H1: Deep Dive: FCIL Basics for Metadata Professionals: Collaborating to Ensure Access to Foreign and International Legal Materials

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Speakers:
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Cataloging of FCIL Resources

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Head of Cataloging
New York University Law School Library

#AALL18
Outline

• Scope of presentation
• What is being cataloged?
• Jurisdiction
• Primary legal systems
• Domain
• Preferred title for a law
• Date of promulgation of a law
Outline

• Subject access to FCIL resources
• Using foreign language records
• Enhancing access with vernacular terms
• “European” law
• Appendix: European Union
• Further resources
Introduction

Focus:

• Collaboration for optimal access to FCIL materials!
• FCIL-related cataloging problems
• RDA will be mentioned as little as possible!
What is Being Cataloged?

Questions:
• Legal publication?
• What kind?

Resources:
• *Cataloging Legal Literature (CLL4)*
• Scope notes on Library of Congress (LC) genre/form terms for law
• *Technical Services Law Librarian*
• Still stumped? Ask your friendly FCIL librarian for help!

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Jurisdiction

=A body that makes laws and controls a defined territory*

• One or more?
• National law?
  – Level?
• Comparative law?
  – Same region?
  – Cross regions? (Class in K)
• Uniform regional law?
Jurisdiction

• Public international law?
  Among national governments
  Between national governments and international organizations
  Among international organizations
  Between individuals and foreign national governments

Class in KZ
Jurisdiction

- Private international law (Conflict of laws)
  = Municipal laws of more than one jurisdiction applicable to same case)
Primary Legal Systems

• **Civil law**
  – Based on Roman law (ius civile)
  – Enacted law is the pre-eminent source of law*
  – Most of continental Europe, Latin America, Louisiana, & Quebec

• **Common law**
  – “Law created by custom and judicial decisions, and not the law enacted by legislatures”**
  – Anglo sphere countries
Public vs. Private Law (Domain)

- **Public law** = relations of individuals with the state
- **Private law** = relations of individuals with one another*
- Distinction very important in civil law jurisdictions
Public vs. Private Law (Domain)

- **Public law**
  - Administrative law
  - Constitutional law
  - Criminal law
  - Procedural law

- **Private law**
  - Civil law
  - Commercial law
Preferred Title for a Law

• Form of title used to help identify the law

• Needed to provide bibliographic access to texts of the law, and about the law
Preferred Title for a Law:
RDA instructions

6.19.2.5.2 Single Laws, Etc. D-A-C-II

For a single legislative enactment, record (in this order of preference):

a) the official short title or citation title
b) an unofficial short title or citation title used in legal literature
c) the official title of the enactment
d) any other official designation (e.g., the number, date).
Preferred Title for a Law

• 1° choice: Official short title or citation title
  – Common law jurisdictions: often use short or citation titles
  – Civil law jurisdictions: unlikely to have short or citation title
• 2° choice: Unofficial short title or citation title used in legal literature
  • May only appear in work being cataloged
• 3° choice: Official title of enactment
  • May be very long and/or indistinctive
• 4° choice: Any other official designation (e.g., the number, date)
  • Last resort!
Preferred Title for a Law:
1st choice: Official short title

Central Government Act
The Protection of Women from Domestic Violence Act, 2005
THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE Act, 2005

1. Short title, extent and commencement.—
   (1) This Act may be called the Protection of Women from Domestic Violence Act, 2005.
   (2) It extends to the whole of India except the State of Jammu and Kashmir.
   (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
<table>
<thead>
<tr>
<th>AUTH REC NO</th>
<th>MARC</th>
<th>NAME AUTHR</th>
<th>NOTE</th>
<th>NAME S FRM</th>
<th>NOTE</th>
</tr>
</thead>
<tbody>
<tr>
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<td>040</td>
<td>Spain</td>
<td>Statutes and codes</td>
<td>110</td>
<td>2nd choice: unofficial short title used in legal literature</td>
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<tr>
<td></td>
<td>040</td>
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<td></td>
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</table>

Preferred Title of a Law:

2nd choice: unofficial short title used in legal literature
Preferred Title for a Law:

3rd choice: official title of the enactment
Date of Promulgation of a Law

- RDA Glossary: A year a law, etc., was promulgated or brought into force
- Promulgation date is enacted date, not necessarily date law goes into effect *(CLL4)*
- LCC: “Date of enactment or total revision of a [law, code, etc.]”
- Newly enacted or just revision of pre-existing one?
Date of Promulgation of a Law

If newly enacted:

- Classification number with current year of enactment
- New authority record
- Update authority record for earlier law or code
Date of Promulgation of a Law

- **Current RDA glossary entry**: Date of promulgation of a law, etc.: A year a law, etc., was promulgated or brought into force
- **Suggested RDA entry**: Date of a law, etc.: A year a law, etc., was promulgated or brought into force
- Suggested Library of Congress-Program for Cooperative Cataloging policy statement*: Prefer the date of promulgation when known

*Both suggested by Robert Bratton*
Subject Access to FCIL Resources

- If class number is legal, first subject heading in record should be a legal one
- Subdivision «Law and legislation» must be authorized for use
  - Except in a few cases given on authority record
Subject Access to FCIL Resources

• Issues:
  – Linguistic difficulties and lack of familiarity with some of the legal terminology

