Indigenous Law Portal

Jolande E. Goldberg


The Portal brings together Indigenous legal materials from the Law Library of Congress digital collections, mostly historic materials such as Indian Reorganization Act Era (1934) constitutions, bylaws, and some older codes, as well as current primary source materials found on the Web, mostly on established tribal and government websites.

Background for the portal is the detailed knowledge structure of classes KI-KIX (Law of Indigenous Peoples) with its thousands of intrinsic terms. Both the portal and the Indigenous Law Classification live on the Web: the Portal as a free access web resource, the Class as a fee-based service, distributed as part of ClassificationWeb of PSD.

Only recently, a free pdf version has been made available for downloading from the Website of the Library’s Policy and Standards Division: Law of Indigenous Peoples Class Ki-KIX.

The Portal opens with general and global information on Indigenous Peoples and organizations in support of their rights and concerns worldwide (Class KI).

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Happy New Year! 2018 has been a busy year so far for the United Nations, Team USA, AALL, and our own FCIL-SIS!

NEWS FROM THE FCIL-SIS COMMUNITY
Welcome New Members!

Many thanks to Alyson Drake, Susan Gaultier, and Loren Turner, who have done a terrific job reaching out to new members and librarians interested in FCIL librarianship, and encouraging them to share their wonderful background and enthusiasm with the FCIL-SIS community through our Diplom ratie Dialogues. Since October 2017, we have heard from Jessica Pierucci, FCIL Librarian at the University of California, Irvine School of Law, Carlos Andrés Pagán, FCIL Librarian at Boston University School of Law, Meredith Capps, FCIL Librarian at Vanderbilt University Law Library, Beau Steenken, Instructional Services Librarian at the University of Kentucky Law Library, and Katherine E. Orth, Acquisitions Assistant at the University of North Carolina Law Library. Please join me to welcome them to the community and thank them for sharing their fascinating experiences with us!

Online Community Migration

The migration to WordPress is well underway. Many thanks to Lucie Olejnikova, our Webmaster, for making sure the migration goes smoothly. We will keep you posted once it is complete.

2018 ANNUAL MEETING - BALTIMORE

It is hard to believe that the 2018 annual meeting is right around the corner! I am thrilled to announce that an FCIL-SIS and TS-SIS co-sponsored program, “FCIL Basics for Metadata Professionals: Collaborating to Ensure Access to Foreign and International Legal Materials”, led by Ajaye Bloomstone, is scheduled for Tuesday, July 17th, 2018 from 10am to 12:30pm. Sincere thanks to our Education Committee co-chairs Catherine Deane and Dennis Sears, and to all FCIL members, for their hard work in submitting program ideas in Idealscale, and in crafting, editing and submitting program proposals during a hectic time of the year.

While the Executive Board and the Education Committee continue to seek meaningful ways to help FCIL members find valuable opportunities to present their work and share their expertise with the larger AALL community, we eagerly welcome your suggestions, comments, and insights. Please do not hesitate to reach out to us at any time. In the meantime, I would like to encourage our members to consider submitting proposals for the poster sessions and coffee talks at the annual meeting, featuring topics of interest to our members. You may also want to propose a webinar.

ELECTIONS

I am delighted to announce that Loren Turner, Foreign, Comparative, and International Law Librarian at the University of Minnesota Law Library, has accepted the nomination to run for the position of Vice-Chair/Chair-Elect. Congratulations to Loren, and stay tuned for more information from our Secretary, Sabrina Sondhi, regarding the upcoming election.

FCIL-SIS AWARDS

Your continuing contribution to the FCIL-SIS is indispensable for the sustainable development and growth of FCIL-SIS and AALL. We are currently accepting nominations for the following awards to honor FCIL-SIS members who have made outstanding contributions to our community.

The Daniel L. Wade FCIL-SIS Award honors an FCIL-SIS member who has made outstanding contributions to the Section in the areas of section activity and professional service.

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All other pertinent information, i.e., the legal record of sovereign tribal governments, is organized and presented first, by regions, and second, within the region, by tribal entities on the local level:

1. **North America (Canada, the United States with Alaska, and Mexico).** This development is complete, and sources can be accessed freely on the portal. The classification schedules KI-KIL are implemented.

