Julien and Virginia Cornell Library
Vermont Law School
South Royalton, Vermont

COLLECTION DEVELOPMENT POLICY
July 1, 2020

The Julien and Virginia Cornell Library at Vermont Law School (VLS) is an instructional facility supporting the education of VLS students and offering legal reference services to citizens of Vermont. It serves as a research partner with the faculty and students, while meeting the legal information needs of the entire law school community.

The mission of the Julien and Virginia Cornell Library is to collect, to educate, and to collaborate in a service oriented environment that balances research, innovation, community and study.

- To collect, we select, organize, maintain, evaluate and provide access to print and electronic library materials. We provide uninterrupted stewardship to insure the integrity of the collection.

- To educate, not only do we teach and respond to inquiries, but we also develop instructional materials in anticipation of the needs of students, faculty, staff and members of the public.

- To collaborate, we work together within the library and across campus. We serve as leaders and role models for library and law school colleagues locally, nationally and internationally.

With over 350,000 titles and over 60 database subscriptions, the primary patrons of the library are current Vermont Law School students, faculty and staff. The library is a Selective Federal Depository and it is open to the public. Borrowing privileges are restricted to current members of the Vermont Law School community.

Depending on availability, cost, format options, and anticipated level of demand by the law school community, the library acquires and makes available materials either through ownership, license, or reciprocal arrangements such as interlibrary loan. The library participates in several local and national library organizations such as NELLCO, Legal Information Preservation Alliance (LIPA), Association of Vermont Independent Colleges (AVIC), Vermont Consortium of Academic Libraries (VCAL), and the Westchester Academic Library Directors Organization (WALDO). These associations allow the Vermont Law School library to enhance its collection scope through group rate pricing options and/or reciprocal borrowing arrangements.

The Vermont Law School library collection development activities are led by the Library Director, with primary responsibility for titles included or removed from the collection dispersed by topical designations. However, all librarians participate in the selection process. This is especially true with regard to electronic sources.

While the library accepts requests to purchase new materials from all members of the VLS community, requests for materials requiring an ongoing financial commitment must fit our collection guidelines and existing budget parameters. Faculty members are especially encouraged to work with their library liaison to develop subject areas of the collection as they deem appropriate. The library considers and complies with all United States Copyright laws when making collection decisions.

In keeping with the library's mission, this collection development policy has been drafted with close attention to the ABA Standards for Approval of Law Schools, particularly Standard 606. [1]

Collection Format

The Vermont Law School library adheres to a format neutral purchasing policy for delivering the scholarly content necessary to support the institution's academic program, in a cost effective and accessible manner. Choice of format will be determined by the library and shall be consistent with our purchasing policies.

SUBSCRIPTION MATERIALS

The Vermont Law School library has an electronic format preference for all subscription based materials, with exceptions for print format when appropriate. Subscriptions include all recurring cost titles, whether purchased as a package or individually.

For example, print format subscription items may include:

- Items duplicated in an electronic bundled database, where the titles vary over time, and; where assurance of continued access to these items is critical;
- Items which do not meet the Vermont Law School library's required technical criteria;
- Items which are not available in an electronic format.

ONE-TIME MONOGRAPHIC PURCHASES

The Vermont Law School library has a print format preference for one time monographic purchases, with exceptions for ebook format when appropriate. For example, the library purchases ebooks to support the scholarly needs of our growing off-campus student population as well as ebooks to supplement the core collection. As the availability of ebooks increases and ebook standards evolve, the library looks forward to expanding its ebook collection.

Ebook format monographic items must meet the Vermont Law School library's required technical criteria and may include:

- ebooks which are part of the ebook Ebook Central package, supplementing our core collection;
- ebooks to support the scholarly needs of our growing off-campus student population;
- individual ebooks or ebook collections;

[1]ABA Standards for Approval of Law Schools
http://www.americanbar.org/groups/legal_education/resources/standards.html

https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2019-2020/2019-2020-aba-standards-chapter6.pdf

AUDIO VISUAL MATERIALS

The library adheres to its Audio Visual (AV) Purchasing Policy when considering AV materials for the collection.

