

Keeping Up with New Legal Titles*

Compiled by Amy Atchison** and Catherine F. Halvorsen***

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* © Amy Atchison and Catherine F. Halvorsen, 2006. The books reviewed in this issue were published in 2005. If you would like to review books for "Keeping Up with New Legal Titles," please send an e-mail message expressing your interest to atchison@law.ucla.edu.

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*Prestatehood Legal Materials: A Fifty-State Research Guide,
 Including New York City and the District of Columbia* 706

Calnan, Alan. *A Revisionist History of Tort Law: From Holmesian Realism to Neoclassical Rationalism*. Durham, N.C.: Carolina Academic Press, 2005. 340p. \$45.

Reviewed by Lucinda Harrison-Cox

¶1 Professor Alan Calnan of Southwestern School of Law states that *A Revisionist History of Tort Law: From Holmesian Realism to Neoclassical Rationalism* initially began as an attempt to “understand, explain, critique or defend” the myriad of anomalies in tort law theory through the use of history (p.xiv). In the book’s introduction, he critiques legal historians’ analysis of tort law theory and equates their approach with the familiar and perhaps overused parable of the blind men and the elephant. This sets the foundation for the book, which focuses on Oliver Wendell Holmes Jr.’s role in the development of American tort law theory, Holmes’s theory of jurisprudence, and, as Calnan asserts, his misguided use of history to support his legal theories.

¶2 *A Revisionist History of Tort Law* is divided into four sections. The first part debunks the conventional, Holmesian approach to using history to support tort theory. However, this first part mainly discusses the general functions and techniques of historical research and the negative influence of modern biases on historians’ interpretations of past events.

¶3 The remaining three sections examine the philosophical origins and evolution of tort law, present a revised intellectual history of tort law, and expand on the moral development of tort law theory. Calnan ultimately concludes that “the history of tort law does not support its jurisprudence, as Holmes had so eloquently argued. Instead, its jurisprudence contradicts its history” (p.293).

¶4 Following the conclusion is a respectable selective bibliography with an impressive listing of historical sources. The brief index is sufficient for a book that was obviously not intended to be read piecemeal. The omission from the bibliography of *Tort Law in America: An Intellectual History*¹ is surprising, as it also takes a decidedly different approach to tort law compared to other scholarship in this area. Nonetheless, *A Revisionist History of Tort Law: From Holmesian Realism to Neoclassical Rationalism* is a significant contribution to the score of scholarly literature on tort law theory and should be included in academic law library collections.

Chiorazzi, Michael, and Marguerite Most, eds. *Prestatehood Legal Materials: A Fifty-State Research Guide, Including New York City and the District of Columbia*. New York: Haworth Information Press, 2005. 1500p. \$149.95.

Reviewed by Jessica Wimer

¶5 When asked to search for legislative history documents, one must first ask whether the legislation in question is federal or state and how old it is. My heart sinks when the research involves other than contemporary state materials because these documents, *if* available, might be tricky and expensive to obtain. While I have been asked to locate some pretty old government documents, I have never been asked to find historical state documents from the colonial period and until now would have experienced great anxiety over the process of locating them. Editors Michael Chiorazzi and Marguerite Most, along with sixty-eight other law librarians, have created a resource to help researchers find this historical material. As its title makes clear, *Prestatehood Legal Materials* is a reference book that highlights prestatehood resources from each of the fifty states, along with the District of Columbia and New York City.

¶6 Chiorazzi, director of the law library and professor of law at the James E. Rogers College of Law at the University of Arizona and editor of *Legal Reference Services Quarterly*, and Most, collection development and legal information librarian and lecturer in law at the Boston College Law Library, bring a myriad of knowledge and experience to this project. Together, they have skillfully compiled the work of librarians from each of the fifty states and the District of Columbia into a two-volume publication consisting of fifty-two chapters: one for each state, one for the District of Columbia, and one for New York City. A complete table of contents to both volumes is included at the beginning of each volume, a thorough and extensive index for both volumes is located at the end of the second volume of the set, and each chapter ends with a notes section. The editors also maintain a Web site (www.law.arizona.edu/prestatehood) that provides updates on any newly acquired information, additions, or corrections pertaining to the material in this book.

1. EDWARD D. WHITE, *TORT LAW IN AMERICA: AN INTELLECTUAL HISTORY* (expanded ed. 2003).

¶7 Prestatehood legal material varies from jurisdiction to jurisdiction, depending on historical developments and the path taken to achieve statehood. For example, Connecticut's prestatehood material is vastly different from that of Hawaii or Texas. The types of documents available for each state may include legislative or executive documents, secondary sources, and possibly other research guides or bibliographies. Each chapter is stylistically distinct in its organization and presentation of material. Some begin with an extensive introduction to the state's history while others provide a cursory overview. While many, if not most, of the contributors adhere to a traditional bibliographic format, others present heavily footnoted essays.

