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UPDATE: Collection Development Policies and Other Basic Tools for Building A Foreign and International Law Collection[1]

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I. Collection Development Policies and Other Basic Tools for Building Foreign and International Law Collections

A. Introduction

The impact of globalization on the practice of law, legal education and legal research has been examined, discussed and debated for more than a decade among legal educators and law librarians.[2] It is now accepted among information professionals that providing at least some access to relevant foreign and international law materials is important, if not critical, in academic, firm and other libraries.[3] Numerous articles, research

guides and foreign and international law portals and websites have been created and maintained by law librarians with expertise in researching the laws of foreign jurisdictions and/or international law. These tools have helped to make foreign and international legal materials and research methods available to researchers, librarians, lawyers and law students who are unfamiliar with foreign and international law resources and research techniques.

Legal information professionals also need assistance in developing collections of foreign and international law materials to facilitate legal research at the level appropriate to constituent need in their libraries, firms and businesses. This guide aims to assist those who are not FCIL specialists by providing the basic concepts and tools needed to build collections to support foreign and international legal research.

The knowledge and skills required to work on FCIL collection development are the same whether you are a U.S. law librarian working with foreign legal materials or you are a law librarian from outside the U.S. for whom the law of the U.S. and other jurisdictions is foreign law. Collection development work draws upon:

- legal research skills;
- the ability to organize one's thinking and work into systematic steps;
- the ability to exercise judgment in assessing the value of sources (as you must do when performing research);
- the ability to articulate the rationale behind your choices to provide a framework for future decision-making;
- a solid understanding of the costs associated with providing access to information, e.g., money, staff time, physical and virtual space;
- the ability to identify and act upon trends in legal publishing, including but not limited to rising costs and concentration of ownership^[4], the increasing availability of free web-based access to foreign and international law^[5], the "free access to law movement"^[6], technological developments, e.g., mobile applications, e-books and e-readers;
- knowledge and understanding of one's institutional mission and the role of the library in achieving that mission;
- knowledge and understanding of user research needs and habits.

As with the other work we do in law librarianship, it is not a rote process – analytical skill and sound judgment are both critical. Foreign, comparative and international law collection development work *also* requires a willingness to work with (or cope with) the unfamiliar, e.g., foreign languages, different legal systems, the complex publication patterns of international organizations.

Fortunately, the basic tools needed for developing foreign and/or international law collections are more accessible and available than ever before. So, even if you are new to collection development, or experienced with collection development for your home jurisdiction but unfamiliar with FCIL collection development, you do not need to start from scratch. What are these tools and where can you find them?

B. Basic Tools Overview

The basic tools for building, maintaining and/or refining a foreign, comparative or international law collection are:

1. The Collection Development Policy, your blueprint or “architectural drawing” for “building” your FCIL collection.
2. A basic understanding of different types of legal systems and the content and scope of international law and international organizations:
 - a. Types of legal systems include civil law systems; common law systems; religious legal systems (Canon law, Islamic law, Jewish law, Roman law, etc.); “mixed” systems (based on common law and/or civil law models and influenced or affected by custom, religious law, etc.);
 - b. International law covers a range of systems and international organizations, including public international law, private international law (sometimes covered under foreign and comparative law); major international law subject areas, e.g., human rights and international trade; the documents and workings of international organizations, e.g., the United Nations and the World Trade Organization; and supranational organizations, i.e., the European Union.
3. Knowledge of the structure of the legal system of the jurisdiction/s of interest, the system of public international law and its sources of law, and the structure, organization, powers and legal context in which an international organization operates.
4. Once you learn about the structure of the legal system in question, you will need information about what is published and in what form for the jurisdiction, international organization or area of international law, e.g., important sources of primary law, finding aids and secondary sources such as books and journals. In other words, you must find out how and where the law is published, analyzed and discussed. In this aspect of collection development, it is critical to investigate the availability of free and commercial web-based resources, e.g., government and international organization websites, e-journals, e-books, open access materials, searchable databases. FCIL research guides (see *Bibliography of Selected Resources infra*) are excellent starting points for obtaining this information, and in many cases will provide a solid foundation for the development of a core collection list for different areas of your law library’s FCIL collection.^[7]
5. A basic understanding of the hierarchy of authority between the different sources of law in the jurisdiction or international body, including the role of secondary sources. In other words, you need knowledge of how legal research is done in the jurisdiction or legal system or with respect to a body of international law or an international organization.

This is important because it will influence your choices about what to collect to support different levels of research for different jurisdictions. For example, in civil law jurisdictions, legislation is mandatory authority, but judicial opinions are considered persuasive authority because they are decided on an individual basis and the principle of *stare decisis* is not applied as it is in common law jurisdictions.^[8] “Doctrine” (treatises, monographs on specific topics, journal articles) also has persuasive authority in civil law jurisdictions and a “respected treatise is often considered more persuasive than a judicial opinion.”^[9] This difference in the legal authority accorded to court opinions in civil law and common law legal systems has resulted in a difference in how court opinions are published in the different systems. The publication of court opinions may be less systematic and comprehensive in civil law jurisdictions, and court opinions are often found in journals rather than court reports. This difference in how cases are published will affect what types and levels of court opinions you decide to include in your foreign law collection and *how* you will collect them for civil law countries. Similarly, if you are a law librarian in a civil law jurisdiction beginning to develop a collection for a common law jurisdiction, e.g., the U.S., you will need to recognize the importance of collecting or providing access to the huge volume of systematically and comprehensively published judicial opinions published by the U.S. federal and state court systems because court opinions are

mandatory authority within the jurisdictional authority of the different courts.

6. Knowledge of the legal terminology used in a jurisdiction or area of international law and how areas of law (legal subjects) are categorized in the jurisdiction. This is especially important when the terminology varies from what you are accustomed to in the legal system most familiar to you. For example, learning which subjects are categorized as public and private law in civil law jurisdictions will help when you are searching for books on a topic for a civil law jurisdiction, when you are reviewing book ads and book slips and when you are establishing subject parameters for an approval plan. Learning the broad topics into which American, British and other common law jurisdictions categorize areas of law will similarly assist law librarians from other countries and legal systems. This type of information is typically available in legal research guides or books for law students on the fundamentals of legal research for their jurisdiction.
7. Dictionaries – bilingual general dictionaries for the language of the jurisdiction, and more importantly, bi-lingual legal dictionaries to provide some access to the language of the law of the jurisdiction.
8. Information about how to access and/or acquire access to or ownership of primary law and/or secondary sources about the law of the jurisdiction or body of international law. For example, important publishers for a jurisdiction or international organization; important vendors for a jurisdiction or international organization; different methods of obtaining material, e.g., individual orders, approval plans, blanket orders, etc.; methods of finding out about what is available, e.g., online book slips, publisher websites, book reviews, bibliographic utilities (e.g., WorldCat), on-line catalogs of law libraries with existing foreign, religious or international law collections, research guides, bibliographies, e-mail alerts, listservs, blogs, etc.
9. Knowledge of approval plans and how to establish and maintain them. Approval plans are especially useful for collecting foreign law materials when collecting is done in the vernacular and a library lacks in-house language skills. Approval plan vendors such as [Casalini libri](#) (Italy, France, Spain, Portugal, Greece), [Coutts](#) (Belgium, Denmark, Finland, France, Luxembourg, Netherlands, Norway, etc.), [Eastview](#) (countries of the former Soviet Union, Eastern Europe, China), [Harrassowitz](#) (German-speaking countries and Continental Europe), [YBP Library Services](#) (UK, US). Approval plan vendors will help to explain how to set up and tailor an approval plan to meet the needs of your law library or firm.
10. People: Whether you are drafting or revising a collection development policy or making decisions about what to add or weed from your collection, people are one of your most important resources. What people?
 - a. FCIL librarians who are experts in FCIL collection development share their knowledge and help with collection development (and research) questions through their participation in the [AALL FCIL-SIS Collection Development Blog](#) and/or the FCIL-SIS member community in the AALL website (access limited to AALL members) or by direct contact.
 - b. Librarians and information professionals from other countries are an excellent source of information about legal publications for their home and other jurisdictions. Contacts with such information professionals are facilitated by the International Association of Law Libraries (IALL); see <http://iall.org/join-iall/> for information about becoming a member of IALL and participating in the IALL member listserv.
 - c. Law faculty [\[10\]](#), especially members of the faculty who are experts and involved in international and/or foreign law scholarship and teaching.
 - d. LLM and SJD students from foreign law jurisdictions are often very willing to work with you on collection development questions relating to their home countries, to help you with

translations of the language of the law, and to help you understand important areas of law for their jurisdictions.

