

COLLECTION OVERVIEW

LAW

I. SCOPE

This overview focuses on Library of Congress holdings of material in the subject area of law.

II. SIZE

The Law Library contains approximately 2.65 million volumes. The law collection includes approximately 20,000 serial titles, 83,500 reels of microform, 2,261,000 pieces of microfiche and 15,000 computer files. During an average fiscal year, approximately 50,000 volumes, 1,700 reels of microfilm, 75,000 pieces of microfiche, 50,000 serial pieces and 50,000 issues of official gazettes are added to the law collection.

The Law Library holds 798,540 titles classed in K; 290,221 titles shelved under “LAW” and shared custody of 56,565 titles classed in JX. The total number of titles in Class K and “LAW” is 1,088,761 titles.

An additional 180,000 volumes, primarily agricultural law, Canon law, constitutional law and history, criminal law and procedure, Islamic law, and tax law are housed in other custodial units, as are legal materials in non-book and non-microform format.

III. GENERAL RESEARCH STRENGTHS

The Library of Congress has a longstanding role in acquiring and providing access to legal material. The need for a collection of law materials to support the law making functions of Congress was one of the central reasons for the founding of the Library of Congress in 1800. The first Library of Congress contained one hundred seventy-four law titles when the collection was burned along with the Capitol by the British in 1814. The replacement collection purchased from Thomas Jefferson contained approximately six hundred and seven law titles, or 12.3 percent of the total collection. The continued importance of legal books to the Congress is seen by the separation of the legal collection from the general collection by an Act of Congress of July 14, 1832.

Continuing the collection philosophy of Thomas Jefferson that educated citizenry required knowledge of universal law in order to build and maintain a democracy, the Law Library has amassed not only a comprehensive collection of American legal materials but also a superior collection of legal works from all nations of the globe. Comprehensive geographically, the collection also spans all periods of law, from the most ancient and primitive to the most contemporary and sophisticated. All systems of law--common, civil, customary, religious, and socialist--are represented, as are all topics within the law. No other legal library matches this collection in overall depth or breadth.

For all major national, state, and equivalent jurisdictions, the Law Library attempts to acquire and retain for the permanent collections the following types of important legal publications: official gazettes; constitutions; proceedings of constitutional conventions, session laws; codes; compilations and consolidations of laws; administrative rules and regulations; commentaries and indexes to laws, judicial court decisions and reports; administrative court decisions and reports; digests and indexes of decisions and reports; treaties; directories of the legal profession; legal dictionaries and encyclopedias.

The Law Library attempts to acquire and retain on a selective or representative basis the following types of legal publications: legal periodicals and their indexes; treatises; law school theses and dissertations; legislative histories; publications of bar associations; and biographies of lawyers and jurists.

In addition to the above types of legal materials, the following special types of Anglo-American items are acquired: United States Congress bills and resolutions; other Congressional and United States government documents of a legal nature; legal newspapers of major United States cities; and records and briefs of the United States Supreme Court, Courts of Appeal, the appeal records of the British House of Lords and cases of the Judicial Committee of the Privy Council of Great Britain.

A detailed discussion of the strengths of the legal collections of the Library of Congress is found in the publication *Library of Congress Law Library: an illustrated guide* (lcn 2005044329).

IV. AREAS OF DISTINCTION

The Law Library attempts to collect the official gazettes of all countries of the world, and the official gazettes from the states or provinces of Australia, Austria, Canada, Germany, Malaysia, Mexico, Nigeria, Pakistan, South Africa, Spain, and selected states of Brazil, India, and Italy, and the cities of Belfast, Edinburgh, and London. The Law Library operates a microfilming program to preserve this important source of laws and regulations for future generations. The Law Library has compiled *Sources of Legal Material: A Preliminary List of Foreign Official Gazettes* showing the official gazette holdings of eleven libraries throughout the world.

