

Legal Reference Books Review*

Compiled by Diana C. Jaque** and Lee Neugebauer***

Contents

<i>Sexual Harassment: Your Guide to Legal Action:</i>	
<i>What You Should Know and What You Can Do</i>	281
<i>The Oxford Handbook of Jurisprudence and Philosophy of Law</i>	282
<i>Cyberlaw: National and International Perspectives</i>	283
<i>Licensing Digital Content: A Practical Guide for Librarians</i>	284
<i>Genetic Privacy: A Challenge to Medico-Legal Norms</i>	285
<i>Encyclopedia of Crime and Punishment</i>	287
<i>Thinking Like a Lawyer: An Educator's Guide to</i>	
<i>Legal Analysis and Research</i>	289
<i>The Visitation Handbook: Your Complete Guide to Parenting Apart</i>	290
<i>E-Copyright Law Handbook</i>	291
<i>Religious Freedom: Rights and Liberties under the Law</i>	292

List of Contributors

Ruth G. Balkin CEO & Founder Balkin Library & Information Services Rochester, New York	
<i>Licensing Digital Content: A Practical Guide for Librarians</i>	284
Peter J. Egler Reference Librarian O'Quinn Law Library University of Houston Law Center Houston, Texas	
<i>Thinking Like a Lawyer: An Educator's Guide to Legal Analysis and Research</i>	289

* © Diana C. Jaque and Lee Neugebauer, 2003. The books reviewed in this issue were published in 2002.
** Senior Law Librarian/Head of Collection Development and Acquisitions, Gabriel and Matilda Barnett Information Technology Center and the Asa V. Call Law Library, University of Southern California Law School, Los Angeles, California.
*** Employment Analyst, Paul, Hastings, Janofsky and Walker LLP, Los Angeles, California.

- Mark D. Engsborg
International Law Librarian and Lecturer in Legal Research
Lillian Goldman Law Library
Yale Law School
New Haven, Connecticut
Cyberlaw: National and International Perspectives 283
- John F. Hagemann
Law Librarian
McKusick Law Library
University of South Dakota
Vermillion, South Dakota
The Oxford Handbook of Jurisprudence and Philosophy of Law 282
- Christine I. Hepler
Reference/Circulation Librarian
Donald L. Garbrecht Law Library
University of Maine
Portland, Maine
Religious Freedom: Rights and Liberties under the Law 292
- Johanna N. Icasiano
Catalog/Innovative Systems Librarian
Rodino Law Library
Seton Hall University
Newark, New Jersey
The Visitation Handbook: Your Complete Guide to Parenting Apart 290
- Diana C. Jaque
Senior Law Librarian/Head of Collection Development and Acquisitions
Gabriel and Matilda Barnett Information Technology Center and
the Asa V. Call Law Library
University of Southern California
Los Angeles, California
Encyclopedia of Crime and Punishment 287
- Dianne E. Oster
Serials Librarian
Rodino Law Library
Seton Hall University
Newark, New Jersey
E-Copyright Law Handbook 291
- SaraJean Petite
Government Documents/Bibliographic Access Librarian
Case Western Reserve University Law Library
Cleveland, Ohio
*Sexual Harassment: Your Guide to Legal Action: What You Should Know
and What You Can Do* 281

Rosalind A. Srivastava
 Supervisor of Technical Services
 Paul, Hastings, Janofsky and Walker LLP
 Los Angeles, California

Genetic Privacy: A Challenge to MedicoLegal Norms 285

Boland, Mary L. *Sexual Harassment: Your Guide to Legal Action: What You Should Know and What You Can Do*. Naperville, Ill.: Sphinx Publishing, 2002. 244p. Paper, \$18.95.

Reviewed by SaraJean Petite

¶1 *Sexual Harassment: Your Guide to Legal Action: What You Should Know and What You Can Do* claims to be an information source on “what sexual harassment is and what you can do to confront it, deal with it, and ensure that the harasser faces proper consequences” (back cover). Mary Boland delivers the information promised, and does so in clear, everyday English.

¶2 In the first section, “Overview of Sexual Harassment,” Boland defines sexual harassment. She describes the types of and motivation for sexual harassment, and the harm that can result from it. She discusses strategies the victim can use when facing sexual harassment and explains which are more likely to succeed and why. Cases pertaining to the topics discussed are briefly summarized in shaded boxes, which breaks up the text into easily comprehensible sections. However, the entire citation to a source is given in parenthesis in the text, which at times interrupts the flow of what is being said.

¶3 The second and third sections discuss sexual harassment in the workplace and in schools. Each section informs the reader about the applicable law, what the organization should be doing to prevent and deal with sexual harassment, and how to file a complaint with the appropriate agency. The section about the workplace explains the various types of sexual harassment and indicates that the law treats them as a form of sexual discrimination. Headings and subheadings make these sections very easy to scan if one is seeking a particular piece of information.

