

University of Colorado School of Law  
William A. Wise Law Library

**Collection Development Policy**

(Last updated September 2011)

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## I. Law Library Mission Statement

The primary mission of the University of Colorado William A. Wise Law Library is to evaluate, select, organize, and provide access to information resources and services that support the instructional, research, and service programs of the faculty, students, and staff of the University of Colorado School of Law.

As the largest collection of legal information resources in the state of Colorado, the Law Library also serves other users. The Law Library offers its resources and services to assist the following groups, in order of priority, in meeting their needs for legal information:

1. The University of Colorado community;
2. The Colorado legal community;
3. Other academic institutions;
4. The public.

The Law Library will pursue opportunities afforded by the cooperative organization and sharing of resources to allow for optimal access to and use of legal information products and services. The Law Library also will explore creative alternatives to conventional procedures -- such as access via Internet, interlibrary loan networks, and electronic document delivery services -- as it plans, develops, and provides information products and services to its targeted communities.

## II. Introduction

### Purposes of the Collection Development Policy

This collection development document is designed as a guide to the collection philosophy of the Law Library, and as a blueprint for the preservation and future direction of the Law Library collection, consistent with the mission of the Law Library. This policy statement will allow present and future librarians to consistently select resources based upon stated criteria, and to provide access to a substantial array of legal information resources while avoiding unnecessary duplication. This document will provide a basis for reasoned allocation of acquisitions funds, and will inform the Law Library faculty and the communities it serves of the scope and nature of the existing array of resources. By defining the commitments of the Law Library in specific areas, and its reliance on other institutions for certain resources, this policy document should also facilitate cooperative arrangements with other libraries in the provision of access to resources.

### Collection Size and Scope

As of July 1, 2011, the University of Colorado Law Library contained over 888,178 volumes and volume equivalents. The collection includes 351,915 total titles (84,218 print titles, 109,346 microform titles, 157,424 electronic titles, and 927 DVDs/videos/CDs). The collection surpasses the requirements set forth in the *American Bar Association Standards for Approval of Law Schools*.

The Law Library collection includes a comprehensive research library of Anglo-American law, with special emphases in several areas as determined by the curricular and research strengths of the School of Law. The Law Library's faculty and permanent staff, along with many part-time student employees, serve the legal research needs of the faculty, students, and administrative staff of the School of Law; the University of Colorado community; and the citizens of Colorado. In supporting the needs of the School of Law, the Law Library emphasizes a high level of service, accessibility, and ease of use of resources.

### Audiences and Selection

A goal of the Law Library is to ensure that the quality of the collection, regardless of size, will support and enhance the research, teaching, and service mission of the School of Law. In the selection process, the Law Library pays particular attention to our primary patrons: University of Colorado School of Law faculty, students, and staff. Consideration is given only as demand indicates and funding permits to the needs of secondary patrons: the University of Colorado community, members of the bar, judges, other academic institutions, and the public. In general, the Law Library collection will not include non-law materials. Patrons seeking such materials will be directed to other campus libraries or local public libraries. The Law Library will collect only on a minimal

basis legal materials intended for popular audiences, and academic audiences below the graduate level.

#### Roles of the Law Library Director, and School of Law Faculty and Students

The Law Library Director -- guided by this collection development policy, and with School of Law faculty consultation -- has ultimate responsibility for the development and preservation of the Law Library collection, facilities, and services. In implementing collection development decisions, the Director has delegated certain selection responsibilities to an acquisitions committee composed of the Technical Services Librarian, who serves as chair, and to individual librarians who rotate as graders of the committee each semester. The Law Library encourages School of Law faculty recommendations for purchase, subject to budget limitations, and often directly solicits faculty input into selection decisions. Student recommendations for the purchase of materials are always welcome.

#### Policy Revision

This policy is an expression of the current needs of the School of Law community. As academic programs grow and change, and the number and formats of legal information resources proliferate, the Law Library will periodically review and revise this policy to better meet the needs of the School of Law community.

### III. General Collection Development Policies

#### III. A. Definition of Terms.

The Law Library follows the *American Bar Association Standards for Approval of Law Schools* (Interpretation 606-1) in defining the word “collection” to include “printed sources, microforms, audio-visual works, and access to electronic formats,” whether the latter be served from within the Law Library building, or from a remote site.

#### III. B. Audience.

The primary objective of the University of Colorado Law Library is to develop a collection and systems of access to resources that will support the curriculum and research needs of its primary audience – the faculty, students, and staff of the University of Colorado School of Law – and will meet the standards of both the American Bar Association and the Association of American Law Schools. Therefore the collection development policy of the Law Library focuses on acquiring and providing access to materials that are relevant to the instructional and research programs of this audience.

The Law Library also recognizes that an academic law library has a responsibility to collect and preserve historically significant, esoteric, ephemeral, or superseded works which may be of importance to scholarship in the future. Accordingly, the secondary objective of the Law Library is to develop a broad-based, scholarly collection with special emphases on a few particular subjects as noted within this document.

As a publicly supported institution, the Law Library also makes its resources available to legal researchers, lawyers, scholars, and the general public. Accordingly, the third objective of the Law Library is to meet the basic legal information needs of these audiences.

The Law Library does not systematically collect in disciplines outside of the law -- as broadly defined -- but relies on other academic libraries in Colorado, particularly the other libraries of the University of Colorado system, to provide access to relevant materials from other scholarly disciplines.

