

**VERMONT LAW SCHOOL  
JULIEN and VIRGINIA CORNELL LIBRARY**

**COLLECTION DEVELOPMENT POLICY**

**NOVEMBER 18, 2004**

**Updated to April 2008**

**Library Mission Statement**

The Julien and Virginia Cornell Library at Vermont Law School is an instructional facility supporting the education of VLS students. It serves as a research partner with the faculty and students, and strives to meet the legal information needs of the entire Law School community. To that end, the Law Library's mission is:

- To provide access to and instruction in the use of legal information resources through regular communication with students and faculty in the library setting and through formal training in a classroom and computer center settings;
- To develop and implement innovative reference and research services and creative uses of technology to access, manage and communicate legal and environmental information;
- To collect, provide, organize and preserve legal information in an environment conducive to significant legal research and scholarship;
- To foster research, education and leadership in law librarianship, information science, legal research and resource sharing.

**Intent of the Collection Development Policy**

The purpose of the Collection Development Policy is concentrated on the establishment of general objectives and guidelines directing the growth of a balanced collection of materials:

- To support the education of students and faculty;
- To support the dynamic research objectives of students and faculty;
- To support the academic and scholarly requirements of the Vermont Law School community.

Because of the changing nature of libraries, library materials and resources, and the law school itself, the Collection Development Policy is considered a "living" document subject to review and revision.

Presently, the collection is the foundation upon which the library achieves its goal of supporting the educational mission of the law school and of meeting the information needs

of the law school community. As set forth in the *American Bar Association Standards for Law Schools, Interpretation 606-1, 1995* the word “collection” includes printed sources, microfilms, audio-visual works and access to electronic formats.” Our library collection includes materials that are owned by and physically located in the Library, as well as an expanding “e-collection” of materials that are accessed using electronic or other “web” based intermediary devices and technology.

As delegated by the Director of the Law Library, primary responsibility for titles added to or removed from the Main collection rests with the Lawyer Librarian for Collection Development (Collection Development Librarian). The Director of the Law Library is active in the selection of foreign, comparative and international materials. The Environmental Law Librarian is responsible for selecting and maintaining environmental materials. However, all librarians participate in the selection process. This is especially true with regard to electronic sources because they touch upon all aspects of day-to-day library operations.<sup>1</sup>

The library actively welcomes recommendations for acquisitions from faculty, students and staff. Faculty members are especially encouraged to work with their library liaison and/or the Collection Development Librarian and Environmental Law Librarian to develop subject areas of the collection as they deem appropriate.

The library fully supports the tenants of the American Library Association’s Library Bill of Rights.

### **Library Patrons**

The primary patrons of the library are current Vermont Law School students, faculty and staff. Secondary patrons are members of the bar of Vermont and VLS alumni. The library is a Selective Federal Depository and is open to the public, although borrowing privileges are restricted to current members of the Vermont Law School community and paid members of the Friends of the VLS Library program.

### **Overview of the Library Collection**

The Julien and Virginia Cornell Library is Vermont’s premier law library. It is a graduate level research library supporting the legal and environmental information needs of the law school community and, to a lesser degree, the research needs of practicing attorneys in Vermont and nearby New Hampshire. The collection was begun in 1973 and now numbers over 230,000 volumes and microform volume equivalents. The Library also provides access to legal, environmental and general information via electronic web-based sources such as WESTLAW, LEXIS, and numerous other online sources. Information is provided in a

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<sup>1</sup>This paragraph was edited on July 27, 2007.

number of formats, including, but not limited to, paper books and journals, microform, audiocassettes, videotapes, DVDs, and the World Wide Web via the Internet.

The content of the collection emphasizes American primary and secondary law, environmental law including general environmental and international environmental issues, and, more selectively, international, foreign, and comparative law. The collection includes primary law for United States federal and state jurisdictions, as well as some primary British and Canadian law. There is a geographic emphasis on Vermont and New England in general.

The collection also offers extensive holdings in the following spheres of study: U.S. Constitutional Law, the U.S. Supreme Court, U.S. Federal Courts, Federal Practice Issues, Native American Law and Culture, Jurisprudence, and Alternative Dispute Resolution.

