

UPDATE: Collection Development Policies and Other Basic Tools for Building a Foreign and International Law Collection

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1. Collection Development Policies and Other Basic Tools for Building Foreign and International Law Collections

1.1. Introduction

The impact of globalization on the practice of law, legal education, and legal research has been examined, discussed, and debated for more than a decade among legal educators and law librarians.^[1] It is now accepted among information professionals that providing at least some access to relevant foreign and international law materials is important, if not critical, in academic, firm and other libraries.^[2] Numerous articles, research guides, and foreign and international law portals and websites have been created and maintained by law librarians with expertise in researching the laws of foreign jurisdictions and/or international law. These tools have helped to make foreign and international legal materials and research methods available to researchers, librarians, lawyers, and law students who are unfamiliar with foreign and international law resources and research techniques.

Legal information professionals also need assistance in developing collections of foreign and international law materials to facilitate legal research at the level appropriate to meet constituent needs in their libraries, firms, and businesses. This guide aims to assist those who are not FCIL specialists by providing the basic concepts and tools needed to build collections to support foreign and international legal research.

The knowledge and skills required to work on FCIL collection development are the same whether you are a U.S. law librarian working with foreign legal materials or a law librarian from outside the U.S. for whom the law of the U.S. and other jurisdictions is foreign law. Collection development work draws upon:

- legal research skills
- bibliographic knowledge and skills: the ability to effectively search for and interpret bibliographic records in online catalogs, publisher websites, and other tools; knowledge of different types of bibliographic formats for resources and ability to recognize their structure and form; ability to recognize different titles, editions, and versions of resources and compare their content and features
- the ability to organize one's thinking and work into systematic steps
- the ability to exercise judgment in assessing the value of sources (as you must do when performing research)
- the ability to work with, assess, and compare the usability of resources in existing, new, and emerging formats
- the ability to articulate the rationale behind your choices to provide a framework for future decision-making
- a solid understanding of the costs associated with providing access to information, e.g., money, staff time, physical and virtual space
- the ability to identify and act upon trends in legal publishing, including but not limited to rising costs and concentration of ownership,^[3] the increasing availability of free web-based access to foreign and international law,^[4] technological developments
- attentiveness to national and international situations, issues, and trends that affect the publication of and access to legal information in different countries or globally, for example, political and/or economic stability or instability, natural disasters, wars and conflicts, tariff battles, global

pandemic

- knowledge and understanding of one’s institutional mission and the role of the library and the collection in achieving that mission
- knowledge and understanding of user research needs and habits

As with the other work we do in law librarianship, it is not a rote process—analytical skill and sound judgment are both critical. Foreign, comparative, and international law collection development work *also* requires a willingness to work with (or cope with) the unfamiliar, e.g., foreign languages, different legal systems, complex publication patterns, different patterns of updating for publications in different formats.

Fortunately, the basic tools needed for developing foreign and/or international law collections are more accessible and available than ever before. So, even if you are new to collection development, or experienced with collection development for your home jurisdiction but unfamiliar with FCIL collection development, you do not need to start from scratch. What are these tools and where can you find them?

1.2. Basic Tools Overview

The basic tools for building, maintaining and/or refining a foreign, comparative, or international law collection include the following. First, the Collection Development Policy, which is your blueprint or “architectural drawing” for “building” the FCIL collection.

Next, a basic understanding of different types of legal systems, the content and scope of international law and international organizations, and major legal subjects or areas of law for different jurisdictions is important.

- Types of legal systems include civil law systems, common law systems, religious legal systems (Canon law, Islamic law, Jewish law), historical legal systems (e.g., Roman law), “mixed” systems (based on common law and/or civil law models and influenced or affected by custom, religious law, etc.).
- [Public international law](#), the law of relations between nations, includes a range of systems and international organizations; major international law subject areas, e.g., human rights and international trade; the documents and workings of international organizations, e.g., the United Nations and the World Trade Organization; and supranational organizations, e.g., the European Union.
- “Private international law or international private law”—which is distinct from public international law—“governs the choice of law to apply when there are conflicts in the domestic law of different countries related to private transactions. National laws are the primary sources of Private International Law.”^[5] It includes the “body of conventions, model laws, national laws, legal guides, and other documents and instruments that regulate private relationships across national borders.”^[6]
- Foreign and comparative law subject areas may vary in importance from one jurisdiction to another. Subject knowledge is especially important when working with approval plans and in selecting codes, commentaries, and scholarly treatises for civil law jurisdictions.

Next, it is the knowledge of the structure of the legal system(s) of the specific jurisdiction(s) of interest, the system of public international law and its sources of law, and the structure, organization, powers, and legal context in which an international organization operates.

Once you learn about the structure of the legal system in question, you will need information about what is published and in what form for the jurisdiction, international organization, or area of international law, e.g., important sources of primary law and the terminology used to describe them, finding aids, and secondary sources such as books, journals, and integrating resources. In other words, you must find out how and where the law is published, analyzed, and discussed. In this aspect of collection development, it is critical to investigate the availability of free and commercial web-based resources, e.g., government and international organization websites, e-journals, e-books, open access materials, searchable databases. FCIL research guides (see *Bibliography of Selected Resources infra*) are excellent starting points for obtaining this information, and in many cases will provide a solid foundation for the development of a core collection list for different areas of your law library’s FCIL collection.^[7]

Another important ingredient is a basic understanding of the hierarchy of authority between and the publication of different sources of law in the jurisdiction or international body, including the role of secondary sources and scholarly commentary. In other words, you need knowledge of how legal research is done and what resources are typically used by lawyers and/or legal scholars in the jurisdiction or legal system or with respect to a body of international law or an international organization. This is important because it will influence your choices about what to collect to support different levels of research for different jurisdictions and legal systems. For example, some differences you will encounter between civil and common law jurisdictions in terms of primary sources of law include the following:

Judicial opinions: In civil law jurisdictions, legislation is mandatory authority, but judicial opinions are considered persuasive authority because they are decided on an individual basis and the principle of *stare decisis* is not applied as it is in common law jurisdictions.^[8] This difference in the legal authority accorded to court opinions in civil law and common law legal systems has resulted in a difference in how court opinions are published in the different systems. The publication of court opinions may be less systematic and comprehensive in civil law jurisdictions, and court opinions are often found in journals rather than court reports. This will affect what types and levels of court opinions you decide to include in your foreign law collection and *how* you will collect them for civil law countries. Similarly, if you are a law librarian in a civil law jurisdiction beginning to develop a collection for a common law jurisdiction, e.g., the U.S. and Canada, you will need to recognize the importance of collecting or providing access to the systematically and often comprehensively published judicial opinions published by the federal and state/provincial court systems because court opinions are mandatory authority within the jurisdictional authority of the different courts. Many judicial resources are published online in both free and for-fee websites and databases. Information may be found in online research guides and governmental websites among other sources.

