

Legal Reference Books Review*

Compiled by Diana C. Jaque** and Lee Neugebauer***

Contents

<i>The 10 Biggest Legal Mistakes Women Can Avoid: How to Protect Yourself, Your Children, and Your Assets</i>	611
<i>The Lawyer's Guide to Internet Research</i>	611
<i>Congressional Quarterly's Desk Reference on the Economy</i>	613
<i>An International Guide to Law and Literature Studies</i>	615
<i>The Workplace Law Advisor: From Harassment and Discrimination Policies to Hiring and Firing Guidelines, What Every Manager and Employee Needs to Know</i>	616
<i>Copyright Essentials for Librarians and Educators</i>	617
<i>Legal and Ethical Aspects of Organ Transplantation</i>	619
<i>Living Together: A Legal Guide for Unmarried Couples</i> , 10th ed.	622
<i>The Burger Court: Justices, Rulings, and Legacy</i>	623
<i>Navigating the Internet: Legal Research on the World Wide Web</i>	624

Review Contributors

Linda G. Brakeall
Assistant Professor
School of Library and Information Science
University of South Florida
Tampa, Florida
Legal and Ethical Aspects of Organ Transplantation 619

Stephanie Davidson
Reference and Electronic Resources Librarian
Lillian Goldman Library
Yale Law School
New Haven, Connecticut
The Lawyer's Guide to Internet Research 611

* © Diana C. Jaque and Lee Neugebauer, 2001. The books reviewed in this issue were published in 2000. The editors would like to thank Michelle Boon for her word-processing expertise.
** Collection Development/Acquisitions Librarian, University of Southern California Law School, Los Angeles, California.
*** Reference Librarian, Paul, Hastings, Janofsky and Walker LLP, Los Angeles, California.

- Kathy A. Hampton
 Librarian
 Dow, Lohnes & Albertson, PLLC
 Washington, D.C.
*The 10 Biggest Legal Mistakes Women Can Avoid: How to Protect Yourself,
 Your Children, and Your Assets* 611
- Lynn K. Hartke
 Reference/Educational Services Librarian
 St. Louis University Law Library
 St. Louis, Missouri
*The Workplace Law Advisor: From Harassment and Discrimination
 Policies to Hiring and Firing Guidelines, What Every Manager and
 Employee Needs to Know* 616
The Burger Court: Justices, Rulings, and Legacy 623
- Diana C. Jaque
 Collection Development/Acquisitions Librarian
 University of Southern California Law Library
 Los Angeles, California
Copyright Essentials for Librarians and Educators 617
- Marsha Jeanne Lawson
 Student Research Assistant
 Reference Department
 University of Connecticut School of Law Library
 Hartford, Connecticut
Living Together: A Legal Guide for Unmarried Couples, 10th ed. 622
- Margaret McDermott
 Head of Public Services
 St. Louis University Law Library
 St. Louis, Missouri
An International Guide to Law and Literature Studies 615
- Creighton J. Miller Jr.
 Reference Librarian/Webmaster
 Bounds Law Library
 University of Alabama School of Law
 Tuscaloosa, Alabama
Navigating the Internet: Legal Research on the World Wide Web 624
- Spencer L. Simons
 Director of Public Services
 Chicago Kent College of Law Library
 Chicago, Illinois
Congressional Quarterly's Desk Reference on the Economy 613

Barrett, Marilyn. *The 10 Biggest Legal Mistakes Women Can Avoid: How to Protect Yourself, Your Children, and Your Assets*. Sterling, Va.: Capital Books, 2000. 268p. \$14.95.

Reviewed by Kathy A. Hampton

¶1 *The 10 Biggest Legal Mistakes Women Can Avoid* is a tool belt to construct, repair, or improve the financial devastation of a fallen marriage or relationship for women of varied socio-economic backgrounds. This self-help guide is a “must read” for the proactive woman who is not legally savvy. It also serves as a motivator for any woman who believes she is not in control of her destiny or her financial affairs. Marilyn Barrett provides a sampling of the lessons women do not have to learn if they take control of their lives and the lives of their children. Barrett’s use of high-profile celebrity figures and lawsuits reads, on occasion, like a sophisticated tabloid with sound legal advice provided at every steamy turn of events. However, any lay reader will benefit from having intriguing facts accompanied by straightforward guidance to issues surrounding marriage, divorce, abuse, and death.

¶2 Some of the tools Barrett equips the reader with include confidence in the preparation of prenuptial agreements, empowerment in the hiring and firing of lawyers, and courage in deciding how to proceed with a will or trust. Samples of legal forms and various documents are added in appendixes which help to demystify legal materials, language, and the process of various legal proceedings.

¶3 Marilyn Barrett is a tax and business attorney in a major Los Angeles law firm. I believe her insight on the business of highly emotional matters, such as divorce, is presented in a comfortable format for the general audience. I recommend Barrett’s book, *The 10 Biggest Legal Mistakes Women Can Avoid*, as a powerful instrument every woman, married or not, should equip herself with.

Biehl, Kathy, and Tara Calishain. *The Lawyer’s Guide to Internet Research*. Lanham, Md.: Scarecrow Press, 2000. 350p. Paper, \$35.

Reviewed by Stephanie Davidson

¶4 Though I spend my days as a reference librarian with an academic law library, this title nevertheless piqued my interest immediately. The authors maintain their own writing and research consulting businesses and have prominent bylines on several Web-based newsletters related to legal research. Biehl and Calishain offer a light-hearted, balanced approach to their helpful tips on *LLRX Research-Roundup*¹ and *LLRXBuzz*,² respectively.

