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Book Review. Jurisdiction and Judgments: Cases and Statutes by William W. Blume and C. W. Joiner

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learned something of the historical background of these "forms of" causes of action or "claims" attached to our newest "code." If he is able to appreciate the importance of the various allegations suggested in the forms, he will be able more neatly to fit them to his case at hand.

SCHUYLER W. JACKSON.

Washburn Law School.

JURISDICTION AND JUDGMENTS: CASES AND STATUTES. By William W. Blume and C. W. Joiner. New York: Prentice-Hall, Inc., 1952. Pp. xxii, 718. \$8.75.

This casebook is one of the series of books which comprise the "Michigan Plan" for the procedure courses. In an area where law schools have been subjected to constant criticism, it represents another of the many recent attempts to solve the problem of teaching students procedural law.

It seems fair to say that the Michigan program basically involves a reshuffling of the old material, with the book under consideration designed for use after a course in pleading and joinder and preceding a course in trials and appeals. This is not said in disparagement, but only to indicate that no new philosophical approach to procedure is here involved (as compared, for example, with Michael's, *Elements of Legal Controversy*). Within the existing procedural framework, a reorganization of material is precisely what is needed if advancements in teaching procedure are to be made. Whether this particular program does result in an improvement, and does make procedure more easily grasped, can only be answered by classroom use of the books.

The casebook under review has as its thesis the proposition that judgments and jurisdiction should be considered conjointly. Thus, the book includes material on venue, judgments, and the extent and method of invoking state and federal jurisdiction. In addition to a rather detailed consideration of jurisdictional concepts, it includes material on federal jurisdiction that is not generally found in civil procedure books. It also includes a consideration of the jurisdiction of inferior courts, a subject generally neglected but one that has a real importance to the young lawyer. The last chapter is comprised of almost one hundred pages of statutory material designed for use with the cases.

It seems to me that the book is soundly conceived and executed, and that judged on its own merits, the editors have done a thorough job. Adoption of this book would involve, however, a careful consideration of the curriculum. The course in Conflict of Laws would have to be rather drastically revised, since the present volume contains much that is included in the standard course on Conflicts. The editors have taken the position that this subject matter properly belongs in a procedure course because the student should approach the problem of judgments not from the standpoint of attacking them, but rather from the standpoint of obtaining a valid one. Adoption of this book also would entail the elimination of a separate course in Federal Jurisdiction. Some will object to this on the ground that 100 pages of a casebook are insufficient to cover this important subject. Yet it seems better that all students be given some idea of federal jurisdiction than that the comparatively few who elect the course be given a more detailed knowledge.

Finally, this book probably cannot be used independently of the other two books in the series, which raises the really fundamental question as to the merits of the Michigan Plan itself. The first thing to be noted is that the complete program (the courses mentioned above, plus an introductory course and evidence) requires thirteen semester hours, or approximately one-sixth of a law student's time in school. Needless to say, not all deans or curriculum committees will be this sympathetic toward procedure. If this obstacle is surmounted, the Michigan curriculum gives students the necessary informational and operational background to understand the purpose, meaning, and defects in present day civil procedure. Their Practice Court will provide some additional practical knowledge. With such training, a graduate should have the background necessary to develop with practice into an effective advocate.

Professor Joiner's recent article¹ indicates, however, that the planners at Michigan have more ambitious goals. One of their objectives is to *graduate* students who are "capable of representing clients effectively in court." Thus, such critics of the law schools as Mr. Cantrall are to be silenced. Unless the word "effectively" is a weasel word, the goal stated (while certainly a worthy one) is difficult to attain, and I may be pardoned for doubting whether its achievement in school is likely or whether Mr. Cantrall will be satisfied. Fortunately, most recognize that the law school is only the beginning of a lawyer's education. As for Mr. Cantrall's poor opinion of us, consolation may be found by recalling Learned Hand's appraisal of the practitioner: ". . . since he has no fitness for your work, do not make the mistake of deferring to his judgment, or supposing that you can learn much from him. He has his own work, like you, and sometimes does it extremely well."²

JOHN A. BAUMAN.

University of New Mexico Law School.

CASES ON ARBITRATION LAW. By Wesley A. Sturges. Albany, N. Y.: Mathew Bender & Company, Inc., 1953. Pp. 912. \$9.00.

An understanding of the arbitration process cannot be reached solely through a reading of court decisions. No study of the arbitration process, however, can be complete without an investigation of its administrative law—the relations established between the courts and arbitral tribunals. It is to "the law of arbitration" that Dean Sturges' volume is addressed. The nature of the arbitration process, the revocation and enforcement of arbitration agreements, the appointment and qualifications of arbitrators, the conduct of the proceedings, the validity, effect, enforcement, and impeachment of awards are the topics covered in seven chapters. Appendices contain the New York Arbitration Law and the United States Arbitration Act, which are often referred to in the cases in the text, as well as the Commercial Arbitration Rules and Labor Arbitration Rules of the American Arbitration Association. References to law review notes and comments on a number of the reported cases are also included.

¹ Joiner, *Teaching Civil Procedure: The Michigan Plan*, 5 J. LEGAL EDUC. 459, 461 (1953).

² Hand, *Have the Bench and Bar Anything to Contribute to the Teaching of Law*, 5 AM. L. SCHOOL REV. 621, 631 (1925).