

COLLECTION DEVELOPMENT POLICY

Last reviewed and updated 27 August 2014

TABLE OF CONTENTS

Introduction..... 4

I. DEPOSITORY STATUS 5

 A. European Communities/European Union 5

 B. GATT/World Trade Organization 5

 C. United States Depository 5

 D. Michigan Legislative Depository..... 5

II. GOALS 6

III. GENERAL FACTORS 6

 A. Quality. 6

 B. Faculty Interest. 7

 C. Cost..... 7

 D. Language..... 7

 E. Format 7

 F. Presumption Against Selection of Non-K Monographs..... 7

 G. Presumption Against Selection of Loose-leaf Services..... 8

IV. COORDINATION AND SELECTION of SPECIAL FORMATS and TYPES OF MATERIAL 8

 A. Microfiche 8

 B. Electronic Resources..... 8

 C. Reprints..... 9

 D. Journals..... 9

 E. Superseded Material and Old Editions..... 10

 F. Geographic Application 10

V. THE UNITED STATES 10

 A. Federal Primary Material. 10

 B. State Primary Material 12

 C. Secondary Material. 13

 D. Indian Nations..... 13

VI. PUBLIC INTERNATIONAL LAW & DOCUMENTS OF INTERNATIONAL ORGANIZATIONS 14

 A. International Law—Primary Material (Treaties) 14

 B. International Law—Primary Material (Adjudications)..... 14

 C. International Law—Secondary Material..... 14

 D. Documents of International Organizations 14

VII. GREAT BRITAIN, THE COMMONWEALTH, IRELAND, SOUTH AFRICA, FORMER PARTS OF THE BRITISH EMPIRE[NOTE: This section to be combined with Foreign]..... 15

 A. Primary Material. 15

 B. Secondary Material. 15

VIII. INDIGENOUS POPULATIONS..... 15

IX. FOREIGN 16

 A. Primary Sources of Civil Law Jurisdictions 16

 1. Constitutions 16

Collection Development Policy, University of Michigan Law Library

2. Statutes.....	16
3. Treaties.....	16
4. Court Decisions.....	16
5. Codes	17
6. Administrative Codes	17
7. Sub-federal Materials.....	17
8. PCR	17
9. Finding Aids	17
B. Historical Use of Major and Minor Country Designation	17
C. Historical Primary Sources for Civil Law Jurisdictions	18
D. The Collection of Primary Civil Law Materials in Translation	18
E. Retention Policies for Vernacular and Translated Civil Law Jurisdiction Primary Sources	18
F. Secondary Sources for Civil Law Jurisdictions	18
1. Policy Goals.....	18
2. Collection Strength Level Definitions	20
[7]- Comprehensive	20
[6]- Research.....	20
[5]- Selective.....	20
[4]- Major Works Only.....	20
[3]- Instructional Support.....	20
[2]- Basic Information	21
[1]- Minimal.....	21
G. Topic List Arranged Alphabetically with Country Exceptions.....	22

Introduction

The University of Michigan Law Library is “maintained and administered as a part of the instruction and research operation of the Law School.” (Board of Regents Bylaw 12.02). The Law Library’s purpose is “to build collections, provide effective access to legal information in diverse formats and provide facilities and services to support the teaching, research and educational needs of Law School faculty and students.”¹

The Law Library's primary collection development goal is to develop, maintain and provide access to a broad and deep collection of primary and secondary sources of U.S., foreign, comparative, public and private international law, as well as areas such as indigenous and religious law; and to support legal research, scholarship and legal education at the Law School as well as the University of Michigan as a whole. To achieve this goal, the Law Library relies on both electronic sources of legal information (free and for fee) and in house collections of print and other tangible resources.

The Director oversees Collection Development, which is largely delegated to the Assistant Director, the Head of Reference, the Reference Librarians and the Law Library Collection Development Committee. A critical part of this responsibility is to track and predict changes in legal publishing, related technologies, and the law and to ensure that the collection has the breadth and depth to support current and future scholarly research, and that the collection is in enduring and cost-effective formats. The Law School Faculty Library Advisory Committee is consulted regarding major changes to the collection development policy, and faculty are regularly consulted regarding specific resources and areas of the collection.

Since FY 2006, the Law Library has focused on cutting and constraining collection costs as the prices of legal materials continue to rise beyond the rate of inflation. A major shift in philosophy relates to the purchase of integrating resources and electronic resources. Selected print integrating resources and less important print secondary materials with annual update costs are being purchased following a “just in time” rather than a “just in case” approach. This results in major annual upkeep and labor costs savings.

The Law Library remains committed to building its research collection in foreign, comparative and international law as well as American law, including those resources considered part of the ABA’s core collection for law school libraries. The Law School Faculty Library Advisory Committee approved this commitment.