¶8 *Prestatehood Legal Materials* will appeal to a large audience. Law librarians, law students, and practicing attorneys will appreciate its in-depth research and guidance, but its appeal also extends beyond the legal setting to historians and other social scientists, who will find it invaluable for identifying traditionally hard to find items. Any resource that provides guidance for locating early legal material is a useful addition to law and research libraries; the fact that this resource includes all fifty states makes it that much more valuable.

Hamilton, Marci A. *God vs. the Gavel: Religion and the Rule of Law*. Cambridge; New York: Cambridge University Press. 2005. 413p. \$28.

Reviewed by Amy Gannaway

¶9 In *God vs. the Gavel: Religion and the Rule of Law*, author Marci Hamilton, a professor at Cardozo School of Law, pulls no punches when she states her goal in the introduction: "The purpose of this book is to persuade Americans to take off the rose-colored glasses and to come to terms with the necessity of making religious individuals and institutions accountable to the law so that they do not harm others" (p.3). While acknowledging the positive force of religion in society and the good works and services of religious organizations, Hamilton insists that their status as religious entities should not exempt them from the rule of law. She draws a distinction between religious belief, which is absolutely protected, and religious conduct, which, when it harms others, is not protected. She then argues that Americans' "romantic" attitude toward religion has allowed religious entities to persuade legislatures and courts to grant them exceptions to generally applicable, neutral laws and thus avoid accountability for otherwise unlawful conduct.

¶10 *God vs. the Gavel* is divided into two parts. Part 1, "Why the Law Must Govern Religious Entities," describes six areas where religious entities or individuals have harmed others and then claimed legal exemption because of their religious status: children, marriage, land use in neighborhoods, schools, prisons and military, and discrimination and civil rights.

¶11 The chapter on children is not for the faint of heart. Hamilton includes accounts of child sexual abuse by clergy, as well as child medical neglect by parents because of their religious beliefs. The marriage chapter discusses gay marriage

and polygamy. The land use chapter describes the complications that arise when religious landowners' plans for their property clash with their residential neighbors or their municipalities' land use and zoning regulations. The chapter on schools describes instances where religious conduct clashed with rules instituted by public schools, including dress codes and compulsory education. In the prisons and military chapter, Hamilton describes how prisons must balance prisoner requests for religious accommodations with the need to maintain order. Finally, the chapter on discrimination and civil rights discusses housing and employment discrimination by religious entities and offers advice on crafting laws that provide religious accommodation while protecting individuals and groups from discrimination.

¶12 The second part, "The History and Doctrine Behind the Rule that Subjects Religious Entities to Duly Enacted Laws," describes the history and jurisprudence of special privileges for religious organizations and individuals, the rise and fall of clergy privilege, and religious persecution in Great Britain and Europe. Also detailed is the privatization of religion in the early days of the United States. In addition, Hamilton discusses when exemptions to certain laws have been granted to religious entities and outlines a framework for analyzing whether these exemptions are consistent with the public good.

¶13 With its extensive documentation and useful index, *God vs. the Gavel* will be a useful purchase for any academic law library. Its content also will interest college and general audiences, and therefore the book is also suitable for inclusion in general academic and public libraries.

Bruce R. Hopkins. *Nonprofit Law Made Easy*. Hoboken, N.J.: John Wiley & Sons, Inc., 2005. 275p. \$34.95, paper.

Reviewed by Ian R. Beste

¶14 *Nonprofit Law Made Easy* is not intended for the legal professional. With virtually no citations to substantive law, outside of some references to the Internal Revenue Code and specific Internal Revenue Service forms, no reference to other legal or accounting authority, and no bibliography or citations to any Web sites, this book is inadequate for the practicing attorney. Better choices might be other works by author Bruce R. Hopkin, such as *The Law of Tax-Exempt Organizations*² or *The Law of Fundraising*.³

¶15 *Nonprofit Law Made Easy* is also an unsatisfactory resource for readers seeking "do it yourself" guidance along the lines of a Nolo Press publication. In addition to the absence of cited authorities, it lacks both sample forms suitable for nonlawyers and state-specific information regarding oversight responsibilities of nonprofit organizations. The best audience for *Nonprofit Law Made Easy* is the nonattorney, such as a nonprofit board member or executive who needs solid answers to basic legal questions regarding nonprofits.

