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Foreign Experiences toward the Development of a National Legal Information Center

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Foreign Experiences toward the Development of a National Legal Information Center*

Claire M. Germain**

This comparative study discusses whether selected foreign countries—Canada, the United Kingdom, France, and the Federal Republic of Germany—have a history of a movement toward the establishment of a national information center. The author examines the development of existing law libraries and libraries with large legal collections, analyzes the role played by the national library of each country, and describes some cooperative accomplishments at the regional and national level. Comparisons are drawn with what is expected of a national legal information center in the United States.

Table of Contents

I. Introduction .......................................... 676
II. Canada ............................................... 677
   A. Law Libraries ................................... 677
   B. History of the Movement toward a National Legal Information Center .................................. 678
      1. The Scott Report and Its Aftermath .......... 678
      2. The National Library of Canada .......... 678
      3. The Bird Report ................................ 679
      4. The Arthurs Report .......................... 679
   C. Cooperative Accomplishments .................. 682
   D. Future Prospects for Canada .................. 683
III. United Kingdom ................................... 683
   A. Law Libraries ................................ 683
   B. British Library ................................ 684
   C. Cooperative Accomplishments ................ 684
   E. British Library Law Working Group .......... 687

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I. Introduction

This article examines the experiences of four countries in their attempts to develop national law libraries or legal information centers. The four countries selected for this comparative study are Canada, the United Kingdom, France, and West Germany. Canada (with the exception of Quebec) and the United Kingdom are representative of common law countries; France and West Germany are representative of civil law countries. The examination of each country starts with a short description of the types of existing law libraries and some background information on their development. Following this, an effort is made to explore how the various law libraries have undertaken cooperative projects to compensate for the lack of a national library and who has coordinated them. The following questions are addressed: what is the role played by each country’s national library and is there a movement toward the establishment of a national law library or legal information center? Is there evidence of cooperative projects and have they been undertaken at the initiative of individual libraries or coordinated by a central body? What role, if any, does the professional association of law librarians play in each country? What specific problems and needs will a better coordination of library resources and services meet? The information presented for each country is uneven, depending on the level of activity in each country and the availability of published information on the subject.

A fruitful comparison of foreign experiences requires a framework. The methodology followed is to compare the legal resources and services provided in these countries to what is expected of a national law library or resources and information center in the United States.

National libraries are usually repositories of materials because of legal deposit laws (or copyright law in the United States) for domestic publications, and gift and exchange programs. A national law library, therefore, would quite naturally become the place to find at least one copy of each

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1. Quebec follows the civil law tradition in certain areas, such as property law.
legal research material and enable legal users to find the most esoteric materials. It is, however, somewhat contradictory to expect a national law library to be both a repository and a lending library. Because no single library can aim at comprehensiveness, especially as to local domestic law and foreign and international law, one could strive for the national coordination of a comprehensive acquisitions and collection development program. Gaps in individual library collections need to be filled at the regional or even national level.

In the technical processing area, a national law library would be suited uniquely to set standards for shared cataloging and classification of materials, as well as for the improvement of subject headings. The use of automated systems would lead to the construction of bibliographic data bases. A national center also could assume a leading role for the preservation of materials and in the use of new technologies, such as the optical disk, video disks, and facsimile transmission of documents. The national law library also could be a legal center for research and reference assistance, resource sharing (interlibrary loan) and on-line services. Finally, a national law library could play an important educational role by conducting meetings and training library staff, compiling bibliographies, and maintaining translation services.

II. Canada

A. Law Libraries

Although Canada is the second largest country in the world, after the Soviet Union, it is also one of the most sparsely populated, with slightly over 24,630,000 inhabitants.² It is a federal parliamentary state that consists of ten provinces and two territories in the north. There are currently twenty law school libraries. The law schools are of recent origin; twelve of them have been established since 1942.³ The academic law libraries receive their funding primarily from the provinces. The legislative libraries, consisting of the Library of Parliament in Ottawa and the libraries of the ten provincial legislatures, have strong collections in federal and relevant provincial government documents.⁴ The law society and bar association libraries are constantly growing, as are law firm and corporation libraries, especially in major urban areas, such as Toronto.⁴ The Library of the Supreme Court of Canada, located in Ottawa, has one of the best collections of primary source materials in the country; however, it does not cater to the needs of the public.