This policy is regularly revised as part of the Law library’s ongoing process of developing the collection.

¹ From *Law Library Mission Statement*.

I. Depository Status

A. European Union: The University of Michigan has been a European Communities/European Union depository library since 1957. The Law Library has a cooperative arrangement with the University of Michigan Hatcher Graduate Library; the Law Library collects and maintains legal and law related EU depository materials and sends non-law EU materials to the Graduate Library for permanent retention. As an EU depository library, the law Library serves the larger University, Ann Arbor, and regional communities of researchers needing access to European Union depository materials in the course of their legal research.

B. GATT/World Trade Organization: The Law Library was a GATT/WTO depository library until 2002, when the WTO cancelled all depository library arrangements and set up one U.S. library for depository purposes (Library of Congress).

C. U.S. Depository:

The Law Library is a selective U.S. depository library, overseen by the Government Printing Office's Federal Depository Library Program. This means that in addition to serving as a research facility for the University of Michigan Law School, we also serve the larger University, Ann Arbor, and regional communities of researchers needing access to selected federal materials in the course of their legal research. Depository selections and collecting are shared with the Harlan Hatcher Graduate Library for both types of material.

1. Selective Housing Agreements: We have 2 cooperative collection development arrangements (selective housing agreements) with other libraries on campus:

- a. An agreement with the University of Michigan Map Library for depository map items including, but not limited to, item numbers 0619-H-22 and 0619-M-22.
- b. An agreement with the University of Michigan Documents Center for documents which include, but are not limited to, item numbers 0508-A, 0508-A-05, 0508-A-08.

D. Michigan Legislative Depository: The Law Library was a Michigan Legislative Depository Library for many years. However, the Law Library is no longer a depository library for Michigan legislative and other related Michigan documents because the State of Michigan program was changed in 2006 to exclude law libraries.

II. GOALS

The following goals guide our collection development.

A. To Support the Scholarly, Instructional and Educational Work of the University of Michigan Law School Faculty, Students and Law School research scholars.

Our fundamental collection development goal is to support the present and future teaching, educational and research activities of the Law School faculty, students and research scholars.

B. To Build a Collection of All Primary and Major Secondary Works of the United States and All Other Nations and International Organizations to Support Research Beyond that of the Law Faculty

The aim of this goal is to build a collection which will be central to any present and future legal research, including areas not of interest to the current law faculty.

C. To Acquire Other, Significant Research Material to Build and Maintain Our Position as a Major Research Library Attached to a Leading Center of Legal Research

This category of material includes large, historical electronic collections of material that will help to attract scholars to the Law School now and in the future; purchases of this kind must have lasting research value.

III. GENERAL FACTORS

- A. Quality
- B. Faculty Interest
- C. Cost
- D. Language
- E. Format
- F. Presumption Against Selection of Non-K Monographs
- G. Presumption Against Selection of Loose-leaf Services or Loose-leaf for Updating Monographs

A. Quality

We strive to purchase only materials of high quality in terms of scholarship, depth, accuracy and usability. We may ask for faculty assistance in gauging quality, use reviews and participate in pre-purchase trials of electronic resources and databases. Factors that are considered in an assessment of quality include how well a work is written, the scope of the work, the importance of the contents of the work to scholarly research or discourse, the nature and extent of footnoting within the work, accessibility of the work (e.g., indexing, usability of search interface), the reputation of the author and/or publisher, and the importance of the work in the area of law or jurisdiction in question. One important component of quality is whether a work is scholarly or practice-oriented. As a general rule, we prefer scholarly works over practitioner-oriented material, but we purchase practice-oriented works that are necessary to performing scholarly research or that provide the only access to primary sources within the scope of the collection.

B. Faculty Interest

We select in areas of current faculty interest as well as areas of past and predicted future interest. This is determined by examining past and present interest in a given topical area or jurisdiction. If a subject has been of faculty interest, but is not now and is not likely to be in the future, we reduce our level of acquisitions to be more selective when choosing primary and/or secondary material, focusing more on major works, avoiding costly integrating resources and/or reducing duplication.

C. Cost

Cost considerations, which are considered in every selection decision, vary. Purchasing a scholarly monograph is substantially different from buying a loose-leaf service/integrating resource, other print title with continuing updates or access to a database or other electronic resource. In the former, there is a single outlay of money to buy the book, plus a single expenditure of labor to process it. The purchase of loose-leaf, serial or other integrating resources requires an initial purchase cost, subsequent annual renewal costs, and continual processing and access costs, which results in greater selectivity when selecting this type of publication.

D. Language

We purchase legal material in any language. We also may collect high quality and/or official translations into English of foreign language primary and secondary sources in order to meet the goals of the policy.

