To: American Library Association, ALCTS/CCS Committee on Cataloging: Description and Access  
From: John Hostage, representative from American Association of Law Libraries (AALL)  
Subject: Revision of RDA 6.29.1.21: Reports of one court  

April 26, 2010  

**Background**  
RDA 6.29.1.21 requires catalogers to perform a complex analysis on court reports to determine the preferred access points. To apply 6.29.1.21, a cataloger must:

- distinguish law reports on the basis of whether they are ascribed to a reporter or reporters by name,  
- know or determine the legal citation practice in any country from which reports are received, and  
- determine whether reports were issued by or under the authority of the court.  

The practice of ascribing reports to a named reporter is found chiefly in common law countries (England and Wales, the United States, etc.) from the earliest times until the middle of the 19th century. The reports were written by lawyers who attended the courts and wrote down the decisions in the cases. These reports were known and cited by the name of the reporter and are referred to as nominate reports. The Incorporated Council of Law Reporting for England and Wales was established in 1865 and standardized the system of law reports in English courts. After that time, reports were cited by the title of the publication or the name of the court. At about the same time, law reports in the United States ceased to be the product of named reporters and were thereafter cited by the name of the court and published by the courts or commercial enterprises.  

**Recommendations**  
The American Association of Law Libraries makes the following two recommendations to simplify 6.29.1.21:

- Limit the use of preferred access points containing the preferred access point representing a reporter to the period of the nominate reports.  
- For other reports of one court, eliminate the need to determine whether the reports were issued by or under the authority of the court. Instead, base the preferred access point on the preferred access point representing the court. Otherwise, different manifestations containing the same reports could have different preferred access points depending on whether they were issued by the court.  

AALL anticipates that the proposed changes will result in a simplified decision process for court reports.
N.B. Arizona example revised on the basis of LCCN 66063614. German example substituted for California example. Nigerian example added to show difference from AACR2 choice of entry.

Proposed revisions

6.29.1.21 Reports of One Court

For law reports of one court, construct the preferred access point representing the work as instructed under 6.29.1.21.1 or 6.29.1.21.2 below, as applicable.

6.29.1.21.1 Reports Not Ascribed to a Reporter or Reporters by Name

If the reports are issued by or under the authority of the court, and are not ascribed to a reporter or reporters by name, as in the case of the English nominate reports prior to 1866, construct the preferred access point by combining (in this order):

a) the preferred access point representing the court, formulated according to the instructions given under 11.12.1

b) the preferred title for the reports, formulated according to the instructions given under 6.20.2 .RDA

FOR EXAMPLE:

Canada. Federal Court. Canada Federal Court reports

Preferred access point for: Canada Federal Court reports / editor, Florence Rosenfeld. Issued by the court

If the reports are not issued by or under the authority of the court, use the title as the preferred access point.

FOR EXAMPLE:

Arizona. Court of Appeals. Reports of cases argued and determined in the Court of Appeals of the State of Arizona

Preferred access point for: Report of cases argued and determined in the Court of Appeals of the State of Arizona … . – St. Paul : West Publishing Company. Publisher acts in an editorial capacity

Germany. Bundesverfassungsgericht. Entscheidungen des Bundesverfassungsgerichts

Preferred access point for: Entscheidungen des Bundesverfassungsgerichts

Nigeria. Supreme Court. Monthly judgments of the Supreme Court of Nigeria

Preferred access point for: Monthly judgments of the Supreme Court of Nigeria
6.29.1.21.2 Reports Ascribed to a Reporter or Reporters by Name

If the reports are ascribed to a reporter or reporters by name, as in the case of the English nominate reports prior to 1866, apply the accepted legal citation practice in the country where the court is located.

If the accepted legal citation practice in that country is to cite the reports using the name of the court, construct the preferred access point by combining (in this order):

a) the preferred access point representing the court, formulated according to the instructions given under 11.12.1

b) the preferred title for the reports, formulated according to the instructions given under 6.20.2.

If the accepted legal citation practice in that country is to cite the reports using the name of the reporter, construct the preferred access point by combining (in this order):

a) the preferred access point representing the reporter (or first named reporter), formulated according to the instructions given under 9.1.1

b) the preferred title for the reports, formulated according to the instructions given under 6.20.2.

If that practice cannot be determined readily, and if the reports are issued by or under the authority of the court, construct the preferred access point by combining (in this order):

a) the preferred access point representing the court, formulated according to the instructions given under 11.12.1

b) the preferred title for the reports, formulated according to the instructions given under 6.20.2.

FOR EXAMPLE:

California. Supreme Court. Reports of cases determined in the Supreme Court of the state of California, October 23, 1969, to January 30, 1970

Preferred access point for: Reports of cases determined in the Supreme Court of the state of California, October 23, 1969, to January 30, 1970 / Robert E. Formichi, reporter of decisions. — San Francisco: Bancroft-Whitney. Cited as: California reports

If the reports are not issued by or under the authority of the court, construct the preferred access point by combining (in this order):

a) the preferred access point representing the reporter (or first named reporter), formulated according to the instructions given under 9.1.1

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FOR EXAMPLE:

Canada. Federal Court. Canada Federal Court reports

Preferred access point for: Canada Federal Court reports / editor, Florence Rosenfeld.

Arizona. Court of Appeals. Report of cases argued and determined in the Court of Appeals of the State of Arizona


Germany. Bundesverfassungsgericht. Entscheidungen des Bundesverfassungsgerichts

Preferred access point for: Entscheidungen des Bundesverfassungsgerichts

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b) the preferred title for the reports, formulated according to the instructions given under 6.20.2.

FOR EXAMPLE:

Manning, James, 1781-1866. Common bench reports

Preferred access point for: Common bench reports : cases argued and determined in the Court of Common Pleas / [reported] by James Manning, T.C. Granger, and John Scott. – London : Benning. Cited as: Manning, Granger & Scott