With increasing globalization and the growing complexity of lawmaking around the world, Congress's need for foreign, comparative, and international legal information has never been greater nor more immediate. Initiated by the Law Library of Congress, the Global Legal Information Network (GLIN) is an association of government agencies such as legislatures and legislative support organizations, official publishers, and Ministries of Justice that contribute laws, regulations, and complementary legal sources from the original official texts to a database accessible via the Internet at www.glin.gov. An outgrowth of an indexing project undertaken by the Law Library of Congress in the 1950s, the GLIN database now encompasses over 157,000 legal resources from 50

jurisdictions. Currently, 34 jurisdictions contribute legal information directly to the database and staff members of the Law Library contribute the laws for 16 additional Spanish-, Portuguese-, and French-speaking jurisdictions that are not yet participating directly in GLIN. GLIN serves as a critical research and reference tool enabling the staff of the Law Library to better serve the Congress and its other clients.

The Law Library's strength as the only library in the United States that has a comprehensive collection of the laws of all the countries in the world is complemented by its extensive legal research services provided to the United States Congress, the Executive and Judiciary. Qualified Law Library staff representing the major legal systems in the world is also responsible for assisting in the continued growth of the collection and maintaining its currency.

United States

The Law Library's collection of United States legal materials is the finest in the world. In the early 1900s the Law Library determined that it should be the repository for the complete record of United States law. The Law Library's collection of original editions of colonial, state and territorial session laws, codes and compilations, and special laws is such that it now holds one of the nation's largest single paper collections of this material. The Law Library's collection of United States Congressional publications is surpassed only by those maintained in the libraries of the House of Representatives and the Senate themselves. In the past two years, over 25,000 volumes of pre-1970 Congressional hearings have been retrieved from the General Collections and reclassified into KF25, KF26, and KF27, making the Law Library's holdings of this core congressional publication one of the most complete in the country. The Law Library's policy is to collect two copies of virtually every piece of commercial United States legal publishing on the state and national level. For titles published in a loose-leaf format, the Law Library collects one copy only. For titles published by certain state bar associations, the Law Library collects one copy only. As a result, no other research library holds a comparable number of legal treatises on the United States national and state level.

In addition, over 180,000 United States legal titles were classified with a non-law call number before Class K system was developed beginning in 1968. All these materials would now be classified in K, but are currently housed throughout the general collection. Examples of this material are major administrative decisions classified in H, many state House and Senate journals classified in J, many constitutional history titles classified in J, reports of trials classified in E, criminal law and procedure classed in H, tax law classed in H, and agricultural law classed in S.

The Geography and Map Division is conducting a special project of compiling as a set all of the maps and charts that are found in the *United States Congressional Serial Set* (lcn 92643101). Over 30,000 maps contained in this serial title have been transferred to the Geography and Map Division by the Law Library and other institutions to make these valuable items available to the public in one location. This transfer has resulted in better

preservation and security for this map collection. The project is expected to be completed in late 2010.

The Newspaper and Current Periodical Reading Room has been a complete depository recipient of United States government publications since 1979. For very current United States government legal publications, it is possible this collection will be more up-to-date than the material held in the Law Library. The government documents are then held for five years. At the end of the five year retention policy, this material is made available to the Law Library to determine if the permanent collections have received these documents.

The Manuscript Division holds many items that are pertinent to legal research. Many collections are held of Supreme Court justices and other famous lawyers that detail the development of legal thought in the United States.

British and Commonwealth

The United Kingdom and over fifty other countries of the Commonwealth, as well as the United States, have a shared heritage in common law and their legal materials are relied on as precedence in these countries. The Law Library's collections are extremely comprehensive for the United Kingdom, Australia, Canada, and India.

The Law Library holds the only known collection outside of the United Kingdom of the appeal papers of the House of Lords and the Judicial Committee of the Privy Council. The House of Lords is the ultimate court of appeal for cases submitted to it from the highest courts of England and Wales, Northern Ireland and Scotland (for civil cases only). The Law Library has a collection dating back to 1925 and converts the paper copies into microfilm as resources permit. The Judicial Committee of the Privy Council is the final court of appeal for cases from the United Kingdom Crown Dependencies and Overseas Territories, and certain Commonwealth nations; the ecclesiastical courts of the Church of England and the Admiralty Court of the Queen's Bench Division. The Law Library has a collection dating back to 1934 and converts the paper copies into microfilm as resources permit.

