

Letters To A Law Student

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how to start a law practice and succeed focuses on how to start your own law practice from scratch while emphasizing tools and tactics on how to succeed in today's economy this book is a useful tool for lawyers just out of law school and for lawyers who want to start their own practice after finding themselves suddenly unemployed i have included forms and tools to start from scratch and to manage your law practice in the book are resources for managing workflow finding clients and managing them their files and ethically maintaining your own law practice after all practicing law is not like a normal business and requires special attention to ethical dilemmas in every facet and practice of law

includes section book reviews

legalism or legal formalism usually depicts judges as resolving cases by allegedly merely applying pre existing legal rules they do not seem to legislate exercise discretion balance or pursue policies and they definitely do not look outside of conventional legal texts for guidance in deciding new cases for them the law is an autonomous domain of knowledge and technique what they follow are the maxims of clarity determinacy and coherence of law this perception of law and adjudication is sometimes designated as an orthodox lawyering however at least in certain cases it is very difficult to say that legalism is not an inappropriate theory or a method of legal interpretation different theories have attested that legal interpretation is much more than just legalism which appears to be far too naïve in the framework of modern legal interpretation the following questions can be raised is it possible to integrate legalism in a coherent theory of legal interpretation is legalism as a distinctive theory of legal interpretation still a feasible theory of interpretation how can such a formalist approach withstand a critique from dworkinian moral interpretivism or accusations of being a myth masking political preferences from legal realists these and many other issues about legal interpretation are discussed in this book by prominent legal philosophers and legal theorists

in this classic study alan brudner investigates the basic structure of the common law of transactions for decades that structure has been the subject of intense debate between formalists who say that transactional law is a private law for interacting parties and functionalists who say that it is a public law serving the collective ends of society against both camps brudner proposes a synthesis of formalism and functionalism in which private law is modified by a common good without being subservient to it drawing on hegel s legal philosophy the author exhibits this synthesis in each of transactional law s main divisions property contract unjust enrichment and tort each is a whole composed of private law and public law parts that complement each other and the idea connecting the parts to each other is also latently present in each moreover brudner argues a single narrative thread connects the divisions of transactional law to each other not a row of disconnected fields transactional law is rather a story about the realization in law of the agent s claim to be a dignified end master of its body its acquisitions and the shape of its life transactional law s divisions are stages in the progress toward that goal each generating a potential developed by the next thus contract law fulfils what is incompletely realized in property law negligence law what is germinal in contract law public insurance what is seminal in negligence law and transactional law as a whole what is underdeveloped in public insurance the end point is the limit of what a transactional law can contribute to a life sufficient for dignity reconfigured and expanded with a contribution by jennifer nadler the unity of the common law stands out among contemporary theories of private law in that it depicts private law as purposive without being instrumental and as autonomous without being empty formal

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
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