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## Library Access Policies

### Hours of Operation and Access

The Nunavut Court of Justice Law Library is staffed Monday to Friday from 8:30 am to 12 pm and 1 pm to 5 pm, with a one hour closure for lunch.

The NUCJ Law Library closes for all statutory holidays. From time to time the Court Librarian will be away from the Library, but the Library will remain open during the regular business hours of Court Services. However, during those times services will be limited to borrowing and use of the computers. Reference, instruction, access to the technology collection, and interlibrary loan services will not be available.

The Library is available to Government of Nunavut (GN) staff and members of the public during staffed hours **only**.

The Judiciary and members of the Law Society of Nunavut may make after-hours use of the Library facility (evenings and weekends) by use of a FOB issued by the Office of the Sheriff. All requests for after-hours access should be directed to the Office of the Sheriff in the Registry of the Nunavut Court of Justice.

## Circulation

Primary and secondary clients are permitted to borrow materials from the NUCJ Law Library. All materials are borrowed by completing a card contained within the item with the following information:

- Date borrowed
- Name of Borrower
- Phone Number of Borrower

The Library does not have automatic circulation at this time. Materials may be borrowed during regular hours and, for those with authorization, afterhours access. All borrowing is done on the honour system. Placing holds in order to request items currently on loan is not available at this time.

Items that are available in the Library will not be retrieved by the Court Librarian. Patrons are expected to retrieve their own materials.

The following loan periods for all items have been enacted:

- *Primary Clients* (Judiciary) – **3 months** from the date the item is borrowed
- *Secondary Clients* (Lawyers) – **4 weeks** from the date the item is borrowed (to incorporate time on circuit)
  - Paralegals, authorized Law students, and GN Department of Justice staff – **2 weeks** from the date the item is borrowed
  - Members of the RCMP may have 2 week borrowing privileges *upon* application to the Court Librarian
- *Tertiary Clients* (public & other, non-Justice, GN departments) – **not permitted to borrow resources**

Any title may be renewed up to three (3) times. Items can be renewed in person, over the telephone or by email to the Court Librarian.

By borrowing material from the Library you are agreeing to abide by the loan periods and take responsibility for returning items to the NUCJ Law Library. Any item not returned within 28 days of the due date (or not renewed) will be assumed lost.

The Court Librarian will contact any person who exceeds the loan period or if the title is requested by a *primary* client (regardless of when the title is due) by email. Recall of items is not available to other clients of the Law Library.

If the title is not returned, and the client does not request a renewal or has exceeded their renewals, the Court Librarian will follow up with a second email. If a third notice is required the notice in Appendix A will be sent to the patron.

Clients who lose or fail to return any item borrowed, or return them in damaged condition, **may be** required to purchase a replacement copy for the Law Library. Failure to return materials can result in the loss of Law Library borrowing privileges.

Restriction: Law students may borrow material from the NUCJ Law Library ONLY if their advisor is willing to agree to take the responsibility to ensure that all Library materials borrowed by the student are returned to the Library before or after the completion of the student's term. A form is required (see Appendix B) to be completed and returned to the Court Librarian before the Law student may borrow items. The form will be available on the Nunavut Court of Justice website ([www.nucj.ca/library/library.htm](http://www.nucj.ca/library/library.htm) )

**Nunavut Court of Justice Law Library Materials do not circulate outside of Iqaluit, Nunavut.**

The following items **MAY NOT** be borrowed. They **must not** leave the physical premises of the Courthouse.

- Canada Statutes and Regulations
- Binders of Nunavut Gazette or NUCJ decisions
- Any title in the Reference Collection
- Any title in the Finding Tools Collection
- Any title in the Criminal Code collection

- Any title in the Archive collection, including the archived criminal codes
- Any NWT decisions or statutes
- Any case citators
- Any document in the Document Collection

## Security

The Court Librarian and the Nunavut Court of Justice are not responsible for any personal belongings, technology, or documents/files left unattended in the Law Library.

Personal items should be stored in the lockers in the Lawyers Lounge or taken to Court.

Confidential Files – All clients are requested to take care not to leave confidential documents in the Library, the photocopier, or the Lawyer's Lounge. Any confidential files found will be turned over to the Registry or shredded.