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⁴ Id. at 855.
⁵ Id. at 856.
B. History of the Movement toward a National Legal Information Center

1. The Scott Report and Its Aftermath

The history of the movement toward the idea of a national legal information center is well documented. The need for better coordination of library resources became an urgent priority after a devastating report on the state of legal education published in 1956 by the Committee on Legal Research of the Canadian Bar Association, chaired by Professor F.R. Scott of McGill University. The Scott report found Canada lacking with respect to legal writing, research, and law reform, and specifically deplored the inadequacy of legal research facilities and the lack of good law libraries.\(^7\)

The Scott report had an impact on law libraries. The Foundation for Legal Research in Canada, which started collecting funds for new research projects, was established after the publication of the report.\(^8\) In the 1960s justification and support were found for the funding of academic law library collections.\(^9\)

A meeting of Canadian law librarians was called in 1958.\(^10\) The Canadian Association of Law Libraries (CALL), which started as a chapter of the American Association of Law Libraries (AALL) and became independent in 1971,\(^11\) first attempted a survey of Canadian law library collections in 1964. This attempt failed due to lack of funds and personnel. A few years later, the project was resumed under the sponsorship of the National Library of Canada.\(^12\)

2. The National Library of Canada

The National Library of Canada, established in 1952, houses all subjects except science-related ones (which are housed in the Canada Institute for Scientific and Technical Information)\(^13\) and is a depository library for all materials published in Canada. Because of its recent establishment, its retrospective collections are limited. At first, the National Library did not

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7. Id. at 1013.
10. Scott, supra note 8, at 320.
13. See Scott, supra note 8, at 318.
intend to collect legal materials on a large scale, because important law collections were available in the Ottawa area, particularly in the Library of the Supreme Court of Canada.

Since this time, various attempts were made to discuss how the National Library could play a more active role in the legal sphere. In 1970, Dr. Guy Sylvestre, the national librarian, called on various groups of librarians to discuss how the National Library could improve its services to them. CALL responded to the invitation, and a meeting was held in 1973 to discuss the needs of law libraries. Under discussion was the lack of a research-level legal collection in Canada. Dr. Sylvestre suggested that the situation could be remedied by having a good research library to back up other working collections or by having several subsidized special collections coordinated by sophisticated library technical services in the National Library. At that time, the National Library suggested a survey of all law library collections in the country to be carried out by the Resources Survey Division of the National Library with the cooperation of CALL.

3. The Bird Report

The data for the survey were compiled by Viola Bird, a United States law librarian. In 1975 she published a series of recommendations, several of which pertained to having the National Library establish a legal resources and services center that would assist all libraries "to be followed by the development of a network of regional nodes" (recommendation 22). The report favored the concept of a decentralized network of law libraries, rather than a centralized national law library. The advantages and drawbacks of each system were fully explained. The national center would coordinate collecting responsibilities within each region or province and serve as a primary center for legal information. The recommendations were not implemented.

4. The Arthurs Report

In 1982 the Social Sciences and Humanity Research Council of Canada commissioned a study for the purpose of strengthening research and teaching in law. Harry W. Arthurs, from the Osgoode Hall Law School, chaired the

14. Id.
15. Scott, supra note 3, at 873-74.
17. Id. at 2.
18. See id. at 2.
19. Id. at xix-xxi.
20. Id. at 222.
22. Id. at 222-23.
Consultative Group on Research and Education in Law, which published in 1983 the report *Law and Learning* (known as the Arthurs report).

a. CALL Brief

CALL had submitted a brief that endorsed the recommendations of the Bird report to the Arthurs committee. In its brief, CALL adopted the proposal "that a legal resources and services center be established under the auspices of the National Library to foster the development of regional and national coordination in law library development and services."\(^2\)

The brief emphasized that this would not cause any undue expenses since the center would "provide better coordination of present expenditures in order to maximize their efficiency."\(^3\) A survey of twenty-one deans, of which eighteen responded, showed that seven supported the recommendation "a great deal" and eleven "moderately" supported it.\(^5\)

b. CALL Comments on the Arthurs Report

Recommendation 30 of the Arthurs report endorsed the Bird report's proposal. Following the Arthurs report, the Canadian law librarians commented in the CALL Newsletter\(^2\) on how the recommendations in the report would affect their libraries. These comments were in the form of another CALL brief and of a survey of Canadian law librarians on recommendation 30 of the report.

