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Book Review, "Introduction to U.S. Law and Legal Research" by Dana Neacsu

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While the title may lead one to think this is just another book on basic legal research, this concise monograph is written with a specific, yet often overlooked audience in mind, and that is the international student, particularly those foreign lawyers from civil law countries coming to receive an LL.M. degree at a U.S. law school. A secondary though equally important audience that will find this book useful is undergraduates and other students in courses that require some sort of basic legal research, be it a seminar on the Supreme Court or an engineering class examining federal regulations of a product. By designing the book the way the author has, she should have a ready made audience for her work.

Although the book is less than 200 pages, it is a concise look at not only legal research, but also the framework of the U.S. legal system and how
the different parts of the system fit together. In law school legal research and writing courses, the structure of the legal system is often overlooked, or in some instances it is assumed that everyone is either politically interested or remembers their high school civics. In today’s law school environment with students enrolling with varying educational backgrounds and interests, a concise work like this would also be helpful to J.D. students who are unfamiliar with the basic nuts and bolts of the U.S. legal system.

Nevertheless, the main audience for *Introduction to U.S. Law and Legal Research* is clearly the international lawyer with little knowledge of the U.S. system. The book is structured in an easy-to-read format so that the reader can get to the key points of interest. One nice addition not often seen in similar works is a short glossary of legal terms in the front of the book, rather than in the back. This enables readers to become familiar with definitions of legal terms, various types of pleadings, treatises, and legal principles before they encounter them in the body of the text. It also gives the novice an easy guide to refer to without constantly having to consult a legal dictionary for many basic concepts.

Before the substantive chapters, there is a ten page introduction that briefly describes the U.S. legal system. The author uses references to films, television, and other aspects of popular culture to provide a framework for the law that may be more familiar to international students, as well as undergraduates, since much of American popular culture has transcended the United States.

The substantive part of the book contains six tightly woven chapters. The first three focus on legal concepts and the legal system, and the last three focus on key components of legal research in the judicial, executive, and legislative branches. Chapter one provides a basic introduction to the U.S. legal system. It focuses on philosophical concepts such as the rule of law and individual rights, and provides a comparison with concepts from English common law and how they have evolved in the United States. In fact, the chapter takes a very “by the hand” approach, even explaining why there was no monarchy established here, while there was slavery, and why this was a total juxtaposition from England. This is just one example of how this book provides an interesting historical context for understanding some basic principles of the legal system in this country. Following this is a clear and concise explanation of the relationship among the three branches of government, which is followed by several pages that go into even greater depth of analysis including a discussion of philosophy and jurisprudence. While very informative, some of this discussion may go beyond the scope of what most of the book’s intended audience is truly interested in, i.e., the nuts and bolts of the legal system and legal research. Nevertheless, this is another aspect of the work that sets it apart from other books. While some of this discussion may be beyond some readers’ interest, others will have their curiosity peaked in legal history and jurisprudence, which is of course never a bad thing.
Chapter 2 provides a concise breakdown of the main legal institutions and an explanation of federalism. It then describes the purpose and structure of the legislative, executive, and judicial branches, and includes several useful charts and graphics. One of the most useful charts lists each department in the Cabinet with a very brief but informative description of its role. Again, this is particularly useful for foreign lawyers coming from countries where Ministries often use different nomenclature, e.g., Secretary of State as opposed to Foreign Minister.

Chapter 3 gets into principles of legal research with the typical discussion distinguishing primary and secondary sources. Again, with the international student in mind, an excellent discussion distinguishing U.S. secondary sources from civil law counterparts is provided. This is followed by a description of U.S. secondary sources including law reviews and treatises. Again, one nice feature of this book is the use of charts to which the reader can easily refer back. The book also emphasizes newer sources of legal information by referring to various web sites, search engines, and databases such as the Social Science Research network. In this sense, it focuses more on the contemporary modes of research rather than focusing strictly on traditional methods, which is again a welcome addition since the author knows that legal researchers today are using many of these online tools as their first source of research. This chapter then proceeds through court decisions, statutes, and other primary sources, briefly discussing print resources as well.

The last three chapters focus on the three branches of government with a single chapter devoted to each area of research: statutory, case, and administrative law. Again the author uses examples to provide the reader with a framework for each aspect of research. The typical charts are provided, such as a map of the judicial circuits. Brief descriptions of various sources used in each area of legal research comprise most of each chapter.

This book provides a useful tool in a market flooded with books on legal research. It is clearly intended for a non-U.S. law student or a novice to legal research. It is not as comprehensive as some works that are more widely used in legal research courses. It is, however, an excellent, concise work that not only benefits the researcher, but will also be of great use to reference librarians looking for a concise work to which they can refer pro se patrons, undergraduate students, and others. In this day and age, finding a niche audience is key for any publication, and Ms. Neacsu’s work has done that by streamlining the maze of legal research and placing the research process in the historical and contemporary context of the United States legal system.

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