C. Collection Development Policies in General

The blueprint for building any library collection, whether tangible or virtual, is a collection development policy. Collection development policies are written statements of goals and evaluative parameters to guide decision-making in selecting material for addition to a library collection; they are crucial to well thought out, consistent and usable collections. While collection development policies may specifically dictate some decisions (we purchase X type of material, we do not purchase Y type of material), they also leave a great deal of room for the application of educated professional judgment in building a collection.

Most academic law libraries have written collection development policies.^[11] If your library's policy already includes a section on foreign, comparative and/or international law, you are ahead of the game, even if the policy requires revision or updating to reflect the current state of FCIL publishing or to make it more usable. If the policy does *not* include a section on foreign or international law, your first challenge will be to draft such a policy for incorporation into your existing collection development policy or as a separate document. Thankfully, there is no need to reinvent the wheel – many academic law library collection development policies include FCIL sections,^[12] and many are available on the web in the [Academic Law Libraries-SIS Collection Development Committee website](#); note that some resources are for AALL members only.

Before you embark on a project to draft or revise collection development policies for foreign and/or international law, you should prepare yourself by:

- Reviewing the FCIL literature -- especially guides to *researching* international law and the laws of foreign countries. This will help you learn about different types of legal systems and the legal literature of foreign jurisdictions, international law and international organizations. See the [Bibliography of Selected Resources](#) *infra* for citations to some of the major resources for foreign, comparative and international law research. Many of these resources include citations to major primary law and secondary sources for foreign jurisdictions or areas of international law; numerous guides to researching foreign law are freely available on the web.
- Reviewing the available collection development policies, focusing on their FCIL components. This will save you time because the other policies will not only provide a template for the organization of your own policy and wording and concepts for different sections of your policy, but they will also educate you in different aspects of FCIL collection development.
- Discuss collection goals with your law library director and/or others involved in collection development in your library to get an idea of the potential scope of your FCIL collection. Budget considerations, cost and space to house the collection will affect the size and kind of collection you develop and retain.

D. Organization and Content of FCIL Collection Development Policies

1. Overview

Law libraries organize their collection development policies in a variety of ways, depending on their

approach to collection development and the size, breadth, depth, and sometimes age, of their collections. Since collection development policies are designed to provide a blueprint for ongoing work, tailoring the policy to your library's needs and work methodology is important. An added benefit of taking the preliminary step of reviewing other FCIL collection development policies is that your review of other FCIL policies will also help you identify an organizational style that best meets the needs of your library, even though the policy you like best will likely require modification to achieve the best fit.

Although there are variations in organization, style and wording, law library collection development policies in general share certain common features, even if they do not use identical organizational categories.

Typical components of collection development policies include:

- Statement of the mission of the law library (usually part of overall policy, but if collecting foreign and international law materials is integral to your library's mission, it should be mentioned here.) FCIL elements are often mentioned in the goals section of policies if not in the mission statement.
- Goals of the collection development policy, e.g., "To Support the Scholarly and Instructional Work of the... Law School Faculty and Students"[\[13\]](#); OR "The above general principles guide some specific goals that we are committed to pursuing even in an information climate in which our budget is more constrained than in the past: . . . Continue to collect foreign-law materials extensively in order to serve the current and future research needs of our faculty and students and to enhance nationwide access to such materials.." [\[14\]](#)
- Factors or selection criteria applicable to all areas of the collection that affect the application of goals to selection decisions, e.g., quality ("how well a work is written, the scope of the work, the importance of the contents of the work to... research or discourse, the nature and extent of footnoting within the work, accessibility of the work (e.g., indexing), the reputation of the author and/or publisher, and the importance of the work in the area of law or jurisdiction in question"); [\[15\]](#) faculty interest; availability; cost; language, e.g., collect in the vernacular and/or in English translation; format (print, electronic, etc.); [\[16\]](#) access v. ownership; stability of resource, especially important when considering free web-based sources; usability of resource, especially important for electronic resources, especially expensive commercial resources.
- Role of consortial agreements, cooperative collecting arrangements, reliance on other libraries within a campus system or within a regional or local network, and interlibrary loan.
- Overview of the collection
- Selection responsibility (who is responsible for building the overall collection and different subject or jurisdictional areas)
- Statements applicable to the entire collection are often followed by policy subdivisions or categorical sections. The section of the policy defining the policy for the home jurisdiction of the law library typically follows statements applicable to the entire collection. For example, policies for selecting U.S. legal material are usually the first specific subdivision in collection development policies for American academic law libraries because the U.S. collection is typically the core collection for such a law library.
- Following the section for one's home jurisdiction, policies that include FCIL components may include separate sections for foreign law and international law.
- Many collection development policies have separate sections addressing format considerations, e.g., print, electronic only, etc. Sections on electronic materials should address issues such as stability and usability, ownership, etc.
- All collection development policies should include statements regarding retention of historical

materials. For example, a law library that aims to be current may not retain old editions of treatises, while a law library that supports historical and current research will state its intention to retain such materials.

2. Foreign Law

Foreign law sections of collection development policies are typically organized by

- **Foreign jurisdiction** (individual countries OR regions of the world with individual country subdivisions within region) OR
- **Type of legal system** (with separate sections for common law systems, civil law systems, religious systems). Legal system divisions are then subdivided by individual country (or individual countries covered by the section are listed.)

Both arrangements for foreign law are then usually further subdivided by type of publication, for example,

- **Primary material:** constitutions, statutes, codes (for civil law jurisdictions), session laws, compiled laws (subject arrangements of laws in common law jurisdictions), delegated legislation, official gazettes, court decisions, administrative decisions, treaties, finding aids for primary material, etc.; and
- **Secondary material:** often organized by publication type, i.e., treatises, annotations and commentaries, loose-leaves, festschriften, periodicals, etc. Subject parameters for the selection of different types of secondary materials are typically delineated in the form of subject lists to which “collection intensity levels” or “collection depth indicators” have been applied.[\[17\]](#)

Subject based policy components are sometimes, but not always common to both civil law and common law components of a policy, or to all included jurisdictions. This depends on how the law library has customized its collection depth indicators. For example, libraries that only apply the indicators to subjects may combine subject lists across jurisdictions and legal systems, but law libraries that have established indicator levels to cover both primary and secondary material may have separate indicator level definitions for common law jurisdictions, civil law jurisdictions and international law.

3. International Law and International Organizations

International law sections of policies may be divided into two broad categories as illustrated below:

- **Public International law** may be subdivided by type of publication, and/or area of international law, and/or subject, for example,
 - Treaties, judicial and other adjudicative opinions
 - Sources of customary international law
 - Human rights
 - International trade
 - Other secondary materials organized by subjects to which “collection intensity levels have been applied.
- **International Organizations** policy sections are usually divided into separate sections to take into account their different structures and variant methods and systems of publishing their “primary materials” (documents), e.g., United Nations, World Trade Organization, International Chamber of Commerce, etc.

Policy sections on secondary materials about the work of international organizations may be

subdivided by type of publication and subject, often with collection depth indicators applied.

4. Supranational Organizations

Supranational organizations, such as the European Union, will also typically be covered in a separate section of a policy, then subdivided by type of publication (primary and secondary) and further subdivided the way foreign law sections are subdivided, with collection intensity levels assigned to subjects.

5. Religious Legal Systems

Religious legal systems are usually also divided into discrete policy sections because of the variations in the sources of law and publication patterns between systems. Common religious law systems typically found in FCIL collection development policies include Canon law, Islamic law, Jewish law, Roman law. Each section is further subdivided as foreign law sections are subdivided, with collection intensity levels assigned to subjects.