Legislation/statutes/codes: Statutory law is published in a variety of ways in different jurisdictions and legal systems. Learning the terminology and publication patterns for legislation and compilations of laws is critical to determining what you will need to collect to support statutory research for foreign jurisdictions of interest. For example, many countries outside the U.S. publish [official gazettes](#) and “newly enacted laws may not take effect until they have been published in the official gazette. For some jurisdictions, particularly those in the developing world, the official gazette is the only published source for both legislation and regulations.”^[9] Many official gazettes are also now published online in free and for fee versions. A U.S. law library interested in collecting statutory and other primary law for a foreign jurisdiction should explore and learn the structure and content of foreign official gazettes to make content decisions for countries of interest.

There are also differences in the publication of “codes”/collections of statutes/compiled laws in different countries and legal systems. Understanding these differences will help to inform decisions about what to collect for countries with civil law legal systems. For example, the [“codification of law”](#) in [civil law](#) systems and the publication of “codifications” as well as topical compilations of statutes has an impact on publication patterns and these

must be understood to make decisions for your foreign law collection. A basic understanding of the differences can be gained through research guides and journal literature.

“**Doctrine**” (treatises, monographs on specific topics, journal articles) also has persuasive authority in civil law jurisdictions and a “respected treatise is often considered more persuasive than a judicial opinion.”^[10] As a result, collecting major treatises and/or commentary may be especially significant for some areas of law, depending on the type of research your collection aims to support.

Another important consideration is the official languages for jurisdictions, especially for countries, international organizations, and supranational organizations with multiple official languages and/or where the law is published in multiple non-official languages. Examples include Belgium, Luxembourg, the European Union, and the United Nations, among others. A threshold question is whether you will collect in the vernacular (whether in the official language or another language) or only in translation into the language of your country. If collecting in the vernacular is preferred, you will want to determine which language/s you will collect, especially for codes in civil law systems.

Further, knowledge of the legal terminology used in a jurisdiction or area of international law and how areas of law (legal subjects) are categorized in the jurisdiction is especially important when the terminology varies from what you are accustomed to in the legal system most familiar to you. For example, learning which subjects are categorized as public law^[11] and private law^[12] in civil law systems will help when you are searching for and assessing books and other resources on a topic for a civil law jurisdiction, when you are reviewing resource ads and notifications, and when you are establishing subject parameters for an approval plan. Learning the broad topics into which American, British, and other common law jurisdictions categorize areas of law will similarly assist law librarians from civil law and other legal systems. A knowledge of public international law and comparative law topics is also critical. This type of information is typically available in legal research guides or books for law students on the fundamentals of legal research for their jurisdiction.

Moreover, dictionaries—bilingual general dictionaries for the language of the jurisdiction, and more importantly, bilingual legal dictionaries—to provide some access to the language of the law of the jurisdiction are highly useful. Online translation tools, which are increasingly used in lieu of dictionaries, are also valuable, but should be assessed for accuracy and used in conjunction with traditional law and non-law dictionaries. Some publishers also provide access to their websites in the vernacular as well as in English and other languages.

Additionally, information about how to access and/or acquire access to or ownership of primary law and/or secondary sources about the law of the jurisdiction or body of international law. For example, important publishers for a jurisdiction or international organization; the best publishers of codes and code commentaries for civil law jurisdictions; important vendors for a jurisdiction or international organization; different methods of obtaining material, e.g., individual orders, approval plans, blanket orders, etc.; methods of finding out about what is available, e.g., online book notifications, publisher websites, book reviews, bibliographic utilities (e.g., WorldCat), on-line catalogs of law libraries with existing foreign, religious or international law collections, research guides, bibliographies, email alerts, listservs, blogs, etc.

Next, knowledge of approval plans and how to establish and maintain them. Approval plans are especially useful for collecting foreign law materials when collecting is done in the vernacular and a library lacks in-house language skills. Approval plan vendors such as [Casalini Libri](#) (Italy, France, Spain, Portugal, Greece), [Erasmus](#) (France, the Benelux countries and Scandinavia), [Eastview](#) (countries of the former Soviet Union, Eastern Europe, China), [Harrassowitz](#) (Germany, Austria, Liechtenstein, Switzerland, Scandinavia and the Benelux countries), [EBSCO](#) formerly YBP Library Services (UK, US), [Retta Libros](#) (Columbia, Cuba, Paraguay, Uruguay, Venezuela). Approval plan vendors will help to explain how to set up and tailor an approval plan to meet the needs of your law library or firm. Approval plans do require oversight, monitoring, and adjusting over time to ensure that profiles yield appropriate selections, especially as vendors increasingly rely on artificial intelligence algorithms that can be problematic in terms of accuracy.

Lastly, people are an important resource. Whether you are drafting or revising a collection development policy or making decisions about what to add or weed from your collection, people are one of your most important resources. What people?

- FCIL librarians who are experts in FCIL collection development share their knowledge and help with collection development (and research) questions through their participation in the AALL [FCIL Newsletter](#), the FCIL-SIS associated blog [DipLawMatic Dialogues](#) and/or the FCIL-SIS member community in the [AALL website](#) (access limited to AALL members), or by direct contact.
- Librarians and information professionals from other countries are an excellent source of information about legal systems and publications for their home and other jurisdictions. Contacts with such information professionals are facilitated by the [International Association of Law Libraries](#) (IALL); see [the](#) website for information about becoming a member of IALL. The [IALL listserv](#) is available to members and non-members and is an excellent resource for consulting with colleagues from all over the world about legal research questions in different jurisdictions. IALL also holds substantive law [annual courses](#) in countries around the world; these courses are an excellent way to learn about the law, culture, and legal publications of different countries.
- Help can come from [Online Discussion Forums for not only FCIL-SIS Members](#) (a list compiled by Erin K. Gow and Lyonette Louis-Jacques)
- Law faculty, especially members of the faculty who are experts and involved in international and/or foreign law scholarship and teaching.^[13]
- LL.M. and S.J.D. students from foreign law jurisdictions are often willing to work with you on collection development questions relating to their home countries, to help you with translations of the language of the law, and to help you understand important areas of law for their jurisdictions.

