose-leaf for updating.
Includes bibliography and index.
LC Subjects: Commercial-law -- Washington-State.
Products-liability --Washington-State.
Other Author: Washington State Bar Association.
Continuing Legal Education Committee.
Lib Location: Gallagher Law Library at Condon Hall
Call Number: KFW152 .W37 1982 at RESERVE.
Current Issue: RESERVE
Latest issue(s) received: (1995).
Status: RESERVE
v.1 Copy 1 Check The Shelves
v.2 Copy 1 Check The Shelves
v.3 Copy 1 Check The Shelves
v.4 Copy 1 Check The Shelves

You will notice that this record, taken from the Gallagher Law Library online catalog, also includes a field labeled current issue. This field tells the user the most recent issue of the journal or other supplementation received. The status of the library's copies of this four-volume work is noted in another field called status. At the time this search was done in the catalog, all volumes of this set were available in the library on Reserve. Circulation data appears in this field, telling the user whether or not the book needed is in the library or circulating to another patron. Again, not all online catalogs can do all of these things, but more and more have these advanced features.

In the future even more enhancements in online public catalogs are anticipated. For example, the indexes and tables of contents for monographs, texts, and treatises may be available in the public catalog. These would greatly increase the user's ability to determine the relevancy of a specific text to the research problem.

B. Searching Indexing and Abstracting Services

Locating individual articles in legal periodical literature has always been problematic. The card or online catalog will tell a library user which periodical titles are owned by the library, but it does not provide access to the specific articles in each issue. Over the years many excellent indexing tools have been developed (e.g., the *Index to Legal Periodicals*, the *Legal Resource Index*, the *Current Law Index*). These indexes are available not only in print form but also in CD ROM and online versions. The electronic versions of these indexes usually provide more than simple subject and author access.

Many libraries now include periodical indexes in their online catalogs. If you have the opportunity to use a fully searchable periodical index online, you will want to know the underlying record structure of the index in order to use the full power of the system.

The record below is from the *Legal Resource Index* as it appears on the University of Washington's Information Navigator system. As with the bibliographic record seen in Section A above, this indexing record contains a lot of searchable information. With a sophisticated search engine as part of the database software, each word in this record can be searched. For example, the *Legal Resource Index* is full-text searchable on WESTLAW and LEXIS-NEXIS. A researcher can locate all articles written by Professor Rodgers and published in 1994 on environmental law in the United States, as well as locate other articles assigned to the subject heading, Effectiveness and validity of law — model. Or, if you knew someone had written an article about pandas' thumbs, this search phrase would retrieve the following law review article citation very quickly.

Author: Rodgers-William-H-Jr.
Title: Where environmental law and biology meet: of pandas' thumbs, statutory sleepers, and effective law.
Source: University-of-Colorado-Law-Review. Wntr,1994. v65(n1). p25-75.
Pub. Date: 940101
Illustration: chart. graph.
Subject: Effectiveness-and-validity-of-law -- Model. Evolution -- Influence. Environmental-law--Interpretation-and-construction.
Jurisdiction: United States.
ISSN: 0041-9516
UW Load Date: 9412

What this record does not tell you is how to locate this article in the library you are using. Sophisticated systems will link directly to the library catalog. In other systems, you would need to perform a separate search for the name of the periodical, in this case the *University of Colorado Law Review*, in the library's catalog.

The same principles of record structure apply whether the index is in a library database system, on WESTLAW or LEXIS-NEXIS, or in other electronic online and CD ROM products. Understanding this underlying structure and the fields created for this information can give you a very powerful and effective research tool.

VI. Access to Legal Information Without Leaving the Comfort of Your Home or Office

We have already talked about how to use a library by physically going to that library. But now technology has made it possible to access many different types of legal materials through computers without going to a law library. This chapter will introduce electronic access to library catalogs and to legal materials through computer-assisted legal research systems. The last section will discuss what you will miss by staying home.