¶4 Section four explains the process of filing a lawsuit and advises the reader to consult with an attorney. Section five, “The Law and Lawyers,” shows the reader how to perform basic legal research, and how to find and work with a lawyer. In the section on legal research, the reader is encouraged to seek the assistance of a law librarian three times. Boland’s advice to the reader seeking a lawyer is particularly appropriate for someone who has not worked with lawyers because it begins with a discussion of the attorney-client privilege and includes fee arrangements and tips for communicating with one’s lawyer.

¶5 A helpful glossary contains legal terms, acronyms, and other terms used in the book. The appendix has contact information for the government agencies that enforce laws against sexual harassment. The index includes useful cross-references, though there are a few terms that could have been further subdivided because they refer the reader to too many pages for this reviewer’s taste.

¶6 This book would be extremely helpful to the layperson with little knowledge about the law who must deal with sexual harassment. It would enable that person to recognize and take action against sexual harassers and to consult the appropriate professionals when needed. I would highly recommend this book for any library that serves public patrons, with one caveat: there is no indication that the book's pages are acid-free. By the time this review was complete, the covers of this paperback were curling away from the pages. This book would likely need some type of rigid binding in order to survive multiple circulations.

Coleman, Jules, and Scott Shapiro, eds. *The Oxford Handbook of Jurisprudence and Philosophy of Law*. New York: Oxford University Press, 2002. 1050p. \$95.

Reviewed by John F. Hagemann

¶7 Noting that “[d]ictionaries, encyclopedias, and companions are all the rage in philosophical publishing, and the philosophy of law certainly has its share” (p.v),¹ the editors, two well-known legal philosophers, asked a variety of other philosophers to give their “take” on selected topics.

¶8 The book's twenty-four essays, each a separate chapter, vary in length from twenty to sixty-six pages and cover a wide range of topics. With respect to the so-called “schools” of jurisprudence, there are essays on both classical and modern natural law, on exclusive and inclusive positivism, and formalism. One wonders why topics such as American legal realism, critical legal studies, and feminist jurisprudence did not merit an essay. Perhaps they fall into the category of “important jurisprudential topics [that] have been extensively explored in the literature in recent years” (p.v) that were excluded for that reason. But if that is the case, one can legitimately ask why “Law, Sexual Orientation, and Gender” was included.

¶9 Seven essays on “The Philosophy of . . .” address philosophy and the common law, private law, tort law, contract law, property law, criminal law, and international law. The remaining twelve essays cover selected topics from rights through legal and political philosophy to law and objectivity.

¶10 Brian Bix and Timothy A.O. Endicott provide lists of further readings at the end of their respective essays on “Natural Law: The Modern Tradition” and “Law and Language.” Gerald Postema and Brian Leiter provide lists of references at the end of their respective essays on “Philosophy of the Common Law” and “Law and Objectivity.” It would have been helpful had the other writers done one or the other.

¶11 The value and utility of a reference book is in part a function of the quality of its index. The index of this book poses some problems. The entry “Scheffle, Samuel 555” leads to references on that page to the work of Samuel Scheffler, who has his own entry, “Scheffler, Samuel 479.” The entry “Weinreb 94, 583, 627, 628,

1. See, e.g., *A COMPANION TO THE PHILOSOPHY OF LAW AND LEGAL THEORY* (Dennis Patterson ed., 1996).

629, 630, 631” confuses Lloyd Weinreb, who is referred to by the first entry, and Ernest Weinrib, who is referred to by all the others but does not have a separate entry. A researcher using the index might believe that Ernest Weinrib’s work is not discussed, when in fact it is given substantial mention in the section on corrective justice theories in Benjamin Zipursky’s essay “The Philosophy of Private Law.”

¶12 The editors warn in their preface that they “have made no effort to cover every significant issue and position” nor did they “attempt to include an entry on every worthwhile topic or major school of thought in the philosophy of law. . . .” (p.v). Notwithstanding that disclaimer, they have produced a valuable reference work that should find a place in any academic law library.

Girasa, Roy J. *Cyberlaw: National and International Perspectives*. Upper Saddle River, N.J.: Prentice Hall, 2002. 433p. \$100.

Reviewed by Mark D. Engsborg

¶13 Roy Girasa’s *Cyberlaw: National and International Perspectives* is a 433-page overview of an enormous (and enormously important) topic. It is written with undergraduate and graduate student audiences in mind. Thus, readers need no extensive prior legal knowledge; a very basic understanding of general legal principles suffices.

