

Book Notices

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Clear & Effective Legal Writing. 2d ed. By Veda R. Charrow, Myra K. Erhardt & Robert P. Charrow. Boston: Little, Brown & Co., 1995. Pp. 351. \$23.95.

In its second edition, this popular legal-writing text remains excellent. But a recurring problem tarnishes the authors' credibility: their writing is not always clear and effective. Some paragraphs are unbearably long — extending to 20 lines or more. And many sentences could be tightened, like these:

- “Perhaps the most recognizable example of the use of archaic forms in legal language is the retention of *such*, *said*, and *which* as demonstrative adjectives or determiners, and *absent* as a preposition” (p. 11).
- “Remember, the losing party’s lawyer believed that his or her position was correct and his or her client spent money to have that position forcefully argued” (p. 43).

Even worse, glaring miscues result from a few sentences, like this one:

In the law, terms, phrases, even whole chunks of discourse, mean what courts have decided they mean [p. 15].

The book’s scope is admirably broad, covering topics such as the history of legal language, the relationship between federal and state courts, and the litigation process. The authors teach a wide range of skills, including:

- reading, analyzing, and briefing a case;
- synthesizing the law from various cases;
- planning and organizing documents;
- structuring sentences;
- following guidelines for good writing;

- writing persuasively;
- writing for a specific audience;
- revising and editing;
- writing memoranda; and
- writing an appellate brief.

The book is divided into three parts: (1) learning to read legal materials; (2) learning to write legal documents; and (3) synthesizing the first two skills by learning to write memoranda and briefs. The appendix contains a grammar guide, accompanied by exercises.

Reorganized slightly, this edition includes new material on the sources of law, the system of courts, and the litigation process. But the details in these new parts may overwhelm first-year students. Why, for example, must they appreciate so soon the distinctions between a motion for judgment notwithstanding the verdict and a motion for new trial?

The authors show questionable judgment in reprinting a supposedly humorous motion by a lawyer who repeatedly uses the term “pissed-off” while lampooning his future in-laws’ religion. After portraying the would-be comedian as an astute judge of his audience, the authors warn students not to use humor unless they are sure they can — thus almost daring them to engage in such a foolish prank. In another questionable decision, the authors include a model brief with copious substantive footnotes in a minuscule font.

An excellent feature of the book is its attractive format. The authors effectively use graphics, charts, and margin annotations to emphasize their points. Another good aspect is the book’s emphasis on the writing process — including the prewriting stage, which facilitates creative thought.

As long as students are warned not to emulate some of the models, legal-writing instructors will find this book a valuable text for first-year law students.

A Dictionary of Modern Legal Usage. 2d ed. By Bryan A. Garner. N.Y.: Oxford University Press, 1995. Pp. 953. \$65.

Because the author of this book is also an editor of this journal, the editors decided — before the book was published — not to print an original review but merely to excerpt all published reviews as of our press date.

- It is scholarly and is bolstered by a tremendously wide range of resources: court opinions, law review articles, treatises, and reference books. This book is useful to a degree that few other books for lawyers can achieve. The fine distinctions that it sometimes makes are presented thoughtfully, clearly, and with great common sense. It is persuasive because it is highly knowledgeable, realistic, and very intelligent. . . . This is one of the best books ever written for lawyers.

ABA APPELLATE PRAC. J. 41, 42 (Fall 1995).

- In the last week . . . I received another book, and one so fascinating that if it had come earlier I would have been hard put to find time to read crime novels. It is the second edition of Bryan Garner's magisterial *Dictionary of Modern Legal Usage* (2d ed. 1995). It is an invaluable reference work, but it is also fun to read.

Charles Alan Wright, *The Fictional Lawyer*,
in PRAC. LAW. 88, 95 (Oct. 1995).

- Like the superb first edition . . . , this new version of *A Dictionary of Modern Legal Usage* is loaded with well-documented (and even witty) definitions and examples of legal usage. . . . This dictionary sets the standard for legal usage. It is absolutely indispensable for law libraries, lawyers, and judges, and a wonderful addition to all academic and public library reference collections.

Mary Jane Brustman, LIBR. J. 86 (Jan. 1996).