2. BRUCE R. HOPKINS, *THE LAW OF TAX-EXEMPT ORGANIZATIONS* (8th ed. 2003).

3. BRUCE R. HOPKINS, *THE LAW OF FUNDRAISING* (Rev. 2d ed. 2002).

¶16 Hopkins discusses many issues relevant to nonprofit organizations, including formation of a nonprofit, taxation, governance, gifts, fund-raising, business income, lobbying and political activities, and even antitrust and postal law. Discussions are in-depth and at times complex. By not “dumbing it down,” *Nonprofit Law Made Easy* does not so much make the law of nonprofit organizations “easy” (what area of law can truly be made easy?) but conveniently locates it in one place.

¶17 One of the most useful sections of *Nonprofit Law Made Easy* is in chapter 4. Here Hopkins provides a glossary of terms associated with IRS form 990, followed by a section-by-section discussion of the form. In the chapter on governance, he discusses what he calls “watchdog” agencies and specifically describes the standards set out by the Wise Giving Alliance of the Better Business Bureau, although unfortunately neglects to provide its Web site address (www.give.org). Chapter 9 treats issues associated with subsidiaries, joint ventures, and partnerships with for-profit entities; and chapters 10 and 11 discuss the complexities of federal election campaign law.

¶18 By eschewing citation of most statutes and all case law and regulations, Hopkins clearly expects readers to rely upon legal counsel for further assistance and advice. At one point, he even states that when a nonprofit’s board draws up its corporate minutes, it should do so with the assistance of a lawyer (p.24). This may not be a bad thing. The old saying that someone who represents themselves has a fool for a client is just as applicable in a corporate setting as it is in a court room.⁴ Hopkins wishes to educate readers so that they can ask their attorneys informed questions and understand the answers they receive.

¶19 In sum, *Nonprofit Law Made Easy* is a worthwhile purchase for special libraries in nonprofit settings and is worth considering for law school or county law libraries that are open to the public. A law firm library would probably not find much use for this title, except perhaps as an item to loan to clients.

Hopkins, Bruce R. *Starting and Managing a Nonprofit Organization: A Legal Guide*. 4th ed. Hoboken, N.J.: John Wiley & Sons, Inc., 2005. 342p. \$39.95, paper.

Reviewed by Lisa Mecklenberg Jackson

¶20 In his preface to *Starting and Managing a Nonprofit Organization*, Bruce Hopkins, a lawyer and law school instructor, states that he wrote the book because he was struck by the “massive gap existing between the wish lists and the legal expertise of many of those responsible for the fate of nonprofit organizations” (p.ix). He recognized and set out to satisfy the need for a basic summary of the laws affecting the operation of nonprofit organizations—with no footnotes or citations—just readable text. Hopkins has achieved his goal with *Starting and Managing a Nonprofit Organization: A Legal Guide*. It is designed to help the

4. EUGENE C. GERHART, QUOTE IT COMPLETELY! 918 (1998).

reader decipher the Internal Revenue Code as it relates to nonprofit organizations, translate the nuances of the law in these areas, and make them understandable to nonlawyer managers of nonprofits, thereby closing the gap between nonprofit organizations' goals and knowledge.

¶21 I serve as a director on the board of a local nonprofit humane society that has been discussing director financial and legal liability, certainly a topic that *Starting and Managing a Nonprofit Organization* might address. Consulting the index, under the index heading of "liability," I was directed to "See specific types of liability." Using "director" as a subject heading, I found nothing about liability. Never one to give up hope, I tried finding another topic of interest to me—fund-raising and the role of nonprofits. To my delight, the index listed five main headings for fund-raising and eleven subheadings. These made entry into this topic an easy endeavor, and I readily located discussions about federal and state regulation of nonprofits, contracts with fund-raising counsel, filing requirements for fund-raising events, and more. In addition to the index, *Starting and Managing a Nonprofit Organization* also includes a glossary containing many terms I had never heard of, such as "exempt function revenue" and "community chest."

¶22 The table of contents is arranged in an intuitive and logical order. Beginning with "Starting a Nonprofit Organization," followed by "Being Nonprofit Legally," "Tax-Exempt Organizations Can be Taxable . . . and So Can Their Manager," "Helpful Hints and Successful Techniques," and ending with "The Future of Nonprofits," Hopkins covers all the bases. I also was pleased to discover that the "Helpful Hints" section in chapter 19 specifically addresses the issue of nonprofit staff and officers avoiding personal liability. Why these pages were not listed in the index is a mystery to me.

