

Legal Resources

Georgia Library Law

- [Library Law Handbook: A Handbook for Public Librarians in Georgia \(Marti Minor, 2018\)](#)
- [Georgia Code pertaining to libraries](#)
- [Marti Minor's Legal Column](#)
- [Marti Minors Library Presentation Documents](#)

Selected Presentations and Documents

sept_2020_library_law_q_a.pptx

Library Law Q&A (Marti Minor, Public Library Directors Meeting, Fall 2020)

- COVID-19 Issues and Leave Time
- Effect of Bankruptcy on Library Accounts
- Library as Host of Virtual Events

Anonymity for Library Users: Balancing Legal Obligations (Marti Minor, Public Library Directors Meeting, Fall 2019)

Library Law Salad (Marti Minor, Public Library Directors Meeting, Spring 2017)

- Library Law Salad: Legal Update for Georgia Public Library Directors
 - Legal Matters in Georgia Public Libraries: An Update for Directors
- Topics include Georgia's Gun Law, Bathroom Legislation

Patron Conduct (Marti Minor, Public Library Directors Meeting, Winter 2016)

- Managing Patron Behavior without Abridging Legal Rights
 - Policies for Patron Conduct

Case Studies: Library Law in Georgia (Marti Minor, Public Library Directors Meeting, Fall 2014)

1. In light of Georgia's more permissive gun carry law that now includes government buildings, what type of policy(if any)should public libraries enact regarding gun possession inside the library building?
2. How does Georgia's Health Care Freedom and ACA Non-Compliance Act apply to public libraries?
3. Is it advisable to extend borrowing privileges to institutional patrons? What are the contract and collection implications?
4. Are e-cigarettes prohibited in public buildings under state law? If not, may the public library

- prohibit the use of e-cigarettes inside?
5. What are a public library's duties to maintaining electronic records for purposes of open records requests?
 6. May a public library enter into a joint venture with another non-profit entity involving value-added services for which a fee will be charged?
 7. Mandatory Child Abuse Reporting: What training is required for young volunteers or short-term volunteers?
 8. What is the applicability of Georgia's Open Meetings Law to Friends Groups? What concerns would a Friends Group have in hosting meeting of local legislative authorities?
 9. Are library workers required to request parental permission prior to taking photos that include children participating in library events?
 10. Sharing patron info between libraries: What type of patron information may a public library provide to other libraries? Is it permissible to give name, address & phone numbers?

Legal Questions from Georgia Librarians Part II (Marti Minor, Public Library Directors Meeting, 2013)

1. Can/should a public library prohibit a patron from distributing religious materials to other patrons and library staff?
2. What duty/right does a librarian have to monitor the materials used and borrowed by minors?
3. Are there nepotism or conflict of interest concerns when members of a hiring committee are related to public library job applicants?
4. Can a public library require employees to be paid via direct bank deposit?
5. How may a library, as an employer, force someone to retire without facing an age discrimination suit?
6. What level of background check should a public library do with regard to job applicants?
7. What are the options of a library as employer when an employee is often absent from work because of health problems but refuses to discuss her intentions with regard to maintaining her employment?
8. For purposes of applying for grants, how can a public library prove its non-profit status?
9. What is a public library's responsibility when asked to provide access to its security camera video?
10. What are the options for a library when a disgruntled patron photographs an employee and threatens to post the photo and describe the employee as rude and abusive (even when the employee has remained polite and appropriate in all dealings with the patron)?

Legal Questions from Georgia Librarians: Ten Case Studies (Marti Minor, Public Library Directors Meeting, 2013)

1. In the context of discipline and safety issues, when, if ever, can a library staff member touch a child who is not being supervised by a parent?
2. How much help can a librarian legally provide to a patron who is filling out an official form or document?
3. A patron who has ADHD has requested the public library provide a private room in which to read to allow her to concentrate. What is required of the library?
4. Whom may the library properly classify as independent contractors?
5. What are the FLSA implications of a non-exempt library staff member volunteering to work with or become a paying member of the Friends of the Library?
6. May the library deduct fines and lost material fees from an employee's paycheck?

7. How does an employer administer FMLA leave when an employee has accrued leave and is receiving short term disability?
8. Does a power of attorney give the holder access to a library users circulation records?
9. What are the considerations for a public library in establishing or removing an area for free informational materials?
10. Is it discriminatory to be closed on holidays associated with Christianity while open on holidays associated with other religions?

Legal Issues in Georgia Public Libraries (Marti Minor, Public Library Directors Meeting, May 2010)

- Access Issues
- Use of Library Policies to Manage Problem Behavior by Patrons
- Debt Collection by Public Libraries
- Employment Issues
- General Liability Issues
- Board of Trustees and Friends of the Library

From:

<https://pines.georgialibraries.org/dokuwiki/> - **PINES Documentation**

Permanent link:

<https://pines.georgialibraries.org/dokuwiki/doku.php?id=circ:legal&rev=1602521838>

Last update: **2020/10/12 16:57**