### **General Collection Development Objectives and Guidelines**

It is the policy of the library to build a balanced collection of current and historical materials to meet the dynamic educational and research needs of our primary users.

The collection meets, and shall continue to meet, the currently articulated core collection standards of the American Bar Association, and the Association of American Law Schools. (See attached Appendices 1 and 2 respectively.)

The collection shall support the current curriculum and shall respond to new initiatives within the law school. For example, the dynamic and growing body of Environmental law has been an on-going focus. A newer area of collection interest is focused on International, Foreign, and Comparative law.

As VLS is an independent institution, there is no affiliated college or university library. Therefore, the Vermont Law School Library seeks to meet the general information needs of our primary patrons through our collection, interlibrary loan, consortia resource sharing, and wide-ranging electronic Internet access.

The focus of collecting in secondary sources is on scholarly, theoretical materials of lasting value. Historical materials as well as current materials are important to the development of the collection. As funding allowed, the library steadily pushed back its holdings of primary materials such as congressional publications, U.S. Supreme Court Briefs and Records and treaties. Historical treatises were added through the purchase of reprints, the acceptance of appropriate donations, and through a 1979 project to identify and purchase "classic treatises". Presently, as our access to electronic databases increases via the Internet and specialized electronic subscription services, the library shall continue to deepen its holdings of historical legal materials.

Electronic information products shall be purchased as appropriate. This depends on the nature of the data and the expected or demonstrated use of such services. It is expected that rapid change in information technology, availability, user knowledge and platforms will

necessitate frequent adjustments in media choices. The library shall determine appropriate media formats using the factors listed below under Selection Criteria for Non-book Formats.

### **Resource Sharing**

Vermont Law School is a founding and full member of the New England Law Library Consortium (NELLCO); which began in 1983. NELLCO is a non-profit corporation consisting of twenty-five (25) full members and fifty-one (51) affiliate members. This consortium of major academic, state and private law libraries provides a mechanism for sharing resources, cooperative collection development and other mutual access to the richest legal research collections in the United States. The mission of the organization is “to ensure effective and efficient access to legal information resources for the primary users of NELLCO members, and to support the research and educational missions of member institutions by developing a full range of resource sharing resources.”

NELLCO benefits include free interlibrary loan to members, physical access to other members’ libraries for VLS students and faculty, a World Wide Web intranet with news, links to member’s sites and on-line public access catalogs (OPACs) and a membership directory. Membership also includes access to collectively purchased databases, and discounted prices on collective purchases. The first of these is an arrangement to use Blackwell North America, Inc. as a book jobber for new purchases at discounted prices, which saves money to purchase additional books. NELLCO has also arranged collective purchase of Internet access to databases such as Congressional Information Service’s Congressional Universe, Current Index to Legal Periodicals and LegalTrac. NELLCO is an important force in pressing information providers to adopt standards, and in helping libraries make cost-effective choices among burgeoning electronic access to information products.

The Julien and Virginia Cornell Library also has an excellent, although informal, relationships with Dartmouth College’s Libraries, the University of Vermont Library, and the Vermont Department of Libraries.

### **Categories of Material Selected**

#### **Federal Statutory Materials**

The Library maintains the United States Code and the two unofficial annotated versions of the federal code, USCA and USCS, as well as official and unofficial session laws. A second

set of USCS is maintained in the faculty office building. Superseded versions of United States Code are retained.<sup>2</sup>

Congressional materials include the Congressional Record in the daily version (1983 to date), Congressional Bills from 1980 to 2000, and Congressional publications from 1947 to date. These materials are accessed by Congressional Information Service's Congressional Index and Abstracts in paper format, and via CIS Congressional Universe accessible on the Internet via the library web page. CIS's US Senate Executive Documents and Reports Index provide additional access for the period up to 1969 and by CCH's Congressional Index for current sessions of Congress.

### **Federal Regulatory Materials**

The Library receives the current print format edition of the Code of Federal Regulations. The Federal Register is available back to 1936 on microfiche, and CFR is available from 1972 on microfiche.<sup>3</sup>

Various agency decisions are available through topical loose-leaf service reporters for research in the areas of environmental, tax, administrative, and labor law. WESTLAW, LEXIS and other selected electronic resources also provide access to numerous administrative agency decisions.