• Resources:
  – Legal dictionaries and Google translate
  – However some terms and phrases may not appear in dictionaries, or phrases may have a different meaning
  – Try also foreign language cataloging records, FCIL colleagues
Subject Access to FCIL Resources
Subject Access to FCIL Resources

Difference of meaning or application of term or subject heading in:

• Civil law vs. common law (e.g., “code”)
• U.S. vs. British English, or American vs. Continental Europe (e.g., antitrust law vs. “competition law”)

Difference in usage:

• Subject heading rarely in U.S. law, but used elsewhere (e.g., “Amparo (Writ)”)

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Subject Access to FCIL Resources

Subject headings for international law:

• Some use “(International law)” to indicate their scope: “Criminal procedure (International law)”

• Many do not: “Provisional remedies” without geographical subdivision could mean comparative law of 4 or more jurisdictions in different regions, or international law on that subject

• Each new phrase heading with “(International law)” must be authorized
Subject Access to FCIL Resources

**International and municipal law:** relation of international law to country’s internal or national law

**International unification:** subdivision after any legal heading for harmonizing and unifying laws across national borders: “Criminal law—Europe—International unification”

**International status:** subdivision under names of countries, cities, etc., and bodies of water
Using foreign language records

• May vary greatly in quality and completeness
• Some contain:
  – Subject headings from other controlled vocabularies (may contain links to LCSH equivalents)
  – Useful keywords
  – Dewey or Universal Decimal numbers
  – Summaries
Using Foreign Language Records: Bibliothèque nationale de France (BNF) catalog record

<table>
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<th>Notice</th>
<th>Au format public</th>
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Type(s) de contenu et mode(s) de consultation: Texte: sans médiation

Auteur(s): Aumeran, Xavier (1987...)

Titre(s): La protection sociale du sportif salarié [texte imprimé] / Xavier Aumeran,... ; avant-propos de Jean-Pierre Karaquillo,... ; préface de Dominique Asquini-Bailleux,... et Gérard Vachet,...

Publication: Issy-les-Moulineaux : LGDJ, DL 2017

Impression: S3-Mayenne : Impr. Jouveau

Description matérielle: 1 vol. (XVI-491 p.) ; 24 cm

Collection: Bibliothèque de droit social, ISSN 0520-0180 ; tome 72

Lien à la collection: Bibliothèque d'ouvrages de droit social

Note(s): Bibliogr. p. 405-470. Index


Sujet(s): Sportifs -- France -- Conditions sociales -- 1990-....

Sportifs -- Statut juridique -- France -- 1990-....

Indice(s) Dewey: 344.440.1024796 (23e éd.)


EAN 9782275058382
Using Foreign Language Records
BNF catalog: from linked data record for subject heading “Sportif”

Source(s):

Domaine(s): 305. - 793

Correspondance(s):
- LCSH (Library of Congress Subject Headings): Athletes http://id.loc.gov/authorities/subjects/sh85009135

Notice n°: FRBNF11933850 Origine: Laval RVM
Création: 31/02/12 Mise à jour: 13/08/08
Using Foreign Language Records
BNF catalog

- Full subject analysis
- French subjects linked to LCSH equivalents (if any)
- Subject records may cite useful reference sources
- Dewey number may be correlated to LCSH or LCC numbers through subscription service ClassWeb (not always giving very good results)
Using Foreign Language Records:
Die Deutsche Nationalbibliothek (DNB) catalog record

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<td>Zeh, Ricarda (Verfasser)</td>
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<td>Organisation(en)</td>
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<td>Sachgruppe(n)</td>
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Using Foreign Language Records:

DNB catalog

- Subject keywords (Schlagwörter) on record include *Welthandel* and several others.
- Clicking on “Welthandel” brings you to a linked data page for this subject term.
- Displays LCSH & BNF equivalents (“International trade” & “Commerce international”)
- Displays Dewey numbers most commonly used for this subject
Using Foreign Language Records:
DNB linked data record for “Welthandel”

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<td>Synonyme</td>
<td>Internationaler Handel &lt;Welthandel&gt;</td>
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<td>Oberbegriffe</td>
<td>Handel</td>
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<td>DDC-Notation</td>
<td>337 382</td>
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<tr>
<td>Systematik</td>
<td>10.29a Außenwirtschaft, Außenhandel gesamtwirtschaftlich</td>
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<td>Typ</td>
<td>Allgemeinbegriff (saz)</td>
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<td>Andere Normdaten</td>
<td>LCSH: International trade RAMEAU: Commerce international</td>
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Using Foreign Language Records:
Biblioteca Nacional de Espana (BNE) catalog record

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<td>Vargas Pinto, Tatiana</td>
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<td>Delitos de peligro abstracto y resultado [Texto impreso] : determinación de la incertidumbre penalmente relevante / Tatiana Vargas Pinto</td>
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<td>Edición:</td>
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<td>Descripción física:</td>
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<td>The global law collection. Legal studies series</td>
</tr>
<tr>
<td>título uniforme:</td>
<td></td>
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</tbody>
</table>
Using Foreign Language Records:

BNE Catalog

- Subject headings on bibliographic record unlinked to authority records and contain no foreign language equivalents
- Provides Dewey number
- May click on “Autoridades” to search “materias” (subjects) & “subencabezamientos de materias” (subject subdivisions)
Using Foreign Language Records:
BNE catalog

