

## Legal Reference Books Review\*

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Carey, Christen Civileto. *Full Disclosure: The New Lawyer's Must-Read Career Guide*, 2d ed. New York: ALM Publishing, 2001. Various pagings. Paper, \$19.95.

*Reviewed by Lee Neugebauer*

¶1 In the first, rather brief chapter, Carey discusses what she calls “The Big Picture,” also known as “the (sometimes) harsh realities of private practice” (p.1). This chapter serves as a good overview for the book, covering in very broad terms much of what the author discusses in detail in later chapters and introducing the

reader to several themes that run consistently throughout the book. First among these themes is the simple fact that law firms operate in the business world, not academia, and are run accordingly. As Carey points out, it is important to “[t]ry not to overlook this concept because it sounds simplistic or obvious” (p.3); it is also important for new associates to understand all its ramifications and to conduct themselves accordingly. She brings up this basic but very important piece of advice in a number of different ways in later chapters. The first chapter also introduces the reader to what I thought was one of the best features of the book, namely the many candid, thought-provoking statements Carey offers throughout the book. Take for example this piece of advice:

Here is another sobering thought that most new lawyers do not think about: You are a fungible commodity. You are replaceable during your first, third, or even the fifth associate year. You are replaceable at the partner level. It may not be quick or cheap to replace you, and there may be repercussions felt at the firm by your leaving, but you can be replaced. . . . Conduct your affairs and keep your demands consistent with the belief that the firm can lose you at any point and still function as a business (p.3–4).

It’s clear from the start that while Carey is not out to frighten new associates or to criticize the way law firms operate, she also is not going to pull any punches.

¶2 After going over the big picture in her introductory chapter, Carey devotes the next several chapters to the job search process, using litigation as an analogy. Like litigation, the key to a successful job search is almost always preparation. The most successful applicants are likely to be those who, after thinking carefully about the type of job they want and why they want it, develop a strategy for achieving their goals and then carefully and methodically follow that strategy. Carey offers practical advice on how to do all of those things, ranging from the dos and don’ts of writing a cover letter and what to include in your résumé to the questions you can expect to be asked during screening interviews and, conversely, the questions you should ask. She also devotes a chapter to the all-important second on-site interview, again giving practical advice about what to do and what not to do.

¶3 The third section of the book concentrates on what to expect and what firms will expect from you once you have landed a job. Chapter 7 covers summer associate positions, which Carey refers to as the “extended summer interview” (p.93). Chapters 8 through 10 deal with different aspects of what happens in the first few years after graduation from law school, such as law firm economics, practical advice about practicing law as a new associate, and suggestions for making sure you fit in with the law firm atmosphere. Following a chapter on the gender perceptions and biases that can still exist in private practice and how these may influence your career, Carey finishes the substantive portion of the book with chapters on alternative work arrangements, boutique firms, and in-house counsel opportunities, and finally the importance of mentor relationships in the legal profession. These chapters are followed by two appendixes listing major law firms by state and alphabetically, as well as one listing companies with corporate law departments, a glossary of legal recruitment and career services terms, and a substantial index.

¶4 I would definitely recommend *Full Disclosure* to law students and recent graduates who hope to work in a law firm setting. Carey, who works as Of Counsel for an Atlanta law firm, has both an insider's view into law firm hiring practices and the ability to write about them in a clear and informative way. While some of the more detailed or provocative information and ideas obviously might not be true for a specific firm, there are enough helpful tips and general advice provided to counterbalance this. I'm not as sure how well it would fit into a law firm library's collection, since attorneys already working in a firm obviously don't need advice on how to get a job in a law firm, which negates a substantial amount of the book's purpose and usefulness. On the other hand, I have loaned the book to a partner in my firm and to a first-year law student, and both found it useful and thought provoking. At just \$19.95, *Full Disclosure* might very well be a worthwhile addition to a firm's collection as well.

Grabosky, Peter, Russel G. Smith, and Gillian Dempsey. *Electronic Theft: Unlawful Acquisition in Cyberspace*. Cambridge: Cambridge Univ. Pr., 2001. 235p. \$50.

*Reviewed by Marlene C. Gebauer*

¶5 If you were hoping this was a how-to manual, you are in for a disappointment. *Electronic Theft: Unlawful Acquisition in Cyberspace* is an overview of the elements of several types of electronic and digital theft and current methods of prevention and deterrence. The authors also make suggestions for combatting these crimes in the future.

¶6 The authors all hail from Australia. Grabosky is the director of research at the Australian Institute of Criminology and the president of the Australian and New Zealand Society of Criminology. Smith, who coauthored *Crime in the Digital Age: Controlling Telecommunications and Cyberspace Illegalities*<sup>1</sup> with Grabosky, is the senior research analyst at the Australian Institute of Criminology. Dempsey is a barrister and senior lecturer in law at the University of Queensland. She specializes in information technology and intellectual property law.

¶7 The authors do an excellent job of citing their sources of information. Based on the authors' backgrounds, it is not surprising that most references are to Australian or British sources. There are, however, some references to the laws of the United States as well. The books, studies, reports, and articles that are cited run the gamut from legal journals to popular magazine and news articles.