#### III. C. Selection.

##### III. C. 1. General Evaluation Standards.

##### III. C. 1.a. General Selection Criteria.

Criteria to consider in evaluating materials for likely purchase (or replacement) include:

1. Significance of the subject matter based on collection assessment profiles;
2. Importance to the total collection based on collection assessment profiles;
3. Potential for known use by patrons based on faculty research interests, curricular development or use, student requests, and other sources;

4. Accuracy and quality of the information and data based on reviews, recommendations, evaluations, etc.;
5. Reputation of the author;
6. Authority of the publisher or producer;
7. Current or permanent value to the collection;
8. Scarcity of material on the subject;
9. Availability of material or information in other formats in the collection, availability of material or information in other local libraries, and availability of material or information online or on the Internet;
10. Price, including initial purchase price and maintenance costs for continuation/updating, equipment, and staff;
11. Language;
12. Type of issuance, whether monographic or serial;
13. Physical format or access method, whether bound printed volumes, looseleaf, microform, optical disk, network access, etc.;
14. Longevity of physical medium;
15. Other physical qualities, including binding, print, margins, etc.;
16. Duplication in the collection, including duplication in another format;
17. Physical space available for supporting the material in a given format.

### III. C. 1.b. Subject Areas of Collecting

The Law Library acquires materials in a very wide range of subject areas of law. In accordance with its mission, the Law Library places emphasis on subjects taught in School of Law courses, content areas in which the School of Law faculty conduct research, or which are the focus of publications of the School of Law. The Law Library collects materials in support of the research centers and the programs in areas of academic excellence of the School. The research centers include: the Byron R. White Center for the Study of American Constitutional Law, Center for Energy & Environmental Security (CEES), Natural Resources Law Center (NRLC), and the Silicon Flatirons Center for Law, Technology, and Entrepreneurship (SFC). The programs include: Environmental, Energy, and Natural Resources Law; Technology, Entrepreneurial and Intellectual Property Law; American Indian Law Program; and the Juvenile and Family Law Program. The Law Library acquires materials in the following subjects:

- \* Colorado law (all areas);
- \* U.S. administrative law;
- \* U.S. civil and criminal procedure;
- \* U.S. commercial law;
- \* U.S. constitutional law;
- \* U.S. law of contracts;
- \* U.S. corporate law;
- \* U.S. criminal law;
- \* U.S. energy law;
- \* U.S. environmental law;

- \* U.S. labor law;
- \* U.S. law of evidence;
- \* U.S. immigration law;
- \* U.S. intellectual property law;
- \* U.S. land use and real property law;
- \* U.S. law pertaining to Native Americans;
- \* U.S. natural resources law;
- \* U.S. telecommunications and technology law;
- \* U.S. water law;
- \* Native American indigenous law;
- \* The law of foreign countries pertaining to indigenous peoples;
- \* Foreign and international criminal law and procedures;
- \* Foreign and international environmental law;
- \* International business law;
- \* Jurisprudence;
- \* Legal writing;
- \* Legal research.

This list may change as conditions warrant.

### III. C. 1.c. Jurisdictions.

The primary jurisdictional focus of the Law Library collection is United States law, both federal and state. Collections for states other than Colorado are generally restricted to primary source materials, including at least one current annotated code for each state. The Colorado state law collection is essentially comprehensive. Until 2009, the Law Library collected materials relating to the various commonwealth jurisdictions, primarily Canada, England, and Wales, and to a more limited extent Australia, Ireland, New Zealand, Northern Ireland, Scotland, and South Africa. The Law Library also collects to a limited degree materials for other national jurisdictions, mostly in English. Foremost among these are France, Germany, Japan, and Mexico. Further, the Law Library maintains a collection emphasis in international and comparative law.

### III. C. 1.d. Formats.

Legal collections include many formats of information resources. The Law Library will support and maintain access to materials in print, microform, optical disk, video, audio, online services, and other new technologies, as appropriate. Purchase or licensing of materials in any format requires consideration of all pertinent factors listed above under "III.C.1.a. General Selection Criteria." Especially critical to a choice of format decision are the standards of:

1. Frequency of use;
2. The space required for the equivalent hard copy;
3. The cost of different formats;
4. The availability and costs of equipment necessary to access the resource;
5. Staff support required;

6. The difficulty of obtaining the material in hard copy.

In addition, certain formats require the consideration of additional selection criteria, which may be found below in "III.C.2. Evaluation Standards for Specific Types, Formats, and Jurisdictions of Material."

III. C. 1.e. Languages.

The Law Library generally prefers to collect English language materials if available. Some foreign language materials, especially primary source documents and secondary materials written in languages in which faculty members are proficient, may be added as needed using the selection criteria listed in this document.

III. C. 1.f. Duplication.

The Law Library may acquire duplicate copies of primary materials based on use patterns and patron demand. For secondary materials, duplicate purchases may be considered if the work is substantial, if use patterns dictate, or if the material is likely to be stolen or is hard to replace. The Law Library will also consider the cost of the material and its availability at nearby libraries.

III. C. 2. Evaluation Standards for Specific Types, Formats, and Jurisdictions of Material.

Types:

III. C. 2.a. Casebooks and Textbooks.

The Law Library does not purchase casebooks and textbooks assigned by the faculty for courses taught during the current semester. The Law Library generally refrains from purchasing other casebooks or textbooks. The Law Library gladly accepts donations of casebooks or textbooks in good condition.

