

Goodson Law Library  
Collection Development Policy

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## I. Overview

The J. Michael Goodson Law Library (Library) and the Academic Technologies department work in collaboration as Duke Law School Information Services (DLSIS). The overall mission of DLSIS is:

*To provide an innovative and comprehensive information environment for study and scholarship, to prepare Duke Law students for responsible and productive lives in the legal profession, and to support the Law School's leadership in enhancing the understanding of, and improving, the law and legal institutions, national and international, through public service, research and scholarship of the highest caliber.*

In support of the Law School and DLSIS missions, the Goodson Law Library's primary collection development goal is to provide access to deep and rich information for legal and interdisciplinary research and scholarship now and in the future, while supporting the curriculum and skills training programs of Duke Law School.<sup>1</sup> To achieve this goal, the Library emphasizes licensing and purchasing electronic resources, on-demand borrowing and purchase, and collaboration with other research institutions, while continuing to build and maintain in-house print collections where needed to ensure permanent access and respond to community preferences. The Library develops collections for current and future researchers, responding to and anticipating the changing needs of our community, while prioritizing the needs of Duke Law faculty, major areas of the curriculum, students, and staff. The Library's policies and practices must be sufficiently nimble to respond to emerging legal fields, evolving areas of legal expertise and increasing focus on skills-based instructional opportunities.

Duke University is distinguished by interdisciplinary approaches to scholarship and learning, with many formal and informal bridges between departments and schools. The Law School actively participates in these programs and initiatives, and the Law Library serves not only Law faculty and students, but also as the source of law materials for the entire Duke community. In keeping with the university's emphasis on interdisciplinary scholarship and learning, the Library's collections provide access to a broad range of resources on law and on law's intersections with other disciplines. Internationalization is also emphasized at Duke University and Duke Law. Comparative and international perspectives enhance nearly every area of legal study, and the Library maintains strong foreign and international law collections to support research in these areas.

The Law community benefits from the close proximity and long history of collaboration in collection development and shared services with both Duke University Libraries and the Triangle Research Libraries Network (TRLN). TRLN is a collaboration between Duke University, North Carolina Central University, North Carolina State University, and The University of North

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<sup>1</sup> The history of the early years of collection development is traced in William R. Roalfe, *The Duke University Law Library: An Account of Its Development*, 35 *Law Library Journal* 41, 42-45 (1942).

Carolina at Chapel Hill libraries whose mission is “One research collection, serving one user community.” TRLN and its member organizations promote and support access to resources through a unified catalog search interface with unmediated book requests, daily delivery of materials between campuses, and an organizational structure with cross-campus collaboration to develop new services and explore cooperative practices and innovation. The Law School community also benefits from direct access to hundreds of databases through Duke University Libraries. In addition, the Library participates in regional and national programs for cooperative collection development, sharing, and preservation, including agreements and partnerships with the New England Law Library Consortium, Legal Information Preservation Alliance, TRLN, and the Ivy Plus Library Confederation.

The Library increasingly prefers ownership of or licensing access to materials in electronic formats, including online subscription-based resources, historic and current digital collections, e-journals, and e-books. To provide the greatest flexibility in use and to ensure permanent and reliable access to core resources, the Library collects and retains materials in print and other formats where appropriate.

See Appendices for specific collecting levels: Secondary Sources (Appendix A), Foreign Jurisdictions (Appendix B), and International Organizations (Appendix C).

## **II. Primary Sources of Law**

### **A. United States**

Primary sources of law are authoritative statements of legal rules from a governmental body. In the United States, primary sources of law for federal and state jurisdictions are issued by all three branches of government. Sources include constitutions, legislation, court opinions, court rules, and administrative rules and decisions. Related materials issued by governmental bodies, such as attorney general opinions and legislative history materials, are included in this category for collection purposes. These sources are fundamental to legal research and scholarship, and they are heavily used by faculty, students and other researchers.

The Library collects or provides access to a comprehensive collection of current and historic primary source materials for federal and state jurisdictions in multiple formats, including print, commercial databases, and government web sites. Authenticated sources and digital collections with original page images are preferred. To the extent they are available, official case reports, codes and one annotated code for all jurisdictions are collected in print to ensure reliable permanent access, to provide alternative approaches to some research tasks (primarily statutory research), and to support current *The Bluebook* citation requirements. The *Code of Federal Regulations* and federal agency decisions are also collected in print, with access to electronic resources for state regulatory materials. The Library holds materials in microform for a very limited number of government documents and investigates replacing microfiche holdings with

digital products as they become available. Selected indexes and other discovery tools provide access to these primary sources and related materials.

The Library achieves its collection goals for federal materials in part through its participation as a selective depository (8% for all formats) in the Federal Library Depository Program with a concentration on congressional, judicial, and administrative law materials.

## **B. Foreign Jurisdictions**

Primary sources of law in foreign jurisdictions may include constitutions, statutes, codes, regulations, and court reports emanating from official bodies. Only works in the vernacular are considered official primary sources. The relative authority of sources varies by country and legal system. In civil law countries, for example, court reports, although important, have traditionally been considered non-binding.

