

LEGAL RESEARCH AND WRITING RESOURCES:
RECENT PUBLICATIONS

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.

Kenneth A. Adams, *A Manual of Style for Contract Drafting* (2004) [Chicago, IL: American Bar Association Section of Business Law, 256 p.]

Addresses how to draft clear and effective contracts. Focuses on how to express contract provisions in prose free of the problems that often afflict contracts. Highlights common sources of inefficiency, dispute, and misunderstanding and recommends how to avoid them.

David Barker, *The Character and Recognition of Legal Research in Australia*, 22 Penn. St. Int'l L. Rev. 441 (2004).

Discusses the state of legal research (legal scholarship) by law professors in Australia, doing so by examining several papers and reports on the topic.

Bibliography Issue, 19 Ohio St. J. on Disp. Resol. 1137-1285 (2004).

An annual issue that lists books and articles by authors' names and articles and book entries by search terms and index numbers. More than 140 pages in length.

Gertrude Block, *Legal Writing Advice: Questions and Answers* (2004) [Buffalo, NY: William S. Hein & Co., Inc., 194 p.]

A compilation of "Language Tips" written over the past 20 years and published in five different bar journals. Arranged under 13 topics.

Tracy Bowles, *Space Law Cases and Publications Since 2000*, 29 J. Space L. 213 (2003).

An unannotated bibliography regarding all

aspects of space law that is arranged by books, articles, notes/comments, and cases.

Lauren Breen et al., *An Annotated Bibliography of Affordable Housing and Community Economic Development Law*, 13 J. Affordable Housing & Commun. Dev. L. 334 (2004).

A detailed update of a bibliography published in 1998. Subheadings are arranged separately under affordable housing development, community development, community development lawyering, and legal education.

Marcia Canavan, *Using Literature to Teach Legal Writing*, 23 Q.L.R. 1 (2004).

In two parts. "Part I provides an explanation of the components I borrow from traditional legal writing methodology, rhetoric, literary criticism, and storytelling. Part II explains how literature can be used as a transition and to teach legal writing to first year law students." *Id.* at 4.

Jennifer L. Cordle, *ALWD Citation Manual: A Grammar Guide to the Language of Legal Citation*, 26 U. Ark. Little Rock L. Rev. 573 (2004).

"[E]xamines the differences between the [*ALWD Citation Manual* and *The Bluebook*], the goals of legal citation, the usefulness of each manual as a tool for teaching legal citation, and whether its usefulness as a teaching tool affects the *Bluebook's* or the would-be usurper's ability to meet the goals of legal citation." *Id.* at 576.

Anne Coyle, *A Modest Reform: The New Rule 32.1 Permitting Citation to Unpublished Opinions in the Federal Courts of Appeals*, 72 Fordham L. Rev. 2471 (2004).

Reviews the leading cases regarding unpublished opinions, discusses the pros and cons of the issue, and concludes that new Rule 32.1, which permits citation to

unpublished opinions in the federal courts of appeals, should be adopted.

Lynn Foster, *Courts and Lawyers on the Arkansas Frontier*, 26 U. Ark. Little Rock L. Rev. 543 (2004).

Describes the formation and structure of the early courts in Arkansas and discusses some of the earliest judges and attorneys. Uses record books and court files from the Arkansas Post courts (the district seat of an area then known as the District of New Madrid) from 1808 to 1814.

Joseph L. Gerken, *A Librarian's Guide to Unpublished Judicial Opinions*, 96 Law Libr. J. 475 (2004).

“[P]rovides . . . an overview of the rules and practice related to the nonpublication of judicial decisions.” *Id.* Uses a question-and-answer format to assist librarians in responding to patron inquiries about unpublished opinions. Includes a selective annotated bibliography.

Max Huffman, *Judge Painter's Forty Rules: A Review of Judge Mark Painter, The Legal Writer: 40 Rules for the Art of Legal Writing (2d ed. 2003)*, 72 U. Cin. L. Rev. 1011 (2004).

A glowing review of Ohio Court of Appeals Judge Mark Painter's book that attempts to show how to write clearly, effectively, and persuasively.

Jonathan Mermin, *Remaking Law Review*, 56 Rutgers L. Rev. 603 (2004).

Argues that law review students are unpaid editors of imperfect works while research assistants for professors get paid but do not get the benefits from being on law review.

H. Kumar Percy, *Admiralty and Maritime Law Articles Published in Non-Maritime Law Journals (2003)*, 35 J. Maritime L. & Comm. 405 (2004).

The second annual subject-matter, annotated bibliography of admiralty and

maritime law articles published in U.S.-based legal journals, exclusive of the four journals devoted specifically to these topics.

Terrill Pollman & Judith M. Stinson, *IRLAFARC! Surveying the Language of Legal Writing*, 56 Me. L. Rev. 239 (2004).

The results of a survey of legal writing faculty regarding the terminology used in the legal writing vocabulary.

Michael R. Smith, *Alternative Substantive Approaches to Advanced Legal Writing Courses*, 54 J. Legal Educ. 119 (2004).

An “attempt to summarize and categorize the various approaches of advanced legal writing courses.” *Id.* at 120. Groups the courses under four approaches (along with the textbooks available in each category) and then discusses the advantages and disadvantages of the various approaches.

West's Encyclopedia of American Law, 2d ed. (2004) [Farmington Hills, MI: Thompson-Gale, 13 vols.]

Originally published in 1997, this new edition contain 325 new entries; thousands of revised articles; 900 photographs; 620 biographical timelines; hundreds of tables, charts, and graphs; citations and bibliographies; a dictionary; indexes; and primary sources and milestone case documents.

Mary Whisner, *When Judges Scold Lawyers*, 96 Law Libr. J. 557 (2004).

“[E]xplores techniques to use in the quest [for cases where judges scold lawyers for incompetent research or writing] and identifies a number of cases that might be useful in a variety of instructional contexts.” *Id.*

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