



Osgoode Hall Law School Library

Collection Development Policy

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Introduction

With more than 500,000 volumes, the Osgoode Hall Law School Library is one of the most prestigious law libraries in Canada. The library holds a comprehensive research collection of Canadian and Common Law (English, American and Commonwealth) law materials, comprising both primary (judicial, statutory, legislative and regulatory) and secondary (scholarly texts) resources. The Library's John R. Cartwright Rare Book Room contains a significant collection of early English and American law books and the largest collection of historical (pre-1920) Canadian legal texts and primary sources anywhere. These outstanding print collections of international calibre, are supplemented by an ever-growing range of digital resources to which all members of the Osgoode and York University communities have access. There are many jurisdictional and topic-specific resources which provide researchers with in-depth access to the primary legal materials not only of Canada but also the United States, Great Britain, Australia and other Commonwealth jurisdictions, the United Nations, international tribunals and organizations.

The primary mission of the Law Library is to support the intensive research and innovative teaching at the Osgoode Hall Law School by collecting, organizing, preserving and disseminating legal and law-related information in any form. It provides support to the legal research scholarship by members of the York University community, members of the legal profession in the Greater Toronto region, and legal scholars across Canada. The following policies are intended to provide direction for the development of the library's collections to support the library's mission. They reflect not only the School's curricular and scholarly priorities but are also a response to the realities of continuing economic and infrastructure constraints, the challenges of developing information technologies, the vagaries of user preference, the obligations of being Canada's premier legal research facility and our responsibilities as stewards of Canada's largest collection of law books.

The library provides access to materials by purchase of print resources, by purchase or licensing of electronic resources, by reciprocal borrowing and lending arrangements such as interlibrary loan, and by collaboration with York University Libraries and other law libraries in Toronto and throughout Canada.

The Law Library is committed to the values of equity, diversity, accessibility, and inclusion, and seeks to incorporate resources within our collection that reflect these principles wherever possible. We welcome acquisition suggestions from the Osgoode community to help us maintain these values.

Please note that the following Collection Development Policy is not comprehensive. It will be supplemented by a separate collection development policy for the library's special collection, rare books collection and archives.

This Collection Development Policy will be reviewed and approved every five years by the School's Library Committee and shared with Osgoode Faculty Council.

1. Print Books

- a. A "book" is defined as a text published in a monographic, non-serial format.
 - i. A book may be complemented by a subsequently published supplementary volume; however, a regularly supplemented text (or in looseleaf format or with pocket-parts) or an annually published text is not considered a book for the purpose of this section. Policies for such "supplemented texts" are covered in section 2 below.
- b. Books are acquired from scholarly, commercial and professional publishers.
 - i. Texts produced by the government, or other public or private policy agencies, are subject to the guidelines described in section 10 below.
- c. Print is the preferred format for all books, with the following collection guidelines and exceptions.
 - i. Policies for the acquisition of books in electronic (digital) formats are considered in section 3 below.
- d. Acquire comprehensively in print all Canadian legal and law-related books, regardless of language.

i. A “Canadian” book is defined as any work:

- 1) Published in Canada;
- 2) Written or edited by a Canadian, or with a Canadian contributor, regardless of place of publication;
- 3) About Canada or containing substantial Canadian content, regardless of author or place of publication.

ii. “Law-related” is defined as any subject with a significant legal component or in which law plays a defining role, such as public policy, constitutional history, international relations, labour relations, criminology, administration of justice, etc.

1. Many books on law-related subjects will be acquired by York University Libraries (YUL) to support programs at the University outside of the Law faculty. In the event that a law-related book is acquired by YUL and is available in another library on campus, the Osgoode Library may elect not to acquire the text. The Osgoode Library will collaborate with YUL in determining the acquisition of law-related titles.

e. Acquire comprehensively books from other Common Law Jurisdictions¹ dealing with common law and other basic legal topics as reflected in the law school curriculum, including but not limited to the following subjects:

- i. Contracts;
- ii. Estates, wills and trusts;
- iii. Equity;
- iv. Procedure, both civil and criminal, and including trial advocacy and the administration of justice;
- v. Real and Personal Property;
- vi. Torts;
- vii. Taxation

f. Comprehensively acquire books published in the following subject areas. Each subject will be presumed to comprehend domestic, international and comparative aspects of the topic, though not necessarily foreign.