¶8 The introductory chapter explores the main themes of the book. The authors point out that electronic theft thrives due to a supply of motivated offenders, an availability of suitable targets, and an absence of capable guardians. As law and policy solutions often fail to keep pace with technological change, they contend

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1. PETER N. GRABOKSY & RUSSELL G. SMITH, *CRIME IN THE DIGITAL AGE: CONTROLLING TELECOMMUNICATIONS AND CYBERSPACE ILLEGALITIES* (1998).

that even the most robust legal systems cannot adapt quickly enough to provide adequate solutions. They suggest that due to the inherently slow reaction time of legal and governmental systems, commercial and institutional self-regulation are also critical components of preventing cyber crime. Commercial and institutional influence and rules, combined with government and legal response (legal pluralism), will have the greatest impact on deterring cyber crime.

¶9 Crimes covered in the book include theft of electronic payments, telephone fraud, deceptive business practices, and intellectual property crimes. The authors review the basic elements of each crime, then describe how new technology has changed the capacity of offenders to act on their motives. They also discuss how the same new technology can be used to combat these crimes.

¶10 Each chapter reviews current methods of identification, prevention, and punishment of the electronic crime in question. After describing the current legal and governmental response, the authors point out newer solutions that have started to take hold. These include technologically neutral laws (laws written so that there is no distinction drawn between a traditional theft crime and its cyber counterpart) and the control of cyber behavior through programming (unique identifiers and degeneration of copied content) and architecture of information systems (monitoring of ISPs and the rise of the technology security industry).

¶11 *Electronic Theft* provides a basic introduction to cyber crime, so it may not be sufficiently detailed for the seasoned practitioner. It is a good source for someone who is new to this subject area, however, or for someone seeking references to studies, laws, and articles related to electronic theft. It also contains a list of helpful abbreviations, an extensive list of references, and a sizeable index.

Harding, Bertrand M., Jr. *The Tax Law of Colleges and Universities*. 2d ed. New York: John Wiley, 2001. 362p. \$135.

*Reviewed by John D. Moore*

¶12 Academic law libraries will want to purchase multiple copies of this treatise because once the school's chief financial officer gets wind of it, at least one copy will be permanently checked out. Even the school's library administrator may need a personal copy for guidance on social security withholding taxes, tax treatment of student employees, business-related income, and a host of other tax issues that are becoming increasingly important in the academic setting.

¶13 This book joins *The Law of Tax Exempt Organizations*,<sup>2</sup> a widely held treatise now in its seventh edition, in the Nonprofit Law, Finance, and Management series published by Wiley. Harding felt that more specialized information was needed for colleges and universities, which have come under added scrutiny by the IRS in the last few years and have encountered divergent issues from other kinds of nonprofit organizations. His intent is to augment, not supplant, Hopkins' work.

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2. BRUCE R. HOPKINS, *THE LAW OF TAX EXEMPT ORGANIZATIONS* (7th ed. 1998).

By focusing solely on colleges and universities, Harding is able to go into more detail and cover more material. His chapter on unrelated business income describes how the IRS distinguishes this from other income and the forms it can take, while the next chapter discusses how business activities of colleges and universities, such as intellectual property licensing, athletic events, or alumni events, can cause business income tax issues. Other chapters are on charitable deductions, employment taxes, payments to nonresident aliens, scholarships, fringe benefits, and other special topics. As the IRS has begun to audit colleges and universities, a considerable undertaking to which it devotes a whole team of auditors, a separate chapter describes what can be expected during that process.

¶14 Harding is a tax practitioner who specializes in the tax problems of colleges and universities. He has created a Web site, *The College & University Tax Page*,<sup>3</sup> which provides information and, of course, promotes his practice. He has extensive experience in the nonprofit area, having worked as an attorney-advisor to a U.S. Tax Court judge, and he practiced in the nonprofit area before starting his own firm. Harding shows the kind of connections and expertise he brings to writing this text when he quotes a letter from an National Collegiate Athletic Association official to himself on that organization's position on school payments of a scholarship recipient's tax obligation (p.213). The only disappointment is the way he hedges a little bit when he concedes: "It is, however, simply not possible within the constraints of conducting my private practice to write essays on each different issue. . . . I have to be careful that I do not assert an opinion that may be contrary to one I previously asserted on behalf of a client, or one that I may want to assert in the future" (p.xix). One can appreciate his candor, but I hope that for future editions he will take the path of offering the most thorough treatment of each topic and make this useful text a comprehensive work for this area of law.

¶15 The book has an index, as well as tables of cases, IRS Revenue Rulings, Revenue Procedures, General Counsel Memoranda, and Private Letter Rulings cited in the text. In addition to these documents, Harding refers to IRS internal training and procedures manuals used by agency personnel and tells the readers which are the most useful and where they may be obtained. This is especially helpful because the information from IRS manuals and rulings and from court cases is hard to collect and synthesize. In the first chapter he also explains how the IRS and the courts use legal authorities and precedents and lists other secondary materials such as journals, reporters, and manuals useful to the practitioner or student. A library interested in developing its collection could use the chapter as a checklist of resources on this topic.

¶16 The problem with a publisher putting any book to bed, so to speak, is that it might become outdated by circumstances beyond the publisher's control. Just

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3. Bertrand M. Harding Jr., *The College and University Tax Page*, at [www.universitytax.com](http://www.universitytax.com) (last visited March 27, 2002).

before this book went to press, Congress passed the Economic Growth and Tax Relief Reconciliation Act of 2001.<sup>4</sup> It was too late to modify the text of the book, but fortunately two pages are included showing changes made by the new law. Unfortunately, there are no pinpoint citations to where these changes can be found in the new law, and in some cases, no reference to where the related topic can be found in the book. Since Wiley issued supplements to the prior edition, hopefully there will be supplements to the new edition that will remedy this situation. It should be noted that the other citations in the book appear to be thorough and complete.

