

LEGAL RESEARCH AND WRITING RESOURCES: RECENT PUBLICATIONS

COMPILED BY DONALD J. DUNN

Donald J. Dunn is Associate Dean for Library and Information Resources and Professor of Law at Western New England College in Springfield, Mass. He is a member of the Perspectives Editorial Board. This bibliography includes references to books, articles, bibliographies, and research guides that could potentially prove useful to both instructors and students and includes sources noted since the previous issue of Perspectives.

Andrew H. Baida, *Writing a Better Brief: The Civil Appeals Style Manual of the Office of the Maryland Attorney General*, 3 J. App. Prac. & Process 685 (2001).

A review of this special style manual “created for the purpose of improving and standardizing the hundreds of civil appellate briefs that the Office files each year in state and federal courts.” *Id.* at 686.

Carol M. Bast & Margie A. Hawkins, *Foundations of Legal Research and Writing*, 2d ed., 2002 [New York: West Legal Studies, 550 p.]

Designed primarily for use in vocational, two-year, four-year, and graduate paralegal programs. Includes cyberlaw exercises, sample documents, and illustrations.

Joshua Bauchner & Rekha Ramani, *International Regulatory Devices: Legal Research Guides to the EU Data Protection Directive and the Convention on Biological Diversity*, 2001 [Buffalo: NY: William S. Hein & Co., Inc., 46 p.]

Two bibliographies that provide the starting points for those doing research on either the European Union Data Protection Directive or the Convention on Biological Diversity.

Robert C. Berring & Elizabeth Edinger, *Legal Research Survival Manual*, 2002 [St. Paul, MN: West Group, approx. 100 p.]

A basic introduction to legal information and legal research designed to help first-year law students easily work their way through the complexities of basic legal research. Written in an informal style.

Lackland H. Bloom Jr., *Bad Consequences*, 55 SMU L. Rev. 69 (2002).

Points out that advocacy should often focus on the “bad consequences” that might follow if a particular course of action is not pursued. Focuses on constitutional law cases.

Barbara P. Blumenfeld, *Integrating Indian Law into a First Year Legal Writing Course*, 37 Tulsa L. Rev. 503 (2001).

Discusses the reasons the author (director, Legal Research and Writing, University of New Mexico School of Law) incorporates Indian law into her first-year legal writing course.

Charles R. Calleros, *Legal Method and Writing*, 4th ed., 2002 [New York, NY: Aspen Law & Business, 600 p.]

Provides an extensive introduction to legal analysis and addresses different types of legal writing, e.g., law school, law offices, advocacy, appellate briefs, pretrial advocacy, and writing to parties. Includes a *Teacher’s Manual*.

Henry Saint Dahl, *Dahl’s Law Dictionary Dictionnaire Juridique Dahl Français–Anglais/French–English*, 2d ed., 2001 [Buffalo, NY: William S. Hein & Co., Inc., 675 p.]

An annotated legal dictionary that provides words and phrases in English with the correct French translation and French with the correct English equivalent. Indicates the sources of each definition provided.

Diane Penneys Edelman, *It Began at Brooklyn: Expanding Boundaries for First-Year Law Students by Internationalizing the Legal Writing Curriculum*, 27 Brook. J. Int’l L. 415 (2002).

Describes “the fundamental concepts that must be taught in an international law moot court course...” Offers “suggestions for integrating international law into the first semester legal writing program as well.” *Id.* at 418.

Florida State University Law Review Staff, *Florida Style Manual*, 5th ed., 29 Fla. St. U. L. Rev. 1139 (2002).

The latest manual for use by practitioners and scholars who must reference Florida-specific materials.

Michael Fontham et al., *Persuasive Written and Oral Advocacy: In Trial and Appellate Courts*, 2002 [New York, NY: Aspen Law & Business, approx. 350 p.]

Provides detailed coverage of appellate practice as well as trial-court motions practice. Covers the processes of writing, editing, and presenting effective written arguments, and also preparing and delivering persuasive oral arguments.

Bryan A. Garner, *Legal Writing in Plain English: A Text with Exercises*, 2002 [Chicago, IL: University of Chicago Press, 399 p.]

Offers sound advice and practical, proven techniques for improving all kinds of legal documents. Each of the 50 sections includes basic, intermediate, and advanced exercises. Includes an appendix on "How to Punctuate." A very useful source.

Bryan A. Garner, *The Redbook: A Manual on Legal Style*, 2002 [St. Paul, MN: West Group, 399 p.]

A comprehensive guide to the essential rules of legal writing by one of the leading experts in the field. Answers a wide array of questions about grammar and style, with detailed, authoritative advice on punctuation, capitalization, spelling, footnotes, and citations.

Suzanne Elizabeth Gordon & Sherifa Elkhadem, *The Law Workbook: Developing Skills for Legal Research and Writing*, 2001 [Toronto, Ontario: Edmond Montgomery Publications, Ltd., 385 p.]