Any item that goes missing should be reported to the *Office of the Sheriff* in the Nunavut Court of Justice Registry (975-6100).

### *Personal Security*

The Court Librarian reserves the right to request any individual in the Law Library be removed from the Library if he or she feels that he or she, any individual(s) in the Library or the physical premises are at risk.

The Court Librarian will notify the Office of the Sheriff immediately and inform them of a problem patron. The Office of the Sheriff will inform an intrusive client that they are to leave the Library and escort them from the premises.

All lawyers are required to escort their clients to and from the interview rooms. Clients should meet their lawyer in the lobby rather than in the Library.

Lawyers, Paralegals, and Court Workers are required to use the Interviews rooms on the 1<sup>st</sup> or 2<sup>nd</sup> floors of the Courthouse in order to interview clients. The Library is a publicly accessible area and clients of the Maintenance Enforcement Program access this office via the Law Library. Confidentiality of client discussions cannot be ensured in the Law Library.

### Online Public Access Computer (OPAC)

There are two computers in the Law Library. The first is the GN login station which requires a GN issued login in order to access. The second station is the Open Public Access Station (OPAC) which does not require a password. Both stations are intended for the use of the Justices and members of the Law Society of Nunavut and are provided for the purpose of accessing the Library catalogue, legal databases, legal research, and (to a limited extent) accessing of email by lawyers. These stations are for **legal research purposes only**.

Any client found abusing the privilege will be asked to vacate the computer. If the problem persists, the client's Library privileges may be revoked.

Use of these stations is bound by the Government of Nunavut Help Desk Internet policies and firewalls. This includes the prohibition on all computer users from viewing, downloading, installing, sending or forwarding any inappropriate material, including chainmail, pornography, games and/or executable files of any kind. Downloads are **strictly prohibited** on these machines.

Members of the public **may not** use either station, except to access the Library Catalogue and only with the authorization of the Court Librarian.

The Court Librarian reserves the right to ask any person using the computer for personal use to vacate the OPAC station when it is needed for legal research purposes.

Government of Nunavut employees **may not** use the Library OPAC to view Facebook, personal email, or GN-prohibited sites.

## Photocopying/Printing/Faxing/Scanning

In the Library there is a photocopier provided for the purposes of scanning, printing, faxing and photocopying. At this time, all of these resources are available *free of charge* for Judges, Lawyers, Courthouse staff, and members of the RCMP. The Court Librarian will provide instruction on how to use any of these tools but **does not** perform these functions for clients.

All clients are asked to take extreme care when copying Library materials in order to avoid putting extreme stress on the spines of bound volumes or damage to the pages. With loose-leaf inserts, it is the *client's responsibility* to ensure they have returned *all of* the pages to the correct location within the binder.

Urgent requests for copying/scanning/printing will be accommodated for the Justices and Deputy Justices of the Nunavut Court of Justice and the Nunavut Court of Appeal **only**.

## Copyright

The resources in the Library are purchased under copyright license which allows for the circulation of these items to multiple clients. The Library does not resell any of these products. The databases come with licensing restrictions and all users of the Library databases must abide by these licensing copyright restrictions while using these databases.

Under the principle of *Fair Copy* under the *Canadian Copyright Act*, photocopies of any physical Library material or printouts from any database or online legal resource **must not exceed** 10% of the total amount of the publication, e.g. one journal article or one chapter of a book or looseleaf. All copies must be for personal use (i.e. not for sale/profit).

Under the current copyright laws of Canada, *Fair Copy* extends to and includes lawyers carrying out commercial practice, i.e.: a lawyer may make copies of library materials and apply this under billable hours.



## Library Service Policies

### Reference Services

The Court Librarian provides Reference services for all patrons. Reference questions can be asked via the following methods – in person, over the telephone or via email.

All reasonable effort will be made to provide reference service. A **minimum** of 24 hours is required for assistance in locating cases, articles, or judgments from other jurisdictions. This service is restricted to the Judges and members of the Law Society of Nunavut.

The Court Librarian's work load and the availability of resources are all factors in the turnaround time required for a response.

