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Karlen: PRIMER OF PROCEDURE

Charles W. Joiner
University of Michigan Law School

PRIMER OF PROCEDURE. By *Delmar Karlen.* Madison, Wis.: Campus Publishing Co. 1950. Pp. xv, 525. $6.50.

"Oh to have the cold law," has been the cry of law students for generations. The search by students for an easy way has caused more than one law teacher to lose his hair. Students must be taught to analyze and synthesize—taught to think—is an axiom of all who would teach. Yet, here is a man who has dared in an elementary way to lay out cold a certain part of the law school curriculum, with the expectation that students will use and study his text and references as the basic material for a law school course. Is it good or bad? To answer this question one must see what he has done, and more important, for what use the book is intended.

In Part I of his book, 120 pages, Mr. Karlen has made an analysis of a modern law suit in simple, easy-to-read text form. He takes up the various steps in a civil action one by one, explaining each and putting each in its proper place in the litigation procedure. Appropriate references are made to the Federal Rules, and to the record of a Wisconsin case set out in Part III, so that the reader can see the authority for the steps taken and how the pleadings and papers used in litigation look in draft form. Too often new students are thrown immediately into a consideration of appellate opinions for analysis without a briefing as to what goes on before the case gets to the appellate court. Karlen's text should help a student to see the trial of a law suit as a whole first at the level of the trial, and then on appeal. The short discussion of the summons, complaint, defendant's response, demurrer, answer, pre-trial practice, jury selection, proof, post-verdict motions, judgment, execution and appeal

should help anyone become oriented in the process litigation. The record of a case on appeal, taking more than 300 pages of print, though not the best, gives some substance to the abstract text. The text is not, however, complete enough to be of real assistance in actually learning of the problems of procedure nor in resolving them. If used in such a way it will be harmful to the student and the educational process. It should be considered as an introduction or orientation to procedure as an aid to his study in all fields of the law.

Part II is of questionable value. Here the author in fifty pages attemps an exposition of the forms of action and equitable remedies. With this limited discussion of the subject, the uninitiated are likely to believe that more hard digging will be unnecessary and not realize that if they are to learn about these matters, a large amount of time and energy must be expended. There is no more reason for an introduction to this part of legal study than for an introductory summary to the law of torts before the study of the subject is started in earnest.

On the whole, I think the book has value when limited to the purposes for which it was intended. This is best stated by the author in the final paragraph of his preface when he states, ". . . this book is not for lawyers, but for people who want to become lawyers."

*Charles W. Joiner**

* Associate Professor of Law, University of Michigan.—Ed.