



Law Library Collection Development Policy

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Related policies: Law Library Mission and Goals

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A. Introduction

The Leigh H. Taylor Law Library is committed to meeting the current and future informational needs of the Southwestern Law School community in accordance with the library’s mission. Our objective is to select, organize, and make available those materials that support the curriculum and the increasingly specialized demands of faculty, current students, and alumni. The community’s needs and interests are continually changing with new faculty, course offerings, and subject areas developing in the legal field. This policy serves as a general guide for selecting library materials. It is also intended to inform library users about the nature of the collection, the direction of its development, and the basic principles upon which selections are made.

B. Selection Procedures

1. Responsibility for collection development

The Associate Dean and Law Library Director is ultimately responsible, as delegated by the Dean of Southwestern Law School, for maintaining and developing the law library collections. The Associate Dean relies on the specialized knowledge of the Senior Reference Librarian for developing the foreign and international law collections and the Head of Collection Services for specialized database/E-resources purchases. All reference librarians work on the collection development team in selecting materials; faculty are encouraged to submit recommendations.

2. Criteria for selecting materials

We will use the following criteria in selecting library materials.

- Authoritativeness of the publisher or producer;
- Significance of the subject matter;

- Prominence/Importance of the author;
- Accuracy of the information and data;
- Potential for known use by patrons;
- Importance to total collection;
- Appearance of the title in important bibliographies, lists, and recognized reviewing media;
- Current and/or permanent value;
- Scarcity of materials on the topic;
- Availability of the materials elsewhere in the region;
- Availability of materials on Lexis and Westlaw;
- Price, initial and ongoing;
- Format;
- Physical quality;
- Duplication;
- Available space;
- Maintenance of the material.

Additional criteria for electronic resources include:

- Ease of use;
- PDF of original for citation purposes;
- Availability of IP authentication;
- Licensing that provides access to the full range of library users;
- Perpetual versus annual licensing.

3. Selection tools

Our primary selection tool is the YBP Library Service's GOBI slips (Global Online Bibliographic Information). We have set our GOBI profile to include additional titles in the social sciences. We also review publishers' catalogs, announcements, and book reviews in various publications. For electronic resources, in addition to direct announcements from publishers, we regularly review offers from NELLCO (NELLCO Law Library Consortium) and SCELCO (Statewide California Electronic Library Consortium). We welcome suggestions from faculty and students.

4. Format selection

We expect the collection to continue to grow in multiple formats for the foreseeable future, although the composition of the mix is subject to constant change. Electronic resources provide more current information, greater convenience, and access to a wider range of subject areas than the library can realistically afford to collect in print. As such, we expect electronic formats to be

the dominant mode for future acquisitions. However, print resources remain the sole source for some treatises and scholarly monographs and will be collected as required. Likewise, some California administrative materials are available only in print or more easily accessed in print. As a California State Depository Library, we receive copies of the California Code of Regulations (CCR) and the California Buildings Standards Code (Title 24, CCR hereinafter "Building Code") in print at no cost. We do not plan to end our depository status. Although few people use microforms, we will continue to select that format when the content is available only in that format. Additional notes on format selection follow.

a. *Electronic resources*

Electronic format is currently the preferred format for library users, with the materials' permanence, accuracy, and authentication still considered. Due to the wide availability of authenticated, or vetted, primary source law through our paid subscription databases and government websites, hard copy versions will no longer be a standing order with publishers. When licensing electronic subscriptions, IP authentication is preferred over passwords, and an effort is made to negotiate access, including remote access, for the full range of library users. In many cases, however, the library may only be able to provide access for current students, faculty, and staff. Cost factors may require that access to certain resources be limited to an even smaller number of patrons. We also prefer databases that provide documents in PDF format—for simplicity of citation in scholarly writing—and services that provide e-mail alerts as a faculty current awareness tool.

We decide on a case-by-case by whether to purchase a perpetual license versus one that requires renewals. Note that some collections are offered only as a perpetual license, also referred to as providing "ownership." These collections typically involve large upfront expenditures and a smaller annual access fee. Annual licensing is preferred, but the library has purchased perpetual licenses for several collections. A general concern exists in the field of library science that the safeguards offered by the publishers are illusory, given the turmoil in the marketplace.

b. *Monographs*

Scholarly monographic works are both the continuing and current focus of collection development. They are purchased in subject areas listed in

Appendix A In addition to the law-related subject areas, the library purchases interdisciplinary monographs requested by faculty if the cost is reasonable and interlibrary loans will not satisfy the need. We purchase most scholarly monographs in hard copy; however, the library will consider e-book collections, especially to enhance interdisciplinary offerings.

