

**University of South Carolina  
School of Law Library**

**Collection Development Policy  
Revised 02/17/2022**

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**Collection Development Policy  
2022  
University of South Carolina School of Law Library**

**I. PURPOSE, MISSION, AND OBJECTIVES**

**A. PURPOSE**

The collection development policy is intended as a guide for selecting legal research materials in various formats through effective allocation of available resources in support of the law library's mission and the needs of its users. The policy further serves to inform the law school and the communities it serves of the scope and nature of the law library's existing resources and the criteria and guiding principles employed in developing its collection.

The development policy will be reviewed regularly to adapt to changes affecting the law library and the needs of its users.

**B. MISSION**

The primary mission of the University of South Carolina School of law library is to evaluate, acquire, organize, preserve, and provide meaningful access to legal information resources in support of the instruction, research, and service activities of the faculty, students, and staff of the law school. The law library also serves the scholarly community of the University and encourages interdisciplinary approaches to research and learning. As the largest public law library in the state located in the heart of its capital city, the law library's collections are also utilized by government agencies, the judiciary, the practicing bar, local academic institutions, and the general public.

The law library serves as an instructional unit within the law school responsible for teaching its students effective legal research techniques. It provides reference and research instruction within the law library to all its users and supports meaningful access to legal information for all South Carolinians through its web presence and outreach programs.

In addition to developing its own print and electronic collections, the law library actively participates in campus, regional, and national programs for collection sharing and development.

**C. OBJECTIVES**

The primary community served by the law library consists of approximately 640 students and 57 full-time faculty members. The USC School of Law offers the Juris Doctorate degree, participates in ten dual-degree programs and supports four scholarly journals. The University

of South Carolina School of law library is central to the academic success of the law school with collections encompassing American law, South Carolina legal history, international and comparative law.

Consistent with the law library's mission and the limitations due to cost and availability of resources, the law library seeks to attain the following specific objectives with respect to the development and management of its collection:

- to develop a broad-based scholarly collection to support the curricular and research needs of the law school community for the present and foreseeable future, with particular emphasis on faculty and student scholarship and interest;
- to maintain a comprehensive collection of all primary and major secondary legal works of the United States central to any legal research, while avoiding unnecessary duplication of formats or titles accessible through the University or other local libraries;
- to maintain and preserve a comprehensive collection of current and retrospective primary and secondary South Carolina law and other materials on South Carolina legal history;
- to enhance the monograph collection, acquiring works of enduring usefulness and ensuring sufficient depth of treatment of individual topics;
- to preserve historically significant, ephemeral, or superseded works regarding South Carolina law and legal history that may be of importance to future scholarship, law reform, or legal practice;
- to participate as a contributing member of local, regional and national networks for the sharing of legal information resources;
- to comply with all external standards pertaining to academic law libraries promulgated by the American Bar Association and the Association of American Law Schools; and
- to comply with all applicable standards to fulfill its obligations as a selective depository of United States government publications, making those publications available to the general public upon request or as required by law.

#### **D. Definition --- Collects**

This policy uses the word *collects* to describe the library's acquisition of library materials for its collections. The law library purchases the vast majority of its resources for the use of its patrons and will evaluate all materials in the form of gifts or donations prior to their inclusion in the holdings.

## II. ACQUISITION GUIDELINES

Materials are collected chiefly in print or digital format. Print or microform are currently used as media for backfile retention of materials.

### A. FORMAT

**1. Electronic Resources.** “Electronic resources” are defined as resources that require computer access. Examples include, but are not limited to, periodical indexes, reference databases, PDF documents, ebooks, and multimedia files. Data may be accessible via the Internet, online services, DVD, or CD-ROM. The policy provides guidelines for the selection, acquisition, and availability of access to these resources.

Electronic resources are selected according to the guidelines of the current collection development policy. These guidelines are used with the understanding that while much of the same criteria for selection can be used for content, digital resources present new issues and unique requirements that require additional criteria to fully evaluate the resources.

It is the law library’s goal to collect, to evaluate, and to organize electronic resources to provide users with relevant legal information. Selection considerations include cost, accessibility, coverage, demand, technology platform support, licensing guidelines, cost of initial acquisition, ability to keep current maintenance costs, availability of alternate and/or back-up sources, and projected longevity. This policy also takes into account the additional unique issues that are raised by copyright law and licensing requirements of electronic resources. The law library’s Electronic Resources Policy and Procedures are set forth in [Appendix A](#) of this policy.

The law library maintains the contents of the law school’s digital repository. The University of South Carolina School of Law’s Scholar Commons (“the Law Commons”) exists to collect, preserve, promote, and provide world-wide open access to digital versions of the law school’s intellectual products, including faculty and staff scholarship and publications; law school symposia and conferences; library special collections; and selected archival holdings. Although the primary audience for the Law Commons consists of legal scholars, professionals, and historians, the collection is available to anyone with internet access. The Collection Development Policy for the repository are set forth in Appendix E of this policy.

**2. Loose-leaf Services.** Because of the expense and filing labor required by loose-leaf services and the preference of most of our patrons for online sources, we collect those print services that are basic tools in subjects of research interest to our faculty and students, and that are reasonably priced. The recommendations of faculty members with an interest in the area of coverage will be given great weight. The law library subscribes to online versions of loose-leaf services when they are likely to be useful to patrons and are reasonably priced.

