

University of Mississippi Law Library
COLLECTION DEVELOPMENT POLICY
Revised October 2011

I. Mission Statement

The primary mission of the University of Mississippi Law Library is to support all curricular and research activities at the University of Mississippi School of Law. The library endeavors to own or provide access to all information resources that law faculty, students and staff may require for these activities, as well as to meet the legal information needs of other members of the university community, state bench and bar, and the general public. The library also seeks to provide services that help patrons to determine the kinds of legal information that will meet their needs; to locate these resources regardless of format; and to use them effectively and efficiently.

II. Collection Objectives

To fulfill this mission, the library must maintain a collection, which, at a minimum, meets the standards set forth by the American Bar Association and the American Association of Law Schools. These standards require academic law libraries to maintain a collection that

meets the research needs of the law school's students;
facilitates the educational process;
supports the instructional and research needs and service interests of the law faculty; and
serves the law school's special instructional, research and service objectives.

The collection must include a core collection available on site within the law school's facilities, through either ownership and physical presence or reliable access. In addition to the core collection, the library's collections and services should be sufficient in quality, level, scope, quantity, and currency to support the law school's programs fully. The collection will necessarily include legal information in a variety of formats, including print and online.

Establishing and maintaining a collection that meets these standards is the library's highest priority. Its second major priority is to develop and maintain the most extensive collection of Mississippi legal materials possible. To the extent that its financial and staffing resources permit, the library also takes into consideration the legal information needs of the legal and library professions of the state and region, and the general public. In allocating resources, the library gives current needs priority over possible future needs.

III. The Collection Development Process

The library's director is responsible for setting and implementing the collection policy in consultation with the law school's dean, faculty, and library staff. The library staff assists the director in implementing the collection policy and maintaining the collection accordingly. Specific

recommendations concerning the collection and the collection policy are also solicited from the law school's faculty library and technology committee, individual faculty, and library staff members.

IV. Levels of Collection Development

The library's collection development by material type and subject is guided by the following criteria.

Core

The accreditation standards of the American Bar Association and the American Association of Law Schools accreditation standards dictate the components of an academic law library's core collection. At present, these sources include:

All reported federal court decisions and the reported decisions of the highest appellate court of each state;
all federal codes and session law, and at least one current annotated code for each state;
all published treaties and international agreement of the United States;
all published regulations, codified and uncodified, of the federal government and the codified regulations of the state in which the law school is located;
federal and state administrative decisions appropriate for the programs of the law school;
United States congressional materials appropriate for the programs of the law school;
significant secondary works necessary to support the programs of the law school; and
those tools, such as citators and periodicals indexes, necessary to identify primary and secondary legal information and update primary legal information.

Minimal

A minimum-level collection is very selective, limited in both scope and depth.

Basic Instructional

A collection that meets basic instructional needs is one that provides patrons with materials that offer an introduction to the subject and that is sufficient to meet a survey course's classroom needs and assignments. In addition to all relevant primary sources of law, it will include access to:

Introductory texts intended for law students such as hornbooks, nutshells, and similar guides;
One or more regularly updated major treatises covering the subject area; and
widely used specialized periodicals in the subjects area.

A collection at this level will support only very general research needs.

D. Instructional

An instructional-level collection provides a basic introduction to the subject and is sufficient to meet the classroom needs and assignments of any courses other than highly specialized seminar courses. In

addition to all relevant primary sources of law, it will include access to:

Introductory texts intended for law students such as hornbooks, nutshells, and similar guides;
one or more regularly updated major treatises covering the subject area;
significant legal monographs in the subject area;
widely used specialized periodicals in the subject area;
non-duplicative specialized case reports; and
a looseleaf or similar service providing non-duplicative updates at least quarterly to relevant primary statutory, case and regulatory law and other current developments.

A collection at this level will support general student research, most faculty-service interests, initial exploration on faculty-research topics, as well as curricular activities in all but the most specialized seminar courses.

E. Current Research

A current-research collection is selective and includes access to those material actively used by faculty members for their research or service interests or that a particular faculty member believes will be used regularly by students doing research and writing for his or her courses or for a specialty law journal under his or her supervision. These materials are acquired upon the direct recommendation of a faculty member and may be kept current only for the duration of that particular faculty member's or special law journal's active use of the materials.