A. Electronic Access to Library Catalogs

Legal researchers can now identify materials in law libraries without actually physically going to that library. This can save you the trip during which you discover that the library you are visiting does not own the book you want. For example, should you want the most recent Washington State Bar Association CLE on labor law, you can perform a computer search of the OPAC of several different law libraries to find a copy of this set of materials. Once you have identified law libraries that hold this book, you will have to decide whether to go to the library to borrow the CLE or whether to request an interlibrary loan of this CLE through a library which provides this service.

In all cases you should feel comfortable talking to your local librarian in order to understand options, find more library catalogs to search, and formulate good computer searches. Librarians in many public and specialized libraries answer just these sorts of questions every day. Many libraries also feature seminars or short workshops on Internet access. For further information on the Internet as well as Internet guides, see Chapter 8, Section VII, The Internet.

1. Access Without a Personal Internet Account

At a minimum, access to law library online public access catalogs requires that you have a computer with a modem in your home or office. You can then use your modem to dial into any public library with public Internet access. Once you are connected to the Internet, you telnet to the law library of your choice. For example, if you are in the Seattle area, have your modem dial the Seattle Public Library at 386-4140. Your login is library. This will connect you with a menu of choices. You can select the catalog of your choice if it appears in the menu or type in the telnet address of the law library catalog you wish to search. Telnet addresses for the three academic

law libraries in Washington are: [1] Gonzaga University Law Library — telnet foley.gonzaga.edu²; [2] Seattle University Law Library — telnet simon.ups.edu³; [3] Gallagher Law Library, University of Washington School of Law — telnet uwin.u.washington.edu

If you do not have the necessary computer equipment, you may also go to a local public library that offers Internet access through a computer provided by the library. This will give you the opportunity to examine the advantages of this virtual access to law library catalogs.

2. Access With a Personal Internet Account

If you have the equipment as well as a personal account with an Internet provider, your access to law library catalogs does not require that you dial up the local public library. Instead, follow the directions to access the Internet through your provider and, then, telnet directly to the catalog of your choice using the addresses listed in Section A. 1. above.

B. Electronic Access to Legal Information

² type pac; select your terminal type from the menu (e.g., 5, for VT100); press return, and press return again. You'll see this:

Welcome to
FOLIO
Gonzaga University's Gateway to Information

1. Gonzaga University library catalog
2. Gonzaga University RESERVES
3. INLAN library catalogs
4. Other libraries
5. News and information
6. Reference sources and encyclopedias
7. Periodical databases and indexes

The law library's holdings are *not* included in the university catalog. To search the law library's catalog, choose 3, INLAN library catalogs. Then choose 10, for Gonzaga University Law. Now you may search the catalog. Follow the on-screen prompts. When you are through, type //exit.

³ login: library
Follow the on-screen prompts. When you are through, press D for disconnect.

The previous sections described the access nearly anyone can have to the collections contained in law libraries. Remote searching of law library catalogs is one way to know in what library the resources you need are located. But, you will still probably need to visit the law library to find, read, copy, or perhaps borrow the book(s) you need for your research project. Searching library catalogs will not find a specific case or statute or law review article on the subject of your research. At this time, searching library catalogs does not give you access to the contents of the reporters, codes, session laws, treatises, and looseleafs.

However, many lawyers and legal professionals do part or most of their legal research without going physically to a law library. An enormous number of Washington primary legal materials are available full-text in electronic form. Access to these rich databases through commercial or non-commercial sources creates a virtual law library at your fingertips. Whether you have access to online databases such as WESTLAW or LEXIS-NEXIS, CD ROM products, electronic bulletin board systems or the Internet, a lot of research can be done without going to a law library. A full discussion of computer-assisted legal research (CALR) can be found in Chapter 8. A good article on the strengths and weaknesses of CALR can be found in Chapter 2, Section III.

