

BYLAWS
BOARD OF TRUSTEES
CLAY COUNTY LAW LIBRARY
(AS AMENDED EFFECTIVE OCTOBER 3, 2022)

ARTICLE I

Purpose

The purpose of the Board of Trustees is to govern the operation of the Clay County Law Library.

ARTICLE II

Membership

Section 1. Composition. The Board shall consist of seven (7) members:

1. A judge appointed by the Chief Judge of the Judicial District, and
2. A person appointed by the Chief Judge of the Judicial District, and
3. A member of the County Board of Commissioners selected by the County Board of Commissioners, and
4. Two attorneys admitted to the practice of law residing in the County selected by the County Attorney, and
5. A member of the staff in Clay County Court Administration selected by the Clay County Court Administrator, and
6. A staff member of the Clay County Jail selected by the Clay County Jail Administrator.

Section 2. Term of Office. Each Board member shall hold office for a term of three (3) years, and each Board member shall hold office until a successor is duly appointed and able to serve.

Section 3. Procedure for Changing the Size of the Board. The size of the Board of Trustees may be changed to between three (3) and seven (7) members by a majority vote of all the Board members.

ARTICLE III
Meetings

Section 1. Place of Meeting. Unless otherwise determined by the Board of Trustees or its President, meetings shall be held at the Clay County Courthouse in Moorhead, Minnesota.

Section 2. Annual Meeting. The Board shall hold its annual meeting in June of each year. Said annual meeting shall be held on a date and at a time to be designated by the Board of Trustees or its President. A President and a Secretary shall be elected at each annual meeting, to hold office for the succeeding year. If a Librarian is employed to staff the Law Library, the Librarian shall serve as a Secretary and no Secretary shall be elected from the Board membership.

Section 3. Quarterly Meetings. The Board shall hold a regular quarterly meeting in the months of March, June (which may also be the annual meeting), September and December of each year, at a time and place to be set by the Board.

Section 4. Special Meetings. Special meetings shall be called by the President when requested by any member of the Board. The request shall state the purpose of the special meeting.

Section 5. Notice of Meetings. Notice of any annual meeting or quarterly meeting or for a special meeting shall be given to each Board member at least three days prior to such meeting. Failure to give notice shall not invalidate the meeting or the proceeding held. Notice of special meetings shall state the purpose of the meetings.

Section 6. Procedure. All meetings shall be called to order by the President,

and shall be conducted in accordance with Roberts Rules of Order.

Section 7. Quorum. Four (4) or more members of the Board shall constitute a quorum for the transaction of business.

Section 8. Action without Meeting. Any action which might be taken at a meeting of the Board may be taken without a meeting if evidenced by an agreement amongst all trustees.

ARTICLE IV Officers

Section 1. General Provisions. The officers of the Board of Trustees shall consist of a President to be elected annually by the Board and a Secretary to be elected annually by the Board unless the Board employs a librarian, then the librarian shall serve as Secretary to the Board. Other officers, committees or agents may be appointed by the Board if necessary, to hold office for such period as is appropriate, but in no event for a period extending past the succeeding annual meeting.

Section 2. President. The President shall preside at all meetings of the Board, and shall perform such duties as may from time to time be assigned by the Board, and shall appoint all committees.

Section 3. Secretary. The Secretary shall act as the staff of the Board and shall attend all meetings, prepare and distribute all agenda matter, and keep appropriate record with the Office of the Court Administrator. The Secretary shall also perform such other secretarial functions as may be necessary.

Section 4. Vacancies. A vacancy in any office due to any reason shall be filled at the next quarterly meeting or special meeting called for that purpose within two months after the vacancy occurs.. If the vacancy is in the office of the President, the Secretary shall call the special meeting to fill such vacancy.

ARTICLE V
Authority

Section 1. General Powers. The Board of Trustees shall have the powers necessary for the governing and maintenance of the Clay County Law Library, as provided in Minn. Stat. § 134A.05, including, but not limited to, the power to:

- A. Amend its Bylaws and regulations;
- B. On behalf of the County accept any gift, grant, devise, or bequest or the loan of books or property for the library, and carry out the conditions thereof;
- C. Purchase or lease books, or library facilities, with money from the County Law Library fund, with title to such purchases vesting in Clay County;
- D. Sell or exchange items of property of the library;
- E. Enter into agreements or contracts for the purposes of jointly housing books or other materials by Clay County with other public or private entities within the community.

Section 2. Payments. The authority to approve payments from the Clay County Law Library fund shall be as follows:

- A. For books, publications or other materials received as replacements or update materials for publications regularly subscribed to by the library, any member of the Board shall have authority to approve payment, or said authority may be delegated to any other person chosen by the Board.
- B. For the purchase of new books or materials, the authority to approve payment for the same must be by majority vote of the Board of Trustees, except that the President may approve the purchase of any new books or material whose purchase price is less than \$200.00.

- C. All other purchases must be approved by a majority of the board members.

Section 3. Librarian. The board may appoint law librarian(s); determine the status, hours, and duties of such employment; and with the approval of the Board of County Commissioners, fix their compensation. For this purpose, a hiring committee shall be made up of the Clay County Attorney and at least one Clay County Law Library Board member, who shall make recommendations to the board. The law librarian(s) shall be subject to all rules and policies of the Clay County Employee Handbook. Subject to agreement of the Clay County Attorney, supervision and performance appraisals may be delegated to the Clay County Attorney or his/her designee. Report of the performance and status of the librarian(s) shall be made to the Law Library Board at the quarterly meetings.

Section 4. Setting Fees. Pursuant to Ch. 134A, Minn. Stat., the Board of Trustees, with the approval of the Board of County Commissioners, shall set the amount of the library fee for civil and criminal matters in the district and conciliation courts of the county.

ARTICLE VI Library Policy and Users

Section 1. It shall be the policy of the Clay County Law Library to provide its users with adequate resources for legal research. To accomplish this, library materials shall at all times be kept current and in good condition.

Section 2. Users. The Clay County Law Library shall be open for use by all persons.

Section 3. Cooperative Agreements. The Clay County Law Library may, from time to time, enter into agreements for the joint housing of legal reference materials at other public or private institutions or locations in the area. It will be the

policy of the Clay County Library that when such legal reference materials are housed in other public or private institutions, that a copy service be provided at a nominal charge by said public or private institution to facilitate the transfer of information from said off-premises location.

ARTICLE VII
Library Rules

Section 1. Removal of Materials. No materials may be removed from the Clay County Law Library, whether housed at the Clay County courthouse or, pursuant to a cooperative agreement, at some other public or private institution in the area.

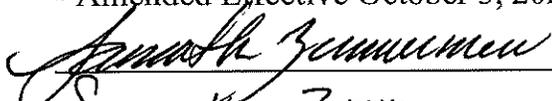
Section 2. Other Rules. Other law library rules and policies shall be established by the Board of Trustees.

ARTICLE VIII
Amendments

These Bylaws are subject to amendment by a majority of a quorum present at any meeting of the Board.

Original Bylaws approved by Clay County Law Library Board of Trustees on April 8, 1986.

- Amended Effective May 1, 1987
- Amended Effective September 14, 1988
- Amended Effective December 18, 1991
- Amended Effective June 26, 2001
- Amended Effective December 3, 2007
- Amended Effective June 21, 2021
- Amended Effective October 3, 2022



Samantha Zimmerman, President

Megan Kelly

Megan Kelly

Secretary