

Harvard Law School Library Collection Development Policy

Contents

Format Guidelines --- General	3
Serials/Continuations Format Preference.....	3
Monographs Format Preference	3
Electronic Resources.....	3
Born-Digital Material.....	3
Audio-Visual Materials	3
Microforms.....	4
Policy on Duplication	4
Guidelines for Specific Types of Material.....	4
Reference Sources.....	4
Law Reviews and Legal Periodicals	4
Acquire in print and maintain print archive for:.....	4
Casebooks.....	4
Legal Education Materials.....	4
Guidelines by Jurisdiction	4
United States of America.....	4
Government Documents	4
Constitutions	5
Congressional Record.....	5
Session Laws	5
Codes.....	5
Municipal Codes & Ordinances.....	5
Administrative Registers	5
Administrative Codes	5
Administrative Agency Published Decisions	5
Administrative Agency Serial Reports	5
Court Rules.....	5
Judicial Reporters	6
Appellate Court Briefs.....	6
Digests	6
Citators	6
Legal Encyclopedias	6

Formbooks.....	6
Legal Ethics Opinions.....	6
Jury Instructions, Civil and Criminal	6
Treatises	6
Continuing Legal Education Publications/Practice Manuals	6
Patron Access terminal.....	6
International Law	7
International Documents	7
Foreign Law	7
Official gazettes	7
Codes	7
Court Reports.....	7
Special Research Collections.....	7
Middle Eastern and Islamic Law	7
East Asian Law	8
Ancient, Roman, and Canon Law.....	8
Jewish Law	8
Historical & Special Collections	8
Summary of Collecting Fields	9
Rare Books, Printed Material, and Early Manuscripts	9
Modern Manuscripts.....	9
The Red Set.....	10
Art and Visual Materials	10
Appendix: Collecting Levels by Foreign Jurisdiction	11

The primary mission of the Harvard Law School Library is to support the research and curricular needs of its current faculty and students. The Library also supports the greater Harvard community and, to the extent possible, the community of scholars and researchers around the world who are interested in subjects of, or related to, the law.

The Library acquires, catalogs, preserves, and makes available materials required for the teaching, learning and scholarship of the Law School’s current faculty and students. It also acquires materials which may reasonably be required in the future and where it may be difficult to obtain copies on-demand at a future date.

In its collecting decisions, the Library strives to be equitable to preserve a plurality of scholarly perspectives. The Library is committed to selecting and acquiring materials in support of diversity, inclusion, and belonging

across the world, and across the field of law, including acquiring and making widely available the work of historically underrepresented authors and viewpoints.

In many cases, the Library acquires materials and adds them to its permanent collection. The Library adds such materials based on a combination of needs of the current faculty and students and the areas of historical strength in the collection.

In addition to the print collection the Library provides access to materials through licenses to electronic resources and through reciprocal arrangements, such as inter-library loan. The Library collaborates with other research libraries at Harvard, libraries at other law schools, and other institutions to work toward common goals of continued access and long-term preservation of legal materials. To this end, the Library participates in several local and national organizations committed to guaranteeing long-term access to legal materials, including the Boston Academic Law Library Collaborative (BALLCO), NELLCO, the Northeast Research Libraries Consortium (NERL) and the Northeast Foreign Law Libraries Cooperative Group (NEFLLCG). The Library also participates in digital preservation efforts independently and in collaboration with other libraries.

Format Guidelines --- General

Materials are collected chiefly in print or digital format. Permanent retention of materials may be in print, microform or digital format. The Library's goal is to provide access to the information contained in these materials. In some cases, the Library will provide access only through electronic sources.

Serials/Continuations Format Preference

Digital format is preferred, so long as:

- There is a reasonable guarantee of the resource's stability,
- The resource comes from an identifiable, official, and authentic issuing agency, commission, publisher, or organization,
- The resource is hosted by an entity whose ability to archive, and preserve is reliable.

Monographs Format Preference

Print format is preferred; however, e-books may be purchased, as necessary.