¶14 The book contains thirteen chapters of introductory material covering a wide range of legal issues pertaining to the Internet and the World Wide Web in national and international contexts. International material is integrated in each chapter, though it takes a decided backseat to the material on the United States.

¶15 In terms of structure and organization, the book follows a fairly basic academic textbook format. There are five major subject matter divisions: Contracts, Torts, Criminal Aspects of Cyberlaw, Intellectual Property Rights, and Privacy and Security Issues. These five major sections are further divided into thirteen chapters such as Jurisdiction in Cyberspace, Criminal Aspects of Cyberspace, Antitrust Issues in Cyber Activities, and Securities Regulation and the Internet.

¶16 These lists are illustrative of the ambitious scope of the book, since each of these sections and chapters could easily form the basis for a book-length treatise or casebook. Many such focused works already do exist.² Couple Girasa’s ambitious scope of material with the book’s attempt to cover international implications of cyberlaw, and one may determine the depth of coverage to expect in the book.

¶17 Each chapter of *Cyberlaw* features four to six heavily edited leading cases from a particular subject area, which are accompanied by a set of questions. There are additional questions for discussion or analysis at the end of each chapter. The book contains a table of cases, a selected bibliography, a list of recommended Web sites, a glossary, and an index. These materials are valuable and lend some modest

2. *E.g.*, ANDREW FRACKMAN ET AL., *INTERNET AND ONLINE PRIVACY: A LEGAL AND BUSINESS GUIDE* (2002).

reference utility to the text. Additionally, Prentice Hall maintains a companion Web site for the book.³ The site is intended to keep the text current with downloadable chapter-by-chapter updates and PowerPoint slides to help elucidate information in the thirteen chapters.

¶18 Girasa's *Cyberlaw* is probably not appropriate for the standard law school curriculum, but it does not claim to be. While there is some commentary on the cases and other material, the book lacks the depth and complexity (and extensive footnoting) found in typical legal treatises. So which library should add this book to its collection? Perhaps *Cyberlaw* may be appropriate in the collection of a library with a significant number of undergraduate or graduate student patrons. It may also be appropriate for a public library with a significant business clientele. It does not seem suitable for most law firm library collections, nor even for most academic law libraries. In these latter two cases, something like Gerald R. Ferrara's *Cyberlaw: Text and Cases*,⁴ Lilian Edwards's and Charlotte Waelde's *Law and the Internet: A Framework for Electronic Commerce*,⁵ or even Lawrence Lessig's *Code: and Other Laws of Cyberspace*⁶ would probably be better choices.

¶19 *Cyberlaw: National and International Perspectives* is a book that attempts to cover a great deal of ground. It is unabashedly geared for a diverse lay audience interested in the legal aspects of the Internet and the World Wide Web. As with all texts intended to appeal to a broad market, this one uses simple language, keeps the jargon to a manageable level, and skims the surface. While not for the serious legal scholar or practitioner, *Cyberlaw* does manage to succeed as an introduction for lay audiences to the many facets of cyberlaw.

Harris, Lesley Ellen. *Licensing Digital Content: A Practical Guide for Librarians*. Chicago: American Library Association, 2002. 137p. \$45.

Reviewed by Ruth G. Balkin

¶20 Lesley Ellen Harris is a copyright, licensing, and e-commerce lawyer and consultant. She has also written *Digital Property: Currency of the 21st Century*⁷ and *Canadian Copyright Law*.⁸ She maintains the Copyrightlaws.com Web site⁹ and is editor of *The Copyright and New Media Law Newsletter: For Libraries, Archives and Museums*.

-
3. ROY J. GIRASA, *CYBERLAW: NATIONAL AND INTERNATIONAL PERSPECTIVES*, at <http://www.prenhall.com/girasa/index.html> (last visited Nov. 30, 2002).
 4. GERALD R. FERRERA, *CYBERLAW: TEXT AND CASES* (2001).
 5. LILIAN EDWARDS & CHARLOTTE WAEDELDE, *LAW AND THE INTERNET: A FRAMEWORK FOR ELECTRONIC COMMERCE* (2d ed. 2000).
 6. LAWRENCE LESSIG, *CODE: AND OTHER LAWS OF CYBERSPACE* (1999).
 7. LESLEY ELLEN HARRIS, *DIGITAL PROPERTY: CURRENCY OF THE 21ST CENTURY* (1998).
 8. LESLEY ELLEN HARRIS, *CANADIAN COPYRIGHT LAW: THE INDISPENSIBLE GUIDE FOR PUBLISHERS, WEB PROFESSIONALS, WRITERS, ARTISTS, FILMMAKERS, TEACHERS, LIBRARIANS, ARCHIVISTS, CURATORS, LAWYERS, AND BUSINESS PEOPLE* (3d ed. 2001).
 9. LESLEY ELLEN HARRIS, *COPYRIGHTLAWS.COM*, at <http://www.copyrightlaws.com> (last visited Nov. 30, 2002).

