

**CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Sitting/Acting as** (if applicable)

**Policy Session Worksheet**

**Presentation Date:** 05/03/22 **Approx. Start Time:** 10:00 AM **Approx. Length:** 15 min

**Presentation Title:** Fees and Fines Schedule Amendment Request for FY 22/23

**Department:** Alden E. Miller Law Library of Clackamas County

**Presenters:** Jennifer Dalglish, Law Library Director / Law Librarian

**Other Invitees:** None

**WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?**

Review and approve proposed amendments to the County Law Library Fees and Fines Schedules for FY 22/23 [Appendix A – Fees and Fines Schedule]

**EXECUTIVE SUMMARY:**

Each year, the Board of County Commissioners reviews proposed fee and fine changes from departments and sets fees and fines concurrent with adoption of the budget for the coming fiscal year. Early review and preliminary approval of proposed fees and fines allows County departments to integrate fee and fine proposals into their requested budgets that they submit to the County Administrator.

The changes requested are in alignment with other jurisdictions and will increase annual revenue by approximately \$6000.

**Fees and Fines:**

The Law Library has only amended the fees and fines schedule once in over thirty years. The purpose of this review is to make sure the fees and fines are set appropriately and adjust according to a variety of factors including but not limited to: increases in costs, overall economy and relevant market, and cost recovery objectives. The proposed fee additions and increases are necessary to help offset the rising costs associated with the Performance Clackamas goals related to operating and maintaining the Law Library.

Photocopy charges increase by five cents per copy would keep pace with current market and help recover costs. Microfilm print fees increased by twenty five cents per copy would keep pace with current market and help recover costs. Copies made by staff and sent to patrons would increase by twenty five cents to help keep pace with current market and help recover costs. Federal document retrieval made by staff and sent to patrons would increase fifteen cents to help keep pace with current market and

help recover costs. Overdue replacement cost would increase to 120 days to allow for good faith payment and materials recovery. Processing fee increase by \$2.50 would keep pace with current market and help recover costs.

Two need fees would be added: Notary Services by appointment and Stevens Ness Legal Forms by appointment. Neither are currently available at the courthouse or in close proximity to the courthouse. The Addition of these fees will go a long way to improve Law Library services and help keep pace with the current market and cost recovery.

**Amendments:**

There are three housekeeping matters requiring amendments:

- 1) Copies are no longer made by staff and faxed. Delete fee.
- 2) The Law Library no longer has a fax machine or capability. Delete line.
- 3) The Law Library no longer sends or receives faxes. Delete lines.

**FINANCIAL IMPLICATIONS (current year and ongoing):**

The requested fee changes should respond to market demands and increase this minute amount of revenue received by the Law Library. This should better assist the Law Library with cost recovery efforts and help provide the required levels of services allowing for cost recovery and keeping pace with economic changes.

Is this item in your current budget?  YES  NO

What is the cost? \$ 9,000                      What is the funding source? Patron Usage Fees

**STRATEGIC PLAN ALIGNMENT:**

- How does this item align with your Department's Strategic Business Plan goals?
  - This proposal is consistent with the Law Library's Strategic Goal to provide equal access to legal information, resources and assistance at no cost to the user during reasonable hours in close proximity to the courthouse.
- How does this item align with the County's Performance Clackamas goals?
  - This proposal is consistent with the Board's Strategic Plan to build public trust through good government by being open and transparent with the budget and the requirements to meet performance measures and results.

**LEGAL/POLICY REQUIREMENTS:**

Unless otherwise delegated, the Board of County Commissioners establishes fees and fines as part of the annual budget adoption process.

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

The Law Librarian presented the proposed fees and fines amendment request to the Clackamas County Bar Association Law Library Committee at its March 17, 2022 meeting. The CCBA LLC recommended approval to the BCC by unanimous vote.

**OPTIONS:**

1. Approve the proposed fees, fines and code amendments and move forward for formal approval and adoption at a future Business Meeting. By approving this option, the Board directs the Law Library to integrate the new fees and fines effective FY 22-23.
2. Provide further direction to Law Library regarding the proposed fees, fines and/or code amendment for further discussion.
3. Take no action at this time.

**RECOMMENDATION:**

The Law Library respectfully recommends approval of Option 1 to approve the proposed fees, fines and code amendments and move them forward for formal approval and adoption at a future Business Meeting. By approving this option, the Board directs the Law Library to integrate the new fees and fines effective FY 22-23.

**ATTACHMENTS:**

1. Appendix A/Law Library Fees and Fines Schedule with Proposed Changes

**SUBMITTED BY:**

Department Director/Head Approval \_\_\_\_\_

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact Jennifer Dalglish @ x8248

Attachment 1

<b>DEPARTMENT / DIVISION</b>	<b>AUTH. LEGISLATION Code</b>	<b>CURRENT AVERAGE ANNUAL REVENUE</b>	<b>ESTIMATED ANNUAL REVENUE COLLECTION</b>
<b>Law Library</b>	§1.01.090	\$3,000	\$9,000

<b>FEE DESCRIPTION</b>	<b>CODE AUTH. FEE</b>	<b>CURRENT FEE AMOUNT</b>	<b>PROPOSED FEE 2022 / 2023</b>	<b>Change Description</b>
<b>LAW LIBRARY</b>	X			
<b>Copies</b>	X			
Photocopy		\$0.20 per copy	\$.25 per copy	\$0.05 per copy increase
Laser Printer	X	\$0.20 per copy	\$.25 per copy	\$0.05 per copy increase
Microfilm		\$0.25 per copy	\$.50 per copy	\$0.05 per copy increase
Color photocopy		\$0.50 per copy	NO CHANGE	No Change
Color printer copy		\$0.50 per copy	NO CHANGE	No Change
Microfilm copies made by staff		\$0.25 per page plus postage, fax, scan or email charge	\$0.50 per page, plus postage, scan or email charge	\$0.25 per page increase and removing fax as an option
Copies made by staff and mailed		\$0.25 per page plus postage	\$0.50 per page plus postage	\$0.25 per page increase
Copies made by staff and faxed		\$0.25 per page plus fax charges	DELETE	Remove service
Copies/scans/prints made by staff and emailed		\$3.00 per page	\$5.00 per page	\$2.00 per page increase
<b>Legal document request</b>		\$1.00 per citation, case number or results list faxed or emailed	NO CHANGE	No Change other than removing fax as an option
<b>PACER search/retrieval</b>		\$0.10 per page	\$0.25 per page	\$0.05 per copy increase
<b>Fax</b>			DELETE	Removing Services
Sending		\$2.00 for each 1-10 pages	DELETE	
Receiving	X	\$0.20 per page	DELETE	
<b>Overdue material</b>		\$1.00 per day, replacement cost after 60 days	\$1.00 per day; Replacement cost after 120 days	Extending time before cost becomes replacement cost
<b>Processing fee for billing copy charges</b>		\$5.00	NO CHANGE	No Change
<b>Processing fee for late payment (over 60 days)</b>		\$2.50	\$5.00	\$2.50 increase
<b>Processing fee for replacing lost or damaged materials</b>	X	\$25.00	NO CHANGE	No Change
<b>Lost or damaged material</b>		actual cost	NO CHANGE	No Change
<b>Notary Services By Appointment</b>	X	NEW FEE	\$5.00 per signature for court related documents; \$10.00 per signature for non-court related documents; Notarian may waive fee	New Service
<b>Stevens Ness Legal Forms By Appointment</b>	X	NEW FEE	\$5.00 per individual form; \$10.00 per kit; actual cost if neither	New Service