**3. Microforms.** The law library acquires microforms for the following reasons:

- a) To preserve fragile materials.
- b) To reduce the shelf space required to house materials.
- c) To fill in gaps in a serial or multi-volume title.
- d) To collect materials for which the library would have insufficient space if preserved in hard copy.
- e) To collect material otherwise unavailable to the law library in hard copy.
- f) To serve as a backup for a hard copy set that is in frequent use.

**4. Newspapers.** The library selectively collects legal newspapers which are indexed in standard legal periodical indexes. As funds allow, additional titles and back files are added. As microform versions become available, hard copies of these newspapers are withdrawn.

## **B. JURISDICTION - UNITED STATES**

- 1. Constitution - Federal.** The Federal Constitution is readily available in multiple sources. The law library collects a number of these sources in accordance with the guidelines for statutory compilations. The Federal Constitution may also be found in the statutory compilations of each state.
- 2. Constitutional Convention Proceedings - Federal.** The law library has a collection of contemporary and historical materials on the conventions in print and through online resources.
- 3. Constitutions - State.** The law library collects all South Carolina Constitutions as well as annotated versions in the Code of Laws of South Carolina Annotated. The constitutions of other states are available in state statutory compilations and in other compilations.
- 4. Constitutional Convention Proceedings - State.** The law library collects all South Carolina Constitutional Convention proceedings. State constitutional conventions are maintained most completely in microfiche.
- 5. Treaties and International Agreements.** The law library collects the full text of all treaties to which the United States is or has been a party, and those treaties registered or filed and recorded with international organizations of which the United States is a member or with whom it maintains close ties.

Additionally, the law library collects the principal European treaty series the law library maintains the major treaty series and provides access to other sources in which treaties selectively appear.

6. **Legislative Materials - Federal.** The law library collects federal legislative materials. The law library also collects indexes, both commercially produced and those provided by the government through the depository program, needed to compile a legislative history.
7. **Legislative Materials - State.**
  - a) **State Legislative Journals.** The library collects South Carolina state legislative journals.
  - b) **Legislative Committee Hearings.** Transcripts of legislative hearings are not available for South Carolina. All inquiries are referred to <https://www.scstatehouse.gov/council.php>
  - c) **State Legislative Studies.** The law library collects all South Carolina law reform commission reports when they are published in bound volumes.
  - d) **Bills.** South Carolina bills are available online. The law library maintains print copies of South Carolina House and Senate bills from 1971 - 1994 in its collection.
8. **Session Laws - Federal.** The law library collects the United States Statutes at Large through the Federal Depository Library Program.
9. **Session Laws - State.** The law library collects South Carolina session laws in print, online, and microform formats. The law library collects, as funds allow, session laws in print, online versions, and microform for selected states other than South Carolina.
10. **Statutory Compilations - Federal.** The law library collects each of the three federal statutory compilations:
  - a) United States Code
  - b) United States Code Annotated
  - c) United States Code Service
11. **Statutory Compilations - State.** The law library collects current annotated statutes for selected states as available resources allow. The law library retains South Carolina statute pocket parts. The library does not collect the official codes of other states unless they are annotated. The library collects superseded volumes of state codes in microfiche format.
12. **Statutory Compilations - Municipal/County.** The law library does not collect South Carolina municipal or county codes due to their availability online.
13. **Administrative Regulations - Federal.** Regulations from 1936 forward are collected through a complete print copy of the Code of Federal Regulations for each year. The law library also maintains a complete set of the Code of Federal Regulations in microfiche. The Federal Register is available on microfiche from 1936 to the present.

The library does not collect procedure manuals and other internal agency regulations on a systematic basis, either through deposit or purchase, unless warranted by the complexity of the subject matter and perceived utility to our patrons.

- 14. Administrative Regulations - State.** The law library collects South Carolina administrative regulations. It selectively collects publications incorporated by reference in the South Carolina Code of Regulations. The library collects and retains the South Carolina State Register from its inception in 1977.
- 15. Administrative Decisions - Federal.** The law library relies on online access for official federal administrative agency decisions available through the Federal Depository System and provides access to such decisions through commercial databases.
- 16. Administrative Decisions - State.** The law library relies on online access for South Carolina administrative decisions. South Carolina administrative decisions will be collected when they are available. The law library does not collect other state's administrative decisions.
- 17. Administrative Reports - State (Non-Decisional).** The law library collects South Carolina state administrative reports and materials when available.
- 18. Attorney General Reports and Opinions.** The law library collects South Carolina Attorney General Opinions when available. Our holdings include printed opinions from 1847 to 1994; opinions on microfiche from 1978 to the present; and opinions online from 2006 to the present. The law library does not collect federal or other states' Attorney General Opinions.
- 19. Court Rules.** The law library collects commercially produced compilations of court rules as resources allow.
- 20. Court Reports.**
  - a) Federal.** The law library collects the U.S. Reports and the following commercially published court reports:
    1. Supreme Court Reporter
    2. Supreme Court Reports, Lawyer's Edition
    3. Federal Reporter
    4. Federal Supplement
    5. Federal Rules Decisions
    6. Bankruptcy Reporter

The library collects loose-leaf and/or subject-specific reporters covering the federal courts as warranted by use.