The CALL brief regarding *Law and Learning*, submitted on behalf of the 373 CALL members, stressed the practical difficulties of interlibrary cooperation except for infrequently used materials.\(^7\) The brief noted that efforts toward cooperation would be aided by a law library resources and services center. CALL did not elaborate on the expectations and adopted a cautious approach, stating, "[W]e may wish to clarify the role regarding what this centre will do and what it will not do. These considerations may also be an appropriate subject for continuing discussion, so that expectations are reasonable and benefits clear."\(^8\)

The recommended approach was still the same, however. The brief reiterated the need to request the National Library of Canada to begin the

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24. Id. at 39.
25. Id. There are twenty-one law schools in Canada if one counts the University of Ottawa common law and civil law sections as two law schools.
28. Id. at 110.
establishment of the center with the knowledge that budget cutbacks would not make it easy.\textsuperscript{29}

The picture that emerged from the survey of Canadian law librarians on recommendation 30 of the report is as follows: "[W]e endorse the Recommendation, reiterated to us by the Canadian Association of Law Libraries, and first proposed by Viola Bird in \textit{Law Library Resources in Canada}, that the National Library should establish a Legal Resources and Services Centre."\textsuperscript{30} The librarians wanted a meeting to discuss what specifically was wanted and an investigation of the needs of the legal community and individual libraries' constituency.\textsuperscript{31}

Most respondents emphasized the need for coordination among libraries at the local, provincial, and regional levels rather than at the national level.\textsuperscript{32} They felt that the current responsibilities of individual libraries should be clarified to get a better idea of the financial support needed for cooperative acquisitions programs at a local or regional level. Some saw the role of a national legal resources center as a clearinghouse for information indicating specialized law library resources in Canada and current information on libraries' collection policies.

The respondents noted several ideas for projects suited for a national law library. A union list of legal periodical holdings in Canada could be compiled at the National Library, which had the necessary bibliographical tools and funding, rather than by CALL, which had limited funds. Any cooperation for acquisitions presupposed "significant financial support from the government of Canada."\textsuperscript{33} Some law librarians considered a national center to be instrumental in the development of an on-line union catalog and advised that a detailed study of Canadian law collections be undertaken to determine serious gaps.

The national center, it was felt, also should be a clearinghouse for cooperative efforts that were already ongoing at the regional and national levels. Some projects had been suggested and promoted but needed financial support. Examples were the cooperative acquisition of law journals not presently held in Canada and the cooperative cataloging of law reports.\textsuperscript{34}

One group of law librarians determined that regional centers should be developed as "first point of access in any resource sharing arrangement."\textsuperscript{35}

\begin{itemize}
\item \textsuperscript{29} \textit{Id.} at 110.
\item \textsuperscript{30} See \textit{Arthurs Report, supra} note 23, at 158.
\item \textsuperscript{32} \textit{Id.} at 13 (comments from Quebec law librarians).
\item \textsuperscript{33} \textit{Id.} at 13 (comments from Atlantic Canada law librarians).
\item \textsuperscript{34} \textit{Id.} at 14 (comments from Atlantic Canada law librarians).
\item \textsuperscript{35} \textit{Id.}
\end{itemize}
Five or six research centers with an advanced level of collection could be emphasized, and all libraries would have a basic to medium-sized research collection. Although the impact of the Arthurs report would be felt mainly in academic libraries, all types of libraries would need to be consulted.  

Lastly, recommendation 30 was to be seen in the light of recommendation 31 on interlibrary cooperation, which states: "Law faculty libraries should cooperate on a regional basis to rationalize their acquisitions and holdings, and especially on a national basis to take full advantage of new, computer-based information systems."  

C. Cooperative Accomplishments

Canadian law librarians, as a result of their efforts, can now boast of cooperative accomplishments in several areas, including union lists, classification schemes, and collection development. The National Library of Canada has published four *Checklists of Law Reports and Statutes in Canadian Law Libraries.* The Resources Survey Division compiled these checklists as a result of the 1975 survey of law library resources. They are both bibliographies and union lists, to be used for reference purposes as well as interlibrary loan and collection development. CALL recently published the third edition of *A Union List of Serials in Canadian Law Libraries* (1985).

Cooperation also has extended to the area of classification, in the form of an adaptation of the Library of Congress KF classification schedule. The modification was developed in 1969 by Shih-Sheng Hu, the law librarian at the University of Manitoba, in cooperation with the University of Windsor and York University Law Libraries. Nine Canadian law libraries currently use the classification schedule. Since then, the Library of Congress, in consultation with the National Library of Canada, has completed the Canadian schedule KE.

The National Library has developed the national bibliography, *Canadaiana.* Law school library holdings now are included in this bibliography, as well as the holdings of the Library of the Supreme Court of Canada and the Great Library of the Law Society of Upper Canada.

