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Casebooks
Understanding Series
Questions & Answers Series
Graduate Tax Series
Skills & Values Series
Practitioner Publications

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Dear Professor:

I am pleased to present the 2008 - 09 LexisNexis® Law School Publications Catalog for your consideration. This Catalog features titles available for adoption in the 2008 – 09 academic year. Included are descriptions from our complete line of casebooks, the **Graduate Tax Series**, the **Understanding Series** of student-friendly study aids, and the growing **Questions & Answers Series**. Please see page 3 to read about our new Skills & Values Series of supplementary practice-oriented materials, designed to challenge students to apply the substantive content from their courses in a way that will help them recognize and understand doctrinal law when it "crosses a lawyer's desk."

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I wish you the greatest success as you plan for your upcoming courses. Please do not hesitate to contact your LexisNexis Publishing Representative if you have any comments or questions about any of our law school or practitioner publications or if there is anything we can do to facilitate your adoption of our materials. Please contact Leslie Levin, our Executive Acquisitions Manager, if you have ideas for new casebooks in core subject areas.

Sincerely,

Stephen T. Yandle Vice President

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Many professors assign these concise yet comprehensive Understanding study aids to their students as recommended reading:

Understanding Administrative Law, Fifth Edition (2008) William F. Fox

Understanding Antitrust and Its Economic Implications, Fourth Edition (2003)

E. Thomas Sullivan, Jeffrey L. Harrison

Understanding Bankruptcy, Second Edition (2007) Jeffrey T. Ferriell, Edward J. Janger

Understanding Capital Punishment Law, Second Edition (2008) Linda E. Carter, Ellen S. Kreitzberg, Scott Howe

Understanding Civil Procedure, Third Edition (2002) Gene R. Shreve, Peter Raven-Hansen

Understanding Complex Litigation (forthcoming)

E. Thomas Sullivan, Brad Clary, C. Douglas Floyd, Richard D. Freer

Understanding Conflict of Laws, Revised Third Edition (2002) William M. Richman, William L. Reynolds

Understanding Constitutional Law, Third Edition (2005) Norman Redlich, John B. Attanasio, Joel K. Goldstein

Understanding Contracts (2004) Jeffrey T. Ferriell, Michael J. Navin

Understanding Copyright Law, Fourth Edition (2005) Marshall A. Leaffer

Understanding Corporate Law, Second Edition (2004) Arthur R. Pinto, Douglas M. Branson

Understanding Corporate Taxation, Second Edition (2006) Leandra Lederman

Understanding Criminal Law, Fourth Edition (2006) Joshua Dressler

Understanding Criminal Procedure—Volume One: Investigation, Fourth Edition (2006)

Joshua Dressler, Alan C. Michaels

Understanding Criminal Procedure—Volume Two: Adjudication, Fourth Edition (2006)

Joshua Dressler, Alan C. Michaels

Understanding Disability Law (2007) Mark C. Weber

Understanding Elder Law (forthcoming)

David M. English, Rebecca C. Morgan, Linda Whitton

Understanding Employment Discrimination Law (2001) Thomas R. Haggard

Understanding Employment Law (2007)

Richard A. Bales, Jeffrey M. Hirsch, Paul M. Secunda

Understanding Environmental Law, Second Edition (2008) Philip Weinberg, Kevin A. Reilly

Understanding Evidence, Second Edition (2006) Paul C. Giannelli

Understanding Family Law, Third Edition (2005)

John De Witt Gregory, Peter N. Swisher, Sheryl L. Wolf

Understanding Federal Courts and Jurisdiction (1998) Linda S. Mullenix, Martin H. Redish, Georgene M. Vairo

Understanding Federal Income Taxation, Third Edition (2008) J. Martin Burke, Michael K. Friel

Understanding the First Amendment, Second Edition (2006) Russell L. Weaver, Donald E. Lively

Understanding Immigration Law (forthcoming) Kevin R. Johnson, Raquel E. Aldana, Bill Ong Hing, Enid Trucios-Haynes

Understanding Insurance Law, Fourth Edition (2007) Robert H. Jerry, II, Douglas S. Richmond

Understanding International Business and Financial Transactions, Second Edition (2005)

Jerold A. Friedland

Understanding International Criminal Law (2005) Ellen S. Podgor

Understanding International Intellectual Property Law (forthcoming) Mary LaFrance

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Understanding the Law of Terrorism (2007) Wayne McCormack

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Understanding Lawyers' Ethics, Third Edition (2004) Monroe H. Freedman, Abbe Smith

Understanding Local Government (2003) Sandra M. Stevenson

Understanding Mergers and Acquisitions (forthcoming)

Franklin A. Gevurtz, Miriam Cherry

Understanding Modern Real Estate Transactions, Second Edition (2007) Alex M. Johnson, Jr.

Understanding Negotiable Instruments and Payment Systems (2002) William H. Lawrence

Understanding Nonprofit and Tax Exempt Organizations (2006) Nicholas P. Cafardi, Jaclyn Fabean Cherry

Understanding Partnership and LLC Taxation, Second Edition (2003) Jerold A. Friedland

Understanding Patent Law (forthcoming) Amy L. Landers

Understanding Products Liability Law (2006) Terrence F. Kiely, Bruce Ottley

Understanding Property Law, Second Edition (2007) John G. Sprankling

Understanding Remedies, Second Edition (2006) James M. Fischer

Understanding Sales and Leases of Goods (1995) William H. Lawrence, William H. Henning

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John L. Diamond, Lawrence C. Levine, M. Stuart Madden

Understanding Trademark Law (2005) Mary LaFrance

Understanding Trusts and Estates, Third Edition (2003) Roger W. Andersen

Understanding White Collar Crime, Second Edition (2006) J. Kelly Strader

In this Catalog, LexisNexis presents a full list of its Law School publications and proudly highlights new editions and titles that will be available in time for Fall 2008 and Spring 2009. A textual description is included for each title. We also provide policy, contact, and other important information for our valued faculty and bookstore customers on page 5 of this Catalog.

Understanding Series

Our *Understanding Series*, accessible treatises on a variety of topics, includes over forty individual titles. The concise, yet comprehensive, analysis contained in each *Understanding* title provides a foundation for true understanding of the subject and facilitates more than mere rote learning. Contact your bookstore and ask them to stock these titles as required or recommended reading material for your course.

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LexisNexis is pleased to announce the development of our Graduate Tax Series. The Graduate Tax Series will consist of: (i) course materials specifically created for use in graduate tax programs; (ii) teacher's manuals incorporating insights gained by the authors through their experience as practitioners and teachers; and (iii) technological support. Titles in the Graduate Tax Series will emphasize complex, practiceoriented problems in order to develop the skills of recognizing issues and analyzing provisions of the Code and regulations. Titles are therefore being designed to encourage students to learn the law by carefully studying the applicable sections of the Code and regulations rather than by reading detailed explanations of the law provided by the authors. The goal of the Graduate Tax Series is to empower the students not only to learn the basic rules, but also to acquire the skills necessary to read and understand the often-complicated statutes and administrative pronouncements that they will encounter in practice on a daily basis. The Board of Editors for the Graduate Tax Series includes:

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For more information on the *Graduate Tax Series*, please contact Professor Paul Caron or any member of the *Graduate Tax Series* Board of Editors.

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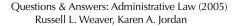
Nearly all of our Supplements are available for downloading from the "Classroom Preparation" section on the LexisNexis® Law School Web site at <code>www.lexisnexis.com/lawschool/class</code> (your students will be able to access Supplements via the "Study Aids" section of the LexisNexis Law School Web site at <code>www.lexisnexis.com/lawschool</code>). Our Supplements are distributed as either "Letter Updates" (along with an invitation to professors to photocopy and distribute to their students) or in bound volume form.

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Questions & Answers: Constitutional Law, Second Edition (2007) Paul E. McGreal, Linda S. Eads

Questions & Answers: Contracts, Revised First Edition (2006) Keith A. Rowley

Questions & Answers: Copyright (forthcoming) Robert C. Lind, David Fagundes

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Questions & Answers: Criminal Procedure, Second Edition (forthcoming) Lewis R. Katz. Neil P. Cohen

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Questions & Answers: Evidence, Revised First Edition (2004) David P. Leonard

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Questions & Answers: Remedies (2007) Rachel M. Janutis, Tracy A. Thomas

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Questions & Answers: Secured Transactions (2003) Bruce A. Markell, Timothy R. Zinnecker

Questions & Answers: Torts (2004) Anita Bernstein, David P. Leonard

Questions & Answers: Trademark and Unfair Competition (2007) Vincent F. Chiappetta

Questions & Answers: Wills, Trusts, and Estates, Second Edition (2008) Thomas M. Featherston, Jr., Michael Hatfield

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Dictionary of International Trade Law (2008) (Bhala)

Domestic Violence: Law, Policy, and Practice (2007) (Kiesel)

International Environmental Law: Cases, Materials, and Problems (2007) (Anton, Charney, Sands, Schoenbaum, Young)

Law and Popular Culture: Text, Notes, and Questions (2007) (Papke, Essig, Corcos, Huang, Ledwon, Mazur, Menkel-Meadow, Meyer, Miller)

Mediation—Skills and Techniques (2008) (Boulle, Colatrella, Picchioni)

Military Justice: Cases and Materials (2007) (Fidell, Hillman, Sullivan)

Public Health Law (2007) (Wing, Mariner, Annas, Strouse)

Visualizing Secured Transactions (2007) (Bartell)

New Editions

- Agency, Partnership, and the LLC: The Law of Unincorporated Business Enterprises: Cases, Materials, Problems, Seventh Edition (2007) (Hynes, Loewenstein)
- Agency, Partnership, and the LLC: The Law of Unincorporated Business Enterprises: Cases, Materials, Problems, Abridged Seventh Edition (2008) (Hynes, Loewenstein)
- American Indian Law: Native Nations and the Federal System: Cases and Materials, Fifth Edition (2007) (Clinton, Goldberg, Tsosie)
- Antitrust Law: Policy and Practice, Fourth Edition (2008) (Rogers, Calkins, Patterson, Andersen)
- Cases and Materials on Civil Procedure, Fifth Edition (2008) (Crump, Dorsaneo, Perschbacher, Bassett)
- Cases and Materials on the Law Governing Lawyers, Third Edition (2008)
- Civil Litigation in New York, Fifth Edition (2007) (Chase, Barker)
- Civil Procedure: Cases, Materials, and Questions, Fifth Edition (2008) (Freer, Perdue)
- Constitutional Law, Fifth Edition (2008) (Redlich, Attanasio, Goldstein)
- The Constitutional Law of the European Union, Second Edition (2008) (Dinnage, Murphy)
- Constitutional Theory: Arguments and Perspectives, Third Edition (2007) (Gerhardt, Griffin, Rowe)
- Contract Law and Practice, Second Edition (2007) (Berendt, Cochran, Long, Nye, Scheid)
- Contract Law and Theory, Fourth Edition (2007) (Scott, Kraus)
- Criminal Law, Sixth Edition (2008) (Cook, Malone, Marcus, Szott-Moohr)
- Criminal Law: Cases and Materials, Third Edition (2008) (Saltzburg, Diamond, Kinports, Morawetz, Little)

- Criminal Procedure: Constitutional Constraints Upon Investigation and Proof, Sixth Edition (2008) (Tomkovicz, White)
- Criminal Procedure: Regulation of Police Investigation: Legal, Historical, Empirical and Comparative Materials, Fourth Edition (2007) (Slobogin)
- Elder Law: Cases and Materials, Fourth Edition (2007) (Frolik, Barnes)
- Elder Law: Readings, Cases, and Materials, Third Edition (2007) (Dayton, Wood, Belian)
- Employment Law: Cases and Materials, Fourth Edition (2007) (Willborn, Schwab, Burton, Lester)
- Environmental Protection and Justice: Readings on the Practice and Purposes of Environmental Law, Third Edition (2007) (Manaster)
- Evidence: The Objection Method, Third Edition (2007) (Prater, Capra, Saltzburg, Arguello)
- Evidence: Teaching Materials for an Age of Science and Statutes, Sixth Edition (2007) (Carlson, Imwinkelried, Kionka, Strachan)
- Evidence Law and Practice, Third Edition (2007) (Friedland, Bergman, Taslitz)
- Evidence Problems and Materials, Third Edition (2007) (Friedland)
- Evidentiary Foundations, Seventh Edition (2008) (Imwinkelried)
- Federal Courts in the 21st Century: Cases and Materials, Third Edition (2007) (Fink, Mullenix, Rowe, Tushnet)
- Federal Rules of Evidence: Rules, Legislative History, Commentary and Authority, Fifth Edition (2007) (Weissenberger, Duane)
- Fundamentals of Trusts and Estates, Third Edition (2007) (Andersen, Bloom)
- International Trade Law: Interdisciplinary Theory and Practice, Third Edition (2008) (Bhala)
- The Law of Disability Discrimination, Sixth Edition (2007) (Colker)
- Legal Argument: The Structure and Language of Effective Advocacy, Second Edition (2007) (Gardner)
- Legal Ethics in the Practice of Law, Third Edition (2007) (Zitrin, Langford, Tarr)
- Licensing of Intellectual Property and Other Information Assets, Second Edition (2007) (Nimmer)
- Mediation and Negotiation: Reaching Agreement in Law and Business, Revised Second Edition (2007) (Trachte-Huber, Huber)
- Negotiation: Theory and Practice, Second Edition (2007) (Nelken)
- Patent Law and Policy: Cases and Materials, Fourth Edition (2007) (Merges, Duffy)
- Planning and Control of Land Development: Cases and Materials, Seventh Edition (2008) (Mandelker, Payne, Salsich, Stroud)

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- Principles of Evidence, Fifth Edition (2007) (Younger, Goldsmith, Sonenshein)
- Property Law and the Public Interest: Cases and Materials, Third Edition (2007) (Hylton, Callies, Mandelker, Franzese)
- Special Education Law: Cases and Materials, Second Edition (2007) (Weber, Mawdsley, Redfield)
- A Student's Guide to Hearsay, Third Edition (2007) (Fishman)
- A Student's Guide to the Internal Revenue Code, Fifth Edition (2007) (Gershon, Maine)
- Tax Exempt Organizations: Cases and Materials, Second Edition (2008) (Cafardi, Cherry)
- Taxation of Individual Income, Eighth Edition (2007) (Burke, Friel)
- Tort Law: Cases, Perspectives, and Problems, Revised Fourth Edition (2007) (Galligan, Haddon, Maraist, McClellan, Rustad, Terry, Wildman)
- Trademarks and Unfair Competition, Seventh Edition (2008) (Hilliard, Welch, Widmaier)
- Weinstein's Evidence Manual (Student Edition), Eighth Edition (2007) (Weinstein, Berger)
- Winning an Appeal, Fourth Edition (2007) (Moskovitz)

Forthcoming Publications

- Business Enterprises: Legal Structures, Governance, and Policy (forthcoming) (Branson, Heminway, Loewenstein, Steinberg, Warren)
- Cases and Materials on Federal Constitutional Law: Federal Legislative Power (Volume 3) (forthcoming) (Odom)
- Cases and Materials on Federal Constitutional Law: Introduction to the Federal Executive Power (Volume 2) (forthcoming) (Odom)
- Cases and Materials on Federal Constitutional Law: Introduction to Interpretive Methods and Introduction to the Federal Judicial Power (Volume 1) (forthcoming) (Odom)
- Clinical Legal Education—A Textbook for Law School Clinical Programs, Second Edition (forthcoming) (Chavkin)
- Commercial Contracting: Sales, Leases, and Computer Information, Second Edition (*forthcoming*) (Mootz, Frisch, Alces)
- Constitutional Litigation Under § 1983, Second Edition (forthcoming) (Brown, Kinports)
- Environmental and Natural Resources Law, Third Edition (forthcoming)
 (Pearson)
- The First Amendment: Cases, Problems, and Materials, Second Edition (forthcoming) (Weaver, Hancock, Lively, Knechtle)
- Fundamentals of Federal Income Tax Law, Fifth Edition (forthcoming) (Popkin)

- Interactive Citation Workbook for ALWD Citation Manual, 2008 Edition (forthcoming) (McGaugh, Hurt)
- Interactive Citation Workbook for The Bluebook: A Uniform System of Citation, 2008 Edition (*forthcoming*) (McGaugh, Hurt)
- International and Comparative Patent Law, Second Edition (forthcoming) (Dinwoodie, Hennessey, Perlmutter, Austin)
- International Criminal Law: Cases and Materials, Third Edition (forthcoming) (Wise, Podgor, Clark)
- International Intellectual Property Law and Policy, Second Edition (forthcoming) (Dinwoodie, Hennessey, Perlmutter, Austin)
- Law of Employee Pension and Welfare Benefits, Second Edition (forthcoming) (Frolik, Moore)
- Law and Public Education: Cases and Materials, Fourth Edition (forthcoming) (Goldstein, Gee, Daniel)
- Legal Responses to Terrorism, Second Edition (*forthcoming*) (McCormack)
- Legislative Law and Statutory Interpretation: Cases and Materials, Fourth Edition (forthcoming) (Hetzel, Libonati, Williams)
- Property: Cases, Documents, and Lawyering Strategies, Second Edition (forthcoming) (Crump, Caudill, Hricik)
- Property Law: Cases, Materials, and Questions, Second Edition (forthcoming) (Chase, Forrester)
- Securities Regulation, Fifth Edition (forthcoming) (Steinberg)
- Tax Controversies: Practice and Procedure, Third Edition (forthcoming) (Lederman, Mazza)
- Texas Civil Procedure: Pre-Trial Litigation, 2008 09 Edition (forthcoming) (Dorsaneo, Thornburg, Carlson, Crump)
- Texas Civil Procedure: Trial and Appellate Practice, 2008 09 Edition (forthcoming) (Dorsaneo, Carlson, Crump, Thornburg)
- Trial Technique and Evidence, Third Edition (forthcoming) (Fontham)
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Questions & Answers: Trademarks and Unfair Competition (2007) (Chiappetta)

Questions & Answers: Wills, Trusts, and Estates, Second Edition (2008) (Featherston, Hatfield)

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Law School Publications

ACCOUNTING

See also Corporate Finance

Basic Accounting Principles for Lawyers: With Present Value and Expected Value (1996)



Second Edition Scheduled to be Available for Review in Summer 2008

C. Steven Bradford, *Earl Dunlap Distinguished Professor of Law*, University of Nebraska College of Law

Gary Adna Ames, *Professor*, College of Business, Brigham Young University—Idaho

This book is not a slimmed-down Accounting for Lawyers casebook, but a book especially designed as an auxiliary book for other courses that draw on accounting. It is brief, inexpensive, and gives students a plain English, sometimes even humorous, introduction to the basics of accounting and to the financial concepts of present value and expected value. It allows students to learn the essential accounting concepts outside of class so you can spend more of your valuable class time focusing on the core concepts of your course. The chapters are short and modular, so you can assign as much or as little as your students need to know for your course.

Pub. No. 3506 / ISBN 9780820569826 (Second Edition ISBN 9781422423981) (Retail Price \$32.00 / Wholesale Price \$25.60)

A Student's Guide to Accounting for Lawyers, Third Edition (1998)

The late Daniel Lipsky
David A. Lipton, *Professor of Law*, The Catholic University
of America, Columbus School of Law

This book is designed to introduce students to the basics of accounting and may be used as a supplement for Business Associations, Corporations, Securities, Partnership, Taxation, Corporate Finance, Not-for-Profit Corporations, or other business-related courses. A Student's Guide to Accounting for Lawyers provides students with an understanding of basic corporate financial statements, corporate distributions, share issuance, asset valuation, balance sheet interpretation, financial analysis, and financial statements of partnerships and not-for-profit corporations. In addition to textual discussion, the book includes:

- Examples and diagrams to illustrate basic accounting concepts;
- · Real-life problems with full solutions;
- · Clear explanations of ratio analysis;
- Discussion of the interrelationship between the accounting process and basic business operations and decisions; and

 Frequent cross-references and citations to pertinent Financial Accounting Standards and Opinions of the AICPA Accounting Principles Board.

Pub. No. 642 / ISBN 9780820530543 (Retail Price \$27.00 / Wholesale Price \$18.09)

ADMINISTRATIVE LAW

Administrative Law: Cases and Materials, Fifth Edition (2006)

Charles H. Koch, Jr., *Dudley Warner Woodbridge Professor of Law*, College of William and Mary, Marshall-Wythe School of Law

William S. Jordan, III, C. Blake McDowell, Jr. Professor of Law, University of Akron, C. Blake McDowell Law Center Richard W. Murphy, Professor of Law, William Mitchell College of Law

This casebook is unique in its highly practical approach to teaching Administrative Law. It employs a "simulation" involving the creation of a new agency, the fictitious Wine Trade Commission. Students follow two central characters, both newly minted lawyers (one in the agency, one representing the regulated industry), through the implementation of a new regulatory program. Students grapple with internal agency organization and management, the politics (both internal and external) of agency decisionmaking, and the traditional analysis of statutes and judicial opinions. The need to make decisions and present arguments about very real problems facilitates understanding of the complex and abstract principles of administrative law.

Conceptually, the casebook is organized around two basic themes: understanding the law regulating internal administrative decisionmaking and understanding judicial monitoring of administrative action. Intertwined with these broad themes are some other crucial concepts such as the limitations on empowerment (e.g., separation of powers, which is covered as it relates to judicial challenges) or political controls (e.g., legislative oversight, which is covered as it relates to rulemaking and the limits on influence). The choice of concentration is driven by the realities of administrative practice: administrative lawyers spend most of their time trying to affect agency decisions or in court challenging administrative action. While administrative law encompasses other significant types of issues, the training of administrative lawyers must focus on these two areas.

This combination of firm practical grounding with the traditional themes of administrative law facilitates learning administrative law in several ways:

- It prevents the subject from drifting off into theory and abstraction.
- The hypothetical develops the practical techniques for sharing learning among programs and systems.

- The hypothetical demonstrates how the federal law can be applied in state and local contexts.
- It furthers the overarching strategy of casting Administrative Law as a course the student can and will use.

The accompanying Teacher's Manual explains the authors' conception of the materials and offers a detailed analysis of the problems as well as the various questions raised in the notes. The authors provide periodic updates to the book at www.uakron.edu/law/jordan.

Pub. No. 3000 / ISBN 9780820570143 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425770 (Retail Price \$65.00 / Wholesale Price \$52.00) / Statutory Supplement ISBN 9780820570167 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual / Online Supplement

Administrative Law and Process, Second Edition (2006)

Alfred C. Aman, Jr., *Dean & Professor of Law*, Suffolk University Law School

A primary goal of this book is to contextualize administrative law in a general but very important way. Most administrative agencies, despite their significant differences, perform a number of common administrative functions. They gather information, formulate policy, and then seek to enforce that policy. They carry out these functions in the context of general historic and political forces that affect all institutions. While not minimizing the importance of particular, substantive agency differences, this book focuses primarily on procedural issues that transcend individual agency differences. It focuses on the more general historic and political context in which these issues have arisen and have been resolved.

To accomplish this goal, **Administrative Law and Process** tries to be historically sensitive. It recognizes that different historic eras are typified by different regulatory problems, different attitudes vis-à-vis the role government should play in dealing with these problems and, as a result, different approaches to the type of substantive regulation employed and the procedural approaches used to implement these substantive goals.

The Second Edition of Administrative Law and Process examines administrative law in the context of market-oriented reform, emphasizing the connections to some of the broader societal issues of our times, especially the trend towards privatization of governmental services. Public / private partnerships are pervasive and raise new issues for administrative law. A state-centric approach to administrative law no longer suffices: administrative law mediates public and private power in novel ways, the implications of which can be far reaching. This raises new and important issues for administrative law teaching. This edition adds

emphasis on areas where private actors are now playing a greater role in providing services heretofore treated exclusively as governmental.

Pub. No. 272 / ISBN 9780820559926 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425671 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Supplement

Administrative Law Desk Reference for Lawyers (2003)

John H. Reese, *Professor of Law*, University of Denver, Sturm College of Law

This valuable resource was originally designed for use by attorneys and judges, but has been used successfully in the classroom as well. The **Administrative Law Desk Reference for Lawyers** provides a concise and authoritative analytical framework for solving administrative law problems. It provides detailed coverage of the federal Administrative Procedure Act and comparative coverage of the APAs for 17 of the largest states including California, Florida, New York, and Texas. Coverage includes:

- Ch. 1: Review of Administrative Law Principles
- Ch. 2: Agency Administration of Its Legislative Program
- Ch. 3: Procedural Requirements for Rule Making
- Ch. 4: Procedural Requirements for Adjudication
- Ch. 5: Procedural Rights of Persons and Parties
- Ch. 6: Formal Hearings under Administrative Procedure Act
- Ch. 7: Agency Decisions in Formal Proceedings
- Ch. 8: Sanctions; Licensing; Miscellaneous APA Provisions
- Ch. 9: Availability of Judicial Review
- Ch. 10: Standing to Seek Judicial Review; Issues of Justiciability; Sovereign Immunity
- Ch. 11: Timing of Judicial Review; Relief Pending Review
- Ch. 12: Scope of Judicial Review

Pub. No. 1241 / ISBN 9780820550558 (Retail Price \$106.00 / Course Adoption Retail Price \$80.00 / Course Adoption Wholesale Price \$64.00) / hardbound

Understanding Administrative Law, Fifth Edition (2008)



William F. Fox, Senior Research Fellow, University of Dundee, Scotland, Centre for Energy, Petroleum & Mineral Law and Policy

This *Understanding* treatise is designed to help the reader grasp the fundamental concepts of administrative law. **Understanding Administrative Law** concentrates on the process of administrative decisionmaking but also deals with the substantive law of

agencies when appropriate. As students progress through the course and later enter practice, they will find that substance and procedure become more and more intertwined and, in many instances, become almost inextricable. An awareness that there is no bright line between substance and procedure, particularly in the context of an administrative agency, is especially helpful to a thorough understanding of the subject.

A good deal of the material in this book consists of recommendations and processes to identify administrative problems and mechanisms for organizing a reader's thinking when the problem is identified. **Understanding Administrative Law** highlights the manner in which a client's problem moves through the typical agency and the manner in which a lawyer copes with the various problems and issues encountered in representing clients before administrative agencies. In addition, this book contains a significant amount of material on trends in administrative law such as deregulation and regulatory reform. The Fifth Edition includes comprehensive references to recent cases and law review articles for readers who wish additional depth in any of the topics covered.

Pub. No. 878 / ISBN 9781422417140 (Retail Price \$37.00 / Wholesale Price \$24.79)

Administrative Law Anthology (1994)

The late Thomas O. Sargentich

The field of Administrative Law is engaged in a broad range of debates about fundamental premises, including controversies about how to interpret statutes, how much deference a court should give to an agency's interpretation of a statute, what values should be stressed in the doctrine of procedural due process, and the appropriate relationships of agencies with courts, Congress, and the President. The **Administrative Law Anthology** provides perspectives on doctrine that are difficult to gain from the cases alone. Each section has a short introduction summarizing the excerpts. In a basic course, student understanding of cases is enriched by reading the first two excerpts in a section, which generally present competing views. Additional readings provide material for those seeking to go more deeply into particular subjects. Each section also has a bibliography.

Pub. No. 3574 / ISBN 9780870848032 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Administrative Law (2005)

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

Karen A. Jordan, *Professor of Law*, University of Louisville, Louis D. Brandeis School of Law

This study guide uses approximately 200 multiple-choice and short-answer questions to test your students' knowledge of administrative law and procedure. It includes an introduction to the study of administrative law and the Administrative Procedure Act, as well as such topics as rulemaking procedures, adjudication procedures and due process, retroactivity, non-legislative rules, reviewability, agency structure, inspections, reports, subpoenas, the Freedom of Information Act, and attorneys' fees. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Administrative Law** also includes a comprehensive topical index.

Pub. No. 3194 / ISBN 9780820558653 (Retail Price \$27.00 / Wholesale Price \$18.09)

ADMIRALTY

Admiralty: Cases and Materials (2004)

Robert M. Jarvis, *Professor of Law*, Nova Southeastern University, Shepard Broad Law Center

David J. Bederman, *Professor of Law*, Emory University School of Law

Joel K. Goldstein, Vincent C. Immel Professor of Law, Saint Louis University School of Law

Steven R. Swanson, *Professor of Law*, Hamline University School of Law

This casebook, written in "stand alone" fashion for maximum customization by instructors, provides a pragmatic look at contemporary admiralty practice as well as a solid foundation for students contemplating a maritime law career. In assembling the text, the authors have drawn from a mix of older and newer cases, edited with a light touch, and even added touches of humor and references to popular culture. They also have:

- Incorporated generous amounts of material from "emerging" areas of admiralty practice (such as cruise ship and pleasure boat claims);
- Given equal time to "brown-water" and "blue-water" issues;
- Devoted considerable attention to professional ethics;
- Prepared chapter overviews, extensive notes, numerous cites to secondary sources, and a comprehensive index to help guide students through the readings;

- Included in each of the book's 62 sections a challenging problem (as well as a "citing" case to stimulate discussion);
- Written a highly detailed Teacher's Manual that will aid both new and experienced instructors.

As Thomas C. Fitzhugh III noted:

"In addition to cases, this book includes helpful presentations from leading admiralty scholars and practitioners. The incorporation of such material brings perspective to the cases, which are a healthy combination of current decisions and old Supreme Court and seminal federal cases[.] The end notes following the cases in each chapter are well written, and I commend the authors on their easy-to-understand Teacher's Manual[.]"

Thomas C. Fitzhugh III, *in* 17 University of San Francisco Maritime Law Journal 353 (2004 – 05).

Pub. No. 1155 / ISBN 9780820541174 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

An Admiralty Anthology (1995)

Robert M. Jarvis, *Professor of Law*, Nova Southeastern University, Shepard Broad Law Center

This anthology provides a broad overview of both the theoretical underpinnings and practical operation of admiralty law. It also examines certain recurring problems in the administration of this unique body of law. The text discusses admiralty jurisdiction and procedure, the carriage of goods, maritime personal injury and wrongful death law, vessel navigation, and marine casualties. **An Admiralty Anthology** concludes by examining, from an admiralty lawyer's perspective, the subjects of settlement offers and professional ethics.

Pub. No. 3573 / ISBN 9781422417881 (Retail Price \$39.00 / Wholesale Price \$31.20)

AGENCY AND PARTNERSHIP

See also Corporate and Business Law

Agency, Partnership, and the LLC:
The Law of Unincorporated Business
Enterprises: Cases, Materials, Problems,
Seventh Edition (2007) and Abridged Seventh
Edition (2008)

J. Dennis Hynes, *Nicholas A. Rosenbaum Professor Emeritus*, University of Colorado School of Law Mark J. Loewenstein, *Nicholas A. Rosenbaum Professor of Law*, University of Colorado School of Law

The Seventh Edition of **Agency, Partnership, and the LLC** continues the fine scholarship and careful attention to pedagogy represented in the earlier editions. The expansive scope of coverage still includes all unincorporated forms of doing business. This edition incorporates many references to the new *Restatement (Third) of Agency,* paying particular attention to those sections that reflect a change from the earlier Restatements. While new cases have been added and all materials have been updated, the main changes in this edition are in Chapters 11 – 15, dealing with partnerships and limited liability companies.

The Abridged Seventh Edition is designed for use by professors who have limited time but who still want to cover all unincorporated business enterprises. The authors have designed a separate Teacher's Manual for the Abridged Seventh Edition.

The accompanying publication, **Selected Statutes and Form Agreements**, includes the Uniform Partnership Act (1914), the Uniform Partnership Act (1997), the Uniform Limited Partnership Act (1916), the Revised Uniform Limited Partnership Act (1976) with 1985 Amendments, the Uniform Limited Partnership Act (2001), the Uniform Limited Liability Company Act, a sample Limited Liability Operating Agreement, a sample General Partnership Agreement, the Uniform Statutory Form Power of Attorney Act, selected excerpts from the *Restatement (Second) of Agency*, and selected excerpts from the *Restatement (Third) of Agency*.

Pub. No. 3003 / ISBN 9781422407875 (unabridged version) (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422421567 (Retail Price \$74.00 / Wholesale Price \$59.20) / Documentary Supplement ISBN 9781422411674 (**Selected Statutes and Form Agreements**) (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual

Pub. No. 3004 / ISBN 9781422411537 (abridged version) (Retail Price \$55.00 / Wholesale Price \$44.00) / Documentary Supplement ISBN 9781422411674 (**Selected Statutes and Form Agreements**) (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual

Unincorporated Business Entities, Third Edition (2004)

Larry E. Ribstein, *Mildred Van Voorhis Jones Chair in Law,* University of Illinois College of Law

The rapid proliferation of unincorporated business forms has moved beyond the scope of traditional Corporations and Agency/ Partnership courses and textbooks, which leaves students without the necessary knowledge to competently advise business clients. Unincorporated Business Entities was designed to fill that widening gap in the existing curriculum. Unincorporated Business Entities is designed for a three-semester-hour course and has the following features:

- The book focuses on the *modern* law of partnerships and other unincorporated firms. As a result, it emphasizes the issues that business lawyers are dealing with today rather than the arcane legal rules that traditionally have been the focus of the Agency and Partnership course.
- This is a business planning book. This means that it includes many notes and problems on planning and drafting issues.
 It also means that it draws together materials from disparate areas of the law, including tax, bankruptcy, securities, and employment discrimination, that bear on business planning.
- Drafting and planning coverage is implemented through notes, questions, and problems. The "Chameleon" agreement in the Appendix provides the skeleton of a partnership or operating agreement for any of the forms of business discussed in the book. (The parties to the agreement are referred to as "memners"—that is, partner/members.) This agreement shows the topics that might be covered in a partnership or operating agreement and how the coverage might be organized. Notes throughout the book cross-reference the agreement, and the annotations in the agreement in turn cross-reference the book. Chapter 1 includes a global drafting and planning exercise that links together all of the material in the book.

Pub. No. 3572 / ISBN 9780820561233 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Online Supplement

ALTERNATIVE DISPUTE RESOLUTION

See also Arbitration; Interviewing and Counseling; Mediation; and Negotiation

Alternative Dispute Resolution: The Advocate's Perspective—Cases and Materials, Third Edition (2006)

Edward J. Brunet, *Henry J. Casey Professor of Law*, Lewis and Clark Law School

Charles B. Craver, Freda H. Alverson Professor of Law, The George Washington University Law School

Ellen E. Deason, *Joanne Wharton Murphy / Classes of 1965 and* 1973 Professor in Law, The Ohio State University, Moritz College of Law

This book is designed for use in a one-semester course that focuses on the group of alternative dispute resolution procedures. This new edition features new and expanded treatment of mediation. The main highlights of this new edition include:

- Expanded treatment of mediation confidentiality, including recent cases and hypotheticals that make this important area more teachable;
- Expanded treatment of the enforcement of agreements to mediate, including newer cases that articulate the difficult issues raised by enforcement questions;
- New material and cases on court-annexed mediation, including cases dealing with confidentiality rules in courtconnected mediation and materials that critique the styles used by judges and other professionals who mediate pending cases; and
- Inclusion of new arbitration material, including cases dealing with unconscionability and class action arbitration.

As was true with prior editions of the book, the authors of **Alternative Dispute Resolution** use the case method to present arbitration and mediation materials. Negotiation material is presented in a textual style that necessarily eschews cases. The new Teacher's Manual includes numerous problems for use in negotiation and mediation simulations. The authors present a wide variety of problems to give the book's users choices as to different types of disputes.

Pub. No. 3006 / ISBN 9780820570259 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425794 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

AMERICAN INDIAN LAW

American Indian Law: Native Nations and the Federal System: Cases and Materials, Fifth Edition (2007)



Robert N. Clinton, Foundation Professor of Law, Sandra Day O'Connor College of Law, Arizona State University Carole E. Goldberg, Professor of Law, University of California

at Los Angeles School of Law Rebecca Tsosie, *Professor of Law & Willard H. Pedrick Distinguished Research Scholar*, Sandra Day O'Connor College of Law, Arizona State University

From its inception, **American Indian Law** has merged jurisprudence, history, comparative law, ethnology, and sociology to bring meaning to the tribal-federal relationship. The purposes of the book are to:

- · Survey the major doctrines in the field of Indian law;
- Provide a wide-ranging inquiry into the role of law and legal processes in protecting or frustrating the desires for political and cultural autonomy of various racial, cultural, religious, or national subgroups within a society; and
- Accurately portray Indian tribal perspectives and voices on questions of federal Indian law.

The Fifth Edition of American Indian Law maintains continuity with the prior edition in the focus on tribal as well as non-Indian perspectives on Native nations in the federal system. The authors focused on updating the material, reducing the heft of the volume, and reorganizing the topics to eliminate duplication and enhancing "teachability." While developed primarily as a teaching and learning tool, this edition is also a research sourcebook that purchasers can use long after they have completed their law school studies.

Statutory and regulatory language has been omitted from the casebook. Instead, it is included in a companion statutory supplement, **Selected Federal Indian Law Provisions**.

Pub. No. 3009 / ISBN 9780820570617 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425800 (Retail Price \$74.00 / Wholesale Price \$59.20) / Annual Statutory Supplement (Retail Price \$40.00 / Wholesale Price \$32.00)

Cohen's Handbook of Federal Indian Law, 2005 Edition

Nell Jessup Newton, Editor-in-Chief, Chancellor, Dean & William B. Lockhart Professor of Law, University of California, Hastings College of the Law

Robert Anderson, Editorial Board, Associate Professor of Law & Director, Native American Law Center, University of Washington School of Law

Carole E. Goldberg, Editorial Board, *Professor of Law*, University of California at Los Angeles School of Law

John P. LaVelle, Editorial Board, *Professor of Law & Director, Indian Law Program,* University of New Mexico School of Law

Judith V. Royster, Editorial Board, *Professor of Law & Co-Director, Native American Law Center*, University of Tulsa College
of Law

Joseph William Singer, Editorial Board, *Bussey Professor of Law*, Harvard Law School

Rennard Strickland, Editorial Board, *Professor Emeritus of Law*, University of Oregon School of Law

Cohen's Handbook of Federal Indian Law is an encyclopedic treatise on federal Indian law written by experts in the field. It is the primary reference used by students, scholars, attorneys, and judges. This treatise provides general overviews to relevant information as well as in-depth study of specific areas within this complex area of federal law. This is an updated and revised edition of what has been referred to as the "bible" of federal Indian law. This treatise focuses on the relationship between tribes, the states, and the federal government within the context of civil and criminal jurisdiction, as well as areas of resource management and government structure. Coverage includes:

- Current topics such as Indian gaming and taxation;
- · History and structure of tribal governments and tribal law;
- Tribal and individual Indian property rights, including intellectual property rights;
- · Water rights;
- Hunting, fishing, and gathering rights;
- Economic development issues; and
- Government programs.

Used by judges and practicing attorneys, **Cohen's Handbook of Federal Indian Law** provides the tools to understand the law and to find relevant cases, statutes, regulations, and opinions critical to answering legal questions about federal Indian law.

Pub. No. 60950 / ISBN 9780327164449 (Retail Price \$175.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price 844.00) / hardbound

ANTITRUST

Antitrust Law: Policy and Practice, Fourth Edition (2008)



C. Paul Rogers III, *Professor of Law*, Southern Methodist University, Dedman School of Law

Stephen Calkins, Director of Graduate Studies & Professor of Law, Wayne State University Law School

Mark R. Patterson, *Professor of Law*, Fordham University School of Law

William R. Andersen, *Judson Falknor Professor of Law Emeritus*, University of Washington School of Law

This book explores in detail those legal issues that arise in counseling, planning, and litigating under the antitrust laws. It is designed to integrate theory and policy issues with doctrine and practice so that students will emerge with a fundamental grasp of antitrust doctrine, at least an introduction to the vagaries of antitrust practice, and a sensitivity to policy issues undergirding the application and enforcement of the antitrust laws. The Fourth Edition of **Antitrust Law: Policy and Practice** provides close coverage of the application of antitrust doctrine to cutting-edge technologies, the Internet, and to rapidly shifting markets.

Antitrust Law: Policy and Practice is unique in a number of ways:

- The materials are designed to keep the business context of the problems in the forefront in order to give theory and doctrine a more solid footing in practical affairs.
- The lawyer's role as counselor and planner is emphasized throughout.
- The business context emphasis is paralleled by another practical emphasis on enforcement and procedure.
- Several notes, questions, and problems touch on important ethical issues.
- The authors include a wide variety of problems, designed to satisfy a wide range of teaching objectives and styles, and a wide range of student interests. Some are short and intended to be addressed in passing or by brief explanation. Some are longer, intended to occupy a full class hour or more. Some are in serial form, with the reader getting additional data as more doctrine is assimilated. And some are review problems that students may find useful to discuss among themselves.
- The companion Teacher's Manual is extensive (over 300 pages) and increases the value of this book as a strong teaching tool and learning tool.

Pub. No. 598 / ISBN 9780820570365 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425701 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Antitrust Law, Policy and Procedure: Cases, Materials, Problems, Fifth Edition (2003)

E. Thomas Sullivan, Senior Vice President and Provost & Julius E. Davis Chair in Law, University of Minnesota Herbert Hovenkamp, Ben and Dorothy Willie Chair, University of Iowa College of Law

Antitrust Law, Policy and Procedure focuses on teaching antitrust through the best legal precedents available. This casebook emphasizes current judicial opinions and includes dissents where relevant to help students grasp the issues. The notes reflect a balanced approach to the competing ideologies of left, right, and center—confronting their defects and presenting their strengths. Professors who are strongly committed to a particular ideology should find plenty of material to criticize or, alternatively, to illustrate their view. The Fifth Edition includes coverage regarding:

- The transnational reach of the United States' antitrust law and the application of antitrust principles to intellectual property;
- The Microsoft case and its history as it implicates monopolization, tying doctrine, and market power analysis;
- Expert testimony after *Daubert* and its relationship to antitrust summary judgment motions; and
- The application of antitrust principles in the field of regulated industries.

Finally, there are additional problems for discussion. As with prior editions, the Teacher's Manual analyzes these problems in detail.

Pub. No. 3012 / ISBN 9781422417362 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421598 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Federal Antitrust Law: Cases and Materials, Second Edition (2002)

Daniel J. Gifford, *Robbins, Kaplan, Miller & Ciresi Professor of Law*, University of Minnesota Law School

Leo J. Raskind, *Professor of Law Emeritus*, University of Minnesota Law School

The first chapter of this book provides a historical review of antitrust law in terms of the political and economic ideas which have shaped it throughout its development. In the successive chapters, the authors provide a sense of the manner in which changes in the underlying economic analysis have shaped the application of the statutes by the enforcement agencies and the courts. The authors have addressed the antitrust issues raised by recent changes in technology, in the rise of global markets, and in the structure of health care markets by devoting three separate chapters to Intellectual Property, International Trade, and Health Care. Author Commentaries throughout the book are designed to

probe the doctrinal and policy issues raised by the case excerpts. In keeping with the objective of providing the economic analysis that may amplify and clarify the legal and policy issues, the authors have also taken into account recent trends in the relevant economic literature.

Pub. No. 3541 / ISBN 9781583607893 (Retail Price \$101.00 / Wholesale Price \$80.80)

Understanding Antitrust and Its Economic Implications, Fourth Edition (2003)

E. Thomas Sullivan, Senior Vice President and Provost & Julius E. Davis Chair in Law, University of Minnesota Jeffrey L. Harrison, Stephen C. O'Connell Chair, University of Florida, Levin College of Law

The Fourth Edition of **Understanding Antitrust and Its Economic Implications** includes expanded analysis of both the international reach of the United States' antitrust laws and the intersection of antitrust law and intellectual property law, in light of the new challenges stemming from continued economic globalization and technological advances. The authors also examine the possible implications of the *Microsoft* case for a variety of areas including monopolization, market power analysis, and tying doctrine.

Pub. No. 891 / ISBN 9780820557076 (Retail Price \$37.00 / Wholesale Price \$24.79)

An Antitrust Anthology (1996)

Andrew I. Gavil, *Professor of Law*, Howard University School of Law

The texture of antitrust law cannot be fully appreciated without venturing out beyond the cases to experience the commentary that has described and frequently influenced the law's direction. An Antitrust Anthology is an invitation to that exploration, and is designed to introduce readers to a greater appreciation of the ongoing and continually unfolding tale of American capitalism that is antitrust. As a companion to the traditional casebook, An Antitrust Anthology presents the teacher and student with an opportunity to pause and consider the development of ideas in antitrust at a number of critical junctures, with respect to many foundation principles.

Pub. No. 3576 / ISBN 9780870840319 (Retail Price \$39.00 / Wholesale Price \$31.20)

APPELLATE ADVOCACY

Winning an Appeal, Fourth Edition (2007)



Myron Moskovitz, *Professor of Law*, Golden Gate University School of Law

This book is designed to address the *substance* of an appeal: how to win. The text of the book explains the principles of appellate advocacy. Coverage in **Winning an Appeal** includes:

- Chapter 1: The Key to Winning
- Chapter 2: An Overview
- Chapter 3: Prepare Your Work Outline
- Chapter 4: The Brief
- Chapter 5: Oral Argument
- Chapter 6: Persuading an Appellate Court to Hear Your Case

The appendix to **Winning an Appeal** contains three sample briefs applying the principles: Appellant's Opening Brief in a Civil Case; Appellant's Brief in a Criminal Case; and Respondent's Brief. Introductory text before each brief provides a description of the thinking behind the brief.

Pub. No. 3109 / ISBN 9781422411759 (Retail Price \$36.00 / Wholesale Price \$28.80)

Legal Argument: The Structure and Language of Effective Advocacy, Second Edition (2007)



James A. Gardner, Vice Dean for Academic Affairs & Joseph W. Belluck and Laura L. Aswad Professor of Civil Justice, University of Buffalo Law School, The State University of New York

This book has two main purposes. The first is to explain how lawyers construct legal arguments. It is meant to be a purely practical guide to the process by which lawyers take the raw materials of litigation—cases, statutes, testimony, documents, common sense—and mold them into instruments of persuasive advocacy. The book's second purpose is to explain how to take a well-constructed legal argument and present it, in writing, in a way that legal decision makers will find persuasive. The centerpiece of Legal Argument: The Structure and Language of Effective Advocacy is a step-by-step method, based on the construction of syllogisms, designed to walk the advocate through the process by which such a winning argument may be crafted. The book is divided into five parts:

- Part I sets out a general methodology for constructing legal arguments.
- Part II focuses more closely on the construction of persuasive, well-grounded legal premises, and covers the effective integration of legal doctrine and evidence into the argument's structure.

- Part III shows how to put the method to work by giving two detailed examples of the construction of complete legal arguments from scratch.
- Part IV provides a detailed protocol for reducing wellconstructed legal arguments to written form, along with a concrete illustration of that process. It also provides concrete advice on how to recognize and avoid a host of common mistakes in the written presentation of legal arguments.
- Part V moves from the basics into more advanced techniques
 of persuasive legal argument. These include rhetorical tactics
 of framing and emphasis, how to respond to arguments,
 maintaining professionalism in advocacy, and the ethical limits
 of arguments.

Pub. No. 3082 / ISBN 9781422418208 (Retail Price \$41.00 / Wholesale Price \$32.80)

Appellate Advocacy: Principles and Practice, Fourth Edition (2004)

Ursula Bentele, *Professor of Law*, Brooklyn Law School Eve Cary, *Associate Professor of Legal Writing*, Brooklyn Law School

This book utilizes court opinions, extensive explanatory text, strategic guides, and exercises to present the background necessary for students to develop effective appellate advocacy skills. Presented with the practitioner's needs in mind, it begins with the steps necessary to get a case before an appellate court: perfecting the appeal, preserving errors for review, and finality. It addresses the various routes to take—from appeals as of right, to writs of prohibition, to habeas corpus. **Appellate Advocacy** then moves to the scope and standards of review, discussing in turn civil cases, criminal cases, and review of agency decisions. In order to prepare students for the real world of appellate practice, the book presents vital information on issues like effective assistance of appellate counsel and the special concerns facing assigned counsel. In addition, there are extensive materials on the appellate skills of brief writing and oral argument presentation.

This edition of **Appellate Advocacy** has been updated and significantly expanded. Changes are reflected in the following areas:

- The authors have attempted to correct what some readers perceived to be an over-emphasis on New York law by substituting or adding cases from appellate courts around the country.
- Additions to the Fourth Edition include a section on certified questions in Chapter 2, more detailed treatment of matters within trial courts' discretion, and review of administrative agency decisions in Chapter 4.
- Important recent cases on effective assistance of appellate counsel have been added to Chapter 6.
- Finally, Chapter 7 on post-conviction remedies has been significantly augmented with substantial updating of the

materials on federal habeas corpus and the addition of an entirely new section on state collateral post-conviction remedies.

Appellate Advocacy is an effective teaching tool for appellate advocacy courses, courses on post-conviction remedies, and in both first-year and upper-class moot court instruction. This book is also accompanied by an extensive Teacher's Manual.

Pub. No. 3504 / ISBN 9781593459109 (Retail Price \$55.00 / Wholesale Price \$44.00) / Teacher's Manual

The Question Presented: Model Appellate Briefs (2000)

Maria L. Ciampi, Esq.

William H. Manz, Senior Research Librarian, St. John's University School of Law

Designed for use in Appellate Advocacy and Legal Writing courses, **The Question Presented** offers both instruction on successful brief writing and examples of outstanding briefs. In **The Question Presented**, the authors not only provide guidance on writing techniques, they present actual briefs chosen by judges for their persuasive force. Notes from the authors highlight the best points, and each set of briefs is followed by the opinion of the court, demonstrating in a concrete way the impact made by the persuasive tools employed in the briefs. This book opens with *The Art and Science of Appellate Advocacy*, where the authors explain how to utilize every part of the brief as a persuasive tool, providing valuable guidance on how to state the issues presented, how to organize arguments, and how to make even the section headings work for their clients.

Pub. No. 3566 / ISBN 9781422415535 (Retail Price \$36.00 / Wholesale Price \$28.80)

The Moot Court Book: A Student Guide to Appellate Advocacy, Third Edition (1994)

The late John T. Gaubatz

Taylor Mattis, *Professor of Law Emeritus*, Southern Illinois University School of Law

This book is designed to structure the process of writing a first brief and organizing a first oral argument on appeal. It assumes that its typical user is a student addressing an appellate moot court problem during the student's first or second year of law school. The sample record on appeal in the Appendix raises issues on the interpretation of the Indian Child Welfare Act.

Pub. No. 3088 / ISBN 9781558341951 (Retail Price \$36.00 / Wholesale Price \$28.80) / Teacher's Manual

APPELLATE COURTS

Appellate Courts: Structures, Functions, Processes, and Personnel, Second Edition (2006)

Daniel J. Meador, *James Monroe Professor of Law Emeritus*, University of Virginia School of Law

Thomas E. Baker, *Professor of Law*, Florida International University College of Law

Joan E. Steinman, *Distinguished Professor of Law*, Chicago-Kent College of Law, Illinois Institute of Technology

This edition promises to redefine the canon of the study of appellate courts, continuing the comprehensiveness and increasing the depth of the First Edition. This edition of **Appellate courts** provides teachers with choices that are suitable for a two-or three-unit course or a seminar. The book permits emphasis on either appellate jurisdiction and practice or on the structural and policy aspects of appellate court organization and administration. All the chapters have been revamped and updated, with coverage of appellate jurisdiction substantially expanded.

Using both classic and new cases, the book examines theoretical and practical issues arising from the appellate courts' dual roles to correct trial court error and to generate common law. Its coverage of the dramatic rise in the volume of appeals and the resultant institutional reforms far surpasses that of any other law school course book. Fresh materials present new perspectives on appellate structures, personnel, and procedures—preparing students to practice in the contemporary state and federal appellate courts.

This provocative book considers such issues as the delegation of responsibility to law clerks and staff attorneys, the threats to judicial collegiality, the selection of state and federal judges—including the regulation of judicial candidates' speech, and the role of ethics of the appellate lawyer. It devotes a separate chapter to the U.S. Supreme Court's discretionary jurisdiction while another chapter draws upon Professor Meador's unique understanding of the English and German appellate systems to contrast those systems with our own.

In short, this book is unique in not only exploring appellate jurisdiction and procedure but also in taking the measure of the appellate courts in all their dimensions as important institutions in the American legal order.

The Teacher's Manual also has been updated and greatly expanded (334 pages) to assist both experienced and less-experienced teachers. It includes discussion of the principal cases and secondary materials as well as expert suggestions concerning answers to questions posed in the Notes. It also provides a wealth of supplemental material to bolster any professor's expertise and make it easy for an instructor new to the subject to teach from the book effectively and confidently.

Pub. No. 3043 / ISBN 9780820570150 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

ARBITRATION

See also Alternative Dispute Resolution; Interviewing and Counseling; Mediation; and Negotiation

Commercial Arbitration: Cases and Problems, Second Edition (2006)

Christopher R. Drahozal, *John M. Rounds Professor of Law*, University of Kansas School of Law

This edition addresses important topics concerning the complex and intellectually challenging law and practice of commercial arbitration. Given that one of the most often stated benefits of arbitration is its simplicity, the law of commercial arbitration is in reality quite complex. The author integrates coverage of domestic and international commercial arbitration, reconciling two competing realities: that most students are far more likely to represent clients involved in domestic arbitrations than international ones; and that the globalization of the economy makes exposure to international commercial arbitration indispensable. **Commercial Arbitration** promotes extensive discussion of both sides of the underlying policy issues:

- Problems in each chapter highlight key aspects of the leading cases and governing statutes;
- Balanced treatment of consumer and employer arbitration;
- Emphasis on the legal aspects of arbitration within the commercial context;
- · Teacher's Manual provides additional pedagogical insight; and
- Updated Documentary Supplement contains relevant and useful additional materials.

Among the developments reflected in the Second Edition of **Commercial Arbitration** are:

- Coverage of the Supreme Court's most recent arbitration cases, up to and including Buckeye Check Cashing;
- All new cases and material concerning unconscionability as a ground for challenging the enforceability of consumer and employment arbitration agreements;
- Updated references on class arbitration and class action waivers following the Supreme Court's decision in Bazzle;
- Discussion of the revised AAA / ABA Code of Ethics for Arbitrators in Commercial Disputes and the International Bar Association's New Guidelines on Conflicts of Interest in International Arbitration; and
- New cases from the courts of appeals dealing with jurisdictional issues in the enforcement of arbitration awards.

Pub. No. 3126 / ISBN 9780820570303 (Retail Price \$101.00 / Wholesale Price \$80.80) / Documentary Supplement ISBN 9780820570709 (Retail Price \$24.00 / Wholesale Price \$19.20) / Teacher's Manual / Annual Supplement

Arbitration: Cases and Materials, Second Edition (2006)

Stephen K. Huber, Foundation Professor of Law, University of Houston Law Center

Maureen A. Weston, *Professor of Law,* Pepperdine University School of Law

Until the recent past, American law was hostile to arbitration, treating it as a creature outside the law. Under the leadership of the United States Supreme Court, arbitration has become a central feature of our system for the binding resolution of disputes. The uses of arbitration have expanded from its roots in the commercial and labor arenas to encompass all manner of disputes, including statutory claims. Contracts throughout our economy call for the arbitration of disputes, usually in the standardized, pre-printed provisions. Examples of firms that use mandatory arbitration agreements include securities brokers, banking organizations, employers, and sellers of computers. Providers of medical services, and even attorneys, frequently mandate arbitration of disputes.

The materials in this new edition of **Arbitration:** Cases and **Materials** have two central objectives: to provide an introduction to the law of arbitration, and to show how arbitration works in a variety of contexts. Arbitration is strongly favored by the courts, and judicial review of arbitration awards is much more limited than review of trial court decisions. It is important for students to understand the arbitration process because it virtually always results in a final and binding award.

These teaching materials focus primarily on contract-based, binding commercial arbitration. "Commercial" includes employment disputes and arbitration between businesses and their customers. Attention is also given to non-binding arbitration—grievance arbitration pursuant to a collective bargaining agreement. Finally, a chapter is devoted to arbitration at the behest of government, including court-annexed arbitration.

Pub. No. 3505 / ISBN 9780820570112 (Retail Price \$108.00 / Wholesale Price \$86.40)

BANKRUPTCY

Bankruptcy Law: Principles, Policies, and Practice, Second Edition (2006)

Charles J. Tabb, *Alice Curtis Campbell Professor of Law*, University of Illinois College of Law

Ralph Brubaker, Associate Dean for Academic Affairs, Professor of Law & Mildred Van Voorhis Jones Faculty Scholar, University of Illinois College of Law

Bankruptcy Law: Principles, Policies, and Practice puts bankruptcy law in context, illuminating the evolution of the Bankruptcy Code with an exploration of current and historical non-bankruptcy remedies. The book continually approaches each topic through the goals of creditors and debtors, exploring how each is served in various parts of the Code. Extensive questions and numerous problems focus student attention on the mechanics of the bankruptcy process. But they do so through the lens of history and policy, and they explain why the law is the way it is.

The Second Edition has been revised extensively throughout to reflect changes in the law and its underlying philosophy wrought by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, as well as significant new case law developments.

The authors' aim in designing the casebook was to provide a very accessible medium for introducing students to bankruptcy law in a sophisticated manner. As the title indicates, the emphasis is on the relationship between the core principles essential to an understanding of the law, the policies animating those principles, and the challenges presented by the effectuation of those principles and policies in bankruptcy process.

In its methodology, **Bankruptcy Law: Principles, Policies, and Practice** relies on a variety of expository tools—textual discussion, comprehension questions, problems, cases, and thought / discussion questions—all with a careful eye toward building upon previous materials and concepts, while avoiding unnecessary repetition.

Economy of presentation is the hallmark of the casebook, but the Teacher's Manual picks up where the casebook leaves off. The Teacher's Manual is consciously drafted (in both organization and voice) as a set of detailed teaching notes. The Teacher's Manual also illustrates the flexibility that the casebook affords teachers in their presentation of the course materials. The casebook can serve as a "jumping off point" for any approach to bankruptcy law and policy. The variety of pedagogical methods employed in the casebook piques and holds student interest, which enhances student preparation and classroom participation and discussion.

Pub. No. 3609 / ISBN 9780820570396 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422426104 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Online Supplement

Business Reorganizations, Second Edition (2000)

Michael A. Gerber, *Professor of Law & Associate Dean for Development*, Brooklyn Law School

Marcia L. Goldstein, Esq., Weil, Gotshal & Manges, LLP, New York, NY

Lawrence P. Gottesman, Esq., Brown Raysman Millstein Felder & Steiner LLP, New York, NY

Edward J. Janger, Professor of Law, Brooklyn Law School

This book is uniquely designed to make learning the Chapter 11 process an engaging, challenging and fun experience. It is organized into nine chapters, each concentrating on a

different phase of the attempt to rescue the fictional, financially beleaguered Amphydynamics Corporation, and its related companies. This storyline runs the length of the book, and gradually unfolds in many problems and notes within each chapter. The problems direct reading of the opinions and other materials by placing issues in context. They help students to understand the commercial transactions and business environment that form the backdrop against which the Chapter 11 drama is played out. They introduce an ensemble of characters possessing conflicting and shifting loyalties, interests, and attitudes, and who reveal the human dimension of the Chapter 11 process. The problems also focus attention, heighten interest, and bare some ethical dilemmas by inviting students to role-play—to think like clients as well as lawyers—and to negotiate, advise, and strategize.

Business Reorganizations provides professors with the flexibility to pick and choose materials they feel deserve emphasis in their individual courses. Purposely comprehensive and encyclopedic, this book is designed both as a tool for law school and as a resource for practice. Extensive textual notes following the cases provide the reader additional explanation and expansion of the themes expressed in the cases and are comprehensive enough to serve as a mini-treatise; so giving the book an extended shelf life. The authors provide Web support for their adopters, including a sample petition and plan to be downloaded for class use, at **www.lexisnexis.com/lawschool/class/publications**.

Pub. No. 78 / ISBN 9780820541259 (Retail Price 96.00 / Wholesale Price 96.80)

Creditors' Rights, Debtors' Protection, and Bankruptcy, Third Edition (1997)

The late Lawrence P. King Michael L. Cook, Esq., Schulte, Roth & Zabel, LLP, New York, NY

This book follows the traditional format developed for creditors' and debtors' rights courses. It is suitable for a three-hour combined course covering collection efforts of creditors on an individual basis as well as the bankruptcy law centering on creditors' collective efforts. The first part of the book deals with the rights of debtors and creditors, generally and individually. The chapters cover diverse matters, but all are related to that single goal of the creditor: to collect the debt owing by the debtor. The second part of the book contains the material devoted to bankruptcy.

Pub. No. 94 / ISBN 9780820527079 (Retail Price \$96.00 / Wholesale Price \$76.80) / Teacher's Manual

Understanding Bankruptcy, Second Edition (2007)



Jeffrey T. Ferriell, *Professor of Law*, Capital University Law School

Edward J. Janger, Professor of Law, Brooklyn Law School

This book provides a detailed introduction to bankruptcy and related state and federal debtor-creditor law. It is equally useful in an introductory Creditors' Rights course that emphasizes bankruptcy; a free-standing Bankruptcy course; or an advanced course in Chapter 11 Reorganization. **Understanding Bankruptcy** provides an ample discussion of the issues likely to arise in any of these courses, specifically including issues raised by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. It is also useful for new and experienced bankruptcy practitioners.

Pub. No. 64 / ISBN 9781422411827 (Retail Price \$37.00 / Wholesale Price \$24.79)

Bankruptcy Anthology (2002)

Charles J. Tabb, Alice Curtis Campbell Professor of Law, University of Illinois College of Law

Designed to be used in conjunction with a traditional casebook, this **Bankruptcy Anthology** offers edited versions of the best, most thought-provoking scholarship on the history and philosophy underlying bankruptcy law. The broad base of 134 sources by 84 different authors will provide readers with a deeper understanding of bankruptcy doctrines and procedures.

Pub. No. 3608 / ISBN 9780870848445 (Retail Price \$39.00 / Wholesale Price \$31.20)

Collier Pamphlet Edition, Part 1: Bankruptcy Code, 2008 Edition

This volume provides the complete text of the Bankruptcy Code, with blacklined text showing amendments made by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, selected legislative history, and relevant sections of the Judicial Code and other statutory provisions, also with blacklined text showing the 2005 amendments.

Pub. No. 221 / ISBN 9781422420843 (Retail Price \$115.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

Collier Pamphlet Edition, Part 2: Bankruptcy Rules, 2008 Edition

This volume provides the complete text of the Federal Rules of Bankruptcy Procedure and the 2005 Interim Bankruptcy Rules, as well as the new and amended Official Forms. The Interim Rules and new and amended Official Forms were adopted in response to the 2005 legislation. The Interim Rules, which are recommended for adoption in all judicial districts, are set forth with blacklined text showing the differences from the Federal Rules of Bankruptcy Procedure. Also included are accompanying Advisory Committee Notes and other relevant history.

Pub. No. 221 / ISBN 9781422420850 (Retail Price \$115.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

Collier Portable Pamphlet, 2008 Edition

The **Collier Portable Pamphlet** combines the text of the Code, Rules, and additional bankruptcy-related statutory provisions. The 2008 Edition also contains the Interim Rules. Both the Code and Interim Rules are printed with blacklined text. This volume also features a comprehensive index.

Pub. No. 221 / ISBN 9781422420867 (Retail Price \$115.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

BIOETHICS & PUBLIC HEALTH LAW

Public Health Law (2007)



Kenneth R. Wing, *Professor of Law*, Seattle University School of Law

Wendy K. Mariner, *Professor of Law*, Boston University School of Law / *Professor of Health Law*, Boston University School of Public Health

George J. Annas, *Professor of Law*, Boston University School of Law / Edward R. Utley Professor & Chair, Health Law, Bioethics, and Human Rights Department, Boston University School of Public Health

The late Daniel S. Strouse

This new book of cases and materials on public health law includes introductory readings, first on the history and scope of public health, then on the basic constitutional principles that define the scope and limits of government power, followed by a series of case studies. Each case study chapter focuses on a set of public health problems and analyzes the legal and political parameters within which these problems can be addressed. The chapters are organized to develop themes and highlight recurring issues and paradigms, with the final chapter bringing many of these together in an integrated way. Each chapter includes

references to supplemental materials, as well as Web sites and other sources for updating the materials. The authors also highlight the international dimensions of each of the problem areas covered in the materials.

Coverage of Public Health Law includes:

- Chapter 1: An Introduction to Public Health in the United States
- Chapter 2: Basic Constitutional Principles Applicable to the Exercise of State Authority Relating to Public Health
- Chapter 3: Contagious Diseases: Quarantine and Other Liberty-Restricting Responses
- Chapter 4: Public Health Surveillance and Medical Information Privacy
- Chapter 5: Tobacco, Smoking, and the Public's Health
- Chapter 6: Health Promotion and Education: Encouraging Healthy Personal Behavior
- · Chapter 7: Firearms and Gun Control
- Chapter 8: (Bio)Terrorism

Public Health Law is also accompanied by a Teacher's Manual, which includes suggested approaches to teaching the materials in different types of courses.

Pub. No. 3233 / ISBN 9781422406410 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422421666 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Bioethics: Health Care, Human Rights, and the Law, Second Edition (2006)

Arthur B. LaFrance, Professor of Law, Lewis and Clark Law School

This casebook begins by defining an ethical "community" and membership in that community, follows with the role of the individual, focuses then on the patient / provider relationship, and closes with bioethical choices. This structure permits arranging the usual issues in a context familiar to ethicists such as Locke and Rawls, but unusual among bioethics casebooks. The essential premise is that humans must exist in relation to each other, and do so as biological beings. The central questions then are: how do we assert and respect ourselves as individuals and what claims do our communities have upon us?

Surprisingly, there is a large body of case law, much of it from the Supreme Court, dealing with these issues. That is the point of this casebook. And so, *Cruzan* and *Griswold* and *Casey* as well as a number of less familiar cases appear, recast for their bioethical significance. A number of new issues are also explored, such as memory and emotion and physical integrity of sexual predators. This new edition of **Bioethics: Health Care, Human Rights, and the Law** includes the following coverage:

- · Reproductive issues of abortion, surrogacy, and cloning;
- Identity issues of gender change, family, and samesex marriage;

- Midlife issues such as transplants and tissue donation / harvesting;
- End of life issues, including persistent vegetative states and assisted death;
- Extensive coverage of the patient / provider relationship, including informed consent, conflicts of interest, confidentiality, competence, and medical experimentation; and
- Coverage of issues such as status of nonequals (e.g., prisoners and incompetents) and the undead (e.g., anencephalics), testing, conscience and dissent, and public health matters (e.g., tobacco and alcohol) and discussion of the way society should respond.

Pub. No. 1136 / ISBN 9781422405871 (Retail Price \$123.00 / Wholesale Price \$98.40) / Teacher's Manual

Reproductive Technologies and the Law (2006)

Judith Daar, *Professor of Law*, Whittier Law School / *Clinical Professor of Medicine*, University of California Irvine College of Medicine

This new book explores the burgeoning practice of assisted conception from the perspectives of law, medicine, public policy, and ethics. As the first casebook in this field, the book is designed for instruction in a wide variety of classes touching on the many topics covered within the rubric of assisted reproductive technologies. The book is divided into ten chapters, each containing some combination of cases, statutes, policy statements, academic and scientific commentary, and notes and questions that address the topic at hand. The chapter topics are as follows:

- Chapter 1: The Science of Assisted Conception: From AID to IVF and Beyond
- Chapter 2: Constitutional Aspects of Reproductive Technologies
- Chapter 3: The Business of Reproduction: Eggs, Sperm and Wombs for Sale
- Chapter 4: Choosing Our Children's Genetics: Sex and Trait Selection
- Chapter 5: Family Law Dilemmas: The Children of Surrogates and Same-Sex Parents
- Chapter 6: Posthumous Reproduction: Birth After Death
- Chapter 7: Disputes Over Frozen Embryos: Divorce and Abandonment After IVF
- Chapter 8: Regulating Reproductive Technologies
- Chapter 9: Human Embryonic Stem Cell Research
- Chapter 10: Human Cloning

The comprehensive Teacher's Manual contains suggested syllabi, classroom exercises, suggested teaching approaches, and reviews of every case and problem in the book.