- i. Aboriginal and Indigenous law;
- ii. Business associations (including Corporations, Corporate finance/Securities, Corporate governance and disclosure, and Partnerships
- iii. Commercial law (including Agency, Banks and banking, Insolvency, Loans, Payments, Negotiable instruments, Surety, and Regulation of financial institutions);
- iv. Criminal law (including the Philosophy and theory of criminal law, comprehensively in English, but including some German and French texts);
- v. Dispute resolution (including Arbitration and Mediation);
- vi. Environmental law;
- vii. Family law;
- viii. Feminist legal studies;
- ix. Gender legal studies;
- x. Health and disability law (including Mental health and Accessibility);
- xi. Human rights (Public/Constitutional law and International/Humanitarian law);

- xii. Immigration and refugee law;
- xiii. Intellectual property;
- xiv. Interdisciplinary studies (including Law and religion, Law and economics);
- xv. International economic, investment and trade law;
- xvi. Labour and employment law;
- xvii. Legal history;
- xviii. Legal theory/Legal philosophy/Jurisprudence;
- xix. Private international law (Conflict of laws);
- xx. Public international law;
- xxi. Public law, including both Constitutional and Administrative law and Civil rights;
- xxii. Tax law.

g. Excluding exceptional circumstances (such as a faculty request or a unique or compelling topic), the library will not acquire books of the following types (Canadian monographs are not subject to these exclusions):

- i. Collections of previously published articles or essays;
- ii. Textbooks, and especially textbooks intended for an “undergraduate” law audience;
- iii. Casebooks (i.e., collections of “cases and materials”);
- iv. Law books with a “practice” focus and not intended for an academic or scholarly audience;
- v. Collections of primary materials freely available on the Web.

h. Do not acquire reprints of historical texts (from Gaunt, Hein, etc.); with the following exceptions, original editions or digital (e-book) formats are preferred for historical texts. Canadian texts are not subject to this exclusion.

- i. The text is not available in an original edition or in a digital (e-book) format (LLMC Digital or HeinOnline) or through a trusted public e-resource (e.g., Internet Archive, Hathi Trust);
- ii. Though the library is in possession of the text in an original edition, that edition is in Special Collections and the text has been identified as a frequently consulted text, regular access to which would be facilitated by the reprint;
- iii. Though the text is available in digital format, the text has been identified as a frequently consulted text, regular access to which would be facilitated by the reprint.

2. Supplemented Texts (Looseleaves, Pocket Parts, Continuations)

“Supplemented Texts” are very common in law publishing. Many law texts are published in a variety of formats that permit them to be regularly updated on a continuing basis. The most common formats are looseleaf (common in Canada), pocket parts (common in the US), and periodic (quarterly or annual) supplements common in the United Kingdom.

The rationale for these supplemented texts has been supplanted by digital technologies, yet they

continue to be published. Their acquisition and maintenance consume considerable human and financial resources. They will be acquired only according to the following strict guidelines:

- a. Acquire supplemented texts in digital format, the preferred format for these materials, but only if the format is user-friendly and appropriately priced.
- b. Do not acquire inappropriately priced materials. An example of inappropriate pricing would be a pricing model that duplicates the pricing for print and realizes no savings in maintenance costs, or where the annual supplementation cost is higher than the original acquisition cost.
- c. Acquire individual titles in print only if considered essential to support the curricular and research activities of the school and not available elsewhere in acceptable digital format.
 - i. If maintenance costs, especially the annual subscription cost, are prohibitive, do not maintain a current subscription. Consider re-purchasing the new work on an occasional basis (e.g., every second, fifth or tenth year, as determined for the work) or when re-issued in a new edition. When replaced, previous editions should be removed from circulation and kept in storage.
 - d. If a subscription to a supplemented text is cancelled, do not discard the materials or withdraw them from the collection. The catalogue and holdings records should be amended to reflect the issue and currency of the last supplement received. If the material is in an insecure format (e.g., looseleaf binder), it will be bound for better protecting the contents for posterity.