¶17 This book would be useful to court libraries with federal tax jurisdiction, law firms with a tax practice including or hoping to include colleges and universities and related entities, and academic law libraries.

Hopkins, Bruce R., and Jody Blazek. *The Legal Answer Book for Private Foundations*. New York: John Wiley, 2002. 352p. Paper, \$65.

*Reviewed by Margaret G. Arnold*

¶18 *The Legal Answer Book for Private Foundations* by Bruce R. Hopkins and Jody Blazek offers a straightforward treatment of the massive and heavily regulated area of private foundation law. This book is one of five in the Wiley Answer Book series covering relevant laws for nonprofit organizations. The authors provide a nice overview of private foundation laws in the preface, and throughout the book they live up to their promise to provide information “about the law in a direct and efficient manner, keeping technicalities to a minimum” (p.xi).

¶19 The book is arranged in an easy-to-follow question-and-answer format that enables users to quickly find an answer to a legal problem. Thus, readers can avoid the need to dig through a book that might offer more in-depth treatment such as the other book coauthored by Blazek and Hopkins, *Private Foundations: Tax Law and Compliance*.<sup>5</sup> The answers are concise—usually just a short paragraph for the reader to follow. Readers will find the answers to be authoritative yet presented in a simple, conversational style that is understandable even to persons lacking expertise in this area of the law. The answers also provide frequent references to endnotes that list relevant legal citations. I particularly liked the use of the “note,” “comment,” “caution,” and “tip” boxes that stand out within the answers and offer more in-depth explanations of concepts, highlight important terms, or provide clarifying examples and practice pointers.

¶20 The best way to find a relevant topic in the book is to scan through the “List of Questions” that presents all the questions answered within the book under seventeen chapter headings. The chapters of the book cover the gamut of private foundation law topics ranging from “self-dealing” to “charitable contribution deductions,” and the authors provide many basic legal definitions in chapter one.

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4. Pub. L. No. 107-16, 115 Stat. 38.

5. BRUCE R. HOPKINS & JODY BLAZEK, *PRIVATE FOUNDATIONS: TAX LAW AND COMPLIANCE* (1997).

An index is provided at the end of the book, but it tends to be more awkward to use than the list of questions because readers are referred to question numbers rather than pages (e.g., Q 12:24 stands for question number 24 in chapter 12). Without knowing how the book is organized, a reader might be confused by these references and would benefit by taking a moment to review the “How to Use This Book” section (p.xvi).

¶21 Authors Blazek and Hopkins have years of law practice experience, and both have written extensively on this and other related topics.<sup>6</sup> Their experience is evident in their writing as they convey their knowledge of this subject matter in understandable terms. A seminar participant is quoted as saying, “Private foundation rules are really scary” (p.xiv). The authors have responded to that fear in this book by taking the “scare” out of private foundation law.

Maddex, Robert L. *Constitutions of the World*. 2d ed. Washington D.C.: CQ Press, 2001. 417p. \$99.95.

*Reviewed by Barbara L. Fritschel*

¶22 *Constitutions of the World* summarizes the governmental structures of one hundred countries, ranging from Albania to Zimbabwe. It includes countries with formal written constitutions, such as the United States, to countries with “unwritten” constitutions such as the United Kingdom, to the proposed constitution for Tibet.

¶23 I had originally thought from the title that this work would be comparable to Oceana Publications’ *Constitutions of the Countries of the World*,<sup>7</sup> but the book is completely different. Instead of providing the text of the constitutions, summaries are provided in a systematic way. Each country’s entry has two parts. The first provides basic information about the country, including location, population, and a short “constitutional history” with dates of previous constitutions. The following aspects of the constitution are then reviewed: the preamble; protections regarding fundamental rights; the division of powers between the executive, legislature, and judiciary; and finally, provisions for amending the constitution. The text from the constitutions is rarely provided, and when it is, the excerpts tend to be in phrases rather than complete articles. This format is followed regardless of where the information might actually appear in the constitution. Thus, in discussing the United States Constitution, the Bill of Rights and other amendments are discussed before any of the branches of government. While this does not provide a clear picture of any given constitution, it does make it easier for comparisons between countries.

¶24 Unlike the Oceana Publications set, this book’s purpose was “to make important national constitutions understandable in terms of their history, organiza-

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6. See, e.g. JODY BLAZEK, TAX AND FINANCIAL PLANNING FOR TAX-EXEMPT ORGANIZATIONS: FORMS, CHECKLISTS, PROCEDURES (1990); BRUCE R. HOPKINS, THE FIRST LEGAL ANSWER BOOK FOR FUNDRAISERS (2000).

7. CONSTITUTIONS OF THE COUNTRIES OF THE WORLD (A.P. Blaustein & G.H. Franz eds., 1971).

tion, and operation” (p. xv) as well as to increase interest in constitutions generally. It meets these goals. The beginning of the book includes a chart that provides an “at a glance” comparison of governmental systems. The text is easy to read and invites one to continue on to the next country in order to make comparisons and contrasts. Where a country’s practice is significantly different from the constitution, this is noted for the reader.

¶25 The work provides a basic glossary, a thorough index, and a listing of sources. The author recognizes that as a bound volume, *Constitutions of the World* is limited to being a snapshot in time. Indeed, the second edition was done in part because eleven countries had significantly changed their constitutions since the publication of the first edition. Maddex does explain to readers how to find the primary texts either through an Internet search, the governments themselves, or to collections such as Oceana’s or Hein’s *Modern Legal Systems Cyclopedica*.<sup>8</sup> However, this information is hidden in the preface and sources sections and would be more helpful if it were more prominently displayed.