There is a long standing exchange arrangement with the British Parliament that supplies a large number of British parliamentary and government publications to the Law Library in return for United States congressional and other publications.

European and Latin American

The Law Library has an unparalleled legal collection from most countries in Europe, especially Germany, France, Italy, and Spain. The Law Library's collections from Latvia, Lithuania and Estonia covering the independence years of 1919-1939 are extremely rare. The Law Library is one of the largest repositories of Russian legal materials outside the Russian Federation, including 13,000 volumes from the pre-1917 revolution period. Included in the Russian collection are 1,328 legal volumes from the Russian Imperial

Collection. The Law Library also owns 150 items pertaining to the anti-Soviet governments of the civil war period, 1918-1921.

The Law Library holds a number of works that pertain to the development of the law in the Spanish and Portuguese possessions in the New World. This includes the *Cedulario de Puga* (lccn 04008197), a compilation of all statues, decrees, and *cedulas* relating to the viceroyalty of New Spain. It covers the period 1525-1563 and is often cited as the first comprehensive compilation of laws of America.

Asia and Africa

The Chinese, Korean, and Japanese law collections are perhaps the best in the world outside the countries themselves. The Law Library owns a 28 volume set of hand-copied documents dealing with the issues of justice and law in the areas of China controlled by the Communist Chinese party before the founding of the People's Republic of China in 1949. These documents shed much light on the evolution of Communist Chinese legal theory and practice as well as illuminate the policies and methods by which the party established its control over an area.

The collection of Japanese materials is the largest in the Division. The pre- and post-World War II monograph collection is very strong, but serial holdings obtained through purchase and international exchanges are probably the best assets of the Japanese collection. Another noteworthy item is a complete set of *Horei Zensho* (Statutes at Large) from 1868 to 1945 on microfilm. These films contain Japanese statutes arranged chronologically under various subject headings.

Rare Korean holdings of the Division include 29 volumes of legal classics compiled during the Yi Dynasty (1392-1910). These are held in their original form, either handwritten with brushes or printed with wood-block letters.

The Law Library has an excellent legal collection from the Arabic speaking nations of the world. The Law Library holds a very comprehensive collection of official gazettes and compiled statutes from the Ottoman Empire.

Works on early and customary law of peoples of Africa are sparse. The Law Library has an excellent collection from the English, French, German and Spanish colonial periods. The strength of the collections of modern day jurisdictions varies greatly, depending on the state of the publishing industry in each country. The collections from Egypt, Kenya, Nigeria and South Africa are the most comprehensive.

International

The Law Library shares with Library Services the responsibility for the maintenance and development of the public international law, or law of nations, collection. The Law Library houses all material classed JX1-JX1304; JX2000-JX9999, as well as material classed KZ, the modern classification schedule first used for law of nations in 1999.

Materials considered international law include treaties of peace, war, friendship and amity, boundaries, treatises, serials, documents, and other publications dealing with the relations of nations, such as law of the sea, space, and war crimes.

The General Collection houses the international relations collection classed JX1305-JX1999, as well as material classed JZ, the modern classification schedule first used for international relations in 1999. The Newspaper and Current Periodical Reading Room houses all unbound serials from this class range as well as the full set of United Nations symbol documents and a set of United Nations Official Records on microfiche. Another set of bound Official Records are found in the General Collection and in the case of the Trusteeship Council, in the Law Library.

Rare books

The Law Library collection of rare books consists of approximately 65,000 volumes of books and bound manuscripts, most dating before the year 1801. Two of the treasures of this collection are a manuscript concerning "*Rules for Daily Living*" (lccn ne 68004076) written in 1517 by Ibrahim Al-Halabi, one of the most learned legal scholars in the 16th-century Ottoman Empire, and a unique medieval French manuscript of the *Coutume de Normandie* (lccn 2004572900) dating from the 15th-century. The overall value of this collection consists of major strengths in incunabula, customary laws, continental European consilia, Canon law, English yearbooks, English statute books, editions of William Blackstone, early American session laws, and early imprints of the laws of American Indian nations.