2. **The second important development is for the Indigenous Kingdom of Hawaii.** Originally, primary legal sources could only be researched at the Hawaiian State Archives in Honolulu. Therefore, in cooperation with the State Archives, the Law School of the University of Hawaii, Library of Congress, and Law Library Microform Consortium-Digital (LLMC-Digital), a large digital project concerning these sources was executed. These sources and the classification KVJ (Hawaii to 1900) - implemented in 2014 – can now be accessed through the portal.

3. **The development of both classification and portal for Central America** is completed. General resources are to be found on the regional page together with the links to the individual countries: Belize, Guatemala, Honduras, El Salvador, Costa Rica, Nicaragua, and Panama. Some of the classifications await conversion to Minaret and implementation.

4. Maps are used as visual access to regions and locators for indigenous jurisdictions, their websites, and for displaying legal/constitutional information online. They will be also used for visually enhancing content of particular subject areas on the Portal.

The purpose of the new classification schedule and the portal is to provide for the first time a geopolitical and substantive arrangement for Indigenous Peoples in the Western Hemisphere, their organization, and the unique body of legal sources concerning these peoples.

The development of the classification and the portal was not only a timely response to global trends and events such as the 2007 UN Declaration on the Rights of Indigenous Peoples. It addressed the growing user frustration over lack of access to tribal legal resources, and over flawed access practices as well. More serious yet was the demand of the law profession “for respect, recognition of tribal law as primary law,” not just as a “subject specialty” or “boutique branch of law,” and for recognition of indigenous modern governments as a constitutional reality. This was a call on bibliographic institutions: to identify and expose tribal legal materials in their collections, and offer those to new or broader audiences, and – in our Web environment – initiate discovery and intelligent access to sources, often only on tribal governments’ websites, or on organizational websites of the global, regional, and national legal rights advocacy.

The latter is now of particular concern since the research has “aimed South,” for evidence on existing native populations, as well as on those lost in recent civil strife, or the concurrent migration of others. The development of the law classification on Central America (KIM-KIP) coincided with the adoption of the American Declaration on the Rights of Indigenous Peoples in 2016. Witnessing the final debates, the signing of the Declaration at the OAS in Washington DC, provided opportunity for discussion with experts that confirmed the assumption that research needed to include records of advocacy groups and the bulk of “grey literature.” Both the Class KIM-KIP and the portal for Central America and contiguous countries were completed in late Fall 2017. Research and development work on South America, Regions, and States, is currently explored.

Today, the portal provides “one-stop” access to an extraordinary sum of otherwise difficult to discover materials for many user groups. The portal garnered in 2015 the ALA/CHOICE citation for Outstanding Academic Title (Internet Resource): “an invaluable resource for tribes, Indian law scholars, practitioners and libraries in support of Native American Studies,” and “highly recommended for undergraduates and above.”

Web statistics show, since 2015, thousands of visits and downloads by government agencies, universities, and other institutions in the US and in over 160 countries.

Since the portal is a work in progress and still evolving, check on the Indigenous Law Portal for new information.

From the Chair  continued from page 2

**The Spirit of the FCIL-SIS Award** is presented each year to members whose work furthers our mission, serves the entire FCIL-SIS, and inspires others to act.

**The Thomas H. Reynolds and Arturo A. Flores FCIL-SIS Publications Award** is given to an FCIL-SIS member or members who have greatly contributed to the professional development of their AALL colleagues during any given year.

Please click the hyperlinks above for criteria about each award and for a list of past winners. Award nominations are due March 31, 2018, to any member of the Executive Board, Alex Zhang, Catherine Deane, Sabrina Sondhi, or Alison Shea. We look forward to hearing from you!
Resource Reviews: HeinOnline’s World Treaty Library

Part of series of reviews prepared by the Electronic Research Interest Group

Sherry Xin Chen

INTRODUCTION
HeinOnline’s World Treaty Library (the “WTL”) is an excellent source for treaty researchers all over the world, whether the point of interest is historical or current treaty research. Although free treaty sources are scattered around on the Internet, those sources often have a limited scope both in terms of content types and coverage, and lack indexes or other research tools. The WTL features “a universal collection of all the treaties of the world” and provides in-depth indexing and other search tools to expedite and expand your research.