¶26 Given its purposes, this book will not be of much use to academic or legal researchers needing the primary documents. It would be well suited to public libraries, undergraduate libraries, or for someone looking for an easy-to-understand comparison of the governments of numerous countries.

Medhurst, David. *A Brief and Practical Guide to EU Law*. 3d ed. Oxford: Blackwell Science, 2001. 221p. Paper, \$52.95.

*Reviewed by Judy N. Dhanraj*

¶27 David Medhurst’s *A Brief and Practical Guide to EU Law* is a revised edition of an earlier work on the European Economic Community.<sup>9</sup> Medhurst is a barrister and head of a set of Common Law chambers. He intends this book to be used by UK attorneys as a basic guide to a complex, ever-evolving legal and political entity.

¶28 A revision of the 1994 edition was necessary to inform readers about the 1997 Amsterdam Treaty,<sup>10</sup> which modified the previous European Union (EU) treaties. In addition to developments in the treaties and conventions and their status, new case law is presented. One learns, for example, that the Convention Determining the State Responsible for Examining Applications for Asylum Lodged in One of the Member States of the European Communities,<sup>11</sup> also known as the Dublin Convention, was signed in Dublin on June 15, 1990, and ratified by all the member states on September 1, 1997.

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8. MODERN LEGAL SYSTEMS CYCLOPEDIA (Kenneth Robert Redden ed., 1984).

9. DAVID MEDHURST, A BRIEF AND PRACTICAL GUIDE TO EC LAW (2d ed. 1994).

10. TREATY OF AMSTERDAM AMENDING THE TREATY ON EUROPEAN UNION, THE TREATIES ESTABLISHING THE EUROPEAN COMMUNITIES AND CERTAIN RELATED ACTS, Oct. 2 1997, 1997 O.J. (C 340) 1.

11. Convention Determining the State Responsible for Examining Applications for Asylum Lodged in One of the Member States of the European Communities, June 15, 1990, 1997 O.J. (C 254) 1.

¶29 Like the previous edition, the introductory chapters describe the structure of the EU and its institutions. Chapter 1 describes the history of the EU and the treaties that together form the European Union Treaty. This chapter is particularly helpful for someone who needs a chronology and brief history. The second chapter presents the European Parliament, the Commission, the Council, the Court of Justice, and the Court of Auditors as the main institutions of the EU. Subsequent chapters describe the legislative process, interpretation and research of EU law, procedure, effective use of Community law, and pleadings.

¶30 The second half of the book is devoted to specific topics of law, including free movement of goods, free movement of persons, competition, and the common agricultural policy. Unlike the 1994 edition, the third edition does not contain a chapter on environmental law.

¶31 Of particular value to both librarians and attorneys is chapter 4, "Interpretation and Research." As a starting point for EU research, encyclopedias are recommended as an excellent first source. With painful humor, Medhurst remarks after this recommendation, "It is worth mentioning this because the apoplexy brought on by the realization that a question of Community law has arisen sometimes prevents a lawyer from looking in the obvious place" (p.39). Chapter 4 also provides other valuable bibliographic information to aid researchers. For example, since the citation format for current and old treaty articles has not remained uniform, the various formats are supplied on page 40. A potential lifesaver is given in the form of a section containing the method for identifying directives, regulations, and decisions just from their numbering in a citation (p.43–44). Putting the contents of the entire chapter together, Medhurst provides a practical research example that presents the problem of finding legislation relating to the free movement of persons and then offers a detailed research strategy and sources to be consulted. Also included in this chapter are sections on finding case law and how to read a case. Full citations are given for directives and regulations whenever they are discussed.

¶32 The book contains a bibliography that includes references to other texts on EU law. It also has an index, detailed table of contents, and several tables of cases, treaties, conventions, directives, regulations, EC Commission decisions, and UK statutes. Its layout is logical and the discussions concise. Medhurst's humor and practical orientation to his topic make this work successful as a "basic guide" that is easy to use. I recommend this work as a reference source for both librarians and attorneys who need to research EU law.

Ocampo, Raymond L., Jr. *Surfing the Law and Technology Tsunami*. Chicago: ABA, 2001. 137p. \$34.95.

*Reviewed by Susan King*

¶33 I look forward to reading future works by Raymond L. Ocampo Jr. Among other achievements, he is the retired senior vice president, general counsel, and

secretary of Oracle Corporation and is on the faculty of the Berkeley Center for Law and Technology at the University of California at Berkeley School of Law (Boalt Hall). As such, he is well positioned to offer a great deal of wisdom—both in terms of practical advice and more abstract musings on the state of law and technology and of the intersections between the two. Unfortunately, *Surfing the Law and Technology Tsunami* is not the book I expected nor is it one that I can recommend for most libraries.

¶34 The book is a collection of ten keynote addresses that Ocampo gave at bar association meetings and other gatherings. They present his views on the Internet and its intersection with the law. His topics range from time management for lawyers to the use of mediation in disputes concerning high tech systems to the future of software. All of these topics are worthy of thoughtful and extensive comment. Unfortunately, there are just too many topics to cover adequately in this 137-page book. Given that the format is a series of keynote addresses, there is not the space or time to consider any of these topics in depth. Furthermore, given that the topic of the book is the Internet, a medium that changes at lightspeed, it is of little practical interest to read projections of what the Internet might do in the future that were written in 1994. If one is interested in the history of the Internet, there are many works specifically on that topic. Again, this is not one of them.

