

Kresge Law Library

Collection Development Policy

Revised June 2025

The primary mission of the Kresge Law Library is to meet the curricular and research needs of the Notre Dame Law School community. The Law Library also supports the greater University of Notre Dame community and, to a lesser extent, the community of scholars and researchers around the world who are interested in subjects of or related to the law. This collection development policy supports these roles and provides guidelines and a framework within which decisions regarding the existing collection and the development of future resources can be made. The collection development policy also sets out goals for the storage, retention, weeding, and preservation of library materials.

The Library acquires, catalogs, preserves, and makes available materials which are required by its current faculty and students for their teaching, learning and scholarship. To a more limited extent, the Law Library also acquires materials which may reasonably be required in the future and where it may be difficult to obtain copies on demand at a later time.

In some cases, the Law Library acquires material and adds them to its permanent collection. In other instances, the Law Library will provide access to materials through licenses to electronic resources and through reciprocal arrangements, such as inter-library loan. The Law Library collaborates with other institutions to work toward common goals of continued access and long-term preservation of legal materials. To this end, the Law Library participates in a cooperative collection development agreement with NELLCO, which allows the Law Library to purchase electronic material at a better price than we would get if we were acting alone. The Law Library also works closely with Hesburgh Libraries on campus to coordinate collection development policies and purchases. The Law Library is a member of LIPA (the Legal Information Preservation Alliance) and LLMC (Law Library Microform Consortium).

The Law Library acquires the following basic classes of material for the collection:

1. Primary source materials. Access to case and statutory law of the United States, the separate states, and U.S. territories; administrative materials for the United States; and government documents of the United States is provided by subscriptions to Westlaw, Lexis, Bloomberg, and other specialized legal databases. The Law Library still maintains a print collection of U.S. Supreme Court cases and federal laws and regulations.
2. Secondary source material collection, i.e., treatises and serials which annotate and analyze the primary source material or present philosophies thereof; treatises and serials which are peripheral but helpful to the further understanding and implication of the primary legal source material.

3. Finding tools, i.e. indexes, encyclopedias, dictionaries, directories, citators, and compendia leading to better use of both primary and secondary source materials.
4. Legal Association Publications and Publications Related to Legal Education:
Selected publications of the American Bar Association, Association of American Law Schools, and other legal professional organizations are collected on a limited basis, as well as other publications relating to legal education.
5. The Law Library maintains a Special Collection of Notre Dame publications, which includes Law School Faculty and Staff publications, Annual Law School Bulletins, annual copies of The Hoynes Code and the Notre Dame Report. Most of these materials have been digitized and are available in the Law Library's online repository [NDLScholarship](#).
6. Rare Books & Special Collections. The Law Library has a designated endowment fund for the purchase of rare materials. Purchases made with these funds focus on adding to existing areas within the rare book collection.
7. Casebooks: The library does not actively purchase casebooks, but will add them to the collection when received as gifts. The library does not acquire textbooks.

Funding:**University Materials Fund:**

Since 2012, the Law Library no longer receives any funding for materials from the University. The entire collection development budget is made up of earning payouts from endowments, both open (15) and restricted (19). https://scholarship.law.nd.edu/law_lib_endowments/

Funds received through unrestricted endowment income or gifts will be used for the normal purchasing of continuations and monographs.

Designated gifts and restricted endowment funds will be used to purchase titles within the specified subject area or time period.

Jurisdictional Considerations:

The library has established the following categories of emphasis for collecting materials from various jurisdictions. Listed after each category are the appropriate collection goals:

Category 1: United States of America

The Law Library provides extensive access to information concerning the law of the United States and its jurisdictions. Materials published for practicing attorneys are usually not acquired. Exceptions may be made when such material supports the clinical education programs or are requested by a faculty member.

Category 2: State Law

The Law Library relies on online access via Lexis and Westlaw to meet the needs of the Law School faculty and students for access to the laws of the states with the exceptions of Indiana. The statutes and case law of Indiana is collected along with some basic practice materials.

Category 3: International law

Within the broad category of international law, special emphasis will be placed on collecting international human rights law and public international law.

Category 4: Foreign Law

The law of other nations, legal systems divergent from the common law and comparative law

Category 4 materials will be collected on a selective basis, in English only, and with particular focus on the subject areas of constitutional law, natural law, human rights law, jurisprudence, law and religion, and legal ethics.