HOW WELL-KNOWN IS THE SOURCE?
HeinOnline is a very well-known database among law librarians—in particular, academic law librarians. In the United States, most academic law libraries subscribe to it as part of their electronic collection. You may also see it in some of the best institutions around the world.

The WTL, released in late 2014, was warmly received by law librarians working in the foreign, comparative, and international law field.

HOW ACCESSIBLE IS IT?
HeinOnline is a subscription only database. Various subscription options are offered. Based on its website, “Subscription prices are based on the size and type of your institution, and the length and content of a subscription.” The WTL is one of several a-la-carte libraries that can be added to a core subscription package to enhance and expand the value.

HOW COMPREHENSIVE & AUTHORITATIVE IS IT, IN TERMS OF ITS CONTENTS?
The WTL collects all the major treaty publications of the world, including Rohn’s treaty index, Dumont, Bevans, Martens, League of Nations and United Nations Treaty Series, and others. It currently has over 180,000 individual treaty records and covers the time period from 1648 to the present. The depth and breadth of its collection is unparalleled in many senses. Overall, the WTL is one of the most comprehensive, authoritative, and easy-to-use subscription databases for treaty research.

HOW EASY-TO-USE (USER-FRIENDLY) IS IT?
In addition to a truly expansive collection, the WTL is also easy to navigate and offers powerful search tools. There are several options to browse the WTL. Since the WTL features “the most comprehensive indexes available”, browsing through its treaty indexes gives researchers more flexibility and control. With this option the researcher can search across all the major indexes at the same time in more than 10 metadata fields, including: keywords, title, source, treaty number, party, subject, citation, sign place, sign date, and others.

Researchers can also browse the major treaty sets through Advanced Search, although this option offers fewer search fields. The WTL also provides direct links to the U.S. Treaties and Agreements Publications and the United Nations Treaty Publications, as they are two of the most popular sources.

If you wish to look beyond the original treaty document, the WTL provides several types of content to expand your research, including Related Treaty Publications, Bibliography, and Scholarly Articles.

HOW USEFUL IS IT IN TERMS OF ITS ABILITY TO ANSWER BOTH COMMON AND RARE (DIFFICULT-TO-FIND) QUESTIONS?
Thanks to the depth and breadth of its treaty collection, the WTL may help you answer both common and rare questions.

HOW CURRENT (UP-TO-DATE) IS IT?
The WTL is generally as current as the print. For example, the titles researchers frequently use for current treaty research in the United States, Treaties in Force, Kavass’s Guide to the United States Treaties in Force, and Kavass’s Current Treaty Index, are all available in the WTL and as current as the print volumes.

ARTICLES
Conference reports, library visits, exhibit descriptions, resource reviews, member news, etc. Open call for authors.

SUBMISSION DEADLINE
May 1, 2018.

QUESTIONS?
Contact Melissa Abernathy.
Resource Reviews: UN Treaty Collection (UNTS & MTDSG)

Part of series of reviews prepared by the Electronic Research Interest Group

Catherine Deane

INTRODUCTION
The United Nations Treaty Collection provides online access to:

- Multilateral treaties deposited with the Secretary-General of the United Nations (MTDSG),
- Treaties and international agreements registered or filed and recorded by the Secretariat of the United Nations from 1945 onwards (UNTS),
- Resources for the drafting of international instruments,
- Information on Treaty Events and treaty actions (ratification, accession, signing),
- Training provided by the United Nations Office of Legal Affairs Treaty Section.

The purpose of the United Nations Treaty Collection is to give users authentic information on treaties and international agreements deposited with the Secretary-General of the United Nations or registered and published by the Treaty Section of the United Nations Office of Legal Affairs. This site ensures transparency and improves accessibility by providing comprehensive online coverage of the work of the Treaty Section.

HOW WELL-KNOWN IS THE SOURCE?
The United Nations Treaty Collection is widely known. It appears in most if not all research guides on the topic of Treaties or UN documents and in many library catalogs. This collection is referenced in all of the major books on international law research such as Legal Research Methods in a Modern World: A Coursebook, International and Foreign Legal Research: A Coursebook, and International Law Legal Research.