If you do not have the equipment or a personal Internet account, you may wish to visit a library with public Internet access, dial into a public library Internet provider (see section A above), or visit a law library that has CD ROM or other electronic databases available. This experimentation with electronic legal information, including the Internet, is crucial to your ability to do research as economically and efficiently as possible. An excellent, short guide to *Washington Legal Research on the Internet: A Simple, "How To" Guide for Courts and Attorneys* can be obtained from Bradley J. Hillis, Legal Analyst for the Washington Office of the Administrator for the Courts (brad.hillis@courts.wa.gov; 360-753-3365).

C. What You Miss by Staying Home

This section will be out of date the moment it is written. Legal information is in a time of enormous transition. Changes in publishing media and publication practices are happening very quickly. The number of legal research tools we have at our fingertips has changed dramatically, and this relentless pace is likely to continue. You must stay up-to-date and current with the new technologies and the new publications available. If you stay at home, you may not learn about the new print or electronic Washington tool that will save you hours of research time. Because

You Will Miss:

- Changes in Publications, Format
- Materials Not Available Electronically
- Access to Library Information Professionals

libraries buy for a wide constituency, new research tools are likely to be considered and added. Visiting libraries can help keep you aware of current and future trends.

Virtually all Washington primary legal authority (except for many state administrative agency decisions) is available in a myriad of electronic sources. However, most of the secondary sources of law, particularly those discussed in Chapter 6, are still in print form. You will probably want to supplement your electronic research with printed sources purchased for your home or office or found in a convenient law library. Many documents and pieces of information needed to do comprehensive legal research are not available in any electronic form. While this is changing, at the present time legal research cannot be effectively done using only electronic research tools.

Integrating (downloading) the text of online research sources into forms, memoranda, briefs and other word processed documents is a relatively easy task and a real advantage of electronic storage. Paper copies of documents from electronic research tools can also be made. So much photocopying is now performed by the average legal researcher from print materials in libraries and offices that there may not be much difference here from your past practice. However, if you usually do your reading and analysis directly from law books rather than photocopies, you could see a major change in your research costs.

Some databases, such as the *Legal Resource Index* in the University of Washington's series of databases, are not available to you without a direct link to the UW system. This particular index, for example, has been purchased from the vendor with a license to make it available only to UW faculty, students, and staff. While much material is in electronic form, it may not be available to you.

Libraries are filled with information professionals who make it their business to keep up-to-date on the latest changes and additions in the legal information industry. However, most law libraries limit what they can do for patrons who call the library. This policy is usually required due to budget and/or staffing limitations. If you stay home, your access to the expertise and wide-ranging knowledge of library staff will necessarily be reduced.

In short, one-stop shopping for Washington legal research is not yet a reality. The conscientious and effective legal researcher will choose the best tools from the print and electronic products that are available. Intelligent and informed use of all legal research tools will require flexibility, stamina, and practice.

Appendix 1
Law Libraries in Washington State

The following list of law libraries in Washington State is divided by type of library: state, county, court, and academic. Collections, services, staffing, and hours vary widely, especially among the county law libraries. Not all the libraries listed are "public libraries." Gonzaga University and Seattle University are private institutions that allow limited public access. The U.S. Courts libraries are open to the public as a courtesy of the judges. Call the listed libraries for further information about access and services.

Other types of libraries may have legal collections. Many of the larger public libraries have legal collections that include selected primary source material as well as a variety of self-help law books. For example, the Ellensburg Public Library in Eastern Washington subscribes to CD Law and so has an electronic version of the state code, regulations, and appellate cases. Some community colleges, such as Highline Community College in south King County, have legal assistant programs, with library collections to support legal research instruction. Finally, various public and academic libraries throughout the state are designated as Washington State documents depositories. These libraries receive officially published state documents, some of which are legal or law-related. If you are not located near one of the law libraries listed below, contact your local public, community college, or academic library and ask if they have any legal materials or if they can refer you to a nearby collection.

