



Office of the Attorney General
HOWARD COUNTY TEXAS

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HOWARD COUNTY COURTHOUSE

December 9, 2002

Texas Attorney General Opinions
Honorable Gregg Abbott
Attorney General of Texas
Attn: Lauren Lux
Chairman of Opinion Committee
P. O. Box 12548
Austin, TX 78711

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OPINION COMMITTEE

RQ-0006-GA

RE: Howard County Law Library

FILE # ML-42923-02
I.D. # 042923

Dear Ms. Lux:

The Howard County Bar Association and West Publications has proposed to the Commissioners Court of Howard County a plan that would provide online legal research to the local attorneys and judges. The money collected for the county law library fund (Local Gov. Code Sec. 323.023) would be used to pay for West Publications Contract, a computer located at the courthouse, and online access at the courthouse. Each local attorney would be provided a password, which would provide the attorney access to the online Texas Library of West Publications. If the attorney researches outside the Texas Library, then West would bill the individual attorney. The public and visiting attorneys would have access through the computer located at the courthouse. The password provided would not allow access outside the contractually provided database.

A question has been raised by the District Attorney stating this would impermissibly be supplementing the local attorneys by paying for their online research. It is my opinion that there is no difference in providing online research or a book library. The local bar association is in favor of the West contract to provide online research.

Copies of letters from the District Attorney and several of the local attorneys have been attached.

In summary, is it permissible for the Commissioners' Court to enter into a contract with West Publications to provide online research for the local attorneys and the public with the fees collected pursuant to Local Government Code, Section 323.023?

Thank you for your time and attention.

Very truly yours,



C. E. "Mike" Thomas, III

CET:mjo

Attachments: