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## BOOKS RECEIVED

**Attorney's Guide to Pension & Profit-Sharing Plans.** 2d ed. by Jerry H. Robinson, Robert A. Blum, Penny Howe Gallo, and Norman Gerber. Berkeley, CA: California Continuing Education of the Bar. 1980. Pp. 524. Hardcover. \$60.00.

California attorneys who are not specialists in the area of pension and profit-sharing plans will find this book a valuable resource for advising corporate employers. The book offers three fully annotated form plans and a related form trust agreement. One full chapter is devoted to each form plan — a profit-sharing plan, a money purchase pension plan, and a defined benefit pension plan. All suggested plans have been pre-reviewed by the IRS and that agency's comments have been incorporated. Other chapters provide client questionnaires, a checklist for setting up a plan, a step-by-step guide to qualifying the plan, and tables outlining deadlines and responsibilities for fulfillment of ERISA reporting requirements at all stages of each plan. Another chapter discusses tax implications of the form plans with special emphasis on lump-sum distributions. The potential effects of federal and California securities laws on such plans in light of recent judicial opinions and the SEC's corresponding interpretations make up another chapter. The CEB plans to update this guide annually.

**Advocacy: The Art of Pleading a Cause.** By Richard A. Givens. Colorado Springs, CO: Shephard's/McGraw-Hill. 1980. Pp. xxi + 417. Hardcover. \$50.00.

Advocacy in a variety of contexts is the topic of this practical book. The author, a trial attorney in both government and private practice, shares techniques developed through years of experience in the adversary system. The book thoroughly discusses specific tactics for use at all stages of advocating a cause. Part I stresses trial strategies for plaintiffs and defendants, beginning with the theory of advocacy and various communication models, through specific techniques for asking questions, preparing witnesses and eliciting truthful answers. Negotiations as advocacy comprises Part II with em-

phasis on drafting for contingencies. Part III addresses advocacy in administrative agencies, both for insiders and outsiders. Advocacy tactics in a rulemaking or legislative forum are detailed in Part IV, including use of interest group interaction. The book ends with a presentation of issues affecting the future of advocacy and its implications for the American political process.

**The Law of Arrest, Search and Seizure.** 3d ed. by J. Shane Creamer. New York, NY: Holt, Rinehart and Winston. 1980. Pp. xxvii + 653. Softcover. \$12.95.

This book attempts to bridge the gap between law enforcement personnel and the courts. Citing an unnecessary "us versus them" conflict, the author endeavors to translate recent judicial opinions into workable checklists for the police. The book's underlying premise is that continuous training and guidance of police personnel concerning criminal procedure is not only essential to good law enforcement, but will lead to police compliance rather than police complaints. Written primarily for prosecutors and police administrators, the book includes such useful items as a probable cause checklist, guidelines for use of informants, and concise explanations of when warrants and Miranda warnings are required. The parameters of police investigative techniques are discussed in detail, highlighting the constitutional tests articulated by the courts. The author devotes one chapter to what is probably the most misunderstood legal procedure in the criminal area — the suppression hearing. A major portion of the book consists of commentaries on U.S. Supreme Court decisions involving the fourth, fifth, and sixth amendments. The author attempts to reconcile the cases in order to dispell any possible complaint that the Court's reasoning is inconsistent. This handbook is an interesting distillation of current criminal procedure.

**The 1981 Edition of Litigation Under the Federal Freedom of Information Act and Privacy Act (6th Ed.).** Ed. by Christine M. Marwick. Washington, D.C.: The Center for National Security Studies. 1980. Pp. 397. Softcover. \$25.00.

This volume is a gold mine for FOIA and Privacy Act matters. Part I deals exclusively with the FOIA. This section outlines the administrative process and how to use it, dis-

cusses each exemption and incorporates the legislative history and any interpretations rendered on each point, presents trial strategies with tips for obtaining each type of information requested, and collects cases concerning awards of attorneys' fees and costs. This section also discusses reverse FOIA litigation and creative uses of the FOIA. Part II outlines the Privacy Act, possible civil remedies, and the overlap of privacy and the FOIA. More than half of the book is dedicated to the appendices, which include full texts of the Acts, sample request letters, examples of motions and model complaints, and a full case bibliography. This handbook represents the combined efforts of the Center for National Security Studies, the ACLU Foundation and Fund for Peace, and the Freedom of Information Clearinghouse of the Center for Responsive Law. The resultant work provides the most comprehensive and up-to-date coverage of national thought and trial action on these two Acts.

**The Legal Aspects of School Communications.** By K.D. Moran and M.A. McGhehey. Topeka, KS: National Organization on Legal Problems of Education. 1980. Pp. 105. Softcover. \$6.95.

This monograph focuses upon the rights of speech, assembly, and press in an educational context, and purposefully excludes issues treating religious expression. Its case law approach gives readers a summary overview of various state statutory regulations of school communications. The discussion deals with both school-sponsored and individual-generated communications that concern education, and with the consequences of failure to communicate. Thus, the book addresses communications by and to students, parents, employees, the board, and the general public. The book begins with a section outlining the general principles of defamation, libel, and slander, followed by the possible application of absolute and qualified privilege to educational communications. The section on student expression highlights judicial decisions regarding high school and university publications. The part addressing board communications touches upon use of public funds and facilities, as well as upon censorship and prescription of reading materials. The employee expression section is divided between communications in employment negotiations and the boundaries of permissible classroom communications. Admittedly not intended to be a definitive text on the topic, this monograph

brings together the major federal and state cases and provides research leads for lawyers interested in more in-depth study.