The Library's collection development policy for foreign primary materials is to develop a focused collection that builds on our historic strengths (e.g., the U.K. and other common law jurisdictions), represents major civil and common law jurisdictions throughout the world, reflects the evolving research interests of Duke Law faculty and students, and supports the curriculum.

To meet these goals, the Library collects and maintains current and retrospective foreign law materials guided by collection levels assigned to each country. Research interests tend to be subject-focused rather than jurisdiction-focused and collecting levels are reviewed regularly to reflect these changes. Definitions describing primary and secondary sources are included for each collection level. Language and difficulty in obtaining materials for some jurisdictions also affect collection levels.

*See Collecting Levels for Foreign Jurisdictions (Appendix B)*

## **C. Public International Law**

Public international law governs relationships between national governments and intergovernmental organizations. Sources of public international law are reflected in Article 38(1) of the Statute of the International Court of Justice, and include treaties, custom as evidence of a general practice accepted by law, general principles of domestic law (e.g. *res judicata*), and judicial decisions, as well as the teachings of eminent international law scholars. Primary sources include treaties and documents emanating from the legislative and adjudicatory organs of international governmental associations and tribunals.

The Library collects international primary materials to advance the internationalization interests of Duke University and the Law School, and to support the research interests of Duke Law School faculty and students, and the curriculum. Access to current and retrospective materials is guided by the collecting level for the organization and type of material.

*See Collecting Levels for International Organizations (Appendix C)*

### **III. Secondary Sources**

Secondary sources explain, interpret, update, and provide access to primary sources. This category includes books, journals, encyclopedias, reference materials, and finding tools. The Library collects and provides access to secondary sources on legal subjects for the United States and foreign jurisdictions, as well as on topics of comparative and international law. The intensity of collecting for specific subjects is guided by Law faculty research interests, major areas of specialization within the Law School curriculum and programs, and legal aspects of interdisciplinary research and initiatives across the Duke University. Collecting levels are defined in Appendices A, B, and C.

The Library's collection of secondary sources focuses on scholarly materials that support the research and curricular needs of the law school. Materials written primarily for practicing attorneys are purchased very selectively, primarily to support clinical programs, skills courses, and to provide a collection of materials for the practice of law in North Carolina. Materials aimed at law students are collected in specific series that focus on substantive discussion of course topics or serve as introductory treatises.

Materials on the law written for non-law audiences, including the Duke University community and members of the general public, are also collected very selectively. These materials are generally available at other Duke University libraries, as is access to campus-wide legal databases. The Library's holdings for this audience focus on the U.S. Supreme Court, overviews of U.S. legal issues and noteworthy cases, and self-help books for the non-business community. Basic form books and standard legal research tools, such as encyclopedias, are available for researchers at all levels. Onsite access to electronic resources is provided unless prohibited by licensing agreements.

#### **A. Treatises and Monographs**

Legal treatises provide in-depth commentary and analysis of legal subjects. They vary in breadth of subject, publication format and updating patterns, and can be written for particular audiences with differing research agendas, such as a practitioner working with a client, a law student working in a clinical setting, or a layperson looking for self-help information. Monographs are detailed scholarly works of book length written on relatively narrow topics, and are rarely updated.

The Library continues to add broadly to its collection of monographs and treatises. Print is the preferred format for scholarly monographs because it ensures permanent access and is sometimes the only format available. Legal treatises are provided in a mix of print and electronic formats with licensing of e-books increasingly taking the place of maintaining frequently supplemented print treatises.

Researchers at Duke have access to many digital collections of historical treatises, such as the Making of Modern Law collections. E-book packages from selected publishers are also increasingly reviewed and licensed. As more legal treatises become available electronically, and as licensing options continue to evolve, the Library expects to expand electronic access to individual e-titles. Selection considerations for e-books include type of content, faculty format preferences, perpetual access, platform usability, cost, restrictions that prohibit interlibrary sharing (digital rights management), print and download options, and Law community interest in e-book access.

All Duke researchers have access to a wide range of e-books licensed and purchased by Duke University Libraries, which has adopted an e-preferred policy for the social sciences. TRLN is engaged in a consortial e-book project with Oxford University Press. The program is based on joint acquisition and access to UPSO e-books in all subjects including law, combined with a shared single print copy for most YBP books profiled in the humanities and law.

Individual catalog records provide title-level access to e-books, books in digital collections, and to selected titles in commercial databases (e.g., Kluwer Arbitration, many HeinOnline databases). We purchase MARC records, if available, for titles in campus-wide databases for discoverability. Titles in commercial databases with law-only access, such as LexisNexis®, Westlaw, and Bloomberg Law®, are not added to the Duke catalog to avoid confusion about access for non-Law users.

Scholarly monographs in law, often published by university presses and similar to scholarly works in other disciplines, are written on relatively narrow topics and are rarely updated. The Library selects broadly and deeply in monographs from scholarly publishers in accordance with subject-level intensities. Monographs may be collected in print, electronic, or multiple formats. Both law and law-related titles reflecting law's intersections with other disciplines are collected. Titles that duplicate holdings of other Duke libraries outside the K classification may be selected in areas of strong faculty or interdisciplinary interest.

