

## LEGAL RESEARCH AND WRITING RESOURCES: RECENT PUBLICATIONS

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COMPILED BY DONALD J. DUNN

*Donald J. Dunn is Dean and Professor of Law at the University of La Verne College of Law in Ontario, Calif. 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.*

Maria Perez Crist, *The E-Brief: Legal Writing for an Online World*, 33 N.M. L. Rev. 49 (2003).

Provides guidance to attorneys preparing briefs for electronic submission. Describes the trends toward accepting and encouraging electronic communications in the court system, “analyzes current research on electronic communication,” and “proposes a new ‘tech-rhetoric’ for the legal community and offers guidelines and strategies for lawyers to use in electronic communication with the courts.” *Id.* at 49–50.

John D. Edwards ed., *Iowa Legal Research Guide*, 2003 [Buffalo, NY: William S. Hein & Co., Inc., 546 p.]

Designed for attorneys and other researchers seeking the key resources associated with a particular area of law in Iowa. Includes “Starting Points” for basic sources, a “Research Process” section detailing steps to follow and sources to consult, and a “Final Checklist” as a double-check of the procedures followed.

Raymond T. (Tom) Elligett Jr. & John M. Scheb, *Stating the Case and Facts: Foundation of the Appellate Brief*, 32 Stetson L. Rev. 415 (2003).

Shows that “[t]he appellate brief’s Statement of the Case and Facts can catch the judge’s attention, introduce the party’s theme and show the court that the writer’s side should prevail. ... [I]n many cases, how the advocate develops and presents the facts can be the turning point in the appeal.” *Id.* at 424.

Elizabeth Fajans et al., *Writing for Law Practice*, 2004 [New York, NY: Foundation Press, 593 p.]

Organized around three modes of written communication in the law, with each requiring specialized writing skills: litigating (conceptualization), informing and persuading (clarity of analysis, organization, and expression), and rulemaking (precision).

Stacey L. Gordon, *Online Legal Research: A Guide to Legal Research Services and Other Internet Tools*, 2003 [Buffalo, NY: William S. Hein & Co., Inc., 412 p.]

Provides detailed information about the nine major subscription databases and an overview of more than 160 free Internet sources. Also includes information relating to the federal courts and state legal and government agencies.

Thomas R. Haggard, *Legal Drafting in a Nutshell*, 2d ed., 2003 [St. Paul, MN: West, 375 p.]

Covers both the thinking process and writing process of legal drafting, with chapters on style and usage, ambiguity avoidance, terminology for creating different legal consequences, and proper uses of definitions. Also covers understanding the client’s objectives, factual investigation, conceptual approaches, organization, and canons of interpretation.

Catherine F. Halvorsen & Diana C. Jaque comps., *Keeping Up with New Legal Titles*, 95 Law Libr. J. 579 (2003).

Succinct reviews of 15 law-related books published in 2002 and 2003.

Robert Haibin Hu, *Research Guide to Chinese Patent Law and Practice*, 2002 [Buffalo, NY: William S. Hein & Co., Inc., 390 p.]

Provides an overview of the Chinese patent system, current laws and regulations, administrative and judicial decisions, international treaties and agreements, patent agents, specific legal experts, statistics and other publications, organizations, and resources.

Robert M. Jarvis et al., *Amicus Humoriae: An Anthology of Legal Humor*, 2003 [Durham, NC: Carolina Academic Press, 272 p.]

A reprint of 25 of the funniest law review articles from the past 50 years, arranged under law students, law professors, lawyers, judges, and legal scholarship. Includes a comprehensive bibliography.

Mary Kate Kearney, *The Propriety of Poetry in Judicial Opinions*, 12 *Widener L.J.* 597 (2003).

"[E]xplore[s] how and why judges use verse in their opinions and ... evaluate[s] the advantages and disadvantages of this form." *Id.* at 598.

Christina L. Kunz et al., *The Process of Legal Research*, 6th ed., 2004 [New York, NY: Aspen Publishers, 530 p.]

