

Libraries Partner with William & Mary Law School to Educate Residents about Virginia Law

by Caryn C. Lederer and Barry Trott

This spring, William & Mary Law School Professor Fredric Lederer visited the Williamsburg Regional Library to hand-deliver a new resource for the library's collection. After years of work, an update to *Basic Virginia Law for Non-Lawyers: Legal Survival in the Commonwealth of Virginia* was ready for library patrons. Barry Trott and Benjamin Goldberg happily received the text for the library and then sent Professor Lederer back to his office to bring them additional copies. Now the books are available to the public, and the Williamsburg Regional Library is a partner in providing Virginia residents with fundamental information about their legal rights and responsibilities.

A Resource That Helps Virginia Residents

Basic Virginia Law for Non-Lawyers is a resource guide that provides a comprehensive overview of the "everyday" legal issues faced by Virginia residents. Published by a team of faculty, staff, and students of the William & Mary Law School, the book uses plain language to explain a variety of legal topics.

The current version of *Basic Virginia Law* addresses a myriad of legal issues, including motor vehicle registration and insurance; landlord-tenant law; voting regulations; state taxation; consumer



Barry Trott welcomes *Basic Virginia Law for Non-Lawyers* to the WRL.

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laws (including rights regarding deceptive sales practices and methods for improving bad credit); marriage and divorce laws; wills and trusts; powers of attorney; and an overview of the Virginia legal system. Because Virginia is also the temporary home of thousands of members of the armed services and their families, the book includes rules and procedures that apply to the military community.

The book's usefulness is widespread. Most generally, it is important for all residents to have a basic understanding of state laws that apply to them. It is a fundamental precept of the legal system that "ignorance is no excuse"; that is, even if you do not know that you are breaking the law, you are still legally responsible for your actions. *Basic Virginia Law* readers receive a basic education in their legal rights and responsibilities.

More specifically, the book gives key information to people who may not be able to afford a lawyer or conduct their own research. "Information is empowerment," said Lederer, who also served as editor-in-chief. "Navigating the complexities of the law is daunting, and the services of lawyers are often too expensive for everyday matters, or simply beyond the reach of low-income citizens. *Basic Virginia Law for Non-Lawyers* helps fill that void. While not intended to provide legal advice or substitute for counsel, it empowers people by providing the information they need to make informed decisions."

The Williamsburg Regional Library regularly sees users come in to seek legal resources. Providing those users with accessible and understandable legal information is an important part of the library's role in the community. As the library's mission statement notes, "Free access to information is a foundation of democracy." A basic understanding of the legal system is essential for the success of the

community. Providing users with resources such as *Basic Virginia Law for Non-Lawyers* enables the library to fulfill its mission by providing resources that educate members of the community.

History of the Project

In 1990, the U.S. government had just begun Operation Desert Shield, and students in the simulated "law firm" Lederer & Posey were concerned about the family members of deployed soldiers. The students were part of William &

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Mary's Legal Skills Program, a program in which students spend two years in simulated law firms, learn from practice cases, and sometimes engage in community service projects. Lederer & Posey, with a firm motto "We Serve!" had a commitment to public service from its inception. Representing the firm, Lederer visited nearby army post Fort Eustis with the goal of providing volunteer legal services to military families with legal problems like debt, landlord-tenant disputes, family law matters, and navigating an unfamiliar state's legal system. When he arrived, he found that Fort Eustis's Office of the Staff Judge Advocate was adequately equipped to assist soldiers and their family members but could use help with an interesting project. The office had begun work on a pamphlet explaining basic principles of Virginia law to distribute to base residents. Lederer & Posey

decided to take over and expand the project, and *Basic Virginia Law for Non-Lawyers* was born.

For the duration of the school year, law students, supervised by Professor Fred Lederer, worked on the project. Students from Lederer & Posey were joined the next year by those in the "firm" Kelley, Gibbs, & Reynolds. First they identified legal issues that most affected the average person. They realized that many people felt overwhelmed by topics like landlord-tenant law, consumer debt, or taxes. Other people were simply unaware of important legal rights and responsibilities. Many people, for example, may not realize that if they rent an apartment and it needs major repairs, under Virginia law tenants may not simply withhold rent. While they have a wide variety of remedies if the landlord fails to fix the problems promptly, if there is a dispute they must put rent money in an escrow account, and a judge may later rule they are entitled to keep the funds. Making a decision like withholding rent might seem like a good idea, but it may actually prevent tenants from exercising legal rights that could give them greater relief (i.e., more money) in the long run. With situations like this in mind, the law students structured *Basic Virginia Law for Non-Lawyers* both to answer basic legal questions that many people encounter, and to help people identify certain situations that may have important legal implications.