- This dictionary is not only useful, it is actually fun to browse in. Its entries are admirably clear and direct, and often clever. If used regularly by enough lawyers, it could put an end to legalese, or at least legalde-gook

Henry Cohen, 43 FED. LAW. 44, 44 (1996).

- The second edition of his dictionary, which contains much new material including several thousand fully cited illustrative quotations, is a work of enormous value. . . . The *Dictionary* is a blend of thorough scholarship, sound legal knowledge, common sense and skilled writing — it is also very witty.

LAW INST. J. 26 (Feb. 1996).

- A gem of a reference As much a style guide as a legal dictionary, it presents practical advice on how to write clear legal prose for lawyers, judges, law students, and those who confront the language of the law in related fields It includes guidelines and illustrations, quotations from judges and prominent legal thinkers, and essays that explore the issues that legal writers routinely encounter. This edition is updated and expanded to more than twice the length of the original (1987).

REFERENCE & RES. BOOK NEWS 34 (Feb. 1996).

- A thoroughly updated and vastly expanded edition of this comprehensive guide to legal style and usage. The first edition was highly regarded; this new edition is even better.

Donald J. Dunn, PERSPECTIVES:
TEACHING LEGAL RES. & WRITING 101 (Spring 1996).

- Garner's dictionary . . . is liberally strewn with fascinating facts from history and pithy quotations from the famous bound together by Garner's own talented hand. . . . Garner's prose is "almost always pithy and often witty." So says [a reviewer of the first edition]. Perhaps that is what makes browsing *DMLU* fun. Frank Wagner spent the better part of a weekend doing just that and was moved to write the author a congratulatory letter, stating, "I pored over it all weekend, rushing from entry to entry like a hungry cougar in a meadow full of fat woodchucks."

Maureen Pearce, THE CATCHLINE 3, 4 (Feb. 1996).

- This desk reference will assist greatly in clear thinking and writing. Garner not only defines words that are commonly misused but illustrates how appellate courts have used the words correctly and incorrectly. . . . Garner has rewritten every entry from the first edition and added hundreds more. He demonstrates precisely how to use a word and not just what it means.

Edward J. Schoenbaum, *Book Review*,
NAT'L ASS'N ADMIN. L. JUDGES NEWSL. 8 (1996).

- The well-received *Dictionary of Modern Legal Usage* (1987) has been updated in this superior second edition. This dictionary of law usage and etymology, not just definitions, is written in a clear and concise style. The number of entries has almost doubled from the first edition, and additional illustrative quotations have been added with complete citations. . . .

The entries are arranged alphabetically, interspersed with brief essays on issues of style, grammar and usage, legal lexicology, word formation, and punctuation. . . . Even libraries that have the first edition should consider this new one, which is highly recommended for any law collection in public or academic libraries.

92 BOOKLIST 1642 (1996).

Effective Legal Writing. 4th ed. By Gertrude Block. Westbury, N.Y.: Foundation Press, 1992. Pp. 290. \$19.50.

Like its predecessors, this edition of Block's familiar legal-writing text has its strengths. One of them is an expanded chapter on understanding opinions and writing case briefs. This simple, commonsense explanation will ease new law students' frustration as they struggle to understand the format of casebooks, the sources of the opinions and excerpts, and the unfamiliar process of learning the law. Students will find similarly useful the chapter on legal reasoning.

Law students should read Block's chapter on exam techniques before the first day of their first semester. This lifeline will allay their terror by teaching them to start early in preparing for exams. And for later in the semester, the chapter provides good sample questions for use in practicing for exams.

In this edition, Block again includes an extensive section on basic grammar and style. Legal-writing teachers, of course, continue to debate whether these topics can or should be taught in law school. But if they are to be taught, they should be taught honestly. And comments like these will hurt Block's credibility with all but a few students:

You will find that correct grammar is not hard to learn. Much of what follows in this chapter you already learned once, long ago, and you will find the re-discovery of old rules a pleasant experience [p. 41].

What follows is a dry explanation of terms like *present perfect tense*, *imperative mood*, and *passive voice*. And some of the examples seem to come directly from the books the students actually studied "long ago":

- "Stop doing that!" (p. 42).
- "Give me an eraser" (p. 42).
- "The dog is ours" (p. 49).