3. Annual Editions

- a. The library will not acquire annually published printed texts that are simple consolidations of primary materials (statutes and regulations).
- b. Print annual consolidations with commentary or annotations should be acquired only occasionally (e.g., every second or fifth year) and only if the commentary is significant and the annotations are not available online. Exceptions may be made for individual titles, but only by faculty special request; for example:
 - i. *Ontario Civil Practice/Ontario Annual Practice*;
 - ii. *Martin's Criminal Code*.
- c. Superseded editions will be kept in storage for reference purposes.
- d. Acquire in print the following annual Canadian legal directories. Current editions are kept in the Reference Collection, while superseded editions are kept in storage for future reference.
 - i. *Canadian Law List* (Carswell);
 - ii. *Lexpert Legal Directory*;
 - iii. *Ontario Legal Directory* (University of Toronto Press).

4. E-books (Digital Texts)

As stated in section 1 above, generally hard-copy print is the preferred format for monographic texts; however, e-books (electronic books, digital texts) will be acquired subject to the following exceptions, guidelines and conditions:

- a. E-books may be acquired to complement and extend access to popular and heavily used titles (e.g., required or key texts, such as those that would be found in the Reserve and Core Collections).
- b. E-books may be acquired upon request by a faculty member or instructor.
- c. E-books are generally not acquired as a substitute for print monographs, except under the following circumstances:
 - i. As the preferred format for reference materials (encyclopedias, dictionaries), either in lieu of or as a supplement to print;
 - ii. Esoteric/marginal titles (e.g., obscure aspects of international law) may be acquired in digital format, usually in lieu of print;
 - iii. E-books may be acquired in the case of collections of essays or conference proceedings (i.e., publications that are composed of many parts by different authors and are read or consulted like a journal volume).
- d. In all cases, the acquisition of e-books will be subject to the following conditions:
 - i. Ownership of digital titles is preferred to access by subscription. E-book platforms permitting unrestricted saving and printing by page, section, chapter and volume are preferred to platforms that restrict these functions.
 - ii. Single-user access licences are acceptable and sufficient in most cases; however, depending on need and demonstrated use, individual titles and even entire collections (e.g., *Irwin Law Online*) will be licensed for multiple concurrent users.
 - iii. Licences are negotiated for access by both the Osgoode and York communities whenever possible.
- e. E-book package subscriptions (publisher collections) will be considered depending upon subject needs and relevance to the School's research and curricular needs. Examples are:
 - *Bloomsbury/Hart Publishers*
 - *Brill Online (International Law and Humanitarian Law modules)*
 - *Cambridge University Press*
 - *Elgar Online*
 - *Irwin Law Online*;
 - *Oxford Scholarship Online (Law module)*.
- f. Collections of historical texts in digital (e-book) format will be acquired, as these texts are generally no longer available or difficult to acquire in print. Examples are:
 - Gale's *The Making of Modern Law*;
 - HeinOnline's *Legal Classics Library*;
 - *LLMC Digital*.
- g. Microform texts are no longer acquired. Digital formats are preferred.
- h. Texts on CD-ROM or DVD are no longer acquired.

5. Journals and Law Reviews

Law reviews and legal and law-related journals will be acquired according to the subject areas listed above in section 1 and subject to the following criteria:

- a. Do not acquire but provide online access to titles that are available in digital format and are:
 - i. Up to date (i.e., the current volume is available); and in a stable, citable format (such as PDF with original pagination), and:
 - ii. Available online on an open-access basis from the parent institution whose ability to archive and preserve is reliable; or Hosted by an established vendor (e.g., HeinOnline, Scholars Portal or JSTOR) or a governmental entity whose ability to archive and preserve is reliable; and
 - iii. Available for online access to both the Osgoode and York communities.
- b. If a journal is available in both print and digital formats from the original publisher and not from an aggregating vendor as described in section “a” above, acquire only the digital format if it is:
 - i. Current (i.e., the current volume is available at the same time as the print); and
 - ii. Ownership and access are retained if the subscription is cancelled.
- c. Acquire in print, bind and retain the following types of journals:
 - i. All Osgoode Hall Law School publications;
 - ii. All Canadian legal and law-related periodicals; “Canadian” is as defined in section 1.b above;
 - iii. Non-Canadian publications deemed necessary to the School’s research or curricular needs and available only in print;
 - iv. Publications where the Library may have Library of Record responsibilities for the university or law library community, with ongoing monitoring of these responsibilities.
- d. Acquire in print but retain only for five years and do not bind:
 - i. Titles subject to moving walls (publisher embargoes on current content) on HeinOnline, Scholars Portal or JSTOR.