### **1. Multivolume Supplemented Treatises and Looseleaf Services**

Multivolume legal treatises with varying supplementation schedules serve several audiences. Some core works on broad topics are intended for scholars, practitioners, and students. Others, particularly those that are frequently supplemented, are intended for practicing attorneys. Titles are collected in print only if they are the main resource in an area of law or are useful to introduce students to resources used in the practice of law, and if the level of supplementation is appropriate for our collection. Electronic format is strongly preferred to manage frequent supplementation. Titles with one annual supplement are treated as monographs for selection purposes. Because supplemented titles can usually be licensed or repurchased without loss of content as needed, very few titles with frequent supplementation are maintained in any format. Up-to-date access for many of these titles is available through one or more of the Library's legal research databases.

Traditional looseleaf services are print materials published in multiple binders and frequently supplemented. They typically contain news, commentary, case reporting, and administrative materials on discrete topics. Looseleaf services are disfavored due to cost, low use, the need for extensive staff time for processing supplements, and the improved availability of similar materials in other formats.

## **2. State Treatise and Practice Materials**

Secondary source materials from states other than North Carolina are purchased only in subjects with level A (see Appendix A) collecting intensity, for specific faculty interest, and on topics specific to a jurisdiction, such as Delaware law on corporations. For information on North Carolina collection procedures, *see infra* Section V.A. Selected American Bar Association books and a very limited selection of CLE materials are acquired to provide a basic collection of materials on practice topics, law and technology, and the legal profession.

## **3. Student Texts**

Student texts provide introductory overview treatments of a topic without detailed analysis or extensive case references. The Library collects student texts by series that emphasize substantive discussion of topics covered in the Law School curriculum (e.g., Hornbooks, Examples & Explanations, and Nutshell series). Books on taking exams and introductions to the law school experience are collected selectively. Current student texts are kept in the closed Reserve Collection. Duplicate copies of current editions are provided based on level of use as evidenced by circulation statistics, with one copy of superseded titles retained. Commercial course outlines and materials written exclusively to assist students in preparing for course or bar examinations are not collected unless recommended by faculty, but may be added when received as gifts.

## **4. Casebooks**

Since 2016, the Library has purchased one copy of required casebooks and texts for all Law School courses, *see infra* Section V.D. Casebooks are also added when authored or edited by Law School faculty members or received as gifts. Because of their limited research value and the difficulties of meeting student demand for assigned books with one or two copies, other casebooks are generally not purchased unless recognized as important general texts on a topic. The Library does not purchase supplements because their contents change frequently and are generally available through other sources already available in the Library. Duplicate copies of current editions may be provided based on level of use as evidenced by circulation statistics, with one copy of superseded titles retained onsite. The most recent superseded title is moved from Reserve to the General Collection, and any older superseded titles are moved to offsite storage.

## **B. Law Reviews and Other Legal Periodicals**

Legal periodicals are published for both general and specialized audiences and are valued for current and historical research. The primary outlet for legal scholarship and commentary and the most prominent form in the U.S. is the law school-published, student-edited law review. Scholarly journals in civil law jurisdictions are more often peer reviewed and published commercially. In recent years, scholars and researchers in both common and civil law jurisdictions have shown increased interest in access to interdisciplinary journals. In both legal systems commercial publishers, bar associations and societies, as well as academic institutions publish journal literature of interest to legal academics and the practicing bar.

After consultation with the Law School faculty, the Library now prefers electronic formats for law reviews and most other periodicals. Online access is preferred for other periodicals when official pagination is included, past content is reliably available, and cost is reasonable. Journal aggregators are not relied on as the only or primary source for journal content. The Library coordinates with other Duke libraries and TRLN to explore advantageous pricing models for electronic offerings, to monitor duplication, and to purchase digital archival access.

The Library continues to purchase and retain in print a small number of the most frequently-cited law reviews, law reviews published at North Carolina law schools; selected journals routed to faculty are purchased in print but not retained. Routing is reviewed regularly with individual faculty members for e-access options or cancellation. In addition, the Library collects selected foreign language periodicals in print depending on collecting level and assessment of permanency of electronic access. The Library's permanent historical print collection is maintained in off-site storage under agreement with the TRLN Cooperative Print Retention Project and the Association of Southeastern Research Libraries Collaborative Print Journal Archive. Generally, the last ten years of retained print journals are kept onsite.

Regardless of format, our journal subscriptions are decreasing and are reviewed as they come up for renewal based on collecting levels, ongoing interest, and cost considerations. The Library increasingly relies on interlibrary loan (ILL) and purchasing individual articles and issues when needed. New journal titles, regardless of format, are subscribed to only after faculty request or consultation.

Access to both print and digital journals is provided via the online catalog and through the Duke University Libraries discovery service. If the Library previously subscribed to a journal or newsletter in print, links to access continuing content freely available on the internet are added in the catalog and discovery services.