E. Format

The Library considers all available formats when making selection, access and retention decisions. In making decision regarding format, the Library considers factors including cost, ease of use, means of access, stability and longevity of the format, including issues relating to digital and other electronic formats, type of material, and patron need. In general, the Library no longer relies on microfiche as a preservation format as it did in the past (see, *infra*, Section IV.A) and, in many cases, now relies on digital format instead (see, *infra*, Section IV.B). The Library does retain preservation microfiche and other microfiche collections it added to the collection in the past.

F. Presumption Against Selection of Non-K Monographs

The University Library is responsible for collecting and providing print and electronic access to materials in most non-law areas of interest to our faculty, such as history, medicine, political science, philosophy, sociology, and economics. We may purchase leading books and journals in related disciplines if requested by a law professor for use by students in his or her courses. The actual level of acquisition is determined by the amount of faculty interest in a given subject, and whether the material is otherwise unavailable to meet faculty and student need and demand.

There is a presumption against purchasing non-K monographs and journals for the collection. Exceptions, when a non-K monograph or journal may be purchased for the Law collection, include:

- it is for course reserve,
- it is a scholarly monograph that contains essays by our faculty,
- it is a classic work on a non-law or interdisciplinary law-related subject essential to legal scholarship,
- it is by a major legal author or a member of our faculty,
- it is not otherwise on campus, and/or

- a faculty member strongly suggests it for the collection and the electronic or other access in other libraries on campus or via Interlibrary Loan does not meet the professor's research needs.

H. Presumption Against Selection of Loose-leaf Services or Loose-leaf for Updating Monographs

There is a presumption against the selection of loose-leaf services or loose-leaf for updating monographs unless they are being used by faculty for current research or if they are the only source of primary law for a jurisdiction.

IV. COORDINATION AND SELECTION OF SPECIAL FORMATS and TYPES OF MATERIAL (Microfiche, Electronic, Reprints, Journals, Superseded Material and Old Editions)

A. MICROFICHE

The Law Library historically relied upon microfiche to replace print resources as a method to both preserve the content of the collection and to stabilize collection size. With the advent of digital preservation and the significantly greater ease of use and access to electronic resources, the Law Library has significantly decreased its microfiche collecting in reliance upon electronic sources that provide reliable and free or low cost versions of the material.

B. ELECTRONIC RESOURCES

1. The Law Library collects electronic resources meeting the substantive and jurisdictional requirements of this Collection Development Policy and the parameters of selection policies indexed in the Selection Policy database.
2. In general, electronic resources
 - a. May be any material type including serials, monographs, integrating resources, databases, indexes, etc.
 - b. May be free or for fee
 - c. May be licensed or unlicensed
 - d. May be co-subscribed to by the Law Library and another campus library or unit
 - e. May be published or provided by any publisher/provider, including
 - i. Foreign and domestic governmental agencies and bodies,
 - ii. International, transnational, and non-governmental agencies or organizations,
 - iii. Educational institutions, including institutional repositories, and
 - iv. Commercial publishers and vendors
 - f. Are to be available freely on the internet or via campus-wide IP authentication.
 - i. In some cases it may be necessary,
 1. To subscribe for Law-school only IP authentication for cost or license restrictions imposed by the vendor, or
 2. To subscribe to a resource that requires passworded access because of vendor technology, the cost or license, or to meet patron needs.

3. The Library may subscribe to electronic format resources instead of print/microform format when
 - a. The electronic format is as current or more current than the print version and is published or provided in a stable manner by a stable publishing entity, and
 - b. One or more of the following:
 - i. The electronic is cost-effective or free,
 - ii. The electronic will save Library Staff time,
 - iii. The print publication is difficult to receive on a consistent basis,
 - iv. The publication is a current awareness or limited retention type publication,
 - v. The print is published in looseleaf format,
 - vi. Another campus library subscribes to and retains the material, and/or
 - vii. To meet patron needs.
4. The Library will subscribe to print and for-fee electronic format for the same publication when the material is important enough to the collection to do so, as iterated in the approved selection policies.

C. REPRINTS

The Law Library purchases reprints

- for out-of-print titles needed for the collection,
- to replace lost or damaged volumes if the original is out-of-print, or
- in order to provide access to titles the Law Library holds in the Jackier Rare Book Room that are not available electronically.

D. JOURNALS (Number of Copies)

1. We subscribe to 2 print copies of University of Michigan Law School journals
 - a. 1 copy each in the Journals collection and in LSC
 - b. We also subscribe to electronic and microfiche format versions of the Michigan Law journals.
2. We subscribe to cost-effective or free electronic format only (i.e., and not a copy in print) for other journals that
 - a. Are as current or more current than the print format, and
 - b. Are published in a stable manner such as,
 - i. In an institutional repository or
 - ii. By a vendor with a consistent and stable journal platform (e.g., Cambridge Univ. Press)
3. We subscribe to 1 print copy plus cost-effective electronic format for
 - a. The top 20-25 U.S. law journals
 - b. Journals where the electronic format is
 - i. Not as current as the print format, and/or
 - ii. Is not available in a stable manner
4. We subscribe to 1 print copy only for journals where the electronic is not available in a cost-effective manner.
5. We no longer subscribe to microform for journals other than the Michigan Law journals. We will retain the microfiche we have purchased for archival purposes.

