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## LEGAL INFORMATION: MANAGEMENT OF THE ACQUIS

Informação jurídica: gestão do acervo  
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<sup>1</sup>Ana Cláudia Carvalho de Miranda

<sup>1</sup>Escola da Magistratura do RN

### *Correspondence*

Ana Cláudia Carvalho de Miranda  
Escola da Magistratura do RN  
Natal, RN  
E-mail: [anaclaudia.biblio@gmail.com](mailto:anaclaudia.biblio@gmail.com)  
ORCID: <https://orcid.org/0000-0002-8049-1182>

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**Abstract:** This article presents and discusses the management of the *acquis* with an emphasis on legal information. Specifically, it aims to review the literature in order to outline the management of legal collections. It was found through the proposed reflections that the role of the law library is to disseminate this information volume in the institutions of which they are part, to support decisions in the ongoing judicial processes. It ends by understanding that the management of collections involves a very complex activity in the face of the new challenges imposed on the legal librarian with the appearance of new documents on digital and electronic media and the intensity with which legal information is renewed. Therefore, the selection and evaluation criteria are preponderant factors in the updating and maintenance of the collection, in order to assist in the decision-making process.

**Keywords:** Legal information. The law library. Development of collections. Management of the legal *acquis*.

**Resumo:** Este artigo apresenta e discute a gestão do acervo com ênfase na informação jurídica. Especificamente, visa a fazer uma revisão de literatura com o intuito de traçar um panorama do gerenciamento das coleções jurídicas. Constatou-se, por intermédio das reflexões propostas, que o papel da biblioteca jurídica é difundir esse volume informativo nas instituições das quais faz parte e apoiar as decisões nos processos judiciais em curso. Finaliza entendendo que a gestão de coleções envolve uma atividade bastante complexa diante dos novos desafios impostos ao bibliotecário jurídico com o surgimento de novos documentos em suportes digitais e eletrônicos e a intensidade com que se renova a informação jurídica. Portanto, os critérios de seleção e avaliação são fatores preponderantes na atualização e manutenção do acervo, para auxiliar no processo de tomada de decisão.

**Palavras-chave:** Informação jurídica. Biblioteca jurídica. Desenvolvimento de coleções. Gestão do acervo jurídico.

**RESUMEN:** Este artículo presenta y discute la gestión del acervo con énfasis en la información jurídica. Específicamente, pretende: hacer una revisión de literatura con el propósito de trazar un panorama de la gestión de las colecciones jurídicas. Se constató por medio de las reflexiones propuestas, que el papel de la biblioteca jurídica es difundir ese volumen informativo en las instituciones de las que forman parte, apoyar las decisiones en los procesos judiciales en curso. Finaliza entendiendo que la gestión de colecciones involucra una actividad bastante compleja ante los nuevos desafíos impuestos al bibliotecario jurídico con el surgimiento de nuevos documentos en soportes digitales y electrónicos y la intensidad con que se renueva la información jurídica. Por lo tanto, los criterios de selección y evaluación son factores preponderantes en la actualización y mantenimiento del acervo, para auxiliar en el proceso de toma de decisión.

**Palabras clave:** Información jurídica. Biblioteca jurídica. Desarrollo de colecciones. Gestión del acervo jurídico.

## 1 INTRODUCTION

In recent years, the proliferation of sources of legal information available on a variety of media requires the development of a document that can regulate the management of the collection through selection, acquisition and evaluation of information materials, as an important instrument for the manager to form, develop and organize the collection, in order to meet the information needs of the users of the information units (IU). The collection of the library specializing in Legal Sciences is formed by doctrines, legislation, jurisprudence and materials that are indispensable to legal practice, presented in various formats.

In general, libraries are increasingly seeking to systematize their processes, products and services in order to optimize existing resources and demands relating to the storage and dissemination of the collection. Keeping libraries active implies a continuous planning of goals and objectives for the development, growth and thinning of the collection, based on the objectives of the maintaining institution, the mission of the library and the actual and potential demands of its clientele (CORRÊA, 2013).

According to Miranda (2017), the libraries dealing with legal information have very peculiar aspects in the management of their activities, and the dynamic nature of legal information is what most influences the routines. In the Brazilian panorama, due to constant changes in legislation, doctrine and jurisprudence also undergo significant changes in a short time. In this sense, Pinho and Barbosa (2011) emphasize that this fact implies a change in the systematic set of Law and requires a special attention on the part of the legal librarian regarding the formation and development of the collection.

Therefore, the present study was developed through a literature review and also through the collection of information through bibliographic research in the Portal of Periodicals of CAPES <<http://periodicos.capes.gov.br>>, in Google Scholar <<https://scholar.google.com.br>>, in the Infolegis website: legal research in Brazil <<http://www.infolegis.com.br>> and in the Digital Library of Theses and Dissertations <<http://bdtd.ibict.br/vufind/>>. In both cases, it was used the advanced search function of published documents containing the expressions "Formation and development of collections", "Legal information", "Legal library" and "Specialized library" in their title or keywords. This search allowed retrieving articles from periodicals, dissertations, theses and books. After eliminating the repeated items, the remaining documents were filtered through the analysis of their abstracts, to include only the works that met the objectives of this study.

Thus, the motivation of the topic chosen for the elaboration of this article arose from the need to raise points of discussion and attention, seeking to advise the professionals and the commissions responsible for the management of the collection destined to legal information to adopt procedures for a better management of the formation and development of the collection.

## 2 LEGAL INFORMATION

The quantitative information boom that occurred shortly after the industrial revolution, common to all areas of knowledge, has contributed to the production and spreading of knowledge, which has expanded dramatically, making the efficient execution of planning essential in the expansion and maintenance of libraries collections. In this area, the importance of information has been emphasized as the main input of organizations.

According to Miranda and Miranda (2017, p. 78),

In the legal area, we can observe the growth in the number of documents published in recent years. The production of legal information has reached great proportions with the intensification of doctrinal elaboration and the publication of laws. As a result of technological developments, many new situations require jurists and law-makers to produce more norms and doctrinal interpretation to better deal with innovative behavior.