### **Federal Judicial Materials**

The Library maintains United States Reports, Lawyer Edition, Supreme Court Reporter and U.S. Law Week (electronically), as well as the complete West Federal Reporter series for the lower federal courts.

United States Supreme Court Records and Briefs are available in microfiche from 1953 to date.

The Library maintains West's Federal Practice Digest, West's Atlantic Digest, Vermont Key Number Digest, West's New Hampshire Digest as well as the Decennial and General Digests.<sup>4</sup>

### **State Statutory Materials**

The Library maintains annotated statutory codes for each state, plus Puerto Rico, and the Virgin Islands. Session laws for each state are on microfiche from 1950 to 2004. WESTLAW and LEXIS provide online access to state session laws from the early 1990's onward. We own runs of session laws for several New England states, and maintain two copies of the Acts and

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<sup>2</sup>This paragraph was edited on July 27, 2007.

<sup>3</sup>This paragraph was edited on July 27, 2007.

<sup>4</sup> This paragraph was edited on March 23, 2005.

Resolves of Vermont. We rely on arrangements made by the New England Law Library Consortium to access superseded state statutes located at Harvard Law School Library.

For Vermont, the Library owns multiple copies of all early statutory codifications, as well as all superseded volumes and supplements to Vermont Statutes Annotated back to 1979. The Library comprehensively collects all published legislative materials for Vermont, including house and Senate bills, House Calendars, House Journals, Senate Calendars, Senate Journals and Legislative Directories.

### **State Regulatory Materials**

The Library maintains paper format administrative codes for Vermont and New Hampshire, as well as the Vermont Government Register. We have two superseded editions of the Code of Vermont. Maine administrative codes are available in electronic format. Environmental regulations for all states, as well as most other state regulatory materials, are available via the Internet as well.

We maintain complete print sets of the Vermont Labor Relations Board Opinions and the Vermont Environmental Board Decisions. We have made extra efforts to index and to maintain a back-up copy of the Vermont Environmental Board's Declaratory Rulings and Decisions that are in demand by students, practitioners and the public.

The Vermont Environmental Court Decisions, which we have in print from 1990 – 1999, are now only available online and we have a hotlink to this source available on the Library's online catalog.

The Vermont Labor Relations Board also publishes its decisions; which we own. Many other state administrative decisions are available on WESTLAW, LEXIS and/or on official state websites on the Internet, including, for example, *Vermont Online Library*.

### **State Judicial Materials**

The Library has all pre-National Reporter state reports in paper format, and the first, second, and, if applicable, third series of the regional reporters, including specific individual reporters for California and New York.

Since 1993 we have relied on WESTLAW and LEXIS for official state reports that have not been discontinued.

The Library has 3 copies of Vermont Reports (two of which are on permanent reserve), including advance sheets pamphlets. We also have official slip opinions and two copies of Vermont Law Week, as well as briefs of the Vermont Supreme Court in microfiche back to 1978.

The State reports are accessed via the West Digest System. We maintain the four remaining regional digests, as well as state digests for the New England states, New York, and the states

that are not covered by regional digests. Lists posted in the state materials area identify which digest should be used for each state. The Decennials and the General Digest also access state cases.

These materials are all available online as well.

### **Citators**

The Library presently maintains paper format subscriptions of Shepard's Citators for Vermont and New Hampshire materials, as well as the Shepards Acts and Cases by Popular Names set. These paper format subscriptions are maintained chiefly to train students in their use and for the use of attorneys. For other citations, the library relies on "Shepardizing" or "KeyCiting" available through LEXIS and WESTLAW respectively.

### **Environmental Collection**

To support the curricular and research needs of environmental faculty and students studying for the Master of Studies in Environmental Law (MSEL), Master of Laws (LL.M) in Environmental Law or a joint MSEL/JD degree, the library maintains a special collection of Environmental materials selected by the Environmental Law Librarian. As articulated in *Vermont Law School in the 21<sup>st</sup> Century: A Vision and Plan*, 1997, one of the law school's goals is "to maintain, strengthen and enhance the position of Vermont Law School as the national leader in environmental law". The special Environmental Collection occupying the entire Loft level of the Julien and Virginia Cornell Library is an important component in that effort.