6. Judicial Decisions (Law Reports)

The following guidelines will apply for the acquisition of law reports:

- a. Canada
 - i. Federal
 - 1. Acquire in print, bind and retain one copy of each of the following reporters:
 - a. *Canada Supreme Court Reports.*
 - b. *Canada Federal Courts Reports.*
 - 2. For all other federal judicial decisions and reporters, do not acquire in print but depend on online resources for access.
 - 3. Provide online access via Lexis+ Canada or Westlaw Edge Canada for both the Osgoode and York communities.
 - ii. Provincial
 - 1. For all provincial judicial decisions and reporters, do not acquire in print but depend on online resources for access.
 - 2. Provide online access via Lexis+ Canada or Westlaw Edge Canada for both the Osgoode and York communities.
 - iii. Topical
 - 1. Do not acquire in print but depend on online resources for access.

2. Provide online access via Lexis+ Canada or Westlaw Edge Canada for both the Osgoode and York communities.

iv. Facta

1. Do not acquire in either print or digital formats;
2. Provide online access via Lexis+ Canada or Westlaw Edge Canada for the Osgoode community only.

b. Other Common Law Jurisdictions

i. "Other Common Law Jurisdictions" are as defined in section 1 (e) above.

ii. Do not acquire but provide online access to titles that are available in digital format and are:

1. Up to date (i.e., the current volume is available); and
2. In a stable, citable format (such as PDF with original pagination), and:
 - a. Available online on an open-access basis from the parent institution whose ability to archive and preserve is reliable; or
 - b. Hosted by an established vendor (e.g., Lexis, Westlaw, vLex, HeinOnline) or a governmental entity whose ability to archive and preserve is reliable.
3. Examples include (among others):
 - a. All American law reporters, available in PDF format on Lexis, Westlaw;
 - b. *The Law Reports Series* (AC, QB, Fam, Ch), available on vLex and *ICLR Online*.
 - c. Australian reporters, available in PDF format on Lexis and Westlaw.

iii. Acquire in print any titles considered indispensable but that do not meet the criteria listed above; specifically: 1. *All England Law Reports*; 2. *New Zealand Law Reports*.

iv. Provide online access via Lexis+ Canada or Westlaw Edge Canada for both the Osgoode and York communities.

c. Foreign and International

- i. Do not acquire but depend on online services such as Lexis, Westlaw, HeinOnline, Legal Information Institutes (LIIs), tribunal websites, or specialist commercial services (vLex, etc.) for access.
- ii. Cost and licences permitting, provide access to these online services for both the Osgoode and York communities.
- iii. Exceptions may be made to acquire print copy for specific jurisdictions.

7. Tribunal Decisions (Administrative and Regulatory Agencies)

a. Canada

i. Federal

1. Acquire and retain in print only if not available in citable format on CanLII or the tribunal's website.
2. Provide access via Lexis+ or Westlaw Edge Canada for both the Osgoode and York communities.

ii. Ontario

1. Acquire and retain in print only if not available in citable format on CanLII or the tribunal's website.
 2. Provide access via Lexis+ or Westlaw Edge Canada for both the Osgoode and York communities.
- iii. Other provinces
1. Do not acquire in print.
 2. Depend on access through online services (CanLII, tribunal websites, etc.).
 3. Provide access via Lexis+ or Westlaw Edge Canada for both the Osgoode and York communities.
- b. Foreign and International (including United States and Commonwealth)
- i. Do not acquire but depend on online services such as Lexis, Westlaw, LII, tribunal websites, or specialist commercial services for access.
 - ii. Cost and licences permitting, provide access to these online services for both the Osgoode and York communities.