Electronic Resources

The Library acquires electronic resources in a variety of ways: by direct purchase; by cost-sharing with other libraries at Harvard; and through consortia arrangements. We negotiate for university-wide IP access whenever possible and strive to collect digital materials in perpetuity.

Born-Digital Material

The Library makes efforts to capture and preserve appropriate "born digital" material.

Audio-Visual Materials

Audio-Visual materials are purchased at the request of faculty and students or to serve general research needs.

Microforms

Material in micro-format is acquired when it is the best archival form available.

Policy on Duplication

For disciplines other than law, the Library relies on other Harvard libraries, unless requested by HLS faculty or students, needed for course reserve, or to support the School's research programs.

Guidelines for Specific Types of Material

Reference Sources

The preferred format for reference materials is digital unless print is required to maintain archival access or for ease of use.

Law Reviews and Legal Periodicals

The Library prefers to subscribe to most law journals in digital format. Format decisions are made in conformance with the Serials/Continuations Format Preference guidelines above with the following exceptions:

Acquire in print and maintain print archive for:

- Harvard Law School publications in accordance with the Durham Statement on Open Access to Legal Scholarship.
- Publications where the Library has agreed to maintain a print copy as part of a collaboration agreement with other libraries.

Casebooks

The Library acquires casebooks when they are requested by faculty for course reserve, authored by an HLS faculty member, or cover a unique topic.

Legal Education Materials

The Library selectively acquires and retains print copies of legal education treatises. The Library does not acquire outlines or exam preparation materials.

Guidelines by Jurisdiction

United States of America

The Library provides extensive access to information concerning the law of the United States and its jurisdictions. Materials published for the practicing lawyer are usually not acquired. Exceptions are made when they give special insight into an area of the law, support the clinical education programs of the School, or are requested by a faculty member.

Government Documents

The Library is a selective United States Government Depository library. Harvard's Lamont Library, also a United States Government Depository library, maintains a more comprehensive collection than does the Law Library. Nearly all our materials on our FDLP title list are in electronic format, with a few exceptions,

and made discoverable through the FDLP Cataloging Record Distribution Program (CRDP). We do not generally acquire print documents from states other than Massachusetts.

Constitutions

The Library acquires and maintains one print copy of the federal constitution and all constitutions of the states and territories.

Congressional Record

The Library acquires one print copy of the *Congressional Record* (daily) and retains it until the permanent microfiche edition is received.

Session Laws

The Library acquires and retains one print copy of the *United States Statutes at Large*. For Massachusetts, the Library acquires and retains one print copy of *Massachusetts Acts and Resolves*. For all other states, the Library relies on digital access.

Codes

The Library acquires one print copy of the *United States Code* and the *United States Code Annotated* and retains superseded volumes in both print and microfiche. The Library acquires and retains the official code (including at least one copy of an annotated code) in print for each state, except for Massachusetts where all available codes are acquired. The Library subscribes to Hein's superseded statutes service on microfiche for historical research needs.

Municipal Codes & Ordinances

The Library relies on digital access only.

Administrative Registers

The Library acquires one print copy of the *Federal Register* (retaining current two years only) and one microfiche copy for historical research purposes. The Library acquires and retains one print copy of the *Massachusetts Register*. The Library relies on digital access for all other states.

Administrative Codes

The Library acquires one print copy of the *Code of Federal Regulations* (retaining current year only) and one microfiche copy for retrospective purposes. The Library acquires and retains one print copy of the *Code of Massachusetts Regulations*. The Library relies on digital access for all other states.

Administrative Agency Published Decisions

For both state and federal agency decisions, the Library acquires and retains in print only when the content is not reliably available in digital format.

Administrative Agency Serial Reports

The Library acquires and retains in print only when the content is not reliably available in digital format.

Court Rules

The Library relies on digital access for all state and federal court rules.