Pub. No. 3197 / ISBN 9780820559865 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

The Ethics and Regulation of Research with Human Subjects (2005)

- Carl H. Coleman, Professor of Law & Director, Heath Law & Policy Program, Seton Hall Law School
- Jerry A. Menikoff, Associate Professor of Law, Ethics, and Medicine & Director of the Institute for Bioethics, Law, and Public Policy, University of Kansas School of Medicine
- Jesse A. Goldner, John D. Valentine Professor of Law, Professor of Law in Psychiatry, Professor of Pediatrics & Professor of Health Administration, Saint Louis University Schools of Law, Medicine, and Public Health
- Nancy N. Dubler, *Director, Division of Bioethics, Department of Epidemiology and Population Health,* Montefiore Medical Center / *Professor of Bioethics,* Albert Einstein College of Medicine

This book provides a set of teaching materials that could be used in an academic course on human subject research in a broad range of professional school settings. In developing these materials, the authors were mindful that their readers would include tomorrow's advisers, managers, and regulators of researchers and research institutions. If students are to be effective in these roles, they must not only understand the history of human subject protection and the relevant ethical and regulatory issues; they must begin to think critically about the existing regulatory system and to consider the desirability of policy reform.

The Ethics and Regulation of Research with Human Subjects offers a comprehensive overview of the ethical and regulatory structure governing research with human subjects in the United States. In addition to numerous excerpts from articles by leading scholars, advisory commissions, and others, this book collects original source materials not found elsewhere in a single volume, such as government guidance statements, state statutes, and edited versions of leading court opinions. These materials are knitted together by more than 700 notes and questions, which guide the reader in developing an appreciation of the subject matter, expand on some of the issues raised in the primary readings, and encourage thinking about gaps, ambiguities, and conflicts those materials raise.

The book is divided into three parts:

- Part I provides a general overview of the history of research with human subjects, the existing regulatory framework, and the major entities involved in overseeing research.
- Part II examines the key ethical and regulatory issues that arise in every research protocol, including risk-benefit assessment, informed consent, recruiting and paying subjects, promoting the inclusion of women and minorities, confidentiality, monitoring of ongoing research, and compensation for research injuries.
- Part III looks at special situations, including pediatric research, research with adults who lack decision-making capacity, prison research, research with fetuses and embryos, and genetics research.

Finally, the appendices contain a variety of primary source material discussed throughout the book, including those portions of the federal regulations known as the Common Rule.

Pub. No. 3620 / ISBN 9781583607985 (Retail Price \$58.00 / Wholesale Price \$46.40) / Teacher's Manual

CALIFORNIA

See also Practitioner Publications Available for Adoption: California

California Civil Procedure, Second Edition (2005)

Walter W. Heiser, *Professor of Law*, University of San Diego School of Law

Written for upper-level law students who intend to practice law in California, this book emphasizes those aspects of California civil procedure that deviate from the federal system. California Civil Procedure aims to serve several functions. First, upon completion of a course using this casebook, students are prepared to more competently conduct civil litigation in the California courts upon graduation. Furthermore, this book represents the procedural advantages and disadvantages of litigating in California state courts as opposed to federal courts so new lawyers can make an informed choice between filing an action in one system or the other. This book also provides students with a brief summary of the federal or general position on each major topic as a basis of comparison and as a review of first-year civil procedure.

Pub. No. 345 / ISBN 9780820562292 (Retail Price \$125.00 / Wholesale Price \$100.00) / Teacher's Manual

California Criminal Law: Cases and Problems, Second Edition (2004)

Steven F. Shatz, *Philip and Muriel Barnett Professor of Trial Advocacy*, University of San Francisco School of Law

This book emphasizes cases and problems as a vehicle for teaching students how to read and understand cases and statutes and to construct legal arguments. The cases are presented in relatively complete form, often with concurring and dissenting opinions in order to give students examples of fully developed legal arguments. The many short problems throughout the book are all taken from real cases and ask the students to develop the appropriate legal arguments based on the cases they have read. Each chapter begins with an introduction to give background to the cases and to outline the issues to be explored. Notes, which have been kept to a minimum, are generally used to extend the students' analysis by asking them to consider theoretical or policy issues raised by the cases or alternative approaches contained in the Model Penal Code or other jurisdictions.

Several features make **California Criminal Law** an effective teaching and learning tool:

- The book's focus on a single jurisdiction, California, permits examination of the various criminal law doctrines in the larger context of the state's entire body of criminal law and facilitates the study of statutes, statutory interpretation, and the interaction between courts and the legislature.
- The 100 short problems spread throughout the book—all taken from actual cases—require the students to review what they learned from the preceding case or cases and then to develop legal arguments for a new fact situation.
- The Teacher's Manual, designed for the teacher using the book for the first time, is a complete set of teaching notes, identifying the doctrinal arguments in each case, suggesting other issues that might be discussed, analyzing the problems and citing to their source, and answering the questions posed in the notes.
- Students uniformly like the book because of the selection of cases and problems and because they are engaged by the knowledge that they are studying "real" and current law rather than general or imagined law.

Pub. No. 3120 / ISBN 9780820560984 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Online Supplement

California Civil Procedure Handbook: Rules, Selected Statutes and Cases, and Comparative Analyses (Updated Annually)



2008 Edition Scheduled to be Available for Review in Summer 2008

Walter W. Heiser, *Professor of Law*, University of San Diego School of Law

This annually revised, softbound handbook is designed to be used in conjunction with any Civil Procedure casebook. Contents include selected California court decisions, procedural statutes, and court rules, reproduced in their entirety. The selection is limited to those materials that demonstrate important differences between California and federal procedure. The handbook also contains textual materials that explain various topics, as well as numerous notes and questions designed to further analyze the reproduced cases and statutes. **California Civil Procedure Handbook** also contains the Federal Rules of Civil Procedure and selected Rules Advisory Committee Notes, the United States Constitution, and selected federal procedural statutes.

Pub. No. 3247 / ISBN 9781422417621 (2008 Edition ISBN 9781422426180) (Retail Price \$48.00 / Wholesale Price \$38.40)

California Evidentiary Foundations, Third Edition (2000)

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

Richard C. Wydick, *Professor of Law Emeritus*, University of California at Davis School of Law

James E. Hogan, *Professor of Law Emeritus*, University of California at Davis School of Law

This text illustrates how to apply California evidence law to lay sufficient foundations for the introduction of items of evidence. The purpose of the book is to teach trial technique. Most of the sections of the text use the following format:

- First, a discussion of an evidence doctrine that focuses on the California Evidence Code is presented.
- Second, the evidence doctrine is broken down into a list of foundational elements (the historical facts and events that constitute the foundation).
- Third, the authors provide a sample foundation for the evidence.

Pub. No. 63055 / ISBN 9780327109372 (Retail Price \$131.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / hardbound

California Evidence Courtroom Manual, 2007 Edition

Eileen A. Scallen, Professor of Law, William Mitchell College

Glen Weissenberger, *Dean & Professor of Law*, DePaul University College of Law

This annually revised, convenient softcover manual is designed specifically for courtroom use. It provides many trial-tested features that not only provide fast, accurate answers to evidentiary questions, but also guide the user to the underlying authorities and secondary sources for further research. This courtroom manual incorporates complete coverage of the California Evidence Code and California evidence case law.

Pub. No. 4384 / ISBN 9781593454593 (Retail Price \$124.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

California Juvenile Courts: Practice and Procedure, 2008 Edition

Gary C. Seiser, Esq., Juvenile Dependency Division, San Diego County Office of County Counsel

Hon. Kurt Kumli, Santa Clara County Superior Court

This softcover volume includes over 500 pages of insightful analysis and practical, timesaving guidance for California Juvenile Court practice. It includes the complete text of all the relevant state and federal statutes and regulations. The authors update this volume each year to reflect significant changes in the area. The inclusion of "practice tips" makes this an indispensable resource for the Juvenile Court practitioner.

Pub. No. 46 / ISBN 9781422419717 (Retail Price \$118.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

CIVIL PROCEDURE

Civil Procedure: Cases, Materials, and Questions, Fifth Edition (2008)



Richard D. Freer, Robert Howell Hall Professor of Law, Emory University School of Law Wendy Collins Perdue, Associate Dean of Graduate Programs & Professor of Law, Georgetown University Law Center

This innovative casebook stresses civil procedure as part of the litigation process—a publicly funded system of dispute resolution. It bridges the gap in students' experience that can lead them to feel that civil procedure is unconnected to the "real world" by including many problems and hypotheticals which are intended to make the material more concrete. The authors use notes and questions that explore the strategic and ethical choices that real lawyers face. The notes also include international and comparative material.

One of the keys to the book's success is the "Introduction and Integration" section at the beginning of each chapter, which provides an overview and indicates how the section fits with other topics. Students sometimes miss the richness of the course because they fail to see how its various aspects fit together—they may come away with a knowledge of individual trees but not an overall sense of the forest. The "Introduction and Integration" sections help minimize this risk.

Pub. No. 3515 / ISBN 9781422407103 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425602 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual / Annual Supplement

Cases and Materials on Civil Procedure, Fifth Edition (2008)



David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center William V. Dorsaneo, III, Chief Justice John and Lena Hickman Distinguished Faculty Fellow & Professor of Law, Southern Methodist University, Dedman School of Law

Rex R. Perschbacher, *Dean & Professor of Law*, University of California at Davis School of Law

Debra Lyn Bassett, *Professor of Law & Judge Frank M. Johnson, Jr. Scholar*, University of Alabama School of Law

The Fifth Edition of Cases and Materials on Civil Procedure is one of the first casebooks to fully incorporate the 2007 "restyling" amendments to the Federal Rules of Civil Procedure. As with earlier editions, the Fifth Edition is organized in a traditional manner. It begins with an introductory chapter that contains an overview of the litigation process and the entire subject. Subsequent chapters cover personal jurisdiction, forum non conveniens, subject matter jurisdiction, the Erie doctrine and choice of law, pleadings discovery, summary judgment, trial practice, post-trial motions, appellate practice and procedure, preclusion doctrine, provisional remedies, enforcement of judgments, and alternative dispute resolution. Although each chapter contains one or more problems or exercises, the Fifth Edition primarily uses the case method of instruction, supplemented with notes and questions. Careful and rigorous editing of the cases throughout the book makes coverage of a wide variety of issues possible.

Building on the foundation established in earlier editions, **Cases** and **Materials on Civil Procedure** contains the following major revisions and additions:

- Comprehensive coverage of supplemental jurisdiction, including the incorporation of Exxon Mobil Corp. v. Allapattah and detailed explanatory notes;
- Expanded coverage of arising-under jurisdiction covering Grable & Sons Metal Products, Inc. v. Darue Engineering & Manufacturing;
- Recent Supreme Court decisions addressing pleading requirements, incorporating Bell Atlantic v. Twombly and other recent decisions;
- · Coverage of the Class Action Fairness Act of 2005;
- Detailed coverage of e-discovery rules and e-discovery practice;
- Extensive coverage of the judge-jury relationship and the role of reviewing courts in evaluating the sufficiency of the evidence supporting the jury's verdict; and
- Coverage of postjudgment motion practice and appellate complaint preservation requirements, incorporating Unitherm Food Systems, Inc. v. Swift-Eckrich, Inc.

Like its predecessors, the Fifth Edition contains a number of special features, including:

- An Introduction to the Practice of Civil Litigation Through Actual Litigation Documents (complaints and answers, motions, briefs, orders, and in the discovery chapter, a short deposition, are all excerpted for the student to review and study);
- Problems, Including "Chapter Summary Problems" (these
 comprehensive problems call for application of the students'
 composite knowledge of the difficult parts of each chapter,
 requiring students to "put the chapter together" and to apply
 what they have learned);
- "Improving the System" Sections (these sections are designed to help students think critically about current practice);
- Supplementation of Traditional Federal Materials Through / By
 Comparison with State Practices; Use of California, New York,
 and Texas as "Benchmark" States; "User Friendly" Design (the
 Fifth Edition includes cases with interesting and amusing fact
 patterns as well as particularly difficult cases that are preceded
 by notes pointing the students in the right direction; the cases
 are edited with student comprehension in mind, but without
 oversimplification); and
- An Appendix Concerning the Qualify of Life for a Litigation Lawyer (which discusses how to combine a good quality of life with an ethical professional practice in the adversary system).

Cases and Materials on Civil Procedure is also accompanied by a comprehensive Teacher's Manual and is supplemented annually.

Pub. No. 61 / ISBN 9781422407448 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425640 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

The Anatomy of a Lawsuit (1996)

Peter N. Simon, *Professor Emeritus*, University of Colorado School of Law

This book is based on an actual case. It is designed to give students a feel for what actually happens in the step-by-step development of a case. **The Anatomy of a Lawsuit** explains the procedure and strategy behind motions such as motions for summary judgment and motions for a directed verdict.

Pub. No. 3010 / ISBN 9781558343207 (Retail Price \$32.00 / Wholesale Price \$25.60)

Understanding Civil Procedure, Third Edition (2002)

Gene R. Shreve, *Richard S. Melvin Professor of Law*, Indiana University School of Law—Bloomington

Peter Raven-Hansen, Professor of Law & Glen Earl Weston Research Professor of Law, The George Washington University Law School

The law of civil procedure governs the manner in which cases enter, transit, and leave the judicial process. It establishes the authority of courts to hear cases, opportunities for litigants to create and use a record of decision, and the force and effect of judgments. In the preface to this treatise, the authors suggest that the key to understanding the principles of civil procedure is to know why: why the principles were created and why they are invoked. This clearly written treatise provides the background and explanation necessary to gain a strong understanding of the principles that govern civil procedure. Although the authors use the Federal Rules of Civil Procedure as a model, they also refer to different state rules and doctrines where appropriate in order to present a representative cross-section of state models.

Pub. No. 797 / ISBN 9780820553689 (Retail Price \$37.00 / Wholesale Price \$24.79)

Federal Rules of Civil Procedure (updated annually)

This handbook includes the text of:

- Federal Rules of Civil Procedure;
- Supplemental Rules for Certain Admiralty and Maritime Claims;
- · Appendix of Forms;
- Federal Rules of Appellate Procedure;
- Federal Rules of Appellate Procedure Forms;
- Selected United States Code provisions; and
- Constitution of the United States.

Pub. No. 3544 / ISBN 9781422411834 (2008 – 09 Edition ISBN 9781422420768) (Retail Price \$26.00 / Wholesale Price \$20.80)

Moore's Federal Rules Pamphlet, Part 1: Federal Rules of Civil Procedure, 2008 Edition

James Wm. Moore, Commentator Kevin Shirey, Esq., Commentator

This annually revised softbound resource contains the complete text of the Federal Rules of Civil Procedure (including admiralty procedure rules and Official Forms), the Federal Rules of Appellate Procedure, the U.S. Supreme Court Rules, Rules

of Procedure of the Judicial Panel on Multidistrict Litigation, insightful commentary, and discussions of recent court decisions.

Pub. No. 415 / ISBN 9781422420881 (Retail Price \$145.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

Civil Procedure Anthology (1998)

David I. Levine, *Professor of Law*, University of California,
Hastings College of the Law
Donald L. Doernberg, *Professor of Law*, Pace Law School
Melissa L. Nelken, *Professor of Law & Faculty Chair, Center for*Negotiation and Dispute Resolution, University of California,
Hastings College of the Law

In creating the Civil Procedure Anthology, the authors selected materials that, combined together, are designed to do several things. There are some background-overview materials, particularly on the nature of the adversary system and the development of the Federal Rules, to help students gain some perspective on civil procedure as a whole. In particular subject matter areas, the authors selected materials designed to help students begin the process of synthesizing the principles derived from the cases on which they spend most of their time, but that may also challenge them to question "received traditions" rather than accepting them unthinkingly. In areas that students typically find difficult, the authors include articles that explore the basic problems without oversimplifying them. In areas to which courses often give attenuated treatment, such as alternative dispute resolution, the authors have included a wide selection of comparatively short excerpts to give students as broad a view as possible.

Pub. No. 3578 / ISBN 9780870841408 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Civil Procedure, Second Edition (2007)



William V. Dorsaneo, III, Chief Justice John and
Lena Hickman Distinguished Faculty Fellow & Professor of
Law, Southern Methodist University, Dedman School of Law
Elizabeth G. Thornburg, Professor of Law, Southern Methodist
University, Dedman School of Law

This study guide uses over 250 multiple-choice and shortanswer questions to test your students' knowledge of the nature and operation of the rules that govern procedure in the federal courts in the United States. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Civil Procedure** also includes a comprehensive topical index.

Pub. No. 3173 / ISBN 9781422411728 (Retail Price \$27.00 / Wholesale Price \$18.09)

CIVIL RIGHTS

See also Constitutional Law and Terrorism

Constitutional Litigation Under § 1983 (2003)



Second Edition Scheduled to be Available for Review in Fall 2008

Mark R. Brown, Newton D. Baker / Baker and Hostetler Chair of Law, Capital University Law School Kit Kinports, Polisher Family Distinguished Faculty Scholar & Professor of Law, Pennsylvania State University, The Dickinson School of Law

Constitutional Litigation Under § 1983 exhaustively analyzes the varied problems that arise in civil rights suits alleging violations of the United States Constitution. The cases, questions, and commentary survey the stumbling blocks plaintiffs and defendants are likely to encounter in this type of federal litigation. The materials also address peculiar problems that tend to arise with specific constitutional rights—such as the Fourth Amendment's proscription on unreasonable searches and seizures, the Fifth Amendment's requirement of just compensation, and the Due Process Clause's requirements for properly extracting taxes. Topics include:

- The elements of a § 1983 claim;
- Sovereign immunity and the Eleventh Amendment's protection of state governments;
- · Local government liability for constitutional wrongs;
- The availability of damages, declaratory judgments, and injunctive relief;
- · Absolute and qualified immunities for government officials;
- · Exhaustion of remedies before state agencies and courts;
- Choice of law issues;
- Res judicata and collateral estoppel;
- Federal abstention doctrines;
- · The availability of relief against private persons; and
- The availability of fee-shifting for successful litigants.

This book focuses on the particular problems that arise in litigation against states, local governments, and their agents under the United States Constitution. **Constitutional Litigation Under § 1983** is constructed to serve as the principal reading for a two- or three-hour course. The book uses the United States Constitution as a tool to convey to the student a succinct understanding of the

policies, procedures, problems, and precedents that surround federal litigation with the government.

The Appendix to Constitutional Litigation Under § 1983 includes the text of relevant provisions in the United States Constitution, together with the text of pertinent statutes and procedural rules. Constitutional Litigation Under § 1983 is also accompanied by a comprehensive Teacher's Manual.

Pub. No. 3164 / ISBN 9780820553849 (Second Edition ISBN 9781422425459) (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Constitutional Torts, Second Edition (2004)

Sheldon H. Nahmod, Distinguished Professor of Law & Co-Director of the Institute for Law and the Humanities, Chicago-Kent College of Law, Illinois Institute of Technology Michael L. Wells, Marion and W. Colquitt Carter Chair in Tort and Insurance Law, University of Georgia School of Law Thomas A. Eaton, J. Alton Hosch Professor of Law, University of Georgia School of Law

This casebook emphasizes important circuit court decisions together with relevant Supreme Court case law. This approach enables students to see how lower courts implement principles articulated in Supreme Court decisions. **Constitutional Torts** also addresses affirmative duties, constitutional tort actions in state courts, and attorneys' fees. Further, this book is organized around the statutory language of section 1983, thereby driving home the crucial distinction between prima facie cases and constitutional tort immunities and defenses.

The Second Edition of **Constitutional Torts** builds on the original work in a number of important ways:

- The Second Edition includes both the most recent Supreme Court opinions and extensive coverage of lower court decisions. Studying circuit and district court decisions is crucial to understanding the developing law of § 1983, because: (a) they show how general principles of law pronounced by the Supreme Court are actually applied; (b) the Supreme Court rarely visits some important aspects of the doctrine; and (c) in this dynamic area of the law, the lower courts are the first to identify new issues and new ways of approaching old problems.
- The Second Edition gives expanded coverage of the substantive constitutional claims that provide the basis for most § 1983 claims. For example, the Second Edition includes materials addressing the content of the terms "liberty" and "property" in the Fourteenth Amendment, the First Amendment retaliation claims of government employees, and the Fourth, Fourteenth, and Eighth Amendment claims of persons alleging they were victims of excessive force by law enforcement officials. It is especially important to cover these materials in a § 1983 book, since they are largely ignored in standard constitutional law casebooks.

- At the same time, the materials continue to emphasize the "tort" aspects of § 1983 litigation, especially with regard to affirmative duties, causation, official immunity, and damages. These materials illuminate both the similarities and differences between constitutional torts and analogous principles developed in the common law tort setting. By studying both tort and constitutional principles, students learn how to argue for and against the application of common law tort principles to constitutional tort issues, and will come to understand both the theoretical and practical consequences of the constitutional underpinnings of the litigation.
- The Second Edition offers exceptionally comprehensive coverage of remedial issues. It provides a thorough treatment of compensatory damages, punitive damages, injunctive relief, and attorneys' fees. These materials not only explain the basic doctrine, but explore their strategic implications on the conduct of litigation.

Constitutional Torts is also accompanied by a comprehensive Teacher's Manual, providing organizational and teaching suggestions.

Pub. No. 3525 / ISBN 9781593459017 (Retail Price \$101.00 / Wholesale Price \$80.80) / Looseleaf ISBN 9781422426203 (Retail Price \$61.00 / Wholesale Price \$48.80) / Teacher's Manual / Annual Supplement

Civil Rights Legislation: Cases and Materials, Fifth Edition (2004)

Theodore Eisenberg, Henry Allen Mark Professor of Law, Cornell Law School

The Fifth Edition of Civil Rights Legislation includes:

- The latest materials on the basic principles of section 1983 and the *Bivens* doctrine (including *Hope v. Peltzer* and *Correctional Services Corp. v. Malesko*);
- Issues under the Prison Litigation Reform Act (including Miller v. French, Porter v. Nussle, and Booth v. Churner);
- Issues arising from federal habeas corpus (Demore v. Kim, Duncan v. Walker, Williams v. Taylor, Penry v. Johnson, Lockyer v. Andrade, and Wiggins v. Smith);
- Treatment of sovereign immunity (including Kimel v. Florida Board of Regents, Federal Maritime Comm'n v. South Carolina State Ports Authority, Board of Trustees of the University of Alabama v. Garrett, and Raygor v. Regents of the University of Minnesota);
- Issues related to the scope of congressional authority (including *United States v. Morrison* and *Nevada Department* of *Human Resources v. Hibbs*); and
- Treatment of substantive civil rights legislation such as
 Title VI and Title VII (including Alexander v. Sandoval, Reeves
 v. Sanderson Plumbing Prods., Inc., Pollard v. E.I. du Pont
 De Nemours & Co., and Circuit City Stores v. Adams).

The Fifth Edition of **Civil Rights Legislation** also covers all major recent developments in the growing area of litigation under the Americans with Disabilities Act, including:

- Conditions that impair performance but that do not impair major life activities (*Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*);
- Reshuffling seniority as a reasonable accommodation (US Airways v. Barnett);
- Punitive damages under the ADA (Barnes v. Gorman);
- Sovereign immunity (Board of Trustees of the University of Alabama v. Garrett);
- Attorneys fees (Buckhannon Board and Care Home, Inc. v. West Virginia Department of Health and Human Resources and Board of Trustees of the University of Alabama v. Garrett);
- Definition of disability (Sutton v. United Air Lines, Inc., Murphy v. United Parcel Service, Inc., and Albertsons, Inc. v. Kirkingburg);
- Relation to disability under Social Security laws (Cleveland v. Policy Management Systems Corp.); and
- Institutionalization of the mentally ill (Olmstead v. L.C.).

Pub. No. 3015 / ISBN 9780820559919 (Retail Price \$125.00 / Wholesale Price \$100.00) / Looseleaf ISBN 9781422425817 (Retail Price \$75.00 / Wholesale Price \$60.00) / Documentary Supplement ISBN 9780820560717 (Civil Rights and Employment Discrimination Law: Selected Statutes and Regulations, Fifth Edition (2004)) (Retail Price \$24.00 / Wholesale Price \$19.20)

A Section 1983 Civil Rights Anthology (1993)

Sheldon H. Nahmod, *Distinguished Professor of Law & Co-Director of the Institute for Law and the Humanities,*Chicago-Kent College of Law, Illinois Institute of Technology

This anthology is organized on the basis of Section 1983's statutory language and collects important articles dealing with Section 1983. It is intended as a supplement to the casebooks used in many Civil Rights, Federal Courts, and Constitutional Torts courses. **A Section 1983 Anthology** can also be used to supplement non-casebook materials developed personally by teachers of these courses.

Pub. No. 3603 / ISBN 9780870841354 (Retail Price \$39.00 / Wholesale Price \$31.20)

CLINICAL LEGAL EDUCATION

See also Judicial Externship

Clinical Legal Education—A Textbook for Law School Clinical Programs (2002)



Second Edition Scheduled to be Available for Review in Fall 2008

David F. Chavkin, *Professor of Law & Director, Civil Practice Clinic*, American University, Washington College of Law

This textbook was created to provide a new tool for clinical teachers. It links together the central lawyering skills and values that are part of any clinical experience. Clinical Legal Education was written with a concentration on the Theory of the Client—a broadening of "case theory" to encompass all of the legal and non-legal approaches that can be used to advance one or more of a client's goals. Rather than defining prescriptive approaches to lawyering tasks, each chapter explores a number of "choice moments," those points at which a lawyer's choices will affect the scope and nature of the representation. Clinical Legal Education will help your students learn to identify those moments and to effectively reach and implement decisions with their clients.

In recognition of the realities of the clinical teaching experience, the text is less than 200 pages and is easily adaptable to a variety of clinic settings and class formats. It covers necessary skills in interviewing, counseling, fact investigation, and negotiating that apply to every clinical experience and uses examples and contexts geared to the clinical experience. The text was subjected to real-world testing in several law school clinics, and the experiences gained there are further reflected in the Teacher's Manual.

Pub. No. 3612 / ISBN 9781422407257 (Second Edition ISBN 9781422425138) (Retail Price \$43.00 / Wholesale Price \$34.40) / Teacher's Manual

Clinical Anthology: Readings for Live-Client Clinics (1997)

Alex J. Hurder, Clinical Professor of Law, Vanderbilt University Law School

Frank S. Bloch, *Professor of Law*, Vanderbilt University Law School Susan L. Brooks, *Associate Dean for Experiential Learning & Associate Professor of Law*, Drexel University College of Law Susan L. Kay, *Associate Dean for Clinical Affairs & Clinical Professor of Law*, Vanderbilt University Law School

The organization of the readings in this Anthology reflects a suggested order that topics might be taken up in the classroom. The excerpts in the first chapter offer different views of what law students can and should learn in clinical courses and

explain methods of clinical teaching and learning. The next four chapters explore issues of lawyer-client relations and relations with other parties and court systems that are likely to arise as a case progresses in a student's clinical practice. The final chapter examines the lawyer's obligation to pursue justice and to ensure access to the courts.

Pub. No. 3579 / ISBN 9781422419892 (Retail Price \$39.00 / Wholesale Price \$31.20)

Legal Ethics: Rules, Statutes, and Comparisons, 2008 Edition



Richard Zitrin, Adjunct Professor of Law,
University of California, Hastings College of the Law
Carol M. Langford, Adjunct Professor of Law, University of
San Francisco School of Law

Kevin E. Mohr, *Professor of Law*, Western State University College of Law

The 2008 Edition of **Legal Ethics: Rules, Statutes, and Comparisons** includes the following material:

- The text of the ABA's new rules, adopted by the ABA House of Delegates in light of "Ethics 2000" and updated through 2006 ("2003 ABA Model Rules");
- A "red-lined" comparison of the 2003 Model Rules to the 1983 Model Rules (which is included for those jurisdictions that are still in transition between the revisions to their own old and new rules);
- The "clean" text of the ABA's now-former Model Rules of Professional Conduct, as amended ("1983 ABA Model Rules");
- Substantive comparisons between both the 1983 and 2003 (as amended) ABA Model Rules and the California Rules of Professional Conduct and the California State Bar Act;
- The text of the ABA Model Code of Professional Responsibility;
- The text of relevant California Rules and Statutes, including the court rules on multijurisdictional practice effective November 2004;
- The Securities and Exchange Commission's Final Standards of Professional Conduct; and
- The text of the 2004 ABA Model Rule on malpractice insurance disclosure passed in August 2004.

Pub. No. 3083 / ISBN 9781422421741 (Retail Price \$37.00 / Wholesale Price \$29.60)

COMMERCIAL LAW

Commercial Contracting: Sales, Leases, and Computer Information, Second Edition (2008)



Francis J. Mootz, III, Samuel Weiss Distinguished Faculty Scholar & Professor of Law, Pennsylvania State University, The Dickinson School of Law

David Frisch, *Professor of Law*, University of Richmond School of Law

Peter A. Alces, *Rita Anne Rollins Professor of Law,* College of William and Mary, Marshall-Wythe School of Law

This innovative book includes cases, problems, note materials and questions, as well as excerpts from law review articles and other secondary sources that explain the fit among the contemporary sources of Commercial Contracting Law. While the authors emphasize Uniform Commercial Code Articles 1 (as revised) and 2 (as enacted), there are liberal references to Article 2A, UCITA, UETA, E-Sign, and the CISG to provide a sophisticated yet accessible presentation of the legal rules and principles that govern contemporary sales, leasing, and computer information transactions.

Contemporary commercial contracting presents considerable pedagogical challenges. The authors provide a text that clearly explains the basic commercial context for the rule in question, and then provide materials that enable students to delve into more complex issues. Commercial Contracting: Sales, Leases, and Computer Information includes the cases that have continued to define commercial law for years as well as the most recent decisions that have changed the way we think about commercial contracting. The cases are complemented by extensive problems, permitting the instructor to emphasize either the case or problem approach. The authors have also integrated text and excerpts from treatises and law review articles that both put the issues in transactional context and test the limits of commercial codification. A comprehensive Teacher's Manual is available, and the authors also will provide sample syllabi, teaching notes, and PowerPoint® slides that they have found work well in teaching the course.

Pub. No. 3156 / ISBN 9781422423875 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426012 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Licensing of Intellectual Property and Other Information Assets, Second Edition (2007)



Raymond T. Nimmer, Leonard H. Childs Professor of Law & Co-Director, Intellectual Property and Information Law Institute, University of Houston Law Center

This unique book combines traditional case law and materials along with numerous problems to enable coverage of this exciting and rapidly developing field in either a case-law-based or problem-based course. The book is comprehensive, dealing with all of the traditional areas of intellectual property and information licensing and also with modern issues associated with digital and online transactions, including topics such as data protection, security, and privacy in online transactions. It also provides for coverage of antitrust, misuse, and preemption issues in licensing.

The Second Edition blends the licensing materials into an integrated and coherent whole presented in a straightforward and understandable manner. Licensing of Intellectual Property and Other Information Assets allows the professor to emphasize one or another of the fields of licensing over the others by selecting among the cases or problems involved.

The problem materials facilitate not only a problem-based approach to the policy and legal issues, but also present students with numerous drafting exercises and drafting issues, reflecting the contractual nature of licensing law. A Teacher's Manual and Documentary Supplement are available, the latter of which includes both federal and state laws applicable to the issues covered in the book as well as licensing agreements dealing with the various aspects of licensing practice.

Pub. No. 3202 / ISBN 9781422417652 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426050 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820564005 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual

Negotiable Instruments and Other Payment Systems: Problems and Materials (2004)

Wayne K. Lewis, *Professor of Law*, DePaul University College of Law

Steven H. Resnicoff, *Professor of Law*, DePaul University College of Law

This predominantly problem-based text comprehensively covers the concepts and intricacies of negotiable instruments, while also providing substantial analysis and materials regarding the bank-customer relationship and alternative payments systems, including credit cards and electronic funds transfers. The authors are both award-winning teachers who believe that the course should train students to read and interpret statutes, to recognize relevant facts, and to apply the statutory rules to such facts in

ways that demonstrate the students' sensitivity to ambiguities in the rules and in the facts. Consequently, the text provides a plentiful supply of carefully crafted problems designed to enable students to develop these skills while mastering the substance of negotiable instruments law.

The text is fully current and examines the important issues raised by recent revisions to the UCC. In addition, the text contains several extremely valuable and user-friendly appendices, including a full glossary, which should make it largely unnecessary for an instructor to recommend any non-statutory supplements. The accompanying Teacher's Manual gives clear answers to each of the problems and offers many helpful pedagogic suggestions.

Pub. No. 3634 / ISBN 9781583607909 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual

Securitization, Structured Finance, and Capital Markets (2004)

Steven L. Schwarcz, Stanley A. Star Professor of Law and Business, Duke University School of Law

Bruce A. Markell, *United States Bankruptcy Judge for the District* of Nevada & Senior Fellow in Bankruptcy and Commercial Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Lissa L. Broome, Wachovia Term Professor of Banking Law & Director, Center for Banking and Finance, University of North Carolina School of Law

Securitization, Structured Finance, and Capital Markets provides an introduction to securitization as a method of financing. It is suitable for an independent course or seminar in Securitization and Structured Finance, and may also be used as supplementary reading or as advanced examples in courses in Bankruptcy, Secured Transactions, Trusts, Corporations, Securities Regulation, Corporate Finance, Tax, Banking, or Accounting.

The book is organized by substantive legal areas. The first chapter provides an overview of securitization. It is a terrific starting point for anyone trying to learn more about this \$6 trillion industry in which assets as diverse as car loans, credit card debt, student loans, home mortgages, and commercial mortgages are securitized to provide the loan originator with a source of capital at lower cost than might otherwise be available. The concept of securitization is introduced through a detailed discussion of an actual securitization of loans made to purchasers of Hondas. The Honda deal is followed as an example throughout the subsequent chapters, and numerous documents from the deal are reprinted in the book. Students should benefit from the concrete example and the opportunity to examine the actual legal documents used to implement this type of financing transaction.

Subsequent chapters of the book examine Article 9 of the UCC, the Bankruptcy Code, accounting issues, tax considerations, securities laws, and the Investment Company Act. Separate chapters focus on special concerns of banks securitizing loans, international and cross-border issues in securitization, and the academic debate relating to the efficiency of securitization. Each chapter of the book contains discussion questions, and these questions are thoroughly addressed in the Teacher's Manual.

Pub. No. 3144 / ISBN 9780820548517 (Retail Price \$73.00 / Wholesale Price \$58.40) / Teacher's Manual

Commercial Transactions: Secured Financing: Cases, Materials, Problems, Third Edition (2003)

Raymond T. Nimmer, Leonard H. Childs Professor of Law & Co-Director, Intellectual Property and Information Law Institute, University of Houston Law Center

Ingrid Michelsen Hillinger, *Professor of Law*, Boston College Law School

Michael G. Hillinger, Associate Dean & Professor of Law, Southern New England School of Law

The principal job of the transactional attorney is to identify the risks of a proposed transaction, evaluate them, and suggest ways to minimize or avoid them by careful contract drafting or other planning. That requires understanding the proposed transaction and the legal framework in which it will occur. Like prior editions, the Third Edition of **Commercial Transaction: Secured Financing** attempts to develop the chief skills of the transactional attorney—risk identification and avoidance—as it teaches asset-based financing transactions and the law regulating such transactions.

The casebook adopts a problem-solving approach. Instructors can devote class time exclusively to discussing one problem from the problem set that follows each topic or issue. The problems seek to:

- Establish black letter law;
- Pose drafting or other planning issues; and
- Raise interpretive issues.

Part One explores the basic state law system of secured credit and the impact of the federal law of bankruptcy on that state law scheme. Part Two focuses on three specific areas of secured financing—inventory and receivables, promises, and fixed assets—and develops certain risks idiosyncratic to each area. An extensive Teacher's Manual describes the authors' suggested analysis of each and every problem and red flags potential land mines.

Pub. No. 3017 / ISBN 9780820557144 (Retail Price 96.00 / Wholesale Price 96.80 / Teacher's Manual

Secured Transactions Under the Uniform Commercial Code and International Commerce (2002)

Louis F. Del Duca, Edward N. Polisher Distinguished Faculty Scholar, Pennsylvania State University, The Dickinson School of Law

Egon Guttman, *Professor of Law & Levitt Memorial Trust Scholar Emeritus*, American University, Washington College of Law Frederick H. Miller, *Professor Emeritus*, University of Oklahoma Law Center

Peter Winship, James Cleo Thompson Sr. Trustee Professor of Law, Southern Methodist University, Dedman School of Law William H. Henning, Distinguished Professor of Law, University of Alabama School of Law

Exploring the latest changes to Article 9 and Article 1, this book presents a clear and concise guide through the law of security interests. Students will benefit from the authors' use of user-friendly problems exploring each issue, illustrating in a concrete way how the Code applies to transactions, both as to legal result and as a guide to drafting agreements and financing statements. The authors are the leaders in the field, including the Chairman of the Permanent Editorial Board for the UCC, the Executive Director of the National Conference of Commissioners on Uniform State Laws, and representatives to the UNCITRAL and CIIME negotiating process.

Pub. No. 3628 / ISBN 9781583607589 (Retail Price \$76.00 / Wholesale Price \$60.80) / Teacher's Manual

Commercial Transactions Under the Uniform Commercial Code and Other Laws, Fifth Edition (1997)

Donald B. King, *Professor Emeritus*, Saint Louis University School of Law

The late Calvin A. Kuenzel

Bradford Stone, Charles A. Dana Professor of Law Emeritus, Stetson University College of Law

W.H. Knight, Jr., *Professor of Law & Former Dean*, University of Washington School of Law

This comprehensive casebook is intended for a broad survey course on commercial law. The expanded scope of the Fifth Edition includes transactions under the Convention of International Sales of Goods. This book is built around carefully selected and edited cases, author notes, and selected problems. Though including landmark cases, the authors emphasize cases decided since 1990. These newer cases offer both a more sophisticated discussion of problems than usually found in earlier cases, as well as more current analyses of Code ambiguities and conflicting approaches to certain Code sections.

Each chapter begins with advice on reading the relevant sections of the UCC and Convention of International Sales of Goods,

making the statutes more understandable for students. Major topics covered include Underlying Code Principles, Sales, Commercial Paper and Electronic Transfers, Banking and Bank-Customer Relations, Documents of Title, and Secured Transactions.

Pub. No. 244 / ISBN 9780820561882 (Retail Price \$87.00 / Wholesale Price \$69.60)

Sales Under the UCC and the CISG (1993)

Louis F. Del Duca, Edward N. Polisher Distinguished Faculty Scholar, Pennsylvania State University, The Dickinson School of Law

Egon Guttman, *Professor of Law & Levitt Memorial Trust Scholar Emeritus*, American University, Washington College of Law The late Alphonse M. Squillante

This book recognizes the student's need for background information to place cases and problems in a proper transactional and legal context. Each new topic is accordingly introduced with a note providing a general substantive overview of the area of law involved, and some understanding of its historical evolution. Where pertinent, these notes address the common law development and legislative history underlying the application provisions of the UCC or other related legislation. To exploit advantages of case, problem, and extensive note material techniques, differing pedagogical styles are used in various portions of the book. Problems used throughout these materials encourage students to apply statutory language, official comments, and legislative definitions of the UCC and related statutes.

Pub. No. 3517 / ISBN 9780870841521 (Retail Price \$50.00 / Wholesale Price \$40.00) / Supplement

Understanding Secured Transactions, Fourth Edition (2007)



William H. Lawrence, *Professor of Law,*University of San Diego School of Law

William H. Henning, *Distinguished Professor of Law*, University of Alabama School of Law

R. Wilson Freyermuth, *John D. Lawson Professor of Law*, University of Missouri at Columbia School of Law

This *Understanding* treatise provides students with an analysis of the underlying rationales of Article 9 of the Uniform Commercial Code, the federal Bankruptcy Code as it relates to Article 9, and other relevant state and federal legislation. Familiarity with these rationales is critical for a true understanding of the law of secured transactions. The organization of this text is largely based upon the traditional five-part approach to the law of secured transactions:

- · Scope of the article;
- Attachment of security interests;
- · Perfection of security interests;
- Priorities among competing claimants (including extensive treatment of the effects of bankruptcy on security interests); and
- · Enforcement of security interests.

In addition, this treatise explains in practical terms the essential elements of different types of secured transactions, giving students a perspective that is crucial to their ability to understand how Article 9 functions in the real world. For example, it describes the structure and use of financing arrangements that are made possible through such techniques as asset-based securitization, mortgage warehouse lending, terminal and field warehousing, financing of accounts, factoring of accounts, and floor planning, as well as other methods of transacting business. The new Fourth Edition provides case citations to recent judicial opinions interpreting the provisions of revised Article 9. Finally the Fourth Edition provides comprehensive treatment of the interaction between Article 9 and the Bankruptcy Code, fully updated to reflect all changes made by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

Entries in the Table of Contents include a descriptive word phrase, along with relevant section numbers of the UCC and the Bankruptcy Code. The Table of Contents does not cite all the provisions that might be relevant, but only the most fundamental provisions relating to the particular topic. This approach should aid students using the book as a supplemental text by enabling them to find the relevant discussion based on either the subject or the basic statutory section numbers. The Index and the Table of Statutes and Authorities enable a more detailed search.

Pub. No. 587 / ISBN 9781422417508 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding International Business and Financial Transactions, Second Edition (2005)

Jerold A. Friedland, *Professor of Law & Director, Asian Legal Studies Program,* DePaul University College of Law

This clearly written *Understanding* treatise is purposely comprehensive and all-inclusive in terms of explanatory materials making the complex field of international business transactions more approachable. Contents include:

- Chapter 1: Money, Currency and Finance in International Trade
- Chapter 2: The Rules of International Trade
- Chapter 3: United States Trade Laws
- Chapter 4: International Sales
- Chapter 5: Operating in Foreign Markets
- Chapter 6: Taxation of International Transactions

This treatise facilitates student understanding of more intricate international financial issues and examines the planning rationale used in establishing international business operations. A thorough discussion of international sales and contract formations includes in-depth analyses of choice of law, remedies, dispute settlement agreements, commercial terms, payment arrangements, and other key considerations.

Pub. No. 3137 / ISBN 9780820563398 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Negotiable Instruments and Payment Systems (2002)

William H. Lawrence, *Professor of Law*, University of San Diego School of Law

This *Understanding* treatise provides a comprehensive treatment of the subject matter covered by Articles 3, 4, and 4A of the Uniform Commercial Code and by relevant provisions of the Truth in Lending Act, the Fair Credit Billing Act, the Electronic Fund Transfer Act, and Regulations E, J, Z, and CC. A primary focus is directed toward the law of negotiable instruments and of bank deposits and collections. The author also addresses the existing legal regimes that govern payments made in all forms, including checks and other drafts, cash, credit cards, automated clearinghouses, automated teller machines, debit cards, and wholesale fund transfers.

Pub. No. 1123 / ISBN 9780820546711 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Sales and Leases of Goods (1995)

William H. Lawrence, *Professor of Law*, University of San Diego School of Law

William H. Henning, *Distinguished Professor of Law*, University of Alabama School of Law

This *Understanding* treatise offers a concise, yet comprehensive survey and analysis of the legal principles that affect the law governing sales and leases of goods. Clearly written and logically organized, this book presents an integrated treatment of Articles 2 and 2A of the Uniform Commercial Code. The primary focus of **Understanding Sales and Leases of Goods** is on sales, with material addressing lease transactions woven into the text at appropriate points. Beyond the treatment in the text, footnotes provide additional examples and internal cross-references making the book easy to use.

Pub. No. 65 / ISBN 9780820528649 (Retail Price \$37.00 / Wholesale Price \$24.79)

Visualizing Secured Transactions (2007)



Laura B. Bartell, *Professor of Law*, Wayne State University Law School

This unique study guide uses visual aids such as charts and diagrams to foster student understanding and application of the law governing secured transactions. The organization of the material tracks the outline and scope of traditional Secured Transactions casebooks and covers Article 9 of the UCC and related UCC provisions and sections of the Bankruptcy Code. It takes the basic areas covered by Article 9 and creates a visual aid for the statutory provisions typically assigned in connection with those areas. Some visual aids cover a single section while others summarize a number of sections bearing on a single topic. The overarching goal is to help students see the organizational structure and create visual cues for remembering content.

Pub. No. 3243 / ISBN 9781422415511 (Retail Price \$40.00 / Wholesale Price \$26.80)

Questions & Answers: Secured Transactions (2003)

Bruce A. Markell, United States Bankruptcy Judge for the District of Nevada & Senior Fellow in Bankruptcy and Commercial Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Timothy R. Zinnecker, *Professor of Law & Harry and Helen Hutchens Research Professor*, South Texas College of Law

This study guide uses nearly 200 multiple-choice and short-answer questions to test your students' knowledge of Article 9 and its occasional intersection with other sources of law such as the Federal Tax Lien Act and the Bankruptcy Code. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Secured Transactions** also includes a comprehensive topical index. These materials are based on the uniform version of Revised Article 9.

Pub. No. 3180 / ISBN 9780820556666 (Retail Price \$27.00 / Wholesale Price \$18.09)

Questions & Answers: Payment Systems (2003)

Gregory E. Maggs, *Professor of Law*, The George Washington University Law School

Timothy R. Zinnecker, *Professor of Law & Harry and Helen Hutchens Research Professor*, South Texas College of Law

This study guide uses over 225 multiple-choice and short-answer questions to test your students' knowledge of the dominant bodies of law applicable to common forms of payment, such as checks, notes, credit cards, debit cards, wire transfers, and letters of credit, including Articles 3, 4, 4A, and 5 of the UCC, selected provisions of the Consumer Credit Protection Act (Truth in Lending Act), and a few relevant federal regulations. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Payment Systems** also includes a comprehensive topical index.

Pub. No. 3185 / ISBN 9780820556710 (Retail Price \$27.00 / Wholesale Price \$18.09)

CONFLICT OF LAWS

American Conflicts Law: Cases and Materials, Fourth Edition (2004)

The late Luther L. McDougal, III

Robert L. Felix, James P. Mozingo, III Professor Emeritus of Legal Research & Distinguished Professor Emeritus of Law, University of South Carolina School of Law

Ralph U. Whitten, *Professor of Law*, Creighton University School of Law

The structure and order of **American Conflicts Law** emphasizes "choice of law" as the dominant theme. The Fourth Edition covers the following materials:

- Chapter 1 provides a general introduction to the course without enmeshing students in details and complexities better provided in later "substantive" chapters.
- Chapter 2 introduces the general problems in choice of law and the variety of conflicts methods utilized in the United States.
- Chapters 3 through 6 reflect the traditional division of choice-of-law cases into subject matter areas: Torts, Contracts, Property, and Family Law. This traditional organization is important because the results in cases under the modern approaches change depending on relevant community policies, interests, and considerations applicable to particular areas of the law.
- Constitutional issues, the Erie doctrine, Judgments, and Personal Jurisdiction are treated in Chapters 7 through 10.

This reflects the view of the authors and other Conflicts teachers that choice of law should represent the dominant theme of Conflict of Laws.

- Vertical choice of law (Erie) is given separate, expanded treatment in Chapter 8.
- Chapter 9 addresses Judgments.
- Finally, Chapter 10 continues to present a thematic treatment of personal jurisdiction to reflect developments, primarily in the modern evolution of standards, restricting state-court jurisdiction under the Due Process Clause of the Fourteenth Amendment.

The Teacher's Manual includes suggestions for additional hypothetical situations and questions that can be posed in class, but which may not be reflected in the note material.

Pub. No. 3007 / ISBN 9780820559933 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Supplement

Conflict of Laws: Cases, Materials, and Problems, Revised Second Edition (2003)

The late David H. Vernon

Louise Weinberg, William B. Bates Chair for the Administration of Justice, University of Texas School of Law

William L. Reynolds, Jacob A. France Professor of Judicial Process, University of Maryland School of Law

William M. Richman, *Distinguished University Professor of Law*, University of Toledo College of Law

Conflicts courses have become increasingly important for a sophisticated practice of law, whether in counseling or litigation. Because modern conflicts law is undergoing significant and complex changes in many states, the authors include new discussions of emerging areas, notably international aspects of conflicts of laws and Internet jurisdiction. Further, because the Second Restatement has become the dominant choice-of-law methodology in over half the states, this new edition contains an extensively revised and supplemented treatment of those provisions.

The Second Edition of Conflict of Laws: Cases, Materials, and Problems is again classically organized into three broad areas: Jurisdiction, Choice of Law, and Judgments. The authors include readings on domicile, a pervasive problem. A final chapter devoted to domestic relations polishes off the course with interesting discussion of most of the core concepts. Areas receiving substantial treatment include:

- · International cases;
- Tort reform legislation;
- · Complex and mass litigation; and
- Impact of the Constitution and of federal supremacy.

Pub. No. 576 / ISBN 9780820557465 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Conflict of Laws: Federal, State, and International Perspectives, Revised Second Edition (2002)

Andreas F. Lowenfeld, Herbert and Rose Rubin Professor of International Law, New York University School of Law

This Conflicts casebook is unique because it addresses conflict issues arising in the international arena in addition to domestic conflict of laws issues. This coverage reflects the ever-increasing level of transnational trade and travel. To make the subject more engaging, the book reintroduces conflict of laws that have largely disappeared from the wholly domestic scene, such as commercial law. Nevertheless, for professors who do not wish to cover comparative and international aspects of conflicts, these materials are placed at the end of the relevant chapters so that they may be omitted without interrupting the flow of the book. This Second Edition also reflects the latest domestic and international developments in conflicts involving family law issues.

Pub. No. 234 / ISBN 9780820554884 (Retail Price \$101.00 / Wholesale Price \$80.80) / Documentary Supplement ISBN 9780820531267 (Retail Price \$20.00 / Wholesale Price \$16.00)

Understanding Conflict of Laws, Revised Third Edition (2002)

William M. Richman, *Distinguished University Professor of Law*, University of Toledo College of Law

William L. Reynolds, Jacob A. France Professor of Judicial Process, University of Maryland School of Law

This *Understanding* treatise provides authoritative and comprehensive explanations of major theories and leading cases covered in Conflict of Laws courses. A family law chapter includes substantial new material on federal legislative responses to the serious problem of child support enforcement.

Pub. No. 127 / ISBN 9780820558073 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Conflict-of-Laws Anthology (1997)

Gene R. Shreve, Richard S. Melvin Professor of Law, Indiana University School of Law—Bloomington

This anthology provides an introduction to the traditions, themes, and main arguments in the conflicts literature. A Conflict-of-Laws Anthology is systematic, comprehensive, and up-to-date. Over seventy selections present the work of leading conflicts scholars from Story and Beale to those writing today. The selections are carefully edited, systematically arranged by chapter and topic, and accompanied by Professor Shreve's meticulous commentary. The book also features numerous aids, including an extensive

Bibliography, an informative Index, and a Table of Cases that will enable students to tie readings to conflicts course work.

Pub. No. 3580 / ISBN 9780870848001 (Retail Price \$39.00 / Wholesale Price \$31.20)

CONSTITUTIONAL LAW

See also First Amendment Law and Religion and the State

Constitutional Law, Fifth Edition (2008)



Norman Redlich, *Dean Emeritus & Judge Edward Weinfeld Professor of Law Emeritus,* New York
University School of Law

John B. Attanasio, *Dean & William Hawley Atwell Professor of Constitutional Law*, Southern Methodist University, Dedman School of Law

Joel K. Goldstein, *Vincent C. Immel Professor of Law*, Saint Louis University School of Law

Students who study constitutional law from this text will gain much insight into the thought processes of Supreme Court Justices. This insight, in turn, enables students to more fully appreciate the current state of constitutional law and to anticipate the future direction of the Court in key areas. The authors accomplish this in part by less editing of the excerpted cases. Thus, students witness the evolution of constitutional principles through the Justices' own words. Lighter editing, and the inclusion of dissenting and concurring opinions, allows the reader to follow the logical steps of the Court's analysis. Following an introductory chapter on the structure of the federal court system and judicial power, this traditional casebook thoroughly covers federalism, separation of powers, and individual rights including due process, equal protection, freedom of speech, and freedom of religion.

Pub. No. 170 / ISBN 9781422417386 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Constitutional Law: Cases, History, and Dialogues, Third Edition (2006)

William D. Araiza, Associate Dean for Faculty, Rev. Richard A. Vachon, S.J. Fellow & Professor of Law, Loyola Law School Los Angeles

Phoebe A. Haddon, *Professor of Law*, Temple University, James E. Beasley School of Law

Dorothy E. Roberts, *Kirkland and Ellis Professor of Law*, Northwestern University School of Law

One of this book's distinguishing features is its series of *Dialogues* in which the authors debate issues relevant to the cases. In the

Dialogues the authors engage both each other and the cases, and in doing so reveal their own and the Justices' methodological, ideological, and policy assumptions. Students benefit from having this information as they form their own opinions about the doctrine. The Dialogues also provide a starting point for more insightful class discussions, by presenting the material in the context of the authors' viewpoints.

Features of the Third Edition include:

- Expanded treatment of the constitutional status of post-9/11 anti-terror presidential actions;
- A reworked discussion of the Dormant Commerce doctrine that more closely tracks the doctrine and includes doctrinal critiques such as Justice Scalia's critique in *Bendix Autolite* v. *Midwesco Enterprises*;
- A new section on the taxing and spending power, reflecting the spending power's new importance after *Lopez* and *Morrison*;
- A reorganized Free Speech section, explicitly discussing the content-neutrality rule;
- Pairing of overruled and overruling cases (e.g., Bowers v. Hardwick and Lawrence v. Texas), allowing the student directly to compare divergent approaches; and
- More and lengthier author dialogues, designed to stimulate classroom discussions.

The accompanying Teacher's Manual explains the authors' conception of the materials and offers a detailed analysis of the key cases.

Pub. No. 3522 / ISBN 9780820570556 (Retail Price \$127.00 / Wholesale Price \$101.60) / Looseleaf ISBN 9781422418383 (Retail Price \$76.00 / Wholesale Price \$60.80) / Teacher's Manual / Annual Supplement

Constitutional Law: Principles and Policy, Cases and Materials, Seventh Edition (2006)

Jerome A. Barron, *Harold H. Greene Professor of Law*, The George Washington University Law School C. Thomas Dienes, *Lyle T. Alverson Professor of Law*,

The George Washington University Law School Wayne McCormack, *Professor of Law*, University of Utah, S.J. Quinney College of Law

Martin H. Redish, Louis & Harriet Ancel Professor of Law and Public Policy, Northwestern University School of Law

The authors of this casebook are committed to reflect fully the dynamism, controversy, and excitement that characterize contemporary Constitutional Law. While generally striving for brevity, the authors lightly edit cases where the Court appears to be embarking on a new doctrinal course so that sharply different constitutional philosophies are fully and fairly presented.

Features of the new Seventh Edition include:

- Commerce Clause: Gonzales v. Raich (2005), the medical marijuana case and Its surprising reaffirmation of the affection doctrine and Granholm v. Heald (2005), the Dormant Commerce Clause wine case;
- Executive and Congressional Relations—Separation of Powers: Hamdi v. Rumsfeld (2004), the enemy citizen combatant case;
- Due Process: Lawrence v. Texas (2003), the Texas criminal sodomy case and the conflict over the meaning of liberty and the protection to be extended to individual autonomy;
- Equal Protection: Grutter v. Bollinger (2003) and Gratz
 v. Bollinger (2003) and the future of affirmative action;
- Freedom of Expression: Virginia v. Black (2003) and the emergence of true threats as an unprotected category of expression; and
- Freedom of Religion: The Court's conflicting Ten Commandments cases, McCreary County v. ACLU (2005) and Van Orden v. Perry (2005) and the battle between accommodationism and separationism.

Constitutional Law: Principles and Policies is updated annually with a supplement addressing recent developments in the area of Constitutional Law.

Pub. No. 3018 / ISBN 9780820570334 (Retail Price \$127.00 / Wholesale Price \$101.60) / Looseleaf ISBN 9781422418307 (Retail Price \$76.00 / Wholesale Price \$60.80) / Annual Supplement

State Constitutional Law: Cases and Materials, Fourth Edition (2006)

Robert F. Williams, *Distinguished Professor of Law*, Rutgers University School of Law, Camden

State Constitutional Law is designed to provide the basis for a lively and exciting two- or three-credit course in this area of the law that continues to gain importance every day. State constitutional law issues arise in a surprisingly wide range of areas of law practice. Now, more than ever, lawyers and judges are discovering the importance of state constitutions and the judicial interpretations of those constitutions.

This new edition follows closely the basic structure and philosophy of the earlier editions. There have been some slight changes in emphasis, and all of the Notes and Questions have been updated to include recent materials. The text explores the many common themes that appear in the body of constitutional law of all states and focuses on the importance of the unique language and judicial interpretation of state constitutions in resolution of specific issues. Among the issues examined in detail in **State Constitutional Law** are:

- · The political context in which state constitutions evolve;
- State constitutional rights provisions not appearing in the Federal Constitution;

- Reapportionment and the public purpose requirement for state statutes; and
- · Women's rights proposals.

Pub. No. 3102 / ISBN 9780820570037 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422421673 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual / Annual Supplement

Constitutional Law: Structure and Rights in Our Federal System, Fifth Edition (2005)

Daan Braveman, President, Nazareth College
William C. Banks, Professor of Law, Laura J. and L. Douglas
Meredith Professor & Director, Institute for National Security
and Counterterrorism, Syracuse University College of Law /
Professor of Public Administration, The Maxwell School of
Citizenship and Public Affairs, Syracuse University

Rodney A. Smolla, *Dean & Professor of Law*, Washington and Lee University School of Law

This book was designed to engage students in learning basic Constitutional Law and to enable teachers to work with cases and problems relatively unencumbered by extensive secondary source materials and treatise-like notes. Traditional in scope, with full coverage of both structure of government issues (separation of powers and federalism) and individual rights, Constitutional Law: Structure and Rights in Our Federal System nevertheless emphasizes structural issues more so than many other Constitutional Law casebooks.

Individual rights are discussed in context and within chapters focusing on traditional doctrinal categories, such as due process, equal protection, and the First Amendment. The authors, however, have maintained a unique focus with regard to the individual rights materials. The chapter on equal protection, for example, begins with a consideration of the groups that were excluded from constitutional protection and then examines whether the equal protection clause has served as a vehicle of inclusion. The Fifth Edition also includes an extended treatment of the war on terrorism and related "enemy combatant" cases.

Skillful weaving of cases, brief notes, comments, and hypothetical problems stimulates student inquiry and analysis. The hypothetical problems are designed to enable students to develop a better understanding of theory and doctrine through the exercise of placing the students in practical situations where they are challenged to solve concrete and realistic problems. As a testament to the strength of the authors' analysis, the United States Supreme Court cited this casebook in *Printz v. United States* concerning the Brady Act.

Pub. No. 638 / ISBN 9780820562421 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425718 (Retail Price \$74.00 / Wholesale Price \$59.20) / Annual Supplement

The American Constitutional Order: History, Cases, and Philosophy, Second Edition (2004)

Douglas W. Kmiec, *Professor of Constitutional Law & Caruso Family Chair in Constitutional Law*, Pepperdine University School of Law

Stephen B. Presser, Raoul Berger Professor of Legal History, Northwestern University School of Law

John C. Eastman, *Dean & Donald P. Kennedy Chair in Law*, Chapman University School of Law

Raymond B. Marcin, *Professor of Law*, The Catholic University of America, Columbus School of Law

The new edition of **The American Constitutional Order** is designed for a four- to six-semester-hour course on Constitutional Law covering both the structural features of the Constitution as well as individual rights. This book includes ample historical materials, lengthy explanatory notes, both introducing and following cases, and employs exemplar or principal cases rather than merely cumulating redundant examples of the same point. The American Constitutional Order is a book with an explicit point of view. In the colloquial, a book with an attitude namely, that history counts, and that within this American story is a premise of the protection of fundamental natural rights. The authors do not expect every instructor to share their perspective, but they do make this honest pedagogical point: all books have a point of view. Staking out territory in favor of the aspiration of the rule of law and American historical antecedents in fresh ways, this book stimulates thinking and classroom instruction whether an instructor wishes to travel with, or teach against, the authors' premises.

The comprehensive Teacher's Manual for **The American Constitutional Order** explains all of the included cases, elaborates on the notes and questions in the text, and indicates, based on the many teachers who have used the original edition in class, how specific materials advance student understanding of individual concepts.

Pub. No. 3502 / ISBN 9781583608005 (Retail Price \$127.00 / Wholesale Price \$101.60) / Looseleaf ISBN 9781422418376 (Retail Price \$76.00 / Wholesale Price \$60.80) / Teacher's Manual / Annual Supplement

The History, Philosophy, and Structure of the American Constitution, Second Edition (2004)

Douglas W. Kmiec, *Professor of Constitutional Law & Caruso Family Chair in Constitutional Law*, Pepperdine University School of Law

Stephen B. Presser, Raoul Berger Professor of Legal History, Northwestern University School of Law

John C. Eastman, *Dean & Donald P. Kennedy Chair in Law*, Chapman University School of Law

Raymond B. Marcin, *Professor of Law*, The Catholic University of America, Columbus School of Law

The Second Edition of **The History, Philosophy, and Structure of the American Constitution** is designed for a two- or three-semester-hour course on the historical and philosophical antecedents as well as the case law of the separation of powers and federalism. It links the "roots" of the American government to its structural design.

This book is designed to meet the needs of professors of political science, government, history, and public policy by supplying a casebook that is at once accessible to study by virtue of generous chapter overviews, skillful case selection and editing, and extended introductions and following notes and questions. In addition, out of abundant respect for the rich intellectual tradition that exists within the university, this book fully reflects that Supreme Court cases emerge from history, and history itself reflects centuries of political and philosophical understanding. The coverage of **The History, Philosophy, and Structure of the American Constitution** includes:

- Chapter 1: The Philosophical and Natural Law Basis of the American Order: Remote and Immediate Ancestors
- Chapter 2: Fashioning a Written Constitution from Declared Natural Right
- Chapter 3: A Structurally Divided, but Workable, Government
- Chapter 4: A Limited Government of Enumerated Power
- Chapter 5: A Government Mindful of Dual Sovereignty

The comprehensive Teacher's Manual for **The History**, **Philosophy**, **and Structure of the American Constitution** explains all of the included cases, elaborates on the notes and questions in the text, and indicates, based on the many teachers who used the original edition in class, how specific materials advance students' understanding of individual concepts.

Pub. No. 3547 / ISBN 9780820561295 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Individual Rights and the American Constitution, Second Edition (2004)

Douglas W. Kmiec, *Professor of Constitutional Law & Caruso Family Chair in Constitutional Law*, Pepperdine University School of Law

Stephen B. Presser, Raoul Berger Professor of Legal History, Northwestern University School of Law

John C. Eastman, *Dean & Donald P. Kennedy Chair in Law*, Chapman University School of Law

Raymond B. Marcin, *Professor of Law*, The Catholic University of America, Columbus School of Law

The Second Edition of **Individual Rights and the American Constitution** is designed for a two- or three-semester-hour course on the intellectual sources of and cases dealing with individual human rights, including especially religion, speech, and economic liberties, as well as the concepts of due process and equality.

This book explores how government power is expressly or impliedly limited to protect individual interests in religious exercise, speech, the freedom from irrational discrimination, and autonomy, as well as economic liberty. It is designed to meet the needs of professors of political science, government, history, and public policy by supplying a casebook that is at once accessible to study by virtue of generous chapter overviews, skillful case selection and editing, and extended introductions and following notes and questions. In addition, out of abundant respect for the rich intellectual tradition that exists within the university, this book fully reflects that Supreme Court cases emerge from history, and history itself reflects centuries of political and philosophical understanding. The coverage of Individual Rights and the American Constitution includes:

- Chapter 1: The Declaration and Its Constitution
- Chapter 2: A Government Respectful of Individual Conscience
- Chapter 3: A Fair Government
- Chapter 4: A Government Commitment to Freedom
- Chapter 5: A Government Commitment to Equality
- Chapter 6: A Government of Imperfect Knowledge— Of Inkblots, Liberty, and Life Itself

The comprehensive Teacher's Manual for **Individual Rights and the American Constitution** explains all of the included cases, elaborates on the notes and questions in the text, and indicates, based on the many teachers who used the original edition in class, how specific materials advance student understanding of individual concepts.

Pub. No. 3548 / ISBN 9780820561301 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Cases and Materials on Constitutional Law, Fourth Edition (2002)

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

Eugene Gressman, *Professor Emeritus of Law*, University of North Carolina School of Law

David S. Day, *Professor of Law*, University of South Dakota School of Law

Though traditional in approach, Cases and Materials on Constitutional Law includes many unique features to create an accessible yet stimulating learning experience for the student of Constitutional Law. Distinct features of this casebook include:

- Inclusion of actual litigation documents from constitutional cases;
- Full text of the Constitution placed at the beginning of the book to encourage students to read it;
- Prefatory chapter presenting a short history of the Constitution;
- Numerous problems based on cutting-edge issues;
- A brief chapter on state constitutional law;
- A concise chapter on the Second Amendment that provides an excellent opportunity for student interpretation in light of the relative scarcity of court opinions in this nevertheless socially significant area;
- · New materials on federalism; and
- New section on the Press Clause in response to suggestions from current adopters of this book.

The authors aim to make the fundamentals easy for students to grasp so that professors can devote class time to more interesting issues. Thus, the authors employ several devices toward that end. Complex chapters are introduced by text that gives students a "road map" of the issues. Cases are edited with student comprehension in mind, with explanations of difficult principles inserted in brackets.

Pub. No. 479 / ISBN 9780820553559 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Constitutional Theory: Arguments and Perspectives, Third Edition (2007)



Michael J. Gerhardt, Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government, University of North Carolina School of Law

Stephen M. Griffin, Rutledge C. Clement, Jr. Professor in Constitutional Law & Vice Dean for Academic Affairs, Tulane University Law School

Thomas D. Rowe, Jr., *Elvin R. Latty Professor of Law Emeritus*, Duke University School of Law

This text covers the central debates in contemporary American constitutional theory and demonstrates the connection between theory and judicial practice, politics, and academic scholarship. This foundation prepares students to analyze the events in which constitutional theory is likely to play a significant role, such as

Supreme Court confirmations proceedings, separation of powers conflicts, and constitutional interpretation and political disputes regarding civil rights and civil liberties. Throughout, selections present opposing views to make students aware of existing conflicts and to facilitate discussion. Among the topics explored in the Third Edition of **Constitutional Theory** are:

- The relevance and significance of theory to constitutional adjudication in general;
- · Theories of constitutional change;
- Theories of judicial review, including judicial activism and restraint, the countermajoritarian difficulty, the philosophical critique of judicial review, and the debate over judicial supremacy;
- Major sources and methods in constitutional interpretation, such as the text, framers' intent and the "new originalism," structure, precedent, and moral reasoning, and present controversies concerning their use;
- Major schools of jurisprudence that have contributed to constitutional theory, presenting and critiquing liberal, conservative, feminist, and critical race perspectives; and
- Alternative perspectives, including those from political science, in understanding constitutionalism and the historical development of constitutional theory.

The companion Teacher's Manual offers suggestions for how to use the book effectively in seminars and course.

Pub. No. 3019 / ISBN 9780820570419 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Cases and Materials on Federal Constitutional Law: Introduction to Interpretive Methods and Introduction to the Federal Judicial Power (Volume 1)



Scheduled to be Available for Review in Fall 2008

Thomas Odom, *Visiting Professor of Law*, Pennsylvania State University, The Dickinson School of Law

This softcover book is the first volume in the *Constitutional Law Modular Series*. This modular approach to the material makes it possible for instructors to mix and match a suitable number of volumes for a course of varying length and focus. Coverage includes:

- Introduction to the Basic Texts;
- Interpretations Based on the Structure of Government;
 Constitutional Text, and Historical Antecedents;
- · Interpretations Based on the Drafting and Ratification Debates;
- Interpretations Based on Traditional Understandings of the Constitution and Judicial Precedents;
- Judicial Review and Standards of Review;
- Congressional Power to Structure (and Restructure) the Judiciary;

- · Justiciability Doctrines; and
- Governmental Immunity from Suit and the Eleventh Amendment in the Nineteenth Century.