A part of the publisher's "Working with the Law" series. Deals with the law in Canada.

Crystal Hackett, *Bibliography of Harry Bitner*, 94 Law Libr. J. 206 (2002).

A listing of books, articles, book reviews, student case notes, panel discussions, and unpublished papers of this major leader in the area of legal research. Accompanies various tributes to this individual.

Rhea P. Hamilton, *A Guide to Researching the Caribbean Court of Justice*, 27 Brook. J. Int'l L. 531 (2002).

"[O]utlines sources and techniques that are useful in researching the development of the Caribbean Court of Justice ('CCJ')." This guide also discusses research materials regarding Caribbean legal systems.

Penelope Hazelton et al., *Washington Legal Researcher's Deskbook*, 3d ed., 2002 [Seattle, WA: Marian Gould Gallagher Law Library, 300 p.]

Provides an expanded discussion of the sources one would need to use in researching Washington state law and law-related sources. Has increased emphasis on Web sites.

Paul D. Healey, *Pro Se Users, Reference Liability, and the Unauthorized Practice of Law: Twenty-Five Selected Readings*, 94 Law Libr. J. 133 (2002).

An annotated listing of 25 sources one interested in the topics would want to consult. Arranged by category.

Ann Hemmens, *Advanced Legal Research Courses: A Survey of ABA-Accredited Law Schools*, 94 Law Libr. J. 209 (2002).

Based on information gained from a survey of ABA-accredited law schools regarding advance legal research course offerings. "[A]nalyzes whether the number of such courses has increased in recent years and whether there is uniformity in course structure and methodology. Variations based on the size of the student body, the number of professional librarians, and law school ranking are addressed." *Id.*

Peter A. Hook, *Creating an Online Tutorial and Pathfinder*, 94 Law Libr. J. 243 (2002).

“[E]xplores the educational potential of Web-based tutorials and pathfinders. ... [D]iscusses how the multimedia environment can effectively reach a broad range of learner types, explaining how the disciplines of information architecture and information visualization can contribute to designing a successful tutorial and pathfinder.” *Id.* Includes a bibliography of sources.

Christine Hurt, *Network Effects and Legal Citation: How Antitrust Theory Predicts Who Will Build a Better Bluebook Mousetrap in the Age of Electronic Mice*, 87 Iowa L. Rev. 1257 (2002).

Explains how *The Bluebook* became the dominant product in the legal citation industry and how and why the *Maroonbook* failed, and discusses how the *ALWD Citation Manual* has emerged as a major source that has the potential to supplant *The Bluebook*.

Institute for Justice and Reconciliation, *Truth Commissions and Transitional Justice: A Select Bibliography on the South African Truth and Reconciliation Commission Debate*, 16 J. L. & Relig. 69 (2001).

Arranged in eight sections—primary documents; the context, work, and findings of the Truth and Reconciliation Commission; comparative Truth Commission processes and transitional justice; international law and the International Criminal Court; history, memory, and healing; civil, political, and economic issues; ethical, philosophical, and theological concerns; and Web site and Internet sources.

Diana C. Jaque & Lee Neugebauer comps., *Legal Reference Books Review*, 94 Law Libr. J. 101; 94 Law Libr. J. 315 (2002).

Succinct reviews contained in two issues of this journal of 22 legal reference books published in 2001.

Kathleen M. Johnson, *The Case of General Augusto Pinochet: A Legal Research Guide*, 27 Brook. J. Int'l L. 519 (2002).

“[P]rovides a research framework for students, scholars and professors of law who are interested in the Pinochet case.” *Id.* Discusses historical and procedural background, identifies key sources, and describes useful finding tools.

Susan P. Liemer, *The Quest for Scholarship: The Legal Writing Professor's Paradox*, 80 Or. L. Rev. 1007 (2001).

Discusses how legal writing professors find time to write and argues that legal writing professors could be much more prolific if law schools provided them with the same kind of support for scholarship that other law professors receive, e.g., a summer research grant and no teaching load.

Hazel D. Lord, *Husband And Wife: English Marriage Law from 1750: A Bibliographic Essay*, 11 S. Cal. Rev. L. & Women's Stud. 1 (2001).

“[T]race[s] the development of statutory law from the 1753 Marriage Act to the present, examining some of the most important reference sources, including both contemporary treatises and later works which interpret these legal developments.” *Id.*

William H. Manz, *Digital Performance Rights in Sound Recordings Act of 1995: A Legislative History of Public Law No. 104-39*, 109 Stat. 336, 2002 [Buffalo, NY: William S. Hein & Co., Inc., 3 vols.]

Brings together all relevant reports and hearings, various bill versions, and excerpts from the *Congressional Record* regarding this Act. An important contribution to the field of copyright law.

William H. Manz, *Guide to State Legislative and Administrative Materials*, 2002 ed. [Buffalo, NY: William S. Hein & Co. Inc., 612 p.]