E. Collection Depth Indicators in Collection Development Policies: Two Representative Examples

An important and useful tool for FCIL collection development work is the previously noted concept of “collection depth indicators” or “collection intensity levels.” Establishing collection depth indicators within your FCIL collection development policy is strongly recommended because using collecting levels will increase the efficiency of your FCIL selection work and the usability of your FCIL collection development policy. The presence of established collection depth indicators in your FCIL collection development policy will also be invaluable when you are setting up approval plans in which you must indicate desired collecting levels by subject, format, etc.

Two representative examples of collection depth indicators seen in law library FCIL policies are:

Example 1: Indicator levels that are designed and defined to apply only to **secondary law materials**, typically assigned to **subject lists** within a collection development policy. A list of indicators and definitions using this model from the *University of Michigan Law Library Collection Development Policy* [\[18\]](#) appears below. Note that these indicators are applied to a list of *subjects* for which the library collects secondary materials at the assigned level. It is also worth noting that a law library that uses this type of collecting level will of necessity have to address the collecting of primary material in a different way, for example using the subdivisions for types of primary material by country. This may result in a more complicated policy structure than found in policies that use *Example 2* described later.

Level 5 Comprehensive

Goal: To support the highest level of faculty research in both a current and historical framework.

Current Sources: To achieve the aim of this level, an exhaustive collection, we collect all current monographs, serials, and reference tools within scope that support scholarly research.

Historical Sources: Older materials are collected if critical for historical research.

Translations: We will acquire English, or Romance or Germanic language if English is unavailable, translations of vernacular works in the collection if they substantially enhance the collection.

Level 4 Research

Goal: To support faculty and graduate law student instruction and research on the topic, including research for dissertations, graduate papers, and independent scholarly research and writing.

Current Sources: To provide a strong foundation for current and future research needs, we collect all basic reference works, a wide selection of monographs, an extensive collection of journals, and a complete set of secondary source finding aids that support scholarly research.

Historical Sources: Older materials may be acquired if critical for historical research.

Translations: We will acquire English translations of major vernacular works in the collection.

Level 3 Instructional Support

Goal: To support instruction and basic research, but not necessarily adequate for intensive scholarly research.

Current Sources: To provide instructional support, we collect high-quality scholarly monographs, a strong selection of journals, and secondary source finding aids.

Historical Sources: There is a presumption against acquiring historical materials.

Translations: We will acquire English translations of major vernacular works in the collection only if the language is neither a Romance nor a Germanic language.

Level 2 Basic Information

Goal: To aid readers' immediate understanding of a subject and to introduce readers to the subject and the other available sources on that subject.

Current Sources: To meet this goal, we collect a limited number of major high-quality scholarly monographs and journals, supplemented by secondary source finding aids.

Historical Sources: There is a strong presumption against acquiring historical materials.

Translations: We prefer works in English for accessibility, but will select in the vernacular to collect the major works.

Level 1 Minimal

Goal: Not to collect works in this subject area unless specifically requested by the faculty to support the curriculum or to substantially enhance the collection.

Current Sources: When required for curricular support, we will collect the title requested or a similar work that meets the curricular goals. In all other cases we will collect individual comprehensive

scholarly treatises on the topic.

Historical Sources: There is a very strong presumption against acquiring historical materials.

Translation: We will select the language based on the needs of the faculty member and students requesting and using the work.

Example of application of collecting levels to subjects for civil law countries from the *University of Michigan Law Library Collection Development Policy*:

Excerpt from Topic List Arranged Alphabetically

Accounting & the Law [1]

Administrative Law [3]

Admiralty (Int'l Sel.)

Agency Law [2]

Agriculture Law [1]

Air and Space Law (Int'l Sel.)

Alternative Dispute Res. [3]

Art Law [2]

Banking Law [3]

Bankruptcy Law [3]

Canon Law [4]

Children and the Law [3]

Example 2: A second representative model of collection depth indicator is customized to **apply to both primary and secondary legal materials**. Libraries that use this model in their policies, including Duke University Law Library and the University of Minnesota Law Library, have different definitions for levels to be applied to civil law countries and common law countries and/or international law materials. An example of two of the indicators and definitions using this model from [Appendix B](#) of the *Duke University Law Library Collection Development Policy* [\[19\]](#) appears below; view Appendix B online for a complete list. Note that these indicators are applied to a list of *countries* for which the library collects primary and secondary materials at the assigned levels. Libraries that use this model may have easier to follow, less complicated policies than libraries that use model 1, but libraries using model 2 may choose to establish separate definitional levels for different types of legal systems and for international law because the primary sources may differ too much for common definitions to be applied. [\[20\]](#)

“[1] BASIC:

Primary Materials: The Library does not collect codes or court reports.

Secondary Materials: The Library collects English-language secondary works only. The Library collects general works on the legal system and on major subject areas (e.g., constitutional law) in English.

...

[4] RESEARCH:

Primary Materials: The Library collects most codes or collections of statutes for both civil law and common law jurisdictions, and collects most court reports in common law countries.

Secondary Materials: The Library collects most court reports in civil law countries, English translations of codes and court reports, works on the legal system and on wide variety of specialized subjects. The Library selects only the most important treatises or other materials requiring frequent supplementation, and collects expensive monographs and serials selectively. The Library does not select practitioners' materials unless essential to a subject area. The Library collects secondary works

in English and the vernacular.”[\[21\]](#)

An example of the application of collecting levels to countries from the Duke *University Law Library Collection Development Policy for Foreign Law*:

Excerpt from Duke Law Library’s “*Collecting Level by Jurisdiction*”[\[22\]](#)

“COUNTRY	LEVEL
<i>Africa</i>	
Algeria, Angola, Benin, Botswana, Burkina Faso, Central African Republic, Chad, Cameroon, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Guinea, Ivory Coast, Liberia, Libya, Madagascar, Malawi, Mauritania, Morocco, Mozambique, Namibia, Niger, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zaire, Zimbabwe	1
Ghana, Nigeria, Rwanda	2
Kenya, South Africa	3”

F. Conclusion

The basic tools of FCIL collection development will help you get started in FCIL work or give you ideas for revising your current FCIL collection development policies. While the descriptions of collection development policy structures does not cover all existing and possible arrangements, your reviews of the collection development policies of other law libraries and your review of the research and collection development resources listed in [Bibliography of Selected Resources](#) should provide enough variation in style and organization to permit you to craft a policy structure that will work best to achieve your law library’s FCIL collection development goals.

The following list identifies some schools whose policies include some FCIL coverage, no matter how minimal. The policies that use collection depth indicators are indicated with asterisks. Note that sometimes a minimal level of description is all you need, especially if you are developing a small or limited collection. FCIL librarians from non-U.S. law libraries for whom U.S. law is foreign law will find a host of policies on American law for libraries of different sizes in the [AALL Academic Law Libraries SIS Collection Development](#) website cited in the bibliography.

American University Washington College of Law, Pence Law Library

*Arizona State University Law Library

*Ave Maria School of Law Library

*Baylor University School of Law Library

*Boston University Law Library

*Brooklyn Law School Library

*Cornell Law Library

*D’Angelo Law Library, University of Chicago

- *Duke University Law Library
- *Georgetown University Law Library
- *UCLA Law Library
- *University of Michigan Law Library
- *University of Minnesota Law Library
- University of New Mexico Law Library
- *Lillian Goldman Law Library Yale Law School

II. Sample Memos and Templates for FCIL Collection Development from the University of Michigan Law Library

Sample 1: Excerpts from collection development policy memo for individual civil law country (Mexico)[\[23\]](#)

Note: this type of memo *supplements* the overall *Collection Development Policy of the University of Michigan Law Library*. To develop this supplementary policy for the Law Library's collection of legal materials for Mexico, the selector reviewed: 1. Legal research guides for Mexico; 2. the content and condition of the law library's existing collection for Mexico; 3. the collections of Mexican legal materials held by peer law libraries (this review was done by searching the online catalogs of peer law libraries and WorldCat); 4. what has been published and what is available in terms of Mexican legal publications. The selector made recommendations about what should be added to the Law Library's collection for Mexico in an ongoing way based on the parameters of the *Collection Development Policy* and the information she gathered in her collection review. Separate country selection memos of this kind are not incorporated into the overall collection development policy to avoid making it unwieldy with this level of detail. These memos are filed in what we call our "Selection Policy" collection and are stored in full text in the Law Library intranet.