1.3. Collection Development Policies in General

The blueprint for building any library collection, whether tangible or virtual and regardless of the size of the library, is a collection development policy. Collection development policies are written statements of goals and evaluative parameters to guide decision-making in selecting material for addition to a library collection; they are crucial to well thought out, consistent and usable collections. While collection development policies may specifically dictate some decisions (we purchase X type of material, we do not purchase Y type of material), they should also leave a great deal of room for the application of educated professional judgment in building a collection. Such policies should be tailored to the specific needs and mission of a library or firm. They need not be long or overly detailed if they provide the necessary practical guidance needed when making purchases or reviewing and weeding collections. They must also be regularly reviewed and updated to ensure that they reflect current collection goals.

Most academic law libraries have written collection development policies.^[14] If your library’s policy already includes a section on foreign, comparative and/or international law, you are ahead of the game, even if the policy requires revision or updating to reflect the current state of FCIL publishing or to make it more usable. If the policy does *not* include a section on foreign or international law, your first challenge will be to draft such a

policy for incorporation into your existing collection development policy or as a separate document. Thankfully, there is no need to reinvent the wheel – many academic law library collection development policies include FCIL sections,^[15] and many are available on the web in law library websites or in the [Academic Law Libraries-SIS Collection Development Committee website](#); note that access to the policies in the AALL website is limited to AALL members.

Before you embark on a project to draft or revise collection development policies for foreign and/or international law, you should prepare yourself by:

- Reviewing the FCIL literature—especially guides to researching international law and the laws of foreign countries. This will help you learn about different types of legal systems and the legal literature of foreign jurisdictions, international law, and international organizations. See the *Bibliography of Selected Resources infra* for citations to some of the major resources for foreign, comparative, and international law research. Many of these resources include citations to major primary law and secondary sources for foreign jurisdictions or areas of international law; numerous guides to researching foreign law are freely available on the web, including [GloboLex](#), an electronic open access publication dedicated to publishing foreign, international, and comparative law research articles. .
- Reviewing the available collection development policies, focusing on their FCIL components. This will save you time because the other policies will not only provide a template for the organization of your own policy and wording and concepts for different sections of your policy, but they will also educate you in different aspects of FCIL collection development.
- Discuss collection goals with your law library director and/or others involved in collection development in your library to get an idea of the potential scope of your FCIL collection. Budget considerations, cost, and physical and/or virtual space to access or house the collection will affect the size and kind of collection you develop and retain.

1.4. Organization and Content of FCIL Collection Development Policies

1.4.1. Overview

Law libraries organize their collection development policies in a variety of ways, depending on their approach to collection development and the size, breadth, depth, and sometimes age, of their collections. Since collection development policies are designed to provide a blueprint for ongoing work, tailoring the policy to your library's needs and work methodology is important. An added benefit of taking the preliminary step of reviewing other FCIL collection development policies is that your review of other FCIL policies will also help you identify an organizational style that best meets the needs of your library, even though the policy you like best will likely require modification to achieve the best fit.

Although there are variations in organization, style, and wording, law library collection development policies in general share certain common features, even if they do not use identical organizational categories.

Typical components of collection development policies include:

- Statement of the mission of the law library (usually part of overall policy, but if collecting foreign and international law materials is integral to your library's mission, it should be mentioned here.) FCIL elements are often mentioned in the goals section of policies if not in the mission statement.
- Goals of the collection development policy, for example “To Support the Scholarly and Instructional Work of the... Law School Faculty and Students;”^[16] OR “The above general principles guide some specific goals that we are committed to pursuing even in an information climate in which our budget is more constrained than in the past ... Collect foreign-law materials extensively in order to serve the current and future research needs of our faculty and students and to enhance nationwide access to such materials.”^[17]
- Factors or selection criteria applicable to all areas of the collection that affect the application of goals to selection decisions, e.g., quality (“how well a work is written, the scope of the work, the importance of the contents of the work to ... research or discourse, the nature and extent of footnoting within the work, accessibility of the work (e.g., indexing and/or online search functions), the reputation of the author and/or publisher, and the importance of the work in the area of law or jurisdiction in question”);^[18] faculty interest; availability; cost; language, e.g., collect in the vernacular and/or in English translation; format (print, electronic, etc.);^[19] access v. ownership; stability and preservation of resource, especially important when considering free web-based sources; usability of resource, especially important for electronic resources and expensive commercial resources. A more in-depth discussion relating to electronic resource selection is discussed in section II.
- Role of consortium agreements, cooperative collecting arrangements, reliance on other libraries within a campus system or within a regional or local network, and interlibrary loan.
- Overview of the collection
- Selection responsibility (who is responsible for building the overall collection and different subject or jurisdictional areas)
- Statements applicable to the entire collection are often followed by policy subdivisions or categorical sections. The section of the policy defining the policy for the home jurisdiction of the law library typically follows statements applicable to the entire collection. For example, policies for selecting U.S. legal material are usually the first specific subdivision in collection development policies for American academic law libraries because the U.S. collection is typically the core collection for such a law library.
- Following the section for one's home jurisdiction, policies that include FCIL components may include separate sections for foreign law and international law.
- Many collection development policies have separate sections addressing format considerations, e.g., print, electronic only, etc. Sections on electronic materials should address issues such as stability and usability, ownership, free versus for-fee, archiving, digital preservation,^[20] etc.
- All collection development policies should include statements regarding retention and preservation of historical materials. For example, a law library that aims to be current may not retain old editions of treatises, while a law library that supports historical and current research should state its intention to retain such materials.

1.4.2. Foreign Law

Foreign law sections of collection development policies are typically organized by:

- **Foreign jurisdiction** (individual countries OR regions of the world with individual country subdivisions within region)
- **Type of legal system** (with separate sections for common law systems, civil law systems, religious systems, historical legal systems, e.g., Roman law). Legal system divisions are then subdivided by individual country (or individual countries covered by the section are listed).

Both arrangements for foreign law are then usually further subdivided by type of publication, for example,

- **Primary material:** constitutions, statutes, codes (for civil law jurisdictions), session laws, compiled laws (subject arrangements of laws in common law jurisdictions), [21] delegated legislation and/or administrative regulations, official gazettes, court decisions, administrative decisions, treaties, finding aids for primary material, etc.
- **Secondary material:** often organized by publication type, i.e., treatises, annotations, and commentaries, integrating resources, festschriften, periodicals, etc. Subject parameters for the selection of different types of secondary materials are typically delineated in the form of subject lists to which “collection intensity levels” or “collection depth indicators” or more general wording for collecting level have been applied. [22]

Subject-based policy components are sometimes, but not always common to both civil law and common law components of a policy, or to all included jurisdictions. This depends on how the law library has customized its collection depth indicators. For example, libraries that only apply the indicators to subjects may combine subject lists across jurisdictions and legal systems, but law libraries that have established indicator levels to cover both primary and secondary material may have separate indicator level definitions for common law jurisdictions, civil law jurisdictions and international law.