III. C.2.b. Materials to Support Clinical Programs.

The Law Library purchases many materials for the main Law Library collection that also support our clinical curriculum, but generally does not purchase materials exclusively to support clinical programs.

III. C. 2.c. Continuing Legal Education Materials.

The Law Library acquires continuing legal education (CLE) materials according to the following criteria:

1. The Law Library comprehensively collects materials published by Continuing Legal Education in Colorado, Inc. (CLECI);
2. Colorado CLE materials from other publishers are acquired, subject to evaluation under the criteria listed in "III.C.1.a. General Selection Criteria."
3. The Law Library selectively acquires non-Colorado CLE materials in subject areas of intensive collecting. (See above: "III.C.1.b. Subject Areas of Intensive Collecting.")
4. CLE materials available on *LexisNexis* or *Westlaw* – e.g. Practising Law Institute publications -- are generally not acquired.

### III. C. 2.d. Editions.

As an academic research library, the Law Library seeks to retain superseded editions of legal research materials, and to acquire previous editions of such sources when appropriate, according to the criteria listed in III.C.1.a. In general, the Law Library will seek to retain not more than one copy of each previous edition of a title, or of those particular editions deemed of greatest research value.

### III. C. 2.e. Faculty Publications.

The Faculty Publications Collection is intended to be a comprehensive collection of publications of the past and present faculty of the University of Colorado School of Law, written while they were members of the School of Law faculty. These publications consist of published information resources and their supplements in any medium, which were authored or edited by the faculty member, or which contain articles, essays, or letters by the faculty member; and audiovisual recordings of special presentations by the faculty member, such as continuing legal education programs, public lectures, and conference presentations. Because of the expense of scholarly journals, the Law Library may choose not to subscribe to a journal edited by a faculty member, if the journal does not meet the selection criteria listed in "III. C. 2.k. Periodicals."

As a general matter, School of Law faculty should donate a copy of their works to the Law Library for inclusion in the Faculty Publications Collection, and the Law Library may ask the faculty to do so. If a faculty member does not donate a copy of a work, the Law Library purchases a copy. If the work falls within the Law Library's selection parameters, the Law Library will also order an additional copy for the circulating collection. Examples of works placed in the Faculty Publications Collection but not purchased for the general collection include: study aids, such as course outlines; and articles, essays, or letters published in non-law sources or the popular press.

### III. C. 2.f. Gifts.

The Law Library appreciates the donation of gift materials. As a general rule, the Law Library only accepts donations that are without conditions on their use or disposal. The Technical Services Librarian, in consultation with the Law Library Director, and with other librarians as necessary, determines the disposition of all gift materials based on the evaluation criteria used for all other acquisitions. (See "III.C.1.a. General Selection

Criteria.") The Law Library will determine the classification, housing, and circulation of all gift items, and retains the right to dispose of gifts at any time and in any manner deemed appropriate.

### III. C. 2.g. Government Documents.

Because of their distinctive means of distribution and acquisition, government documents require the consideration of specialized selection criteria, in addition to those listed in III.C.1.a. These include:

1. Availability of the resource at the University of Colorado at Boulder Libraries;
2. Availability of the resource through the Federal Depository Library Program, especially for federal materials;
3. Availability of the resource through reproduction by Regional Federal Depository Libraries, especially for federal microfiche and non-copyrighted print materials;
4. Availability of the resource from a "needs and offers" list;
5. Availability of the resource through a cooperative program, such as the Documents Exchange Office at the Library of Congress;
6. Availability of the resource from the producing agency;
7. Availability of the resource from a commercial vendor;
8. Availability of cataloging records for the material;
9. For electronic resources, the criteria listed in III.C.2.o;
10. For microforms, the criteria listed in III. C. 2.q.;
11. For audiovisual materials, the criteria listed in III. C. 2.n.;
12. Required retention period, especially for federal depository materials.

The University of Colorado Law Library is a selective Federal Depository Library. Through the Federal Depository Library Program the Law Library receives approximately 13% of materials distributed by the U.S. Government Printing Office. These publications include, but are not limited to, the basic collection required by the Federal Depository Library Program (detailed in Appendix A of this policy), all primary legal sources, administrative decisions and annual reports of agencies and their inspectors general, commission reports, most publications of the judicial branch, pertinent Department of Justice publications, and relevant statistical materials. The Law Library provides electronic access to government documents if they are available on government websites or other reputable websites. Electronic format may be the only version the Law Library provides if the material is issued solely in digital form.

In the acquisition, processing, and retention of U.S. federal documents obtained through the Federal Depository Library Program (FDLP), the Law Library adheres to all FDLP regulations and guidelines. The FDLP requires each Selective Federal Depository Library to create a collection development policy for its depository collection. The Law Library's federal depository collection development policy is found in Appendix B.

Subscriptions to Congressional Information Service resources, including *Annual/Index*, microfiche of legislative history materials, *LexisNexis Congressional* and *LexisNexis State Capital*, provide comprehensive access to legislative history materials

from 1970 to the present. The Law Library also obtains other federal information resources, including "fugitive documents," in accordance with the criteria established in this policy.

In addition to U.S. federal documents, the Law Library selectively acquires resources issued by state, municipal, foreign, and international governments. The selection of official government documents and publications, whether federal, state, municipal, foreign, or international, is based on the subject criteria established within this policy. For the state of Colorado, the Law Library aims to acquire all primary legal publications, as well as the publications of the judicial branch, administrative decisions and annual reports of agencies and their inspectors general, *Research Publications* of the Legislative Council, commission reports pertaining to Colorado law, and relevant statistical materials. The Law Library also selectively acquires printed copies of Colorado municipal codes. For other U.S. states, the Law Library acquires primary judicial materials and statutes.