¶21 Although she has worked in Canada, this book is general enough to apply in various jurisdictions. It is written from a global perspective because licensing, content, librarians, and users can be in different countries.

¶22 The book is easy to read and understand—definitely not written in legalese. The chapters are well paced and divided into many sections, also adding to the book's readability. The eight chapters cover topics such as timing of licensing, key digital licensing clauses, and boilerplate clauses.

¶23 The sections of the U.S. Copyright Act on fair use¹⁰ and reproductions by libraries and archives¹¹ are included as appendixes. There is a glossary of terms commonly found in licensing agreements. A useful list of resources includes model licenses that can be found on the Internet.

¶24 The list of key digital licensing clauses in chapter 4 is comprehensive, and each clause is discussed in detail. Tips are highlighted throughout the book, with special emphasis on "Tips on Negotiations" (p.90–92) and "Quick-Starter Tips for a Successful Engagement" (p.xiv).

¶25 This book also covers digital licensing—works that are licensed are protected by copyright. Fair use and interlibrary loan are discussed in several sections. It is interesting to note that there is no single definition of either "commercial use" or "personal use," both of which apply to the private sector.

¶26 With the increase in electronic resources in all library settings, a good guide to negotiating and understanding publishers' and providers' contracts is essential. This book is practical, well organized, and an excellent resource for any librarian faced with reviewing licenses from one or more providers.

¶27 *Licensing Digital Content* would be a useful addition to the reference collection of all types of law libraries. It also illustrates the importance of the librarian's role in choosing and managing the library's resources—both print and electronic.

Laurie, Graeme. *Genetic Privacy: A Challenge to Medico-Legal Norms*. Cambridge, U.K.; New York: Cambridge University Press, 2002. 335p. \$65.

Reviewed by Rosalind A. Srivastava

¶28 Research into genetics has yielded new understanding and potential applications that give rise to the urgent question about appropriate uses of human genetic knowledge. As possessors of the genetic material, we will all be affected by the ultimate answer. Graeme Laurie, senior lecturer in law at Edinburgh University and co-director of the Arts and Humanities Research Centre for Studies in Intellectual Property and Technology Law, has written a scholarly and thoughtful analysis of privacy, which is the core of the problem. He recognizes that the new knowledge demands a fresh view of how to protect the individual and yet use the knowledge to benefit society. Perhaps, he says, one may not like to know one's

10. 17 U.S.C. §107 (2000).

11. 17 U.S.C. §108 (2000).

own genetic makeup if, for example, it shows the possibility of a late-onset terminal disease. But how does that affect the common gene pool, one's family? Laurie looks at these and a multitude of similarly knotty issues through the lens of privacy, autonomy, and confidentiality in the context of genetics. He offers an alternative and useful view of privacy.

¶29 This book has been crafted carefully. The presentation of several viewpoints from many countries and international bodies primes the reader to entertain, ultimately, the possibility that an alternative view may offer a solution to the problem. Preceding the main body of the book are tables of cases and legislation from Australia, Canada, the United States, the European Union, and several European countries, plus indexes of international instruments and miscellaneous documents. Indeed, as these materials hint, the cultural context of the discussion is Western democratic society. At the outset, the vastness of privacy issues is acknowledged and the discussion parameters are defined as privacy issues related to genetics. Privacy is examined in general, in relation to health care and patient rights, and as either an antisocial concept or a fundamental right. It is defined as "a state of separateness from others that primarily protects two kinds of interest: informational privacy and spatial privacy" (p.84). The former concerns existing information and the latter unwarranted intrusion (including that of information about oneself).

¶30 The problem defined in the first section of the book is analyzed in the second section. The state of today's genetic knowledge and the relationship of confidentiality, privacy, consent, and autonomy are considered. The examination of existing norms focuses on the lack of protection for the individual *not* to know. Laurie supports his views with lots of facts about genetics and interesting analyses of cases from the United States and United Kingdom. The major and dramatic differences in views about privacy in these two countries are used to enlighten and give perspective on the issue. Few stones are left unturned in this survey of the relevant case law and legislation of these two countries. Entwined among these analyses are examinations of international documents (such as the Council of Europe's Convention on Human Rights and Biomedicine¹² and the UNESCO Universal Declaration on the Human Genome and Human Rights¹³) and of the appropriateness of current uses of genetic knowledge. After discussing the facts about the current state and potential uses of genetic knowledge, Laurie spends somewhat less than one-quarter of the entire book detailing those who may like to have access to, and use of, genetic material and information. The space is not wasted because the interested parties are many, including employers, insurance companies, researchers, the state, relatives, and, of course, the individual. Their interest may not take shape until some future time, but that, says Laurie, is all the more reason to try to reach an understanding of any rights now.