In the Brazilian legal sector, an increase in the number of documents published in recent years can be observed. A production of legal information has been of great proportions with an intensification of the elaboration of normative acts, together with the jurisprudence and the doctrine, as well as the spreading of new laws, provisional measures, decrees, etc.

In Fullin's conception (2006), information, when employed wisely, collaborates as a tool that forms the critical awareness of the individual, contributing to the achievement of intellectual and professional success, or, if not, can lead to failure and stagnation. However, on the other hand, information alone has no meaning. Its content needs to be properly organized, disseminated and understood.

In the meantime, the term information assumes diverse contexts, among them, the legal information. The specialized literature in Brazil presents some definitions, Alonso (1998 apud Rezende 2004, p.175, emphasis added) conceptualizes it in two aspects.

Legal information, in the generic sense, can be conceptualized as any data or fact, extracted from any form of knowledge of the legal area, obtained by any means available and that can be used, transferred or communicated without the concern of being integrated into a context. It is a data or any element identified in its gross form which in itself does not lead to an understanding of a particular fact or situation.

Legal information, in the form of organized documentation, is the product of the analysis of existing data in any form of knowledge obtained in the legal area, duly registered, classified, organized, related and interpreted within a context to convey knowledge and allow decision making in an optimized way. The availability of such data, duly handled, is done by manual/mechanical/magnetic means for the interested parties.

Passos (1994, p. 363) brings another definition to the term legal information, as being:

[...] any unit of human knowledge that is intended to support thought processes of legal practitioners, lawyers, legislators, judges and all those who deal with legal matters when they seek to study (from a legal point of view) or regulate human situations, relationships and behavior, or when interpreting and applying legal provisions.

At the heart of all this discussion is the point of view of Barros (2004) who considers legal information to be a type of information useful for the promotion of citizenship. Through it, law professionals produce knowledge on which to base their analyzes and make decisions that will regulate life in society.

The mentioned author makes reference to the important role of the sources of legal information in the performance of the activities that compete to the Law professional. For documentary purposes, information systems, databases, websites and electronic portals contribute as indispensable tools to assist in the search and recovery of the legal subjects researched.

Given that context, librarians at the law library need to keep updated about changes in the sources of law. It is necessary to find the best sites for that, and, in that sense, the courts make available on their sites current news. In addition, there are other sites that provide legal information to assist in this task. Table 1 below indicates some sites that contribute to both law professionals and librarians to be aware of the constant changes in Brazilian doctrine, legislation and jurisprudence.

**Frame 1 – Legal sites**

Digital law library	<a href="http://sistema.bibliotecas-bdigital.fgv.br/bases/vlex-global">http://sistema.bibliotecas-bdigital.fgv.br/bases/vlex-global</a> <a href="http://bdjur.stj.jus.br/dspace">bdjur.stj.jus.br/dspace</a> <a href="http://www.cjf.jus.br/biblioteca">www.cjf.jus.br/biblioteca</a> <a href="http://www2.senado.gov.br/bdsf">www2.senado.gov.br/bdsf</a> <a href="http://bd.camara.gov.br/bd">bd.camara.gov.br/bd</a> <a href="http://www.oab.org.br/biblioteca-digital">http://www.oab.org.br/biblioteca-digital</a> <a href="http://www.cjf.jus.br/cjf/biblioteca">http://www.cjf.jus.br/cjf/biblioteca</a>
Control and administrative transparency of the Public Prosecutor's Office and its members	<a href="http://www.cnmp.mp.br/">http://www.cnmp.mp.br/</a>
Control and administrative as well as procedural transparency of the Judiciary	<a href="http://www.cnj.jus.br">http://www.cnj.jus.br</a>
online courses related to the law field	<a href="http://www.jurisway.com.br">www.jurisway.com.br</a>
Journals of federal public organs	<a href="http://www.in.gov.br">www.in.gov.br</a>
Law Doctrine	<a href="http://www.jus.com.br">www.jus.com.br</a>
Information in the legal area	<a href="http://www.infolegis.com.br">www.infolegis.com.br</a>

State Courts Jurisprudence	*every state court web site has a system to search about its jurisprudence
Federal Jurisprudence	<a href="http://www.cjf.gov.br">www.cjf.gov.br</a> <a href="http://columbo2.cjf.jus.br/juris/unificada">columbo2.cjf.jus.br/juris/unificada</a> <a href="http://www.dizerodireito.com.br/">http://www.dizerodireito.com.br/</a>
Military Court Jurisprudence	<a href="http://www.stm.jus.br">www.stm.jus.br</a>
Supreme Court Jurisprudence	<a href="http://www.stf.jus.br">www.stf.jus.br</a>
Labor Court Jurisprudence	<a href="http://www.tst.jus.br">www.tst.jus.br</a>
Environmental Legislation	<a href="http://www.ibama.gov.br">www.ibama.gov.br</a>
Federal Legislation	<a href="http://www.presidência.gov.br/legislação">www.presidência.gov.br/legislação</a> <a href="http://www.lexml.gov.br">www.lexml.gov.br</a>
Federal, State, District and City Legislation	<a href="http://www.interlegis.gov.br">www.interlegis.gov.br</a>
Electoral Legislation or Jurisprudence	<a href="http://www.tse.jus.br">www.tse.jus.br</a>
Well fare Legislation	<a href="http://www81.dataprev.gov.br/sislex">www81.dataprev.gov.br/sislex</a>
Labor Legislation	<a href="http://www.guiatrabalhista.com.br">www.guiatrabalhista.com.br</a>
Search of legal documents in various formats	<a href="http://www.senado.gov.br">www.senado.gov.br</a>
Papers, news, legislation and jurisprudence	<a href="http://www.juridico.com.br/">http://www.juridico.com.br/</a> <a href="http://www.jusbrasil.com.br">www.jusbrasil.com.br</a> <a href="http://www.conjur.com.br">www.conjur.com.br</a>
Bills	<a href="http://www.camara.gov.br">www.camara.gov.br</a>
Theses and dissertations in the law area	<a href="http://www.teses.usp.br">http://www.teses.usp.br</a>
<u>Search of legal texts by topic or year</u>	<a href="http://www.soleis.adv.br">www.soleis.adv.br</a>

Source: Adapted from Barros (2004, p. 212); Miranda e Miranda (2017, p. 87).