- b) State.** The law library collects South Carolina court opinions including South Carolina retrospective materials. The law library collects the Regional Reporters for access to appellate opinions from other states.
- 21. Records and Briefs - Federal.** The library collects U.S. Supreme Court records and briefs of cases argued and decided per curiam from 1897 to the present on microfiche and offers onsite electronic access to these materials from 1832 - 1978. The law library collects Fourth Circuit records and briefs on microfiche and offers onsite electronic access to the records and briefs of landmark cases from the U.S. Courts of Appeal from 1950 - 1980. The law library retains a historical bound collection of Fourth Circuit records and briefs.
- 22. Records and Briefs - State.** The law library relies on online access to South Carolina Supreme Court records and briefs from 2012 to date. The law library maintains a collection of bound records and briefs from the South Carolina Supreme Court from 1918 to 2014 and South Carolina Court of Appeals records and briefs since that Court's inception in 1984 to 2014.
- 23. American Legal Treatises - Multi-jurisdictional.** The law library collects current multi-jurisdictional and federal legal treatises.
- 24. Local Practice Books and One-State Jurisdictional Treatises.** The law library collects materials relating to South Carolina law. The law library selectively collects other state research guides as available.
- 25. American Law Hornbooks, Nutshells, and Other Study Aids.** The law library collects current multijurisdictional hornbooks and *Nutshells*. The law library selectively collects commercially published study aids.
- 26. Student Casebooks.** The law library collects casebooks written by our faculty. The law library may purchase casebooks which contain materials other than reprinted decisions or cover topics not adequately treated in other forms.
- 27. Directories.** The law library collects general legal directories for South Carolina and the federal government. The law library retains directories which may have research value.
- 28. Dictionaries.** The law library collects the latest edition of Black's Law Dictionary and other current standard legal dictionaries. The library collects foreign legal dictionaries whenever possible and maintains general unabridged English dictionaries and foreign language dictionaries as necessary.
- 29. Citators.** The law library collects Shepard's Citators for South Carolina. The library also collects online versions of citators for South Carolina and other jurisdictions from multiple vendors.
- 30. Digests.** The law library collects the General Digest, the South Carolina Digest, the South

Eastern Digest, and the Federal Practice Digest. Subject digests are acquired on a limited basis.

- 31. Legal Encyclopedias.** The law library collects *American Jurisprudence 2d* and *Corpus Juris Secundum*. The library collects state legal encyclopedias for South Carolina, North Carolina, and Georgia.
- 32. American Law Reports.** The law library collects American Law Reports (ALR). At least one copy of the predecessor sets, American Decisions, American Reports, and American State Reports, is retained in the collection.
- 33. Restatements.** The law library collects one full set each of tentative and final drafts of Restatements.
- 34. Formbooks.** The law library collects standard multi-jurisdictional formbooks.
- 35. Legal Periodicals and Indexes.** The law library collects law and law-related periodicals. The library subscribes to most American accredited law school general reviews and journals and to many topical law school journals. The library does not generally collect association newsletters. Those association newsletters which are purchased have a limited retention period.  
  
The law library does not purchase separate indexes for periodicals which are already indexed by Index to Legal Periodicals & Books or LegalTrac unless the specialized index will allow speedier location of articles dealing with specific issues or the index includes useful tables of cases or other authorities cited.
- 36. Legally Related Periodicals and Indexes.** The library collects new interdisciplinary journal titles and new law related titles on user demand or faculty request, if covered in one of the major indexes.
- 37. Law School Publications.** The law library collects materials intended for public use that are generated by the University of South Carolina School of Law faculty, organizations, and staff.
- 38. Biographies.** The law library collects individual and collected biographies and autobiographies of South Carolina lawyers and judges, Justices of the U.S. Supreme Court, and of other prominent and universally respected legal personages whose influence on some phase of law or government has been established.
- 39. Trials.** The law library collects selectively in this area.
- 40. Bibliographies.** The law library selectively collects bibliographies on law and law-related subjects.

- 41. Examinations.** The law library collects selected University of South Carolina Law School examinations contributed by the faculty.
- 42. Institute and Conference Proceedings/Publications.** The law library collects proceedings of institutes on a selective basis.
- 43. Publications of Bar Associations and Other Legal Organizations.** The law library collects bar journals which may include published proceedings of state bar associations. The library selectively collects proceedings and journals of significant organizations of lawyers and/or judges. The law library collects selected publications of the American Bar Association.
- 44. Self-Help Materials.** The Law Library selectively collects print reference materials to support the research needs of the general public and to assist patrons who are representing themselves. The law library also maintains research guides on its website to promote access to free legal resources through the Internet.

## C. JURISDICTION - FOREIGN, INTERNATIONAL, AND COMPARATIVE

### 1. Foreign Law

#### a) Primary Materials.

- i. The law library collects the session laws and selected court reports of Canada and Great Britain.
- ii. The law library very selectively collects English translations of primary materials for France and Germany.

- b) Secondary Materials.** The library collects secondary materials from foreign jurisdictions based on present and long-term interest to the Law School. For identified subject interests, it collects leading works. It does not necessarily collect all editions of a treatise.

The law library does not, as a general rule, collect the foreign equivalent of American loose-leaf services or treatises written for practitioners.