A. Background

Mexico is a civil law jurisdiction. Session laws are published first in the official gazette, then codified in commercially published codes, or published individually or in subject compilations. Mexico does not follow the principle of *stare decisis*, but the Mexican Supreme Court does produce a limited body of binding case law known as *jurisprudencia*, which is also published commercially. The official language for publication of Mexican legal materials is Spanish.

The Law Library's collection for Mexico, although historically quite complete, shows evidence of some neglect during the past ten years. There was a flurry of secondary source collection in 1996 and 1997; few secondary sources were selected during the prior six years and virtually no secondary sources have been selected since that time. All primary materials to which we do not have a standing order (*i.e.*, codes and individually published laws) are from five to 20 years out of date. All primary materials to which we have a standing order (*i.e.*, official gazette and treaties) are current, with the exception of the Mexico treaty series, which has been sent for claiming.

In working through the Mexico collection, the selector focused on making the collection current, rather than on filling gaps. 1998 was used as a general cutoff date for secondary source materials; working from publishers' and vendors' websites, the selector was able to confirm that sources from this time period were in fact currently available. However, when she ordered new materials she requested that the latest edition of each older imprint be ordered.

B. Summary of Major Recommendations

- In general: Systematically review and update Mexican collection on a five-year cycle. Collect in-scope materials in due course, from slips and book ads.
- Constitutions: Continue to rely on *Constitutions of the World*. Collect scholarly annotations.
- Codifications: Update all codes every five years, beginning with 2000. Rely on the *Diario oficial* for interim legislation and amendments. Retain all codes to support historical research.
- Individually published laws: Collect in major subject compilations only.
- Annotations and commentaries: Collect high quality, scholarly annotations and commentaries for major codes and laws, as available.
- Session laws: Continue collecting the *Diario oficial*.
- Official gazette: Continue our subscription to the *Diario oficial*. Explore options for purchasing microfilm to cover the time period of our gap (1969-1980) and our unbound pamphlets (1958-1968).
- Court reports: Continue our subscription to the *Semanario judicial de la Federacion*.
- Treaties: Continue our subscription to *Tratados celebrados por Mexico*.
- General secondary sources: Collect high quality, scholarly works.
- Subject-specific secondary sources: Continue collecting high quality, scholarly works in accordance with the collecting strengths in our collection development policy.
- Periodical literature: Continue current subscriptions to Mexican law journals. Collect any new law journals that are of high quality, published by a reliable publisher, and/or indexed in IFLP.
- Secondary materials in English or English translation: Continue collecting high quality, scholarly secondary sources in English or English translation.
- Legal dictionaries: Continue collecting high quality, scholarly Mexican legal dictionaries.
- Electronic resources: Once e-policy is in place, consider collection of in-scope electronic resources.
- Collection at sub-federal level: Continue current policy of not collecting at the sub-federal level.

General Recommendations

As discussed in detail below, Mexico's legal publishing behavior tends toward one of two extremes: On the one hand, Mexican legal publishers seem to delight in issuing annual "new editions" of some sources, such as major codifications, whether or not any change in the legislation has occurred; these "new editions" are thus, essentially, reprints. On the other hand, some sources, such as annotations of codes and primary source finding aids are published only sporadically.

In view of these two opposite behaviors, the general recommendation for a collection development policy for Mexico is twofold: We should select Mexican materials in due course as slips and book ads arrive, being wary of "new edition reprints;" we should also systematically review and update the Mexican collection on a five-year cycle. In this way, we will avoid cluttering our shelves with too many "reprint" volumes; at the same time, since Mexican legislation does not often change significantly (see discussion below), a five-year collecting cycle should generally capture all key transformations of Mexican law. Concurrently, selection of materials in due course will provide our collection with new sources and true updates of owned sources, as they are published. In this way, I believe we will be able to maintain the currency and completeness necessary for a research-level collection of Mexican legal materials. These generalized notions of due course selection and a five-year collecting cycle are included in the specific collection recommendations set forth below.[\[24\]](#)

Primary Federal Materials

- **Constitution**

- Pursuant to our general collection development policy, we rely on the *Constitutions of the World* as our primary method of collecting the text of constitutions in the vernacular and English translation. We also collect scholarly annotated versions of constitutions, as available. The Mexican constitution is published in the *Constitutions of the World*, both in Spanish and English translation.

- **Recommendations:**

- Continue to rely on *Constitutions of the World*.
- Collect scholarly annotations of the Mexican constitution, as available.
- Systematically update and search for additional in-scope annotations every five years, beginning with 2000.

- **Codifications**

There are no official publications of Mexican codes. The universally accepted “standard” editions of the codes are those published by Porrúa Hermanos. These appear in a new edition every year, regardless of whether any changes in legislation have taken place. Thus, many “new” editions of Mexican codes are, essentially, reprints.

Our collection development policy currently states that “important codes” for major countries such as Mexico are updated every two years; “lesser codes” are updated every five years. This has not occurred, as the codes are anywhere from five to 20 years out of date. I do not believe that it is necessary to collect new editions of “important” Mexican codes every other year in order to maintain a research-level collection of Mexican materials.

- **Considerations:**

- Review of the codes indicates that they are not significantly amended more frequently than every eight to 10 years.
- All laws are published in the *Diario oficial*, which we will continue to collect in print because it is the only complete publication of session laws (see “Official Gazette,” below). Therefore, even if we do not frequently update our codes, we will not be missing any new laws or amendments to existing laws. We also link to the web-based *Diario oficial* and will consider cancelling the print for cost savings if we are satisfied with the stability and archiving of the digital version in the government website. According to the *Foreign Law Guide*, the website of Mexico’s Chamber of Deputies includes federal laws and is also of high quality; we will add a link to this resource as well.
 - The *Diario oficial* runs quite current; as of August 8, 2013, we had received the complete May 2013 issues.
 - The *Diario oficial* does not have a cumulative index (each daily pamphlet has a table of contents).
 - Mexican codes do not have indexes, either. Instead, they have general tables of contents.
- We do not have sufficient shelf space to add materials that do not necessarily enhance our collection, such as “code reprints.”
- Peer libraries update their codes for Mexico at different intervals. Some update yearly while others update every two to three years. Still others update every six to eight years.

- Patron perceptions of currency must be addressed. Even if no substantive changes in the law have taken place during a ten-year period, patrons tend to be skeptical if given a decade-old code and told, “nothing’s changed.” Thus we will consider updating the codes for Mexico more frequently than every 10 years; a 5 year interval is the most likely.

- **Recommendations:**

- Systematically update Mexican codes every five years, beginning with 2000.
- Rely on the *Diario oficial* for interim legislation and amendments.
- Add links to free web-based Mexican government legal resources.
- Retain all codes to support historical research and cite-checking.
- This plan will “split the difference” between currency and necessity. The plan will not give rise to a space crunch, as only about five new volumes will be added every five years. The plan is not out of line with what is being done in peer libraries. Further, a five-year old code does not “feel” significantly out of date; a regular update schedule will give patrons a sense of confidence in our collection and negate any impression that our codes are dated because we collect only haphazardly.

- **Annotations and Commentaries**

Despite its penchant for publishing “new editions” of codes and non-codified laws, Mexico publishes surprisingly few annotations and commentaries on codes and laws. Our collection includes some commentaries on some laws; however, none is current. We should collect current annotations and commentaries on laws, as available.

- **Considerations:**

- Annotations and commentaries typically provide an in-depth analysis of a law or code, which is important to researchers attempting to understand the law of a foreign jurisdiction.
- Annotations and commentaries are published in Mexico for important laws only, and appear only to be published in new editions when there is a significant change in law or policy.
- Overall, very few annotations and commentaries are published in Mexico.
- Most annotations and commentaries are prepared by well-known scholars in the relevant field of law.

- **Recommendations:**

- Collect high quality, scholarly annotations and commentaries for major laws (including codes), as available.
- Update all annotations and commentaries as available (but review this recommendation if it appears that certain annotations and commentaries are beginning to appear as “new edition reprints”).
- Systematically update and search for additional in-scope annotations and commentaries every five years, beginning with 2000.
- Retain all annotations and commentaries to support historical research and cite-checking.
- This plan will provide researchers with currently available versions of annotations and commentaries for major laws, which many may consider to be the most useful iteration of the law. Since Mexico appears only to publish selected annotations and commentaries by well-known scholars, the plan should not result in an onslaught of marginal materials.