A companion Teacher's Manual includes alternative answers to each of the questions presented in the book.

Pub. No. 3261 / ISBN 9781422422052 (Retail Price \$35.00 / Wholesale Price \$28.00) / Teacher's Manual

Cases and Materials on Federal Constitutional Law: Introduction to the Federal Executive Power (Volume 2)



Scheduled to be Available for Review in Fall 2008

Thomas Odom, Visiting Professor of Law, Pennsylvania State University, The Dickinson School of Law

This softcover book is the second volume in the *Constitutional Law Modular Series*. This modular approach to the material makes it possible for instructors to mix and match a suitable number of volumes for a course of varying length and focus. Coverage includes:

- Powers Inherent in the "Executive";
- · Appointment and Removal of Officers;
- The Creation of "Independent" Agencies and Officers;
- · Non-Delegation Doctrine;
- · Congressional Control via Legislative Veto; and
- The Line Item Veto.

A companion Teacher's Manual includes alternative answers to each of the questions presented in the book.

Pub. No. 3262 / ISBN 9781422422069 (Retail Price \$35.00 / Wholesale Price \$28.00) / Teacher's Manual

Cases and Materials on Federal Constitutional Law: Federal Legislative Power (Volume 3)



Scheduled to be Available for Review in Fall 2008

Thomas Odom, *Visiting Professor of Law*, Pennsylvania State University, The Dickinson School of Law

This softcover book is the third volume in the *Constitutional Law Modular Series*. This modular approach to the material makes it possible for instructors to mix and match a suitable number of volumes for a course of varying length and focus. Coverage includes:

- Federal Taxing and Spending Powers;
- Nature of the Coercive Legislative Powers—Enumerated and Implied;
- Overview of the Federal Commerce Power; and

 Congressional Power to Enforce the Fourteenth Amendment, including Abrogation of Eleventh Amendment Immunity.

A companion Teacher's Manual includes alternative answers to each of the questions presented in the book.

Pub. No. 3263 / ISBN 9781422422076 (Retail Price \$35.00 / Wholesale Price \$28.00) / Teacher's Manual

Understanding Constitutional Law, Third Edition (2005)

- Norman Redlich, Dean Emeritus & Judge Edward Weinfeld Professor of Law Emeritus, New York University School of Law
- John B. Attanasio, *Dean & William Hawley Atwell Professor of Constitutional Law*, Southern Methodist University, Dedman School of Law
- Joel K. Goldstein, *Vincent C. Immel Professor of Law*, Saint Louis University School of Law

Clearly written and authoritative, this *Understanding* treatise includes discussions of landmark cases which the Court has decided since the Second Edition appeared in 1999. These decisions include *Bush v. Gore, Lawrence v. Texas, Grutter* (and *Gratz*) *v. Bollinger*, and *Hamdi v. Rumsfeld* among others. It also tracks significant doctrinal developments regarding federalism, sovereign immunity, and the redefinition of Congress' powers under the commerce clause and section 5 of the Fourteenth Amendment. The authors have also expanded discussions of many of the older cases and concepts which remain central to understanding constitutional law.

These new cases and developments signal changes in constitutional law which lend new complexity to the subject and make it more challenging for teacher and student alike. Indeed, recent Supreme Court decisions suggest we may be entering a new era in constitutional law. Specifically, the Court has reserved to itself the determination as to whether a statute deals with "Commerce . . . among the several states," or whether a statute is sufficiently remedial to justify its enactment under the Fourteenth Amendment. The Supreme Court has proven more assertive in defining and policing federalism and separation of powers boundaries and has channeled congressional activity in different directions. Moreover, international norms have assumed increased relevancy in American constitutional law. The authors respond to these changes by expanding the discussions regarding modes of constitutional argument and regarding important concepts and cases.

Pub. No. 863 / ISBN 9780820561370 (Retail Price \$37.00 / Wholesale Price \$24.79) / Online Supplement

Questions & Answers: Constitutional Law, Second Edition (2007)



Paul E. McGreal, *Professor of Law*, Southern Illinois University School of Law

Linda S. Eads, *Associate Professor of Law*, Southern Methodist University, Dedman School of Law

This study guide uses over 200 multiple-choice and short-answer questions to test your students' knowledge of Constitutional Law. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question is followed by a thoughtful, yet brief, model answer. **Q & A: Constitutional Law** also includes a comprehensive topical index.

Pub. No. 3174 / ISBN 9781422417430 (Retail Price \$27.00 / Wholesale Price \$18.09) / Online Supplement

CONTRACTS

See also **Drafting**

Contract Law and Theory, Fourth Edition (2007)

Robert E. Scott, Alfred McCormack Professor of
Law & Director, Center for Contract and
Economic Organization, Columbia Law School

Jody S. Kraus, Robert E. Scott Distinguished Professor of Law & Professor of Philosophy, University of Virginia School of Law

This new and more concise edition of the leading theoretical casebook on contracts has very practical implications. By focusing initially on theory, students develop a framework for analyzing and predicting the outcome of contract disputes. Working from that framework, students gain an understanding of the lawyer's counseling and drafting functions so as to avoid future contract disputes. In order to meet their pedagogical objectives, the authors employ the following features and / or themes:

- Overview chapter presents the issues, methods, theory, and basic doctrines of modern contract law, serving as both a framework for analysis as well as a preview of subsequent chapters.
- Many chapters contain introductory essays that present some
 of the basic doctrines and theoretical approaches covered in
 the chapter. Additional essays within each chapter sharpen the
 focus on the particular doctrines discussed in each section.
 The Fourth Edition revises and simplifies the essays for
 greater accessibility.
- Extensive note sections encourage students to integrate theory and doctrine in specific contexts.

- Contract rules are evaluated using a functional approach so that students consider the underlying purposes and policy goals.
- The Fourth Edition adds cases and analyses of new developments in contract law while condensing the current edition to facilitate teaching within a four-credit as well as a five- or six-credit format.
- A statutory supplement contains UCC Articles 1 and 2 and selected provisions and comments from the Restatement (Second) of Contracts.

Pub. No. 3020 / ISBN 9780820570297 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425824 (Retail Price \$74.00 / Wholesale Price \$59.20) / Documentary Supplement ISBN 9781422411698 (Retail Price \$24.00 / Wholesale Price \$19.20) / Teacher's Manual

Contract Law and Practice, Second Edition (2007)

Gerald E. Berendt, *Professor of Law*, John Marshall Law School



Rebecca A. Cochran, *Professor of Law*, University of Dayton School of Law

Doris Estelle Long, Professor of Law & Chair of the Intellectual Property, Information Technology, and Privacy Group, John Marshall Law School

Robert J. Nye, *Professor of Law*, John Marshall Law School John H. Scheid, *Professor of Law*, John Marshall Law School

The organizational format, case selection, notes, questions, and problems in the First Edition of this casebook proved extremely popular with first-year students. This new edition replaces some cases and adds new notes and problems designed to stimulate student discussion as well as update the text with new developments, including selected proposed changes in the Uniform Commercial Code and novel issues involving electronic information transfer. The authors continue to embrace an approach that invites students to bridge theory and practice in their exploration of contract law. To that end, the casebook's notes and problems address transactional and drafting considerations as well as law practice and litigation questions.

The Teacher's Manual provides briefs, highlighting the core facts and holdings of the cases, teaching points appropriate to particular cases, and suggested hypothetical situations designed to apply the principles and reasoning of each case. The Teacher's Manual also includes suggested answers for most of the problems found in the casebook.

Pub. No. 3526 / ISBN 9781422411520 (Retail Price \$123.00 / Wholesale Price \$98.40) / Teacher's Manual

Making and Doing Deals: Contracts in Context, Second Edition (2006)

David G. Epstein, *Professor of Law*, Southern Methodist University, Dedman School of Law

Bruce A. Markell, United States Bankruptcy Judge for the District of Nevada & Senior Fellow in Bankruptcy and Commercial Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Lawrence Ponoroff, Dean & Mitchell Franklin Professor of Private and Commercial Law, Tulane University Law School

Making and Doing Deals: Contracts in Context breaks with tradition to provide both a theoretical and practical understanding of contract law doctrine and policy through a balanced blend of conventional casebook style, concise text, and practice problems. Extending beyond how to recognize issues and apply legal concepts in class, the authors seek to give students a functional understanding of how to do contract law work in the "real world."

The authors have carefully selected a diverse blend of cases, both classic and contemporary, to capture reader interest, expose students to contract law doctrine, and present practice and policy issues. Introductory text preceding the cases, as well as the problems and questions that follow, invite students to question: (1) why am I reading this case or problem, (2) what should I be learning from the case or problem, (3) do I agree with the result, and (4) how does it relate to the materials already covered.

The Second Edition retains much of the structure and content of the earlier edition. The modest changes are intended to:

- Reference the pertinent revisions made to Article 2 in 2003;
- Reflect a handful of developments on the electronic front, including a new section on electronic acceptances;
- Replace some old cases with new cases that the authors believe will serve as better teaching vehicles;
- Reduce the background materials that had been in the Appendix and incorporate those materials directly into Chapter 1; and
- Restructure the organization of certain materials to appear in an order that, based on feedback from users, the authors believe will make the book even more useable for students.

The accompanying Teacher's Manual provides a brief explanation of the authors' purpose for inclusion of each case, provides a detailed summary of each case, and includes the authors' thoughts and perspectives for approaching each topic in the book.

Pub. No. 3121 / ISBN 9780820570440 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422418291 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Contracts: Cases and Materials, Sixth Edition (2006)

John Edward Murray, Jr., Chancellor of the University & Professor of Law, Duquesne University School of Law

This casebook is designed to meet the challenges of providing students with the most current and comprehensive analysis of modern contract law within the time constraints of the modern law school curricula. The Sixth Edition is a slimmer volume though its scope has not changed. In many ways it is more comprehensive than the last edition. While it includes the most current judicial and statutory developments, the enhanced use of problems interacting with text material allows students to gain a clear and sophisticated understanding of some of the more complex concepts in fewer classroom hours. Today's student is asked to assimilate all of the basic concepts to which students in the past have been exposed as well as a host of new developments. To meet these challenges, this edition includes problems and questions surrounded by text referring to case law and other authorities in a fashion that allows the student to pursue preparation as well as the classroom experience in a highly productive fashion.

Notwithstanding these innovations, the essential nature of the book has not changed. It is a casebook. New cases replacing cases in the prior edition demonstrate a high pedagogical value. The overriding purpose is to provide the student with the maximum opportunity to develop a comprehensive understanding of contract law in the twenty-first century that will be sufficient for long-term career success. Contract law will continue to evolve. It is important to provide the student with a vehicle promoting a sophisticated understanding of the subject in a fashion that will allow the student to assimilate future developments with justifiable confidence.

Pub. No. 3022 / ISBN 9780820570181 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425831 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Contracts: Law in Action, Second Edition (2003)

Stewart Macaulay, Malcolm Pitman Sharp Professor & Theodore W. Brazeau Professor, University of Wisconsin Law School John A. Kidwell, Professor Emeritus, University of Wisconsin Law School

William Whitford, *Professor Emeritus*, University of Wisconsin Law School

Available in two formats:

- Contracts: Law in Action: The Concise Course, a hardcover comprehensive version suited for a six-hour course; and
- Contracts: Law in Action: The Introductory Course and Contracts: Law in Action: The Advanced Course, a two-volume softcover version, available either as a set or individually.

The original edition and this revision both take the "Law in Action" part of the title seriously. Both put contracts problems in context and focus on contracts problems that students will face when they become lawyers. This allows professors to teach a course both more theoretical and more practical at the same time.

American contract law is messy and often contradictory. Even when the rules stay more or less the same, their application varies from court to court over time. The book helps students see the hard choices lurking behind what seem to be the simple rules of contract law and prepares them to hit the ground running when they begin practice. While much material remains unchanged, the major updates are on interesting and important matters such as:

- Unconscionability;
- Form contracts printed in fine print or hidden in other ways (particularly in the area of computer programs); and
- The growing uses of arbitration to repeal the reform statutes of earlier decades.

In addition, based on the recognition that most law students are in their 20s, explanations have been added about such "commonplace things" as the Vietnam conflict, OPEC, and the consumer movement and other manifestations of Pre-Reagan politics as well as what were ice houses, dial telephones, and typewriters.

Those who adopt the book are encouraged to contact the authors to receive the latest teacher's notes in electronic form.

Pub. No. 3024 / ISBN 9780820557168 (Contracts: Law in Action: The Concise Course) (Retail Price \$108.00 / Wholesale Price \$86.40)

Pub. No. 3025 / ISBN 9780820557180 (**Contracts: Law in Action: The Introductory Course**) (Retail Price \$68.00 / Wholesale Price \$54.40)

Pub. No. 3025 / ISBN 9780820557197 (**Contracts: Law in Action: The Advanced Course**) (Retail Price \$68.00 / Wholesale Price \$54.40)

Pub. Nos. 3025 / ISBN 9780820557212 (two softcover volumes including both **The Introductory Course** and **The Advanced Course**) (Retail Price \$108.00 / Wholesale Price \$86.40)

Contracts and Sales: Contemporary Cases and Problems, Second Edition (2002)

William McGovern, *Professor of Law Emeritus*, University of California at Los Angeles School of Law

Lary Lawrence, *Professor of Law & Harriet L. Bradley Chair of Contract Law,* Loyola Law School Los Angeles
Bryan D. Hull, *Professor of Law,* Loyola Law School Los Angeles

Formerly entitled Contracts and Sales: Cases and Problems, this book's new title reflects a greater emphasis on modern Contract Law. While retaining some of the classic contracts cases, this edition offers many recent ones so that students can learn contract concepts as presented in contemporary language and in contemporary settings. The materials reflect the diverse backgrounds and perspectives of the three authors. Professor McGovern is a legal historian who has written extensively in the Estate and Trusts and Property areas. Professors Lawrence and Hull are noted Commercial Law scholars. The result of this collaboration is a well-rounded book that exposes students to the many different elements involved in the analysis of Contract Law. Nevertheless, this casebook is shorter than other Contracts casebooks, in part due to careful editing of the cases that allows teachers and students to focus on the substance more easily. The significance of Article 2 on Contracts Law is emphasized throughout. In addition to the revised UCC materials in the new edition, proposed UCC amendments are provided in the supplement. The Convention on Contracts for the International Sale of Goods is also discussed to broaden students' perspectives on the law governing commercial transactions.

Pub. No. 575 / ISBN 9780820554532 (Retail Price \$96.00 / Wholesale Price \$76.80) / Statutory Supplement ISBN 9780820557939 (Retail Price \$16.00 / Wholesale Price \$12.80) / Teacher's Manual

Understanding Contracts (2004)

Jeffrey T. Ferriell, *Professor of Law*, Capital University Law School The late Michael J. Navin

This *Understanding* treatise is designed for use by first-year law students enrolled in a Contracts course. The text relies on established common law principles as reflected by both appellate cases and by the *Restatement (Second) of Contracts,* as well as on relevant provisions of the Uniform Commercial Code, particularly Article 2, governing the sales of goods. Although they have not yet been adopted by any state, the text includes references to the changes that will be wrought by the ALI's 2003 Revisions to Article 2. The text also includes limited material on the United Nations Convention on the International Sale of Goods, and the UNIDROIT Principles on Commercial Contracts, appropriate to a basic course in Contracts, and on modern statutes regarding electronic contracting methods.

Pub. No. 188 / ISBN 9780820554501 (Retail Price \$37.00 / Wholesale Price \$24.79)

Murray on Contracts, Fourth Edition (2001)

John Edward Murray, Jr., Chancellor of the University & Professor of Law, Duquesne University School of Law

The critical analyses presented in the Fourth Edition of **Murray on Contracts** provide students with the insights necessary to gain a comprehensive understanding of the law of contracts. This treatise also considers and critically analyzes statutory modifications of neoclassical contract doctrine beyond the UCC. Many of the sections contain captioned subdivisions so that the reader is more easily directed to topical discussions within the sections. The author includes citation tables to Restatement and UCC sections as well as a table of cases, along with an expansive index. In addition, the appendix includes the text of the United Nations convention on Contracts for the International Sale of Goods (CISG), and the final chapter provides an introduction to the CISG and compares its key provisions with the UCC and other principles of American contract law.

Pub. No. 3089 / ISBN 9780820551258 (Retail Price \$108.00 / Wholesale Price \$86.40)

Drafting and Analyzing Contracts: A Guide to the Practical Application of the Principles of Contract Law, Third Edition (2003)

Scott J. Burnham, *Professor of Law*, University of Montana School of Law

The purpose of this book is to apply the principles of contract law to the drafting of agreements. Each chapter discusses the substance of contracts as applied to drafting and suggests language that may be employed to accomplish the purpose. **Drafting and Analyzing Contracts** uses drafting to:

- Exemplify the principles of contract law;
- Illustrate the principles in a planning context; and
- Develop the skills of a lawyer.

Drafting and Analyzing Contracts is divided into three main parts. Part I (How the Principles of Contract Law are Exemplified in Drafting) demonstrates how the substantive elements of the law of contracts find expression in individual contractual provisions. Each chapter is keyed to the topics traditionally encountered in Contracts courses (e.g., Offer and Acceptance, Consideration, Parol Evidence, and Promise and Condition). Each chapter contains three components: Introduction, Drafting Considerations, and Exercises. Part II (How the Principles of Drafting are Exemplified in Contracts) addresses the art of drafting, demonstrating how the individual provisions work together in a document, and provides suggestions for synthesizing the individual components of a document and expressing them with clarity. Part III (How to Read and Analyze

a Contract) divides the task of contract reading into five different explorations, or "passes," of the text of the contract: Orientation, Explication, Implication, Remediation, and Evaluation.

A thorough Teacher's Manual provides guidance about teaching drafting, commentary on all parts of the book, solutions to all of the problems, additional problems, and a bibliography.

Pub. No. 3037 / ISBN 9780820557885 (Retail Price \$43.00 / Wholesale Price \$34.40) / Teacher's Manual

A Contracts Anthology, Second Edition (1995)

Peter Linzer, Professor of Law, University of Houston Law Center

A Contracts Anthology is a valuable supplement to the standard Contracts coursebook and offers an accessible collection of the rich literature of contract, complemented by valuable background, and explanatory text from Professor Linzer. This anthology begins with the emotional and ethical aspects of the practice of law, followed by readings on the basis and philosophy of contract. Part II contains background materials on seminal contracts cases. Parts III through VI present such topics as formation, interpretation, the UCC, mistake, and remedies.

Pub. No. 3582 / ISBN 9780870844188 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Contracts, Revised First Edition (2006)

Keith A. Rowley, *Professor of Law*, University of Nevada, Las Vegas, William S. Boyd School of Law

This study guide uses 250 multiple-choice and short-answer questions to test your students' knowledge of contract doctrine. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Contracts** also includes a comprehensive topical index.

Pub. No. 3175 / ISBN 9780820570808 (Retail Price \$27.00 / Wholesale Price \$18.09)

COPYRIGHT

See also Intellectual Property

Copyright Law, Seventh Edition (2006)

Craig Joyce, Law Foundation Professor of Law & Co-Director, Institute for Intellectual Property and Information Law, University of Houston Law Center

Marshall A. Leaffer, *Distinguished Scholar in Intellectual Property Law and University Fellow*, Indiana University School of
Law—Bloomington

Peter A. Jaszi, *Professor of Law & Director, Glushko-Samuelson Intellectual Property Clinic,* American University, Washington
College of Law

Tyler Ochoa, *Professor of Law*, Santa Clara University School of Law

The Seventh Edition of **Copyright Law** is organized in a straightforward way and deals comprehensively with technology and the globalization of copyright law. Notable features of the Seventh Edition include:

- All recent statutory and regulatory revisions, including the Copyright Royalty and Distribution Reform Act, the Family Entertainment and Copyright Act, the Individuals with Disabilities Education Improvement Act, the Intellectual Property Protection and Courts Amendment Act, and the Satellite Home Viewer Extension and Reauthorization Act. All recent enactments are covered, along with treatment of current legislative topics such as "orphan works"; and
- New cases, including Mannion v. Coors, Pivot Point v.
 Charlene Products, Shine v. Childs, Phillips v. Pembroke Real Estate, Tufenkian Import v. Einstein Moomjy, Metro-Goldwyn-Mayer Studios v. Grokster, Polar Bear Productions v. Timex, Bowers v. Baystate Technologies, Dastar v. Twentieth Century Fox Film, and other relevant opinions.

The annually revised cumulative supplement for **Copyright Law** includes the following material:

- Part One contains the Copyright Clause of the U.S.
 Constitution, the current version of Title 17, the Copyright Act of 1909, and references to related material;
- Part Two provides a rich assortment of international materials, including the Berne Convention and the Berne Convention Implementation Act of 1988, NAFTA, GATT / TRIPS, the treaty texts adopted by the World Intellectual Property Organization in December 1996, and the European Union Internet Copyright Directive;
- Part Three collects excerpted legislative histories of interest to teachers and students of modern copyright law;
- Part Four is reserved for textual updates and new case law developments; and

 Part Five contains a Cumulative Bibliography of important secondary materials on copyright (and related bodies of law).

Pub. No. 210 / ISBN 9780820570969 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422411957 (Retail Price \$74.00 / Wholesale Price \$59.20) / Annual Cumulative Supplement (Retail Price \$34.00 / Wholesale Price \$27.20) / Teacher's Manual

Cases and Materials on Copyright and Other Aspects of Entertainment Litigation Including Unfair Competition, Defamation, Privacy, Seventh Edition (2006)

The late Melville B. Nimmer

Paul Marcus, Haynes Professor of Law & Kelly Professor of Teaching Excellence, College of William and Mary, Marshall-Wythe School of Law

David A. Myers, *Professor of Law*, Valparaiso University School of Law

David Nimmer, Esq., Irell & Manella LLP, Los Angeles, CA

This uniquely comprehensive casebook covers areas of law fundamental to the practice of copyright and entertainment litigation, including the right of privacy, defamation, right of publicity, and unfair competition. A classic blend of conventional casebook style, questions, problems, and concise text reflecting the authors' expertise in the subject of copyright and entertainment law, this book is adaptable to various teaching methods. Numerous illustrations and reproductions of photos and paintings help bring the concepts to life, adding interestvalue to legislative materials. Minimal editing of opinions preserves the flavor of the judicial analysis and demonstrates the interpretive ambiguities and holes in the law. This casebook covers and explores all major changes in this area, including cases such as the Copyright Extension Act opinion (Eldred v. Ashcroft), the peer-to-peer file sharing litigation (MGM v. Grokster), and a host of new and important opinions in the privacy and defamation areas.

The current edition continues the grand tradition of this casebook in that it is replete with wonderful and interesting illustrations, photos, and paintings from the cases themselves. Readers will enjoy seeing depictions including photographs of Creedence Clearwater Revival, the Reverend Martin Luther King, Jr., "Topper", the Human Cannonball, Elizabeth Taylor, the Three Stooges, and many others.

While there is no separate Teacher's Manual, this casebook provides frequent cross-references to the leading treatise, Nimmer on Copyright®, recently extensively revised. In essence, this authority on copyright law and staple in law libraries serves as the "definitive" Teacher's Manual.

Pub. No. 48 / ISBN 9780820562278 (Retail Price \$125.00 / Wholesale Price \$100.00) / Looseleaf ISBN 9781422425633 (Retail Price \$75.00 / Wholesale Price \$60.00)

Understanding Copyright Law, Fourth Edition (2005)

Marshall A. Leaffer, *Distinguished Scholar in Intellectual Property Law and University Fellow*, Indiana University School of
Law—Bloomington

The Fourth Edition of this clearly written *Understanding* treatise has been updated to reflect the case law and statutory developments that have taken place since the publication of the previous edition. The Fourth Edition of *Understanding Copyright Law* incorporates discussions of the "new millennium" case law including the Supreme Court cases:

- New York Times Company, Inc. v. Tasini;
- Eldred v. Ashcroft;
- · Dastar v. Twentieth Century Fox Film Corporation; and
- Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd.

The author has also integrated important post-1999 legislative developments such as the TEACH Act, The Copyright Royalty and Distribution Reform Act (revising the CARP system), and the Family Entertainment and Copyright Act. The Fourth Edition not only encompasses the major developments in the case law and legislation of the past five years, it also mirrors the author's reassessment of such basic concepts as the originality doctrine, the idea / expression dichotomy, the meaning of authorship, and the nature of copyright infringement.

Pub. No. 839 / ISBN 9780820562339 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Copyright Anthology: The Technology Frontier (1998)

Richard H. Chused, *Professor of Law*, Georgetown University Law Center

The confluence of new ways of thinking about law with rapid technological change has led to an outpouring of fascinating literature about copyright. This Anthology contains material dealing with both prongs of recent thought about intellectual property. The first part explores some of the new critical literature derived from theories about literature, economics, and law. As a body, the work reproduced here explores most of the central tenets of copyright law—the meaning of authorship, the nature of a copyrighted work, the contours of the idea-expression dichotomy, and the significance of originality. The rest of the Anthology explores more discrete areas of copyright law, using writings that discuss the ways in which technology may have an impact on the development of legal concepts.

Pub. No. 3583 / ISBN 9780870841903 (Retail Price \$39.00 / Wholesale Price \$31.20)

CORPORATE AND BUSINESS LAW

See also **Agency and Partnership; Corporate Finance;** and **White Collar Crime**

Business Enterprises: Legal Structures, Governance, and Policy



Scheduled to be Available for Review in Fall 2008

Douglas M. Branson, W. Edward Sell Professor of Business Law, University of Pittsburgh School of Law

Joan M. Heminway, Associate Professor of Law, University of Tennessee College of Law

Mark J. Loewenstein, Nicholas A. Rosenbaum Professor of Law, University of Colorado School of Law

Marc I. Steinberg, Senior Associate Dean for Research & Rupert and Lillian Radford Professor of Law, Southern Methodist University, Dedman School of Law

Manning G. Warren III, *H. Edward Harter Chair of Commercial Law,* University of Louisville, Louis D. Brandeis School of Law

This new book undertakes a traditional, and inclusive, approach to the law of business organizations. The volume includes materials many books now on the market omit, such as agency and unincorporated business associations, while at the same time maintaining a wide breadth of coverage. As such, the book permits instructors to emphasize closely held and other non-public companies while at the same time offering the basics on public company law and practice. Along these lines, the book includes materials on securities offerings, registration, exemptions from registration, and lawyers' responsibilities under the securities laws. Features that make this book a strong teaching tool and a strong learning tool include:

- Chapter introductions that summarize and highlight the overall and contextual importance of chapter contents (rather than merely list and categorize the parts of the chapter);
- Basic corporate finance nomenclature and other information necessary to an understanding of transactional business law, including individual chapters on basic corporate finance, corporate changes and change of control transactions;
- Materials allowing for a comparison of laws and practices in other countries with those of the United States in key areas of study; and
- Well-selected notes and problems that permit the integration of concepts and foster application skills at key junctures.

This single text allows for coverage of law, underlying theory and policy, and practice skills. In one volume, the book contains material sufficient to educate a young lawyer to function in general business law practice. The emphasis has been on creating a teaching resource that is comprehensive in the view of the five experienced business law teacher-practitioner authors.

The accompanying Teacher's Manual explains the authors' conception of the materials, offers helpful summaries, provides detailed analyses of the key cases, and offers answers and explanations for the problems included in the text and related hypothetical situations.

Pub. No. 3213 / ISBN 9780820564678 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

Corporations and Other Business Organizations: Cases, Materials, Problems, Sixth Edition (2005)

The late Larry D. Soderquist

Linda O. Smiddy, *Professor of Law & Director of International* and Comparative Programs, Vermont Law School Lawrence A. Cunningham, *Professor of Law*, The George Washington University Law School

The Sixth Edition of **Corporations and Other Business Organizations** introduces new materials to reflect the substance and implications of recent developments in the area:

- The section on Limited Liability Companies has been expanded to include cases on issues of LLC management and fiduciary duties of management (*McConnell, VGS,* and *Barbieri*) and on dissociation and dissolution (*Lieberman* and *The Dunbar Group*).
- Materials throughout the book have been updated to reflect the Sarbanes-Oxley Act of 2002.
- The duty of loyalty materials now include the *Disney* case.
- The text contains the major cases on deal protection measures in mergers (both Ace Limited and Omnicare) and updated cases concerning derivative litigation, including The Limited case.

Most chapters open with a situation involving one or more hypothetical clients, with later situations building on earlier ones. These situations can be used as a basis for class discussion or simply as part of assigned readings to place the cases and other materials in an understandable context and to stimulate students' thoughts while they prepare assignments. The book also contains explanatory notes to aid the student in understanding a particular topic, in making a transition from one topic to the next, and in understanding a topic's relationship to the whole. Teachers and students alike have found the cases to be interesting and the notes helpful.

The accompanying Teacher's Manual explains the authors' conception of the materials, offers detailed analyses of the key cases, and proposes answers and explanations for the hypothetical situations.

Pub. No. 3027 / ISBN 9780820563381 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421628 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Cases and Materials on Corporations, Second Edition (2005)

Thomas R. Hurst, *Professor of Law & Sam T. Dell Research Scholar*, University of Florida, Levin College of Law William A. Gregory, *Professor of Law*, Georgia State University College of Law

Drawing from their extensive teaching experience, Professors Hurst and Gregory have produced a powerful teaching text that guite simply works in the classroom. With an eye to what stimulates learning, and a focus on what future lawyers actually need to know, the authors cut obsolete cases so prevalent in Corporations coursebooks and replaced them with decisions relevant to today's corporate practice, while still retaining the essential classics. Class discussions are livelier as a result of the authors' selection of cases on such topics as corporate social responsibility, criminal law, and professional ethics. Cases and Materials on Corporations begins with material vital to the actual practice of law. The authors provide more background on agency and partnership than most Corporations books, but also address the key areas of choice of business form, including the newest forms of limited liability companies and limited liability partnerships.

Pub. No. 3509 / ISBN 9780820563336 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422426074 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Unincorporated Business Entities, Third Edition (2004)

Larry E. Ribstein, *Mildred Van Voorhis Jones Chair in Law*, University of Illinois College of Law

The rapid proliferation of unincorporated business forms has moved beyond the scope of traditional Corporations and Agency/Partnership courses and textbooks, which leaves students without the necessary knowledge to competently advise business clients. **Unincorporated Business Entities** was designed to fill that widening gap in the existing curriculum. **Unincorporated Business Entities** is designed for a three-semester-hour course and has the following features:

- The book focuses on the modern law of partnerships and other unincorporated firms. As a result, it emphasizes the issues that business lawyers are dealing with today rather than the arcane legal rules that traditionally have been the focus of the Agency and Partnership course.
- This is a business planning book. This means that it includes many notes and problems on planning and drafting issues.
 It also means that it draws together materials from disparate areas of the law, including tax, bankruptcy, securities, and employment discrimination, that bear on business planning.

• Drafting and planning coverage is implemented through notes, questions, and problems. The "Chameleon" agreement in the Appendix provides the skeleton of a partnership or operating agreement for any of the forms of business discussed in the book. (The parties to the agreement are referred to as "memners"—that is, partner/members.) This agreement shows the topics that might be covered in a partnership or operating agreement and how the coverage might be organized. Notes throughout the book cross-reference the agreement, and the annotations in the agreement in turn cross-reference the book. Chapter 1 includes a global drafting and planning exercise that links together all of the material in the book.

Pub. No. 3572 / ISBN 9780820561233 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Online Supplement

Business Associations, Fourth Edition (2003)

Larry E. Ribstein, *Mildred Van Voorhis Jones Chair in Law*, University of Illinois College of Law

Peter V. Letsou, Associate Dean, Roderick and Carol Wendt Chair in Business Law & Director, Law and Business Program, Willamette University College of Law

The Fourth Edition of **Business Associations** retains all of the features that have made it a distinctive and useful teaching tool for twenty years:

- It provides a real-world context for the cases and statutes, including economics and business background, and its organization reflects the transactions in which the legal issues arise.
- The case selection includes recent examples of the law at work in modern business contexts and analyses of legal issues, rather than a simple restatement of the rules of law.
- Short, numbered notes that identify the issue being covered in boldface, make the discussion easy to follow.
- It contains references to law review articles and other sources for further research or for background reading.
- Problems illustrate the application of law and policy.

This edition is more compact to facilitate coverage of all of the basics in as few as three semester hours, while retaining sufficient depth to support four- or six-hour courses. The main organizational changes from the Third Edition are condensation of the materials on federal securities regulation and reordering of the materials on business acquisitions. Also, the introduction to corporate finance, formerly in a separate appendix, has been simplified and integrated into the text. The authors will contact adopters with annual updates and special notices of current developments as circumstances require.

Pub. No. 3610 / ISBN 9780820570075 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Online Supplement

Intellectual Property in Business Organizations: Cases and Materials (2006)

Richard S. Gruner, *Professor of Law & Director, Center for Intellectual Property Law*, John Marshall Law School Shubha Ghosh, *Professor of Law*, Southern Methodist University, Dedman School of Law

Jay P. Kesan, Professor of Law, Mildred Van Voorhis Jones Faculty Scholar & Director, Program in Intellectual Property and Technology Law, University of Illinois College of Law

This casebook focuses on the legal problems of businesses that develop and utilize intellectual property as the businesses are founded, financed, expanded, transferred to others, or terminated. The legal issues presented in this text are substantively important because they turn on fundamental policy questions of intellectual property and business organization law that have yet to be fully resolved and that will have a bearing on a broad range of important intellectual property and business organization controversies. At the same time, the intellectual property issues in business organizations are practically important because they correspond to areas of highly active legal practice where law students will need special training and have ample opportunities to apply it.

The text also addresses the distinctive roles played by intellectual property at three stages of business development: the startup phase (where intellectual property often plays key roles in business formation and venture capital financing), the mid-life phase (where intellectual property is often an important factor in going public or selling a business through a merger into a larger concern), and the mature company phase (where successful firms must deal with problems such as preventing abuses of dominant intellectual property positions and remaining competitive in complex high-tech markets despite being innovators in only small components of those markets).

The text is designed for law students in advanced classes concerning intellectual property, business organizations, and the law of science and technology as well as intellectual property survey courses. It is also suitable for business school students in classes with a substantial focus on legal problems of developing businesses. A strong background in intellectual property law is not assumed. Rather, background material on important intellectual property standards is provided in an appendix to the text. In addition, detailed notes on particular intellectual property laws and legal issues raised in the materials are included with the readings.

The readings in the text revolve around the problems faced by a hypothetical company, the Digital Ignition Systems Corporation ("Digital Ignition"). The concerns that face this company as it develops serve as the background or "backstory" for problems raised in the text regarding specific intellectual property issues. Individual chapters in the book focus on particular types of intellectual property problems encountered at different stages of this company's history. Additional factual accounts elaborating on some of the incidents mentioned in the overview of Digital

Ignition's history are presented in each chapter to highlight particular contexts and intellectual property problems faced by businesses as they develop.

Pub. No. 3205 / ISBN 9780820561509 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426067 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Understanding Corporate Law, Second Edition (2004)

Arthur R. Pinto, *Professor of Law & Co-Director, Center for the Study of International Business Law,* Brooklyn Law School Douglas M. Branson, *W. Edward Sell Chair in Business Law,* University of Pittsburgh School of Law

Understanding Corporate Law is designed to assist students by offering a clear and comprehensive treatment of key concepts in corporate law. Significant business, economic, and policy issues are highlighted in connection with a thorough analysis of the important cases and statutory provisions used in the study of corporations. It includes the major theoretical approaches used in current corporate law literature.

In each chapter, the authors identify important policies and discuss the relationship of the law as it has developed to those policies. Statutory issues are covered under both the General Corporation Law of the State of Delaware and the Revised Model Business Corporation Act. The Second Edition of **Understanding Corporate Law** also reflects the current corporate governance issues raised by the recent corporate scandals and the passage of the Sarbanes-Oxley Act of 2002. A section of Chapter 5 deals generally with that Act, but its impact is also covered in relevant sections throughout the book. This *Understanding* treatise is designed to be used in conjunction with all of the major corporate law casebooks.

Pub. No. 284 / ISBN 9780820561202 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding International Business and Financial Transactions, Second Edition (2005)

Jerold A. Friedland, *Professor of Law & Director, Asian Legal Studies Program,* DePaul University College of Law

This clearly written *Understanding* treatise is purposely comprehensive and all-inclusive in terms of explanatory materials making the complex field of international business transactions more approachable. Contents include:

- Chapter 1: Money, Currency and Finance in International Trade
- Chapter 2: The Rules of International Trade
- Chapter 3: United States Trade Laws
- Chapter 4: International Sales

- Chapter 5: Operating in Foreign Markets
- Chapter 6: Taxation of International Transactions

This treatise facilitates student understanding of more intricate international financial issues and examines the planning rationale used in establishing international business operations. A thorough discussion of international sales and contract formations includes in-depth analyses of choice of law, remedies, dispute settlement agreements, commercial terms, payment arrangements, and other key considerations.

Pub. No. 3137 / ISBN 9780820563398 (Retail Price \$37.00 / Wholesale Price \$24.79)

Corporate Law Anthology (1997)

Franklin A. Gevurtz, Distinguished Professor and Scholar, Professor of Law & Director, Center for Global Business and Development, University of the Pacific, McGeorge School of Law

This compilation of readings includes edited versions of articles based upon their ability to communicate to the reader of this book rather than for their significance in developing the law or academic debate. The **Corporate Law Anthology** seeks to present a balance of viewpoints and tries to cover the issues that arise in a basic Corporations course, with the emphasis on those issues likely to be central to such a course.

Pub. No. 3584 / ISBN 9780820570426 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Business Associations (2004)

Douglas M. Branson, W. Edward Sell Chair in Business Law, University of Pittsburgh School of Law

This study guide is designed to place organizational and legal issues in context across the range of forms of business entities students are likely to encounter, and to use factual settings to aid students in developing the capacity for "issue recognition." **Q & A: Business Associations** includes over 200 multiple-choice questions, short-answer questions, and a practice final exam. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Business Associations** also includes a comprehensive topical index.

Pub. No. 3172 / ISBN 9780820556581 (Retail Price \$27.00 / Wholesale Price \$18.09)

CORPORATE FINANCE

Legal Aspects of Corporate Finance, Fourth Edition (2006)

Richard T. McDermott, *Adjunct Professor of Law*, Fordham University School of Law

This book focuses on capital formation transactions, convertible securities, distributions to security holders, and mergers and acquisitions. **Legal Aspects of Corporate Finance** is purposely comprehensive and all-inclusive in terms of explanatory materials and examples. The author explains corporate finance concepts, securities law terminology and basics, and evaluation techniques early in the book, for the benefit of students who have not had prior exposure to these areas of the law.

In addition to the cases, statutes, and textual materials, this practice-oriented casebook provides model provisions and excerpts from various corporate finance documents, such as debentures, trust indentures, preferred stock provisions, and acquisition agreements. Documentation examples and explanations of their effects appear within the text, rather than in appendices. Numerous integrated and challenging problems help students apply concepts to practical situations.

Responding to professors' requests, this book also contains coverage on valuation of the corporate enterprise. This chapter includes a glossary of valuation terminology, a discussion of the three primary methods used in the valuation process for a business entity, and a discussion of valuation techniques used in determining fairness. The author also treats recent decisions dealing with leveraged takeovers occurring in the late 1980s, and the related recapitalizations, restructurings, exchange offers, and bankruptcies of the 1990s. The Fourth Edition contains a number of important updates and revisions.

Pub. No. 440 / ISBN 9780820564395 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Securitization, Structured Finance, and Capital Markets (2004)

Steven L. Schwarcz, Stanley A. Star Professor of Law and Business, Duke University School of Law

Bruce A. Markell, *United States Bankruptcy Judge for the District* of Nevada & Senior Fellow in Bankruptcy and Commercial Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Lissa L. Broome, Wachovia Term Professor of Banking Law & Director, Center for Banking and Finance, University of North Carolina School of Law

Securitization, Structured Finance, and Capital Markets provides an introduction to securitization as a method of financing. It is suitable for an independent course or seminar in Securitization and Structured Finance, and may also be used as supplementary reading or as advanced examples in courses in Bankruptcy, Secured Transactions, Trusts, Corporations, Securities Regulation, Corporate Finance, Tax, Banking, or Accounting.

The book is organized by substantive legal areas. The first chapter provides an overview of securitization. It is a terrific starting point for anyone trying to learn more about this \$6 trillion industry in which assets as diverse as car loans, credit card debt, student loans, home mortgages, and commercial mortgages are securitized to provide the loan originator with a source of capital at lower cost than might otherwise be available. The concept of securitization is introduced through a detailed discussion of an actual securitization of loans made to purchasers of Hondas. The Honda deal is followed as an example throughout the subsequent chapters, and numerous documents from the deal are reprinted in the book. Students should benefit from the concrete example and the opportunity to examine the actual legal documents used to implement this type of financing transaction.

Subsequent chapters of the book examine Article 9 of the UCC, the Bankruptcy Code, accounting issues, tax considerations, securities laws, and the Investment Company Act. Separate chapters focus on special concerns of banks securitizing loans, international and cross-border issues in securitization, and the academic debate relating to the efficiency of securitization. Each chapter of the book contains discussion questions, and these questions are thoroughly addressed in the Teacher's Manual.

Pub. No. 3144 / ISBN 9780820548517 (Retail Price \$73.00 / Wholesale Price \$58.40) / Teacher's Manual

Guide to Finance for Lawyers (2001)

John D. Ayer, *Professor of Law Emeritus*, University of California at Davis School of Law

Like it or not, lawyers need to worry about their clients' money. They do not have to be accountants or financial analysts, but they must know how to listen to accountants and financial analysts, and to know how to understand what they hear. This **Guide to Finance for Lawyers** provides a proven, workable approach for students to learn financial concepts. The author shows students how to figure asset values, how to tell whether a business is making money, and how to know whether an investment manager is doing a good job. He introduces the student to a revolutionary new approach to financial analysis—the world of option pricing. As a bonus, this book includes a chapter on "The Least Accounting You Can Get Away With" and discusses why accounting does not begin to tell the whole story.

Pub. No. 3139 / ISBN 9780820551470 (Retail Price \$27.00 / Wholesale Price \$18.09)

CRIMINAL LAW

See also White Collar Crime

Criminal Law, Sixth Edition (2008)



Joseph G. Cook, Williford Gragg Distinguished Professor of Law, University of Tennessee College of Law

Linda A. Malone, Marshall-Wythe Foundation Professor of Law & Director, Human Rights and National Security Law Program, College of William and Mary, Marshall-Wythe School of Law

Paul Marcus, Haynes Professor of Law & Kelly Professor of Teaching Excellence, College of William and Mary, Marshall-Wythe School of Law

Geraldine Szott Moohr, Alumnae Law Center Professor of Law, University of Houston Law Center

This casebook offers both theoretical and practical treatment of criminal law, which helps students to understand the underlying principles and to relate them to real-life situations. **Criminal Law** introduces students to the criminal justice system, raises the question of why and how we punish, and provides a framework for classroom discussion of the relationship between the state and the individual. It covers a broad range of topics including many cutting-edge issues such as entrapment, assisted suicide, conspiracy and multiple defendants, rape (including date rape and marital rape), attempted murder based on biting/spitting by AIDS patients, and battered victim syndrome.

Unlike many other casebooks that merely cite the Model Penal Code, **Criminal Law** discusses various state statutes, helping students to understand how similar crimes are treated in different jurisdictions. In addition, this book does contain numerous references throughout to the Model Penal Code and the various other proposed codes. The extent of editing of cases varies according to the principles being highlighted. Some cases that focus entirely on a particular issue are reproduced in full, while other cases are heavily edited to emphasize the key questions raised. This highly focused approach makes the cases, and the principles they illustrate, easier for students to comprehend.

Criminal Law is a traditional casebook that contains introductory text and accompanying notes, comments, and questions. The "case and commentary" method, combined with numerous real-life problems, provides a broad basis for analysis and discussion of criminal law topics.

Pub. No. 139 / ISBN 9781422421765 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425657 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Criminal Law: Cases and Materials, Third Edition (2008)



Stephen A. Saltzburg, Howrey Professor of Trial Advocacy, Litigation, and Professional Responsibility, The George Washington University Law School

John L. Diamond, *Professor of Law*, University of California, Hastings College of the Law

Kit Kinports, Polisher Family Distinguished Faculty Scholar & Professor of Law, Pennsylvania State University, The Dickinson School of Law

Thomas H. Morawetz, *Tapping Reeve Professor of Law and Ethics*, University of Connecticut School of Law

Rory K. Little, *Professor of Law*, University of California, Hastings College of the Law

This book offers a comprehensive survey of the major concepts and doctrines in criminal law—lucidly and logically organized. It is highly accessible to students and teachers, structured to harmonize with the most widely used hornbooks and commentaries, and it incorporates the most recent significant cases and scholarship. Many special features allow unmatched flexibility in teaching substantive criminal law:

- The authors introduce and employ a variety of theoretical perspectives in a clear and accessible way. These materials encourage students to understand and apply various approaches to the problem of crime, including liberalism, feminism, and critical race theory.
- Like its predecessor, this edition has uniquely detailed and inclusive coverage of property crimes, and reflects sophisticated contemporary thinking about homicide and rape.
- The cases and commentaries promote a clear and thorough presentation of causation, crimes of attempt, group criminality, and defenses
- The authors draw attention to the intersection of civil and criminal liability, encouraging students to consider the differences between criminal law and other types of legal regulation

Pub. No. 3031 / ISBN 9780820570815 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425848 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Criminal Law: Cases, Statutes, and Lawyering Strategies (2005)

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

Neil P. Cohen, Retired UTK Distinguished Service Professor of Law & W.P. Toms Professor of Law, University of Tennessee College of Law

Laurie L. Levenson, *Professor of Law, William M. Rains Fellow & Director, Center for Ethical Advocacy,* Loyola Law School Los Angeles

John T. Parry, *Professor of Law*, Lewis and Clark Law School Penelope Pether, *Professor of Law*, Villanova University School of Law

This casebook is compact (less than 700 pages), but it covers the traditional subjects of criminal law, from homicide to theft, with an emphasis on up-to-date cases from the 2000s. **Criminal Law: Cases, Statutes, and Lawyering Strategies** also has many special features, including:

- Problems throughout, examining cutting-edge issues and requiring consolidation of themes from multiple cases;
- Inclusion of Model Penal Code sections relevant to the cases;
- Thorough textual introductions, to assist students in coming to class with a basic understanding of the issues;
- "Newspaper" crime descriptions that can be used as chapter reviews, featuring interesting, current situations;
- Optional simulation exercises, keyed to case files contained in an appendix at the end;
- An emphasis on reading statutes, carried out with exercises and problems;
- Significant coverage of the burden of proof beyond a reasonable doubt standard, which is a transforming aspect of criminal law:
- Linkages to criminal processes such as indictments, jury instructions, and dispositive motions, which depend heavily upon the substantive criminal law;
- Thorough coverage of sentencing—which, in many criminal cases, is the only real issue—including the law guiding the determination of sentences;
- Carefully written notes, designed to advance student understanding;
- Perspectives, such as the interests of victims and survivors, the challenges of terrorism, and non-criminal means of crime reduction; and
- A chapter on possession and contraband crimes, which are major parts of criminal dockets today.

These features are all put together in a way that enables the professor to choose how to incorporate them. And there's one more significant feature: a comprehensive Teacher's Manual, which briefs every case and provides thorough guidance about handling every problem, question, and exercise, so that it will be easy for a professor new to the subject to teach effectively from this book.

Pub. No. 3188 / ISBN 9780820557106 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422421611 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual / Annual Supplement

White Collar Crime: Cases, Materials, and Problems (2005)

J. Kelly Strader, *Professor of Law*, Southwestern Law School Sandra D. Jordan, *Professor of Law*, University of Pittsburgh School of Law

White Collar Crime: Cases, Materials, and Problems draws from the authors' practical experience in both prosecuting and defending white collar crime cases. The text also explores recurring issues of policy and theory in these cases. By combining these practical and theoretical perspectives—illustrated by the extensive use of problems throughout the text—White Collar Crime offers an approach that is unique among white collar crime, corporate crime, and federal criminal law casebooks. The text also covers the most recent, important, and highly publicized white collar crime cases, including *United States v. Martha Stewart, United States v. Arthur Andersen*, and *United States v. Booker*.

The text is organized to provide comprehensive coverage of both the law and practice of white collar crime. The text thus provides:

- Comprehensive coverage of the substantive law of white collar crime (topics include conspiracy, mail fraud, wire fraud, securities fraud, computer crimes, bribery, extortion, perjury, false statements, obstruction of justice, tax fraud, currency transaction reporting crimes, money laundering, and RICO);
- An overview of the primary practical and procedural issues that typically arise in and often are unique to white collar investigations and prosecutions (topics include internal investigations, compliance programs, civil actions and fines, parallel proceedings, grand juries, Fifth Amendment, sentencing, and forfeitures); and
- Practice problems that will enhance both effective teaching and student comprehension.

Pub. No. 3193 / ISBN 9780820562049 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426043 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820558486 (White Collar Crime: Statutes, Rules, and Sentencing Guidelines) (Retail Price \$24.00 / Wholesale Price \$19.20) / Teacher's Manual / Annual Supplement

International Criminal Law: Cases and Materials, Second Edition (2004)



Third Edition Scheduled to be Available for Review in Fall 2008

The late Edward M. Wise

Ellen S. Podgor, Associate Dean of Faculty Development and Electronic Education & Professor of Law, Stetson University College of Law

Roger S. Clark, *Board of Governors Professor*, Rutgers University School of Law, Camden

International Criminal Law was selected to receive the Association Internationale de Droit Penal 2005 Book of the Year Award for scholarly and theoretical contribution to the field of International Criminal Law. This book provides a set of teaching materials furnishing students with a grounding in the transnational issues likely to arise in federal criminal cases, and also in the law produced as a consequence of international efforts to impose criminal responsibility on the perpetrators of human rights atrocities. International Criminal Law offers, for teaching purposes, a collection of cases (mainly domestic) and other materials, together with notes and questions about those cases and materials. This book is divided into four parts:

- The first part introduces the field of international criminal law, and includes a chapter on the general principles of both domestic and international law governing efforts to apply U.S. criminal law to foreign crimes and to foreign criminals.
- The second part covers the specific application of those principles to cases involving the Foreign Corrupt Practices Act, antitrust and securities regulation, export controls, computer crimes, narcotics and money laundering, piracy and terrorism, and torture.
- The third part addresses procedural aspects of trying such cases in U.S. courts. This section also treats the extraterritorial application of the U.S. Constitution, immunities from jurisdiction, mutual assistance in criminal cases, extradition, alternatives to extradition, prisoner transfers, recognition of foreign criminal judgments, and the bearing on international human rights instruments on criminal procedure.
- The final part of International Criminal Law deals with the
 prosecution of international crimes, and takes up the question
 of what crimes constitute international crimes. This section
 also discusses the Nuremberg and Tokyo precedents, the U.N.
 Yugoslav and Rwanda tribunals, the treaty for a permanent
 international criminal court and the substantive law of
 international crimes such as aggression, genocide, crimes
 against humanity, and war crimes.

Pub. No. 3141 / ISBN 9780820562230 (Third Edition ISBN 9781422425466) (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Cases and Problems in Criminal Law, Fifth Edition (2004)

Myron Moskovitz, *Professor of Law*, Golden Gate University School of Law

A client comes to a lawyer with a difficult legal problem, involving a complex set of facts. The lawyer then researches the legal issues, finding a cluster of cases and statutes—almost all from the jurisdiction in which the problem arises. In order to advise the client (and, if necessary, to litigate the case), the lawyer must analyze, distinguish, reconcile, and interrelate the authorities in the cluster, seeing them as a group indicating the direction of that state's law, as well as seeing them separately.

This book is an attempt to recreate that experience for the law student, and to help the student learn how to handle it. To learn to do something practical, one needs three things: a task, some tools, and a teacher. This book supplies the task and tools. The task is the problem at the outset of each chapter. The tools are the statutes and cases which follow. To make the experience more realistic, each statute and case in the chapter is from the jurisdiction in which the problem arose. Following each case is a note giving the student a hint as to how the case might be used to help analyze the problem.

Pub. No. 3513 / ISBN 9781593459031 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Criminal Law: Cases and Materials, Second Edition (2000)

Arnold H. Loewy, *Graham Kenan Professor of Law Emeritus*, University of North Carolina School of Law / *George Killam Professor of Criminal Law*, Texas Tech University School of Law

This book is designed to focus students' attention on the problem at hand as illustrated by the case they are studying. Before each case, the student is told why the case is there, and what she ought to be thinking about when she reads it. After each case is a series of questions and notes focusing the student's attention on some of the more difficult issues raised by the cases before coming into class.

Pub. No. 3528 / ISBN 9781422411995 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Domestic Violence: Law, Policy, and Practice (2007)

NEW PUBLICATION

Hon. Diane Kiesel, Acting New York Supreme Court Justice / Adjunct Professor of Law, New York Law School

This new book takes a unique inter-disciplinary approach to the introductory study of domestic violence, a subject that requires students to explore beyond case analysis to recognize the implications of this complex and serious problem on the justice system. Although recognizing the valuable role women's advocates have played in bringing the crisis of domestic violence to the attention of the public and the legal community, this book is not written solely from an advocacy perspective. Instead, it traces the development of the law through court cases, scholarly articles, government studies, and the popular press. It is designed for students who may one day wish to be domestic violence advocates, prosecutors, defense attorneys, public policy experts, or even judges.

While still placing the responsibility for domestic violence directly in the hands of the abusers, the book does more than analyze the crime and punishment of offenders. It includes chapters on the criminal and family law approaches to solving domestic violence and the impact of family violence on children. The book includes chapters on sentencing and the impact and success of specialized domestic violence courts that have been instituted nationwide over the last decade. Other chapters include: domestic violence and federal gun and immigration law; domestic violence in the lesbian, gay, and transgendered community; and domestic violence in other cultures.

Domestic Violence: Law, Policy, and Practice contains charts, photographs, drawings, and illustrations to assist learning. In addition, a series of notes and questions at the end of each chapter are designed to facilitate classroom discussion and promote understanding of the context in which the materials are presented.

Pub. No. 3216 / ISBN 9780820570525 (Retail Price \$123.00 / Wholesale Price \$98.40) / Teacher's Manual

Understanding Capital Punishment Law, Second Edition (2008)



Linda E. Carter, *Professor of Law*, University of the Pacific, McGeorge School of Law

Ellen S. Kreitzberg, *Professor of Law*, Santa Clara University School of Law

Scott Howe, Frank L. Williams Professor of Criminal Law, Chapman University School of Law

This treatise is designed to provide an overview of the complex issues surrounding capital punishment. The primary emphasis of **Understanding Capital Punishment Law** is an explanation of the

constitutional law that governs death penalty proceedings in the United States. **Understanding Capital Punishment Law** is structured in five parts:

- Overview. These chapters include arguments for and against capital punishment, and an overview of the legal constructs for analysis of Eighth Amendment issues.
- Trial Procedures. This group of chapters covers the constitutional issues that have shaped the process into a guilt phase and a penalty phase: aggravating circumstances, mitigating circumstances, and a decision on death or life. Topics include categorical bars to the death penalty, such as mental retardation; the function of aggravating evidence to narrow the group of death-eligible defendants; the presentation of aggravating evidence, such as victim-impact evidence; the function of mitigating evidence to provide for individualized consideration of the defendant; the presentation of mitigating evidence; and the decision process, including the distinction between weighing and non-weighing states and life without parole instructions.
- Post-Trial Procedures. These chapters include direct appeal; habeas corpus, with an emphasis on ineffective assistance of counsel and innocence claims; clemency; and death row issues of insanity and the death row phenomenon.
- Systemic Issues. Pervasive issues of race and gender discrimination are covered as well as the constitutional and practical problem of "volunteers" for the death penalty. Additionally, there is a chapter that explains and describes international treaty issues in capital cases.
- Future Issues. A final chapter looks at issues that are likely to arise in future death penalty cases, including the constitutionality of executing juveniles and the effect of terrorism on death penalty law.

Pub. No. 3155 / ISBN 9781422423868 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Criminal Law, Fourth Edition (2006)

Joshua Dressler, Frank R. Strong Chair in Law, The Ohio State University, Moritz College of Law

This clearly written *Understanding* treatise focuses on the basic elements of, and defenses to, specific crimes such as homicide, rape, and theft, group criminality, and inchoate liability. **Understanding Criminal Law** also covers theories of punishment, sources of the criminal law, and overarching principles such as legality and proportionality. The common law is emphasized with extensive comparisons to the Model Penal Code and thoughtful examination of the underpinnings of the utilitarian philosophies of substantive criminal law. The text of **Understanding Criminal Law** encourages students to consider the approach these philosophies would take to a particular matter under discussion,

thus providing an excellent learning tool for gaining a firm understanding of how our criminal justice system works.

Pub. No. 789 / ISBN 9780820570013 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding White Collar Crime, Second Edition (2006)

J. Kelly Strader, Professor of Law, Southwestern Law School

White collar crime is primarily based upon a complex set of statutes. **Understanding White Collar Crime** provides the texts of the relevant statutes, along with analyses of the statutes' elements and requirements. Because many of these statutes are open to varying interpretations, the book also extensively discusses the main cases interpreting the statutes, including a large number of United States Supreme Court cases. Finally, the book discusses the significant policy issues that arise in white collar crime investigations and prosecutions, such as enforcement barriers and prosecutorial discretion.

Examples of new materials for this edition include discussions of the Supreme Court's recent decisions on the United States Sentencing Guidelines (Booker), obstruction of justice (Arthur Andersen LLP), mail and wire fraud (Pasquantino), conspiracy (Jimenez Recio), bribery (Sabri), extortion (Scheidler v. NOW), and money laundering (Whitfield). The Second Edition of Understanding White Collar Crime also discusses important federal circuit and district court cases in such areas as obstruction (Quattrone), mail fraud (Rybicki), securities fraud (Martha Stewart), and sentencing (various issues arising under Booker). In addition, the text analyzes important new statutes, including the Sarbanes-Oxley Act of 2002 and the USA "Patriot Act" of 2001. This edition also includes new chapters on issues relating to internal investigations and compliance programs, and civil actions and parallel proceedings.

Pub. No. 3123 / ISBN 9780820564944 (Retail Price \$37.00 / Wholesale Price \$24.79) / Online Supplement

Understanding International Criminal Law (2005)

Ellen S. Podgor, Associate Dean of Faculty Development and Electronic Education & Professor of Law, Stetson University College of Law

This *Understanding* treatise is divided into four parts:

 The first part provides a general overview, with definitions to key terms that appear throughout the book. It covers the area of jurisdiction, as this is the starting point in determining the applicability of using international law.

- The second part covers selected areas of international criminal law. It is not exhaustive of all areas of international or transnational law. Choices of specific crimes to cover were made on the basis of showing a diversity of topics, new and developing areas such as computer crimes, and the older more traditional areas such as piracy. It provides materials on both violent and non-violent crimes. Areas of immediate importance, such as terrorism and narcotics trafficking, are discussed.
- The third part covers procedural issues. It includes constitutional issues, immunities, obtaining evidence from abroad, obtaining people from abroad, and post conviction issues such as prisoner transfers.
- The final part of this treatise covers the international aspects of international criminal law. In addition to examining what constitutes an international crime, it looks at human rights issues, international tribunals, and the International Criminal Court.

Pub. No. 3168 / ISBN 9780820554600 (Retail Price \$35.00 / Wholesale Price \$23.45)

Readings in Criminal Law (1998)

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

John M. Burkoff, *Professor of Law*, University of Pittsburgh School of Law

Catherine Hancock, Geoffrey C. Bible & Murray H. Bring Professor of Constitutional Law, Tulane University Law School Alan Reed, Faculty of Law, University of Sunderland Peter Seago, Faculty of Law, University of Leeds

In this anthology, articles were chosen for a variety of reasons. Some articles were chosen because of their significance. These articles are the ones that helped shape and influence the law's development. Other articles were chosen because of their tendency to provoke thought or to give insights into legal principles. Throughout, the goal was to produce a book that would inspire critical thinking and provoke student discussion.

Pub. No. 3602 / ISBN 9780870847769 (Retail Price \$39.00 / Wholesale Price \$31.20)

A Capital Punishment Anthology (1993)

Victor L. Streib, Ella and Ernest Fisher Chair & Professor of Law, Ohio Northern University, Pettit College of Law

This anthology of law review articles addresses one of society's most awesome legal actions, the taking of human life as punishment for crime. Collected here are serious scholarly treatments of a variety of issues within both the substantive

law of capital crimes and the procedural law for imposing capital punishment.

Pub. No. 3577 / ISBN 9780870840074 (Retail Price \$39.00 / Wholesale Price \$31.20) / Online Caselaw Appendix

Questions & Answers: Criminal Law, Second Edition (2007)



Emily Marcus Levine, Esq.

Paul Marcus, Haynes Professor of Law & Kelly Professor of Teaching Excellence, College of William and Mary, Marshall-Wythe School of Law

This study guide uses 175 multiple-choice and short-answer questions to test your students' knowledge of criminal law. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Criminal Law** also includes a comprehensive topical index. The questions and answers are organized in seven principal subject areas: Limits on the Criminal Sanction, Elements of the Offense, Parties to Crimes, Inchoate Offenses, Crimes, Causation, and Defenses. The problems in this book are based on the majority principles, with notations as to significant minority views or developing modern trends.

Pub. No. 3176 / ISBN 9781422411650 (Retail Price \$27.00 / Wholesale Price \$18.09)

CRIMINAL PROCEDURE

Criminal Procedure: Constitutional Constraints Upon Investigation and Proof, Sixth Edition (2008)



James J. Tomkovicz, Edward F. Howrey Professor of Law, University of Iowa College of Law The late Welsh S. White

Criminal Procedure: Constitutional Constraints Upon Investigation and Proof focuses on issues raised by law enforcement investigatory practices. The casebook, which can be used in both introductory and upper-level courses, considers a range of pretrial issues, including searches and seizures, confessions, eyewitness identification procedures, entrapment, the right to counsel, and the exclusionary rules. The text is an excellent tool for comprehensive exploration of the protections provided by the Fourth Amendment, the Fifth Amendment Due Process Clause and Privilege Against Compulsory Self-Incrimination, and the Sixth Amendment Right to the Assistance of Counsel:

- Each chapter begins with an Introductory Note to provide a context for the cases that follow;
- All excerpted United States Supreme Court opinions are carefully edited to preserve the critical elements of the majority and dissenting Justices' reasoning;
- · Textual note material is kept to a minimum;
- An ample number of cumulative and topical problems based on actual federal and state cases appear at the end of every section; and
- The casebook is compatible for a variety of teaching methods from traditional Socratic to problem-oriented approaches.

Pub. No. 93 / ISBN 9781422421727 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425589 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual / Annual Supplement

Criminal Procedure: Regulation of Police Investigation: Legal, Historical, Empirical and Comparative Materials, Fourth Edition (2007)



Christopher Slobogin, Stephen C. O'Connell Chair & Professor of Law, University of Florida, Levin College of Law

This casebook provides rich context for the study of rules regulating police activity because it presents not only the most important case law, but also relevant legislative, historical, empirical, and comparative materials. After a chapter describing general perspectives on police investigation, it features chapters on searches and seizures, interrogation, identification procedures, undercover practices, and remedies for rule violations. The unique aspects of the book include:

- Excerpts describing the history of the police and sociological materials regarding police demographics, attitudes, training, and practices;
- Materials designed to familiarize students with alternative methods of regulating the police, including state law, departmental regulations, and international treaties;
- Materials on colonial and early eighteenth century approaches to police regulation that may be relevant to constitutional interpretation;
- Empirical information about societal expectations of privacy, the effect of Miranda warnings, the accuracy of identification procedures, and the efficacy of undercover work, the exclusionary rule, and damages actions, among other topics;
- Descriptions of the theory and practice of police regulation in other countries, including not only those following the English tradition, but Germany, France, Denmark, India, and Japan;
- Over 120 problems that promote lawyering skills;
- A negotiation exercise and motions, transcripts, and other documents from an actual case that raise Fourth, Fifth, and Sixth Amendment issues; and

 Notes on a wide range of emerging issues, including data mining, national security surveillance, and problemsolving policing.

Pub. No. 3033 / ISBN 9781422417669 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

Criminal Procedure: Cases, Materials, and Questions, Second Edition (2006)

Arnold H. Loewy, *Graham Kenan Professor of Law Emeritus*, University of North Carolina School of Law / *George Killam Professor of Criminal Law*, Texas Tech University School of Law

This book is designed for a complete Criminal Procedure course. This book is not designed exclusively for future criminal law practitioners. Rather, it is designed as a roadmap for those who wish to learn about governmental limitations on police and / or trial procedures in the criminal context. The presentation of the materials is focused, rather than scattergun. Each case is presented, lightly edited, with a series of focused questions and notes following it.

The importance of the questions cannot be overemphasized. Each student coming into class will (or should) have thought about the questions while reading the cases. This should immensely improve the quality of class discussion. At the same time, the fact that the students have the questions in advance has a wonderful palliative effect on students, putting them at ease because they know the question in advance.

Additionally, the book is carefully edited with an eye toward the number of hours typically available for a class. The police practices material is designed to be taught in a three-hour class. The entire book is designed for a four-hour class. The Teacher's Manual suggests breakdowns for those wishing to adhere to the schedule.

Pub. No. 3614 / ISBN 9780820570006 (Retail Price \$125.00 / Wholesale Price \$100.00) / Teacher's Manual / Annual Supplement

Criminal Procedure, Sixth Edition (2005)

Joseph G. Cook, Williford Gragg Distinguished Professor of Law, University of Tennessee College of Law

Paul Marcus, Haynes Professor of Law & Kelly Professor of Teaching Excellence, College of William and Mary, Marshall-Wythe School of Law

Criminal Procedure reflects a balanced blend of conventional casebook style, practice problems, concise text, and sample forms and documents that stresses the interplay of constitutional principles and practical considerations that confront both prosecution and defense attorneys. The organizational structure

of previous editions is retained and three major subject areas are explored in depth: Arrest and Search & Seizure; Right to Counsel; and Confessions.

This book is designed to promote a high-quality classroom experience. Lengthy Supreme Court decisions have been substantially edited, although the "flavor" of the constitutional views of the various Justices has been retained. The insertion of sample forms is intended to illustrate the manner in which Supreme Court edict has filtered down to work-a-day law enforcement and prosecution. Problems, for the most part extracted from lower court decisions, serve to demonstrate the vague parameters of Supreme Court pronouncements while providing the student with an engaging and practical approach to understanding, analyzing, and applying the doctrine.

There have been significant developments in the law since the publication of the last edition, both in terms of new decisions and increased reliance on prior cases. In the latter instance, the *Whren* decision has been elevated to a position of prominence, as its dismissal of the significance of the subjective motivation of the officer has become a frequently cited principle. The *Sitz* decision, sustaining highway sobriety checkpoints, now requires comparisons with the more recent *Edmonds* holding disapproving drug interdiction checkpoints.

Several recent decisions have addressed previously unresolved questions and now appear as principal cases. The *Hiibel* decision sustained the power of the state to arrest an individual for failing to identify himself. In *Caballes*, the Court upheld the use of narcotics-detecting dogs during traffic stops without an elevated level of suspicion. And in *Thornton*, the Court resolved a conflict among the lower court decisions by holding that a vehicle search incident to an arrest may occur after the arrestee has exited the vehicle.