E. SUPERSEDED MATERIAL AND OLD EDITIONS

The Law Library retains superseded material and previous editions that are needed to conduct legal research, including superseded statute volumes, old editions of treatises, loose-leaf service transfer binders and loose-leaf titles that have ceased publication.

The Law Library practice is not to retain canceled loose-leaf titles because the retention will lead to patron confusion regarding the currency of the material when we have cancelled a loose-leaf for updating title that continues to be published.

F. GEOGRAPHIC APPLICATION

Our collection development principles and the factors described in Section II lead to specific results when applied to the major geographic areas, international organizations, and subject areas in which we collect. The following sections set forth considerations relating to four major selection areas:

1. the United States
2. Public International Law and Documents of International Organizations (includes air, space and maritime law)
3. Great Britain, the Commonwealth, Ireland, South Africa, Former Parts of the British Empire,
4. Foreign Law (Includes Civil Law jurisdictions, Roman Law, Canon Law, Jewish Law, Islamic Law, private international law, comparative law, etc.)

V. UNITED STATES

A. Federal Primary Material

1. We maintain an extensive collection of federal primary material,
2. We are a selective depository for federal documents:
 - a. While the documents received on deposit come at no cost, considerations of space and staff time require us to use the same selection standards for depository documents as we do for other material. The Law Library maintains a selection rate ranging from 7-10% for materials from the Federal Depository Library Program because of its proximity to and collaboration with the Harlan Hatcher Graduate Library. The Graduate Library is also a selective depository that selects upwards of 80% of the FDLP item numbers. Because the two libraries are located across the street from each other it is in the interest of the community that we do not unnecessarily duplicate the holdings between the two library systems.
 - b. We also purchase and maintain subscriptions to many federal documents, either for the sole copy or for additional copies.
3. We acquire all federal annotated Constitutions, statutes, and codes.
 - a. **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.
 - b. **Session Laws:** We acquire the official *Statutes at Large* in paper and microfiche, as well as the bound unofficial *United States Code Congressional and Administrative News (USCCAN)* for the text of federal session laws. We rely on the official electronic slip law versions of newer federal

laws and the unofficial advance sheets to the *United States Code Service (USCS)*, the *United States Code Annotated (USCA)* and *USCCAN* for the text of new federal laws.

- c. **Code:** We acquire the official *United States Code* in paper and microfiche. We also acquire the privately published annotated codes in paper (*USCS* and *USCA*). We maintain a collection of all superseded volumes of the official and unofficial versions of the United States Code.
- d. **Legislative documents:**

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 FedSys and other government websites for current legislative documents and *Proquest Congressional* and the CIS microfiche for all documents through 2013 and, in an ongoing basis, for reports and committee prints. 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 paper, electronic and microfiche. We rely on FDSys for current bills, and the CIS microfiche for older bills.
- e. **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 rely on Lexis, Westlaw, Bloomberg Law, and the internet for advance sheets and slip opinions for the federal courts.
- f. **Rules of Procedure and Evidence and Court Rules** We collect official and annotated rules of procedure and evidence and court rules in print and/ or electronic format.
- g. **Administrative regulations and decisions**
 - i) We acquire a collection of all federal regulations by subscribing to the *Code of Federal Regulations* in print, microfiche and electronic formats. We collect the *Federal Register* in microfiche and electronic format, with a print collection of the indexes to the *Federal Register*.
 - ii) We buy agency produced compilations of laws or regulations on a highly selective basis.
 - iii) We also rely on topical integrating resources in highly regulated areas, e.g., securities and taxation, for access to federal administrative regulations. We prefer electronic format for these publications.
 - iv) We acquire, where available, the official decisions of all federal administrative tribunals.
 - v) We also rely on topical integrating resources 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 integrating resource provides more reliable, timely, or superior intellectual access than the official version.
 - vi) We acquire documents of the Office of the President.
- h. **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.
 - ii) We collect other reports, surveys, and studies issued by the federal government which meet our standards for acquiring secondary material.
- i. **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.

B. State Primary Material

We maintain an expansive collection of state primary material. U.S. territories are considered as states for all collection development purposes.