¶5 *The Lawyer’s Guide to Internet Research* obviously targets practicing attorneys, both in scope and approach, and seems particularly geared to those just

1. See, e.g., Kathy Biehl, *Slip Opinions Listservers—Updated*, RESEARCHROUNDUP (May 15, 2001), at <http://www.llrx.com/columns/roundup12.htm>.

2. TARA CALISHAIN, LLRXBUZZ, at <http://www.llrx.com/buzz/buzz.htm> (last visited June 12, 2001).

beginning to explore the use of electronic media in their research. The first quarter of the book addresses such basics as the history of the Internet, privacy issues related to its use, and browser and e-mail basics. The remainder of the book is arranged in chapters by type of resource, such as case law, statutes and regulations, and court rules, in addition to a chapter on topic-based research. Each chapter begins with an introduction to the type of resource covered, including a statement about the relative availability of that type of resource on the open Web. Unfortunately, each of the statements is bubbling with enthusiasm about the availability of material, when perhaps an assessment that mentioned what was lacking as well as what was available might be more useful. The chapter continues with an extensive listing of resources for that type of research.

¶16 In the introduction, the authors state that the book was written with the expectation that readers would want “a quick, specific answer when you open the book.” (p.viii) However, it is poorly structured for such quick-reference access. Lengthy descriptions clutter pages of information that might otherwise be neatly tracked in columns, and the index, while extensive in its listings, is somewhat sparse in its breakdown of topics. Much of the narrative throughout the book is aimed at the novice, or at least the novice Internet researcher, and those readers will likely find it highly useful as an introduction to the process. More savvy researchers, however, may find that the commentary edges out the content, making it cumbersome for use as a desk reference.

¶17 Seemingly aimed at deflating the panic of those not yet adjusted to the Internet age, the tone of the book is light and flecked with pithy remarks. However, many of these remarks tend to convey a sense of unbridled optimism about the state of Internet legal research that belies the reality of the enterprise:

With a Web browser, you can turn your computer into your own private research cubicle, stocked with everything you might possibly want or need—without running the risk that irritated colleagues will hunt you down and accuse you of hoarding (or worse, raid your precious stash). (p.29)

¶18 Anyone who does as much legal research as these authors obviously do must realize there are limits to what is available on the open Web, or even in any electronic form, and that there are issues related to the presentation of certain types of material in electronic form. The book also fails to make consistent use of the terms “online,” “Internet,” and “Web,” when referring to the research process they describe. This is admittedly difficult given the current landscape of options for computer-assisted legal research, but these inconsistencies could cause confusion for one new to the process. As the terms “Internet” and “Web” are both used throughout the book to refer to sources available through a browser, regardless of access restrictions or fees, perhaps it would be helpful to use a term such as “open Web” to refer exclusively to the group of resources freely available and searchable on the Internet, and “commercial databases” to refer to LexisNexis, Westlaw, and the like.

¶9 While an up-close and personal view of this book yields a veritable gold mine of resources (particularly in light of its price), the process of finding them is not unlike shaking a pan in the river, picking out the gravel, and watching for sparks in the sunlight. This material could benefit considerably from following the presentation styles of print directories that employ a more economic use of their real estate, packing pages of information into streamlined tables without overloading the eye. The introductory chapters would then provide a fine complement for those needing more information about the process in general. Ideally, though, the content would best be presented in digital form, heeding the authors' own call to assemble an electronic workspace to the extent that it is feasible.

Carroll, Richard J. *Congressional Quarterly's Desk Reference on the Economy*. Washington, D.C.: CQ Press, 2000. 342p. \$49.95.

Reviewed by Spencer L. Simons

¶10 *Congressional Quarterly's Desk Reference on the Economy* is an informative and useful overview of the American economy that must be read with a view to the limitations implied by its cover description: "Over 600 Answers to Questions That Will Help You Understand News, Trends, and Issues." The avowed purpose of the book is to give citizens the knowledge necessary to participate in the democratic process of economic policy making. It serves that purpose quite well, but falls short of the standards expected by scholarly users in an academic environment.

¶11 The book is one of a series of desk references published by Congressional Quarterly³ and uses the format common to the series. The text consists of 636 questions and answers, divided into five chapters. The first two chapters introduce a few basic economic concepts and explain the major indicators and trends in the American economy from 1946 to 1999. Chapter 3 reviews by decade the events taking place from the 1930s through the 1990s that led to the modern American economy. With this groundwork laid, chapter 4 addresses top economic issues of the present and future, and chapter 5 focuses on evaluating the performance of government, with particular emphasis on the performance of presidential administrations. Although the book is styled as a desk reference, and the preface states that the extensive chapter 4 can be used as a pure reference [p.ix], the structure is essentially that of an introductory survey text. Much of the development is sequential and cumulative, and many portions of the work would be difficult for any but an economically sophisticated reader to use without first reading the preceding chapters.

¶12 The text is supplemented with a list of economic institutions and resources, a glossary, a bibliography, and an extensive statistical summary of sixty-four statistical time series covering the years 1945–1999. The last is a compact and fascinating

3. *E.g.*, PATRICIA G. BARNES, CONGRESSIONAL QUARTERLY'S DESK REFERENCE ON AMERICAN COURTS (2000), reviewed in Diana C. Jaque & Lee Neugebauer, *Legal Reference Books Review*, 93 LAW LIBR. J. 173, 177 (2001) (reviewed by Barbara L. Fritschel).

resource for anybody with an interest in American economic history and development. The bibliography is regrettably brief and badly undermined by the total lack of footnotes in the book and by the general lack of attribution of sources. The glossary is inadequate and exemplifies one of the major faults of the book, the use of economic and financial terms of art without definition or explanation. Such terms as “discounting,” “expected value,” “capital,” and “prime rate” are used, either without definition anywhere in the text, or without alerting the reader that the author is using a term, such as “prime rate,” in a technical sense completely different than the common meaning of the term. While this failing may stem, in part, from the attempt by the author to keep the text from becoming overly technical, it has the paradoxical effect of limiting the accessibility of the explanations to the nonspecialist citizen, the intended reader.