- **Session Laws**

According to our collection development policy, we collect “session laws . . . We want the session laws for each country even if we also have an authoritative compilation. We will collect official gazettes for statutes only if neither the session laws nor an authoritative compilation is available.”

In Mexico, the only publication of session laws and the only “authoritative compilation” of laws, is the official gazette, *Diario oficial*. The *Diario oficial* is available online free-of-charge.

- **Recommendations:**

- Continue to collect the *Diario oficial* for session laws, as set forth in “Official Gazette,” below.
- Add links to free web-based versions.
- Retain all volumes of the *Diario oficial* to support historical research and cite-checking.

- **Court Reports**

There is no official reporter for Mexican court reports. Since all but the lowest courts in Mexico, both state and federal, are courts of record, there has been an enormous body of “case law” created that is, in Tom Reynolds’ words, “quite beyond bibliographic control.” It is also relatively unimportant, as the only group of cases with precedential significance is the *jurisprudencia* created by the Supreme Court and federal collegiate courts. The resource generally considered the most authoritative and comprehensive source for Mexican *jurisprudencia* is the commercially published *Semanario judicial de la Federacion*.

The Law Library currently subscribes to the *Semanario judicial de la Federacion*. We hold 1871-1959 and 1993-current in bound volumes; we hold 1959-1968 in microfilm. We are lacking 1969-1992. (None was published 1986-1987.) [W]e should continue our current subscription to the *Semanario judicial de la Federacion*.

- **Recommendations:**

- Continue our subscription to the *Semanario judicial de la Federacion*.
- Rely on interlibrary loan for missing volumes.
- Systematically search every five years, beginning in 2000, for publication of the *Semanario judicial de la Federacion* or electronic format to fill gaps.
- Add official online sources to our catalog, in order to fill gaps.
- Retain all volumes of the *Semanario judicial de la Federacion* to support historical research and cite-checking.
- This plan provides current and most historical *jurisprudencia*, which is the most important body of Mexican “case law.” Since other libraries hold the volumes we lack, using interlibrary loan to bridge our approximately 12-year gap should be adequate. In addition, patrons can be directed to online sources for materials from our gap period.

Secondary Sources

- **Subject-Specific Secondary Sources in the Vernacular**

The collection development policy includes a list of secondary source topics and a “collecting strength” for each topic. We collect secondary materials for foreign civil law jurisdictions based on those strengths.

- **Recommendations:**
 - Continue collecting high quality, scholarly subject-specific secondary sources as available, in accordance with the collection strengths listed in the collection development policy.
 - Be very selective when determining whether to collect a new edition of an owned source. If the new edition appears within only a year or two of the owned source, research the new edition carefully to determine whether it contains sufficient new material to truly enhance our collection.
 - Systematically update and search for additional in-scope subject-specific secondary sources every five years, starting with 2000. This plan will ensure that new secondary sources are continually added to our collection, but are not updated to a new edition, when such an update would not add substantively to the collection.

- **Secondary Materials in English or English Translation**
 - We should select high quality, scholarly secondary sources in English or English translation whenever possible.

Electronic Resources

Currently available electronic resources that we should consider include the following:

- **Subscription Sites**
 - *National Law Center for Inter-American Free Trade, NatLaw World* <<http://natlaw.com/natlaw-world/>>, accessed 8 August 2013. A subscription database for Latin American and some African legislation, case law, codes, treaties and international agreements, and secondary materials, including Mexico. Includes full text versions of sources in Spanish, and provides fee-based translation services.
- **Free-of-charge Sites**
 - *InfoJus (Información jurídica)* <<http://info.juridicas.unam.mx>> Maintained by the Universidad Nacional Autonomía de México (UNAM). A comprehensive legal resource on Mexican law; includes statutes, constitutions, regulations, Supreme Court case law, and other information. In Spanish.
 - *Cámara de senadores* <<http://www.senado.gob.mx>> The webpage of the Mexican Senate. Provides much information about the Senate and the issues currently before it. *Iniciativas Presentadas* section provides full text of bills formally submitted to the Senate. In Spanish.
 - *Legislación Federal de México* <<http://www.cddhcu.gob.mx/leyinfo/>> Full text of the Mexican federal legislation. In Spanish. Contains archived material. Possible for homepage link and/or for catalog to bridge gaps in the *Diario oficial*.
 - *Suprema Corte de Justicia de la Nación* <www.scjn.gob.mx/Principal.asp> The webpage of the Supreme Court of Mexico. *Consulta de Jurisprudencia y Tesis Aisladas desde 1917* section includes *jurisprudencia* and *tesis* from 1917 to current. Updated monthly. In Spanish. Possible for homepage link and/or for catalog to bridge gaps in the *Semanario judicial de la Federación*.

Sample 2: Collection development policy memo for individual common law country (United States)

- 1) Federal Primary Material
 - a) We maintain an extensive collection of federal primary material,
 - b) We acquire all federal annotated Constitutions, statutes, and codes.
 - c) Constitution We primarily rely on the United States Code, the privately published annotated codes, and the Library of Congress Constitution of the United States: Analysis and Interpretation for the text of the U.S. Constitution.
 - d) Statutes
 - e) Session Laws: We acquire the official Statutes at Large in print, microfiche and electronic. We also collect the bound unofficial United States Code Congressional and Administrative News (USCCAN) for the text of federal session laws. We rely on the online slip laws and the unofficial advance sheets to the United States Code Service and USCCAN for the text of new federal laws.
 - f) Code: We acquire the official United States Code in paper and microfiche. We also acquire the privately published annotated codes in paper. We maintain a collection of all superseded volumes of the official and unofficial versions of the United States Code.
 - g) Legislative documents:
 - i) We obtain all significant Congressional material for use in research on the legislative history of federal laws, including hearings, reports, committee prints, bills, and congressional debates. We rely primarily on CIS microfiche and electronic collections for such legislative documents. However, we also collect selected compiled legislative histories in paper for major legislation of interest to our faculty. We subscribe to the Congressional Record in microfiche and electronic formats.
 - h) Court Opinions:
 - i) We acquire sufficient reporters to cover all reported decisions of U.S. federal courts at all levels, both official and unofficial.
 - ii) We acquire advance sheets for all reporters of federal opinions, but rely on free online sources for new opinions. We rely on Lexis, Westlaw, Bloomberg and the web for the slip opinions of lower federal courts.
 - i) Rules of Procedure and Evidence and Court Rules: we collect for all federal circuits.
 - j) Administrative regulations and decisions
 - i) We acquire a collection of all federal regulations by subscribing to the Code of Federal Regulations (current print, microfiche and electronic) and the Federal Register (print index, microfiche, electronic).
 - ii) We maintain a collection of superseded regulations by acquiring and keeping all superseded volumes of the Code of Federal Regulations and the Federal Register in microfiche.
 - iii) We buy agency produced compilations of laws or regulations on a highly selective basis.
 - iv) We also rely on topical electronic services in highly regulated areas, e.g., securities and taxation, for access to federal administrative regulations.
 - v) We acquire, where available, the official decisions of all federal administrative tribunals.
 - vi) We also rely on topical electronic services for the text of and indexing to such decisions, either when the official versions are not otherwise available, or to supplement the official publication when the electronic service provides more reliable, or timely, or superior

intellectual access than the official version.

- k) We acquire documents of the Office of the President.
- l) Government studies, surveys, statistics, and other documents
 - i) We collect all studies issued by the Administrative Office of the U.S. Courts and similar bodies, and all court statistics in print and/or electronic format. These are sometimes printed from the web and bound.
 - ii) We collect other reports, surveys, and studies issued by the federal government which meet our standards for acquiring secondary material.
- m) Indexes and Digests
 - i) We buy indexes and digests needed to provide adequate intellectual access to our collection of U.S. documents and primary material.