¶35 The chief problem with this work is the format. The speeches are presented as they were given to their original audiences. There is an incredible amount of repetition from speech to speech. The same Chinese proverb is repeated in almost every speech, as is the caution that “we tend to overestimate the short-term impact of technology but underestimate the long-term impact” (pp. 21, 47, 58, 84). These repetitions are understandable given that the speeches were given to different audiences over the course of several years. Read together in one text, however, they are an annoying distraction that perhaps a more careful editor might have eliminated to ensure better reading as a written text. What is startling and really called for an editor’s hand is that keynote 7 is almost a word-for-word duplication of keynote 5. The addition of a few paragraphs to the latter chapter does not warrant the inclusion of both in this work. Many of these speeches were given as introductions to panels of speakers. We read in some of these speeches that more information on a topic will be given by another speaker, but we do not have the text of the other speech in this book. Many ideas are presented as bullet points or broadly drawn ideas. That is what a good keynote speech does—introduce us to the main ideas or concepts of the topic under consideration. But when one sits down to engage with a written text, we want more. The details. The history. The fine points.

Scheb, John M., and John M. Scheb II. *An Introduction to the American Legal System*. Albany, N.Y.: Delmar/Thomson Learning, 2002. 472p. \$49.95.

*Reviewed by John F. Hagemann*

¶36 This book is a part of the West Legal Studies series, an imprint of Delmar and

Thomson Learning, which is designed to support quality paralegal education. John M. Scheb, the senior author, is a retired judge of the Florida Court of Appeal and a lecturer at the Stetson University College of Law. His coauthor and son, John M. Scheb II, is a professor of Political Science at the University of Tennessee, specializing in public law and the judicial process. Consequently, the book reflects the interrelationship and overlap of law and politics.

¶37 The book's twelve chapters are divided into four sections: "Foundations of the Legal System" (ch. 1–2); "The Substance of the Law" (ch. 3–8); "The Legal Process" (ch. 9–10); and "Legislative and Administrative Developments in the Law" (ch. 11–12). The coverage is thorough but, as one might expect, not at great depth. While the "substance" chapters deal with constitutional law, criminal law, torts, property law, contracts and business law, and family law, the "legislative developments" chapters appropriately contain sections on antitrust, banking and securities, labor, social welfare, civil rights, and environmental legislation.

¶38 Each chapter ends with five similar sections: summary of key concepts, questions for thought and discussion, key terms, endnotes, and further readings. An appendix contains the Constitution of the United States. There is an extensive glossary of key terms, which is essentially a recompilation of the key terms found at the end of each chapter. The index is well done.

¶39 In addition to clear, concise text, each chapter contains one or more—and usually all four—of the following features: Case in Point, illustrative discussion of legal principles; Opinion of the Court, verbatim excerpts from Supreme Court decisions; The Law in Action, illustrations of the application of legal principles; and Sidebar, related information about the chapter topic. For example, chapter 5, "Torts," has an Opinion of the Court quoting from *Hustler Magazine v. Falwell*<sup>12</sup> on the importance of "robust political debate" (p.168), a Law in Action summarizing the law of toxic torts (p.178), a Case in Point summarizing *Monell v. New York City Department of Social Services*<sup>13</sup> (p.180), and a Sidebar on the infamous (their word, not mine) McDonald's coffee case (p.184).

¶40 While this volume "is designed as an introductory text on American law and the legal system" (p.xvii) aimed at undergraduate and paralegal students, it may have its uses as a basic reference tool for library staff or patrons who, having little or no familiarity with the American legal system, need to acquire some. To paraphrase Lincoln,<sup>14</sup> librarians whose staff or patrons need this sort of thing will find this the sort of thing their collections need.

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12. 485 U.S. 46 (1988).

13. 436 U.S. 658 (1978).

14. See ANTHONY GROSS, LINCOLN'S OWN STORIES 96 (1912) ("Lincoln listened patiently until the author asked for his opinion, when he replied with a yawn: 'Well, for those who like that sort of thing I should think that is just about the sort of thing they would like.'").

Stewart, Chuck. *Homosexuality and the Law: A Dictionary*. Santa Barbara, Calif.: ABC-CLIO, 2001. 429p. \$55.

*Reviewed by David Turkalo*

¶41 With many perceptions about homosexuality evolving close to one-hundred-and-eighty degrees in the past thirty years, a comprehensive reference work that covers the legal as well as the integrated sociological, biological, and psychological complexities involved with the myriad issues associated with it fills a void in any library collection. Stewart's historical survey and A–Z compilation of major definitions and issues does that, albeit with the caveat that those who are not sympathetic to the movement will find the work's tone decidedly biased in the gay rights movement's favor. Nevertheless, the 429 pages of well-written background and oft-heard (but sometimes not) buzz words provide both a way to satisfy general research curiosity as well as entry points for more in-depth inquiry. Stewart has the credentials for putting together a solid reference work on the many varied facets of the topic. A Ph.D. from the University of Southern California School of Education, he specializes in intercultural education and has done much work with the law enforcement and gay community's mutual relationships. He is a twenty-year member and cochair of the Los Angeles Gay and Lesbian Scientists, assistant to the president of the Southern California Lambda Medical Association, and a member of the American Civil Liberties Union Gay and Lesbian Caucus. His other book is the award-winning *Sexually Stigmatized Communities—Reducing Heterosexism and Homophobia: An Awareness Manual*.<sup>15</sup>

¶42 As part of the publisher's Contemporary Legal Issues series, the work functions as a "dictionary" as promised by its subtitle and in other ways as well. The twenty-three-page introduction is a concise yet informative overview of the changing legal and societal views of homosexuality, from the work of Karl Heinrich Ulrich, "Grandfather of Gay Liberation," in the 1800s to the historic Stonewall Inn riot of the late 1960s and then into today's contemporary battles.

