

# The Successful Practice of Law (Book Review)

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and other materials that enable the reader to appreciate the significance of the proceedings of the trial.

The foreword by the Rt. Hon. Sir David Maxwell Fyfe, and the introduction by the learned editor, give the reader an illuminating orientation into the problems of and reasons for the trial of these "minor" war criminals.

This new series of War Crimes Trials, based on the style of the "Notable British Trials" series, represents a most commendable undertaking. It is the result of a project that is a necessary public service, for a permanent record of these events, never to be forgotten, should be made available to the general public. All humanity is vitally interested in these historic events. The events themselves, accurately and impartially portrayed, should be made known not only to the lawyer, political scientist and historian, but to all members of society. This book, and the others of the series, play a definite part in this indispensable mission of public enlightenment. Only such enlightenment can forestall ill-informed criticism.

A reading of *The "Peleus" Trial* is whole-heartedly recommended. The reader will be interested from start to finish. He will feel as though he had been a spectator in The War Crimes Court in Hamburg, Germany. Moreover, he will close the book with something of the same profound emotion and intense thoughtfulness with which he would have departed from the Court-house, enlightened in the existence of certain laws transcending boundaries of states and nations, laws that protect elementary human rights, not only in time of peace, but also in time of war.

EDWARD D. RE.\*

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THE SUCCESSFUL PRACTICE OF LAW. By John Evarts Tracy. New York: Prentice-Hall, Inc., 1947. Pp. ix, 466. \$5.75.

The transition from the class room to the court room or office is one of the most difficult and discouraging experiences in the career of the young lawyer. It is not surprising that many of the graduates of our law schools find themselves unable to complete this transition and, either by a gradual process or by deliberate step, embark upon a career other than that for which they spent so many years preparing. The actual translation of the formalized and somewhat static law of the class room into the dynamics of everyday practice is bound to be difficult no matter how well prepared for the practice of law the student may be.

Many young men leaving law school enter practice without an understanding of the myriad problems which practice will present or even a knowledge of their existence. The hundreds of minor details of everyday practice which

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face the lawyer in but a few months are problems undiscussed (and probably impossible of discussion) in the law schools. Such questions arise after the theory and formal practice have been determined. "How do I do this?" "To whom do I give this paper?" "What is the custom in the profession in a situation such as this?" are questions that frequently reoccur.

To answer some of these questions and to acquaint the law student and young practitioner with the existence of a very real problem with which he will shortly be faced, Professor Tracy has prepared this book which is an outgrowth of a series of lectures on the practice of law which he delivers to the senior classes at the University of Michigan School of Law. The book is no more than an attempt to orient the student to the world into which he will soon be plunged. Professor Tracy says of the book, "I cannot claim that it gives to the young practitioner anything more than certain hints that I hope will enable him to practice law more successfully. If by reading these pages he may avoid some of the pitfalls that I myself encountered in practice, I shall be most happy."<sup>1</sup> More than this cannot be done for no reader can gain vicariously the experience another has acquired in twenty or thirty years of practice.

The book runs the gauntlet of the lawyers' problems from the obtaining of clients to the lawyers' conduct upon trial. Advice on office procedure, conferences, fees, drafting of legal documents, preparation of cases and relations with other attorneys all find their proper place. In addition the author has included a transcript of testimony with his analysis of the conduct of the trial much in the manner of Wellman's "The Art of Cross-examination." The reader, if unexperienced, may gain from this some insight into the law in action.

As in all works of this type the benefit that may be derived by the reader is limited. The classification of situations must necessarily be broad and the nuances of fact which so often change the course of action must be entirely ignored in an effort to save space. The recommendations of the author are divorced entirely from particular facts and grave error might result from a slavish adherence to such advice. The book, therefore, can be of use only to those unacquainted with even the generalities of the subject and must be read with an understanding of its limitations. For the man about to enter practice, however, certainly no harm may result and an intelligent reading may ease a bit the troubled journey he will soon undertake as a member of the bar.

GEORGE F. MASON, JR.\*

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<sup>1</sup> P. vii.

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