

## Welcome...

We're approaching the end of another school year! Our latest issue of the Law Library Newsletter features some new books, which have arrived into the collection as well as a spotlight on new e-collections.

## Law Library Spotlight

In the past few months the Law Library has subscribed to a number of new online resources to replace or supplement print collections, which have been moved into storage. Take a look!

## Collections Corner

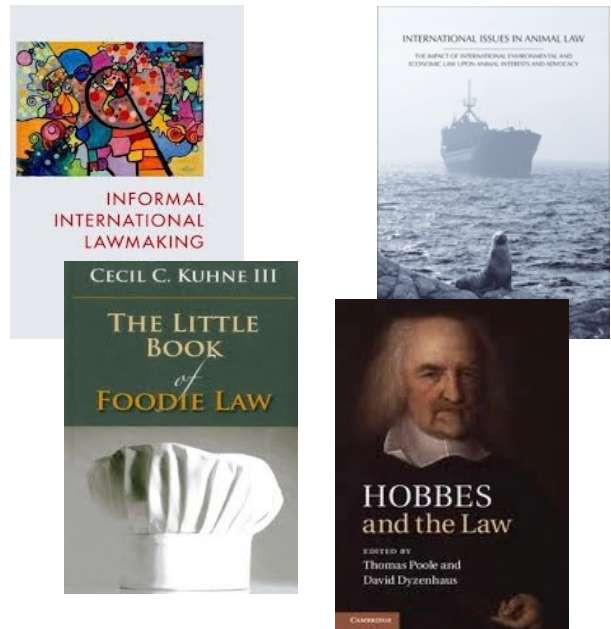
This is Part II of our look at how the library selects and purchases items for the collection. This column is devoted to monograph selection and purchasing.

## Research Guide Highlight!

Here is where we will highlight one of our many legal subject guides. Each guide provides links to popular books, databases, websites, and other information.

**CONTRACT LAW**

## New Books



## Canadian Association of Law Libraries 50<sup>th</sup> Anniversary

The Canadian Association of Law Libraries (CALL) will be celebrating its 50<sup>th</sup> anniversary this May in Montréal.

John Sadler, past President of CALL (2006-2007), is now a member of the Education Committee (responsible for the New Law Librarians' Institute held here at Western for two years). He is also Chair of the Depository Services Program Advisory Board.

Elizabeth Bruton co-chairs, along with Nadine Hoffman from the University of Calgary, the Academic Law Libraries Special Interest Group. This SIG supports the work and cooperative projects of Academic Law Libraries, provides a forum for communication among academic law librarians; and, organizes conference programs which are of interest to CALL members in academic law libraries.

## Law Library Spotlight: New Online Collections

### International Law Reports

*Justis*

*Cambridge University Press, on behalf of the Lauterpacht Centre for International Law, University of Cambridge*

International Law Reports is the only publication in the world wholly devoted to the regular and systematic reporting in English of decisions of international courts and arbitrators as well as judgments of national courts. Justis will provide the first searchable, electronic platform for this material.

Covering all significant cases of public international law from 1919 to the present day, the collection spans from the postwar Treaty of Versailles era to a cyberspace-influenced twenty-first century, featuring an enormously diverse range of topics along the way.

**Lloyd's Law Reports** (coming soon)

*i-Law.com*

Reporting on decisions since 1919, Lloyd's Law Reports is the most authoritative and comprehensive collection of maritime and commercial case decisions available.

### Irwin Law E-Library

*Irwin Law*

Irwin Law's E-Library, using ebrary technology, allows you to access the entire digital library: 100 titles and counting! The collection includes Irwin Law's *Essentials* titles.

### Selden Society Publications & The History of Early English Law

(coming soon)

*HeinOnline*

The Selden Society was founded in 1887 to encourage the study and advance the knowledge of the history of English law. The only learned society and publisher devoted to English legal history, the Selden Society researches and publishes the history of the law, development of legal ideas, the legal profession, the courts, judges and lawyers, literature and legal records, and essentially everything that is characteristic of English common law and the legal system. The Selden Society publishes original source materials that have never been in print, making its publications a unique icon of legal research.