F. Anticipated Needs

A collection that serves anticipated instructional and research needs includes materials that will likely be needed to support unspecified future scholarly research projects or the development of a new course in the subject area. It is a "just in case" collection. In addition to all relevant primary sources of law, it will usually include access to:

Introductory texts intended for law students such as hornbooks, nutshells, and similar guides;
current and historical treatises covering the subject area;
legal monographs in the subject area;
specialized periodicals in the subject area which are indexed in well-known general and specialty subject indexes;
non-duplicative specialized case reports;
looseleaf and similar services providing non-duplicative updates at least quarterly to relevant primary statutory, case and regulatory law and current developments; and
major reference works and non-legal resources that contribute to an understanding of the subject area.

G. Practice

A practice-level collection is a selective collection that includes materials that is needed to support a general law practice or a skills course such as a clinic in the subject area. It will include access to:

Introductory texts intended for law students such as hornbooks, nutshells, and similar guides;

at least one regularly updated practice-oriented treatise covering the subject area;
at least one source of major forms useful for practice in the area;
non-duplicative specialized subject reporters; and
a looseleaf or similar service providing non-duplicative updates at least quarterly to relevant primary statutory, case and regulatory law and current developments.

H. Comprehensive Research

A comprehensive-research collection is one for which the library attempts to collect and preserve all major and virtually all significant works on a given subject, both current and retrospective. It will include both published and unpublished materials. This level of collection will support the most rigorous and in-depth research.

V. The University of Mississippi Law Library's Collection Levels

The library's current collection-development efforts are directed toward building and maintaining

a core collection that meets ABA and AALS standards;
a minimal-level collection for the general public and other units of the University's needs;
a basic-instructional collection that addresses the subject areas of all survey courses in the law school catalog regularly offered;
an instructional collection for all other areas covered by the courses in the law school catalog regularly offered;
a current-research collection in all areas where law faculty are actively pursuing research, including, but not limited to, commercial arbitration, cybercrime, capital punishment, environmental law, gaming law, and civil rights;
an anticipated-needs collection in all major subject areas of law;
a practice collection in areas appropriate for skills courses in the law school catalog; and
a comprehensive-research collection of Mississippi legal materials and space and remote sensing law.

VI. Selection Criteria

Most current legal information is now available in multiple, overlapping formats. No single format is complete or available to all classes of library patrons, unfortunately. Thus, the library owns and maintains access to information sources in print, microform, DVD, video, audio, and digital forms.

At present, the library continues to purchase materials in print extensively, especially for its core, instructional and comprehensive collections. However, like most, if not all, academic law libraries today, the University of Mississippi Law Library increasingly relies upon timely access to information via licensed online services and interlibrary loan, rather than physical ownership and possession, to meet some information needs.

Digital formats are now preferred for certain types of materials and for primary sources of law for jurisdictions other than Mississippi and the United States (federal), except when the selection criteria described below indicates otherwise. Examples of publications now collected exclusively in electronic form include recent issues of scholarly law journals available via HeinOnline; case reporters available in PDF via Westlaw, Lexis, HeinOnline, and LLMC; and primary sources of law in foreign jurisdictions.

More information about specific format types and selection criteria is provided below.

A. Jurisdiction

The primary jurisdictional focus of the library's collections is United States law, both federal and state. Acquisitions of state-specific or foreign materials, other than those for Mississippi, which are not included in an aggregated database like Westlaw, Lexis, HeinOnline or LLMC, are generally limited to the primary sources of law. However, the library continues to maintain a strong collection of British and Canadian historical materials in print. In addition, the library continues to acquire major publications of selected international organizations such as the United Nations in various formats.

B. Format

1. Print

A substantial percentage of the library's collection, particularly the core collection, is held in print. Generally, print will continue to be the preferred format for materials that (a) the library wishes to circulate; (b) are used heavily; (c) receive substantial use by patron groups other than law faculty and law students; (d) are generally more easily or effectively used in print (*e.g.*, statutory codes); and (e) are appropriate for long-term archival treatment (*e.g.*, Mississippi legal materials). Since they are acquired and owned, rather than licensed (*i.e.*, accessed), print materials are less likely to become unavailable to users, including future generations, in the event budgetary constraints require subscription cancellations.

