

COLLECTION DEVELOPMENT POLICY

University of North Dakota School of Law

Thormodsgard Law Library

Updated April 2020

Part I: Goals and Mission

The principal mission of the Thormodsgard Law Library (TLL) in collecting and maintaining library resources is to support the instructional and research needs of our primary patrons: the students, faculty, staff, and alumni of the University of North Dakota School of Law.

The mission of the TLL also extends to the wider University of North Dakota community. UND encourages interdisciplinary approaches to scholarship and learning, with many formal and informal bridges between departments and schools. Because almost any field of study can have a legal component, the law library serves not only the law faculty and students but the entire University community.

Additionally, the TLL's mission extends to members of the public at large. As the largest public law library in the state, the TLL provides access to legal research materials as well as reference services to local and state residents.

The goals of this policy are:

1. To document the current collection philosophies, policies, and practices for the TLL.
2. To provide guidance to all those involved in developing the collection.
3. To inform UND School of Law staff, law school administrators, faculty, and students of the collection emphases and criteria for evaluating new materials and formats.
4. To provide guidance for deselection decisions.

Part II: Selection Criteria and Process

Background

Much of the TLL's current collection is on standing order. This section pertains not only to determining when to acquire new materials but also to regularly evaluating those standing orders and other aspects of the collection for retention or withdrawal.

In addition to developing its own electronic and print collections, the TLL also participates in campus, state, and regional programs for cooperative collection sharing, including participation in two consortia.

Selection criteria

The law librarians should take the following into account when considering resources to add to the collection:

- Subject area, including the following:
 - Importance to the law school curriculum, program emphases, and faculty scholarship and service;
 - Importance to the state of North Dakota;
 - Likelihood of use;
 - Current and permanent value
- Initial cost
- Maintenance of resource, including monetary cost and staff time
- Currency of resource and frequency of updates
- Authoritativeness of title and publisher
- Authoritativeness and reputation of author
- Format, including user interface if the format is electronic
- Scarcity of material
- Duplication of material in our collection and/or elsewhere on campus
- Long-term access to material and preservation issues
- Space within the library

Scope of coverage

The TLL provides access to primary materials for the United States federal government and all fifty states, with a particular collection emphasis on primary materials for the United States federal government (including treaties), North Dakota, and our border states. These include Minnesota, South Dakota, and Montana.

The TLL collects in other subject areas based on the law school curriculum, student needs, and faculty research, teaching, and service responsibilities. We also take into account the needs of the University and state communities. We collect most heavily in the following areas based on the School of Law's current programs and emphases as well as the unique needs of the state:

- Aviation law
- Indian and tribal law

- Oil and gas law
- Civil litigation

In addition, we primarily collect in the following areas, based on the School of Law's current areas of study as well as faculty, student, and community needs:

- Academic success and bar passage
- Agricultural law
- Bankruptcy and consumer protection
- Criminal law
- Employment law
- Environmental law
- Ethics & professional responsibility
- Evidence
- Family law
- Housing
- Legal career development
- Legal history
- Legal research & writing
- Legislation
- Taxation
- Trusts & Estates

Finally, to assist in our mission to serve the public, we also collect North Dakota-related legal materials, some self-help legal materials, and some immigration materials due to our proximity to Canada.

While we focus primarily on domestic law, we may collect some international and comparative materials when necessary to fully meet the collection needs of the above subjects or a particular area of faculty interest.

Selection Process

The Law Library Director as well as all reference and technical services librarians serve on the TLL's Collection Development Committee. The Head of Technical Services facilitates the review of book slips from Yankee Book Peddler's GOBI program, new publication alerts from publishers, and book reviews from various sources.

The Head of Technical Services works with legal publishers to maintain our collection of continually updated materials and, in conjunction with the Collection Development Committee, reviews our current subscriptions for renewal or cancellation each year. These reviews, faculty and student requests, and new information about faculty scholarship, research, teaching, and service responsibilities help guide the development of the collection.

Choice of Format

Legal information is published in a variety of electronic formats, as well as print and microform. Increasingly, the TLL relies on electronic resources in order to provide broader access to information, and enhanced searching and retrieval capabilities. When reviewing resources, the law librarians should consider what format is most appropriate for the resource. Factors to consider include ease of use in print and electronic formats, user preference, cost, ease of access, and whether the resource can be used for distance education.