### **1. Scholarly Legal Journals**

United States law reviews available through HeinOnline are not duplicated in print unless a title falls within the exceptions noted above. The Library subscribes to commercial journals selectively in consideration of subject collecting levels, the journal's importance to the area of law,

and after consultation with faculty interested in the subject matter. Electronic format is preferred for commercial journals where the publisher commits to long-term preservation and access through programs such as Portico and systems like CLOCKSS.

## **2. Bar Association and Other Law Society Publications**

This literature is increasingly available on the internet, where it is most frequently searched by our researchers. However, in some cases subscriptions are required for access to full content in areas of ongoing curriculum and research interest. Current ABA journals, state bar journals, and newsletters are available in the Library's legal research databases. Titles not yet available digitally are acquired in microfiche. The Library subscribes to a limited number of bar journals from prominent international and foreign bar organizations in print, when not available as web resources.

## **3. Legal Newsletters**

Newsletters contain current content such as case summaries, short articles, and announcements, and are usually of limited long-term research interest. Content is generally not included in standard legal periodical indexes. The Library relies on internet access and discovery for current newsletters and acquires print subscriptions only if requested for routing to interested faculty (these are not retained).

## **4. Interdisciplinary Literature**

Campus-wide electronic access to a wide range of interdisciplinary journals, and improved intra-campus document delivery, have displaced the need to collect journals from other disciplines for law community use. Subscriptions to non-law journals are acquired only to meet specific ongoing curricular and faculty needs when they are otherwise not available on campus or through ILL.

## **5. Popular Magazines and Newspapers**

The Library maintains a Leisure Reading collection of popular and news magazines, and national and legal newspapers. For historical research in newspapers, including legal newspapers, and in general interest magazines, the Library relies on database access, microform, and Duke University resources.

## **C. Databases**

The Library subscribes to a broad range of legal research databases that cover general legal topics and that are accessible campus-wide. The Library also subscribes to some specific legal subject databases, and some individual jurisdictional databases that are important to our collection,

as defined in the collection levels (see Appendices A, B, C). Databases may include a variety of types of materials (primary sources, journals, books, current awareness etc.) and legal practice tools. Some legal databases are restricted to law school students, staff, and faculty due to access prohibitions within individual licensing agreements.

The highest priority in database selection is given to scanned original materials, resources to replace print titles that are frequently updated, and those databases that are of broad interest for law and other disciplines. Campus-wide access is negotiated whenever possible and cost-effective.

The Library increasingly receives faculty requests for highly specialized databases, products used in commercial fields and law practice, and datasets of interest to one or a small number of researchers. The Library helps acquire access to these resources whenever possible, and seeks out cost sharing with other libraries or interested faculty at Duke. Funding is also sought through other sources within the law school or through research grants. Costs are sometimes managed through negotiating limited time periods and/or utilizing academic rates. Preliminary trials are arranged whenever possible to ensure the product meets the desired need.

A list of Legal Databases & Links is maintained on the Library website, including both those managed by the Library and Duke University Libraries. Databases are also identified through the catalog discovery services.

## **IV. Special Collections**

### **A. Riddick Collections**

Dr. Floyd M. Riddick, Parliamentarian Emeritus of the United States Senate and a Duke alumnus, and Marguerite F. Riddick were major benefactors of the Goodson Law Library. In addition to their support for the construction and furnishing of the Rare Books and Special Collections Room, the Riddicks established an endowment to support the Library's collections in the areas of legislative and parliamentary procedure, and American government.

Dr. Riddick also donated major portions of his own library to Duke, which are part of the Library's Special Collections and the Rubenstein Library. These materials are organized in four groups: the Senatorial Collection (books written and autographed by U.S. senators and other politicians), the Parliamentary Collection (materials on parliamentary procedure), the Congressional Collection (U.S. Senate materials), and selections from his personal library.

### **B. Rare Books and Special Collections**

Rare books are books having value aside from, or in addition to, the intellectual content of the text, for example, works that are unique or contain interesting inscriptions, and pre-1900 titles held by a limited number of academic law libraries. The collection consists primarily of English books published before 1800, American serials published before 1820, and American monographs

published before 1900. The collection is housed in the Marguerite F. and Floyd M. Riddick Rare Book and Special Collections Room, in locked stacks, and in offsite storage.

Most works in the collection were gathered from a review of the Library's general collections. We continue to identify books from the general collection that may qualify for rare book status and transfer qualifying titles into the Rare Books Collection on an ongoing basis. Notable gifts and purchases are described on the [Law Library website](#).

### **C. Christie Collection in Jurisprudence**

This collection was established in 1973 in honor of George C. Christie, James B. Duke Professor Emeritus of Law, and consists of treatises on jurisprudence and legal philosophy. The collection is intended to promote the scholarly study of legal philosophy. Monographs on jurisprudence and legal philosophy are collected at a nearly comprehensive level.

### **D. Cox Legal Fiction Collection**

In 1987 James D. Cox, the Brainerd Currie Professor of Law, donated funds he received as recipient of the Duke Bar Association Distinguished Teaching Award to purchase fiction involving lawyers or legal themes. The collection is designed to highlight law in popular culture, and in the words of Professor Cox, "in the hope that a fiction collection with some connection to the law may well spark students and others to enjoy a pleasant diversion while rationalizing it as field work." The Library also selects films and television series with lawyers as characters or law-related themes for the collection. Professor Cox continues to contribute funds for this collection.