¶13 Less forgivable are the weaknesses of the access tools. The index is missing many terms and uses the confusing convention of referring to the question numbers rather than page numbers (although there are notes on each page explaining the convention). The book has no footnotes, the source of much information is inadequately attributed, even for the sources of tabular information, and cross-references are unevenly developed in both the index and in the general text.

¶14 Another problem is one that is far too common these days, even in expensive titles from respected publishers. The book requires editing. Errors of usage, punctuation, grammar, and typesetting appear throughout. Such mistakes as “the prices of stock, like the prices of most everything else” (p.46) or “[p]ersonal savings rates have dropped into nothing” (p.147) should not find their way into print.

¶15 In spite of these faults, I enjoyed this book a great deal. It does have some real strengths. The discussions of Social Security, public debt, corporate restructuring, regulation and deregulation, and other issues are clearly and thoughtfully developed. The author is even-handed, with little or no partisanship in evidence. These discussions, the ground-laying expositions of major indicators and trends, and the historical review largely satisfy the intended purpose of the book, making complex issues understandable for the nonspecialist citizen. That citizen must, however, be generally well educated, sophisticated, and capable of close reading.

¶16 The book sometimes falters when it attempts to shift to a discussion of the hot topics of the day, topics appropriate for yearbook treatment but quickly anachronistic in a subject overview. In particular, the discussion of Clinton administration policies already makes the book seem dated.

¶17 What kinds of libraries should select this book? I believe it is best suited to public libraries, to undergraduate libraries, and even to those high schools with strong programs dealing with public policy; in short, to any library with a relatively well-educated clientele that is interested in public policy and is willing to tackle fairly technical material. The lack of well-developed source attribution, absence of footnoting, weak access tools, and skimpy bibliography make the *Congressional Quarterly's Desk Reference on the Economy* less useful for the professional or graduate level library.

Corcos, Christine A. *An International Guide to Law and Literature Studies*. Buffalo, N.Y.: William S. Hein & Co., 2000. 2v. 1263p. \$245.

Reviewed by Margaret McDermott

¶18 *An International Guide to Law and Literature Studies* includes citations to everything from well-known essays on law as presented in classic literary works to popular detective and mystery stories. The organization of this extensive bibliography is from the general to the specific. The first chapters provide a general introduction and give citations to sources such as research aids, periodicals devoted to law and literature, and relevant electronic discussion lists and Web sites. From this general introduction it goes on to discuss specific countries, languages, and literature; law in different genres such as mystery and detective fiction, film, and the arts; and finally individual authors, subjects, and characters. The organization is clearly set out in the general table of contents for both volumes, and each section has a more detailed table of contents. Volume two also contains a general subject index with broad topics such as “defamation,” accompanied by sub-headings such as “libel,” “slander,” and “slandered.”

¶19 In creating the bibliography, Corcos searched all the major legal indexes, including *Index to Legal Periodicals*, *Index to Foreign Legal Periodicals*, and *Current Law Index*. She also expanded her coverage by searching *Arts and Humanities Index*, *Social Science Index*, *Dissertation Abstracts*, and the *Modern Language Association Bibliography*. The OCLC-EPIC online database was searched through January 31, 1996. In addition to citations from these bibliographic sources, some of the sections contain brief introductions which furnish background information and describe the content of that particular section.

¶20 Although the cutoff date is not mentioned in the introduction, this bibliography includes books, dissertations, essays, and articles through the mid-1990s. Occasionally, a descriptive comment or note is included after the citation. Usually these notes list the contents of the cited work or help document its bibliographic history. As you would expect from an author who was a law librarian,⁴ the citations are complete and there are numerous cross-references and “see also” references from the topical areas to the section organized by authors’ names. This project is a natural extension of articles Corcos has previously written on such topics as film and the law⁵ and admiralty law in popular culture.⁶

¶21 This work is intended for those teaching or taking seminars in law and literature. In fact, there is a section of citations to works dealing with “Law and

4. Christine A. Corcos is currently an associate professor at the Paul M. Hebert Law Center of Louisiana State University. She held the position of director of the Louisiana State University Law Library from 1996 to 2000. She previously served as associate director of the Case Western Reserve University Law School Library (1992–96), and held several other positions at the Case Western and the University of Oklahoma law libraries.

5. Christine A. Corcos, *Presuming Innocence: Alan Pakula and Scott Turow Take on the Great American Legal Fiction*, 22 OKLA. CITY U. L. REV. 129 (1997).

6. Christine A. Corcos, *Sea TV: Admiralty Law on Television*, 31 J. MAR. L. & COM. 545 (2000).

Literature Courses in the Curriculum.” Because of its broad international focus, covering African through Zimbabwean literature, the law student will find citations to works not included in other bibliographies on the subject. In a work with such extensive coverage, it was not possible to provide annotations such as appear in *Law in Literature: An Annotated Bibliography of Law-Related Works*.⁷ However, Corcos more than compensates by bringing together citations to works dealing with United States, Hungarian, Russian, and Gujarati law-related literature in just two volumes.

¶122 It is not surprising that almost all of the locations listed on OCLC that currently have this bibliography are law school libraries. The author refers to the student of law and literature in her introduction, and that is her intended audience. *An International Guide to Law and Literature Studies* would be invaluable for the law student writing a seminar paper in the area, but of little use to a practicing attorney or a federal judge. The introduction refers to expanding the coverage to include “sections on the law as literature, including legal writing as storytelling, legal language, and on law and film.” This guide enables the user to obtain a citation to an 1893 article in *The Green Bag* or a 1993 article from *Cardozo Studies in Law and Literature*. Corcos’s work would be extremely useful for any law school with law and literature in its curriculum.

