

## STUDIES IN CIVIL PROCEDURE

by Eric Gertner (Ed.)

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*Studies in Civil Procedure* is another volume in the well-known *Canadian Legal Studies Series* published by Butterworths. The Preface indicates that this collection of eight original essays on various aspects of civil procedure was compiled in response to an alarming lack of authoritative material on the subject. The essays cover a wide range of topics from civil juries, to third party procedure, to interlocutory injunctions, and each essay is preceded by a short table of headings giving the reader some inkling as to the material to be covered by the author. The volume is further supplemented by a reasonably comprehensive Table of Cases which covers all of the material therein and which includes many recent citations. In spite of all these fine features, a quick glance at the Table of Contents gives one the impression that the collection will be useful only to the Ontario Bar; only one of the submissions comes from an author based outside of Ontario. While this criticism is true of at least two of the articles, it is not true of the collection as a whole. Most of the articles are written in such a manner that they are of general application and utility.

Like its sister volumes in the *Canadian Legal Studies Series*, *Studies In Civil Procedure* focuses on practical legal problems in Canada. Theoretical discussions are relegated to the role of providing a background so that the practical aspect of each issue will enjoy the limelight. Two articles in this vein which are especially important are: (1) "The Conduct of Lawyers in the Litigious Process: Some Thoughts" by B. Finlay, and (2) "The Court's Authority to Award Costs Against Lawyers" by N. Gold. Even a first-year law student would recognize the potential benefits to be derived from studying these two articles!

Several other articles feature in-depth discussions of topics in civil procedure which one rarely finds in text books covering the related substantive law. Notable among these articles are the following:

- (1) "Third Party Procedure: Some Problems of Purpose & Scope"  
by R. J. Halfnight
- (2) "Confidentiality: Evidentiary & Procedural Developments"  
by J. A. M. Judge
- (3) "Interlocutory Injunctions: The Post-American *Cynamid* Position"  
by R. J. Sharpe

In summary, Eric Gertner has succeeded in compiling a collection of well-researched and well-written articles covering a broad range of topics of immediate concern to students, practitioners and academics. The book does much to fill the void in this area of civil procedure. With frequent updating, and perhaps expansion, it can continue to be a valuable resource reference for a wide variety of users.

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