How to Compile a State Legal Bibliography
[Part 1]

Jurisdocs (Spring 2001), pages 4-8

By Galen L. Fletcher
Brigham Young University
Howard W. Hunter Law Library

Here’s a checklist of twelve suggestions and types of sources to consider when compiling a bibliography of a state’s legal publications. Ann Jarrell and I followed many of these steps when putting together the most recent state legal bibliography in the series published by AALL’s Government Documents Special Interest Section (GD-SIS).

Nevada State Documents Bibliography: Legal Publications and Related Materials, Second Edition (July 2000) is now available from GD-SIS for $15.00. To purchase the Nevada bibliography or any of the prior state legal bibliographies (from 40 other states, the District of Columbia and two Canadian provinces), contact Rob Richards, GD-SIS Secretary/Treasurer, at University of Colorado Law Library, (3030 492-2706, rrichard@stripe.Colorado.edu. The list of available bibliographies is on the GD-SIS website at: http://www.aallnet.org/sis/gd/stateb.html. To update and/or compile a current state bibliography, contact Katrina Stierholz, GD-SIS Publications Committee Chair, at Washington University Law Library, (314) 935-6450, stierhol@wulaw.wustl.edu. Katrina is very interested and supportive of any of you who would like to contribute to the series.

I’m writing these suggestions as if you had just agreed to compile or revise your state’s legal bibliography for GD-SIS. The first two suggestions are general overviews, the next six cover acquiring vicarious information (data about a title’s existence), steps nine to eleven discuss physically looking at the titles you want to include in your state legal bibliography, and the last suggestion is on pulling it together. I recommend mixing the order of your searching indexes and looking at physical materials since you need to do both types of gathering information almost simultaneously. Compiling a bibliography is a circular not a linear process. Also remember that no one covers all the sources listed below—this listing is suggestive of resources and approaches, not a mandatory listing.

1. Recognize the value of what you’re doing.
Congratulations on thinking about pulling together in one place information useful to your fellow state librarians (in law, academic and public libraries), acquisitions librarians, catalogers, and reference librarians. Your work will be useful to subject specific researchers doing multiple-state research on a topic, compilers of related bibliographies (business, political science, natural resources, history) and potential authors/publishers of legal materials in your state (looking at what’s being printed and what’s not). Others outside your state and unfamiliar with its legal publications will turn to your work more than you know. It was very helpful to Ann and me to have others encouraging us to compile Nevada’s bibliography for GD-SIS. If the project gets
overwhelming at times, just remember you’re doing something of lasting value to yourself, your institution, your state, and your profession.

2. **Think about your audience, scope and format before you start.**

Every bibliography has a limit, and if you think briefly about the boundaries of your project at the beginning, it’ll be more manageable in the middle and the end.

1. For example, if your intended audience is acquisitions librarians, you may want to have publisher information, ISBNs and even prices. If you’re compiling for catalogers, think about including OCLC numbers for bibliographic records.
2. What scope are you looking at (time frame, subject breadth, depth)? Will you include only current materials or will it be a “union list” of all historical and current legal publications in your state, or maybe something in-between? Will you include quasi-legal documents (political, governmental, textbooks, histories, directories)? How about depth, that is, will you have books, book chapters, periodical articles, serial titles?
3. Finally, how about format (of the overall bibliography, of the individual entries, and of the types of materials included)? Look at other state bibliographies in the series to get a feel for layout, breadth, and what to include or exclude.
   
   i. Will you annotate and describe (at what depth) each title?
   
   ii. For each entry, what style will you follow? Possible choices are *The Bluebook,¹ ALWD Citation Manual,² AALL’s new Universal Citation Guide,³* the *Chicago Manual of Style,⁴* or something else. For example, will you include pagination, number of volumes, or whether titles have an index?
   
   iii. On serials, will you mention enumeration or chronology, only latest editions, all issues, title changes?
   
   iv. Will you tell readers about reprints and multiple formats (CD-ROM, microforms, online)?
   
   v. Will your compilation include practice books, CLE seminar materials, legal self-help manuals, and/or pamphlets?

All of these choices about audience, scope and format will impact how much information you need about each title (and which titles to exclude or include) in your bibliography.

3. **Look at comprehensive existing legal bibliographies for your state.** (You may already have done this, and that’s why you’re motivated to improve on what’s been done before.) I can think of eight specific places to look for existing legal bibliographies for your state. (These are in addition to non-legal state bibliographies covering your jurisdiction, many of which include some legal titles.)

- First, is your state one of the forty-one that already has a GD-SIS bibliography (done sometime between 1981 and 1997)? These are listed at the state bibliographies website given at the beginning of this article. Since the majority of these were produced before the Internet, legal CD-ROMs, and the merging of American legal publishers, most need to be updated to show today’s materials in your state.
- Second, has someone published a state practice materials bibliography on your state in *Law Library Journal?* Twenty states are represented in that series (1980-1999). The most recent list is at 91 L. LIBR. J. 313 fn. 1 (1999).
• Third, is your state one of the series of thirteen “state-specific legal research guides” available from William S. Hein & Co., Inc.? These are listed in Hein’s online catalog at: http://www.wshein.com.