- 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.
- In the past, we purchased all official state court reporters for intermediate and highest appellate courts of every state and territory. We also purchased all published official court reporters for the states' lower and trial courts. In the past decade we have cancelled the regional state court reports published by Thomson/West in reliance on pdf versions of the opinions in Westlaw, even if the regional reporter has been designated the official reporter for a state; we retained the print collection in the collection after cancelling standing orders. We continue to collect the official court reports for the Michigan Supreme Court and the Michigan Court of Appeals.
- We collect state level administrative regulations and codes only for all states in electronic format. We collect administrative regulations and codes in print for Michigan.
- We buy or receive virtually all primary material that continues to be published in print for the state of Michigan, including bills, enrolled bills, legislative analyses, House and Senate journals, and published decisions of administrative tribunals. We subscribe to electronic format for those materials that are not available in print. We add substantive Michigan documents on subjects of interest to the collection.
- As a general rule, we obtain the proceedings of constitutional conventions of all states, usually in electronic format.
- We subscribe to electronic format versions of the decisions of state administrative tribunals for all states. We subscribe to state administrative tribunal decisions for Michigan in print, when available.
- We buy substantive official reports, studies, surveys, from any state in areas of interest or upon faculty advice or request.

We collect official state documents and reports (for all states) on the following subjects:

1. gender, racial and other bias in the courts;
2. child support guidelines;
3. sentencing guidelines and issues, including civil commitment and "Megan's Law;"
4. assisted suicide/right to die;
5. courts and judges, in general;
6. representation in the courts;
7. voting and election law – specifically dealing with discrimination, equality, and rights;
8. Native American/Indian rights;
9. civil justice/tort reform;
10. historical documents focused on state courts or attorneys general; and
11. documents in areas of faculty interest or legal significance.

For all of these areas, the reports should be substantive, should not be draft or summary reports, and should have a statewide focus. We collect more broadly for Michigan. Types of state documents that are not wanted for the collection include, but are not limited to:

- hearings and reports;
- reports and discussions of bills and proposed legislation;· guides for legislators and judges;
- current awareness serials;
- legislative rules; and,
- documents with a county or city focus.

We obtain court rules for all 50 states and territories; annotated court rules are preferred where available.

C. Secondary Material

- We buy monographs and treatises to meet the needs of Law School faculty and students 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.
- We buy practitioner-oriented material very selectively.
- We buy secondary material dealing with practice in the following states very selectively: New York, Pennsylvania, Ohio, Illinois, Florida, Texas and California. For Michigan we buy significant, practitioner-oriented, secondary material more broadly.
- We subscribe to all law reviews published by American law schools in electronic and/or print format.
- We subscribe to loose-leaf services only upon faculty advice or request and generally prefer electronic format for integrating format publications.
- We do not buy textbooks, except those intended for law schools, or of significant use to our students. We buy all "hornbooks," nutshells, and "Examples and Explanations." We purchase only those casebooks that are being used in a law class, or those considered classic works.
- We buy digests and indexes necessary to locate information within our primary and secondary collections.

D. 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.

VI. PUBLIC INTERNATIONAL LAW AND DOCUMENTS OF INTERNATIONAL ORGANIZATIONS

A. International Law—Primary Material (Treaties)

We collect all treaties and international agreements in paper and/or stable electronic format where available (free and/or licensed). We buy national treaty series from important countries. We buy compendiums of current treaties, or retrospective and historical collections, when such a purchase would enhance our collection. We buy indexes and digests, when available, to provide adequate access to our collections of treaties.

We collect proceedings and reports issuing from international conferences working towards the formulation of new treaties.

B. International Law—Primary Material (Adjudications)

We collect the documentation surrounding international adjudications and arbitrations, as well as the reports of final decisions.

C. International Law—Secondary Material

- We buy all significant treatises dealing with public and private international law. In those areas in which there is current and long-term interest, we attempt to buy the most important major scholarly works.
- We buy the most important scholarly journals dealing with international law in print and/or electronic PDF format where available.

D. Documents of International Organizations

- We collect documents from international organizations dealing with subjects of possible interest to the Law School faculty. We have a particular interest in the documentation of the European Union, the United Nations, the World Trade Organization and conferences or organizations devoted to international trade. We buy indexes and digests that provide adequate access to this documentation.
- We buy significant scholarly secondary works dealing with the law and procedure of international organizations.

VII. Great Britain, the Commonwealth, Ireland, South Africa, former parts of the British Empire.

A. Primary Material

We collect major primary material for these countries.

- We purchase the statutes and court reports of these countries. We buy primary state/provincial level material for Northern Ireland and Scotland only, because of their unique historical and quasi-sovereign status. For all other sub-federal foreign jurisdictions we collect statutes and court reports in stable electronic format only.
- We collect administrative regulations/delegated legislation and decisions of administrative tribunals for federal level foreign jurisdictions, Northern Ireland, and Scotland in stable electronic format only.
- Within limits imposed by cost and quality, we purchase primary colonial legal material.
- We buy indexes and digests needed to give adequate access to our collection of primary material for these countries.

