

Creating Legal Subject Headings

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Creating Legal Subject Headings

- **When to Make a SACO Proposal**

“Establish a subject heading for a topic that represents a discrete, identifiable concept when it is first encountered in a work being cataloged, rather than after several works on the topic have been published

and cataloged.” (SHM H187 #1; and SACO Participants’ Manual. 2nd. Ed. 2007: p. 14ff. <http://www.loc.gov/aba/pcc/saco/documents/SACOManual2007.pdf>)

Creating Legal Subject Headings

- **New topics not yet identifiable:** When a work being cataloged is on a topic that appears to be new but is judged to be not yet discrete and identifiable, assign the available subject headings that most accurately designate the topic of the work. (SHM H187 #2)
- **Topic only in work cataloged:** it may be a concept in author's mind and nowhere else, or at least still be too narrowly accepted to be a legitimate heading ; might be better to propose later, when the concept is more widely used

Creating Legal Subject Headings

- Topic may be somewhat amorphous, and covered by several pre-existing subjects
- Proposing UFs (4XXs) on pre-existing subject or subject headings may be better

Global governance

- SEE International cooperation, International organization, International relations

Competition law

- SEE Antitrust, Competition, Unfair; Restraint of trade

Creating Legal Subject Headings

- Some foreign terms, especially in civil law, don't readily translate into English
 - Using 653 on bib. record may be better (SHM H160)
- **What makes a topic suitable for SACO Proposal?**
- Topic is discrete. (Research is usually needed to establish this)
- Topic or concept cannot be expressed with existing subject heading or subject heading or subdivision (make sure to check list of free floating subdivisions (See SHM H1095-1145.5))

Creating Legal Subject Headings

Use of Legal subdivisions (SHM H1154.5, H1705, H1710, H1715, H1718)

- List of valid subdivisions under legal headings at SHM H1154.5:
- \$v Cases; \$x Codification; \$x Compliance costs; \$x Criminal provisions; \$v Digests; \$v Forms; \$x Interpretation and construction;
\$x Language; \$x Legal research; x Legislative history;
\$v Popular works; \$x Research;
\$x Trial practice

Pattern heading: Labor laws and legislation

Creating Legal Subject Headings

- **\$x Legal status, laws, etc.** is valid under classes of persons and ethnic groups
- **\$x Safety regulations.** Use under types of objects, chemicals, materials, machines, installations, industries, or activities, or under names of disciplines, for safety rules or orders which have the force of law, for example, **Agricultural machinery**

Creating Legal Subject Headings

\$x Law and legislation (sh 99004848)

Must be added through SACO proposals, EXCEPT in the following cases:

- As a topical subdivision under individual animals and groups of animals, individual chemicals and groups of chemicals, individual diseases and types of diseases, types of educational institutions, types of industries, individual materials and types of materials, individual plants and groups of plants, individual land vehicles and types of land vehicles, and individual wars

Creating Legal Subject Headings

Addition of parenthetical qualifier to valid subject heading:

- (International law), (Jewish law), (Hindu law), (Islamic law), (Roman law), etc., must be established via SACO

Commercial law (Hindu law)

Usually fast process to propose new heading with “\$x Law and legislation”, or legal qualifier

Creating Legal Subject Headings

Watch out for: Inherently Legal Subject Headings:

- LC considers some headings to be “Inherently legal”, so that they should not be established with “\$x Law and legislation,” “\$x Legal status, laws, etc.,” or legal qualifier. SHM 1705 gives 3 examples: **Torts, Civil procedure, and Domestic relations**
- Some other examples: Names of crimes, types of courts, subject headings for lawyers and types of lawyers, headings with “Government aid to ...”
- Consider as inherently legal if authority record has UF from heading with “\$x Law and legislation”

Creating Legal Subject Headings

Some headings have traditionally been considered as “inherently legal”, but really shouldn’t be. LC may not want to change the treatment if a great deal of manual file maintenance would be needed:

“Securities”: This heading doesn’t allow law and legislation, yet there are lots of nonlegal works written on the subject. Also narrower terms such as specific types of securities are allowed to be established with “Law and legislation”—this is usually an indication term is not inherently legal

Creating Legal Subject Headings

- If subject can class as a first heading outside K—usually then will need Law and legislation when used in a legal sense
- **Inherently Legal Subject Heading Project:**
 - Group within TS-SIS Cat. & Class Comm. Submitted proposals to LC for adding “Law and legislation” see references to legal headings included in LCSH from 2004-2008; several hundred references added
 - Still have master list; may want to do a 2nd phase
 - More information at:
<http://www.aallnet.org/sis/tssis/committees/cataloging/legalheadings>

Creating Legal Subject Headings

You are cataloging: **Government companies law 5735-1975**, published in 2011

LC subject heading exists for “Corporations, Government”, but not for “Corporations, Government \$x Law and legislation”

Would you consider “Corporations, Government” to be inherently legal?

Creating Legal Subject Headings

ID:	sh 85032980	Entered:	860211	Replaced:	19950320
008/06 Geo Subd:	i-Indirect	008/11 SH System:	a-LCSH	008/29 Ref Eval:	b-Not eval
008/07 Roman:	-No attempt	008/15 Subj Use:	a-Appropriate	008/31 Rec Upd:	a-Can be used
008/09 Kind Rec:	a-Estab hdg	008/17 Type Subd:	n-Not applic	008/33 Level Estab:	a-Fully

010 \$a sh 85032980
035 \$a (DLC)sh 85032980
035 \$a (DLC)31869
040 \$a DLC \$c DLC \$d DLC
053 0 \$a HD3840 \$b HD4420.8
150 \$a Corporations, Government
450 \$a Authorities, Public
450 \$a Corporations, Federal
450 \$a Corporations, Public
450 \$a Federal corporations
450 \$a Government companies
450 \$a Government corporations
450 \$a Government-owned corporations
450 \$a Public authorities
450 \$a Public corporations
550 \$w g \$a Corporations
550 \$a Government business enterprises

Creating Legal Subject Headings

Is “Corporations, Government” inherently legal? Things to consider:

- Class number on SAR (053 field) is nonlegal (HD range)
- Search in ClassWeb correlation reveals over half of titles with this subject are nonlegal
- Related term “Government business enterprises” does allow “Law and legislation”
- None of 4XX or 5XX on record have “Law and legislation”
- Broader term “Corporations” does allow for legal subdivision (albeit in somewhat different form: “Corporation law”)
- **Conclusion: It should not be considered inherently legal**

Creating Legal Subject Headings

Proposed subject record sp2012002790 has been saved

ID:	sp2012002790	Entered:	120711	Replaced:	20120713
008/06 Geo Subd:	i-Indirect	008/11 SH System:	a-LCSH	008/29 Ref Eval:	a-Eval
008/07 Roman:	-No attempt	008/15 Subj Use:	a-Appropriate	008/31 Rec Upd:	a-Can be used
008/09 Kind Rec:	a-Estab hdg	008/17 Type Subd:	n-Not applic	008/33 Level Estab:	a-Fully

010 \$a sp2012002790
040 \$a NNU-L \$b eng \$c DLC
150 \$a Corporations, Government \$x Law and legislation
670 \$a Work cat: Israel. Government companies law 5735-1975, 2011
952 \$a Bib. records to be changed: 120 (estimate)
952 \$a LC pattern: Government enterprises--Law and legislation
952 \$a LC pattern: Corporations, Foreign--Law and legislation
907 \$r Coop \$t 0 \$x 0 \$e pragerg@exchange.law.nyu.edu
910 \$a Proposal saved by yz00 on 07/13/2012 at 11:34:31

Creating Legal Subject Headings

Why is research needed?

To provide evidence that the term/s proposed as the heading and references are found in existing literature, and/or to document that no citation to the term can be found

SACO FAQ

<http://www.loc.gov/aba/pcc/saco/sacogenfaq.html>

Creating Legal Subject Headings

How Much Research Is Needed?

