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### Book Review: Travel Law, Cases, and Materials

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## Book Review: Travel Law, Cases, and Materials

### **Abstract**

Travel Law, Cases and Materials, by Robert M. Jarvis, John R. Goodwin, William D. Henslee (Durham, N.C.: Carolina Academic Press, 1998, ISBN 0-89089-802-2, 1998, vii + 738 pp., including tables, acknowledgments, appendices, index. \$80 hardback.

### **Keywords**

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# Book review: *Travel Law, Cases and Materials*

by Joan S. Remington

*Travel Law, Cases and Materials*, by Robert M. Jarvis, John R. Goodwin, William D. Henslee (Durham, N.C.: Carolina Academic Press, 1998), ISBN 0-89089-802-2, 1998, vii + 738 pp., including tables, acknowledgments, appendices, index. \$80 hardback.

*Travel Law, Cases and Materials* is a much needed text for law school students looking to specialize in or gain knowledge of an industry that significantly impacts many towns, cities, and states, as well as the country.

The travel industry is the nation's leading service export, accounting for an estimated \$68 billion from foreign tourists visiting the United States and generating over \$480 billion in expenditures in 1997.<sup>1</sup> This book satisfies a need which is well past due. It is time for the travel industry to get attention from the legal profession, not merely as an after-

thought to contract, tort, employment, and other legal specialties, but from a knowledge base that allows litigators to know the workings of travel industry managers, owners, operators, and customers. Jarvis, Goodwin, and Henslee have done an excellent job in this endeavor.

In Chapter 1, "Introduction," the authors give the uninitiated an overview and profile of the travel industry, government regulations, the nature of travel litigation, and information on the practice and ethical responsibilities of the travel lawyer. The text is then segmented by travel industry components: Travel Agents (Distribution Channels), Common Carriers (Transportation), Hotels (Hospitality), and Attractions (Tourism). If there is a shortcoming to the book, it would be that restaurant and entertainment were not included as a significant part of the hospitality segment.

Chapter 2, "Travel Agents," correctly distinguishes travel agents from tour operators, and discusses the regulation of travel agents, compensation, agency operations, and agent liability. The law regarding travel publishers is also discussed.

Chapter 3, "Common Carriers," includes the historical development of federal, state, and international regulations, the nature of the common carrier with its inherent legal obligations and duties, passenger and employee lawsuits, and terminal operations.

Chapter 4, "Hotels," gives the student an overview of the hotel industry, its historical development, definition of who is an innkeeper, the creation and termination of the guest-innkeeper relationship, duties to provide accommodations, courteous treatment, respect of privacy, protection of guest safety and guest property, and duty to provide food and drink. Jarvis, Goodwin, and Henslee also cover guest obligations, non-guest relationships, hotel operation in relation to franchisor-franchisee relations, and advertising.

Chapter 5, "Attractions," provides information on guided tours, ski resort liability, amusement park safety, and casino gambling. It is certainly not all-inclusive, but it does give the student a general overview of some aspects of tourism attractions. It merely lays the groundwork for future study in these areas and the applicable law.

The text draws the student into the chapters, making it relevant to everyday life and experiences they may have had themselves. While some may see the "Cathy" comics as trivializing the subject, they actually make the text more human or real to the reader, placing the upcoming chapter into focus. The materials covered do not overwhelm students. The authors take the student through the subject matter, providing explanations for cases presented, highlights, and notes listing points of law, significant aspects of the case and additional legal considerations emanating from the subject matter. They end each section with elements from popular culture, including books, shows, movies, television series, and web sites students can use to see applications of the material. It is an interactive, workable, and interesting experience.

Materials are clearly presented, allowing students to argue aspects of the law and learn without the usually frustrating experience of law school...giving the professor what s/he wants without reading the law school equivalent of *Cliff Notes*. For this reason, the book would also be appropriate for use by undergraduate and master's degree hospitality and travel industry programs. While the language may be challenging for the undergraduate student, this could be handled through class discussion and assignment of study groups or group projects to present materials in a classroom setting.

*Travel Law* is a valuable tool for law schools. It can certainly form the basis for additional courses in a travel and tourism track, which includes specialized classes on admiralty, hotel, restaurant, aviation, travel agent/tour operator, and gaming law, for the interested, serious travel law school student. It is also needed in undergraduate and master's degree hospitality and travel industry programs. This will give future industry leaders a knowledge base to avoid legal difficulties by knowing when to phone an attorney before problems develop.

### References

<sup>1</sup> *Travel Industry Association of America Travel Forecast* 1, No.1 (April 1997).

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