### **E. Duke Law School Publications**

#### **1. Faculty Collection**

The Faculty Collection includes books authored or edited by, and books with original contributions by Duke Law governing faculty that were published during their appointments at the Law School (other than short contributions such as entries in multivolume encyclopedias). Faculty are asked to autograph authored and edited books. Second copies are also added to the general collection. Born-digital faculty writings such as court briefs and law review articles are collected in the Duke Law Scholarship Repository.

#### **2. Duke Law Scholarship Repository**

The Duke Law Scholarship Repository, established in 2005, is an open access (OAI-compliant) archive of the texts of most article length publications by current and former faculty members, as well as the texts of all articles published in the School's student edited journals. Content from journal symposia such as videos, posters, and schedules is also included. Faculty

bibliographies are maintained on the Duke Law website with links to the text of articles in the Repository.

### **3. Law School Events**

Law School conferences, panel discussions and special lectures sponsored by or held at the Law School have been regularly recorded since 2000 and webcast since 2002. The Library enhances access with subject and speaker records in the catalog and tagged YouTube content, and permanently archives digital versions. In 2011, the Library and Academic Technologies staff began a project to convert all Law School media assets into consistent stable format, using the latest digital standards and maintaining the integrity of the files by automation of fixity checking.

### **4. Law School History**

Duke University Archives is the official repository for all Duke University records. To provide local access to Law School materials, the Library also collects and maintains copies of many Law School and Library publications in a separate in-house collection. This material includes bulletins, yearbooks, exams prior to 2000, memorabilia and miscellaneous historical documents and reports, library records, and unique donations from alumni and library friends related to Law School history. This collection is stored in the Law Library Conference Room to accommodate regular access to and browsing of the collection.

Historical photographs documenting law school events from the 1930s to 2000s are maintained in print and in a searchable digital photo archive, accessible to law school faculty and staff. The Library's oral history project features recorded interviews with faculty members capturing their stories, including how they came to work at Duke Law School, what changes they have observed at the Law School and in Durham during their years at Duke, and highlights of their careers.

### **5. Alumni Authors and Thesis Collection**

The Library collects law, nonfiction and fiction books written and edited by Duke Law alumni. These books are displayed in a separate Alumni Authors Collection in the Reading Room. Beginning in 2012, the Library celebrates National Library Week by inviting a recent alumni author to visit the school and talk about their book. Theses from Doctor of Juridical Science (SJD) students have been deposited in the Library's Thesis Collection from 1980. Print copies for current SJD graduates are actively added to this collection, and the Library takes steps to ensure we retain a digital copy of the thesis for preservation purposes.

## **V. Other Collections**

### **A. North Carolina Materials**

Legal materials from North Carolina are collected to support the curriculum and law school clinics, and at a more selective level, the research needs of the local bar and the community. The collection includes up-to-date print copies and electronic access to all primary sources, and the print Shepard's® citator. All treatises on North Carolina law from reputable publishers are acquired, including legal practice titles. Standing orders for publications of the UNC School of Government, annual reports from state bar committees, and selected reports of government agencies and continuing legal education materials are collected. Print copies of all law reviews published by North Carolina law schools are purchased and maintained with other law journals. North Carolina and Fourth Circuit Court of Appeal records and briefs are held in multiple formats depending on the date.

### **B. Pamphlet and Miscellaneous Documents Collections**

The Pamphlet Collection is an historical collection of legal and non-legal Anglo American pamphlets dating from approximately 1765 through 1974. Pamphlets are bound together by size and numbered in a single series, with each pamphlet fully cataloged for subject access. A similarly organized collection, dating from approximately 1880 through 1975, contains miscellaneous government documents related to law, or considered of scholarly interest at the time of publication. Foreign pamphlets in several languages, including Spanish, French, and Italian, were also collected in a separate series, which dates from approximately 1920 through 1968.

### **C. Reference Collection**

The Reference Collection is intended for quick consultation to aid further research for both legal and non-legal topics. It includes such standard reference sources as dictionaries (legal and general, for both U.S. and foreign audiences); encyclopedias; citation guides and major style manuals for law and other disciplines; biographical directories for legal and non-legal subjects; legal research guides for state, federal, foreign, and international jurisdictions; indexes and finding aids for legal periodical literature and government publications; statistical data compilations for the federal government, the legal system, and specific courts; and selected standard reference tools from other disciplines. The collection also contains a small library of self-help guides to aid the general public with locating information about common legal matters.

### **D. Reserve Collection**

Student texts, such as hornbooks and nutshells, treatises for first-year courses, citation guides and style manuals, DVDs from the Cox Legal Fiction Collection, and other materials and texts requiring limited circulation are maintained in a closed circulation area. In response to increased requests and expectations for the Library to provide required textbooks, particularly during the first few weeks of the semester, the Library also purchases required texts for all 1L and

regularly offered upper level courses. The Library does not maintain electronic reserves, but works with faculty to post course materials and links through course management software.