In its documents selection process, the Law Library will consider the government documents holdings of the University of Colorado at Boulder Libraries. The Boulder Campus Libraries are a regional depository for U.S. federal documents, and an official depository for documents from the State of Colorado, the European Union, and the United Nations. Moreover, the Boulder campus University Libraries have a strong collection of publications of the Organization of American States, and of many foreign nations.

### III. C. 2.h. Legislative Histories.

The Law Library relies on Congressional Information Service's *CIS Annual/Index*, *ProQuest Congressional* and *LexisNexis State Capital* for legislative history information for U.S. federal statutes enacted since 1970. Accordingly, the Law Library generally does not acquire compiled legislative histories for U.S. federal statutes passed since 1970.

### III. C. 2.i. Materials Missing from the Law Library Collection.

Occasionally, materials are found to be missing from the Law Library collection. Once a year, a list of missing materials is generated and its contents are evaluated for replacement, based on criteria that include:

1. Relevance of the title to the collection for instruction, or current or historical research;
2. Cost of replacement;
3. Availability of the title from other libraries;
4. Whether the title is still in print.

### III. C. 2.j. Out of Print Materials.

The Law Library will acquire out of print materials that meet the selection criteria set forth in this document.

In addition to those criteria listed in III.C.1.a., selection criteria for out of print materials include:

1. The relationship of the edition desired by the library to editions available on the out-of-print market;
2. Condition of text block, binding, and dust jacket;
3. Presence of accompanying materials.

### III. C. 2.k. Periodicals.

In addition to the criteria listed in III.C.1.a. (e.g. price), the Law Library uses the following criteria in deciding whether to subscribe to, or retain, a periodical:

- 1) Law reviews and law journals published by law schools approved by the American Bar Association;
- 2) Legal periodicals indexed in *Index to Legal Periodicals* or *Current Law Index/LegalTrac*, or other legal periodical indexes held by the Law Library;
- 3) Legal periodicals treating subject areas of intensive collecting (see "III.C.1.b. Subject Areas of Intensive Collecting");
- 4) Official periodicals of the American Bar Association and its subordinate bodies;
- 5) Official periodicals of the Association of American Law Schools and its subordinate bodies;
- 6) State bar association official journals and annual reports;
- 7) Official periodicals of significant foreign and international legal associations;
- 8) Official publications of other national legal associations, major public interest legal organizations, Colorado legal associations, and major Colorado law firms, especially when these can be obtained free of charge;
- 9) Legal newsletters that provide current information unavailable in other sources in the collection;
- 10) Respected legal news and legal professional sources;
- 11) Periodicals obtained by individual or institutional memberships in legal associations.

The Law Library seeks to obtain complete runs of periodicals in its collection. When this is not possible, the Law Library attempts to acquire a complete run of a periodical spanning the period in which the periodical has been indexed in a legal periodical index held by the Law Library.

### III. C. 2.l. Placement Materials.

The Law Library generally does not purchase placement materials. The Law Library may purchase a placement tool if the tool also has use in the Law Library's general collection.

### III. C. 2.m. Student Study Aids (Including Bar Review Materials).

The Law Library regularly acquires two types of student study aids: the West Group's "Hornbook" and "Nutshell" series. The Law Library selectively collects study aids from other publishers, such as Aspen Law & Business's "Examples and Explanations" series, Foundation Press's "Concepts and Insights" series, and Matthew Bender's "Legal Text" series. In addition, if a faculty member includes a study aid as a required book for a class, then the Law Library will purchase the study aid along with the other required texts.

The Law Library neither acquires, nor accepts as donations, bar course outlines. These materials change every year, and some bar outline publishers prohibit the transfer of these materials to anyone but their original purchaser.

Formats:

### III. C. 2.n. Audiovisual materials.

The Law Library maintains a collection of audiovisual materials, consisting mainly of six types of material:

- 1) Archival recordings of classes, seminars, and presentations offered at the School of Law;
- 2) Continuing legal education materials on Colorado and western U.S. law;
- 3) Instructional and demonstration materials on trial advocacy;
- 4) Scholarly or authoritative works on legal subjects;
- 5) Popular legal works;
- 6) Recordings of programs offered at professional law library association conferences;
- 7) Classic and popular legal films and TV series.

Audiovisual materials require the consideration of specialized selection criteria, in addition to those listed in III.C.1.a. These include:

1. Physical format, e.g. DVD, CD-ROM, half-inch VHS videocassette, audiocassette;
2. Compatibility of physical format with display/reception hardware and software available in the Law Library;
3. Facility of potential users with technology needed to display/receive the resource;
4. In the case of electronic resources, licensing terms, and other issues pertaining to electronic resources listed in III. C. 2.o.

When acquiring audiovisual materials, DVDs and videocassettes are preferred over other media. When acquiring videocassettes, VHS format is preferred over other formats.