Print materials come in soft-bound, hard-bound, spiral-bound, compression-bound and ring-binder formats. For several reasons, the library will generally select hard-bound formats if available. This preference is based on a combination of cost, labor, space, and security concerns. Compression-, spiral- and ring-bound formats are much more labor-intensive to maintain; require more shelf space; are more difficult to maintain and are more likely to be damaged or incomplete; cannot be adequately security stripped; are generally much more expensive; and often mislead patrons into believing that a source is being currently updated when, in fact, it is not.

Microform

A substantial percentage of the library's collection is also held in microform formats. While patrons generally dislike the format and are reluctant to use it, it is a very efficient format in which to hold materials in terms of space, thus allowing the library to make a wider selection of materials available on-site, especially historical sources of law. In the future, however, the library expects to acquire materials in microform only when anticipated use is low and the materials are otherwise not available via reliable online sources.

Audio-Visual

Historically, the library acquired audio-visual materials only upon request. As demand for these materials has grown in the last decade, both for individual and classroom use, the library has built a strong collection of documentaries, training materials, and popular films related to the law and will continue to collect these materials aggressively. When the cost is not prohibitive, the library purchases an educational or performance license. When an acquisition is for individual use only, it is clearly marked as such and a note is added to the catalog record.

Digital

A growing portion of the library's collections is available electronically and the library expects to rely increasingly and sometimes exclusively upon electronic access for some areas of collection development.. Online formats often provide more powerful access to information than other formats (*e.g.*, full-text keyword searching); alleviate some physical space concerns (*e.g.*, dwindling amounts of unoccupied shelving); and provides access to information otherwise unaffordable for the library (*e.g.*,

looseleaf services and legal newsletters).

Reliance on electronic formats, however, continues to present major issues and concerns for the permanent collection. Because this information is typically licensed rather than sold, there is significant risk to the collection's future integrity if online subscriptions cannot be maintained because of budget cuts or if the vendor/publisher subsequently removes or blocks access to historical files. In addition, the licensing of online data often permits service providers to restrict access to particular patrons and for particular purposes (*e.g.*, educational use only by law school faculty and students only) and prohibits interlibrary loan.

For these reasons, the library will not rely upon electronic access as the sole source for core collection materials, unless reasonably certain that the service provider has a long-term commitment to maintaining databases for which the service was selected and that the library will be able to afford to maintain a license which allows access by all patrons. The library will also utilize the following specialized criteria for selecting and maintaining titles electronically.

C. General Selection Criteria

The criteria used by the library when evaluating materials for likely purchase or replacement in all formats include:

Significance of the subject matter for legal education and scholarly research;
current or permanent value to the collection, based on the library's public mission;
anticipated frequency of use, based on faculty research interests, curriculum, student requests, and other history;
accuracy and quality of contents, based on reviews, recommendations, evaluations, etc.;
jurisdiction;
reputation of the author;
authority of the publisher or producer;
scarcity of material on the subject;
availability of material or information in other formats in the collection;
availability of material or information in the J.D. Williams Library's collections;
cost, including initial purchase price and maintenance;
content coverage, relative to that of other available formats;
cost, relative to that of other available formats;
language;
stability of medium; and
space or equipment needed to provide access or maintain the material.

D. Specific Criteria for Digital Resources

Because of their variety and relative instability when compared with traditional legal materials in print, resources in electronic formats require specialized selection criteria, in addition to the general criteria

listed above. They include:

Available file formats (*e.g.*, ASCII, HTML, PDF);
delivery mechanism (*e.g.*, CDROM, DVD-ROM, Internet, commercial online service);
content in comparison with content of versions in other formats;
stability and reliability of provider;
hardware, telecommunications, and software requirements;
usability of interface and search software;
display options;
downloading and printing options;
authentication procedures;
licensing terms and access restrictions;
availability of superseded or archival content;
need for instructional and other staff support;
availability in law school libraries nationally;
availability of cataloging resources; and
accessibility of database for those with physical disabilities and whether accommodations can be made as required by law and university policy

When selecting among digital resources, the library prefers

ownership to license
licenses with the fewest restrictions by patron type;
authentication by IP-address and proxy server, rather than password;
simultaneous-user licenses over licenses based on numbers of access points or vendor estimation of size of anticipated user populations;
licensees that store data on remote servers as opposed to products which require local maintenance of data;
products that can be networked without significant cost, if local maintenance of data is required, and which can be downloaded onto hard drives instead of requiring use of CD-ROM formats;
products that provide access via the most commonly used interfaces such as (currently) Web browsers;
and
products that provide documents in image form (*e.g.*, PDF, JPEG).