¶23 Many of the topics Hopkins discusses are relevant to particular situations. For example, chapter 10 focuses on compensation programs rather than basic salaries. Chapters 13 through 16 focus on influencing legislation, participating in political campaigns, the use of subsidiaries, and influencing partnerships, respectively. Chapters 20 and 21, the final chapters, discuss the application of federal tax law to nonprofit organizations. However, readers should remember that nonprofit organizations are primarily governed by state law. The book would have benefitted from a chart listing the basic code sections of the state laws governing nonprofit organizations, enabling researchers to at least have a starting point at the state level.

¶24 Overall, I found many aspects of *Starting and Managing a Nonprofit: A Legal Guide* to be useful and enlightening. Because of its reader-friendly format, it would be an appropriate purchase for academic, firm, and public law libraries. I learned a great deal from it and will be finding a spot for it on my library shelves. In my world, that is the mark of a good reference book.

Reviewed by Renee A. Cullmann

¶25 *National Survey of State Laws* is the fifth edition of Richard A. Leiter's popular and discriminating compilation of laws covering the most in-demand and controversial state statutes of all fifty U.S. states and the District of Columbia in force as of June 1, 2004. It is organized alphabetically by topic and then subtopic. Statutes and topics are divided into eight broad categories: business and consumer laws, criminal laws, education laws, employment laws, family laws, general civil laws, real estate laws, and tax laws. Forty-five subtopics are included within these broad categories. Topics and subtopics cover a broad range of issues, such as requirements for homeschooling children, blood alcohol content limits for drunk driving, lemon laws, adverse possession, identity theft, gun control, and more.

¶26 A topical cross-reference table located at the beginning of the book contributes to its accessibility. An appendix to all of the statutory compilations cited in the book is also included at the end. Each subject covered begins with a brief and simple explanation of the relevant legal principles. This is followed by a clear and easy-to-read table that provides references to statutes governing the topic in each state and a synopsis of the major principles of law in each jurisdiction.

¶27 *National Survey of State Laws* is a thorough and user-friendly reference tool to different states' laws on the topics it covers. It is easy to navigate and use and is an excellent alternative to the *Martindale-Hubbell Law Digest*,⁵ which is not carried by most public libraries. Also, its broad coverage of popular and controversial topics make this resource useful to practitioners and scholars in many areas of law, and the accessible format and straightforward explanations of topics assure that it can be used and understood by novice legal researchers. For these reasons, *National Survey of State Laws* will be a useful addition to private, academic, and county law libraries.

Mersky, Roy M., and Richard A. Leiter. *The Spirit of Law Librarianship: A Reader*. 2nd ed. Chicago: Alert Publications, 2005. 252p. \$34.95.

Reviewed by Catherine F. Halvorsen

¶28 At one point or another in our career as law librarians, we have all entertained the "Dewey Decimal" barbs and the hair bun teases (mine is stashed in my handbag and I pop it on when a research project beckons or someone needs to be "shushed"). Comic retorts aside, recitation of long lists of the tasks we perform for our institutions and patrons never seems to accurately depict the depth and breadth of our profession generally, nor of law librarianship particularly. If only we had a law librarianship handbook to distribute to the inquiring minds and the jesters.

¶29 Ah, but we do. *The Spirit of Law Librarianship: A Reader* is a heartfelt introduction to and analysis of the life and career of a law librarian and will be enjoyed by all readers, within and without the profession. It is a compilation of

5. MARTINDALE-HUBBELL LAW DIGEST (2006).

essays written by and for law librarians on the topic of service. Although each of us understands that service is key to what we do as law librarians, having our commitment to service restated in extraordinary ways from so many different perspectives is both instructional and inspirational.

¶30 The compilers, Roy Mersky and Richard Leiter, neither of whom requires any introduction here, thoughtfully divide the service commitment of law librarianship into three equally important components—service to libraries, service to the profession, and service to community. At least one, but typically more than one, essay in each category really grabbed my attention, providing ideas about service contributions or models for consideration and implementation. Margaret Leary reminds us in “Service: The Core of Law Librarianship” that our service commitment to libraries includes the service librarians provide to one another in the context of their own libraries, by being respectful, enthusiastic, cooperative, and generous on the job. To periodically be reminded of this collegial responsibility is helpful.

¶31 Relative to the second component, and also provocative, is Robert Oakley’s discussion of the many ways law librarians can and do contribute to the profession through involvement with the American Association of Law Libraries (AALL). In “Service to the Profession,” he urges members to donate time, obviously, but also money, stating that “AALL will be strengthened if its members begin the regular practice of making small annual donations as well as planned giving bequests” (p.105). An excellent suggestion—it never occurred to me previously to consider financial contributions, large or small, as an addition or alternative to AALL committee work.

