

Pollack: Fundamentals of Legal Research

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BOOK REVIEWS

Fundamentals of Legal Research. By ERVIN H. POLLACK. Brooklyn: Foundation Press, 1956. Pp. xviii, 295. \$5.00.

You asked for it. You, as practicing attorneys, asked the law librarians for a lawyer's research manual geared to the solutions of the actual problems which cross the desk of the active practitioner. The librarians gave you volumes on legal bibliography, so familiar to them, in their work of selecting, cataloging and classifying law books, but they gave you scant material on the practical usage of law books. Pollack, both a librarian and a lawyer, emphasizes that legal research techniques should be taught to provide entry to the informational content of the law but should also implement the lawyer's skills generally and deepen his insights. Viewing law students as embryonic lawyers, Pollack has prepared a book which can serve both as a teaching tool and a lawyer's reference manual.

This work is truly a manual, because it is literally handy. Necessarily compact for its size and the breadth of its content, it contains twenty chapters. Beginning with a panoramic vista of the total legal process, the scope is then narrowed to an appreciation of the basic elements of legal research; thereafter, the specific use of eighteen forms of law books is explained. These forms are: constitutions, federal legislation, state and municipal legislation, court procedure, court reports, federal court decisions, state court decisions and annotated and special reports, methods of searching for case law, digests, aids in the use of case and definition methods, encyclopedias, citators, administrative material, legal periodicals, treatises and restatements, miscellaneous research aids, international law, and English legal research material. A booklet of assignments involving the use of each of these forms is available as a supplement to this volume.

The practicing attorney, who is interested enough in legal research to read this review, will find the Appendices of *Fundamentals of Legal Research* very helpful. Appendix A consists of a practical guide to legal citations, abbreviations, and signals. The value of a legal writing, whether it be simply an office memorandum or an appellate brief, depends significantly upon its form and clarity. The use of citations and abbreviations is absolutely necessary to achieve the concise form and lucidity, which is demanded by senior partners and justices alike. Practicing lawyers often telephone librarians for interpretation of esoteric abbreviations of Anglo-American legal publications. Appendix B, a comprehensive and up-to-date table of abbreviations of Anglo-American legal publications, will help to reduce your phone bill.

The author describes and analyzes the research procedure involved in the solution of a typical legal case. It is to be regretted that he did not offer at least one example case and analysis for each of the more important forms of legal research. Nothing serves so well to concretize the principles of legal research as actual examples of the principles in action. Despite this deficiency, Ervin H. Pollack, Professor of Law and Law Librarian of Ohio State University, has made a significant contribution toward the integration of theory and

practice in legal research. His functional approach to the fundamentals merits the attention of the practicing attorney and the law student alike.

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Judges and Jurors: Their Functions, Qualifications, and Selection. By ARTHUR T. VANDERBILT, Chief Justice, Supreme Court of New Jersey. Boston: Boston University Press, 1956. Pp. 79. \$3.00.

The pressure for judicial improvement, both in personnel and methods of operation, has become stronger and stronger since the beginning of the century. Throughout the country prominent judges and lawyers have been devoting their talents to devise means for reaching that objective. Their efforts have been fruitful to a considerable extent in the field of practice and procedure. In many of the state jurisdictions, as well as in the federal courts, common-law methods of pleading and practice have been replaced by modern codes either by legislative enactments or through the rule-making power of courts of last resort.

Of the host of contemporary advocates for procedural and judicial reform, one man stands out pre-eminently as the leader in the field. It is his good fortune to be able to add to his advocacy—through speeches, lectures and writings—power and authority to demonstrate the wisdom of his theories and their workability. Judge Arthur T. Vanderbilt has enriched the literature on the subject of judicial reform and has attracted the attention of judges and lawyers throughout the country to the character of his work. As Chief Justice he has led the bench and bar of New Jersey in the accomplishment of reorganizing the judicial system of his state.

His latest contribution consists of three Gaspar G. Bacon lectures delivered by him and now published, in book form, by the Boston University Press under the title of: *Judges and Jurors: Their Functions, Qualifications and Selection.* It is a work of extraordinary merit and should attract a reading public of not only judges and lawyers but of laymen as well. I suspect that the author intended it primarily for the enlightenment of laymen.

The book is exceptional in this respect. Dealing as it does with the complex problems of the judicial office, the judicial function, qualifications and selection of judges and the functions, qualifications and selection of jurors, it crowds into seventy-nine pages a wealth of information which should enable any lay person of average intelligence to discuss major judicial problems understandingly and well. The book has still another great value. It points out the way toward a new literary goal, namely, the writing of textbooks on law—its history, its philosophy and its impact upon our civilization—for use in our primary and secondary schools and colleges.

Under our Constitution and in the spirit of the institutions which developed under it, the Bible and other sacred literature may not be studied or even read in the public schools. In the patterns of human behavior woven into the substance of the Bible, there is to be found a vast display of universal civil and criminal laws. This is kept from the children and adolescents (who do not attend religious schools) at a time when coming into contact with them would vitally help shape their behavior. It is altogether right that no place should be