Pub. No. 669 / ISBN 9780820564029 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425749 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual / Annual Supplement

Cases and Problems in Criminal Procedure: The Police, Fourth Edition (2004)

Myron Moskovitz, *Professor of Law*, Golden Gate University School of Law

This unique coursebook attempts to recreate for law students the experience that lawyers have when analyzing the procedural issues involved in the investigatory phase of a criminal case. This approach not only enhances learning but also makes learning enjoyable since students get to play lawyer. At the outset of each chapter, a complex problem is presented in the form of a memo to a law clerk working in a variety of settings (reporting to a public defender, prosecutor, judge, or private criminal defense attorney). The problem is followed by the research tools—

relevant cases and statutes—necessary to solve the problem. Notes follow many cases, suggesting to students how the cases might be used to analyze the problem. They also contain summaries of recent cases which may give students a broader perspective on how courts are handling the issues raised by the main cases. This book focuses on criminal procedure under the United States Constitution. Cases are edited sparingly, and many dissents and concurring opinions are included. The cases are presented in chronological order within a topic so that students can see how doctrines or laws developed historically.

Pub. No. 21 / ISBN 9780820562025 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425619 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Cases and Problems in Criminal Procedure: The Courtroom, Fourth Edition (2004)

Myron Moskovitz, *Professor of Law*, Golden Gate University School of Law

Focusing on procedural issues that arise in the prosecution stage of a criminal case, this "Criminal Procedure II" casebook uses the same problem-based format as **Cases and Problems in Criminal Procedure: The Police** and contains the same features.

Pub. No. 43 / ISBN 9780820560786 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425626 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Criminal Procedure: The Post-Investigative Process, Cases and Materials, Second Edition (2000)

Neil P. Cohen, Retired UTK Distinguished Service Professor of Law & W.P. Toms Professor of Law, University of Tennessee College of Law

Donald J. Hall, *Professor of Law Emeritus*, Vanderbilt University Law School

This book is designed to teach the so-called "bail to jail" facets of criminal procedure. It does not deal with the constitutional limitations established for searches and seizures by the Fourth Amendment or interrogations by the Fifth Amendment, nor in any depth with the right to counsel by the Sixth Amendment. The focus is on those important, and often ignored, stages of the criminal process that start with the decision to pursue criminal charges and end with various post-conviction options. The book is arranged in a roughly chronological way that traces a criminal defendant's journey through the criminal justice system. It includes important federal and state cases, textual materials (including empirical studies), applicable rules of procedure, and problems. Throughout, this book discusses a number of practical issues. Since most criminal cases end with a guilty plea, the

impact of various stages on the guilty plea is noted throughout the book. Other themes are the role of motion practice in criminal cases and the recognition of some of the ethical issues that face both prosecutors and criminal defense lawyers. The authors intersperse problems throughout the book to assist students in understanding and applying the concepts discussed in the materials.

Pub. No. 3032 / ISBN 9780820546872 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Understanding Criminal Procedure—Volume One: Investigation, Fourth Edition (2006)

Joshua Dressler, Frank R. Strong Chair in Law, The Ohio State University, Moritz College of Law

Alan C. Michaels, Edwin M. Cooperman Designated Professor of Law, The Ohio State University, Moritz College of Law

This volume covers the most important Supreme Court cases in the field of police practices (search and seizure, police interrogation, eyewitness identification, and entrapment). This volume also includes a non-police-practices chapter on the right to counsel at trial and on appeal. Where pertinent, the Federal Rules of Criminal Procedure, federal statutes, and lower federal and state court cases are considered. The broad overarching policy issues of criminal procedure are laid out and some of the hottest debates in the field are considered in depth and objectively. The authors have also included citation to important scholarship, both classic and recent, into which readers may delve more deeply regarding specific topics.

Pub. No. 3218 / ISBN 9780820569994 (Retail Price \$37.00 / Wholesale Price \$24.79) / Annual Supplement

Understanding Criminal Procedure—Volume Two: Adjudication, Fourth Edition (2006)

Joshua Dressler, Frank R. Strong Chair in Law, The Ohio State University, Moritz College of Law

Alan C. Michaels, Edwin M. Cooperman Designated Professor of Law, The Ohio State University, Moritz College of Law

This volume focuses on the criminal process after the police investigation ends and the adjudicative process commences (pretrial release, prosecutorial charging procedures, discovery, speedy trial, plea bargaining and guilty pleas, trial by jury, confrontation at trial, self-incrimination, right to counsel at trial and on appeal, double jeopardy, and post-conviction proceedings). The text covers the most important Supreme Court cases in the field. Where pertinent, the Federal Rules of Criminal Procedure, federal statutes, and lower federal and state court cases are considered. The broad overarching policy

issues of criminal procedure are laid out and some of the hottest debates in the field are considered in depth. The authors have also included citation to important scholarship, both classic and recent, into which readers may delve more deeply regarding specific topics.

Pub. No. 3219 / ISBN 9780820570020 (Retail Price \$37.00 / Wholesale Price \$24.79) / Annual Supplement

Moore's Federal Rules Pamphlet, Part 3: Federal Rules of Criminal Procedure, 2008 Edition

James Wm. Moore, Commentator Ellen Smolinsky Pall, Esq., Commentator

This annually revised softbound resource contains the complete text of the Federal Rules of Criminal Procedure, Habeas Corpus Procedural Rules (including official forms), insightful commentary, and analysis of recent court decisions.

Pub. No. 415 / ISBN 9781422420904 (Retail Price \$135.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

Questions & Answers: Criminal Procedure (2003)



Second Edition Scheduled to be Available for Review in Summer 2008

Lewis R. Katz, *John C. Hutchins Professor of Law,* Case Western Reserve University Law School

Neil P. Cohen, Retired UTK Distinguished Service Professor of Law & W.P. Toms Professor of Law, University of Tennessee College of Law

This study guide uses over 275 multiple-choice and short-answer questions to test your students' knowledge of criminal procedure. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Criminal Procedure** also includes a comprehensive topical index.

Pub. No. 3182 / ISBN 9780820556680 (Second Edition ISBN 9781422417447) (Retail Price \$27.00 / Wholesale Price \$18.09)

DISABILITY LAW

The Law of Disability Discrimination, Sixth Edition (2007)



Ruth Colker, *Heck-Faust Memorial Chair in*Constitutional Law, The Ohio State University, Moritz College of Law

The purpose of this book is to provide students with an indepth understanding of the ADA, including the sections governing employment (Title II), public entities (Title II), and public accommodations (Title III). The book focuses on the major components of the ADA, with extensive reference to the implementing regulations and accompanying guidance statements—essential building blocks for a complete understanding of the Act. It also covers a wide range of additional topics, such as education, housing, insurance, voting, and the protection of newborns with disabilities. Because the ADA intersects several other federal statutes, such as the IDEA, the FHAA, and Section 504 of the Rehabilitation Act, cross-references to these and other statutes are frequently provided.

A companion book, **The Law of Disability Discrimination Handbook: Statutes and Regulatory Guidance**, includes reference material relevant to interpreting federal law prohibiting discrimination on the basis of disability. The **Handbook** includes the statutory language of each of the five Titles of the ADA. In addition, with respect to Titles I, II, and III, the **Handbook** includes the regulations and interpretive guidance promulgated by the EEOC and the United States DOJ. The **Handbook** also includes reference material relevant to interpreting Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act Amendments of 1998, as well as excerpts from the Civil Rights Act of 1991. Further, the **Handbook** contains the text of the IDEA, the Department of Education Regulations implementing the IDEA, and the Convention on the Rights of Persons with Disabilities.

Professor Colker provides periodic updates to both the casebook and the **Handbook** on her Web site (*http://ruthcolker.com*).

Pub. No. 3554 / ISBN 9781422407950 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421536 (Retail Price \$68.00 / Wholesale Price \$54.40) / Handbook ISBN 9781422418147 (Retail Price \$34.00 / Wholesale Price \$27.20) / Teacher's Manual / Online Supplement

Disability Law: Cases, Materials, Problems, Fourth Edition (2006)

Laura Rothstein, *Professor of Law & Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

This edition responds to a number of significant changes in the area. In the last four years, Congress has amended the IDEA to address issues of disciplinary removal, some procedural issues, and special education in private schools. Regulations for architectural design standards under the ADA have been revised. The Supreme Court has addressed employment discrimination, education, public accommodation issues, access to justice, and immunity. Lower courts have issued hundreds of opinions, primarily involving employment and education, but increasingly addressing some of the areas that had previously not been the focus of substantial litigation.

The Fourth Edition of **Disability Law** incorporates those major developments. It also reorganizes some of the material, particularly in the chapters on employment and housing, to better facilitate teaching this material. In order to accommodate the increasing body of major judicial decisions, several of the cases from prior editions have been deleted and adapted as Note cases. Some have been edited further from the previous edition.

The text remains substantially the same in terms of approach and coverage. The goal is to introduce students to the major federal *substantive* law relating to nondiscrimination rights of individuals with disabilities. Most relevant Supreme Court decisions have been included as substantial excerpts or as Note references. Lower court decisions were selected to represent an array of disabilities in a variety of contexts. These excerpts illustrate either an unusual or particularly interesting approach to a case or as a decision that is given substantial deference by other courts. The selection of cases is intended to sensitize students and heighten awareness of what it means to have a disability and to dispel some of the myths and presumptions many have about the individuals with disabilities.

The Notes provide supplementary enrichment and background. Many are from popular media articles, demonstrating how this area of law touches everyone. The Problems are designed to encourage the student to apply the material to new situations. The goal is that the student learns not only the substantive law, but also considers policy and practical application. The Teacher's Manual provides additional information for context and information related to the Notes and Problems in the text.

Pub. No. 3036 / ISBN 9780820564708 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425855 (Retail Price \$65.00 / Wholesale Price \$52.00) / Statutory Appendix ISBN 9781422406588 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual / Annual Supplement

Understanding Disability Law (2007)



Mark C. Weber, *Vincent dePaul Professor of Law,* DePaul University College of Law

Understanding Disability Law discusses important statutory and constitutional issues relating to disability discrimination. It is designed to help students in Disability Law courses synthesize and apply the materials they are learning. It is also designed to function as a compact treatise for practicing lawyers and others looking for an analysis of the Fourteenth Amendment, the Americans with Disabilities Act, section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, the Fair Housing Act Amendments, and other laws, as they relate to controversial issues of disability rights. The book discusses the leading cases on each of the major topics of disability law, and suggests ways of thinking about unresolved questions and debates over legal policy.

Understanding Disability Law includes detailed coverage of:

- · Constitutional law bearing on disability discrimination;
- The controversy over who is a person with a disability for purposes of federal statutes;
- · Employment discrimination rights and remedies;
- Educational discrimination, including special education law and higher education for students with disabilities;
- · Discrimination in public accommodations;
- · Discrimination by federal, state, and local governments; and
- Other topics, including disability discrimination related to housing, transportation, and telecommunications.

Pub. No. 3217 / ISBN 9780820569765 (Retail Price \$35.00 / Wholesale Price \$23.45)

DOMESTIC VIOLENCE

See also Criminal Law and Family Law

Domestic Violence: Law, Policy, and Practice (2007)



Hon. Diane Kiesel, Acting New York Supreme Court Justice / Adjunct Professor of Law, New York Law School

This new book takes a unique inter-disciplinary approach to the introductory study of domestic violence, a subject that requires students to explore beyond case analysis to recognize the implications of this complex and serious problem on the justice system. Although recognizing the valuable role women's advocates have played in bringing the crisis of domestic violence to the attention of the public and the legal community, this book is not written solely from an advocacy perspective. Instead, it traces the development of the law through court cases, scholarly articles, government studies, and the popular press. It is designed for students who may one day wish to be domestic violence

advocates, prosecutors, defense attorneys, public policy experts, or even judges.

While still placing the responsibility for domestic violence directly in the hands of the abusers, the book does more than analyze the crime and punishment of offenders. It includes chapters on the criminal and family law approaches to solving domestic violence and the impact of family violence on children. The book includes chapters on sentencing and the impact and success of specialized domestic violence courts that have been instituted nationwide over the last decade. Other chapters include: domestic violence and federal gun and immigration law; domestic violence in the lesbian, gay, and transgendered community; and domestic violence in other cultures.

Domestic Violence: Law, Policy, and Practice contains charts, photographs, drawings, and illustrations to assist learning. In addition, a series of notes and questions at the end of each chapter are designed to facilitate classroom discussion and promote understanding of the context in which the materials are presented.

Pub. No. 3216 / ISBN 9780820570525 (Retail Price \$123.00 / Wholesale Price \$98.40) / Teacher's Manual

DRAFTING

Drafting and Analyzing Contracts: A Guide to the Practical Application of the Principles of Contract Law, Third Edition (2003)

Scott J. Burnham, *Professor of Law*, University of Montana School of Law

The purpose of this book is to apply the principles of contract law to the drafting of agreements. Each chapter discusses the substance of contracts as applied to drafting and suggests language that may be employed to accomplish the purpose. **Drafting and Analyzing Contracts** uses drafting to:

- · Exemplify the principles of contract law;
- Illustrate the principles in a planning context; and
- · Develop the skills of a lawyer.

Drafting and Analyzing Contracts is divided into three main parts. Part I (*How the Principles of Contract Law are Exemplified in Drafting*) demonstrates how the substantive elements of the law of contracts find expression in individual contractual provisions. Each chapter is keyed to the topics traditionally encountered in Contracts courses (*e.g.*, Offer and Acceptance, Consideration, Parol Evidence, and Promise and Condition). Each chapter contains three components: Introduction, Drafting Considerations, and Exercises. Part II (*How the Principles of Drafting are Exemplified in Contracts*) addresses the art of drafting, demonstrating how the individual provisions work together in a document, and provides suggestions for

synthesizing the individual components of a document and expressing them with clarity. Part III (*How to Read and Analyze a Contract*) divides the task of contract reading into five different explorations, or "passes," of the text of the contract: Orientation, Explication, Implication, Remediation, and Evaluation.

A thorough Teacher's Manual provides guidance about teaching drafting, commentary on all parts of the book, solutions to all of the problems, additional problems, and a bibliography.

Pub. No. 3037 / ISBN 9780820557885 (Retail Price \$43.00 / Wholesale Price \$34.40) / Teacher's Manual

EDUCATION LAW

Special Education Law: Cases and Materials, Second Edition (2007)



Mark C. Weber, Vincent dePaul Professor of Law, DePaul University College of Law

Ralph Mawdsley, *Professor of Education Administration*, Cleveland State University, College of Education Sarah E. Redfield, *Professor of Law & Chair, Education Law*

Graduate Programs, Franklin Pierce Law Center

This book is a unique offering in the growing field of Special Education Law and is designed to be used both in schools of education and in law schools. Coverage includes:

- · Core Concepts of Special Education Law;
- Eligibility and Evaluation;
- Residency;
- Free, Appropriate Public Education;
- Individualized Education Program;
- Education in the Least Restrictive Environment;
- Related Services;
- Due Process Hearings;
- Student Discipline;
- · Court Proceedings;
- Attorneys' Fees in Special Education Litigation;
- · Children in Nonpublic Schools;
- Early Childhood Programs; and
- · Post-Secondary Education.

The Second Edition integrates the 2004 IDEA Reauthorization and 2006 Reauthorization regulations into the text and provides coverage of such important caselaw developments as the Supreme Court's Schaffer v. Weast decision regarding burdens of proof at due process hearings and the Court's ruling in Arlington Central School District Board of Education v. Murphy that the IDEA fees provision does not permit awards of expert witness fees to prevailing parents. The Second Edition also includes the Mr. I. case from the Third Circuit regarding special education eligibility. It includes the Third Circuit's Pardini case and the Eleventh Circuit's D.P. case regarding pendency placements in the

transition from infant and toddler services to special education services. It includes much more as well.

The Second Edition of **Special Education Law** contains relevant statutory excerpts and carefully edited reports of the leading special education cases, together with extensive explanatory materials and provocative questions for class discussion. The book also features practical exercises for home assignments or in-class projects. Two of the co-authors teach in law schools and have deep experience in special education law as well as allied subjects such as constitutional law, administrative law, civil procedure, federal courts, and general school law. Their background enables them to discuss the special education topics thoroughly and to draw connections to other parts of the law school curriculum. The third co-author, who is also a lawyer, teaches educational administration as well as special education law; that background enables him to add lessons on the real-world impact of the law on the daily work of the schools.

Pub. No. 3189 / ISBN 9781422420720 (Retail Price \$101.00 / Wholesale Price \$80.80) / Looseleaf ISBN 9781422426036 (Retail Price \$61.00 / Wholesale Price \$48.80) / Documentary Supplement ISBN 9781422420737 (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual

Law and Education: Contemporary Issues and Court Decisions, Sixth Edition (2003)

Richard S. Vacca, *Professor Emeritus of Education & Senior Fellow, Commonwealth Educational Policy Institute,*Virginia Commonwealth University

William C. Bosher, Jr., Executive Director, Commonwealth Educational Policy Institute & Distinguished Professor and Dean, Virginia Commonwealth University, School of Education

In this Sixth Edition, the authors have brought the material up-todate with the current state of law as it affects public education. As in the five previous editions, the strategy remains one of identifying issues that affect the daily operation of schools. These issues affect boards of education, administrators, teachers, and students. This concise, yet comprehensive, book organizes treatment of these issues in four parts:

- Part I: Law: Sources and Resources
- Part II: Law and Local Boards of Education
- Part III: Law and Professional Staff
- Part IV: Law and Students

Pub. No. 3078 / ISBN 9780820558004 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual / Supplement

Law and Public Education: Cases and Materials, Third Edition (1995)



Fourth Edition Scheduled to be Available for Review in Fall 2008

Stephen R. Goldstein, *Edward S. Silver Professor of Procedural Law*, Hebrew University of Jerusalem, The Felt Center for Legal Studies

E. Gordon Gee, *President*, The Ohio State University Philip T.K. Daniel, *Professor of Educational Administration and Higher Education*, Ohio State University School of Education Policy and Leadership

Although primarily a legal work, **Law and Public Education** also addresses historical, pedagogical, economic, and other social science literature. Coverage of the cases and other materials is generally more complete than in many other casebooks, as it is important for the student to master the complexities, ambiguities, and nuances of meaning that would be missed with too much editing. Three primary themes are addressed in **Law and Public Education**:

- The decision-making process and the proper allocation of power;
- Conflicts in a liberal, democratic society seeking to inculcate values in its children; and
- Tensions between values of national unity, secularism, and universalism on the one hand, and the desire to preserve pluralism and enhance sectarian and parochial subgroup cultures and values on the other.

Pub. No. 3080 / ISBN 9781558342729 (Fourth Edition ISBN 9781422421758) (Retail Price \$101.00 / Wholesale Price \$80.80)

ELDER LAW

Elder Law: Readings, Cases, and Materials, Third Edition (2007)



A. Kimberley Dayton, *Professor of Law*, William Mitchell College of Law

Molly M. Wood, Esq., Stevens & Brand, LLP, Lawrence, KS Julia Belian, *Visiting Associate Professor of Law*, University of Missouri at Kansas City School of Law

As people age, they often face a bewildering array of legal issues, ranging from age discrimination to retirement planning, and elder abuse to assisted suicide. **Elder Law: Readings, Cases, and Materials** is designed to serve as the main textbook for courses and seminars on the intersection of law and aging. Thoroughly updated with new cases, COLA amounts, and URLs, the Third Edition of **Elder Law** includes new materials on kinship care giving, grandparent rights, and a lawyer's duty to incompetent third parties. The authors have also expanded the coverage of SSI. New materials include the Medicare Modernization and

Prescription Drug Act of 2003, an update on Social Security reform, expanded coverage of reverse mortgages and subsidized housing for the elderly, and recent tax legislation.

Elder Law is also accompanied by a documentary supplement, **Elder Law: Statutes and Regulations**. This companion volume contains selected federal and state statutes, uniform acts, federal regulations, the viatical settlements model regulation, and miscellaneous provisions.

Pub. No. 3532 / ISBN 9781422407943 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426098 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820568805 (Retail Price \$38.00 / Wholesale Price \$30.40) / Teacher's Manual

Elder Law: Cases and Materials, Fourth Edition (2007)



Lawrence A. Frolik, *Professor of Law*, University of Pittsburgh School of Law

Alison McChrystal Barnes, *Professor of Law*, Marquette University Law School

The Fourth Edition of **Elder Law** integrates new developments in law and policy into the familiar framework of past editions. A mix of the specific and the general, the book examines the response of our society to an aging population, the legal rights of the elderly, and the legal, economic, and health challenges of the elderly. The authors use carefully edited classic and new cases, excerpts from the experts, and descriptive commentary to challenge and instruct students. Questions and problems provide the instructor an opportunity to query students and expand their understanding of the material.

The perspectives of legal practice and legislative development receive due attention in chapters that cover income and employment, housing and supportive services, nursing home quality and costs, substitute health and final decision making, and elders and crime. The broad scope of the book builds on foundational legal education in property rights, civil and human rights, and government action, while permitting the teacher the opportunity to supplement or expand upon the material.

A Teacher's Manual provides the authors' pedagogical insights and answers to the Questions. In addition, the companion statutory volume, **Elder Law: Selected Statutes and Regulations**, includes all relevant statutes and regulations.

Pub. No. 3039 / ISBN 9781422411636 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425862 (Retail Price \$68.00 / Wholesale Price \$54.40) / Documentary Supplement ISBN 9781422411643 (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual / Annual Supplement

EMPLOYEE BENEFITS

Employee Benefits Law: Qualification Rules and ERISA Requirements (2006)

Kathryn J. Kennedy, Associate Dean for Advanced Studies and Research, Professor of Law & Chair, Tax and Employee Benefits Practice Group, John Marshall Law School

Paul T. Shultz, III, Former Director of the IRS' Employee Plans Rulings & Agreement, TE / GE

This new title is one of six releases from the LexisNexis Graduate Tax Series. Employee Benefits Law: Qualification Rules and ERISA Requirements differs from other employee benefits casebooks and practicing legal education materials because it teaches the materials using a series of problems that begin with the basic concepts and build upon those concepts in order to teach sophisticated legal issues. The material is also discussed in the context of how ERISA and the applicable sections of the Internal Revenue Code have evolved over time in reaction to different public policy considerations and changing employee benefit needs.

Employee Benefits Law is divided into two sections. Part I addresses qualification rules generally applicable to employee retirement plans. Part II addresses tax rules applicable to welfare benefits and nonqualified deferred compensation plans and ERISA rules applicable generally to all employee benefit plans. Sophisticated realistic problems are an integral part of the materials, and are included throughout. These problems will require careful analysis and application of code and regulation provisions, administrative pronouncements, case law, and other relevant sources. Perhaps more important for a graduate tax program, the problems not only require careful analysis, but the application requires dealing with situations when the most careful reading of the materials does not supply an answer.

Pub. No. 3208 / ISBN 9780820552476 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Law of Employee Pension and Welfare Benefits (2004)



Second Edition Scheduled to be Available for Review in Fall 2008

Lawrence A. Frolik, *Professor of Law*, University of Pittsburgh School of Law

Kathryn L. Moore, Everett H. Metcalf, Jr. Professor of Law, University of Kentucky College of Law

This book introduces the student to how ERISA and the IRC protect and regulate employee pension and welfare benefit plans. The authors wrote this book mindful of the following concerns:

- Coverage. With the intent to create a book that is both comprehensive and teachable, the authors carefully selected cases and secondary materials and wrote concise commentary to illuminate both the "forest" and the "trees." The approach to coverage was determined by topic; the authors relied on case law for issues like preemption, and focused on statutory and regulatory material for topics that are rarely litigated—such as nondiscrimination. Although the book relies on primary cases and the analysis of statutes and regulations, the authors also excerpted material from many fine articles to introduce the policy implications of employee benefits law.
- Case Selection. The authors selected cases that illustrate the judicial interpretation and application of ERISA, with a bias towards Supreme Court decisions. Only cases that aid the understanding of the statute were included. For the most part, the authors avoided "squib" cases in favor of commentary that explains the law in greater detail.
- Questions and Problems. Believing that the best way to involve students is through questions and problems that require them to actively engage the material, the authors included numerous questions and problems that require close examination of the relevant case or applicable statute.
- Adaptability. Recognizing that courses in employee benefits can vary considerably based on differing professorial interests and student needs, the authors designed the book to be adaptable. This flexibility reflects the very different types of courses taught by Professors Frolik and Moore.
- Teacher's Manual. The detailed Teacher's Manual provides
 a summary of every reprinted case, answers each one of the
 Questions and Problems, provides additional commentary,
 gives citations to helpful articles, and describes how the
 authors approach the material.
- Statutory Supplement. The Statutory Supplement contains a wide selection of pertinent statutes, including ERISA in its entirety, the relevant sections of the IRC, and selected regulations that bear upon the covered material.
- Updates. In recognition of the changing nature of employee benefits, the authors plan to supplement the book annually with an update of the relevant case law and statutory and regulatory changes.

Pub. No. 3158 / ISBN 9780820553047 (Second Edition ISBN 9781422425039) (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Statutory Supplement (Retail Price \$34.00 / Wholesale Price \$27.20) / Annual Supplement

EMPLOYMENT DISCRIMINATION

Employment Discrimination Law: Cases and Materials, Sixth Edition (2006)

Arthur B. Smith, Jr., Esq., Ogletree, Deakins, Nash, Smoak & Stewart, Chicago, IL

Charles B. Craver, Freda H. Alverson Professor of Law, The George Washington University Law School

Leroy D. Clark, *Professor of Law*, The Catholic University of America, Columbus School of Law

Changes in the area of employment discrimination law, since publication of earlier editions of this book, have refined many of the substantive doctrines and continued to clarify procedural issues. A number of relevant decisions have explored the scope of protection provided by the ADA, while others have focused on the extent to which Title VII proscribes sexually harassing behavior. The Sixth Edition of **Employment Discrimination Law** retains the organizational structure of the prior edition, because casebook users have indicated that this arrangement provides a logical sequence for pedagogical purposes.

- Chapter 1 considers the economic, social, and psychological ramifications of employment discrimination;
- Chapter 2 covers the discriminatory treatment and disparate impact proof constructs to explicate the basic evidentiary doctrines that are applicable to the substantive chapters that follow:
- Chapter 3 covers Title VII protectionism with the cases arranged by race / color, religion, gender (including sexual orientation), national origin, and retaliation;
- Chapter 4 considers the non-Title VII anti-discrimination protections afforded by the Constitution, the nineteenth century Civil Rights Acts, labor relations statutes, the equal pay act, Executive Order 11,246, Federal Civil Service laws, the Age Discrimination in Employment Act, the Rehabilitation Act, the Americans with Disabilities Act, the Immigration Reform and Control Act, and other relevant enactments;
- Chapter 5 explores state Fair Employment legislation;
- Chapter 6 discusses the procedural rules applicable to employment discrimination cases;
- Chapter 7 examines the scope and legality of affirmative action programs required of federal contractors; and
- Chapter 8 explores the remedies available to victims of unlawful employment discrimination.

Pub. No. 3041 / ISBN 9780820570204 (Retail Price \$113.00 / Wholesale Price \$90.40) / Documentary Supplement ISBN 9780820570907 (Employment Discrimination Law: Selected Statutes and Regulations) (Retail Price \$24.00 / Wholesale Price \$19.20) / Supplement

Understanding Employment Discrimination, Second Edition (2008)



Thomas R. Haggard, *Distinguished Professor Emeritus of Law*, University of South Carolina School of Law

Employment discrimination law is like a huge jigsaw puzzle—albeit one with many missing and mismatched pieces, which are constantly being changed. The purpose of **Understanding Employment Discrimination Law** is to clarify the differences, uncertainty, and complexity of employment discrimination law. The Second Edition deals with all the watershed Supreme Court decisions since 2002 and otherwise expands and updates the coverage of the prior edition.

Pub. No. 1191 / ISBN 9781422422649 (Retail Price \$37.00 / Wholesale Price \$24.79)

EMPLOYMENT LAW

Employment Law: Cases and Materials, Fourth Edition (2007)

Berkeley School of Law



Steven L. Willborn, *Dean & Richard C. and Catherine Stuart Schmoker Professor of Law,* University of Nebraska College of Law

Stewart J. Schwab, Allan R. Tessler Dean & Professor of Law, Cornell Law School

John F. Burton, Jr., *Professor Emeritus*, Rutgers, The State University of New Jersey, School of Management and Labor Relations Gillian L. L. Lester, *Professor of Law*, University of California at

Employment law continues to be an exciting and fast-moving area of law, in both the courts and academia. Throughout this well-received book, the authors address the proper roles of economic incentives and legal regulations in achieving desirable outcomes in the workplace, encourage students to question common assumptions underlying authority in the workplace, discuss simple rules and effective rules and their contrast, and examine the varied legal responses to problems in the workplace. Adaptable to a three- or four-hour course, this casebook contains few internal cross-references so that chapters can be taught out of sequence without damage to the overall integrity of the course.

The Fourth Edition of **Employment Law: Cases and Materials** includes a new chapter on leave time, a revamped section on enforcement, and reflects changes necessitated by new developments in employment law. In the area of new developments, the Fourth Edition includes the *Desert Palace* and *Jesperson* decisions, considers Enron and the Pension Protection Act of 2006, and includes new materials on whistleblowing and Sarbanes-Oxley.

The Teacher's Manual is designed to facilitate the creation of a customized course, with suggestions for emphasizing or de-emphasizing particular areas of the course. The authors include assignment suggestions for each section of the casebook. Each assignment is designed to provide materials for the standard 50-minute classroom session. The authors have also prepared a companion statutory supplement, **Employment Law: Selected Federal and State Statutes**, tracking the structure of the casebook.

Pub. No. 3044 / ISBN 9780820570891 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425879 (Retail Price \$74.00 / Wholesale Price \$59.20) / Statutory Supplement ISBN 9780820570914 (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual / Online Supplement available at http://www.unl.edu/employ/index.html

Work Law: Cases and Materials (2005)

Marion G. Crain, *Paul Eaton Professor of Law & Director, Center on Poverty, Work, and Opportunity*, University of North Carolina School of Law

Pauline T. Kim, John S. Lehmann Research Professor & Professor of Law, Washington University in St. Louis School of Law Michael L. Selmi, Professor of Law, The George Washington University Law School

This text is intended as the foundation for a survey course in Employment Law for teachers who wish to emphasize the significance of conceptualizing rights at work individually as opposed to collectively, to highlight the significance of workforce diversification along gender, racial, and ethnic lines, and to query whether workplace disputes should be privatized (resolved through individual contract or collective bargaining) or publicized (resolved by courts and legislatures).

Work Law presents the law of work in holistic fashion, illuminating the common themes running through employment law, labor law, and employment discrimination law. The text is organized around five core themes of conflict in the workplace:

- Job security versus flexibility (common law modifications on the at-will rule);
- Dignity versus commodification (privacy issues in the workplace);
- Voice versus control of production and property (employee speech rights, both individual and collective);
- Freedom from discrimination versus flexibility (antidiscrimination law); and
- Tension between preferences for private ordering through contract and the need for a social safety net (minimum standards legislation through wage and hour law, employee benefits, worker health and safety, and workers' compensation).

The authors assume no knowledge of labor law, and advert to labor law principles at a policy level rather than at a doctrinal level. Statutory provisions are incorporated into the text at relevant points.

The Teacher's Manual is designed to augment the text and to assist teachers in structuring the course to fit three- or four-credit formulations, to recommend ways in which more in-depth coverage can be achieved in particular areas (including problem materials for some segments), and to furnish background information and guidance on pedagogical resources that can help to bring the course alive for students.

Pub. No. 3191 / ISBN 9780820569949 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422418352 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Understanding Employment Law (2007)



Richard A. Bales, *Associate Dean of Faculty*Development & Professor of Law, Northern Kentucky
University, Salmon P. Chase College of Law

Jeffrey M. Hirsch, Associate Professor of Law, University of Tennessee College of Law

Paul M. Secunda, Jessie D. Puckett, Jr. Lecturer & Assistant Professor of Law, The University of Mississippi School of Law

Understanding Employment Law strikes a balance between comprehensiveness and selectivity. It provides the substantive material needed to succeed in practice and in the classroom and on final examinations, without overwhelming the reader with details that are unduly esoteric or tangential. The book begins first with common-law employment doctrines such as employment-at-will, employment contracts, employment torts, workplace privacy issues, and restrictive covenants. It then turns to federal and state statutory regulation of the workplace, covering topics such as compensation (including wage and hour legislation and unemployment insurance), employee benefits (including leave time, pensions, and health insurance), and workplace safety legislation.

Pub. No. 3231 / ISBN 9780820570532 (Retail Price \$37.00 / Wholesale Price \$24.79)

ENTERTAINMENT LAW

Entertainment Law, Third Edition (2003)

Melvin Simensky, Visiting Scholar in Intellectual Property, New York Law School

Thomas D. Selz, *Lecturer-in-Law*, Columbia Law School Robert C. Lind, *Professor of Law*, Southwestern Law School Barbara Burnett, Esq.

Charles A. Palmer, *Professor of Law*, Thomas M. Cooley Law School

F. Jay Dougherty, Professor of Law, Loyola Law School Los Angeles

This unique casebook emphasizes the business aspects of the entertainment industry, especially its economic risks. While including important cases, the book also provides numerous excerpts from trade publications, such as Variety®, to teach the practical aspects of entertainment law. Such material is more interesting to read, more current, and more directly relevant to entertainment law practice. Entertainment Law contains a hypothetical that runs throughout the book, covering a fictional client who pursues deals in all branches of the entertainment industry-music, film, television, theater, book publishing and the Internet. Students are provided opportunities to develop relevant practical drafting and negotiating skills. The abundance of material in the accompanying **Document Supplement** provides a wide selection of contracts from which to choose for class discussion, and allows instructors to devise numerous hypotheticals in addition to those provided in the casebook.

Pub. No. 166 / ISBN 9780820557250 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425664 (Retail Price \$68.00 / Wholesale Price \$54.40) / Document Supplement ISBN 9780820542607 (Retail Price \$40.00 / Wholesale Price \$32.00)

ENVIRONMENTAL LAW

International Environmental Law: Cases, Materials, and Problems (2007)



Donald K. Anton, *Senior Lecturer*, The Australian National University College of Law

The late Jonathan I. Charney

Philippe Sands, *Professor of Law*, University College London Thomas J. Schoenbaum, *Visiting Research Professor of Law*, The George Washington University Law School / *Professor of International Studies*, International Christian University, Tokyo / Dean Rusk Professor Emeritus, University of Georgia School of Law

Michael K. Young, President, University of Utah

International Environmental Law: Cases, Materials, and Problems provides a contemporary overview of this rapidly

expanding field of law. It is designed to foster critical thinking about the subject as a whole and the precise details of particular "real world" problems. The problem-centered nature of the text encourages students to discern issues and to reflect on the application of a wide range of pertinent materials, both in the text and accompanying **Documentary Supplement**, to complex situations. It hones the skills of analysis and synthesis in a way that rote learning of doctrine cannot.

The authors include a wide range of documents and readings from diverse disciplines that interact with formal legal materials to form a web of intertwined and related ideas and events. Problems and materials have been designed to enable students to master the historical development, legal doctrine, contemporary problems and institutional structures that affect the protection, conservation, and sustainable development of the shared global environment.

International Environmental Law comprises two complementary sections. Part One provides a basic analytical framework that students will need in order to work through any particular international environmental problem. Part Two focuses on challenges for law in international environmental protection using a variety of contemporary problems involving pollution, climate change, the marine environment, polar regions, biological diversity, fresh water sources, and synergies between international trade and the environment.

This book will help students interested in practicing in the field to work effectively and with critical reflection in a variety of roles involving international environmental law and policy, including: international lawyer, government advisor, in-house counsel, policy analyst, and activist in a non-governmental organization.

Pub. No. 3066 / ISBN 9780820545226 (Retail Price \$127.00 / Wholesale Price \$101.60) / Documentary Supplement ISBN 9780820564364 (Retail Price \$38.00 / Wholesale Price \$30.40)

Environmental and Natural Resources Law, Second Edition (2005)



Third Edition Scheduled to be Available for Review in Summer 2008

Eric Pearson, Professor of Law, Creighton University School of Law

Taken in its expansive sense, "environmental and natural resources law" encompasses pollution control law, energy allocation and conservation law, species and habitat protection, common law property rights, and a host of other areas. Often, this massive body of legal material is divided into two courses, the Environmental Law course dealing primarily with pollution control and the Natural Resources course covering the remainder. This casebook combines the two areas.

As a survey course, the expansion of subject matter coverage allows the student a fuller understanding of the "playing field" and the generic issues that arise across this wide spectrum

of material. The wider coverage, moreover, should suit both students who want a once-through general understanding of this area of the law as well as those seeking a foundation for more intense future study. **Environmental and Natural Resources Law** is divided into three parts:

- First, the book presents "foundational" material, which
 includes information on common law remedies, federalism
 issues, and a bit of the history of the environmental movement
 that has led to the current network of legal controls.
- Next, the book covers natural resources law, including the National Environmental Policy Act, the Endangered Species Act, and the public trust doctrine. Also included is optional coverage of federal lands and water rights.
- Finally, the book surveys pollution control and remediation, discussing the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, and the "Superfund" law (CERCLA) in successive chapters.

Environmental and Natural Resources Law concentrates on the mechanics of regulatory programs so that students may learn how to read and understand complex statutes, why regulatory initiatives have come into being, and how the various regulatory programs are structured.

Pub. No. 3145 / ISBN 9780820562414 (Third Edition ISBN 9781422424018) (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426005 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820553771 (Environmental and Natural Resources Law: Selected Statutes and Regulations) (Third Edition ISBN 9781422423905) (Retail Price \$40.00 / Wholesale Price \$32.00) / Teacher's Manual

Environmental Law, Fourth Edition (2000)

Frank P. Grad, *Joseph P. Chamberlain Professor Emeritus* of *Legislation*, Columbia Law School Joel A. Mintz, *Professor of Law*, Nova Southeastern University, Shepard Broad Law Center

The Fourth Edition of **Environmental Law** provides a contemporary treatment of the current environmental law issues, while retaining the classic environmental law cases. In the tradition of prior editions, the authors sparingly edit judicial opinions, to provide not only the substance of the case, but also the court's mode of expression and the full ambience of the decision in its original legal context. Notes and questions interspersed throughout the text stimulate classroom discussions of significant issues and topics.

The doctrinally balanced treatment and organization of the materials promotes optimal teaching flexibility. The authors have purposely avoided casting the work in any particular doctrinal or theoretical perspective. The primary objective is to familiarize students with the major areas of the law and to provide them

with a sound basis for analyzing the complex legislation and legal materials of the field. To accommodate individual course structures, the chapter sequence allows faculty to rearrange major topics and chapters in whatever way is most useful. Topics frequently cross-reference Grad's *Treatise on Environmental Law* for those wishing to pursue some topics in greater detail. **Environmental Law**, however, remains very comprehensive in its treatment of each of the relevant subject areas.

This Fourth Edition includes significant developments on standing to sue, citizen suits, the application of NEPA, land use controls, application of the Fifth Amendment to regulatory takings, Superfund law, the new field of environmental justice, and new modes of environmental enforcement not relying entirely on command and control. This book also addresses new environmental concerns such as the control of ozone-layer-depleting gases, the control of acid depositions, and other emerging problems in the control of air toxins.

Pub. No. 328 / ISBN 9780820541334 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Environmental Protection and Justice: Readings on the Practice and Purposes of Environmental Law, Third Edition (2007)



Kenneth A. Manaster, *Professor of Law*, Santa Clara University School of Law

Environmental Protection and Justice is unique. It combines a broad perspective on the ethical and practical dimensions of environmental law, and a specific focus on environmental justice controversies. Because of its diverse selection of readings, coordinated with realistic hypothetical problems and provocative questions, the book is suitable for use either as a principal course text or in a supplementary role.

The book's environmental justice materials have been expanded for this Third Edition, creating an extensive, up-to-date, yet concise selection. In the broader environmental policy and practice materials as well, this edition refines and builds upon the previous editions with important recent developments and emerging issues. Among the many topics enhanced in this way are climate change developments, including the Supreme Court's recent decision in *Massachusetts v. EPA*; market-based incentives for environmental improvement; the Sarbanes-Oxley Act; EPA's Environmental Audit Policy; Superfund settlements' posting of environmental records on the Internet; and administration and judicial developments under the Presidential Executive Order on Environmental Justice and Title VI of the Civil Rights Act.

Pub. No. 3588 / ISBN 9781422411599 (Retail Price \$42.00 / Wholesale Price \$33.60)

Environmental Decisionmaking, Third Edition (2000)

Robert L. Fischman, *Professor of Law*, Indiana University School of Law—Bloomington

Mark S. Squillace, *Professor of Law & Director, Natural Resources Law Center*, University of Colorado School of Law

This volume contains background material for an introductory environmental law class and more detailed material for a study of the National Environmental Policy Act and the Endangered Species Act. This edition also incorporates material on the National Historic Preservation Act. The problems in this book both explore new issues raised in the chapter at hand and synthesize previous material for practical application. Each problem can be used as the framework for an entire class discussion. Close scrutiny of the text of the applicable statutes and regulations is indispensable to the study of Environmental Law and the companion **Statutes and Regulations Appendix** contains the text of NEPA, the ESA, and many of their most important implementing regulations. The **Statutes and Regulations Appendix** also contains the widely used "Forty Questions" CEQ guidance on NEPA.

Pub. No. 3537 / ISBN 9780870843082 (Retail Price \$50.00 / Wholesale Price \$40.00) / Statutory Appendix ISBN 9781583607640 (Environmental Decisionmaking: Statutes and Regulations, Third Edition) (Retail Price \$13.00 / Wholesale Price \$10.40)

Air Pollution, Third Edition (1999)

Mark S. Squillace, *Professor of Law & Director, Natural Resources Law Center*, University of Colorado School of Law David R. Wooley, Esq., Vice President for Domestic Policy Initiatives, The Energy Foundation, San Francisco, CA

The Third Edition of **Air Pollution** offers a comprehensive update of air pollution law in a traditional casebook format. Included, for example, are extensive references to the new ambient air quality standards for ozone and particulate matter, new materials on stationary source standards, including the ${\rm SO}_2$ emissions trading program, and excerpts from the Kyoto Protocol on Climate Change. This edition also includes extensive references to air pollution resources available on the Internet.

Pub. No. 3539 / ISBN 9781422419199 (Retail Price 55.00 / Wholesale Price 44.00 / Online Supplement

Water Pollution, Third Edition (1998)

Jackson B. Battle, Esq., Brown McCarroll & Oaks Hartline Maxine I. Lipeles, *Professor of Law & Director of Interdisciplinary Environmental Clinic*, Washington University in St. Louis School of Law and School of Engineering and Applied Science

This book is designed for use in a course or seminar devoted to water pollution. Part I provides an introductory overview of the Clean Water Act and addresses "waters of the United States" and point sources and pollutants. Part II focuses on the NPDES program by addressing technology-based standards for existing sources, new source standards of performance, water quality standards, variances, POTWs and pretreatment programs, NPDES permitting, storm water discharges, and government enforcement and citizen suits. Part III focuses on nonpoint source pollution, dredge and fill programs, oil spills, and common law remedies.

Pub. No. 3538 / ISBN 9780820569666 (Retail Price \$55.00 / Wholesale Price \$44.00)

Hazardous Waste, Third Edition (1997)

Maxine I. Lipeles, *Professor of Law & Director of Interdisciplinary Environmental Clinic*, Washington University in St. Louis School of Law and School of Engineering and Applied Science

This book focuses individually on RCRA and CERCLA in considerable detail, and then addresses the relationship between the two laws. **Hazardous Waste** closes with a chapter on pollution prevention, which encompasses a variety of efforts to reduce the volume and toxicity of wastes. The problems interspersed throughout this book help students to obtain the valuable experience of working through practical problems with close attention to the relevant statutory and regulatory provisions.

Pub. No. 3540 / ISBN 9780820570051 (Retail Price \$55.00 / Wholesale Price \$44.00)

Environmental Law and Business: Cases and Materials (1994)

Elizabeth Glass Geltman, Esq., Washington, DC

This book covers several areas in which environmental law plays a large part in the planning and execution of transactions. Liabilities of participating parties are examined from the viewpoints of several parties including the lender, trustee, and employer. **Environmental Law and Business** examines shifting of risk through insurance in light of standard terms in the insurance contract. Addressing risk allocation techniques and

the environmental audit, among other topics, shows the restrictions that environmental regulations place on the basic structure and operation of corporate law.

Pub. No. 3046 / ISBN 9780820569659 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual / Online Supplement

Understanding Environmental Law, Second Edition (2008)



Philip Weinberg, *Professor of Law*, St. John's University School of Law

Kevin A. Reilly, Esq., *Principal Appellate Court Attorney*, New York State Supreme Court, Appellate Division, First Department / *Adjunct Professor of Law*, St. John's University School of Law / *Adjunct Professor*, Pace University Graduate Program in Environmental Science

This *Understanding* treatise provides a comprehensive overview of environmental and land use law in the United States. While a major focus of **Understanding Environmental Law** is the federal framework of U.S. environmental law, many chapters include coverage of state-specific laws as well. Topics addressed include:

- The role the United States Constitution plays as to laws protecting the environment;
- Policy issues affecting environmental law, such as the need to balance economic factors against specific environmental costs:
- Common law causes of action in the environmental arena, including toxic torts;
- Environmental quality review issues that arise under the National Environmental Policy Act (NEPA) and state equivalents to NEPA;
- Air and water pollution laws, including laws protecting wetlands and coastal areas;
- Solid and hazardous waste laws and regulations and remediation of hazardous waste sites;
- Endangered species laws including international controls applicable to endangered species; and
- International environmental legal issues, including treaties, global climate change, and ozone layer protection.

Pub. No. 848 / ISBN 9781422417393 (Retail Price \$37.00 / Wholesale Price \$24.79)

An Environmental Law Anthology (1996)

Robert L. Fischman, *Professor of Law*, Indiana University School of Law—Bloomington

Maxine I. Lipeles, *Professor of Law & Director of Interdisciplinary Environmental Clinic*, Washington University in St. Louis School of Law and School of Engineering and Applied Science

Mark S. Squillace, *Professor of Law & Director, Natural Resources* Law Center, University of Colorado School of Law

This anthology surveys the rich body of scholarship and commentary generated by pollution and natural resources management issues. It is organized along the central and recurring themes that cut across many statutory, regulatory, and judicial debates. **An Environmental Law Anthology** is designed for a number of uses. It can provide supplemental reading for a traditional Environmental Law class. Another pedagogic use of this anthology is to introduce non-law students to the core questions of environmental policy without having to wade through technical legal material. Students with backgrounds in environmental studies, the natural sciences, engineering, political science, economics, philosophy, policy analysis, and public health will all find some common ground in the excerpts and notes.

Pub. No. 3587 / ISBN 9780870840098 (Retail Price \$39.00 / Wholesale Price \$31.20)

Manual of Oil and Gas Terms, Thirteenth Edition (2006)

Howard R. Williams, Robert E. Paradise Professor of Natural Resources Law, Emeritus, Stanford Law School

The late Charles J. Meyers

Patrick H. Martin, Campanile Professor of Mineral Law, Louisiana State University, Paul M. Hebert Law Center

Bruce M. Kramer, Maddox Professor of Law, Texas Tech University School of Law

A handy desk reference, this softcover volume provides more than 5,600 precise definitions of legal, engineering, and tax terms related to the oil and gas industry. These definitions are based, wherever possible, on actual cases. The **Manual of Oil and Gas Terms** also provides annotations to statutes, cases, books, and law review articles as well as a comprehensive survey of new terms and recent colloquialisms.

Pub. No. 821 / ISBN 9781422407974 (Retail Price \$129.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

Questions & Answers: Environmental Law (2007)



Dru Stevenson, Associate Professor of Law, South Texas College of Law

This study guide uses approximately 250 multiple-choice and short-answer questions to test your students' knowledge of environmental law doctrine. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A:**Environmental Law also includes a comprehensive topical index.

Pub. No. 3232 / ISBN 9781422406403 (Retail Price \$27.00 / Wholesale Price \$18.09)

ESTATE, GIFT, AND TRUST LAW

See also Taxation

Fundamentals of Trusts and Estates, Third Edition (2007)



Roger W. Andersen, *Professor Emeritus of Law*, University of Toledo College of Law

Ira Mark Bloom, Justice David Josiah Brewer Distinguished Professor of Law, Albany Law School

The updated version of this innovative casebook contains numerous notes, questions, and problems that illuminate both the human and the doctrinal dramas, often by placing students in various roles. These problems and questions help students develop skills and values to carry throughout their professional lives. In addition, **Fundamentals of Trusts and Estates** includes excerpted readings, bibliographical references, sample documents, and provisions from Uniform Codes, Restatements, and other primary sources. Policy debates, ethical issues, and practical considerations are woven throughout the material.

The first chapter provides overviews of the wealth transfer and the transfer tax systems. Chapters on intestacy and wills develop the basic doctrines upon which the system depends. To facilitate an understanding of the law's movement toward integration, will substitutes are covered before discussing the problems caused by changed circumstances and the devices for protecting the family. Coverage of problems involving planning for incapacity serves as a bridge to coverage of trust doctrine expanded to highlight recent developments. **Fundamentals of Trusts and Estates** closes with topics traditionally designated as "future interests," as well as a chapter on fiduciary administration.

The Third Edition of this book presents generally traditional material in a more efficient, contemporary format. Various graphics help to illustrate legal principles and breathe life (and sometimes humor) into this subject. The accompanying Teacher's Manual includes an electronic adjunct containing classroom graphics.

Pub. No. 736 / ISBN 9781422411766 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422421574 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual (with PowerPoint® Slides)

Understanding Trusts and Estates, Third Edition (2003)

Roger W. Andersen, *Professor Emeritus of Law*, University of Toledo College of Law

This volume takes into account recent developments while retaining the structure of earlier editions of **Understanding Trusts** and **Estates**. The principal changes involve revisions to the tax chapter in light of Congress's decision to phase out the estate tax and integration of the Uniform Trust Code into discussions of topics it covers.

Pub. No. 728 / ISBN 9780820557267 (Retail Price \$37.00 / Wholesale Price \$24.79)

Federal Wealth Transfer Tax Anthology (1998)

Paul L. Caron, Associate Dean of Faculty & Charles Hartsock Professor of Law, University of Cincinnati College of Law Grayson M.P. McCouch, Professor of Law, University of San Diego School of Law

Karen C. Burke, Warren Distinguished Professor of Law, University of San Diego School of Law

This anthology is designed to be used both as a source of supplemental readings in the Estate and Gift Tax course and as a primary text in Tax Policy seminars. In selecting the materials included in this anthology, the editors sought to emphasize the classic writing in the field while at the same time include a sampling of recent tax scholarship.

Pub. No. 3593 / ISBN 9780870842801 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Wills, Trusts, and Estates, Second Edition (2008)



Thomas M. Featherston, Jr., *Mills Cox Professor of Law*, Baylor University Law School

Michael Hatfield, Associate Professor of Law, Texas Tech University School of Law

The primary purpose of this \mathbf{Q} & \mathbf{A} title is to test the student's understanding of the law governing Wills, Trusts, and Estates. This book supplements standard casebooks in the area and includes questions and answers in twelve main subject areas that correspond to basic topics covered in a typical Wills, Trusts, and Estates course. When answering most questions, this book challenges the student to:

- Identify the type of disposition in question (testamentary, inter vivos, nonprobate, etc.);
- Identify the parties involved (transferor, transferees, creditors, assignees, etc.);
- Determine the effective date of the disposition (date of delivery, date of death, date of possession, etc.);
- Understand the issue presented (who gets what, when, and how); and
- Apply to the facts the appropriate substantive principle (the relevant statute or case law precedent).

Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Wills, Trusts, and Estates** also includes a comprehensive topical index.

Pub. No. 3186 / ISBN 9781422417454 (Retail Price \$27.00 / Wholesale Price \$18.09)

EVIDENCE

Evidence: The Objection Method, Third Edition (2007)



Dennis D. Prater, Connell Teaching Professor of Law, University of Kansas School of Law

Daniel J. Capra, *Philip Reed Professor of Law*, Fordham University School of Law

Stephen A. Saltzburg, Howrey Professor of Trial Advocacy, Litigation, and Professional Responsibility, The George Washington University Law School

Christine M. Arguello, *Adjunct Professor*, University of Colorado School of Law / *Chief Deputy Attorney General*, State of Colorado

This stimulating casebook presents the study of evidence in the context of the trial. A unique feature of this casebook is the wealth of problems based on transcripts. These simulation exercises allow students to master the Rules of Evidence as well as the art of objection and argument. Special attention is paid to the amendments to the Federal Rules of Evidence that went into effect on December 1, 2000, and those that went into effect on December 1, 2006. Professor Capra, the Reporter to the Judicial Conference Advisory Committee on Evidence Rules, was the principal author of those amendments and the accompanying Committee Notes. Where possible, the Reporter's perspective on the amendments has been emphasized. The important topics of expert testimony and privileges have been completely revised to take account of their increasing dominance in evidentiary development.

The Third Edition has extensive treatment of the Supreme Court's recent jurisprudence on the Confrontation Clause—*Crawford* and *Davis*—and the important recent developments in the lower courts in determining the scope of *Crawford*. Special attention is also given to waiver of attorney-client privilege in the era of electronic discovery, and proposed Rule 502 of the Federal Rules of Evidence, written by Professor Capra. The appendices to the Third Edition of **Evidence: The Objection Method** include:

- · The full text of the Federal Rules of Evidence, as amended; and
- Advisory Committee Notes for each Rule.

Pub. No. 3052 / ISBN 9781422411773 (Retail Price \$125.00 / Wholesale Price \$100.00) / Looseleaf ISBN 9781422425893 (Retail Price \$75.00 / Wholesale Price \$60.00) / Teacher's Manual / Annual Supplement

Evidence: Teaching Materials for an Age of Science and Statutes, Sixth Edition (2007)



Ronald L. Carlson, Fuller E. Callaway Chair of Law Emeritus, University of Georgia School of Law

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

Edward J. Kionka, *Professor of Law Emeritus*, Southern Illinois University School of Law

Kristine Strachan, *Dean & Professor of Law (Retired)*, University of San Diego School of Law

Judge Calabresi has pointed out that this is the Age of Statutes, and some commentators have asserted that trial by jury is becoming trial by expert. Therefore, competent attorneys must be adept at working with scientific material and at interpreting statutes. The Sixth Edition of this casebook again enables students to learn how to use materials generated by scientific researchers and to develop statutory interpretation skills. The authors emphasize scientific problems, with repeated references to *Daubert* and its progeny. Evidentiary doctrine coverage is reduced, to allow for deeper treatment of the science behind much of the evidence presented in modern trials. This Sixth Edition, even more so than previous editions, uses scientific research to critique the underlying assumptions of evidence

law. Throughout the text, the Sixth Edition stresses statutory construction skills, and at appropriate points it discusses the contrast between the textualist and legal process schools of legisprudence.

Pub. No. 3051 / ISBN 9781422407882 (Retail Price \$123.00 / Wholesale Price \$98.40) (includes **Statutory Appendix: The Federal Rules of Evidence**) / Looseleaf ISBN 9781422425886 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual / Annual Supplement

Principles of Evidence, Fifth Edition (2007)



The late Irving Younger
Michael Goldsmith, Woodruff J. Deem Professor of Law,
Brigham Young University, J. Reuben Clark Law School
David A. Sonenshein, Professor of Law, Temple University,
James E. Beasley School of Law

Principles of Evidence provides students with an enriched blend of cases, rules, and scholarly and trial excerpts which connect theory and practice for courtroom evidence. To attain this goal, the authors have supplemented the traditional case method in two significant ways:

- First, because the law of evidence has engendered a vast and rich literature, the authors have drawn extensively, but selectively, on these scholarly writings to provide the initial insight and sense of perspective on the principles of evidence.
 Each article excerpt is chosen for its ability to concisely explain the evidentiary rule.
- Second, the authors have included numerous transcript materials from celebrated trials. These transcript excerpts from cases like the trials of Lizzie Borden, O.J. Simpson, John Scopes, Alger Hiss, the Rosenbergs, Charles Manson, and Sacco and Vanzetti bring evidence theory to life in the courtroom. These excerpts enable students to see how the foundations are laid and objections made.

The Fifth Edition of **Principles of Evidence** is now accompanied by a Teacher's Manual. The Teacher's Manual provides a general statement of the law, detailed explanation of the cases, and teaching tips for focusing classroom discussion on the transcript excerpts.

Pub. No. 3562 / ISBN 9780820570273 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

Evidence Law and Practice, Third Edition (2007)



Steven I. Friedland, *Professor of Law & Senior Scholar*, Elon University School of Law

Paul Bergman, *Professor of Law Emeritus*, University of California at Los Angeles School of Law

Andrew E. Taslitz, *Professor of Law*, Howard University School of Law

Evidence Law and Practice breaks with tradition to provide both a theoretical and practical understanding of the Federal Rules of Evidence. Under the principle that learning is most effective when it is both challenging and fun, the book includes numerous courtroom-based problems, both to facilitate the students' theoretical understanding of the rules and to develop their ability to apply evidence rules in practice.

The book consistently provides examples, practice hints, explanations and illustrations in the form of mini-transcripts. Each chapter begins with a checklist of important questions to be addressed for each subject area, followed by the pertinent provisions of the Federal Rules of Evidence, a subject overview, illustrations, examples, and problems. While appellate court opinions are not the primary text of **Evidence Law and Practice**, the ways that judges discuss evidence rules are important and a useful basis for classroom discussions. Consequently, many chapters provide a "library" of important opinions. Features of the Third Edition include:

- Reorganized hearsay chapters, reflecting the U.S. Supreme Court's most recent Confrontation Clause rulings;
- Additional text and problems focusing on the role of evidence rules in pretrial procedures;
- "Practical tips" illustrating how advocates can use evidence rules effectively;
- Enhanced opportunities for classroom role-play exercises;
- Explanations of the latest amendments to the Federal Rules of Evidence:
- Dramatic photo stills from courtroom films, and a variety
 of problems, including problems based on courtroom films
 (giving instructors the option to show the scenes on which
 the problems are based in class).

The Teacher's Manual provides answers to every problem, exercise, and role-play. It also includes excerpts from recent scholarship on cutting-edge issues, answers (with explanations) to multiple-choice questions, and teaching hints.

Pub. No. 3118 / ISBN 9781422418819 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421543 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Evidence: Cases, Materials, and Problems, Third Edition (2006)

Paul F. Rothstein, *Professor of Law*, Georgetown University Law Center

Myrna S. Raeder, *Professor of Law*, Southwestern Law School David Crump, *John B. Neibel Professor of Law & Director of CLE*, University of Houston Law Center

The Third Edition of Evidence: Cases, Materials, and Problems is predicated more than ever on the notion that the Federal Rules of Evidence, their state progeny, and cases arising under them, are the major factors in the teaching of Evidence today. The authors have made some changes to build the book more explicitly around the Rules. Interesting or informative cases or materials from other jurisdictions or the common law are still included where those materials shed light on an issue or impart perspective by showing other ways of doing things. For instance, the significant differences such as those in California are highlighted while the authors still use the Federal Rules as the basic organizing principle for this edition.

Within each of the topics throughout the book, the authors have introduced some organizational innovations. Each topic usually opens with a box containing the text of the appropriate Federal Rule of Evidence (or, in the cases of particular privileges, the Uniform Rule of Evidence codifying the privilege) in order to focus attention and to provide a "rudder." This box is followed by a brief background explanation of the area, if needed. Then come some essential and teachable cases and other primary materials, each usually followed by a set of expository notes (including some questions) exploring permutations and implications, and finally some problems testing whether students can apply or critique what they have learned and integrate it with other topics and rules where necessary. Each note, question, or problem has a heading indicating what it treats, so that professors are able to identify the subjects they wish to cover, while students receive direction about the intended focus of each inquiry. All decisions cited by the authors in textual passages, notes, questions, and problems are followed by at least a few words describing the holding.

The materials in this book cover a wide range of perspectives from intensely pragmatic concerns, through deeply philosophical policy issues, to new approaches to evidentiary analysis. Included are textual explanations, rules, cases, notes, questions, problems, jury instructions, articles, proposals, legislation, and excerpted testimony. Assignments may be tailored to suit the teacher's own preferences on how best to approach Evidence in an introductory course.

Pub. No. 447 / ISBN 9780820563589 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421604 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Evidence: Common Law and Federal Rules of Evidence, Fifth Edition (2005)

Paul R. Rice, *Professor of Law*, American University, Washington College of Law

Roy A. Katriel, *Adjunct Professor of Law*, American University, Washington College of Law

In the same tradition of prior editions, this Fifth Edition examines and presents each evidence topic in the following format:

- Common Law: The authors introduce this topic through narrative explanations of the common-law principles.
- Federal Rules of Evidence: This edition presents the applicable Federal Rule of Evidence with a brief overview of how that rule changed the common law. Judicial opinions exploring contemporary issues then follow. This portion of the materials most closely resembles the classical law school casebook.
- Relationship to Other Rules: At the end of each topic, the discussion centers on how the rule under study is part of a larger cohesive code and works in conjunction with other rules
- Problems: To broaden students' learning experience and give them an opportunity to test the level of their understanding of basic principles, each subject area ends with hypotheticals taken from recent cases.

Because the subject of evidence is large and complex, this book is purposely comprehensive and all-inclusive in terms of case dicta, author commentary, and the breadth of issues (including constitutional issues) arising under each rule. The opinions are often longer and occasionally include transcript excerpts from the trial, to give students a better understanding of the substantive and procedural contexts in which these issues arise. In addition, the text itself answers all of the questions it poses.

This new edition examines the Supreme Court's new approach to the right of confrontation announced in *Crawford v. Washington*, and its impact on the admissibility of hearsay in criminal cases. It also incorporates a changing view on the assertive / nonassertive distinction to the definition of hearsay announced by the lowa Supreme Court in *Iowa v. Dillard*. The chapter on opinion evidence has been reorganized to facilitate a better understanding of the gate-keeping function announced by the Supreme Court in *Daubert v. Merrell Dow Pharmaceuticals, Inc.* and *Kumho Tire Co. v. Carmichael*. The illogic of, and difficulties spawned by, Rule 703 are also expanded. Digital evidence issues are analyzed, and problems discovered in the Multidistrict Microsoft Litigation with the assertion of privilege claims for e-mail communications are briefly examined.

Pub. No. 649 / ISBN 9780820562094 (Retail Price \$125.00 / Wholesale Price \$100.00) (includes Appendix ISBN 9780820562117 (Evidence: Common Law and Federal Rules of Evidence Appendices: Federal Rules of Evidence and Deleted Privilege Rules)) / Looseleaf ISBN 9781422425732 (Retail Price \$75.00 / Wholesale Price \$60.00) / Teacher's Manual

Criminal and Scientific Evidence: Cases, Materials, Problems, Second Edition (2002)

Robert J. Goodwin, *J. Russell McElroy Professor of Law*, Samford University, Cumberland School of Law Jimmy Gurulé, *Professor of Law*, Notre Dame Law School

This unique casebook focuses on the application of the rules of evidence in criminal cases. The Second Edition includes a significant amount of new material on the *Daubert* trilogy and its progeny as well as the most recent approaches to the use of DNA evidence in criminal cases. **Criminal and Scientific Evidence** is divided into two distinct parts:

- One part examines forensic, scientific, and expert evidence issues.
- The other part covers the application in criminal cases of more traditional evidentiary issues, such as character evidence, hearsay, and impeachment.

The materials are designed for flexibility so that the casebook can be used for an advanced Evidence course that focuses on expert and scientific evidence or for a course that covers core evidentiary issues in criminal litigation.

Pub. No. 3030 / ISBN 9780820554303 (Retail Price \$96.00 / Wholesale Price \$76.80) / Teacher's Manual

Evidentiary Foundations, Seventh Edition (2008)



Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

Covering all major evidentiary doctrines, this work provides a blueprint for introduction of evidence at trial. It enables the student to convert a sentence in the Federal Rules of Evidence into a line of questioning to be used at trial. Designed as a companion to a coursebook in Evidence or in Trial Practice, Evidentiary Foundations helps the student picture the manner in which the rules of evidence operate. Initially, the book presents a short narrative discussion of the evidentiary doctrine. The discussion in the Seventh Edition refers to the most recent amendments to the Federal Rules and the most recent Supreme Court decisions on point. Evidentiary Foundations then dissects the doctrine into a list of foundational, preliminary, or predicate elements. The book finally converts that list into a set of foundational questions establishing all required elements.

Pub. No. 3054 / ISBN 9781422425145 (Retail Price \$59.00 / Wholesale Price \$47.20)

Evidence Problems and Materials, Third Edition (2007)



Steven I. Friedland, *Professor of Law & Senior Scholar*, Elon University School of Law

The rules of evidence can be effectively and directly understood through applied learning methods such as problemsolving. More than just a supplemental source of problems, this book can be used in conjunction with the federal or state Rules of Evidence and their associated legislative history as an all-purpose guide to the Rules of Evidence. Each section of **Evidence Problems and Materials** commences with a brief explanation of a particular area of evidence law, followed by problems to test understanding of the evidentiary rules and their intended meaning. Immediately prior to the conclusion of each section, cases and other statutes are presented for comparative purposes. Methods of presentation of the problems include:

- Courtroom transcript form;
- Lawyering skills settings such as qualifying an expert, distinguishing and comparing statutes; and
- Examination of identifying characteristics such as race, gender, sexual orientation, and ethnicity that may significantly affect evidentiary rulings.

The role-playing problems allow students to consider different perspectives and focus on how to persuade others to adopt those perspectives, thereby facilitating an understanding of the evidence rules and their constitutive framework, and offering a broader perspective of how the rules relate to lawyering, legal theory, and human nature.

Pub. No. 3050 / ISBN 9781422421192 (Retail Price \$55.00 / Wholesale Price \$44.00) / Teacher's Manual

Problems and Simulations in Evidence, Third Edition (2004)

Thomas F. Guernsey, *President and Dean & Professor of Law*, Albany Law School

Using both problems and simulations, this set of materials is designed to teach the reader to approach evidence in a systematic manner—to analyze both the legal doctrine and the factual setting in which that doctrine works. The problems within each chapter or section begin with basic concepts and build in complexity. The problems attempt to break a particular concept into component parts which are then individually addressed before the entire concept is addressed in more advanced problems and simulations. Many of the problems are based on or suggested by reported decisions.

Perhaps the most unique aspect of these materials is the inclusion of simulations with the problems. While many of the simulations contained in this book are meant to be completed in the classroom and involve both direct-examination and cross-examination, others involve non-courtroom situations and are

designed to be performed outside the classroom. Many of the simulations intended for performance outside the classroom are followed by questionnaires that, when answered after the exercise, provide meaningful immediate feedback on students' understanding of the evidentiary principles involved.

The Third Edition of **Problems and Simulations in Evidence** also contains two Performance Tests, which originally were written for the California Bar Examination. Considering that a majority of bar applicants in the United States now take at least one performance test during the bar examination, these Performance Tests should be a valuable resource for students.

Pub. No. 3563 / ISBN 9780820560861 (Retail Price \$42.00 / Wholesale Price \$33.60) / Teacher's Manual

Science in Evidence (1997)

D.H. Kaye, Regents' Professor of Law & Faculty Fellow, Center for the Study of Law, Science, and Technology, Arizona State University College of Law

Science in Evidence collects materials—primarily judicial opinions, legal commentary, and scientific papers—that explore the efforts of lawyers and experts to present science in evidence. The materials are intended to teach law students how the so-called rules of evidence apply to scientific evidence and how these rules change with experience, to explain the science in "scientific evidence," and to identify the conditions that contribute to the introduction of accurate or erroneous scientific findings or opinions in court. The few written rules that are special to scientific evidence are just the tip of the proverbial iceberg. The readings here also try to probe beneath the ocean's surface and to consider the forces that generate the evidence about which lawyers argue and on which courts ultimately rule.

