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## Book Review of Federal Jurisdiction and Procedure

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## FEDERAL JURISDICTION AND PROCEDURE

By HARRY G. FINS. Chicago: The Bobbs-Merrill Company, Inc., 1960. 240 pp. \$6.50.

As the advertisements gracing the covers of many legal publications delight in reminding the profession, "even if you never set foot in a federal court . . ." the importance of federal practice cannot be disregarded by today's active attorney. Modern transportation and communications media have disregarded state frontiers, and the controversies arising among individuals and organizations of diverse citizenship have forced the most humble provincial attorney into a serious contemplation of vexing and seemingly mysterious problems whose answers are no longer confined to considerations merely of state law.

Another reason for this concern with so-called federal law (as reflected by the clash of political ideologies among what are often called conservatives and liberals) is the trend toward more federal control in such areas as farm subsidies, old age benefits, unemployment and sickness insurance, taxation, labor relations and the federal uniformity imposed via the Interstate Commerce Clause. Federal intrusions in these fields have modified classic institutions of capitalism to which our legal system had become accustomed.

The spread of federal regulations in areas which only thirty years ago were considered to be exclusively within state or individual dominion has resulted in substantial litigation in the federal courts.

Federal procedure is no longer a specialized branch of law for the few who care to indulge in it; rather it has become an integral part of a lawyer's training. The field is now much too broad to be left to specialists. Yet it is disconcerting to note that attorneys often neglect and even fear it and tend to confine their knowledge to the realm of state law. A more cosmopolitan outlook on the part of such attorneys would help to serve clients more effectively and would also result in a more rewarding practice.

Harry G. Fins, who has written extensively on federal and Illinois procedure, has just authored a most helpful outline of federal procedural law which should be of benefit to any lawyer who classifies himself as a general practitioner. The book is a concise study of federal practice, both civil and criminal. Attorneys to whom the reviewer has shown the book have been pleasantly surprised at its voluminous annotations and clarity of expression. The book is ideal for counsel who wish answers to basic procedural questions in federal courts. If the complete answer is not in the text certainly the content is an excellent preliminary guide and should illuminate the issues involved.

The book begins with an historical outline of modern federal practice from *Erie Railroad Co. v. Tompkins* to the 1958 amendments to Title 28 of the U. S. Code. It then presents a thorough analysis of Federal Jurisdiction with separate chapters covering Bankruptcy, Admiralty, Federal Corporations and Habeas Corpus. Subsequent chapters deal with Venue, Removal from state to federal courts, followed by excellent and complete outlines of rights and remedies in civil and criminal actions. These materials give invaluable practical information to the neophyte and important suggestions to the veteran attorney. Continuing its pragmatic approach, the text ends with an excellent treatise on Appellate Practice. Keeping in mind the adage that a reference book is no better than its index, the author has taken special care to furnish an excellent index which is both detailed and comprehensive.

References are to all Federal Court Reporters. Also included are parallel citations, the Federal Statutes and Rules of Court, the American Law Reports, law reviews, the major legal encyclopedias, and other source materials.

The book can serve as a primer for the student, but its content is in the nature of a comprehensive, synoptic approach and is thus directed to fulfill the needs of the busy lawyer who requires a quick reference. For the attorney who has not taken a great interest in federal practice this book should serve as an excellent introduction, for the student it will prove to be a cogent teacher, and for the federal courts practitioner it is recommended as an indispensable handbook.

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