### **E. Superseded Collections**

The Library's Superseded Collections include state and federal code volumes, older Reference Collection materials, cancelled looseleaf services volumes from BNA and CCH, and tax materials. Items in this collection are considered to be "superseded" by alternative sources, including electronic databases, and are retained for historical research.

## **VI. Gifts**

Donors contribute to strengthening the collections and fulfilling the mission of the Library through their financial support, and gifts of books and other library materials. Generally, donations of books about legal and law-related subjects are accepted if they fit within the scope of the collections. Duplicate copies are evaluated on a case-by-case basis. Donations of manuscripts, papers and other materials that fit within the scope of the Library's collection and are of manageable size for staff to process are also accepted. The Library reserves the right to retain or dispose of gift materials as it deems appropriate. Under tax law, the Library is not permitted to appraise donations.

## **VII. Appendices**

Appendix A: Collecting Levels for Secondary Sources

Appendix B: Collecting Levels for Foreign Jurisdictions

Appendix C: Collecting Levels for International Organizations

## **Collecting Levels for Secondary Sources**

### **Appendix A**

The level definitions used here are adapted from the Association of Research Libraries and Research Libraries Group and have been refined for the Duke Law Library's collections.

#### **[A] COMPREHENSIVE:**

A collection that includes, so far as is reasonably possible, all significant works for a defined field, including extensive historical collections. While this level of collection intensity does not rise to that of a “special collection,” the aim is to anticipate and serve research needs of faculty and any academic researcher. Some exclusions and omissions will occur, but these will be limited. Such a collection includes all significant current and historical secondary legal materials, and may include manuscripts, and material on related non-legal aspects. Subjects at this level may result from maintaining historical collection strengths, matching the strengths of the law school curriculum and programs, or supporting special interests of the community.

#### **[B] RESEARCH:**

A collection that includes the major sources in a defined area necessary to do extensive research including materials required for dissertations and independent research. A research level legal collection includes materials that allow for extensive research, seminar level research and writing, and most faculty research needs. It also supports journal publication and editing. It includes an extensive range and more specialized secondary sources, nearly all monographs in the area, and a range of specialized databases. This level includes representative practitioners' titles, and materials for most jurisdictions. Pertinent foreign language materials are included. Older material is retained for historical research.

#### **[C] INSTRUCTIONAL SUPPORT:**

A collection that is adequate to support law school and graduate instruction, or sustained independent study and generalized examination of a topic. An instructional legal collection includes most primary sources, a significant number of monographs, selected treatises that are regularly updated, retrospective and historical works, a selection of specialized journals, access to appropriate non-bibliographic databases, and the reference tools and fundamental bibliographical apparatus pertaining to the subject. This level may include some practitioners' materials and authoritative multijurisdictional titles.

#### **[D] BASIC ACADEMIC SUPPORT:**

A broader selection of materials for a subject is provided on a wider range of topics with more depth. This collection would include a greater variety of material such as explanatory and reference works, analytical works, a range of periodicals and historical descriptions. Subjects are often included in this category due to a strong legal component in an interdisciplinary area, a developing academic interest in the area, or special library funding supporting the area above a basic level.

#### **[E] BASIC:**

A collection of up-to-date general materials that serve to introduce and define a subject and to indicate the varieties of information available elsewhere. In addition to important treatises and introductory books, it may include access to appropriate bibliographic databases, historical surveys, bibliographies, and a few widely used periodicals on the subject. A collection at this level supports general research and brief examination of a topic.

## COLLECTING LEVEL BY SUBJECT

SUBJECT	LEVEL
Accounting	D
Administrative Law (includes Food & Drug Law)	B
Alternative Dispute Resolution (see also International Commercial Arbitration)	C
Animal Law	C
Antitrust (see also Trade Regulation)	B
Appellate & Trial Practice	D
Art Law & Cultural Property	C
Banking Law	C
Bankruptcy	C
Business Associations (includes Corporations, Partnerships, Agency, etc.)	B
Children & the Law (see also Family Law)	C
Civil Procedure	B
Civil Rights (see also Human Rights)	B
Commercial Law (includes UCC)	C
Comparative Law	A
Conflict of Laws	A
Constitutional Law	A
Contracts	B
Courts <i>Federal</i> <i>State</i> <i>U.S. Supreme Court</i>	B D A
Criminal Law & Procedure (but Juvenile Justice D)	B
Cyberspace Law (includes Internet, Cybercrime, Privacy, E-commerce)	C
Death Penalty	B
Education & the Law	C
Election Law (includes Voting Rights)	C
Energy Law (includes Renewable, Sustainable Energy, Fracking)	C
Entertainment Law	C
Environmental Law (includes Natural Resources)	B
Evidence	C
Family Law (includes Domestic Relations)	B
Gender & Law (includes Women & the Law)	B
Health Law (includes HIV/AIDS, but Medical Malpractice E)	C
Human Rights	A
Immigration Law	C
Indigenous Peoples	C
Intellectual Property (includes Copyright, Trademark, Patents)	A
International Business Transactions	C
International Commercial Arbitration	B
International Trade (see also Trade Regulation)	C
Jurisprudence	A
Labor & Employment Law (but Pension Law/ERISA E)	C
Law & Economics	B
Law & Literature (includes Legal Fiction)	D
Law & Religion (but Islamic Law C)	E
Law Librarianship	A

