

To: ALA/ 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

## Background

RDA 6.29.1.21 requires catalogers to perform a complex analysis on court reports to determine the authorized 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 recommendations to simplify 6.29.1.21:

- Limit the use of authorized access points containing the authorized 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 authorized access point on the authorized access point representing the court. Otherwise, different manifestations containing the same reports could have different authorized access points depending on whether they were issued by the court.
- Switch the order of the instructions for reports not ascribed to a reporter and reports ascribed to a reporter for a more logical sequence (this change is shown below only in the clean version).

AALL anticipates that the proposed changes will result in a simplified decision process for court reports.

Note: The following changes to the examples are proposed:

- 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: marked version

### 6.29.1.21 Reports of One Court

- For law reports of one court, construct the authorized access point representing the work as instructed under [6.29.1.21.1](#) (reports not ascribed by name) or [6.29.1.21.2](#) (reports ascribed by name) as applicable.

#### 6.29.1.21.12

#### 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, construct the authorized access point by combining (in this order):
  - a) the authorized access point representing the court, formulated according to the instructions given under [11.13.1](#)
  - b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).

Canada. Federal Court. Canada Federal Court reports

**Authorized 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 authorized access point.~~

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

**Authorized 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~~

**Authorized access point for:** Entscheidungen des Bundesverfassungsgerichts

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

~~**Authorized access point for:** Monthly judgments of the Supreme Court of Nigeria~~

#### 6.29.1.21.21

#### Reports Ascribed to a Reporter or Reporters by Name

- ~~If the reports are ascribed to a reporter or reporters by name, apply the accepted legal citation practice in the country where the court is located. as in the case of the English nominate reports prior to 1866, construct the authorized access point by combining (in this order):~~

#### 6.29.1.21.2.1

#### ~~Citation by Name of Court~~

- ~~If the accepted legal citation practice in that country is to cite the reports using the name of the court, construct the authorized access point by combining (in this order):~~
  - ~~a) the authorized access point representing the court, formulated according to the instructions given under [11.13.1](#)~~
  - ~~b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).~~

#### 6.29.1.21.2.2

#### ~~Citation by Name of Reporter~~

- ~~If the accepted legal citation practice in that country is to cite the reports using the name of the reporter, construct the authorized access point by combining (in this order):~~
  - a) the authorized access point representing the reporter (or first named reporter), formulated according to the instructions given under [9.19.1](#)
  - b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).

#### 6.29.1.21.2.3

#### ~~Citation Practice Cannot Be Determined~~

- ~~If that practice cannot be determined readily, and if the reports are issued by or under the authority of the court, construct the authorized access point by combining (in this order):~~
  - ~~a) the authorized access point representing the court, formulated according to the instructions given under [11.13.1](#)~~
  - ~~b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).~~

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

~~**Authorized 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~~

**6.29.1.21.2.4****Citation of Reports Not Issued under Authority of a Court**

- If the reports are not issued by or under the authority of the court, construct the authorized access point by combining (in this order):
  - a) the authorized access point representing the reporter (or first named reporter), formulated according to the instructions given under [9.19.1](#)
  - b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).

Manning, James, 1781-1866. Common bench reports

**Authorized 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, [1846-1857](#). **Cited as** Manning, Granger & Scott

**Clean version**

(including switch in order of subsections)

**6.29.1.21 Reports of One Court**

- For law reports of one court, construct the authorized access point representing the work as instructed under [6.29.1.21.1](#) (reports not ascribed by name) or [6.29.1.21.2](#) (reports ascribed by name) as applicable.

**6.29.1.21.1****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, construct the authorized access point by combining (in this order):
  - a) the authorized access point representing the reporter (or first named reporter), formulated according to the instructions given under [9.19.1](#)
  - b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).

Manning, James, 1781-1866. Common bench reports

**Authorized 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, [1846-1857](#). **Cited as** Manning, Granger & Scott

**6.29.1.21.2****Reports Not Ascribed to a Reporter or Reporters by Name**

- If the reports are not ascribed to a reporter or reporters by name, construct the authorized access point by combining (in this order):
  - a) the authorized access point representing the court, formulated according to the instructions given under [11.13.1](#)
  - b) the preferred title for the reports, formulated according to the instructions given under [6.19.2](#).

Canada. Federal Court. Canada Federal Court reports

**Authorized access point for:** Canada Federal Court reports / editor, Florence Rosenfeld

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

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— St. Paul : West Publishing Company

Germany. Bundesverfassungsgericht. Entscheidungen des Bundesverfassungsgerichts

**Authorized access point for:** Entscheidungen des Bundesverfassungsgerichts

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

**Authorized access point for:** Monthly judgments of the Supreme Court of Nigeria