Collection Content

In addition to the regular collection content, the Vermont Law School library is a member of Preserving America's Legal Materials in Print (PALMPrint) and has supplemental access to that print format primary law collection. The Vermont Law School's membership and terms of access are documented in writing and affirm that the materials are organized and accessible in a timely manner.

FEDERAL COURT DECISIONS, CODES, AND SESSION LAWS

The Vermont Law School library offers all reported federal court decisions as well as all federal codes and session laws through multiple electronic databases including Westlaw, Lexis, HeinOnline, and BloombergLaw.

In addition, the library provides up to date print format access to the United States Reports, West's Supreme Court Reporter, United States Code, Superseded volumes of the United States Code, Statutes at Large, United States Code Congressional and Administrative News (USCCAN), United States Code Annotated, as well as Supreme Court Records and Briefs on microfiche. Print format decisions from the National Reporter System are also available through 2012. West's General and Decennial Digests are available through 2016.

TREATIES AND INTERNATIONAL AGREEMENTS OF THE UNITED STATES

While the Vermont Law School library offers a range of treaty resources, including Treaties and International Agreements Online, reliance is placed heavily on the HeinOnline Treaties and Agreements collection for access to the published treaties and international agreements of the United States. In addition to the library's complete print format Statutes at Large, the HeinOnline collection includes historical materials such as Treatises and Other International Agreements of the United States, 1776-1949 as well as more contemporary sources such as United States Treaties and Other International Agreements (U.S.T.), and Treaties and Other International Acts Series (T.I.A.S.).

FEDERAL REGULATIONS AND ADMINISTRATIVE DECISIONS

The Vermont Law School library provides up to date access to the Federal Register and Code of Federal Regulations (CFR) through multiple electronic sources including Westlaw, Lexis, BloombergLaw, & Govinfo.gov. In addition, the library provides print format access to the CFR, including the West CFR Index. Historical versions of these publications are offered through HeinOnline and the library's microfiche collection.

The library provides extensive federal administrative decisions through multiple print and electronic resources including the HeinOnline Federal Agency Documents database. Among these, decisions particularly appropriate for the Law School's environmental programs include Federal Energy Regulatory Commission Reports, Federal Power Commission Reports, and Nuclear Regulatory Commission Issuances.

UNITED STATES CONGRESSIONAL MATERIALS

In addition to the broad ranging materials available through multiple electronic sources such as Westlaw, Lexis, BloombergLaw, and Congress.gov, the Vermont Law School library owns the U.S. Serial Set Digital Collection from 1789 onward in conjunction with the ProQuest Congressional database, as well as the HeinOnline Congressional Documents collection.

Hard copy congressional materials include the Congressional Record in the daily version from 1983 to 2008, Congressional Bills from 1980 to 2000, and Congressional publications from 1947 to 2012. These materials are accessed by Congressional Information Service's Congressional Index and Abstracts. CIS's US Senate Executive Documents and Reports Index provide additional access for the period up to 1969.

STATE COURT DECISIONS, CODES, AND SESSION LAWS

The reported decisions of the highest appellate court of each state, and at least one annotated code for each state, are available through multiple electronic databases including Westlaw, Lexis, and BloombergLaw. Supplemental access to all state session laws is available through the HeinOnline Session Law collection.

In addition, the library provides up to date print format access to Acts and Resolves of Vermont, Vermont Reports, Vermont Key Number Digest, Vermont Statutes Annotated (VSA), superseded VSA volumes and pocket parts, New Hampshire Reports, West's New Hampshire Digest, New Hampshire Revised Statutes Annotated, as well as select historical reporters from various states.

STATE REGULATIONS AND ADMINISTRATIVE DECISIONS

In addition to the state administrative regulations available through multiple electronic databases such as Westlaw, Lexis, and BloombergLaw, the Vermont Law School library provides print format access to the Code of Vermont Rules and Vermont Government Register.