### Legal Research Restrictions

The role of the Court Librarian in legal research endeavors is to provide basic assistance either in developing the inquiry or providing directions for future research. To a limited degree, the Court Librarian will assist in locating articles and cases.

The Court Librarian does not provide the legal research services of a paralegal and **will not** conduct a full research project. A full research project is the responsibility of the client. The analysis of results found is the responsibility of the client.

The Court Librarian does not provide photocopying, printing or faxing services. All of these tools are available free of charge in the Library for individual use.

Computer search services for secondary clients are outside the mandate of the Law Library.

#### **DISCLAIMER:**

The Court Librarian takes all reasonable precautions to ensure the completeness of search results within the limitations of the databases, the systems used, and the instructions received from the client. The Court Librarian produces search results ONLY; The Court Librarian does not analyze the results or offer legal opinions.

## Document Delivery

When articles or books are required that are not available in the Law Library, primary and secondary clientele may request a document delivery, i.e. the Court Librarian will attempt to locate the item at another library and bring it in for the use of the client. The only items that the Library will bring in on document delivery are articles or sections of books (no more than 10%). The material will be accessed via either scanned PDF's or faxes.

Items in the Iqaluit libraries of Arctic College and the Legislative Assembly Library can be interlibrary loaned, i.e. brought in from the library for the use of library clients upon request by primary and secondary clientele. Any costs charged by the lending library will be the responsibility of the requestor. *All clientele* will be subject to the loan periods established by the lending institution and not the normal Law Library lending periods.

The Law Library has a partnership agreement with the Law Society of Saskatchewan for photocopies of articles/texts that cannot be physically brought in. This agreement is for the Justices and to a limited extent the Lawyers of Nunavut, nominally GN/Legal Services Board and Public Prosecution Service of Canada (PPSC) Lawyers.

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**11/22/2012**

Due to the closure of Library and Archives Canada's Interlibrary Loan Department the Law Library **will no** longer be able to bring physical texts in from outside of Nunavut.

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The Court Librarian will make all reasonable attempts to locate an item through it's the Law Society of Saskatchewan and to a limited extent other Canadian Law Libraries. The Library does not have the funds or resources to go outside of those partners.

NOTE: Tertiary clientele *cannot* access the Document Delivery service.

## Instruction

The Court Librarian will provide tours of the Law Library and provide instruction on basic use of the Library (catalogue, facility, assistance with databases) *on site*, upon request.

The Court Librarian will develop and provide legal research instruction at a departmental office for staff upon request. A minimum of one week's notice is required, although two weeks is optimal. The content must be within the scope of the Library mandate and the Librarian's expertise. The Librarian can provide instruction on various aspects of legal research, specific legal research tools such as databases, or library-related topics such as copyright or plagiarism.



**B) Law Student Authorization Form**

**Nunavut Court of Justice Law Library**

**Application for Law Student/Clerk  
Borrowing Privileges**

Date of Application: \_\_\_\_\_

Expires: \_\_\_\_\_

*For Librarian Use Only*

**Advisor Information – PLEASE PRINT**

Name (Last, First):

Department:

Contact Information (P.O. Box, Physical Location, Contact phone number)

Email Address:

**Law Student Information – PLEASE PRINT**

Name (Last, First):

Department:

Contact phone number:

Email Address:

Length of program:

From \_\_\_\_\_ to \_\_\_\_\_

**STATEMENT OF AGREEMENT:**

- I, as the advisor, am agreeing that I will be responsible for:
  - a) returning all materials borrowed by my law student in accordance with Library policies
  - b) paying for the replacement costs resulting from the loss of these materials
- I understand that these law student privileges are valid at the Nunavut Court of Justice Law Library only.
- I understand that all Library communications concerning items checked out by the student will be addressed to me.
- I will notify the Library if this student leaves my department before the expiration date stated above.
- I understand this letter will be kept in a confidential file until such times as all materials charged out by this student are returned and any accrued replacement costs are paid.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return completed applications to:

Jenny Thornhill, Court Librarian,

Nunavut Court of Justice Law Library  
Nunavut Court of Justice Centre (Bldg. 510)  
P.O. Box 1551, Iqaluit, Nunavut, X0A 0H0