The Environmental Collection was established in 1984 with the purpose of concentrating into one area materials on the many subjects that relate to environmental decision making. Environmental inquiries are by nature interdisciplinary. Being able to browse materials from many Library of Congress Classification subject areas in one location greatly enhances access to materials and assimilation of information that would otherwise be scattered throughout the building.

The library's goal is to develop its holdings of environmental law and policy at a nearly comprehensive level. Environmental law as a distinct area of law began in about 1970 with the passage of the National Environmental Policy Act. As an evolving discipline it has focused on different areas, such as planning and zoning, solid waste, risk assessment, hazardous wastes, toxics, cost-benefit analysis, biodiversity and - more recently - ecological

economics, sustainability and international environmental law. It is the library's policy to respond to the evolution of the discipline and practice of environmental law by purchasing materials in new areas as they unfold and as the curriculum and experiential programs of the law school focus on these areas of environmental law.

Because environmental decision making rests heavily on scientific, historical and technological information and Vermont Law School does not have a general university library, the Environmental Collection includes environmental and ecological materials of a general nature. The New England Association of Schools and Colleges, the accrediting body for the MSEL degree, also suggested that the library include general environmental and ecological information for background and context. The Collection seeks to include materials accessible to a general reader in areas including, but not limited to, natural sciences, history, literature, social sciences, etc. Very technical reports are excluded unless specifically requested.

The main body of the Environmental Collection consists of monographs and treatises including many looseleaf treatises on narrow environmental law subjects. There are also judicial decisions in Environmental Reporter Cases, and administrative decisions in Federal Energy Regulatory Commission Reports, Federal Power Commission Reports, and Nuclear Regulatory Commission Issuances.

Federal and State primary law materials, especially administrative law materials can be found in other sections of the Library, on WESTLAW, LEXIS or other Internet sites.

Research Guides to help users identify and link to environmental Internet information are located on the Library home page. Subscription-based Environmental Internet resources are listed together on the Library's Research Databases page.

The Environmental Collection includes materials in several forms including a bulletin board focused on various Internet sources. A second bulletin board alerts people to environmental news, conferences and local events. Maps of Vermont and U.S. natural features are also displayed. A new Environmental Pamphlet File has recently been added.

Display racks contain a collection of environmental periodicals which includes over one hundred newsletters, magazines and journals. We subscribe to periodical indexes to access articles within environmental periodicals and reports, including Environment Abstracts in print and on the Internet, and the EPA Publications Bibliography. A growing number of environmentally-related scholarly law reviews are located with the Library's main collection of law reviews. The library subscribes to several environmental current awareness services on the Internet including ELI's Environmental Law Reporter Greenwire, Environment and Energy Weekly, Landletter, Endangered Species and Wetlands Report, and Inside EPA.

### **First Nations and Native American Tribal Materials<sup>5</sup>**

To support several courses in Native American Tribal law, as well as the First Nations Environmental Law Fellowship program, the Library purchases fairly comprehensively in First Nations and Native American Tribal law. Primary resources include compilations of treaties, the Cherokee Nation and Navajo Nation codes, as well as two microfiche collections, Indian Tribal Codes (1981) and the Native American Collection, a 2,500 volume historical collection of laws, treaties and law related materials – all of which are located in the Main collection of the VLS Library.

Although we do not have an educational subscription to QUICKLAW, the Canadian legal computer service which provides access to Canadian First Nations law, students studying or working in Canada can request access to this resource through LEXIS. Additionally, the Internet provides ample access to First Nations materials.

### **International, Foreign, and Comparative Law Materials**

International, foreign, and comparative law is now being emphasized as part of the Law School's curriculum.

For the purposes of this document, "international" law is defined as the law between nation states: treaties and other international agreements as well as legal materials supporting these treaties and agreements; "foreign" law is defined as the national law of particular nation states; and, "comparative" law is defined as the scholarly research and literature comparing the law and laws of different nation states.