Faced with this reality, the means by which legal information manifests itself accompanies the changes of technological developments, taking the most varied forms, such as: home page, electronic mail, electronic journals, sites of the courts, of the public attorney offices, of the legislative assemblies and of the municipal chambers, which provide their jurisprudence, Official Journals, books, monographs, interpersonal communication, summaries, collection of legal texts, database, etc. The extent to which legal information is produced and consulted has expanded rapidly as a result of constant changes in legislation, which consequently changes the systematic of law, and that generates numerous jurisprudence.

Regarding the most important characteristics of legal information, Passos and Barros (2009) point to longevity. The reason is that, even after being revoked, all acts performed during their validity remain under study. In this way, jurisprudences based on their texts will be produced for long years.

Similarly, we can mention Wolthers (1985, p. 13) which points out that legal science,

[...] unlike other sciences, where information becomes outdated and obsolete, when replaced by more current ones, the legal text is eternal at the level of consultation, reference and precedent and also at the level of application to facts and situations occurred in times governed by different legal institutes. Therefore, nothing can be destroyed and storage is constant, continuous and permanent.

On the other hand, changes in legislation does not mean that the revoked texts will be obsolete, as Lopez-Muinz (1984) affirms, legal information has almost permanent validity, as it is of interest to the jurist not only the present legislation but also the previous ones. The repealed provisions may be applied to legal acts that have arisen under its validity, lasting, therefore, beyond the revocation itself. So, it is not necessary to dispense with the intensity of use of older legal documents simply because they are not used for a certain time.

The legal information presents a series of characteristics that distinguishes it from the other types of information. As shown in Frame 2, for better understanding.

**Frame 2** – Legal information characteristics

LEGAL INFORMATION PECULIARITIES	
✓	large volumes of information production, but with rapid outdatedness, given the constant growth and creation of new sources (new laws, constitutional amendments, new areas of law, constant production of doctrines, etc.);
✓	diversity in the sources of information;
✓	proliferation of information media (databases, digital books, works in Braille, electronic and printed journals);
✓	demanding and diversified target audience (plurality of purposes of use of the intended information);
✓	the need for great accuracy and precision of its preservation in the legal document, whatever its media;
✓	interaction with other areas of knowledge (philosophy, sociology, economics, history, environment, computing, politics, etc.);
✓	the need for great speed and accuracy in its transmission, in order to ensure its correct use and application, according to the latest changes and to ensure the reliability of the transmitted message.

Fonte: Adaptação de Martinho (2006, p. 91).

Burton & Kleber apud Oberhofer (1991, p 121) compared the half-life of a radioactive substance to the aging rate of the literature. It highlights: "unlike a radioactive substance, which turns into a totally modified substance as it degenerates; literature simply has its used ceased as it ages but does not lose its ability to be used."

The users of legal information are quite diverse, since this type of information is essential for the exercise and guarantee of individual rights, for every citizen often depends on such information.

Legal information is basically originated by an informational tripod: Legislation, Doctrine and Jurisprudence. Legislation is the normative set that regulates social coexistence. Doctrine is the set of principles exposed in the works of Law, in which theories are established or interpretations are made on legal science. And jurisprudence is the wise interpretation and application of the laws to all concrete cases that are submitted to the judgment of justice, producing sentences in the first degree, or judgments and precedents in the Courts (MIRANDA, 2004).

According to Barros (2004, p. 205), legal information is "contained in a law, decree, decision, doctrinal article, ordinance, etc." and constitutes an "essential basis" for the law operators. It also emphasizes that "legal information is presented in three basic forms, namely: doctrine, legislation and jurisprudence".

For Andreta (2004, p. 80), legal science "manifests itself through three documentary forms: Doctrine, Legislation and Jurisprudence". On the other hand, Pereira (2004, pp. 153-159) states that "legal documentation can be divided into three parts: legislation, jurisprudence and doctrine." Still, Martinez and Guimarães (2008, p.67) assert that in the legal area, "three documentary forms can be characterized: legislation, doctrine and jurisprudence".

On the other hand, Nascimento and Guimarães (2004, p. 40) point out that "the legal document goes beyond its classic threefold division of legislation, doctrine and jurisprudence", and they mention that this is verified when seeking "to recover the understanding of legal document in its historical, functional and typological construction".

Silva and Rolim (2009, p.30) call attention to the research carried out by law librarians working in the State of São Paulo, as they found that in the legal area, besides traditional sources of legal information (books, articles and normative acts), other types of documents are organized, such as contracts, petitions, reports and technical opinions. They also recognize the "need to create a new typology for legal documentation" because "documents produced by law operators - such as contracts, petitions, reports, internal opinions and responses to client inquiries - are not in the classic division of legal information sources".

Given that scenario, there is almost a consensus in the Legal Information literature regarding the threefold division of documentation, based on the sources of Law: legislation, jurisprudence and doctrine. However, some authors are opposed to this idea, due to the existence of documents that do not fit into this classic division. In the sections below, it was tried to present the main points produced by the area's theoreticians with regard to Legislation, Jurisprudence and Doctrine.

Guimarães (1993) also mentions as legislative documents: the resolution, the ordinance, the circular and the service order. The author explains that the legislative information has specific form and pre-established internal structure; in opposition to the doctrinal information, which does not have strict rules of presentation, being produced, in most cases, as a dissertation or a monograph.

Machado (2000) draws attention to legislation and jurisprudence. their inadequate or incomplete retrieval generates dissatisfaction to its users, but can also cause damages, especially to jurists, encompassing all those who use it and also the parties. As for the Doctrine, it does not require an exhaustive retrieval but at least a reasonable one, since it also represents a great volume of information that, even in part, needs to be updated.

From Andrade's perspective (2017), three sources are usually mentioned: law, jurisprudence and doctrine of authors, although, according to other theses, it is possible to include also as sources of law custom and equity. The said author defines each source of law:

Law is the general mandatory rule established by public authority.  
Jurisprudence is the set of concurrent judicial decisions on the same issue.  
Doctrine can be defined as the organic set of ideas and opinions of the authors.  
Custom is the set of uses and practices usually followed by a community, considered obligatory for its members.  
Equity refers to the same notion of justice, which can be used by judges to mitigate the rigor resulting from a rigorous application and interpretation of the law. (Andrade, 2017, pp. 23-24, our translation).

