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## Books Received

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## BOOKS RECEIVED

ATTORNEYS MEDICAL DESKBOOK. By Dan J. Tennenhouse, M.D., J.D. San Francisco: Bancroft-Whitney Co. 1975. Pp. xvi + 736. Cloth. \$40.00.

This resource is intended to provide the personal injury attorney with a guide to the medical professions and to the understanding and use of medical evidence. The highlights of the book include a 250-page list of medical abbreviations, a chapter on the training and specialization of physicians, and a chapter on researching medical literature. The California Interprofessional Code of Conduct and the Inter-Professional Code of Cooperation for Physicians and Attorneys form the appendices. This book is well-structured and has a comprehensive, 65-page index.

PERSONS AND MASKS OF THE LAW. By John T. Noonan, Jr. New York: Farrar, Straus and Giroux. 1976. Pp. xiii + 206. Cloth. \$10.00.

Mr. Noonan has written a fascinating book that demonstrates the manner in which legal theories reduce human conflict to mere abstraction, thus losing sight of the devastating and often cruel consequences of those legal fictions. He concentrates on the writings of four famous lawyers—Thomas Jefferson, George Wythe, Benjamin Cardozo, and Oliver Wendell Holmes, Jr.—to support his hypothesis. *Persons and Masks of the Law* advocates a “person-centered” construct of the law rather than blind adherence to legal syllogisms.

THE TRUTH ABOUT MEDICAL MALPRACTICE: THE PATIENT'S RIGHTS/THE DOCTOR'S RIGHTS. By Ronald E. Gots, M.D., Ph.D. New York: Stein and Day. 1975. Pp. 216. Cloth. \$7.95.

Dr. Gots, a physician, attempts to describe the problems of malpractice in terms that both the layman and the doctor can understand. He explains the upsurge in medical malpractice claims and the motivations of those patients who bring them. Legal concepts basic to tort liability are dealt with at some length and illustrated with a great number of examples

so that the reader can understand the fundamental principles behind such litigation and have a basis for judging whether a particular incident is actionable. *The Truth About Medical Malpractice* concludes with a study of different alternatives to the present medical malpractice procedures.

HOW TO TAKE A CASE BEFORE THE NATIONAL LABOR RELATIONS BOARD. By Kenneth C. McGuinness. Washington, D.C.: The Bureau of National Affairs. 1976. Pp. xxi + 535. Cloth. \$17.50.

This is a thoroughly updated and expanded version of a standard work guiding the practitioner through the NLRB's organizational structure and functions. It systematically describes the steps and procedures in bringing a case before the Board and in invoking the jurisdiction of the Board. Timetables, forms and regulations provide detailed aid in wading through the complexities of NLRB procedure. This book is an effective research tool for anyone who must deal with the NLRB.

UNEQUAL JUSTICE: LAWYERS AND SOCIAL CHANGE IN MODERN AMERICA. By Jerold S. Auerbach. New York: Oxford University Press. 1976. Pp. xiii + 395. Cloth. \$13.95.

*Unequal Justice* is a broad-scale attack on the legal profession's failure, as the author perceives it, to bridge the gap between fundamental concepts of equal justice and the social reality in which the law operates. The author, a legal historian, traces this failure from the turn of the century when the corporate lawyer symbolized the pinnacle of the legal profession to the rise of the activist attorneys during the Thirties, and culminates with an analysis of lawyers' roles in the Watergate scandal, both as defendants and as advocates.

DOING JUSTICE: THE CHOICE OF PUNISHMENTS. By Andrew von Hirsch. New York: Farrar, Straus and Giroux. 1976. Pp. xiii + 179. Cloth. \$9.95.

This book embodies the results of a four-year investigation by the Committee for the Study of Incarceration, an interdisciplinary study group that has thoroughly explored the issues

raised by the differing corrective theories presently competing in our courtrooms. *Doing Justice* concludes that the rehabilitative model remains unworkable and unfair, and that the criminal's wrongful act rather than his defective character should be the object of punishment. To accomplish this goal, the Committee advocates eliminating indeterminate sentences in favor of short fixed terms, and wherever feasible, relying on other means of punishment, including fines and warnings, for less serious criminal offenses.

#### Retraction

The article *Judicial Misconceptions and the "Hidden Agenda" in Prisoners' Rights Litigation*, which appeared in Volume 14 of the SANTA CLARA LAWYER contained an error. Footnote 136 at page 790 represented that the Attorney General of California relied on overruled cases in its brief in the case of *Wheeler v. Procunier*, No. 72-1523 (9th Cir. 1972). The brief did not rely on overruled cases and the editors regret the error.