Additional libraries are listed near the end of this *Deskbook* in Appendix I, City and County Codes in Washington Libraries.

A. State

Washington State Law Library
Temple of Justice
P.O. Box 40751
Olympia, WA 98504-0751
(360) 357-2136
<http://www.wa.gov/courts/lawlib/home.htm>

Asotin County Law Library
County Courthouse
P.O. Box 159
Asotin, WA 99301
(509) 243-4181

Benton/Franklin County Law Library
Columbia Basin College
2600 N. 20th Ave.
Pasco, WA 99301
(509) 547-0511

B. County

Adams County Law Library
County Courthouse
P.O. Box 126
Ritzville, WA 99169
(509) 659-0090

Chapter 1, Appendix 1, Law Libraries in Washington State

Chelan County Law Library

County Courthouse
401 Washington St.
Wenatchee, WA 98801
(509) 664-5213

Clallam County Law Library

223 E. 4th St.
Port Angeles, WA 98362
(360) 417-2287

Clark County Law Library

County Courthouse
P.O. Box 5000
Vancouver, WA 98668
(360) 699-2268

Columbia County Law Library

County Courthouse
341 Main St.
Dayton, WA 99328
(509) 382-4321

Cowlitz County Law Library

Hall of Justice
312 S.W. 1st Ave.
Kelso, WA 98626
(360) 577-3085

Douglas County Law Library

County Courthouse
P.O. Box 516
Waterville, WA 98858
(509) 775-5206

Ferry County Law Library

County Courthouse
P.O. Box 633
Republic, WA 99166
(509) 775-5206

Garfield County Law Library

P.O. Box 915
Pomeroy, WA 99347-0915
(509) 843-1621

Grant County Law Library

P.O. Box 37
Ephrata, WA 98223
(509) 754-2011

Grays Harbor County Law Library

Courthouse Room 202
P.O. Box 711
Montesano, WA 98563
(360) 249-5311

Franklin County Law Library

See **Benton/Franklin County Law Library**

Island County Law Library

County Courthouse
6th & Main
P.O. Box 5000
Coupeville, WA 98239
(360) 679-7363

Jefferson County Law Library

1820 Jefferson St.
P.O. Box 1220
Port Townsend, WA 98368
(360) 385-9125

King County Law Library

W 621 County Courthouse
516 3rd Ave.
Seattle, WA 98104
(206) 296-0940

Kitsap County Law Library

614 Division St.
Port Orchard, WA 98366
(360) 876-7053
<http://linknet.kitsap.lib.wa.us/county/lawlibrary/index.html>

Kittitas County Law Library

County Courthouse
205 W. 5th St.
Ellensburg, WA 98926
(509) 962-7533

Klickitat County Law Library

County Courthouse
205 S. Columbus
Room 206
Goldendale, WA 98260
(509) 773-5755

Lewis County Law Library

351 N.W. North St.
P.O. Box 357
Chehalis, WA 98532
(360) 740-1287

Lincoln County Law Library

County Courthouse
450 Logan St.
P.O. Box 396
Davenport, WA 99122-0396
(509) 725-3081

Mason County Law Library

County Courthouse
Shelton, WA 98484
(360) 427-9670

Okanogan County Law Library

149 3rd N.
Okanogan, WA 98840
(509) 422-7130

Pacific County Law Library

300 Memorial Ave.
South Bend, WA 98586
(360) 875-9327

Pend Oreille County Law Library

Hall of Justice
229 S. Garden Ave.
P.O. Box 5000
Newport, WA 99156-5030
(509) 447-4414

