

## Privacy and confidentiality issues: a guide for libraries and their lawyers

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### Abstrak

Imagine receiving a subpoena requiring patron records or Internet use history. What is your library's policy? Do you know? Does your library have a policy? How big a problem is this? Because libraries are on the front lines of patron privacy and confidentiality controversies that raise First Amendment questions, it is increasingly critical that libraries and their counsel become familiar with the constitutional rights of patrons. By understanding the issues and the relevant laws, librarians can take action to protect users' First Amendment rights. In this clear and concise guide set up in a frequently-asked-questions (FAQ) format, First Amendment attorney and litigation expert Chmara shares her decades of experience in easy-to-understand, jargon-free language. Library directors and managers as well as lawyers who represent libraries will learn: what First Amendment rights exist in libraries; how to create a library policy to best protect patrons' confidentiality and privacy; the appropriate responses to requests for patron records; and, how to deal with the nuances of Internet use privacy. Interspersed within the questions and answers, actual court case studies lend a sense of urgency to the explanations. Covering circulation and Internet use records, along with the role of the library as employer, this guide is librarians' first line of defense of the First Amendment.