Format Guidelines:

Materials are collected chiefly in digital formats: however, materials in paper will be purchased if requested by a user or if paper is the only option available. The purchasing of the same content in multiple formats is to be avoided whenever possible. Permanent retention of materials may be in print, microform or digital format. The Law Library's goal is to provide access to information. In most cases, the Law Library provides access only through electronic resources.

Books:

Preference will be given to books available as ebooks.

Newspapers:

The Law Library maintains paper subscriptions to the New York Times, the Wall Street Journal, the Chicago Tribune, and the South Bend Tribune. Copies are retained for one to two weeks.

Journals/Continuations:

The Law Library cancelled its print subscription to student-edited law reviews and journals in 2017 and only subscribes to law reviews or journals in print on the request of a faculty member. For access to these journals, the Law Library relies on HeinOnline.

The Law Library subscribes to major law-related peer-reviewed journals in paper when they are not readily available electronically or by faculty request.

State bar journals are available through a HeinOnline database.

Journals of reprinted articles are not purchased.

Microforms:

Material will be acquired in micro format only when it is the only format available. Existing microform collections are reviewed periodically and weeded as digital versions become available.

DVD:

DVD's may be purchased at the request of faculty, or to serve general research needs.

Electronic Resources:

The Law Library acquires electronic resources in a variety of ways: through consortia arrangements, by direct purchase, and by cost-sharing with Hesburgh Libraries. We negotiate for campus wide IP access whenever possible.

Languages:

Most materials are purchased in English, if available. Materials in other languages are purchased selectively; usually only when specifically requested by a scholar who will use the material

Supplementation:

We no longer purchase all currently published supplementation. Wherever possible, titles that were supplemented in print have been replaced by electronic titles. Where no electronic version is available, or the cost is prohibitive, the Law Library will work on an alternative supplementation plan so that a title will be updated only once a year, or every other year, for example. Decisions not to supplement a specific title *at all* may be made after consideration of the cost, duplication, use, and quality of the supplements available.

Government Depository Materials:

As a selective (13%) Federal Depository, the Law Library acquires those publications produced by the government which are relevant to legal research and reference. The Law Library is also a GPO Preservation Steward for the Code of Federal Regulations, the Federal Register, and the House Journal.

Gifts:

Gift materials are treated in the same manner as other potential acquisitions. That is, they are accepted, retained, discarded, circulated, and located in accord with collection development policies of general application. As with free government depository items, the cost of processing, cataloging, binding, filing, and storage should be considered in the decision to accept gift materials. Conditional gifts are not favored and may be refused.

Weeding:

The Law Library has undertaken the process of developing a collection capable of supporting in-depth, scholarly legal research. In light of this goal, weeding is limited to the removal of material

replaced by microform or other format when the original print material is in poor condition or shelf space is limited. Weeding may also be done to remove excess copies of an outdated work; one copy of each title unique to the collection must be retained. Superseded supplementary material completely replaced by later editions or supplementation should also be discarded.

Retention:

The primary objective in developing a research collection is to ensure that materials will be available for current and future scholarly use. As with any activity that attempts to anticipate the future, predicting the needs of legal scholars in the coming decades is uncertain. In light of this, retention decisions will be based predominately on maintaining the presence of information in the collection rather than on the probability of future patron use.

Other factors which should be considered in the retention decision include the cost and ability to adequately preserve the physical format of the information, cost and availability of content replacement in another format, shelving space, and duplication of information in other sources.

Preservation:

The Kresge Library will attempt to preserve all materials in the collection in the original physical format where it is economically and physically feasible to do so. Where costs, deterioration, or damage prevent the preservation of materials, attempts will be made to replace items valuable to the collection in reprinted editions or alternative formats. New items added to the collection will be subject to conservation measures, if warranted, to extend their usefulness.

Evaluating Replacement Purchases:

In evaluating titles that need to be replaced because of loss or damage, priority will be given to replacing materials that are in high demand or are supplemented frequently. Other titles are evaluated for their continuing worth to the collection, according to the topic, replacement cost, availability, user need or interest, and format. If the Library has more current works on the same subject or if the work in question has no ongoing research value, replacement is a low priority.