• Full authority data, with URI for authorized term
• URI directs to linked data (LD) version of record in datos.bne.es (beta version)
• LD record displays links to related terms, broader terms, narrower terms, and related bibliographic records
Using Foreign Language Records:
BNE catalog: Authority data for “Delitos de peligro”

<table>
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<th>Delitos de peligro</th>
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</thead>
<tbody>
<tr>
<td><strong>Usado por:</strong></td>
</tr>
<tr>
<td><strong>Término genérico:</strong></td>
</tr>
</tbody>
</table>
| **Término específico:** | Delitos contra la salud pública  
|                     | Delitos relativos a la energía nuclear |
| **Término relacionado:** | Imprudencia (Derecho penal)  
|                     | Incendios intencionados |
| **Fuentes:**       | TD; (Delito de peligro)  
|                     | SOG; (Reati di pericolo)  
|                     | Cabanellas; (Delito de peligro, el que en sí mismo no incluye necesariamente un daño, pero crea un riesgo evidente para las personas o las cosas; como el abandono de niños, de peligro individual; o arrojar materias perjudiciales a las aguas.) |
| **Registro en datos.bne.es:** | [http://datos.bne.es/resource/XX536233](http://datos.bne.es/resource/XX536233) |
Adding Foreign Language Subject Terms

- Enhance subject access by using subject headings in foreign languages?
- Add them if cataloger has the expertise or they are readily available?
- Leave them in if they are already there?
- Remove or suppress them from the record if they are downloaded into local record?
Adding Foreign Language Subject Terms:
Record with LCSH and French subject headings from Univ. de Laval’s controlled vocabulary RVM

<table>
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<th>100</th>
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| 550  | 6 Organisations non-gouvernementales *x Droit. |
| 660  | 0 Non-governemental organizations *x Law and legislation. |
| 660  | 6 Développement économique *x Coopération internationale. |
| 660  | 0 Economic development *x International cooperation. |
| 660  | 6 Aide économique *x Evaluation. |
| 660  | 0 Economic assistance *x Evaluation. |
| 660  | 0 Acteurs non étatiques (Relations internationales) |
| 660  | 0 Non-state actors (International relations) |
Adding foreign language terms

Advantages:

- Use of vernacular enhances access
  - Especially when title keywords differ from words used in foreign subject heading
- Facilitates re-use of cataloging data internationally
Adding foreign language terms

Drawbacks:

- Cataloger may not have time/expertise to add them
- Legacy records?
- User may assume that these headings will appear in all records
Adding foreign language terms

Drawbacks:

• Foreign language controlled vocabularies may not freely available
• Price of receiving full authority data

Conclusion: No right or wrong answer—lots to think about!
“European” Law

Used for:

• Supranational law of the European Union, or:
• Supranational law of Europe, or:
• Comparative law of jurisdictions within the EU or Europe
“European” Law

European Union (EU)- 28 members, created in 1992 by Treaty on European Union (also called Treaty of Maastricht)

- Functions much like a jurisdiction
- Treated as corporate body, but not jurisdiction by LC

- Supranational law of EU: classed in KJE
- Comparative law of EU member countries or Europe: KJC
- Implementation of EU law in specific jurisdiction—classed with jurisdiction
“European Law”

Council of Europe (CoE), 1949-

- Not part of EU; headquarters in Strasbourg
- Do not confuse with 2 EU institutions: Council of the European Union & European Council
- 47 member states; oversees implementation of 1950: Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR);

https://www.coe.int/en/web/portal
“European” Law

European Court of Human Rights (ECtHR), 1998-

- International court established by the Convention
- Part of the Council of Europe
- Hears cases involving alleged breaches of the Convention by CoE members
- May be petitioned by individuals or states*

https://www.echr.coe.int/Pages/home.aspx?p=home
Council of Europe Convention on Action against Trafficking in Human Beings
and explanatory report
Warsaw (Poland), 16.V.2005
«European» Law
“European” Law
Appendix: European Union: subject headings

- **European Union**: subject heading for EU as political entity
  - May not be used as a geographical subdivision

- **European Union countries**: LCSH heading and subdivision when about member countries of EU as geographic region 1992+
Appendix: European Union: related entity

European Economic Community (EC, EEC):
- Established 1957; forerunner to EU
- Corporate entity, not jurisdiction in LC/NAF authority file
- **European Economic Community**: subject heading for works on EEC as international body
- **European Economic Community countries**: subject heading and subdivision when about member countries of EEC as geographic region 1958-1992
Appendix: European Union: major institutions

European Parliament: (1952- )
One of EU’s 5 main institutions; involved in setting EU legislation, along with Council of the European Union and the European Commission
The Parliament acts as an EU co-legislator, sharing with the Council of the European Union the power to adopt and amend legislative proposals and to decide on the EU budget. It also supervises the work of the Commission and other EU bodies and cooperates with national parliaments of EU countries to get their input.
751 members; directly elected by EU voters every 5 years
Appendix: European Union: major institutions

Court of Justice of the European Union (CJEU):

- In Luxembourg
- Interprets EU law to insure same application in all EU countries.
- Settles legal disputes between EU governments & EU institutions
- Successor to Court of Justice of the European Communities, active 1952-2009
- Both entities referred to as: European Court of Justice and ECJ
Appendix: European Union: major institutions