The Law Library at times has the only extant collection of legal material for smaller countries that have suffered either a large natural disaster or major civil conflict.

The Rare Book and Special Collections Division holds a substantial number of rare legal titles. This material was usually acquired as a component of a larger collection, including the following: the Thomas Jefferson collection; the Joseph Meredith Toner collection; the John Boyd Thatcher collection, the Otto Vollbehr collection, the Paul Kruger collection; and the Lessing J. Rosenwald collection.

Microforms

The Law Library holds a portion of its core legal material in micro-format. This is especially true for American material. All Congressional reports, documents, hearings, committee prints and available unpublished hearings are held in microfiche. The *Congressional Record*, the *Federal Register*, the *Code of Federal Regulations* and pre-1909 Executive Documents are held in microform. The session laws of the colonial territories and the fifty states are held in microfiche. The records and briefs of the United States Supreme Court and the current receipts of eight of the thirteen Courts of Appeal are held in microfiche. Most current official gazettes published since 1970 are available on microfilm produced either commercially or filmed by the Library of Congress or New

York Public Library, with the paper copy then discarded. Major law review titles are acquired on microfilm on a current basis.

V. ELECTRONIC RESOURCES

The Law Library has cooperated with the Library of Congress as well as many other governments and commercial institutions to make significant portions of its holdings available via the web. In addition to the Global Legal Information Network (GLIN), the Law Library has collaborated to make the following material available:

Century of Lawmaking for a New Nation (LCCN 98803272): Collection of United States Congressional documents and debates (1774-1875), including laws, journals, accounts of debates and other legislative materials, and letters of the Founding Fathers (via the Law Library Website);

Congressional Hearings: Full text access to historical United States congressional committee hearings on a variety of topics (via the Law Library Website);

Global Legal Monitor: Timely news on legal developments from around the world (via the Law Library Website);

Guide to Law Online: An annotated guide to sources of information on government and law by U.S. state, country or region (via the Law Library website);

Multinational Collections Database: An interface database to the Library's Online Catalog that allows researchers to identify publications that reprint and/or analyze the laws for more than one country thereby facilitating foreign and comparative law research (via the Law Library website);

Legal websites and blog harvesting: In 2007, the Law Library has designated ninety-one legal websites and blogs which are harvested on a monthly basis by the Library of Congress. Web-blogs were selected based on either the legal subject covered, or the institution the blog is associated with. To be selected, the web-blog had to meet the following criteria: consistently demonstrate a sustained level of intellectual debate; be associated with an authoritative and reputable institution; be written in the English language; be updated frequently; and be one of the best representational blogs of the subject matter. The program is continuing in 2008, with a goal of crawling and harvesting a total of 200 sites. The selection criteria are being expanded to include state law topics or legal organizations; and international and foreign law topics from reputable scholars and organizations (public access not yet available);

Supreme Court Nominations: In order to preserve the context and discussion for future scholars of the nominations to the Supreme Court during August 2005-February 2006, the Law Library had 287 web sites crawled and harvested. Sites were selected using LC selection criteria (Selection Guidelines for Electronic Resources), evaluating educational

and commercial legal portals, reviewing sites featured in listserv postings, and monitoring blogs (public access not yet available);

Current Legal Topics: This site includes research reports and guides listing legal commentary and recommended resources. This site has a RSS feed and email update to let users know when new material is posted (via Law Library Website).

In addition to these Law Library produced electronic files, the Law Library purchases access to major commercial online legal databases. These databases are available to the staff and public via the “Databases & E-Resources at the Library of Congress” by selecting the subject law. The databases include the following: American State Papers; CCH Business and Finance; CCH Human Resources; CCH Tax Library; Constitutions of the Countries of the World; CQ; Federal Register; Foreign Law Guide; Hein Online; Index to Foreign Legal Periodicals; LegalTrac; LexisNexis Congressional; LLMC Digital; Making of Modern Law: Legal Treatises 1800-1926; Treaties and International Agreements; United States Congressional Serial Set; and the United States Supreme Court Records and Briefs, 1832-1978.