### III. C. 2.o. Electronic Resources.

Because of their distinctive nature, electronic resources require the consideration of specialized selection criteria, in addition to those listed in III.C.1.a. These include:

1. File formats, whether ASCII, HTML, PDF, etc.;
2. Physical carrier formats and delivery mechanisms, such as CD-ROM, DVD, Internet, commercial online, etc.;
3. Relationship of content of electronic version to content of versions in other formats;
4. Method of updating content, e.g. through distribution of new optical disks, or via another format;
5. Permanence of site; especially for Internet-based resources;
6. Evidence of ongoing site maintenance, especially for Internet-based resources;
7. Hardware, telecommunications, and software requirements;
8. Usability of user interface;
9. Usability of search software;
10. Search response time;
11. Display options;
12. Output options, including downloading, email and printing;
13. Authentication procedures, ranging from manual log-in to IP address authentication;
14. Licensing terms;
15. Access restrictions, such as use being limited to law faculty and students;
16. Access to previous, superseded or archived information;
17. Need for instructional and other staff support;
18. Availability of direct customer support, such as help lines;
19. Facility of the primary audience in employing the technology required to access and use the resource.
20. Accessibility of database for those with physical disabilities and whether accommodations can be made as required by law and university policy;
21. Compatibility of the medium and technology with preservation efforts and policies (i.e., can the data be made accessible in the future considering technological migration).

The Law Library prefers electronic resources which offer information in file formats that are compatible with hardware and software easily accessible to School of Law faculty, students and staff, and physical carrier formats and delivery mechanisms that are compatible with existing Law Library technology. The Law Library prefers authentication by IP address whenever possible.

### III. C. 2.p. Looseleafs.

Because of the expense and practice-orientation of many looseleaf titles, the Law Library selectively acquires looseleaf materials, based principally upon six considerations, in addition to those listed in III.C.1.a:

1. High-quality intellectual content in a relevant subject area;
2. The material is not covered by another work in the collection;
3. The title is more current than other resources in the collection;
4. Recommendation by a School of Law faculty member. The Law Library routinely consults with School of Law faculty members regarding looseleaf purchases.
5. Complexity of the organization of the work, especially in terms of the time and effort required for updating;
6. The inclusion of other media, such as optical disks, in the work.

### III. C. 2.q. Microforms.

The Law Library acquires microfiche, microfilm, and other microformats primarily for the following reasons:

1. To provide access to print materials that have become embrittled, fragile or damaged;
2. To complete holdings in a serial title;
3. To acquire materials for which the library has insufficient space to house the print version;
4. To acquire materials that are unavailable in print.

Microforms require the consideration of specialized selection criteria, in addition to those listed in III.C.1.a. These include:

1. Specific physical format, whether microfiche, microfilm, etc.;
2. Dimensions of physical format;
3. Film type, e.g. silver halide, diazo, or vesicular;
4. Polarity;
5. Reduction ratio;
6. Compatibility of physical characteristics of microform with display and printing hardware in the Law Library;
7. Expected level of use of material;
8. Use of material for preservation/archival purposes;
9. Availability of indexing or cataloging records for the content.

Microfiche is preferred over microfilm, except in the case of newspapers. When microfiche is purchased, the standard dimensions of 11 x 15 cm (4 x 6 inches) are preferred, and silver halide is generally preferred over diazo or vesicular. When microfilm is purchased, 35mm is preferred over other dimensions. For microfilm and microfiche, negative polarity is preferred over positive, and reduction ratios of 14 - 24x are preferred over other reduction ratios.

### III. C. 2.r. Monograph Binding.

Most scholarly and many professional and trade publishers today print their paperback monographs on permanent paper. High quality pre-binding processes allow libraries to provide paperback books with a durable binding. Moreover, most book wholesalers offer pre-binding as a standard service. Therefore, if both cloth and paper bindings for a title are available, the Law Library will generally purchase the paper version and have it pre-bound. This policy allows the library to acquire monographs at considerable cost savings, while outfitting books with high-quality, durable bindings.

Titles available only in paper binding and acquired through a wholesaler that offers pre-binding will be pre-bound. Titles available only in paper binding and acquired directly from the publisher or from a vendor that does not offer pre-binding may be bound after acquisition.

### III. C. 2.s. Pamphlets and Clippings.

The Law Library very selectively acquires pamphlets -- defined as paper-bound monographs consisting of 50 or fewer pages -- except for pamphlets on Colorado law, which will generally be added to the collection. (See "III.C.2.u. Colorado Collection.") Pamphlets must meet the same criteria for selection as other works. (See "III.C.1.a. General Selection Criteria.") If a pamphlet meets these criteria and is acquired, it will be treated as any other title and integrated into the collection, with additional handling and storage measures taken as needed, including binding and storage in boxes or standard-size binders.

The Law Library neither collects clippings nor maintains a clipping ('vertical') file.

### III. C. 2.t. Rare Books.

The Law Library maintains a small collection of rare legal titles -- defined as printed works published prior to 1850 -- in the Rare Books Room, as well as a collection of historical materials, primarily from Colorado. The acquisition of rare books will not be a priority, except, for example, for purchases in honor of faculty appointed to endowed chairs or professorships in the School of Law.

In addition to those criteria listed in III.C.1.a., selection criteria for rare books include:

1. The relationship of the edition desired by the library to editions available on the rare book market;
2. Condition of text block, binding, and dust jacket;
3. Presence of accompanying materials;
4. Presence of signatures of the author or other noteworthy persons;
5. Presence of bookplates or other emblems of ownership;
6. Other criteria appropriate to the occasion or specified by the honoree.

