

## NOTICE REGARDING THE USE OF THE PRAIRIECAT LIBRARY SYSTEM AUTOMATION PROGRAM DURING THE GOVERNOR'S STAY AT HOME ORDER

Governor Pritzker has previously issued executive order 10 announcing a "stay at home" status for the entire state which has been extended and revised from time to time by subsequent executive orders (collectively the "stay at home order"). Libraries are not specifically included on the list of "essential businesses and operations," that are allowed to remain open under the stay at home order. However, a number of Illinois libraries are considering re-opening to their patrons in some format, under a provision of the stay at home order that states that; "each government body shall determine its essential governmental functions and identify employees and/or contractors necessary to the performance of those functions."

While PRAIRIECAT is not in the position to comment on the day to day operational decisions of its member libraries and/or on the advisability of one of its members to open the doors to library patrons, PRAIRIECAT remains concerned with the use of its library system automation program to assist in that undertaking, while the stay at home order remains in place. With that being said, PRAIRIECAT will provide support systematically to its member libraries during this unprecedented period, but it is taking a clear, unfettered position that such support does not represent an endorsement by PRAIRIECAT of the actions taken by its member libraries with respect to reopening, even if that opening is on a limited or curbside, basis. The ultimate judgment regarding the propriety of any specific action must be made by each individual library in consultation with their attorney and in light of all the circumstances presented by the current pandemic.

Notice is hereby given to each of its member libraries that by supporting a library systematically during the stay at home order, PRAIRIECAT undertakes no obligation and assumes no responsibility for any injury or damage to persons or property arising out of or related to any use of its library system automation program, or any part thereof, including but not limited to the Sierra library system, the sole risk of using the system, and/or being open to the public in any capacity, is that of each individual library alone.

PRAIRIECAT disclaims any liability based on the use of its library system automation program or the actions it takes to support any system and/or a member library who uses any part of the PRAIRIECAT system during the stay at home order, and as said order is extended from time to time.

To the maximum extent permitted by law, any member library who uses the PRAIRIECAT library system automation program, or any part thereof, including but not limited to the Sierra library system, while the stay at home order is in place, as extended from time to time, shall indemnify and hold harmless PRAIRIECAT from any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, resulting from death or bodily injury to the extent alleged to be caused in whole or in part, by the use, directly or indirectly, of said system or program or the support given by PRAIRIECAT during said stay at home order. The duty to indemnify and hold harmless will continue in full force and effect, notwithstanding the expiration or termination

of the stay at home order, with respect to any claims based on facts or conditions that occurred prior to expiration or termination of the stay at home order.

Approved by PrairieCat Administrative Council on May 1, 2020