The lack of appropriate options to meet the library's needs at an affordable cost may prevent the library from acquiring products in electronic form when they would otherwise be preferred.

E. Duplication

The library's current policy is to provide only limited duplication in the library's physical collection. Multiple copies of print materials are acquired only when circulation statistics, reserve statistics, and staff observation of the condition of materials document a solid need for duplication. Because of budgetary constraints and the proximity of the University's main library, the J.D. Williams Library, the library will also occasionally decline to purchase law-related monographs and periodicals that meet the law library's general selection criteria that have been acquired by the J.D. Williams Library.

F. Specific Types of Materials

1. Casebooks and Textbooks

The library generally refrains from purchasing casebooks or textbooks. The library, however, gladly accepts donations of casebooks or textbooks according to the criteria set forth for gifts below.

2. Continuing Legal Education Materials

The library acquires continuing legal education (CLE) materials selectively.

3. Multiple Editions

The library retains superseded editions of primary sources of law and major secondary sources of law and other materials when appropriate and according to the selection criteria listed above. In general, the library will keep only one copy of each previous edition of a title.

4. Faculty Publications

The library attempts to collect all publications written by the law school faculty. In addition, the library will selectively acquire audiovisual recordings of special presentations by the faculty member, such as continuing legal education programs, public lectures, and conference presentations. Because of the expense of scholarly journals, the library may choose not to subscribe to a journals edited by a faculty member, if the journal does not meet the selection criteria.

As a general matter, the library requests that faculty members donate a copy of their works to the library for inclusion in the faculty-publications collection. If a faculty member does not donate a copy of a work, the library purchases a copy. Examples of works added to the collection, but not purchased for the general collection, include study aids, such as course outlines, and articles, essays or letters published in non-law sources or the popular press. The library also maintains a comprehensive faculty bibliography.

5. Non-Legal Materials

For disciplines other than law, the library relies upon the J.D. Williams Library to collect and acquires non-legal materials very selectively. Non-legal subjects in which the library collects generally have a legal nexus and include criminal justice, history, international relations, political science, women's studies, and library science.

6. Periodicals

In addition to the general selection criteria listed above, the library uses the following criteria in deciding whether to subscribe to, or retain, a periodical:

Is it the "flagship" or widely cited law review or journal published by a law school approved by the American Bar Association?

Is it indexed in *Index to Legal Periodicals and Books*, LegalTrac or other legal periodical indexes held by the library?

Is its focus one of the subject areas in which the library intensively collects?

Is it an official periodical of the American Bar Association, American Association of Law Schools, Mississippi Bar Association or their subordinate bodies?

Is it an official publication of other national legal associations, major public interest legal organizations and Mississippi legal organizations, especially when if it can be obtained free of charge?

Is it a respected source of legal news?

The library seeks to obtain complete runs of periodicals in its collection. When this is not possible, the library attempts to acquire a complete run of a periodical spanning the period in which the periodical has been indexed in a legal periodical index held by the library.

7. Placement Materials

The library generally does not purchase placement materials, but may purchase if a product also has use for general research or curricular purposes.

8. Student Study Aids

The library regularly acquires two types of student study aids: the West Group's "Hornbook" and "Nutshell" series. The library selectively collects study aids from other publishers, such as Aspen Law & Business's "Examples and Explanations" series, Foundation Press's "Concepts and Insights" series, and Matthew Bender's "Legal Text" series. In addition, if a faculty member includes a study aid as a required book for a class, then the library will purchase the study aid along with the other required texts.

VII. Gifts

A. Casebooks

The library accepts casebooks as donations and adds them to the collection when the edition and date fit within the guidelines for the library's casebook collection. The library will typically keep the first edition and the latest edition. The library does not accept donations of casebooks other than first or latest edition or duplicative copies.

Commonly Held Legal Titles

The library accepts commonly held legal titles only if replacement is needed for worn or missing volumes in the library's collection or when (1) the title is not already owned; (2) the materials are in good condition and are current to within the last one to five years; (3) the materials would be a significant addition to the library's collection; and (4) in the case of serials, the library can afford to keep the title current in the opinion of the library director.

