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American Jurisprudence Legal Forms, Annotated

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BOOK REVIEWS

AMERICAN JURISPRUDENCE LEGAL FORMS, ANNOTATED. San Francisco, California: Bancroft-Whitney Company; Rochester, New York: The Lawyers Co-operative Publishing Company. 1953. Fourteen volumes. \$175.00.

Some lawyers practice by ear and do not need form books for their kind of practice. Others are such meticulous workers that they prefer to do things the hard way and carefully solve each drafting problem without reference to anyone else's patterns. Still others have practiced so long that they have an office file on about every conceivable drafting problem with sample documents of almost every conceivable kind. They prefer to rely exclusively on what has worked for them in the past, providing, of course, that they can find their way in their old files.

But most lawyers do not fall into any of these categories. Most lawyers want good form books in the office to use as drafting guides and check-lists. And for them, a good new set of form books is now in the course of publication, *American Jurisprudence Legal Forms, Annotated*. Five volumes are out, from the topic abstracts of title to that of gas and oil, and nine more volumes will follow shortly. Pocket supplements will be issued to keep the set up to date.

This new set will be the longest and most extensive work on legal forms now available to American lawyers. It is being put out by the publishers of *American Jurisprudence* and *American Law Reports, Annotated*, and there are frequent cross reference citations to those two works. Additional case note annotations and statutory citations follow many of the forms.

The forms are arranged under the same topic headings as *American Jurisprudence*. Introductory textual comments appear at the beginning of many sections. Each volume contains a good index, and presumably a general index for the entire work will appear in one of the later volumes. The location of appropriate forms is further facilitated by detailed tables of contents.

The publishers of *Legal Forms* represent that many years have been spent in preparing this set, and that the 20,000 forms finally selected came from a much larger collection that the publishers had gradually assembled. Forms came from many sources, including private firms, corporate legal departments, trade associations, and government law offices. Credit is given in some instances to the lawyers or companies that made the forms available. The publishers further represent that litigated forms have been carefully edited in an effort to screen out those containing defects that contributed to the litigation.

This new set is not the only good one now available. Other excellent form books are *Nichols, Cyclopedia of Legal Forms, Annotated*, published by Callaghan and Company (9 volumes, \$120.00, including 1954 pocket supplements); *Modern Legal Forms*, published by Vernon Law Book Company and West Publishing Company (6 volumes, \$50.00, including the latest pocket supplements); and *Cowdery's Forms*, published by Bancroft-Whitney Company and Bender-

Moss Company (6th edition, 3 volumes, \$37.50, no pocket supplements as yet). In addition there are good sets available on specialized fields of the law, particularly practice and procedure. *American Jurisprudence Legal Forms*, *Nichols*, and *Modern Legal Forms* cover all important fields except pleading and practice. *Cowdery's Forms* more briefly covers the same areas and also includes some pleading forms.

For Kansas lawyers there is a one-volume form book, *McCamish, Kansas Forms*, published by the Vernon Law Book Company (\$25.00, including the latest pocket supplement). This book is keyed to the Kansas statutes, and some Kansas cases are cited. About one-half of the forms in it are practice and procedure ones; the remainder are general legal and business forms. Compared to *Nichols* and *American Jurisprudence Legal Forms*, a larger percentage of *McCamish's* forms are overly verbose and written in unnecessarily archaic, complicated style.

Some form drafters seem to think that the purpose of a lawyer when preparing documents is to make them as difficult as possible and to shroud them in mystical language. The result is that they sometimes sound like a combination of the *Bhagavad Gita* and the statute *De Donis Conditionalibus*. If the legal profession is to compete successfully with the increasing number of businesses that are performing legal type services, lawyers must abandon the idea that legal documents are poorly drafted if clients can understand them and if meaningless, redundant, and antiquated verbal frills are omitted. A style reflective of such an attitude, so apparent in *McCamish*, also is apparent in some of the *American Jurisprudence* forms. See, for example, some of the *American Jurisprudence* assignment, chattel mortgage, and contract forms.

Everything considered—price, style, coverage, instructions, text comment, annotations, indexing—it is this reviewer's opinion that *Nichols* is still the best lawyers' form book on the market. Although it is old as law books go, having been published in 1936, pocket supplements have kept it well up to date. The new *American Jurisprudence Legal Forms* is a valuable work, and the ideal situation is for a lawyer to have both sets in his office. But if I had to choose between the two, I would take *Nichols*.

QUINTIN JOHNSTONE*

EFFECTIVE LEGAL RESEARCH. By Miles O. Price and Harry Bitner. New York: Prentice-Hall, Inc., 1953. Pp. 633. \$10.00.

King George III is reputed to have been the originator of the remark that lawyers do not know so much more law than the other people, but they only know better where to find it. Although this observation contains only partial truth, and even its historical accuracy is questionable, there is no doubt that a great portion of an attorney's time is spent in looking up the law. Any instrument designed to help in finding the law is therefore welcome.

"Effective Legal Research" is not a book containing any law, but instead a

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