Pub. No. 3567 / ISBN 9780820570686 (Retail Price \$37.00 / Wholesale Price \$29.60) / Online Supplement

Weinstein's Evidence® Manual (Student Edition), Eighth Edition (2007)



Jack B. Weinstein, Adjunct Professor of Law, Columbia Law School Margaret A. Berger, Suzanne J. and Norman Miles Professor of Law, Brooklyn Law School

This volume comprehensively covers the Federal Rules of Evidence. It was designed for judges, lawyers, and students who need a concise guide to the practical and theoretical information required in the court, office, and classroom. This practical guide includes incisive analysis by Judge Weinstein for each of the Federal Rules. Judge Weinstein's commentary addresses the underlying purpose of each Rule and provides practical guidance for applying each Rule. Now that the Federal Rules have been in effect for more than two decades, some clear

lines of interpretation have begun to emerge. The authors have summarized those areas and indicated places where further clarification is needed.

Pub. No. 879 / ISBN 9781422421178 (Retail Price \$42.00 / Wholesale Price \$28.14)

Federal Rules of Evidence: Rules, Legislative History, Commentary and Authority, Fifth Edition (2007)



Glen Weissenberger, *Dean & Professor of Law*, DePaul University College of Law

James J. Duane, Professor of Law, Regent University School of Law

This one-volume softbound treatise provides clear and concise explanations for the application and practical effect of each Rule of Evidence—a valuable resource for any Evidence student. This treatise was recently cited as "the authoritative text" on federal evidence law (*United States v. Schlesinger*, 372 F. Supp. 2d 711, 720 (E.D.N.Y. 2005)). Annually supplemented and complete, this edition contains a careful examination of the most recent changes in the Federal Rules. This edition also includes an extensive discussion of two landmark Supreme Court decisions, *Crawford v. Washington* and *Davis v. Washington*, both of which have completely rewritten the law governing the right of a criminal defendant to rely on the Confrontation Clause to obtain the exclusion of otherwise admissible hearsay.

Pub. No. 3545 / ISBN 9781422415542 (Retail Price \$40.00 / Wholesale Price \$32.00) / Annual Supplement

A Student's Guide to Hearsay, Third Edition (2007)



Clifford S. Fishman, *Professor of Law*, The Catholic University of America, Columbus School of Law

The Third Edition was prompted by changes to the Sixth Amendment Confrontation Clause resulting from the *Crawford* and *Davis* decisions. It includes a chapter analyzing the *Crawford* and *Davis* decisions and provides a check-list of issues to help students work through the uncertainties those decisions have left us with. The book also includes sections analyzing how to apply the Clause to specific situations, including calls to 911, business and public records generally, autopsies, and forensic lab reports.

The overarching objective of **A Student's Guide to Hearsay** is to help students sort out the complexities of the hearsay rule, its exceptions, and the Sixth Amendment Confrontation Clause. For each exception, this book:

- Outlines the policies underlying the exception;
- Lists and explains the requirements that must be satisfied for evidence to be admitted under the exception;

- · Explains additional issues that have arisen or are likely to arise;
- Explains how the rule interacts with other rules;
- Discusses tactical and procedural considerations that must be understood to appreciate how the rule "plays" in court; and
- Provides review questions and answers that allow students to test their understanding and applications of the rules.

The book also includes humorous references addressing the hearsay significance of a ham sandwich, Humpty Dumpty, the Greek god of wine, Tim McGraw, dog saliva, Derek Jeter, a squeaky boot, Leonardo DiCaprio, the French Army, the speed of sound, Commander Data, and the Chicago Cubs.

Pub. No. 748 / ISBN 9780820570310 (Retail Price \$27.00 / Wholesale Price \$18.09)

Evidence Principles and Practices: 150 Things You Were Never Taught, Forgot, or Never Understood (2006)

Paul R. Rice, *Professor of Law*, American University, Washington College of Law

This book is designed to be a helpful complement to the general Evidence course. Evidence courses are becoming increasingly unmanageable with evolving constitutional interpretations, new applications in this digital age, changing common law in the states, and rule changes in jurisdictions where evidentiary principles have been codified. It has become increasingly difficult to introduce students to the array of evidentiary issues they will face in legal practices of any complexity, much less to train them to critique the policies behind existing rules, inadequacies that have not been addressed in evidence codes, and strategies for interpretation and use of current rules to accommodate the needs of clients.

This new book offers students a guide through the most misunderstood, frequently encountered, and poorly defined points of evidence law in an easy-to-use format. Using *Diagrams* and *Examples* to further illuminate the clear, concise text, **Evidence Principles & Practices** is an invaluable tool for mastering the concepts every litigator needs to know. Even more valuable are the *Relationship to Other Rules* sections following most topics, which explain how individual concepts fit within the Evidence Code as a whole.

Pub. No. 3224 / ISBN 9780820570587 (Retail Price \$42.00 / Wholesale Price \$33.60)

Understanding Evidence, Second Edition (2006)

Paul C. Giannelli, Albert J. Weatherhead, III and Richard W. Weatherhead Professor of Law, Case Western Reserve University School of Law

This *Understanding* treatise is written for students in Evidence and Trial Practice courses. The concise, yet comprehensive, analysis in **Understanding Evidence** provides a foundation for true understanding of the law of evidence and facilitates more than mere rote learning. The focus is on the Federal Rules of Evidence, which have been adopted in one form or another in over forty jurisdictions. The Second Edition includes a new chapter on the Confrontation Clause which elaborates on *Crawford* and its accompanying developments. The chapter on *Daubert* has also been updated, with the more recent fingerprint and handwriting cases discussed, as well as the disparate application of *Daubert* in civil and criminal cases.

Pub. No. 3157 / ISBN 9780820564098 (Retail Price \$37.00 / Wholesale Price \$24.79)

Evidentiary Distinctions: Understanding the Federal Rules of Evidence (1993)

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

Law students have long complained that they have to learn to split hairs. It is undeniable that distinctions abound in American law. There are distinctions to be learned in every area of law, and evidence law is no exception. In some cases, the evidentiary distinction is set out explicitly on the face of a statute, such as a provision of the Federal Rules of Evidence. In other cases, the courts read the statutory language of the Federal Rules in light of distinctions of common law origin. In evidence, the student has to focus on the distinctions to a greater degree than in other courses. Thus, this short text refines the reader's understanding of the most important evidentiary distinctions. The structure of this text parallels the organization of the Federal Rules. For each distinction, the text states the distinction, describes its general importance, and gives specific examples.

Pub. No. 3053 / ISBN 9781558341012 (Retail Price \$32.00 / Wholesale Price \$25.60)

Federal Rules of Evidence Handbook (updated annually)

This handbook includes the text of the Federal Rules of Evidence, all amendments to the Federal Rules of Evidence, and selected legislative history. This handbook also includes the Advisory Committee Notes to the Federal Rules of Evidence and to the amendments to the Federal Rules of Evidence.

Pub. No. 3546 / ISBN 9781422411780 (2008 – 09 Edition ISBN 9781422425497) (Retail Price \$26.00 / Wholesale Price \$20.80)

Moore's Federal Rules Pamphlet, Part 2: Federal Rules of Evidence, 2008 Edition

James Wm. Moore, Commentator G. Richard Poehner, Esq., Commentator

This annually revised softbound resource contains the complete text of the Federal Rules of Evidence as amended, Advisory Committee Notes, insightful commentary, and analysis of federal court decisions.

Pub. No. 415 / ISBN 9781422420898 (Retail Price \$135.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

An Evidence Anthology (1996)

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law Glen Weissenberger, Dean & Professor of Law, DePaul University College of Law

This anthology collects and excerpts over 70 articles, books, and treatises on evidence law whose original publication dates span nearly 100 years. In selecting the excerpts to be included in this anthology, the editors endeavored to give the reader a sense of both the breadth of the evidence literature and the major points of controversy among evidence scholars.

Pub. No. 3590 / ISBN 9780870849411 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Evidence, Revised First Edition (2004)

David P. Leonard, *Professor of Law & William M. Rains Fellow*, Loyola Law School Los Angeles

This study guide uses over 300 multiple-choice and short-answer questions to test your students' knowledge of the Federal Rules of Evidence. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best

answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Evidence** also includes a comprehensive topical index.

Pub. No. 3177 / ISBN 9780820562438 (Retail Price \$27.00 / Wholesale Price \$18.09)

FAMILY LAW

See also Juvenile Law

Children and the Law: Cases and Materials, Second Edition (2006)

Martin R. Gardner, Steinhart Foundation Professor of Law, University of Nebraska College of Law Anne Proffitt Dupre, J. Alton Hosch Professor of Law, University of Georgia School of Law

This casebook presents materials for a general course in children and the law while at the same time providing sufficient attention to the juvenile justice system so as to be utilized as the vehicle for teaching a course in juvenile delinquency and status offenses. **Children and the Law** examines the rights and protections afforded minors under common-law doctrine, federal constitutional principles, and legislative enactments. It is divided into five sections:

- Chapter One (Minority as a Legal Status: Protectionism or Personhood?) presents a general overview of minority as a legal status. Included is a consideration of contrasting theories of rights of young people.
- Chapter Two (*The Child and the Family*) considers issues
 involving the child, parent, and state. Much of the chapter
 centers on issues involving the care of the child. Because some
 of these topics overlap with family law and domestic law
 courses, they receive relatively light treatment. On the other
 hand, the chapter provides extensive coverage of child abuse,
 a criminal law matter usually not covered in any other law
 school course.
- Chapter Three (The Child and Society) addresses the rights
 of children in the context of society, including such topics as
 obscenity and pornography, privacy rights of minors, contract
 liability, and tort liability.
- Chapter Four (*The Child and the School*) examines the rights of children in the context of the school, including such topics as First Amendment rights, religious practice, school discipline, school searches, discrimination, harassment and bullying, and the disabled student. This chapter is nearly 400 pages long and presents a detailed and careful compilation of the most important issues in education law.

 Chapter Five (*The Juvenile Justice System*) focuses on the procedure, jurisdiction, the pre-adjudication process, adjudication, dispositions, and the future of the juvenile justice system.

Pub. No. 3140 / ISBN 9780820564104 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425992 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Family Law: Cases, Text, Problems, Fourth Edition (2004)

Ira Mark Ellman, *Professor of Law, Willard H. Pedrick*Distinguished Research Scholar & Faculty Fellow, Center
for the Study of Law, Science, and Technology, Arizona State
University College of Law

Paul M. Kurtz, Associate Dean & J. Alton Hosch Professor of Law, University of Georgia School of Law

Elizabeth S. Scott, *Harold R. Medina Professor of Law,* Columbia Law School

Lois Weithorn, *Professor of Law*, University of California, Hastings College of the Law

Brian Bix, Frederick W. Thomas Professor for the Interdisciplinary Study of Law and Language, University of Minnesota Law School

Family law is an interdisciplinary area, and the materials in this work reflect the numerous disciplines influencing this field of law. This book is policy-oriented, with non-legal social science featured in the extensive note materials to provide a rich and varied learning experience and a practice resource tool. Notes do more than call attention to difficult questions of legal doctrine and policy; they illuminate them. The authors use a problem approach throughout, in addition to comprehensive case law sources.

Problems provide an ideal mechanism for students to acquire the ability to apply legal rules to concrete fact patterns. This Fourth Edition features:

- · More concise treatment of property and alimony;
- Expanded coverage of same-sex couples cases, including Lawrence v. Texas and several recent state court decisions; and
- Substantially updated treatment of premarital agreements, featuring both the latest decisions construing the Uniform Premarital Agreement Act, including the California Supreme Court's decision in the Barry Bonds case, and coverage of the alternative approach favored by the American Law Institute.

Pub. No. 3056 / ISBN 9780820561523 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422418338 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Family Law: Cases, Materials, and Problems, Second Edition (1998)

Peter N. Swisher, *Professor of Law*, University of Richmond School of Law

Anthony Miller, *Professor of Law*, Pepperdine University School of Law

Jana B. Singer, *Professor of Law*, University of Maryland School of Law

The Second Edition of **Family Law** addresses contemporary family law issues and analyzes the public and private dichotomy in contemporary family law relationships. Current family law topics addressed in this book include:

- · Marriage and marriage alternatives;
- Support and property rights;
- · Conception and reproduction issues;
- Domestic violence and intrafamily torts;
- · Care and supervision of children;
- · Adoption and termination of parental rights;
- Legitimacy and paternity;
- Divorce or dissolution of marriage;
- Economic consequences of divorce, including spousal and child support, equitable distribution of marital and community property, and a discussion of the American Law Institute's proposed principles of the law of family dissolution;
- Child custody and visitation, including a discussion of the Uniform Child Custody Jurisdiction and Enforcement Act and the Uniform Interstate Family Support Act;
- Premarital and postmarital agreements;
- · Alternative dispute resolution; and
- Ethical issues for the family lawyer.

While addressing many cutting-edge family law issues, this **Family Law** casebook still maintains a realistic balance between theory and practice. The format is manageable, condensed, and user-friendly. Each topic includes a general introduction, a current or landmark illustrative judicial decision, relevant notes and questions analyzing, extending, or questioning each topic, and problems allowing students to analyze particular family law issues and disputes as practitioners, legislators, or jurists would.

Pub. No. 428 / ISBN 9780820562452 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual / Supplement

Domestic Violence: Law, Policy, and Practice (2007)



Hon. Diane Kiesel, Acting New York Supreme Court Justice / Adjunct Professor of Law, New York Law School

This new book takes a unique inter-disciplinary approach to the introductory study of domestic violence, a subject that requires students to explore beyond case analysis to recognize the implications of this complex and serious problem on the justice system. Although recognizing the valuable role women's advocates have played in bringing the crisis of domestic violence to the attention of the public and the legal community, this book is not written solely from an advocacy perspective. Instead, it traces the development of the law through court cases, scholarly articles, government studies, and the popular press. It is designed for students who may one day wish to be domestic violence advocates, prosecutors, defense attorneys, public policy experts, or even judges.

While still placing the responsibility for domestic violence directly in the hands of the abusers, the book does more than analyze the crime and punishment of offenders. It includes chapters on the criminal and family law approaches to solving domestic violence and the impact of family violence on children. The book includes chapters on sentencing and the impact and success of specialized domestic violence courts that have been instituted nationwide over the last decade. Other chapters include: domestic violence and federal gun and immigration law; domestic violence in the lesbian, gay, and transgendered community; and domestic violence in other cultures.

Domestic Violence: Law, Policy, and Practice contains charts, photographs, drawings, and illustrations to assist learning. In addition, a series of notes and questions at the end of each chapter are designed to facilitate classroom discussion and promote understanding of the context in which the materials are presented.

Pub. No. 3216 / ISBN 9780820570525 (Retail Price \$123.00 / Wholesale Price \$98.40) / Teacher's Manual

Understanding Family Law, Third Edition (2005)

John De Witt Gregory, Sidney & Walter Siben Distinguished Professor of Family Law, Hofstra University School of Law Peter N. Swisher, Professor of Law, University of Richmond School of Law

Sheryl L. Wolf, *Professor Emerita of Law*, University of New Mexico School of Law

This clearly written *Understanding* treatise includes comprehensive coverage of topics such as traditional and nontraditional families, nonmarital and postmarital contracts, annulment, paternity and legitimacy, procreation rights, contraception, abortion, sterilization, artificially assisted conception, and adoption and termination of parental rights. **Understanding Family Law** explains specific family law issues, such as intrafamily tort immunity and liability, medical care for child and spouse, wrongful life and wrongful birth, domestic violence, PINS, ethical issues for the lawyer, alternative dispute resolution, equitable distribution, community property, and child custody and visitation.

The Third Edition of **Understanding Family Law** includes material covering same-sex marriage, civil unions, and domestic partnerships with expanding recognition of (and opposition to) non-traditional families. **Understanding Family Law** provides a realistic balance of theory and practice in the field of American family law and serves as an excellent overview for any Family Law course.

Pub. No. 596 / ISBN 9780820563374 (Retail Price \$37.00 / Wholesale Price \$24.79)

Family Law in Action: A Reader (1999)

Margaret F. Brinig, Fritz Duda Family Chair in Law, Notre Dame Law School

Carl E. Schneider, Chaucey Stillman Professorship for Ethics, Morality, and the Practice of Law, University of Michigan Law School

The late Lee E. Teitelbaum

This is a volume of readings on family law and policy drawn from a variety of disciplines. It seeks to convey information about how American families are organized, how Americans live their lives in families, how they think about those lives, how the institutions of family law operate, and how the law affects family members, families, and society.

Pub. No. 3591 / ISBN 9781583607503 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Family Law (2003)

Mark Strasser, *Trustees Professor of Law*, Capital University Law School

This study guide uses over 225 multiple-choice and short-answer questions to test your students' knowledge of family law. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Family Law** also includes a comprehensive topical index.

Pub. No. 3183 / ISBN 9780820556697 (Retail Price \$27.00 / Wholesale Price \$18.09)

FEDERAL COURTS

Federal Courts in the 21st Century: Cases and Materials, Third Edition (2007)



Howard P. Fink, Isadore & Ida Topper Professor of Law Emeritus,
The Ohio State University, Moritz College of Law
Linda S. Mallania, Marrie and Rita Atlan Chair in Advances.

Linda S. Mullenix, *Morris and Rita Atlas Chair in Advocacy*, University of Texas School of Law

Thomas D. Rowe, Jr., *Elvin R. Latty Professor of Law Emeritus*, Duke University School of Law

Mark V. Tushnet, William Nelson Cromwell Professor of Law, Harvard Law School

An underlying theory of this book is that there is no "plain meaning" to Article III or to statutes defining federal jurisdiction and those creating federal rules of procedure. Concepts such as due process, habeas corpus, the right to jury trial, Article I and Article III courts, abstention, class actions, and jurisdiction are, in the final analysis, all judicial constructs, ever subject to the winds of change. This casebook was the first to discuss the 1996 legislation limiting habeas corpus and death-row appeals and the Supreme Court's decision interpreting this legislation. It was also the first casebook to discuss the Supreme Court's new view of the Eleventh Amendment and of Congress' power to waive a state's sovereign immunity. A developing area is the threat to the predominance of Article III judges—constitutionally life-tenured and protected from salary reduction—from escalating reliance by Congress on other forums to resolve federal rights. This book stresses issues of distribution of power within the federal court system itself.

The Third Edition of **Federal Courts in the 21st Century** discusses the latest cases interpreting Article III's case and controversy requirements as a limit on access to the federal courts. Further, this text treats the evolving role of the federal courts in limiting actions of state governments and state officials. It also provides substantial discussion of issues of federal venue, transfer, and law applied in diversity and alienage cases, because of the continued importance of these areas and in recognition that these subjects more and more are being given short shrift in curtailed Civil Procedure courses in the first year.

Changes reflected in the Third Edition include significant revisions of the chapters dealing with class actions, habeas corpus, and Article I courts. The authors have also added a new chapter on federal common law. A section addressing attempts to try "foreign enemy combatants" before military commissions has also been added. All material has been revised and updated to reflect current developments, recent cases, and important law review scholarship.

Pub. No. 3057 / ISBN 9780820570242 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425909 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Federal Courts: Cases and Materials on Judicial Federalism and the Lawyering Process (2005)

Arthur D. Hellman, *Sally Ann Semenko Endowed Chair*, University of Pittsburgh School of Law Lauren K. Robel, *Dean & Val Nolan Professor of Law*, Indiana University School of Law—Bloomington

This book is the product of the authors' rethinking of what a Federal Courts course can be. Although fully attentive to the deeper issues of federalism and separation of powers raised by the cases, its primary focus is on giving students the grounding they will need to be effective lawyer-litigators. Lawyers are goal-oriented. From their perspective, the American system of judicial federalism is important because it sets up four possible goals: getting into federal court; staying out of federal court; gaining the benefit of federal law; or avoiding the detriment of federal law. This book concentrates on providing the doctrinal and practical education that will enable lawyers to identify and pursue these goals effectively in the service of their clients.

Two major themes distinguish this book from others on the market:

- First, the book gives sustained and systematic attention to the role of state courts as a forum for litigation of federal issues.
- Second, the book is grounded in the realities of litigation today—in particular, the strong tendency of defendants in civil litigation to prefer federal court over state court. The statutory device of removal, and other issues that dominate contemporary litigation, are addressed throughout this book.

In addition to cases, notes, and questions, **Federal Courts** also integrates problems as teaching and learning tools. The problems in the various chapters have been carefully designed to address: (a) points settled by the cases students have read; and (b) questions left unanswered or questions that have fallen between precedents. Many of the problems are based on recent cases that did not go to the Supreme Court. **Federal Courts** provides thorough coverage of the public law issues that dominate scholarly writings on federal courts, but it is also uniquely geared to preparing students to serve their clients effectively in the workaday world of private litigation.

This publication is also accompanied by the **Judicial Code Supplement**. A unique feature of the **Judicial Code Supplement** is the inclusion of selected provisions of other titles of the United States Code—not just procedural provisions like the Administrative Procedure Act and the Federal Arbitration Act, but also ERISA, FELA, RICO, and other substantive statutes that bear on the issues treated in a Federal Courts course.

Pub. No. 3169 / ISBN 9780820554617 (Retail Price \$123.00 / Wholesale Price \$98.40) / Annual Statutory Supplement (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual / Annual Supplement

Understanding Federal Courts and Jurisdiction (1998)

Linda S. Mullenix, Morris and Rita Atlas Chair in Advocacy, University of Texas School of Law

Martin H. Redish, Louis & Harriet Ancel Professor of Law and Public Policy, Northwestern University School of Law

Georgene M. Vairo, *Professor of Law & William M. Rains Fellow,* Loyola Law School Los Angeles

This comprehensive *Understanding* treatise offers a coherent and complete overview of the complex constitutional principles and doctrines governing the federal judicial system. In a single volume, it provides a rich discussion of Article III of the United States Constitution, which governs the federal judiciary, and explains the role of Congress in regulating the federal courts' jurisdiction. After explaining the constitutional and statutory bases for federal jurisdiction, this treatise discusses the intricate case law on statutory procedures relevant to litigating actions in federal courts. The materials conclude with an exploration of the important federalism problems inherent in our dual system of courts and the interrelationship of federal and state courts.

Focusing on the relevant statutes and Supreme Court and appellate doctrine, **Understanding Federal Courts and Jurisdiction** addresses all aspects of federal jurisdiction: justiciability, including standing, mootness, ripeness, and political questions; and the major types of federal jurisdiction, federal question and diversity, as well as the supplemental jurisdiction statute. The procedural portion of the treatise covers removal, venue, transfer of venue, personal jurisdiction in the federal courts, and multidistrict litigation. The federalism discussion includes a coherent review of the abstention doctrines, the Anti-Injunction Act, the Eleventh Amendment, the Erie doctrine, and intersystem preclusion. **Understanding Federal Courts and Jurisdiction** is ideal for students in the basic procedure course as well as upper-division federal jurisdiction and practice courses.

Pub. No. 844 / ISBN 9780820528861 (Retail Price \$37.00 / Wholesale Price \$24.79)

Moore's Federal Rules Pamphlet, Part 4: Judicial Code, Title 28 U.S.C., 2008 Edition

James Wm. Moore, Commentator

This annually revised softbound resource contains the complete text of the statutes governing jurisdiction and procedure in federal courts and includes insightful commentary and case annotations.

Pub. No. 415 / ISBN 9781422420911 (Retail Price \$76.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

FIRST AMENDMENT LAW

The First Amendment: Cases, Problems, and Materials (2006)



Second Edition Scheduled to be Available for Review in Fall 2008

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

Catherine Hancock, Geoffrey C. Bible & Murray H. Bring Professor of Constitutional Law, Tulane University Law School Donald E. Lively, Professor of Law, Phoenix School of Law John C. Knechtle, Professor of Law, Florida Coastal School of Law

In creating this book, the authors of **The First Amendment** sought to create a "teacher's book"—a book that is easy to use, that produces rewarding classroom discussion, and that enables students to learn the concepts, doctrines, and analytical tools that underlie the First Amendment. It is designed to help students understand First Amendment theory, lead students to greater insights, generate classroom interactivity, and facilitate effective and inspired learning. It accomplishes these objectives through the inclusion of problems.

The problems are designed to illustrate and clarify doctrinal principles and conflicts, place students in real-life situations, help students view First Amendment issues in modern and historical context, and prepare students for actual practice. Some problems probe divisions in the law while others ask students to apply existing doctrine to new situations. Some problems place students in the position of a lawyer and ask them to explain how they might argue a particular case (e.g., what facts or arguments they might use in support of their positions). The ultimate objective is to advance student ability to solve problems using critical thinking and thereby accelerate development of a core lawyering skill.

Tradeoffs are necessary for any constitutional law casebook, and this book is no different. Although it includes the landmark cases, it does not attempt to catalog every decision (even every United States Supreme Court ruling) in each of the relevant areas. The authors have chosen cases for a variety of reasons: because they are modern cases that reflect the current state of the law; because they are "landmarks" that students need to read and understand; or because (even though they might be older cases) they provide critical context or enrich understanding and perspective.

The accompanying Teacher's Manual helps familiarize teachers with the subject matter, summarizes the cases, suggests doctrinal or theoretical approaches, offers options on how the book can best be used in class, and provides answers to the problems presented in the casebook.

Pub. No. 3215 / ISBN 9781422423882 (Second Edition ISBN 9781422423882) (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual / Annual Supplement

First Amendment Law: Freedom of Expression and Freedom of Religion (2006)

Arthur D. Hellman, Sally Ann Semenko Endowed Chair, University of Pittsburgh School of Law

William D. Araiza, Associate Dean for Faculty, Rev. Richard A. Vachon, S.J. Fellow & Professor of Law, Loyola Law School Los Angeles

Thomas E. Baker, *Professor of Law*, Florida International University College of Law

This new casebook rests on a straightforward premise: The First Amendment can be viewed as history, as policy, and as theory, but from a lawyer's perspective, it is above all law—albeit a special kind of law. One thing that is special is that the governing texts have receded into the background. The law is the cases, and the cases are the law. Close analysis of precedent is therefore the principal tool of argumentation and adjudication. The purpose of this casebook is to help students to learn the law in a way that will enable them to use it in the service of clients.

Several features of the book promote this goal. The cases are edited with a relatively light hand. Notes and questions provide guidance in working with the opinions. The structure of the book—closely tracking the structure that the Supreme Court has imposed—helps to reinforce learning. Non-case materials (including drafts and memoranda from the Justices' private papers) are used to shed light on what was established by existing precedents and how a new decision changes (or does not change) the law. By giving primacy to the Justices' own words and the Court's own doctrinal structure, the book offers maximum flexibility for teachers to place their own imprint on the course.

The accompanying Teacher's Manual offers extensive guidance for taking advantage of the breadth—and depth—of coverage offered by the casebook. The authors have included three different sample syllabi. The running commentary fully analyzes the cases and suggests possible directions for class discussion. The authors also provide answers to the questions that appear in the notes and identify the origins and sources for the Problems.

Pub. No. 3214 / ISBN 9780820568836 (Retail Price \$113.00 / Wholesale Price 90.40 / Teacher's Manual / Annual Supplement

Understanding the First Amendment, Second Edition (2006)

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

Donald E. Lively, *Professor of Law*, Phoenix School of Law

The overarching objective of **Understanding the First Amendment** is to facilitate student learning efficiency and academic success. Toward this end, it focuses upon core subject matter that is likely to be tested in a law school examination or

on the bar examination. The book also provides tools that enable students to organize the course and their understanding in a way that enhances retention. The beginning of each chapter indicates essential points to remember. The book strikes a balance between comprehensiveness and selectivity, thus providing students with assurance that they know enough, know it well, but are not overwhelmed by details that are unduly esoteric or irrelevant to their performance needs.

Pub. No. 3165 / ISBN 9781422407936 (Retail Price \$37.00 / Wholesale Price \$24.79)

First Amendment Anthology (1994)

Donald E. Lively, *Professor of Law*, Phoenix School of Law Dorothy E. Roberts, *Kirkland and Ellis Professor of Law*, Northwestern University School of Law

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

The extent and quality of First Amendment literature provides a significant challenge to the selection process that ultimately defines an anthology. Content decisions for this anthology have been driven by concern with a work's accessibility to students, capacity to generate critical reflection, and potential for stimulating classroom discussion. The aim of the editing process has been to reconcile imperatives of economy with the breadth and depth of each author's vision and purpose. At the end of each section, a bibliography provides a departure point for further exploration of relevant issues.

Pub. No. 3594 / ISBN 9780870842658 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: The First Amendment (2005)

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

William D. Araiza, Associate Dean for Faculty, Rev. Richard A. Vachon, S.J. Fellow & Professor of Law, Loyola Law School Los Angeles

This study guide uses over 180 multiple-choice and short-answer questions to test your students' knowledge of First Amendment law. **Q & A: The First Amendment** examines the major First Amendment subjects and concludes with a comprehensive Practice Final Exam. The *speech* section of the book focuses on such topics as hate speech, advocacy of illegal action, commercial speech, campaign finance, defamation, obscenity, public forum doctrine, and symbolic speech. The *religion* section focuses on free exercise, government support for religion, school prayer, crèche displays, evolution, the Ten Commandments, and related issues. **Q & A: The First Amendment** also addresses school vouchers. Each multiple-choice question is accompanied

by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. This study guide also includes a comprehensive topical index.

Pub. No. 3195 / ISBN 9780820558660 (Retail Price \$27.00 / Wholesale Price \$18.09)

FLORIDA

See also Practitioner Publications Available for Adoption: Florida

LexisNexis® Practice Guide on Florida Civil Procedure: Discovery, Briefcase Edition (2007)

Ervin Gonzalez, *Adjunct Professor of Law*, University of Miami School of Law

The late Henry Latimer

Barry R. Davidson, Esq., Hunton & Williams, Miami, FL Stephen H. Grimes, Esq., Holland & Knight, Tallahassee, FL Luke S. Brown, Esq., Holland & Knight, Tallahassee, FL

This softbound volume provides step-by-step guidance on procedural issues including: discovery strategy and planning, preservation of evidence, discovery of electronic information, physical and mental examinations, and exchanging expert witness information. Features include concise writing style, streamlined chapter format, abundance of checklists and forms, references to leading and related cases, cross-references to relevant resources, and extensive and authoritative guidance from a consultative board of experienced Florida practitioners and judges.

Pub. No. 1390 / ISBN 97814224218420 (Retail Price \$99.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide on Florida Civil Procedure: Motions, Briefcase Edition (2007)

Ervin Gonzalez, *Adjunct Professor of Law*, University of Miami School of Law

The late Henry Latimer

Barry R. Davidson, Esq., Hunton & Williams, Miami, FL Stephen H. Grimes, Esq., Holland & Knight, Tallahassee, FL Luke S. Brown, Esq., Holland & Knight, Tallahassee, FL

This softbound volume provides step-by-step guidance on procedural issues related to motion practice in Florida including: preliminary motions, challenges to jurisdiction or venue, disqualification of a judge, summary judgment, and settlement. Features include concise writing style, streamlined chapter format, abundance of checklists and forms, references to leading

and related cases, cross-references to relevant resources, and extensive and authoritative guidance from a consultative board of experienced Florida practitioners and judges.

Pub. No. 1391 / ISBN 9781422418437 (Retail Price \$99.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide on Florida Civil Procedure: Pre-Trial, Briefcase Edition (2007)

Ervin Gonzalez, *Adjunct Professor of Law*, University of Miami School of Law

The late Henry Latimer

Barry R. Davidson, Esq., Hunton & Williams, Miami, FL Stephen H. Grimes, Esq., Holland & Knight, Tallahassee, FL Luke S. Brown, Esq., Holland & Knight, Tallahassee, FL

These two softbound volumes provide step-by-step guidance on procedural issues related to pre-trial practice in Florida including: client interview, limitation of actions, injunctions, damages in torts, and damages in contracts. Features include concise writing style, streamlined chapter format, abundance of checklists and forms, references to leading and related cases, cross-references to relevant resources, and extensive and authoritative guidance from a consultative board of experienced Florida practitioners and judges.

Pub. No. 1389 / ISBN 9781422418505 (Retail Price 99.00 / Course Adoption Retail Price 45.00 / Course Adoption Wholesale Price 6.00 / two softbound volumes

LexisNexis® Practice Guide on Florida Civil Procedure: Trial and Post-Trial, Briefcase Edition (2007)

Ervin Gonzalez, *Adjunct Professor of Law*, University of Miami School of Law

The late Henry Latimer

Barry R. Davidson, Esq., Hunton & Williams, Miami, FL Stephen H. Grimes, Esq., Holland & Knight, Tallahassee, FL Luke S. Brown, Esq., Holland & Knight, Tallahassee, FL

This softbound volume provides step-by-step guidance on procedural issues related to trial and post-trial practice in Florida including: jury selection, verdicts, costs and attorneys' fees, motions for new trial, and appeals. Features include concise writing style, streamlined chapter format, abundance of checklists and forms, references to leading and related cases, cross-references to relevant resources, and extensive and authoritative guidance from a consultative board of experienced Florida practitioners and judges.

Pub. No. 1392 / ISBN 9781422418444 (Retail Price \$99.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide: Florida Business Torts (2006)

David M. Gersten, *Adjunct Professor of Law*, St. Thomas University School of Law

Irwin Gilbert, Esq., Gilbert & Associates, Palm Beach Gardens, FL Harley S. Tropin, *Adjunct Professor of Law*, University of Miami School of Law

This looseleaf volume provides step-by-step guidance on how to litigate or defend business torts cases in Florida. The task-based format provides practice tips created by expert Florida practitioners and judges, including strategic points, warnings, judicial notes, and traps. Coverage includes unfair trade practices, antitrust, fraud and deceit, breach of fiduciary duty, interference with contract / economic advantage, commercial defamation and trade libel, misappropriation and conversion, and RICO. Intellectual property topics include trade secrets, state trademark law, and cybersquatting.

Pub. No. 1388 / ISBN 9780820563916 (Retail Price \$148.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / looseleaf

LexisNexis® Practice Guide: Florida Contract Litigation (2006)

Barry R. Davidson, Esq., Hunton & Williams, Miami, FL Christopher Skambis, Esq., The Skambis Law Firm, Orlando, FL David M. Gersten, *Adjunct Professor of Law*, St. Thomas University School of Law

This two-volume looseleaf set provides step-by-step guidance on how to litigate cases involving contract claims, including the potential causes of actions, remedies, and defenses for contract claims. The task-based format provides practice tips created by expert Florida practitioners and judges, including strategic points, warnings, judicial notes, and traps. Coverage includes procedural topics such as jurisdiction, discovery, and alternative dispute resolution.

Pub. No. 1387 / ISBN 9780820563909 (Retail Price \$153.00 / Course Adoption Retail Price \$145.00 / Course Adoption Wholesale Price \$116.00) / two looseleaf volumes

LexisNexis[®] Practice Guide: Florida Estate and Probate Practice (2006)

Donna Litman, *Professor of Law*, Nova Southeastern University, Shepard Broad Law Center

Hon. Celeste H. Muir, Probate Division, 11th Judicial Circuit Hon. Arthur Rothenberg, Probate Division, 11th Judicial Circuit

This two-volume looseleaf set provides step-by-step guidance on estate and probate practice in Florida. The task-based format provides practice tips created by expert Florida practitioners and judges, including strategic points, warnings, judicial notes, and traps. Coverage includes basic estate planning, wills, tax implications, homestead rights, intestate succession, asset administration, and much more.

Pub. No. 1386 / ISBN 9780820563893 (Retail Price \$239.00 / Course Adoption Retail Price \$145.00 / Course Adoption Wholesale Price \$116.00) / two looseleaf volumes

Florida Evidence Courtroom Manual, 2007 Edition

William R. Eleazer, *Distinguished Professor of Law Emeritus*, Stetson University College of Law

Glen Weissenberger, *Dean & Professor of Law*, DePaul University College of Law

The **Florida Evidence Courtroom Manual** is designed to provide the Florida trial lawyer with a compact yet comprehensive portable courtroom manual for basic reference and research involving the Florida Evidence Code. This manual is designed to facilitate quick entry into the comprehensive body of evidence law that has evolved since adoption of the Florida Evidence Code.

Pub. No. 4386 / ISBN 9781593454609 (Retail Price \$111.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

GAMING LAW

Gaming Law: Cases and Materials (2003)

Robert M. Jarvis, *Professor of Law*, Nova Southeastern University, Shepard Broad Law Center

The late Shannon L. Bybee, Jr.

J. Wesley Cochran, Associate Dean, Academic Affairs & Maddox Professor of Law, Texas Tech University School of Law I. Nelson Rose, Professor of Law, Whittier Law School Ronald J. Rychlak, Associate Dean for Academic Affairs & MDLA Professor of Law, The University of Mississippi School of Law

Despite its long history and prominent place in modern society, gaming has not until now been a subject of serious study in American law schools. The recent expansion of casino gaming, however, coupled with the spectacular growth of riverboat gaming and the advent of Indian and Internet gaming, makes this an auspicious moment to introduce a casebook devoted to the subject. **Gaming Law: Cases and Materials** provides a concise but comprehensive treatment of: State-Sponsored Gaming, Charitable Gaming, Pari-Mutuel Gaming, Sports Gaming, Casino Gaming, Shipboard Gaming, Indian Gaming, and Internet Gaming. This book features:

- 100 judicial opinions, including the key rulings of the past 20 years:
- 180 separate notes, providing invaluable commentary and critique;

- 40 problems, presenting a host of novel issues;
- · Comprehensive Index; and
- Detailed Teacher's Manual.

Pub. No. 3136 / ISBN 9780820549064 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Supplement

HUMAN RIGHTS

International Human Rights: Law, Policy, and Process, Third Edition (2001)

David Weissbrodt, Fredrikson & Byron Professor of Law, University of Minnesota Law School

The late Joan Fitzpatrick

The late Frank C. Newman

This comprehensive work provides an introduction to human rights law, policy, and process. **International Human Rights** begins with an overview, then discusses treaties, institutions, procedures for monitoring compliance and responding to gross violations, use of adjudicative remedies, refugee and international labor law, and the relationship between human rights norms and their potential to regulate the responses of states to terrorism. The Fourth Edition addresses a number of significant developments in the human rights arena including:

- Emergence of international criminal law as a potential response to crimes against humanity;
- Emergence of the United Nations Security Council and the challenges it faces;
- The role of human rights norms in responding to and regulating state responses to terrorism;
- The capacity of human rights to respond to human rights violations by corporate actors;
- The ability of human rights to respond to and account for violations committed in the context of ethnic hatred, internal conflict, and intrastate violence; and
- The challenges faced by non-government human rights organizations in the post 9/11 context.

International Human Rights is also accompanied by a comprehensive documentary supplement, Selected International Human Rights Instruments and Bibliography for Research on International Human Rights Law. Professor Weissbrodt provides periodic updates to the casebook on the University of Minnesota Human Rights Library Web site (http://www1.umn.edu/humanrts/intlhr).

Pub. No. 3549 / ISBN 9780820562469 (Retail Price \$101.00 / Wholesale Price \$80.80) / Documentary Supplement ISBN 9780820563275 (Selected International Human Rights Instruments and Bibliography for Research on International Human Rights Law, Third Edition) (Retail Price \$28.00 / Wholesale Price \$22.40) / Online Supplement

ILLINOIS

See also Practitioner Publications Available for Adoption: Illinois

Illinois Civil Procedure, Second Edition

Jeffrey A. Parness, *Professor of Law*, Northern Illinois University College of Law

This authoritative resource references Illinois' rules of practice and their application. **Illinois Civil Procedure** provides quick, easy to use access to subjects ranging from establishing jurisdiction to preparing for appeal.

Pub. No. 60076 / ISBN 9780327157991 (Retail Price \$140.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / hardbound

Illinois Criminal Law (Student Edition), Fourth Edition (2006)

John F. Decker, *Professor of Law Emeritus*, DePaul University College of Law

This softbound volume is the student edition of **Illinois Criminal Law:** A **Survey of Crimes and Defenses**, recognized as the definitive examination of Illinois substantive criminal law. It presents a description of all major Illinois crimes and defenses, including pertinent statutory language, legislative history, and substantial case law interpretation of these legal measures. The important common law background of various crimes and defenses is also included. Legal concepts relatively unique to Illinois are carefully explored, including doctrines such as the "one-act, one-crime" rule, and criminal offenses such as armed violence, home invasion, and street gang criminal drug conspiracy. This unique book allows students to study the criminal law and systematic penal code of a particular state, and to observe how the various features of the code interact and complement each other.

Pub. No. 3110 / ISBN 9780820570976 (Retail Price \$73.00 / Wholesale Price \$58.40) / Supplement / softbound

Illinois Criminal Procedure, Fourth Edition (2004)

Ralph Ruebner, Professor of Law, John Marshall Law School

This two-volume set examines criminal practice and procedure in Illinois and focuses on the federal and state constitutional issues that arise in criminal cases. The Fourth Edition of **Illinois Criminal Procedure** has been thoroughly updated in light of new legislation and decisional law by the United States and Illinois Supreme Courts. Among other enhancements, it contains newly added discussions on eavesdropping, Apprendi, guilty pleas,

appeals, post-trial and post-sentencing motions, and recent developments such as defense motions for DNA testing.

Pub. No. 81091 / ISBN 9780327163954 (Retail Price \$265.00 / Course Adoption Retail Price \$145.00 / Course Adoption Wholesale Price \$116.00) / two hardbound volumes

Illinois Evidence Courtroom Manual, 2007 – 2008 Edition

Robert L. Byman, Esq., Jenner & Block, Chicago, IL A.J. Stephani, *Lecturer on Law*, University of Cincinnati College of Law

Glen Weissenberger, *Dean & Professor of Law*, DePaul University College of Law

The Illinois Evidence Courtroom Manual is portable courtroom manual includes many trial-tested features that not only provide fast, accurate answers to evidentiary questions, but also guide the user to the underlying authorities and secondary sources. Features include: summary of relevant statutes and case law; concise, authoritative commentary and analysis; explanation of current trends and developments; illustrative examples; practice tips; comparisons to the Federal Rules of Evidence; constitutional considerations; and the text of applicable statutes.

Pub. No. 4570 / ISBN 9781593454449 (Retail Price \$68.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

INSURANCE LAW

Principles of Insurance Law, Revised Third Edition (2006)

Emeric Fischer, *Haynes Professor of Law Emeritus*, College of William and Mary, Marshall-Wythe School of Law Peter N. Swisher, *Professor of Law*, University of Richmond School of Law

Jeffrey Stempel, *Doris S. and Theordore B. Lee Professor of Law,* University of Nevada, Las Vegas, William S. Boyd School of Law

Over the past two decades, there have been a number of important developments in the areas of liability, property, and life and health insurance that have significantly changed insurance law. Accordingly, the Third Edition of **Principles of Insurance Law** has been substantially rewritten, reformatted, and refocused in order to offer the insurance law student and practitioner a broad perspective of both traditional insurance law concepts and cutting-edge legal issues affecting contemporary insurance law theory and practice. In the process of reorganization and expansion, the book has grown from seven chapters to fifteen chapters. Such a reorganization not only expands the scope

of topical coverage, but also segments the law of insurance in a manner more amenable to study, as well as facilitating the recombination and reordering of the chapters as desired by individual instructors. The Third Edition of **Principles of Insurance Law** includes new and expanded treatment of important insurance law developments, including:

- The critical role of insurance binders as temporary forms of insurance as illustrated in the World Trade Center property insurance disputes resulting from the terrorist attacks of September 11, 2001;
- The continuing debate between "legal formalists" and "legal functionalists" for "the heart and soul" of insurance contract law;
- What constitutes a policyholder's "reasonable expectation" regarding coverage;
- The current property and liability insurance "crisis";
- · Risk management and self-insurance issues;
- Emerging, and frequently conflicting, case law concerning the intersection of insurance law and federal antidiscrimination regulation;
- Ongoing interpretive battles over the preemptive scope of FRISA:
- The United States Supreme Court ruling that a California statute attempting to leverage European insurers into honoring commitments to Holocaust era policies is preempted by the Executive's power over foreign affairs;
- The State Farm v. Campbell decision, which struck down a \$145 million punitive damages award in an insurance bad faith claim as well as setting more restrictive parameters for the recovery of punitive damages;
- New issues over the dividing line between "tangible" property typically covered under a property insurance policy and "intangible" property, which is typically excluded—an issue of increasing importance in the digital and cyber age;
- Refinement of liability insurance law regarding trigger of coverage, duty to defend, reimbursement of defense costs, and apportionment of insurer and policyholder responsibility for liability payments;
- The difficult-to-harmonize decisions concerning when a loss arises out of the "use" of an automobile;
- Insurer bad faith and the availability, if any, of actions against a policyholder for "reverse bad faith"; and
- The degree to which excess insurance and reinsurance may be subject to modified approaches to insurance policy construction.

The Teacher's Manual highlights the differences between the Second Edition and the Third Edition. In addition, it includes case-brief summaries of the major cases excerpted in the book; authors' analyses of the notes, questions, and problems that follow the principal cases; and offers alternative syllabi for planning purposes.

Pub. No. 333 / ISBN 9781422406441 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Insurance Law: Cases and Materials, Third Edition (2001)

Roger C. Henderson, *Ralph W. Bilby Professor Emeritus of Law*, University of Arizona, James E. Rogers College of Law Robert H. Jerry, II, *Dean & Levin Mabie and Levin Professor of Law*, University of Florida, Fredric G. Levin College of Law

The Third Edition of **Insurance Law** is designed to achieve three primary goals:

- To impart an understanding of basic insurance law through the inclusion of carefully selected and edited cases and carefully crafted notes;
- To raise fairly debatable, provocative issues, which will involve students in legal analysis and resolution; and
- To inform students about basic insurance business practices, as well as some of the more practical problems faced by attorneys, judges, and insurance regulators in the real world.

The overall aim is to impart a sound foundation in law and legal analysis, an understanding of the business of insurance, and an appreciation of the role of insurance in modern society.

Pub. No. 3063 / ISBN 9780820548968 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Understanding Insurance Law, Fourth Edition (2007)



Robert H. Jerry, II, *Dean & Levin Mabie and Levin Professor of Law*, University of Florida, Fredric G. Levin College of Law Douglas S. Richmond, Senior Vice President, Aon Risk Services / *Adjunct Professor*, Northwestern University School of Law

This comprehensive *Understanding* treatise can be used as the course text or as a supplement to any insurance law casebook. **Understanding Insurance Law** is designed to make the substance of insurance law accessible to the student and to the general practitioner unfamiliar with the subject.

The premise of this book's organization is that insurance law is best understood if its legal principles are arranged according to the various stages in the life of a contract. Part A considers the question "what is insurance law." Part B considers issues germane to the establishment of the contractual relationship between insurer and insured. Part C considers issues relevant to the performance of contractual obligations. Finally, Part D examines a few topics that defy easy categorization, including special problems in group insurance, special issues in automobile insurance, and issues in reinsurance.

Pub. No. 837 / ISBN 9781422417461 (Retail Price \$39.00 / Wholesale Price \$26.13)

INTELLECTUAL PROPERTY

See also Copyright; Licensing; Patent Law; and Trademarks and Unfair Competition

Licensing of Intellectual Property and Other Information Assets, Second Edition (2007)



Raymond T. Nimmer, Leonard H. Childs Professor of Law & Co-Director, Intellectual Property and Information Law Institute, University of Houston Law Center

This unique book combines traditional case law and materials along with numerous problems to enable coverage of this exciting and rapidly developing field in either a case-law-based or problem-based course. The book is comprehensive, dealing with all of the traditional areas of intellectual property and information licensing and also with modern issues associated with digital and online transactions, including topics such as data protection, security, and privacy in online transactions. It also provides for coverage of antitrust, misuse, and preemption issues in licensing.

The Second Edition blends the licensing materials into an integrated and coherent whole presented in a straightforward and understandable manner. Licensing of Intellectual Property and Other Information Assets allows the professor to emphasize one or another of the fields of licensing over the others by selecting among the cases or problems involved.

The problem materials facilitate not only a problem-based approach to the policy and legal issues, but also present students with numerous drafting exercises and drafting issues, reflecting the contractual nature of licensing law. A Teacher's Manual and Documentary Supplement are available, the latter of which includes both federal and state laws applicable to the issues covered in the book as well as licensing agreements dealing with the various aspects of licensing practice.

Pub. No. 3202 / ISBN 9781422417652 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426050 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820564005 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual

Intellectual Property in Business Organizations: Cases and Materials (2006)

Richard S. Gruner, *Professor of Law & Director, Center for Intellectual Property Law*, John Marshall Law School Shubha Ghosh, *Professor of Law*, Southern Methodist University, Dedman School of Law

Jay P. Kesan, Professor of Law, Mildred Van Voorhis Jones Faculty Scholar & Director, Program in Intellectual Property and Technology Law, University of Illinois College of Law

This casebook focuses on the legal problems of businesses that develop and utilize intellectual property as the businesses are founded, financed, expanded, transferred to others, or terminated. The legal issues presented in this text are substantively important because they turn on fundamental policy questions of intellectual property and business organization law that have yet to be fully resolved and that will have a bearing on a broad range of important intellectual property and business organization controversies. At the same time, the intellectual property issues in business organizations are practically important because they correspond to areas of highly active legal practice where law students will need special training and have ample opportunities to apply it.

The text also addresses the distinctive roles played by intellectual property at three stages of business development: the startup phase (where intellectual property often plays key roles in business formation and venture capital financing), the mid-life phase (where intellectual property is often an important factor in going public or selling a business through a merger into a larger concern), and the mature company phase (where successful firms must deal with problems such as preventing abuses of dominant intellectual property positions and remaining competitive in complex high-tech markets despite being innovators in only small components of those markets).

The text is designed for law students in advanced classes concerning intellectual property, business organizations, and the law of science and technology as well as intellectual property survey courses. It is also suitable for business school students in classes with a substantial focus on legal problems of developing businesses. A strong background in intellectual property law is not assumed. Rather, background material on important intellectual property standards is provided in an appendix to the text. In addition, detailed notes on particular intellectual property laws and legal issues raised in the materials are included with the readings.

The readings in the text revolve around the problems faced by a hypothetical company, the Digital Ignition Systems Corporation ("Digital Ignition"). The concerns that face this company as it develops serve as the background or "backstory" for problems raised in the text regarding specific intellectual property issues. Individual chapters in the book focus on particular types of intellectual property problems encountered at different stages of this company's history. Additional factual accounts elaborating on some of the incidents mentioned in the overview of Digital

Ignition's history are presented in each chapter to highlight particular contexts and intellectual property problems faced by businesses as they develop.

Pub. No. 3205 / ISBN 9780820561509 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426067 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

International Intellectual Property Law and Policy (2001)

Second Edition Scheduled to be Available for Review in Fall 2008 (Second Edition includes the addition of Graeme W. Austin as a co-author)

Graeme Dinwoodie, Professor of Law, Associate Dean & Director of the Program in Intellectual Property Law, Chicago-Kent College of Law, Illinois Institute of Technology

William O. Hennessey, *Professor of Law & Chair, Intellectual Property Graduate Programs,* Franklin Pierce Law Center Shira Perlmutter, Esq., Executive Vice President, Global Legal Policy IFPI

Graeme W. Austin, J. Byron McCormick Professor of Law, University of Arizona, James E. Rogers College of Law

This clearly written casebook discusses public international intellectual property law (the obligations regarding intellectual property protection undertaken and imposed on states) found in treaties and similar instruments. It also includes extensive discussion of the acquisition and enforcement of intellectual property rights internationally by private rights holders. This latter discussion encompasses treatment of international and regional industrial property registration agreements. The authors include materials relating to all forms of intellectual property, including patents, copyrights and related rights, trademark and unfair competition, trade secrets, geographical indications, and industrial designs. This book can be used as the basis for courses in International Intellectual Property, International Trade, Introduction to Copyright, and Introduction to Trademarks.

The substantial accompanying **Documentary Supplement** contains the leading treaties, directives, and other documents pertinent to the study of international intellectual property law and policy. The **Documentary Supplement** also contains excerpts of selected proposed treaties, directives, and resolutions on intellectual property.

Pub. No. 3068 / ISBN 9780820545257 (Second Edition ISBN 9780820570281) (Retail Price \$125.00 / Wholesale Price \$100.00) / Looseleaf ISBN 9781422425930 (Retail Price \$75.00 / Wholesale Price \$60.00) / Documentary Supplement ISBN 9780820545264 (Second Edition ISBN 9781422425022) (Retail Price \$34.00 / Wholesale Price \$27.20) / Online Supplement

INTERNATIONAL LAW

International Trade Law: Interdisciplinary Theory and Practice, Third Edition (2008)



Raj Bhala, *Rice Distinguished Professor*, University of Kansas, School of Law

International Trade Law: Interdisciplinary Theory and Practice has been completely revised in its Third Edition, building upon the global successes of its two predecessor editions. Truly a "world law" textbook applicable in any of the approximately 152 WTO countries, the Third Edition places much emphasis on coverage of developing and least developed countries in Asia, Africa, and Latin America, highlighting the significance of their demographics, politics, culture, and economic dynamism. Europe and the high-profile trade disputes between the United States and the European Union is another chief focal point of this distinctively comprehensive book. Notably, the textbook avoids two pitfalls: an American-centric approach, and the suggestion that international trade law is only about the WTO.

The textbook contains 50 chapters dedicated to all aspects of the field, from ancient and medieval views about the morality of trade to the mysteries of adjustments to Constructed Export Price in a dumping margin calculation. The textbook covers fully the Doha Round and the new, post-9/11 trade security rules. It includes six chapters on free trade agreements (FTAs), two chapters each on agriculture, services, and intellectual property, and plenty of excerpts from key WTO and U.S. court cases. Overall, the textbook is both a tour de force and user friendly. Not surprisingly, the textbook has been used at roughly 100 law schools around the world, and translated into Vietnamese.

Each chapter is manageably sized and offers a user-friendly structure, allowing the flexibility of choosing the chapters that best serve the needs of a professor's individual course. The topics in each chapter help students establish a fundamental foundation upon which to build their knowledge of international trade law. Useful notes appear throughout the text, carefully constructed and organized to guide and challenge students, without abandoning them to trying to play "find-the-ball" on their own, piecemeal.

The author sets forth five clear fundamental themes in the preface which resonate throughout the text, providing not only coherence and integration, but also the passion that will ensure lively classroom discussion and debate. The author covers hot topics, such as protectionism, regionalization, labor, the environment, and sanctions, from both a practical and theoretical standpoint. Interesting and substantive interdisciplinary readings provide further penetration of a subject on not only the economics of international trade law, but on perspectives brought to the field by political scientists, international relations specialists, and philosophers.

A Teacher's Manual is available to professors. The Teacher's Manual contains 10 sample course syllabi for semester-long courses in trade and trade-related fields, and 600 questions and answers for classroom use.

The materials in this Documents Supplement (formerly, the Handbook) conveniently cross-refer to the **International Trade Law** textbook to ensure their use at appropriate times. That is, the Documents Supplement and textbook are integrated, as each textbook chapter lists the relevant documents in the Documents Supplement for reading. The Documents Supplement is also useful for research and practice as a stand-alone reference. It has all GATT-WTO accords, plus the ITO Charter, the entire texts of NAFTA, and major U.S. FTAs (including the latest one, with Korea). To avoid an American-centric approach, the Documents Supplement also boasts texts of FTAs not involving the U.S.

Pub. No. 3069 / ISBN 9781422419403 (Retail Price \$127.00 / Wholesale Price \$101.60) / Looseleaf ISBN 9781422425947 (Retail Price \$76.00 / Wholesale Price \$60.80) / Documents Supplement ISBN 9781422419410 (Retail Price \$45.00 / Wholesale Price \$36.00) / Teacher's Manual

The Constitutional Law of the European Union, Second Edition (2008)



James D. Dinnage, Solicitor (England), Attorney-at-Law (New York), and Special Legal Consultant (District of Columbia) John F. Murphy, Professor of Law, Villanova University School of Law

This book offers an approach that concentrates on those aspects of European legal materials that are of constitutional interest. It takes the basic themes of constitutional law relevant in an established federal structure (principally the United States) as a "template" and then organizes analysis of the provisions of the various EU Treaties and the caselaw in order to bring out the degree to which they provide the building blocks of an EU Constitution. Perhaps the most radical aspect of this approach is to be found in Part III, where the authors view the Treaties' free movement provisions as constitutional restrictions on the Member States' ability to affect inter-State commerce. This enables those provisions to be examined in the context of the division of powers between the Union and the Member States in much the same way as one might study the U.S. Commerce Clause, and in particular the dormant commerce clause doctrine. Moreover, the authors add a new perspective on the impact of those restrictions by focusing on various areas of legislative activity rather than structuring the materials around the Treaty provisions as such.

The merit of this approach is that it relates the often complex and unfamiliar legal structures and concepts of the European Union to subject-matter that should be familiar to students who have already taken a course in Constitutional Law. It also avoids distractions that could otherwise arise from extensive probing into substantive areas of EU law that would be better addressed through discrete in-depth studies based on an entirely different course theme, such as corporation or antitrust (competition) law.

Other departures from conventional treatment of EU law include an extended treatment of Fundamental Rights, and unique approaches to the relationship of EU law with Member State law and with international law. The book also incorporates a final chapter on the Treaty of Lisbon—which includes most operative provisions of the "Constitution" rejected by referenda in France and the Netherlands—in anticipation of its ratification, and other initiatives that are shaping the future of the EU. It thus provides a bridge between the law as it existed at the end of 2007 and its likely evolution over the foreseeable future.

Pub. No. 3523 / ISBN 9781422423912 (Retail Price \$108.00 / Wholesale Price \$86.40) / Documentary Supplement ISBN 9781422424001 (Retail Price \$24.00 / Wholesale Price \$19.20) / Teacher's Manual

International Business and Economics— Law and Policy, Third Edition (2004)

Paul B. Stephan, Lewis F. Powell, Jr. Professor of Law & Hunton and Williams Research Professor, University of Virginia School of Law

Julie A. Roin, Seymour Logan Professor of Law, University of Chicago Law School

Don Wallace, Jr., Professor Emeritus and Adjunct Professor, Georgetown University Law Center

The First Edition of this text was written at a time when the structures of international relations were undergoing a profound transformation, with the collapse of Soviet-style communism just behind us and the creation of NAFTA and the WTO just ahead. The Second Edition came at a time when NAFTA and the WTO had taken shape but not yet acquired a history. Now, eight years later, both of those structures can be studied in detail and their ramifications for the world economy can be better appreciated. In the interim, the Internet has established itself as a presence in innumerable firms and households, and the dot com bubble has come and gone. The services-oriented information economy seems no longer to be emerging, but rather a fundamental aspect of contemporary business.

The Third Edition of International Business and Economics— Law and Policy reflects all of these changes. The authors have included much more trade law, additional materials on the international aspects of intellectual property, and a wealth of other new cases reflecting the ongoing evolution of the world economy. This edition continues to prompt readers to consider the effects of particular rules by offering various models and methodologies that suggest a variety of answers to these questions. As in the previous edition, the authors include large portions of materials on taxation. The tax materials are intended for teachers who are not tax specialists and students who may not have had any tax courses during their legal education. Because the tax materials are in discrete sections, professors who wish to focus on other aspects of international business may easily omit them.

The Third Edition incorporates new U.S. case law (a response to the growing significance of international business in the economy), expands the treatment of international intellectual property, discusses new international regimes such as the OECD anti-bribery convention and the Financial Action Task Force, and greatly expands its coverage of the emerging jurisprudence of NAFTA and the WTO. The increased coverage of these issues makes the book a suitable text for a trade course as well as one devoted more broadly to international business.

Pub. No. 3064 / ISBN 9780820559896 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425923 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820561073 (Retail Price \$37.00 / Wholesale Price \$29.60) / Teacher's Manual / Supplement

The Law and Economics of the European Union (2003)

Paul B. Stephan, Lewis F. Powell, Jr. Professor of Law & Hunton and Williams Research Professor, University of Virginia School of Law

Francesco Parisi, *Professor of Law*, University of Minnesota Law School

Ben Depoorter, Associate Professor of Law, University of Miami School of Law

This book examines the economic foundations of the European Union and seeks to give the reader a solid grounding in the core concepts that explain why EU law looks and works as it does. It reflects the authors' judgment that the EU, as an institution and the source of a body of law, has played, and will continue to play, an important role in contemporary international and business life. The Law and Economics of the European Union emphasizes case law and comparisons to analogous doctrines and problems that arise in the implementation of U.S. federalism. The authors strike a balance between the "constitutional" aspects of the EU the establishment and the delineation of the institutions, with emphasis on their powers vis-à-vis the states that make up the Union—and the regulatory product of the European Community, in particular the law that implements the freedom of movement of goods, services, persons, and capital. The final chapter looks at competition law in the EU, with multiple comparisons to U.S. antitrust law.

Pub. No. 3148 / ISBN 9780820561059 (Retail Price \$101.00 / Wholesale Price \$80.80)

International Civil Litigation: Cases and Materials on the Rise of Intermestic Law (2002)

Ralph G. Steinhardt, *Professor of Law and International Affairs & Arthur Selwyn Miller Research Professor of Law,* The George Washington University Law School

This casebook grows out of the rapid "internationalization" of domestic law ("intermestic" law) over the last decade, especially in civil litigation before U.S. courts. The contemporary litigator must be expert in what have traditionally been separate fields of law: civil procedure, conflicts of laws, public international law, evidence, international business transactions, remedies, even immigration law and human rights. This book integrates materials across these fields, developing the common principles that govern litigation with international elements in U.S. courts.

Covered issues include transnational jurisdiction and choice of law, service of process, discovery, the special treatment of governments as parties, and the recognition and enforcement of judgments and arbitral awards. But unlike other textbooks in the field, **International Civil Litigation** goes beyond these separate subjects to illustrate common themes whenever domestic courts handle transnational litigation, including:

- The role of customary and conventional international law in the interpretation of domestic statutes;
- · Characteristic issues of professional responsibility;
- The impact of intergovernmental and non-governmental organizations; and
- The unique difficulties of proving the content of international law.

International Civil Litigation is also accompanied by a **Documents Supplement** and a comprehensive Teacher's Manual.

Pub. No. 3119 / ISBN 9780820545936 (Retail Price \$101.00 / Wholesale Price \$80.80) / Documents Supplement ISBN 9780820545974 (Retail Price \$30.00 / Wholesale Price \$24.00) / Teacher's Manual

The Civil Law Tradition: Europe, Latin America, and East Asia, Cases and Materials (1994)

John Henry Merryman, Nelson Bowman Sweitzer and Marie B. Sweitzer Professor of Law, Emeritus, Stanford Law School David S. Clark, Maynard and Bertha Wilson Professor of Law & Director, Certificate Program in International and Comparative Law, Willamette University College of Law John O. Haley, Wiley B. Rutledge Professor of Law & Director of the Whitney Harris Institute for Global Legal Studies, Washington University at St. Louis School of Law

The aim of this book is to introduce the student to the family of legal systems common to Europe, Latin America, and East Asia. The materials include readings that explain what binds together countries that participate in the world's oldest, most widely

distributed, and most influential legal tradition. At the same time, the authors use materials from or about specific countries to illustrate the many fascinating variations that exist within the civil law tradition. The principal countries utilized for this purpose are France, Germany, Italy, and Spain within Europe; Argentina, Brazil, Columbia, and Mexico within Latin America; and Indonesia, Japan, South Korea, Taiwan, and Thailand in East Asia. A distinguishing feature of this book is its relative de-emphasis of rules and related doctrine and greater attention to the intellectual history, structure, professional actors, and processes that are characteristic of civil law systems.

Pub. No. 3013 / ISBN 9781558341807 (Retail Price \$101.00 / Wholesale Price \$80.80)

Understanding International Law (2006)

Stephen C. McCaffrey, *Distinguished Professor and Scholar*, University of the Pacific, McGeorge School of Law

This clearly written Understanding treatise is designed to explain what international law is, why it exists, and the basic subjects it covers. The law of treaties is given particular attention, chiefly because of the increasing importance of the treaty in international life. The number of treaties has mushroomed since the Second World War and many of these agreements include over 100 states as parties. Because of their number and the breadth of their coverage, treaties are thus the main form of international legislation. But since they are also contractual in character, and since many multilateral treaties allow states to place conditions on their acceptance of them, the law governing treaties is necessarily more complex than if they were the exact equivalent of national legislation. Understanding International Law also provides introductory coverage of topics of current relevance, such as terrorism, international criminal law, use and applicability of international law in United States courts, and the law governing the use of military force.

Pub. No. 3122 / ISBN 9780820556956 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding International Business and Financial Transactions, Second Edition (2005)

Jerold A. Friedland, *Professor of Law & Director, Asian Legal Studies Program,* DePaul University College of Law

This clearly written *Understanding* treatise is purposely comprehensive and all-inclusive in terms of explanatory materials making the complex field of international business transactions more approachable. Contents include:

- Chapter 1: Money, Currency and Finance in International Trade
- Chapter 2: The Rules of International Trade
- Chapter 3: United States Trade Laws

- Chapter 4: International Sales
- Chapter 5: Operating in Foreign Markets
- Chapter 6: Taxation of International Transactions

This treatise facilitates student understanding of more intricate international financial issues and examines the planning rationale used in establishing international business operations. A thorough discussion of international sales and contract formations includes in-depth analyses of choice of law, remedies, dispute settlement agreements, commercial terms, payment arrangements, and other key considerations.

Pub. No. 3137 / ISBN 9780820563398 (Retail Price \$37.00 / Wholesale Price \$24.79)

Dictionary of International Trade Law (2008)



Raj Bhala, *Rice Distinguished Professor*, University of Kansas, School of Law

The all new **Dictionary of International Trade Law** is the first of its kind. This Dictionary defines and explains in detail hundreds of terms—common and uncommon ones—used in the field, from the "ACU" and "CMAA" to "TIFA" and "WCO." Many entries include organizational charts (e.g., the structure of the new Department of Homeland Security) and tables (e.g., of precedent-setting cases on zeroing). Many entries also provide references for further research. Notably, the Dictionary has three Annexes:

- Annex A contains 25 maps, of the world, regions, and countries, from the Arctic to Zambia, not only showing states and provinces (e.g., in Brazil and India), but also highlighting disputed territories (e.g., in Kashmir);
- Annex B sets out research tools, such as tables on milestones in Chinese history (from early dynasties through modern legal reforms), EU institutions, U.S. trade statutes, and useful Web sites on trade law;
- Annex C has data on U.S. FTAs, including votes by political party in Congress, on immediate versus deferred duty-free treatment for goods, market access for services, and government procurement thresholds.

In sum, the 600-page **Dictionary of International Trade Law** aims to help students, scholars, and practitioners through the complex jargon of trade. Like the textbook, **International Trade Law: Interdisciplinary Theory and Practice**, the **Dictionary** is interdisciplinary, paying special attention to practical terms and theoretical concepts from international economics and development studies.

Pub. No. 3070 / ISBN 9781422419427 (Retail Price \$30.00 / Wholesale Price \$24.00)

European Union Law Anthology (1998)

Karen V. Kole, *Visiting Professor of Law*, Valparaiso University School of Law

Anthony D'Amato, Leighton Professor of Law, Northwestern University School of Law

This anthology is designed to paint a comprehensive picture of the development of the European Union and to look forward to the future especially with an eye to how the United States will fit into that future. The editors relied heavily on articles from European journals, which are sometimes difficult to obtain in the United States, because it is important for American law students to see how Europeans think about the legal issues and the problems of the European Union.

Pub. No. 3589 / ISBN 9780870842054 (Retail Price \$39.00 / Wholesale Price \$31.20)

International Law Anthology (1994)

Anthony D'Amato, *Leighton Professor of Law*, Northwestern University School of Law

This anthology collects and excerpts some of the best and most thoughtful writings by over 140 authors. The **International Law Anthology** includes the following coverage: Introduction to International Law (Part II); Professional Tools / Sources of International Law (Part III); Substantive Law and Theory (Part III); and The Normative Dimension (Part IV).