Continuing Legal Education Materials

The library accepts single copies of Mississippi-related CLE materials if received within three years as well as single copies of CLE materials with a national focus in areas where the library supports a practice or instructional level collection.

D. Historical Mississippi Legal Materials

The library actively solicits donations of historical Mississippi legal materials, particularly those published before 1861. For more recent materials, the library reserves the right to decline donations of Mississippi materials, particularly primary sources of law, which it already owns.

E. Monographs

The library accepts single copies of monographs and other materials which the library does not own if the director finds that the work is suitable for a comprehensive research level collection in an area where it can reasonably be anticipated that a course may be offered or a faculty member will do future research.

F. Study Aids and Bar-Review Materials

The library does not purchase or accept donations of study aids such as tapes, compact disks or “flash cards” because of their relative expense and difficulty in maintaining in complete and current condition. Similarly, the library neither acquires, nor accepts as donations, bar course outlines. These materials change every year, and some bar outline publishers prohibit the transfer of these materials to anyone but their original purchaser.

VIII. Updating Policies

In recent years, the legal publishing industry has been moving toward updating formats which are increasingly expensive to purchase and both labor- and space-intensive. Consequently, the library’s updating policies are designed to balance many competing factors such as research value, timeliness of information, processing and shelving needs, and purchase price. As a general guideline, the library’s intent will continue to maintain basic upkeep services as defined by the Federal Trade Commission’s Guides for the Law Book Industry, previously published in the *Code of Federal Regulations*.

A. Primary Sources of Law

The library will order and accept all permanent volumes and related supplemental materials in print containing primary sources of law for Mississippi. The library also currently maintains print subscriptions for the annotated statutes and administrative regulations of the United States; the decisions of the United States Supreme Court; and the annotated statutes and case law of (at least) surrounding states. The library now relies upon online sources for updating state case reporters that do not contain decisions of the Mississippi courts and the federal case reporters that cover the lower federal courts.

B. Study Aids and Introductory Texts

The library will regularly purchase new editions and annual supplementation for titles such as hornbooks, nutshells, and other explanatory texts intended for students.

C. Treatises

For instructional-level subject areas, the library will acquire supplementation for major treatises in print at least every three years. The library will not acquire related titles or materials that are not part of basic upkeep unless these materials would be acquired if considered independently from the related treatise.

The library’s current goals for other treatises is to maintain annual supplementation when updating

costs do not exceed 30% of new purchase price for titles with cumulative supplements or 50% of new purchase price where supplementation is interfiled. Where supplementation frequency is more than once a year or costs exceed these guidelines, the library may employ alternative updating strategies. The library will not acquire related titles or materials that are not part of basic upkeep unless they would be acquired if considered independently from the related treatise.

D. Legal Periodicals

The library acquires all issues of the periodicals to which it subscribes, either print or electronically. Generally, the library binds and retains in print only those titles which are indexed in one of the major periodical indexes and not available electronically in PDF or similar format that is a facsimile of the print version. Newsletters and magazine titles which are not indexed in one of the major indexes are usually kept for only two years and are not bound.

E. Other Secondary Sources of Law and Finding Aids

The library supplements major sets in print such as the national legal encyclopedias and the *American Law Reports* annually. The library maintains a subscription to West's Decennial Digest, as well as the Mississippi Digest and the digests for surrounding states. The level of supplementation for other secondary materials and finding aids is determined on the basis of usage levels and duplication of updating tools available in other formats.

F. Practitioner-Oriented Materials

The library's goal is to maintain at least biennial supplementation for major general practice sets such as *Causes of Actions* and *Proof of Facts* and to update all Mississippi practice materials as supplementation becomes available.

G. Directories and Other Reference Works

The library's supplementation of directories and other reference works is determined by the individual title, based upon usage, uniqueness, and cost. Materials that are frequently used, but are nonetheless valuable as permanent acquisitions are generally supplemented every five years.

IX. Weeding and De-selection Policies

A. General Considerations

The library continuously evaluates its collection to ensure that materials in the collection support are available and in usable condition. Methods used include (1) shelf-reading and inventory to verify the accessibility of all materials acquired and cataloged by the library and (2) weeding and withdrawal.