Covey, Anne. *The Workplace Law Advisor: From Harassment and Discrimination Policies to Hiring and Firing Guidelines, What Every Manager and Employee Needs to Know*. Cambridge, Mass.: Perseus Publishing, 2000. 257p. Paper, \$17.

Reviewed by Lynn K. Hartke

¶123 I was excited when I saw *The Workplace Law Advisor* included on the list of review choices for this column. Working at an institution that has an employment law center, I thought it would be useful to review a book that might benefit the faculty and students with whom I work. As it turns out, Covey’s book is a good overview of employment law basics, but it is written for the employer and employee. Law students or law professors may find that it is not sufficiently detailed for their needs.

¶124 In the introduction, Covey explains the format of the book and the topics she covers. Prior to the table of contents, preface, and introduction, there is a three-sentence disclaimer on legal advice, reminding all readers that each state has its own laws and to consult their own attorney. I would have placed this disclaimer in bold immediately before the first chapter, since some people fail to read any material before the table of contents.

¶125 Each chapter has a specific topic and follows a pattern. Usually the chapter begins by explaining the topic and discussing the principles it involves. This section is followed by brief scenarios presented in the form of questions and answers. The chapter concludes with a section on consequences or more text in a

7. LAW IN LITERATURE: AN ANNOTATED BIBLIOGRAPHY OF LAW-RELATED WORKS (Elizabeth Villiers Gemmette ed., 1998).

wrap-up format. Covey has edited the questions in the book, removing any reference to the state in which the person inquiring lives. I would have liked to have known the jurisdiction involved in the question, as it would be helpful if one were truly looking for an answer.

¶126 Covey refers to many federal laws, including the Family and Medical Leave Act⁸ and Occupational Safety and Health Act,⁹ but fails to give any statutory citation. Thus, readers are left to find the law themselves. It would have been a great help to the reader if Covey had supplied a list of laws discussed in the text with their statutory citation. She mentions several cases, but not in great detail. The citations to the cases are in the short format, which most laypersons would not be able to interpret. Public patrons who find references in books and articles that do not have a complete citation or the name of a statute or case often feel beleaguered. Complete citations make them less so and the job of a librarian easier. The index is quite good; the terms used are in plain English, not in legalese. It is also the place where one can find the name of a statute, its abbreviation, and the few cases she refers to in the book.

¶127 While *The Workplace Law Advisor* is more of a general overview of possibilities that can occur in the workplace, Covey's answers to the questions are good, and she is very fair in her replies. Covey does treat the major aspects of employment law, but for those with more legal expertise, the book could be considered too general in its discussion of the topics. One area that she covers very well is what employers can and cannot ask during an interview or on an employment application. Some nonlawyers may not be aware of these questions. In my opinion the book is not specific enough for the budding lawyer or law professor, but suitable for its intended audience, the employer and employee.

Crews, Kenneth B. *Copyright Essentials for Librarians and Educators*. Chicago: American Library Association, 2000. 143p. Paper. \$45.

Reviewed by Diana C. Jaque

¶128 *Copyright Essentials for Librarians and Educators* is an excellent starting point for any law librarians concerned with their library's copyright compliance and fair use in general. Crews, a professor at the Indiana University School of Law-Indianapolis and the Indiana University School of Library and Information Science, is director of the Copyright Management Center at Indiana University-Purdue University Indianapolis. In addition to numerous scholarly articles and a monograph on the topic,¹⁰ Crews helped create the Copyright

8. Family and Medical Leave Act of 1993, Pub. L. No. 103-3, 107 Stat. 6.

9. Occupational Safety and Health Act of 1970, Pub. L. No. 91-596, 84 Stat. 1590.

10. E.g., KENNETH B. CREWS, COPYRIGHT, FAIR USE AND THE CHALLENGE FOR UNIVERSITIES: PROMOTING THE PROGRESS OF HIGHER EDUCATION (1993); Kenneth B. Crews, *Fair Use of Unpublished Works: Burdens of Proof and Integrity of Copyright*, 31 ARIZ. ST. L.J. 1 (1999); Kenneth B. Crews, *Copyright and Distance Education: Displays, Performances and the Limitations of Current Law*, in GROWING PAINS: ADAPTING COPYRIGHT FOR LIBRARIES, EDUCATION, AND SOCIETY 377 (Laura N. Gasaway ed., 1997).

Management Center's "Online Copyright Tutorial" offered to librarians in 1998 and 2000. The most recent version of the tutorial was given in association with the American Library Association and supported by the American Association of Law Libraries. Crews's research record makes him uniquely qualified to author a work on copyright and fair use for the library community.

¶29 *Copyright Essentials* functions as an updated version of the "Online Copyright Tutorial." The book benefits from the same concise writing style as the online original, incorporating the same basic structure of the tutorial, with topics discussed in short, palatable segments. Divided into forty brief chapters, *Copyright Essentials* ranges from the very basic "What Works Are Protected by Copyright" to the more specific "Experimenting with Fair Use: Moving from Print to the Internet." Crews has a unique talent for distilling the major points of copyright law into very short, understandable segments, so that even the beginner is able to comprehend the more complex aspects of copyright. Individuals already knowledgeable about copyright may use the initial chapters as a quick review and turn to later chapters for a more specific discussion of fair use.