2) State Primary Material

- a) We maintain an expansive collection of state primary material, and we are a legislative depository for Michigan documents. Territories are to be considered as states for all collection development purposes.
- b) We buy the annotated codes, official codes, and session laws of every state and territory. We buy sufficient reporters to cover all reported court decisions.
- c) We buy all official state court reporters for intermediate and highest appellate courts of every state and territory. We also buy all published official court reporters for the states' lower and trial courts.
- d) We collect state level administrative regulations and codes only for the following states: Michigan, New York, Pennsylvania, Ohio, Illinois, California, and Texas
- e) We buy or link to electronic versions of virtually all primary material for the state of Michigan, including bills, enrolled bills, legislative analyses, House and Senate journals, and published decisions of administrative tribunals. We add substantive Michigan documents on subjects of interest to the collection; these are sometimes printed from the web and bound.
- f) As a general rule, we obtain the proceedings of constitutional conventions of all states.
- g) We obtain the decisions of state administrative tribunals from a few selected states other than Michigan (New York, Pennsylvania, Ohio, Illinois, California and Texas?). We will buy only those series of decisions that are of current interest within the law school.
- h) We buy or link to electronic versions of substantive official reports, studies, and surveys, from any state in areas of interest or upon faculty advice or request.
- i) We collect official state documents and reports (for all states) on the following subjects; these are sometimes printed from the web and bound:
- j) gender, racial and other bias in the courts;
 - i) child support guidelines;
 - ii) sentencing guidelines and issues, including civil commitment and "Megan's Law;"
 - iii) assisted suicide/right to die;
 - iv) courts and judges, in general;
 - v) representation in the courts;
 - vi) voting and election law – specifically dealing with discrimination, equality, and rights;
 - vii) Native American/Indian rights;
 - viii) civil justice/tort reform;

- k) historical documents focused on state courts or attorneys general; and documents in areas of faculty interest or legal significance.
- i) For all of these areas, the reports should be substantive, should not be draft or summary reports, and should have a statewide focus. We will collect more broadly for Michigan.
 - ii) Types of state documents from states other than Michigan that are not wanted for the collection include, but are not limited to:
 - (1) hearings and reports;
 - (2) reports and discussions of bills and proposed legislation;
 - (3) guides for legislators and judges;
 - (4) current awareness serials;
 - (5) legislative rules; and,
 - (6) documents with a county or city focus.
 - l) We obtain court rules for all 50 states and territories; annotated court rules are preferred where available.
- 3) Secondary Material
- a) We buy all significant monographs and treatises dealing with those subject areas in which we collect. We are particularly interested in scholarly works of legal history, law reform, jurisprudence and empirical research.
 - b) We buy practitioner-oriented material very selectively.
 - c) We buy secondary material dealing with practice in the following states very selectively: New York, Pennsylvania, Ohio, Illinois, and California. For Michigan we buy significant, practitioner-oriented, secondary material more broadly.
 - d) We collect law reviews published by American law schools in electronic only format except law school journals from top tier law schools.
 - e) We buy all "hornbooks" and nutshells and selected study guides in the *Examples and Explanations* series. We buy selected casebooks; e.g., those being used in a law class, or classic works. We do not buy Gilbert's Outlines or similar publications.
 - f) We buy digests and indexes necessary to locate information within our primary and secondary collections or rely on fee-based electronic access tools.
 - g) Indian Nations: Subject only to limits of cost or quality, we will buy all primary and secondary material relating to the legal status of Native Americans in the United States.

Sample 3: International Organization selection memo

Collection Development Policy for International Chamber of Commerce Publications

The Law Library selectively collects the publications of the International Chamber of Commerce. Factors determining or affecting the decision to select include:

- level of legal analysis (scholarly vs. practitioner);
- faculty need/interest;
- nature of material. [e.g., "primary" vs. "secondary"--decisions, uniform or model rules would be selected; practitioner-oriented monographs or guides would not.]

Length of document (i.e., number of pages) is not a factor in selecting "primary" material.

I. Material Acquired If/ When Published:

"Primary"

A. Decisions and arbitral awards of ICC bodies for the settlement of disputes

1. Court of Arbitration of the International Chamber of Commerce
2. Standing Committee on Regulation of Contractual Relations
3. International Council on Marketing Practice
4. ICC Commission on Banking Technique and Practice
5. Other and/or future arbitral bodies of the ICC

B. Arbitration rules issued by the ICC or ICC committees

C. Uniform or model rules or codes and/or regulations drafted/issued by the ICC relating to legal aspects of conducting business or to the conduct and self-regulation of marketing sectors. (e.g., ICC uniform Customs and Practice for Documentary Credits)

"Secondary"

A. ICC monographs describing, analyzing or providing guidance on ICC arbitration practice and procedure.

B. ICC treatises comprehensively treating legal aspects of international trade, taxation, banking, EC, GATT in international business

C. Very conservatively selected ICC monographs relating to international trade or finance (i.e., purchase if faculty request and not available on campus or via ILL, and if faculty suggest that we should have in collection to support research or teaching.)

D. ICC arbitration statistics (if any) describing quantitatively ICC dispute settlement activity.

II. Material NOT Collected

A. Monographs, handbooks, journals, newsletters, pamphlets relating solely to business or finance (i.e., no discussion of legal aspects of business)

B. Law-related monographs, handbooks, journals, newsletters, pamphlets designed to instruct business people or lawyers in legal aspects of business, international trade or finance, banking, taxation, etc. (i.e., "practitioner"-oriented works)

C. Statistics (general business or international trade etc.)

D. Sample 4: Template for individual country review memo [\[25\]](#)

MEMORANDUM

Collection Development Review for _____

_____ is a civil law/common law/mixed jurisdiction. The official language for publication of _____ legal materials is _____.

PRIMARY FEDERAL MATERIALS (list titles for each category and purchase recommendations):

Codifications:

Individually Published Laws:

Annotations and Commentaries:

Session Laws:

Official Gazette

Court Reports:

Treaties:

Primary Materials in English Translation:

SECONDARY MATERIALS (list titles for each category and purchase recommendations):

General Secondary Sources:

Subject-Specific Secondary Sources:

Periodical Literature:

Secondary Materials in English or English Translation:

ELECTRONIC RESOURCES (list websites/resources for each category and purchase recommendations):

Free web-based:

Commercial:

MICROFORM RESOURCES:

SUB-FEDERAL LEVEL?

A. APPROVAL PLAN:

-

-

Sample 5: Worksheet for individual country review [\[26\]](#)

Country:

Geographic Region:

Major Language/s of Legal Publications:

Type of legal system:

Civil Law Common Law Mixed system: civil law common law religious law (_____) Other: Religious law: Canon law Islamic Law Jewish law Roman law Other:

Location of current collection:

Completion date of country review:

Notes:

Steps in the Review Process:**1. Learn the Legal System**

What is the nature of the country's legal system? What are the major historical events that influenced the development of the modern legal system?

Note: much of this information is found in *Foreign Law Guide* and may also be found in foreign law research guides for individual foreign jurisdictions.

2. Search Primary Materials

Using *Foreign Law Guide*, research guides and pathfinders, identify primary law sources and compare with your current holdings. Identify gaps in collection and materials to be withdrawn.

Check for the following primary sources: Constitution Codes Individually published laws Annotations and commentaries Session laws Official gazette Court reports Treaties Primary sources in English translation Primary source finding aids Administrative law****** Check that you hold *Blue Book* sources for citation****** Check that you hold what the country uses for citation Sub-federal materials review (decide whether or not to collect at the sub-federal level for the country)**3. Search for Electronic Sources** Consult *Foreign Law Guide*, research guides and the web for electronic sources of the country's laws.

Identify sites the library might consider subscribing to and/or adding to the library webpage or to the on-line catalog.

4. Search for Secondary Materials

Compare your existing collection to sources listed in *Foreign Law Guide* and/or other research guides, collections of other law libraries (found by searching on-line catalogs of other law libraries, WorldCat), according to collection intensity levels listed for each subject to be searched. Identify gaps in collection and any materials to be withdrawn. Set a date cut-off for searching if it makes sense for the particular review. Note that the collection intensity levels set for subjects may also be used to set up parameters of approval plans; some approval plan vendors may use LC subject headings, so you may want to use LC subject headings to set collection intensity levels for secondary legal materials.