Judicial Reporters

The Library acquires and retains one print copy of *United States Reports*. The Library acquires print advance sheets only for the *Supreme Court Reporter*, *Federal Reporter* and *Federal Supplement* with limited retention. The Library's historical collection of state reporters was used for the creation of the Caselaw Access Project (CAP) <https://case.law/>. All print reporters that were digitized for this project reside in dark archive

Appellate Court Briefs

The Library relies on digital access or interlibrary loan.

Digests

The Library relies on digital access for digests but retains historical print access for the American Digest System, including the Massachusetts Digest.

Citators

The Library acquires and retains in print only *Shepard's Acts and Cases by Popular Name* and *Shepard's Massachusetts Citations*

Legal Encyclopedias

The Library relies on digital access only.

Formbooks

The Library acquires and retains in print only an extremely limited number of general jurisdiction formbooks. All other access is digital.

Legal Ethics Opinions

The Library relies on digital access only.

Jury Instructions, Civil and Criminal

Digital access is preferred.

Treatises

The Library acquires and retains major legal treatises. Preference is for print although many are acquired in digital format only.

Continuing Legal Education Publications/Practice Manuals

The Library relies on access to *MCLE Online Pass* for Massachusetts and relies on digital access for other states.

Patron Access terminal

The Library maintains a limited Westlaw subscription for Harvard University users who do not have individual passwords.

International Law

The Library acquires and retains print as the preferred format, supplemented by digital as needed. We collect comprehensively in English and foreign languages.

International Documents

For these materials, the preferred format is digital. The Library is a selective depository for United Nations Documents. For additional materials we rely on the U.N. websites, U.N. documents in microform, and Harvard's Lamont Library, which is a full U.N. depository. The Library is the Massachusetts depository for European Union materials. For all other UN affiliated agencies and intergovernmental organizations, digital format is preferred.

Foreign Law

The Library collects the laws of foreign jurisdictions according to guidelines set out in the Harvard Law School Library-- [Collecting Levels by Foreign Jurisdiction](#). Monographs and secondary legal literature are also collected in conformance with these guidelines.

Official gazettes

The Library acquires and retains official gazettes in print for jurisdictions that do not provide digital access.

Codes

The Library acquires and retains in print the major codes available from all jurisdictions.

Court Reports

The Library acquires and retains in print the reports of the constitutional courts of the individual countries. Other sub-jurisdictional court reports are acquired selectively.

Special Research Collections

Middle Eastern and Islamic Law

The Library collects in two principal areas: classical Islamic law and jurisdictional law of countries with majority Muslim populations. We collect in the vernacular and in Western languages. The preferred format is print, supplemented with microform and digital formats, where available.

The Library acquires and retains Islamic law from the 7th century C.E. up to the modern period. The collection includes Islamic law (*usul al-fiqh*, collections of *fatwas*, etc.) as well as sources of Islamic law (*hadith* collections) and scholarly works on Islamic law. Specific areas of interest are Islamic finance and Islamic ethics in business and medicine. The collection is primarily in Arabic.

The Library acquires and retains (modern) jurisdictional law of the Islamic world and regions whose law are influenced by Islamic Law for the following areas, in order of emphasis:

- The Arab world: Egypt; Saudi Arabia and the Gulf states; Yemen; the Eastern Arab states

(Iraq, Jordan, Syria, Lebanon, and Palestine (West Bank and Gaza Strip)); and North Africa (Algeria, Libya, Morocco, and Tunisia),

- Iran,
- Turkey,
- Afghanistan, Kurdish-inhabited area, and the countries of Central Asia (Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan)
- South Asia: Pakistan, India, and Bangladesh
- Southeast Asia: Malaysia and Indonesia

East Asian Law

The Library acquires and retains East Asian law from the jurisdictions of the People's Republic of China (PRC) including Hong Kong and Macau, the Republic of China (Taiwan, or ROC), Japan and Korea. The Chinese and Japanese collections are as comprehensive as possible for pure law subjects. Korean Law is collected extensively. For all East Asian jurisdictions. The Library collects in the vernacular and Western languages. The preferred format is print, supplemented by digital resources as needed. The Library cooperates closely in making acquisitions decisions with Harvard-Yenching Library and Harvard's Fung Library.