- Seldom sufficient to just quote work being cataloged for a new concept (SHM H202)
- “Citation of authoritative reference sources is preferred over citation of usage in titles to support choice of heading [although citing usage in titles may be useful for finding variant terminology]; Prefer dictionaries, encyclopedias, thesauri, and/or indexes.” (SACO FAQ)
- List of recommended general resources
<http://www.loc.gov/aba/pcc/saco/resources.html>

Creating Legal Subject Headings

- Adding a citation from *Wikipedia* may be helpful, but isn't normally sufficient
- **Exhaustive research NOT required.** “The goal is subject authority research that is good enough to indicate a consensus of usage in relevant sources”
- Often just 1 authoritative source outside of work being cataloged is sufficient, unless conflicting information is found (SACO FAQ)

Creating Legal Subject Headings

- For legal concepts, always search the latest edition of *Black's law dictionary*. Record results of the search in 670 or 675 (information found or not found)
- If nothing in *Black's*, try legal dictionaries or encyclopedias, and search for treatises or articles on the subject
- List of recommended legal resources for SACO research is available in conference handouts

Creating Legal Subject Headings

Citation of Sources (SHM H203)

- Suggested method is given, but exact style of citation is optional—use common sense!
- Cite main entry, title, and date of publication
 - May use author's initials
 - May abridge titles, and words in title
 - OR can cut and paste full main entry & title from bibliographic record
- May omit vol. & page nos. if heading in title

Creating Legal Subject Headings

670 ## \$a Gullon, I. An unexpurgated history of the
AALL TS-SIS, 2012: \$b pp. 210-211

- Citing World Wide Web: give name of Web site and date searched; and location in \$b (if appropriate), and information found (LC prefers no \$u here)
- Citing bibliographic databases:

670 ## \$a LC database, July 23, 2012 \$b (cataloger's judgment; cataloger's discretion; cataloger's non-judgment)

Creating Legal Subject Heading

Citing sources in which heading was not found:

- Use 675 (no \$b; field not repeatable; use multiple \$a)

675 ## \$a Black's law dictionary; \$a UNBIS thesaurus, searched July 23, 2012: \$a Gullon, I. An unexpurgated history of the AALL TS-SIS, 2012

Creating Legal Subject Headings

References (See SHM H200 #8, H370 & H373)

- 4XX must not conflict with any existing 1XX or 5XX; they should be listed in alphabetical order
- 5XX must exist as currently valid heading (or you can establish it in an accompanying proposal)
- 5xx (BTs): record in fields that have \$w control subfield value “g” in alphabetical order

Creating Legal Subject Headings

References (cont.):

- 5XX (RTs): record in alphabetical order, after any BT references
- Add reciprocal 5XX to authority record being used as a reference
- Add a note in the comments field of each record noting the related proposal

Creating Legal Subject Headings

- Don't record narrower terms on record, or worry about adding your 1XX as BT on another record
- **Scope notes:** follow guidelines in H400 to determine if needed; enter in 680 field
- **LC pattern: SHM H202:** cite if relevant in 952 field:
Proposed hdg.: Child soldiers (International law);

Patterns: Mercenary troops (International law)

Child actors

Creating Legal Subject Headings

Classification number: May add in field 053; must establish number if not established

- Add 053 when the caption for the number is identical or nearly identical in scope, meaning, and language to the subject heading, or is included in its scope (SHM H365 detailed guidance)

Comments: enter any comments in another 952 field, such as description of special problems or factors in selecting form of heading or references, etc.

Checklist for new SACO proposals in SHM H200 p. 10

SACO Law Funnel

- Promote law-related term generation
- Assist in proposal formation
- Start the conversation at TS-SIS website
<http://www.aallnet.org/sis/tssis/>

SACO Law Funnel

- Coordinating body— review and refine
- Cataloging and Classification Committee – discuss and refine
- Coordinator— submit to LC via Minaret