Fortunately, this condescending tone is restricted to a few examples and does not mar Block's readable, second-person text.

In this edition, Block corrects a shortcoming of earlier editions: she adds a chapter on appellate brief-writing. As in other parts of the book, she starts simply. Thus, instead of launching into the parts of a brief, she first explains when and why lawyers write briefs.

But some of Block's brief-writing advice is unsound. For example, she tells students that they must present the issue "as an indirect question, beginning with *whether*" (p. 172). And though she doesn't say so, she apparently believes that an issue must be exactly one sentence long. Thus, her "model brief" contains the following inscrutable issue — a rambling, unreadable 51-word sentence in all capital letters:

WHETHER THE TRIAL COURT ERRED IN RULING THAT THE DECEDENT'S STEPFATHER, WHO HAD NOT ADOPTED THE DECEDENT, SHOULD RECEIVE THE DECEDENT'S LIFE INSURANCE BENEFITS, AND THAT THE DECEDENT'S NATURAL FATHER, WHO WAS IDENTIFIED ALONG WITH THE DECEDENT'S MOTHER AS THE "BY LAW" BENEFICIARY OF HIS INSURANCE, WAS IMPROPERLY PAID THESE BENEFITS [p. 194].

Unlike earlier editions, this one covers the interoffice memorandum and the senior thesis. And while some law schools don't require a senior thesis, most of Block's advice about it applies equally to the seminar paper and law-review note. Again, these sections begin simply and provide clear, commonsense suggestions.

Legal-writing teachers may dislike Block's inclusion of a complete model answer for the memorandum assignment. As these realists understand, some law students will be unable to resist reading the model first, especially if they'll later be graded on their own efforts. Block could have prevented this problem by including a model memorandum on another issue.

This edition fails to discuss letter-writing — a problem noted by Robert Barr Smith in reviewing the third edition for the 1990 *Scribes Journal*.¹ And some parts of the book seem unnecessary, or worse. For example, the book begins with seven pages of definitions of legal terms, including *assumpsit*, *eiusdem generis*, and *actus non facit reum, nisi sit rea*. This incomplete list of terribly strange terms will only discourage new law students. Instead, Block should have discussed the plain-language movement in law and then sensibly recommended a good law dictionary.

Despite its shortcomings, though, Block's book remains one of the better legal-writing texts on the market.

¹ See *Something for Everyone*, 1 SCRIBES J. LEGAL WRITING 175, 178 (1990).

Expert Legal Writing. By Terri LeClercq. Austin: University of Texas Press, 1995. Pp. 200. \$27.50.

Expert Legal Writing is a collection of essays first published in the *Texas Bar Journal*. These pieces contain practical writing tips for lawyers. One of the best, titled “Advice to Partners About Advice,” is a barbed expose of partners’ sins in working with associates on legal documents.

The book begins with a thoughtful foreword by Chief Justice Phillips of the Texas Supreme Court. The essays are organized in six loose categories: (1) general writing advice; (2) sentence-level editing; (3) structure; (4) word choice and style; (5) punctuation; and (6) miscellaneous topics such as mentoring and myths about writing.

Though the book is generally well written — sometimes even clever and colorful — a good edit would have made it more readable. We must occasionally slog through sentences like this one, for example, which contains *citation*, *information*, and *location* — in rapid succession:

Once they understand the prose message of the sentence, and perhaps the paragraph, students can reread the citation for its information, deciding whether the location of the court or type of court is significant [p. 54].

The book’s format is enhanced by bulleted lists, graphics, and plenty of white space. The fonts are attractive and readable, except for the outmoded courier font used in the examples. And LeClercq tucks her authorities neatly into footnotes.

LeClercq offers generally good advice in this fresh and lively collection on legal writing.

The Grammatical Lawyer II. By James D. Maugans. Philadelphia: ALI-ABA Committee on Continuing Professional Education, 1996. Pp. 321. \$37.

This book is a collection of pieces on grammar, usage, and style that appeared during the ten years while Maugans was writing the “Grammatical Lawyer” column in the periodical *The Practical Lawyer*. The second volume in a two-volume set, it is a companion to *The Grammatical Lawyer*, a collection of pieces by Morgan S. Freeman, who wrote the column before Maugans did.