The Law Library subscribes to the following foreign law databases: Juris (Germany), Law n B (Korea), Nevo (Israel), RDA (Austria), and Quick Law (Canada).

The Law Library acquires legal information in the official version as announced by the issuing body. For most parts of the world, the official text remains the paper version. Electronic resources, such as those listed above, are acquired in addition to the official paper versions.

VI. WEAKNESSES/EXCLUSIONS

From the 1930s to the early 1980s, the legal specialists of the Law Library added titles to the collection without sending them for cataloging. It is estimated that 43,000 foreign titles were added to the collections in this fashion. For some of these titles a card was typed with author, title and shelf location for the Law Library shelf list. The fact that this material is uncataloged hinders legal research in many different ways.

Legal research is also hindered by the approximate 645,000 volumes which are not yet classed into the LC classification schedule. These books received a shelf location in the Law Library based on type of material and then on author. It is impossible for the legal specialist to browse any of the foreign collections and see quickly what is held by subject on a particular point.

The ever-growing number of law titles being minimally cataloged diminishes the effectiveness and efficiency of legal research done at the Library. While the Law Library does not accept minimal level cataloging, over 10,000 legal titles have been cataloged in this fashion. Again, lack of subject control of these titles severely impacts on the legal research produced by the Law Library.

A major area where there are gaps is serial publications. Many serial sets are incomplete because of factors such as small press runs and the impossibility (due to lack of staff) of monitoring receipts so that claims can be made in a timely fashion.

The collection of the Law Library is not fully inventoried at the item level. It is not readily evident from the online catalog as to what the Law Library holds for most serial titles. The Law Library is only able to retrospectively inventory approximately 100,000 volumes per year. At this rate, it will take an additional twenty years to fully inventory the 2.65 million volume collection.

The Law Library currently does not have access to many of the legal databases that exist in the vernacular languages covering Europe, Latin America, Africa and Asia.

The Law Library does not have the staffing resources necessary to survey the law collection on a continuous basis for items in need of preservation or deaccessioning.

Most born-digital legal titles with a subscription fee are not acquired. The current Copyright regulations do not require the deposit of these materials with the Library.

United States

The currency of United States legal material is a major issue. While the Law Library's collection eventually is complete, it is not as current as it needs to be for a variety of reasons.

The Law Library is unable to easily collect the self publication of laws, regulations, court reports and other primary legal documents issued by the various Indian tribes. The Law Library is able to collect the minority of this type of material that is commercially produced.

British and Commonwealth

The absence of an established book trade in many of the smaller Commonwealth nations has resulted in gaps in our holdings, including Dominica, Saint Lucia, and Saint Vincent and the Grenadines. It is difficult to identify and to actually obtain government documents and noncommercial publications, many of which are issued in limited quantity and quickly go out of print.

European

The Law Library is finding it difficult to acquire secondary legal materials from this part of the world due to the dramatic drop in the value of the dollar over the past three years. The Law Library has had a moratorium on new serial titles in place during the past three years. During this time frame, two countries have declared independence: Kosovo and

Montenegro. The Law Library has not had the funding to acquire any legal serials from these two countries other than the official gazette.

Near Eastern and African

The Law Library's most consistent acquisition problems are located in this area of the world. Due to the absence of an established book trade in most sub-Saharan African countries (except South Africa), gaps are often found in the Law Library's holdings from this area. It is difficult to identify legal government documents and noncommercial publications. Once they are identified they are often out of print. The Nairobi and Cairo field offices as well as Order/AMEAS are very helpful in the attempt to locate these kinds of hard-to-find material.

Related Library of Congress Publications:

Collections Overview: International Organizations

Collection Policy Statement: Developing Countries

Collection Policy Statement: Government Documents – Foreign

Collection Policy Statement: Government Documents – United States

Collection Policy Statement: International Organizations

Collection Policy Statement: Law

Collection Policy Statement: Web Capture & Harvesting

Law Library of Congress

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