An interesting collection development program is currently in effect among the Ontario law libraries, with financial support from the Ontario Law Foun-

36. *Id.*
37. See *Arthurs Report*, *supra* note 23, at 159.
38. *Canadian Law Reports; United Kingdom and Irish Republic (Eire) Law Reports; United States Law Reports; Canadian Statutes and Regulations* (1977-80).
40. *Id.*
41. Published beginning in 1951.
Each participating library has assumed responsibility for specific areas, which include some European countries and American states as well as the Caribbean area, Africa, and Asia.  

Another significant accomplishment in cooperative efforts has been the close personal contacts that facilitate interlibrary loan and library cooperation, due to the relatively small number of Canadian law librarians and to the active CALL.

D. Future Prospects for Canada

When Marianne Scott became the national librarian of Canada in mid-April 1984, she already had achieved an impressive level of involvement with professional associations, having served as the president of CALL, the Canadian Association of Research Libraries (CARL) and the Canadian Library Association (CLA). Throughout her tenure as a law librarian, she had declared herself in favor of a national legal information center under the National Library. Now that she has assumed her new post, however, a national legal information center is no longer a priority compared to other more pressing library needs. In her evaluation, the next step would be to undertake another study of law library collections, performed according to standards similar to those used in the United States by the Association of Research Libraries.

II. The United Kingdom

A. Law Libraries

The United Kingdom is a constitutional monarchy with more than 56,300,000 inhabitants, the largest concentration of which is in Greater London (over 6,700,000 inhabitants). There are a variety of law libraries in the United Kingdom, some of which cater to the legal profession, such as the four inns of court libraries for barristers and the Law Society Library for solicitors. Law firm and court libraries have been growing recently. Academic law libraries have been developed mainly during the present century because of the growth of law teaching in the latter part of the nineteenth century. Today there are twenty-nine university and twenty-two nonuniversity institutions (mainly polytechnics) in England, Wales, and Northern Ireland.

42. Scott, supra note 3, at 875.
43. Id. at 873.
44. See Veaner, Woman at the Top: An Interview with Marianne Scott, New Director of the National Library of Canada, 16 Am. Libr. 18 (1985).
45. Telephone conversation with Marianne Scott (Dec. 18, 1984).
that offer undergraduate courses in law; there are five in Scotland. The law library in each of these schools is either a separate entity or part of the main university or college library. The three largest academic law libraries are the Bodleian Law Library at the University of Oxford (more than 180,000 volumes), the Squire Law Library at the University of Cambridge (about 90,000 volumes) and the Institute of Advanced Legal Studies at the University of London (about 120,000 volumes). The institute, which was established in 1947 and solely serves postgraduate students, has published a variety of bibliographic tools. The library has particularly strong holdings in English, Commonwealth, international and foreign law materials. Finally, government and legislative libraries are also to be mentioned.

B. The British Library

The British Library only became a national institution in 1973. From the start it emphasized that it was not going to provide a complete national library service. It did bring together the library departments of the British Museum, the National Lending Library for Science and Technology, the National Central Library, and the British National Bibliography Ltd., which previously had operated as separate units.

The British Library set up a working party on the provision for law in April 1981, chaired by Professor Aubrey Diamond (director of the Institute of Advanced Legal Studies in London), that included various professors and librarians. The party's charge was to seek advice on the future development of its services in law to the legal profession, academics, and the general public.

C. Cooperative Accomplishments

British law libraries have engaged in several cooperative projects. The Institute of Advanced Legal Studies has played an influential role in fostering cooperation by issuing the Union List of Legal Periodicals in British Libraries (now in its fourth edition) and cooperating with the American Association of Law Libraries (until recently) on producing the Index to Foreign Legal Periodicals. In 1958 the United Kingdom's Society of Public Teachers of Law issued

48. Id. at 826.
49. Id.
50. Id.
51. Id.
55. See Daintree, supra note 47, at 827. The Index to Foreign Legal Periodicals is now produced at the University of California School of Law at Berkeley.
its Statement of Proposed Minimum Library Holdings for Law Libraries in England and Wales,\textsuperscript{56} which established standards governing the composition of academic law libraries' collections, staffing, finances, and seating space. Unlike AALS and ABA standards, these standards have no binding authority; however, they have improved the situation of academic law libraries in the United Kingdom.\textsuperscript{57}

As for cataloging, British libraries widely use the Anglo-American Cataloging Rules. In addition to the Library of Congress and Dewey Decimal classification schemes, some of the larger law libraries, such as the Institute of Advanced Legal Studies, have had to develop their own classification schemes. Some libraries use a recent classification scheme especially adapted for legal materials by Elizabeth Moys.\textsuperscript{58} Libraries now use automated cataloging systems on a local, regional, or national level. The British Library offers a commercial cataloging service, BLAISE, based on the MARC data base.\textsuperscript{49}

The British and Irish Association of Law Librarians, formed in 1969,\textsuperscript{60} has been active in promoting continuing education courses and seminars for law librarians. It produced the Directory of Law Libraries in the British Isles in 1976 and publishes a journal, the Law Librarian, three times a year.


