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~~Protect unmarried partners - Unmarried partners ('common-law partner') have little if any protection in law when it comes to inheritance. Having a Will is vital if you want to make sure that they are taken care of when you're gone. Personal effects. It doesn't matter if you don't have a lot of money or property to pass on.~~

Common law rules predominate in some areas of law, such as torts and contracts, and are extremely important in other areas, such as corporations. Nevertheless, it has been unclear what principles courts use--or should use--in establishing common law rules. In this lucid book, Melvin Eisenberg develops the principles that govern this process.

The Common Law changed America forever. The lectures--which were given at the Lowell Institute in Boston and subsequently published in 1880--created a buzz of excitement that enveloped the New England intellectual community. Over a century later, we can look back at The Common Law and still feel the same sense of excitement that our predecessors did, virtually undiminished by the tumultuous decades of American jurisprudence that have followed. It remains an exhilarating landmark in law because its content and its style, its substance and its process, perfectly mirror what common law is: a complex and diffuse combination of actual cases, history, analysis, and philosophy--all woven together to create the rules by which we live. Oliver Wendell Holmes, Jr.--who grew up in the shadow of his famous father, the great doctor and writer Oliver Wendell Holmes, Sr.--set out to make his mark on the world. His first notoriety among the legal community came when he edited the monumental work of legal scholarship Kent's Commentaries. Just shy of his fortieth birthday, he delivered The Common Law to very positive reviews. From that point, his career was meteoric and included a near three-decade tenure on the Supreme Court of the United States.

Tamar Herzog offers a road map to European law across 2,500 years that reveals underlying patterns and unexpected connections. By showing what European law was, where its iterations were found, who made and implemented it, and what the results were, she ties legal norms to their historical circumstances and reveals the law's fragile malleability.

American law in the twentieth century describes the explosion of law over the past century into almost every aspect of American life. Since 1900 the center of legal gravity in the United States has shifted from the state to the federal government, with the creation of agencies and programs ranging from Social Security to the Securities Exchange Commission to the Food and Drug Administration. Major demographic changes have spurred legal developments in such areas as family law and immigration law. Dramatic advances in technology have placed new demands on the legal system in fields ranging from automobile regulation to intellectual property. Throughout the book, Friedman focuses on the social context of American law. He explores the extent to which transformations in the legal order have resulted from the social upheavals of the twentieth century--including two world wars, the Great Depression, the civil rights movement, and the sexual revolution. Friedman also discusses the international context of American law: what has the American legal system drawn from other countries? And in an age of global dominance, what impact has the American legal system had abroad? This engrossing book chronicles a century of revolutionary change within a legal system that has come to affect us all.

In a series of fifteen vivid essays, this book discusses the contributions of great common-law jurists and singular documents--namely the Magna Carta and the Laws and Liberties of Massachusetts--that have shaped common law, from its origins in twelfth-century England to its arrival in the American colonies. Featured jurists include such widely recognized figures as Glanvill, Francis Bacon, Sir Edward Coke, and John Selden, as well as less known but influential writers like Richard Hooker, Michael Dalton, William Hudson, and Sir Matthew Hale. Across the essays, the jurists' personalities are given voice, the context of time and events made clear, and the continuing impact of the texts emphasized. Taken as a whole, the book offers a simple reverence for the achievements of these men and law books and a deep respect for the role historical events have played in the development of the common law.

New York Times Bestseller • Notable Book of the Year • Editors' Choice Selection One of Bill Gates' "Amazing Books" of the Year One of Publishers Weekly's 10 Best Books of the Year Longlisted for the National Book Award for Nonfiction An NPR Best Book of the Year Winner of the Hillman Prize for Nonfiction Gold Winner • California Book Award (Nonfiction) Finalist • Los Angeles Times Book Prize (History) Finalist • Brooklyn Public Library Literary Prize This "powerful and disturbing history" exposes how American governments deliberately imposed racial segregation on metropolitan areas nationwide (New York Times Book Review). Widely heralded as a "masterful" (Washington Post) and "essential" (Slate) history of the modern American metropolis, Richard Rothstein's *The Color of Law* offers "the most forceful argument ever published on how federal, state, and local governments gave rise to and reinforced neighborhood segregation" (William Julius Wilson). Exploding the myth of de facto segregation arising from private prejudice or the unintended consequences of economic forces, Rothstein describes how the American government systematically imposed residential segregation: with undisguised racial zoning; public housing that purposefully segregated previously mixed communities; subsidies for builders to create whites-only suburbs; tax exemptions for institutions that enforced segregation; and support for violent resistance to African Americans in white neighborhoods. A groundbreaking, "virtually indispensable" study that has already transformed our understanding of twentieth-century urban history (Chicago Daily Observer), *The Color of Law* forces us to face the obligation to remedy our unconstitutional past.