Ancient, Roman, and Canon Law

The Library's historical collections of Ancient, Roman and Canon law are extraordinarily strong. These areas are collected extensively in all languages, both to maintain the historic strengths and to support the work of members of the faculty.

Jewish Law

The Library has a working collection of Jewish law to support the teaching needs of the Law School's faculty. The Library relies on the collection of Jewish Law at Widener Library, which is comprehensive.

Historical & Special Collections

In support of teaching, research, and collecting missions of the Harvard Law School, the Harvard Law School Library (HLS), and the Harvard Library, Historical & Special Collections (HSC) preserves and documents the history of law, legal education, and the Harvard Law School. To accomplish this, HSC collaborates with the Harvard University Archives, with libraries inside and outside of Harvard, with dealers and donors, and with other external partners.

HSC collects in the following areas: rare books (all dates) and early manuscripts (through 1699); modern manuscripts (from 1700 to present), the Red Set (material related to the history of HLS); and the art and visual materials collection. HSC's collections include material in hard-copy, digitized, and born-digital formats. HSC promotes its collections via a thriving digitization program; physical and online exhibits; faculty and community outreach; and publication of finding aids and research guides. HSC supports the research needs of the Harvard Law School, Harvard University, and the scholarly world at large both online and in the controlled and secure environment of the Historical & Special Collections reading room, the Root Room.

HSC evaluates donations and purchase using the following criteria: appropriateness of the subject matter;

current and future research value; aesthetic quality; physical condition; and ownership and copyright restrictions or limitations. We rarely accept materials that come with significant restrictions or display requirements. If we are unable to accept a donation offer, we may be able to suggest alternative options for the donor.

Summary of Collecting Fields

HSC strives to build on its collecting strengths, and to increase its holdings of materials by and about traditionally underrepresented groups and individuals with a Harvard Law School connection. Within that broad collecting mandate, specific criteria include:

Rare Books, Printed Material, and Early Manuscripts

HSC acquires printed materials and early manuscripts (through 1699) that document the history of law, especially that of Western Europe (including the United Kingdom) and the United States. We rarely collect material that has already been digitized, or that we already own, unless it contains significant annotations, has a desirable provenance, or is artifactually significant. To build upon existing strengths, HSC focuses upon the following areas:

- US and UK imprints –, primary law, treatises, case reporters, works on legal education and practice, etc. – through 1900.
- Other Western European imprints through 1900, particularly those that build on our strengths in treatises; incunabula; civil and canon law; international law; legal scholarship and teaching; and French customary law and royal administrative acts.
- Anglo-American and European trials and popular trial literature through 1900; twentieth-century trials that set important legal precedent, represented emerging areas of the law, involved HLS faculty/prominent alumni, and of significant cultural importance.
- Eighteenth and nineteenth-century English crime broadsides.
- Russian and Soviet law through 1960.
- Chinese law through 1960.
- Printed materials related to the war crimes tribunals at Nuremburg and Tokyo; and
- Editions of seminal legal thinkers not covered by above criteria.

Modern Manuscripts

HSC collects modern manuscripts dating from 1700 to the present, collaborating with the Harvard University Archives and other repositories when appropriate. We attempt to collect comprehensively the papers of tenured Harvard Law School faculty. We selectively collect the papers of HLS graduates who have made significant contributions to the study and practice of the law. Single documents and collections pertaining to law practice, the judiciary, legal education, and notable trials are also of interest, if they complement HSC's collections. We collect materials in all formats, including hard-copy, mixed, and born-digital formats. Areas of collecting focus include:

- Collections of the professional papers of tenured Harvard Law School deans and faculty.
- Collections of the records and papers of HLS student organizations and other HLS groups that would not automatically go to the Harvard University Archives as part of formal university business.
- Records sent directly to the Harvard University Archives include the administrative files of the Office of the Dean, other HLS offices, and faculty minutes.
- Collections of law-related materials by or about historically underrepresented individuals or groups with an HLS connection.
- Materials produced by or about United States Supreme Court Justices.