The library maintains blanket standing orders with publishers where the discount is substantial, the library would likely select most of the titles individually, or the materials would be difficult to acquire otherwise.

Current standing orders include:

- CEB (limited to 27 titles)
- Nolo Press
- West Academic Hornbook Series
- West Academic Nutshell Series

In place of our previous standing orders to California CEB (except as noted above) and PLI (Practicing Law Institute) treatises and course materials in print, we now subscribe online.

In place of our previous standing order status with the American Bar Association, we are now a "silver" ABA customer. We receive a list of new publications every month and order from them. We order most titles, unless cost prohibitive.

c. *Looseleaf services*

Traditionally, the library has maintained at least one major looseleaf service in each area of curricular or faculty interest. If there were competing sets by major publishers, the library would subscribe to both. Due to the high cost to maintain looseleaves and their online counterparts' convenience, print looseleaves will be updated or added to the collection only as needed for specific faculty research needs or when cost or licensing restrictions make print the better option.

d. *Legal treatises and practice guides*

The library maintains print legal treatises and practice guides in major areas of law practice. The library will check for online availability on Westlaw, Lexis, and other electronic databases in determining the continued purchase of print.

e. Microforms

Microformats, film and fiche, are not convenient to use but have continuing relevance for the lesser-used retrospective back files. The library will continue to maintain, and update established collections unless replaced by equivalents. These collections include materials that are available only in microform, materials that would require too much space to acquire in hardcopy, and materials that carry a concern about being removed from electronic database subscriptions.

5. Duplication

Duplication of print resources occurs only when we need additional copies based on student or faculty use. Duplication between print and online resources is evaluated on a case-by-case basis; factors include the ongoing cost of the print material, the level of use by library users, and the cost, quality, reliability, and ease of use of the online equivalent. Unless we have a specific faculty or curricular demand, the library will no longer acquire national practice guides in print that are available on the major legal research databases.

6. Gifts

a. The library welcomes gifts that will enhance the collection. The library requires a list or description of the donated materials before a gift is accepted. Reporters and other large sets are accepted only when needed to replace shelf-worn copies. The library retains the right to dispose of the materials at any time after donation, and in any manner deemed appropriate. The library will provide an acknowledgment letter or email summarizing the quantity and types of items donated; the library will not provide an itemized list unless a special need exists.

Under federal tax law, the library, as the donee, is not qualified to provide a monetary valuation or appraisal.

b. When a full-time faculty member retires or otherwise separates from Southwestern, they may designate that a portion, or the entirety, of the books in their office be donated to the library.

Faculty are not required to provide a list of donated items but must advise the library if they wish the donated items that are not added to the collection be returned to them.

The materials will initially be reviewed by the Head of Collection Services and Archivist, followed by the Reference Team to determine which meet(s)

our selection criteria. The librarians will then determine the classification and circulation of all gifted items. Upon acceptance, materials irrevocably become the property of Southwestern Law including disposition. This disposition of accepted materials is at the library's sole discretion, and donors cannot be informed of disposition decisions. Donated materials not added to the collections are regifted, sold, recycled, or discarded; they cannot be returned to donors absent a request at the time of donation as mentioned in the paragraph above.

Donated materials may be given a bookplate to identify the donor on the inside cover if requested by the donor.

The library will provide an acknowledgment letter or email summarizing the quantity and types of items donated; the library will not provide an itemized list unless a special need exists.

Under federal tax law, the library, as the donee, is not qualified to provide a monetary valuation or appraisal.

7. Weeding

After a major weeding project of state materials, regional reporters, and federal government documents in 2021 and the subsequent shifting of remaining materials, significant weeding is not needed at this time. We will revisit this issue every five years. We regularly remove superseded materials but retain prior editions of treatises and other monographs. Retaining materials that have historical research value is increasingly important because they are unlikely to be contained in electronic databases.