Law professionals make use of those sources of legal information. When it comes to lawyers and public defenders, for example, such information is essential for drafting their petitions, appeals, etc. Judges, however, need it to substantiate their sentences. Likewise, prosecutors need it to formulate their opinions. For this, a legal library must have its collection always up to date to assist its users in preparing documents in the practise of their respective functions.

The libraries which focus on the storage of legal information are considered as a type of specialized library, called law library, which generally serves the majority of public administration bodies and has as its clients lawyers, judges, prosecutors, and other legal professionals.

### **3 DEVELOPMENT OF LEGAL COLLECTIONS**

The libraries that are specialized in Legal Sciences have the function of equipping the bibliographic, documentary and informational infrastructure to support all the activities inherent to the organization in which they are inserted. Therefore it is up to the library to satisfy the informational demands of its users so that they properly perform their tasks.

Portanto, o bibliotecário que anteriormente traçava a escolha e seleção nos catálogos e nas sugestões dos usuários, diante desse cenário, passou a considerar inúmeros aspectos para a formação de suas coleções, acarretando mudanças nas políticas de desenvolvimento do acervo com o surgimento dos novos suportes informacionais em formato digital. Therefore, the librarian who previously traced the choice and selection in the catalogs and the suggestions of the users, faced with that scenario began to consider innumerable aspects for the formation of the collections, bringing about changes in the collection development policies with the emergence of new informational media in digital format.

However, the exponential bibliographic explosion related to the production and circulation of legal information in electronic format has contributed to democratize access to this type of information. Therefore, the librarian who previously traced the choice and selection in the catalogs and the suggestions of the users, faced this scenario, began to consider innumerable aspects for the formation of their collections, causing changes in the development policies of the collection with the emergence of new informational supports in digital format.

In Miranda's conception (2003, p. 1-2), the work of the librarian requires "a differentiated performance due to the lack of control caused by 'information pollution', requiring a thorough analysis of the collection, in order to 'guarantee the availability of reliable works on the various information media'".

From this context, the important mission of the librarian in the formation of a library collection, as approached by Cabral (2005, p. 17)

[...] the noblest mission that fits us as professionals. For the collection itself, for the contribution that results to the enrichment of the patrimony, for the services that power, for the pursuit of a work guided by parameters of preservation and conservation.

Regarding to libraries specialized in the legal area, the development of the collection aims to meet the objectives of the institution in which they are inserted, focusing on Doctrine, Legislation or Jurisprudence. In Weitzel's view (2002, p. 64):

To develop collections is, therefore, a technical activity committed to the systematization of a certain area under the institutional approach in relation to the interests of those who maintain the library. It is the construction of a small thematic nucleus on defined and determined bases, which gives meaning to what is dispersed in the chaotic world of information. In other words, collection development is a discipline that seeks to organize the knowledge recorded under specific approaches and filters - a technical solution triggered by the bibliographic explosion.

In this perspective, developing collections implies systematizing, creating procedures for selection, acquisition, evaluation and thinning of the collection. Collections need to evolve harmoniously in all scientific areas, avoiding disorderly growth, without defined goals or

objectives. In this point of view, Figueiredo (1999) points out that the collection needs to be balanced and meet the needs of the information-consumers, attuned to the objectives of each type of library.

Given the development of Information and Communication Technologies (ICT) in recent decades, the number of information made available electronically has achieved significant growth. With respect to the development of digital collections, especially the acquisition of electronic book, also called digital book and known as e-book, Silva (2013, p. 3) considers to be a:

[...] challenge imposed on librarians, since those materials have more restrictions on their business models than printed books. In some contexts, considering the Brazilian reality, this subject is quite advanced (academic, specialized libraries); in others, the situation is still undefined (public libraries, school libraries).

In view of this, it is clear the importance of good planning regarding the management of digital documents, since these are quite complex and present a challenging way for librarians as concern the accuracy of the document content made available in order to provide the user's need about a particular document and a more concise research with the least effort expended.

Therefore, at the beginning of the process of developing collections, at first a study about the community of users should be carried out in order to establish the profiles of informational needs of each employee within the organization, from the lowest to the highest level. Once the diagnosis is completed, some decisions can be made as to the policies that will drive the collection development process. In this sense, the collection development policy establishes the necessary trajectory for the processes of selection, acquisition, evaluation and disposal criteria aimed at achieving the full satisfaction of users' information needs.

When finalizing the preparation of the policies, an official administrative document called "Policy of Development of collections" can be obtained before the leaders of the institution, and that should be reviewed every two years by the Library Committee in order to guarantee its adequacy to the community and the institution's goals. To carry out the process as a whole, it is necessary to elaborate and adopt parameters through the creation of solid criteria to support the processes of collection development. (MIRANDA, GALLOTTI, MIRANDA, 2016). Thus, the collection development policy is a document that establishes criteria and guidelines for adjusting and guaranteeing the quality and credibility of the collection in terms of making decisions related to the incorporation or definitive withdrawal of material belonging to the collection.

### *3.1 Collection Development Policy*

The formation and growth of the collection should be based on a guiding planning capable of directing its continuity and necessary adequacy, in which policies, norms and

guidelines are established for the selection, acquisition, evaluation and disposal of informational materials.

Thus, the Collection Development Policy of a library includes guidelines to assist in the decision to incorporate or reject a certain item in the formation of the collection. In this document, the criteria for selection of all types of materials, their acquisition forms as well as the actions of discarding or relocation are recorded in the different information media. All actions are directed to the fulfillment of the information needs of its public, facilitating especially the access, retrieval and dissemination of the content.

For Vergueiro (1989), the politics of development of collections work as a parameter that assists in the decision making on the part of librarians. It aims to propose a basis in relation to the choice of material to be incorporated in the collection and to subsidize the administration of information resources. For that reason, it grants librarians subsidies to argue with higher authorities both for the release of new acquisitions and for incoherent denials.

Na preparação da política, é necessário que sejam estabelecidos os objetivos para darem um maior direcionamento ao acervo, a fim de possibilitar um crescimento racional e equilibrado do acervo na área jurídica de forma qualitativa e quantitativa.