¶43 From the reference librarian and researcher's point of view, however, it is the 112 alphabetically arranged dictionary entries and the appendixes at the end that will provide the bulk of the book's value. These definitions are wide ranging and include everything from the obviously editorial ("Absurd Sex Laws" kicks off the "A's") to various topics with sociological and psychological definitions, coupled with their legal implications. These include Boy Scouts, Children of Homosexual Parents, Artificial Insemination, Research on Sexual Orientation, and School Programs for Lesbian and Gay Students. Other legal topics include such issues as Sexual Harassment, Federal Employment Nondiscrimination Order, and Solicitation and Loitering. Important legal cases, such as *Bowers v. Hardwick*,<sup>16</sup>

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15. CHUCK STEWART, *SEXUALLY STIGMATIZED COMMUNITIES—REDUCING HETEROSEXISM AND HOMOPHOBIA: AN AWARENESS MANUAL* (1999.)

16. 478 U.S. 186 (1986).

*Baker v. Vermont*,<sup>17</sup> and *Commonwealth v. Wasson*,<sup>18</sup> are also defined and given succinct but sufficient treatment that provides enough information for the serious to continue or for the curious to be satisfied. References to further research are given at the end of each definition. Terms that have been given their own entries in the book appear in boldface type the first time they appear in another entry.

¶44 Appendixes, tables, and indexes constitute the final 116 pages of the book and contain a wealth of useful information. Appendix A handily compiles state and local laws. Appendix B brings together resources the author recommends, including advocacy organizations, books and journals, federal and state agencies that accept the filing of discrimination complaints, and state human rights commission offices. A table of cases lists the citations to all cases referred to in the book, including those that are not defined separately—a very useful tool for follow-up research. There is also a table of statutes and an alphabetical listing of all references included in the text. Cases from the table are relisted in the general index to take the reader to where they had appeared in the definitions or introductory history sections.

¶45 Stewart easily meets his stated purpose of presenting a book “written for high school, college, postgraduate students, as well as researchers and people interested in gay issues” (p.xii), though, as noted in the beginning, his bias in favor of gay rights is evident throughout the tone of the text. While this may put some potential users off, the thoroughness and readability of the presentation, along with the large amount of information provided, raise the book’s general usefulness and hence outweigh that issue. Reasonably priced, it would be a well-placed purchase in most law school libraries and is no doubt destined for further editions as the law and mores continue to change and develop in this area. It is indeed, as the author points out, a “book that will not make a legal expert out of the reader . . . [but] it will give him or her a solid and well-researched explanation of gay issues and the law” (p.xii).

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17. 744 A.2d 864 (Vt. 1999).

18. 842 S.W.2d 487 (Ky. 1992).

*Practicing Reference . . .*

**Of Reference and Revelation\***

Nancy M. McMurrer\*\*

*While working on a new edition of a legal research book, Ms. McMurrer comes to a new appreciation for how reference must interact with technical services and acquisitions to produce the best library possible.*

¶1 Have you ever had a revelation? I am not referring to any sort of religious experience but instead to the sort of “AHA!” phenomenon that cartoonists sometimes depict as a light bulb over a character’s head.<sup>1</sup> I had a revelation recently—not about something new, but about something I thought I already knew. My revelation was all about the idea of “library,” my role in it, and how my work as a reference librarian meshes with that done by other library staff members.

¶2 It all started when I was doing something many librarians do: writing. Most of us have produced guides of one sort or another. This project just seemed so much bigger than others I do during a typical year. My colleagues and I were producing a new edition of the *Washington Legal Researcher’s Deskbook*.<sup>2</sup> My chapter, on Washington practice materials, required that I review practice and self-help books and distill what I learned into a few choice sentences describing their contents and user aids for my subject list of sources.

¶3 To better understand my revelation, let’s first flashback to the mid-1990s when three of my reference colleagues and I, along with library director Penny Hazelton, decided that a second edition of the research guide was needed. It was my first experience as an author for this book, and I was trying hard to follow in the large footsteps of Martin Cerjan, the original author of the practice materials chapter. The Gallagher Law Library collects Washington practice materials and self-help books since we are open to the public and are heavily used by the bar and lay persons pursuing their own legal questions. Thus I focused on our own wonder-

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1. Revelation in this sense is defined as “[t]he act of revealing or disclosing. Something revealed, especially a dramatic disclosure of something not previously known or realized.” AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 1491 (4th ed. 2000).
2. Sure enough, the project is completed and the new edition is out, PENNY A. HAZELTON ET AL., WASHINGTON LEGAL RESEARCHER’S DESKBOOK 3d (2002). Here is a shameless plug—check it out, maybe order a copy, at <http://lib.law.washington.edu/pubs/db3toc.html>.

fully broad collection, with a visit or two to the King County Law Library in downtown Seattle to make sure I was not missing anything significant.