Brings together the major print and electronic sources of administrative and legislative information, including bills, codes, regulations, attorney general opinions, executive orders, ethics opinions, and administrative orders and decisions. Covers all 50 states, the District of Columbia, and U.S. commonwealths and territories.

Roy M. Mersky & Donald J. Dunn, *Fundamentals of Legal Research*, 8th ed., 2002 [New York, NY: Foundation Press, 821 p.]

A substantial revision of the leading text in the field of legal research. Includes almost 200 new illustrations, with increased emphasis on Web sites. The chapters on “Legal and General Research and Reference Aids,” “Legal Citation Form,” and “Electronic Legal Research” have been expanded and updated, and “Legal Systems of the United Kingdom” has replaced the former chapter on “English Legal Research.” Includes a separate *Assignments* book and an *Instructor’s Manual* prepared by Mary Ann Nelson of the University of Iowa Law Library.

Roy M. Mersky & Donald J. Dunn, *Legal Research Illustrated*, 8th ed., 2002 [New York, NY: Foundation Press, 543 p.]

An abridged, paperback version of *Fundamentals of Legal Research*, 8th ed. Like the parent volume, it contains almost entirely new illustrations and with substantial revision and updating of the various chapters.

David W. Miller et al., *Practicing Persuasive Written and Oral Advocacy*, 2002 [New York: Aspen Law & Business, 250 p.]

Designed to link the classroom to the courtroom. A case simulation problem that traces the steps in a federal action from the filing of a complaint and motion for temporary restraining order, through the filing of a notice of appeal from a depositive opinion and order.

Laurel Currie Oates et al., *The Legal Writing Handbook: Analysis, Research, and Writing*, 3d ed., 2002 [New York, NY: Aspen Law & Business, approx. 950 p.]

Covers all three components of the basic legal writing course, namely research, writing, and analysis.

Laurel Currie Oates & Anne Enquist, *The Legal Writing Handbook Practice Book*, 3d ed., 2002 [New York, NY: Aspen Law & Business, approx. 340 p.]

A supplement to *The Legal Writing Handbook* containing class-tested exercises and an answer key.

Joan Pedzich, *Student Dress Codes in Public Schools: A Selective Annotated Bibliography*, 94 Law Libr. J. 41 (2002).

“[C]ompiles and summarizes recent legal and educational literature on the constitutionality and viability of student dress codes in the public schools. The annotations cover the legal issues and the practical problems of drafting and enforcing dress policies that will pass the scrutiny of the courts.” *Id.*

Kimberly Pruett, *Sexual Harassment in the Workplace: A Legal Research Guide*, 2001 [Buffalo, NY: William S. Hein & Co., Inc., 28 p.]

Covers the sources needed to research this topic. Lists major primary and secondary authorities, combining leading cases and articles with a research strategy designed to serve as a starting point for exploring the topic in depth.

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Bernard D. Reams Jr., *Law of E-SIGN: A Legislative History of the Electronic Signatures in Global and National Commerce Act, Public Law No. 106-229 (2000)*, 2002 [Buffalo, NY: William S. Hein & Co., Inc., 7 vols.]

A legislative history of the federal law of encryption technology as it made its way to the enactment of the Electronic Signatures in Global and National Commerce Act, which established the validity of electronic signatures.

Wayne Schiess, *Ethical Legal Writing*, 21 Rev. Litig. 527 (2002).

Shows that lawyers get into trouble in their legal writings by failing to research well, misstating facts, misrepresenting the law, not citing the law correctly, plagiarizing, not obeying court limits on documents, making personal attacks, and not writing well.

Helen Shapo & Marshall Shapo, *Law School Without Fear*, 2d ed., 2002 [New York, NY: Foundation Press, 208 p.]

Discusses in simple terms what law students need to know about law school and how to get the most out of the law school experience. Also discusses the problems law students encounter most frequently and solutions to those problems.

Amy E. Sloan & Steven Schwinn, *Basic Legal Research: Tools and Strategies Workbook*, 2002 [New York, NY: Aspen Law & Business, 160 p.]

Designed to accompany the text by the same name. Contains exercises at four levels, progressing from basic to advanced source features. Includes both print and electronic sources in each exercise.

Jack T. Smith Jr. & Patricia C. Higginbottom, *Americans with Disabilities: An Annotated Guide to Resources on the World Wide Web*, Health Care on the Internet. Vol. 5, No. 4, 2001, at 19.

A description of Web sources that can help consumers locate information. Emphasis is on products and services for those with disabilities, not on the Americans with Disabilities Act.

Michael R. Smith, *Advanced Legal Writing Theories and Strategies in Persuasive Writing*, 2002 [New York, NY: Aspen Law & Business, approx. 350 p.]

Designed for upper-level legal writing courses. Emphasizes persuasive writing strategies while combining theory with practicality.

Betsy L. Stupski, *Florida Legal Research Guide*, 6th ed., 2001 [Charlottesville, VA: Lexis Publishing] An extensive guide to the sources used for conducting research in Florida law.

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