European Commission (1993-):
In Brussels and Luxembourg
Proposes & enforces legislation
Implementing policies & EU budget
One of EU’s 3 main law-making institutions; 28 members
Successor to the Commission of the European Communities
(founded 1958)
https://ec.europa.eu/commission/index_en

#AALL18
Appendix: European Union: major institutions

Council of the European Union (EU Council):

- In Brussels
- Shares legislative power with both European Commission & European Parliament
- “Voice of EU member governments, adopting EU laws and coordinating EU policies”
- Includes government ministers from each EU country, according to the policy area to be discussed*
- Predecessor: Council of the European Communities (est. 1958)
Appendix: European Union: major institutions

European Council (1974-):

- In Brussels
- Defines EU’s overall political direction and priorities
- Does not legislate
- Holds quarterly summits
- Members are EU member heads of state, EC President, and President of European Commission
Appendix: European Union: major institutions

European Court of Auditors (ECA), 1977-:

- In Luxembourg
- No legal powers
- Monitors EU budget; improves EU financial management
- Members: 1 member from each EU country
Further Resources

• AALL Cataloging and Classification Committee web pages
  https://www.aallnet.org/tssis/about-us/committees/cataloging-committee/
  (links to cataloging resources, Ask an expert page, SACO law funnel, best practices, etc.)

Includes list of legal genre/form terms in the Library of Congress Genre-/Form Terms (LCGFT) updated to May 2017 at:
https://docs.google.com/document/d/1EBjkhE2iJHJxMU5neULESVhA7Vk8lfYvCdqoAwxP1Z4/edit?pli=1
Further Resources


Further Resources

• *Technical Services Law Librarian*

quarterly newsletter of the American Association of Law Libraries Technical Services Special Interest Section (TS-SIS), regular columns on descriptive cataloging, subject headings, and classification

https://www.aallnet.org/tssis/resources-publications/technical-services-law-librarian/
Acknowledgments

I would like to thank many law library colleagues for their suggestions and general assistance, as well as the columnists for *Technical Services Law Librarian*, past and present.
Law Firm Library Perspective

Loyita Worley
Director of EMEA Library Operations
Reed Smith LLP

#AALL18
About Reed Smith

Welcome to my world

#AALL18
One of the world’s Top 15 law firms

| 141 years | 1,700+ lawyers worldwide | Innovative Leader/ Predictable Costs |
| experience – since 1877 | with deep industry knowledge in... | • Alternative Fee Arrangements |
| 24/7/365 | 5 key industries | • Legal Project Management |
| exceptional client service | • Financial Services | • Technology to support and streamline cross-border collaboration |
| | • Life Sciences | |
| | • Energy & Natural Resources | |
| | • Entertainment & Media | |
| | • Shipping | |
| 28 offices | 14 years | Active, robust diversity & community programs with proven results |
| throughout the United States, Europe, Asia and Middle East | among the Client Service 30 firms as ranked by the BTI Consulting Group | • Diversity, WINRS (Women’s Initiative Network), and Affinity Group efforts promote diversity and inclusion |
| | | • Pro Bono – more than 70,000 hours of service annually |
| $1.1BN | $1.1BN | Global Powerhouse |
More than 1,700 lawyers within 27 offices worldwide
Substantive practices are organized across geographic boundaries and assisted by technology so our work is performed in the most cost-effective and efficient manner.

#AALL18
EMEA Library team

The roles

Lawyers

The challenges

resources
cataloging
culture
taxonomies
distance
time
language

#AALL18
London Office Library
Collection Management

- EMEA central catalogue – Liberty Softlink
- Two iterations of the catalogue – US and EMEA
- All English language materials are catalogued on Liberty
- English is the business language for all our offices
- We work with our local librarians where possible or business managers otherwise
External resources
Foreign materials

• Each office has some local language materials as well as English language materials
• Each office has at least one national language legal database
• We don’t hold any foreign law materials in the London Library
Cataloguing practicalities

• We do not do pure cataloguing
• KISS – keep it simple stupid
• The audience for the catalogue is purely internal
• The catalogue serves a triple purpose of telling lawyers what materials we have and where to locate them as well as being a resource management tool for the Library team
Cataloguing Conventions

• We do not use a conventional classification scheme
• Some law firms use version of the Moys classification scheme and thesaurus for legal materials
• The reason it was developed was because LCC had not fully developed the K class at the time the Moys system was devised
Cataloguing challenges

- Challenges are more geographical than language
- Our Libraries are open 24/7 and never close
- Lack of people on the ground
- Non Roman languages that we would have to cater for would be Arabic, Chinese, Greek and Russian. We do not have the expertise to deal with these even if we wanted to
Contact Information

Loyita Worley
lworley@reedsmith.com
FCIL Basics

Susan Gualtieri
Reference Librarian
University of Pennsylvania
Law School Library
Challenges In Working With FCIL Materials

• Language barriers
• Terminology:
  – Similar sounding words or concepts (for example, codes in civil v. common law jurisdictions)
  – Alternate words for similar concepts (for example, contract and torts v. obligations; antitrust v. competition law)
• Translation problems:
  – Is a translation accurate?
  – Is it causing additional confusion when it comes to terminology?
• Unfamiliar abbreviations/citation formats
• Unfamiliar legal systems/concepts
  – Civil, Common, Customary, Religious
  – Historical systems or extinct jurisdictions: Roman Law, Greek Law, Communist Law, etc.
• Unfamiliar legal histories/date ranges
• Differing legal structures (courts, legislatures, government agencies, etc.)
• Differing or inconsistent publication structures
• Unfamiliar types of sources
Definitions

What is...?
Public International Law

**Primarily** governs the relationships between governments and/or intergovernmental organizations.

**Sometimes** governs the relations between states and persons (e.g., human rights.)
Private International Law

Governs relations and disputes between non-state parties that cross international borders.