This volume is the first comprehensive history of the evolving relationship between American slavery and the law from colonial times to the Civil War. As Thomas Morris clearly shows, racial slavery came to the English colonies as an institution without strict legal definitions or guidelines. Specifically, he demonstrates that there was no coherent body of law that dealt solely with slaves. Instead, more general legal rules concerning inheritance, mortgages, and transfers of property coexisted with laws pertaining only to slaves. According to Morris, southern lawmakers and judges struggled to reconcile a social order based on slavery with existing English common law (or, in Louisiana, with continental civil law.) Because much was left to local interpretation, laws varied between and even within states. In addition, legal doctrine often differed from local practice. And, as Morris reveals, in the decades leading up to the Civil War, tensions mounted between the legal culture of racial slavery and the competing demands of capitalism and evangelical Christianity.

This volume proposes a new way of understanding the policymaking process in the United States by examining the complex interactions among the three branches of government, executive, legislative, and judicial. Collectively across the chapters a central theme emerges, that the U.S. Constitution has created a policymaking process characterized by ongoing interaction among competing institutions with overlapping responsibilities and different constituencies, one in which no branch plays a single static part. At different times and under various conditions, all governing institutions have a distinct role in making policy, as well as in enforcing and legitimizing it. This concept overthrows the classic theories of the separation of powers and of policymaking and implementation (specifically the principal-agent theory, in which Congress and the presidency are the principals who create laws, and the bureaucracy and the courts are the agents who implement the laws, if they are constitutional). The book opens by introducing the concept of adversarial legalism, which proposes that the American mindset of frequent legal challenges to legislation by political opponents and special interests creates a policymaking process different from and more complicated than other parliamentary democracies. The chapters then examine in depth the dynamics among the branches, primarily at the national level but also considering state and local policymaking. Originally conceived of as a textbook, because no book exists that looks at the interplay of all three branches, it should also have significant impact on scholarship about national lawmaking, national politics, and constitutional law. Intro., conclusion, and Dodd's review all give good summaries.

In this fifth edition of his bestselling classic, Jay Feinman provides an authoritative and up-to-date overview of the American legal system. In the years since the publication of the fourth edition, there have been many important developments on the legal front. The Supreme Court has issued important decisions on presidential powers, freedom of religion, and personal liberty. Police shootings and the rise of Black Lives Matter has impacted the court system too. The rise of arbitration at the expense of jury trials has affected the rights of consumers, and internet law remains in a state of constant change. This fully updated fifth edition of *Law 101* accounts for all these developments and more, as Feinman once again provides a clear introduction to American law. The book covers all the main subjects taught in the first year of law school, and discusses every facet of the American legal tradition, including constitutional law, the litigation process, and criminal, property, and contracts law. To illustrate how the legal system works, Feinman draws from noteworthy, infamous, and even outrageous examples and cases. We learn about the case involving scalding coffee that cost McDonald's half a million dollars, the murder trial in Victorian London that gave us the legal definition of insanity, and the epochal decision of *Marbury vs. Madison* that gave the Supreme Court the power to declare state and federal law unconstitutional. A key to learning about the law is understanding legal vocabulary, and Feinman helps by clarifying terms like "due process" and "equal protection," as well as by drawing distinctions between terms like "murder" and "manslaughter." Above all, Feinman reveals to readers of all kinds that despite its complexities and quirks, the law can be understood by everyone. Perfect for students contemplating law school, journalists covering legislature, or even casual fans of "court-television" shows, *Law 101* is a clear and accessible introduction to the American legal system.

This work is written primarily for law students who are learning negotiating skills in clinical courses, but it will serve equally well for lawyers and others who are interested in the topic of negotiation. The book has three main areas of emphasis. First, negotiating behavior of practicing lawyers fall into two main patterns--cooperative? and aggressive?--and implications of those patterns is discussed. The author then covers the four stages of the negotiation process, and lastly lays out the legal rules and economic principles that apply to the negotiated settlement of disputes. The Appendices include transcripts to two lawyer-to-lawyer negotiations.

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