The Library selectively collects international law, foreign law, and comparative law titles to support the law school's curriculum and active "exchange" programs in Trento, Italy; Montreal, Canada; Paris, France; and, Karelia, Russia. The extremely high cost of international monographs and serials is a critical, determining factor in selecting materials in these areas of law.

During 1997, the library consulted with Professor Burns H. Weston, Associate Dean for International and Comparative Legal Studies at the University of Iowa College of Law, and the Library has followed, and continues to follow, his recommendations. This includes the acquisition of a number of published bibliographies to further develop these areas of concentration.

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<sup>5</sup> This paragraph was edited on June 29, 2005.

In the area of foreign law, the library purchases guides to the literature as well as English language materials in those areas where students and faculty are doing active research or are involved in exchange programs as noted above. Presently, this includes Canada, Russia, France, Spain, Italy, China and India. The limited availability of materials written or translated in English affects the selection process accordingly.

To support the Canadian Legal Systems course, and to acknowledge the Law School's geographic proximity, the library has purchased numerous secondary materials on Canadian constitutional, environmental and First Nations issues as well as primary federal and provincial authorities. Since fiscal year 1997 the library has received a Canadian Studies Library Support Program matching grant from the Canadian Department of Foreign Affairs and International Trade.

With regard to the primary law of other foreign countries, the library owns several multi-volume resources on foreign law as well as many monograph titles on this topic. We also rely on electronic Internet resources and interlibrary loans.

In the area of comparative law, the library purchases English language serial and monograph materials by American and, to a lesser extent, foreign legal publishers on topics of broad interest. This particular topic is extremely broad, and encompasses, for example, constitutional, civil code, and criminal code comparisons and contrasts.

In the future, the library will seek to obtain new and developing electronic resources that provide access to foreign and international law materials.

The Library is aware that the faculty and administration have proposed increased curricular development in the areas of foreign, international, and comparative law. As the proposals become active parts of the VLS curriculum, the Library will develop collections in these areas consistent with the corresponding demands raised by these changes.

### **Periodicals**

The library collects the general law reviews of all accredited American law schools. We collect most secondary, or topical, law reviews published by accredited American law schools. Topical law reviews from commercial publishers are acquired selectively on appropriate subjects. The library subscribes to relatively few legal newsletters because of high prices, non-existent indexing, and limited shelf life.

To fulfill the general and specific interest information needs of our primary patrons, the library subscribes to several non-legal newspapers and general and specific interest magazines.

It is the policy of the library to subscribe to periodical indexes that include journals that we do not own so that users can perform initial research here and then request needed articles on interlibrary loan or document delivery, or can travel to another library.

While the library welcomes requests to purchase new materials from all members of the Law School community, requests for serials requiring an on-going financial commitment must fit our collection guidelines and existing budget restrictions.

It is important to note that periodicals are generally at the forefront of scholarly comment on new developments throughout the law in general, and on new areas and topics of law as they arise.

Select pre-1990 law review volumes are housed at an off-site storage facility. All of the stored articles are available in PDF format through our HeinOnline database subscription. This arrangement allows for collection growth in our periodicals room while maintaining the exact print content through electronic access.<sup>6</sup>

### **Treatises<sup>7</sup>**

Generally the Library seeks to develop a collection of treatises at an instructional level to support the courses taught at Vermont Law School as well as for the independent scholarly research of our main patrons.

As developed by the Association of Research Libraries, the treatises we collect are at levels 3, 4 and 5. Level 3 is an “instructional level”, meaning a collection sufficient to support the JD candidate’s needs. Level 4 is a “research level”, which are treatise materials required for scholarly research and writing. Finally, level 5 is known as a “comprehensive level”, which includes all relevant major works of recorded knowledge on a particular subject such as contracts.

As new areas of law unfold and as new courses are added to the curriculum, the Library will respond by purchasing treatises to describe and explain the field, and to put it in context with existing areas of legal study and endeavor.

When acquiring treatises it is important to consider the fact that not all fields of legal study and analysis are as published as actively as others. For example, a sub-field, or particular part of tort law may only have three or four recognized treatises published, making a “complete” collection more available. On the other hand, certain areas of law have numerous alleged treatises published and the acquisition of appropriate and complete treatise collections becomes proportionately more complex.