- Contracts for sales of goods and services
- Marriage and divorce, adoption and custody
- Choice of law/conflict of laws
  - Whose law to apply?
- International legal cooperation
  - How to conduct cross-border legal processes
  - How to enforce judgments

#AALL18
Supranational Law

The law of supranational organizations that:

• Wield powers over member states
• Make rules that preempt the laws of the member states
• Grant rights to the citizens of member states, which they can invoke against the state
“Foreign law” refers to the domestic law of a foreign nation.

Foreign legal systems fall into one of five categories:
- Common Law
- Civil Law
- Religious Law
- Customary Law
- Mixed Jurisdictions
Comparative Law

The study of similarities and differences between the laws of two or more countries, or between two or more legal systems.

What it is:
- A method of legal inquiry and analysis

What it is not:
- A legal system
- A body of laws
Types of Legal Systems

Five types of legal systems:

– **Common Law Systems**
  - Primary sources: court decisions, constitutions, statutes and codes, and regulations
  - Secondary sources: scholarly commentary

– **Civil Law Systems**
  - Primary sources: constitutions, statutes and codes, and regulations
  - Secondary sources: court decisions and scholarly commentary
Types of Legal Systems

- Religious Law Systems
  - The law is based on religious tenets and scripture.
  - Additional sources may include interpretation, religious philosophy, etc.

- Customary Law Systems
  - The law is based on deeply rooted concepts and customs that have taken on the force of law over time.
  - Law is often simply understood and accepted by the population, without ever being written down or codified.
  - Can be subjective and open to manipulation, so it can be difficult to pin down exactly what the laws are.
Types of Legal Systems

– Mixed Legal Systems

• The law is a mixture of two or more of the previous four types of legal systems.
• In mixed systems, the different types of law can either work together, or be at odds with each other (this is a problem, for example, when it comes to certain human rights issues.)
Overcoming Challenges

From a research/reference perspective:

– The focus is on overcoming obstacles by formulating and continually refining a research strategy

– Before the researcher even gets to secondary sources, a significant portion of the research process is spent using background/tertiary sources to identify the type of law implicated (foreign, international, etc.), the country or countries involved, and the type(s) of legal system(s), as well as to obtain an understanding of the legal system, legal structures, publication practices, types of resources, etc.
Overcoming Challenges

The same background sources can help metadata professionals to overcome challenges related to cataloging:

- Identify the relevant law, jurisdiction, and legal system
- Understand a jurisdiction’s history and important date ranges
- Understand the structure of a legal system or organization
- Define unfamiliar terminology and abbreviations
- Explain how the law is published, and how comprehensively it is published
- Identify other websites and secondary sources that can provide further information
Sources of Background Information

- Globalex: [http://www.nyulawglobal.org/globalex//index.html](http://www.nyulawglobal.org/globalex//index.html)
- Books on Foreign and International Law Research
- Research Guides/LibGuides
- Multi-jurisdictional sources: ex.: International Encyclopaedia of Laws
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GlobaLex

International Law Research
Comparative Law Research
Foreign Law Research

Tools for Building Foreign, Comparative and International Law Collections

Contact Information:
Lucia Gajaczyma
Editor

Nicola Ruzgarchi
Honorary Editor

Last updated: April 2018
International Law Research

- African Union: Introduction to the Norms and Institutions of the African Union - UPDATE
- APEC, ASEAN: Research Guide on the Trading Systems in the Asian-Pacific Region: APEC, ASEAN and their Members - UPDATE
- Contemporary Land Grabbing: Contemporary Land Grabbing Research and Bibliography - UPDATE
- Council of Europe: Human rights and activities of the Council of Europe: Facts, figures and information sources - UPDATE
- The European Human Rights System - UPDATE
- Customary International Law: Researching Customary International Law, State Practice and the Pronouncements of States regarding International Law - UPDATE
- Cyberwarfare: Cyberwarfare and Cyberterrorism
- Economic Community of West African States (ECOWAS): Commissariat Economique et Monétaire de l'Afrique Centrale (CEMAC) Regional Treaties in Africa: A Historical and Bibliographic Account of ECOWAS and CEMAC - UPDATE
  Towards the Human Rights Protection of Minorities: Languages in Africa
  Forced Evictions and Disability Rights in Africa - UPDATE
  The Inter-American System of Human Rights: A Research Guide - UPDATE
  A Review of the Progressive Development of International Human Rights Framework on Capital Punishment
- The European Human Rights System - UPDATE
- Indigenous People: Research Guide on Indigenous Peoples International Law - UPDATE
- Contemporary Land Grabbing: Research and Bibliography - UPDATE
- International Arbitration: International Arbitration between Foreign Investors and Host States - UPDATE
- International Commercial Arbitration - UPDATE
- International Commercial Arbitration - UPDATE
- International Commercial Contracts
- The Crisis in Darfur: Researching the Legal Issues - UPDATE
- The Special Tribunal for Lebanon: An Introduction and Research Guide - UPDATE
- Searching Through Systems: Research Guide for EU Criminal Tribunals - UPDATE
- International Environmental: A Basic Guide to International Environmental Legal Research - UPDATE
- International Fisheries Law: An Introduction to International Fisheries Law
- International Health: Research Guide on International Health Law - UPDATE
- International Humanitarian Law: International Humanitarian Law
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      5.1.2. "Special (or Complementary) Criminal Law"
      5.1.3. Other Laws of Criminal Law Interest
   5.2. Criminal Law Jurisprudence and Legal Authority
G. Sources of the Italian Criminal Trial