HOW ACCESSIBLE IS IT?
This is a free online resource. There are two separate tabs, one for MTDSG and another for UNTS. This is a stable source of treaty information, generated in fulfillment of Article 102 of the UN Charter, which states that, “Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.”

HOW AUTHORITATIVE IS IT?
MTDSG provides authoritative treaty information, such as:

- Information about the treaty, title, date and location of conclusion, date and method of entry into force and names of treaty participants (these may all be used as search fields to find specific treaties);
- Corrections and amendments to the treaty;
- The authentic text of reservations, objections, declarations, territorial applications and communications of a special nature relating to the treaty; and
- Citations to the treaty in the UNTS or other UN document (if not yet published in the UNTS).

This means you can rely on the MTDSG to provide the up-to-date information on the status of the treaty.

The UNTS is an official treaty source and is The Bluebook’s preferred source for citations to treaties where the U.S. is not a party.

HOW COMPREHENSIVE IS IT, IN TERMS OF ITS CONTENTS?
MTDSG provides authentic and up-to-date consolidated full text and status information for all (over 560) multilateral instruments deposited with the Secretary-General. The full text of the Charter of the United Nations is also included because this is the instrument that charges the Secretary-General with depositary functions.

Two types of multilateral treaties that predate the United Nations are also included in the MTDSG:

- Multilateral treaties that were deposited with the Secretary-General of the League of Nations, if they have been impacted by actions taken within the framework of the United Nations.
- Multilateral treaties that were not deposited with the Secretary-General of the League of Nations but were amended by protocols adopted by the United Nations General Assembly.

As previously mentioned, UNTS contains all treaties and international agreements registered or filed and recorded by the Secretariat since 1945. These treaties are available in their authentic language(s) as well as English and French translations where appropriate. Where treaties include maps, charts, sketches of boundary delimitation, annexes, protocols, exchanges of letters, or other items that are integral to the treaty, these are also provided. However, in some cases, highly technical and excessively lengthy annexes, lists or products or schedules of service/product specifications may

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be omitted, if alternative access is provided by the registering party. The purpose of this partial omission of information is to ensure cost-effective translation of material and to expedite publication in the UNTS.

**HOW EASY-TO-USE (USER-FRIENDLY) IS IT?**

Neither the MTDSG nor the UNTS search interfaces can be described as user-friendly. Although the entire website was recently overhauled, the search pages are still idiosyncratic and difficult to use.

The MTDSG interface, located under the Depositary tab, is easier to navigate if you know the general topic of the treaty so you can browse to the specific treaty by clicking on the correct Chapter. Here are some things that the user needs to be aware of, when searching this database:

- You may not use Boolean operators (OR/AND/“”) in the title/Keyword search.
- In the full-text search, the drop down menu provides a workaround for the inability to use Boolean operators; you can enter keywords and then use the dropdown menu to specify that you want to find “All” keywords, the “Exact” phrase, or “Any” key words.

The UNTS interface, located under the Registration & Publication tab, has similar restrictions to the MTDSG search interface.

- The UNTS full-text search interface is identical to that of the MTDSG.
- The UNTS Title search has Boolean functionality, but instead of a drop-down menu like the MTDSG, you have radio buttons under the search box that you can toggle to specify that you wish to “Match this phrase”, “Match all these words” or “Match any of these words.”
- The UNTS Participant search allows the user to find treaties based on the participant country or organization, and you can use the radio buttons to specify that you wish to “Match all of these participants” or “Match any of these participants.” This essentially provides Boolean AND and OR functionality.
- UNTS also has an Advanced Search, which is not intuitive to use. It’s important to read the directions carefully. First you select the document type that you want; then you add search fields one at a time; and they appear in the box at the bottom of the page. You toggle the radio buttons under the search values to indicate if you want to “Match all these values” or “Match any of these values,” which allows you to have Boolean functionality, AND and OR respectively.

**HOW USEFUL IS IT IN TERMS OF ITS ABILITY TO ANSWER BOTH COMMON AND RARE (DIFFICULT-TO-FIND) QUESTIONS?**

When an authentic document is needed for a non-U.S. international agreement, this is a uniquely useful source because of the ease with which you can find the most up-to-date version of an instrument; any related treaty actions; and the text of related declarations, reservations, objections and communications.