¶32 Mersky and Leiter understandably place special emphasis on the final component, service to the community, in the second part of the title. This section features articles written by recipients of the Spirit of Law Librarianship Award and highlights the contributions, motivations, and activities of “a very special group of people” (p.175). Although no two essays are alike—in fact, the interests, activities, experiences, and perspectives of each author vary greatly—the reader’s reaction to each one is likely to be the same. One cannot put *The Spirit of Law Librarianship* down without thinking, “Wow, law librarians . . . good people . . . good deeds!”

¶33 David Gunn’s essay on recording for the blind had a profound impact on me. I have been sadly neglectful, and now acutely aware, of my service commitment to community and was inspired by “Recording for the Blind and Dyslexic” to *immediately* investigate possible volunteer opportunities. Gunn’s inclusion in the text of the Web site address for the organization’s home page made it easy to inquire the same day. If not already involved in service to community, all readers will be similarly encouraged. Kimberli Morris’s account of her experience as program director for the International Human Rights Law Institute law school project in “The Spirit of Law Librarianship: Legal Education Reform in Iraq” is amazing, and her assertion that law librarians are also human rights activists is powerful (p.243).

¶34 Some of the thirty essays are brief, merely one to three pages, while others are lengthier at more than ten pages. Several are serious in tone and heavily footnoted, while others are more anecdotal and humorous. A few read like résumés, leaving the reader more than a little impressed with the accomplishments of the writer and wondering where he or she finds the time. Many provide sound mentoring advice to a wide audience, including library students and both novice and experienced law librarians in any law library arena.

¶35 All of the essays selected for inclusion by Mersky and Leiter are insightful, uplifting, and compelling. The managing director of every library's parent institution, including, but not limited, to law school deans and managing partners of law firms, should have a copy of *The Spirit of Law Librarianship: A Reader*. Members of all populations served by the law librarian might better appreciate our efforts after reading this remarkable law librarianship handbook. It would also be a wonderful addition to the required or suggested reading list for any number of library and information science courses (i.e., special libraries or law librarianship), as well as undergraduate and graduate placement office collections. It is, of course, a must have, must read for all.

Molyneux, Philip, and Munawar Iqbal. *Banking and Financial Systems in the Arab World*. New York: Palgrave Macmillan, 2005. 336p. \$75.

Reviewed by Deborah Dennison

¶36 One of my interests as a researcher is Islamic law,⁶ so I had some familiarity with the authors prior to reviewing *Banking and Financial Systems in the Arab World*. Well known in financial, government, and academic circles for their economic expertise, authors Philip Molyneux and Munawar Iqbal have presented an excellent resource about an increasingly important sector in the global economy. From the preface through succeeding chapters, they skillfully introduce ideas and then patiently and expertly expand on them. The authors' understanding of their subject is matched by their ability to communicate clearly to a broad audience. Although the emphasis is, as the title states, on Arabic countries, it would be difficult to come away from this book without a better grasp on global economics.

¶37 In addition to extensive research and writing on the subject, the authors consult and serve as expert advisers for numerous international financial bodies. Molyneux is on the European Union's Economic and Monetary Affairs Committee and directs the Institute of European Finance at the University of Wales, Bangor. A prolific writer and lecturer, Iqbal currently serves as chief of research in Islamic banking and finance at the Islamic Development Bank, the largest Islamic commercial bank in the world.

6. Undertaking the reclassification of our theocratic law section (Islamic, Judaic, and Roman), I developed a particular interest in Islamic law. I took a class on Islamic law and developed a pathfinder on the subject.

¶38 For all intents and purposes, *Banking and Financial Systems in the Arab World* is a modern economic history of the region from the 1970s to the present. The text discusses general and then specific characteristics of the twenty-one Arabic-speaking countries that make up the region, including as well the important regional financial organizations, such as the Council of Arab Economic Unity and the Gulf Cooperation Council. Roughly divided into oil-producing versus non-oil-producing countries, this is a widely diverse area in features economic and otherwise. Characteristics of Arabic banking and financial models are discussed and compared with those of conventional banking. Within Arabic financial concerns, Islamic considerations are attendant. The authors thus devote a chapter of the book to Islamic banking, having previously coauthored an entire book on that subject.⁷ This chapter concisely integrates with the main text. Readers glean a clearer understanding of the often misunderstood concept and prohibitions of “interest” in Islamic law, further clarified by alternative contract models in the chapter’s appendix.