Most of the columns feature vignettes starring Professor Snaguam and Fred — a college student whose grammatical blunders the Professor repeatedly corrects, sometimes more than once in the same column. A few other colorful characters drift in and out of the stories.

These clever columns resemble comic-strip dialogues. But the lessons they teach are valuable. A typical one begins like this:

“What’s the matter with you today, Fred?” asked Professor Snaguam. “You seem to be only half awake.”

“I don’t know, Professor,” Fred replied. “I didn’t sleep very well last night. I guess I’m just in a restive mood.”

“Ordinarily, I might agree with you, but not today,” he said. “Do you know what *restive* means, Fred?”

“It means ‘restful,’ doesn’t it?”

“No, I’m afraid it doesn’t. Does anyone know what *restive* means?”

[pp. 105-06].

The book is divided into three parts. The first includes columns on words — their spellings, meanings, origins, and uses. The second focuses on everything else, including grammar, punctuation, syntax, and style. The third contains a brief “pop quiz” (along with answers) on some of the points made in the first two parts.

Maugans’s advice is generally sound, and he explores unusual linguistic problems that are not commonly discussed elsewhere.

But Maugans clings to some misguided notions, including the myth that *sincerely* should not be used as the complimentary close of a letter.²

Because the book has a good, detailed index, you can actually consult the book for specific information. But it's primarily intended to be read at leisure, when you aren't desperately searching for an answer.

Guide to Legal Writing Style. By Terri LeClercq. Boston: Little, Brown and Co., 1995. Pp. 198. \$11.95.

Despite its title, LeClercq's guide is not exclusively — or even predominantly — about style. Instead, it's a practical usage guide for law students. Though the preface doesn't identify the book's intended audience, sentences like these do:

- “Before your first written assignment, you may find it helpful to skim this book . . . ” (p. xvii).
- “When your paper is returned, focus your efforts on the instructor's feedback . . . ” (p. xvii).

LeClercq, who teaches legal writing, has filled her book with exercises. But LeClercq's proposed answers are often disappointing and sometimes downright wrong. For example, she offers this “edited” version of a sentence, which begins with a dangling modifier, moves to a throat-clearer, and then omits an essential *that*:

In arguing our clients' case, it will be crucial that we prove the Trevors' use of the road is sufficiently analogous to . . . [p. 175].

² See *An Epistolary Essay: The Wright–Garner–Maugans Correspondence on Complimentary Closes*, 2 *SCRIBES J. LEGAL WRITING* 83-99 (1991).

A good, simple edit would have corrected all three problems:

In arguing our clients' case, we must prove that the Trevors' use of the road is sufficiently analogous to

The book's chapters cover organizing a draft, editing sentences, choosing and arranging words, and using punctuation. Its appendixes contain grammar and punctuation exercises, an annotated student memorandum and brief, and answers to the exercises. LeClercq offers good advice on hyphenating phrasal adjectives, using dashes, keeping the subject close to the verb, and introducing block quotations.

Unfortunately, though, some of LeClercq's advice is misguided, such as this tip:

To avoid "graceless citation placement," move the citation into a prepositional phrase [pp. 54-55].

The best solution — even in legal memoranda and briefs — is to move the citation to a footnote. The next best solution is to move it out of the sentence and into a separate citation sentence.

LeClercq's own writing style could stand some improvement. She shifts voice unpredictably from second to third person, underlines case names instead of italicizing them, distracts readers with tiny substantive footnotes, and uses an unattractive courier font for the student examples.

If the book comes out in another edition, it could use a thorough edit, which would include providing better solutions to the exercises. With good editing, the book could be dramatically improved.

Indexing Legal Materials. Edited by Elizabeth M. Moys. London: Society of Indexers, 1993. Pp. 86. £8.

Indexers will find useful this practical booklet on indexing legal materials. This British guide assumes that its readers intend to use British indexing standards, which the publishers helped create. The book expects its readers to know a good bit about indexing but almost nothing about the law. The editors explain, for example, that “most civil cases are framed as actions in which one party, called the plaintiff, sues another party, called the defendant” (p. 62).