Replacements

The TLL attempts to replace materials that are missing or damaged. Replacement decisions are based on the importance of the title; cost; other titles in the collection on the same topic; and duplication of the title in other formats and locations.

Microform

The TLL collects materials in microform very selectively for infrequently used materials, mainly as a duplicate format and to provide permanent access for materials such as records and briefs, legal newspapers, and selected documents from the North Dakota government, U.S. government, Congress, and international organizations. The TLL will select a microform version of a title when it is not available electronically at a reasonable price; the size, expense, infrequency of use, or unavailability precludes its addition in print; or permanent copies would be bulky or subject to deterioration in print.

Audio and Visual

Materials in audio or video format are occasionally acquired, often at the special request of faculty members or students. The TLL may purchase the item if available in CD or DVD format and reasonably priced.

Periodicals and Treatises

The TLL provides access to continuing resources, including treatises and periodicals, in print and electronically. We will collect the resource in print based on facility of use, user preference, unavailability of an electronic version, and ease of access. We provide access to a large percentage of our periodicals and treatises online through services such as HeinOnline, Bloomberg BNA, Westlaw, LexisAdvance, and other databases.

Duplication

Duplication may occur with print materials and electronic materials, especially as the library moves towards large research databases. Duplication may also occur with our collection and the collections of other University libraries. The library avoids duplication of material when possible unless duplication is warranted due to the popularity or importance of a title, use of a title by a class, or faculty requests.

Deselection

The TLL is committed to building a current and retrospective scholarly legal research collection in print and electronic formats. The collection development process involves decisions not only about what to acquire, but also what to retain, withdraw, or move. The print collection is continually reviewed to decide what can be withdrawn or relocated to reflect changes in institutional goals or programs, availability in electronic formats, usage, space limitations, increasing cost, duplication, obsolescence, and the condition of materials.

Gifts

The TLL accepts gifts that fit within the collection guidelines. Duplicate copies or replacement copies are evaluated on a case-by-case basis. Factors considered in determining whether to accept gifts include the value to the collection, the condition of the materials, the time and labor required to process the material, and whether the gift will require updating or other expenditure of funds, etc.

The TLL accepts donations with the understanding that no conditions be attached to the donated materials. The TLL will determine the classification, housing and circulation of all gift items and retains the flexibility to dispose of gifts at any time and in a manner deemed appropriate. Gift items can be bookplated if requested by the donor.

Monetary donations are also welcomed and can be used to develop the collection in specific areas. All inquiries about gift donations, policies and procedures should be referred to the Director of the Law Library or the Dean of the School of Law.

Part III: Collections

Reserve and Reference

The TLL maintains a collection of ready reference materials adjacent to the reference desk consisting of directories, citation manuals, dictionaries, and other popular sources that legal information librarians use frequently.

The TLL also maintains a course reserves collection. These materials are temporarily housed in the back office to support the direct needs of course instruction. Materials are requested by faculty through direct communication with library staff. Quantities are determined by instructor request and class size.

North Dakota Collection

Primary and secondary materials for the state of North Dakota are housed in two distinct locations for ease of use. The more frequently used volumes are located on the Third Level, near our print collection of federal and state primary law and reports. The other portion, located in the Lower Level, consists of a bound set of appellate briefs to the North Dakota Supreme Court and other less frequently used historic state materials.

Academic Success Collection

The TLL maintains a collection of print study guides on the first floor of the library. Where cost-effective and appropriate, the TLL seeks to replace or supplement these guides with electronic versions for ease of access.

Professional Success Collection

The TLL maintains a collection of career-related materials on the second floor of the law library near the office of the externship program.

Bar Pass Collection

The TLL maintains a collection of bar pass related materials in the reference section on the first floor of the Law Library. Additionally, sample bar questions are housed electronically and are available for faculty use upon request.

Legal Self-Help Collection

The TLL maintains a limited collection of legal self-help books covering the most popular areas of interest for *pro se* patrons. This collection was initiated with the support of a grant and is now added to when Law Library funds are available. It is available for circulation to patrons throughout the state of North Dakota.

The O'Grady Collection

The O'Grady Collection is a grant-funded print collection geared primarily toward civil litigation resources. Occasionally, audiovisual materials may be purchased for this collection. It is housed on the first floor of the Law Library.