- Material relating to significant trials in the history of law and litigation, provided they complement the general library collection and HSC's printed materials collection.
- Collections of Harvard Law School alumni whose papers reflect highly noteworthy influence on public policy, legal principles, legal education, and law practice.
- Records of public or private legal organizations that significantly influence public policy.

The Red Set

The Red Set is a collection of publications by or related to the Harvard Law School. It contains the following material, in both print and electronic formats:

- Monograph publications (including supplements) of works by current tenured faculty.
- Offprints and separate articles are not actively solicited and are added to the Red Set only by donation.
- Student-created material including prize essays, graduate theses and dissertations, and notebooks recording lectures.
- Serial and selected other publications created by Harvard Law School offices, departments, and programs.
- Publications of student-run law reviews and other student organizations.

Art and Visual Materials

The Harvard Law School collects art and visual materials in a variety of formats including paintings, sculpture, paper prints such as engravings and lithographs, photographic prints, digitized and born-digital materials, textiles, and three-dimensional objects. The subject matter of these materials falls into two broad categories:

- (1) Items relating to the history of Harvard Law School and its role in the development and history of legal education. HSC collects comprehensively in these areas:
 - Images and artifacts documenting the Law School's faculty, alumni, staff, and students.
 - Images and artifacts documenting Law School activities.
 - Images and artifacts documenting the Law School's physical environment.
- (2) Items relating to the history of the law with an emphasis on American common law, but also including eighteenth- and nineteenth-century British law and twentieth- and twenty-first-century international law. HSC collects quite selectively in these areas:
 - Images of people who have made noteworthy contributions to the history of the law.
 - Materials related to significant American and international trials.
 - Iconography of justice or the law (symbols of justice, lawgivers, etc.).
 - Material illustrating legal practice or process.
 - Material illustrating societal and/or cultural attitudes toward the legal professional and legal institutions.

Ranking Key

A=Jurisdiction's ability to preserve law is uncertain or we have mandate to collect in depth - collect and archive

B= Jurisdiction's ability to preserve law is mixed or its law is not of primary interest to us to support our users, collect and archive what we can

C= Jurisdiction's ability to preserve law is good - law is available in a stable, digital format - rely on access only

Jurisdiction	Ranking
Afghanistan	A
Albania	B
Algeria	A
American Samoa	B
Ancient	A
Andorra	C
Angola	A
Anguilla	B
Antarctic Territories	A
Antigua and Barbuda	A
Argentina	B
Armenia	B
Aruba	A
Australia	C
Austria	C
Azerbaijan	A
Bahamas	C
Bahrain	A
Bangladesh	A
Barbados	A
Belarus	A
Belgium	A
Belize	B
Benin	A
Bermuda	A
Bhutan	A
Bolivia	A
Bosnia and Herzegovina	B
Botswana	A
Brazil (PCR)	A
British Antarctic Territory	A
British Indian Ocean Territory	A
Brunei	A
Bulgaria	B
Burkina Faso	A
Burundi	A
Byzantine Empire	B
Cambodia	A
Cameroon	A
Canada	C
Canon Law	A
Cape Verde	A
Cayman Islands	A
Central African Republic	A
Central America	B