### Intellectual Property Law Collection

*HeinOnline*

In addition to the more than 100 legislative histories, HeinOnline's Intellectual Property Law Collection currently contains more than 500 books, including early commonwealth books and comparative copyright law books. With hundreds of books still in production and scheduled to be added in future releases, this collection will continue to grow.



## Renovations Update

The US federal law reports and statutes have been removed from the upper stacks. Most volumes have been sent to storage but a few sets are slated for relocation within the Law Library once more shuffling around is completed over the next two years. The UK materials will be moved out by the end of April with all duplicate volumes being withdrawn and disposed of.

Sheets posted at the ends of the emptied shelves indicate the new locations and direct users to available online equivalents.

## Collections Corner: Buying Monographs

### What is a Monograph?

We call them books or, if they are really expensive, we call them treatises. Monographs are, for the most part purchased as separate, individual orders.

### How Do We Pay For Monographs?

Each library has a fund for monographs, which is separate from the funds for serials, e-journal access, and binding. Funds are allocated for the fiscal year May 1-April 30. The fund for the law library's monographs is still relatively large, given the priority of monographs in a legal collection. The collections librarian has "signing authority" to spend the money in the monograph fund.

### How Are New Titles Selected?

Western Libraries uses Coutts Information Services Ltd. and its online inventory of e-book and print publications to select, order, and process the additions to our library collections. The collections librarian sets up profiles with Coutts for materials to come in automatically (on approval), or for new titles to appear in weekly "slip" lists, which the librarian can review and select from.

In the Law Library, approvals are limited mainly to Canadian legal materials dealing with English-language Federal and Ontario law. There are also "semi-approval" profiles, meaning that I will probably purchase the matching books but I still wish to "see" them first. Books on US, UK, and Australian and New Zealand law dealing with more common-law legal subjects tend to fall under this heading.

The actual selection process is, I like to think, a bit more complicated than what a computer profile could handle. I like to look at a mixture of who the author is what subject headings have been assigned, if it belongs to a series, as well as the general description of the book. Some titles may appear to be useful but on closer examination may have been designed for a particular course in a UK law school program, or may be more specific to a practitioner working in Denmark..... I also need to keep in mind who our main users are: faculty and students.

If similar titles already in our collection do not seem to ever be used, I might avoid that subject area. Similarly, if some obscure topic has few titles but has shown some interest, I will add to that small collection. I try to be aware of changes in the law curriculum as well as areas of graduate student research, which may require some collection building or tweaking.

The law library also has "standing orders" with Canadian legal publishers. For example, we have a standing order with Carswell to automatically receive the *Income Tax Act Annotated* (Stikeman) every year as well as *Martin's Annual Criminal Code*.

Lastly, I do depend on title requests from you. I regularly receive emails from faculty asking me about particular titles - if the library can order it, if it is on its way in.... Please feel free to ask me about titles. If the title has not "crossed my desk" so to speak I want to know why. If it did and I rejected it, I need to make a mental note of that as well.

### How Long Does It Take For a Book To Arrive

Some titles arrive within a few days of ordering. If the titles are in the Coutts "warehouse" (which also serves retailers, Public and K-12 libraries, and campus bookstores), we normally receive the title within 1-2 weeks. Other titles may take longer if Coutts needs to go through the publisher to stock up.

Library staff can always give you some idea of the status of an order, especially if there is a problem that has been noted in the record such as "*Copies backordered: 1 Expected to be available: 2011 August 12 Status uncertain: check with customer service...*"

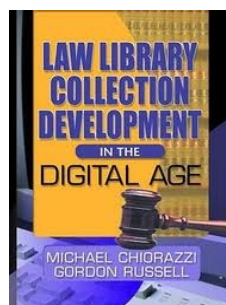
If a book is in the campus bookstore, I can also request that a copy be set aside at the Special Orders Desk so that staff from Library Information Resources Management (LIRM) will pick it up and have it catalogued.

### Who Else is Involved?

My book selections are sent to LIRM where acquisitions staff place the order with Coutts, receive the incoming books and send them off to cataloguing. Books come in from Coutts with the labels and barcodes attached.

In the Law Library, Barb processes the new books and chooses titles for the *New Books* shelf. Edith will print out a new label, if one is required. Duncan monitors requests for 2HR Reserve titles, and Roberta handles the processing of low-use older books going into storage, or extra copies to be withdrawn.