1.4.3. International Law and International Organizations

International law sections of policies may be divided into two broad categories as illustrated below:

- **Public International law** may be subdivided by type of publication, and/or area of international law, and/or subject, for example:
 - Treaties, judicial and other adjudicative opinions
 - Sources of customary international law
 - Human rights
 - International trade
 - Other secondary materials organized by subjects to which “collection intensity levels” have been applied.
- **International Organizations** policy sections are usually divided into separate sections to account for their different structures and variant methods and systems of publishing their “primary materials” (documents), e.g., United Nations, World Trade Organization, International Chamber of Commerce, etc. Policy sections on secondary materials about the work of international organizations may be subdivided by type of publication and subject, often with collection depth indicators or descriptions applied.

1.4.4. Supranational Organizations

Supranational organizations, such as the European Union, will also typically be covered in a separate section of a policy, then subdivided by type of publication (primary and secondary) and further subdivided the way foreign law sections are subdivided, with collection intensity levels or descriptors assigned to subjects.

1.4.5. Religious Legal Systems/Historical Legal Systems

Religious legal systems are usually also divided into discrete policy sections because of the variations in the sources of law and publication patterns in different systems. Common religious law systems typically found in FCIL collection development policies include Canon law, Islamic law, Jewish law. Roman law, as an historical legal system, may be similarly placed in a separate section of the collection development policy if collected. Each section is further subdivided as foreign law sections are subdivided, with collection intensity levels or descriptors assigned to subjects.

1.5. Collection Depth Indicators in Collection Development Policies with Examples

An important and useful tool for FCIL collection development work is the previously noted concept of “collection depth indicators” or “collection intensity levels.” Establishing collection depth indicators within your FCIL collection development policy is recommended in more extensive collections because using collecting levels will increase the efficiency of your FCIL selection work and the usability of your FCIL collection development policy.

The presence of established collection depth indicators in your FCIL collection development policy will also be helpful when you are setting up approval plans in which you must indicate desired collecting levels by subject, format, etc. Two representative examples of collection depth indicators seen in law library FCIL policies are:

Example 1

Indicator levels that are designed and defined to apply only to **secondary law materials**, typically assigned to **subject lists** within a collection development policy. A list of indicators and definitions using this model from the University of Michigan Law Library Collection Development Policy appears below. [23] Note that these indicators are applied to a list of **subjects** for which the library collects secondary materials at the assigned level. It is also worth noting that a law library that uses this type of collecting level will of necessity have to address the collecting of primary material in a different way, for example using the subdivisions for types of primary material by country. This may result in a more complicated policy structure than found in policies that use **Example 2**, which follows.

Level 5: Comprehensive	
Goal	To support the highest level of faculty research in both a current and historical framework.
Current Sources	To achieve the aim of this level, an exhaustive collection, we collect all current monographs, serials, and reference tools within scope that support scholarly research.
Historical Sources	Older materials are collected if critical for historical research.

Level 5: Comprehensive	
Translations	The library will acquire English, or Romance or Germanic language if English is unavailable, translations of vernacular works in the collection if they substantially enhance the collection.
Level 4: Research	
Goal	To support faculty and graduate law student instruction and research on the topic, including research for dissertations, graduate papers, and independent scholarly research and writing.
Current Sources	To provide a strong foundation for current and future research needs, we collect all basic reference works, a wide selection of monographs, an extensive collection of journals, and a complete set of secondary source finding aids that support scholarly research.
Historical Sources	Older materials may be acquired if critical for historical research.
Translations	The library will acquire English translations of major vernacular works in the collection.
Level 3: Instructional Support	
Goal	To support instruction and basic research, but not necessarily adequate for intensive scholarly research.
Current Sources	To provide instructional support, we collect high-quality scholarly monographs, a strong selection of journals, and secondary source finding aids.
Historical Sources	There is a presumption against acquiring historical materials.
Translations	The library will acquire English translations of major vernacular works in the collection only if the language is neither a Romance nor a Germanic language.
Level 2: Basic Information	
Goal	To aid readers' immediate understanding of a subject and to introduce readers to the subject and the other available sources on that subject.
Current Sources	To meet this goal, we collect a limited number of major high-quality scholarly monographs and journals, supplemented by secondary source finding aids.
Historical Sources	There is a strong presumption against acquiring historical materials.
Translations	The library prefers works in English for accessibility but will select in the vernacular to collect the major works.
Level 1: Minimal	
Goal	Not to collect works in this subject area unless specifically requested by the faculty to support the curriculum or to substantially enhance the collection.
Current Sources	When required for curricular support, we will collect the title requested or a similar work that meets the curricular goals. In all other cases we will collect individual comprehensive scholarly treatises on the topic.
Historical Sources	There is a very strong presumption against acquiring historical materials.
Translations	The library will select the language based on the needs of the faculty member and students requesting and using the work.

Applying the above to subjects for civil law countries from the University of Michigan Law Library Collection Development Policy, see the excerpt from Topic List arranged alphabetically:

Accounting & the Law [1]	Alternative Dispute Res. [3]
Administrative Law [3]	Art Law [2]
Admiralty (Int'l Sel.)	Banking Law [3]
Agency Law [2]	Bankruptcy Law [3]
Agriculture Law [1]	Canon Law [4]
Air and Space Law (Int'l Sel.)	Children and the Law [3]

Example 2

A second representative model of collection depth indicator is customized to **apply to both primary and secondary legal materials**. Libraries that use this model in their policies, including Duke University Law Library have different definitions for levels to be applied to civil law countries and

common law countries and/or international law materials. An example of two of the indicators and definitions using this model from [Appendix B of the Duke University Law Library Collection Development Policy](#) is below. View Appendix B online for a complete list. Note that these indicators are applied to a list of *countries* for which the library collects primary and secondary materials at the assigned levels. Libraries that use this model may have easier to follow, less complicated policies than libraries that use model 1, but libraries using model 2 may choose to establish separate definitional levels for different types of legal systems and for international law because the primary sources may differ too much for common definitions to be applied.

“[E] BASIC:

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

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

...

[B] RESEARCH:

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

Secondary Materials: The Library collects most court reports in civil law countries, English translations of codes and court reports, works on the legal system and on [a] wide variety of specialized subjects. The Library selects only the most important treatises or other materials requiring frequent supplementation and collects expensive monographs and serials selectively. The Library does not select practitioners' materials unless essential to a subject area. The Library collects secondary works in English and the vernacular.”[\[24\]](#)

An example of the application of collecting levels to countries from the Duke University Law Library Collection Development Policy for Foreign Law, see the excerpt below capturing Collecting Level by Jurisdiction, as included in [Appendix B of the Duke University Law Library Collection Development Policy](#).