Pierce County Law Library

1A-105 County City Bldg.
930 Tacoma Ave. S.
Tacoma, WA 98402-2174
(206) 591-7494

San Juan County Law Library

County Courthouse
P.O. Box 760
Friday Harbor, WA 98250
(360) 378-4101

Skagit County Law Library

205 W. Kincaid #104
Mount Vernon, WA 98273
(360) 336-9324

Skamania County Law Library

County Courthouse
Stevenson, WA 98648
(509) 427-9405

Snohomish County Law Library

County Courthouse
Everett, WA 98201
(206) 259-5326

Spokane County Law Library

1020 Paulsen Center
421 W. Riverside Ave.
Spokane, WA 99201-0402
(509) 456-3680

Stevens County Law Library

215 S. Oak St.
Room 211
Colville, WA 9914-0579
(509) 684-7520

Thurston County Law Library

County Courthouse
2000 Lakeridge Dr. S.W.
Building 2, MS 0947
Olympia, WA 98502
(360) 786-5146

Wahkiakum County Law Library

County Courthouse
64 Main St., 3rd Floor
P.O. Box 397
Cathlamet, WA 98612
(360) 795-3652

Walla Walla County Law Library

County Courthouse
315 W. Main St.
Walla Walla, WA 99362
(509) 529-9520

Whatcom County Law Library

County Courthouse
311 Grand Ave.
Bellingham, WA 98225
(360) 676-6556

Whitman County Law Library

County Courthouse
N. 404 Main
Colfax, WA 99111
(509) 397-6240

Yakima County Law Library

County Courthouse
Yakima, WA 98901
(509) 457-5452

C. Court

U.S. Courts Library

U.S. Courthouse
Room 650
West 920 Riverside Ave.
Spokane, WA 99201
(503) 353-3293

U.S. Courts Library

1018 U.S. Courthouse
1010 5th Ave.
Seattle, WA 98104
(206) 553-4475
(206) 634-2222

D. Academic

Gonzaga University School of Law Library

P.O. Box 3528
E. 601 Sharp Ave.
Spokane, WA 99220-3528
(509) 484-6092
<http://law.gonzaga.edu/library/libhome.html>
(This is not a public law library; please call for information.)

Seattle University Law Library

950 Broadway Plaza
Tacoma, WA 98402-4470
(206) 591-2970
<http://www.law.seattleu.edu/mainmenu.htm>
(This is not a public law library; please call for information.)

University Of Washington

Gallagher Law Library
1100 N.E. Campus Parkway
Seattle, WA 98105
(206) 543-4088
<http://www.law.washington.edu/gallhome.html>

Appendix 2
Free or Low Cost Advocacy, Information, and Referral
for King County Residents

prepared by Warner J. Miller, Gallagher Law Library, University of Washington

Many of these services are needs-based (limited to indigent or low-income persons).

Specialization(s)	Resource	Comments
AIDS/HIV	Volunteer Attorneys for Persons with AIDS (King County Bar Association) (206) 624-4772	Legal services for those with legal problems arising out of HIV, AIDS, or AIDS-related illness. Services provided free or on sliding scale, depending upon client need. Intake conducted by phone only.
American Indian Adoption	United Indians of All Tribes (206) 325-0070	Assists adopted Native Americans in opening their adoption records to verify tribal affiliation.
Civil Rights Violations	American Civil Liberties Union (ACLU) (206) 624-2180	Takes selected cases raising civil liberties issues. Requests for help can be phoned in, but lines are often busy. ACLU recommends that requests/complaints be submitted in writing.
Crime Victims	King County Prosecutor's Office (206) 296-9000	Provides advocacy for victims of crimes committed in King County.
Criminal Defense/ Defense of Support-Enforcement Actions/ Involuntary Commitment, Etc.	King County Office of Public Defense (206) 296-7662	Provides free legal representation to indigent clients in criminal cases, support enforcement proceedings, juvenile offender cases, dependency petitions, contempt of court citations, and involuntary commitment proceedings. Some limitations apply: not a resource for help with marriage dissolutions, small claims, traffic infractions, landlord/tenant, or bankruptcies.
Debtor/Creditor	Consumer Credit Counseling Service (206) 634-2227	Free credit and debt counseling. Helps negotiate alternative repayment arrangements.