When the library discontinues supplementing a source, a decision is made on a case-by-case basis regarding how to manage the materials on the shelves. If materials remain on the shelf, their record in the online catalog will be updated to reflect the source is no longer updated and the date when supplementation ceased. Additionally, warning labels are placed in the book in the location a patron would expect to find the current supplement. Labels are not used if the publisher, rather than the library, discontinued supplementation. If it is likely that users would be confused and rely on outdated materials, we remove items from the shelf.

Duplicate reporter volumes and discontinued digests are removed when shelf space is needed.

C. Subject Area Collections

Current monographic acquisitions are guided by faculty scholarly research interests, the curriculum, and student interests. At this stage of the library's development, the focus is

on current publications rather than retrospective purchases. See Appendix A for the list of subjects the library currently collects. The library will review this list annually with the faculty Library Committee.

D. Collections and Resources Maintained

The library contains numerous focused collections in the subject areas listed in Appendix A of this policy; these materials are collected both in print and electronically. The goal is to provide the law school community with a well-balanced selection of materials on law and law-adjacent topics that support the curricular and research needs of Southwestern faculty and students. As an independent law school, the library does not collect in subject areas, like medicine and linguistics, with no curricular connection, though some materials on these topics may be included in a database subscription.

The list that follows gives a representative overview of the materials that comprise the Subject Area Collections listed in Appendix A of this policy.

1. United States primary sources

a. State primary sources

i. California

The library will continue to retain its current print collections. However, by 2024 the library will no longer maintain standing orders of most print subscriptions.

Case law: Access is available electronically via numerous databases for current students and faculty, and via the Westlaw Patron Terminal for alumni and Library Members Members.

Statutory materials: Electronic access is available to Deering's via Lexis and to West's Annotated Code via Westlaw for current Southwestern students and faculty. alumni and Members can obtain access to West's Annotated Code via the Westlaw Patron Terminal.

Administrative materials: Access to the California Code of Regulations (CCR) is available electronically via numerous databases for current students and faculty, and via the Westlaw Patron Terminal for alumni and Members. Many administrative materials are also freely available on government webpages and Municode. As noted earlier in "Format Selection," the Building Code, will continue to be collected in print due to its unavailability on paid databases.

Available California print materials are located both in the Reserve Collection behind the Circulation Desk and in the California Room on the first floor of the library.

ii. Other states

Due to the wide availability of case law online via both fee-based and free resources, the library no longer subscribes to print case reporters or digests from other states. The library similarly relies on online access to all other state codes, case law, and administrative materials. The majority of print materials from this collection were weeded for space in 2021.

b. Federal materials

The library will continue to retain its current print collections. However, by 2024, the library will no longer maintain standing orders for most print subscriptions.

Case law: The library will continue to collect the United States Reports in print. The library relies on electronic access to all other official and unofficial federal reporters. Reporters are located in the Federal Room on the first floor of the library.

Statutory materials: The United States Code, United States Code Annotated, and Statutes at Large are located in the Federal Room. Access is available electronically via numerous databases for current students and faculty, and via the Westlaw Patron Terminal for alumni and Members.

Executive and administrative materials: The library relies on electronic access for administrative materials including the Code of Federal Regulations and Federal Register

These and other federal materials are available digitally via our subscriptions to Lexis, Westlaw, ProQuest Congressional, ProQuest Legislative Insight, and HeinOnline. The Westlaw Patron Terminal provides access for alumni and Members.

2. Secondary sources

a. Digests

The library relies on Westlaw for all current digests. Federal, regional, and California digests remain on the shelves but are not updated. Westlaw Patron Access provides current access for alumni and Members.

b. *Legal encyclopedias*

The library will continue to retain its current print collections of American Jurisprudence, 2d and California Jurisprudence in print. However, new print volumes will not be purchased. These materials are located in the second-floor stacks and California room respectively. Both are additionally available electronically via Lexis and Westlaw. The library relies on Westlaw for access to current volumes of Corpus Juris Secundum. Older volumes remain in the second-floor stacks.

c. *Legal treatises and hornbooks*

The library collects major treatises in areas of curricular or faculty interest in print. Additionally, the library collects titles from the West Academic "Hornbook" series in print. Access to major legal titles not collected in print titles are available via Lexis, Westlaw, Bloomberg Law, PLI Discover Plus, and other databases.

d. *Restatements*

The library collects the following Restatements of law in print: Agency, American Indian, Conflict of Laws, Contracts, Judgments, Property, Restitution and Unjust Enrichment, Torts, and Trusts.