¶30 While *Copyright Essentials* is well organized and includes a table of cases, one notable omission is that it does not include an index. Users must refer to the table of contents instead and scan the text when looking for specific concepts or legislation such as the Digital Millennium Copyright Act¹¹ or the Uniform Computer Information Transactions Act (UCITA).¹²

¶31 Of substantial interest for librarians are the fourteen chapters Crews devotes to fair use. These provide an excellent step-by-step explanation, beginning with a basic definition in chapter 20 and progressing in the following chapters to more complex applications and exceptions to fair use. Appendix E contains a checklist to help librarians determine when an instance is permitted under fair use. The checklist works in tandem with the discussion of the concepts within the text. In these chapters, Crews covers both time-honored topics such as photocopying copyrighted materials for educational purposes, and emerging areas such as electronic reserves. His discussion of electronic reserves is helpful, but even more important are the Web sites he provides for this developing area of copyright law. Readers are pointed toward such sites as the *Electronic Reserves Clearinghouse*,¹³ which pulls together relevant information about electronic reserves practices at libraries around the country. In addition to helpful Web sites, Crews includes relevant summaries of fair use cases that help librarians build a framework to analyze their own use of copyrighted materials. Crews's discussion of fair use is the strongest part of his practically oriented text and the most useful to librarians.

11. Digital Millennium Copyright Act, Pub. L. No. 105-304, 112 Stat. 2860 (1998).

12. Unif. Computer Info. Transaction Act, 7-2 U.L.A. 9 (Supp. 2001).

13. ELECTRONIC RESERVES CLEARINGHOUSE, at http://mville.edu/Administration/staff/Jeff_Rosedale/ (most recent update: June 6, 2001).

¶132 The final group of chapters in *Copyright Essentials* discusses copyright and new technologies. Crews covers principles of fair use and software as well as copyright and the World Wide Web. Given the brevity of these chapters, the reader is left wanting more significant treatment of these important new areas of copyright law. In particular, Crews includes only a brief mention of UCITA. A more significant treatment would have been relevant in this context. Finally, Crews discusses the consequences of an infringement action, and then, rather than ending on a cautionary note, he ends the book more positively with a chapter about acting in good faith.

¶133 *Copyright Essentials for Librarians and Educators* has a place in law libraries and other libraries where there is an interest in copyright issues. Although the contents emphasize the key points of copyright law, many librarians will find the work's greatest value as a gateway to further information on the topic. Thankfully, Crews facilitates research by providing a list of references at the end of each chapter and in the supplemental reading list contained in appendix F. Those wanting to examine a more substantial, although older, monograph on the topic of copyright and libraries may turn to *Libraries and Copyright: A Guide to Copyright Law in the 1990s*.¹⁴ Unfortunately, this work predates more recent copyright statutes, such as the Digital Millennium Copyright Act. Ultimately, readers of *Libraries and Copyright* need to turn to another work for a discussion of recent cases and statutes, and Crews's *Copyright Essentials for Librarians and Educators* would be a good choice for this. For this reviewer, Crews's book was an excellent refresher on the basic aspects of copyright law and provided a solid foundation on which to begin further research.

Price, David P.T. *Legal and Ethical Aspects of Organ Transplantation*. Cambridge, England: Cambridge University Press, 2000. 487p. \$74.95.

Reviewed by Linda G. Brakeall

¶134 My decision to review this title arose both from an abiding interest in the broad field of bioethics and, more personally, from my own experience of the organ transplant system in the United States. As I began to look through the book, I realized that, although it certainly can be characterized as an exemplary reference work, this volume presents a compelling read in its entirety. It is an extraordinary journey through the historical evolution of the technology of organ transplantation and the corollary development of the complex legal and ethical dimensions of what the author in his introduction calls "an evolving and pioneering field of therapeutic pursuit" which "can only be described as dynamic, with even more potentiality than realized actuality." (p.1)

¶135 Author David Price is professor of medical law at De Montfort University, Leicester, UK. A Fulbright Scholar, he has also been a visiting professor of law at

14. LAURA N. GASAWAY & SARAH K. WIAIT, *LIBRARIES AND COPYRIGHT: A GUIDE TO COPYRIGHT LAW IN THE 1990S* (1994).

Dickinson School of Law in the United States. He served as chairperson of the Project Management Group of the EUROTOLD Project funded by the European Commission as part of the Biomedicine and Health Research Programme, and as part of that project was involved in compiling *LEGISEARCH*, a Web site containing European laws and statutes relating to transplantation.¹⁵ It was, indeed, this experience, together with his membership in the World Health Organization Task Force on Organ Transplantation, that the author credits with kindling his interest in organ transplantation. In addition, Price is the author of recent journal articles relating to the topic at hand.¹⁶

¶136 Two invaluable finding aids are provided at the beginning of *Legal and Ethical Aspects of Organ Transplantation*. A table of legislation lists legislation alphabetically by country from Algeria to Zimbabwe and indicates where each country's laws are mentioned in the text. A table of cases provides three separate alphabetical lists of decisions—cases from the United Kingdom, from the United States, and from other jurisdictions—and indicates where each case appears in the text. I was happy to recognize some U.S. cases that were old friends from a mental health law seminar in my distant student days.

¶137 The book's ten chapters are divided into three broad topical parts, each of which begins with an introduction presenting a broad overview of the topic and setting forth in general terms its ethical and regulatory issues. Within each chapter are numerous descriptive subheadings designed to identify the particular contents of a section of text; these make for visual interest and are especially useful to a reader who may be browsing or who wishes to isolate discreet information of interest. Quite often these descriptive phrases are amusing as well, an approach I certainly endorse.

¶138 Part 1 and its five chapters address cadaveric organ donor transplantation, a procedure that uses organs removed from donors who have died. Chapter 1 considers the question "why and when is a potential donor a cadaver?" It discusses differing definitions and standards of death, from loss of cardiopulmonary function to brain death, including anencephalic infants, and the evolution and implications of these standards. Following chapters discuss topics such as organ procurement systems and whether property rights exist in the body and who holds these rights.

