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FUNDAMENTALS OF LEGAL RESEARCH, by Ervin H. Pollack. The Foundation Press. Brooklyn, 1956. Pp. XVIII, 295. \$5.00.

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ance between the need of the individual for protection and the necessity for a free dissemination of news and fair comment in respect to public affairs." Publishers cannot wholly avoid the risk of libel but the author says that "skilled mountaineers seldom fall; week-enders often do," and he ably guides his reader to that skill.

A chapter is devoted to libel per se with a neat check-list related to occupations and undertakings. You will not be too surprised to note that to call an author a plagiarist is libel per se, but you may be surprised to learn that it is libel per se to charge a candidate for public office with conducting a campaign of abuse and slander.

Intentions, mistakes, quotations ("tale bearers are as bad as the tale makers —Sheridan"), privilege and qualified privilege, comment and criticism, corrections and retractions, freedom of speech and contempt of court, and the right of privacy are chief among the topics which receive attention.

The reader sees in each instance what the author means by the "skilled mountaineer" in the repetitive illustrations of the manner of conveying information and opinion with an effort to be fair and to be safe.

*Victor A. Sachse**

FUNDAMENTALS OF LEGAL RESEARCH, by Ervin H. Pollack. The Foundation Press. Brooklyn, 1956. Pp. XVIII, 295. \$5.00.

Professor Ervin Pollack has distinguished himself as a lawyer, law librarian, and writer. He received his LL.B. degree from Washington University, served as an attorney with the government during the war; and, after attending Columbia University School of Library Service he was a librarian in a New York law firm and the assistant to the Dean of law librarians, Dr. Miles O. Price, at Columbia University. Among his scholarly publications, besides numerous articles in legal and library periodicals, are *Ohio Unreported Judicial Decisions Prior to 1823*, *Ohio Court Rules Annotated*, and *The Brandeis Reader*. Mr. Pollack is a member of the American and Ohio State Bar Associations and the American Association of Law Libraries. He founded the Ohio Chapter of this Association and served as its first president. He has devoted much effort to law library

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cataloging problems for which every law library owes him an expression of gratitude. Professor Pollack has been Law Librarian at Ohio State University since 1947. Besides his administrative duties he teaches legal bibliography and legal writing, jurisprudence, and a seminar in legal regulation of business practices.

This breadth of training and experience is reflected in his latest publication. *Fundamentals of Legal Research* surveys Anglo-American legal literature and also gives instruction and practice in research methodology. It teaches legal research technique by providing entry to the informational content of the law, knowledge of the sources of the law, and experience in analyzing legal questions, in selecting and using appropriate research materials.

The first two chapters lay the foundation by discussing briefly the sources of the law, classification of law books, and the basic procedure in legal research: determination of the legal issues and search for the law. Subsequent chapters deal with constitutions — federal, state, and foreign; federal, state, and municipal legislation; court procedure; court reports; digests; encyclopedias; citators; administrative practice; legal periodicals and indexes; treatises and restatements; international law; English legal research. Two appendices contain guides to the use of citations and abbreviations in legal writing and a table of abbreviations. A well arranged and cross referenced index concludes the volume.

This catalog may sound so familiar that the practicing attorney may conclude that this is a book for freshman law students but does not concern him. If the book did not contain any more than an orderly arrangement and description of the basic legal reference tools, there would not have been any need for a new publication of this kind. A much more comprehensive reference guide was written by Price and Bitner, entitled *Effective Legal Research*, in 1953. The difference between this text and Pollack's can best be explained by reference to the French *traité élémentaire* and the *traité pratique*. While the elementary treatise is used by students in the law schools, it is also frequently consulted by the French practitioner for a quick survey just as a hornbook like Prosser on *Torts* is consulted by an American lawyer. While Price and Bitner go into all intricacies with minute bibliographical details for any given legal research prob-

lem, Pollack attempts to develop "the exercise of a discriminating imagination," an "insight into the duplicate features of publications so as to avoid unnecessary examination of complementary materials and perceptiveness as to the extent of research required for varying situations." (Preface pp. VII and VIII.) This aim is reached in those sections in each of the main categories listed above which outline basic research procedures. Any practicing attorney can profit from a study of these research procedures.

Proficiency in legal research is a skill which can only be developed through constant practice. Cases are won or lost by careful or careless preparation. In spite of their awareness of this the law student and attorney often close their eyes to this truth. It has been my experience that few students appreciate a course in legal bibliography during their first term in law school, some would like to retake the course in their senior year, and quite a few attorneys who return to the law library to work on a difficult phase of a brief express their regrets that they had not paid more attention to legal research while they were in law school.

As long as briefs and legal memoranda and decisions have to be written, law books will have to be used in their preparation. It is the reviewer's belief that Professor Pollack's *Fundamentals of Legal Research* is an invaluable guide. By limiting the description of the materials to basic information, he has avoided the danger that the text may soon be outdated by publishers' improvements. The style is clear and simple, which makes for easy reading and understanding. The arrangement of the materials shifts the emphasis from case to statutory research tools, thus following the trend of modern legal development in all states of the Union.

The only difficulty encountered in the use of the book in the course in legal bibliography at Louisiana State University was the citation section. A uniform system of citations is urgently needed. Mr. Pollack differs in part from court custom and from law review custom. This conflict could easily be avoided in a new edition. In my course on legal bibliography both of the two most recent books on legal research, Price and Bitner, and Pollack, were constantly used throughout the course by the students, and some of them even purchased both texts voluntarily. Thus it

seems that Pollack's book takes its place besides Price and Bitner in the opinion of earnest legal researchers. The reviewer shares this opinion and recommends both highly to every practicing lawyer and law student.

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