The British Library Working Party on Provision for Law Report was issued in 1983.\textsuperscript{61} The methodology employed in the report is a model worthy of description. Consultation of interested parties occurred at several levels. Requests for comments were sent to fifteen library journals, thirty-three legal journals, and thirty library and legal organizations.\textsuperscript{62} The twenty-nine answers that were received have been listed in the appendix to the report. The working party also held a special extended meeting for lawyers, university representatives, and librarians to comment on a provisional list of conclusions and priorities.\textsuperscript{63} Directors of libraries with important holdings of foreign legal materials also met to discuss in detail aspects of cooperation between libraries.\textsuperscript{64}

\textsuperscript{57} Daintree, supra note 47, at 827.
\textsuperscript{58} Id. at 838.
\textsuperscript{59} Id. at 839.
\textsuperscript{60} For a history of the British and Irish Association of Law Librarians, see Breem, \textit{The British and Irish Association of Law Librarians, 1 Int'l J. L. Libr. 76} (1973); Moys, \textit{B.I.A.L.L. Landmarks of the First Ten Years}, 11 LAW LIBR. 3 (1980).
\textsuperscript{61} \textsc{British Library Working Party on Provision for Law Report} (1983). Free copies available from the Secretary, Official Publications Library, the British Library Reference Division, Great Russell St., London WC 1B 3 DG.
\textsuperscript{62} Id. at 6.
\textsuperscript{63} Id.
\textsuperscript{64} Id.
The report first examined the present position of the British Library, which consists of the following units: the reference division, the science reference library, the lending division, and the research and development department. The report stated the national legal information needs and deficiencies in providing legal information and the terms of a national legal information policy. In addition, the report discussed the future role of the British Library and makes recommendations.

The study of current holdings and services revealed that the holdings of the British Library in United Kingdom and foreign legal sources were comprehensive. There was a lack of information on the actual holdings in the British Library; however, so that potential users did not know what was available. Legal materials were scattered throughout the collection and "there was thus no 'law library' as a distinguishable entity in the Reference Division." There was also a lack of specialized legal staff to provide reference services, and interpreting legal citations was difficult.

The study of the British Library lending division revealed that "use of legal literature is believed to be low, and there is little feedback from legal users" due to a "lack of awareness of the extent of the Lending Division's intake and the absence of detailed information on its holdings in published form."

Generally, the study revealed that the needs of legal practitioners and academics were well served in the three larger centers—London, Oxford, and Cambridge—albeit less so in the rest of the country. The public was not served adequately, however, because the specialized libraries usually were closed to the public and many public libraries did not have staff trained in the literature.

The report also studied the effect of technological developments such as LEXIS and EUROLEX on the provision of legal services to the public. Because the user has to pay for each use of the system, it may be "increasingly difficult to ensure freedom of access to legal as to other information by all who need it."

The report determined that hard-to-get materials included local acts of Parliament and local statutory instruments, the primary legislation of the small jurisdictions (Northern Ireland, the Channel Islands and the Isle of Man), the text or summaries of foreign laws in English and foreign official

65. Id.
66. Id. at 8.
67. Id. at 11.
68. Id.
69. Id.
70. Id. at 12.
71. Id. at 14.
publications, and tariffs and import regulations of other countries.\textsuperscript{72} Because better and more current information on libraries and their holdings was needed, the report recommended the publication of guides, directories, and union lists and the establishment of a referral service.\textsuperscript{73}

The working party report wanted the British Library to assume a leadership role in the evolution of a national policy for legal information and the coordination of law library services.\textsuperscript{74} Its future role was seen not as a separate, centralized law library, but as a decentralized national law network, forging cooperation among libraries. Cooperation would provide for better national reference, loan and photocopying services; the extension of reference services to the public; the provision of guides to resources, directories of libraries and information services, and union lists of legal literature by form and jurisdiction or subject (to complement the author/title approach of the projected United Kingdom library data base system); further research into legal information needs; involvement in the training of law librarians and users of legal literature; the establishment of a "coordinating machinery" to attain these objectives, with due consideration given to real problems of funding, staffing, and agreements on access.\textsuperscript{75}

E. British Library Law Working Group

The British Library Board accepted in principle the recommendations of the working party.\textsuperscript{76} Subsequently, the British Library established the British Library Law Working Group (LWG) under the chairmanship of Ms. Muriel Anderson, librarian of the Institute of Advanced Legal Studies of the University of London. This group has been examining the recommendations and advising the British Library on their implementation.