Pub. No. 3596 / ISBN 9780870843600 (Retail Price \$29.00 / Wholesale Price \$23.20)

INTERVIEWING AND COUNSELING

See also Alternative Dispute Resolution; Arbitration; Mediation; and Negotiation

The Counselor-at-Law: A Collaborative Approach to Client Interviewing and Counseling, Second Edition (2006)

Robert F. Cochran, Jr., Louis D. Brandeis Professor of Law, Pepperdine University School of Law

John M.A. DiPippa, Associate Dean for Academic Affairs & Distinguished Professor of Law and Public Policy, University of Arkansas at Little Rock, William H. Bowen School of Law

Martha M. Peters, *Professor of Legal Education*, Elon University School of Law

This book takes a collaborative approach to legal interviewing and counseling. It suggests that clients will be best served when lawyers and clients work together to resolve problems. Under a collaborative decision-making model, the client controls most

decisions, but the lawyer structures the process and provides advice in a manner that is likely to yield wise decisions.

The Counselor-at-Law explores the major approaches to legal interviewing and counseling and outlines the available research on the psychology and the sociology of clients and lawyers. This book explores communication and decision-making theory, memory and recall, power and submission, personality types, and ethics. From this base, the authors construct a model of interviewing and counseling based on the techniques that are effective in real-life encounters. They also include psychological type theory and explain how it can be used to improve a lawyer's communication, interviewing, and counseling skills.

This innovative casebook provides students with a template for effective legal interviewing and counseling. The most effective legal counselors are the ones instilled with respect for the client, cognizant of building rapport, aware of the psychological dynamics of the lawyer-client relationship, and equipped with technical communication skills to gather information without sacrificing rapport.

Pub. No. 3116 / ISBN 9780820564739 (Retail Price \$42.00 / Wholesale Price \$33.60) / Teacher's Manual

Legal Counseling and Negotiating: A Practical Approach (2001)

G. Nicholas Herman, *Adjunct Professor*, North Carolina Central University School of Law

Jean M. Cary, *Professor of Law*, Campbell University, Norman Adrian Wiggins School of Law

Joseph E. Kennedy, Associate Professor of Law, University of North Carolina School of Law

This book provides a comprehensive descriptive and prescriptive treatment of legal counseling, interviewing, and negotiation (including mediation and plea-bargaining). As reflected in the title, the book takes "a practical approach" to these skills, so students can learn specifically how to engage in effective counseling and negotiating. The book also emphasizes pertinent ethical and legal considerations in connection with counseling clients and negotiating settlements. The authors discuss leading "theoretical approaches" to the extent those approaches can be meaningfully applied in practice. The overall effect is to emphasize that blend of theory, practice, ethics, and law that is most meaningful in the sense of having real-life application to effective client representation.

The Appendices to the book provide numerous negotiation and mediation role-plays, including plea-bargaining role-plays. Interviewing and counseling role-plays are provided in a separate Teacher's Manual, which also includes the "confidential instructions" for the negotiation, mediation, and plea-bargaining role-plays.

Pub. No. 1154 / ISBN 9780820550237 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual

INTRODUCTION TO LAW

See also Legal Method and Process

Introduction to the Study of Law, Second Edition (2002)

John Makdisi, *Professor of Law*, St. Thomas University School of Law

This coursebook is designed for use by beginning law students. The first six chapters provide background reading on the goals of legal education. The four topics following these chapters provide several assignments for teaching an orientation course. These assignments focus on the techniques of the case method of study in the areas of Contracts, Property, Torts, and Civil Procedure. Sample briefs introduce the student to the basic process of analytical thinking. Sample questions encourage creative thinking and anticipate the types of questions that the student may expect in the classroom.

Pub. No. 3552 / ISBN 9781422419878 (Retail Price \$42.00 / Wholesale Price \$33.60)

Guide to the Study of Law: An Introduction, Second Edition (2001)

L.H. LaRue, Class of 1958 Alumni Professor of Law Emeritus, Washington and Lee University School of Law

This book focuses on the process of becoming a law student. The author includes a stimulating collection of Lectures, Applications, and Readings, offering students thoughtful and rich insight to the study of law and law-related processes. This **Guide to the Study of Law** is designed to be self-instructional or used with other materials in an Introduction to Law course.

Some questions this book addresses include:

- How does legal argument differ from ordinary argument, and how does one build on the skills one already has to make the transition from ordinary argument to legal argument?
- How does reading a case differ from the reading assignments one had in college, and how does one make the transition to this new form of reading?
- How do the research and writing assignments in law school differ from those in college, and how does one make the transition?

Pub. No. 684 / ISBN 9780820553207 (Retail Price \$27.00 / Wholesale Price \$18.09)

American Legal Systems: A Resource and Reference Guide (1997)

Toni M. Fine, Assistant Dean for International and Non-JD Programs, Fordham University School of Law

This concise book provides an overview of American legal institutions and sources of law, and presents a guide to the interrelationships between and among those institutions and legal authorities. Portions of **American Legal Systems** demonstrate how to locate specific resources, use legal terms, and prepare commonplace legal documents. Among the main virtues of the book is its "reader-friendliness." It introduces readers to some extremely complicated issues of American jurisprudence in a clear and straightforward way.

Pub. No. 3503 / ISBN 9780870842665 (Retail Price \$36.00 / Wholesale Price \$28.80)

The Anatomy of a Lawsuit (1996)

Peter N. Simon, *Professor Emeritus*, University of Colorado School of Law

This book is based on an actual case. It is designed to give students a feel for what actually happens in the step-by-step development of a case. **The Anatomy of a Lawsuit** explains the procedure and strategy behind motions such as motions for summary judgment and motions for a directed verdict.

Pub. No. 3010 / ISBN 9781558343207 (Retail Price \$32.00 / Wholesale Price \$25.60)

Elements of Law (1994)

Eva H. Hanks, *Dr. Samuel Belkin Professor of Law and Society*, Yeshiva University, Benjamin N. Cardozo School of Law Michael E. Herz, *Vice Dean, Professor of Law & Director*, *Floersheimer Center for Constitutional Democracy*, Yeshiva University, Benjamin N. Cardozo School of Law Steven S. Nemerson, Esq.

This book is designed for use in Introduction to Law, Legal Method, Legal Process, Elements of the Law, or other introductory courses. The book is not tied to any particular substantive area; rather, it seeks to develop skills and ways of thinking that will be useful across the range of other law school courses. The first part of the book is devoted to the common law, the second to statutory interpretation, and the third part to jurisprudence.

Pub. No. 3534 / ISBN 9780820563442 (Retail Price \$92.00 / Wholesale Price \$73.60) / Teacher's Manual

JEWISH LAW

Jewish Law (Mishpat Ivri): Cases and Materials (1999)

Menachem Elon, Caroline and Joseph S. Gruss Professor of Jewish Legal Studies, New York University School of Law Bernard Auerbach, Retired Professor of Law, University of Maryland School of Law Daniel D. Chazin, Esq., Teaneck, NJ Melvin J. Sykes, Esq., Baltimore, MD

This casebook provides insight into a legal system with a long and rich tradition, addressing issues relevant today in American law. Its primary focus is on the legal aspects of Jewish law, with emphasis on its historical development. The quoted materials originate from a wide variety of sources, from the Torah and rabbinic responsa, to modern authorities and court opinions written by Justice Elon while serving as a justice and deputy president of the Supreme Court of Israel. Jewish Law encompasses a broad spectrum of subjects, and in sufficient depth that professors can adapt the materials to their individual teaching methods. By combining jurisprudence, comparative law, and practical law in one clear and concise text, this casebook provides background and perspective for students as well as practitioners. It contrasts the treatment of various topics in Jewish law with the approaches taken by other legal systems, such as American, English, and modern Israeli, thereby offering new insights. The translations from Hebrew to English preserve the original flavor of the Hebrew text.

Pub. No. 1149 / ISBN 9780820540931 (Retail Price \$76.00 / Wholesale Price \$60.80)

IUDICIAL EXTERNSHIPS

See also Clinical Legal Education

Judicial Externships: The Clinic Inside the Courthouse, Third Edition (2005)

Rebecca A. Cochran, *Professor of Law*, University of Dayton School of Law

Judicial Externships: The Clinic Inside the Courthouse first appeared a decade ago to provide much needed materials for law students undertaking the challenges of a judicial externship. This new edition continues in the tradition of the first and second: it provides an anthology of materials, bibliographies, and exercises to complement and enhance the law student's work with the court as a judicial extern.

The chapters each focus on a common theme illustrated through a wide range of material: a job posting, trial and appellate case opinions, local court rules, a judge's resume, state and federal statutes, letters to the editor, confirmation hearing transcripts, and other documents. Each chapter includes a bibliography on the topic for further reading and research, as well as exercises and questions that further develop the theme and provoke discussion.

Although the updated new materials illustrate publicized changes in judicial campaign ethics and the conflicts seen in the federal confirmation hearings, the materials are firmly linked as well to the ordinary, daily tasks of the judicial extern in researching and writing and in observing first-hand the judicial process.

Pub. No. 3553 / ISBN 9781593459086 (Retail Price \$42.00 / Wholesale Price \$33.60)

Judging: A Book for Student Clerks (2003)

Louis J. Sirico, Jr., Professor of Law & Director, Legal Writing Program, Villanova University School of Law

This anthology is designed to serve as the primary text for the classroom component of a judicial externship. Its purpose is to provide insightful readings that permit and encourage deep reflection on the profession of judging. The text of Judging offers stories by and about judges that resonate with the student's own clerking experiences. Thus, the readings are not unduly academic or abstract, but represent contemporary accounts of judges dealing with topical issues. Although the readings are provocative, they do not deal primarily with high-profile incidents that are the exception rather than the rule. Rather, they deal with the sorts of issues that the students' judges often face. With its general focus, Judging will succeed even when the students are clerking for judges in a variety of jurisdictions and settings. Each chapter begins with a brief introduction, followed by a series of relatively short readings by and about judges which raise issues about the chapter's topic. Each chapter ends with a series of questions tied to the readings and designed to provoke class discussion.

Pub. No. 3170 / ISBN 9780820555386 (Retail Price \$36.00 / Wholesale Price \$28.80)

Keeton on Judging in the American Legal System (1999)

Robert E. Keeton, *Langdell Professor Emeritus*, Harvard Law School

This unique resource explains how good judges, both state and federal, decide difficult cases, and why they make their choices. **Keeton on Judging in the American Legal System** contains 21 chapters organized into three parts. This invaluable resource also contains checklists, forms, tables of actual and hypothetical case scenarios, topical index, and an index of names, referring the reader to judges and legal scholars cited in the text.

Pub. No. 64145 / ISBN 0327010592 (Retail Price \$138.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / hardbound

Moore's Federal Rules Pamphlet, Part 4: Judicial Code, Title 28 U.S.C., 2008 Edition

James Wm. Moore, Commentator

This annually revised softbound resource contains the complete text of the statutes governing jurisdiction and procedure in federal courts and includes insightful commentary and case annotations.

Pub. No. 415 / ISBN 9781422420911 (Retail Price \$76.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$38.40) / softbound

JURISPRUDENCE

Jurisprudence Cases and Materials: An Introduction to the Philosophy of Law and Its Applications, Second Edition (2006)

Stephen E. Gottlieb, Ruth and Jay Caplan Distinguished Professor of Law, Albany Law School

Brian H. Bix, Frederick W. Thomas Professor for the Interdisciplinary Study of Law and Language, University of Minnesota Law School

Timothy D. Lytton, Albert and Angela Farone Distinguished Professor of Law, Albany Law School

Robin L. West, Frederick J. Haas Professor of Law and Philosophy, Georgetown University Law Center

The Second Edition of **Jurisprudence Cases and Materials** includes several new features. First, it begins with two chapters on the ancient Near Eastern, biblical, and classical origins of law and jurisprudence. Second, it offers chapters that trace the systematic development of the Anglo-American analytic canon and modern critical responses. Continental thought is incorporated along with the realist and pragmatic traditions that remain among the major American contributions to jurisprudential thought. Third, the Second Edition retains and further develops analysis of jurisprudence in the courts. The result is a book that attains unusual breadth and richness of treatment of the web of law and philosophy.

The Second Edition, like the first, uses cases to make jurisprudence more meaningful to students and to explore the "relevance" of jurisprudence, exploring how jurisprudential assumptions implicitly or subconsciously dominate the thinking of jurists and therefore play a role in driving the law. Jurisprudence is at the very heart of law and the book tries to make that clear.

Having in mind the different ways that people like to teach Jurisprudence, the authors sought to design a flexible book. Students can be taken sequentially through the ancient Near Eastern, biblical, and Classical origins of law and jurisprudence, the Anglo-American canon, modern critical responses, and how it is all reflected in the courts. The book can be taught

sequentially or topically. Materials are provided which can be combined in a rich variety of ways to suit the professor's preference. The Teacher's Manual offers suggestions of different ways to structure the course from the materials.

Pub. No. 3071 / ISBN 9780820562346 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

Basic Themes in Law and Jurisprudence (2000)

Charles W. Collier, Professor of Law & Affiliate Professor of Philosophy, University of Florida, Levin College of Law

This book is an introduction to law and jurisprudence. Instead of presenting these subjects as they happened to unfold historically, or as they have been advanced by various "schools," this book pursues five basic themes that inevitably emerge in the study of law and jurisprudence:

- Law and Society;
- Freedom and Necessity;
- · The Reach of the Law;
- · The Legal and the Non-Legal; and
- · Law and Morality.

While these themes do not exhaust the study of either law or jurisprudence, they do focus attention on the most important issues.

Pub. No. 3507 / ISBN 9781583607633 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual

Analytic Jurisprudence Anthology (1996)

Anthony D'Amato, *Leighton Professor of Law*, Northwestern University School of Law

This anthology may serve as a supplementary reader for undergraduate, graduate, and law school courses in Jurisprudence, Legal Philosophy, and Introduction to Law, or it may serve as the textbook for a Jurisprudence course. Alternatively, it may be dipped into by anyone interested in the fascinating issues of legal philosophy.

Pub. No. 3575 / ISBN 9780820570693 (Retail Price \$39.00 / Wholesale Price \$31.20)

JUVENILE LAW

See also Family Law

Children and the Law: Cases and Materials, Second Edition (2006)

Martin R. Gardner, Steinhart Foundation Professor of Law, University of Nebraska College of Law Anne Proffitt Dupre, J. Alton Hosch Professor of Law, University of Georgia School of Law

This casebook presents materials for a general course in children and the law while at the same time providing sufficient attention to the juvenile justice system so as to be utilized as the vehicle for teaching a course in juvenile delinquency and status offenses. **Children and the Law** examines the rights and protections afforded minors under common-law doctrine, federal constitutional principles, and legislative enactments. It is divided into five sections:

- Chapter One (Minority as a Legal Status: Protectionism or Personhood?) presents a general overview of minority as a legal status. Included is a consideration of contrasting theories of rights of young people.
- Chapter Two (*The Child and the Family*) considers issues involving the child, parent, and state. Much of the chapter centers on issues involving the care of the child. Because some of these topics overlap with family law and domestic law courses, they receive relatively light treatment. On the other hand, the chapter provides extensive coverage of child abuse, a criminal law matter usually not covered in any other law school course.
- Chapter Three (*The Child and Society*) addresses the rights
 of children in the context of society, including such topics as
 obscenity and pornography, privacy rights of minors, contract
 liability, and tort liability.
- Chapter Four (*The Child and the School*) examines the rights of children in the context of the school, including such topics as First Amendment rights, religious practice, school discipline, school searches, discrimination, harassment and bullying, and the disabled student. This chapter is nearly 400 pages long and presents a detailed and careful compilation of the most important issues in education law.
- Chapter Five (*The Juvenile Justice System*) focuses on the procedure, jurisdiction, the pre-adjudication process, adjudication, dispositions, and the future of the juvenile justice system.

Pub. No. 3140 / ISBN 9780820564104 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425992 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Juvenile Law and Its Processes: Cases and Materials, Third Edition (2003)

Francis Barry McCarthy, *Professor of Law*, University of Pittsburgh School of Law

William Wesley Patton, Associate Dean of the Clinical Program, Professor of Law & J. Allan Cook and Mary Schalling Cook Children's Law Scholar, Whittier Law School

James G. Carr, Magistrate, U.S. District Court, Northern District of Ohio, Toledo, OH

This book is designed not only to introduce students to the substantive world of juvenile delinquency, child abuse, and status offenses, but also to provide them with historical and contemporary data to enable them to understand underlying juvenile law theories and the effects of changing systems. The Third Edition of Juvenile Law and Its Processes has several goals:

- To introduce students to the structure and procedures of juvenile proceedings;
- To enable students, through the provision of facts and contemporary data, to knowledgeably join in society's continuing debate about the purpose and direction of children's legal universe;
- To teach students the substantive law, theories, and strategies necessary to provide children with zealous and competent representation; and
- To give students an opportunity to apply their learning to a series of sophisticated juvenile law problems and simulations that will also raise a host of ethical conundrums.

The Third Edition contains new areas of emphasis:

- An extensive chapter on the third party rights of grandparents, de facto parents, relatives, and siblings;
- Contemporary disposition alternatives, such as Youth Court and Drug Court; and
- Extensive empirical data regarding arrests, delinquency dispositions, child abuse and neglect filings, custody placements, and termination of parental rights.

Another exciting addition is the inclusion of two complete juvenile law case files. The first concerns a child dependency case that the state could choose to file as an adult criminal case, a delinquency case, a status offender case, or a dependency case. The second case file involves a juvenile delinquency proceeding and provides the petition, arrest reports, minute orders, and probation officer's report. The Teacher's Manual includes extensive discussions of these case files with directions on how to use them in class discussions about relevant substantive law. It also provides suggestions on how to perform in- or out-of-class simulations using the case files. Finally, as a convenience to both students and professors, the authors have included two practice essay examinations in the casebook, with corresponding answers contained in the Teacher's Manual.

Pub. No. 3072 / ISBN 9780820558011 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

Cases and Materials in Juvenile Law (2002)

J. Eric Smithburn, Professor of Law, Notre Dame Law School

The purpose of this book is to provide teachers of juvenile law and process with a comprehensive set of course materials to examine both the delinquency and child welfare systems. Arranged in sixteen chapters, this book is roughly divided equally between delinquency and child welfare. There are separate chapters on children's rights in public schools, special advocacy for children, and mental health commitment of children. As noted by Professor Sanford N. Katz in the Foreword to the book:

"This book is the first successful attempt to combine Juvenile Law and the legal and social problems associated with juvenile delinquency and the juvenile court with Child Welfare Law and the issues of child protection. By uniting both areas in a single volume, Professor Smithburn has provided law students, legislators, and judges with a holistic approach to the study of children in the judicial system."

Pub. No. 3510 / ISBN 9780820569963 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Understanding Juvenile Law, Second Edition (2003)

Martin R. Gardner, Steinhart Foundation Professor of Law, University of Nebraska College of Law

This comprehensive treatise presents the two main theories of children's rights under the law: "protectionism" which supports a minor's right to protection; and "personhood," the view that children are entitled to be recognized as autonomous persons. After introductory chapters on the legal status of minority and the rights of juveniles, **Understanding Juvenile Law** examines issues occurring outside the juvenile justice system including family law issues, private law issues, and the constitutional rights of children. The remainder of this treatise addresses delinquency and status offense matters in the juvenile justice system.

Pub. No. 47 / ISBN 9780820557397 (Retail Price \$37.00 / Wholesale Price \$24.79)

LABOR LAW

Labor Relations Law: Cases and Materials, Eleventh Edition (2005)

Theodore J. St. Antoine, *James E. and Sarah A. Degan Emeritus Professor of Law,* University of Michigan Law School

Charles B. Craver, Freda H. Alverson Professor of Law, The George Washington University Law School

Marion G. Crain, *Paul Eaton Professor of Law & Director, Center on Poverty, Work, and Opportunity,* University of North Carolina School of Law

This casebook is designed for an intensive examination of the union-management relationship throughout its major phases. The representative labor union and the collective bargaining process as it has evolved in this country are given center stage. Generally, the chronology of organizing, bargaining, and contract enforcement is followed, with a discussion of what unions must do to be relevant in our post-industrial economy and a brief review of the law regulating internal union affairs. As in the past, the authors have tried to respond generously to the most significant current developments in the field while simultaneously providing a set of materials that will be truly manageable in the usual three- or four-hour course.

This well-organized and comprehensive text covers the historical development of labor organizations, the statutory right of employees to form, join, and assist unions, to organize for collective bargaining purposes, to use the bargaining process to influence their wages, hours, and working conditions, and to administer existing bargaining agreements. It also covers the union duty of fair representation, critiques of the NLRA and proposals for reform, and the regulation of internal union affairs. The authors also include NLRA and LMRA preemption and antitrust exemptions because of their continuing relevance.

The Teacher's Manual indicates how basic material can be covered, with a range of pedagogical suggestions as well as discussion and references to supplemental materials intended to enrich the course for professor and student. This Teacher's Manual includes answers to questions posed in the Note material, suggestions for directing class discussion, coverage recommendations for the three-hour, four-hour, or advanced Labor Law course, and sample syllabi and a questionnaire checklist (with answers) to help you streamline coverage. The authors also include a negotiation exercise, demonstrating to students how difficult it can be for the Labor Board to regulate the actual collective bargaining process. The authors have also prepared a statutory and documentary supplement, **Labor**

Relations Law: Selected Federal Statutes and Sample Bargaining Agreement. Biennial supplements will be provided to keep the casebook coverage current.

Pub. No. 3075 / ISBN 9780820563350 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421642 (Retail Price \$68.00 / Wholesale Price \$54.40) / Documentary Supplement ISBN 9780820564203 (**Labor Relations Law: Selected Federal Statues and Sample Bargaining Agreement**, 2005 Edition) (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual / Biennial Supplement

Labor Relations Law in the Public Sector: Cases and Materials, Fourth Edition (1991)

Harry T. Edwards, Circuit Judge, U.S. Court of Appeals for the District of Columbia

R. Theodore Clark, Jr., Esq., Seyfarth, Shaw, Fairweather & Geraldson, Chicago, IL

Charles B. Craver, Freda H. Alverson Professor of Law, The George Washington University Law School

This casebook contains more material than would normally be covered in a two- or even a three-hour course. The authors believe that each instructor should have the opportunity for personal selection. **Labor Relations Law in the Public Sector** offers students the opportunity to examine in some depth the parameters, important variations, and problems of public policy embodied in this area of the law.

The authors have not sought to treat many of the obviously important problems relating to collective bargaining techniques, substantive collective bargaining provisions, or the numerous practical aspects of labor relations, except to the extent these matters are affected or influenced by the applicable legal structure or rule. The book supplements the judicial decisions reported with numerous excerpts from other publications and with substantial text and note material.

Pub. No. 3073 / ISBN 9780874737684 (Retail Price \$96.00 / Wholesale Price \$76.80) / 1994 Supplement

Pub. No. 3074 (Statutory Supplement) / ISBN 9780872158924 (Labor Relations Law in the Public Sector: Selected State and Federal Statutes, 1991 Edition) (Retail Price \$20.00 / Wholesale Price \$16.00)

Understanding Labor Law, Second Edition (2005)

Douglas E. Ray, *Dean & Professor of Law*, University of Toledo College of Law

Calvin William Sharpe, John Deaver Drinko–Baker and Hostetler Professor of Law & Director of the Center for the Interdisciplinary Study of Conflict and Dispute Resolution, Case Western Reserve University Law School

Robert N. Strassfeld, Professor of Law, Associate Director, Frederick K. Cox International Law Center & Director, Institute for Global Security Law and Policy, Case Western Reserve University Law School

This *Understanding* treatise examines the multifaceted and complex law of private-sector labor law. Because **Understanding Labor Law** focuses on relations between management and labor in the private sector, it deals primarily with the National Labor Relations Act, as amended, and its interpretation and application by the federal courts and the National Labor Relations Board. Coverage includes the traditional labor law topics as well as employment-at-will and international labor issues. The book is organized in a format that is consistent with the organization of most Labor Law courses. At the end of each chapter is a section titled "Chapter Highlights," summarizing some of the major doctrines discussed in the chapter.

The authors have been careful to explicate all of the essential doctrinal developments under each topic supported by case and policy discussion as well as citations to many of the leading scholarly works. They have succeeded in presenting these materials with clarity as a result of insights gained from more than six decades of teaching the subject.

Pub. No. 1106 / ISBN 9780820562209 (Retail Price \$37.00 / Wholesale Price \$24.79)

LAND USE

See also Property Law; Real Estate

Planning and Control of Land Development: Cases and Materials, Seventh Edition (2008)



Daniel R. Mandelker, Howard A. Stamper Professor of Law, Washington University in St. Louis School of Law John M. Payne, Board of Governors Distinguished Service Professor, Professor of Law and Justice & Frederick W. Hall

Scholar, Rutgers University at Newark School of Law Peter W. Salsich, Jr., McDonnell Professor of Justice in American Society, Saint Louis University School of Law

Nancy E. Stroud, Esq., Lewis Stroud & Deutsch, P.L., Boca Raton, FL

Expanded and updated throughout, **Planning and Control of Land Development** continues the tradition of providing a comprehensive view of land use law integrated with a full review

of planning practice and techniques. This Seventh Edition retains the organization, features, and approaches that have made prior editions so well-received, but has been revised with several significant enhancements, including:

- Updated material on the takings clause to reflect recent decisions in the Supreme Court, including a new section on eminent domain:
- Additional treatment of important First Amendment issues involving religious uses, regulation of adult businesses, and sign regulation;
- A revised and expanded section on planned communities;
- Revisions and updates throughout the chapter on growth management; and
- Expanded and updated information about fair share housing programs and exclusionary zoning.

The authors further expand the accompanying Teacher's Manual to provide additional background and analysis of each case, fully analyze and answer the problems within the text, and provide suggestions for teaching the material in class. The CD-ROM that accompanies the Teacher's Manual includes additional teaching tools such as relevant site plans, statutes and ordinances, and photographs of case subject sites. The authors maintain a course Web site at http://law.wustl.edu/landuselaw, providing materials to update and supplement the casebook, including: new cases, articles, statutes and ordinances, photographs of Supreme Court case subject sites, and other materials designed to assist instructors teaching the course.

Pub. No. 3093 / ISBN 9781422407134 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425961 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Land Use Law, Fifth Edition (2003)

Daniel R. Mandelker, Howard A. Stamper Professor of Law, Washington University in St. Louis School of Law

This Fifth Edition of **Land Use Law** is a substantial revision and update of the treatise:

- Chapter Two, which considers the takings issue and other constitutional limitations, is thoroughly revised to include new Supreme Court cases.
- The author has also expanded treatment of other federal constitutional issues, such as free speech clause issues with adult uses, signs, and retaliatory governmental conduct, and free exercise clause issues with religious uses.
- Sections are added that consider federal preemption problems, including federal regulation of zoning for cellular towers.
- The chapter on environmental controls is expanded to include additional programs, such as critical area controls, slope and view protection, and right-to-farm laws.

 The chapter on growth management programs is also expanded, and the all-important problem of access to federal and state courts receives extended discussion.

Pub. No. 64584 / ISBN 9786458420034 (Retail Price \$101.00 / Wholesale Price \$80.80) / Annual Supplement

Understanding the Law of Zoning and Land Use Controls (2002)

Barlow Burke, *Professor of Law & John S. Myers and Alvina Reckman Myers Scholar*, American University, Washington College of Law

This comprehensive and clearly written *Understanding* treatise addresses zoning, land use, and environmental regulation in a national, jurisdiction-independent manner. **Understanding the Law of Zoning and Land Use Controls** is divided into the following six parts:

- Part 1: Fundamental Concepts: The Police Power, Takings, and Zoning
- Part 2: The Zoning Forms of Action
- Part 3: Economic Discrimination and Zoning
- Part 4: Wetlands and Beaches
- Part 5: Regulating the User, Not the Use
- Part 6: Halting an Owner's Further Regulation

This book also includes a glossary of Land Use terms.

Pub. No. 1153 / ISBN 9780820541129 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Land Use Anthology (1998)

Jon W. Bruce, Professor of Law, Vanderbilt University Law School

The articles included in this volume examine the complex and dynamic nature of land use law. These works consider both private restriction and public control. The focus is on governmental activity, particularly zoning and regulatory takings. The land use field has produced some abundant commentary. The articles excerpted in **A Land Use Anthology** deal with legal issues arising across the land use spectrum. These works were selected to provide diverse insights regarding the law governing land use.

Pub. No. 3597 / ISBN 9780870840234 (Retail Price \$39.00 / Wholesale Price \$31.20)

LAW AND ECONOMICS

Law and Economics Anthology (1998)

Kenneth G. Dau-Schmidt, Associate Dean for Research & Willard and Margaret Carr Professor of Labor and Employment Law, Indiana University School of Law—Bloomington

Thomas S. Ulen, Swanlund Chair & Director, Illinois Program in Law and Economics, University of Illinois College of Law

The **Law and Economics Anthology** contains edited versions of a selection of classic and interesting articles from the law and economics literature. Topics covered include the basics of economic analysis, the Coase Theorem, the debate over the Coase Theorem, property, contracts, torts, criminal law, and the efficiency of the common law. Care was taken to include central articles on the economic analysis of law, as well as critiques of these articles to ensure lively classroom discussion.

Pub. No. 3598 / ISBN 9780870842085 (Retail Price \$39.00 / Wholesale Price \$31.20)

LAW PRACTICE MANAGEMENT

Materials and Cases on Law Practice Management: A Learning Tool for Law Students (2004)

The late Thomas McKnight Steele

This book is designed to give students who are preparing to practice law a basic overview of the operation of a business enterprise, specifically a law firm. **Materials and Cases on Law Practice Management** is an ideal companion for a simulation course that includes class sessions and guest lecturers. The book encourages students to complete a series of assignments, including finalizing governance documents, a first-year budget, a compensation plan, a marketing plan, and a five-year business plan.

Pub. No. 3161 / ISBN 9780820553474 (Retail Price 68.00 / Wholesale Price 4.40 / Teacher's Manual

LEGAL METHOD AND PROCESS

See also Introduction to Law

Elements of Law (1994)

Eva H. Hanks, *Dr. Samuel Belkin Professor of Law and Society*, Yeshiva University, Benjamin N. Cardozo School of Law Michael E. Herz, *Vice Dean, Professor of Law & Director*, *Floersheimer Center for Constitutional Democracy*, Yeshiva University, Benjamin N. Cardozo School of Law Steven S. Nemerson, Esq.

This book is designed for use in Introduction to Law, Legal Method, Legal Process, Elements of the Law, or other introductory courses. The book is not tied to any particular substantive area; rather, it seeks to develop skills and ways of thinking that will be useful across the range of other law school courses. The first part of the book is devoted to the common law, the second to statutory interpretation, and the third part to jurisprudence.

Pub. No. 3534 / ISBN 9780820563442 (Retail Price \$92.00 / Wholesale Price \$73.60) / Teacher's Manual

Jurisprudence Cases and Materials: An Introduction to the Philosophy of Law and Its Applications, Second Edition (2006)

Stephen E. Gottlieb, Ruth and Jay Caplan Distinguished Professor of Law, Albany Law School

Brian Bix, Frederick W. Thomas Professor for the Interdisciplinary Study of Law and Language, University of Minnesota Law School

Timothy D. Lytton, Albert and Angela Farone Distinguished Professor of Law, Albany Law School

Robin L. West, Frederick J. Haas Professor of Law and Philosophy, Georgetown University Law Center

The Second Edition of **Jurisprudence Cases and Materials** includes several new features. First, it begins with two chapters on the ancient Near Eastern, biblical, and classical origins of law and jurisprudence. Second, it offers chapters that trace the systematic development of the Anglo-American analytic canon and modern critical responses. Continental thought is incorporated along with the realist and pragmatic traditions that remain among the major American contributions to jurisprudential thought. Third, the Second Edition retains and further develops analysis of jurisprudence in the courts. The result is a book that attains unusual breadth and richness of treatment of the web of law and philosophy.

The Second Edition, like the first, uses cases to make jurisprudence more meaningful to students and to explore the "relevance" of jurisprudence, exploring how jurisprudential assumptions implicitly or subconsciously dominate the thinking of jurists and therefore play a role in driving the law. Jurisprudence is at the very heart of law and the book tries to make that clear.

Having in mind the different ways that people like to teach Jurisprudence, the authors sought to design a flexible book. Students can be taken sequentially through the ancient Near Eastern, biblical, and Classical origins of law and jurisprudence, the Anglo-American canon, modern critical responses, and how it is all reflected in the courts. The book can be taught sequentially or topically. Materials are provided which can be combined in a rich variety of ways to suit the professor's preference. The Teacher's Manual offers suggestions of different ways to structure the course from the materials.

Pub. No. 3071 / ISBN 9780820562346 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

How to Reason about the Law: An Interdisciplinary Approach to the Foundations of Public Policy (2001)

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

This legal reasoning publication emphasizes law-oriented uses of reasoning concepts. Each chapter discusses a single discipline, or a single aspect of a complex discipline. These discussions provide the necessary background for the subsequent exercises, problems and examples, all of which are designed to help students analyze arguments and understand public policy considerations.

Pub. No. 3159 / ISBN 9780820553696 (Retail Price \$43.00 / Wholesale Price \$34.40) / Teacher's Manual

Keeton on Judging in the American Legal System (1999)

Robert E. Keeton, Langdell Professor Emeritus, Harvard Law School

This unique resource explains how good judges, both state and federal, decide difficult cases, and why they make their choices. **Keeton on Judging in the American Legal System** contains 21 chapters organized into three parts. This invaluable resource also contains checklists, forms, tables of actual and hypothetical case scenarios, topical index, and an index of names, referring the reader to judges and legal scholars cited in the text.

Pub. No. 64145 / ISBN 0327010592 (Retail Price \$138.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / hardbound

The Theory and Craft of American Law (1981)

The late Soia Mentschikoff Irwin P. Stotzky, *Professor of Law*, University of Miami School of Law

The Theory and Craft of American Law was designed for the basic Legal Process course. It provides cases, materials, notes, and readings designed to explore the theoretical bases of the law and the technical craftsmanship of the lawyer. The authors use a variety of fact situations to illustrate the interrelationship between theory and craft. This book also integrates numerous thought-provoking writing assignments throughout, geared to specific series of cases.

Pub. No. 382 / ISBN 9780820562803 (Retail Price \$92.00 / Wholesale Price \$73.60) / Teacher's Manual

LEGAL RESEARCH AND WRITING

See also Drafting and Interviewing and Counseling

Interactive Citation Workbook and Workstation (updated annually)

Tracy L. McGaugh, Associate Professor of Legal Process, Touro College, Jacob D. Fuchsberg Law Center

Christine Hurt, Richard W. and Marie L. Corman Scholar & Associate Professor of Law, University of Illinois College of Law

Nearly 140 Legal Research and Writing programs already rely on the **Interactive Citation Workbook** (**ICW**) to provide a self-paced, pedagogically sound, and mentally stimulating way for students to learn citation. Available in both **Bluebook** and **ALWD** versions, the annually revised **ICW** uses a building-block approach to learning citation. Individual chapters include explanatory text with examples, a checklist summary of the text, and a citation exercise for practicing and reinforcing the rules covered in the chapter.

Students can complete a citation exercise either in their ICW Workbook or online in the Workstation, located at *http://icw.lexisnexis.com*. Doing the exercises online provides immediate feedback for both correct and incorrect answers. For incorrect answers, references to the citation rules needed to correct the answer allow students to become familiar with using their citation guide as a reference and further enhance the learning experience. Please contact your LexisNexis Publishing Representative to request copies of our handy and easy-to-use At-A-Glance card, *Learning Citation Format using LexisNexis Interactive Citation Workstation*.

Interactive Citation Workbook for The Bluebook: A Uniform System of Citation (updated annually)

Pub. No. 3125 / ISBN 9781422411704 (2008 Edition ISBN 9781422423936) (Retail Price \$33.00 / Wholesale Price \$26.40) / Teacher's Manual / Online Exercises at *http://icw.lexisnexis.com*

Interactive Citation Workbook for ALWD Citation Manual (updated annually)

Pub. No. 3146 / ISBN 9781422411711 (2008 Edition ISBN 9781422423943) (Retail Price \$33.00 / Wholesale Price \$26.40) / Teacher's Manual / Online Exercises at http://icw.lexisnexis.com

Legal Argument: The Structure and Language of Effective Advocacy, Second Edition (2007)



James A. Gardner, Vice Dean for Academic Affairs & Joseph W. Belluck and Laura L. Aswad Professor of Civil Justice, University of Buffalo Law School, The State University of New York

This book has two main purposes. The first is to explain how lawyers construct legal arguments. It is meant to be a purely practical guide to the process by which lawyers take the raw materials of litigation—cases, statutes, testimony, documents, common sense—and mold them into instruments of persuasive advocacy. The book's second purpose is to explain how to take a well-constructed legal argument and present it, in writing, in a way that legal decision makers will find persuasive. The centerpiece of Legal Argument: The Structure and Language of Effective Advocacy is a step-by-step method, based on the construction of syllogisms, designed to walk the advocate through the process by which such a winning argument may be crafted. The book is divided into five parts:

- Part I sets out a general methodology for constructing legal arguments.
- Part II focuses more closely on the construction of persuasive, well-grounded legal premises, and covers the effective integration of legal doctrine and evidence into the argument's structure.
- Part III shows how to put the method to work by giving two detailed examples of the construction of complete legal arguments from scratch.
- Part IV provides a detailed protocol for reducing wellconstructed legal arguments to written form, along with a concrete illustration of that process. It also provides concrete advice on how to recognize and avoid a host of common mistakes in the written presentation of legal arguments.
- Part V moves from the basics into more advanced techniques
 of persuasive legal argument. These include rhetorical tactics
 of framing and emphasis, how to respond to arguments,
 maintaining professionalism in advocacy, and the ethical
 limits of arguments.

Pub. No. 3082 / ISBN 9781422418208 (Retail Price \$41.00 / Wholesale Price \$32.80)

Legal Reasoning, Writing, and Persuasive Argument, Second Edition (2006)

Robin Wellford Slocum, *Professor of Law & Director, Legal Research and Writing Program,* Chapman University School of Law

This book emphasizes the *process* of legal reasoning, writing, and persuasive argument. Students learn basic skills and build gradually toward mastery of more complex skills. Each pre-drafting and drafting step is examined in sequence, from evaluating cases and their impact on the "client," through outlining and writing the initial drafts of the document, to the final draft. Using a single evolving hypothetical, students develop skills by completing numerous writing exercises that use a "building-block" approach. This approach helps students learn how to read a case, analogize a case to a client's factual problem, reconcile and synthesize cases, and draft a memorandum based on their analysis. Significant highlights include:

- Writing exercises with a building-block approach, requiring knowledge of fundamentals before continuing to refine documents;
- Numerous graphics illustrate every step of the process, with annotations designed to explain the important drafting decisions that relate to the illustration;
- Single evolving hypothetical used to demonstrate how to read a case, analogize a case to a client's factual problem, and reconcile and synthesize cases; and
- Sample memoranda and briefs in the Appendices that are evaluated and dissected within the text to enhance student understanding of not only the textual discussion but of the pre-drafting and drafting decisions underlying the sample documents. The Second Edition adds a plaintiff's and a defendant's brief that illustrate how to argue conflicting positions from the same hypothetical problem. Like the other examples in the Appendices, these briefs are excerpted and used as teaching tools in the text.

A comprehensive Teacher's Manual provides pedagogical guidance and the author's teaching notes.

Pub. No. 3166 / ISBN 9780820564753 (Retail Price \$50.00 / Wholesale Price \$40.00) / Teacher's Manual

Legal Research Guide: Patterns and Practice, Fifth Edition (2006)

Bonita K. Roberts, Associate Dean for Administration & Professor of Law, Saint Mary's University of San Antonio School of Law Linda L. Schlueter, Esq., San Antonio, TX

This book provides simple step-by-step instructions in manual research processes using print resources. Students are also introduced to the alternative methods of electronic research through numerous "Computer Notes," making this

a pedagogically sound, as well as a practical, research book. Numerous checklists underscore the common patterns in manual legal research, as well as help to simplify each research process. The checklists' separate indices allow instant access to particular procedures. Specific problems also illustrate each process. Because legal issues are rarely so straightforward as to involve only one research process, some sample problems recur in more than one chapter to demonstrate the interrelationships between research procedures. An Appendix provides additional practice problems, accompanied by a brief outline of the research sources. Contents of this new edition include:

- Chapter 1: Case Law Research
- Chapter 2: United States Constitutional Law Research
- Chapter 3: Federal Legislative Research
- Chapter 4: Federal Administrative Research
- Chapter 5: State Constitutional Law Research
- Chapter 6: State Legislative Research
- Chapter 7: State Administrative Research
- Chapter 8: Secondary Source Research

Pub. No. 3085 / ISBN 9780820564722 (Retail Price \$36.00 / Wholesale Price \$28.80)

Legal Writing: Ethical and Professional Considerations (2006)

Melissa H. Weresh, *Professor of Law & Director of Legal Writing*, Drake University Law School

This new textbook is designed to supplement a legal writing course, ethics course, or clinical course. Legal Writing: Ethical and Professional Considerations tracks the types of documents typically produced in a first-year legal writing curriculum. The textbook identifies ethical rules and professional concerns which pertain to the particular type of document and introduces cases illustrating how the rules should influence lawyers' behavior when preparing and submitting documents. It also contains notes designed to reinforce students' understanding of how the rules should impact them as they communicate professionally in writing. Contents of this new textbook include:

- Chapter 1: Attorney Regulation: Sources of Ethical and Professional Considerations
- · Chapter 2: Engaging the Client—Conflicts
- Chapter 3: Predictive Memoranda
- Chapter 4: Client Letters
- Chapter 5: Demand Letters
- Chapter 6: Complaints
- Chapter 7: Appellate Briefs
- Chapter 8: Drafted Documents

Pub. No. 3207 / ISBN 9780820562490 (Retail Price \$41.00 / Wholesale Price \$32.80)

Legal Writing and Other Lawyering Skills, Fourth Edition (2004)

Nancy L. Schultz, *Professor of Law*, Chapman University School of Law

Louis J. Sirico, Jr., Professor of Law & Director, Legal Writing Program, Villanova University School of Law

More than 50 Legal Writing instructors have used this book written by two highly regarded members of the Legal Writing faculty community. Inspired by the Plain English movement, the authors offer step-by-step instruction in writing the traditional documents covered in a Legal Writing course—legal memoranda and appellate briefs—as well as the multitude of other types of written documents that lawyers prepare, such as client opinion letters, pleadings, motions, discovery documents, settlement agreements, and jury instructions. While the focus of this book is on legal writing, other topics pertaining to lawyering skills include:

- · Strategies for effective oral advocacy;
- · Overview of the legal system;
- Legal citation;
- · Legal analysis;
- · Basic legal research strategies; and
- · Client counseling and negotiation skills.

The Fourth Edition of **Legal Writing and Other Lawyering Skills** places a greater emphasis on practical application. The authors have included several new chapters consisting of exercises of varying complexity. Many of these exercises deal with contemporary issues. The Fourth Edition also includes sample documents and a new appendix of lessons for teaching citation using the ALWD Citation Manual.

Pub. No. 676 / ISBN 9780820559964 (Retail Price \$50.00 / Wholesale Price \$40.00) / Teacher's Manual

The Lawyer's Craft: An Introduction to Legal Analysis, Writing, Research, and Advocacy (2002)

Cathy Glaser, Professor of Legal Writing & Co-Director, Writing Program, New York Law School

Jethro K. Lieberman, *Professor of Law & Vice President, Academic Publishing*, New York Law School

Robert A. Ruescher, *Professor of Legal Writing & Coordinator of the Legal Writing Program*, St. John's University School of Law

Lynn Boepple Su, *Professor of Legal Writing & Associate Director,* Writing Program, New York Law School

For as long as legal writing courses have existed, students have been given large quantities of information all at once. They are then expected to digest it in one large gulp and to "do it." **The Lawyer's Craft** takes a different approach. The specific skills required to write a memo or brief are divided into discrete "building blocks" that can be more easily absorbed by students.

The approach to drafting legal documents is highly structured to enable students to see how different parts fit together. Memos and briefs are divided into parts and organized into a required format. The format also provides students with a checklist to consult when constructing legal documents.

The Lawyer's Craft recognizes that skills must be practiced to be learned. No matter how carefully students read the text and discuss it in class, they will not be able to learn the material until they actually put it into practice. For this reason, **The Lawyer's Craft** includes numerous examples and exercises. The level of difficulty of the examples and exercises is gradually increased, allowing students to master the basics before moving on to nuances and exceptions.

The companion Teacher's Manual presents teaching commentaries for each chapter of the text, including detailed answers to all the exercises. It also sets out a sample syllabus and guide that can easily be modified to suit the needs of schools with different credit and time allocations. Finally, the Teacher's Manual provides practical guides to important pedagogical aspects of teaching the course, such as sample assignments and advice on marking, preparing research problems, and classroom teaching.

Pub. No. 3616 / ISBN 9781583607879 (Retail Price \$45.00 / Wholesale Price \$36.00) / Teacher's Manual

Persuasive Writing for Lawyers and the Legal Profession, Second Edition (2001)

Louis J. Sirico, Jr., *Professor of Law & Director, Legal Writing Program*, Villanova University School of Law Nancy L. Schultz, *Professor of Law*, Chapman University School of Law

This concise book was written to help students transition from neutral writing to the persuasive writing necessary for effective advocacy. The authors use examples, illustrations, and exercises to enhance writing techniques. **Persuasive Writing for Lawyers and the Legal Profession** presents straightforward and sometimes self-evident strategies that can be applied to make compelling legal arguments, including:

- · Keeping it simple;
- Using plain language;
- · Tailoring arguments to the writer's audience;
- · Using rhetorical flair;
- · Avoiding gimmicks;
- Adopting an assertive style;
- Organizing your writing;
- Writing effective introductions;
- Presenting facts skillfully; and
- Structuring sentences and paragraphs to be persuasive.

Throughout the book, students are presented with ample opportunities to apply these lessons. Students are asked to revise the numerous writing examples to make them more persuasive

using specific strategies. In addition, exercises permit students to construct their own arguments to practice advocacy skills. New chapters in this Second Edition address the psychology of persuasion, writing compelling introductions, and the five pitfalls in persuasive writing. The book ends with a comprehensive exercise similar to a bar exam performance test. The Teacher's Manual provides additional pedagogical insight.

Pub. No. 58 / ISBN 9780820553269 (Retail Price \$32.00 / Wholesale Price \$25.60) / Teacher's Manual

The Question Presented: Model Appellate Briefs (2000)

Maria L. Ciampi, Esq.

William H. Manz, Senior Research Librarian, St. John's University School of Law

Designed for use in Appellate Advocacy and Legal Writing courses, **The Question Presented** offers both instruction on successful brief writing and examples of outstanding briefs. In **The Question Presented**, the authors not only provide guidance on writing techniques, they present actual briefs chosen by judges for their persuasive force. Notes from the authors highlight the best points, and each set of briefs is followed by the opinion of the court, demonstrating in a concrete way the impact made by the persuasive tools employed in the briefs. This book opens with *The Art and Science of Appellate Advocacy*, where the authors explain how to utilize every part of the brief as a persuasive tool, providing valuable guidance on how to state the issues presented, how to organize arguments, and how to make even the section headings work for their clients.

Pub. No. 3566 / ISBN 9781422415535 (Retail Price \$36.00 / Wholesale Price \$28.80)

LEGISLATION

Legislative Law and Statutory Interpretation: Cases and Materials, Third Edition (2001)

University School of Law, Camden



Fourth Edition Scheduled to be Available for Review in Summer 2008

Otto J. Hetzel, *Professor of Law Emeritus*, Wayne State University Law School

Michael E. Libonati, *Laura H. Carnell University Professor of Law*, Temple University, James E. Beasley School of Law Robert F. Williams, *Distinguished Professor of Law*, Rutgers

Based on the premise that the study of legislation requires more than simply an inquiry into the courts' efforts at legislative

interpretation, this casebook employs a variety of approaches to convey the legislature's role in shaping the law, including political science materials, case studies, and appellate cases. Statutory interpretation is the central element of a course on Legislation and each chapter incorporates the basics of interpretation to clarify how each topic fits in with the course as a whole.

The authors first introduce students to legislation as the primary vehicle for making the law, before discussing the interaction of legislation and common law. They then address the structure of operation of the legislature as an institution of government to provide a foundation for approaches to interpretation stressing legislative purpose and legislative history. Discussion of the variety of legislative process restrictions applicable to legislative lawmaking introduces students to the anatomy of a statute and the formal and procedural constraints imposed by federal and state constitutions on the lawmaking process. With regard to statutory interpretation, a new way of organizing text-based arguments beyond plain-meaning interpretation precedes intent-based approaches to interpretation, in turn followed by canon-based arguments demonstrating the weaknesses inherent in their use

Legislative Law and Statutory Interpretation then covers five broad areas generally organized to reflect questions of institutional (judicial or legislative) competence, including materials on clear statement requirements, retroactivity, severability, deference to administrative agency decisionmaking, and overruling of statutory precedents, and interpretation of state statutes by federal courts and vice versa.

Pub. No. 3086 / ISBN 9780820550374 (Fourth Edition ISBN 9781422407455) (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425954 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Guide to Statutory Interpretation (2000)

Michael B.W. Sinclair, Professor of Law, New York Law School

This *Guide* covers all aspects of statutory law, from elementary rules of parsing, through canons of construction and their justification, to the current debate over the relevance of legislative history. Starting from the basic principles of legislative supremacy and the requirement of promulgation, *Guide to Statutory Interpretation* systematically develops the process of reasoning from statutes to decisions. The author integrates jurisprudential, linguistic, social, and political theory, always with a view to the pragmatic needs of students, lawyers, and judges to make and communicate arguments.

Pub. No. 1181 / ISBN 9780820542669 (Retail Price \$27.00 / Wholesale Price \$18.09)

LICENSING

See also Intellectual Property

Licensing of Intellectual Property and Other Information Assets, Second Edition (2007)



Raymond T. Nimmer, Leonard H. Childs Professor of Law & Co-Director, Intellectual Property and Information Law Institute, University of Houston Law Center

This unique book combines traditional case law and materials along with numerous problems to enable coverage of this exciting and rapidly developing field in either a case-law-based or problem-based course. The book is comprehensive, dealing with all of the traditional areas of intellectual property and information licensing and also with modern issues associated with digital and online transactions, including topics such as data protection, security, and privacy in online transactions. It also provides for coverage of antitrust, misuse, and preemption issues in licensing.

The Second Edition blends the licensing materials into an integrated and coherent whole presented in a straightforward and understandable manner. Licensing of Intellectual Property and Other Information Assets allows the professor to emphasize one or another of the fields of licensing over the others by selecting among the cases or problems involved.

The problem materials facilitate not only a problem-based approach to the policy and legal issues, but also present students with numerous drafting exercises and drafting issues, reflecting the contractual nature of licensing law. A Teacher's Manual and Documentary Supplement are available, the latter of which includes both federal and state laws applicable to the issues covered in the book as well as licensing agreements dealing with the various aspects of licensing practice.

Pub. No. 3202 / ISBN 9781422417652 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426050 (Retail Price \$65.00 / Wholesale Price \$52.00) / Documentary Supplement ISBN 9780820564005 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual

MEDIATION

See also **Alternative Dispute Resolution**; **Arbitration**; **Interviewing and Counseling**; and **Negotiation**

Mediation—Skills and Techniques (2008)



Laurence J. Boulle, *Professor of Law*, Bond University in Australia

Michael T. Colatrella, Jr., *Director and Senior Lecturer, Center* for *Dispute Resolution & Conflict Management*, Southern Methodist University

Anthony P. Picchioni, *Chair, Department of Human Development,* Southern Methodist University

This is an essential and comprehensive addition to the professional library of all mediators. It provides a thorough course of study of the mediation process, from convening the mediation to formalizing the settlement agreement. The book adopts an interdisciplinary approach to mediation, integrating knowledge and expertise from law, psychology, and sociology. Practical examples and case studies are used to illustrate the skills and techniques necessary to become an effective mediator. Bolstered with scientific research, the content of the book goes far beyond the scope of most other mediation books with its extensive consideration of the dynamics of interpersonal conflict and negotiation techniques that set high-quality mediators apart from the crowd. Additional helpful practical advice about cultivating a successful mediation practice is provided, including a survey of careers in mediation, tips on marketing, and appendices with useful forms and worksheets. All mediators and students of mediation will find sound and applicable guidance in this book, regardless of their experience level, background, education, or field of practice. This book answers the call for the systematic preparation of forward thinking mediation professionals who seek to be on the vanguard of this rapidly expanding and evolving field. Coverage includes:

- Ch. 1: Introduction to Learning Mediation Skills and Techniques
- Ch. 2: Establishing the Foundation: Introductions, Intake, Screening & Preparation
- Ch. 3: Maintaining a Favorable Climate
- Ch. 4: Managing the Mediation Process
- Ch. 5: Assisting the Communication Process
- Ch. 6: Managing Conflict from Crisis to Opportunity
- Ch. 7: Facilitating the Negotiations
- Ch. 8: Encouraging Settlement
- Ch. 9: Variations in the Mediation Process
- Ch. 10: Special Issues in Mediation
- Ch. 11: Avoiding Mediator Traps
- Ch. 12: Becoming a Mediator, Careers in Mediation, and Establishing a Private Mediation Practice

Pub. No. 3235 / ISBN 9781422406670 / Retail Price \$45.00 (Wholesale Price \$36.00)

Mediation and Negotiation: Reaching Agreement in Law and Business, Revised Second Edition (2007)



- E. Wendy Trachte-Huber, Adjunct Professor, University of Houston Law Center / Adjunct Professor, Pepperdine University School of Law
- Stephen K. Huber, Foundation Professor of Law, University of Houston Law Center

The subject matter of these teaching materials is consensual dispute resolution processes, predominantly mediation and negotiation. These materials focus on business transactions, defined broadly to include employment and consumer disputes. The only important exceptions are two forays into criminal law. Plea bargaining is examined as an important example of negotiation and victim-offender mediation is discussed as an interesting use of mediation. The central omission, compared to other dispute resolution books, is the total exclusion of family matters, notably divorce and child custody.

Mediation and Negotiation: Reaching Agreement in Law and **Business** is divided into five parts. Part I introduces the subject matter of the course, and examines dispute resolution generally. Part II introduces negotiation, the core dispute resolution process. Part III is composed of three chapters devoted to mediation facilitated negotiation. Part IV considers examines additional ADR processes and procedures that involve the use of a thirdparty neutral. Court-connected ADR processes, including early neutral evaluation, summary jury trial, non-binding arbitration, and mediation at the appellate court level are considered. ADR processes other than mediation are also considered, including the mini-trial used in business disputes, private binding arbitration, collaborative law, the use of an ombudsman, and partnering and dispute review boards used for large-dollar construction projects. This part also considers government use of ADR and negotiated rulemaking. Part V considers the dispute resolution professional including qualifications and standards, potential errors and omissions liability, ethical issues, and systems design—the process of planning for and avoiding disputes.

The companion Teacher's Manual contains course outlines for a variety of Mediation and Negotiation courses that can be taught in law schools or business schools. These are followed by a listing of material under several topics on which a teacher might wish to focus. The Teacher's Manual also sets out facts for role play exercises, and it also contains numerous short case studies for discussion which may be based on actual reported cases. These are useful for discussion applications of dispute resolution processes. Finally, there are outlines for PowerPoint® slides which may be used to create teaching materials.

Pub. No. 3557 / ISBN 9781422421376 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

Mediation Theory and Practice, Second Edition (2006)

- James J. Alfini, *President, Dean & Professor of Law,* South Texas College of Law
- Sharon B. Press, Director, Florida Dispute Resolution Center, Tallahassee, FL
- Jean R. Sternlight, Saltman Professor of Law & Director, Saltman Center for Conflict Resolution, University of Nevada, Las Vegas, William S. Boyd School of Law
- Joseph B. Stulberg, Associate Dean for Faculty & John W. Bricker Professor of Law, The Ohio State University, Moritz College of Law

This text is a comprehensive guide to the growing field of mediation, combining theoretical, practical, and policy perspectives. Classic mediation and negotiation topics and techniques are presented from a fresh perspective. The authors weave together excerpts from key books and articles, relevant cases, statutes, and rules and regulations to provide a systematic look at the historical background, theory, ethics, and policy underlying mediation in the United States. They also provide practice guidance for mediators.

The authors devote substantial attention to negotiation theory, to issues of mediator roles and styles, and to critical issues related to mediator behavior including diversity, fairness, and power concerns. The book embraces and encourages class discussion of the emerging and hotly debated issues relating to mediation. Some of the topics examined in detail include:

- Mediator certification and suggested approaches to certification;
- The debate regarding facilitative, evaluative, and transformative approaches to mediation;
- Critiques of mediation based on fairness and diversity concerns;
- The appropriate scope of confidentiality and privilege provisions;
- Conflicts of interest and mediator impartiality;
- · Expedited enforcement of mediated agreements;
- Disputes over whether there should be an obligation to mediate in good faith;
- The role of lawyers in the mediation process; and
- Impact of institutionalizing mediation processes, particularly in the court context.

The Second Edition of **Mediation Theory and Practice** addresses many of the new policy initiatives, significant additions to the literature, and emerging case law in the mediation field that have developed since the First Edition was originally published. Additions include:

- A separate chapter on confidentiality, with expanded commentary and case law relating to the Uniform Mediation Act's approach to confidential communications in mediation;
- A new section on justice issues in mediation;

- New sections, with commentary and case law excerpts addressing recent developments, including the new Riskin grid and the most recent thinking on transformative mediation (from the second edition of Bush & Folger, *The Promise of Mediation*); and
- Greatly expanded appendices containing the full text of key ethics rules and codes, and the Uniform Mediation Act.

The accompanying Teacher's Manual is designed to assist professors to teach students the essential performance skills for mediating effectively.

Pub. No. 1179 / ISBN 9780820570211 / Retail Price \$108.00 (Wholesale Price \$86.40) / Looseleaf ISBN 9781422425763 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

MILITARY JUSTICE

See also Terrorism and Practitioner Publications Available for Adoption (General): Military Law

Military Justice: Cases and Materials (2007)



Eugene R. Fidell, *President,* National Institute of Military Justice

Elizabeth L. Hillman, *Professor of Law & Director of Faculty Development*, Rutgers University School of Law, Camden Dwight H. Sullivan, *Colonel*, United States Marine Corps Reserve

Military Justice: Cases and Materials gives teachers a new and powerful tool to introduce students to military law while deepening their understanding of criminal law and procedure, comparative law, international law, and constitutional law. At a time when the tempo of military operations around the world seems to increase constantly and high-profile courts-martial dominate the headlines, this book gives students and teachers unprecedented access to the tools needed to analyze, understand, and evaluate worldwide military justice.

With prosecutions arising from prisoner abuse, atrocities against civilians, and service members' opposition to ongoing wars, the military justice system now has a prominence unmatched since the Vietnam era. This higher profile for courts-martial, combined with the difficult and fundamental legal issues raised by the military commissions, suggests that military courses will now be in great demand. This casebook provides the text for such a course. Its coverage of the U.S. court-martial and other systems of military criminal law provides a framework through which students can explore the role and operation of military justice within a democratic society. In an era of worldwide deployments, multi-national operations, and global terrorism, this book illuminates the interconnectedness of military justice systems through a far-ranging collection of judicial opinions, statutes, regulations, commentaries, and scholarship. While

the materials presented draw heavily from the United States, most chapters also present materials from other jurisdictions to enhance students' appreciation of both the unique American experience and the availability of alternative approaches to military discipline, accountability, and punishment. International norms are also examined.

Part I, Foundations, sets the stage by exploring the origins and purposes of military justice, pointing out the many sources of law that govern this area, analyzing the unique and critical role of the commander in military justice, and assessing professional responsibility rules for military lawyers. Part II, Principles, steps further into legal analysis to study the jurisdiction of military courts, identify crimes and defenses that apply only in a military context, and analyze the extent to which the obligations of military service alter the protection of fundamental rights. Part III, Trials, brings students into the court-martial to meet military judges, juries, and counsel and to study the rules of procedure, evidence, sentencing, and appeal. Part IV, Special Contexts, takes a broader approach to assess the challenges that a military justice system faces during combat and peacekeeping operations. This part also looks at the topic of military commissions. Part V, The Future, gives students a glimpse into the changes that lie ahead by focusing on the processes of legal reform and globalization.

Pub. No. 3611 / ISBN 9781422417102 (Retail Price \$113.00 / Wholesale Price \$90.40) / Documentary Supplement ISBN 9781422417119 (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual

NEGOTIATION

See also **Alternative Dispute Resolution**; **Arbitration**; **Interviewing and Counseling**; and **Mediation**

Negotiation: Theory and Practice, Second Edition (2007)



Melissa L. Nelken, *Professor of Law & Faculty Chair, Center for Negotiation and Dispute Resolution*, University of California, Hastings College of the Law

Negotiation: Theory and Practice is a valuable resource for understanding the dynamics, strategies, and ethics of negotiating. This revised and updated edition includes two entirely new chapters on topics that are seldom covered in basic negotiation texts—culture and gender in negotiation and multiparty negotiation. The book offers law students the tools they need to develop effective legal negotiating skills. In addition to the foundational topics of distributive and integrative bargaining, Professor Nelken addresses the psychology of the negotiating process and, of particular importance to future attorneys, ethical issues and the lawyer-client relationship. Each chapter begins with introductory material from the author to provide a framework for understanding the readings that follow. The

readings are a broad selection of the best scholarship in the area, including both classic texts and excellent research from other disciplines that is generally unfamiliar to lawyers.

Pub. No. 3571 / ISBN 9781422411621 (Retail Price \$55.00 / Wholesale Price \$44.00)

Mediation and Negotiation: Reaching Agreement in Law and Business, Revised Second Edition (2007)



E. Wendy Trachte-Huber, *Adjunct Professor*, University of Houston Law Center / *Adjunct Professor*, Pepperdine University School of Law

Stephen K. Huber, Foundation Professor of Law, University of Houston Law Center

The subject matter of these teaching materials is consensual dispute resolution processes, predominantly mediation and negotiation. These materials focus on business transactions, defined broadly to include employment and consumer disputes. The only important exceptions are two forays into criminal law. Plea bargaining is examined as an important example of negotiation and victim-offender mediation is discussed as an interesting use of mediation. The central omission, compared to other dispute resolution books, is the total exclusion of family matters, notably divorce and child custody.

Mediation and Negotiation: Reaching Agreement in Law and Business is divided into five parts. Part I introduces the subject matter of the course, and examines dispute resolution generally. Part II introduces negotiation, the core dispute resolution process. Part III is composed of three chapters devoted to mediation facilitated negotiation. Part IV considers examines additional ADR processes and procedures that involve the use of a thirdparty neutral. Court-connected ADR processes, including early neutral evaluation, summary jury trial, non-binding arbitration, and mediation at the appellate court level are considered. ADR processes other than mediation are also considered, including the mini-trial used in business disputes, private binding arbitration, collaborative law, the use of an ombudsman, and partnering and dispute review boards used for large-dollar construction projects. This part also considers government use of ADR and negotiated rulemaking. Part V considers the dispute resolution professional including qualifications and standards, potential errors and omissions liability, ethical issues, and systems design—the process of planning for and avoiding disputes.

The companion Teacher's Manual contains course outlines for a variety of Mediation and Negotiation courses that can be taught in law schools or business schools. These are followed by a listing of material under several topics on which a teacher might wish to focus. The Teacher's Manual also sets out facts for role play exercises, and it also contains numerous short case studies for discussion which may be based on actual reported cases. These are useful for discussion applications of dispute resolution

processes. Finally, there are outlines for PowerPoint® slides which may be used to create teaching materials.

Pub. No. 3557 / ISBN 9781422421376 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

Effective Legal Negotiation and Settlement, Fifth Edition (2005)

Charles B. Craver, Freda H. Alverson Professor of Law, The George Washington University Law School

This book includes a comprehensive conceptual framework for the negotiation process. The author provides readers with a thorough understanding of the psychological, sociological, and communicational factors that meaningfully influence negotiation encounters. Effective Legal Negotiation and Settlement explores various negotiation stages, emphasizes the importance of verbal and nonverbal communication, and discusses the different bargaining techniques negotiators are likely to encounter. This Fifth Edition also explores the impact of negotiations involving persons from diverse ethnic backgrounds or of different genders. Public and private international bargaining transactions, in recognition of the increased relevance of such transnational interactions, receive expanded treatment in this edition. The author also reviews the use of neutral mediators to assist negotiators with their interactions, and explains the ethical aspects of the negotiation process. The comprehensive nature of **Effective Legal Negotiation and Settlement** provides readers with a thorough appreciation of the negotiation process and is designed to enhance their bargaining confidence. They will understand the different stages and the objectives to be achieved in each. They will also recognize the various tactics they observe and feel more capable of responding effectively to diverse approaches.

A Teacher's Manual describes different course methodologies, and provides alternative teaching exercises and a number of negotiation exercises.

Pub. No. 3038 / ISBN 9780820561134 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Legal Counseling and Negotiating: A Practical Approach (2001)

G. Nicholas Herman, *Adjunct Professor*, North Carolina Central University School of Law

Jean M. Cary, *Professor of Law*, Campbell University, Norman Adrian Wiggins School of Law

Joseph E. Kennedy, Associate Professor of Law, University of North Carolina School of Law

This book provides a comprehensive descriptive and prescriptive treatment of legal counseling, interviewing, and negotiation (including mediation and plea-bargaining). As reflected in

the title, the book takes "a practical approach" to these skills, so students can learn specifically how to engage in effective counseling and negotiating. The book also emphasizes pertinent ethical and legal considerations in connection with counseling clients and negotiating settlements. The authors discuss leading "theoretical approaches" to the extent those approaches can be meaningfully applied in practice. The overall effect is to emphasize that blend of theory, practice, ethics, and law that is most meaningful in the sense of having real-life application to effective client representation.

The Appendices to the book provide numerous negotiation and mediation role-plays, including plea-bargaining role-plays. Interviewing and counseling role-plays are provided in a separate Teacher's Manual, which also includes the "confidential instructions" for the negotiation, mediation, and plea-bargaining role-plays.

Pub. No. 1154 / ISBN 9780820550237 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual

NEW JERSEY

See also Practitioner Publications Available for Adoption: New Jersey

LexisNexis® New Jersey Court Rules Annotated, Part IV, 2008 Edition

John L. Berger, Esq., Lowenstein Sandler, P.C., Roseland, NJ William C. Bochet, Esq., Muscarella, Bochet, Edwards & D'Alessandro, Fair Lawn, NJ

Dale E. Console, Esq., Law Offices of Dale E. Console, P.C., Kingston, NJ

Mark E. Duckstein, Esq., Sills, Cummis & Gross, P.C., Newark, NJ John C. Eastlack, Esq., Holston MacDonald Uzdavinis Eastlack Ziegler & Lodge, P.A., Woodbury, NJ

Gerald J. Felt, Esq., Pressler & Pressler, LLP, Cedarknolls, NJ Debra E. Guston, Esq., Guston & Guston, LLP, Glen Rock, NJ Robert J. Kipnees, Esq., Lowenstein Sandler, P.C., Roseland, NJ Linda Lashbrook, Esq., Wilentz, Goldman & Spitzer, P.A., Woodbridge, NJ

Elliot J. Wiesner, Esq., Elliot J. Wiesner, P.C., New Brunswick, NJ

This annually revised softcover volume offers a practitioner's perspective on the rules governing civil litigation and probate practice. Practice commentary immediately follows the text of the rule and is organized in the following categories: Strategic Points, Warnings, Timing, and Exceptions. The authors have included over 650 unique practice tips interpreting and illuminating Court Rules practice.

Pub. No. 1461 / ISBN 9781422418680 (Retail Price \$85.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide New Jersey Pleadings, 2008 Edition

Robert B. Hille, Esq., Kalison McBride, Warren, NJ

This annually revised softcover volume provides a one-source solution to every issue related to the commencement of an action in a New Jersey court, including procedurally driven, "how to" coverage of: drafting and filing complaints; service of process; responsive pleadings; amended and supplemental pleadings; motion practice; special proceedings; summary actions; and perogative writs. Chapter parts begin with a detailed practice checklist defining the essentials of a major task. Checklists capture the essential steps of each task with cross-references to relevant authority, forms, and discussion of the topic within the chapter itself. **New Jersey Pleadings** includes 60 checklists, 175 practice tips, and more than 250 forms references.