¶139 Part 2 covers living donor organ transplantation, the voluntary and non-therapeutic nature of which raises a different array of issues. It begins with the rationale and limits of living donor transplantation, discussing criteria for permissible living organ donation, benefit for the donor, and donor autonomy versus permissible state intervention. Later chapters address informed consent to living

15. DAVID PRICE & AUSTEN GARWOOD-GOWERS, *LEGISEARCH*, at <http://www.maths.lancs.ac.uk/~henderr1/EuroTold/Legisearch/> (last visited June 21, 2001).

16. David Price & Hans Akveld, *Living Donor Organ Transplantation in Europe: Re-evaluating Its Role*, 5 *EUR. J. HEALTH L.* 19 (1998); David Price, *Contemporary Transplantation Initiatives: Where's the Harm in Them?* 24 *J.L. MED. & ETHICS* 139 (1996).

organ donation and issues surrounding contentious classes of donors, such as unrelated donors, minors, and mentally incapacitated adults.

¶140 In part 3, “General Issues,” the author first discusses commercial aspects of organ transplantation, such as the development of market-based systems; the notion of “gifted rewarding”; futures markets in organs; and the possible harms of these schemes to donors (or vendors), to recipients (or purchasers), and to society. Price notes that such commercial practices raise feelings of revulsion in people and that these sentiments can be seen to have been echoed in pertinent legislation, although once again the questions of body as property and personal autonomy factor into the equation. Finally, in chapter 10, the author discusses recipients of organ transplants, specifically the tension between therapeutic treatment and experimentation (including xenotransplants, which are transplants from animals to humans), negligence, information disclosure to the potential recipient, implications of transplantation for minors, and important allocation issues.

¶141 It is important to note that each of these topical areas presents a seamless integration of medical, legal, regulatory, ethical, cultural, and societal analysis. Price has condensed and organized into one volume a multitude of resources, and the text is extensively and meticulously footnoted (including URLs to Web sites), offering the researcher a fertile field for further exploration. Although focusing primarily on the United Kingdom and the United States, coverage is international in scope, reflecting sometimes conflicting cultural and legal tensions. The underlying theme of the volume is that “[i]ronically, and unfortunately, transplantation has become a victim of its own success” and this success has “in turn stimulated demand to the point where there are typically now (often woefully) insufficient numbers of donor organs for transplantation. . . .” (p.4) This book is far from being a dry legal text; throughout the book I was aware of the author’s voice as one of sensitivity and concern for humanity, as well as one prepared to cite sources from Kant (p.395) to Kevorkian (p.370).

¶142 If I have any quibble with this book it would be linked to my librarian’s need for a comprehensive index. The subject index is only four pages and is arranged alphabetically by twenty-nine major topics, often with numerous subtopics; some “see” and “see also” entries enrich the listing. A browse through the entire index is often necessary to locate a particular listing, and a neophyte might be hard-pressed indeed to make use of the index as a finding tool. As I began reading the book, page one mentioned a “domino heart transplant,” a term with which I was unfamiliar. Of course, I looked first for a glossary and then to the index, where the term “Domino transplants” refers the reader to page one. Reading on, however, I encountered a quite serviceable definition of this term: “Where a patient requires a lung transplant . . . it is regarded as clinically preferable to transplant the heart as well *en bloc*, leaving the recipient’s heart ‘spare’ and able itself to be used for transplantation—known as a ‘domino heart transplant.’” (p.224)

¶143 Aside from this shortcoming, however, I believe *Legal and Ethical Aspects of Organ Transplantation* to be a book that is unique in its field because

of its comprehensive scope and coverage. Other recent books have addressed certain aspects of the organ transplantation,¹⁷ but only Price has presented the topic as an integrated analysis. His book is eminently readable and belongs in any library where patrons will be looking for information about transplantation: all sorts of law libraries and medical libraries, academic libraries, large public libraries, mental health facilities, transplant centers, the offices of nephrologists and transplant surgeons, and prison libraries. Indeed, I am glad that this volume graces my own shelves.

Ihara, Toni, Ralph Warner, and Frederick Hertz. *Living Together: A Legal Guide for Unmarried Couples*, 10th ed. Berkeley, Calif.: Nolo, 2000. 256p. \$34.95.

Reviewed by Marsha Jeanne Lawson

¶44 Between 1960 and 1998, the number of unmarried opposite-sex couples in America increased by nearly 1000% (1960, 439,000; 1998, 4.2 million) and over half of all first marriages are now preceded by living together, compared to virtually none earlier in the twentieth century.¹⁸ This book explains, in a straightforward and organized manner, a wide range of legal and practical issues that affect unmarried opposite-sex couples who live together.¹⁹ It is designed as a handbook rather than a technical legal treatise.

¶45 The authors have a wide range of personal and professional experience. Toni Ihara and Ralph Warner lived together for nineteen years. (They married when their six-year-old couldn't understand why they weren't.²⁰) More significantly, Ihara is an anthropologist turned lawyer turned graphic artist who has been with Nolo since its inception. Warner is a cofounder of Nolo Press (now Nolo) and the author of several self-help legal books.²¹ He wrote the first edition of the *Living Together Legal Guide* in 1978 and has been involved with each subsequent edition. Frederick Hertz is a leading expert in same-sex family law who specializes in resolving property matters of unmarried couples (same and opposite sex); he has been a co-author for the ninth and tenth editions of *Living Together*.