Presents an introduction to the process of legal research and includes illustrations and examples of research problems. Shows best research practices with coverage of electronic research integrated into the text.

Terri LeClercq, *Guide to Legal Writing Style*, 3d ed., 2004 [New York, NY: Aspen Publishers, 140 p.]

Provides a focus on the nuances of legal writing style. Discusses basic skills, style issues, and clear organization. Gives how-to guidance and examples of both good and bad writing. The new revision emphasizes legal ethics. Accompanied by a CD-ROM with multiple exercises.

Jeffrey Metzler, *The Importance of IRAC and Legal Writing*, 80 *U. Det. Mercy L. Rev.* 501 (2003).

A very brief article describing how the proper use of IRAC (issue, rule, application, conclusion) can provide organization and focus to legal writing.

Susumu Miyazaki, *Should Japan Adopt a Plain Language Rule?*, 13 *Minn. J. Global Trade* 1 (2004).

First discusses "the historical background, structures, strengths and shortcomings of the plain English doctrine." Then outlines "Japan's current situation and its regulation regarding disclosure as an alternative solution." Finally, discusses "the new movement to introduce a plain language doctrine in Japan and the effects of the combination of current regulation and the plain language rule on the financial system." *Id.* at 2.

Deborah Mongeau, *Public Beach Access: An Annotated Bibliography*, 95 *Law Libr. J.* 515 (2003).

Provides extensive annotations of law-related resources covering legislative, regulatory, and judicial aspects of public beach access from the view of both the beachgoers and shorefront property owners.

Nadia Nedzel, *Legal Reasoning, Research, and Writing for International Graduate Students*, 2004 [New York, NY: Aspen Publishers, 350 p.]

Developed for the needs of international graduate students in LL.M. programs. Takes a skills-oriented approach to the "what" and "how" of legal research and writing.

Brandon D. Quarles & Matthew C. Cordon, *Legal Research for the Texas Practitioner*, 2003 [Buffalo, NY: William S. Hein & Co., Inc., 423 p.]

Focuses on the types of resources and research processes commonly encountered by modern-day practitioners. Covers basic skills as well as more involved areas such as jury instructions, briefs and records, civil jury verdicts, and attorneys general opinions. Includes 15 charts.

Mary Barnard Ray & Barbara J. Cox, *Beyond the Basics: A Text for Advanced Legal Writing*, 2d ed., 2003 [St. Paul, MN: West, 480 p.]

A selected compilation of cases designed to illustrate advanced legal writing. Chapters cover statutes or rules, jury instructions, contracts, issues, objective statements of fact, and persuasive statements of fact. Also covers research memos, argument, pleadings, notices of motion, motions, orders, interrogatories, general correspondence, opinion letters, wills and trusts, and research papers.

Suzanne E. Rowe, *Oregon Legal Research*, 2003 [Durham, NC: Carolina Academic Press, 240 p.]

Demonstrates how to find and stay up-to-date with Oregon cases, statutes, regulations, and court rules. Explains how to locate secondary materials for Oregon law. Includes tips for proper citation form for Oregon sources.

Mary Whisner, *Re: Memos*, 95 Law Libr. J. 601 (2003).

Discusses the various types of written memoranda that librarians often use to transmit their results to the patron. Provides ideas relating to purposes, style, and format. Includes an annotated checklist of tips for writing these memos.

Charles R. Wilson, *How Opinions Are Developed in the United States Court of Appeals for the Eleventh Circuit*, 32 Stetson L. Rev. 247 (2003).

Especially useful to legal writers is the section of the article titled “The Opinion” (at pages 257–66), which discusses structure, style, and audience.

Mark E. Wojcik, *Illinois Legal Research*, 2003 [Durham, NC: Carolina Academic Press, 248 p.]

Demonstrates how to find and stay up-to-date with Illinois cases, statutes, regulations, and court rules. Explains how to locate secondary materials for Illinois law. Includes tips for proper citation form for Illinois sources.

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