

NATIONAL BANKRUPTCY ARCHIVES COLLECTION DEVELOPMENT POLICY

HISTORY OF THE NATIONAL BANKRUPTCY ARCHIVES

In October 2000 the Biddle Law Library and the American College of Bankruptcy collaborated to create the National Bankruptcy Archives, a national repository of materials relating to the history of debtor-creditor relations, bankruptcy and the reorganization of debt.

SCOPE AND CONTENT

The National Bankruptcy Archives contains a mixture of personal papers, organizational records, and other collections related to the history of bankruptcy law in the United States. The collection currently spans the years 1948-present, with the bulk of the collection beginning in the late 1970s and extending to the present.

The collections most heavily used by the research community include the personal papers and oral histories of scholars and bankruptcy professionals that contributed considerably to the modern Bankruptcy Code.

This collection development policy reflects the intent to acquire collections of historical importance similar or greater to the Archives' existing collections.

PRESERVATION CONDITIONS

Through a generous donation from the American College of Bankruptcy, the collections of the National Bankruptcy Archives are housed in a compact shelving area located in the basement of the Tanenbaum Hall, part of Penn Law School in Philadelphia, PA. The archives area is served by Penn Law School's HVAC system, which includes a humidification unit, which regulates the relative humidity of Tanenbaum. However, there is currently no additional humidity-controlled apparatus located in the archives room. Due to its proximity to the library, the Archivist of the National Bankruptcy Archives monitors the archives area daily, notifying the building administrator of Penn Law School of abnormal preservation issues.

Individual collections of the National Bankruptcy Archives are housed in buffered, lignin-free folders and placed in acid-free manuscript boxes. Some special format materials-such as photographs, cassette tapes, and computer disks-are housed in buffered containers.

The library holds these collections in trust for future generations; therefore, items in the National Bankruptcy Archives do not circulate.

Due to limitations placed on space, staffing, and the cost of preservation, the National Bankruptcy Archives is discerning in its acquisition decisions.

COLLECTION DEVELOPMENT RESPONSIBILITIES

The Archivist of the Biddle Law Library is chiefly responsible for collection development, including acquisition, donation logistics, and disposition of materials. When formulating strategies and final decisions on acquisitions, however, the Archivist collaborates with the the Archives Committee of the American College of Bankruptcy, representatives from the National Conference of Bankruptcy Judges, and members of the Penn Law faculty that have demonstrated a research interest in bankruptcy law.

TARGET RESEARCH COMMUNITY

The collections of the National Bankruptcy Archives support research by graduate students across disciplines, faculty, and other researchers whose work relies on the use of original documents related to the history of bankruptcy law in the United States.

The National Bankruptcy Archives also makes its collections available to practitioners, judges, and other groups associated with the field of bankruptcy law.

COLLECTING RATIONALE

The National Bankruptcy Archives' primary responsibility is to serve the research needs of those members in the national and international scholarly community who have an interest in the history of bankruptcy law in the United States. As a result, the Archives collects manuscript collections and organizational records of demonstrated historical value for the purpose of supporting those research endeavors.

Furthermore, by preserving and making accessible original materials related to the history of bankruptcy law in the United States, the National Bankruptcy Archives seeks to promote the study of bankruptcy law within in the field of legal research.

Finally, as the sole repository fully dedicated to the preservation of historical records related to bankruptcy, the Biddle Law Library seeks to distinguish itself as a location for legal historical research in the field of bankruptcy law.

FUNDING

Funding for the National Bankruptcy Archives comes from the American College of Bankruptcy, American College of Bankruptcy Foundation, and LexisNexis. Additional donations for the operations of the Archives are welcomed.

EXISTING SUBJECT AREAS

- Original documents related to the 1978 Bankruptcy Reform Act.
- Original documents related to the history of bankruptcy prior to the passage of the 1978 Bankruptcy Reform Act.
- Original documents related to bankruptcy reform legislation in the 1980s and 1990s.
- Personal and professional papers of bankruptcy scholars.

Existing collections: Lawrence P. King Papers, Murray Drabkin Papers

- Personal and professional papers of bankruptcy practitioners and judges.