However, when seeking merely the authentic text, HeinOnline may be just as useful and somewhat easier to navigate, given that the search fields are similar to those found in the HeinOnline treaty library, but the HeinOnline search interface is slightly less challenging to use.

**HOW CURRENT (UP-TO-DATE) IS IT?**

The MTDSG is updated on a daily basis. However, the latest volume of the United Nations Treaty Series, often covers a registration period that is at least five years in the past. So in February 2017, the most recent volume of the treaty series covered the registration period of January 2012.

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**Resource Reviews: HeinOnline’s World Constitutions Illustrated**

Part of series of reviews prepared by the Electronic Research Interest Group

Yemisi Dina

**INTRODUCTION**

World Constitutions Illustrated provides access to constitutions of various jurisdictions. There is a current constitution in the original language, one English language translation for each country, and amending laws for each constitution.

The database provides access to constitutional development documents, which is very important and critical, especially when researching smaller economies and jurisdictions. It serves as a one-stop shop for materials that may not necessarily be easily available anywhere else.

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One of the database’s time-saving features is the links to scholarly articles and commentaries in HeinOnline’s other databases. Use Hein’s current awareness tool to send you alerts when newer materials are added. The following features give secondary scholarly support for the constitutions themselves:

- Bibliography of select constitutional books outside of HeinOnline;
- Links to external websites on constitutional law (for example, Globalex), official government websites and country profiles;
- News Feeds can be generated for selected countries.

This database is an outstanding addition to the researcher’s list of foreign, comparative and international materials!

HOW WELL-KNOWN IS THE SOURCE?
While there is no statistical evidence, this database is available through HeinOnline, which is a popular subscription service provider of foreign, comparative and international law materials. It is well known among FCIL librarians in North America and beyond.

HOW ACCESSIBLE IS IT?
World Constitutions Illustrated is available through HeinOnline, which has a very good reputation for sustaining its products and services. The database is a subscription based service so it is available to most institutions that can afford it.

HOW COMPREHENSIVE & AUTHORITATIVE IS IT, IN TERMS OF ITS CONTENTS?
This resource contains the current and historical constitutions of 197 countries in the original languages, as well as their English translations. There is a link to historical constitutions, amending laws and consolidated texts, as well as scholarly articles and commentary. The contents are mostly from official government sources.

HOW EASY-TO-USE (USER-FRIENDLY) IS IT?
The database is very user-friendly. The screen expands to all versions of the constitution so you can work with multiple versions at the same time. The drop-down menu option allows you to browse the list of countries alphabetically.

HOW USEFUL IS IT IN TERMS OF ITS ABILITY TO ANSWER BOTH COMMON AND RARE (DIFFICULT-TO-FIND) QUESTIONS?
It is extremely useful for answering both common and rare questions, which is one of the unique characteristics of this database. Some of the constitutions are only available in their original languages. In this case Hein makes the English translation available in World Constitutions Illustrated.

HOW CURRENT (UP-TO-DATE) IS IT?
World Constitutions Illustrated is constantly being updated with constitutional amendments and historical materials.

European Law IG: Legal Resource Lists

Erin Gow

A short survey was recently completed to gauge interest in future programming & services from the European Law IG. One of the top choices that appeared in the survey was a desire for European legal resource lists, which are now slowly being compiled. If you have any ideas for strong resources that should be included in this list, or if you’re feeling very keen and want to volunteer to complete a resource list on a particular topic (sources of European national case law, or access to government information anyone??) please email me (erin.gow@louisville.edu) with your suggestions and ideas. Remember, whether you’re a European expert or just a curious dabbler in the field, you’re always welcome to join our group through the AALL My Communities page (http://community.aallnet.org/home).

FCIL Newsletter

FCIL Newsletter is a publication of the Foreign, Comparative, and International Law Special Interest Section of the American Association of Law Libraries.

It is published in February, May, and October of each year. Current and past issues of FCIL Newsletter are available on our website. We welcome submissions. Contact us for more information.

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Our SIS is fortunate to include in its ranks exceptionally talented and enthusiastic writers. With this feature, we are happy to spread the word of their recent publications.