The book begins with a brief history of law-indexing. Later chapters describe different types of legal materials and their users, explain subject indexing of legal materials, and discuss problems in indexing European Community law. The final chapter shows how to compile tables of cases and statutes.

Wordiness and passive voice encumber the text, as in this passage:

Another category of entries which must not be forgotten is that of the legal definitions of terms. Virtually all definitions encountered in a law book should be indexed. It should be noted that every statute has, towards the end, . . . [p. 22].

And occasional inconsistencies in capitalization and spacing may make readers wonder whether the editor is really punctilious enough to be a good indexer.

Still, the booklet provides a rare resource in a very specialized area.

Introduction to Advocacy: Briefwriting and Oral Argument in Moot Court. 5th ed. By Board of Student Advisers, Harvard Law School. Westbury, N.Y.: Foundation Press, 1991. Pp. 86. \$12.95.

As the preface acknowledges, this book narrowly focuses on helping law students prepare for moot court. It generally covers four areas: research, writing, citation, and oral advocacy. This edition contains an excellent expanded chapter on legal research, which discusses basic research techniques and explains how to find and use various sources. The book's illustrations are drawn from a hypothetical wrongful-birth case used in the moot-court program at Harvard. The record from that case is reprinted in the book.

Some of the book's information is extremely basic, like this: "A brief gives each party an equal opportunity to describe their position clearly, accurately, and assertively to the appellate court" (p. 48). Agreement errors like the one in the last sentence indicate that the Harvard students responsible for this book are less careful scholars than those who update the *Bluebook*.³

One might be able to pass off this error as an informed attempt to avoid the generic masculine. But elsewhere in the book, the authors vacillate between generic masculine and generic feminine:

- "Each person needs to determine what method is best for him" (p. 3).
- "[T]he oral argument gives you a chance . . . to rebut arguments that your opponent raised in her brief . . ." (p. 49).

And the book is marred by other stylistic gaffes, including occasional legalese. But the book is generally well written and well organized, if somewhat dry.

³ But see Robert D. Eagleson, *A Singular Use of They*, ante pp. 87-99.

The following stylistic aspects of the sample briefs should not be emulated: (1) all capital letters in headers; (2) underlining instead of italics; and (3) courier font instead of a proportionally spaced font. While the chapter on preparing for oral argument is detailed and helpful, the appendix on citation form seems unnecessary since it merely duplicates information in the *Bluebook*.

Moot-court participants will appreciate some parts of this book, especially the chapters on research and oral argument.

The Miss Grammar Guidebook. By Karen Larsen. Lake Oswego, Oregon: The Oregon State Bar, 1994. Pp. 126. \$7.95.

A writing consultant at a law firm for the past 15 years, Larsen has created a guide to the “troublesome things that keep coming up in legal writing year after year” (p. xi). This book compiles useful tips that first appeared in her column in the Oregon State Bar *Bulletin*.

Larsen’s persona — “Miss Grammar” — emerged when she began answering lawyers’ letters in her firm’s in-house newsletter. Though the book’s title and the 19th-century schoolmarm pictured on its cover will strike some as trite or even condescending, most readers will immediately warm to Larsen’s playful, self-effacing tone. It’s hard to remain seriously annoyed by someone who writes:

- “If her readers will forgive her for glossing over a difficult area, Miss Grammar will present a few very simple remarks about hyphens” (p. 8).
- “Miss Grammar is not telling you this to be vexatious; rather, in matters of grammar as in domestic quarrels, it is wise to refrain from making statements containing ‘always’ and ‘never’” (p. 10).

Not all of the book’s 16 short chapters concern grammar. While Larsen covers expected topics such as commas, misplaced

elements, possessives, and subject-verb agreement, she also advises us on stylistic problems and commonly misused words. Larsen's advice on these matters is consistently sound.

But the book's most memorable quality is its piquant humor. For example, in a chapter on forcing nouns into "verbhood," Larsen writes:

Consider what might happen to our language if we forced words to perform other than their usual functions:

"Arising early, Harold razored, toothpasted, suited, and cerealed. Then, he sidewalked to the garage, Toyotaed downtown, and elevatored to the 33rd floor where he officed."