JURISDICTION	LEVEL
<i>Africa</i>	
Nigeria, Rwanda	D
Ghana, Kenya, South Africa	C

1.6. Conclusion

The basic tools of FCIL collection development will help you get started in FCIL work or provide ideas for revising your current FCIL collection development policies. While the descriptions of collection development policy structures do not cover all existing and possible arrangements, your reviews of the collection development policies of other law libraries and your review of the research and collection development resources listed in *Bibliography of Selected Resources* should provide enough variation in style and organization to permit you to craft a policy structure that will work best to achieve your law library’s FCIL collection development goals.

The following list identifies some schools whose policies include some FCIL coverage, no matter how minimal. All policies listed include collection depth indicators. Note that sometimes a minimal level of description is all you need, especially if you are developing a small or limited collection. FCIL librarians from non-U.S. law libraries for whom U.S. law is foreign law will find a host of policies on American law for libraries of different sizes in the [AALL Academic Law Libraries SIS Collection Development](#) website cited in the bibliography.

- American University Washington College of Law, Pence Law Library
- Arizona State University Law Library
- Baylor University School of Law Library
- Boston University Law Library
- Brooklyn Law School Library
- Goodson Law Library, Duke University School of Law
- Georgetown University Law Library
- UCLA Law Library
- University of Chicago D’Angelo Law Library
- University of Michigan Law Library
- University of Minnesota Law Library
- University of New Mexico Law Library
- Lillian Goldman Law Library, Yale Law School

2. Electronic Resource Considerations in Foreign, Comparative and International Law Collection Development

The demand for (and availability of) electronic legal resources has continued to increase. Thus, considering the inclusion of electronic resources remains an important factor when building a Foreign Comparative and International Law Collection however big or small. A 2015 survey of librarians about FCIL research found a strong need and desire for access to electronic primary laws and teaching materials related to this topic. [25] Meeting these needs can be difficult due to financial constraints. [26] It is important to ensure that any selection of electronic FCIL resources considers several key factors.

Purpose: It is important to be clear on the purpose of the electronic resources you aim to acquire. Will electronic acquisitions complement the physical collection, thus increasing accessibility and discovery? Or will they substitute or replace the physical collection? Or will a hybrid-model be used based on subject or jurisdictional needs? These are important considerations as some types of e-resources may be better suited for electronic acquisitions, for example journals, newsletters, and loose-leaf/integrating publications.

It is also important to understand how your patrons currently use and will likely use electronic resources in the future. For example, do they search e-book packages to locate important or relevant works, yet still prefer to use the physical version of the material when performing deep research? If so, replacing the physical materials with electronic may not be optimal.

Usability: Selection policies must lay out the factors affecting usability. Specific usability issues for foreign databases or resources might address whether the resource includes a translation feature or abstracts in multiple languages. Another factor to address is how search functionality handles diacritics or transliteration. More general factors to consider are the degree to which the resource is intuitive and easy to navigate and how its features compare to similar print resource, e.g., whether it provides a browsable table of contents or subject indexes.

Stability/Reliability: When deciding to pursue and rely on electronic versions of foreign and international materials, it is critically important to understand the stability of that electronic access. This is of particular importance if the library is relying solely on electronic access for a particular resource, because if that access is interrupted the library may be left with nothing despite its past and current expenditures. Jurisdictional stability and resource reliability must both be considered. Jurisdictional aspects that must be considered are the political and economic stability that could affect a government or vendor's ability to maintain access to and ability or willingness to archive electronic resources. Additionally, a country's susceptibility and ability to recover from natural disasters or other emergencies that could interrupt access to electronic resources should be considered. [27]

Resource specific reliability factors include a consideration of whether a vendor is established in providing access to this resource or whether they are a new entrant in this domain. There may be a greater risk in investing substantial financial resources in obtaining electronic resources from vendors who do not have an established track record in providing foreign and international electronic resources. Additional factors might include how up to date the vendor's technological systems are, how vulnerable they are to disrupted access and/or permanent loss of content, and the availability and responsiveness of technical support. [28]

Access v. Ownership: Another important factor is making sure you understand what you are paying for and the impact on your collection in the future. Is your acquisition of e-resources a purchase of content, a perpetual access license or a rental/subscription? Each type of electronic acquisition comes with its own challenges. For example, if you decide to purchase content this may require the library to support changes in electronic formats and platforms over time. This can be costly, as it may require the library to hire programmers to develop new methods of access or the payment of additional fees to acquire updated content. A perpetual access acquisition should provide continued access to a resource without the library being responsible for supporting formats and platforms. However, it is important to understand the implications of what would happen to the library's access with this option should the vendor cease to exist and/or no longer provide a subscription to a particular resource. There are three major digital initiatives devoted to the library preservation of digital collections: LOCKSS, CLOCKSS, and PORTICO. [29] These initiatives are used to assist libraries with this problem by ensuring archival electronic access to paid content under certain circumstances, but it should be noted that these are still largely untested. [30]

A pure subscription model would provide the library with more flexibility in deciding to continue or discontinue working with a vendor. However, it is important to understand how any subscription may change the nature of your collection, as the library will have no rights to the licensed material if the library no longer wishes to or is unable to continue the subscription. Finally, it is also essential to understand the contract terms for these purchases because the library's rights to materials may change if the vendor is acquired by another entity or if the vendor the library is relying on to provide electronic access is itself licensing a resource from another publisher.

The factors in this section are not comprehensive but are examples of important considerations. A more exhaustive list of criteria can be found in International Federations of Library Associations and Institutions (IFLA) "Key Issues for E-resource Collection Development: A Guide for Libraries." [31] Collection development policies may address these factors within the jurisdictional criteria, format criteria or some combination of both.

3. Bibliography of Selected Resources on Foreign, Comparative and International Law Collection Development

- AALL FCIL-SIS Collection Development Blog: The FCIL-SIS collection development blog is no longer appears to be updated. But the archival posts can still be an informative tool.
- [ALL-SIS Collection Development Committee](#): This website contains a variety of useful resources for collection development work. The [Academic Law Libraries Collection Development Policies](#) link provides access to collection development policies from more than 50 academic law libraries, and the [Directory of Collection Development Contacts in Academic Law Libraries](#) provides names and addresses of collection development librarians in U.S. law libraries; access to both of these resources is limited to members of the American Association of Law Libraries (AALL) and requires a member login and password. The Collection Development website also includes freely accessible materials, such as [Collection Development Resources on the Web](#), a five-page "Training Outline for New Collection Development Librarians" and PowerPoint presentation on weeding.
- [Collection Depth Indicators](#): Columbia University Libraries webpage. This website now includes a discussion of electronic resources and factors that help to define when an electronic resource is equivalent to a print resource. The site also provides useful information by providing collection depth indicators that may serve as a model or template for the development of indicators specifically tailored to a law library's collection development policy.

