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Cases and Other Materials on Modern Procedure and Judicial Administration

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accrued during the life expectancy of the decedent. The right of survivorship to the corpus is determined by the relative life expectancies of the former joint owners.⁵ In Missouri the survivor gets an absolute right to one half of the bank account. A constructive trust is imposed on the other half in favor of the decedent's estate.⁶

Thus, the Minnesota court circuitously achieved the same result as the New York court⁷ which divested the survivor of a joint bank account of all rights to the balance as a matter of public policy.⁸

MELVIN JOHN STROUSE

Book Review

CASES AND OTHER MATERIALS ON MODERN PROCEDURE AND JUDICIAL ADMINISTRATION. By Arthur T. Vanderbilt.¹ New York: Washington Square Publishing Corporation. 1952. Pp. xx, 1390. \$8.50.

Of the various volumes authored by the Hon. Arthur T. Vanderbilt, Chief Justice of the Supreme Court of New Jersey and former president of the American Bar Association, this recent casebook, comprising sixteen chapters, is the most formidable in both title and content. However, its length and scope of coverage is justified by the important and difficult objective the author seeks to attain, and which he does attain in a most readable and interesting fashion. In his preface he states that "this casebook has been compiled with the definite purpose of taking the mystery out of procedure, of showing its significance in the judicial process as well as in the lawyer's daily life, of exhibiting the most modern system of procedure in operation and demonstrating its essential usefulness as an aid in the investigation and ascertainment of the truth in litigation, and of revealing the progress or lack

tenancy by the entireties); *In re King's Estate*, 261 Wis. 266, 52 N.W.2d 885 (1952) (real and personal property held in a joint tenancy).

⁵ *Neiman v. Hurff*, 14 N.J. Super. 479, 82 A.2d 471 (1951) (real property held in a tenancy by the entireties and personal property held in a joint tenancy); *Sherman v. Weber*, 113 N.J. Eq. 451, 167 Atl. 517 (1933) (real property held in a tenancy by the entireties).

⁶ *Barnett v. Couey*, 224 Mo. App. 913, 27 S.W.2d 757 (1930) (bank account held as a tenancy by the entireties).

⁷ *Matter of Santourian's Estate*, 212 N.Y. Supp. 116 (1925).

⁸ The widow should be prevented from taking any of the balance of the bank account as an heir because of MINN. STAT. ANN. § 525.87 (West 1947), which provides: "No person who feloniously takes or causes or procures another so to take the life of another shall inherit from such person or receive any interest in the estate of the decedent, or take by devise or bequest from him any portion of his estate."

of it in each state in meeting the minimum standards of judicial administration recommended by the American Bar Association" — surely an ambitious undertaking to accomplish in one volume.

The chief difference between this and the ordinary casebook is that in addition to the usual judicial decisions found in every casebook the author relies heavily on the Federal Rules of Civil and Criminal Procedure and the comment of the advisory committees. One advantage of this approach is that court rules ordinarily are stated more simply than statutes and, hence, are less difficult for students to grasp.

The author wisely devotes an entire chapter to each of the ten fundamental problems usually involved in litigation: (1) in what court may suit be brought — jurisdiction; (2) who may sue whom — parties; (3) where may suit be brought — venue and transfer of cases; (4) how to get the defendant or his property into court — process; (5) what relief is sought — remedies; (6) how to state the controversy — the pleadings; (7) how to prepare for trial — pretrial procedures; (8) how to litigate the controversy — the trial; (9) how to correct trial errors — judicial review; and (10) how to enforce a judgment — execution. The information contained in these chapters is invaluable not only to students but is worth the time even of the busiest practitioner. The truth of this is demonstrated by the number of instances in which courts are disappointed to find that they unfortunately are prevented from reaching important substantive legal questions because of some fatal procedural mistake.

The final four chapters of the book are entitled Judicial Selection and Related Problems, Jury Selection and Service, The Legal Profession and Judicial Administration. These are important related subjects ordinarily not treated in even the expanded curricula of our present day law schools.

In the writing of this volume, Chief Justice Vanderbilt has succeeded in making a valuable contribution to the literature of the law.

CARL V. WEYGANDT*

¹ Chief Justice, Supreme Court of New Jersey.

* Chief Justice, Supreme Court of Ohio.