12. Council of Europe, Convention on Human Rights and Biomedicine, 36 I.L.M 817 (1997).

13. United Nations Educ. Scientific & Cultural Org., Universal Declaration on the Human Genome and Human Rights, 29th Sess., 29 C/Res. 16 (1997).

¶31 “A new privacy paradigm” is discussed in the third and last section of the book. The issue of balancing private and public interests is weighed in light of such thorny issues as the health care trend toward respect for the quality, rather than the quantity, of life. The final chapter—“Privacy and Property?”—is tough reading for it demands that one suspend bias. But it works. Laurie may not convince but he reveals a new forum for debate. As genetic knowledge increases, legal protection of privacy should be strengthened and, to this end, Laurie offers an alternative way to view privacy in regard to personal information such as genetic makeup. Property rights in the self are seen as a complement to, not a replacement of, other means of protection.

¶32 Laurie confesses to “a degree of obsession” about his personal privacy (p.ix) and his enthusiasm in exploring privacy issues is apparent throughout the book. Lawyers, public policy makers, researchers, and health care professionals will benefit from the clarity of Laurie’s writing on the complex topic of privacy rights, particularly in the context of personal genetic information. The book will be a useful addition to law and medical libraries. It succeeds in clearing the path and pointing the way for further debate to resolve the issues surrounding the use of genetic material and information.

Levinson, David, ed. *Encyclopedia of Crime and Punishment*. Thousand Oaks, Calif.: Sage, 2002. 4v. 1876p. \$600.

Reviewed by Diana C. Jaque

¶33 Having recently written a review of Joshua Dressler’s *Encyclopedia of Crime and Justice*,¹⁴ I was eager to examine David Levinson’s *Encyclopedia of Crime and Punishment* and compare the two works. Dressler is a more familiar name within the legal community than Levinson, a cultural anthropologist who was vice president of the Human Relations Area Files at Yale University. Levinson cofounded Berkshire Reference Works in 1995. The *Encyclopedia of Crime and Punishment* was developed by Berkshire Reference Works and published by Sage. Levinson has edited several encyclopedia sets on a wide range of topics,¹⁵ but unlike Dressler, he has never written or edited a work on criminal justice or criminal law. However, Levinson’s eight-member editorial board includes four individuals with faculty appointments in academic criminal justice programs and several others on the faculty of sociology and anthropology departments.

¶34 Levinson’s *Encyclopedia* broadly examines the topics of crime and punishment. As such, the work is a starting point for researching aspects of crime in the United States. Levinson includes 439 entries, each between three and six

14. ENCYCLOPEDIA OF CRIME AND JUSTICE (Joshua Dressler ed., 2d ed. 2002), reviewed in Diana C. Jaque & Lee Neugebauer, *Legal Reference Books Review*, 94 LAW LIBR. J. 315, 321–23, 2002 LAW LIBR. J. 21, ¶¶ 21–26 (reviewed by Diana C. Jaque).

15. *E.g.*, ENCYCLOPEDIA OF CULTURAL ANTHROPOLOGY (David Levinson & Melvin Ember eds., 1996); ENCYCLOPEDIA OF MARRIAGE AND THE FAMILY (David Levinson ed., 1995); ENCYCLOPEDIA OF WORLD SPORT (David Levinson & Karen Christensen eds., 1996).

pages, on a wide variety of topics. The *Encyclopedia* contains nearly fifty articles of an international scope. Each focuses on an individual country or region and examines a single aspect of international criminal justice.

¶35 The articles are divided into thirteen categories, including “Corrections,” “Law and Justice,” “Punishment,” and “Sociocultural Context and Popular Culture.” A list of the categories and their corresponding entries is provided at the front of each volume. The volumes contain a significant number of photographs as well as informational sidebars that supplement each article. Biographical entries are not included. Entries range from “Capital Punishment” and “Hate Crimes” to the more unusual: “Animals in Criminal Justice,” “Comic Books,” “Commercial Sex Industry,” and “Daoism.” The *Encyclopedia* also contains entries for most of the world’s major religions. Entries explore concepts of law, crime, punishment, repentance, and ethics within the given tradition.

¶36 Each article is individually authored and provides cross-references to related entries. A bibliography concludes each article, and the last volume includes an index and several appendixes. The closing pages of each volume give events in the history of criminal justice. Important U.S. events and cases are listed as well as international legal developments.