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Specialization(s)	Resource	Comments
Debtor/Creditor	Mortgage Default Counseling (Fremont Public Association) (206) 634-2222	For persons at risk of losing their homes.
Disabilities Law	Disabilities Law Project (206) 461-4550 (206) 461-3766 (TDD)	Sponsored by Washington Coalition of Citizens with Disabilities
Disabilities Law	Washington Protection and Advocacy System (206) 324-1521 (Seattle) (800) 562-2702 (206) 720-0209 (TDD/Seattle) (800) 905-0209 (TDD)	Provides advocacy, information, and referral services for people with physical and mental disabilities.
Domestic Violence	Domestic Violence Recorded Information Line (King County Superior Court) (206) 205-5555	Automated information service.
Domestic Violence	Domestic Violence Unit Seattle City Attorney (206) 684-7770	Assists victims of domestic violence.
Domestic Violence	Protection Order Advocacy Office (King County Prosecutor's Office) (206) 296-9547	Helps victims of domestic violence obtain protective orders and provides referrals to appropriate social services agencies.
Domestic Violence	Washington State Domestic Violence Hotline (sponsored by the State of Washington) (800) 562-6025	Refers callers to local domestic violence programs and shelters.
Employment/ Unemployment	Unemployment Law Project (206) 441-9178 (800) 562-6025	Assists workers who have been denied unemployment benefits or whose employers are appealing an award of benefits. Representation is provided for the administrative hearing, so those seeking help should contact the project well in advance of the hearing date. Service is not fee-based.

Washington Legal Researcher's Deskbook, 2d

Specialization(s)	Resource	Comments
Family Law	Family Law Mentor Program (King County Bar Association) (206) 623-2551	Provides legal assistance in family law matters where client or children are at risk. Volunteer attorneys represent individual clients under supervision of experienced family law practitioner. Program cannot respond to emergency situations.
Family Law	Family Support Division (King County Prosecutor's Office) (206) 296-9020	Assists with paternity actions, custodial interference, and related family law issues.
Family Law	Northwest Justice Project (206) 464-1519 (888) 201-1014 (toll-free)	Provides assistance to low-income persons with family law and housing issues. Needs-threshold applies.
Family Law	Northwest Women's Law Center (206) 621-7691	Conducts workshops for low-income persons on various family law issues.
Family Law	Office of Support Enforcement (Dep't of Social and Health Service) (206) 464-7020	Assists with enforcement of child support orders, paternity actions, modification of support orders, location of parent avoiding child support obligations, etc.
Family Law, Mandatory Forms	Attorney's Information Bureau King County Courthouse 6th Floor (Room C603) Third and James, Seattle (206) 622-0734	Sells the mandatory forms required for use in family law matters.
Family Law, Mandatory Forms	King County Superior Court Clerk , King County Courthouse 6th Floor, Third and James (206) 296-9300	Sells the mandatory forms required for use in family law matters.
Family Law, Self-Help	Courthouse Facilitators (King County Superior Court) (206) 296-9020	Provides free assistance for those needing help completing mandatory family law forms.

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Specialization(s)	Resource	Comments
Family Law, Self-Help (Eastside)	Eastside Legal Assistance Self-Help Program (206) 861-7033	Monthly do-it-yourself divorce workshops held on the Eastside for low-income east King County residents. \$15.00 for the class and \$15.00 for preparation of the paperwork. No direct representation provided.
Family Law, Self-Help	"How to Finish Your Divorce" (King County Bar Association) (206) 624-9365	A monthly seminar offered at King County Law Library (6th Floor, King County Courthouse). Volunteer attorneys offer help in completing mandatory family law forms.
Family Law, Self-Help	Self-Help Plus Program (King County Bar Association) (206) 624-9365 (206) 624-4772 (direct dial)	Low-cost instruction for low-income persons on how to handle their own family law matters, including non-contested divorce and modifications of child support, parenting plans, and custody orders. Volunteer attorneys guide participants through steps to complete the procedure in question.
Immigration	Northwest Immigrant Rights Project (NWIRP) (206) 587-4009	
Institutionalized Persons/Groups	Institutional Legal Services Project (Columbia Legal Services) (206) 464-5911	Represents people in institutional settings (jails, prisons, mental hospitals, nursing homes, etc.). Primary focus is on vindicating rights of institutionalized groups (rather than upon asserting claims of individual persons).
Landlord/Tenant	Seattle Tenants' Union (206) 723-0500	Landlord/tenant matters.
Landlord/Tenant	Evictions and Deposits (Fremont Public Association) (206) 634-2222	Landlord/tenant matters.

