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BOOKS RECEIVED

The Great Rights of Mankind: A History of the American Bill of Rights. By Bernard Schwartz. New York, N. Y.: Oxford University Press. 1977. Pp. x + 279. Hardbound. \$11.95.

Taking his title from a 1789 speech by James Madison calling for an express declaration of the great rights of mankind, the author proceeds to present the background and history of the first ten amendments to the Constitution. Though he traces the Bill of Rights back to its English roots, Schwartz is careful to emphasize the particularly American character of the document as revealed in its legislative history. Noting that the guarantees such as free speech, free press, and peaceful assembly currently lack significance for many Americans, the book closes with a chapter on the Bill of Rights in action today.

The Law of Politics. Edited by Palmer B. Madden and Curtis C. Sproul. Berkeley, California: California Continuing Education of the Bar. 1977. Pp. xv + 934. Hardbound. \$52.50.

Both California and the federal governments have recently enacted comprehensive legislative schemes regulating political practices. This book is designed as a practical aid to be used in understanding and applying these new and often complex statutes. With the usual thorough CEB style, *The Law of Politics* covers a wide variety of topics including campaign activities, lobbying, initiatives and referendums, recalls, use of broadcast facilities, financial factors, ethical regulations, and election day activities. Both lawyers practicing in this field and active participants in the political process will find the authors' forms, substantive analysis, and citations exceedingly helpful.

California Civil Procedure Before Trial. Volume 1. Edited by Paul Peyrat. Berkeley, California: California Continuing Education of the Bar. 1977. Pp. xiv + 940. Hardbound. \$50.00.

This new reference work for the California civil practitioner is more than an update of its venerable predecessor since it contains a number of topics not covered in CEB's 1957 book of the same title. In addition to an extensive treatment of many provisional remedies, *Civil Procedure Before Trial* provides an in-depth analysis of preliminary matters such as jurisdiction, venue, claims and demands, and guardians ad litem. Finally, the book sets out an individual section for each of the various pleadings, complete with forms, and closes with a chapter showing samples of various formats for court papers.

Denial of Justice, Criminal Process in the United States. By Lloyd L. Weinrab. New York, N.Y.: The Free Press. 1977. Pp. xi + 177. Hardbound. \$12.95.

With a very lucid style, the author, a Harvard law professor, analyzes some of the problems with the criminal process as it currently exists in this country. In the course of this analysis, he looks at the investigation and prosecution of crimes, guilty pleas, plea bargaining, and the trial itself, and concludes that the whole process is riddled with abuses and inefficiency. Weinrab contends that the solution of these problems does not lie in sporadic Supreme Court pronouncements which produce little concrete change, but in a wholesale restructuring of the criminal process itself. In terms of restructuring, the author supports the creation of a separate "investigative magistracy" which would take over the investigative responsibility of the police plus some of the functions of the prosecutor, the defense counsel, and the courts.

Handling Misdemeanor Cases. By F. Lee Bailey and Henry B. Rothblatt. Rochester, N.Y.: The Lawyers Co-Operative Publishing Co. 1976. Pp. xxx + 545. Hardbound. June, 1977 Supplement. \$40.00.

Both the experienced criminal trial lawyer and the civil practitioner who will on occasion find it necessary to represent a client in a misdemeanor case should find this volume helpful. The general chapters on the arrest and arraignment, plea bargaining, pre-trial exclusion of evidence, jury trials, and defending the juvenile client are divided into short, succinct sections and deal heavily with the constitutional rights of the defendant. Over three-fourths of the book is devoted to specific misdemeanors such as drunk driving, radar speeding cases, drug offenses, contempt of court, assault, prostitution, and public intoxication. In addition to providing the substantive law in these areas, the authors have included information on how to estimate blood-alcohol level, a sample of direct and cross-examination of a prosecution expert in an obscenity trial and a sample disposition memorandum in case you lose on the merits.

PSROs and the Law. By John D. Blum, Paul M. Gertman, and Jean Rabinow. Germantown, Maryland: Aspen Systems Corporation. 1977. Pp. ix + 263. Hardbound. \$16.95.

The Professional Standards Review Organization (PSRO) is a legislatively-mandated form of medical peer review created

by Congress in 1972 primarily to keep down Medicare and Medicaid costs without forcing medical standards below an acceptable level. This book is designed to help both physicians and lawyers involved in peer review. It looks at the ways in which the program has been implemented, some of its faults and alleged faults, some of the legal implications, particularly in the areas of medical malpractice, confidentiality, and the liability of the reviewers. The authors close with an insightful analysis into the future of the concept.