¶4 For weeks, each morning before the library opened, I huddled over Washington treatises and loose-leaves in our reserve collection. This work raised all sorts of questions about the sources, such as where were they shelved, how were they cataloged, and how were they updated? I passed along a few of these questions to our technical services folks or to Reba Turnquist, our acquisitions librarian for Washington materials (other than government documents that were handled by Peggy Jarrett). However, I often kept to myself the things that puzzled me. Sometimes I was giving in to my general panic that I would never be able to review all those books and write up descriptions before the chapter was due. As you can imagine, the collection was just not the same as when Martin had looked at it: there were new editions, supplements had added chapters and topics, some treatises were no longer updated, and some were just brand new titles. With much to do and time running away at a gallop, I often decided I did not have time to ask or to wait for the answer.

¶5 I also suffered the double whammy of imperfect note taking and imperfect memory, stuffed as it was to capacity with my progress through every reserve item in KFW. I had different notepads for everything, each with so many little jottings that my mind reeled when I looked at them later. Ah, I had a question about that source, but what on earth was it? My notes could be cryptic, and my recollection did not always fill the gaps.<sup>3</sup>

¶6 But the chief reason for my lack of follow-up was probably my disinclination to “bother” those in acquisitions or technical services with my questions. Perhaps they would think them silly, or worse, things I already should know. Or maybe the questions were unimportant, stuff I should be able to figure out myself. Besides, all those folks were fully employed, and I should just leave them alone and let them get their jobs done.

¶7 Understand please, that based on my past experience in working with staff in technical services and acquisitions, I should have been looking forward to sending them hundreds of inquiries. Their responses had always been enthusiastic and positive. But in 1996, for whatever the reasons, I just worked through those books and, for the most part, kept my own counsel.

¶8 Now back to 2001. Once again it was time to update the *Deskbook*. We added topics, we added authors, we added Web sites. We were charged up and ready to conquer Washington’s legal research landscape. And no one was more eager than I was. For this edition, I would be sure to start early enough so that I

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3. The same year that the *Washington Legal Researcher’s Deskbook* was published, we also wrote an article together about the importance of note taking in legal research. I have learned—and relearned—its lessons. Penny A. Hazelton et al., *Develop the Habit: Note Taking in Legal Research*, 4 PERSPECTIVES: TEACHING LEGAL RES. & WRITING 48 (1996), reprinted in *BEST OF PERSPECTIVES: TEACHING LEGAL RESEARCH AND WRITING, VOLUMES 1–9 (1992–2001)*, at 66 (Frank G. Houdek ed., 2001).

had the time to unravel any knots I found. Not only that, this time I would not stop with my library and the King County Law Library. No! I would try public libraries, law firm libraries, and other county law libraries across the state, publishers I knew about, and those I had yet to discover. Every stone would be turned, and even the gleam in the author's eye suggesting a new publication would be investigated. I was a librarian with a mission.

¶9 As before, I started with our own collection. However, instead of trying to work among the stacks in the reserve collection, I appropriated a book truck, loaded up one subject area of books, and wheeled them back to my desk. I worked through all the items on the truck before returning any of them (unless some patron had the audacity to need one before I was done with that subject). Focused on one subject at a time, I was able to get a good perspective on its coverage in Washington.

¶10 My very first request, sent to the e-mail address maintained by technical services for questions, was a tentative toe in the water, later to become a complete plunge into the ocean. I was trying to figure out how often a particular treatise was updated. With our Innovative Interfaces catalog, we in reference were accustomed to showing patrons how to determine if we had received a recent issue of a periodical. Before the online catalog, this information was available only by calling or running back to technical services to ask someone there to look at the check-in record. I had already used the catalog to make sure that a couple of sources were still being updated annually. But this book did not appear to be updated regularly. To make sure, I looked at its record in the catalog. When I clicked on the "Latest Received" link, however, I realized that the check-in history only went back to 2000. So I popped off an e-mail to technical services, asking about this book and whether I could still view check-in information from the 1990s.

¶11 A short time later, Tricia Hart, head of bibliographic access in technical services, poked her head in the reference office, where I was on duty. As the new millennium began, she explained, technical services had decided to "clean up" the records a bit and had deleted many of those old check-in records that went back to the beginning of our online catalog. My project, though, had unearthed a reason to take another look at that decision. She and I talked about it, and we came up with a policy to maintain access to those check-in records in the public catalog for about six years, long enough for someone to see updating trends, even for irregularly updated sources like the one about which I had asked.

¶12 This interchange was the beginning of my revelation. I had been a bit tentative about e-mailing technical services, but Tricia was thrilled to get my question on an issue that neither department had thought about, and together we had developed a solution that would make the catalog more useful. With that exchange under my belt, I let loose. After all, I had given myself enough time, I was working at my computer (where e-mail was oh-so-handy) instead of taking notes in the middle of the reserve stacks, and every question I raised was greeted with enthusiasm. I must have sent three or four messages to technical services and acquisitions almost every day!

¶13 In particular, since I was immersed in each subject and looking at all our materials together, I was able to see anomalies in the catalog and collection not otherwise noticeable. For instance, I reviewed a couple of books that I decided dealt with the same subject. They shared the same Washington subject heading, but one was shelved in KF and the other in KFW. Looking ahead to our new building and open reserve stacks, I suggested that browsers would prefer to find them shelved together. I also found books that were no longer being supplemented. If a title was still useful and not duplicated by more recent works, I recommended to acquisitions that it be kept in reserve for now but flagged for later review. The others I suggested moving from the reserve collection.