To maintain the quality and usefulness of any library collection, removal or cancellation of obsolete materials and titles of marginal subject interest is a necessity. The director, with the assistance of librarians and staff, examines the collection on a regular basis and weeds or recommends cancellation

of materials in by call number range. In addition, for many types of materials as well as for specific titles, the library has established policies for weeding and cancellation, which are noted in the records found in LOUIS, the library's online catalog, or this policy.

General criteria considered when examining materials for possible weeding or cancellation include

- relation of subject matter to the subject areas' collection level;
- relation of subject matter to the current research interests of the law faculty and the law school curriculum;
- relation of subject matter to current governmental activity and to events in the law school community;
- currency, since certain out-of-date materials lack research value and could pose a risk to users; physical condition of material; duplication of copies or content;
- format, if alternative formats offer cost and/or space savings or other benefits;
- space considerations;
- completeness of resource such as cancelled subscriptions; and
- circulation statistics.

B. Specific Types of Materials

1. Case Reporters

The library will keep at least one copy of each series of any non-duplicative reporter acquired prior to January 2011. If a specialized reporter reprints cases found elsewhere in the library's collection, the library will weed those series more than twenty-five years old. For each series in West's National Reporter System, the library's former policy was to keep one complete set. After January 2011, the library will maintain at least one print subscription to *United States Reports*; *West's Supreme Court Reporter*; and the *United States Reports, Lawyer's Edition*, as well as West's Southern Reporter. Access to case law for other jurisdictions will be provided via Westlaw, Lexis, LLMC Digital, HeinOnline, court website and other free and subscription-only electronic services as required. This policy will be continuously monitored and print subscriptions to reporters other than those named above may be reinstated as patron demand or other conditions requires. The library will maintain a public-access subscription to Westlaw to provide public patrons access to PDF versions of cases reported as part of West's National Reporter System.

2. Casebooks

The library will keep one copy of the most current edition held. For historical purposes, the library will keep one copy for every ten years. Other editions will be withdrawn.

3. Continuing Legal Education Materials

CLE materials from jurisdictions other than Mississippi may be weeded after 10 years as needed to make room for additional materials.

4. Directories and Other Reference Works

Where the current edition is on reference or reserve, the library will keep the previous edition in the stacks to be circulated. Most older editions will be withdrawn. Where, in the judgment of the director, previous editions of the directory have lasting value, the library will keep one edition approximately every ten years.

5. Form Books

The library will keep only the current edition of each title.

6. Government Documents

The library is a selective United States Government Document Depository and periodically weeds the document collection in compliance with Government Printing Office rules.

7. Monographs

The library will usually weed duplicate copies of monographs more than 15 years old.

8. Treatises

If there is a clear change of editions, and the title is a major treatise in the subject area, the library will keep one copy of all prior editions. For other treatises, the library will keep the previous edition to the current one and approximately one edition every ten to twenty years for historical purposes. Other older editions will be withdrawn.

10. Student Study Aids and Similar Works

Where the library has subscription to multiple copies, it will keep all copies for the current year, one copy for the previous year and one copy about every ten years for occasional historical use. Annual handbooks and guides will be checked to make sure that each new issue is intended to be a replacement for the previous year. If the new editions are collections of new articles instead of duplication of previous material with updates, the library will treat the title like a periodical and keep one copy of all years.

X. Replacement of Lost or Damaged Material

Lost or damaged material will be evaluated by the director for replacement. If the item is available and it meets the criteria for a new purchase, it will be replaced.

XI. Preservation

In addition to meeting the current needs of its patrons, the library takes seriously its obligation to acquire and preserve historical legal materials for future generations. Preservation of materials is thus an important element of collection development and management at the library. These efforts include:

Paper and binding specifications for monographs and serials;

specifications for film types of microforms; specifications for the physical carriers of magnetic or optical disks;

vendors' or publishers' policies and procedures for providing long-term access to remote networked digital resources;

proper shelving and handling procedures and resources;

specialized care and storage of materials as protection from damage and deterioration;

repair of damaged materials; conversion to a different format, where the quality of the original format, the importance of the materials, or the requirements of users and programs dictate; and

provision for long-term access to electronic resources in licensing agreements.