Faculty Library Collection

The TLL maintains a collection of books on legal education and other matters of direct interest to faculty in the Tisdale Lounge on the second floor. When requested, the TLL may purchase a limited number of books for faculty participating in reading groups; such books will most often be ultimately housed in this collection.

Legal Writing Collection

The TLL maintains a collection of books, including textbooks, geared toward legal writing. This collection began from a donated set and is added to when appropriate or upon request. It is housed on the second floor near the faculty offices of the Lawyering Skills faculty.

United States Government Publications

UND's Chester Fritz Library (CFL) is a Federal Depository Library. The TLL maintains an agreement with CFL for selective housing of U.S. Depository Documents that are particularly pertinent to the program of legal education. The agreement is added at the end of this policy.

Part IV: Updating the Policy

This policy will be updated tri-annually by the Director of the Law Library, coinciding with the updating of the TLL Strategic Plan and the TLL Assessment Plan, or more frequently when necessary. The Director of the Law Library will consult with law library reference and technical services staff and, where appropriate, the Dean and/or faculty of the School

of Law. Through regular reviews of law school programs, the law school curriculum, student needs, and faculty scholarship and service, the staff of the Law Library shall ensure that its collections are meeting the needs of the School of Law.

The law librarians anticipate that this policy will shift over time to reflect changing needs and attitudes towards material format and subject matter. It is vital that the Law Library and this policy remain flexible and change with the needs of our patrons.

Sources

This Collection Development Policy represents a substantial revision from the 2014 policy. It has been condensed and streamlined to make it more accessible, with particular debt owed to the University of Boston Law Libraries Collection Development Policy, available at <http://www.bu.edu/lawlibrary/about/collection-development-policy/>.

CHESTER FRITZ LIBRARY
 3051 UNIVERSITY AVENUE STOP 9000
 GRAND FORKS ND 58202-9000
 (701) 777-2617

Agreement for Selective Housing of U.S. Depository Documents

This Agreement is made on July 11, 2017 by and between Chester Fritz Library and Branches and the Thormodsgard Law Library.

This Agreement is entered into for the purpose of establishing selective housing of various U.S. Depository Documents in the Thormodsgard Law Library. The documents are lent for an indefinite time but remain the property of the U.S. Government Printing Office under the control of Chester Fritz Library and Branches:

In pursuance of this Agreement, The Thormodsgard Law Library agrees to:

1. Assign the responsibility for carrying out the provisions of this Agreement for the U.S. Government publications deposited or loaned by Chester Fritz Library to the Thormodsgard Law Library.
2. Make available for free and unrestricted use to the general public all U.S. Government publications.
3. Lend Chester Fritz Library for a period of 30 days any U.S. Government publication that is selectively housed.
4. Maintain all selectively housed U.S. Government publications in compliance with Title 44, United States Code; Instructions to Depository Libraries; Guidelines for the Depository Library System; Superseded List, etc.
5. Maintain all documents chosen for selective housing until the document has either been superseded or has met the 5-year retention requirement. Documents fulfilling the above requirements will either be returned to Chester Fritz Library or disposed of as per the guidelines in number 4 (above).
6. Inventory, identify, and maintain a public record of the U.S. Government publications selectively housed under this agreement.
7. Retain any classification numbers, stamps, and notes as supplied by Chester Fritz Library.
8. Upon dissolution of this agreement, return to Chester Fritz Library all U.S. Government publications which were selectively housed and which are no longer considered useful per the guidelines in number 4 (above),
9. Replace any lost document.

Chester Fritz Library agrees to:

1. Transfer and continue to send documents which include, but are not limited to: Code of Federal Regulations; United States Reports: cases adjudged in the Supreme Court at ... ; United States Code : containing the general and permanent laws of ... ; United States Statutes at Large...; Manual for Courts-Martial, United States
2. Keep records indicating the location of the documents referenced in this Agreement.
3. Abide by any circulation policies of the Thormodsgard Law Library.
4. Accept all documents upon termination of this Agreement

This Agreement may be terminated by written notice from either party 14 days in advance before all documents are returned to Chester Fritz Library.

Stephanie Walker
Dean of Libraries
Chester Fritz Library

Signature Stephanie Walker

Date: July 11/17

Tammy R. P. Oltz
Director
Thormodsgard Law Library

Signature T. R. P. Oltz

Date: 7/11/17