The membership of the LWG, which consists largely of librarians in central London, Oxford, and the British Library, is preparing a plan for cooperative provision of law, mainly foreign law. An agreement between these libraries would allow their foreign law collections to complement the comprehensive holdings of United Kingdom law that the British Library has acquired since the middle of the last century as a result of the legal deposit law.

The LWG also is working on the provision of United Kingdom law to nonlawyers, the role of referral services, and the possibility of a research project to study user needs and services for nonlawyers. Input, submission,
and suggestions are being taken from interested parties on the report of the original working party.

The British Library has acted on proposals that do not require additional allocation of resources. Ms. Anderson has reported that there are no firm results as yet. The present government's tight squeeze on library funding, including that of the British Library, makes matters difficult. In October 1984, the British and Irish Association of Law Libraries (BIALL) submitted a paper to the Library and Information Services Council. The paper requested the appointment of a national body, called the LAW LISC, which would set standards and coordinate a national policy for the provision of legal information.77 The Library and Information Services Council declined to accept this role and suggested further research on some of the areas mentioned by BIALL in the paper.78

IV. France

A. Law Libraries

France is a presidential republic with more than 54,340,000 inhabitants.79 A long tradition of a highly centralized political and administrative system has affected the library community.80 Most libraries of interest for this study are state-controlled. The variety of libraries with legal collections include university and research libraries, the Bibliothèque Nationale, the Public Information Library of the Pompidou Center, other official libraries (such as the Senate Library and those attached to the ministries), court libraries, and bar association libraries.81 University law libraries, which are usually part of the general university library, have been under the Direction des Bibliothèques, des Musées et de l'Information Scientifique et Technique (DBMIST) (Office of Libraries, Museums, and Scientific and Technical Information) in the Ministry of National Education since 1982.82 The Bibliothèque Nationale and most state-controlled public libraries, however, are under the Ministry of Culture.

There are sixty university libraries in France, twenty of which are designated as interuniversity libraries for specialized collections and endowed with collections of national importance. Each one is administered by a group of universities.83 In Paris, the two interuniversity libraries with law collec-

78. Id. at 68.
81. Id. at 236-37.
83. Id. at 34-35.
tions are the Bibliothèque Cujas and the Bibliothèque Sainte Genevieve. There is no literature available on whether a national law library could or should meet legal user needs. The Bibliothèque Nationale has not played the same leading role as the Library of Congress in providing uniform standards for classification schemes or cataloging rules. Since 1982, the DBMIST has been the central authority for resources and use of information and documentation.

B. Cooperative Accomplishments

A recent trend observed in French university libraries shows the development of more services directed toward the public and cooperation among libraries at the national level. Automated union catalogs are the results of these efforts.

The DBMIST implemented the CCN-Union Catalog of Serials in 1982. It consists of an automated Catalogue Collectif National Informatise des Publications en Série and results from the merger of several other catalogs. The maintenance and updating of the catalogs involves cooperation at the local and regional level. Each participating library transmits its updates to a regional library, which verifies them and sends them to the national center. There are thirty-two regional or subject centers. The CCN can be searched on-line through the TRANSPAC network; the data, which can be sorted, can produce geographic or subject files. Each university library reports its acquisitions to the Catalogue Collectif des Ouvrages Etrangers (Union Catalog of Foreign Works). This catalogue was started in 1952 and is now automated. There is also a national dissertation index, automated since 1982.

A definite trend toward decentralization of resources is noted in the Centres d’Acquisition et de Diffusion de l’Information Scientifique et Technique (CADISTS). Since 1982 these centers for acquisition and dissemination of technical and scientific information have played a vital role in shared acquisitions and lending. Designated libraries receive a special subsidy to acquire research material in their given disciplines. They report the items they acquire and lend them according to specified agreements. Of the fifteen CADISTS currently in France, none is in the legal field; it is hoped that the new centers scheduled to open will extend to legal materials.

