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Book Review: Lawyers and their Work

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LAWYERS AND THEIR WORK

By Quinton Johnstone and Dan Hopson, Jr.
Bobbs-Merrill, 1967. Pp. 604. \$10.00

Authors Johnstone and Hopson have produced a very unusual, probably unique book dealing with the work patterns of lawyers in the United States and England, and the difficulties confronting the legal profession in the two countries. Both authors are currently professors of law, but each has been engaged in government legal service and one was formerly in private practice. Probably because of their own broad experience, and an obviously conscientious research program, they have been able to describe rather well the work of lawyers in private, corporate, and government practice. Using a matter of fact approach, except in the case of conclusions and recommendations clearly labeled as such, they have refreshingly avoided both defensive emotionalism and destructive condemnation in discussing professional foibles.

While laymen, particularly those who deal regularly with lawyers, will probably find the critical sections both informative and overdue, many lawyers simply won't like this book at all. Few lawyers will be able to agree with some of the more drastic reform proposals (and there are several), but most should find themselves seriously re-evaluating the present utility of many long-standing practices in legal education, bar admission standards, specialization, and especially allocation of work among non lawyer assistants.

Of special interest to the lawyer, and law student about to graduate, are the sections outlining the work of lawyers in private, corporate, and government practice. In depth studies of the Law Departments of Shell Oil Company and Prudential Insurance Company are quite well done. Unfortunately, the research on private practice was restricted almost entirely to New York City firms. Lawyers having dealt with such firms will probably find no quarrel with the authors' remarks, but the material would have wider relevance if the research had been broadened. The most serious defect in describing lawyers' work, however, was the greatly detailed and thoroughly boring description of the Chicago Title and Trust Company. The material is of little, if any, value to readers

not working there or dealing regularly with the company, and the space could have more profitably been devoted to subject matter of general interest.

Anyone curious about the operation of the English legal profession will be well rewarded by studying the sections covering that area. The solicitor-barrister distinction is shown to be rather more complicated than an American lawyer might suppose; and the very considerable responsibilities exercised by non lawyer clerks is simply without counterpart in American practice. Interestingly, the authors felt "that lawyers in the United States are relatively more important than those in England." Significant reforms advocated, are a fusion of barristers and solicitors and a vast upgrading of what was described as an inferior legal education system.

While reforms urged within the United States are far reaching (and in some cases not original), the authors believe "the profession is composed of a rather competent body of professionals, but in many situations uses them badly."

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