

Library Responsibility for Out-of-State Patrons

Background

For many years OWLSnet has made a network library card available to member libraries. According to the [OWLSnet Borrowers' Card Program](#) policy, OWLSnet borrowers' cards are available to any member library that desires to issue OWLSnet cards and agrees to certain guidelines. These guidelines include the following:

- OWLSnet borrowers' cards may be issued to any resident of, or owner of property in, the OWLS or Nicolet Federated Library System (NFLS) area. (Note that according to [OWLSnet patron registration procedures](#) property owners are treated as residents.)
- OWLSnet borrowers' cards may be issued to any resident of a system which has an intersystem on-site borrowing agreement in effect with OWLS or NFLS, i.e., all public library systems in Wisconsin.
- Libraries participating in this program may issue a local library card to a nonresident who does not qualify for an OWLSnet card, e.g., residents of another state. Local library nonresident cards are not required to be honored by all OWLSnet member libraries.

While the OWLSnet Borrowers' Card Program policy doesn't explicitly state that OWLSnet borrowers' cards are not to be issued to out-of-state residents, the language of the policy is permissive, stating explicitly who may receive them. The original intent of the policy was to have libraries issue identifiable local cards, rather than OWLSnet cards, to out-of-state residents so that other libraries would know that they weren't required to serve those out-of-state cardholders.

The OWLSnet Borrowers' Card Program policy was developed many years ago, and it appears that, over the years, libraries have lost track of these guidelines. Given the passage of time, the evolution of OWLSnet, and the small number of out-of-state residents requesting cards at most libraries, it's not surprising that actual practices have changed. While we don't know for certain whether any libraries are still issuing local cards to out-of-state residents, we do know that libraries are issuing OWLSnet cards to them.

Issue

The problem with the practice of issuing OWLSnet cards to out-of-state residents is relatively simple:

- No local library is required to lend materials to out-of-state residents. Whether to provide this service is supposed to be a local library decision.
- Some libraries choose not to serve out-of-state residents because there is no good mechanism for recovering materials from them.
- Once an out-of-state resident holds a regular OWLSnet card, a library doesn't really have a choice about whether to serve that person. There is no practical way for a library to know that the cardholder comes from an area that a library has chosen not to serve.

The bottom line is that one library's practice may preempt another library's policy, and no library is entitled to commit another library to providing service to a group that it hasn't agreed to serve.

Goal

OWLSnet's goal is to implement patron registration practices that allow every member library to choose whether it will serve out-of-state residents.

Possible Solutions

- OWLSnet staff could attach pop-up messages to the patron records for out-of-state cardholders. The advantage would be that circulation staff would always be alerted when a patron is an out-of-state resident, allowing staff to follow its library's policy regarding service to out-of-state residents. The disadvantage is that the few libraries that issue cards to a significant number of out-of-state residents would be constantly annoyed by pop-up messages, and these patrons couldn't use self-check machines.
- OWLSnet members could agree that libraries issuing cards to out-of-state residents would take responsibility for any materials checked-out by those residents. It's likely that all libraries would agree to honor cards from out-of-state residents if the issuing library assumed responsibility for materials. Any library not willing to assume this responsibility wouldn't issue OWLSnet cards to out-of-state residents.
- The third alternative is a combination of the first two. Libraries could choose whether to take responsibility for materials borrowed on out-of-state residents' cards that they issue. If a library chooses not to take responsibility for its out-of-state patrons, a pop-up message would be added to the patrons' records. A library taking responsibility would not have pop-up messages attached to the records of its out-of-state patrons.

In evaluating these solutions, there are two factors that need to be considered:

- In all three scenarios, any library could decide that it didn't want to issue OWLSnet cards to out-of-state residents.
- Libraries would have to pay attention to out-of-state pop-up messages. Any library that checks-out its materials to an out-of-state resident (contrary to its own policy) because it ignored a pop-up message would be responsible for those materials.