In the field of computerized legal research, France is at the forefront of European countries; several government or commercially produced data

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84. See Germain, supra note 80, at 236.
85. Id. at 240.
86. See Pallier, supra note 82, at 35.
87. Id. at 38.
88. Id. at 39-40.
89. Id. at 39.
bases currently exist. A government-sponsored legal data base service, developed in October 1984, was designed to promote better communication between the administration and its citizens. The Centre National d'Informatique Juridique (National Center for Legal Data Processing) provides full-text coverage of all legislative and regulatory texts and court decisions. It is established as a Service à Caractère Industriel et Commercial, directly under the prime minister. The Commission de Coordination de l'Informatique Juridique (Commission of Legal Data Processing) is designed to coordinate government and private initiatives and set standards as to the format of texts. The commission is placed under Comité Interministériel de l'Informatique et de la Bureautique dans l'Administration (Interministry Committee on Data Processing and Office Management in the Administration).

V. Federal Republic of Germany

A. Law Libraries

The Federal Republic of Germany consists of ten Länder (states), each with its own constitution, parliament and government, plus West Berlin, which has a separate status. The Grundgesetz (Basic Law) gives the control of education to the Länder governments. There are over 61,600,000 inhabitants.

The law library system in West Germany is decentralized. There is no real national library. A few libraries, such as the Staatsbibliothek Preussischer Kulturbesitz in West Berlin and the Bayerische Staatsbibliothek in Munich, have some of the national collections. The Deutsche Bibliothek in Frankfort receives depository copies of new publications, but does not buy books. It also functions as a bibliographic information center for the Federal Republic of Germany and publishes the Deutsche Bibliographie and directories.

Law libraries take the form of court libraries, parliamentary libraries, libraries of the ministries, seminar and institute libraries of the universities, and law libraries of university, city, and state libraries. For the provision of legal materials in general, "the national, university, state and town libraries

93. See Lansky, LIBRARIES FOR LAW IN THE FEDERAL REPUBLIC OF GERMANY: FACTS AND PLANS, 3 INT'L J. L. LIBR. 49, 52 (1975). Dr. Ralph Lansky is the Director of the Library of the Max Planck Institute for Foreign and International Private Law, Hamburg, F.R.G. He and the Deputy Librarian, Dr. Jurgen Gödan, are to be thanked for providing the author with current information on law libraries in the Federal Republic of Germany.
94. Id. at 63-68. For more information on legal collections in West German libraries, see also R. Walter, WIE FINDE ICH JURISTISCHE LITERATUR 22-29. (2d ed. 1984).
play an important role in the super-regional provision of literature since these libraries lend books, both within and outside Germany, while the law libraries are in general reference libraries to which often only a limited number of readers have access.  

B. Cooperative Accomplishments

West Germany is engaged in several plans for coordination of acquisitions on a national basis. The first one is an automated union catalog of legal periodicals, which will list the holdings of the libraries of the Max Planck Institutes and other libraries. The first union catalog was published in 1969, listing some 9,000 titles of journals held in the Max Planck Institutes for Law.96 The Staatsbibliothek in Berlin, which is in charge of this project, has been designated since 1975 as a special collecting library for law, supported by the Deutsche Forschungsgemeinschaft (German Research Association).97 This association, founded in 1949, is a self-governing body financed by the federal and state governments as well as private sources. As part of its research functions, it supports libraries, primarily when cooperative work is involved. One of the projects is to designate certain libraries to be responsible for acquiring foreign literature in specific areas. Each law library pays for German law materials and basic foreign law books from its own budget. The association, however, has its own budget for more specialized materials. The goal of the program is to make sure that there is at least one copy of every foreign book important for research. These books can be borrowed through interlibrary loan.98 Several libraries collect heavily in foreign law, especially the Staatsbibliothek in Berlin.99 The five law libraries of the Max Planck Institutes have large collections of foreign and international law,100 but “cater mainly to the research interests of the members of the institutes”101 and, as a rule, do not lend books to other libraries. “The library committee of the German Research Association has published recommendations on cooperation between university libraries and institute libraries.”102 The Federal Republic of Germany has an automated legal retrieval system,
JURIS, which is sponsored by the Federal Ministry of Justice in Bonn. Several projects are ongoing toward the creation of a uniform law thesaurus and a uniform classification scheme for the Federal Republic of Germany.

West German law librarians have an active professional association, Arbeitsgemeinschaft für Juristische Bibliotheks-und Dokumentationswesen, (German Association of Law Librarians), which was established in 1971. In addition to holding meetings and workshops, it publishes a journal three times a year, Mitteilungen der Arbeitsgemeinschaft für Juristische Bibliotheks-und Dokumentationswesen.