Jurisdictions:

### III. C. 2.u. Colorado Collection.

The Law Library attempts to have a comprehensive collection of primary and secondary materials on Colorado law, from territorial times to the present. Intended as an archival and research resource, the Colorado collection consists of legal materials of all types, in print, electronic, and microforms. Other formats may be included, as feasible. The Colorado collection includes commercial legal publications, government documents (see "III.C.2.g. Government Documents"), publications of legal associations and law firms, and selected continuing legal education (CLE) materials. (See "III. C. 2.c. Continuing Legal Education.") We will selectively add pamphlets -- defined as paper-bound monographs consisting of 50 or fewer pages -- as deemed appropriate. For a list of major Colorado primary and secondary materials collected by the Law Library, see Appendix C.

Certain types of materials are excluded from the Colorado collection, due to their lack of historical or research value for the audiences of the Law Library:

1. Resources for indexing and retrieving state public records, such as liens and motor vehicle records;
2. Electronic form sets, particularly when these replicate print resources owned by the Law Library;
3. Document management resources, intended for use in law firms.

The Law Library retains only current editions of optical disk versions of Colorado legal materials.

### III. C. 2 v. United Kingdom Materials.

The Law Library has a rich collection of primary and secondary legal resources for United Kingdom (U.K.) jurisdictions: England, Scotland, Wales, and Northern Ireland. Until 2009, the Law Library collected statutes, case law, and statutory instruments for England and Wales, as well as tools for accessing these materials.

For Scotland, the Law Library currently collects:

- \* statutes and secondary legislation passed by the U.K. Parliament;
- \* case law from the U.K. House of Lords;
- \* digests and access tools;

while providing access to the full text of Scotland case law via *LexisNexis*.

For Northern Ireland, the Law Library currently collects:

- \* statutes passed by the U.K. Parliament in the form of Acts pertaining to the province;
- \* case law from the U.K. House of Lords;
- \* digests and access tools;

while providing access to the full text of Northern Ireland case law via *LexisNexis*.

Due to the high cost of secondary U.K. legal materials, the Law Library selectively acquires these materials. The Law Library consults with the faculty of the School of Law to select the most authoritative U.K. legal treatises in subject areas supported by the Law Library collection. (See " III. C. 1.b. Subject Areas of Intensive Collecting.") In selecting scholarly monographs on current U.K. legal topics and U.K. legal history, the Law Library employs the criteria listed in "III.C.1.a. General Selection Criteria." The Law Library collects primary and secondary historical materials on English and Scottish law published by the Selden Society and the Stair Society. In selecting scholarly U.K. legal periodicals, the Law Library employs the criteria listed in "III.C.2.k. Periodicals."

### III. D. Methods of Acquiring and Providing Access to Materials.

#### III. D. 1. Wholesalers and Subscription Agencies.

The Law Library works with a variety of wholesalers and subscription agents to consolidate ordering, receiving, renewals, invoicing, and payment of monographs and serials. These arrangements allow the Law Library to expedite acquisitions, reduce processing costs, and achieve significant discounts. When selecting a wholesaler or subscription agent, the Law Library will consider such criteria as accuracy, fulfillment rate, fulfillment time, level of discounts, availability of flat-rate discount, shipping costs, reporting capabilities, return policies, pre-binding services, and the recommendations of other libraries.

#### III. D. 2. Approval Plans, Standing Orders, and Package Plans.

Certain publishers and vendors offer services that allow libraries to acquire materials based upon a range of non-item-specific parameters, including series title, publisher, subject area, issuing agency, language, and jurisdiction. The Law Library makes use of approval plans, standing orders, and package plans, as appropriate, to expedite acquisitions, reduce processing costs, and achieve significant discounts.

When selecting an approval vendor, the Law Library will consider such criteria as discount amounts, shipping costs, number of imprints/publishers covered, profiling characteristics, return policy, pre-binding services, report capabilities, technical services, invoicing, quality of service, and references from other libraries.

When selecting a standing order vendor, the Law Library will consider such criteria as discount amounts, shipping costs, report capabilities, invoicing, quality of service, and references from other libraries.

The Law Library maintains a package plan with the American Bar Association, and will consider other package plans, using the general selection criteria listed in III.C.1.a.

#### III. D. 3. Cooperative Agreements.

Cooperative agreements have become increasingly important, as no library can collect in all subject areas. These agreements can include cooperative acquisitions,

retention policies, the housing of joint purchases, and other arrangements. Any such agreements, when concluded, will be published as addenda to this document.

The Law Library maintains membership in two consortia: New England Law Library Consortium (NELLCO), and the Desert States Law Library Consortium. The Law Library also participates in Colorado's Acquisitions of Information Resources Statewide (AIRS) program. The Law Library engages in informal cooperative collection development with other University of Colorado at Boulder libraries.

The criteria for entering into cooperative arrangements include:

1. The conformance of the proposed arrangement with the mission of the Law Library;
2. The costs and benefits of the arrangement for the Law Library;
3. The type and reputation of the potential partner organization(s);
4. The provision for the periodic evaluation of the arrangement by all parties;
7. The ability of participating parties to withdraw from the arrangement;
8. The ownership or control of purchased or licensed materials when the arrangement ends;
9. The ability to access materials not housed in the Law Library.

#### III. D. 4. Needs and Offers.

Current and historical legal materials may occasionally be obtained at very low cost from other libraries through "needs and offers" lists. The Law Library regularly monitors such lists, and actively acquires materials according to the criteria set forth in this document.

As a Federal Depository Library, the Law Library complies with Federal Depository Library Program regulations and guidelines for maintaining a list of needed materials, listing offers, and obtaining materials through depository "needs and offers" lists.