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<sup>6</sup> This paragraph was added on January 7, 2005.

<sup>7</sup> This section was amended on July 26, 2007 to reflect the ending of the treatise “start/stop” program.

## **Reference Materials**

The Reference Collection consists of resources designed by arrangement and treatment of subject matter to be consulted for definite items of information rather than to be read consecutively. The collection includes primary indexes, bibliographic works of broad scope, encyclopedias, general “form” books, dictionaries, glossaries, almanacs, handbooks, directories, and atlases. Many of the resources in the Reference Collection are actively used by the all VLS librarians in the course of assisting patrons in locating information and for pedagogical use in the 1L Legal Research classes.

Some “reference” material is located in the Main Collection in general, and not specifically in the Reference Collection area. These location decisions, on the basis of spatial and access concerns, are made at the discretion of the librarians.

## **Special Selection Criteria – Print Format**

In considering whether to select a particular title for purchase, some or all of the following criteria shall be considered:

- Relevance/Significance of the subject matter to Vermont Law School curricula and programs.
- Relevance to the research interests of law school faculty and students. Potential for known use by primary library users, including whether someone requested the title.
- Authoritativeness and/or reputation of publisher. Reputation of author.
- Accuracy of information.
- The importance of the title in achieving balance in the collection. The permanent value of the title to the library collection.
- Whether or not the title duplicates existing material presently in the collection or that can be otherwise accessed easily by primary patrons.
- The scarcity of material on that topic. Intended audience of the title.
- The relevancy of information within the item, and the potential for supplementation.
- Whether the title is included on important bibliographies, review media, etc. The presence of user-friendly access points, such as tables of contents and indexes, within the title.
- If the title is a journal, whether the articles are indexed in periodical indexes the library owns or has ready access to.
- The initial price and the projected supplementation cost of the title. Other maintenance requirements, such as staff filing time and ease of obtaining lost or missing parts.

- The physical quality of the product; the permanence of the media it is in. The language used; with very few exceptions the library restricts purchases to materials in English.
- Reputation of the vendor

### **Selection Criteria - Non-Print Formats**

At the outset it must be remembered that when libraries acquire electronic resources they are typically purchasing “access” rather than “ownership.” In addition to the criteria identified for the print format materials, selection criteria for acquisition of materials in formats other than print include, but are not limited to, the following:

#### *Content Factors:*

- Whether there is enhanced content not provided in the print subscription
- Whether the electronic resource is updated more frequently than the print
- Whether there is duplication of content currently acquired in print
- Ratio of use to community-wide benefit
- Relevance/Significance of the subject matter to Vermont Law School curricula and programs.
- Potential for known use by primary library users, including whether someone requested the resource.
- Expected frequency and level of use.
- Whether small or large amounts of information will be obtained from the item.
- Availability of context-specific features and, if appropriate, tutorials.
- Whether it is appropriate to read from a screen or microform reader, or from a printed page.

#### *Technical Factors:*

- Whether software to access the information is user-friendly; whether it is standard to a number of products or is unique.
- Compatibility with the library’s network and operating system.
- Whether patrons will have the ability to access the information from remote locations on or off campus, and whether a proxy server or other remote finding device is required.
- Whether IP access is available or only password access

- Necessity for, and availability of, specific training and assistance of library staff and/or library patrons in order to use the resource.
- Existence of features for different levels of users, such as easy interface screens for novice users and advanced search capabilities for experienced users.
- Ease of maintenance, identifying and correcting problems, including the library's experience with the publisher and or vendor.
- Necessary archival media (IE: fiche format)

*Pricing Factors:*

- Initial price and the projected supplementation cost of the resource.
- The nature of any licensing agreements or contracts that may be involved with the purchase of information in a particular media.

At a minimum, license agreements should describe the rights of libraries and their users, any restrictions placed on those users, as well as provisions of fair use of information for educational purposes. When possible, VLS utilizes the NELLCO standard licensing agreement

### **Staff Coordination Policy - Non-Print Formats<sup>8</sup>**

The Director works in conjunction with the other librarians to select non-print resources.

