

LEGAL WRITING AND RESEARCH MANUAL

Prepared by Faculty of Law, Queen's University

Edited by Innis Christie; (Butterworths: Toronto), 1970.

88 pp., and (Appendices and Index) 29 pp.

It is perhaps unfortunate that any publication concerning legal research and writing is inevitably and unfavourably compared with Price and Bitner, the excellent and authoritative American treatise on the subject. It must be immediately established, however, that this Queen's University Manual specifically disclaims any similar scholarly pretension — as the Editor states in his Preface, the work is purely and simply a teaching instrument which evolved with the programme in legal writing and research for first year students at Queen's. As a manual, its prime aim is to communicate in a straightforward manner a certain amount of detailed information to the neophyte law student attempting to uncover the delicate mysteries of the law library, concurrent with the provision of initial guidelines with respect to the recognized techniques of legal research.

Conceptually, therefore, this book fulfills a considerable need, given the relatively recent recognition by the majority of Canadian law schools that legal research and writing represents an area of the law requiring a solidly specific, *contra* a solely empirical, approach.

The format, moreover, is clear and concise. The principal and secondary sources of law, both English and Canadian, are explained and listed — case reports, legislation and subordinate legislation are considered separately, as are encyclopaedias, digests, texts and loose-leaf services. American materials are briefly delineated in the last chapter, whilst the correct citation of legal materials is adverted to throughout. The three appendices, setting out the type of programme used at Queen's, is also a useful feature, both from a comparative standpoint and also because it enables the new student to acquire an overview of a legal writing course, thus obtaining a clearer understanding of the use of the manual in its overall context.

Given this initially favourable reaction, it is doubly disappointing to discover, on closer examination, that the manual contains serious inaccuracies. Was the person responsible for the section on cases unaware, for example, that Manitoba ceased to publish official reports in 1962, that the Maritime Provinces Reports discontinued in 1968, and that New Brunswick began to publish its own series again in 1969? Diverting but hardly correct is the assertion that the date placed in round brackets in case citation is not the date of the decision but the

date of the report volume, and it is similarly odd that Canadian Current Law should have referred to as beginning in 1957 when in fact the date was 1948.

Again, there are a number of glaring omissions, albeit in a book which does not aspire to be exhaustive. Indication should certainly have been made of the beginning, in 1968, of a third edition of Halsbury's Statutes, the annotated Lawyers' Edition of the United States Supreme Court Reports deserved a mention, however brief, in the chapter on American materials, and in the section on Canadian legislation it is hard to find justification for omitting reference to the Ordinances of the Yukon and Northwest Territories.

It is hoped that these will not be regarded as isolated, carping criticisms. In any legal text, accuracy and thoroughness are vital prerequisites, and it is ironic that a publication on a subject in which these are perhaps *the* cardinal virtues should be so marred.

Nevertheless, this manual remains a praiseworthy attempt to present an important but necessarily uninspiring subject simply and directly, and one looks forward to a revised edition upon which greater reliance may be placed by both supervisor and student.

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THE LAWYERS

By Martin Mayer; (Harper and Row, New York), 1966; 586 pp.

THE TROUBLE WITH LAWYERS

By Murray Teigh Bloom; (Simon and Schuster, Richmond Hill, pocket edition), 1970; 362 pp.

The legal profession has often been called the "learned" profession—especially by its members and those who sell books, etc. to them. If such designations are meant to reflect the most pronounced characteristic of the group, a much more accurate, if less flattering, patronym would be the "sensitive" profession.

As a collectivity, lawyers have a demi-maniacle need to be loved that makes a Hollywood starlet seem secure in comparison. The mere hint that somewhere someone might not hold the profession in the same esteem the profession holds itself — that's to say a feeling of awe and reverence usually found among worshippers of a deity — is enough to launch a thousand meetings of self-flagellation devoted to why-we-aren't-loved-and-what-to-do-about-it.

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