Subjects collected at Level 5 (Comprehensive)

- Comparative law
- Conflict of laws (use *conflict of laws--[subject]--[country]*)
- Constitutional law (also search by *constitutional history--*)
- Indigenous peoples (use *indigenous peoples--*; use also *Indians*)
- Jurisprudence
- Legal history (use *law--[country]--history*)

Subjects collected at Level 4 (Research)

- Canon law
- Civil rights
- Commercial law
- Copyright law (use *copyright--*)
- Corporations law (use *corporation law--*)
- Courts (use also *judicial power--*; *judges--*)
- Criminal law
- Customary law
- Environmental law
- Immigration law (for Mexico and Canada) (use *emigration and immigration--*; *emigration and immigration law--*; *aliens--*)
- Islamic law
- Jewish law
- Labor law (use *labor laws and legislation--*)
- Legal research (use also *law--[country]--interpretation and construction*)
- Restraint of trade (antitrust)
- Roman law
- Securities law (use *securities--*; use also *stock exchange--laws and legislation--*)
- Taxation (general) (use also *taxation--[country]-- laws and legislation*)
- Taxation (transnational)

Subjects collected at Level 3 (Instructional)

Subjects collected at Level 2 (Minimal)

Subjects collected at Level 1 (virtually nothing)

Journals and Dictionaries

___ Using IFLP, WorldCat, peer library on-line catalogs, and research guides, identify major legal journals, serials and festschriften; compare to your collection. Identify gaps and materials to be withdrawn.

___ Identify dictionaries, both legal and non-legal, to be added to the collection or withdrawn.

5. Identify possible approval plan sources

___ Work with Acquisitions unit to identify possible approval plan vendor for the jurisdiction and to gather information to assess feasibility and desirability of an approval plan for the jurisdiction's legal materials.

6. Draft policy for the country and establish a collection review schedule

___ Draft a detailed collection development policy for the country

___ Submit policy to the Collection Development Committee for approval

___ Select identified materials and send through for purchase

___ Establish a comprehensive collection review schedule for the country's collection, e.g., 2 years, 5 years, etc.

Part III. Bibliography of Selected Resources on Foreign, Comparative and International Law Collection Development

- [AALL FCIL-SIS Collection Development Blog](#)

The FCIL-SIS collection development blog is a useful resource for that enables you to ask the experts or learn from them and/or share information on foreign, comparative and international law collection development by participating in and monitoring the blog. Accessed 8 August 2013.

- [ALL-SIS Collection Development Committee](#)

This website contains a variety of useful resources for collection development work. The [Academic Law Libraries Collection Development](#) link provides access to collection development policies from more than 50 academic law libraries and the [Directory of Collection Development Contacts in Academic Law Libraries](#) provides names and addresses of collection development librarians in U.S. law libraries; access to both of these resources is limited to members of the American Association of Law Libraries (AALL) and requires a member login and password. The Collection Development website also includes freely accessible materials, such as [Collection Development Resources on the Web](#), RSS feeds for new acquisitions and a five-page "Training Outline for New Collection Development Librarians" and PowerPoint presentation on weeding. Accessed 8 August 2013.

- [Collection Depth Indicators](#)

Columbia University Libraries webpage. This website now includes a discussion of electronic resources and factors that help to define when an electronic resource is equivalent to a print resource. The site also provides useful information by providing collection depth indicators that may serve as a model or template for the development of indicators specifically tailored to a law library's collection development policy. Accessed 8 August 2013.

- [FLAG Foreign Law Guide](#)

This website, developed and maintained by the Institute of Advanced Legal Studies in London, U.K. is described as "[a] collaborative Internet gateway to the holdings of foreign, international and comparative law in UK universities and national libraries." It is a useful resource for identifying legal resources for different countries and international organizations; it also provides a model for

interlibrary collaboration on collecting foreign, comparative and international law materials. Accessed 8 August 2013.

- [IALL Legal Resources: IALL Members' Publications](#)
IALL's website provides lists of articles and other publications authored by IALL members from around the world. These articles provide information about legal research resources and publications on international and foreign law and may be consulted to identify trends, resources and other materials to consider for law library collections. Accessed 8 August 2013.
- [Law Library Collection Development Policies: Policy Documents and Resources Acquisitions Committee](#) includes FCIL collection development policies (click on the Material Type link, then on "Foreign & International Resources" in the "On This Page" box to find Collection Policies for Foreign & International Resources."). Accessed 8 August 2013.

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- Hans Warendorf. "Pilot Project: Access to English Translations of Legislation." *Int'l J. Legal Info.* 39, no. 2 (2011): 251-60.
- Mary Whisner. *Practicing Reference*: "Learning a Little about the World: Foreign and International Research and the Non-Specialist." *Law Library J.* 97, no. 3 (2005): 595-604. (This article focuses on reference work, but the same principles apply to FCIL collection development work by non-specialist. The author also notes that work on her library's collection development committee as the committee worked on developing FCIL policies helped her increase her knowledge of foreign and international law.)

Book Reviews and New Title Alerts

- [**International Journal of Legal Information**](#): Book reviews and articles on foreign law/collection development; regular feature on "Books Received and Noted." Regularly includes articles on researching foreign and international law. Accessed 8 August 2013.
- **Law Library Journal**: "Keeping Up with New Legal Titles" review articles often include works on foreign, comparative or international law. Regularly includes articles on researching foreign and international law.
- **Legal Reference Services Quarterly**: Regularly includes articles on researching foreign and international law and articles on different aspects of FCIL collection development.

Resources for Learning about the Legal Systems and Publications of Foreign Jurisdictions, International law and International organizations

Foreign and international law research guides are invaluable FCIL collection development tools. They are published in a variety of formats– as articles in traditional law or law librarianship journals, as individual articles and guides in freely accessible FCIL and law library websites, as licensed for-fee web-based electronic resources, as individual print monographs or multi-jurisdictional, multi-volume works.

In addition to describing the process of legal research for the covered jurisdiction/s or area/s of foreign and/or international law, most research guides include title and publication information about major primary and secondary sources and finding aids that are essential additions to FCIL research collections. Because they so often identify the essential sources of foreign and international law, FCIL research guides also provide an informational foundation for the development of foreign and international core collections for the jurisdictions and areas of international law covered. Some major resources include:

- ***Bibliography on Foreign and Comparative Law: Books and Articles in English***, edited by Charles Szladits (1955-1983), continued by *Szladits' Bibliography on Foreign and Comparative Law* (1984-).
Provides subject bibliographies of books and articles in English dealing with foreign, comparative and international law with author and geographic indexes.
- ***Comparative Legal Traditions in a Nutshell, 2nd ed.***, by Mary Ann Glendon, Paolo G. Carozza and Colin B. Picker. St. Paul, Minn.: Thomson/West, 2008.
General overview for beginners; includes accessible and understandable explanations and information on comparative law, the civil law tradition, including history, culture and distribution, fields of substantive law in civil law tradition, e.g., subjects categorized as public law, private law, etc., common law tradition, supranational Europe, and European human rights system.
- **[Foreign and International Law Guide](#)**, Cornell Law Library.
Free web-based resource, accessed 8 August 2013.
- **[Foreign Law Guide](#)**, Marci Hoffman, General Editor.
This comprehensive guide provides information about the legal systems of most countries of the world. It was originally published in print and is now available in its current electronic only form as a licensed for fee reference work published by Brill.
- **[GloLex](#)**
[Published by the Hauser Global Law School Program and New York University Law School](#), provides research guides on individual countries and international law that can be used to learn about legal systems as well as sources for inclusion in FCIL collections; freely available online. Accessed 8 August 2013.
- **[Guide to Foreign and International Legal Databases](#)**. New York University School of Law Library. Free web-based resource. Accessed 8 August 2013.
- *Guide to International Legal Research*, 4th ed.–. George Washington University International Law Review. Newark, N.J.: LexisNexis, c2002- .
- **[Guide to Law Online](#)** by Law Library of Congress.
This free online Guide to sources of information on online government and legal sources was created and is maintained by the U.S. Law Library of Congress. “It includes selected links to useful and reliable sites for legal information”^[27] including international law and organizations and the laws of foreign jurisdictions, with numerous links to online primary sources. Accessed 8 August 2013.
- ***The IALL International Handbook of Legal Information Management***, edited by Richard A. Danner and Jules W. Winterton. Burlington, Vt.: Ashgate, 2011.
Includes chapters on FCIL collection development and management.
- ***International Encyclopaedia of Laws***.
This multi-subject reference work is published in print and online. Topics covered include: Civil Procedure, Commercial and Economic Law, Constitutional Law, Contracts, Corporations and

Partnerships, Criminal Law, Cyber Law, Energy Law, Environmental Law, Family and Succession Law, Insurance Law, Intellectual Property, Intergovernmental Organizations, Medical Law, Private International Law, Property and Trust Law, Social Security Law, Sports Law, Sub-National Constitutions, Tort Law, Transport. Each subject is comprised of monographs/chapter about the laws of individual foreign countries on the subject covered. Note that the Intergovernmental Organizations subset is organized by name of International organizations covered. The online version, referred to as [IEL](#), is a for-fee licensed electronic resource available from Wolters Kluwer.