**JOURNAL ARTICLES**

**International Journal of Legal Information**


**Legal Reference Service Quarterly**


**Kentucky Libraries**


**SPECTRUM**


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RIPS Law Librarian Blog

- Lora Johns, Net Neutrality: What Law Librarians Need to Know
- Lora Johns, “You Can’t Read That”: The Ethics and Constitutionality of Withholding Books
- Lora Johns, O Holy Nightmare: What to do about emotional labor and holiday burnout
- Lora Johns, Helping ADD Students Succeed at Legal Research

SLAW

- Lyonette Louis-Jacques, New Developments in International Legal Information Resources
- Lyonette Louis-Jacques, Tiny Care, or Saying Yes to Saying No

DipLawMatic Dialogues

- Anne Burnett, IALL 2017 Recap: Global and Local Challenges to Refugee Protection
- Charles Bjork, Wroclaw Travelogue
- Alyson Drake, Crafting an FCIL Research Niche (When You’re NOT an “FCIL Librarian”)
- Julienne E. Grant, Spain Fractured: Some Thoughts on the Catalanian Crisis
- Susan Gualtieri, Teaching Foreign Customary Law: Tips and Tricks
- Susan Gualtieri, Book Review: The Philosophy of Customary Law
- Edward T. Hart, IALL 2017 Recap: Information Literacy in a False/Fake News World
- Lora Johns, From the Reference Desk: Can You Do That? Filing Amicus Curiae Briefs in Other Countries
- Lora Johns, From the Reference Desk
- Taryn Marks, IALL 2017 Recap: Keynote Address
- Taryn Marks, IALL 2017 Recap: Examining Difficult History and Memory Through the Lens of Confederate Monuments
- Kim Nayyer, IALL 2017 Recap: The Rise and Fall of Jim Crow: Civil Rights Struggles in the American South
- Katherine Orth, Go Forth and Conquer! Some Final Thoughts about Studying French and Spanish in the Service of Greater FCIL Search and Retrieval Proficiency
- Katherine Orth, Wrapping Up: End-of-Semester Report on Foreign Language Study
- Katherine Orth, Searching High and Low: An Initial Foray into Conducting Known-Item Searches for FCIL Resources in French and Spanish
- Katherine Orth, Sounds Good in Theory: An Initial Foray into Reading Primary Law in French and Spanish by Examining Constitutional Provisions
- Katherine Orth, Taking Stock: A Mid-Semester Progress Report on Foreign Language Study
- Katherine Orth, It’s the Little Things That Matter Most: Enhancing Legal Vocabulary in French and Spanish with Function Words Found in United Nations Security Council Resolutions

Have you recently published an article or blog post? We would love to highlight it in our Recent Member Publications.

Send your information to Jingwei Zhang for the next issue.
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- Carlos Andrés Pagán, Revisiting Puerto Rico’s Political Status: The Puerto Rico v. Sánchez Valle Case and its Implication in Contemporary International Law
- Carlos Andrés Pagán, The Emergence of LGBT Rights in International Human Rights Law: A Historical Inquiry
- Jessica Pierucci, New FCIL Librarian Series: Conferencing and Reading…and Researching, Of Course
- Jessica Pierucci, IALL 2017 Recap: CDC: From AIDS to Zika: Law as a Determinant of Health
- Jessica Pierucci, New FCIL Librarian Series: So Much to Learn and Do
- Joan Policastri, Acquiring Foreign and International Law Materials with a New Collection Development Focus
- Beau Steenken, Reflections on Teaching Foreign & International Legal Research for the First Time
- Beau Steenken, Teaching Foreign & International Legal Research — From the Beginning
- Dan Wade, Two New Books from Yale

NEWSLETTER ARTICLES

ALL-SIS Newsletter

- Amelia Landenberger, New Library Week Toolkit for Outreach: Seeking Your Ideas
- Benjamin J. Keele, Why Must a Copyrighted Work Be Fixed?

Government Documents SIS Newsletter – JURISDOCS

- Edward T. Hart, CALIcon17: The Changing Rhythm of Legal Education
- Edward T. Hart, National Conference on Copyright of State Legal Materials

Legal History & Rare Books SIS Newsletter

- Margaret K. Maes, LIPA: Preserving Our Legal Heritage

TS-SIS Newsletter – Technical Service Law Librarian

- Aaron Wolfe Kuperman, Classification for multi-country works