XII. Methods of Acquiring and Providing Access to Materials

A. Wholesalers and Subscription Agencies

The library works with a variety of wholesalers and subscription agents to consolidate ordering, receiving, renewals, invoicing, and payment of monographs and serials. These arrangements allow the library to expedite acquisitions, reduce processing costs, and achieve significant discounts. When selecting a wholesaler or subscription agent, the library will consider such criteria as accuracy, fulfillment rate, fulfillment time, level of discounts, availability of flat-rate discount, shipping costs, reporting capabilities, return policies, pre-binding services, and the recommendations of other libraries.

B. Approval Plans, Standing Orders, and Package Plans

Certain publishers and vendors offer services that allow libraries to acquire materials based upon a range of non-item-specific parameters, including series title, publisher, subject area, issuing agency, language, and jurisdiction. The library makes use of approval plans, standing orders, and package plans, as appropriate, to expedite acquisitions, reduce processing costs, and achieve significant discounts. Increasingly, however, to maintain control of costs, the library maintains standing orders for only major federal and Mississippi primary sources of law and limited treatises and other secondary sources.

When selecting an approval vendor, the library will consider such criteria as discount amounts, shipping costs, number of imprints/publishers covered, profiling characteristics, return policy, pre-binding services, report capabilities, technical services, invoicing, quality of service, and references from other libraries.

When selecting a standing order vendor, the library will consider such criteria as discount amounts, shipping costs, report capabilities, invoicing, quality of service, and references from other libraries. The library maintains a package plan with the American Bar Association, and will consider other package plans, using the general selection criteria listed above.

C. Cooperative Agreements

Consortia and cooperative agreements have become increasingly important, as no library can collect in all subject areas. These agreements can include cooperative acquisitions, retention policies, the housing of joint purchases, and other arrangements. Any such agreements, when concluded, will be published as addenda to this document.

The criteria for entering into cooperative arrangements include:

The conformance of the proposed arrangement with the library's mission;
costs and benefits;

type and reputation of the potential partner organization; provision for the periodic evaluation of the arrangement by all parties;

ability of participating parties to withdraw from the arrangement; ownership or control of purchased or licensed materials when the arrangement ends; and

ability to access materials not housed in the library.

The library is currently a member of the Consortium for Southeastern Law Libraries (COSELL), the Legal Information Preservation Alliance (LIPA), and the Consortium for Northeastern Law Libraries (NELLCO).

D. Needs and Offers

Current and historical legal materials may occasionally be obtained at very low cost from other libraries through "needs and offers" lists. The library regularly monitors such lists, and actively acquires materials according to the criteria set forth in this document. As a Federal Depository Library, the library complies with Federal Depository Library Program regulations and guidelines for maintaining a list of needed materials, listing offers, and obtaining materials through depository "needs and offers" lists. If the library is able to acquire only portions of a multi-volume work via the "needs and offers" process, the available portions of the work will be added to the collection, and the missing volumes will be sought.

E. Exchanges

The library will enter into an exchange agreement only when it is the sole means for receiving materials. Exchanges are not encouraged.

F. Interlibrary Lending and Document Delivery Services

The faculty and students of the School of Law at times have information needs that require access to resources not available on campus. The library therefore augments its collection by participating in interlibrary lending and document delivery arrangements, in order to satisfy the diverse information and research needs of the law school's faculty and students.

The library agrees to the "Guidelines for the Proviso of Subsection 108(g)(2) [of the U.S. Copyright Act, 17 U.S.C.]" developed by the National Commission on New Technological Uses of Copyrighted Works (CONTU). These guidelines state that a library will purchase a subscription to any periodical for which, within a single calendar year, the library makes six or more interlibrary lending requests for articles published within five years prior to the date of the request, and that a library will purchase a copy of any article collection or other copyrighted work of which, within a single calendar year, the

library makes six or more interlibrary lending requests for articles or small parts. The library regularly reviews its interlibrary borrowing to ensure compliance with the CONTU Guidelines.

Adapted in part from the Tulane Law Library Collection Development Policy (April 2010).

See 16 C.F.R. Part 256 (1998) (rescinded in 1999). The library's interpretations of these guidelines, especially the phrase "only those parts of upkeep which are absolutely essential and without which a set cannot remain functional," are likely to be far more conservative than publishers' interpretations.