Chad	A
Chile	B
China, People's Republic of	A
Colombia	B
Commonwealth of Independent States (USSR)	B
Comoros	A
Congo	A
Cook Islands	B
Corsica	B
Costa Rica (PCR)	A
Cote d'Ivoire	A
Croatia	B
Cuba	A
Cyprus	B
Czech Republic	B
Denmark	C
Djibouti	A
Dominica	A
Dominican Republic	B
East Timor	A
Ecuador	B
Egypt	A
El Salvador	B
England and Wales	C
Equatorial Guinea	A
Eritrea	A
Estonia	B
Ethiopia	A
European Union	B
Falkland Islands (UK)	A
Faroe Islands (Denmark)	A
Fiji	B
Finland	C
France	C
French Polynesia (France)	A
Gabon	A
Gambia	A
Georgia	B
Germany	C
Ghana	B
Greece	B
Greenland	B
Grenada	B
Guadeloupe (France)	A
Guam	B
Guatemala	B
Guiana (France)	A
Guinea	A
Guinea-Bissau	A
Guyana	A

Haiti	A
Honduras (PCR)	A
Hong Kong	B
Hungary	B
Iceland	A
India	C
Indonesia	B
Iran	A
Iraq	A
Ireland	C
Islamic	A
Isle of Mann, Channel Islands (UK)	A
Israel	B
Italy	B
Jamaica	B
Japan	A
Jewish	B
Jordan	A
Kazakhstan	A
Kenya	B
Kiribati	B
Korea, North	B
Korea, South	B
Kosovo Serbia	A
Kuwait	A
Kyrgyzstan	A
Laos	A
Latin America	B
Latvia	B
Lebanon	A
Lesotho	A
Liberia	A
Libya	A
Liechtenstein	C
Lithuania	B
Luxembourg	C
Macao	B
Macedonia	B
Madagascar	A
Madeira	B
Malawi	A
Malaysia	B
Maldives, Republic of	A
Mali	A
Malta	B
Marshall Islands	B
Martinique (France)	B
Mauritania	A
Mauritius	A
Mayotte (France)	A

Mexico	B
Micronesia	B
Moldova	B
Monaco	A
Mongolia	A
Montenegro	A
Montserrat	B
Morocco	A
Mozambique	A
Myanmar (Burma)	A
Namibia	A
Nauru	B
Nepal	A
Netherlands	C
New Caledonia (France)	A
New Zealand	C
Nicaragua	A
Niger	A
Nigeria	B
Niue	B
Northern Ireland	C
Northern Mariana Islands	B
Norway	C
Oman	A
Other Christian	B
Pakistan	A
Palau	B
Panama	A
Papua New Guinea	B
Paraguay	A
Peru (PCR)	A
Philippines	B
Pitcairn Island	B
Poland	B
Portugal	C
Puerto Rico	B
Qatar	A
Reunion (France)	A
Roman	A
Romania	B
Russia	B
Russian Federation	B
Rwanda	A
San Marino	C
Sao Tome	B
Saudi Arabia	A
Scotland	C
Senegal	A
Serbia	A
Seychelles	A

Sierra Leone	A
Singapore	B
Slovakia	B
Slovenia	B
Solomon Islands	B
Somalia	A
South Africa	B
South America	B
South Georgia	A
South Sandwich Islands	A
Spain	C
Sri Lanka	A
St. Helena	A
St. Kitts and Nevis	A
St. Lucia	A
St. Pierre and Miquelon (France)	B
St. Vincent and the Grenadines	A
Sudan	A
Suriname	A
Swaziland	A
Sweden	C
Switzerland	C
Syria	A
Taiwan (Republic of China)	B
Tajikistan	A
Tanzania	A
Thailand	A
Togo	A
Tonga	B
Trinidad and Tobago	A
Tunisia	A
Turkey	A
Turkmenistan	A
Turks and Caicos Islands	A
Tuvalu	B
Uganda	A
Ukraine	A
United Arab Emirates	A
United Kingdom	C
United States of America	C
Uruguay	B
Uzbekistan	A
Vanuatu	B
Vatican City State	B
Venezuela	A
Vietnam	A
Virgin Islands of the U.S.	B
Virgin Islands, British	B
Voivodina (Serbia)	A
Wallis and Futuna (France)	A

Western Sahara	A
Western Samoa	B
Yemen	A
Yugoslavia	A
Zaire	A
Zambia	A
Zimbabwe	A