

New Sources

PRACTICE & PROCEDURE

ALI-ABA's Practice Checklist Manual on Alternative Dispute Resolution. Mark T. Carroll, ed. 2002. ALI-ABA Committee on Continuing Professional Education. Softcover. 212p. ISBN: 0-8318-0816-0. \$94.

Filled with checklists and forms, this is an easy-to-read and understand manual with a broad spectrum of topics about alternative dispute resolution (ADR). Published by the ALI-ABA Committee on Continuing Professional Education, the manual includes a CD-ROM that contains the entire contents of the book.

The CD-ROM has several file format options available in which to view the manual. It can be viewed as a complete PDF (Portable Document File)

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document. Individual chapters and checklists can be displayed in RTF (Rich Text Format). Instructions on using the CD-ROM are located in a separate file. Users can also copy and paste from individual chapters into another word processing document.

Following a logical approach, general concepts of ADR are addressed before moving into specific subjects. Among the topics discussed in the book are mediation and arbitration generally and dispute resolution used in business ADR in family law, personal injury, employment, and computer law. As each chapter contains articles written by assorted authors, the result is a compendium that addresses many issues related to ADR.

Most authors use clear and relevant section headings and subheadings that guide readers through their articles with ease. On the whole, the articles are well written and informative. Some authors include appendixes with additional resources and information. Several authors include charts or forms, which is an additional bonus.

Checklists accompany each article and these are listed separately in the table of contents. Readers can use the checklists for quick reference or skim through them if they do not have time to read the whole piece. One negative aspect about the checklists is their location at the beginning of each article. A more appropriate place would be the end of an article, after the subject has been introduced and discussed. Placing the checklist before the article may discourage readers from looking beyond the first page. However, the checklists are especially

helpful when looking for practical and fast applications to real-life situations.

The libraries that will benefit from this manual are law firm or court libraries where it could be used as a reference and preparation tool for attorneys and others involved in ADR. Overall, this manual is simple to understand and useful for those who participate in ADR. Its checklists and forms make it a helpful guide for those preparing for an arbitration or mediation.

—Karen Evie Kalnins, Research Specialist, ABA Legal Technology Resource Center,

ALI-ABA's Practice Checklist Manual on Trial Advocacy. Mark T. Carroll, ed. 2001. ALI-ABA Committee on Continuing Professional Education. Softcover. 304p. ISBN: 0-8318-1405-5. \$99.

ALI-ABA's Practice Checklist Manual on Trial Advocacy is a compilation of commissioned articles originally published in *The Practical Litigator*. All articles have been updated since their first publication by the authors themselves. There are very brief biographies of the authors.

In the first article, the concise and practical tone for the entire book is set. Here, the primary focus is to "...stop, think, and evaluate." The author asks: "[w]ill an immediate response benefit the client?" The answer is, probably not, and that is the prevailing purpose to this book.

Accompanying the book is a CD-ROM, which contains the entire text of the book and all checklists and forms, organized by authors' last names. Checklists are in Word format, and the text is in Portable Document Format (PDF).

The book is divided into six sections, including pretrial, depositions, voir dire (juror questioning), trial practice, examination and cross-examination, and closing arguments and appeals. Each section varies in the number of articles with the pretrial section containing the most (11). With the one exception, all articles begin with a checklist followed by an in-depth analysis of the topic.

Since there is more emphasis placed on the pretrial section, I find it appropriate to review some of its usefulness. The pretrial section appropriately includes discussions of electronic media, such as e-mail and computer forensics. The authors not only provide discussion of the ways in which to uncover information, but ways to protect your company or client from potential litigation. Another area that receives considerable attention is expert preparation. Three articles are dedicated to expert testimony. In the first one, the author addresses the effects of the *Kuhmo Tire Co. v Carmichael*, 526 US 137 (1999). The second article is intended to help litigators prepare experts. The author discusses