Pub. No. 1446 / ISBN 9781422418659 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide New Jersey Civil Discovery, 2008 Edition

Mark R. Vespole, Esq., Tressler, Soderstrom, Maloney, Priess, Newark, NJ

This annually revised softcover volume combines lucid legal analysis with step-by-step guidance essential to effectively manage each step of the discovery process. Topically organized, this volume covers interrogatories, depositions, experts, motion practice, and much more—including a chapter on electronic discovery with analysis of significant amendments to the Court Rules governing this developing area of discovery practice. Chapter parts begin with a detailed practice checklist defining the essentials of a major task. Checklists capture the essential steps of each task with cross-references to relevant authority, forms, and discussion of the topic within the chapter itself. **New Jersey Civil Discovery** includes 50 checklists, 75 practice tips, and more than 200 forms references.

Pub. No. 1444 / ISBN 9781422418653 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide New Jersey Pretrial Practice, 2008 Edition

Robert B. Hille, Esq., Kalison McBride, Warren, NJ Mark R. Vespole, Esq., Tressler, Soderstrom, Maloney, Priess, Newark, NJ

This annually revised softcover volume provides a one-source solution to the issues that arise beyond the scope of discovery and before the trial of a case. Topically organized, this volume combines procedurally driven, "how to" coverage with substantive analysis of key topics including class actions, mass torts, default, arbitration, mediation, summary judgment, motions in limine, interlocutory appeals, and sanctions. **New Jersey Pretrial Practice** includes 150 practice tips (Strategic Points, Warnings, timing, and Exceptions) and 150 forms references.

Pub. No. 1445 / ISBN 9781422418642 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide New Jersey Probate and Estate Administration, 2007 Edition

Peggy Sheahan Knee, Esq., Knee Law Firm, Hackensack, NJ

This annually revised softcover volume is authored by the principal architect of the revised New Jersey Probate Code. Topically organized, this volume combines procedurally driven, "how to" coverage with substantive analysis of key topics including contested proceedings in Superior Court, construction of a will, ancillary probate, accounting, and transfer tax proceedings. **New Jersey Pretrial Practice** includes 130 practice tips (Strategic Points, Warnings, Timing, and Exceptions) and over 250 forms references.

Pub. No. 1443 / ISBN 9781422405574 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® Practice Guide New Jersey Personal Injury Litigation, 2008 Edition

Barry A. Knopf, Esq., Cohn Lifland Pearlman Herrmann & Knopf, LLP, Saddle Brook, NJ

This annually revised softcover volume provides procedural and substantive coverage of the causes of action central to New Jersey personal injury practice. Topically organized, this volume combines procedurally driven, "how to" coverage with substantive analysis of key topics including medical malpractice, motor vehicle negligence, premises liability, toxic torts, product liability, professional liability, and governmental liability. **New Jersey Personal Injury Litigation** includes more than 150 practice tips (Strategic Points, Warnings, Timing, and Exceptions) and over 100 forms references.

Pub. No. 1447 / ISBN 9781422418666 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New Jersey Evidentiary Foundations (1995)

Mark P. Denbeaux, *Professor of Law*, Seton Hall University School of Law

Jack Arseneault, Esq., Arseneault, Fassett & Mariano, Chatham, NJ Edward J. Imwinkelried, *Edward L. Barrett, Jr. Professor of Law*, University of California at Davis School of Law

This book provides the tools to help the trial attorney bring evidence to life, demonstrating how to predicate questions to gain admission or exclusion of evidence. The book includes specific lines of questioning, demonstrating courtroom-proven trial techniques for applying New Jersey evidence law theory. The authors also compare and contrast the Federal Rules of Evidence with the former and current New Jersey Rules of Evidence.

Pub. No. 61180 / ISBN 9781558342224 (Retail Price \$111.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00) / hardbound

NEW YORK

See also Practitioner Publications Available for Adoption: New York

Civil Litigation in New York, Fifth Edition (2007)



Oscar G. Chase, Russell D. Niles Professor of Law & Co-Director, Institute of Judicial Administration, New York University School of Law

Robert A. Barker, Professor Emeritus of Law, Albany Law School

Civil litigation in New York calls on such advocacy skills as oral argument, brief writing, and cross-examination, as well as familiarity with the "law" of litigation. The purpose of this widely used coursebook is to help students learn that law in the context in which an advocate must apply it. To that end, the authors have included in each chapter litigation problems which are designed to help put the law into a practical perspective. In keeping with its purposes, **Civil Litigation in New York** is organized roughly along the path litigation normally takes, starting with the rules governing the choice of forum. The Fifth Edition includes the most recent cases and legislative changes as well as litigation problems that reflect new developments.

Pub. No. 497 / ISBN 9780820570723 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422425695 (Retail Price \$74.00 / Wholesale Price \$59.20) / Annual Supplement

LexisNexis® AnswerGuide™ New York Civil Litigation, 2008 Edition

David L. Ferstendig, Adjunct Professor, New York Law School

Suitable for both introductory and advanced New York Practice courses, this text is a concise one-volume publication that provides direct, New York-specific answers to questions that arise in day-to-day practice. It covers important topics related to civil litigation, including initial pleadings, jurisdiction, statutes of limitations, and venue. This *AnswerGuide* includes 90 detailed, task-oriented checklists, and more than 100 practice pointers and insights to ensure best practices and avoidance of potential practice pitfalls.

Pub. No. 1282 / ISBN 9781422418536 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® AnswerGuide™ New York Civil Disclosure, 2008 Edition

David Paul Horowitz, Adjunct Professor, New York Law School

This text is a concise one-volume publication that provides direct, New York-specific answers to questions that arise during disclosure. It covers each stage of the disclosure process, combining analysis of the CPLR and related statutes, court rules, and case law with a subject matter expert's practice insights on the conduct of effective disclosure. This *AnswerGuide* includes 60 detailed, task-oriented checklists, and 141 practice pointers.

Pub. No. 1338 / ISBN 9781422418550 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York CPLR (Redbook), 2008 Edition

The **New York CPLR (Redbook)** contains the full text of the Civil Practice Law and Rules with amendment notes and selected provisions of related statutes. The **Redbook** also includes a Timetable for New York Civil Practice, an updated New York Court Directory, a 2007 Table of Amendments with explanatory notes, and a topical index.

Pub. No. 76 / ISBN 9781422419540 (Retail Price \$53.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00)

LexisNexis® AnswerGuide™ New York Business Entities, 2008 Edition

Steven R. Gersz, Esq., Underberg & Kessler, Rochester, NY

This text provides direct, New York-specific answers to questions that arise in day-to-day practice. It covers important business law topics including selecting, forming, operating, and dissolving a business entity, acquiring licenses and permits, buying, selling, and valuing a business, and identifying conflicts of interest and ethical issues when representing multi-party entities. This *AnswerGuide* includes 70 detailed, task-oriented checklists, and over 200 practice pointers.

Pub. No. 1339 / ISBN 9781422418567 (Retail Price \$135.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York Commercial Law (Goldbook), 2008 Edition

The **New York Commercial Law (Goldbook)** contains the full text of New York Commercial Code—with New York Annotations and Official Comments—and New York General Obligations Law. Amendment notes are included for each statute. The **Goldbook** features an Overview of Article 4, Locations for Local Filings, and a topical index.

Pub. No. 751 / ISBN 9781422419557 (Retail Price \$57.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

New York Corporation Law (Whitebook), 2008 Edition

The **New York Corporation Law (Whitebook)** includes the complete New York Business Corporation Law, Limited Liability Company Law, and Not-for-Profit Corporation Law, with amendment notes. It also includes selected provisions of related statutes pertaining to tax, securities, construction, and franchising. The **Whitebook** features a 2007 Table of Amendments and a topical index.

Pub. No. 811 / ISBN 9781422419564 (Retail Price \$57.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

LexisNexis® AnswerGuide™ New York Criminal Procedure, 2008 Edition

Barry Kamins, *Adjunct Professor*, Fordham University School of Law & Brooklyn Law School

Warren J. Murray, Adjunct Professor, Pace Law School

This text provides direct, New York-specific answers to questions that arise in day-to-day pretrial criminal practice. It covers important topics including arraignment, bail, guilty pleas, jurisdiction of criminal courts, search and seizure, grand jury, and pretrial motions. This *AnswerGuide* includes 55 detailed, task-oriented checklists, and over 200 practice pointers highlighting both defense and prosecution perspectives to ensure best practices and avoidance of potential practice pitfalls from both parties in the criminal case.

Pub. No. 1340 / ISBN 9781422418574 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York Criminal Statutes and Rules (Graybook), 2008 Edition

The New York Criminal Statutes and Rules (Graybook) features the complete New York Criminal Procedure Law and Penal Law, and related provisions of the Correction Law, Executive Law, Judiciary Law, Public Health Law, and Vehicle and Traffic Law—with amendment notes. The **Graybook** also includes a 2007 Table of Amendments, selected court rules, outline for sentencing and pleas, an updated Court Directory, and a topical index.

Pub. No. 459 / ISBN 9781422419571 (Retail Price \$57.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

New York Estate Administration, 2008 Edition

Margaret V. Turano, *Professor of Law*, St. John's University School of Law

C. Raymond Radigan, Esq., Ruskin, Moscou, Faltischek, P.C., Uniondale, NY

This book is a concise reference guide to administering an estate in New York, providing students with an overview of the basics of practice in the Surrogate's Courts. It covers topics such as jurisdiction and procedure, probate proceedings, intestate administration, and claims and accountings.

Pub. No. 68900 / ISBN 9781422421437 (Retail Price \$130.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® AnswerGuide™ New York Surrogate's Court, 2008 Edition

Joshua S. Rubenstein, Esq., Katten Muchin Rosenman, LLP, New York, NY

This text offers quick, direct, New York-specific answers to questions that arise in post-mortem estates practice. It offers invaluable insight into the unique procedural requirements of the Surrogate's Court. It is topically organized and covers the full range of estate-related issues governed by the Surrogate's Court Procedure Act (SCPA) and the Civil Practice Law and Rules (CPLR). This *AnswerGuide* includes 77 detailed, task-oriented checklists, and 170 practice pointers.

Pub. No. 1346 / ISBN 9781422418598 (Retail Price \$130.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York Surrogate's Court (Greenbook), 2008 Edition

The New York Surrogate's Court (Greenbook) provides all the laws and regulations governing landlord-tenant matters in New York, including: provisions of the Real Property Law, Real Property Actions and Proceedings Law, Multiple Dwelling Law, Lien Law, and other statutes; selected local laws (New York City, Albany, Rochester) and regulations; and provisions of related court acts and rules. The **Greenbook** also includes a 2007 Table of Amendments with explanatory notes, sample landlord-tenant forms, an updated Court and Agency Directory, and a topical index.

Pub. No. 781 / ISBN 9781422419588 (Retail Price \$57.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

New York Evidentiary Foundations, Second Edition (1998)

Randolph N. Jonakait, *Professor of Law*, New York Law School Harold J. Baer, Jr., U.S. District Judge, Southern District of New York

E. Stewart Jones, Jr., Esq., Director Emeritus, New York State Trial Lawyers Association

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

This book illustrates how to apply New York evidence law to lay sufficient foundations for the introduction of particular items of evidence. It includes a brief discussion of each area of evidence law with case and statutory authority, a list of elements for each foundation, and a sample script illustrating how to lay the foundation for the introduction of evidence.

New York Evidentiary Foundations also addresses objections to the introduction of evidence and includes sample scripts addressing specific objections.

Pub. No. 63570 / ISBN 9780327001355 (Retail Price \$104.00 / Course Adoption Retail Price \$104.00 / Course Adoption Wholesale Price \$83.20) / hardbound

LexisNexis® AnswerGuide™ New York Family Court Proceedings, 2008 Edition

Joseph R. Carrieri, Esq., Carrieri & Carrieri, P.C., Mineola, NY

This text provides direct, New York-specific answers to questions that arise in day-to-day family law practice. It covers important topics related to Family Court proceedings including initial pleadings, jurisdiction, persons in need of supervision (PINS), juvenile delinquency, child and spousal support proceedings, paternity proceedings, termination of parental rights, adoption proceedings, custody and visitation proceedings, family offense proceedings, and child protective proceedings. This *AnswerGuide* includes over 90 detailed, task-oriented checklists, and over 300 practice pointers.

Pub. No. 1364 / ISBN 9781422418611 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

LexisNexis® AnswerGuide™ New York Matrimonial Actions, 2008 Edition

Gary H. Tabat, Esq., Tabat, Cohen & Blum, West Islip, NY

This text provides direct, New York-specific answers to questions that arise in day-to-day matrimonial practice. It covers important topics related to matrimonial actions, including jurisdiction grounds, interim relief, disclosure, valuation, equitable distribution, custody and visitation, spousal and child support, and enforcement of orders and judgments. This *AnswerGuide* includes 65 detailed, task-oriented checklists, and over 200 practice pointers.

Pub. No. 1337 / ISBN 9781422418543 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York Family Law Statutes (Yellowbook), 2008 Edition

The **New York Family Law Statutes (Yellowbook)** includes the complete text of New York Domestic Relations Law, Family Court Act (with related court rules), and Social Services Law. Amendment notes are provided for each statute. The **Yellowbook**

features a 2007 Table of Amendments, Family Law Timetable, New York Court Directory, and a topical index.

Pub. No. 277 / ISBN 9781422419595 (Retail Price \$57.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

LexisNexis® AnswerGuide™ New York Real Property, 2008 Edition

Karl B. Holtzschue, *Adjunct Professor*, Fordham University School of Law, Columbia Law School & Columbia Business School John E. Blythe, *Adjunct Professor*, Cornell Law School

This text offers New York-specific answers to questions arising around real estate residential and commercial transactions. Guidance is provided on purchases, leasing, and financing issues. This topically organized text covers the Real Property Law, Real Property Actions and Proceedings Law, and New York Code of Rules and Regulations. This *AnswerGuide* includes 65 detailed, task-oriented checklists, and more than 400 practice pointers.

Pub. No. 1342 / ISBN 9781422418581 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

New York Real Property Law (Bluebook), 2008 Edition

The **New York Real Property Law (Bluebook)** includes the complete Real Property Law and the Real Property Actions and Proceedings Law, selected related statutory provisions, and amendment notes. The **Bluebook** also includes a 2007 Table of Amendments with explanatory notes, a Real Property Timetable, an updated New York Court Directory, and a topical index.

Pub. No. 798 / ISBN 9781422419601 (Retail Price \$56.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

New York Landlord-Tenant Law (Tanbook), 2008 Edition

The **New York Landlord-Tenant Law (Tanbook)** provides all the laws and regulations governing landlord-tenant matters in New York, including: provisions of the Real Property Law, Real Property Actions and Proceedings Law, Multiple Dwelling Law, Lien Law, and other statutes; selected local laws (New York City, Albany, Rochester) and regulations; and provisions of related court acts and rules. The **Tanbook** also includes a 2007 Table of Amendments with explanatory notes, sample landlord-

tenant forms, an updated Court and Agency Directory, and a topical index.

Pub. No. 795 / ISBN 9781422419618 (Retail Price \$56.00 / Course Adoption Retail Price \$40.00 / Course Adoption Wholesale Price \$32.00) / softbound

LexisNexis® AnswerGuide™ New York Negligence, 2008 Edition

Rhonda E. Kay, Esq., Gair, Gair, Conason, Steigman & Mackauf, New York, NY

This text is a practical and concise one-volume guide that focuses on the key legal and procedural issues that arise in six of the major classes of cases handled by the New York negligence practitioner: motor vehicle accidents, premises liability, construction accidents, products liability, governmental liability, and medical malpractice. Additionally, this one-volume book offers valuable practical insights developed by a seasoned trial lawyer and negligence practitioner into the nuances of negligence practice in New York. This *AnswerGuide* includes over 40 detailed, task-oriented checklists, and more than 200 practice pointers.

Pub. No. 1350 / ISBN 9781422418604 (Retail Price \$125.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00) / softbound

OHIO

See also Practitioner Publications Available for Adoption: Ohio

Anderson's Ohio Probate Practice and Procedure, 2007 Edition

Marilyn J. Maag, Esq., Strauss & Troy, Cincinnati, OH

Volume One of this set contains a comprehensive, annotated practical text discussion of every aspect of Ohio estate administration procedure in chronological order. Also included is a detailed chronological discussion of the procedure in other probate proceedings such as guardianship administration, care and treatment of the mentally handicapped, trust administration, adoption, marriage, change of name, and implementation of powers of attorney and living wills. The text discussion is followed by Outlines of Procedure, detailing every step that needs to be followed for virtually every type of probate proceeding in Ohio, with precise statutory reference for each step. Volume Two includes new and revised Standard Probate Forms and Estate Tax Forms and Bulletins. Also included is a complete set of forms on topics not covered by the standard forms.

Pub. No. 4328 / ISBN 9781593454500 / Retail Price \$317.00 / Course Adoption Retail Price \$75.00 / Course Adoption Wholesale Price \$60.00 / two softbound volumes

Anderson's Ohio Probate Law Handbook, 2007 – 08 Edition

This annually revised softbound volume provides contains relevant parts of Title 21 and related titles of **Page's Ohio Revised Code Annotated**. Also included are the Rules of Superintendence for the Courts of Ohio governing probate court proceedings.

Pub. No. 33075 / ISBN 9781593454586 / Retail Price \$75.00 / Course Adoption Retail Price \$48.00 / Course Adoption Wholesale Price \$40.00 / softbound

Fulton's Ohio Workers' Compensation Law, Second Edition (1998)

Philip J. Fulton, Esq.

This two-volume set encompasses the full scope of modern workers' compensation law and practice, from its historic origins to its operation in today's hearing rooms and courtrooms. Volume One includes descriptions of the administrative agencies and how they operate, and historical analysis of workers' compensation law in Ohio, an explanation of administrative court proceedings, and detailed discussion of the major threshold issues, such as determination of employment status, scope of compensable injury, and eligibility for benefits. Special attention is given to recent developments relating to issues of current interest such as modification of orders, newly discovered evidence, notice of claims for residual conditions, psychological injuries, and employer immunity. Volume Two is the annually revised **Ohio Workers' Compensation Law Handbook**.

Pub. No. 04322 / ISBN 9788432200007 / Retail Price \$125.00 / Course Adoption Retail Price \$125.00 / Course Adoption Wholesale Price \$100.00 / one hardbound volume and one softbound volume

Anderson's Ohio Workers' Compensation Law Handbook, 2006 – 07 Edition

Philip J. Fulton, Esq.

This softbound volume is designed to serve as a reference source that includes the statutes, administrative rules, and other administrative materials relating to workers' compensation in Ohio.

Pub. No. 33123 / ISBN 9781593454128 / Retail Price \$93.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

PATENT LAW

See also Intellectual Property

Patent Law and Policy: Cases and Materials, Fourth Edition (2007)



Robert Patrick Merges, Wilson Sonsini Goodrich & Rosati Professor of Law and Technology & Director, Center for Law and Technology, University of California at Berkeley School of Law

John Fitzgerald Duffy, Oswald Symister Colclough Research Professor of Law, The George Washington University Law School

This leading casebook makes Patent Law accessible to a wide audience of students and instructors. Patent Law and Policy provides numerous diagrams and figures, concise explanations of relevant legal principles, and to the extent possible, cases involving relatively simple technologies. This edition includes additional international materials, new statutory provisions, and a host of recent decisions. In a new chapter entitled The Legal Process of the Patent System, the authors provide a systematic treatment of process rules—an area that has recently been the subject of ongoing and proposed reform. In addition to providing the most recent developments, the authors have also tried to put the current evolution of the law in historical context, thus expanding coverage of historically important cases in areas where the law is changing dramatically. Patent Law and Policy is supported by an author-hosted Web page with supplemental teaching tools, including a current supplement PowerPoint slides. The authors provide periodic email updates on important issues (e.g., "Top Ten Patent Cases") to professors who adopt this book. The Fourth Edition is also accompanied by a Teacher's Manual.

Pub. No. 3090 / ISBN 9781422417645 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422421550 (Retail Price \$74.00 / Wholesale Price \$59.20) / Documentary Supplement ISBN 9781422423950 (Patent Law and Policy: Statutory and Treaty Supplement, 2008 Edition) (Retail Price \$20.00 / Wholesale Price \$16.00) / Teacher's Manual / Online Supplement

International and Comparative Patent Law (2002)



Second Edition Scheduled to be Available for Review in Fall 2008 (Second Edition includes the addition of Graeme W. Austin as a co-author)

Graeme Dinwoodie, Professor of Law, Associate Dean & Director of the Program in Intellectual Property Law, Chicago-Kent College of Law, Illinois Institute of Technology

William O. Hennessey, *Professor of Law & Chair, Intellectual Property Graduate Programs*, Franklin Pierce Law Center Shira Perlmutter, Esq., Executive Vice President, Global Legal Policy IFPI

Graeme W. Austin, J. Byron McCormick Professor of Law, University of Arizona, James E. Rogers College of Law This book, by the same authors of **International Intellectual Property Law and Policy**, is a shorter and more directed treatment of just the patent law aspects of international intellectual property. This text extrapolates the relevant international material from the larger book, and adds comparative material relevant to instructors of Patent Law in particular. This comparative material draws extensively on statutes, case law, and secondary sources from throughout the world.

Pub. No. 3154 / ISBN 9780820554686 (Second Edition ISBN 9780820570266) (Retail Price \$68.00 / Wholesale Price \$54.40)

Pub. No. 3068 (Documentary Supplement) / ISBN 9780820545264 (Second Edition ISBN 9781422425022) (Retail Price \$34.00 / Wholesale Price \$27.20)

Understanding Patent Law



Scheduled to be Available for Review in Fall 2008

Amy L. Landers, Associate Professor of Law, University of the Pacific, McGeorge School of Law

This *Understanding* treatise provides important and comprehensive coverage to complement the study of patent law, and is suitable for use with any patent law casebook. **Understanding Patent Law** features:

- Up-to-date coverage of all major patent law topics, including
 the requirements to obtain a U.S. patent right, post-grant
 procedures, claim construction methods and procedures,
 all patent infringement theories, defenses to an infringement
 suit, international considerations, and an overview of the
 legislative, regulatory, and court systems that govern the
 creation, issuance, and enforcement of the right;
- Overviews and examples which illustrate the application of the most abstract and complex doctrines;
- Clear and concise summaries of the major cases, including straightforward descriptions of the technology at issue;
- Clear organization and writing to enhance understanding of all concepts covered in patent and intellectual property courses; and
- Discussions of the policy and historical underpinnings of the primary patent law doctrines.

Pub. No. 3236 / ISBN 9781422406687 (Retail Price \$37.00 / Wholesale Price \$24.79)

Questions & Answers: Patent Law (2007)

NEW PUBLICATION

Cynthia M. Ho, Clifford E. Vickery Research Professor & Director, Intellectual Property and Technology Program, Loyola University Chicago School of Law

This study guide uses over 275 multiple-choice and short-answer questions to test your students' knowledge of patent law doctrine. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Patent Law** also includes a comprehensive topical index.

Pub. No. 3225 / ISBN 9780820570747 (Retail Price \$27.00 / Wholesale Price \$18.09)

POPULAR CULTURE

Law and Popular Culture: Text, Notes, and Questions (2007)



David Ray Papke, *Professor of Law*, Marquette University Law School

Melissa Cole Essig, Esq., Los Angeles, CA

Christine A. Corcos, Associate Professor of Law, Louisiana State University, Paul M. Hebert Law Center

Peter Henry Huang, *Harold E. Kohn Chair Professor of Law*, Temple University, James E. Beasley School of Law

Lenora P. Ledwon, *Professor of Law*, St. Thomas University School of Law

Diane H. Mazur, *Professor of Law*, University of Florida, Levin College of Law

Carrie Menkel-Meadow, Professor of Law & A.B. Chettle, Jr. Chair in Dispute Resolution and Civil Procedure, Georgetown University Law Center

Philip N. Meyer, *Professor of Law & Director of the Legal Writing Program*, Vermont Law School

Binny Miller, Professor of Law & Director of Clinical Programs, American University, Washington College of Law

The United States is the world's most legalistic nation not only because of its laws, lawyers, and courts but also due to the amount, variety, and appeal of its law-related popular culture. This large body of materials and experiences profoundly affects what Americans expect from their legal institutions and government. Indeed, might it be true that pop cultural law is more important in shaping the lay public's assumptions and expectations than are actual laws and real-life courtroom proceedings?

Law and Popular Culture is the first classroom text to examine the full range of American law-related popular culture.

Designed primarily for law school use, the text examines the most influential pop cultural media—film, radio, television, and inexpensive fiction—but each of the text's 14 chapters begins with a list of five readily available Hollywood films that are relevant to that particular chapter. Instructors might screen selections from these lists in conjunction with their courses. After an introduction to the study of popular culture and an outline of the text's goals, the chapters themselves fall into two categories. Half concern the pop cultural portrayals of legal institutions and actors—law schools, the legal profession, clients, witnesses, judges, and juries. The second half concern assorted areas of law-Constitutional Law, Criminal Law, and Torts from the firstyear curriculum and Business Law, Family Law, International Law, and Military Law from standard upper-level electives. Instructors might use the text at the pace of one chapter per week for an entire semester or pick and expand upon selected chapters as they think best.

Overall, **Law and Popular Culture** underscores and scrutinizes the immense role popular culture plays in shaping the American legal consciousness. Teachers and students alike can use the text to explore what Americans expect from their law and legal institutions while at the same time honing their understanding of law and of the meaning of justice under law.

Pub. No. 3190 / ISBN 9781422411667 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

PRETRIAL

See also Trial Advocacy

The Pretrial Process (2004)

J. Alexander Tanford, *Professor of Law*, Indiana University School of Law—Bloomington

This book addresses the issues associated with basic civil litigation tasks such as drafting pleadings, interviewing and counseling clients, developing facts, preparing interrogatories, taking depositions, and filing motions. The Pretrial Process covers all stages of pretrial litigation comprehensively, pragmatically, and succinctly without being over-simplified. This book is designed to be useful both to clinical students working on their first cases and to classroom students expecting an intellectually satisfying law school experience. The companion Document Supplement includes the following material:

- · Federal Rules of Civil Procedure;
- · Federal Rules of Civil Procedure Appendix of Forms;
- Sample Local Rules of the U.S. District Court;
- Attorney's Handbook for Practice in the District Court;
- Middle District Discovery Handbook;
- Indiana Rules of Professional Conduct;
- Guidelines for Litigation Conduct, District of New Jersey;

- · Federal Rules of Evidence; and
- Federal Court Forms.

Pub. No. 3160 / ISBN 9780820553467 (Retail Price \$42.00 / Wholesale Price \$33.60) / Document Supplement ISBN 9780820558738 (Retail Price \$20.00 / Wholesale Price \$16.00)

PRODUCTS LIABILITY

See also Torts

Products Liability: Cases, Materials, Problems, Second Edition (2002)

The late Jerry J. Phillips

Nicolas P. Terry, Chester A. Myers Professor of Law & Co-Director, Center for Health Law Studies, Saint Louis University School of Law

Frank J. Vandall, *Professor of Law*, Emory University School of Law Ellen Wertheimer, *Professor of Law*, Villanova University School of Law

This book reflects the dynamic nature of the law of products liability, presenting both legislative attempts to limit plaintiffs' rights and judicial expansion of products liability Law. This edition includes the full text of the Restatement (Third) Products Liability and examines its controversial aspects. This casebook highlights conceptual issues in modern products liability such as the relationship between strict liability and negligence theories. State and federal statutory reform materials are integrated throughout the book, and process considerations and problems of proof and damages are examined in great detail. Products Liability: Cases, Materials, Problems also addresses specific problems associated with particular products such as drugs, automobiles, and handguns in the context of the particular type of defect alleged. Numerous problems are offered that can be used as hypotheticals or assigned for courses using a problembased approach. Each of the four co-authors of this casebook contributes unique approaches throughout the casebook, providing an intriguing and broad perspective on products liability law.

Pub. No. 3095 / ISBN 9780820554518 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Understanding Products Liability Law (2006)

Terrence F. Kiely, *Professor of Law & Director, Center for Law and Science*, DePaul University College of Law Bruce L. Ottley, *Professor of Law*, DePaul University College of Law

This concise and comprehensive *Understanding* treatise is designed to complement any products liability casebook. Part I consists of an overview of the complex body of products liability

case law and statutes that has developed over the past century. The chapters follow a functional approach and begin with the four theories that are the foundation of all products liability cases: warranty, misrepresentation, negligence, and strict liability. Separate chapters in Part I then examine the principle types of product defects (design, manufacturing, and failure to warn) and some of the problems involved with proving that the product was defective and that the defect was the cause of the injury. Finally, chapters focus on the various defenses available in a products liability action and the types of damages that a plaintiff may seek.

An understanding of products liability law also requires an examination of the issues involved in the prosecution or defense of a products liability case. Part II addresses a range of those issues, including researching the case; drafting the complaint; interrogatories and requests to admit facts; requests for the production of documents; discovery and evidence depositions; protective orders; and discovery enforcement.

Pub. No. 3201 / ISBN 9780820561080 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Products Liability Anthology (1995)

Anita Bernstein, Anita & Stuart Subotnick Professor of Law, Brooklyn Law School

A Products Liability Anthology consists of discrete pieces fitted together, mosaic fashion. In each part of the book, articles play off each other, sometimes choosing to emphasize other facets of a similar argument. More than half of the pieces in this collection are written by credentialed experts in products liability, including James Henderson and Aaron Twerski, compilers of the new *Restatement*.

Pub. No. 3599 / ISBN 9780870847042 (Retail Price \$39.00 / Wholesale Price \$31.20)

PROFESSIONAL RESPONSIBILITY

Cases and Materials on the Law Governing Lawyers, Third Edition (2008)



James E. Moliterno, Tazewell Taylor Professor of Law, Director, Legal Skills Program & Director, Clinical Programs, College of William and Mary, Marshall-Wythe School of Law

This book is designed to support the expansion in scope of the Professional Responsibility course. While attending to the Model Rules and the disciplinary process, **Cases and Materials on the Law Governing Lawyers** allows treatment of a wider range of sources of the law that governs lawyer conduct than the ethics codes, and a wider range of control devices than the disciplinary process. The result is a more dynamic set of materials that

presents a picture of the constraints on lawyer conduct that is closer to the realities of practice.

Cases and Materials on the Law Governing Lawyers presents the material in a manner similar to the presentation of the material in other mainstream law courses: the law governing lawyers is just that—law—and students seem to respect the course's place in the curriculum when the materials are presented as such. In most other courses, the law studied affects client conduct; the lawyer interacts with it as an expert, a step removed from the law's application. Not so in the Professional Responsibility course, in which the law is about the lawyer's conduct and relationships. Students find motivation for the course when they recognize this simple insight.

This Edition adds "International Notes" where appropriate to provide a comparative perspective of issues that might be encountered by the European Union, Japanese, or Chinese lawyer. It also includes problem scenarios, incorporates the significant changes in the February 2002, Ethics 2000 Commission-inspired amendments to the Model Rules, and adds materials on both multi-disciplinary and multi-jurisdictional practice. As an aid to those teaching the casebook in New York and California, the Appendix includes the New York Code of Professional Responsibility and the California Rules of Professional Conduct.

Pub. No. 3511 / ISBN 978142242106 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426081 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Legal Ethics in the Practice of Law, Third Edition (2007)



Richard Zitrin, *Adjunct Professor of Law*, University of California, Hastings College of the Law

Carol M. Langford, *Adjunct Professor of Law*, University of San Francisco School of Law

Nina W. Tarr, Professor of Law, University of Illinois College of Law

More than a problem-oriented book, **Legal Ethics in the Practice of Law** is a problem-*driven* work. This new edition fully covers the academic subject area by simulating the reality of law practice through its use of real-life examples of ethical dilemmas as they occur in practicing the profession. This real-life context is enhanced by studying such topics as the culture of law firms, financial constraints and pressures and family obligations facing young lawyers, bias and diversity in the legal workplace, and the perils of stress and substance abuse in the profession.

This Third Edition maintains the basic format of the first two editions, while updating and adding to the substance without materially lengthening the text. With the help of clinician Nina Tarr, the authors have been mindful of the book's use in clinical settings. Significant new changes include:

- Multicultural Decisionmaking: A new problem on understanding and communicating between clients from different cultural and experiential backgrounds.
- The Bybee Torture Memo: A close analysis of whether writing this memo was unethical and why, whether and when an opinion letter may vary from mainstream legal analysis, and whether government lawyers' duties are different.
- Stress, Depression, Drugs, and Wellness: A new article on the pervasiveness of depression, the recent ABA opinions that touch on this subject, and a 2005 excerpt by Larry Krieger, pioneering writer on student and lawyer wellness.
- Enron: The authors look to explain and understand Enron and its lawyers' roles—in historical as well as ethical perspective, reviewing similar scandals in the 1980s and 1990s.
- Sarbanes-Oxley and the SEC Regulations: Thorough explanation of the meaning of SOX and § 307 and the SEC regulations, a complete comparison to the ABA's Rule 1.6 and Rule 1.13 changes, and an analysis of what future changes are likely.
- Techno-Ethics: An updated problem on technology includes the latest on the duties of lawyers regarding embedded data and "metadata," chatrooms and solicitation, the consequences of unsolicited emails from potential clients (are they confidential / do they create conflicts of interest), and inadvertent disclosure.

The Teacher's Manual provides numerous questions and suggested role-plays that allow the professor to use role-plays in a series of short 5- to 7-minute sessions, as simulation exercises. Also, applicable Rules for each problem presented are purposely not included in the coursebook, to afford the student the feel of actual practice by having to look up the applicable Rules. These Rules appear in the Teacher's Manual and in the annually revised rules book, Legal Ethics: Rules, Statutes, and Comparisons. The 2008 Edition of Legal Ethics: Rules, Statutes, and Comparisons includes the following material:

- The text of the ABA's new rules, adopted by the ABA House of Delegates in light of "Ethics 2000" and updated through 2006 ("2003 ABA Model Rules");
- A "red-lined" comparison of the 2003 Model Rules to the 1983 Model Rules (which is included for those jurisdictions that are still in transition between the revisions to their own old and new rules);
- The "clean" text of the ABA's now-former Model Rules of Professional Conduct, as amended ("1983 ABA Model Rules");
- Substantive comparisons between both the 1983 and 2003 (as amended) ABA Model Rules and the California Rules of Professional Conduct and the California State Bar Act;
- The text of the ABA Model Code of Professional Responsibility;
- The text of relevant California Rules and Statutes, current through Fall 2006, including the court rules on multijurisdictional practice effective November 2004;
- The Securities and Exchange Commission's Final Standards of Professional Conduct; and

• The text of the 2004 ABA Model Rule on malpractice insurance disclosure passed in August 2004.

Pub. No. 3083 / ISBN 9780820570341 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422418345 (Retail Price \$68.00 / Wholesale Price \$54.40) / Annual Companion Rules Book ISBN 9781422421741 (**Legal Ethics: Rules, Statutes, and Comparisons**, 2008 Edition [co-authored by Kevin E. Mohr, *Professor of Law*, Western State University College of Law]) (Retail Price \$37.00 / Wholesale Price \$29.60) / Teacher's Manual

Lawyers and Fundamental Moral Responsibility (1995)

Daniel R. Coquillette, J. Donald Monan, S.J., University Professor, Boston College Law School

The materials in this book are organized around specific problems designed to encourage and focus class discussion. There are two other inherent organizing principles of the materials in this book. First, the philosophical materials are in the rough order in which the ideas themselves evolved in the history of philosophy. For example, Assignment 1 focuses on pre-Socratic, Socratic, and Platonic themes; Assignment 2 focuses on ideas introduced later by Aristotle's Nichomachean Ethics; Assignment 3 focuses on notions of legal reasoning first developed by the Romans; Assignment 4 explores the moral philosophy of Thomas Aguinas; and so forth. The materials conclude with excerpts from some of the most recent developments in neo-Thomism and neo-Kantianism, and include recent writers such as Ronald Dworkin, Bernard Williams, Phyllis Goldfarb, and Michael Walzer. There is also a structure based on the topics of ethical philosophy itself. For example, Assignment 1 asks Plato's classical Greek question: "Is there any true test of goodness?" Assignment 2 asks Aristotle's key question: "Assuming I can tell good from bad, what is the extent of my responsibility for evil around me?" Assignment 3 explores how a legal order influences the answer to that question of moral responsibility, and so forth.

Pub. No. 3556 / ISBN 9780820570082 (Retail Price \$76.00 / Wholesale Price \$60.80)

Lawyers and the Legal Profession: Cases and Materials, Third Edition (1994)

Roy D. Simon, Jr., Howard Lichtenstein Distinguished Professor of Legal Ethics, Hofstra University School of Law Murray L. Schwartz, David G. Price and Dallas P. Price Professor of Law Emeritus, University of California at Los Angeles School of Law

The authors employ several techniques to make this book userfriendly. For example, this text gives students black letter law in plain English at the start of many chapters. For key topics such as confidentiality, conflicts of interest, and communicating with adverse parties, outlines summarize the law clearly and concisely. Other topics include short introductory essays about the law. This way, a student can quickly grasp the basic concepts and be ready to spend class time discussing more sophisticated and more interesting issues. Lawyers and the Legal Profession thrusts the student into the middle of the debate over current ethical issues. The notes and questions get the student to think about the issues and stimulate interesting class discussions, rather than giving new information. The authors aim to provoke debate, not to provide a treatise or a research source.

Pub. No. 3081 / ISBN 9781558342088 (Retail Price \$87.00 / Wholesale Price \$69.60) / Teacher's Manual / Supplement

Understanding Lawyers' Ethics, Third Edition (2004)

Monroe H. Freedman, *Professor of Law*, Hofstra University School of Law

Abbe Smith, Professor of Law & Co-Director, Criminal Justice Clinic and E. Barrett Prettyman Fellowship Program, Georgetown University Law Center

This *Understanding* treatise presents a traditionalist, client-centered view of the lawyer's role in our constitutionalized adversary system, and analyzes the Model Rules, the Model Code, and the Restatement of the Law Governing Lawyers from that perspective. At the same time, the authors provide critical analyses of differing views. Even if students do not share the authors' viewpoint, they can benefit from this presentation because it challenges them to appreciate the underlying reasons for the position presented. This treatise is designed to facilitate a real understanding of legal rules as distinguished from a superficial familiarity with them by challenging readers to test their understanding of the legal rules against the readers' own moral standards and reasoned judgment. Important and distinctive features of this edition of **Understanding Lawyers' Ethics** include:

- A critical analysis of Justice Scalia's recent opinion refusing to recuse himself in the *Cheney* case.
- A demonstration that the new corporate fraud "report up" and "report out" provisions have been deliberately drafted to defeat their purported purpose.
- The debate between Mike Tigar and Monroe Freedman on the morality of representing Nazi concentration camp guards, terrorists, General Motors, and former Enron executives.
- Harmonization of *Primus* and *Ohralik*, showing that even in-person solicitation of clients is entitled to a level of First Amendment protection.
- An online debate among Steve Gillers, three practicing lawyers, and Monroe Freedman about professionalism, and whether a lawyer should take advantage of an adversary's mistake.

 A discussion of when zealous representation might justify violating other ethical rules.

Pub. No. 876 / ISBN 9780820561172 (Retail Price \$37.00 / Wholesale Price \$24.79)

Professional Responsibility Anthology (1994)

Thomas B. Metzloff, *Professor of Law*, Duke University School of Law

In selecting materials for this anthology, Professor Metzloff sought to focus on a critical examination of the adversarial process. In addition to law review articles, this anthology also includes ethics opinions and other secondary sources such as the *MacCrate Report* and historical materials such as David Hoffman's 1836 *Resolutions of Professional Deportment*. Another goal of this anthology is to focus on ethical questions from a systematic perspective. For example, while there may be no ethical duty to settle a particular case, procedural rules and public policy have created powerful forces promoting settlements. The profession's commitment to settlement is an inherently ethical issue and is explored in this anthology.

Pub. No. 3600 / ISBN 9780870845734 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Professional Responsibility, Second Edition (2007)



Patrick Emery Longan, William Augustus Bootle Chair in Ethics, Mercer University, Walter F. George School of Law

This study guide uses over 200 multiple-choice and short-answer questions to test your students' knowledge of the issues addressed in your Professional Responsibility course. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. Q & A: Professional Responsibility also includes a comprehensive topical index. These materials are based upon the American Bar Association's Model Rules of Professional Conduct and the ABA's Model Code of Judicial Conduct and reflect the changes to the Model Rules of Professional Conduct that resulted from the work of the "Ethics 2000" Commission and the Commission on Multijurisdictional Practice.

Pub. No. 3179 / ISBN 9781422411612 (Retail Price \$27.00 / Wholesale Price \$18.09)

PROPERTY LAW

See also Land Use; Real Estate

Property Law and the Public Interest: Cases and Materials, Third Edition (2007)



J. Gordon Hylton, *Professor of Law*, Marquette University Law School

David L. Callies, *Benjamin A. Kudo Professor of Law*, University of Hawaii, William S. Richardson School of Law

Daniel R. Mandelker, *Howard A. Stamper Professor of Law*, Washington University in St. Louis School of Law

Paula A. Franzese, *Peter W. Rodino Professor of Law*, Seton Hall University School of Law

Property Law and the Public Interest seeks to introduce first-year law students to both the public and private law aspects of the law of property. The notes in all of the chapters have been expanded, not just to point out legal developments and new cases since the previous edition, but also to provide more detail on the historical and social context in which the principal cases arose and to provide a glimpse into the lives of the parties to the cases. All of the distinctive features of the casebook have been retained for the Third Edition:

- The opening chapter is devoted to the definition of property rights. It also explores the concept of property through issues of ownership of natural resources and intellectual property.
- In addition to traditional limitations on the rights of landowners, the book's early chapters explore the police power, the power of eminent domain, and the concept of regulatory takings.
- The casebook is compact. It is designed primarily for a one-semester Property class.
- For those who are interested in incorporating even more material on the "public" law of property into their class, additional chapters are provided on zoning and land use planning, housing discrimination, and environmental law.
- There is no chapter in the book devoted exclusively to estates in land and future interests. Instead, this subject matter is addressed in those contexts in which it is still relevant. (Remainders and reversions are introduced with legal life estates and trusts, and executory interests are studied in conjunction with other forms of private land use control.)
- Cases are chosen for the complexity of the problems they
 pose as well as their ability to illustrate principles of the law
 of property. Interpretive notes supplement the cases but
 excerpts from secondary sources are kept to a minimum.

Property Law and the Public Interest is also accompanied by a significantly expanded new edition of the Teacher's Manual.

Pub. No. 3096 / ISBN 9780820570662 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425978 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Property: Cases, Documents, and Lawyering Strategies (2004)



Second Edition Scheduled to be Available for Reviewing Fall 2008

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

David S. Caudill, Arthur M. Goldberg Family Chair & Professor of Law, Villanova University School of Law

David Hricik, Associate Professor of Law, Mercer University, Walter F. George School of Law

This casebook makes the topic of Property Law come to life by emphasizing aspects of property transactions that are important today. At the same time, its organization and coverage reflect customary course coverage. On the one hand, the broad subjects covered in this book are traditional. Personal property, real estate transactions, servitudes, leases, common law estates, and land regulation—the subjects that long have formed the backbone of the Property course are all present. On the other hand, this is a course for the twenty-first century. Personal property is treated through coverage of intellectual property: patents, copyrights, trademarks, and trade secrets. Property transactions are approached from the point of view of a contemporary lawyer representing a client. The book covers current documents, contemporary doctrines, and relevant concepts.

This casebook is MacCrate-responsive. It develops the strategy component. Each of the transactional chapters features problems that put the student into lawyering situations. After all, lawyering is not about reading appellate court opinions and discussing in a vacuum whether the opinions are "good" or "bad." Instead, it is about resolving or avoiding problems. To achieve those ends, lawyers use strategies for counseling, negotiation, document preparation, and litigation. The problems are set in a variety of different property settings and call for various strategies.

This book is also designed to fit with other courses traditionally taught in the first year. Therefore, analysis of statutes and reading of appellate opinions and other traditional materials make up the bulk of the book. Still, the strategies and competencies of property lawyering are developed here, so that students can learn about them.

This book also develops the public law aspects in the law of property. But most of the efforts of lawyers in property transactions focus upon negotiation and documentation of private agreements. The documents are as important as public law. Therefore, property transfer agreements, brokerage documents, deeds, mortgages, title insurance policies, promissory notes, and other documents are set out and explored in this book.

Pub. No. 3621 / ISBN ISBN 97815836080209 (Second Edition ISBN 9781422426371) (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422426111 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual / Annual Supplement

Fundamentals of Property Law, Second Edition (2004)

Barlow Burke, *Professor of Law & John S. Myers and Alvina Reckman Myers Scholar*, American University, Washington College of Law

Ann M. Burkhart, Curtis Bradbury Kellar Professor of Law, University of Minnesota Law School

R.H. Helmholz, Ruth Wyatt Rosenson Distinguished Service Professor of Law, University of Chicago Law School

The authors of **Fundamentals of Property Law** set forth to design a casebook that would allow students to not only obtain a firm grasp of the fundamentals of real and personal property, but also to enjoy the experience. Accordingly, they designed the book using the four guidelines that follow:

- First, the case selection emphasizes rules that are widely
 accepted in practice. Minority-view opinions appear only
 when they state the majority position clearly, so that students
 will not be misled about the current state of the law. For
 example, the authors present the materials on common law
 estates through cases, allowing the professor to integrate them
 with the rest of the course and pointing out the extent to which
 the estate system meets the needs of attorneys in practice.
- Second, shorter cases are preferred over longer ones and short expositions of the rules are preferred over treatise-like opinions. While some treatise and law review literature is needed beyond case law to provide a sufficient guide to the law, this casebook provides an introductory view. Thus, the land conveyancing materials emphasize the transfer of titles, the text presents servitudes and easements' leading concepts, the takings cases deal with land use controls, and the controls emphasized involve the basics of zoning.
- Third, the authors address questions of statutory interpretation
 with regularity in the cases and notes. While real property law
 may be affected less than some other areas of the first year
 curriculum, it is of vital importance to understand the role
 statutes play in our legal system.
- Fourth, this book uses intellectual property to provide perspective. But overall it is written with a broad approach to the law, reflecting the many disciplines that illuminate the law of property.

Pub. No. 3114 / ISBN 9780820559902 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

Property Law: Cases, Materials, and Questions (2002)



Second Edition Scheduled to be Available for Review in Fall 2008 (Second Edition includes the addition of Julia Patterson Forrester as a co-author)

Edward E. Chase, *Professor of Law Emeritus*, Rutgers University School of Law, Camden

Julia Patterson Forrester, Associate Professor of Law, Southern Methodist University, Dedman School of Law

The materials in this casebook are highly accessible to students, presented in a straightforward but intellectually rigorous manner. The book has a traditional coverage and organization with chapters on property as a concept, estates in land and future interests, concurrent estates, leases, real estate transactions, easements, covenants, and government regulation and taking of land. Although traditional in coverage, the book has a large number of contemporary cases which give students a sense of the current relevance of topics that can otherwise seem outdated. The book retains many of the classic cases as well. The Questions following the cases (which number more than in most Property books) provide a guide for instructors on teaching each case, while still allowing sophisticated discussions of doctrine and policy. This book is also accompanied by a substantial Teacher's Manual that contains answers for each of the Questions presented in the casebook, as well as guidance for teaching the material and suggestions for materials to omit for Property courses with fewer credits.

Pub. No. 3564 / ISBN 9781422406663 (Second Edition ISBN 9780820570945) (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Cases, Materials, and Problems in Property, Second Edition (1999)

Richard H. Chused, *Professor of Law*, Georgetown University Law Center

This casebook raises interesting and challenging problems concerning the development of property law. Property concepts are introduced through cutting-edge issues such as intellectual property, rights of publicity, and ownership rights in the human body. Historical dimensions are presented through discussions of laws that formerly excluded certain individuals from most forms of ownership and property control, such as Native Americans, African Americans, and women. The text covers traditional topics such as estates in land, landlord and tenant laws, transfers of property, private land use controls, and constitutional limitations on public land use controls.

Most chapters are preceded by a concise summary of legal doctrines or common themes covered in the chapter. Explanatory Notes provide extensive explanations of cases and rules; they clarify complicated opinions with background information regarding the circumstances giving rise to the proceedings. Problems and Problem Notes take students beyond the realm of settled rules to generate analysis of the purpose behind the rules. This book also points students to relevant secondary sources for a broader understanding of property law.

Pub. No. 448 / ISBN 9780820541358 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Understanding Property Law, Second Edition (2007)



John G. Sprankling, *Distinguished Professor and Scholar*, University of the Pacific, McGeorge School of Law

This comprehensive and authoritative *Understanding* treatise is suitable for use in conjunction with any Property casebook. Features include:

- Complete coverage of all standard property topics, including landlord-tenant law, adverse possession, rights in personal property, estates and future interests, intellectual property, marital property, land sale transactions, servitudes, nuisance, zoning, takings, and other land use issues;
- Analysis of cutting-edge topics, such as property rights in human bodies, current takings issues, the Restatement (Third) of Property (Servitudes), rights and duties of homeowners' associations, and property rights in personal names and likenesses;
- Discussion of the policy and historical underpinnings of property law doctrines; and
- Clear writing and detailed organization designed to facilitate student understanding of both basic concepts and controversial issues.

Pub. No. 585 / ISBN 9780820570716 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Student's Guide to Easements, Real Covenants, and Equitable Servitudes, Second Edition (1999)

Stephen A. Siegel, Associate Dean for Research, Scholarship, and Faculty Development & Distinguished Research Professor of Law, DePaul University College of Law

This comprehensive *Guide* treats some of the more difficult areas of the first-year Property course. Lucid essays explain all major concepts and doctrines of the law of servitudes, including significant reforms recently adopted by the *Restatement (Third)* of *Property*, integrating them with their historical development and contemporary policy bases. The distinctions among, and consequences of, related property interests of easements, real covenants, and equitable servitudes are discussed. The author intersperses over 100 questions and problems throughout the

text, all with analytical answers, illustrating the concepts and doctrines in contemporary, realistic settings. This clear and comprehensive treatment of the complexities of easements, real covenants, and equitable servitudes will enrich classroom learning and self-study.

Pub. No. 674 / ISBN 9780820541310 (Retail Price \$27.00 / Wholesale Price \$18.09)

A Student's Guide to Estates in Land and Future Interests: Text, Examples, Problems, and Answers, Second Edition (1993)

Robert Laurence, *Professor of Law Emeritus*, University of Arkansas School of Law, Fayetteville

The late Pamela B. Minzner

This unique self-teaching *Guide* facilitates the understanding of complex materials from Property courses. Chronologically organized material familiarizes students with basic concepts and necessary technical vocabulary. The authors graphically explain complex concepts, and provide extensive problem-and-answer sets. Topics include basic possessory estates, remainders and executory interests in response to the statute of uses, modifications of the common law scheme, and interesting complexities and modern changes.

Pub. No. 635 / ISBN 9780820527185 (Retail Price \$27.00 / Wholesale Price \$18.09)

A Student's Guide to the Rule Against Perpetuities (1988)

Fredric S. Schwartz, *Professor of Law*, Oklahoma City University School of Law

Designed for students in both the first-year Property and upper-level Trusts and Estates courses, this self-instructional *Guide* contains an understandable explanation of this difficult and complex concept. It begins with a review of the law of estates and future interests, with emphasis on those aspects of the law that are most important to understanding and applying the Rule (e.g., different ways to hold land—fee simple absolute, life estate, future interest, contingent interest). Subsequent chapters discuss the Rule and the individual, the Rule and a class, powers of appointment, and court modifications. Liberal use of examples allows the student to study language actually used in trusts and conveyances and to understand each subtlety and nuance.

Pub. No. 645 / ISBN 9780820503615 (Retail Price \$27.00 / Wholesale Price \$18.09)

A Property Anthology, Second Edition (1997)

Richard H. Chused, *Professor of Law*, Georgetown University Law Center

A Property Anthology is a valuable teaching supplement to the standard Property casebook. The carefully selected and edited readings illuminate the historical development and policy considerations behind the black letter law of property, providing students with the foundation necessary to foster a real understanding of property doctrine.

Pub. No. 3601 / ISBN 9780870847356 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Property, Revised First Edition (2004)

John Copeland Nagle, John N. Matthews Professor of Law, Notre Dame Law School

This study guide uses over 200 multiple-choice and short-answer questions to test your students' knowledge of the full range of property law concepts and their ability to apply that knowledge to particular situations. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Property** also includes a comprehensive topical index.

Pub. No. 3178 / ISBN 9780820562261 (Retail Price \$27.00 / Wholesale Price \$18.09)

REAL ESTATE

See also Land Use and Property Law

Real Estate Transactions, Fifth Edition (2005)

George Lefcoe, Ervin and Florine Yoder Chair in Real Estate Law, University of Southern California Law School

This book focuses on the purchase, sale, financing, and development of real estate and the significance of legal rules and institutions at various stages of these transactions. The text provides information about the real estate business practices that form an indispensable backdrop for understanding real estate law fundamentals.

The Fifth Edition reflects the following features:

 The biggest change is that the author subdivided the chapter on purchase and sale contracts into several shorter chapters, each dealing with a specific aspect of the contract (e.g., quality of title, timing of performance, issues related to the condition of the subject property, etc.). The finance chapter was also subdivided into two separate chapters to make for easier reading, one on real estate lending markets in general and the other on the key loan terms of greatest importance to mortgage borrowers and lenders.

- Another significant difference is that each chapter begins
 with a "scope of chapter" introduction explaining briefly the
 contents of the chapter, and each chapter ends with a more
 comprehensive set of questions than appeared in the Fourth
 Edition. These questions are intended to serve as a review or
 summary of the main points made in the chapter.
- The author's model for this edition is explicitly the conventional graduate or undergraduate text book, a rejection of the traditional law school casebook. Many adopters who like the case method supplement the text with their own favorite cases.
- Also, instead of reprinting form documents in an appendix, the author provides a list of useful Web sites containing the key documents. Hence, instead of reprinting the California Association of Realtors contract, listing agreement, and escrow forms, readers are referred to multiple Web sites containing documents from numerous jurisdictions.

Pub. No. 3097 / ISBN 9780820569833 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422418277 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Commercial Real Estate Transactions: A Project and Skills Oriented Approach (2001)

Debra Pogrund Stark, *Professor of Law*, John Marshall Law School David L. Cameron, *Associate Director, Graduate Tax Program & Senior Lecturer*, Northwestern University School of Law James Geoffrey Durham, *Professor of Law*, University of Dayton School of Law

Thomas R. White, III, *John C. Stennis Professor of Law*, University of Virginia School of Law

Commercial Real Estate Transactions is devoted to the complexities of the commercial development process. Breaking tradition with other Real Estate casebooks that focus primarily on residential transactions and financing, this book brings to life the business and legal issues underlying commercial real estate development and transactions by focusing on an actual commercial real estate project, the subject of which runs the length of the book.

The materials focus on the legal work by the law firm of Kaplan & Miller that represents the developer of the actual real estate project, the Fox Valley Auto Care Center in Aurora, Illinois. The life cycle of this project gradually unfolds in each chapter through problems, questions, assignments, and drafting exercises. Students follow the course of a new associate called upon to review or draft the legal documents proposed for a transaction, and to research the thornier legal rules underlying some of the developer's business decisions. This unique project-oriented

approach gives students a fun, challenging, and engaging means to acquire and develop the fundamental transactional skills—skills in communicating with clients, problem-spotting, problem-solving, negotiation, and drafting—which they will need in practice.

The accompanying **Document Book** includes all of the principal documents used in connection with the Auto Care Center project. These include the limited partnership agreement established between the developer and the investors, the agreements to purchase the land, the title policy and survey, the Phase I environmental audit, the annexation agreement, the loan documents, the construction documents, and a lease. Students are asked to review these documents in the context of various negotiation and drafting problems throughout the supported casebook.

Commercial Real Estate Transactions will accommodate any type of commercial real estate course, whether its focus is on land use issues, tax issues, or finance issues, and whether it is an introductory or an advanced real estate course. The authors provide optional additional chapters within each section for instructors who choose to delve more deeply into any particular aspect of this field. A comprehensive Teacher's Manual provides suggestions for different approaches in teaching the course, as well as the authors' views and suggested answers for each problem, question, and assignment presented in the casebook.

Pub. No. 3117 / ISBN 9780820550329 (Retail Price \$96.00 / Wholesale Price \$76.80) / Documentary Supplement ISBN 9780820550336 (Commercial Real Estate Transactions: A Project and Skills Oriented Approach: Document Book) (Retail Price \$24.00 / Wholesale Price \$19.20) / Teacher's Manual

Understanding Modern Real Estate Transactions, Second Edition (2007)



Alex M. Johnson, Jr., *Perre Bowen Professor of Law*, University of Virginia School of Law

This *Understanding* treatise explains clearly and succinctly the myriad issues that arise and require discussion in advanced Real Estate courses. The author focuses on the typical chronology of a residential real estate transaction, from the date the seller decides to sell the real estate by listing it with a broker, to the date the transaction is completed and the deed of sale is recorded in the applicable recorder's office. Students are thus easily able to access any issue that would confront the real estate student or practitioner.

Although the initial focus is on a residential real estate transaction, **Understanding Modern Real Estate Transactions** also addresses issues applicable to commercial real estate transactions. This treatise also provides case analysis, focusing on the cases that appear in the most prominent and widely used texts for modern real estate. Numerous simple hypotheticals

throughout the text explain the more complicated theories and rules.

Loaded with practical tips from a noted expert in real estate transactions, this treatise is beneficial for the neophyte and expert alike, providing insight on the issues likely to appear on exams from the professor's perspective. It is a must read for anyone interested in learning about real estate for the first time or for anyone preparing for an exam in an advanced real estate course, including the bar exam.

Pub. No. 3127 / ISBN 9781422411421 (Retail Price \$37.00 / Wholesale Price \$24.79)

REGULATORY LAW

Regulatory Law and Policy: Cases and Materials, Third Edition (2003)

Sidney A. Shapiro, Associate Dean for Research and Development & University Distinguished Chair in Law, Wake Forest University School of Law

Joseph P. Tomain, Dean Emeritus & Wilbert and Helen Ziegler Professor of Law, University of Cincinnati College of Law

The central theme of **Regulatory Law and Policy** is the concept that the practice of regulatory law involves the interrelationship of law, policy analysis, and politics. While the legal limits of regulation are explored in many law school courses, this book emphasizes policy analysis and politics. Part I explores government regulation and examines the contextual background of the regulatory state. Parts II and III examine various economic and social justifications for government regulation.

In the Third Edition, the authors retain the original focus of the book but reflect the important legal and policy developments that have occurred since the last edition, including:

- The fate of the Telecommunications Act of 1996;
- The collapse of the airline industry;
- · New farm subsidy legislation;
- The fate of the 1996 welfare reform legislation;
- The No Child Left Behind Act of 2001, reforming federal educational support; and
- Significant new Supreme Court cases, especially those involving takings law and commercial free speech.

A comprehensive Teacher's Manual is also available.

Pub. No. 3098 / ISBN 9780820557588 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

RELIGION AND THE STATE

Religion and the State, Second Edition (2006)

Steven G. Gey, *David and Deborah Fonvielle & Donald and Janet Hinkle Professor of Law*, Florida State University College of Law

This book examines the interpretative issues that have always been at the forefront of litigation based on the Religion Clause, including:

- What is the effect of history and original intent on the meaning of the modern Religion Clauses?
- What is the proper role for religion in a modern, religiously pluralist, secular democracy?
- What constitutes "religion"?
- Is any such definition of "religion" applicable to both the Establishment and Free Exercise Clauses?

Religion and the State, written in a politically balanced tone, draws from various resources, including Supreme Court case law, lower court opinions, academic literature, and legislative texts to provide a well-rounded examination of these pivotal and intriguing questions. The Second Edition represents a substantial revision of the predecessor edition. Among the developments reflected in the Second Edition are:

- Expanded coverage of the debate within the Supreme Court and academic literature over separationist and accommodationist models of political governance;
- Completely revised sections dealing with government financing of religious enterprises and government symbolic endorsement of religion;
- Shorter case excerpts;
- A more comprehensive effort to incorporate lower court decisions on matters that have not yet been decided by the Supreme Court;
- Expanded coverage of comparative materials;
- Expanded coverage of litigation under state constitutional provisions dealing with religion and the government;
- Expanded coverage of statutory Issues under federal statutes such as RFRA and RLUIPA, and the various state versions of those statutes; and
- A new section dealing with the legal implications of internal church disputes.

Pub. No. 3138 / ISBN 9780820570228 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual / Annual Supplement

REMEDIES

Remedies: Damages, Equity and Restitution, Third Edition (2002)

Robert S. Thompson, Legion Lex Professor of Law, Emeritus, University of Southern California Law School

John A. Sebert, *Professor of Law & Dean Emeritus*, University of Baltimore School of Law

Leonard Gross, *Professor of Law*, Southern Illinois University School of Law

R.J. Robertson, Jr., *Professor of Law*, Southern Illinois University School of Law

This casebook compares remedial principles in the areas of tort, contract, and property, exploring both theory and practice. Students examine the ranges of remedies available in specific areas such as personal injury, interference with property interests, misrepresentation, mistake, and breach of contract. **Remedies: Damages, Equity, and Restitution** includes significant coverage of punitive and nonpecuniary damages, attorneys' fees and sanctions, tort reform, and equity and injunctions.

Pub. No. 577 / ISBN 9780820550718 (Retail Price \$101.00 / Wholesale Price \$80.80) / Looseleaf ISBN 9781422421680 (Retail Price \$61.00 / Wholesale Price \$48.80) / Teacher's Manual

Understanding Remedies, Second Edition (2006)

James M. Fischer, Professor of Law, Southwestern Law School

This comprehensive *Understanding* treatise provides an introduction to the basic legal rules and principles that constitute the law of remedies as applied by United States courts. The Second Edition of **Understanding Remedies** represents a major reworking of the original work. The chapters have been reorganized so that the materials follow the customary approach of teaching remedies:

- General Principles applicable to damages, injunctions, and restitution;
- (2) Remedy defenses;
- Applications, e.g., bodily injury remedies, breach of contract remedies; and
- (4) Special problems, e.g., punitive damages, attorneys' fees.

The materials are comprehensive and respect the nuance and subtlety of the subject. **Understanding Remedies** presents the richness of the topic to students who wish to gain both a fundamental appreciation of the subject and an insight into the myriad ways remedies influence the shape and dimension of modern American law.

Pub. No. 586 / ISBN 9780820563435 (Retail Price \$39.00 / Wholesale Price \$26.13)

Questions & Answers: Remedies (2007)



Tracy A. Thomas, *Professor of Law & Director, Faculty Research and Development*, University of Akron, C. Blake McDowell Law Center

This study guide uses over 175 multiple-choice and short-answer questions to test your students' knowledge of remedies law doctrine. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Remedies** also includes a comprehensive topical index.

Pub. No. 3226 / ISBN 9780820570785 (Retail Price \$27.00 / Wholesale Price \$18.09)

SECURITIES LAW

Securities Regulation, Fourth Edition (2004)



NEW

Fifth Edition Scheduled to be Available for Review in Summer 2008

Marc I. Steinberg, Senior Associate Dean for Research & Rupert and Lillian Radford Professor of Law, Southern Methodist University, Dedman School of Law

The coverage of this text is designed for both the basic securities regulation course and for advanced seminars. In addition to case law, the text includes other relevant material such as SEC releases and scholarly commentary. The problem method is used extensively. **Securities Regulation** covers the traditional issues as well as the developing areas. The Fifth Edition includes analysis of recent Supreme Court decisions and highlights SEC rule changes. Subjects that receive extensive treatment include:

- Definition of a security;
- · Exemptions from registration;
- The registration process;
- Sarbanes-Oxley;
- The policy debate underlying disclosure;
- Resales (including SEC Rule 144);
- Due diligence (including the integrated disclosure framework);
- Disclosure obligations in a myriad of contexts;
- · Regulation of the securities markets;
- International securities developments including global offerings;
- Remedies and liabilities under both federal and state securities law;

- · Broker-dealer regulation;
- Corporate control transactions and contests;
- · Attorney professional responsibility;
- · SEC enforcement; and
- · "Blue Sky" regulation.

Pub. No. 648 / ISBN 9780820559988 (Fifth Edition ISBN 9781422417515) (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425725 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Understanding Securities Law, Fourth Edition (2007)



Marc I. Steinberg, Senior Associate Dean for Research & Rupert and Lillian Radford Professor of Law, Southern Methodist University, Dedman School of Law

This *Understanding* treatise follows a logical sequence of analysis of a securities issue. The author begins by defining a "security" and registration exemptions, and then continues through the process for non-exempt transactions. **Understanding Securities Law** clearly, thoroughly, and concisely addresses the subjects covered in basic Securities Regulation courses, including:

- · The definition of securities exemptions from registration;
- · The registration framework and process;
- · Sarbanes-Oxley Act;
- SEC Securities Act Offering Rules;
- · Resales and reorganizations;
- Due diligence;
- · Liabilities and remedies;
- Affirmative disclosure duties;
- Insider trading;
- SEC enforcement; and
- · Professional responsibility.

The author also includes a glossary of key terms, statutes, rules, regulations and forms and schedules, and comparative charts synopsizing previously discussed materials. The text covers the regulation of publicly and privately held companies under the Securities Exchange Act of 1934, SEC "fraud" concepts, civil liabilities under the securities laws, and state "Blue Sky" laws. It also discusses legislation on "Aiding and Abetting Liability" (Central Bank of Denver case), the "Bespeaks Caution" doctrine as it has been applied to securities law claims, and the constitutionality of § 27A(b) of the 1934 Securities Exchange Act.

Pub. No. 834 / ISBN 9780820570198 (Retail Price \$37.00 / Wholesale Price \$24.79)

SPORTS LAW

Sports Law: Cases and Materials, Sixth Edition (2006)

Ray Yasser, *Professor of Law*, University of Tulsa College of Law James R. McCurdy, *Professor of Law*, Gonzaga University School of Law

C. Peter Goplerud, *Dean & Professor of Law*, Florida Coastal School of Law

Maureen A. Weston, *Professor of Law*, Pepperdine University School of Law

This popular casebook is divided into three parts:

- Part I focuses on legal issues arising out of amateur sports.
 Particular emphasis is placed on the roles, rules, and activities of the National Collegiate Athletic Association. The issues addressed include amateur sports associations, gender equity in amateur athletics, and amateur sports and antitrust law.
- Part II deals with legal issues in professional sports. The
 chapters in this part deal with professional sports leagues,
 labor relations and antitrust law, enforcement of sports
 contracts, representation of professional athletes, negotiation
 of sports contracts, and stadium and arena issues.
- Part III presents issues that arise in both professional and amateur sports. The subjects analyzed include criminal liability of sports participants, tort issues, intellectual property issues, health and disability issues, drug testing, and Olympic and international sports rules and regulations.

The Sixth Edition of **Sports Law: Cases and Materials** represents an effort by the authors to trim down some of the material in the book, recognizing that the right kind of "less" is "more." Nonetheless, this edition retains the major cases and discussions of established legal doctrine. One new feature of the Sixth Edition is an annotated Web Directory which will facilitate information gathering and ease any inconvenience related to the decision to trim down some of the material in the book. For example, the NBA Standard Player Contract is readily available from the NBA Player's Association Web site. Collective bargaining agreements and NCAA regulations are also generally accessible off Internet sites.