VI. Comparisons and Conclusions: Foreign Experiences and Expectations of a National Law Library in the United States

Each solution in the respective countries was considered on the basis of the pre-existing conditions of legal collections, the goals and social policies of governments, and the geographic distribution and needs of users of legal materials. These countries share some features in their law libraries: their holdings, services provided, and the need for cooperation at a regional or national level. The differences between civil law and common law jurisdictions, which one might believe would detract from a fruitful comparison, are negligible in this regard. In spite of different legal traditions, library holdings tend to have similar needs. Aside from providing for their own domestic legal needs, common law libraries need to collect civil law materials and civil law libraries need common law materials; the need for cooperation is the most apparent in foreign law areas.

With this in mind, two elements need to be examined. The first is to compare the achievements of foreign countries to what is expected of a national law library in the United States. The second is to draw some lessons that can prove useful if one wants to consider pursuing the movement toward a national legal information center in our country.

When one compares the achievements of these four countries to what is expected of a national law library in the United States, it appears that these countries have not gone beyond the level of cooperation and coordination of legal resources and services that already has been achieved in the United States. The Law Library of Congress, if not set up primarily for that purpose, serves in large part as the national repository for legal materials and has the best collection of foreign and comparative law in the world. This is unlike the national libraries in Canada and the United Kingdom, which

103. Id. at 72-73.
104. Id. at 73 and accompanying footnotes.
105. For the history of the German Association of Law Librarians, see id. at 75 and accompanying footnotes.
Foreign Experiences are of recent origin and do not collect legal materials systematically. The British Library, for example, has complete holdings in United Kingdom law since the middle of the nineteenth century, but is lacking in foreign law; the Canadian National Library, almost by design, has limited legal collections. In setting cataloging standards and issuing schedules for the classification of legal materials, the foreign countries examined pale by comparison to the Law Library of Congress.

When comparing efforts toward automation, differences are not that clear-cut. In the United States, the LAWNET project for a national legal bibliographic data base is produced commercially, with the participation of the major bibliographic utilities, including OCLC, RLIN, and WLN. It is designed to be an on-line cataloging data base forming a nationwide inventory of law library holdings. When completed, it will prove that a national legal bibliographic network does not necessarily have to be sponsored by a national library. The Research Libraries Group Foreign Law Conspectus is another example of privately produced, sophisticated automated collection development. It affects only some of the major research law libraries.

These two projects show a notable characteristic of the spirit of private enterprise prevalent in the United States. The situation is different in France, for instance, where all academic law libraries are state-controlled and the government is always involved in cooperative projects. One should not forget that national libraries are instruments of national policy in education and research. Again, nowhere does the level of automation exceed what already exists in the United States.

In legal research education, there is little to compare. The Law Library of Congress does little training of law librarians, and its educational role is limited. This role, however, has been taken over by the American Association of Law Libraries.

In comparing the needs and situations that evolved into an express desire for national legal information centers, valuable lessons come into focus. All these countries shared similar goals, and each developed independently a strategy to achieve those goals. In Canada, for example, the movement toward a national legal information center originated because of a concern for the inadequacy of legal scholarship and research, caused in part by the poor library collections. Deficiencies motivated the other countries as well, and each has progressed measurably.

The German experience of designating certain law libraries as regional research centers and giving them special assigned areas of collection development could be achieved in the United States, despite the structural difficulties involving both federal and state funding and private vs. state-owned universities. Several other lessons are worth noting: in several countries, there appears to be a preferred model of decentralized legal information centers rather than
a centralized institution; cooperative projects need substantial financing; and the virtue of patience cannot be underrated.

The 1975 extensive survey of Canadian law libraries reveals a clear preference for a decentralized national network of participating law libraries, rather than one complete law library. The main arguments against the centralized national law library are that it would be too expensive and that, if located in Ottawa, it would be unable to serve the entire research community adequately. The network being considered for Canada would consist of regional centers with a planning and coordinating central agency. The same preferred model is to be observed in England, which is much smaller geographically, but much more heavily populated.

Large-scale projects, such as the nationwide study of law library collections, can only be accomplished when special financial resources are available. As stated earlier, the Canadian Association of Law Libraries had attempted a survey of its own prior to the Bird report, but abandoned the project on the grounds that such an undertaking would be "beyond the present capacity of the membership due to individual workloads and related activities." 106

Before undertaking a national survey, we ought to study the methodology used to survey Canadian and British law library collections, which has been well documented. When one studies the developments in Canada, France, Germany, and the United Kingdom, one is reminded that the coordination of library projects at the national level demands a high level of stamina, great patience, and an in-depth knowledge of the problems and needs to be met.

106. See V. Bird, supra note 12, at 1-2.