B. Online Italian Legal Information: Portals, Search Engines, Guides, Sites of Legal Interest
1. Portals
   1.1. Institutional Portals
The Guide to Law Online, prepared by the Law Library of Congress Public Services Division, is an annotated guide to sources of information on government and law available online. It includes selected links to useful and reliable sites for legal information.

### Select a Link:
- International and Multinational
- Nations of the World
- U.S. Federal - Includes U.S. Code and Constitution Links
- U.S. States and Territories
- Indigenous Law Portal
- Guide Index

The Guide to Law Online is an annotated compendium of Internet sites: a portal of internet sources of interest to legal researchers. Although the Guide is selective, inclusion of a site by no means constitutes endorsement by the Law Library of Congress.

In compiling this list, emphasis wherever possible has been on sites offering the full texts of laws, regulations, and court decisions, along with commentary from lawyers writing primarily for other lawyers. Materials related to law and government that were written by or for lay persons also have been included, as have government sites that provide even quite general information about themselves or their agencies.

Every direct source listed here was successfully tested before being added to the list. Users, however, should be aware that changes of Internet addresses and site names are frequent, and even sites that usually function well do not always do so. Thus a successful connection may sometimes require several attempts. If such an attempt to access a file indicates an error, the information can sometimes still be accessed by truncating the URL address to access a directory at the site.
Acclaimed by librarians, academics, and researchers alike, the Foreign Law Guide (FLG) is an essential database offering relevant information on sources of foreign law, including complete bibliographic citations to legislation; the existence of English translations and selected references to secondary sources in one virtual destination. Broad in content and global in scope, the FLG is an indispensable resource for comparative law research and a fundamental tool for developing a foreign and comparative law collection. Approximately 150 jurisdictions are systematically covered and updated by a global team of experts.

For additional information and subscription details, click Brill.com

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Government & Legal System: Introduction | Government | Legal System | Research Guidance | Citation Notes

Primary Sources: Official Gazette | Compilations or Official Codifications | Session Laws | Codes | Court Reports

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Admiralty & Maritime

Air & Space

Animals & Animal Welfare

Antitrust, Trade Regulation & Unfair Competition

Arbitration & Mediation

Bankruptcy & Insolvency

B

Bank & Financial Institutions
Italy - Introduction

(1541 words)

Major Milestones

Italy’s history is the history of various city-states and principalities; the country did not unify until the 19th century. Before unification, during the 16th and 17th centuries, the region endured numerous invasions by the French, the Spanish, and others. Strong cultural differences persist throughout regions and cities. Beginning in 1815 with the Congress of Vienna, the various political entities consolidated in a process called the Risorgimento. In 1871, this consolidation finished with the designation of Rome as capital of the Kingdom of Italy. Benito Mussolini established a fascist government in 1922; that regime lasted until 1945. In 1946, Italy became a republic and abandoned its monarchy. Its most recent constitution was adopted in 1947.1


Language

Italy has one official language: Italian. However, German is spoken in parts of the Trentino-Alto Adige region. A small French-speaking minority is located in Valle d’Aosta region and a Slovene-speaking minority is located in the Trieste-Gorizia area.7

Geography

Italy consists of a peninsula and islands in the Mediterranean Sea, comprising the 7th largest country in the world. The land is mountainous; the climate ranges from hot and dry in the south to cooler and wetter in the north. Natural resources include some natural gas, coal, and crude oil reserves; fish; and arable land. Environmental risks include active volcanoes, earthquakes, and high water in Venice.8

The population of about 62 million is fairly evenly distributed throughout the country. Vatican City (the Holy See) is a sovereign state located entirely within the borders of Rome.
Italy - Legal System

Sources of Law

Italian law is grounded almost exclusively in civil law and is based on the principle of codification. In Italy there are numerous sources of law, arranged in a hierarchical scale. The highest source is the Constitution of 1948. The legislative statement on the sources of law, "Disposizioni sulla legge in generale," lists statutes, then regulations, then corporate norms, and then usage (custom). The four major Codes (Civil, Civil Procedure, Penal, Criminal Procedure) are the next important source of law. The Italian Civil Code is based on codified Roman law with elements of the Napoleonic civil code and of the German BGB. The civil code of 1942 replaced the original one of 1865. The 1942 Civil Code also replaced the Commercial Code of 1882. Its six books regulate civil and commercial life, and recognize citizens' rights. The Civil Procedure Code, enacted in 1949, deals with civil procedure and evidence in civil cases. The Criminal Procedure Code, originally establishing an inquisitorial system, was effectively replaced in 1982 by a more adversarial system.