The library otherwise relies on Lexis, Westlaw, and HeinOnline for access to current editions of the Restatements. The print volumes are in the Reserve Collection and in the second-floor stacks.

e. *Study aids*

The library regularly acquires several types of student study aids in print. The library maintains a standing order for West's "Nutshell" series, Aspen's "Examples and Explanations" series, LexisNexis' "Understanding" series, and LexisNexis' "Question & Answer" series. The standing orders include the most popular study aids among our students. The library also selectively collects study aids from other publishers. The most recent edition of the study aid is in the Reserve Collection, and older editions are shelved in the stacks on the second floor.

The library subscribes to Aspen Learning Library and LexisNexis Study Aids & Digital Library. Collectively, the digital study aid libraries provide current Southwestern students with access to digital editions of the "Understanding" series, "Question & Answers," "Examples & Explanations," "Glannon Guides," and "Emanuel" series. The library does not purchase commercial outlines or titles from the Aspen "Case Notes" series. Before the start of each academic year, a librarian coordinates with Aspen to ensure Case Notes are suppressed in the Learning Library.

f. *Practice guides and CLE*

i. *State / National*

The library focuses its print purchases of practice guides on California law. The most recent editions of Rutter Group materials are in the Reserve Collection and older editions are in the California Room. The library collects Mathew Bender materials related to California as well.

Online access is available via Westlaw and Lexis. Practice guides with a national scope or focused on other states are only available via various electronic databases.

For CLE materials, the library purchases major CEB publications in print. Online access to all CEB materials is available via CEB OnLaw Pro for current faculty and students. The library's CEB OnLaw subscription provides local access for alumni and Members. The print materials are in the California room.

g. *Looseleaf services and formbooks*

Print format is decided on an individual basis. Priority is given to electronic access available via Westlaw, Lexis, Bloomberg Law, and other databases.

h. *Periodicals*

The library primarily relies on HeinOnline for legal periodical access. For other subject areas, including interdisciplinary materials, electronic access is available through JSTOR, Social Sciences Full Text, and Wiley Online Library.

The library will collect journals/periodicals in print when titles are subject to an embargo in HeinOnline, not available electronically but within the scope of the library collection or are specifically requested by faculty.

The library will also evaluate Interlibrary Loan as an alternative to a subscription. These materials are located on the lower level of the library.

j. *Casebooks and bar review materials*

Casebooks are generally not purchased unless authored by a Southwestern faculty member. While the library will attempt to purchase required casebooks each semester, to be housed in the Reserve Collection, this attempt is not a guarantee and should not be relied on by students for class planning or preparation purposes.

The library neither acquires nor accepts donations of bar review course materials/outlines. These materials change frequently, and many bar outline publishers prohibit transfer of these sources.

k. *Books for layperson*

Books geared to the layperson are generally not collected. However, the library continues to maintain its standing order with Nolo Press. These books are shelved in the California room and in the stacks on the second floor.

3. *Monographs (law and interdisciplinary)*

Law and law-related scholarly monographs are collected in the subject areas listed in Appendix A if requested by faculty or relevant to current course offerings.

For non-law related topics, the library prefers for new materials to be acquired in digital format. Materials related to the social sciences and humanities are available via JSTOR, Social Sciences Full Text, and ACLS Humanities E-book. Wiley Online Library provides access to books and scholarly journals about a broad range of topics, from agriculture to astronomy to engineering and more.

Older materials and new titles acquired in print are on the second floor.

4. *Foreign law*

The library collects materials based on faculty interest, current courses, and needs of law school journals dealing with foreign and comparative law. Materials related to Great Britain, Canada, and Mexico specifically reflect our Anglo-American legal system and the law of neighboring countries. The preferred format is digital, and all purchases are guided by curricular (including study abroad programs) and research needs. Exemplar databases that support foreign law research are ICLR Online, Reynolds & Flores Foreign Law Guide, and HeinOnline.

The foreign law materials are located on the lower level.