The library provides extensive state administrative decisions through multiple print and electronic resources including Westlaw, Lexis, and BloombergLaw. Among these, decisions particularly appropriate for the Law School's environmental programs include Vermont Public Service Board opinions as well as Vermont Environmental Board Appeals Decisions.

CITATORS AND INDEXES

The Vermont Law School library maintains print format subscriptions of Shepard's Citators for New Hampshire materials, as well as Shepard's Acts and Cases by Popular Names. For updating all other citations, the library relies on Shepard's, KeyCite, and BCite, available through Lexis, Westlaw, and BloombergLaw respectively.

The library subscribes to select periodical indexes, such as ScienceDirect, to assist users in identifying primary and secondary materials available by request via interlibrary loan or document delivery.

TREATISES

The Vermont Law School library collects treatises to support the law school's programmatic offerings as well as the long term scholarly research needs of the students and faculty. As new areas of law emerge, and as the curriculum evolves, the library adjusts its treatise collection accordingly.

Deliberate attention is given to developing the library's unique collections of treatises, such as the Vermont materials and Environmental Collections.

In compliance with the library's collection format policies, monographic treatises are obtained in print format or as ebooks. Extensive subscription treatises are available to students, faculty, and staff through database offerings such as Westlaw, Lexis, BloombergLaw, and Ebook Central. Print format subscriptions are maintained for high demand items and/or materials outside of the library's technical criteria policy. Bibliographic records for all treatises, including records with links to our electronic treatises, are included in the library's Julien catalog.

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

PERIODICALS

Through numerous databases such as HeinOnline, Westlaw, Lexis, and BloombergLaw, the Vermont Law School library provides access to the general law reviews of most accredited American law schools. Topical law reviews and journals from commercial publishers are acquired selectively. 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 as well as general and specific interest magazines.

The library has limited print format holdings of 1990-2012 for select law review volumes which 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.

REFERENCE COLLECTION

The Reference Collection consists of print and electronic 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 encyclopedias, dictionaries, judicial directories, citation manuals, and general practice materials such as form books.

In addition to the numerous reference titles available through multiple electronic databases such as the Statistia, Oxford Dictionaries Online, Westlaw, and Lexis, the library provides up to date print format access to American Jurisprudence 2d, American Jurisprudence Legal Forms, American Jurisprudence Pleading and Practice Forms, Words and Phrases, Uniform Laws Annotated, and all Restatements.

Some "reference" material is located in the Main collection rather than the formal Reference Collection area of the library. Location decisions for materials are made at the discretion of the librarians, in consideration of spatial and access concerns.

RESERVE AND AUDIO VISUAL COLLECTION

The Vermont Law School library maintains a permanent reserve and audio visual collection. This collection contains high demand items, or limited circulating materials, including the entire West Nutshell series as well as select hornbooks, Understanding series, and Examples & Explanations series. Additionally, the library maintains a limited subscription to the Kanopy streaming service as well as the West Academic Study Aids database.

VERMONT COMMUNITY LEGAL INFORMATION

In conjunction with a grant from the Vermont Department of Libraries, the Vermont Law School library maintains a small collection of materials designated for community use. This collection includes select print format treatises, such as Nolo publications, as well as two designated public access Westlaw terminals and one designated public access Lexis terminal. On-site access, for the public, to the library's other subscription databases is offered when authorized under the library's regular license agreement.

ENVIRONMENTAL COLLECTION

To support the curricular and research needs of environmental faculty and students studying for the Master of Environmental Law and Policy (MELP), Master of Energy Regulation and Law (MERL), Master of Food and Agriculture Law and Policy (MFLAP),Master of Laws (LL.M) in Environmental Law, Master of Laws (LL.M) in Energy Law, Master of Laws (LL.M) in Food and Agriculture Law or a joint MELP/JD or MERL/JD degree, MFLAP/JD degree the library maintains a special collection of Environmental materials selected by the Environmental Law Librarian. 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 Environmental Collection, occupying the top level of the Julien and Virginia Cornell Library, is an important component in that effort.