Regarding the elaboration of the collection development policy, Vergueiro (1989) emphasizes that it is essential to have a diagnosis with the following information: the current state of the collection (which legal areas are inadequate, requiring new acquisitions, and which areas are efficient to meet the demand) and the informational needs of the community to be served. In the preparation of the policy, objectives need to be set for greater targeting of the acquis in order to enable a rational and balanced growth of the legal collection in a qualitative and quantitative way.

Among the stages of the collection development policy, one of the most important is the selection process, for it is through that the criteria which guarantee the quality and the adjustment to satisfy the real needs of the users are determined.

### *3.2 Collection Selection Process*

The process of selecting legal information deserves to be highlighted, since it favors the development of strategic measures, with the purpose of proposing criteria that seek to facilitate decision-making in the formation of the collection, in connection with the objectives of the institution in which the library is inserted.

In Figueiredo's perception (1998, p. 84) the selection "is a decision-making process title by title". It is a task of recording and controlling information on the items to be submitted to the committee for consideration and choice, which, according to Weitzel (2006), also include the bibliographic data of the works, justification of the selection, opinions, among other aspects.

Vergueiro (2010, p. 5) calls attention to the librarian's responsibility in the selection process, as it "interferes in the lives of countless people". Therefore, if there is no commitment

on the part of this professional, or knowledge of the area in which they operate, the influence may be greater and more negative. Thus, whether you like it or not, the librarian will be "permanently interfering in the social process".

On this track, Miranda (2004, p. 144) calls attention to this process, which is demanding more and more criterion, due to the following aspects:

- a) information boom;
- b) acceleration of changes in laws, constitutional amendments, decrees, etc. (leading to a growing obsolescence of publications);
- c) intensification of interdisciplinarity (linking areas previously isolated);
- d) variety in format (reports, articles of journals, annals of congresses, books and others) and media (paper, electronic media and others)

Another important reason for the library to follow this evolution is a continuous management of legal literature, which is an instrument of law, as it is constantly updated in the face of the new social realities detected by the law science. For that reason, it is necessary to inquire about a possible significant change in the legal area that is the object of the purchase, since there is a risk of purchasing documents with a purely historical value, with no immediate practical relevance at first.

Focusing on the particularities of the selection of legal information, this should be done by analyzing the needs of the maintaining institution and the individual user inserted in an organizational culture, with diverse needs and demands to be supplied. It is necessary, in the selection, to analyze the indications and suggestions of the users, as well as their observations regarding legal areas that are outdated and scarce. Such a procedure is indispensable, since it would not be worth having an immense but inadequate collection for the clients, for without them the library would be nothing more than a deposit of documents and would fail in performing its role of organizing, processing and spreading information, aiming at its dissemination and creating means for the proliferation of knowledge for future generations.

Figueiredo (1998, p. 32) emphasizes that, prior to the establishment of the criteria, "there should be a statement of the general objectives of the library, related to the institution and to the community that it serves so that the library selection policy can be drawn according to these objectives". Thus, even the decision-making process considering title by title will be in accordance with institutional focus and, consequently, directed to meet the informational needs.

The criteria for selection seek to guarantee quality and ensure that the collection is the product of a planning focused on the guidelines and objectives of the institution when acquiring new informational materials.

Among the criteria used in the selection process for the development of the collection are: adequacy of the material to the Institution's objectives; authority of the author or publisher; how up to date the material is; technical quality; scarcity of the material on the subject in the collection; appearance of the title in bibliographies and indexes; coverage/treatment; justified cost; accessible language; relevance/interest; number of potential users who may use the material; precision; physical conditions of the material. Because they are general, these criteria

are not always adopted in all documents, and an adjustment is required for each library, according to its outlined profile and objectives.

With regard to the criteria for choosing printed books or e-books, they are similar as in both cases the aim is to meet the information needs of the target audience, but on the other hand, they can be distinguished regarding their acquisition and availability. However, for e-books, there is subtle difference because "almost all current business models are licensed items for use, rather than being sold to customers" (SILVA, 2013, page 7).

In the scope of the specific criteria for electronic documents, Weitzel (2000, p. 5) mentions that literature in the area of collections development

was anticipated, notably in the United States and more specifically in the texts of Evans (1995), St. Norbert College (1999) and Alexander & Tate (2000), whose most important categorizations are: access, appearance and other special characteristics such as search tools, use of advertisements, the quality of pages used in the original printing and the printing strategy.

In addition to these criteria, the selection must cover two parameters (qualitative and quantitative), which must be analyzed according to the relation of use of each material, considering whether the demand is transient in order not to duplicate irrelevant titles. One of the subsequent steps is that of the procurement process.

### *3.3 Collection Acquisition Process*

The acquisition process consists of the stage in which the decisions taken in the selection process are put into practice, that is, it is the procedure for obtaining the documents. In this same understanding, Figueiredo (1998, p. 84) explains that "acquisition is the process that implements the decisions made in the selection process".

The acquisition can take place through three modalities: the purchase, the donation and the exchange. The realization of this process through purchase requires a thorough work on the part of the librarian, aiming at the adequacy of the material to the profile of the community involved. On the other hand, the processes of donation and exchange, also very important, require the attention of the librarian on issues of a bureaucratic nature. Whatever the nature of the modality, all material must be analyzed before being incorporated into the collection, avoiding dispersion of the collection and consequent users' dissatisfaction.

Based on the understanding of Andrade and Vergueiro (1996, p. 6), the activities related to acquisition through purchase are quite complex, as we can observe in the following report:

Acquisition will depend on the detailed work of identifying, locating the items and their subsequent acquisition for the collection, regardless of the way of making this possible. And it's not such an automatic task, as unfortunately for the professionals, the selected titles are not waving for them around the corner, shouting 'look here, look here' and almost begging to be bought. Often, performing a procurement job resembles looking for a needle in a haystack, so many possibilities and difficulties exist. It is an activity that requires perseverance and attention to detail, in order to avoid a mismatch between what was initially chosen for acquisition and what comes to the user's hands

Prior to the execution of the purchase, it is necessary to define the financial resources to allow a concrete perception of what can be acquired. Andrade and Vergueiro (1996) emphasize that, in practice, the expected budget for materials acquisition does not always correspond to the released resources, and as a result not all the needs considered as priorities will be met. It is worth mentioning that part of the money for acquiring informational materials should be reserved for subscriptions to periodicals, purchase of multimedia material, rare works, among others.