¶39 A stated objective for this work is “to provide a detailed insight into the banking and financial features of Arab systems” (p.2). The authors do this and more. Teaching experience (and success) is evident in the authors’ clearly articulated concepts and organization of materials. Readers will find chapter summaries in the introduction particularly helpful. As one would expect from such a research endeavor, a detailed index, references, and notes are included. Additionally, there are many helpful tables with all types of financial information such as figures for inflation, poverty, external debt, etc. The authors’ previous book included a glossary of Arabic terms,⁸ which I found very helpful. Considering its multidisciplinary appeal, I suggest that later editions of *Banking and Financial Systems of the Arab World* include this glossary.

¶40 As readers of this review have gleaned, I have high praise for this work. One does not necessarily have to have an economics background to find this book fascinating. It behooves us all, whatever and wherever we may be in the world, to have a better understanding of basic banking principles and how the market works. *Banking and Financial Systems of the Arab World* is essential for research libraries and is recommended for university, law, business, and large public libraries as well.

Robinson, Gerald J. *J.K. Lasser’s Homeowner’s Tax Breaks 2006: Your Complete Guide to Finding Hidden Gold in Your Home*. Hoboken, N.J.: John Wiley & Sons, Inc., 2005. Rev. ed. 270p. \$16.95, paper. \$11.02, digital.

Reviewed by Ken Kozlowski

¶41 Let’s get one thing out of the way first: I love *J.K. Lasser’s Homeowner’s Tax Breaks 2006: Your Complete Guide to Finding Hidden Gold in Your Home*.

7. MUNAWAR IQBAL & PHILIP MOLYNEUX, THIRTY YEARS OF ISLAMIC BANKING (2005).

8. *Id.* at xi.

The first chapter in this book contains a section on the seller's share of real estate taxes. A big light bulb went on over my head—I had forgotten about the real estate taxes that had been paid late last year on the sale of my home. They were listed on my HUD-1 form, but not on any bank statement. *J.K. Lasser's Homeowner's Tax Breaks 2006* helped me find gold in my home, an extra thousand dollars on my federal and state tax returns.

¶42 The author, Gerald J. Robinson, is also the author of another major treatise, *Federal Income Taxation of Real Estate*.⁹ The “about the author” section states that he “hates to pay taxes” and he uses that as the underlying premise of the book. While most of the included topics have at least some appeal to many taxpayers, the first three chapters dealing with deductions are the meat and potatoes of the book—topics of interest to a majority of taxpayers, including librarians and library patrons. The remaining chapters may be of occasional use.

¶43 Chapters 1 through 3 discuss deductions that can be taken for your home. Chapters 4 and 5 describe how the tax code's exclusion of gain on the sale of a home can be used by homeowners to avoid paying taxes on the sale of a principle residence. Chapter 6 addresses the stickiness involved with the disposition of a home when spouses split up. Chapter 7 identifies loopholes that may provide savings, and chapters 8 through 10 cover vacation homes, retirement, and estate planning.

¶44 The lifeblood of every book of this genre is the index, and this one does not disappoint. Ten pages long, it includes all of the major headings one would expect for this topic, along with many others. One of the easiest ways to discover topics in a book of this size is to scan each page of the index for items of interest. The five-page table of contents is also a useful feature.

¶45 *J.K. Lasser's Homeowner's Tax Breaks 2006* is an easy read, which cannot be said of many reference books. Its format allows for quick reviews of the material. Included in each chapter are numerous “cautions,” “observations,” “examples,” and “tax tips” that are offset in shaded boxes and easy to locate. These provide readers with concrete, real life information that will help them understand our archaic and tedious tax code.

¶46 When deciding to purchase this title, consider the public patron who needs just a bit of information or perhaps the attorney who does not practice tax law. Law libraries catering to these patrons should purchase *J.K. Lasser's Homeowner's Tax Breaks 2006: Your Complete Guide to Finding Hidden Gold in Your Home*. Law firm libraries may not have a need for this title, unless they wish to offer it to their users for its “plain English” explanations of the tax implications of buying, selling, or owning a home.

9. GERALD J. ROBINSON, *FEDERAL INCOME TAXATION OF REAL ESTATE* (6th ed. 1995).

Sarat, Austin, Lawrence Douglas, and Martha Merrill Umphrey, eds. *Law on the Screen*. Palo Alto, Calif.: Stanford University Press, 2005. 264p. \$50.

Reviewed by Shaun Esposito

¶47 The goal of *Law on the Screen* is to broaden the focus of law and film scholarship beyond merely depicting how films portray law and the legal process. To accomplish this, the book is organized around three themes: (1) the connection of law and film as narrative forms, (2) the jurisprudential content of film as it critiques the present legal world and imagines an alternative one, and (3) the representation of law in film and questions of reception. The result is not a light read about how the movies depict law and lawyers. Rather, *Law on the Screen* is a philosophical, sociological, and psychological analysis of the interplay between law and film.