B. Secondary Material

We apply Collection Strength definitions and levels described in section VIII.F2 to secondary sources for these common law jurisdictions.

- Historically, we bought only every other edition of major treatises for Great Britain. Our current policy is to selectively buy new editions of major treatises as needed for all BC jurisdictions, including Great Britain. We will not, as a general rule, buy material that is directed solely at practitioners.
- We selectively subscribe to significant, scholarly, legal journals published in these jurisdictions. We may rely on stable commercial databases and/or free publishers' websites for online access in PDF format where appropriate to meet the needs of our Law Faculty and law students.
- We do not, in general, subscribe to loose-leaf services published in these countries.
- We purchase secondary colonial legal material very selectively.

VIII. Indigenous Populations

We buy all significant works relating to the legal status of the indigenous populations of Canada, Australia, New Zealand and other commonwealth jurisdictions, as well as South Africa, Mexico, and Central and South America.

IX. Foreign²

A. Primary Sources of Law for Civil Law Jurisdictions

The goal of collecting civil law primary sources is to provide a complete record of important legislation in the vernacular regardless of the accessibility of the language. We collect both current and historical primary legal materials. We generally only collect materials at the federal/national level unless it falls under exceptions explicitly listed in this policy. We may rely on stable well-maintained governmental free websites that provide access to primary legal materials preferably in Portable Document Format (PDF).

1. Constitutions

1. We rely on *Constitutions of the Countries of the World (CCW)* as our primary method of collecting the text of constitutions in the vernacular and translated into English in paper. We also rely on various databases and electronic resources, such as Oxford's *Constitutions of the Countries of the World* and Hein's *Constitutions Illustrated* as our supplemental methods of collecting the texts of constitutions in the vernacular and translated into English online.
2. If a constitution is unavailable in *CCW*, the selector will add an individually published version of the constitution in the vernacular, if available, but will wait for the translated version to appear in *CCW*.
3. We collect scholarly annotated versions of constitutions in addition to the vernacular and translated text available in *CCW* or elsewhere.

2. Statutes

1. We collect authoritative compilations of in force legislation. The authoritative compilation can be either official or unofficial if commonly recognized as the authoritative source in the originating country. We prefer bound volumes or pamphlets to loose-leaf statutory compilations for non-roman alphabets due to the inordinate staff time required for processing. We will collect compiled statutes with scholarly commentary every five years (or if there has been a major revision) only if there are no existing scholarly codes with commentaries. See our policy on Codes in VIII A.5.
2. We collect session laws, preferably in paper bound volumes. We want the session laws for each country even if we also have an authoritative compilation.
3. We will collect official gazettes for statutes only if neither the session laws nor an authoritative compilation is available. See also the exception for the official gazettes of the "autonomous communities" of Spain in VIII.A.7 below.

3. Treaties

1. We collect compilations of multilateral and bilateral treaties enacted by foreign jurisdictions in the vernacular.
2. We will collect the foreign official gazette for its treaties section only if alternate sources are unavailable or unacceptably late.

4. Court Decisions

We collect court decisions for courts of last resort and constitutional courts.

Exception: In the past, we collected intermediate (penultimate) federal appellate court opinions for "major" countries. Since we no longer maintain the distinction between major & minor countries, each country and its importance will be examined before making a determination to collect court decisions at this level.

1. If the cases are unavailable in a timely fashion in bound form and the cases are published in a journal with a case-name or subject index, we will subscribe to the journal. Indexing may be either an annual index for the journal or a third-party index.

² This includes as those countries and colonies not covered in Part VII above.

2. If the cases are unavailable in a timely fashion in bound form and the cases are published in a journal without a case-name or subject index, we will not subscribe to the journal unless it is the only available source for the materials, regardless of timeliness.

5. Codes

1. We collect the most scholarly version of codes with scholarly commentary for all foreign jurisdictions every 5 years, regardless of whether the jurisdiction was formerly considered a “major” or “minor” country, and regardless of whether a code was previously considered “major” or “minor.”
2. One exception to above stated rule is that new codes should be collected for countries that have recently undergone extensive political changes or legal reform **if** significant changes have been made to the important codifications. Such massive changes in the civil codes are extremely rare even in cases of significant political transition.
3. Important codes include, but are not limited to, the civil code, the code of civil procedure, the criminal code, the code of criminal procedure, and the commercial code. We may also collect other codes depending on the importance of that area of law in a particular jurisdiction, such as labor law code for Germany. Refer to the subject parameters sections in existing approval plans to see which other codes have been selected to come on approval for countries covered by approval.