Court decisions do not have precedential value in Italian law.

Bibliography

The complex setting of Italian legislation at the beginning of the 19th century and the various means and avenues of reception of the Napoleonic codes in the Italian principalities and jurisdictions are described and discussed in Antonio Grilli, Il Difficile Analogia: Giustizia e Codici nell'Europa di Napoleone (Frankfurt: 2010), 235-580.


Foreign Law Guide

Italy - Court Reports

The Central Archives of the State (in Italian: Archivio centrale dello Stato) collects the main Courts’ judgments of the State. [Link]

The Costituzione provides for an electronic legal database containing all the judgments of that Court. [Link]. Moreover, each section “Serie speciale” of the Official Gazette covers the judgments of the Constitutional Court just issued.

Another electronic legal database is the one sponsored by the Court of Cassation (ITALGIURE: [Link]), containing the last six years decisions of this Court (2012–2017) free of charge; while the previous decisions are available only under subscription.

The best and most commonly accepted sources for published court reports are:

- Il Foro Italiano: Repertorio (Rome: Società editrice Il Foro Italiano, 1876—).
- Il Foro Italiano: Massimo: Raccolte delle Massime delle Cassazione Civile (Rome: Società editrice Il Foro Italiano, 1930—).

Region: Europe.

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Translation Tools

Legal Interpretation and Translation Guide:
• http://libguides.law.uiowa.edu/content.php?pid=487200&sid=3994947
• Created by FCIL-SIS members Don Ford, Jim Hart, and Saskia Melhorn in conjunction with a 2014 AALL presentation on Translation and Interpretation Tools for Law Librarians.

FCIL-SIS Blog Posts on Legal Translation:
• https://fcilsis.wordpress.com/?s=translation
Legal Interpreting and Translating: Getting Started

Introduction

American attorneys increasingly find themselves challenged by work scenarios involving foreign languages. These challenges arise not only in transactional work, with the need for translations of legal documents, but also in litigation and trial work, both requiring not only the translation of documents, but also the interpretation of oral transactions, testimony, and courtroom proceedings.

There is an important distinction between translating and interpreting. The average American may use the terms interchangeably; in many cases, Americans refer to “translating” or “translation,” as in “courtroom translation” and “simultaneous translation,” when they mean “interpreting” and “interpretation” instead.

“Translating/translation” refers to a written rendition of a document from one language into another language. The rendition is expected to have a very high level of accuracy because the translator has sufficient time to consult dictionaries and produce a thoughtful and precise translation.

“Interpreting/interpretation,” on the other hand, involves oral communication, and is usually done in real time. It is either done simultaneously (by the interpreter as the speaker is speaking). Or, the interpreting may be done consecutively, viz., the subject speaker speaks, and is then followed for several minutes by the interpreter.

In a courtroom setting, translating may indeed be used, particularly in something like commercial litigation, where contracts and business letters are translated. However, in present-day America it is the simultaneous/consecutive courtroom interpreter who plays a key role. This is particularly true in immigration litigation and in criminal proceedings.

The following materials should help anyone pursuing a career in courtroom...
# Legal Interpreting and Translating: Online Resources

## Online Dictionaries/Translation
- Babelfish
  - Multilingual capabilities
- Beolingus
  - German>English, Portuguese, Spanish
- Google Translate
  - Multilingual capabilities
- Leo
  - German>Chinese, English, French, Italian, Russian, Spanish
- Lexilogos
  - French>English
- Linguee
  - Linguee has many language combinations and is a type of lexicon with a focus on legal terminology. Linguee harvests its translations from documents translated for, *inter alia*, the European Union and the United Nations (including documentation from the UV's constituent parts).
- Prompt Translator
  - English>French, German, Italian, Portuguese, Russian, Spanish
  - French>English, German, Russian, Spanish
  - German>English, French, Russian, Spanish
  - Italian>English, Russian
  - Portuguese>English
  - Russian>French, German, Spanish
  - Spanish>English, French, German, Russian
- SpanishDict
  - Spanish>English
- Systran
  - Multilingual capabilities
- WordReference
  - Multilingual capabilities

## Organizations
- American Translators Association
- American Translators Association: Interpreters Division
- Federal Court Interpreter Certification Examination Program (FCICE)
- National Association of Judiciary Interpreters and Translators
- See their Position Papers section for the following useful resources:
  - Direct Speech in Legal Settings
  - Equal Access as it Relates to Translation and Interpretation
  - Information for Court Administrators
  - Modes of Interpreting
  - Summary Interpreting in Legal Settings
  - Team Interpreting in the Courtroom
  - Telephone Interpreting in Legal Settings
  - General Guidelines and Minimum Requirements for Transcript Translation in Any Legal Setting
- National Center for State Courts
- California State Courts: Court Interpreters Program
- Washington State Courts Interpreter Program
- See their collection of glossaries of legal terms for selected languages.
LSU Law Professor Publishes First English Translation of Cornu’s Dictionary of the Civil Code

Posted on November 24, 2014 by FCIL-SIS

By Susan Guaitler

Professor Alain Lavassoure of the Louisiana State University Law Center, along with Marie-Eugenie Lapointe-Lapalus and under the scientific coordination of Juriscope, has published the first English translation of Gerard Cornu’s seminal Vocabulaire juridique. This book is the result of over two years’ worth of work by a multinational translation team and is published by LexisNexis.