¶48 In each chapter, a contributing author examines a film in depth. In the chapter titled "Cinematic Judgment and Jurisprudence," Orit Kamir, lecturer in law at the Hebrew University of Jerusalem, uses Roman Polanski's film *Death and the Maiden*¹⁰ to study the interplay of law and society in a "post-traumatic society." In "Reproducing a Trial: Evidence and Its Assessment in *Paradise Lost*," Jennifer L. Mnookin, professor of law at the University of Virginia, considers the effect of two HBO documentaries on the post-conviction activities of three young men convicted of heinous child murders in Arkansas. Diane Waldman, professor in the Department of Mass Communications at the University of Denver, examines how the popular film *A Civil Action*,¹¹ based on a true story, affected the individuals involved in the actual case. Finally, in "Everyone Went Wild Over It': Film Audiences, Political Cinema, and *Mr. Smith Goes to Washington*," Eric Smoodin, professor of American Studies at the University of California, Davis, uses a different method to assess how a film affected its viewers; he searched archives for letters written by moviegoers to director Frank Capra shortly after the film¹² was released in 1939.

¶49 Given the scholarship of each chapter, *Law on the Screen* will not likely find its way into many law firms or state or county law libraries. It does not provide assistance in day-to-day legal practice, and its focus is not on the analysis of primary legal authority. However, copious endnotes provide extensive citations to law journals and interdisciplinary materials covering such subjects as film history, philosophy, sociology, and psychology, thus making it an attractive purchase for most academic law libraries. Also, any law school with a curriculum that includes courses in law and society, law and literature, and the like, will almost certainly find *Law on the Screen* on its syllabi. In fact, an entire law school seminar course could be constructed around the reading of this book and a viewing of the films discussed therein.

10. DEATH AND THE MAIDEN (Electric/Capitol/Channel 4/Flach/Canal 1994).

11. A CIVIL ACTION (Buena Vista/Paramount/Touchstone 1998).

12. MR. SMITH GOES TO WASHINGTON (Columbia 1939).

Tuğrul, Ansay, and Don Wallace Jr. *Introduction to Turkish Law*. 5th ed. The Hague: Kluwer Law International, 2005. 244p. \$195.

Reviewed by Jean M. Wenger

¶50 The fifth edition of *Introduction to Turkish Law* arrives at a very opportune time for researchers needing an English language overview of the law of this unique jurisdiction. Since the publication of the fourth edition in 1996,¹³ the legal landscape of Turkey has undergone significant changes. Turkey, with its intriguing history of concurrent religious and secular legal traditions, has recently approved a new civil code. Over the last hundred years, Turkey also has made large strides toward Westernization. Turkey applied for membership to the European Union in 1987 and has been working on reforming its legal system in anticipation of accession. The editors state that the fifth edition took longer than predicted to complete due to “the continuous adaptation process of Turkish law to international standards” (preface). The researcher should be forewarned that this work does not address the history or current situation surrounding Turkey’s aspirations to become a member of the European Union.

¶51 The editors, Dr. Tuğrul Ansay and Professor Don Wallace Jr., bring a wealth of experience to this publication, having collaborated on all four earlier editions published since 1966. Ansay is professor of law and dean of the law school at Koç University in Istanbul. Wallace is professor of law and chairman of the International Law Institute at Georgetown University Law Center. Together they are the general editors of the widely popular Introduction to Law Series for foreign jurisdictions published by Kluwer Law International. Other jurisdictions in the series include Greece, Israel, Germany, Hungary, Belgium, Italy, the United States, South Africa, and Switzerland.

¶52 The text serves up a concise and comprehensive overview of Turkish law for the English reader. According to the editors, this latest edition serves as a text for the second semester of the Introduction to Law course at Middle East Technical University in Ankara, Turkey. Chapters cover the sources of Turkish law, constitutional law, administrative law, law of persons, legal persons, societies and business associations, family law, law of succession, property and obligations, criminal law, and law of procedure. Ansay wrote six chapters and contributed on a seventh. Professors at universities in Turkey and Turkish attorneys authored the remaining chapters.

¶53 Important developments covered in this new edition are the changes introduced by the Civil Code of 2002.¹⁴ This new civil code was approved by the Turkish Grand National Assembly on November 27, 2001, and promulgated and published in the Official Gazette on December 8, 2001, effective January 1, 2002. Many of the changes in the new code involve family law and succession and are reflected in Ansay’s chapters on these areas.