After determining the basic structure of the text, students began the arduous task of researching Virginia law and "translating" it to layperson's terms. This involved poring over the Code of Virginia (i.e., Virginia state statutes); legislative decisions; and decisions of the Virginia courts. While the Virginia Code and many case decisions were (and still are) publicly available, that was no

guarantee that the average member of the public could recognize what the law meant or how it applied in many common situations. The students brought varied backgrounds to the project; some had previously worked as accountants and others as legislative assistants, though all shared recent training in law. Utilizing this experience, Lederer & Posey composed each section with clear, concise language and numerous practical examples so that people with no legal background and even limited formal education could understand the text.

Once the firms completed the final draft, they reached out to practicing members of the Virginia legal community for input on their work. Individuals in the legal community, including attorneys and a Virginia District Court judge, reviewed the text and made a few key additions based on their first-hand knowledge. Finally, in June 1993, the students of Lederer & Posey and Kelley, Gibbs, & Reynolds published the first print edition of *Basic Virginia Law for Non-Lawyers: Legal Survival in the Commonwealth of Virginia*.

It did not take long for the Virginia community to recognize that *Basic Virginia Law* was a powerful resource. Libraries across the state bought copies for their collections. Lederer & Posey made the book available at cost to Virginia public schools, and soon after Fairfax County Schools bought 1,000 copies to distribute to students. In addition to these institutions, university and commercial bookstores sold the text to individuals. The book made its way throughout the state and became an important resource for students, service members, and other Virginia residents.

After 1993, students updated *Basic Virginia Law* but were unable to formally publish a new edition. The project lay dormant for almost a decade, though Lederer & Posey continued to receive requests for

an update, most vociferously from Virginia libraries. In 2005, Lederer & Posey reclaimed the project and began to comprehensively update the book. This effort was spearheaded by law students Samuel Brumburg and Jessica Aber Brumburg, now attorneys practicing in Richmond at the law firms LeClair Ryan and McGuire Woods, respectively. Though they completed the difficult process of modernizing the text and making it relevant for the Internet age, because they lacked the funding to publish a print edition, the newly updated

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version existed only on the hard drive of its editors.

All of that changed in 2007 when the Virginia Law Foundation awarded a grant to the project to fund a first run of printing. The Virginia Law Foundation supports projects that promote the rule of law, improve access to justice, and provide law-related education in Virginia (for more information, visit www.virginialawfoundation.org). The Foundation identified *Basic Virginia Law* as supporting its goals. The grant was made to enable the book to become a self-supporting project, allowing Lederer & Posey to print subsequent new editions of *Basic Virginia Law* and offer the text at reduced prices to libraries, schools, and other civic organizations across the state. Students quickly mobilized to make a final round of updates. They reviewed changes in state law through the close of the

2007 General Assembly session. As with the original edition, faculty and staff at William & Mary Law School supervised student work, and members of the Virginia legal community reviewed the final version of the text. In March 2008, Lederer & Posey published the 2007 edition of *Basic Virginia Law for Non-Lawyers*.

Plans for the Future

Lederer & Posey has big plans for *Basic Virginia Law*. Work on a website that will include updates to the text is already underway. Plans are also in place to publish a Spanish-language edition online. The firm also hopes to find funding to provide copies to Legal Aid offices across the state. If the current edition is successful, new editions are projected to be printed and available for purchase every two years.

This blending of print and online resources fits into the directions of many libraries in Virginia. The ability to offer resources in multiple formats means that libraries can meet the needs of a broader spectrum of users. While there are some users who prefer to find their information online, and have the computer resources to do so, many public library users still prefer print materials for a variety of reasons. Now, regardless of their preferred medium, accessible, understandable information about Virginia law is available to them.

For more information on Basic Virginia Law for Non-Lawyers or to order copies, contact Stacey-Rae Simcox at srsimc@wm.edu or (757) 221-2484. For more information about the Williamsburg Regional Library, contact Barry Trott at btrott@wrl.org or (757) 259-4053. 