- [DipLawMatic Dialogues Blog](#): The FCIL-SIS associated blog is a useful resource that aids in asking the experts or learning from them and/or for the exchange of ideas and information on foreign, comparative, and international law and legal research by participating in and monitoring the blog.
- [FLAG Foreign Law Guide](#): This website, developed and maintained by the Institute of Advanced Legal Studies in London, U.K. is described as “[a] collaborative Internet gateway to the holdings of foreign, international and comparative law in UK universities and national libraries.” It is a useful resource for identifying legal resources for different countries and international organizations; it also provides a model for interlibrary collaboration on collecting foreign, comparative, and international law materials.
- [IALL Legal Resources: IALL Members’ Publications](#): IALL’s website provides lists of articles and other publications authored by IALL members from around the world. These articles provide information about legal research resources and publications on international and foreign law and may be consulted to identify trends, resources, and other materials to consider for law library collections. Accessed 29 March 2021.
- [IFLA Acquisitions and Collection Development Committee](#): This IFLA Section provides news and publications about collection development from a global perspective. Accessed 29 March 2021.

Workshop Handouts

- Michelle Pierce. [Weed, Shelve or Store? Making the Hard Decisions: Some Practical Tips and Thoughts about Best Practices](#). PowerPoint presentation for AALL 2009, ALL-SIS Alternative Program, Washington, D.C. July 27, 2009.

Selected Articles and Chapters on Collection Development and Related Topics

- Alex Zhang and James Hart. “Sustainable and Open Access to Valuable Legal Research Information: A New Framework.” *Law Library J.* 111, no. 2 (2019): 229-53.
- Neal Kant Agrawal. “Training in FCIL Librarianship for Tomorrow’s World.” *Law Library J.* 105, no. 2 (2013): 199-229.
- Victoria Trotter. “Collection Development in Academic Libraries: What Can We Learn from Law Firms?” *AALL Spectrum* 17, no. 2 (2013): 31-2.
- Alicia Brillon. “Collection Analysis When the Budget Decreases.” *Legal Reference Services Q.* 30, no. 4 (2011): 289-98.
- Holger Knudsen. “Collection Building: Foreign, Comparative and International Law in Print.” In *IALL International Handbook of Legal Information Management*, edited by R.A. Danner and J.W. Winterton, 247-62. Burlington, Vt.: Ashgate, (2011).
- Marylin J. Raisch. “Shaping Electronic Collections in Foreign, Comparative and International Law.” In *IALL International Handbook of Legal Information Management*, edited by R.A. Danner and J.W. Winterton, 263-80. Burlington, Vt.: Ashgate, (2011).
- Hans Warendorf. “Pilot Project: Access to English Translations of Legislation.” *Int’l J. Legal Info.* 39, no. 2 (2011): 251-60.
- Elizabeth R. Breakstone. “Now How Much of your Print Collection is Really Online? An Analysis of the Overlap of Print and Digital Holdings at the University of Oregon Law Library.” *Legal Reference Services Q.* 29, no. 4 (2010):255-76.
- Femi Cadmus and Blair Kaufmann. “The Recession Mounts the Ivory Tower: How the Lillian Goldman Law Library at Yale has met the Challenges Posed by a Declining Economy.” *Legal Info. Management* 10, no. 4 (2010): 275-9.
- Amanda R. Runyon. “The Effect of Economics and Electronic Resources on the Traditional Law Library Print Collection.” *Law Library J.* 101, no. 2 (2009): 177-205.
- Claire M. Germain. “[Legal Information Management in a Global and Digital Age: Revolution and Tradition](#).” Cornell Legal Studies Research Paper No. 07-005, April 27, 2007. Available at SSRN.
- Gerard-René de Groot and Conrad J.P. van Laer. “The Dubious Quality of Legal Dictionaries.” *Int’l J. Legal Info.* 34, no. 1 (2006): 65-86.
- Tom Kimbrough. “Building a Chinese Law Collection in the Academic Law Library: Challenges, Alternatives, and Trends.” *Legal Reference Services Q.* 25, no. 4/2 (2006): 37-69.
- Betty Haugen. “The Impact of Globalization on Law Libraries.” *Int’l J. Legal Info.* 33, no. 3 (2005): 471-8.
- Beatrice Tice. “Foreign Official Gazettes: A Collection Conundrum.” *Law Library J.* 97, no. 2 (2005): 299-21.
- Mary Whisner. *Practicing Reference*: “Learning a Little about the World: Foreign and International Research and the Non-Specialist.” *Law Library J.* 97, no. 3 (2005): 595-604. (This article focuses on reference work, but the same principles apply to FCIL collection development work by non-specialists. The author also notes that work on her library’s collection development committee as the committee worked on developing FCIL policies helped her increase her knowledge of foreign and international law.)
- Lyonette Louis-Jacques. “New Rights – New Laws: Legal Information in a Changing World Wide Web.” *Int’l J. Legal Info.* 33, no. 2 (2004): 474-87.
- Peter Clinch. “FLAG: The New Internet Gateway to Foreign Law Holdings in UK National and University Libraries.” *Int’l J. Legal Info.* 31, no. 1 (2003): 62-66.
- Margaret A. Leary. “Building a Foreign Law Collection at the University of Michigan Law Library, 1910-1960.” *Law Library J.* 94, no. 3 (2002): 395-425.
- Marci Hoffman. “Developing an Electronic Collection: The University of Minnesota Human Rights Library.” *Legal Reference Services Q.* 19, no. 3/4 (2001): 143-55.
- Holger Knudsen. “Building a Foreign Law Collection: Methods and Strategies [at the Max-Planck Institute for Foreign and International Law].” *Legal Info. Management* 1, no. 3 (2001): 14-7.
- Yoko Beriault. “Collection Development for an Evolving Topic in a Diverse Information Environment.” *Canadian L. Libr.* 21, no. 4 (1996): 129-32.
- Alex Noel-Tod. “Collection Development in British Legal Materials.” *Law Library J.* 81, no. 4 (1989): 723-31.