- **Law library journal literature:** *Law Library Journal*, *Legal Reference Services Quarterly* and *International Journal of Legal Information* regularly include articles on researching foreign and international law and should be scanned upon receipt for new FCIL articles. All are indexed in *Index to Legal Periodicals* and *Legaltrac*.
- ***Legal Systems of the World: A Political, Social, and Cultural Encyclopedia***, edited by Herbert M. Kritzer. Santa Barbara, Calif.: ABC-CLIO, c2002. Provides “introductory descriptions of legal systems”^[28] and is “an ideal research tool for undergraduate, specialists from non-legal fields, and even as an introduction for . . . lawyers new to a country’s legal system.”^[29]
- **LLRX.com**. This freely accessible website includes numerous [Foreign and Comparative Law Guides](#) and numerous [International Law Guides](#). Accessed 8 August 2013.
- Monographs on FCIL research for individual countries, areas of the world, the European Union, international law and international organizations are too numerous to list here. To find such books in your own or another on-line catalog or bibliographic utility such as WorldCat, use a subject or keyword search, e.g., <legal research -- france>, <legal research – china>, etc.
- ***Modern Legal Systems Cyclopedia***. Kenneth Robert Redden, general editor; edited, by Linda L. Schlueter. Buffalo, N.Y.: W.S. Hein, 1984 - . Also available online in HeinOnline as a for-fee web-based licensed electronic resource.
- ***Public International Law in a Nutshell***, 4th ed., by Thomas Buergenthal and Sean D. Murphy. St. Paul, Minn.: Thomson/West, 2007. Concise introductory overview of public international and supranational law (European Union), as well as intergovernmental organizations.
- [Wikipedia](#) includes good, clear introductory information on the terminology related to foreign law and legal systems, such as public/private law, comparative law, common law, civil law, customary law, religious law, socialist law, public international law, civil code, custom, private international law (conflict of laws). Accessed 8 August 2013.

[1] This article is a revised and updated version of the March 2007 article published in *Globalex* under the same title.

[2] Jules Winterton. “Globalisation and Legal Information Management.” In *IALL International Handbook of Legal Information Management*, edited by R.A. Danner and J.W. Winterton, 23-41. Burlington, Vt.: Ashgate, 2011.

[3] *Id.*

[4] An excellent in-depth discussion of the impacts of globalization and concentration of ownership in the legal publishing industry is available in the chapter by Kendall F. Svengalis entitled “Globalisation and Commercial Legal Publishing.” *Id.* at 228-46.

[5] Claire M. Germain. “Digitizing the World’s Laws.” *Id.* at 181-99.

[6] Graham Greenleaf. “Free Access to Legal Information, LIIs, and the Free Access to Law Movement.” *Id.* at 201-28.

[7] “Core collections” lists are a useful tool to help you identify what is most essential for your collection and also to provide a shorthand way to describe what you want to collect for a foreign jurisdiction or international organization. A core collection is “[a] collection representative of the basic information needs of a library’s primary user group. . .

In academic libraries, selection is based on curriculum need, and collections are maintained to meet the research interests of students and faculty.” ODLIS — Online Dictionary for Library and Information Science by Joan M. Reitz at <http://www.abc-clio.com/ODLIS/odlis_C.aspx#corecollection>, accessed 8 August 2013. *Interpretation 606-5 of the ABA Standards and Rules of Procedure for Approval of Law Schools* lists a core collection for American law collections, but the ABA has not yet defined a core collection for FCIL collections. This list may be useful to non-U.S. law librarians who want to develop a collection of U.S. legal materials, although it should be noted that the American Bar association is in the process of reviewing its standards and these rules may change.

[8] Mary Ann Glendon *et al.* *Comparative Legal Traditions in a Nutshell*, 2nd ed. St. Paul, Minn.: Thomson/West, 2008.

[9] *Id.*

[10] Academic law librarians in the U.S. and other countries confer with their law faculties or faculty library committees regarding collection development. Note that Interpretation 606-6 from the *ABA Standards for Approved Law Schools* in the U.S. indicates that “The dean, faculty, and director of the law library should cooperate in formulation of the collection development plan.”

[11] Academic law libraries in the U.S. follow *ABA Standard for Approved Law Schools* 606 (c) which dictates that “A law library shall formulate and periodically update a written plan for development of the collection.” Other countries may have similar rules relating to the law library component of legal education.

[12] See, for example, the illustrative list of law libraries with FCIL collection development policies, *supra*. Section F.

[13] *University of Michigan Law Library Collection Development Policy (Last updated July 2, 2013)*, p. 7

[14] Yale Law School. Introduction to *Lillian Goldman Library Collection Development Policy*, available online at <<http://library.law.yale.edu/introduction>>, last accessed 8 August 2013.

[15] *University of Michigan Law Library Collection Development Policy* at p. 7-9.

[16] *Id.*

[17] “Collection depth indicators are numerical values that are used to describe a library’s collecting activity levels and goals. They are used to characterize three different aspects of collection management . . . : current collection level, acquisition commitment and collection goal.” *Columbia University Libraries* website, “Collection Depth Indicators” at <http://library.columbia.edu/about/policies/collection-development/general/collection_depth_indicators.html>, accessed 8 August 2013. Most law libraries that use collection depth or intensity indicators have modified and customized them to make them useful for their own collections and practices.

[18] The foreign civil law section of the *University of Michigan Law Library Collection Development Policy* and the collection intensity levels found in this section of the policy were drafted by Jonathan Franklin during his tenure at the University of Michigan Law Library as the Foreign and Comparative Law reference librarian; this section of the policy was approved as drafted by the University of Michigan Law Library Collection Development Committee.

[19] “Appendix B – Collecting Levels for Foreign Jurisdictions” in *Duke University Law Library Collection Development Policy* at <<http://law.duke.edu/lib/about/collections/devpol/>>, accessed 8 August 2013.

[20] See, for example, the University of Minnesota Law Library Collection Development Policy “Conspectus Supplement” at <<http://library.law.umn.edu/collections.html>>, accessed 8 August 2013. In this policy, different collection level definitions are used for common law and civil law jurisdictions.

[21] “Appendix B – Collecting Levels for Foreign Jurisdictions,” *supra* FN 19.

[22] *Id.*

[23] Created by Beatrice Tice, Foreign and Comparative reference librarian at the University of Michigan Law Library 2000–2003.

[24] The selector set up a system to remind herself (or the then-current Foreign and Comparative Law Librarian) to do a systematic review of the Mexican collection, as set forth in these recommendations at ten year intervals.

[25] Created by Beatrice Tice, Foreign and Comparative reference librarian at the University of Michigan Law Library 2000 – 2003 to complete country by country collection reviews and recommendations; modified slightly for this article.

[26] Created by Beatrice Tice, Foreign and Comparative reference librarian at the University of Michigan Law Library 2000 – 2003 to complete searching and research for country by country foreign collection reviews; modified slightly for this handout.

[27] Introduction to *Guide to Law Online* at <<http://www.loc.gov/law/help/guide.php>>, accessed 8 August 2013.

[28] Silke Sahl, Review of *Legal Systems of the World* in *Int’l J. Legal Info.* 31, no. 2 (2003): 411-14.

[29] *Id.*