¶37 The *Encyclopedia of Crime and Punishment* is well organized and user-friendly. The work benefits from Levinson’s extensive experience editing other encyclopedia sets. Individual entries examine the cultural and social aspects of crime, and the volumes function as an excellent starting place for research on the topic. Still, a review of this title would not be complete without considering how it compares to similar works.

¶38 Dressler’s *Encyclopedia of Crime and Justice* is the work most closely related to Levinson’s *Encyclopedia*. Both were published in 2002. Although Dressler’s work contains only 252 entries, they are generally more comprehensive than those in Levinson’s. Articles are written by familiar names in legal scholarship: Dan Kahan, Stephen Morse, and Carol Steiker. In contrast, Levinson’s work includes contributors from a variety of backgrounds: anthropology, sociology, criminal justice, and law. This represents the broader focus of Levinson’s work.

¶39 Many of the inherent differences between the two works are seen when comparing how they treat the same topic. For example, Levinson includes only a two-and-a-half-page entry on “Capital Punishment.” Basic aspects of the topic are covered and cross-references provide readers with additional research material. The bibliography is short, containing five books, one article, and two cases. In comparison, Dressler includes two separate entries on capital punishment: “Capital Punishment: Legal Aspects” and “Capital Punishment: Morality, Politics, and Policy.” Together, they comprise fourteen pages and refer readers to twenty-one cases and forty-nine law review articles and monographs. Dressler’s encyclopedia is meant for the law student or legal scholar looking for depth of coverage. In comparison, Levinson has written in a more accessible style, and his encyclopedia would fit nicely into a collection of reference materials in an undergraduate or public library.

¶40 Most of us would agree that multivolume reference works typically are expensive. Levinson's *Encyclopedia of Crime and Justice* lists for \$600 while Dressler's *Encyclopedia of Crime and Justice*, second edition, retails for \$425. Both works make significant contributions to the criminal justice literature and have distinct audiences. Unless your library can afford to purchase both, take note of your user base and purchase the most appropriate encyclopedia for your patrons.

Redfield, Sarah E. *Thinking Like a Lawyer: An Educator's Guide to Legal Analysis and Research*. Durham, N.C.: Carolina Academic Press, 2002. 192p. \$22.50.

Reviewed by Peter J. Egler

¶41 *Thinking Like a Lawyer* is an interesting entry into the field of legal research texts. The book is unique in that it was not written with law students as the primary intended audience. Rather, author Sarah Redfield is seeking to help education students or teachers gain a basic understanding of the legal system and legal research.

¶42 The structure of the book is similar to any standard legal research text. The first chapter reviews the various types of primary and secondary sources of law. It also discusses the concepts of how much weight and authority each type of primary source is given in different situations. This is a worthwhile discussion that some legal research texts gloss over.

¶43 The second chapter contains detailed instructions on the process of reading case law. It explains what a case is and the purpose of every part of the case (Who are the parties to a case? What are the key questions? What is the holding of the court?). Redfield reviews the procedure for briefing a case, and provides several actual case decisions and exercises for students to study and use for practice.

¶44 The third chapter is a general overview of legal research. It includes explanations and reproductions of digests, citators, and other secondary sources. Available resources are discussed, but not fully reviewed or explained. This chapter is an introduction to the research process rather than a comprehensive discussion and does not attempt to delve too deeply into the subject.

¶45 Checklists at the beginning of every chapter highlight the subjects that will be reviewed in the chapter. The book includes an annotated glossary of legal terms to help readers familiarize themselves with the vocabulary.

¶46 The information on the legal system and legal research contained in the book is valuable. A reader would be hard pressed to find a more basic and well-written explanation of the legal system and the study of case law than are found in the first two chapters of this book. However, *Thinking Like a Lawyer* is not a complete legal research text. It contains little information on the process of legal research or the development of electronic information. There are several titles available that are more complete introductions to the study of legal research.¹⁶

16. E.g., ROBERT C. BERRING & ELIZABETH A. EDINGER, *LEGAL RESEARCH SURVIVAL MANUAL* (2002); ROY M. MERSKY ET AL., *FUNDAMENTALS OF LEGAL RESEARCH* (8th ed. 2002).

¶47 Having said that, it is important to state that *Thinking Like a Lawyer* achieves its intended purpose: to serve as an introduction to the legal system and legal research for education students and teachers. An individual in the education field with little or no knowledge of the legal system could read this book and come away with, at the least, a working knowledge of how the system works. The book's use of statutes and case decisions that involve education-related issues will assist the reader in understanding the information and in seeing how the education system and legal system intertwine.

¶48 Redfield has previously written on the relationship between the education system and the legal system.¹⁷ A review of the OCLC database indicates that there have been several other books written that attempt to introduce educators to the legal system and legal research.¹⁸ The most recent of those titles was published in 1984. *Thinking Like a Lawyer* seems to be the first book on this specific topic in eighteen years.