13. INTRODUCTION TO TURKISH LAW (Tuğrul Ansay & Don Wallace Jr. eds., 4th ed. 1996).

14. Act of November 22, 2001, No. 4721, in Official Gazette, December 8, 2001, No. 24607.

¶54 Each chapter presents the main tenets of the law with references to specific code sections or articles. The authors occasionally use hypothetical examples to illustrate legal principles but offer no detailed commentary. The Turkish terms for legal concepts are included but translation of laws or sections of laws are not provided. This text truly stands out as one of the few English language legal resources for this large jurisdiction. Researching Turkish law beyond this publication and the sections on Turkey available in *Modern Legal Systems Cyclopedia*,¹⁵ *International Encyclopedia of Comparative Law*,¹⁶ and *Martindale-Hubbell International Law Digest*¹⁷ can be a daunting task as little of Turkish law and legislation is translated. Each chapter closes with a selected bibliography of relevant works in Turkish and English, if available. Researchers will also find a list of abbreviations at the beginning of the work. *Introduction to Turkish Law* concludes with a selected bibliography of books and articles in English on Turkish law and an index.

¶55 Researchers should note that coverage of business law is extremely brief. Only a few pages in chapter 5 address commercial and business law. I recommend *Introduction to Turkish Business Law*¹⁸ for those requiring more in-depth information on commercial law; it covers consumer protection law, agency, labor, foreign investment, and tax, topics not addressed by *Introduction to Turkish Law*.

¶56 In my experience, attorneys and judges are very pleased to have an English language resource that provides an introductory treatment of Turkish law. *Introduction to Turkish Law* is highly recommended for libraries that maintain even a modest foreign or comparative law collection.

Volokh, Eugene. *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review*. 2nd ed. New York: Foundation Press, 2005. 262p. \$24.

Reviewed by Anne Cottongim

¶57 UCLA Professor of Law Eugene Volokh is a preeminent legal author, having written more than forty-five law review articles and a text book.¹⁹ He states in the introduction of *Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review* that writing “is probably a lawyer’s most important skill” (p.5).

¶58 *Academic Legal Writing* is an excellent resource for law students, legal research faculty, and those legal scholars in need of a refresher course. While remarkable for its comprehensiveness and detail, the format and structure are what make this book indispensable for law students. Easy-to-read chapters are divided

15. 5A KENNETH ROBERT REDDEN, *MODERN LEGAL SYSTEMS CYCLOPEDIA* (1988).

16. 1 *INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW* (Viktor Knapp ed., 1973).

17. *MARTINDALE-HUBBELL INTERNATIONAL LAW DIGEST* (2005).

18. *INTRODUCTION TO TURKISH BUSINESS LAW* (Tuğrul Ansay & Eric C. Schneider eds., 2001).

19. EUGENE VOLOKH, *THE FIRST AMENDMENT AND RELATED STATUTES, PROBLEMS, CASES AND POLICY ARGUMENTS* (2d ed. 2005).

into main topics, followed by subtopics, so that readers of different skill levels can easily locate relevant discussions.

¶59 Chapter 1 will be most useful to the new legal writer. It provides an overview of the steps of legal writing, such as topic choice and content layout. Volokh asserts that topic choice can be a difficult task considering that articles must be novel, non-obvious, useful, and legally sound to be considered for publication (p.28). Students are encouraged to adhere to the following structure: write the introduction, explain the background facts and legal doctrines, prove the claim, connect it to other issues, rewrite the introduction, and then write the conclusion. Other steps include budgeting time for the writing process, deciding which arguments or supporting materials to exclude, and choosing a title.

¶60 Elsewhere, Volokh explains the differences and similarities between law review articles and course seminar papers. He also offers helpful hints to improve writing quality, such as writing and editing numerous drafts; avoiding undefined terms, long paragraphs, and unnecessary phrases; and limiting reliance on information contained in Web sites, surveys, and newspaper articles. However, the chapter on legal research is cursory at best. Volokh believes, perhaps too optimistically, that most first-year legal research classes will adequately prepare law students for legal writing assignments. On the topic of publishing and publicizing, Volokh provides detailed instruction on what to do with a paper once it is written. He explains the benefits of writing competitions and serving on law review and the procedures for both. He concludes the text with a discussion of ethics, including candidness, preserving confidentiality, and plagiarism.

¶61 Academic law libraries should purchase *Academic Legal Writing: Law Review Articles, Students Notes, Seminar Papers, and Getting on Law Review* for their collections. Its easy-to-read style and comprehensiveness will be useful to both the novice and experienced legal writer.