The library collects major law journals as funds allow and demand requires. It does not buy journals or newsletters that serve primarily to update practitioners on legal developments in one or more countries. The library selectively collects secondary materials dealing with the federal systems of foreign countries.

## 2. International Law.

- a) **International - Primary Materials (Treaties).** The law library collects significant treaties and international agreements. It collects compendiums of current treaties, or retrospective historical collections, where such a purchase would enhance our collection. It also collects indexes and digests, when available, to provide adequate access to the collection of treaties.

When possible, the library collects proceedings and reports issuing from significant international conferences working toward the formulation of new treaties.

- b) **International - Primary Materials (Adjudications).** The law library collects the documentation surrounding significant international adjudications and arbitrations, as well as the reports of final decisions.
- c) **International Law - Secondary Materials.** The law library collects major treatises dealing with public and private international law. In those areas in which there is current and long term interest, it selectively collects significant works and important journals dealing with international law.

## 3. Comparative Law and Other Legal Systems.

- a) **Comparative Law.** The law library collects scholarly monographs and treatises dealing with issues of comparative law, and on a very selective basis, those works describing matters of comparative law for practitioners.

The library selectively collects compendiums of national constitutions. Additionally, the law library collects compendiums of various types of laws, *e.g.* commercial, tax and labor, only on a highly selective basis.

- b) **Other Legal Systems.** Other legal systems include Roman, Canon, Islamic, Jewish, and customary. The law library collects selective secondary materials that are published in these areas. If an area is of current interest within the law school, the library collects at a level adequate to support that interest as funds allow.

## III. ADDITIONAL CRITERIA FOR SELECTING LAW LIBRARY MATERIALS

1. **Archival Materials.** The law library is willing to collect archival materials, but has limited capacity due to staff, space, and environmental constraints. The library maintains an

archive of material and memorabilia related to the history of the School of Law.

2. **Bibliographic and Other Tools for Staff Use.** To support the staff members in the performance of their duties, the law library acquires print and electronic legal research guides, Bluebooks, citation guides, ordering, cataloging and classification tools, conservation manuals, and treatises on many aspects of librarianship.
3. **Current Materials vs. Retrospective Materials.** While both current and retrospective materials are essential to the needs of the academic community, current materials will generally receive high priority. Lesser-used retrospective materials will be sought through interlibrary loan, gift, or exchange. Current materials are defined as those in print, in original editions; retrospective materials are defined as those which are out of print or available only in reprints.
4. **Duplication.** Duplication within the collection is avoided unless there is a demonstrable need for multiple copies based on patron use.
5. **Replacement.** Replacement of materials is required when an item is lost or has deteriorated in condition so that it is no longer usable. In both cases the work should be re-evaluated according to the guidelines set out in this document for the selection of any material for the collection. Beyond this, other considerations should be made. If the content of works that have deteriorated in condition due to age meets the selection criteria, a decision must be made as to the replacement format.

If a replacement in good condition cannot be acquired, the library will consider a reprint or a microform copy. If necessary, the library will consider photocopying the original and binding the copy. The least desirable decision would be to remove the work from the open shelves and/or place in a phase box.

6. **Collection Review and De-selection.** The library's material review and de-selection policy is set forth in [Appendix B](#) of this policy.
7. **Superseded Materials.** Because the University of South Carolina Law Library is a major research library, the question of what superseded materials to retain in the collection becomes important. Some retention questions have been outlined within other sections of this document. In general, print versions of research materials, where only the most recent inclusive edition is useful, will be candidates for discarding (*e.g.* Shepard's).

Expository titles, particularly those that change emphasis between editions, are retained. The exception to this general policy is South Carolina materials, where both expository and research works are retained.

8. **Gifts.** Gift materials are treated in the same manner as other potential acquisitions: that is, they are accepted, retained, discarded, exchanged, sold, circulated, and located in accord

with collection development policies of general application. No commitments to accept gifts shall be made by anyone on the library staff other than the Director of the law library or his/her designee.

With regard to gifts:

1. The library requires an inventory list when considering a potential gift.
2. The library retains the right to request an onsite review before accepting a gift.
3. The library will determine the classification, housing and circulation of all gift items.
4. The library retains the right to dispose of gifts at any time and in any manner deemed appropriate.
5. The library will not appraise the value of any gift.
6. The library will provide only a general acknowledgment, not a list of items.
7. The Director must approve any gifts which library personnel are required to transport.

The library will follow IRS Regulation 1.70A-17(b)(5) and the American Library Association's guidance for academic libraries with respect to gifts and donations, which are found in [Appendix C](#) to the Collection Development Policy.

9. **Rare Books.** Donations of rare books are gratefully accepted, under the same conditions as other gifts. Rare books may be purchased, if funds permit, for the South Carolina Legal History Collection when they are relevant to South Carolina or colonial law.
10. **South Carolina Legal History Collection.** The South Carolina Legal History Collection focuses on primary and secondary materials dealing with the legal, constitutional, and related political development of the state, from South Carolina's colonial days to the present. Materials considered for collection include, but are not limited to: statutory codes, books, manuscripts, correspondence and personal papers, miscellaneous documents, and memorabilia. While the original collection is comprised of print items (excepting items of memorabilia), the law library will consider materials in other formats, including electronic resources. Non-print materials eligible for collection must be in a format that is accessible by technology readily available at the law school.

Donations to the Legal History Collection are subject to the same conditions as other gifts.