Thus, a measure that needs to be established for an effective procurement planning is to have a budget forecast schedule, according to the reality of the library, in order to manage purchases and payments in a rational manner without loss to other sectors (VIEIRA, 2014).

In the acquisition process, the biggest challenge faced by law libraries is to obtain resources and determine what is essential to acquire and disregard non-priority or non-emergency documents. For example, instead of buying a specific title (Representative Action), we will acquire a generic material (full course of civil procedure), which addresses both the specific subject matter and others equally important.

Regarding the purchase of print and electronic journals, it is recommended that the Library carry out an annual evaluation of usage statistics in order to obtain subsidies for decision-making relating to its renewal.

Another option to better manage the scarcity of financial resources is a shared acquisition, the decision of several libraries to create an acquisition network to participate in a mutual exchange of information, so that when one acquires information material, it communicates to the others, which will not need to acquire it, especially in the case of subscription to periodicals and databases which contents are sent to the requesting library.

Thus, with regard to the definition of "guiding criteria to be adopted in politics, it is indispensable to be aware of the current state of the collection, the informational interests of the community to be served and the financial resources available for acquisition" (MIRANDA, 2016, p. 32). It should be noted that, in the selection of a particular material, the first need is to establish the criteria to guide, mainly, with regard to the formation of the collection.

### *3.4 Collection Evaluation*

In relation to the evaluation of the collection, it should be systematic and understood as a process used to determine the importance and adequacy of the collection with the objectives of the Library and the institution, making it possible to trace parameters regarding acquisition, accessibility and disposal, therefore, it is essential for the legal librarian to have basic knowledge about obsolescence in the area.

In Tomaél et al's (2001) conception, clarity in the presentation and organization of information, consistency with the community profile of users who seek it, as well as constant

updating and revision are essential items in the evaluation process. Therefore, when initiating the evaluation of the *acquis*, it should be analyzed and verified

What the library should have and does not own and also what it has, but should not, in view of factors of quality and adequacy of published literature, the observance of those characteristics, changes in users' interests, and the need to optimize the use of limited financial resources. (LANCASTER, 1996, p.20)

Among the methods used in the evaluation of the collection, the size and growth are quantitative and the judgment is qualitative, done by specialists, regarding the analysis of the actual use. The results will then be compared to ensure the achievement of the objectives of the collection evaluation, as well as better support for a more effective collection development policy.

As far as qualitative assessment is concerned, the judgment is carried out by experts in a subject, but it can present some problems, as Lancaster (1996) states: the expert may not be completely impartial, and also can be unfamiliar with the profile of the community which the library serves.

According to Figueiredo (1991), the means to carry out the evaluation is through the comparative analysis of what is bought versus the subsequent use. That analysis favors the improvement of the selection, either by identifying the types of material with little chance of being used, or by the change in the selection process that entails purchasing unnecessary materials for the clientele.

Corroborating Silberger (1990) with the idea of evaluation of printed information material, proposes This paper proposes to use the criteria: purpose, profile, target audience, physical support, extension, scope, languages, geographic boundary, data, arrangement, authority, date, access, binding, paper / cover / layout, update form and special features.

With regard to the evaluation of electronic works Tomaél et al. (2001) present the following criteria: material identification information, information consistency, information reliability, source adequacy, links, practical use, source layout, constraints observed, user support and other information found.

In general, by assessing the *acquis*, it is possible to determine whether the resources made available by the library or legal documentation center are in line with the interests of the target public.

### *3.5 Thinning of The Collection*

With regard to the thinning step, which is fundamental before any verification, in that stage it is necessary to determine the relationships between thinning, discarding and re-routing.

Thinning is a continuous and systematic process to preserve the quality of the collection, always occurring due to the need for a constant collection evaluation process and should be done in accordance with the needs of the Library and with the judgment of the Library Commission in a term between 03 (three) and 05 (five) years. Therefore, this step seeks to maintain the collection within the criteria established by the collection development policy.

Among all the activities inherent to the thinning out of the collection, the one that demands greater care and assertiveness on the part of the librarian, is the discard. Given this scenario, the discard consists in the most complex attitude, because it involves doubt and prejudice, on the part of the librarian, what contributes to the postponement in the decision with attempts of promotion to the use. In addition, there is an intense tendency to defend the conservation of the collection, as is the case of the National Library, which acts as a depository and maintainer of the national memory (VERGUEIRO, 1989).

One of the challenges faced by American librarians in discarding is highlighted by Collie (2010), regarding the reluctance of American librarians to perform discarding because they fear they can eliminate something that someone may require in the future because they do not know where to start such a job, or for having the mistaken idea that, when works are purchased, they must remain in the library as patrimony.

The basis for the discarding is on the following aspects: inadequacy to the community of users, outdated content, changing of information needs, and other factors, such as physical conditions of use.

As far as legal information is concerned, disposal is indispensable due to that kind of information abundant production, beginning with the propagation of changes in legislation, at all levels of government (federal, state and local), extending to jurisprudence and doctrine. On the other hand, Maria et al. (2013) justify leaving the collection dormant in the legal world due to the fact that a matter not contemplated in legislation in another given moment can receive legal, doctrinal or jurisprudential acceptance. However, works with fewer queries should be separated for analysis for a set time, ie not be discarded suddenly without a transitional period.

Thus, when the discard is executed one cannot commit the mistake of repelling a work because its physical state is not ideal. A great deal of caution must be taken not to discard works of the collection in a random way with the conviction that it is obsolete material, or because of censorship or even because of intellectual animosity (MARIA et al., 2013).

Finally, in view of the above, it is also considered that, for a greater effectiveness of that activity and to guarantee the maintenance of the quality of the collection, it is recommended that the same criteria applied in the selection process be used at the moment of the assessment for exclusion of materials by the responsible committee.