The Teacher's Manual includes a variety of more elaborately developed skills exercises. Some of these problems are presented as case files that provide students the opportunity to engage in a simulated preliminary injunction hearing, oral argument, or panel commission hearing debate. Others involve role-playing or negotiation followed by written assignments. One such assignment, for example, involves a meeting of NFL owners, followed by a memo from general counsel outlining the franchise relocation rules that will withstand antitrust scrutiny.

Pub. No. 3568 / ISBN 9780820570372 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422418369 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

STATE AND LOCAL GOVERNMENT

State and Local Government in a Federal System, Sixth Edition (2006)

Daniel R. Mandelker, Howard A. Stamper Professor of Law, Washington University in St. Louis School of Law

Dawn Clark Netsch, *Professor of Law Emerita*, Northwestern University School of Law

Peter W. Salsich, Jr., McDonnell Professor of Justice in American Society, Saint Louis University School of Law

Judith Welch Wegner, Burton Craige Professor of Law, University of North Carolina School of Law

Sandra M. Stevenson, *Professor of Law*, Albany Law School Janice C. Griffith, *Professor of Law*, Georgia State University College of Law

This casebook provides a comprehensive review of state and local government law. It has two principal objectives. First, it focuses on government powers: where they come from, how they operate, and how disputes about such powers are resolved. Second, it addresses the participants in the governance process: who they are, and how they play their roles as entities and individuals. Features of the Sixth Edition include:

- · New contemporary principal cases;
- · Additional teaching problems throughout;
- Supplemental "Notes" that provide more direction on nuanced coverage;
- New coverage of such issues as business improvement districts, living wage ordinances, consolidation, and regional forms of government;
- Expanded treatment of special districts, ethics, and public records; and
- Updated materials on government authority, home rule, public finance, federalism, tort liability, school finance, state legislatures, and the executive branch.

A comprehensive Teacher's Manual provides additional discussion and analysis of each case presented in the casebook. A new Web site available at <code>www.unc.edu/~jwegner</code> and a blog available at <code>http://lawprofessors.typepad.com/statelocal</code> provide updated information including new cases and statutes, links to charters, and other research sources, problems, and presentations useful to those teaching in this field.

Pub. No. 3101 / ISBN 9780820570174 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422421635 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Online Supplement

State and Local Government Law: A Transactional Approach (2000)

John Martinez, *Professor of Law*, University of Utah S.J. Quinney College of Law

Michael E. Libonati, Laura H. Carnell University Professor of Law, Temple University, James E. Beasley School of Law

This book offers a coherent, practical vision of state and local government law that emphasizes skills. While much of law school focuses on federal law, the practice of most lawyers regularly involves non-federal structures and institutions. Students need a practical understanding of the sources and principles of state and local government law. The authors approach the subject from a transactional perspective, emphasizing the skills students will need to maneuver through both the sources and substance of the various levels of state and local law. The Problems in the book require students to use strategic thinking as they consider the intertwining dimensions of federal, state, and local law that impact on a client's situation. Each Problem includes a presentation of the factual situation, a portfolio of legal authorities, Notes and Questions to highlight key concepts, and suggested analytical approaches as guides to solving the Problems.

Pub. No. 3569 / ISBN 9781583607534 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual

Understanding Local Government (2003)

Sandra M. Stevenson, Professor of Law, Albany Law School

This treatise is designed to reflect the basic similarities and generalities that are consistent among most or all local governments and in doing so to make it easier to understand them. **Understanding Local Government** identifies the underpinnings and the concepts that determine how local governments function in fulfilling their purpose of providing both needed and desired services to their residents.

Pub. No. 3147 / ISBN 9780820556970 (Retail Price \$35.00 / Wholesale Price \$23.45)

TAXATION

See also Taxation: LexisNexis Graduate Tax Series

Taxation of Individual Income, Eighth Edition (2007)



J. Martin Burke, Regents Professor of Law, University of Montana School of Law

Michael K. Friel, Associate Dean, Director, Graduate Tax Program & Professor of Law, University of Florida, Levin College of Law

This leading casebook employs a unique problem method, which many past students have found to be highly effective, stimulating, challenging, and enjoyable. Students are provided materials that allow them to arrive at their own conclusions about income tax concepts, rather than the text merely setting out such concepts for them.

Each chapter in **Taxation of Individual Income** begins with a set of problems with learning "objectives" and a list of relevant terms without definitions. The objectives serve as a guide to the chapter and also serve as a means of testing comprehension of the principles, rules, and techniques covered in the chapter. The vocabulary section highlights the significant terms and phrases introduced in the chapter. These features are then followed by a detailed overview that is designed to provide a perspective and a foundation for study of the materials covered in the chapter. The overview is ordinarily followed by selected cases, administrative rulings, and legislative history excerpts. After reading the materials, students return to the beginning of the chapter to address the problems and define the vocabulary terms.

Taxation of Individual Income is also accompanied by an extensive Teacher's Manual that includes a discussion of the problems in each chapter.

Pub. No. 682 / ISBN 9781422417522 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422421581 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual / Annual Supplement

Tax Exempt Organizations: Cases and Materials, Second Edition (2008)



Nicholas P. Cafardi, Dean Emeritus, Professor of Law & Joseph Katarincic Chair in Legal Process and Civil Procedure, Duquesne University School of Law

Jaclyn Fabean Cherry, Assistant Professor, University of South Carolina School of Law

This casebook provides a comprehensive examination of the law of tax-exempt organizations. At the outset, the book provides an overview of the subject, including historical background, the underlying rationales and policy considerations of exemptions, and the current tests for qualifying for federal tax exemption. **Tax Exempt Organizations** covers the five major types of 501(c)(3)

organizations: religious organizations and churches, educational organizations, healthcare organizations, arts organizations, and other "charitable" organizations. Additional topics include: charitable contributions, social welfare organizations and their relationship to 501(c)(3)s, trade associations, social clubs, fraternal benefit organizations, unrelated business income tax (UBIT), and private foundations.

Each chapter includes cases, revenue rulings and procedures, law review excerpts, other essays, and specific sections of the Internal Revenue Code (IRC). In addition, many hypotheticals along with notes and comments are included to encourage class discussion and to assist students in developing and improving their legal analysis skills. **Tax Exempt Organizations** includes as the last chapter, *Securing and Maintaining Tax-Exempt Status*, a practical discussion of procuring tax-exempt status, including sample tax forms, a discussion of the appeals process, and excerpts from IRC section 501. This book is also accompanied by a comprehensive Teacher's Manual.

Pub. No. 3167 / ISBN 9781422417549 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422426029 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual / Annual Supplement

Federal Income Tax: Doctrine, Structure, and Policy: Text, Cases, Problems, Third Edition (2004)

Joseph M. Dodge, Stearns Weaver Miller Weissler Alhadeff & Sitterson Professor of Law, Florida State University College of Law

J. Clifton Fleming, Jr., Ernest L. Wilkinson Professor of Law,
Brigham Young University, J. Reuben Clark Law School
Deborah A. Geier, Leon M. and Gloria Plevin Endowed Professor
of Law, Cleveland State University, Cleveland-Marshall
College of Law

In this well-rounded and student-friendly casebook, theory and policy discussions are threaded throughout the text material, which provides the basis for dealing with the problems and questions that now appear at the end of the section or subsection to which they relate. The Third Edition is not merely an update of the Second Edition; it is a complete rewrite. To make Federal Income Tax: Doctrine, Structure, and Policy accessible to students and to facilitate understanding, the text has been revised in the following ways:

Part One is now devoted to setting out the basic structures
of income taxation and consumption taxation and uses tax
policy tools to explore those differences. The move toward
consumption taxation is one of the prime tax policy debates
today, and the tension and intersection problems created by
these two paradigms in the current Internal Revenue Code are
important topics to explore with students. The basic differences
between these two tax paradigms are then woven throughout
the book, where relevant.

- Two entirely new chapters are introduced in this edition.
 Chapter 10 examines the myriad contexts in which reimbursements, refunds, rebates, and recoveries occur, solidifying the students' understanding of the all-important "basis" concept. Chapter 14 draws together the topics pertaining to credit purchases and sales.
- Many examples are provided to illustrate statements of law.
- Difficult concepts are revisited several times in different contexts.
- Problems begin simply and progress in complexity. They
 require students to read closely and apply the Code, Treasury
 Regulations, cases, and rulings. Many problems involve
 transactions that are common or of likely interest to law
 students.

The accompanying Teacher's Manual includes suggested answers to all of the problems presented in the book as well as additional discussion of the material covered in the book.

Pub. No. 3059 / ISBN 9780820560007 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425916 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual / Online Supplement

Taxation: Law, Planning, and Policy (2003)

Michael A. Livingston, *Professor of Law*, Rutgers University School of Law, Camden

This book differs from most existing tax casebooks in the following ways:

- It includes complete chapters on business, international, and estate and gift taxation—three areas of substantial importance that are historically left out of the basic tax course.
- It places a strong emphasis on planning and policy, not as an adjunct to the more common legal materials, but as part of an integrated pedagogic approach. Each case or group of cases is followed by three sets of problems—Using the Sources, Law and Planning, and Politics and Policy—that are designed to develop the student's law, planning, and policy analysis skills on a systematic basis. Excerpts from leading law review articles are included in each chapter so that students can understand for themselves the basic issues in tax policy and legislation.
- The book emphasizes current concerns in tax law and policy—issues and problems that are likely to confront the next generation of tax practitioners and policy-makers. Thus, without sacrificing the "classic" cases that are the backbone of any tax book, the author devotes substantial space to the new breed of tax shelters; the tax treatment of gay and unmarried couples; and the relationship of taxes to health, retirement, and environmental policy.

The text of **Taxation: Law, Planning, and Policy** is divided into fourteen chapters, corresponding to the fourteen weeks in a typical law school course. Each chapter contains all of the types of problems described above and concludes with an in-depth, take-home problem that may be used either as the basis for inclass discussion or as a graded written assignment. The book is accompanied by a comprehensive Teacher's Manual that contains detailed answers for every question posed in the text, together with suggestions for discussion and debate topics.

Pub. No. 3615 / ISBN 9780870843334 (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Online Supplement

State and Local Taxation: The Law and Policy of Multi-Jurisdictional Taxation (2003)

Ferdinand P. Schoettle, *Professor of Law Emeritus*, University of Minnesota Law School / *Visiting Professor of Law*, George Mason University School of Law

This casebook focuses on the tax systems of a multi-jurisdictional system from the point of view of a tax or policy planner. By contrast to federal tax, which focuses on understanding statutory language, **State and Local Taxation** focuses on understanding systems of taxation and the necessary limits that must be imposed on the power to tax in a multi-jurisdictional world. Topics include:

- Property tax, including its administration, equality, and valuation issues;
- Federal constitutional limits on the state power to tax;
- Jurisdiction to tax sales and income;
- State taxation of personal income, including domicile, statutory residence, and source of income as bases for taxation, change of domicile, taxation of commuters, and progressive taxation of nonresidents;
- State taxes on corporate income and "income stripping," a technique to move income from high to low tax jurisdictions; and
- State law and federal constitutional restrictions on nonheadquarters states taxing income from intangibles such as dividends, interest, and capital gains, and how the GATT and WTO deal with similar issues.

Pub. No. 3142 / ISBN 9780820548470 (Retail Price \$108.00 / Wholesale Price \$86.40) / Teacher's Manual

Federal Taxation of Estates, Trusts, and Gifts, Revised Third Edition (2003)

Ira Mark Bloom, *Justice David Josiah Brewer Distinguished Professor of Law*, Albany Law School

F. Ladson Boyle, *Charles E. Simon, Jr. Professor of Federal Law,* University of South Carolina School of Law

The late John T. Gaubatz

Lewis D. Solomon, Van Vleck Research Professor of Law, The George Washington University Law School

This casebook blends the analytical and problem method approaches to develop student understanding of the relevant rule structure pertinent to the transfer of wealth. The transactional organization facilitates student comprehension by repeatedly exposing students to certain themes, such as reason for deductibility, taxation based on passage of economic benefit, and valuation. Federal Taxation of Estates, Trusts, and Gifts begins with discussion of the development of the basic rules governing the transfer taxation of the simple estate, outright gifts, generation-skipping transfers, and the income taxation of trusts and estates. The authors then explore more complex transactions, such as trusts with retained interests or powers, from the perspective of all four taxation systems.

The Third Edition includes greatly expanded coverage of the income taxation of estates, trusts, and their beneficiaries, which should provide sufficient materials and problems to teach a two-credit course on this subject. Cutting-edge materials are also presented throughout. In addition to well-recognized leading cases, this casebook also includes recent and significant cases, rulings, and regulations which either break new ground or expand on existing law.

Pub. No. 442 / ISBN 9780820561110 (Retail Price \$108.00 / Wholesale Price \$86.40) / Looseleaf ISBN 9781422425668 (Retail Price \$65.00 / Wholesale Price \$52.00) / Teacher's Manual

Tax Controversies: Practice and Procedure, Second Edition (2002)



Third Edition Scheduled to be Available for Review in Fall 2008

Leandra Lederman, William W. Oliver Professor of Tax Law & Director of the Tax Program, Indiana University School of Law—Bloomington

Stephen W. Mazza, Associate Dean for Academic Affairs & Professor of Law, University of Kansas School of Law

This casebook teaches the mechanics of tax procedure, while stimulating students to think about the broader issues that underlie its structural framework. This edition of **Tax Controversies: Practice and Procedure** begins with an overview of civil tax procedure and an in-depth discussion of the federal tax gap and the many approaches to closing it. Several of the next chapters focus on stages in the chronology of a typical tax controversy, from examination through eventual litigation. In addition, two chapters focus on tax research and representing tax

clients and a new chapter addresses ethics issues in tax cases. An underlying theme—the extent to which the current procedural rules encourage or discourage voluntary compliance with the federal tax system—runs throughout the book.

- Suitable for J.D. or LL.M. students, or for use in a tax clinic.
- This edition contains new chapters on summons enforcement, the U.S. Tax Court, the collection due process procedures, "innocent spouse" relief, and ethics issues.
- Each casebook chapter includes theory questions and a set of fact-based problems to encourage strategic thinking. Several chapters include optional drafting problems.
- Teacher's Manual provides detailed answers to the problem sets, suggests approaches to the material, and highlights topics more suitable for an advanced course.
- Separate Documents Volume, Tax Controversies: Statutes, Regulations, and Other Materials, is also available.
- Supporting Web site at www.taxtexts.com/controversies.htm.

Pub. No. 1160 / ISBN 9780820553955 (Third Edition ISBN 9781422422632) (Retail Price \$108.00 / Wholesale Price \$86.40) / Documents Volume ISBN 9780820564425 (Tax Controversies: Statutes, Regulations, and Other Materials, Third Edition (2006)) (Retail Price \$34.00 / Wholesale Price \$27.20) / Teacher's Manual / Periodic Supplement

Fundamentals of Federal Income Tax Law, Fourth Edition (2002)



Fifth Edition Scheduled to be Available for Review in Summer 2008

William D. Popkin, Walter W. Foskett Professor Emeritus of Law, Indiana University School of Law—Bloomington

In writing this casebook, the author was guided by a view that as tax law becomes increasingly complex, the best approach to its teaching is to return to basics. Thus, this concise treatment of federal income tax law focuses on the fundamentals. Despite the shorter length of this casebook compared to others on the subject, there is adequate material for a four-hour course. References throughout to supplementary materials allow for more in-depth exploration of issues. The Fourth Edition of **Fundamentals of Federal Income Tax Law** contains more than 25 new notes about statutory interpretation, reflecting that tax law is an ideal vehicle for statutory interpretation. The materials also convey two key points about the legislative process as it pertains to tax law: (a) tax law is not static but is ever changing; and (b) tax law is strongly influenced by special interest group pressures on our legislative body.

Pub. No. 870 / ISBN 9780820553917 (Fifth Edition ISBN 9781422422601) (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Tax Controversies: Statutes, Regulations, and Other Materials, Third Edition (2006)

Leandra Lederman, William W. Oliver Professor of Tax Law & Director of the Tax Program, Indiana University School of Law—Bloomington

Stephen W. Mazza, Associate Dean for Academic Affairs & Professor of Law, University of Kansas School of Law

This volume is designed for use in a course on tax procedure, tax litigation, or similar topics. It includes selected tax procedure and administration provisions from the following sources:

- Internal Revenue Code;
- · Treasury and Internal Revenue Service Regulations;
- · Constitution of the United States of America;
- Non-Tax United States Code Provisions;
- Rules of Practice and Procedure of the United States Tax Court;
- Rules of the United States Court of Federal Claims;
- Federal Rules of Procedure and Evidence;
- Circular 230:
- Internal Revenue Service Forms; and
- Internal Revenue Service Publications.

Pub. No. 1160 / ISBN 9780820564425 (Retail Price \$34.00 / Wholesale Price \$27.20)

Understanding Federal Income Taxation, Third Edition (2008)



J. Martin Burke, *Regents Professor of Law*, University of Montana School of Law

Michael K. Friel, Associate Dean, Director, Graduate Tax Program & Professor of Law, University of Florida, Fredric G. Levin College of Law

This *Understanding* treatise is designed to supplement any federal income taxation casebook. Divided into five distinct sections, **Understanding Federal Income Taxation** addresses in detail the fundamental questions raised in individual income tax courses:

- What items of economic income or gain are includable in gross income?
- What expenses are deductible?
- When does a taxpayer include items of income or deduct expenses?
- Who is the taxpayer, i.e., who must include a specific item of income and who is entitled to deduct an expense?
- What is the character of an item of income and loss?

Each section contains helpful overviews of all relevant topics. Throughout the overviews, the authors include numerous concrete examples demonstrating the application of specific concepts, statutes, regulations, and cases. In addition, each overview contains synopses of leading cases.

Pub. No. 426 / ISBN 9781422417492 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Corporate Taxation, Second Edition (2006)

Leandra Lederman, William W. Oliver Professor of Tax Law & Director of the Tax Program, Indiana University School of Law—Bloomington

This clearly written *Understanding* treatise is designed to supplement any corporate tax casebook, providing a step-by-step explanation of the fundamentals of corporate tax law. After an initial introductory chapter, six chapters cover events in the life cycle of a corporation, including capitalization of a corporation with debt or equity. The next seven chapters cover S corporations; corporate reorganizations (in four chapters); carryover of tax attributes; and anti-abuse and special provisions, such as the corporate AMT. The final two chapters discuss the important policy issues of corporate integration and corporate tax shelters. The chapter on corporate tax shelters is new to this edition of the book. *Understanding Corporate Taxation* includes discussion of relevant cases, checklists, diagrams of transactions, and numerous examples.

Pub. No. 3135 / ISBN 9780820563404 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Nonprofit and Tax Exempt Organizations (2006)

Nicholas P. Cafardi, *Dean Emeritus, Professor of Law & Joseph Katarincic Chair in Legal Process and Civil Procedure,* Duquesne University School of Law Jaclyn Fabean Cherry, *Assistant Professor,* University of South Carolina School of Law

This *Understanding* treatise provides in-depth coverage of nonprofit and tax exempt law and is designed for use in coordination with law school courses. **Understanding Nonprofit and Tax Exempt Organizations** provides the most current analysis of the case law, statutes, treasury regulations, revenue rulings, revenue procedures, private letter rulings, and technical advice memoranda which affect the rapidly growing and changing field of nonprofit and tax exempt law.

Each topic is covered in depth through various subtopics and through a discussion of case law and statutory analysis. For example, subject areas also covered include commercial activity and joint ventures, the integral parts doctrine, integrated auxiliaries of churches, HMOs, relief of the poor, distressed, and underprivileged, social welfare, community benefit organizations, political activities, mutual benefit organizations, business leagues, disaster relief, and international giving. The text is also a useful tool for practitioners because it focuses on all of the major areas of nonprofit and tax exempt law and analyzes issues currently facing these organizations.

Pub. No. 3204 / ISBN 9780820560885 (Retail Price \$37.00 / Wholesale Price \$24.79)

Understanding Partnership and LLC Taxation, Second Edition (2003)

Jerold A. Friedland, *Professor of Law & Director, Asian Legal Studies Program,* DePaul University College of Law

This *Understanding* treatise offers a comprehensive analysis of one of the most complex and confusing areas of the Internal Revenue Code. In addition to clear and easy-to-comprehend explanations of law, **Understanding Partnership and LLC Taxation** is filled with real-life examples and cautions to alert you to tax planning opportunities and warn you of possible pitfalls. Topical coverage includes:

- How to ensure that a venture is classified as a partnership for tax purposes;
- Complying with the complex rules for making special allocations of income or loss among partners or LLC members;
- The special rules governing allocations of income or loss from property contributed by a partner or LLC member;
- Using family partnerships and LLCs; and
- The tax consequences of a sale or liquidation of a partnership or LLC interest.

Pub. No. 1165 / ISBN 9780820557137 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Student's Guide to the Internal Revenue Code, Fifth Edition (2007)



I. Richard Gershon, *Dean & Professor of Law*, Charleston School of Law

Jeffrey A. Maine, Associate Dean of Academic Affairs & Professor of Law, University of Maine School of Law

This *Guide* book does not teach substantive tax law, which constantly changes, but rather the language of tax, which largely remains constant. Thus, a student who learns how to read the Internal Revenue Code effectively will be able to understand each new tax reform. To that end, **A Student's Guide to the Internal Revenue Code**:

• Examines statutory organization and language;

- Introduces basic tax constants to provide a frame of reference from which to view tax law, no matter what future tax reform might bring;
- Teaches how to use and research the cases, regulations, and Internal Revenue proclamations;
- Provides numerous problems and exam questions which students can use to test their ability to apply the language of the Internal Revenue Code; and
- Provides sample answers to problems and exams for students to monitor their progress.

Pub. No. 670 / ISBN 9781422411681 (Retail Price \$27.00 / Wholesale Price \$18.09)

Federal Wealth Transfer Tax Anthology (1998)

Paul L. Caron, Associate Dean of Faculty & Charles Hartsock Professor of Law, University of Cincinnati College of Law Grayson M.P. McCouch, Professor of Law, University of San Diego School of Law

Karen C. Burke, Warren Distinguished Professor of Law, University of San Diego School of Law

This anthology is designed to be used both as a source of supplemental readings in the Estate and Gift Tax course and as a primary text in Tax Policy seminars. In selecting the materials included in this book, the editors sought to emphasize the classic writing in the field while at the same time include a sampling of recent tax scholarship.

Pub. No. 3593 / ISBN 9780870842801 (Retail Price \$39.00 / Wholesale Price \$31.20)

Federal Income Tax Anthology (1997)

 Paul L. Caron, Associate Dean of Faculty & Charles Hartsock Professor of Law, University of Cincinnati College of Law
 Karen C. Burke, Warren Distinguished Professor of Law, University of San Diego School of Law
 Grayson M.P. McCouch, Professor of Law, University of San Diego School of Law

The **Federal Income Tax Anthology** is designed to be used either as a source of supplemental readings in the basic Federal Income Tax course or as a primary text in a Tax Policy seminar. This anthology enriches the Income Tax course by affording students the opportunity to explore in greater depth many of the subjects traditionally covered in that course, as well as to consider issues that often receive only cursory attention in the standard casebooks. The issues raised in Part I (the tax legislative, administrative, and litigation processes), Part VII (race, class, and gender), and Part VIII (alternatives to the current system) are particularly suited for advanced study in tax policy seminars.

Pub. No. 3592 / ISBN 9780870842832 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Federal Income Tax (2004)

David L. Cameron, Associate Director, Graduate Tax Program & Senior Lecturer, Northwestern University School of Law

This study guide is designed to test your students' understanding of tax law and to assist them in preparing for a tax examination. **Q & A: Federal Income Tax** includes over 250 multiple-choice questions, short-answer questions, and a practice final exam. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three

options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Federal Income Tax** also includes a comprehensive topical index.

Pub. No. 3184 / ISBN 9780820556703 (Retail Price \$27.00 / Wholesale Price \$18.09)

TAXATION: LEXISNEXIS® GRADUATE TAX SERIES

See also Taxation

United States International Taxation (2008)



Allison Christians, Assistant Professor of Law, University of Wisconsin Law School

Samuel A. Donaldson, Associate Professor of Law & Director, Graduate Program in Taxation, University of Washington School of Law

Philip F. Postlewaite, Harry Horrow Professor in International Law & Director, Graduate Tax Program, Northwestern University School of Law

This new title is one of six releases from the LexisNexis® Graduate Tax Series. United States International Taxation embodies the dual goals established for the LexisNexis Graduate Tax Series: to provide graduate tax students with a solid foundation in the applicable rules and to enhance their skills in reading and applying complex statutes and regulations. To this end, the text relies very little on the often-times laborious analysis of cases and other sources that are secondary to the Code and the regulations. Instead, each chapter provides an overview of the substantive content, with emphasis on important issues that are not apparent from the language of the Code and regulations. This book contains teaching materials for law school courses in the United States federal income taxation of persons engaged in cross-border activities and transactions. It contains 21 separate Units that address fundamental concepts of residency and source, the taxation of United States persons (citizens, residents, and domestic corporations) on their activities within the United States, and the safeguard rules in place to curtail potentially abusive tax avoidance in the international context.

Pub. No. 3638 / ISBN 9781593458836 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Tax Crimes and Tax Fraud (2008)



Steve Johnson, E.L. Wiegand Professor of Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Scott Schumacher, Assistant Professor of Law, Director, Federal Tax Clinic & Acting Director, Clinical Law Program, University of Washington School of Law

John Townsend, *Adjunct Professor*, University of Houston Law Center

Larry Campagna, Adjunct Professor, University of Houston Law Center

This new title is one of six releases from the LexisNexis Graduate Tax Series. Tax Crimes and Tax Fraud embodies the dual goals established for the LexisNexis Graduate Tax Series: to provide graduate tax students with a solid foundation in the applicable rules and to enhance their skills in reading and applying complex statutes and regulations. To this end, the Assigned Readings emphasize the Code sections and other rule-based materials, including: the Department of Justice Criminal Tax Manual, the Internal Revenue Manual, the United States Sentencing Guidelines, and statutes governing other crimes which frequently are charged together with tax crimes, such as conspiracy, false statement, bankruptcy fraud, and currency offenses. This book addresses the numerous substantive and procedural issues that arise in the investigation, prosecution, and defense of tax crimes and related offenses. The early chapters of the book map the topography, providing an overview of criminal tax, describing the crimes under the Code and related crimes under other statutes, and developing the elements of and principal defenses to tax crimes. The middle chapters take a "life cycle" approach, tracking the stages of a criminal tax case from investigation to pretrial, trial, post-trial, and sentencing. Subsequent chapters address ancillary issues such as the forfeitures, disabilities, publicity, ethics, and civil tax liability and penalties. The concluding chapter summarizes the course and ties the various topics together with a comprehensive Problem.

Pub. No. 3239 / ISBN 9781422417690 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Partnership Taxation, Second Edition (2008)



Richard M. Lipton, Esq., Baker & McKenzie, LLP, Chicago, IL Paul Carman, Esq., Chapman & Cutler LLP, Chicago, IL Charles Fassler, Esq., Greenbaum Doll & McDonald, PLLC, Louisville, KY

Walter D. Schwidetzky, *Professor of Law*, University of Baltimore School of Law

This new edition of **Partnership Taxation** is one of several new releases from the LexisNexis Graduate Tax Series. This book contains a thorough discussion of the rules of partnership taxation—when a partnership exists, the tax treatment of contributions to a partnership, the basis of partnership assets

and interests in a partnership, how income is allocated to the partners, the tax treatment of distributions, the consequences of partnership liabilities, partnership mergers, the retirement of a partner and dissolution of the partnership. There is also significant attention paid to the numerous "anti-abuse" rules that have been adopted by Congress and the IRS over the past several decades, including the disguised sale rules, the treatment of "mixing-bowl" transactions, the complex rules to prevent basis abuse, and the overriding "partnership anti-abuse regulations" adopted by the IRS. In addition, this book explores one of the fundamental questions which always arises in partnership taxation—Is a partnership to be treated as a separate taxable entity or an aggregate of its partners? The tension between entity and aggregate treatment of a partnership is one of the recurring issues in determining the tax consequences of partnership transactions.

Pub. No. 3199 / ISBN 9781422417553 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Civil Tax Procedure, Second Edition (2007)



David M. Richardson, *Professor of Law & Past Director, Graduate Tax Program*, University of Florida, Levin College of Law Jerome Borison, *Associate Professor of Law & Director, Student Federal Tax Advocacy Clinic*, University of Denver, Sturm College of Law

Steve Johnson, E.L. Wiegand Professor of Law, University of Nevada, Las Vegas, William S. Boyd School of Law

This new edition of Civil Tax Procedure is one of several new releases from the LexisNexis Graduate Tax Series. This book embodies the dual goals established for the LexisNexis Graduate Tax Series: to provide graduate tax students with a solid foundation in the applicable rules and to enhance their skills in reading and applying complex statutes and regulations. To this end, the text relies very little on the often-times laborious analysis of cases and other sources that are secondary to the Code and the regulations. Instead, each chapter provides an overview of the substantive content, with emphasis on important issues that are not apparent from the language of the Code and regulations. The problems are designed to require the students to study the assigned sections of the Code and regulations and, for the most part, do not lend themselves to resolution by simply reading the book. Areas that are often difficult for students (and practitioners alike), such as the partnership audit provisions, the innocent spouse rules, judicial and statutory mitigation of the statute of limitations, and transferee and fiduciary liability are addressed in the text and through "real world" problems. The Teacher's Manual includes comprehensive analyses of all problems presented in the coursebook, PowerPoint slides, and lecture notes on some of the most difficult topics developed by the authors whose combined practice and teaching careers span almost 100 years.

Pub. No. 3639 / ISBN 9781422417560 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Employee Benefits Law: Qualification Rules and ERISA Requirements (2006)

Kathryn J. Kennedy, Associate Dean for Advanced Studies and Research, Professor of Law & Chair, Tax and Employee Benefits Practice Group, John Marshall Law School

Paul T. Shultz, III, Former Director of the IRS' Employee Plans Rulings & Agreement, TE / GE

This title is one of six releases from the LexisNexis Graduate Tax Series. Employee Benefits Law: Qualification Rules and ERISA Requirements differs from other employee benefits casebooks and practicing legal education materials because it teaches the materials using a series of problems that begin with the basic concepts and build upon those concepts in order to teach sophisticated legal issues. The material is also discussed in the context of how ERISA and the applicable sections of the Internal Revenue Code have evolved over time in reaction to different public policy considerations and changing employee benefit needs.

Employee Benefits Law is divided into two sections. Part I addresses qualification rules generally applicable to employee retirement plans. Part II addresses tax rules applicable to welfare benefits and nonqualified deferred compensation plans and ERISA rules applicable generally to all employee benefit plans. Sophisticated realistic problems are an integral part of the materials, and are included throughout. These problems will require careful analysis and application of code and regulation provisions, administrative pronouncements, case law, and other relevant sources. Perhaps more important for a graduate tax program, the problems not only require careful analysis, but the application requires dealing with situations when the most careful reading of the materials does not supply an answer.

Pub. No. 3208 / ISBN 9780820552476 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

Federal Tax Accounting (2006)

Michael B. Lang, *Professor of Law & Director, LL.M. in Taxation Program*, Chapman University School of Law Elliott Manning, *Professor of Law & Faculty Chair, Graduate Tax Program*, University of Miami School of Law Steven J. Willis, *Professor of Law*, University of Florida, Levin College of Law

This new title is one of six releases from the LexisNexis Graduate Tax Series. **Federal Tax Accounting** contains sufficient materials for a three-semester-hour course on the subject, including:

- The annual accounting system;
- The differences between tax accounting and financial accounting;
- The cash receipts and accrual methods;
- Inventory accounting and the long-term contract method of accounting; capitalization, depreciation, and amortization;

- Interest, original issue discount, market discount, debt discount, and premium, interest-free, and below-marketinterest loans;
- Deferred payment sales, primarily installment sales;
- Exceptions to the annual accounting system, including loss and other carryovers, the claim of right doctrine, the tax benefit principle, and the *Arrowsmith* doctrine; and
- The taxable year (required, permitted and / or elective), changes in taxable year, and changes in accounting method.

Sophisticated realistic problems, with a transactional focus, are an integral part of the materials, and are included throughout. These problems will require careful analysis and application of code and regulation provisions, administrative pronouncements, case law, and other relevant sources. Perhaps more important for a graduate tax program, the problems not only require careful analysis, but the application requires dealing with situations when the most careful reading of the materials does not supply an answer. The **Federal Tax Accounting** Teacher's Manual contains sample syllabi and comprehensive analyses of the problems presented in the coursebook.

Pub. No. 3640 / ISBN 9781593458850 (Retail Price \$115.00 / Wholesale Price \$92.00) / Teacher's Manual

TERRORISM

See also Military Justice

Legal Responses to Terrorism (2005)



Second Edition Scheduled to be Available for Review in Summer 2008

Wayne McCormack, *Professor of Law*, University of Utah S.J. Quinney College of Law

The Second Edition of this book deals with many developments occasioned by the so-called "war on terror" of the last few years. It provides the basis for using the legal tools available for combating terrorism (prosecution, intelligence, and military action) while addressing the limits that ought to be applied to each of those within the framework of the rule of law. This edition necessarily deals with unauthorized surveillance, the torture controversy, targeted killings, and military detentions. To advance the rule of law while promoting security of the populace, the book addresses these areas:

- Investigation, apprehension, and prosecution of alleged terrorism incidents, extraterritorial enforcement of U.S. law, and prosecution of material support for terrorism;
- Development of the international law of war and international criminal law as they might apply in both prosecution and defense of alleged terrorists;

- The need of government for information with all that need implies: intelligence gathering, surveillance, controls on interrogation techniques, government secrecy, ethnic profiling, rights of privacy, and civil liberties; and
- Military and executive detentions without trial and the operation of military tribunals.

The book concludes with opinions from the Supreme Court of Israel, the U.K. House of Lords, and the Supreme Court of Canada that focus explicitly on claims for emergency power to derogate civil liberties.

Pub. No. 3211 / ISBN 9780820563817 (Second Edition ISBN 9781422425015) (Retail Price \$101.00 / Wholesale Price \$80.80) / Teacher's Manual / Annual Supplement

Understanding the Law of Terrorism (2007)



Wayne McCormack, *Professor of Law*, University of Utah, S.J. Quinney College of Law

This new *Understanding* treatise provides a compact review of the three main approaches to combating terrorism: criminal proceedings, intelligence and prevention, and military action. The three modes of responses are not the same; each has benefits and limitations, and it will be difficult to find the proper balance among them. *Understanding the Law of Terrorism* contributes to the search for balance by providing the tools for analysis and application of each of the three modes of response.

- With regard to law enforcement, it covers the requirements of conspiracy law, the principal statutes dealing with terrorism, designation of foreign terrorist organizations, and the crime of material support of terrorist activity or organizations. It also goes into the international law dealing with crimes against humanity which could be a source of enforcement principles for terrorism.
- On the intelligence front, the book deals with the structure of the Intelligence Community, the operation of the Foreign Intelligence Surveillance Act (FISA), and the mechanics of the Classified Information Procedure Act (CIPA).
- With regard to military response, the book summarizes
 the Law of Armed Conflict (LOAC), delves into military
 detentions, extraordinary renditions, and harsh interrogation
 or torture. Finally, the book concludes with a look at the law
 of emergency situations and the degree to which ordinary
 processes of law may be suspended in times of crisis, looking
 at both U.S. and foreign cases.

Throughout the book, there are references to the law of other nations and international law. There is also an Appendix with the principal U.S. statutes, the major international conventions and treaties, and the relevant U.S. executive orders.

Pub. No. 3248 / ISBN 9781422417751 (Retail Price \$37.00 / Wholesale Price \$24.79)

TEXAS

See also Practitioner Publications Available for Adoption: Texas

Texas Civil Procedure: Pre-Trial Litigation, 2007 – 08 Edition



2008 - 09 Edition Scheduled to be Available for Use in Fall 2008

William V. Dorsaneo, III, Chief Justice John and Lena Hickman Distinguished Faculty Fellow & Professor of Law, Southern Methodist University, Dedman School of Law

Elizabeth G. Thornburg, *Professor of Law*, Southern Methodist University, Dedman School of Law

Elaine A. Carlson, *The Stanley J. Krist Distinguished Professor of Texas Law,* South Texas College of Law

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

This coursebook explores both the practical and substantive aspects of Texas civil pre-trial litigation. The materials cover all aspects of the processing of a civil case up to the period immediately before trial. It addresses such issues as:

- The attorney's relationship with the client (when to take a case, forming the contract, Interviewing and counseling the client);
- When to file the suit (statutes of limitation and other pre-filing requirements);
- Protecting the right to recover (emergency relief such as TROs, sequestration, garnishment, and attachment);
- Deciding where to file the case (subject matter jurisdiction, personal jurisdiction, and venue);
- Defining and shaping the case (pleading practices, joinder, and preclusion doctrines);
- Obtaining relevant information (scope of discovery and discovery devices); and
- Non-trial resolutions (default, summary judgment, settlement, and alternative dispute resolution).

All of the chapters have been updated to include new cases and changes in rules and statutes. In addition to cases and supplemental notes, **Texas Civil Procedure: Pre-Trial Litigation** includes sample pleadings and other documents to help students understand and apply the procedural rules. The 2007 – 08 Edition also includes thirty new sets of Practice Exercises—hypothetical problems that walk students through the application of the rules in increasingly complex situations. Professors adopting the book will be provided with suggested answers to the Practice Exercises. New softcover editions of this book will be issued each year.

Pub. No. 709 / ISBN 9781422411841 (2008 – 09 Edition ISBN 9781422420713) (Retail Price \$73.00 / Wholesale Price \$58.40)

Texas Civil Procedure: Trial and Appellate Practice, Fourth Edition (2001)



2008 – 09 Edition Scheduled to be Available for Review in Fall 2008

William V. Dorsaneo, III, Chief Justice John and Lena Hickman Distinguished Faculty Fellow & Professor of Law, Southern Methodist University, Dedman School of Law

Elaine A. Carlson, *The Stanley J. Krist Distinguished Professor of Texas Law*, South Texas College of Law

David Crump, John B. Neibel Professor of Law & Director of CLE, University of Houston Law Center

Elizabeth G. Thornburg, *Professor of Law*, Southern Methodist University, Dedman School of Law

This book introduces students to trial preparation, motion practice, jury selection, the trial process, preparation of the jury charge, jury argument, jury deliberations, verdict, instructed verdicts, judgments, and post-trial motions. The text also devotes a chapter to the special problems of non-jury trials. The authors have expanded their coverage of the difficult issue of finality of judgments, and included thorough treatment of original and appellate proceedings in the courts of appeal and in the Texas Supreme Court. New softcover editions of this book will be issued each year.

Pub. No. 874 / ISBN 9780820552095 (Retail Price \$101.00 / Wholesale Price \$80.80) (2008 – 09 Edition ISBN 9781422425534 (Retail Price \$73.00 / Wholesale Price \$58.40))

Texas Evidentiary Foundations, Third Edition (2005)

David A. Schlueter, *Hardy Professor of Law & Director of Trial Advocacy*, St. Mary's University School of Law

Hon. John F. Onion, Jr

The late Charles W. Barrow

Edward J. Imwinkelried, Edward L. Barrett, Jr. Professor of Law, University of California at Davis School of Law

Texas Evidentiary Foundations is the ideal one-volume guide for addressing and overcoming common, and not-so-common, evidentiary problems in the courtroom. This accessible and popular manual shows you how to frame predicate questions to gain admission or exclusion of evidence and includes a list of the foundational elements and examples of specific lines of questioning. The Third Edition offers enhanced analysis reflecting scientific and technological advances and their corresponding legal challenges.

Pub. No. 66890 / ISBN 9780820574530 / Retail Price \$123.00 / Course Adoption Retail Price \$105.00 / Course Adoption Wholesale Price \$84.00 / hardbound

Texas Annotated Court Rules: State and Federal Courts, 2007 Edition

This annually revised softbound book contains the complete Texas Rules of Civil Procedure, Evidence, Judicial Administration, and Appellate Procedure. Annotated with important Texas Supreme Court and courts of appeals cases, this rules book also contains: the Fifth Circuit Rules and Internal Operating Procedures; Bankruptcy Rules for the Northern, Southern, Eastern, and Western District Courts; local court rules for the Southern, Eastern, and Western Districts; Northern District Civil and Criminal Rules; and Texas Bar Rules, Judicial Conduct Rules, and parental notification forms.

Pub. No. 45890 / ISBN 9781422436899 / Retail Price \$102.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Local Rules of the District Courts in Texas, 2007 Edition

This annually revised softbound book contains the district court rules for every county in Texas, making it the best single Texas resource available for information on local district court procedure.

Pub. No. 45890 / ISBN 9781422436905 / Retail Price \$93.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Civil Practice and Remedies Code, 2007 Edition

This annually revised softbound book contains the complete Civil Practice and Remedies Code, selected parts of the Texas Constitution that apply in the context of civil litigation, and selected statutory provisions from other code titles.

Pub. No. 45890 / ISBN 9781422436868 / Retail Price \$90.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Business and Commerce Code, 2007 Edition

This annually revised softbound book combines all relevant materials pertaining to Texas business-related codes and regulations, including: Titles 1 through 4 of the Business and Commerce Code; Titles 2, 4, and 5 of the Finance Code; and Title 2 of the Transportation Code.

Pub. No. 45890 / ISBN 9781422436851 / Retail Price \$99.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Business Organizations Code, 2007 Edition

Daryl B. Robertson, Esq., Hunton & Williams, LLP, Dallas, TX

This annually revised softbound book offers an annotated version of the Business Corporation Act, the full text of the former laws being replaced by the new Business Organizations Code, and relevant portions of the Texas Administrative Code. Disposition and derivation tables offer valuable assistance in tracking the transition of the former "source" statutes to their new iterations in the Business Organizations Code.

Pub. No. 45890 / ISBN 9781422436844 / Retail Price \$95.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Probate and Estate Planning Code, 2007 Edition

This annually revised softbound volume includes the entire Texas Probate Code, Title 9 (Trusts) from the Property Code, selected state statutory and constitutional provisions, and relevant federal tax provisions from the U.S. Code and the Code of Federal Regulations.

Pub. No. 45890 / ISBN 9781422436882 / Retail Price \$97.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Family Code, 2007 Edition

Hon. Debra H. Lehrmann, Judge, 360th District Court Heather L. King, Esq. Koons Fuller, Southlake, TX

This annually revised softbound book contains the complete Texas Family Code and selected miscellaneous provisions including relevant provisions from: the Texas Constitution; Civil Practice and Remedies Code; Code of Criminal Procedure; Government Code; Health and Safety Code; Penal Code; Property Code; the Employed Persons and Self-Employed Persons Tax Rate Tables; and selections from the United States Code and the Code of Federal Regulations.

Pub. No. 45890 / ISBN 9781422436929 / Retail Price \$97.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Intellectual Property Handbook, 2008 Edition

Herbert J. Hammond, Esq., Thompson & Knight, LLP, Dallas, TX

This annually revised softbound handbook includes state and federal laws that address intellectual property topics. The **Texas Annotated Intellectual Property Handbook** provides coverage of

the latest developments in areas such as: Texas law covering trade secrets, trademarks, and unfair competition; federal copyright issues focusing on cases from the Fifth Circuit; torts such as common law misappropriation, false advertising, and deceptive trade practices; and Texas statutes and rules pertaining to trademark registration, corporate names, advertising, mislabeling, and rights of artists.

Pub. No. 45890 / ISBN 9781422436875 / Retail Price \$113.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

Texas Annotated Labor and Employment Code, 2007 Edition

These two annually revised softbound books provide extensive coverage of state and federal employment law, including the entire Texas Labor Code, selected Texas statutory provisions covering key employment laws, and selected federal statutory provisions.

Pub. No. 45890 / ISBN 9781422436936 / Retail Price \$97.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / two softbound volumes

Texas Annotated Property Code, 2007 Edition

This annually revised softbound book contains the complete Texas Property Code and selected miscellaneous provisions including relevant provisions addressing: the statute of frauds; fraud in real estate transactions; Home Solicitations Transaction Act; adverse possession; lien foreclosure; nuisance; Private Real Property Rights Preservation Act; restrictive covenants; and real estate brokers, sales persons, inspectors, and appraisers.

Pub. No. 45890 / ISBN 9781422436912 / Retail Price \$102.00 / Course Adoption Retail Price \$45.00 / Course Adoption Wholesale Price \$36.00 / softbound

TORTS

See also Products Liability

Tort Law: Cases, Perspectives, and Problems, Revised Fourth Edition (2007)



Thomas C. Galligan, Jr., *President & Professor of Humanities*, Colby-Sawyer College

Phoebe A. Haddon, *Professor of Law*, Temple University, James E. Beasley School of Law

Frank L. Maraist, Nolan J. Edwards & Holt B. Harrison Professor of Law, Louisiana State University, Paul M. Hebert Law Center

Frank M. McClellan, *Professor of Law*, Temple University, James E. Beasley School of Law

Michael L. Rustad, Thomas F. Lambert, Jr. Professor of Law & Co-Director, Intellectual Property Law Concentration, Suffolk University Law School

Nicolas P. Terry, Chester A. Myers Professor of Law & Co-Director, Center for Health Law Studies, Saint Louis University School of Law

Stephanie M. Wildman, Professor of Law & Director, Center for Social Justice and Public Service, Santa Clara University School of Law

The authors have dramatically revised the Fourth Edition of this unique casebook. Chapter One is unique among American torts casebooks in its examination of how the dominant twenty-first century tort theories influence judicial decisionmaking and scholarship. That chapter explains six key perspectives on tort law:

- · Law and Economics;
- Corrective Justice;
- · Critical Race Theory;
- · Critical Feminism;
- · Pragmatism; and
- Social Justice.

Chapter One references the famous McDonald's® hot coffee litigation as a case study to illustrate these perspectives in action. Subsequent chapters continue to work through that case study and continually reference the perspectives to explain or challenge the decided cases.

This new edition presents the important cases, statutes, empirical data, and competing tort theories in a problems-oriented format that is designed to help students acquire a sophisticated understanding of tort law through active learning. As before, the text includes a large number of Problems. Now, however, the problem sets at the end of each substantive chapter organize the updated and considerably expanded problems. This extensively re-written and reorganized edition includes the classic common law torts cases, but is updated throughout with teachable, provocative decisions that will demand student interest and hold their attention. Particular care has been given to take account of the most recent commentaries on tort law, such as the growing importance of the *Restatement (Third)* of *Torts*.

The authors seek to provide students with innovative cases and problems, empowering them with practical skills. By exposing students to the most important contemporary tort law theories, the Fourth Edition of this casebook encourages students to go beyond passively memorizing case holdings and the voyeuristic experience of reading appellate opinions and truly gain perspectives on tort law.

Pub. No. 3103 / ISBN 9781422421703 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425985 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

Tort Law and Practice, Third Edition (2006)

Dominick Vetri, B.A. Kliks Professor of Law, University of Oregon School of Law

Lawrence C. Levine, *Professor of Law*, University of the Pacific, McGeorge School of Law

Joan E. Vogel, *Professor of Law*, Vermont Law School Lucinda M. Finley, *Vice Provost for Faculty Affairs & Frank G. Raichle Professor of Trial and Appellate Advocacy*, University of Buffalo Law School, The State University of New York

Tort Law and Practice provides a rich context for the study of Tort Law. Teachers and students consistently rate this book highly. This innovative casebook thoroughly develops the core torts principles, and has many unique features, such as:

- Emphasis on contemporary cases while retaining the classic cases;
- Use of problems (with model answers for teachers) to facilitate learning and application;
- Variety of negligence duty issues to select from for classroom focus;
- Balanced presentation of alternative points of view;
- Inclusion of substantive and damages issues reflecting the diversity of U.S. society;
- Summary of contents at the beginning of each chapter to help students keep the concepts in focus;
- Boxed outline summaries and flow charts to facilitate learning;
- Ethical issues in personal injury cases discussed in context; and
- Practice materials included to help students understand the process.

The Third Edition of **Tort Law and Practice** represents the authors' continued efforts to humanize the subject matter of torts and to include issues reflecting the diversity of our society where relevant. Thus, the book includes cases that raise tort law issues of race, gender, ethnicity, sexual orientation, gender identity, and social class where appropriate. The authors also raise important ethical issues at various points throughout the book. The comprehensive Teacher's Manual provides insights to the analysis of the cases, suggested teaching techniques, and model answers to the many problems in the casebook.

Pub. No. 1052 / ISBN 9780820564340 (Retail Price \$123.00 / Wholesale Price \$98.40) / Looseleaf ISBN 9781422418321 (Retail Price \$74.00 / Wholesale Price \$59.20) / Teacher's Manual

Torts: Cases, Problems, and Exercises, Second Edition (2005)

Russell L. Weaver, *Professor of Law and Distinguished University Scholar*, University of Louisville, Louis D. Brandeis School of Law

John H. Bauman, *Professor of Law*, South Texas College of Law John T. Cross, *Grosscurth Professor of Law*, University of Louisville, Louis D. Brandeis School of Law

Andrew R. Klein, *Paul E. Beam Professor of Law*, Indiana University School of Law, Indianapolis

Edward C. Martin, *Professor of Law*, Samford University, Cumberland School of Law

Paul J. Zwier, II, Professor of Law, Emory University School of Law

In creating this book, the authors sought to create a "Teacher's Book"—a book that would stimulate classroom discussion and enhance student learning and knowledge. Rather than provide students with a mini-treatise, crammed full of case cites that students might never read, the authors include problems and exercises designed to stimulate student thought, and to make the material "come alive." The problems help lead students to a deeper understanding and appreciation of the subject matter. The problems and exercises are designed to place students in real-life situations and encourage students to think about how to handle such situations. At the same time, the book emphasizes intellectual content. Students are encouraged to evaluate policy considerations that underlie the law, and to consider the efficacy and wisdom of judicial policy choices. As a result, Torts: Cases, Problems, and Exercises includes not only modern cases that reflect the current state of the law, but some older cases that help students understand and evaluate the modern approach. This book is also accompanied by a comprehensive Teacher's Manual.

Pub. No. 3618 / ISBN 9780820563312 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422418314 (Retail Price \$68.00 / Wholesale Price \$54.40) / Teacher's Manual

The Common Law Process of Torts (2003)

Donald G. Marshall, *Professor of Law and Alumni Distinguished Teacher*, University of Minnesota Law School David Weissbrodt, *Fredrikson & Byron Professor of Law*, University of Minnesota Law School

This book seeks to explain tort law through an examination of the common law process and the substantive rules and principles that have emerged as a result. **The Common Law Process of Torts** introduces students to legal reasoning. Students learn not only how to understand the rationale behind judicial opinions, but also how to predict and develop the legal arguments that will likely be successful. The limited scope of the casebook focuses and sharpens the students' understanding of the crucial issues of substantive tort law. Perhaps more importantly, it helps explain the nature of law and the law's relationship to justice.

The Common Law Process of Torts also helps beginning law students understand the procedural context in which torts cases arise, thereby developing an additional perspective on civil procedure. Although many beginning law students find civil procedure to be quite difficult, the casebook's explanation and contextual examples of key procedural devices act as a user-friendly and practical guide to that area of the law.

Pub. No. 3632 / ISBN 9781593459093 (Retail Price \$101.00 / Wholesale Price \$80.80)

Torts: Cases and Problems, Second Edition (2003)

Frank J. Vandall, *Professor of Law*, Emory University School of Law Ellen Wertheimer, *Professor of Law*, Villanova University School of Law

Mark C. Rahdert, *Professor of Law*, Temple University, James E. Beasley School of Law

The Second Edition of **Torts: Cases and Problems** is more than a third larger than the First Edition. The authors have retained the old "chestnuts" and added many memorable new cases. The numerous problems invite discussion and analysis, but the clear focus is on the cases; therefore, the notes are lean. One of the authors' goals in designing the First Edition was to draft a Torts casebook that was fun to teach and fun to read. This has continued as an emphasis in preparing the Second Edition. The following chapters are entirely new in the Second Edition and contain numerous modern cases featuring contemporary issues:

- Defamation (Chapter 16)
- Privacy (Chapter 17)
- Misrepresentation (Chapter 18)
- Nuisance (Chapter 19)
- Abuse of Process (Chapter 20)
- Tortious Interference with Contracts (Chapter 21)
- Vicarious Liability (Chapter 22)
- Civil Rights (Chapter 23)

Pub. No. 3104 / ISBN 9780820558509 (Retail Price \$113.00 / Wholesale Price \$90.40) / Teacher's Manual

Torts: The Civil Law of Reparation for Harm Done by Wrongful Act, Second Edition (1997)

Joseph W. Little, *Professor of Law & Alumni Research Scholar*, University of Florida, Levin College of Law

Lyrissa Barnett Lidsky, *UF Research Foundation Professor & Professor of Law*, University of Florida, Fredric G. Levin College of Law

This casebook concentrates on negligence as the primary vehicle for teaching Tort Law. It provides the historical background for each negligence principle so that students understand how current tort law developed. An introductory chapter presents the primary ideas of negligence law, and subsequent chapters

develop the law of negligence in detail, including defenses, comparative fault, damages, and multi-party considerations. The second part of the book covers intentional torts, strict liability, products liability, tortious invasion of property interest, workers' compensation, no-fault automobile reparations, defamation, privacy, and constitutional torts. This casebook reflects the numerous changes in tort law resulting from the enactment of "tort reform" legislation over the past two decades.

The Teacher's Manual contains two "team" problems, which illustrate substantive principles and require students to apply the principles to resolve realistic disputes. These problems require students to work together with others to solve a dispute, a skill necessary to the practice of law. Students assume the roles of plaintiff's attorney, defendant's attorney, or judge, and engage in activities such as negotiations, arguing motions, and making judicial decisions, all of which are designed to enhance the learning of torts principles.

Pub. No. 742 / ISBN 9781422421710 (Retail Price \$96.00 / Wholesale Price \$76.80) / Teacher's Manual

The Palsgraf Case: Courts, Law, and Society in 1920s New York (2005)

William H. Manz, Senior Research Librarian, St. John's University School of Law

This book is a historical study relating how the *Palsgraf* case was transformed from a routine negligence suit against a common carrier into the most famous torts case in American legal history. By placing *Palsgraf* within the context of its times and by providing extensive historical detail, this book provides information essential to a full understanding of the case.

The Palsgraf Case: Courts, Law, and Society in 1920s New York includes in-depth profiles of the parties and all the attorneys and judges who were involved with the case, a description of the accident taken from numerous contemporary newspaper sources and the trial transcript, a discussion of how the case was presented and argued at all levels by the opposing sides, and an overview of the problems and controversies besetting the New York legal profession during the 1920s. The book also deals with all the various issues that have been raised about *Palsgraf*, including:

- The accuracy of Cardozo's fact pattern;
- If the fireworks explosion could have really toppled the scale;
- Whether the case was an unequal contest between a wealthy corporation and a poor woman;
- Why the case was not settled and whether the cause of action should have been based on claims that placing the scale on the train platform was an act of negligence; and
- Cardozo's alleged pre-decision discussion of the case at an ALI meeting.

The book's value lies in providing a myriad of detail and in placing the case within its historic context, both of which are essential for a full understanding of *Palsgraf*. It is recommended as a supplemental reading for basic or advanced Torts classes and in American Legal History classes.

Pub. No. 3210 / ISBN 9780820563725 (Retail Price \$36.00 / Wholesale Price \$28.80)

Understanding Torts, Third Edition (2007)



John L. Diamond, *Professor of Law*, University of California, Hastings College of the Law

Lawrence C. Levine, *Professor of Law*, University of the Pacific, McGeorge School of Law

M. Stuart Madden

This *Understanding* treatise is designed to provide a clear, organized, and accurate presentation of the essential legal principles addressed in Torts courses. Features of **Understanding Torts** include:

- Comprehensive and up-to-date coverage of intentional torts, privileges, negligence, cause-in-fact, proximate cause, defenses, joint and several liability, damages, strict liability, products liability, economic torts, malicious prosecution, abuse of process, defamation, and invasion of privacy;
- Inclusion of the Restatement (Third) of Torts where appropriate;
- Judicious use of footnotes providing full, but not overwhelming, primary and secondary support for textual propositions;
- Clear organization and writing enhancing understanding of basic concepts and major cases covered in a Torts course; and
- In-depth analysis of topics generating the greatest confusion and controversy.

This concise and comprehensive *Understanding* treatise is designed to complement any Torts casebook.

Pub. No. 582 / ISBN 9781422411605 (Retail Price \$37.00 / Wholesale Price \$24.79)

A Torts Anthology, Second Edition (1999)

Julie A. Davies, *Professor of Law*, University of the Pacific, McGeorge School of Law

Lawrence C. Levine, *Professor of Law*, University of the Pacific, McGeorge School of Law

Edward J. Kionka, *Professor of Law Emeritus*, Southern Illinois University School of Law

This anthology is designed to feature the pieces of torts scholarship that will best assist the reader with understanding tort law. Articles have been carefully chosen with the goal of making the literature of tort law accessible and comprehensible. The articles can assist with understanding of torts doctrines—

they explain the doctrines in a context that is more complete and thoughtful than other sources a student might consult. The articles highlight the varying approaches available to analyze key issues and also introduce the reader to topics of current interest among writers.

Pub. No. 3604 / ISBN 9780820569888 (Retail Price \$39.00 / Wholesale Price \$31.20)

Questions & Answers: Torts (2004)

Anita Bernstein, Anita & Stuart Subotnick Professor of Law, Brooklyn Law School

David P. Leonard, *Professor of Law & William M. Rains Fellow,* Loyola Law School Los Angeles

This study guide uses over 225 multiple-choice and short-answer questions to test your students' knowledge of the full range of tort law concepts and their ability to apply that knowledge to particular situations. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Torts** also includes a comprehensive topical index.

Pub. No. 3181 / ISBN 9780820556673 (Retail Price \$27.00 / Wholesale Price \$18.09)

TRADEMARKS AND UNFAIR COMPETITION

Trademarks and Unfair Competition, Seventh Edition (2008)



David C. Hilliard, *Adjunct Professor*, Northwestern University School of Law

Joseph Nye Welch, II, Adjunct Professor, Northwestern University School of Law

Uli Widmaier, Lecturer in Law, University of Chicago Law School

This widely used casebook, cited by the Supreme Court in its Moseley v. V Secret Catalogue decision on trademark dilution, is authored by three of the nation's preeminent trademark practitioners and teachers. Constitutional issues—pertaining to the Commerce Clause, the Patent and Copyright Clause, the Supremacy Clause, and the First Amendment—are reshaping modern trademark law, have been outcome-determinative in many high-profile cases, and are fueling extremely influential debates in academic literature. Thus, the Seventh Edition of Trademarks and Unfair Competition has a newly enhanced focus on examining trademark law's place in the constitutional scheme. An entirely new chapter is devoted to the question of trademark law's interaction with the First Amendment.

Throughout the casebook, great attention is paid to the constitutional and practical relationship of trademark law with other areas of intellectual property law.

The casebook provides an in-depth presentation and analysis of the principal questions and problems in trademark law today, and a synthesis of the current and developing law. The organization provides students with a foundation in the historical and normative principles that have been governed and continue to govern trademark law's evolution, before progressively exposing them to more sophisticated and specific problems. Each section begins with an introductory overview followed by tightly edited cases and a summary of the issues, with analysis through notes and other secondary textual materials. Features of this new edition include:

- A new chapter on Freedom of Speech and the Law of Trademarks and Unfair Competition;
- The sea change in federal dilution law caused by the Trademark Dilution Reversion Act of 2006 and the cases interpreting it;
- An in-depth analysis of the new and controversial issues
 centered on search engines, sponsored advertising, keywords,
 trademark use and initial interest confusion, and the trademark
 and constitutional principles that underpin this contentious
 debate in the courts and among scholars;
- The continuing evolution of the law of fair use and nominative fair use after the Supreme Court's decision in KP Permanent Make-Up v. Lasting Impression I, and the normative impact of free speech considerations; and
- The interaction of trade dress, design patent, copyright, and their respective constitutional foundations, as discussed in the Supreme Court's Twentieth Century Fox v. Dastar and Samara v. Wal-Mart and TrafFix Devices v. Marketing Displays decisions and by the lower courts in their aftermath.

The Documentary Supplement for **Trademarks and Unfair Competition** contains the following updated material:

- Rules of Practice of the U.S. Patent and Trademark Office;
- ICANN Uniform Domain Name Dispute Resolution Policy;
- NAD / CARU / NARB Procedures;
- Sample (Illinois) Right of Publicity Statute;
- · Trademark Law Treaty and Regulations;
- Protocol Relating to the Madrid Agreement;
- Paris Convention for the Protection of Industrial Property; and
- Agreement on Trade-Related Aspects of Intellectual Property.

Pub. No. 725 / ISBN 9781422422205 (Retail Price \$113.00 / Wholesale Price \$90.40) / Looseleaf ISBN 9781422425756 (Retail Price \$68.00 / Wholesale Price \$54.40) / Documentary Supplement ISBN 9781422422212 (Retail Price \$20.00 / Wholesale Price \$16.00)

Understanding Trademark Law (2005)

Mary LaFrance, William S. Boyd Professor of Law, University of Nevada, Las Vegas, William S. Boyd School of Law

Understanding Trademark Law is a comprehensive and upto-date guide to the law of trademarks. It provides a thorough introduction to the federal laws protecting registered trademarks and trade dress, as well as the broad array of federal and state unfair competition doctrines which protect unregistered trademarks and trade dress. Coverage includes the standards and procedures for obtaining federal registration, the rights and remedies available to owners of both registered and common law marks under federal and state law, and the full array of applicable defenses. The text examines both the substantive and procedural laws governing traditional claims for infringement of trademarks and trade dress, as well as the laws governing claims of dilution, false advertising, and cybersquatting.

This is a detailed and sophisticated, yet concise, treatment of the rapidly expanding area of trademark and unfair competition law. All assertions in the text are supported by precise citations to the relevant authorities. In addition to providing a thorough explanation of the fundamentals of each topic, the text identifies those areas in which the law remains unsettled due to conflicting or sparse authorities, makes note of proposed legislative changes, and points the reader toward additional authorities that will enhance his or her understanding of each topic. This text is suitable as an introduction to the field, as a practitioner's desk book, or as a study aid to accompany any of the standard casebooks on the subject.

Pub. No. 3162 / ISBN 9780820562445 (Retail Price \$37.00 / Wholesale Price \$24.79)

Questions & Answers: Trademark and Unfair Competition (2007)



Vincent F. Chiappetta, *Professor of Law*, Willamette University College of Law

This study guide uses nearly 500 multiple-choice and short-answer questions to test your students' knowledge of trademark and unfair competition law doctrine. Each multiple-choice question is accompanied by a detailed answer that indicates which of four options is the best answer and explains why that option is better than the other three options. Each short-answer question (designed to be answered in no more than fifteen minutes) is followed by a thoughtful, yet brief, model answer. **Q & A: Trademark and Unfair Competition** also includes a comprehensive topical index.

Pub. No. 3229 / ISBN 9780820570853 (Retail Price \$27.00 / Wholesale Price \$18.09)

TRIAL ADVOCACY

See also Appellate Advocacy; Clinical Legal Education; Evidence; and Pretrial

Trial Technique and Evidence, Second Edition (2002)



Third Edition Scheduled to be Available for Review in Fall 2008

Michael R. Fontham, *Adjunct Professor of Law*, Tulane University Law School

Evidence and trial advocacy are often taught as if, in practice, the topics are not related. The original edition of this book pioneered the concept that instruction on trial technique and evidence rules in the same volume is an effective way to teach either an Evidence or Trial Advocacy course. This combination provides students with the foundation for becoming skilled trial advocates within the boundaries of the rules of evidence. Trial Technique and Evidence explains the purpose and application of each evidence rule. The practical methods of presenting evidence are balanced against the requirements of the rules. Indeed, many evidence rules are "practice" rules, either not covered in the formal rules of evidence or not addressed in detail. The basis for introducing demonstrative exhibits, for example, is not included in the federal rules, and impeaching witnesses in trial requires a knowledge of practical technique. Trial Technique and Evidence allows a professor to Incorporate practical requirements with evidence theory. The text also includes practical steps for compliance with the rules, with examples to facilitate the student's understanding, and addresses recent developments such as:

- · Application of rules to electronic evidence;
- Trends in applying the Daubert factors for assessing expert testimony; and
- · Amendments to the Federal Rules of Evidence.

A mock case file provides factual material for illustrating trial techniques and great material for student exercises.

Pub. No. 3108 / ISBN 9780820556352 (Third Edition ISBN 9781422417928) (Retail Price \$73.00 / Wholesale Price \$58.40) / Teacher's Manual / Supplement

The Art and Science of Trial Advocacy (2003)

- L. Timothy Perrin, *Professor of Law*, Pepperdine University School of Law
- H. Mitchell Caldwell, *Professor of Law*, Pepperdine University School of Law
- Carol A. Chase, *Professor of Law*, Pepperdine University School of Law

The goal of this Trial Practice coursebook is to combine both the theoretical and practical dimensions of trial advocacy to help both law students and practicing attorneys to excel at trial. The book offers plenty of practical advice for aspiring as well as experienced advocates, including 69 lists describing the essential elements of each part of the trial and almost 200 illustrative transcripts of trial advocates in action. But it is more than just a "how to" book. This is a book about the art and science of trial advocacy. It details technique and strategy, doing and thinking, and creating and analyzing.

The Art and Science of Trial Advocacy guides the reader through the trial process, suggesting techniques and strategies for each stage of the trial process—pretrial, trial, and post-trial motions; jury selection; opening statements; direct and cross-examination; and closing arguments. Included are illustrative transcripts explaining how to use the various techniques in an actual case, detailed guidance on the effective use of expert witnesses, and practical direction on the incorporation of exhibits and demonstrative evidence into case presentations. The book discusses basic principles of effective communication and persuasion, including the importance of the advocate's credibility and examples of how to develop case presentations that maximize the persuasive impact on judges and juries.

Pub. No. 3607 / ISBN 9781583607763 (Retail Price \$55.00 / Wholesale Price \$44.00)

Trial Practice (1991)

Lawrence A. Dubin, *Professor of Law*, University of Detroit Mercy School of Law

Thomas F. Guernsey, *President and Dean & Professor of Law*, Albany Law School

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The text is organized to provide comprehensive coverage of both the law and practice of white collar crime. The text thus provides:

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J. Kelly Strader, Professor of Law, Southwestern Law School

White collar crime is primarily based upon a complex set of statutes. **Understanding White Collar Crime** provides the texts of the relevant statutes, along with analyses of the statutes' elements and requirements. Because many of these statutes are open to varying interpretations, the book also extensively discusses the main cases interpreting the statutes, including a large number of United States Supreme Court cases. Finally, the book discusses the significant policy issues that arise in white collar crime investigations and prosecutions, such as enforcement barriers and prosecutorial discretion.

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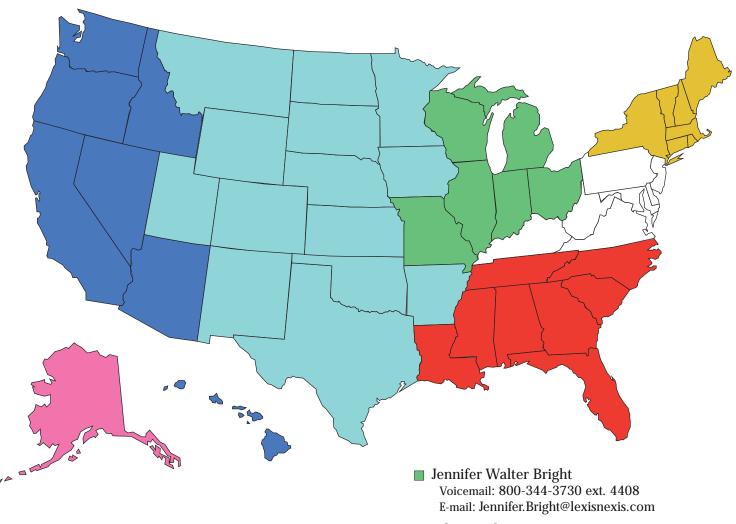
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