If funds and staffing permit, the law library will digitize historical South Carolina primary resources, as well as collections of manuscripts, personal papers, and other documents of historical significance. The law library will investigate funding opportunities for library digitization projects, and partnership opportunities with the department of Digital Research Services at Thomas Cooper Library.

The law library will curate one exhibit per year relating to the Legal History Collection. Exhibits may be shown in the Legal History Room, elsewhere in the library, or online when

feasible.

**11. Government Documents.** Selection of government documents, federal, state, foreign, or international, is based on subject. The law library will collect federal and state documents which are relevant to legal research. Although all types of documents mentioned above are initially free when received through depository programs, their acquisition involves commitment to the costs for housing, maintenance, and processing. For these reasons the same criteria are applied to government documents as are applied to books and serials. The law library does not participate in the South Carolina documents depository system and relies on the State Library and the University library for documents not acquired directly from agencies.

The law library is a selective depository for United States Government documents, selecting approximately 6.8% of available items. For the full collection policy relating to U.S. government documents, see [Appendix D](#).

#### IV. ACKNOWLEDGMENTS

Acknowledgement is made for ideas taken from University of Michigan [law library Collection Development Statement](#), Thomas Cooley Law Library [Appendix B: Electronic Resources](#), Columbia University [Law Library Acquisitions Guidelines](#), and from the Lillian Goldman Law Library [Collection Development Policy](#).

## Appendices

**Appendix A: Electronic Resources Policy and Procedure**

**Appendix B: Collection Review and De-Selection**

**Appendix C: Applicable Standards and Guidelines Concerning Gifts**

**Appendix D: GPO Depository Collection Policy**

**Appendix E: University of South Carolina School of Law Scholar Commons Collection Development Policy**

## Appendix A

### Electronic Resources Policy and Procedure

#### Electronic Resources Selection Criteria

Electronic resources as defined above will be selected and evaluated by the law library's collection development team. The team will be responsible for selecting serials, monographs, and multimedia titles in alternative formats. Electronic resources will be selected on the basis of content, format, cost, search capabilities, vendor considerations, contract and licensing details, necessary hardware and software, as well as installation and implementation of the product. Members of the team will keep the following selection criteria in mind as they review and evaluate material for inclusion in the collection.

#### General Considerations:

Has the resource been requested by others?

Will the resource be heavily used?

Does the resource cover a subject area not well covered in the collection?

Does it complement an existing digital or print resource?

Does the resource have competitors in the marketplace; if so, why choose it over its competitors?

Will the resource provide access to information not available in other formats?

Can we get a trial subscription to evaluate the resource?

Is it essential to match library sources offered by peer law schools?

#### Specific Considerations:

##### Content criteria: (Predominantly the same as print materials)

Availability

Cost

Faculty Interest

User need

Language

Content Quality

- Accurate, well-written, well-edited
- Coverage and scope of the information, with regard to geographical and subject coverage, including availability of both current and historical data
- Identification of author
- Author's reputation and qualifications
- Publisher's reputation
- Objective/balanced content

- Favorable reviews
  - Source Identification
- Duplication; overlap with current resources

## **Product/ Format criteria:**

### **1. Product Considerations**

Appropriateness in meeting curricular, teaching, and/or research needs

Available in electronic format only; born digital product

Evaluation of the strengths and flexibility of the electronic format compared with the print resource, such as additional informational access points, and user-friendliness

If e-resource duplicates another resource it should offer value-added enhancements, such as wider access or greater flexibility in searching

Cost-effectiveness of the product, including potential cancellation of the print source with acquisition of the electronic source

Currency of the product including:

- Frequency and modes of updates, such as cumulations or supplements
- Ease or difficulty of the updating process
- Links are kept up to date; no inoperable links

Functionality and ease of access

Stability

Uniqueness

Relationship to other resources in the collection

Impact on other reference sources

Authenticity of the resource

Links to external sites are clearly delineated

Accessibility of simultaneous users from core user groups, allowing restricted access by means of authentication devices

Reasonable expected longevity of product, to warrant the staff effort required to make it available

Uniformity of software platform(s) used

User friendliness: interface design & functionality

### **2. Cost Analysis**

Payment criteria: single use; number of simultaneous users (seats); per use cost

Initial Cost: One-time cost or initial subscription cost

Ongoing Cost: Annual subscription, supplementation price, etc.

Cost to obtain back run, or to provide ongoing access to historical data in electronic form

Ongoing electronic preservation costs

Equipment acquisition and maintenance costs

Staffing cost to configure new products

Training costs

Subscription price discount with the purchase of vendor hardware

Cost of making licensing adjustments

Additional fees to third party vendors

Inclusion of hardware maintenance in the subscription price

Additional hardware, wiring, furniture, etc., requirements

Renovation or space reconfiguration requirements

### **3. Search/System Capabilities**

Reasonable response time & stability of resource itself

Provision of search features such as: Boolean operators, truncation, browse functions, natural language searching, and proximity searching

Availability of Marc records for catalog searching

Ability to download search results

- PDF format

- Email results

Download capabilities

Uniformity of search protocols

User-friendly, intuitiveness

Self Help/Tutorials

Quality of the search software including considerations of indexing and effective retrieval

### **4. Vendor Considerations**

Reputation of the vendor

Availability of a demonstration product or trial period

Accessible customer support such as:

- Technical support

- Response time

- Online support

- Toll-free telephone support

- Customer support track record

- Fees assessed for support

- Availability of onsite and/or virtual vendor supplied training; continuous education agreements

- If product changes vendor should offer review and re-evaluation period

## **5. Contract & Licensing Considerations**

Assessment of penalties for early contract cancellation

Contract restrictions such as:

- negotiability
  - limited access (availability to walk-in patrons)
  - restrictions on downloading
  - liability from patron use of information
  - printing
  - simultaneous multi-user licenses
- Ability to comply with copyright and contractual requirements

Consortia/cooperative agreements

Archival provisions and perpetual access rights

Remote accessibility

Permission for use in course packs and reserves

Permission to use for interlibrary loan with preference for electronic transmission

Avoidance of auto-renewals

Free with print

Permission for off-campus access with authentication

## **6. Hardware and Software Considerations**

Availability and compatibility of the hardware required

Storage and memory requirements of current equipment

Ease of use of navigation features

Software platform considerations including:

- Equipment requirements
- Functionality of the software
- Available via IP authentication
- Password requirements
- Data format compatibility with the law school's standards

## **7. Implementation/Installation**

Availability of technical support including user documentation, technical documentation, and help functions

Ease of loading necessary software and hardware

Ease of uninstalling software

*Acknowledgement: Criteria for selection adapted from Appendix B: Collection Development Policy: Electronic Resources of the Thomas Cooley law library.*

## Appendix B

### Collection Review and De-Selection

#### Collection Review

The law library's mission includes developing a collection that supports the curriculum and research needs of the law faculty and students. In support of this mission, collection review is an ongoing process comprising several facets. These facets are:

#### Shelf-Reading and Inventory

#### Weeding

#### Collection Evaluation

#### Shelf-Reading and Inventory

A complete shelf-reading and inventory of the collection is a perpetual project designed to provide more effective use of the collection by patrons and to identify missing materials.

#### Weeding

Both current and retrospective materials are valuable to the collection. Since the University of South Carolina Law Library is a research library, it retains at least one copy of old editions of multi-jurisdictional and federal treatises, subject to a number of factors that contribute to decisions about the retention of materials in the collection. These factors are:

- 1. Duplication.** Multiple copies will be considered for weeding. As a general rule, duplicates of South Carolina materials, faculty publications, current nutshells and hornbooks, and materials held in both the SC Legal History collection and the general collection will not be weeded.
- 2. Space Limitations.** Weeding due to space limitations will be considered if the material is available in another format, such as fiche or online.
- 3. Routine Discards.** The following items are not normally retained in the collection:  
Superseded volumes of statutes and codes other than the U.S. Code and South Carolina Statutes;

Superseded Shepard's volumes;  
Replacement digest volumes;  
Materials that are not updated for two years or more;  
Superseded encyclopedia volumes;  
Items that the publisher requires to be discarded;  
Nutshells and hornbooks (student editions) beyond the current and immediate prior editions.

### **Collection Evaluation**

The collection is periodically evaluated for relevance and currency. The factors guiding the evaluation are:

- 1. Qualitative value.** If items of little or no qualitative value exist in the collection and would not be selected if they were current publications, they will be discarded.
- 2. Physical Condition.** Materials that are so fragile that they cannot be used by patrons will be weeded from the collection unless the item is irreplaceable and of great value to the collection. If that is so, the item will either be repaired/rebound/moved to phase box or moved to the Rare Book collection.
- 3. Level of Use.** Items that receive little or no use may be considered for weeding when space needs dictate such consideration. Discarded items should no longer be relevant to the collection development plan and usually will be older non-legal works. Preferably, the items will be held in the collections of other U.S.C. libraries.
- 4. Obsolescence.** While many items retain historical value as they age, some do not. Materials that are outdated and of little historical value will be discarded. Superseded materials that are completely replaced by later editions will be discarded, other than South Carolina materials. Loose-leaf materials that have had their subscription cancelled will be reviewed for discard every year.

## **Appendix C**

### **Applicable Standards and Guidelines Concerning Gifts**

The law library is subject to IRS Regulation 1.70A-17(b)(5) and will not appraise the value of any gift. Potential donors are encouraged to arrange for their own appraisal prior to making a donation and to consult IRS Publication 561, Determining the Value of Donated Property, for basic information on the appraisal process. The law library also follows the American Library Association's guidance for academic libraries with respect to gifts and donations.

## **Appendix D**

### **GPO Depository Collection Policy**

#### **BACKGROUND**

The University of South Carolina School of law library, University of South Carolina in Columbia was designated a depository in 1983 under 44 U.S.C. § 1916 for the purpose of supporting the faculty and students of the law school. The collection is primarily designed to serve the government information needs of the 2<sup>nd</sup> Congressional District.

#### **COMMUNITY SERVED**

Columbia is the state capital of South Carolina and the University of South Carolina School of Law is the only public law school serving the state; therefore, the materials in the law library are an important resource to all South Carolinians. The library offers free and unrestricted access to all depository resources. The primary community served by the library consists of approximately 640 students and 57 faculty of the law school. The library also serves University students and faculty from all departments and the general public. The general public consists of lawyers, paralegals, pro se patrons, state agencies and government officials and other South Carolina citizens.