A well-meaning social worker was heard to remark, "Young women have trouble understanding cause and effect — that's why they're unable to contracept." Take it from Miss Grammar: there is no such verb as "to contracept" [pp. 71-72].

The Miss Grammar Guidebook is highly recommended, even for those with only the vaguest interest in grammar.

Plain English for Lawyers. 3d ed. By Richard C. Wydick. Durham, N.C.: Carolina Academic Press, 1994. Pp. 150. \$9.95.

In its third edition, this popular little book sparkles. Wydick has arranged the book as a series of essays on practical ways to improve legal writing. The book's overarching theme remains the same: "good legal writing should not differ, without good reason, from ordinary well-written English" (p. 3).

The new edition is not that new. But it sports a cleaner font and more attractive document design. While Wydick has moved the book's endnotes to the end of each chapter, readers will still yearn for the convenience of footnotes. This edition's only substantive differences are a good new chapter on punctuation and some additional exercises.

The book's exercises, of course, have always been good. And all of them appropriately concern the law instead of the childhood lore into which some legal-writing experts oddly lapse.

But the book's best feature is Wydick's spirited prose — a testament to the wisdom of his advice. In his chapter titled "Use Short Sentences," for example, he writes: "statutes and regulations grind on, line after line, perhaps on the theory that if the readers come to a period they will rush out to violate the law without bothering to read to the end" (p. 33). And in a section titled "Use Familiar Words," he deftly explains:

Do not conclude that your vocabulary should shrink to preschool size. If an unfamiliar word is fresh and fits your need better than any other, use it — but don't *utilize* it [p. 57].

Elsewhere, Wydick advises us to avoid sexist language and other "language quirks" for exactly the right reason — so that we can avoid distracting our readers.

While not recommended as a broad reference book, *Plain English for Lawyers* is both readable and reliable.

Plain Language Pleadings. By Carol Ann Wilson. Upper Saddle River, N.J.: Prentice Hall, Inc., 1996. Pp. 221. \$22.00.

A legal assistant with 25 years' experience, Wilson pleads with legal assistants — the book's primary audience — to use plain language in court papers. In the first half, she discusses the need for plain language, summarizes advice from legal-writing experts, and explains selected writing rules. Unfortunately, this part is poorly organized, rambling, and repetitive.

The second half is a compendium of plain-language forms for common types of court papers. Though the forms may be helpful to new legal assistants, they create the inevitable danger that someone will slavishly adhere to them without checking

the local rules and customs. That danger is heightened in a book like this, which is not specific to federal courts or to one state's courts, but instead implies that it is universally useful.

Wilson's writing is sometimes ambiguous, as in this passage:

The lawyer's image needs to be improved. The professional lawyer's assistant (LA) can help with that improvement by being professional and by caring as much about the law and the legal system as the lawyer [p. xiii].

Is Wilson exhorting legal assistants to care as much about law as they care about their lawyers? Or is she advising them to care as much about the law as their lawyers do?

Even patient readers may chafe at Wilson's choppy sentences and shrill tone. In this series of sentences, for example, she seems to shout at her readers (and, if that were not offense enough, uses generic masculine pronouns):

It's not enough any more to think that the lawyer knows what it means and so that's all right. It's not all right. It's not all right to assume the client *expects* it, either. That's a copout used by lawyers who are afraid to write simply.

If the client isn't happy, what happens? The bill isn't paid, or the client doesn't come back or send referral business. Lawyers cannot survive with such clients. There may not be enough of them to go around.

Let the client know what's going on. Keep him happy. Keep him as a client. To do that, the lawyer must communicate well with the client [p. 5].

True, Wilson has taken on an area that badly needs reform, and she seems to be pointing in the right direction. But legal assistants, like lawyers, can find other books dealing with plain-language pleadings more authoritatively.

Scholarly Writing for Law Students: Seminar Papers, Law Review Notes, and Law Review Competition Papers. By Elizabeth Fajans and Mary R. Falk. St. Paul, Minn.: West Publishing Co., 1995. Pp. 177. \$14.50.

This specialized book teaches law students how to write scholarly papers for seminars, law reviews, and law-review competitions. As the authors explain, they treat the three formats together “because the processes of inspiration, drafting, revising, and polishing are the same for all” (p. 5).