¶49 Overall I found the book to be well organized and well written. The index and glossary seem to be very complete. I would recommend this book to any academic law library or general academic library. To a lesser degree, it would also be an asset to a public law library's or general public library's collection.

Sember, Brette McWhorter. *The Visitation Handbook: Your Complete Guide to Parenting Apart*. Naperville, Ill.: Sphinx Publishing, 2002. 126p./130p. Paper, \$18.95.

Reviewed by Johanna N. Icasiano

¶50 The first piece of information to note about *The Visitation Handbook: Your Complete Guide to Parenting Apart* is that it is actually two books in one! One side of the book is for the custodial parent. The flip side is for the noncustodial parent. So regardless of which role describes you, your situation is covered.

¶51 A very common theme throughout every chapter of *The Visitation Handbook* is that of offering comfort to parents. It is full of nice, psychological "pick me ups" and "let me comfort you, you're not a terrible person" kinds of statements. Any parents looking to gain information about what they should and should not do while dealing with visitation issues will be reassured again and again that things can work out well, that they have the strength needed to survive, and that they can successfully convey love to their children, etc.

¶52 The individual chapters (for both sides) are nicely arranged, dealing with issues such as relating to and communicating with the child, dealing with the other parent, living as a single parent, holidays and schedules, and changes that take place as the child grows. Author Brette Sember has made a tremendous effort to

17. SARAH E. REDFIELD ET AL., *MEDIATION TRAINING FOR EDUCATORS* (1996).

18. *E.g.*, DAVID LOWE & ANNETTE J. WATTERS, *LEGAL RESEARCH FOR EDUCATORS* (1984); THOMAS J. PEPE, *A GUIDE FOR UNDERSTANDING SCHOOL LAW* (1976); ARTHUR A. REZNY & M. VANCE SALES, *THE EDUCATOR IN THE LAW LIBRARY* (3d ed. 1982).

speak to the emotional and psychological needs of parents. Consequently there is much emotionally laden text to read through.

¶53 Several appendixes follow both sides of the text. Included in these are sample parenting plans, general resources (magazines, books, Web sites, etc.) for both parents and children, resources specific to Canada, and U.S. telephone numbers to report child abuse. An index, specific to each side, is also provided.

¶54 The impression I received from *The Visitation Handbook* was one of hand-holding and encouragement. This is the kind of book you would purchase from the “family life” shelves or “self-help” shelves at your local bookstore. The legal information it provides is almost always couched with reassurances and positive thinking. *The Visitation Handbook* does not provide specific information concerning how to approach the court or complete the legal paperwork involved in custodial situations. However, it still will be useful in family law practices because it provides some of the guidance, particularly emotional, that is needed by those parents who are completely bewildered by the many aspects of visitation.

Stapleton, Laura Lee, ed. *E-Copyright Law Handbook*. New York: Aspen Law & Business, 2002. 1v. loose-leaf. \$175.

Reviewed by Dianne E. Oster

¶55 The *E-Copyright Law Handbook* consists of fourteen chapters which cover nearly all major topics relating to electronic copyright law. One would be hard-pressed to find any area that is not covered. As such, *E-Copyright Law Handbook* is an excellent primer on this complex area of the law. I must confess a particular interest in the topic, since I have been researching electronic journals in the academic setting, and copyright is such a crucial part of obtaining electronic information. For librarians, the entire concept of “purchasing” a work has changed in the electronic environment.

¶56 The editor, Laura Lee Stapleton, and many of the twenty-two contributors are practitioners in the field of intellectual property and Internet law, so the information contained has an air of authority. This loose-leaf is meant to be updated periodically, according to the front matter provided by the publisher, so the information will change as the law does.

¶57 For those looking for basic information about copyright law and how electronic copyright law differs, this book gives all the crucial details. It is extensively footnoted, has tables of cases and statutes, and includes appendixes that contain forms, texts of legislation, and sample license agreements. There is an index and detailed table of contents to make it easy for the reader to go right to the section needed.

¶58 One minor downside to *E-Copyright Law Handbook* is that it is slightly tilted in favor of owners of electronic information, which is understandable given that most practitioners would be called upon by clients for advice on how to establish copyright of a work, what constitutes infringement, and liabilities and remedies under the law. The first two chapters are especially useful for librarians and those concerned about fair use and other issues of interest to consumers of elec-

tronic information. There is a discussion of the Uniform Computer Information Transactions Act (UCITA),¹⁹ which the authors readily admit favors owners of electronic information over consumers, and consequently is opposed by library and consumer groups.