When a librarian identifies an electronic resource that they would like the library to consider ordering, this librarian will propose the investigation of the product at a Consulting meeting. When proposing a new product, the librarian will provide the official name of the product as well as an estimated price for the product along with a brief description and/or a link to a brief description of the product.

If the librarians agree to investigate the product, the Acquisitions and Technology Librarian will oversee the process. This responsibility includes gathering data about the resource and alternate vendors (if applicable) as well as setting up the trial, and sending out the requisite trial information to the library staff, VLS staff, and faculty.

A "rush request" policy for electronic resources is under development.

During the exploratory process a Tracker is maintained to record pertinent details about all electronic resources; fee or free. For example, a tracker is maintained for free online access that is provided with a print subscription.

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<sup>8</sup> This entire section was rewritten in January 2008.

The library will also utilize its Serials Solutions E-Resource Management System to track some of this data.

The Acquisitions and Technology Librarian oversees the Tracker process and the E-Resource Management System.

The ILS System Administrator may be consulted to determine whether the new product is compatible with our Innovative Interfaces catalog.

In addition to the librarian requesting the product, any or all of the librarians may participate in formally evaluating new electronic resources. Comments and recommendations by the librarians will be submitted through the E-Resource Management System.

A final decision about whether or not the library will subscribe to a new electronic resource will be decided at a Consulting meeting. Electronic Resource subscriptions will automatically be renewed unless there is a significant change in price, usage, or other indication that product may no longer be appropriate for the VLS community.<sup>9</sup>

The Acquisitions and Technology Librarian places orders for new products and oversees systems work relating to non-print resources. This responsibility includes loading software, checking and updating hypertext web links, arranging for proxy server access with the Information Technology department, maintaining access, maintaining a spreadsheet (or other mechanism) of the library's electronic subscriptions with information about passwords etc, compiling usage statistics, and other technology tasks required to implement the subscription.

Technical work, such as adding the product to our library catalog, and coordinating payments for the product, is performed by the Serials Specialist. If the product is not a subscription item, the above technical work will be performed by the ILS System Administrator. For example, monographic ebooks are non subscription items.

Any documentation or training required for using the product is provided by the Consulting department.

The Acquisitions and Technology Librarian will write announcements for the faculty meeting report about new electronic resources.

### **Cataloging Policy - Non-Print Formats**

Full cataloging is provided for electronic subscriptions that do not have a print counterpart. If the library owns a print item and also subscribes to an electronic version, the link to the electronic access is included in the cataloging record for the print item.

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<sup>9</sup> This sentence was added based on the discussion at the February 6, 2008 library Consulting meeting

## **Categories of Materials Generally Excluded from the Collection**

In order to meet our collection goals within available monetary and spatial limitations, certain categories of materials shall not be purchased in the regular course of acquisition except by special request. These materials are as follows:

- Books required for courses. The library does not automatically purchase every book required for every course. Most of the information in casebooks and other course books is already in the library in its original form, and these books are replaced frequently.
- Casebooks, other than those requested or authored by Vermont Law School faculty.
- Study aides except for hornbooks, nutshells and Sum and Substance audiotapes.
- Materials written for use by laypersons or paralegals.
- Reprints of materials already in the collection, unless the original is in poor physical condition and needs to be replaced, or a reprint has been specifically requested.
- Materials with a local emphasis outside New England.
- Rare books, except by gift or special request.
- Materials on law office management and using computers, other than those supplied as part of the ABA Package Plan.
  
- Materials that can be purchased from the law school Instructional Budget that is administered by the Associate Dean for Academic Affairs. These include both book and non-book materials whose purpose is to support the teaching of specific courses and whose long-term usefulness are limited. The Library does not provide personal materials for any member of the VLS community.

## **Retention Guidelines**

As materials become available in electronic formats, as subject interests change, and/or as funds are needed to support other topical areas, selected subscriptions are canceled. Retention of canceled titles is determined on a case-by-case basis. Typically law journals are bound and retained indefinitely. Some older volumes of law journals, that are also available through electronic subscriptions, are housed in off-site storage. Treatises may be kept for up to five years. If they are retained, they may be labeled “superceded.”

The library retains replaced editions of United States Code, Code of Federal Regulations, and selected prior editions of treatises.