Law of the Sea (but Admiralty/Maritime Law E)	B
Legal Biographies	
Judges	A
Lawyers	D
Legal Education	B
Legal Ethics (includes Professional Responsibility)	B
Legal History (includes Roman & Greek Law)	C
Legal Profession (but Legal Careers D)	B
Legal Research & Writing	A
Legislative Branch	C
Military Law	C
National Security Law	C
North Carolina Law	A
Privacy Law (includes areas of Torts & 4 <sup>th</sup> Amendment)	C
Property (but Land Use Law C)	B
Race & the Law	B
Science, Technology & the Law (includes Biotechnology)	C
Securities	B
Sports Law	C
Taxation	B
Telecommunications Law	C
Torts (includes Remedies, but Products Liability C)	B
Trade Regulation (see also Antitrust & International Trade)	B
Wills, Trusts & Estates	C

### SUBJECTS ORGANIZED BY LEVEL\*

LEVEL	SUBJECTS
<b>A</b>	Comparative Law, Conflict of Laws, Constitutional Law, Human Rights, Intellectual Property, Jurisprudence, Judges, Law Librarianship, Legal Research & Writing, North Carolina Law, U.S. Supreme Court
<b>B</b>	Administrative Law, Antitrust, Business Associations, Civil Procedure, Civil Rights, Contracts, Criminal Law & Procedure, Death Penalty, Environmental Law, Family Law, Federal Courts, Gender & Law, International Commercial Arbitration, Law & Economics, Law of the Sea, Legal Education, Legal Ethics, Legal Profession, Property, Race & the Law, Securities, Taxation, Torts, Trade Regulation
<b>C</b>	Alternative Dispute Resolution, Animal Law, Art Law & Cultural Property, Banking Law, Bankruptcy, Children & the Law, Commercial Law, Cyberspace Law, Education & the Law, Election Law, Energy Law, Entertainment Law, Evidence, Health Law, Immigration Law, Indigenous Peoples, International Business Transactions, International Business Transactions, International Trade, Islamic Law, Labor & Employment Law, Land Use Law, Legal History, Legislative Branch, Military Law, National Security Law, Privacy Law, Products Liability, Sports Law, Technology & the Law, Telecommunications Law, Trusts & Estates
<b>D</b>	Accounting, Appellate & Trial Practice, Juvenile Justice, Law & Literature, Lawyers, Legal Careers, State Courts

\* Subjects not explicitly enumerated in the tables above are generally collected at Level E.

## **Collecting Levels for Foreign Jurisdictions**

### **Appendix B**

The levels for foreign jurisdictions have the same definitions as those in Collecting Levels for Secondary Sources modified to more accurately describe primary and secondary foreign legal materials. The collecting levels apply here to the jurisdiction, rather than to a subject.

Only works in the vernacular are considered to be primary sources. In common law jurisdictions, the primary sources of law are statutes and cases. In civil law countries, codes are primary (i.e. binding) sources of law. Traditionally, court reports, although important, are considered to be non-binding.

Journals and treatises are considered secondary sources in all jurisdictions. See, e.g., Alan Watson, *The Making of the Civil Law 168-178* (1981).

#### **[A] COMPREHENSIVE:**

**Primary Materials:** The Library collects all codes or collections of statutes, and reports from all courts in common law jurisdictions.

**Secondary Materials:** The Library collects reports from all courts in civil law jurisdictions, translations of codes and court reports into English, works in English on all aspects of the legal system, and works in major languages on important aspects of the legal system.

#### **[B] RESEARCH:**

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

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

#### **[C] INSTRUCTIONAL SUPPORT:**

**Primary Materials:** The Library collects major codes or collections of statutes based on subject and court reports from the highest court, and selected reports from lower courts in common law jurisdictions.

**Secondary Materials:** The Library collects selected court reports from civil law jurisdictions, and translations of codes and court reports. The Library collects works on the legal system and on selected subjects. The Library does not select practitioners' materials, unless essential to a subject area, and collects expensive monographs and serials selectively. The Library collects secondary works in English and the vernacular.

#### **[D] BASIC ACADEMIC SUPPORT:**

**Primary Materials:** The Library collects selected codes or collections of statutes based on subject. The Library collects court reports from the highest court in common law jurisdictions.

**Secondary Materials:** The Library does not collect any court reports for civil law jurisdictions. The Library collects selected English translations of codes based on subject, general works on the legal system, and works on major subject areas (e.g., Contracts, Business Law). Secondary works in both English and major European languages are collected.