¶59 As a “handbook,” a term I see as describing a book that is readily available and easy to use, this title would be an excellent choice for any legal reference or general reference collection. It is also a good, basic desk reference for practitioners, paralegals, and librarians. Not only does it explain a complex topic in an easy-to-understand tone, but it contains a wealth of information that will point in the direction of landmark cases and crucial legislation. The subject is daunting, but this book attempts to break it up into discrete parts that may make it easier for the user to digest.

Urofsky, Melvin I. *Religious Freedom: Rights and Liberties under the Law*. Santa Barbara, Calif.: ABC-CLIO, 2002. 410p. \$55.

Reviewed by Christine I. Hepler

¶60 *Religious Freedom: Rights and Liberties under the Law* is the second title in the ABC-CLIO series “America’s Freedoms,”²⁰ which seeks to explore the origin, meaning, and future of the nation’s fundamental liberties as delineated in the Bill of Rights. In addition, the series focuses on the individuals, circumstances, and events that have shaped these freedoms. The editors of the series hope to offer Americans a renewed appreciation and understanding of the rights provided for in the Bill of Rights.

¶61 In *Religious Freedom*, Melvin I. Urofsky discusses the origin, development, and controversies surrounding religious freedom. The Establishment Clause²¹ and the Free Exercise Clause²² are the two provisions in the U.S. Constitution that concern religious freedom, and Urofsky discusses each separately. In addition, he explores the major themes, important cases, defining moments, debates, issues, and trends in the field.

¶62 Urofsky begins with a detailed discussion of the origins of religious freedom (or lack thereof) from ancient tribal times through the seemingly tolerant days of the Greek and Roman Empires’ age of multiple gods, to the belief in one all-powerful god and tolerance for only one established church (a church sanctioned and supported by the state to the exclusion of all others). He discusses the establishment of the Church of England and the colonists’ varying degrees of religious freedom. He ends chapter 2 with a discussion of the Virginia Statute for Religious Freedom²³ and its effect on the drafting of the U.S. Constitution.

19. UNIF. COMPUTER INFORMATION TRANSACTIONS ACT, 7 pt. 2 U.L.A. 195 (2002).

20. The first is ROBERT J. SPITZER, *THE RIGHT TO BEAR ARMS: RIGHTS AND LIBERTIES UNDER THE LAW* (2001).

21. U.S. CONST. amend. I, cl. 1.

22. U.S. CONST. amend. I, cl. 2.

23. 12 STATUTES AT LARGE; BEING A COLLECTION OF ALL THE LAWS OF VIRGINIA, FROM THE FIRST SESSION OF THE LEGISLATURE, IN THE YEAR 1619, at 84–86 (William Waller Hening ed., 1823).

¶63 The third chapter is dedicated to the Establishment Clause. It starts with a discussion of the historical origins of the clause and then discusses the major themes, cases, and issues surrounding it. Some of the issues touched on by Urofsky include school prayer, evolution and creationism, aid to parochial schools, and the Lemon Test. He also discusses the Supreme Court's varying treatments of these issues. For example, he discusses the Burger Court's handling of school aid and the Rehnquist Court's handling of accommodation issues.

¶64 The fourth chapter concerns the Free Exercise Clause. It does not include a discussion of the origins of the clause, but it does give a thorough discussion of the major themes, cases, and issues regarding the clause. The topics include Mormons and the practice of polygamy, Jehovah's Witnesses and their refusal to salute the flag, conscientious objectors, protecting the Amish, and the Religious Freedom Restoration Act.²⁴ Both the third and fourth chapters include an extensive reference list of sources consulted by Urofsky, which the researcher can use to find more information on the topic.

¶65 The best feature of this book is that more than half the text is dedicated to reference resources that can be used to find more information. The fifth chapter includes a list of key people, cases, and events discussed in the book. Urofsky gives a brief synopsis of the importance of each in the development of the law concerning religious freedom.

¶66 The sixth chapter contains a chronology of important events that shaped the development of religious freedom, a table of cases, and an annotated bibliography. The latter includes electronic resources that will be helpful when researching in this area of the law, such as LexisNexis and Westlaw, and Internet sites that provide free resources. The largest part of chapter six is dedicated to providing full-text versions of the various documents discussed by Urofsky as well as some of the major Supreme Court opinions. Some of the older documents that are provided could be very difficult to locate, and having them collected in one place alleviates that difficulty.

¶67 *Religious Freedom: Rights and Liberties under the Law* is an excellent starting point for any research involving religious freedom. It provides a detailed discussion of this area of the law, clearly laying out the major themes, cases, issues, and trends. Furthermore, Urofsky provides an abundance of resources that will enable the reader to find more information on the various topics. This book should be a part of any library's reference collection and need not be limited to law libraries.

24. 42 U.S.C. §§ 2000bb–2000bb-4 (2000).