

[← Collections Policy Statement Index](#)

Law

(Class K, “LAW”, J1-J14, JX1-JX1304, JX2000-JX9999)

Contents

- I. Scope
- II. Research Strengths
- III. Collecting Policy
- IV. Acquisition Sources: Current and Future
- V. Collecting Levels

I. Scope

“Lawyers are probably more dependent upon the literature of their profession than their prototypes in any other field. They simply cannot function away from a working law library, because law books are not merely the repositories of secondary reference materials, but are the actual and indispensable source material of the law.”

“From these the lawyer must speedily and accurately extract the law applicable to his specific problem, so as to be able with some degree of certainty to predict the action of a court to which the problem may conceivably be presented.”

Miles O. Price, *Effective legal research : a practical manual of law books and their use* 1-2, (Little, Brown and Company, 1953).

The Law Library acquires legal information in the format considered official by the issuing body. For most of the world, the format considered official is still paper. As the defacto archival law library of the United States, the Law Library also retains what is considered the best archival copy that is available. To date, this remains an analog copy, be it paper or preservation micro format. The Law Library does collect in the area of digital legal information and is also active in the producing of digital products. The Copyright Best Edition statement is followed by the Law Library to guide which format of a publication should be acquired, but it cannot override the need of the Law Library to acquire the format considered to be official by the issuing body.

Core materials covered by this statement comprise the collections in Class K, and the following collections in class ranges no longer maintained by the Library: Class J1-J14 (official gazettes), Class JX1-JX1304, Class JX2000-JX9999 (International Law) and the “LAW” shelving system. Important legal resources are also found in special collections in manuscripts, maps, rare books, and the general collections, housed in various custodial divisions of the Library.

II. Research Strengths

The Law Library of Congress is the largest law library in the world. The law collection currently consists of more than one million titles containing over 2.65 million volumes. Over 40,000 of these volumes were published before 1801 and are housed in the Law Library Rare Book collection. The Law Library has amassed a comprehensive collection of American legal material, a superior collection of legal works from all nations of the world, and material on law in general, comparative law, religious law, law of nations and international organizations. Comprehensive geographically, the collection also spans all periods of law, from the most ancient and primitive to the most contemporary and sophisticated. All systems of law—common, civil, customary, religious, and socialist—are represented, as are all topics within the field of law.

The collections, and the information they contain, provide important support for the legal research that the Law Library and the Congressional Research Service provide to the Congress, and that the Law Library provides to the Supreme Court, the Executive Branch agencies, and the nation.

The Law Collections Overview provides much more detail as to the current holdings and strengths of the Law Library collection.

III. Collecting Policy

The Law Library acquires and retains for its permanent collections all publications in the following categories, many of which are official government publications:

- A. Official Gazettes;
- B. Constitutions and proceedings of constitutional conventions, including published draft versions and reports of debates and committees on draft versions;
- C. Codes, compilations, revisions or other consolidations of laws, including draft versions;
- D. Proceedings and reports of code and law revision commissions;
- E. Chronological publications of laws and session laws;
- F. Codes, compilations, revisions or other consolidations of administrative and ministerial rules and regulations, including draft versions;
- G. Chronological publications of administrative and ministerial rules and regulations;
- H. Indexes to laws, and rules and regulations;
- I. Court decisions and reports, and the decisions and rulings of administrative courts having the effect of judicial decisions;
- J. Digests and indexes of the decisions and reports of courts, and the decisions and rulings of administrative courts and agencies;
- K. Citators and noters-up of the decisions and reports of courts and the decisions and rulings of administrative courts and agencies;
- L. Court rules and rules of practice and procedure of judicial and administrative courts and agencies;
- M. Treaties;
- N. Legal dictionaries and encyclopedias and dictionaries of words and phrases which define the language of a country by authoritative legal sources;
- O. Translations of constitutions, laws, codes, rules and regulations, treaties, treatises, texts and commentaries into English;
- P. Directories of the legal profession;
- Q. Autobiographies and biographies of lawyers and jurists;