Washington Legal Researcher's Deskbook, 2d

Specialization(s)	Resource	Comments
Mediation	Dispute Resolution Center (206) 443-9603 (Seattle) (888) 803-4696 (toll-free)	Provides mediation and conciliation services for resolving disputes outside the court system. Both parties must be willing to participate. Most services provided free or at low cost. Some limitations apply: not available for collections matters, landlord/tenant, family law matters after a decree has been entered, etc. No legal advice.
Mediation	Northwest Mediation (206) 746-2346	Fee based upon sliding scale.
Mediation, Family Law Issues	Family Court Services (King County Superior Court) (206) 296-9400	Provides mediation services for families going through divorce/separation who need to make custody and visitation decisions. Also provides adoption services. All services except adoption require a referral from a judge or commissioner.
Multiple Services	Columbia Legal Services (formerly Evergreen Legal Services) (206) 464-5911	Columbia's telephone system features an automated directory of local resources for help with a variety of legal problems, including domestic violence, family law, criminal cases, public benefits, landlord/tenant, senior advocacy, consumer problems, employment law, unemployment benefits, etc.
Multiple Services	Lawyer Referral Service (King County Bar Association) (206) 623-2551	Provides referrals to private attorneys who practice in the area of law pertinent to the client's legal problem. Participating attorneys charge \$30 for a half-hour initial consultation. After the first half hour, any additional legal assistance is performed at a rate agreed upon between attorney and client. Senior citizens and low-income clients should identify themselves as such during initial telephone call.

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Specialization(s)	Resource	Comments
Multiple Services	Legal Action Center (Catholic Community Services) (206) 324-6890	Free legal services to low-income residents of King County, including help with landlord/tenant, debtor/creditor, and consumer issues. Volunteer attorneys offer consultation, but do not undertake direct representation.
Multiple Services	Neighborhood Legal Clinics (King County Bar Association) (206) 340-2593	Ten neighborhood clinics provide half-hour of free legal consultation, information, and referral. Spanish/English bilingual services offered at the Southeast Clinic. Does not represent clients in court or prepare legal documents, but will evaluate whether client has a legal problem, suggest options, and provide appropriate referrals.
Multiple Services	Northwest Women's Law Center Legal Information and Referral (206) 621-7691	Information and referral to social service agencies and attorneys.
Multiple Services	Volunteer Legal Services (King County Bar Association) (206) 623-0281	Provides free legal services to people with very low incomes in civil cases, excluding family law and criminal cases.
Spanish-Speaking Persons	Bilingual Spanish Legal Clinic (206) 329-7960	
University of Washington Students	University of Washington Student Legal Services (sponsored by University of Washington Law School) (206) 543-6486	Low-cost legal services for currently enrolled University of Washington students. Free initial consultation; additional services available at \$10/hour plus supply fees and court costs. Will also advise students on handling small claims. Staffed by third-year law students under supervision of licensed attorneys.

Washington Legal Researcher's Deskbook, 2d

Specialization(s)	Resource	Comments
Welfare/Public Benefits	Welfare Rights Advocacy Program (Fremont Public Association) (206) 634-2222	Helps people access or retain public assistance benefits for which they may be eligible (including AFDC, food stamps, disability and medical benefits, etc.).