If the Law Library is able to acquire only portions of a multi-volume work via the "needs and offers" process, the available portions of the work will be added to the collection, and the missing volumes will be sought.

#### III. D. 5. Exchanges.

The Law Library will enter into an exchange agreement only when it is the sole means for receiving materials. Exchanges are not encouraged.

#### III. D. 6. Interlibrary Lending/Document Delivery.

The faculty and students of the School of Law at times have information needs that require access to resources not included in the Law Library collection or on the University of Colorado at Boulder campus. The Law Library therefore augments its collection by participating in interlibrary lending and document delivery arrangements, in order to satisfy the diverse information and research needs of the faculty and students of the School of Law.

The Law Library participates in Prospector, the Colorado union catalog which provides access to the collections of major Colorado and Wyoming libraries, and includes a self-initiated ILL process. The Law Library maintains membership in the Colorado Library Consortium (CliC). CliC provides a state-wide courier service for interlibrary loans and other interlibrary communications, enabling speedy in-state borrowing (and lending) of materials. The Law Library is also a member of OCLC and participates in OCLC interlibrary loan activities.

The Law Library agrees to the "Guidelines for the Proviso of Subsection 108(g)(2) [of the U.S. Copyright Act, 17 U.S.C.]" developed by the National Commission on New Technological Uses of Copyrighted Works (CONTU). The Guidelines state that a library will purchase a subscription to any periodical for which, within a single calendar year, the library makes six or more interlibrary lending requests for articles published within five years prior to the date of the request, and that a library will purchase a copy of any article collection or other copyrighted work of which, within a single calendar year, the library makes six or more interlibrary lending requests for articles or small parts. The Law Library regularly reviews its interlibrary borrowing to ensure compliance with the CONTU Guidelines.

### III. E. Collection Review.

The Law Library continuously evaluates its collection -- comprising materials in print, microform, and electronic formats -- to ensure that materials in the collection support the Law Library's mission of serving the information needs of the Law Library's users.

The Law Library undertakes three kinds of collection review:

1. **Shelf-Reading and Inventory:** The Law Library conducts an ongoing process of shelf-reading and inventory, in order to verify the possession or accessibility of all materials acquired by the Law Library, and represented in the Law Library's catalog, *LAWPAC*. Public and Technical Services staff cooperate in performing this process. A full shelf-reading and inventory of the collection should be completed approximately every five years.
2. **Weeding:** Removal from the Law Library collection, or cancellation, of obsolete materials or titles of marginal subject interest is needed to maintain the quality and usefulness of the collection. The Law Library conducts weeding as part of the regular collection management process. For many types of materials as well as for specific titles, the Law Library has established policies for weeding and cancellation. Weeding and cancellation policies for primary materials, including statutes, advance legislative services, and court rules, are found in records on *LAWPAC*.

Criteria to be considered in selecting materials for possible weeding or cancellation include:

- \* Relation of subject matter to the Law Library's subject areas of intensive collecting (see section III. C. 1.b. of this policy);
- \* Relation of subject matter to the current research interests of the School of Law faculty, and curricula of the School of Law;
- \* Relation of subject matter to current governmental activity and to events in the School of Law community;
- \* Date: certain out-of-date materials that lack research value and that could pose a risk to users, should be removed from the collection;
- \* Physical condition of material;
- \* Duplication of copies or content;
- \* Format: alternative formats may offer cost and/or space savings, or other benefits;
- \* Space considerations;
- \* Cancellations;
- \* Circulation statistics.

The Law Library Director will make the final decision as to retention or continuation of materials.

3. Collection Evaluation: The Law Library collects in many subject areas of law. (See "III. C. 1.b. Subject Areas of Intensive Collecting" and "III. C. 2. u. Jurisdictions.") Moreover, the legal information needs of the faculty and students of the School of Law change over time. In order to ensure that the Law Library collection meets the needs of its primary users, the Law Library engages in an ongoing process of collection evaluation. Special collection evaluations for specific subject areas will be conducted as conditions warrant.

Criteria to be considered in the evaluation process include:

- \* The subject area remains pertinent to the faculty research interests, curriculum, and programs of the School of Law;
- \* The Law Library's holdings reflect the collecting level for the subject area to be established in this collection development policy;
- \* Reputable and/or frequently cited scholarly monographs, treatises, and periodicals are included;
- \* Materials pertinent to the faculty research interests, curriculum, and programs of the School of Law are included;
- \* Key retrospective materials are included (where appropriate);
- \* Recently published materials are included;
- \* Emerging topics in the subject area are covered;
- \* Supplemented materials are current;
- \* Practice and current-awareness materials are sufficiently up-to-date;
- \* Materials are being used.

### III. F. Retention.

For many types of materials as well as for specific titles, the Law Library has established policies for retention -- i.e. setting limits for keeping materials in the collection or in particular locations in the Law Library. Retention policies for primary materials, including statutes, advance legislative services, and court rules, are found in records on *LAWPAC*.

### III. G. Preservation.

In addition to meeting the current needs of its patrons, the University of Colorado Law Library also has an obligation to acquire and preserve historical legal materials as a resource for future scholarship. To this end, preservation of materials is an important element of collection development and management at the Law Library. The Law Library is a member of the Legal Information Preservation Alliance (LIPA).