5. International law

The library collects materials based on faculty interest, current courses, and needs of law school journals dealing with international law.

a. *Public international law*

Primary and secondary materials related to public international law and international organizations are collected in select areas, including international criminal law, dispute resolution among nations, terrorism, international trade, United Nations treaties and commissions, and international environmental law. The library will collect materials, including treaties, arbitral decisions, yearbooks, treatises, and journals not available online if supported by current curricular and research needs of faculty and students.

The library increasingly relies on electronic access to these materials as they become available. Exemplar databases include Oxford Constitutions of the World, Oxford Reports on International Law in Domestic Courts, Max Planck Encyclopedia of Public International Law, WorldTradeLaw.net, and HeinOnline.

b. *Private international law*

The library collects materials in select areas of Private International Law. Subject areas collected include conflict of laws, transnational business arrangements, international IP law, international judicial assistance, dispute resolution, and multi-national litigation. The library relies on online access to Lexis, Westlaw, HeinOnline, WordTradeLaw.net, and official websites for access to most materials but still collects in print if needed based on current course offerings and research needs of faculty.

The International Law materials are located on the lower level.

6. Current awareness

Article level access is provided to numerous publications by online access through subscriptions to multiple databases. Access to certain newspapers such as the Daily Journal, Economist, and Forbes are only collected in print.

Institutional access to the Los Angeles Times, New York Times, and other publications of interest will be considered and provided when practicable.

7. Popular reading and movie collection

The library maintains a small collection of popular reading materials which includes crime, mystery, and justice-based fiction. As part of the Tiffani Willis

Pleasure Reading Collection, established in 2001, we collect current best sellers and popular reading across multiple genres. The Alan H. Friedenthal Law in Film Collection contains legal-themed movies available for loan. This collection was curated and donated by Alan H. Friedenthal, class of '83.

E. Conclusion

The faculty library committee, working in conjunction with the Leigh H. Taylor Law Library librarians, are responsible for reviewing and updating this policy to ensure it reflects current faculty interests, course offerings, developing subject areas in the law, and aligns with the mission and values of the Law School and Law Library. Policy reviews and updates will happen as needed, with at least one thorough review every three years.

F. Policy Revisions

Southwestern expressly reserves the right to change or modify any aspect of this policy at any time, with or without notice.

Appendix A - Subject Area Collections Currently Collected

- Administrative Law
- Agency & Partnership
- Animal Law
- Appellate Advocacy
- Bankruptcy
- Bioethics
- Cannabis Law
- Civil Procedure
- Commercial Law
- Comparative Law
- Constitutional Law
- Consumer Protection
- Copyright Law
- Criminal Law
- Criminal Procedure
- Cultural Property Law
- Death Penalty
- Education Law
- Employment Discrimination Law
- Entertainment Law
- Environmental Law
- Family Law
- Federal Courts
- Health Care Law
- Housing/Community Dev. Law
- Immigration Law
- Information Privacy Law
- Intellectual Property Law
- International Trade Law
- Jewish Law
- Jurisprudence
- Land Use and Zoning
- Latin American Laws and Institutions
- Law and Emotions
- Law and Literature
- Mass Torts
- Mexican Legal Institutions
- Advertising Law
- Alternative Dispute Resolution
- Antitrust Law
- Art Law
- Behavioral Law and Economics
- Business Associations
- Children and the Law
- Civil Rights Law
- Community Property
- Conflict of Laws
- Construction Law
- Contracts
- Corporate Law
- Criminal Law Sentencing, Federal
- Critical Race and Gender Studies
- Cyber Law
- Disability Law
- Election Law
- Employment Law
- Environmental Justice
- Evidence
- Fashion Law
- Gambling and Gaming Law
- Historic Preservation Law
- Human Rights
- Indigenous Peoples Law
- Insurance Law
- International Law
- Islamic Law
- Judicial Administration
- Labor Law
- Landlord/Tenant Law
- Law and Economics
- Law and Gender Identity
- Legislation
- Media Law
- Music Law

- National Security Law
- Patent Law
- Products Liability
- Real Estate Law
- Restorative Justice
- Special Education Law
- State and Local Government
- Taxation
- Torts
- Trial Practice
- Water Law
- Wills and Trusts
- Workers' Compensation
- Native American Law
- Prison Law
- Property
- Remedies
- Securities Regulation
- Sports Law
- Supreme Court
- Telecommunications Law
- Trademark Law
- Videogame Law
- White Collar Crime
- Women and the Law