¶46 This well-laid-out book is chock-full of important information that couples living together might want to know. Here is a sample of the chapter headings

17. See, e.g., AUSTEN GARWOOD-GOWERS, *LIVING DONOR ORGAN TRANSPLANTATION: KEY LEGAL AND ETHICAL ISSUES* (1999); NORA MACHADO, *USING THE BODIES OF THE DEAD: LEGAL, ETHICAL, AND ORGANISATIONAL DIMENSIONS OF ORGAN TRANSPLANTATION* (1998).

18. DAVID POPENOE & BARBARA DAFOE WHITEHEAD, *THE STATE OF OUR UNIONS: THE SOCIAL HEALTH OF MARRIAGE IN AMERICA, 1999, PART II: SOCIAL INDICATORS OF MARITAL HEALTH & WELLBEING*, RUTGERS UNIV. NAT'L MARRIAGE PROJECT, at <http://marriage.rutgers.edu/SOOU.htm#marriage> (July 1999).

19. For gay or lesbian couples living together, the book recommends HAYDEN CURRY ET AL., *A LEGAL GUIDE FOR LESBIAN AND GAY COUPLES* (10th ed. 2001).

20. TONI IHARA & RALPH WARNER, *LIVING TOGETHER: A LEGAL GUIDE FOR UNMARRIED COUPLES* 1/5 (9th ed. 1999).

21. E.g., RALPH WARNER ET AL., *HOW TO BUY A HOUSE IN CALIFORNIA* (6th ed. 2000); RALPH WARNER, *GET A LIFE: YOU DON'T NEED A MILLION TO RETIRE WELL* (2000).

and subheadings: “Contracts for Couples Owning a Home Together,” “Having a Child: Legal Obligations of Unmarried Parents,” and “Rules of the Unmarried Dissolution.” An example of the specificity and usefulness of the information in this book is a section titled “Agreement for One Person to Move into the Other’s House and Become an Immediate Co-Owner.” This section includes sample contract clauses that can be used to easily create a legal agreement; a completed contract example; and advice on how to change title, how to explore tax consequences, and other legal issues.

¶147 The tenth edition of *Living Together* is a better reference book than the ninth. The index is extensive. It comes with a CD-ROM containing forms and checklists in text (for word processing) and PDF format that are easy to install and use (the ninth had only tear-out forms). The authors even include the latest version of Adobe Acrobat. The previous edition also included sociopolitical commentary that is omitted from this one. This makes it a better reference book, although the personal touch of its predecessor was more charming/interesting/provocative (depending on your point of view). For example, in the ninth edition, under the subheading “If It Feels Good, It May Be Illegal,” the reader got the following commentary: “It’s illegal to have sex with a porcupine in Florida. . . . Pretty silly, huh?” (p.2/2) In the new edition, the subheading is “Sex and the Law” and the porcupines are gone.

Yarbrough, Tinsley E. *The Burger Court: Justices, Rulings, and Legacy*. Santa Barbara, Calif.: ABC-CLIO, 2000. 346p. \$65.

Reviewed by Lynn K. Hartke

¶148 *The Burger Court: Justices, Rulings, and Legacy* is one of three titles in the ABC-CLIO Supreme Court Handbook series.²² Tinsley E. Yarbrough is a professor at East Carolina University where he teaches political science. He has written books and articles on other justices of the Supreme Court, judges, and political science and legal topics.²³ The book is hardbound, printed on acid-free paper, and should stand up to extensive use. In the introduction, the intended audience is described as those without extensive knowledge of American constitutional law or the judicial system. The format of the book is logical; it is divided into several main areas: “Content and Supporting Resources” and “Materials.” The first section of the book, “Justices, Rulings, and Legacy,” covers the justices’ biographies, photos, how the appointments are made (including issues surrounding appointments), and the constitution of the court. The section also contains the major decisions

22. Other volumes in the series include: PETER RENSTROM, *THE STONE COURT: JUSTICES, RULINGS, AND LEGACY* (2001); MELVIN I. UROFSKY, *THE WARREN COURT: JUSTICES, RULINGS, AND LEGACY* (2001).

23. E.g., TINSLEY E. YARBROUGH, *A PASSION FOR JUSTICE: J. WATIES WARING AND CIVIL RIGHTS* (2000); TINSLEY E. YARBROUGH, *THE REHNQUIST COURT AND THE CONSTITUTION* (2000); TINSLEY E. YARBROUGH, *JUDICIAL ENIGMA: THE FIRST JUSTICE HARLAN* (1995); Tinsley E. Yarbrough, *Church, State, and the Rehnquist Court: A Brief for Lemon*, 38 J. CHURCH & ST. 59 (1996).

made by the court. The decisions are covered in a manner that allows the reader to understand them and their ramifications, without bogging down the reader with legal theory and jargon.

¶149 Each chapter is followed by references and tables (e.g., tables of voting blocks and different types of votes), a great source of information. The final chapter in part 1 includes a discussion of the justices and their notable decisions. Yarbrough ties this all together by analyzing their effect on the country and the legal system. Comparisons between the Warren and Burger Courts are made as well, including assessing which aspects of the law were expanded and which were not. He divides this chapter into areas covered by major rulings, such as federalism, illustrating the evolution of the principles under the Burger Court. Yarbrough does a superb job of analyzing this era of the Supreme Court's history without overburdening the reader with legal philosophy or deep legal theory, making it easy to follow and understand.

¶150 Part 2, the Reference Materials section, contains information on key people, laws, and events, as well as a chronology, glossary, and table of cases. Its layout facilitates access to this necessary and important information. The Key People, Laws, and Events portion is presented in a single alphabetical sequence. A paragraph of background information is included for each person covered and an explanatory paragraph for each event or law. The chronology, starting with the appointment of Burger in 1969 and ending in 1986, briefly describes each event affecting the Court and the major decisions it handed down. The table of cases is arranged alphabetically, without any divisions by type of case or chapter; citations give full case names, but are in short format and only refer to the *United States Reports*. Yarbrough has included a glossary as well, offering definitions that are clear to those without any legal background, even when covering legal phrases such as *ex post facto*. The annotated bibliography offers references to other books and Internet resources. The detailed index is very good, with listings for persons, cases, and concepts.

