

## **Collection Development Guidelines**

The legal collection goal for a non-law library should be to provide access to a selection of core legal materials, both print and electronic, which will help those public patrons who are handling small legal matters on their own.

### **The Two Types of Legal Materials**

The field of law consists basically of two types of resources - primary sources and secondary sources.

Primary sources are the actual laws themselves, *i.e.*, the rules that tell us what we can and cannot do. These four primary sources are cases (court opinions), statutes, regulations, and constitutions. They are issued by official bodies from the three branches of government.

Secondary sources can basically be summed up as everything else, that is, all the books, articles, research guides, newspapers, litigation manuals, *etc.*, that provide commentary or analysis of the law. They are not law, and thus cannot be used in legal proceedings, but exist to help explain the law.

An excellent legal collection would be made up of a comprehensive set of both primary and secondary sources, but this simply is not possible for most libraries due to the enormous expense involved.

### **Primary Sources – Not the Biggest Need**

The good news in legal collection development for non-law libraries is that primary sources, both state and federal, are available for free on the Web from official, and thus reliable, government websites. There are no fancy bells and whistles on these sites, but they are comprehensive and generally very up-to-date. At this point the collections do not reach very far back in time; however, one can usually find at least 10-15 years worth of materials and this should suit the needs of most public patrons. Patrons can still visit the USC law library or use its document delivery service for primary materials not available on the Web.

Thus, in general, the goal of public libraries should not be to collect primary legal sources but rather to know where they are located on the Web in order to point patrons to them. Websites for primary materials are referred to in other sections of the manual.

### **Secondary Sources – The Focus of the Collection**

The legal materials that patrons most need their public libraries to provide are secondary sources. The goal of secondary sources is to provide commentary on the law. Thus, these are the sources that can help patrons understand areas of the law

they need to know about, such as the basics of the legal system, how to conduct legal research, explanations of their particular issue of law, and ideas on how to proceed with resolving their legal problem.

Most secondary sources are written for practicing lawyers and can unfortunately become complicated very quickly for the public patron. However, they can still provide the patron with a start to the handling of their legal problem. There has also been a strong movement to make the legal system more accessible to citizens, especially those without the money to hire lawyers, so there is a good deal of self-help legal material written with the layperson in mind. These self-help materials will not cover all the legal problems that patrons may have, of course, but they can be quite helpful in the areas they do cover.

## **Examples of Collection Areas in Secondary Sources (with Representative Titles)**

### *Legal Research*

- A Guide to South Carolina Legal Research and Citation, by Paula Benson
- Basic Legal Research, by Amy Sloan

### *General Legal*

- Black's Law Dictionary
- Burton's Legal Thesaurus

### *Self-Help Collection*

- Nolo's Essential Guide to Divorce
- Nolo's Represent Yourself in Court: How to Try and Prepare a Winning Case

### *Legal Encyclopedias*

- The Gale Encyclopedia of Everyday Law (2 volumes)
- West's Encyclopedia of American Law

### *South Carolina Specific*

- Marriage and Divorce Law in South Carolina, A Layperson's Guide, by Roy T. Stuckey
- Labor and Employment Law for South Carolina Lawyers, by Burnette and Nason