¶14 I was coming to a realization that, in our hearts, we all know: it takes a whole library staff to produce a library.<sup>4</sup> What was brought home to me, though, as I gaily asked questions or passed along ideas, concerned my part in this whole process. I think before our *Deskbook* project I had tended to see myself mostly on the receiving end of everything done by the different departments of the library.

¶15 I knew that I could not do my job without the aid of everyone else. Without the acquisitions staff, I would not be able to guide patrons to the resources they need in our collection—there would not *be* a collection. Without access services, I could not borrow materials from another library, check a book out to a faculty member, or find books on the shelves instead of still lying on a carrel from the last user. Without technical services, I would never be able to *find* anything, since there would be no catalog, no call numbers, no mating of supplements to their main volumes. And of course, without administration, none of us would have computers or desks, nor would our labor be transformed into a paycheck. Just think about all the work everyone else in the library must do before I can assist a patron!

¶16 But my revelation was not that reference is some sort of parasite on the rest of the library staff. Instead what I realized is my level of responsibility for the work these other departments do. They enable me to do my best, and I must also enable them to do their best. I need to do more than just respond to questions that technical services and acquisitions send to reference or, when it is convenient, send them something I notice. Whenever I run across a problem in the public catalog, I must notify technical services. I am, after all, in the department that uses the public catalog the most, and if I do not alert them, they may never know there is a glitch. If I see an announcement about a new resource, I should never assume that Reba or Peggy has seen it, but instead must forward it to them.

¶17 Then, however, I started backpeddling. Our acquisitions and technical services people are the best. Would they think I was trying to do their jobs for them? Would I be more trouble than my help was worth? Here is the rest of the lesson I learned while working on the book chapter. I had seen a mention of a gov-

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4. My modified cliché is based on the African proverb (“it takes a village to raise a child”) that inspired the title for HILLARY RODHAM CLINTON, *IT TAKES A VILLAGE AND OTHER LESSONS CHILDREN TEACH US* (1996).

ernment report that I thought members of our faculty would find interesting. I e-mailed Peggy about it, with the caveat that I was sure she already knew about the report. Her response could not have been clearer: she is only one person, she explained, doing her best to find every government document that fits within the library's collection development plan. But there is more out there than any one searcher can uncover. She told me she depends on us to "run across" items she may have missed.

¶18 As I thought about it, I realized that I felt exactly the way Peggy did. About mid-quarter, I taught a research session for a class on medical malpractice. Everyone in reference knew I was working on a handout for the session, so several colleagues sent me e-mails asking if I had seen the new research guide in *Legal Reference Services Quarterly*.<sup>5</sup> Was I hurt, imagining that they thought I would not properly research the subject? Heck, no! I was proud that they wanted me to produce the best handout I could and grateful that they had kept me in mind as they skimmed their mail and e-mail.

¶19 What about the "bother" factor? Well, there was one loose-leaf I reviewed that raised several issues in my mind. Having gotten into the "don't delay, e-mail right away" mode, however, I ended up sending several e-mails to technical services about that one source. After the first couple, I got a bit embarrassed and started prefacing them with apologies and self-deprecations like "picky." I ran into Tricia later and apologized again for monopolizing technical services' e-mail with such minutia. She just laughed and reminded me that technical services folks are known far and wide for their attention to detail—that they delight in being finicky. She told me that this series of e-mails suggested that I could be persnickety enough to work in technical services. Wow, high praise indeed!

¶20 I realized that I had been apologizing for bothering them just like patrons sometimes apologize to me for asking a reference question. Do patrons "bother" me when they stop in to ask a question? Am I disdainful when they diffidently say their problem is no doubt easy and one they should be able to solve themselves? Absolutely not! I love the challenge of reference. If no one ever asked me anything, the most fun part of my day would disappear. Moreover, as we all know, what seems at first blush to be easy is often really tricky and difficult. I delight in being "bothered!"

¶21 This book project gave me an opportunity to devote time and attention to a part of our collection in a way that does not fit into the normal schedule of technical services or acquisitions. Since I know my colleagues share with me the same goal of getting things "as-nearly-perfect-as-possible," I am sure that my questions and recommendations were treated as opportunities, not interruptions. I also understand that I owe it to my colleagues to turn over to them questions, puzzles,

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5. Sheryl Summers Kramer, *A Research Guide to Medical Malpractice and the Law: Revisited*, *LEGAL REFERENCE SERVICES. Q.*, 2001, no. 4, at 111.

and anomalies. I had the time to investigate this tiny part of the collection; they have the expertise to settle correctly any issue I raised.<sup>6</sup>

¶22 So, there you are—that's my revelation. Something I thought I already knew but now I really know. Every project I take on may present chances for me to help another department shine. We all aim for excellence, but we cannot do it alone. We bear mutual responsibility to assist each other in doing the best job possible. And together? Well, together we become a class act and our library, a smash hit!

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6. For suggestions about other ways that public and technical services staff can work together for the benefit of their library's patrons, seek out the audiotapes from these AALL Annual Meeting programs: Rule Maker or Rule Breaker, program presented at 95th Annual Meeting of the American Association of Law Libraries, Orlando (July 21, 2002) (audiotape available from Mobiltape Co.); Technical and Public Services Connections: Making the Most of Your Online Catalog, program presented at 95th Annual Meeting of the American Association of Law Libraries, Orlando (July 22, 2002) (audiotape available from Mobiltape Co.); What You Don't Know Can Hurt You: Essential Technical Services Knowledge for Public Services Librarians, program presented at 94th Annual Meeting of the American Association of Law Libraries, Minneapolis (July 18, 2001) (audiotape available from Mobiltape Co.).