6. Administrative Codes

1. We do not collect administrative materials for most countries.
2. We will collect Administrative codes where available, preferably via existing Approval Plans; we prefer bound volumes or pamphlets to loose-leaf compilations of administrative codes for non-roman alphabets due to the inordinate staff time required for processing
3. We collect administrative regulations/delegated legislation and decisions of administrative tribunals for federal level foreign jurisdictions in stable electronic format. -

7. Sub-federal Materials: We do not collect sub-federal materials for any civil law jurisdiction, except:

- We do collect the free web-based official gazettes of the 17 “autonomous communities” of Spain. We do not collect these gazettes in print.
- One other exception would be in the case of long-term research interests of the law faculty in the sub-federal law of a particular country or countries.

8. PCR: So long as the Primary Collecting Responsibilities (PCR) continue, Bolivia, Guatemala, and Panama we continue to collect extensively for these countries. If at any point the PCR agreement is disbanded, we will collect more selectively for these countries. Regardless of the future of the PCR program, we will retain all materials collected for these jurisdictions.

9. Finding Aids: We collect finding aids needed to substantially improve access to primary sources in the scope of our collection. This would include subject indexes to session laws in unindexed sets, and case digests or other more practical legal research tools. We prefer a comprehensive electronic research tool to a more topically-specific or limited tool.

B. Historical use of Major and Minor Country designation

1. Previously, major Countries were determined by considering the following factors:

1. Global Issues
 - (a) Major Economic Power
 - (b) Major Military Power
 - (c) Major Population Center
 - (d) Model Civil Legal System
 - (e) European Union member
2. United States Issues
 - (a) Major Trading Partner
 - (b) Linked to U.S. by Major Treaty
 - (c) Geographic Proximity of U.S.

3. U of M Issues
 - (a) Long-term Faculty Interest
 - (b) Strong Collection Exists at MIUL
 - (c) Reliance on Other U of M Collections

2. Past application of "major": The Library *previously* considered Mexico, China, Switzerland and the Russian Federation and to be major civil law countries in the sense that we collected some of their sub-federal materials. (Law Library Collection Development Statement, September 1983, III.C.1) .

3. The Library then decided to consider Mexico, France, Germany, Switzerland, the Russian Federation, China, and Japan to be major countries based on the criteria of II.A.

4. The Law Library no longer makes this distinction between major and minor countries with regard to collection development.

C. Historical Primary Sources for Civil Law Jurisdictions

1. Historical primary sources are defined as those records created before the most recent major geographical or political transition. Examples of historical entities include Palestine, East Germany, Yugoslavia, and Tibet.
2. We purchase historical primary sources to the level of a non-major jurisdiction except for rare exceptions.
3. The decision to purchase historical primary sources is based on cost, quality, and present and expected interest in that country or region.

D. The Collection of Primary Civil Law Materials in Translation

1. We collect high quality and/or official English translations of primary sources for all civil law jurisdictions including languages with both Roman and non-Roman alphabets.
2. The scope of the translated materials may parallel the scope of that jurisdiction's vernacular collection.
3. There is a presumption against single laws in translation. This presumption can be overturned based on the law's importance, insufficient timeliness of other sources, or law faculty request.
4. There is a presumption in favor of acquiring English commentaries on foreign laws that include the translated text because it is assumed that such texts in English with commentaries are for major laws.

E. Retention Policies for Vernacular and Translated Civil Law Jurisdiction Primary Sources

1. All civil codes, legislative materials, court reports, and administrative materials should be retained for historical legal research and cite checking.
2. All unbound serials which are not expected to be replaced with bound volumes or microforms should be bound prospectively for long-term preservation.
3. If only a portion of the official gazette is required to provide a record of enacted legislation (including treaties), out of scope sections of the official gazette should not be ordered or retained.

F. Secondary Sources for Civil and Common Law Jurisdictions

1. Policy Goals
 1. The level at which we collect secondary material from foreign jurisdictions is based on the present and long-term interest in a subject to the Law School faculty and curriculum. The following collecting strength definitions and the application of those collection strengths to the listed topics are intended to reflect the Law School's present and future interests. Pursuant to cost saving measures, the Law Library is not striving for a complete or comprehensive collection in the listed topics, but mainly striving to collect major works only.
 2. There is a presumption that we will subscribe to journals indexed by the Index to Foreign Legal Periodicals ("IFLP"). The presumption should not hold if the journal is of poor quality, out of scope, ceases to be indexed by IFLP or is available in a stable, current electronic format.

Collection Development Policy, University of Michigan Law Library

3. There is a presumption against subscribing to journals that are not indexed in the Index to Foreign Legal Periodicals or some other finding aid. This presumption should not hold if the journal is new, of high scholarly quality, and published by a reliable publisher due to the chance that IFLP will begin indexing it in the near future and early issues are often difficult to get retrospectively. This presumption should also not hold where the journal is available in a stable, current electronic format.
4. Unless the information is important and otherwise unavailable, we do not collect foreign practitioner's materials, loose-leafs in the non-roman vernacular, foreign newspapers, or current awareness journals.
5. Changes in collection strength level should be made only after serious consideration of whether the change is needed for the future, or merely the present, in which case the level should not be changed. All changes will be prospective and no withdrawals from the existing collection will be required.
6. Changes in exceptions to the collection strength level for a particular topic should be made when a country becomes particularly important for that topic, or when long-term faculty interest in a particular topic within a particular country arises. All changes will be prospective and no withdrawals from the existing collection will be required.