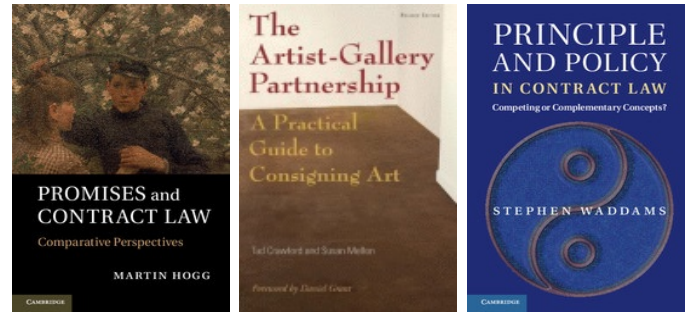
The process of monograph collections in the law library is somewhat more complicated than how I populate my own bookshelves at home. It is a team effort, though, that also includes necessary input from our faculty and students.



## Research Guides Spotlight

### Contract Law

Statute of frauds  
 Liens Delivery of goods Conditional sales  
 Contracts interpretation and construction  
 Impossibility of performance Consideration law  
 Labour contract License agreements  
 Promise law Breach of contract



### DATABASES

#### O'Brien's Encyclopedia of Forms

KE192.O274

Collection of legal forms and precedents. Ten divisions: Commercial and General, Corporations, Conveyancing and Mortgages, Leases, Wills and Trusts, Family Law, Labour Relations and Employment, Ontario Court Forms, Municipal Corporations, Computers and Information Technology.

All divisions except for *Conveyancing and Mortgages* are available online from Canada Law Book.

#### Canadian Forms & Precedents

This useful resource contains sample precedents on a wide variety of topics. The Law Library carries current subscriptions to Banking & Finance (KF170.C36) and Wills & Estates (KF170.C3694). LexisNexis Quicklaw provides access to other titles such as: Commercial Tenancies; Employment; Sale & Operation of a Business; Sale, Distribution and Transport of Goods.

### JOURNAL ARTICLES

#### The Journal of Contract Law

K10.O3735

The Journal of Contract Law provides a forum for the discussion and analysis of the issues which confront contract lawyers. A broad view is taken of the subject matter of the journal. What is usually referred to as the "general principles" of the law are appropriate, but so too are the so-called "specific contracts" (sale, hire etc). Also published are articles, comments and notes on other areas, such as restitution and equity, where they overlap with basic contract law.

### LAW REPORTS & TREATISES

#### Canada Contracts Digest

Available online via *LexisNexis Quicklaw*.

The Canada Contracts Digest contains an extensive selection of contracts case summaries from all Canadian common law jurisdictions. Content is organized under more than 450 contracts headings and sub-headings.

Within each heading, the summaries are organized by court level, then by jurisdiction, and then by date. Case citations are hyperlinked to the full text version of each decision.

#### Restatement of the Law: Contracts 2<sup>nd</sup>

KF154 .A597

As adopted and promulgated by the American Law Institute at Washington, D.C., May 17, 1979.

This 10-volume set is a revision of the 1932 restatement on contracts. The Restatement Second, Contracts, constitutes a thorough revision and updating of the original 1932 Restatement and embodies additions inspired by the Uniform Commercial Code. Topics include: the meaning of terms such as "formation of contracts-parties and capacity", "Statute of Frauds", "mistake"; the scope of contractual obligations; performance and non-performance; impracticability of performance and frustration of purpose. Also available online via Westlaw (REST-CONTR).

Revised research guides such as the full guide for *Contract Law* can be found at:

<http://www.law.uwo.ca/lab/guides.htm>

#### WESTLAW HEADNOTE OF THE DAY

- 95 Contracts
- 95II Construction and Operation
- 95II(A) General Rules of Construction
- 95k143 Application to Contracts in General
- 95k143(3) k. Rewriting, Remaking, or Revising Contract.

A court should not be called upon to function as a backstop for sloppy contract drafting.  
*Global Packaging, Inc. v. Superior Court*, 127 Cal. Rptr. 3d 813 (Ct. App. 2011)



DRAFTING EFFECTIVE  
 CONTRACTS, 2D  
 Also available on Westlaw Classic (DECPG)

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