Book Reviews and New Title Alerts

- [International Journal of Legal Information](#): Book reviews and articles on foreign law/collection development; regular feature on “Books Received and Noted.” Regularly includes articles on researching foreign and international law. Accessed 29 March 2021.
- [Law Library Journal](#): “Keeping Up with New Legal Titles” review articles often include works on foreign, comparative, or international law. Regularly includes articles on researching foreign and international law.
- [Legal Reference Services Quarterly](#): Regularly includes articles on researching foreign and international law and articles on different aspects of FCIL collection development.

Resources for Learning about the Legal Systems and Publications of Foreign Jurisdictions, International Law, and International Organizations

Foreign and international law research guides are invaluable FCIL collection development tools. They are published in a variety of formats—as articles in traditional law or law librarianship journals, as individual articles and guides in freely accessible FCIL and law library websites, as licensed for-fee web-based electronic resources, as individual print monographs or multi-jurisdictional, multi-volume works.

In addition to describing the process of legal research for the covered jurisdiction(s) or area(s) of foreign and/or international law, most research guides include title and publication information about major primary and secondary sources and finding aids that are essential additions to FCIL research collections. Because they so often identify the essential sources of foreign and international law, FCIL research guides also provide an informational foundation for the development of foreign and international core collections for the jurisdictions and areas of international law covered. Some major resources include:

- **Bibliography on Foreign and Comparative Law: Books and Articles in English**, edited by Charles Szladits (1955-1983), continued by Szladits' Bibliography on Foreign and Comparative Law (1984-1994). Also available online in HeinOnline as a for-fee web-based licensed electronic resource. Provides subject bibliographies of books and articles in English dealing with foreign, comparative, and international law with author and geographic indexes.
- **Comparative Legal Traditions in a Nutshell, 4th ed.**, by Mary Ann Glendon, Paolo G. Carozza and Colin B. Picker. St. Paul, Minn.: West Academic Publishing, 2016. General overview for beginners; includes accessible and understandable explanations and information on comparative law, the civil law tradition, including history, culture and distribution, fields of substantive law in civil law tradition, e.g., subjects categorized as public law, private law, etc., common law tradition, supranational Europe, and European human rights system.
- **Foreign Law Guide** (Marci Hoffman, General Editor). This electronic publication provides information about the legal systems of most countries of the world. It was originally published in print and is now available in its current electronic only form as a licensed for fee reference work published by Brill.
- **GlobaLex** (Lucie Olejnikova, General Editor) is an open access electronic publication dedicated to the dissemination of high-quality articles on foreign, comparative, and international law research. Jurisdictional articles include the overview of legal systems, sources of law, and sources. It is published by the Hauser Global Law School Program at the New York University School of Law.
- **Guide to International Legal Research** (2020–). George Washington University International Law Review. New York, N.Y.: Mathew Bender & Company, c2002-. Also available in Lexis+.
- **Guide to Law Online** by Law Library of Congress. This free online collection of guides to sources of information on online government and legal sources was created and is maintained by the U.S. Law Library of Congress. “It includes selected links to useful and reliable sites for legal information”^[32] including international law and organizations and the laws of foreign jurisdictions, with numerous links to online primary sources.
- **The IALL International Handbook of Legal Information Management**, edited by Richard A. Danner and Jules W. Winterton. Burlington, Vt.: Ashgate, 2011. Includes chapters on FCIL collection development and management.
- **International Encyclopaedia of Laws**. This multi-subject reference work is published in print and online. Topics covered include Civil Procedure, Commercial and Economic Law, Constitutional Law, Contracts, Corporations and Partnerships, Criminal Law, Cyber Law, Energy Law, Environmental Law, Family and Succession Law, Insurance Law, Intellectual Property, Intergovernmental Organizations, Medical Law, Private International Law, Property and Trust Law, Social Security Law, Sports Law, Sub-National Constitutions, Tort Law, Transport. Each subject is comprised of monographs/chapter about the laws of individual foreign countries on the subject covered. Note that the Intergovernmental Organizations subset is organized by name of international organizations covered. The online version, referred to as [IEL](#), is a for-fee licensed electronic resource available from Wolters Kluwer.
- **Law Library Journal Literature**: Law Library Journal, Legal Reference Services Quarterly and International Journal of Legal Information regularly include articles on researching foreign and international law and should be scanned upon receipt for new FCIL articles. All are indexed in Index to Legal Periodicals and LegalTrac.
- **Legal Systems of the World: A Political, Social, and Cultural Encyclopedia**, edited by Herbert M. Kritzer. New Delhi: Pentagon Press, c2008. Provides “introductory descriptions of legal systems”^[33] and is “an ideal research tool for undergraduate, specialists from non-legal fields, and even as an introduction for ... lawyers new to a country’s legal system.”^[34]
- **LLRX**: This open access website includes [Foreign and Comparative Law Guides](#) and numerous [International Law Guides](#).
- **Monographs on FCIL research for individual countries**, areas of the world, the European Union, international law, and international organizations are too numerous to list here. To find such books in your own or another on-line catalog or bibliographic utility such as WorldCat, use a subject or keyword search for example [legal research – france], [legal research – china], etc.
- **Modern Legal Systems Cyclopedia** (Kenneth Robert Redden, General Editor; edited by Linda L. Schlueter). Buffalo, N.Y.: W.S. Hein, 1984 -. Also available online in HeinOnline as a for-fee web-based licensed electronic resource.
- **Public International Law in a Nutshell**, 6th ed., by Thomas Buergenthal and Sean D. Murphy. St. Paul, Minn.: Thomson/West, 2019. Concise basic introductory overview of public international and supranational law (European Union), as well as intergovernmental organizations.
- **Wikipedia** includes good, clear introductory information on the terminology related to foreign law and legal systems, such as public/private law, comparative law, common law, civil law, customary law, religious law, socialist law, public international law, civil code, custom, private international law (conflict of laws).

[1] Jules Winterton. “Globalisation and Legal Information Management.” In *IALL International Handbook of Legal Information Management*, edited by R.A. Danner and J.W. Winterton, 23-41. Burlington, Vt.: Ashgate, 2011.

[2] *Id.*

[3] An excellent in-depth discussion of the impacts of globalization and concentration of ownership in the legal publishing industry is available in the chapter by Kendall F. Svengalis entitled “Globalisation and Commercial Legal Publishing.” *Id.* at 228-46.

[4] Claire M. Germain. “Digitizing the World’s Laws.” *Id.* at 181-99.

[5] [Peace Palace Library Research Guide - Private International Law](#) (accessed August 2021).