The chapters trace the writing process, from choosing a topic to editing the final draft. The authors’ advice is detailed and practical. For example, a chapter on beginning to write explains the process of “freewriting” — filling the page with every thought that comes to mind, without worrying about order, grammar, or style. The chapter then shows how to create charts, diagrams, and outlines in the early stages of writing.

Other parts discuss revising the draft, using footnotes, avoiding plagiarism, improving one’s style, and editing others’ work. Two appendixes provide a few rules of grammar, usage, and punctuation. Notably, the authors include avoiding sexist language in their list of “musts” — along with eliminating danglers and making subjects agree with verbs. But some of their advice in these appendixes is misguided, such as their approval of using *which* to introduce a restrictive clause (p. 145). Other appendixes include a sample casenote, a list of proofreading marks, and examples of marked-up pages.

The book brims with good examples. And each chapter begins with one or more lively quotations, like this one from Noel Coward:

Encountering [a footnote] is like going downstairs to answer the doorbell while making love [p. 87].

While generally well written, the book exposes a few bad habits of its authors, such as starting sentences with *However* and overusing nominalizations. In some chapters, the authors inexplicably use endnotes, thus annoying their readers. And one cannot help but yearn, at times, for a break from the authors' relentlessly serious tone.

Still, most readers will overlook these shortcomings. Fajans and Falk have created a sound, comprehensive guide that fills a gap in legal-writing literature and offers useful tips even to those who are not law students. The entire book — but particularly the chapter on editing law-review articles — should be required reading for every student editor.

Books Received for Future Review

The Art of the Statute. By Jack Stark. Littleton, Colo.: Fred B. Rothman & Co., 1996.

Black's Law Dictionary. Pocket ed. Edited by Bryan A. Garner. St. Paul, Minn.: West Publishing Co., 1996.

California Style Manual: A Handbook of Legal Style for California Courts and Lawyers. 3d ed. By Robert E. Formichi. North Highlands, Cal.: Dep't of General Services, 1986 & current annual supplement.

Commercial Agreements: A Lawyer's Guide to Drafting and Negotiating. By Peter Siviglia. Rochester, N.Y.: Lawyers Cooperative Publishing, 1993.

Drafting. By Elmer Doonan. London: Cavendish Publishing Ltd., 1995.

Exercises in Commercial Transactions. By Peter Siviglia. Durham, N.C.: Carolina Academic Press, 1995.

The Great Advocates Legal Briefs: Covering Six Historic Cases. Foreword by Steven D. Stark. Minnetonka, Minn.: Professional Education Group, Inc., 1994.

Guidelines for Drafting and Editing Court Rules. By Bryan A. Garner. Washington, D.C.: Administrative Office of the United States Courts, 1996.

Law Dictionary. 4th ed. By Steven H. Gifis. Hauppauge, N.Y.: Barron's Educational Series, Inc., 1996.

Legal Drafting. By Susan L. Brody, Jane Rutherford, Laurel A. Vietzen & John C. Dernbach. Boston: Little, Brown & Co., 1994.

Legal Drafting in a Nutshell. By Thomas R. Haggard. St. Paul: West Publishing Co., 1996.

Legal Writing. By Margot Costanzo. London: Cavendish Publishing Ltd., 1993.

Legal Writing: The Strategy of Persuasion. 3d ed. By Norman Brand & John O. White. New York: St. Martin's Press, 1994.

The Legal Writing Handbook: Research, Analysis, and Writing. Laurel Currie Oates, Anne Enquist & Kelly Kunsch. Boston: Little Brown & Co., 1993.

Legislative Drafting. 4th ed. By G.C. Thornton. London: Butterworths, 1996.

Legislative Drafting. By V.C.R.A.C. Crabbe. London: Cavendish Publishing Ltd., 1993.

Opinion Writing & Drafting in Contract Law. By Carron-Ann Russell. London: Cavendish Publishing Ltd., 1996.

Texas Law Review Manual on Usage & Style. 8th ed. Austin, Tex.: Texas Law Review Ass'n, 1995.

Writing Contracts. By Peter Siviglia. Durham, N.C.: Carolina Academic Press, 1996.