#### **COLLECTION DEVELOPMENT**

The primary responsibility of the law library is to develop a collection that will support the teaching, research, and writing efforts of the faculty and the students of the Law School. As a selective depository, the library selects items which are directly related to legal research and which complement its collection. The library selects approximately 6.8% of items offered. The selection rate has remained stable. Library users' needs are distinct and the library collection is narrowly limited to law. Community needs can also be met by the University's main library, which is a regional depository, and other nearby depository libraries: The South Carolina State Library, Benedict College, and Clemson University.

The University of South Carolina School of Law Library is the largest legal research facility in South Carolina. The needs of the community are determined by faculty and student requests and research, and questions from the public in general. Selection of government documents and supporting materials is made by the Head of Technical Services and all professional librarians.

The staff meets on an ad hoc basis to discuss requests made by patrons and new items offered through GPO surveys. An annual review of all selections is conducted by the Head of Technical Services to re-evaluate items currently selected. Librarians also identify for purchase commercially published sources to support the collection.

Selection of depository items is held to the same criteria that apply to selection of our general collection; although "material cost" is not a factor, cost of housing, staff time, and format is a consideration. These factors are:

1. Faculty interest
2. Language
3. Quality
4. Availability
5. Cost

The library selects all titles from the "Basic Collection" listed on the Federal Depository Library website. The depository staff has examined the "Suggested Core Collection" also located on the Federal Depository Library Website. The library holds a significant proportion of those titles suggested for law libraries.

Depository items are integrated into the law library collection, cataloged and classified using the Library of Congress classification scheme. Microfiche are cataloged and filed using the SUDOC classification. Microfiche can be found in designated cabinets. The library selects all formats of material offered by GPO, including electronic products. The library has internet access on all public PCs. Several library PCs are equipped with CD players to allow access to CD-ROMs and DVDs selected. The law library provides access to many electronic documents produced by the GPO, via permanent URLs included in the catalog record or through various subscriptions from commercial vendors. Links from the library's home page to govinfo.gov and other governmental sites are also available on the law library's research guide to [Free Internet Resources](#). The library will attempt to accommodate new formats which may be developed in the future.

## PRESERVATION

The acquisitions staff is familiar with the Superseded list. Retention notes are on the records in the automated system. The library retains some superseded documents in the collection, as they are often relevant for comprehensive legal research.

The library adheres to GPO requirements for disposition of materials retained the statutory minimum of five years from receipt and follows the "Disposal Procedures" outlined by USC's Thomas Cooper Library, the regional depository (on file with the library).

Government publications are bound at the same frequency or need as any other library material.

Security detection stickers are placed on government documents according to library processing procedures as apply to all library materials. The library replaces damaged and missing volumes by purchase from the GPO and commercial vendors.

#### DISPOSAL

The library does not have a systematic method for weeding GPO materials. Government documents which are serial in nature, such as agency newsletters, bulletins, and periodicals are often the most likely to be disposal candidates. Often these materials are received sporadically at best. These materials are identified by an action date generated by the automated system and disposed of as outlined by USC's Thomas Cooper Library, the regional depository.

**Appendix E**  
**University of South Carolina School of Law**  
**Scholar Commons**  
**Collection Development Policy**

**Statement of Purpose**

The University of South Carolina School of Law's Scholar Commons ("the Law Commons") exists to collect, preserve, promote, and provide world-wide open access to digital versions of the law school's intellectual products, including faculty and staff scholarship and publications; law school symposia and conferences; library special collections; and selected archival holdings. Although the primary audience for the Law Commons consists of legal scholars, professionals, and historians, the collection is open to anyone with internet access.

**Purpose and Scope of the Collection Development Policy**

This collection development policy is intended to provide guidance for prioritization, selection, and deaccession of materials included in the Law Commons.

**Repository Platform**

The Law Commons are part of the University of South Carolina's Scholar Commons which are hosted by Bepress using its Digital Commons platform and is available on the Web at <https://scholarcommons.sc.edu/>.

Content in the Digital Commons platform is optimized for search engines and discoverable via its own internal search functions. Monthly download statistics and access to multiple metrics are provided automatically to authors whose email address is attached to their work in the Digital Commons platform.

**Administration, Maintenance, and Preservation**

The University of South Carolina's Scholar Commons is selected, provided, and administered across the entire University of South Carolina system by the University of South Carolina library system. The Law Commons portion is locally administered by the law school library. Content resides on Bepress servers. Bepress employs best practices including a comprehensive Open Archival Information System-compliant preservation strategy, the use of fail-over servers, and regular content back-up schedules. All content is assigned a persistent URL.

**Identification of Selectors/Administrators**

The following law library personnel have administrative authority to load and manage documents on the Law Commons:

- Lillian Bates, Circulation Assistant, [batesli@law.sc.edu](mailto:batesli@law.sc.edu)
- Daniel Brackmann, Reference Librarian, [brackmad@law.sc.edu](mailto:brackmad@law.sc.edu)

- Melanie Griffin, Circulation Assistant, [griffiml@law.sc.edu](mailto:griffiml@law.sc.edu)

## **Statement of Priorities and Limitations**

### **Priorities:**

The law library will emphasize the addition of the following materials to scholar commons:

1. Scholarly works published or presented by law school faculty
2. University of South Carolina School of Law scholarly journals and law reviews
3. Special collections related to South Carolina law and legal history
4. Documents related to the public life of the law school
5. Items for which the library has a rare, unique, or fragile collection of broader public interest

### **Limitations:**

- Permissions & Copyright

Law Commons electronically stores digital copies of documents based on permission granted to libraries to preserve and make relevant resources available. This permission does not extend to other entities. Beyond the implicit right to read the content or to download or print it for personal use, re-use rights may vary based on the permissions granted by the copyright holder who retains responsibility for enforcing the copyright.