F. 2. Collection Strength Level Definitions

[7]-COMPREHENSIVE

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

Attempt complete coverage of all new publications.

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.

[6]-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.

Include all scholarly material suitable to support scholarly research.

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.

[5]-SELECTIVE

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.

Include major scholarly materials suitable to support scholarly research.

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.

[4]-MAJOR WORKS ONLY

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.

Includes only the most important major scholarly works on broad legal topics published by the most prestigious scholarly publishers. Selection at this level is highly selective, and includes the best works, which may not necessarily be the first works published. Do not collect scholarly treatments of narrow topics within a broader subject.

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.

[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 major, important 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.

[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.

[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 other cases we will very selectively collect individual comprehensive scholarly treatises on the topic if needed to substantially enhance the collection.

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

G. Topic List Arranged Alphabetically with Country

Exceptions

TOPIC	EXCEPTIONS
Accounting & the Law [1]	
Administrative Law [4]	
Admiralty (Int'l Sel.)	
Agency Law [4]	
Agriculture Law [1]	
Air and Space Law (Int'l Sel.)	
Alternative Dispute Res. [4]	
Art Law [4]	
Banking Law [4]	
Bankruptcy Law [4]	
Bibliography (Legal) [4]	
Biography (Legal) [4]	
Canon Law (Italy only) [5]	
Children and the Law [4]	
Civil Practice and Proc. [4]]	
Civil Rights [4]	
Commercial Law [4]	
Communications Law[4]	
Comparative Law [4]	
Computer Law [4]	
Conflict of Laws [4]	
Constitutional Law [4]	
Consumer Protection Law [4]	
Contracts [4]	
Copyright Law [4]	
Corporations [4]	
Courts [4]	
Criminal Law [4]	
Criminal Procedure [4]	
Cultural Property Preservation Law [4]	
Customary Law [4]	
Disability Law [4]	
Ecclesiastical Law [1]	
Education Law [1]	
Elder Law [4]	
Election Law [1]	
Energy Law [1]	
Entertainment Law [4]	
Environmental Law [4]	
Estate Planning [4]	
Evidence [4]	
Family Law [4]	
Food and Drug Law [1]	
Government Contracts Law [1]	
Health Law [4]	
Housing Law [1]	
Human Rights Law (Int'l Sel.)	
Immigration Law [4]	
Indigenous Peoples Law [4]	
Industrial Property Law [4]	
Insurance Law [4]	
International Law (Int'l Sel.)	
International Trade (Int'l Sel.)	
Islamic Law [4]	
Jewish Law [4]	
Judges [4]	

TOPIC	EXCEPTIONS
Jurisdiction [4]	
Jurisprudence [4]	
Labor Law [4]	
Land Use Planning [1]	
Landlord and Tenant Law [1]	
Law and Economics [4]	
Law and Politics [1]	
Law and Psychology [1]	
Law and Society [1]	
Legal Education [4]	
Legal Ethics [4]	
Legal History[4]	
Legal Profession [4]	
Legal Research [4]	
Legal Writing [1]	
Legislation [4]	
Maritime Law (Int'l Sel.)	
Medico-Legal Jurisprudence [4]	
Military Law [1]	
Mineral Law [1]	
Mortgages Law [1]	
Motor Vehicles Law [1]	
National Defense [1]	
Natural Resources Law[4]	
Non-Profit Organizations Law [1]	
Oil and Gas Law [1]	
Partnership Law [4]	
Patent Law [4]	
Poverty Law [4]	
Probate Law [4]	
Products Liability [1]	
Property [4]	
Public Utilities Law [1]	
Religion and Law [4]	
Remedies [4]	
Restraint of Trade (Antitrust) [4]	
Retirement Security [1]	
Roman Law [4]	
Science, Technology, and the Law [4]	
Securities Law [4]	
Sexuality and the Law [4]	
Social Welfare (Regulation of) [1]	
Sports Law [4]	
State/Local Government Law [1]	
Statute of Limitations [4]	
Taxation (General) [4]	
Taxation (Income) [4]	
Taxation (V.A.T.) [4]	
Taxation (Estate & Gift) [4]	
Taxation (State and Local) [1]	
Taxation (Transnational) [4]	
Torts [4]	
Trademark Law [4]	
Trusts [4]	
Water Law[4]	
Women and the Law [4]	
Workers' Compensation Law [1]	