[6] Don Ford, [Private International Law](#), American Society of International Law ILRIG Electronic Resource Guide (ERG) (accessed March 2021).

[7] “Core collections” lists are a useful tool to help you identify what is most essential for your collection and to provide a shorthand way to describe what you want to collect for a foreign jurisdiction or international organization. A core collection is “[a] collection representative of the basic information needs of a library’s primary user group.... In academic libraries, selection is based on curriculum need, and collections are maintained to meet the research interests of students and faculty.” Joan M. Reitz, [ODLIS — Online Dictionary for Library and Information Science](#), ABC CLIO (accessed March 2021). Rule 606 of the 2020-2021 Standards and Rules of Procedure for Approval of Law Schools in the United States lists a core collection for American law collections, but the American Bar Association (ABA) has not yet defined a core collection for FCIL collections. This list may be useful to non-U.S. law librarians who want to develop a collection of U.S. legal materials, although it should be noted that the ABA is in the process of reviewing its standards and these rules may change.

[8] Mary Ann Glendon *et al.* *Comparative Legal Traditions in a Nutshell*, 4th ed. St. Paul, Minn.: West Academic Publishing, 2016.

[9] [Georgetown Law Library – Foreign and Comparative Law Research Guide: What are Official Gazettes?](#) (accessed April 2021).

[10] Mary Ann Glendon *et al.* *Comparative Legal Traditions in a Nutshell*, 4th ed. St. Paul, Minn.: West Academic Publishing, 2016.

[11] “The part of the law that deals with the constitution and functions of the organs of central and local government, the relationship between individuals and the state, and relationships between individuals that are of direct concern to the state. It includes constitutional law, administrative law, tax law, and criminal law.” [Oxford Reference Overview – Public Law](#) (accessed March 2021). See also [Public Law](#), Wikipedia (accessed March 2021).

[12] “Private law is that part of a civil law legal system ... that involves relationships between individuals, such as the law of contracts and torts ... and the law of obligations.” [Public Law](#), Wikipedia (accessed March 2021).

[13] Academic law librarians in the U.S. and other countries may confer with their law faculties or faculty library committees regarding collection development. Note that ABA Rule 602 of the 2020-2021 Standards and Rules of Procedure for Approval of Law Schools in the U.S. indicates that “The director of the law library and the dean, in consultation with the faculty, shall determine library policy. The director of the law library and the dean are responsible for... collection development and maintenance.”

[14] Academic law libraries in the U.S. follow ABA 2020-2021 Standards and Rules of Procedure for Approval of Law Schools 606 (d) which dictates that “A law library shall formulate and periodically update a written plan for development of the collection.” Other countries may have similar rules relating to the law library component of legal education.

[15] See, for example, the illustrative list of law libraries with FCIL collection development policies in section 1.7.

[16] University of Michigan Law Library Collection Development Policy (Last updated August 2014), p.6.

[17] Yale Law School, [Introduction to Lillian Goldman Library Collection Development Policy](#) (accessed March 2021).

[18] University of Michigan Law Library Collection Development Policy at p. 6.

[19] *Id* at 7-9.

[20] Digital preservation is a critical issue for collecting primary sources of law in digital format as more permanent formats are replaced by digital versions or disappear or are endangered because of political, economic, or natural disasters. There are many digital preservation initiatives that also expand access or have the potential to do so. See, for example, initiatives that may be applicable to or include foreign and international law sources: the Stanford digital preservation [LOCKSS Program](#), [Hathi Trust](#), [LLMC Digital](#). Format considerations in the collection development policy should address the impact on selection decisions of digital preservation (or lack of) by content creators, especially if a digital resource will be the sole source of the foreign or international material in a collection.

[21] May also be called “codes” in common law jurisdictions, for example, the United States Code, but this type of “code” in common law jurisdictions is usually a comprehensive compilation of laws organized by topic and there are differences from “civil law codes.”

[22] “Collection depth indicators are numerical values that are used to describe a library’s collecting activity levels and goals. They are used to characterize three different aspects of collection management ...: current collection level, acquisition commitment and collection goal.” [Columbia University Libraries - Collection Depth Indicators](#) (accessed March 2021). Most law libraries that use collection depth or intensity indicators have modified and customized them to make them useful for their own collections and practices. Simpler methods for describing collecting levels may be used, for example, “major works only” and the like.

[23] The foreign civil law section of the University of Michigan Law Library Collection Development Policy and the collection intensity levels found in this section of the policy were drafted by Jonathan Franklin during his tenure at the University of Michigan Law Library as the Foreign and Comparative Law reference librarian; this section of the policy was approved as drafted by the University of Michigan Law Library Collection Development Committee.

[24] See [Appendix B of the Duke University Law Library Collection Development Policy](#).

[25] Alex Zhang and James Hart. “Sustainable and Open access to Valuable Legal Research Information: A New Framework.” *Law Library J.* 111, no. 2 (2019): 229-53.

[26] *Id.*

[27] Determining the country’s political and economic stability can be difficult. While staying up to date on world current events may be the best way to understand a country’s stability, resources such as the [CIA World Factbook](#) (accessed March 2021); [BBC Monitoring Country Profiles](#) (accessed March 2021); [The Fund for Peace’s Fragile States Index](#) (accessed March 2021); and [The World Justice Project’s Rule of Law Index](#) (accessed March 2021) are additional tools that may be consulted, though it should be noted these resources view countries from a democratic western perspective.

[28] Some databases may rotate their content or have rolling access to archives. Other aggregation databases may remove content over time.

[29] “[Why Portico](#),” PORTICO (accessed March 2021); “[WHY CLOCKSS?](#)” CLOCKSS (accessed March 2021); and “[Why LOCKSS?](#)” LOCKSS at Stanford University (accessed March 2021).

[30] For example, of the 35,076 e-journals currently covered by Portico to date only 138 have had “trigger events” (i.e., cessation of a publisher’s operations, discontinuation of a title by a publisher, back issues no longer offered by a publisher, catastrophic and sustained failure of a publisher’s delivery platform for longer than 90 days). See [PORTICO’s Triggered content](#) (accessed March 2021). See also, Kate Wittenberg, et al. "Challenges and opportunities in the evolving digital preservation landscape: reflections from Portico." *Insights* 31 (2018): 1-8.

[31] Sharon Johnson et al, [Key Issues for e-Resource Collection Development: A Guide for Libraries](#) (accessed March 2021).

[32] Law Library of Congress, [Introduction to Guide to Law Online](#) (accessed March 2021).

[33] Silke Sahl, *Review of Legal Systems of the World*, 31(2) Int’l J. Legal Info. 411-14 (2003).

[34] *Id.*