8. Statutes; Legislative and Parliamentary Materials; Regulatory Materials

a. Canada (Federal)

- i. Acquire in print, bind (as necessary) and retain one copy of each of the following:
 1. Bills: All copies, usually including First and Third Readings, As passed, Royal Assent;
 2. Annual statute volumes;
 3. *Canada Gazette, Parts I, II and III.*
- ii. Do not acquire the following materials, but depend on York University Libraries (YUL) Government Documents and online resources for access to:
 1. *Debates (Hansards)* of the House of Commons and Senate;
 2. *Minutes of Proceedings and Evidence, Studies and Reports* of all and Committees of the House of Commons and Senate, whether Standing, Joint or Special;
 - a. Exceptions may be made for specific reports, which may be acquired in print as monographs for the Texts collection.
 3. *Journals*;
 4. *Orders of Business, Order Papers, Notice Papers.*

b. Ontario

- i. Acquire in print, bind (as needed) and retain one copy of each of the following:
 1. Bills: All copies, usually including First and Third Readings, As passed, Royal Assent;
 2. Annual statute volumes;
 3. *Ontario Gazette*;
 4. *Ontario Regulations Service* (Thomson Reuters).
- ii. Do not acquire the following materials, but depend on YUL Government Documents and online resources for access:
 1. *Debates (Hansards)* of the Legislature;
 2. *Proceedings* of all legislative committees, whether standing or special;
 3. *Journals*;
 4. *Orders of Business, Order Papers, Notice Papers.*

c. Other Provinces

- i. Do not collect in print; rely on CanLII and federal and provincial legislative websites, supplemented by the following online services:
 - 1. Alberta: King's Printer;
 - 2. British Columbia: King's Printer;
 - 3. Quebec: Légis Québec.
- d. Foreign and International (including United States and Commonwealth)
 - i. Do not acquire in print but depend on the web (LIIs and jurisdictional websites) and online resources for all access.
 - ii. Subscriptions will be maintained to the following online resources specifically for enhanced access by both the Osgoode and York communities:
 - 1. For the United Kingdom:
 - a. vLex: UK Statutes, Statutory Instruments and Parliament Collections.
 - 2. For the United Nations:
 - a. HeinOnline: United Nations Law Collection;
 - b. United Nations Official Document Service
 - c. United Nations Treaty Collection
 - 3. For the United States:
 - a. Nexis Uni/Lexis+;
 - b. Westlaw Edge Canada;
 - c. HeinOnline; specifically:
 - i. Session Laws Library;
 - ii. Subject Compilations of State Laws;
 - iii. US Treaties and Agreements Library;
 - iv. United States Code;
 - v. US Attorney General and Department of Justice Collections;
 - vi. US Congressional Documents Library;
 - vii. US Federal Agency Documents, Decisions, and Appeals Library;
 - viii. US Federal Legislative History Library;
 - ix. US Presidential Library;
 - x. US Statutes at Large Library.
 - iii. NOTE: York University Libraries (YUL) Government Documents collects selective materials from the following jurisdictions: 1. European Union; 2. United Kingdom; 3. United Nations; 4. United States.

9. Legal Reference Materials (Legal Encyclopedias, Citators, Indexes)

The preferred format is digital unless available only in print or if print is required to maintain archival access or for ease of use.

- a. Digests

- i. The library will not acquire in print digest volumes accompanying law reporters. We will rely on online resources for access.
 - ii. Provide online access to these resources via Lexis+ or Westlaw Edge Canada for both the Osgoode and York communities.
- b. Legal Encyclopedias
- i. Collect in print (with current subscription) and retain one copy of each of the following:
 - 1. *Canadian Encyclopedic Digest* (Carswell);
 - 2. *Halsbury's Laws of Canada* (Lexis+ Canada);
 - 3. *Québec JurisClasseur* (Lexis+ Canada).
 - ii. Provide online access to these resources via Lexis+ or Westlaw Edge Canada for both the Osgoode and York communities.
- c. Case and Statute Citators
- i. Do not collect in print; this policy applies to the following titles specifically:
 - 1. *Canadian Case Citations* (CJC);
 - 2. *Canadian Statute Citations* (CSC).
 - ii. Provide online access via Lexis+ (QuickCite) or Westlaw Edge Canada (KeyCite Canada) for both the Osgoode and York communities.
- d. Legal Periodicals Indexes
- i. The library will provide online access to the Index to Canadian Legal Literature (ICLL) via Lexis and Westlaw Edge Canada for both the Osgoode and York communities. For all other legal periodicals indexes, the library will provide online access through subscriptions.