Preservation may encompass:

1. Paper and binding specifications for monographs and serials;
2. Vendors' or publishers' policies and procedures for providing long-term access to remote networked digital resources;
3. Specifications for film types of microforms;
4. Specifications for the physical carriers of magnetic or optical disks;
5. Proper shelving and handling procedures and resources;
6. Specialized care and storage of materials as protection from damage and deterioration;
7. Repair of damaged materials;
8. Conversion to a different format, where the quality of the original format, the importance of the materials, or the requirements of users and programs so dictate;
9. In licensing agreements, providing for long-term access to electronic resources.

#### IV. References

American Bar Association, Section of Legal Education and Admissions to the Bar. *Standard 606. Collection*, Standards for Approval of Law Schools 63, 63-65 (1998).

Association of American Law Schools, *Bylaws, Section 6-10. Library*, 1999 Handbook 35, 35 (1999).

Association of American Law Schools, *Executive Committee Regulations, Chapter 8. Library*, 1999 Handbook 52, 52-53 (1999).

*Collection Development Policy: Kresge Law Library, University of Notre Dame* (visited September 22, 2008) <<http://law.nd.edu/library-and-technology/library-information/collection-development-policy>>.

*Collection Development Policies and Procedures* (Elizabeth Futas ed., 3d ed. 1995).

*Collection Development Policy: Leon E. Bloch Law Library, University of Missouri – Kansas City School of Law*. Available online (visited September 25, 2008) at: <<http://www1.law.umkc.edu/Library/CollectionDevelopmentPolicy.pdf>>

*Collection Development Policy: Marian Gould Gallagher Law Library* (2d ed. 1996).

*Collection Development Policy: The Ohio State University College of Law Library* (1990).

*Collection Policy: Boston University Pappas Law Library* (revised January 2003) <<http://www.bu.edu/lawlibrary/technical/collectiondevelopment/general.html>>.

*Collection Policy: University of San Diego Legal Research Center* (1994?).

Michael R. Gabriel & Dorothy P. Ladd. *The Microform Revolution in Libraries* (1980).

*Legal Materials*, in Library of Congress Collections Policy Statements C: LEG (1994).

National Commission on New Technological Uses of Copyrighted Work, *Guidelines for the Proviso of Subsection 108(g)(2)* (called *CONTU Guidelines*), in H.R. Conf. Rep. No. 1773, 94<sup>th</sup> Cong., 2d sess. (1976).

*Tarlton Law Library, School of Law, The University of Texas at Austin*, in *Library Collection Development Policies: A Reference and Writers' Handbook* 403 (Richard J. Wood and Frank Hoffmann eds., 1996).

U.S. Information Dissemination (Superintendent of Documents). Library Planning and Development. *Federal Depository Library Handbook* (2008). Available on Internet (visited September 22, 2008) <<http://purl.access.gpo.gov/GPO/LPS89341>>.

## Appendices

*A. Federal Depository Library Handbook*

Available at:

<http://www.fdlp.gov/handbook/index.html>

*B. University of Colorado William A. Wise Law Library Federal Depository Collection Development Policy*

Available at:

<http://www.colorado.edu/law/lawlib/colldev/DepositoryCollDevPolicy2008.pdf>

### C. Major Colorado Primary and Secondary Legal Materials in the University of Colorado William A. Wise Law Library

The Law Library collects the official versions of Colorado primary legal materials at the intensive level, and will acquire other versions and formats of primary materials as appropriate to maintain a complete collection of current and historical primary legal materials. Secondary materials will be collected in as comprehensive a manner as possible. The legal information landscape changes rapidly, and the Law Library will review and revise this list periodically to ensure that its collection remains comprehensive in the area.

#### Primary materials include:

- \* *House Bills and Senate Bills*
- \* *Journal of the House of Representatives and Senate Journal*
- \* *Laws passed at the session of the General Assembly of the State of Colorado*
- \* *Colorado Revised Statutes* (including earlier compilations, volumes and superseded pocket parts)
- \* *West's Colorado Revised Statutes Annotated* (including superseded pocket parts)
- \* Colorado Supreme Court briefs
- \* *Cases argued and determined in the Supreme Court of the state of Colorado* (ceased with 1980 terms)
- \* Earlier versions of Colorado Supreme Court reports
- \* *Officially selected cases argued and determined in the Court of Appeals of the state of Colorado* (ceased with 1980 terms)
- \* *Pacific Reporter* (and *Colorado Reporter*)
- \* *Colorado Register*
- \* *Code of Colorado Regulations* (including superseded pages)
- \* Attorney General opinions
- \* Court rules (federal and state) and jury instructions (civil and criminal)
- \* Colorado municipal codes (selected)

#### Secondary materials include:

- \* *West's Colorado Digest*
- \* Shepard's Colorado citators
- \* West's Colorado Practice series
- \* Reports and other materials from Colorado administrative agencies (as available)
- \* *Colorado Lawyer*
- \* *Annual Survey of Colorado Law*
- \* Law review and journals published by the University of Colorado School of Law, including: *University of Colorado Law Review*, *Colorado Journal of International Environmental Law and Policy*, *Journal on Telecommunications and High Technology Law*

- \* The School of Law publications, including *Amicus*, and various publications by the academic centers and programs
- \* Law review and journals published by the University of Denver College of Law, including: *Denver University Law Review*, *Denver Journal of International Law and Policy*, *Transportation Law Journal*, and *University of Denver Water Law Review*
- \* *The Daily Journal*
- \* *Denver Business Journal*
- \* *Law Week Colorado*
- \* All Colorado Bar CLE publications
- \* Other forms and practice materials as appropriate
- \* Various bar publications, legal newsletters and magazines