¶151 Yarbrough has written an excellent book for any library, including public, academic, and law school libraries. While the book specifically states it is for the generalist, it gives good, concise information about the Burger Court. The table of cases and chronology are very useful to anyone who needs a starting point for researching this Court.

Ramy, Herbert N., and Samantha A. Moppett. *Navigating the Internet: Legal Research on the World Wide Web*. Littleton, Colo.: Fred B. Rothman, 2000. 112p. Paper. \$15.95.

Reviewed by Creighton J. Miller Jr.

¶152 For some time now, I have been searching for something—a book, an article, a Web site, anything—that can show my patrons and students how to do effective legal research on the Web. I want a source that can both supplement my legal research lectures and help those reference patrons who need to perform extensive

Web research. I am interested specifically in the process, methods, techniques, and strategies for Web research. So far this source has eluded me. I have found innumerable lists of legal Web sites and plenty of directions for using specific resources, but nothing that clearly explains the topics I care about: what is realistically available online, when to choose the Web over traditional resources, searching versus browsing, evaluating Web site quality, etc.

¶153 When I opened *Navigating the Internet*, I really hoped I had found my source. In its foreword, the book promises, “[w]hen you finish reading this book, you will be proficient in the skills necessary to access the legal information that you are seeking online.” (p.ix) This is quite a promise. Unfortunately, the book does not quite live up to its billing. *Navigating the Internet* can certainly make a valuable addition to formal research instruction, but I am afraid that the book alone will not prove particularly valuable to novice Web researchers.

¶154 *Navigating the Internet* is a short, softcover book arranged in eight chapters with four appendixes. The book bears a remarkable resemblance to its Internet subject matter—the text is liberally supplemented with headings, tables, bulleted lists, and screen capture illustrations. The lack of an index is ordinarily a major failing, but the work is short and organized well enough that this should cause relatively few problems. The first three chapters are dedicated to an overview of the Internet, browsers, and navigation. Chapter 4 lays out a general research problem, and the last four chapters, the meat of the book, demonstrate how to research case law, statutes, constitutional provisions, and secondary materials by walking readers through the steps involved in solving the general problem. Each of these demonstration chapters presents a discrete aspect of the problem, follows with step-by-step instructions for researching this aspect, and concludes with a short set of review exercises. The book’s appendixes provide an explanation of how to get online, a list of major legal Web sites (highly concise at just eleven sites), an explanation of Boolean search terms, and answers to the chapter review exercises.

¶155 Central to the book is what its authors call “a practical, problem-solving” approach (p.x) that lays out a research question and takes the reader step by step—quite literally—through the process of finding an answer. The book tells the reader what URLs to enter, what search terms to use, and which links to click, and detailed screen captures illustrate almost every step. Even the Internet novice should have no problem following these steps. The examples are also highly appropriate. They represent questions that might well arise in legal practice and that can reasonably be answered on the Web. Anyone who has ever tried to create realistic exercises or examples that remain simple and workable will be suitably impressed by the book’s demonstrations. I think the specificity and detail in these examples will make the book highly valuable as a supplement to any research class.

¶156 Unfortunately, the specificity and detail in the book also cause significant problems. This book is about demonstration, not explanation. It sacrifices most discussion of legal research strategy and process for task-oriented detail. For example, the chapter on cases demonstrates a specific method for finding a

Massachusetts case on the reliability of confidential informants. The chapter includes no discussion of the strategy justifying this method and little mention of the potential problems with relying on online case law. I am afraid that readers will come away from this chapter knowing only how to find this specific case, rather than understanding the general process of case law research on the Web. The book's principal explanation of online research strategy is consigned to a single chapter. This chapter compares searching to topical browsing and discusses search techniques. While this explanation is actually rather good, it is also insufficient. I found no discussion of critical issues like deciding when to use the Web for research, devising a research plan, integrating Web resources with traditional sources, or updating research. The book does contain a paragraph on evaluating the accuracy of Web sources, but it is disturbingly incomplete.

¶157 The amazing level of detail also helps date the book. As we all know by now, the Web and its technologies change constantly. Precise directions for using a Web site or an Internet tool may well be invalid within a matter months or even weeks. *Navigating the Internet* was published in 2001, and, with publication lead-time, many of its examples are far older. One illustration presents a Web edition of the *General Laws of Massachusetts* updated through July 1998 (illustration 6–14, at p. 69); as of this writing, the same collection is accurate through July 2000. While working through the book's demonstrations, I also discovered screen captures that are no longer completely accurate and search results that no longer appear in the order indicated. In chapter 2, the book presents detailed explanations of the two major Web browsers and their features. With the release of Netscape Navigator version 6.0 in early 2001, this presentation now seems more than slightly out-of-date. I did not encounter invalid URLs, renamed links, or other more serious problems. But, with the passage of time, such problems must eventually crop up—FindLaw is the most commonly referenced resource in the book, and who knows how it will change following its purchase by West Group?

¶158 Despite these problems, I remain impressed by the book's demonstrations. But these demonstrations belong in a context where they can serve as *examples* supporting an actual explanation of the research process. In my opinion, *Navigating the Internet* could prove quite useful as part of a formal class on legal research, where the context and explanation are provided by the instructor. An instructor can also watch out for and correct the inaccuracies that will continue to develop in the book as the Web evolves. Thus, I can recommend this book only for academic law libraries and other libraries supporting or providing formal legal research instruction.