• Fourth, has a law librarian or someone else compiled a bibliography for a legal research class, CLE seminar or to assist non-attorney legal researchers in your state? In smaller jurisdictions this may be a chapter in a practice manual. For example, chapter 1 of Nevada Civil Practice Manual, 4th ed. (1998) is “Sources of Nevada Law.” In more populated states, it will be much longer, such as Larry D. Dershem, California Legal Research Handbook (1997- ).


• Sixth, see Francis R. Doyle, Searching the Law—The States: A Selective Bibliography of State Practice Materials in the 50 States, 3rd ed. (2 vols. 2000). The prior editions and their supplements are also useful.


• Eighth, check to see if your state is one of thirty-three in the Greenwood Press Series “Reference Guides to the State Constitutions of the United States.” The title of each is The [state name] Constitution: A Reference Guide. You can see all of them by entering the term “state constitution” in the title/sub-title search at: http://www.greenwood.com. Each includes a bibliographical essay at the book’s end on the state’s constitutional resources.

The last four of these sources combined will give the major primary legal publications of your state, and you could have a decent list based only on them.

4. Talk to people. As you let other documents and law librarians in your state know of your project, they can give you much needed moral support, additional eyes who will bring new titles to your awareness, and possibly feet to look up various titles for you in their collections. Don’t expect them to revise your list very much, however. Bibliography information is not like a prose text where you can dispute ideas, craft various arguments or reach different conclusions. Instead, either the books exist or they don’t, they fit in your bibliography or they don’t, and/or your bibliography structure, format and layout make sense or they don’t. Since you’re the one who’s looked at the various titles, most other librarians will assume your work there is correct and won’t second-guess you. They’ll be grateful you took the time to help them by compiling the bibliography. Talk to Katrina Stierholz and other GD-SIS people to let them know you’re working on your state’s legal bibliography and get their feedback on submission formats, deadlines and other helps. You may want to discuss your work with ALA’s GODORT State and Local Taskforce—see their website at: http://www.library.arizona.edu/users/arawan/stat.html.

5. Comb through legal publisher lists for your state titles. There are collective and individual sources of title information directly available from publishers.

• You can start with collective publisher information in Law Books & Serials in Print (2000), Books in Print (2000), Directory of Law-Related CD-ROMs (2000) and online
bookstores (which are helpful to find legal titles from non-legal commercial publishers). If your academic law library subscribes to the Rothman “green slips” which announce new legal publications, you could cull those for books from your state.


- You may be able to get lists of current publications from your state bar, CLE seminar providers and/or state university presses.


- Look also for publications mentioned or full-text online at state agency websites (such as the courts, attorney general, state “EPA,” etc.). Don’t forget local agencies, too!


7. **Look for bibliographies within periodicals.** Useful articles on how to do legislative histories in your state, administrative agency analyses, state constitutional guides, and other pieces pertinent to a state legal bibliography may be found in bar journals, law reviews and even legal newspapers. Find these using the Index to Legal Periodicals (1908 to present), print indexes to law reviews within your state, Shepard’s Law Review Citations, online services (LexisNexis, Westlaw, and Loislaw), the Gallagher Law Library’s Current Index to Legal Periodicals (1968 to present), or using non-legal periodical databases (political, business, science and others).

8. **Search library catalogs.** Browse OCLC, RLIN, and the online catalogs of your state (and neighboring states) using title, subject, author and call number indexes.
9. **Search library shelves.** Browse the libraries in your state, particularly law school libraries, court libraries (including federal and state law libraries), county law libraries, university libraries, and large public libraries (including your state library). Look especially in reference and reserve collections in the 340s (for Dewey call number-based libraries) and KFA-KFW (for Library of Congress call number libraries). You may want to visit District Attorney, government agency libraries and private law firm libraries. Expect to find surprises in such practitioner oriented institutions since many state legal publications are locally produced and collected, rather that part of the national legal publishing scene.

10. **Look at footnotes, endnotes and indexes.** In all of the materials you consult, you should scan them for information leading to additional titles. The author of one legal publication in your state may be the author of others, a preface will cite prior similar works, an Internet address will be listed for a print publication, or you’ll see something that raises (and/or answers) questions about other sources you’re consulting.

11. **Browse the Internet and other online resources.** In addition to looking for information about relevant titles, look for publications available online in full-text format. Use the various Internet browsers, indexes and collective websites. See also the fee-based computer-assisted legal research databases (LexisNexis, Loislaw and Westlaw) for their state legal information sources.