## 4 FINAL CONSIDERATIONS

This article was based on the motivation to analyze this part of the literature on legal information with a focus on collection management, allowing a deepening of the need for planning by the librarian in the face of exponential growth in the publishing market, in order to guide them in relation to the details that must be considered in the selection, acquisition, evaluation and the thinning out processes in the collection development policy for both bibliographic and electronic materials. Therefore, information, according to Fullin (2006), is the raw material of the librarian, who specializes in the management, organization and dissemination of knowledge.

Given this context, it is necessary the management of libraries and information units collections according to the recommendation of Miranda, Gallotti, Miranda (2016), in order to elaborate and adopt parameters through the creation of solid criteria to support the collection development processes.

The management of collections involves a very complex activity in the face of the new challenges imposed on the law librarian with the appearance of new documents in digital and electronic media as well as the intensity with which the legal information is renewed, being essential for the legal librarian to keep up to date in the search for continuous monitoring of the latest changes in legislation, thus avoiding the acquisition of already outdated publications and the provision of information that is not in accordance with current legislation.

It should be noted that, in the case of specialized libraries, especially in the legal area, it is possible to state that the development of the collection aims to meet the objectives of the institution in which they are inserted, focusing on Doctrine, Legislation or Jurisprudence, but they need to evolve harmoniously in all areas of law, according to the legal field to which the institution is directed, avoiding a disorderly growth, without goals or defined objective.

In relation specifically to the constant innovations in the Brazilian legislation, it is necessary that the law librarian keep updated through the sites related to the legal area, due to the speed of the changes in the sources of Law.

Given that challenging scenario, it is worth remembering that the selection and evaluation criteria are preponderant factors in the updating and maintenance of the collection, to assist in the decision-making process. So it was verified the need for law libraries to adopt their collection development policy that would meet the objectives of the maintaining institution, in order to base and guide all actions to guarantee a collection capable of meeting the information needs of their clientele.

Lastly, considering that the quality of collection development policy depends on the flexibility and dynamics to change or adjust, whenever necessary, there is a need for it to be revised every two (2) years, in order to ensure its suitability to the users' profile and adjustments to the library objectives.

## REFERENCES

- ANDRADE, María Laura. **Bibliotecas Jurídicas: saberes y orientaciones prácticas**. Buenos Aires, Dunken, 2017.
- ANDRETA, Cássio Adriano. Legislação como assunto: uma proposta de extensão para a classificação decimal de Direito. In: PASSOS, Edilenice (Org.). **Informação jurídica: teoria e prática**. Brasília: Thesaurus, 2004.
- BARROS, Lucivaldo. Fontes de informação jurídica. In: PASSOS, Edilenice (Org.). **Informação jurídica: teoria e prática**. Brasília: Thesaurus, 2004.
- CABRAL, Maria Luisa. Conservação preventiva, porquê? **Rev. Páginas Arquivos & Bibliotecas**, Lisboa, n. 15, p. 7-27, 2005.
- COLLIE, G. The reluctant weeder. *Children & Libraries*. **The Journal of the Association for Library Service to Children**, De Pere, v. 8, n. 2, p. 51-53, 2010.
- CORREA, Elisa Cristina Delfini. Política de gestão de estoques de informação: uma proposta para atualização de conteúdo. In: CONGRESSO BRASILEIRO DE BIBLIOTECONOMIA, DOCUMENTAÇÃO E CIÊNCIA DA INFORMAÇÃO, 25, 2013, Florianópolis. **Anais eletrônico...** Florianópolis. 2013.
- FIGUEIREDO, Nice Menezes de. **Desenvolvimento & avaliação de coleções**. 2. ed. rev. e atual. Rio de Janeiro: Thesaurus, 1998.
- FIGUEIREDO, Nice Menezes de. **Metodologias para a promoção do uso da informação: técnicas aplicadas particularmente em bibliotecas universitárias e especializadas**. São Paulo: Nobel, 1991.
- FIGUEIREDO, Nice Menezes de. **Paradignas modernos da Ciência da Informação: em usuários, coleções, referências & informação**. São Paulo: Polis, 1999.
- FULLIN, Camila Barleta. Perspectivas futuras para a demanda de profissionais da informação e a organização da informação jurídica nos escritórios de advocacia de campinas.: *Revista Digital de Biblioteconomia e Ciência da Informação: RDBCI*, Campinas v. 3, n. 2, p. 31-42, jan./jun. 2006. Disponível em: <https://periodicos.sbu.unicamp.br/ojs/index.php/rdbci/article/view/2043>. Acesso em: 28 jul. 2016.
- LANCASTER, F. W. **Avaliação de serviços de bibliotecas**. Brasília: Briquet de Lemos/Livros, 1996.
- LOPEZ-MUNIZ, Miguel Goni. **Informática jurídica documental**. Madrid: Diaz de Santos, 1984.

MACHADO, Maria Teresa Ferlini. Relacionamento biblioteca/usuário: fator relevante no processo de disseminação da informação jurídica. In: CONGRESSO BRASILEIRO DE BIBLIOTECONOMIA E DOCUMENTAÇÃO, 19., 2000, Porto Alegre. **Anais...** Porto Alegre: PUCRS, 2000. 1 CD.

MARIA, Maíra Cunha de Souza et al. Reflexões sobre a formação do acervo da Academia de Direito do Largo de São Francisco: do século XIX aos nossos dias. **Revista da Faculdade de Direito da Universidade de São Paulo**, São Paulo, v. 108, p. 129-142, jan./dez. 2013.

MARTINEZ, Marisa Luvizutti Coiado; GUIMARÃES; José Augusto Chaves. Organização temática da doutrina jurídica: elementos metodológicos para uma proposta de extensão da Classificação Decimal de Direito. **Informação & Sociedade: estudos**, João Pessoa, v. 18, n. 1, p.67-77, jan./abr. 2008.

MIRANDA, Ana Cláudia Carvalho de. Biblioteca jurídica: uma reflexão acerca da gestão do acervo. **Folha de Rosto: Revista de Biblioteconomia e Ciência da Informação**, Juazeiro do Norte, v. 3, n.1, p. 41-55, jan./jun. 2017.