#### **[E] BASIC:**

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

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

### COLLECTING LEVEL BY JURISDICTION\*

JURISDICTION	LEVEL
<b><i>Africa</i></b>	
Nigeria, Rwanda	D
Ghana, Kenya, South Africa	C
<b><i>East and Southeast Asia</i></b>	
Korea	D
China, Hong Kong, India, Japan	C
<b><i>Europe</i></b>	
Belgium, Croatia, Netherlands, Russia, Switzerland	D
Italy, Spain	C
France, Germany, Ireland, Scotland	B
United Kingdom	A
<b><i>Middle East</i></b>	
Israel	D
<b><i>North and South America</i></b>	
Peru, Venezuela	D
Argentina, Chile, Brazil	C
Canada, Mexico	B
<b><i>Oceania</i></b>	
Australia, New Zealand	B

### JURISDICTION ORGANIZED BY LEVEL\*

LEVEL	COUNTRIES
A	United Kingdom except Scotland
B	Australia, Canada, France, Germany, Ireland, Mexico, New Zealand, Scotland
C	Argentina, Brazil, Chile, China, Ghana, Hong Kong, India, Italy, Japan, Kenya, South Africa, Spain
D	Belgium, Croatia, Israel, Korea, Netherlands, Nigeria, Peru, Russia, Rwanda, Switzerland, Venezuela

\*Jurisdictions not explicitly enumerated in the tables above are generally collected at Level E.

## **Collecting Levels for International Organizations**

### **Appendix C**

The levels for international governmental organizations (or IGOs) have the same definitions as those in *Collecting Levels for Secondary Sources* modified to describe primary and secondary legal materials more accurately. The collecting levels here apply to the organization, rather than to a subject.

Types of primary legal materials from IGOs include treaties, charters, legal acts (e.g., decisions, resolutions, directives), decisions of tribunals, etc. Many IGOs also publish secondary materials such as yearbooks and annual reports, country and technical reports, monographs, periodicals, and press releases.

The Law Library does not systematically collect materials from IGOs that do not publish legal materials; however, materials from these organizations may be purchased if they fit subject criteria for the Library's general collection development policy.

#### **[A] COMPREHENSIVE:**

*Primary Materials:* The Library collects all available primary materials.

*Secondary Materials:* The Library collects all important works on all aspects of the organization's legal activities. The Library collects secondary works in English and major languages.

#### **[B] RESEARCH:**

*Primary Materials:* The Library collects most primary sources.

*Secondary Materials:* The Library collects works on the organization in general and on a wide variety of specialized subjects. Looseleaf treatises or other materials requiring frequent supplementation, and expensive monographs and serials are collected selectively. Practitioners' materials are not selected unless essential to a subject area. The Library collects secondary works in English and major languages.

#### **[C] INSTRUCTIONAL SUPPORT:**

*Primary Materials:* The Library collects selectively.

*Secondary Materials:* The Library collects works on the organization in general and on selected specialized subjects. The Library collects secondary works in English and major languages.

#### **[D] BASIC ACADEMIC SUPPORT:**

*Primary Materials:* The Library collects selectively.

*Secondary Materials:* The Library collects general works on the organization and works on major subject areas (e.g., Intellectual Property, Environmental Law) in English and major European languages.

#### **[E] BASIC:**

*Primary Materials:* The Library does not collect primary materials.

*Secondary Materials:* The Library collects general works on the organization and works on major subject areas (e.g., Human Rights) in English.

### INTERNATIONAL ORGANIZATIONS COLLECTING LEVELS\*

ORGANIZATION	LEVEL
Bank for International Settlements (BIS)	C
Council of Europe	B
Economic Community of West African States (ECOWAS)	B
European Free Trade Association (EFTA)	C
European Union (EU)	A
International Bank For Reconstruction And Development (IBRD or World Bank)	C
International Court of Justice	A
International Criminal Court	B
International Labour Organization (ILO)	D
International Monetary Fund (IMF)	C
Mercado Común Del Sur (MERCOSUR )	B
NAFTA Secretariat	B
North Atlantic Treaty Organization (NATO)	C
Organization of African Unity (OAU)	B
Organization of American States/Organización De Los Estados Americanos: (OAS/OEA)	B
Organization for Economic Co-operation and Development (OECD)	B
Organization for Security and Co-operation in Europe (OSCE)	C
Permanent Court of Arbitration (PCA)	B
World Intellectual Property Organization (WIPO)	A
United Nations (UN)	A
World Trade Organization (WTO)	A

### INTERNATIONAL ORGANICATIONS ORGANIZED BY LEVEL\*

LEVEL	ORGANIZATION
<b>A</b>	European Union (EU), International Court of Justice, World Intellectual Property Organization (WIPO), United Nations (UN), World Trade Organization (WTO)
<b>B</b>	Council of Europe, Economic Community of West African States (ECOWAS), International Criminal Court, Mercado Común Del Sur (MERCOSUR ), NAFTA Secretariat, Organization of African Unity (OAU), Organization of American States/Organización De Los Estados Americanos: (OAS/OEA), Organization for Economic Co-operation and Development (OECD), Permanent Court of Arbitration (PCA)
<b>C</b>	Bank for International Settlements (BIS), European Free Trade Association (EFTA), International Bank For Reconstruction And Development (IBRD or World Bank), International Monetary Fund (IMF), North Atlantic Treaty Organization (NATO), Organization for Security and Co-operation in Europe (OSCE)
<b>D</b>	International Labour Organization (ILO)

\*Organizations not explicitly enumerated in the tables above are generally collected at Level E.