With the exception of Vermont Statutes Annotated, the library does not retain superseded pocket parts or supplements. As a NELLCO member, we rely on Harvard Law School Library to retain superseded supplements and bound volumes to state and federal statutes.

### **Collection Evaluation Guidelines**

The Main collection should be evaluated on a regularly scheduled basis (for example, a complete evaluation every five years or a sectional evaluation on an ongoing basis so that the entire collection is evaluated on a five year cycle). The evaluation has four prongs that shall be addressed. To wit, it will:

- (1) Assess the collection's condition and substance.
- (2) Determine the age of the collection: with regard to the timeliness and pertinence of distinct areas of law as they relate to both historical development and contemporary theory and practice.
- (3) Evaluate the breadth and caliber of distinct areas of law for sufficiency in meeting general student and faculty pedagogical and research needs. It must be noted that while certain areas of the law remain relatively stable, other areas are dynamic, requiring closer scrutiny from the Collections Management team.
- (4) Deselect out-dated, redundant, deteriorated and/or otherwise unneeded materials.

In actuality, all of the four "prongs" will be simultaneously considered at the outset and throughout the collection evaluation process. It should be noted here that *every* book in the collection at the time of the evaluation should be considered per the criteria listed above.

### **Deselection**

Deselection is one of the most important, but arduous and, at times, gut-wrenching components of the evaluation. However, the Collection Development Librarian and the Environmental Law Librarian will focus on:

- the collection's specific content;
- whether or not present material is a significant source of primary information, and;
- whether or not it has historical significance in general or, specifically, for Vermont Law School.

Although no one, especially a librarian, enjoys removing a book from a collection, it is a necessary element of any law library collection development policy. Additionally, there is the

simple matter of spatial availability, which is something the Cornell Library must always contend with.

### **Gifts and Donations**

The law library considers all offers of gifts of materials, however, we will accept only donations of materials that we believe enhance the collection. Typically, the library does not accept donations that are part of a subscription unless the library intends on maintaining the subscription. When a donation is accepted a full inventory of the material is made and included in a letter of acknowledgment to the donor. The library does not make monetary evaluations of donations. Gifts are accepted with the understanding that once accepted, a gift becomes the property of the Vermont Law School Cornell Library, and its final disposition is determined by the Librarians.

### **Preservation**

The library binds all law reviews and selected law journals on a monthly basis as volumes are completed. There is a modest in-house preservation program. Items needing more extensive preservation are sent to Ridley's Book Bindery, Inc.

### **Monographic standing orders**

Standing orders to all new monographs published by certain organizations or publishers are maintained to speed receipt of the material, and to cut costs since most standing order titles are received at a discount. The library has the following monographic standing orders: American Bar Association, American Law Institute-American Bar Association, American Planning Associations' Planning Advisory Service, Island Press, Amnesty International, Brookings Institute, United Nations, West Publishing Company's Hornbook Series and Nutshell Series, World Resources Institute and Worldwatch Institute.

### **Concerns regarding Items in the Collection**

The library supports intellectual freedom that guarantees one's right to think for oneself and choose what to read or not read. We endeavor to meet the curricular and research needs of the Vermont Law School community through the acquisition of materials that reflect diverse, sometimes controversial, points of view. Librarians are committed to the creation of a well-rounded collection appropriate for an academic library.

Librarians recognize an individual's right to question materials in the library's collection. Although anyone is welcome to express concerns about library materials, primary consideration will be given to comments from faculty, staff and students at Vermont law School. The Lawyer Librarian for Collection Development is available by appointment for

general questions regarding materials in the collection. The following procedure will be used when an individual has questions regarding specific materials in the library's collection:

- The individual must state his or her opinions in writing and deliver them to the Lawyer Librarian for Collection Development.
- The Lawyer Librarian for Collection Development will review the item in question to determine whether the material meets the library's selection criteria.
- When appropriate, the matter will be referred to the Library Director.
- As soon as the review process is complete, the individual will receive a written reply. The process should take between two and four weeks.

DATE: November 18, 2004

Updated: January 7, 2005

March 23, 2005

June 29, 2005

October 24, 2005

October 27, 2005

July 27, 2007

January 31, 2008

February 8, 2008

April 8, 2008