Existing collections: Kenneth N. Klee Papers, Ralph H. Kelley Papers

- Organizational records.

Existing collections: American College of Bankruptcy Records, National Conference of Bankruptcy Judges Records, National Bankruptcy Conference Records

- Oral histories/interviews.

Existing collections: Randall J. Newsome Oral History Collection

EXISTING FORMATS

- Manuscript Collections: Correspondence, notes, memoirs, diaries, biographical materials, drafts, unpublished works, lectures, subject files, professional papers, photographs, ephemera, and other materials.
- Organizational Records: Correspondence, memoranda, proceedings, meeting minutes, bylaws, administrative records of historical value, papers of former presidents, meeting publications, public relations materials, and any other records offering substantive evidence of the history, activities, and policies of the organization.

ARCHIVES STRENGTHS

- Post-1978 materials.
- Records of prominent organizations in the field of bankruptcy law, including the American College of Bankruptcy, the National Conference of Bankruptcy Judges, and the National Bankruptcy Conference.
- Personal papers of individuals associated with the creation of the 1978 Bankruptcy Reform Act (commonly known as the Bankruptcy Code) and its aftermath, including Lawrence P. King, Kenneth N. Klee, and Ralph H. Kelley.
- Taped interviews with prominent members of the bankruptcy field from the last thirty years.

AREAS FOR COLLECTION IMPROVEMENT

- Materials related to the 1898 Bankruptcy Act, the United States' first significant bankruptcy law.
- Pre-1978 materials, specifically 1930s materials relating to the Chandler Act, which served as the most significant revision of bankruptcy laws until the 1978 Bankruptcy Reform Act.
- Scholars instrumental in the pre-1978 development of bankruptcy law.
- Pre-1948 proceedings of the National Bankruptcy Conference.
- Papers of judges and practitioners who had a significant impact on the development of bankruptcy law.
- Papers of congressional members instrumental in the development of bankruptcy law.
- Papers presented at bankruptcy conferences.

MATERIALS NOT ACCEPTED BY THE NATIONAL BANKRUPTCY ARCHIVES

Due to constraints placed on staffing, space, and preservation costs, the Archives does not typically accept the following materials:

Subjects

- Materials not dealing directly with United States bankruptcy law.

Formats

- Duplications.
- Most published material (i.e. books, articles, and government publications that are widely available).
- Three-dimensional objects.
- Most oversized materials.
- Routine financial records.
- Tax records.
- Cancelled checks.
- Items with existing preservation problems (i.e. mold, brittleness).

DE-ACCESSIONING RECORDS

Under the terms of its contract as outlined in the Deed of Gift, Biddle Law Library reserves the right to de-accession any materials that no longer fit the scope or mission of the National Bankruptcy Archives. The Archives may return the materials to donors, sell items, offer collections to other institutions, or dispose of the materials.

ACQUISITION STRATEGY

The National Bankruptcy Archives maintains a custodial agreement to serve as the repository for records of enduring value created by the American College of Bankruptcy and the National Conference of Bankruptcy Judges.

The National Bankruptcy Archives actively solicits donations, particularly the personal papers of scholars and practitioners of demonstrated historical significance to the field of bankruptcy law. However, due to space and staffing constraints, the Archives must exercise prudence when building its collection. Therefore, the Archives generally accepts no more than one (1) collection per year. This strategy gives the Archives the ability to manage growth, minimize its backlog of unprocessed materials, and provide attentive assistance to individuals interested in researching the existing collections.

DONATING TO THE ARCHIVES

Individuals interested in donating materials to the National Bankruptcy Archives are asked to complete a two-step process.

First, for record-keeping purposes, interested parties are asked **contact** the Archives, providing important information regarding the size, scope, date range, and format of the materials. The Archives will pay particular consideration to the historical and research value of the materials, as well as any restrictions the donor may wish to have placed on the collection.

If the donation is considered within the scope of the collection development policy of the Archives, the donor is asked to complete a Deed of Gift and return it to the Archives **before** the materials are sent.

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