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# Book Review. The Successful Practice of Law by John Evarts Tracy

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book, just off the press. It may be noted that the editor first qualified himself for presenting the topics to be studied and the selection of cases and periodical citations by first producing his excellent treatise. This is after all the natural order.

In his preface the editor indicates that he has had little precedent to guide him in the selection of cases. This reviewer knows of but one other published casebook, that by Professor Burby (1933). There were two mimeographed sets prior to this, one compiled by Professor Bissett of the University of Washington and a still earlier one by this reviewer, to which the editor undoubtedly had no access.

The contents are divided into nine chapters: Introduction, Existence of the Marital Community, Ownership, Community and Separate Property, Management, Transactions between Spouses, Community and Separate Obligations, Dissolution of the Community, and Taxation. The reviewer has read the cases and believes that the selection is well made. A number of them were decided as late as 1945.

Since it is probable that the five additional states adopted the system largely because of tax advantages, it may be desirable to supplement the chapter on Taxation with comparative materials showing the extent of the advantages of this system.

For the states recently adopting this system, de Funiak's casebook sets out the problems which their courts and lawyers will face and they can follow profitably precedents here shown.

To those who may have the task of drafting a community property statute in the future, a study of these cases would suggest many matters to be considered.

This sudden conversion to community property seems passing strange. If the national Congress can change constitutionally the law both of estate and of income taxation so as to remove the preference afforded to community property states, isn't it likely to do so? Is there a genuine feeling of regard for the system apart from the problem of taxes? Do the legislatures realize the burdens that will be thrown suddenly upon the courts who are without previous training and experience in this field?

ALVIN E. EVANS

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THE SUCCESSFUL PRACTICE OF LAW. By John Evarts Tracy. New York: Prentice-Hall, Inc., 1947. pp. ix, 470 (Incl. index). \$4.30.

This intensely practical book will be a very real help to any lawyer from the moment he is admitted to the bar. Indeed, for the law student who plans to "hang out a shingle" and embark on his own, it affords genuine assistance in considering, and resolving

wisely, the many important problems that are to confront him at the outset, problems which he would do well to consider even before his final admission.

For both the lone wolf and the young lawyer or student who expects to be or is associated with an established firm, the advice and counsel of Professor Tracy, who practised some twenty-six years before joining the faculty of the University of Michigan Law School, is sound and, we repeat, intensely practical.

Even for the experienced lawyer, several of the chapters will be found to contain valuable suggestions and an excellent standard for comparison, as for instance those chapters entitled, "How to Handle a Conference with a Client," "How to Prepare a Case for Trial," "How to Try a Jury Case," and "The Drafting of Legal Instruments."

Some good book of this kind should be available to every young lawyer, even if he has the advantage of close friendship with an older and exemplary leader of his local bar. Professor Tracy not only covers a great deal of ground, treating such varied topics as opening an office, obtaining and holding clients, fixing fees, looking up law, examining abstracts of title, selecting a library, deciding borderline questions of ethics, etc., but he does it in a friendly yet (once again) practical way. The book is the newest of its kind, and at the same time draws to some extent on older works and on the experience of a number of successful practitioners.

"The Successful Practice of Law" will of course not make a good lawyer out of a bad one, but it can help a good lawyer become a better one, and it can help the new lawyer become a good lawyer. And, for any lawyer, it is refreshingly readable.

ELVIS J. STAHR, JR.

*Lives of the Judges of the Supreme Court of Tennessee*, by John W Green, of the Knoxville Bar, Archer & Smith Co., 1947 \$3.50.

Judge John W Green, author of the *Lives of the Judges of the Supreme Court of Tennessee*, has been practicing law in Tennessee for many years and has known personally thirty of the seventy-four judges who have served on the Supreme bench from the foundation of the State in 1796 through the year 1947. The book is a valuable contribution to history and will interest not only Tennessee lawyers, but lawyers from other states as well, due especially to the fact that a number of these Tennessee judges were natives of other states. Five of the outstanding jurists whose careers are described in the book were born in Kentucky. One of the five was elected Governor of Tennessee, three of the five served as Chief Justices of the Supreme Court of the state of their adoption, and two of them were promoted to the Supreme bench of the United States. Seven of the other judges were born in Virginia; seven in North Carolina; four