- R. Legal and legislative documents published by legislative, executive and judicial branches of governments, foreign and states of the United States;
- S. Documents published by the United States Congress, including its debates, reports, documents, hearings, prints, acts and all versions of all introduced bills;
- T. Legal newspapers of major United States cities;
- U. Legislative histories of the United States at the Federal level, including source materials;
- V. Publications of the American Bar Association;
- W. Records and Briefs of the United States Supreme Court and Courts of Appeals; British House of Lords appeal records and cases of the Judicial Committee of the Privy Council of Great Britain.

The Law Library acquires and retains for its permanent collections the following types of legal material on a selective but as comprehensive basis as possible:

- A. Separate issues and compilations of laws and rules and regulations on special subjects;
- B. Legal periodicals and their indexes;
- C. Loose leaf services;
- D. Commentaries on or annotated versions of specific laws, codes, and rules and regulations;
- E. Treatises and other monographic expositions of legal subjects or issues;
- F. Commemorative collections of essays (Festschriften) and other collections of essays on specific legal topics;
- G. Law school theses, dissertations and theses on legal subjects;
- H. Law school casebooks;
- I. Legislative histories, including source materials, for the United States below the Federal level and for foreign jurisdictions;
- J. Translations of Anglo-American constitutions, laws, codes, rules and regulations, outstanding treatises, texts, and commentaries into languages other than English, to meet Congressional demands;
- K. Publications of bar associations and legal societies of the United States other than the American Bar Association, those of foreign countries, and international bar associations and legal societies;
- L. Law school catalogs and yearbooks;
- M. Manuscripts in or relating to the field of law;
- N. Blogs and web sites relating to the field of law;
- O. Rare legal materials which complement existing collections assigned to the Law Library Rare Book Room.

The Law Library of Congress does not actively seek to acquire or permanently retain the following types of publications in the field of law:

- A. Extracts, separates, or unrevised reprints or reimpressions of books, reprints and extracts from journals, and reprints of specific acts;
- B. Law school newsletters, newspapers, announcements, and materials for examinations;
- C. Current acquisition lists of other libraries;
- D. Press releases;
- E. House organs;
- F. Legislative bills of States of the United States and foreign countries;
- G. Pamphlet materials;
- H. Textbooks and other publications below the college level.

This policy does not preclude the acquisition of materials falling outside the above policies, for the

permanent collection or for temporary use, when such materials contain information of particular concern to Congress and to the United States Government which is not found elsewhere in the Law Library's collection or which is assembled in such a manner as to facilitate reference or research use.

The Law Library collects the above material in all available formats. Digital databases are acquired for ease of research, but at this point in time, cannot be acquired in place of analog copies.

The following Collections Policy Statements also provide guidance in the collection of law material for the permanent collection: Developing Countries Collections Policy Statement; Government Documents-Foreign Collections Policy Statement; Government Documents - United States Collections Policy Statement; International Organizations Collections Policy Statement; and Web Capture & Harvesting Collections Policy Statement.

IV. Acquisition Sources: Current and Future

Legal information is added to the law collection by the following means:

- A. Copyright receipts. The greatest strength of the collection is in the area of American legal material. Over 80% of the legal material commercially produced in the United States is received via material that is either registered or deposited in the Copyright Office of the Library of Congress and then transferred to the collections. To a much lesser degree, legal material from Canada, the United Kingdom, and one publisher in Germany is also received via the Copyright Office;
- B. Cataloging-In-Publication. Minor legal publishers, including most university presses, give one copy of all titles published in the United States and elsewhere in exchange for having cataloging records created before the publication of the work. Some material is received by this program that would not be received via copyright deposits. More importantly, this program often results in the receipt of a third copy of legal titles which are then made available for the Library's exchange program;
- C. Transfer. Most state governments deposit one or two copies of officially produced legal material with the Library of Congress. Over 80% of the state session laws, court reports, and attorney general opinions are received through this program. Some states even require the deposit of one copy of official legal material that is produced by a commercial venture when licensed by the state;
- D. By-Law. The Library of Congress receives twenty-five paper copies of all Executive Branch and Judicial Branch documents produced by the Government Printing Office. Four copies of all legal documents are then sent to the Law Library; for Congressional documents, two copies of each document produced by the Government Printing Office are sent to the Law Library;
- E. Exchange. The Library maintains official exchanges with most countries of the world, and exchanges with many institutions in both the United States and around the world. The Law Library receives many of the official legal serial titles via exchange, but the percentage is declining due to the labor costs involved and the fact that exchange agreements are lapsing due to more and more material being made available electronically at a fraction of the cost;
- F. Gift. The Law Library does receive some individual monograph titles as gifts from visiting authors or authors who want their titles in the collections of the Law Library. This is a very small portion of yearly receipts;
- G. Purchase. The Law Library relies heavily on direct purchase for current receipt of legal material. Approximately 70% of the law book budget is spent on foreign legal material. The 30% spent on legal material published in the United States is either for titles where the Law Library retains more than two copies, for titles where currency is so important that the copyright receipts arrive too late to be used, for online digital material that must be purchased, or for the purchase of micro format

archival material. Purchase of legal material is handled by the staff in the Acquisition and Bibliographic Access Directorate, including the staff of the six Overseas Field Offices. The Overseas Offices also handle the exchange and gift items received from the countries handled by each office.

The seven acquisition sources listed above work best in the analog world of print and micro format publications. They work less well in the area of electronic resources. The major challenge facing the Law Library in the future will be how to acquire all the electronic resources publications produced in the United States that maintain a subscription cost. Currently, the policies and procedures of the Copyright Office do not permit the Library to demand the deposit of this material. Further, the rules exclude this type of material from being voluntarily deposited with the Library. Since the Law Library has acquired most of the collection from the United States via copyright deposit, this inability to acquire electronic resource material via copyright deposit will necessitate a substantial increase in the Law Library book budget in the very near future. The current acquisition budget also cannot keep up with all the subscription electronic resources that are now being produced worldwide.

The second major challenge facing the Law Library is the question of how should born electronic resource material be treated by the Library. Should the Law Library simply provide access to this material, or should the Law Library capture this material and store it on Library servers so that it actually becomes part of the Library's collection? If a decision is made to just provide access, should a link be provided in the Library's online catalog, or will allowing researchers access to the Web be sufficient access to this ever growing body of work?

The Law Library is currently harvesting just under 200 legal blogs and web sites that meet Library standards, but providing public access to these harvested sites had not yet been accomplished.

V. Collecting Levels

The Law Library should be collecting at a Level 5 for as many areas of its collections as possible. Due to the drop in the value of the dollar over the last four years, this is no longer the case. For secondary material, except for the United States, the Law Library is currently collecting on a much more selective basis than it should.

<u>Class</u>	<u>Subject</u>	Collection Levels-Primary Material	Collection Levels-Secondary Material
K	Law General	5	5
KB	Law - Religious	5	4
KD	Law - United Kingdom and Ireland	5	5
KE	Law - Canada	5	5
KF	Law - United States - Federal	5	5

KFA-KFW	Law - United States - States	5	5
KFX	Law - United States - Cities	4	4
KG-KH	Law - Americas and Latin America	5	5
KJ-KKZ	Law - Europe	5	5
KL-KPW	Law - Asia and Eurasia	5	5
KQ-KTZ	Law - Africa	5	5
KU-KWX	Law - the Pacific Area and Antartica	5	5
KZ, JX	Law of Nations (International Law	5	5
KZA	Law of the Sea	5	4
KZD	Law of Space	5	4

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