The Dictionary of the Civil Code, an English translation of more than 1,600 entries selected from the Vocabulaire Juridique of Gerard Cornu under the auspices of the Association Henri Captant des arts de la culture juridique francaise, introduces to readers, jurists or not, the essential concepts of the French Civil Code. Key to an understanding of the civil law through its terminology as translated and explained in English, the definitions are enriched with references made to the Civil Code of Louisiana.

This work of reference on the French legal and civil law culture is an essential tool for comparatists, civilians, jurists and translators.

The dictionary translates over 1,600 entries selected from the French language Vocabulaire. Each entry provides the French term, with a definition in English, Lavassoure and his translation team have supplemented the original definitions with references to the Louisiana Civil Code. These added references are intended to illustrate the possibility of expressing civil law concepts in English without resorting to the terminology of the common law, as well as to be a useful resource for researchers of Louisiana civil law. Aiming to capture the unique language and nuance of the civil law, Lavassoure includes both recommended English equivalents for each term, as well as English terms to avoid. The book also contains an index that allows the researcher to use a known English language term to locate the appropriate French equivalent in the definitions section of the book.

Professor Lavassoure spoke about the project in April at a symposium entitled The Louisiana Civil Code Translation Project: Enhancing Viability and Promoting the Civil Law in English, held on the LSU Law Center campus in Baton Rouge, Louisiana. Highlights from the symposium can be found in an earlier DiLawNet Dialogues post.
Abbreviations and Citations

Citation styles and abbreviations:
- Bluebook T.2, T.3, T.4, T.5
- Guide to Foreign and International Legal Citations
- Canadian Guide to Uniform Legal Citation
- OSCOLA (Oxford Standard for Citation of Legal Authorities) (UK)
- Many foreign countries have no uniform citation style

Abbreviation dictionaries:
- Cardiff Index: http://www.legalabbrevs.cardiff.ac.uk/
- Print abbreviation dictionaries (Index to Legal Citations and Abbreviations, Bieber’s Dictionary of Legal Abbreviations)
Cardiff Index to Legal Abbreviations

This database allows you to search for the meaning of abbreviations for English language legal publications, from the British Isles, the Commonwealth and the United States, including those covering international and comparative law.

A wide selection of major foreign language law publications is also included. Publications from over 255 jurisdictions are featured in the Index.

The database mainly covers law reports and law periodicals but some other legal publications are also included. The Index is under continuous development with new abbreviations and titles being added on a regular basis.

Search by Abbreviation

Enter an abbreviation to find matching Law publication titles

Search

Search Options:
- Exact
- Close

Search by Title

Enter the title of a Law publication to find the abbreviation

Search

Search Options:
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- Keyword (ANY words, any order)

For further information contact: legalabbrevs@cardiff.ac.uk

Winner of the British and Irish Association of Law Librarians Wakefield Bream Memorial Award 2004

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## Abbreviations

Exact Abbreviation Search for "E.L.R."  

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Additional Resources

Jumpstart:
• Looking for help? Check out our list of specialists by Jurisdiction/Region, Language, and Topic who are willing to help answer FCIL research questions.
  • [https://www.aallnet.org/fcilsis/resources-publications/research-resources/jumpstart/](https://www.aallnet.org/fcilsis/resources-publications/research-resources/jumpstart/)
  • Login with your AALLNET username and password to access [contact information](https://www.aallnet.org/fcilsis/resources-publications/research-resources/jumpstart/).

International Law Librarians List (Int-Law):
• To post, send an email to: [int-law@ciesin.columbia.edu](mailto:int-law@ciesin.columbia.edu)
• To subscribe, send an email to: [int-law+subscribe@ciesin.columbia.edu](mailto:int-law+subscribe@ciesin.columbia.edu)

International Association of Law Libraries (IALL) listserv:

DipLawMatic Dialogues (the official FCIL-SIS Blog):
• Follow at: [http://fcilsis.wordpress.com/](http://fcilsis.wordpress.com/)
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University of Pennsylvania Law School
3501 Sansom Street
Philadelphia, PA 19104
(215) 898-6443
sgua@law.upenn.edu
Cataloging Workshop

Instructions

1. We will do our best to have at least one FCIL librarian and experienced cataloger at each table.
2. Everyone at a table should work on the same example at the same time.
3. Collaborate with your colleagues as much as possible.
4. Fill out all the fields in bold, whenever they are applicable to your resource.
5. Add other fields as you think they will enhance access.
6. Don’t worry about niceties of MARC tagging.
7. Add only significant information in statement of responsibility. Don’t worry about physical description (300 field), bibliography, indexes, or series authorized access point (8XX).
8. There is no need to look up authorized access point for personal names.
9. If you have time, feel free to grapple with another example, or to move around to another table.
10. One person at each table should take notes on special challenges and FCIL talking points on each book. We will discuss these challenges in the last half hour.

Resource lists and blank catalog records are being distributed.

All of the information on the resource list can also be found online at https://law.upenn.libguides.com/fcilbasicsaall.

Digital copies of the resource list and blank cataloging worksheet can be downloaded from the conference website.
Questions & Answers

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