12. **Compile the bibliography.** Create a framework in an order that makes sense to you. Start putting titles into each section, then revise, refine and rearrange (probably repeatedly). The main goal at this time is to complete the bibliography in a timely manner in a form useful to your audience. Your bibliography will feel like it could never end, especially as you become aware of new editions, renamed Internet addresses, and other changes inherent in document and legal publishing. Even if you spent time at the beginning clearly defining your bibliography’s scope, you may need to think some about revising its coverage in ways to produce a finished product. One of the main purposes of such bibliographies is to first teach you about what your state’s legal documents are, and then, to share such information with your colleagues. Both steps are important.

    Please consider updating your state bibliography. The tools and resources listed above should make the task easier for you (and your co-workers) than ever before. The AALL Government Document Special Interest Section has a long tradition of supporting and disseminating such information. Come add your contribution.

1. **The Bluebook: A Uniform System of Citation** (16th ed. 1996).
2. Darby Dickerson, Ass’n of Legal Writing Directors, ALWD Citation Manual: A Professional System of Citation (2000).
3. Committee on Citation Formats, Am. Ass’n of Law Libraries, Universal Citation Guide (1999).
How to Compile a State Legal Bibliography
Part 2

Jurisdocs (Summer 2001), pages 5-6

By Galen L. Fletcher
Brigham Young University
Howard W. Hunter Law Library

State Administrative Law Bibliographies

After I wrote the first part of this article in the Spring 2001 Jurisdocs, 23:2 (pp. 4-8) <http://www.aallnet.org/sis/gd/jurisdocs/>, I learned of two excellent brand-new resources for compiling a state legal bibliography. I summarize them here, and add a few other materials and suggestions I learned about from reading these two titles. I predict one of these two recent publications will receive AALL’s Joseph L. Andrews Bibliographical Award at the 2001 Annual Conference due to their usefulness, comprehensiveness and the difficulty in compiling such large bibliographies of disparate materials. As Ms. Nyberg notes in her introduction, “No other work has attempted to comprehensively list these sources before, and for good reasons” (p. xi). The two titles are:

- Cheryl Rae Nyberg, State Administrative Law Bibliography: Print and Electronic Sources (2000).¹

Ms. Nyberg’s compilation should probably be renamed State Administrative Law Bibliography (3000), as there are over three thousand different bibliographic entries in this 600 page book. Her bibliography covers “the published administrative codes, registers, decisions, and opinions of administrative agencies in the fifty states” (p. xii) and other U.S. jurisdictions, arranged by state and then by topic. I highly recommend this title for documents and law librarians seeking “to facilitate the identification and retrieval of these elusive [state] materials” (p. xi). The introduction in State Administrative Law Bibliography is very helpful also in outlining the kinds of materials to include in a single state legal bibliography.

Mr. Manz’s Guide to State Legislative and Administrative Materials is a wonderful compendium of “the major print and electronic sources of administrative and legislative information for the fifty states, the District of Columbia, and the commonwealths and territories” (p. ix). It represents a significant update to Mary L. Fisher’s prior works of the same title (1979-1988). I particularly like the multiple electronic sources (including specific LexisNexis, Westlaw, Loislaw, CD-ROM and Internet resources), as well as the state law guides, manuals and contact information listings for each jurisdiction. The layout and typeface are easily understood and clear, too. The appendix in Guide to State Legislative and Administrative Materials lists sources and URLs for more detailed information, including fifteen Internet sites.
“offering unusually large numbers of links to state-related databases” (p. 552). If you are compiling a state legal bibliography or working with state documents, you need this book.

State Research Guide Helps

“Sources Consulted” in State Administrative Law Bibliography, pp. xxii-xxv, contains many useful resources for locating titles. Many of these are lists of state legal bibliographies. A few contain suggestions on what to include in a state legal research bibliography or guide:


- Marcia Singal Zubrow, Pimsleur’s Checklists of Basic American Legal Publications (3 vols., 1962-).


- Fritz Snyder, “State Legal Research Guides,” 4 Legal Reference Services Quarterly 3-15 (Spring 1984). Includes nine areas helpful to have in a state legal research guide: “The state’s constitution or constitutions; Statutory law and finding aids; Legislative history and intent: The state’s court structure and jurisdiction; Court reports and finding aids; Court rules; Administrative law; Legal publications of the state (an annotated bibliography); and Legal citation of state materials” (p. 4).

Additional Helps

Some other useful titles related to state legal bibliographies are:


- Lynn Hellebust, State Legislative Sourcebook (2000). This is related to her State Reference Publications (1998-99) which I listed in “Part 1” of this article, but is no longer being updated or published.


---

1 Privately published. Order information: Send a check for $250.00 plus $7.00 handling per volume to Boast/Nyberg, 1347 Maple Avenue, Twin Falls, ID 83301; phone: 208-734-8349; email: carolr@cyberhighway.net.

2 Published by Fred B. Rothman Publications, Littleton, CO as n. 61 of the AALL Publications Series, available for $65.00 from W.S. Hein & Co.