Permission to post published materials shall be obtained from publishers prior to posting. Copies of all permission or denials shall be kept by Access Services. If an author declares that they have retained the right to publish the work in the Law Commons, a copy of that declaration shall be kept.

- Privacy-protected materials

Law Commons will not make public any works which contain information protected from release by privacy laws.

- Embargo Options

Copyright holders may request an embargo of their works for up to three years with unlimited renewals. Embargoed content remains in Law Commons but is not visible to readers without the copyright holder's consent.

- Technical Limitations

Files must be in, or easily convertible to, an acceptable file format. Files bigger than 500 megabytes will not be included in Law Commons.

## **Scope of Collection**

### **Materials that may be contributed or solicited**

Materials considered for inclusion in the Law Commons should be in an acceptable file format and include, but are not limited to, the following:

- Published scholarship
- Academic presentations and posters by faculty and staff

- Academic events sponsored by UofSC School of Law faculty or staff, including by way of example:
  - Lectures, conferences, and conference proceedings
  - Workshops
  - Technical reports
  - White papers
  - Photographs
  - Departmental publications
  - Annual reports
  - Metadata records for otherwise qualifying research/scholarship with an openly accessible, full-text version hosted on another site
- Special library collections of interest to legal scholars, historians, or the bar

### **Out of Scope materials**

The following materials are outside the scope of the Law Commons collection:

- Materials which have no UofSC Law connection
- Materials in a file format which cannot be deposited due to technical reasons
- Materials which are of a prohibitive size
- Materials in draft form for discussion and revision
- Ephemeral marketing materials and publications
- Materials whose inclusion is prohibited by privacy laws

## **Selection of Material**

### **Selection**

Material is selected according to the criteria listed above. Material contributed will not necessarily be selected for inclusion in the Law Commons, even if it is otherwise acceptable under this policy. Material must conform with the format standards for posting material to the Law Commons.

### **Who may submit content**

Material may be submitted by current and retired law school faculty, current and retired staff, and current students.

## **Posting of Material**

### **Format standards**

Content in Law Commons should be in a text-searchable Portable Document Format (PDF file) accessible to screen readers. PDFs of recent publications and those generated from applications are generally text-searchable; PDFs created from scanning must usually be made searchable through an optical character recognition (OCR) process. The minimum PDF specifications for inclusion in the Law Commons include black text on a white background with 300 dots per inch or greater resolution. Images may be black and white, grayscale, or color and require an appropriate “alt” tag. Files not natively in this format must be converted to this format. Files cannot be larger than 500 megabytes and may not be videos.

### **Versions and corrections**

If possible, the Law Commons will post an exact facsimile of the published version of an article by faculty or staff. If the published version is unavailable, the Law Commons will post the postprint and then the preprint version, in that order.

Articles from UofSC School of Law journals and law reviews are posted as exact facsimiles of the printed edition. If the author wishes to submit an errata sheet, this will be noted in the Comments section of the cover page. Law Commons will not change the PDF of the printed version.

Authors may revise their submissions by contacting the law library. Please include the reason for the revision in this contact. If a work must be revised, a note will be posted on the entry indicating that the posted work is a revision of an earlier post or of a printed work.

### **Metadata**

Metadata fields are supplied by Bepress with input from the UofSC library system. The currently required metadata fields are title, author, publication date, and the work itself. Optional fields include: author email address, author affiliations, version date, keywords, disciplines, citation, comments, abstract, and publication status. The fields are subject to change.

### **Accessibility**

The University Scholar Commons accessibility statement can be found at <https://scholarcommons.sc.edu/accessibility.html>. Works posted in compliance with the format standards should generally be accessible. Scholar Commons is committed to making digital content accessible to individuals with disabilities. If you need assistance or encounter content that is not accessible please contact the repository administrator or the Student Disability Resource Center at 803-777-6142 or [sadrc@mailbox.sc.edu](mailto:sadrc@mailbox.sc.edu).

### **Deaccessioning**

Items may be considered for deaccession for the following reasons:

- Written requests or revocation of permission by the copyright holder - All such requests shall be honored
- Plagiarism
- Copyright infringement
- Ethical considerations
- Institutional Review Board non-compliance
- Out of scope
- The item does not comply with the Americans with Disabilities Act and cannot be readily made to comply
- The item is in an unsupported format
- The item is a duplicate or near-duplicate
- The item's authenticity is in question
- The item is no longer accessible due to deterioration, obsolescence, or other reason

- The item is found to be or to contain malicious code which makes it dangerous to other items in the repository
- Court order

Removal requests should be made to the law library in writing. Please include the reason for the removal in the request. If a work is removed, a record describing the original version of the work shall always remain on the site at the same URL.

### **Policy Revisions**

This policy will be periodically reviewed and amended as needed.

### **Effective Date**

July 18, 2019