The Environmental Collection was established as a separate collection 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 library.

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, international environmental law, climate change, and - more recently – ecological economics, energy law, water law, sustainability, and environmental dispute resolution.

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. The focus for selecting material for the Collection is to support our curricular and faculty research needs.

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 Commission of Higher Education, the accrediting body for the Master degrees, has affirmed that the library should 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. Heavily technical reports are excluded unless specifically requested.

The main body of the Environmental Collection consists of monographs and treatises including many 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.

Display racks contain a collection of environmental periodicals which includes wide ranging newsletters, magazines and journals. Back issues of these periodicals as well as a growing number of environmentally-related scholarly law reviews are located with the Library's main periodicals collection or are available through our subscription to HeinOnline.

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

A substantial Research Guide to help users identify and link to environmental web sites can be accessed from the Library home page. Subscription-based Environmental web resources are listed together on the Library's Research Databases page. The library subscribes to a number of environmental current awareness and research services on the Internet including Environmental Law Institute's Environmental Law Reporter, Greenwire, Environment and Energy Weekly, EnergyWire, ClimateWire, Environment Abstracts, Sustainability Abstracts, Endangered Species and Wetlands Report, Inside EPA.com, etc. Selection criteria for electronic resources is consistent with the selection criteria outlined in the Library's over-all Collection Development Policy statement.

INTERNATIONAL, FOREIGN, AND COMPARATIVE LAW MATERIALS

International and comparative law is emphasized as part of the Law School's curriculum and our collection reflects the curriculum, international programs, as well as the international interests of the faculty.

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; Seville, Spain and Cambridge, UK.

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 research or are involved in exchange programs. The limited availability of materials written or translated in English affects the selection

process accordingly. The cost of international monographs and serials is a critical, determining factor in selecting materials in these areas of law.

Acknowledging the Law School's geographic proximity to Canada, the Library has purchased numerous secondary materials on Canadian constitutional, environmental, and First Nations issues as well as primary federal and provincial authorities.

With regard to the primary law of other foreign countries, the library owns several multivolume resources on foreign law as well as many foreign law monographic titles. 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. Topics include constitutional, civil code, and criminal code comparisons and contrasts.

When appropriate, the library collects electronic resources in the areas of foreign, international, and comparative law.

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. 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
- Study aides except for some hornbooks, nutshells, Understanding series, Examples & Explanations series, and the West Academic Study Aids database
- 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
- Materials that can be purchased from the law school Instructional Budget that is administered by the Vice Dean for Faculty. 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.
- Uncorrected proofs, advance reader's copies, or galleys

Collection Evaluation

In addition to complying with its superseded materials policy, The Vermont Law School library evaluates the collection on a sectional basis, anticipating that the entire collection will be evaluated on a five year cycle. The evaluation will:

- Assess the collection's condition and substance;
- 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;
- Evaluate the breadth and caliber of distinct areas of law for sufficiency in meeting general student and faculty pedagogical and research needs;
- Deselect outdated, redundant, deteriorated and/or otherwise unneeded materials.

When deselecting, the librarians will consider:

- 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;
- any physical space constraints relating to the material;
- American Bar Association collection standards.

Gifts and Donations

The Vermont Law School library considers all offers of gifts of materials, however, the library only accepts donations of materials that are determined to enhance the collection and comply with the library's collection development policy. Typically, the library does not accept donations that are part of a subscription. When a donation is accepted a summary of the items is 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. Acceptance of a gift does not require the library to retain the gift in perpetuity.

Concerns Regarding Items in the Collection

The Vermont Law School library supports intellectual freedom and acquires 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. The Library Director 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 Library Director;

- The Library Director 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 Vice Dean for Faculty;

- As soon as the review process is complete, the individual will receive a written reply.