MIRANDA, Ana Cláudia Carvalho de; MIRANDA, Erlano Silva de. Fontes de informação jurídica. **Encontros Bibli: revista eletrônica de Biblioteconomia e Ciência da Informação**, Florianópolis, v. 22, n. 50, p. 76-90, set./dez. 2017.

MIRANDA, Ana Cláudia Carvalho de. Desafios para a gestão de coleções de periódicos científicos. **Folha de Rosto: Revista de Biblioteconomia e Ciência da Informação**, Juazeiro do Norte, v. 2, n. 1, p. 26-38, jan./jun. 2016.

MIRANDA, Ana Cláudia Carvalho de; GALLOTTI, Mônica Marques Carvalho; MIRANDA, Erlano Silva de. A gestão da qualidade como estratégia de suporte para o desenvolvimento de coleções em bibliotecas jurídicas. **Revista Digital de Biblioteconomia e Ciência da Informação, Campinas**, v. 14, n. 2, p. 262-278, maio/ago. 2016.

MIRANDA, Ana Cláudia Carvalho de. A política de desenvolvimento de coleções no âmbito da informação jurídica. In: PASSOS, E. (Org.). **Informação jurídica: teoria e prática**. Brasília: Thesaurus, 2004.

MIRANDA, Ana Cláudia Carvalho de. A qualidade enquanto instrumento na política de desenvolvimento de coleções jurídicas. In: SIMPÓSIO INTERNACIONAL DE PROPRIEDADE INTELECTUAL, INFORMAÇÃO E ÉTICA, 2., 2003, Florianópolis. **Anais...** Florianópolis: [s.n.], 2003. p. 1-2.

MARTINHO, Ana Maria. O bibliotecário jurídico: identidade e competências profissionais. In: Encontro Nacional de Bibliotecas Jurídicas, 1., 2004. **Anais...** Lisboa: Faculdade de Direito da Universidade de Lisboa, 2004.

OBERHOFER, Cecília Malizia A. Valor da informação: percepção versus quantificação. **Ciência da informação**, Brasília, v. 20, n. 2, p. 119-129, jul./dez. 1991.

PASSOS, Edilenice Jovelina Lima. O controle da informação jurídica no Brasil: a contribuição do Senado Federal. **Ciência da Informação**, Brasília, v. 23, n. 3, p. 363-368, set./dez. 1994.

PASSOS, Edilenice; BARROS, Lucivaldo Vasconcelos. **Fontes de informação para pesquisa em direito**. Brasília: Briquet de Lemos, 2009.

PEREIRA, Andressa Assis de Carvalho. Representação documentária de informação legislativa. In: PASSOS, Edilenice (Org). **Informação jurídica: teoria e prática**. Brasília: Thesaurus, 2004. p. 33-77.

PINHO, Fabio Assis; BARBOSA, Ângela Maria da Silva. Os usuários da informação jurídica. **Biblios: Revista de Bibliotecología y Ciencias de la Información**, [S.l.], v. 44, p. 50 - 61, 2011.

REZENDE, Ana Pala de. Pesquisa jurídica em fontes eletrônicas. In: PASSOS, E. (Org.). **Informação jurídica: teoria e prática**. Brasília: Thesaurus, 2004.

REZENDE, Martha de Souza Duarte. Gerenciamento da informação e do conhecimento no escritório de advocacia. In: CIBERÉTICA – SIMPÓSIO INTERNACIONAL DE PROPRIEDADE INTELECTUAL, INFORMAÇÃO E ÉTICA, 1., 1998, Florianópolis. **Anais...** Florianópolis: ACB, 1998.

REZENDE, Martha Izabel de Souza Duarte. **Gerenciamento da informação e do conhecimento jurídico**. [S.l.: s.n.], [200-]. Disponível em: <http://www.egov.ufsc.br/portal/sites/default/files/anexos/5388-5380-1-PB.htm>. Acesso em: 28 jul. 2016.

SILBERGER, Kathryn Kemp et al. **Obras de referência: subsídios para uma avaliação criteriosa**. Florianópolis: UFSC, 1990.

SILVA, Andréia Gonçalves; ROLIM, Maria Lúcia de Borba. Organização das fontes de informação jurídica na perspectiva do GIDJ/SP. **CRB-8 Digital**, São Paulo, v. 2, n. 2, p. 27-33, set. 2009.

SILVA, Ronaldo Alves da. *E-books* em bibliotecas: novos desafios para os bibliotecários. In: Congresso Brasileiro de Biblioteconomia, Documento e Ciência da Informação, 25., 2013, Florianópolis. **Anais...** São Paulo: FEBAB, 2013.

TOMAÉL, Maria Inês. et al. Avaliação de fontes de informação na internet; critérios de qualidade. **Informação & Sociedade: estudos**, João Pessoa, v. 11, n. 2, p. 13-35, 2001.

VERGUEIRO, Waldomiro de Castro Santos. **Desenvolvimento de coleções**. São Paulo: Polis, 1989.

VERGUEIRO, Waldomiro de Castro Santos. **Seleção de materiais de informação**. Brasília, DF: Briquet de Lemos, 1996.

VERGUEIRO, Waldomiro de Castro Santos. **Bibliotecas públicas e mudança social: a contribuição do desenvolvimento de coleções.** 1990. 242 f. Tese (Doutorado) Escola de Comunicações e Artes, Universidade de São Paulo, São Paulo, 1990.

VIEIRA, Ronaldo. **Introdução à teoria geral da Biblioteconomia.** Rio de Janeiro: Interciência, 2014.

WEITZEL, Simone da Rocha. Desenvolvimento de coleções: origem dos fundamentos contemporâneos. **Transinformação**, Campinas, v. 24, n. 3, p. 179- 190, 2012.

WEITZEL, Simone da Rocha. Critérios para seleção de documentos eletrônicos na Internet. In: XIX Congresso Brasileiro de Biblioteconomia e Documentação, 2000, Porto Alegre. **Anais eletrônicos...** São Paulo: FEBAB, 2000. v. 1. p. 1-17.

WOLTERS, Clemência B. O escritório de advocacia e a informática jurídica. In: WOLTERS, Clemência B.; AZEVEDO, Danilo Soares de. **A informática e o advogado.** Brasília: Fundação Petrônio Portella, 1985. p. 13.