10. Government Documents and Public Policy Publications

“Government documents” are defined as publications issued by the authority of a government agency at the national, federal, provincial/state, local or municipal levels, as well as international and intergovernmental bodies (UN, EU, OECD, WTO, WIPO, etc.). They include documents produced by public (Crown) corporations, boards and investigative commissions (including royal commissions) and task forces, including any briefs submitted to them by third parties. For our purposes, government documents will be understood to emanate specifically from the executive branch. Documents from the judicial and legislative branches are considered separately above.

“Public policy publications” are publications issued by public policy institutes, advocacy groups, think-tanks, university research centres and other public interest groups. These organizations represent the leading edge of research and opinion in all areas of Canadian public policy. Their publications are vital to the understanding of developing issues in every arena of Canadian public life.

- a. The library will not acquire in print; for access, depend on the following resources:
 - i. Generally:
 - 1. York University Libraries (YUL) Government Documents collection;
 - 2. Government (departmental) websites;
 - 3. The [Canadian Electronic Collection - Public Policy](#) available on the York University

Libraries catalogue.

- ii. Canada (Federal):
 - 1. YUL Government Documents collection;
 - 2. Government (departmental) websites;
 - 3. The [Government of Canada Publications](#) website;
 - 4. The [National Union Catalogue - Voilà](#) catalogue of Library and Archives Canada.
- iii. Ontario:
 - 1. YUL Government Documents collection;
 - 2. Government (departmental) websites;
 - 3. [ServiceOntario Publications](#).
 - 4. The online catalogue of the [Ontario Legislative Library](#).

b. Exceptions may and will be made for individual publications in print, depending on the subject, its relevance to the Osgoode curriculum or research agenda, and the issuing agency.

c. General exceptions will be made to acquire in print and retain publications and other materials from the following agencies and subjects:

- i. Law reform commissions:
 - 1. Law Commission of Ontario;
 - 2. All other Canadian federal and provincial law commissions;
 - 3. The Law Commission (Great Britain);
 - 4. Australian Commonwealth and state law reform commissions;
 - 5. The Law Commission (New Zealand);
 - 6. American Law Institute;
- ii. Law Society of Ontario;
- iii. Federation of Law Societies of Canada;
- iv. Canadian Institute for the Administration of Justice;
- v. Canadian Bar Association;
- vi. Ontario Bar Association;
- vii. Scholarly publications relating specifically to legal aspects of taxation and fiscal policy from:
 - 1. Canadian Tax Foundation (CTF).
 - 2. International Bureau for Fiscal Documentation (IBFD).

11. Continuing Legal Education (CLE) Materials (Including CPD Materials)

a. The library will acquire in print and retain copies of published materials for all Continuing Legal Education programs for the Ontario bar, including the following agencies:

- i. Canadian Bar Association CPD;
- ii. Law Society of Ontario CPD;
- iii. Ontario Bar Association CPD;
- iv. Osgoode Professional Development.

b. Due to cost, we unfortunately cannot acquire comprehensively materials from other Ontario CLE agencies (Canadian Institute, Federated Press, Lancaster House); however, materials for individual programs presented by

these agencies may be acquired on an as needed basis or by special request.

c. For CLE materials from other jurisdictions, the library will acquire only individual materials depending on topic, relevance and need. We hope law school libraries in these jurisdictions will acquire these materials comprehensively.

12. Non-standard (Non-print, Non-digital) Formats

a. The library will acquire texts only in print or in digital formats accessed by means of a web browser, preferably hosted by an external third party.

b. As stated in section 4 (g) above (E-books), the library will not acquire microforms of any text if a digital format is available. Digital formats are always preferred.

c. When copies of texts (usually old or rare) are acquired via interlibrary loan, a digital format (scanned to PDF) is always preferred. Except in exceptional circumstances, the library will not add photocopies of text to the permanent collection.

13. Audio-Visual Materials

Law-related audio-visual materials will be purchased at faculty's request for curriculum and teaching purposes. All new requests must be sent by completing this [form](#) available on the York University Libraries website. Some of these materials are currently located at the Sound and Moving Image Library at the Scott Library and can be searched using the library catalogue.