



Law 101: Everything You Need to Know About the American Legal System

By Jay M. Feinman

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Most of us know very little about the law. We pick up bits of information from television and newspaper accounts of current legal battles, and from bestselling novels and popular movies. But these pieces do not give us an accurate or complete picture.

In *Law 101*, Jay M. Feinman offers a delightfully clear introduction to law, covering the main subjects found in the first year of law school and giving us a basic understanding of the American legal tradition. Readers are introduced to every aspect of the legal system, from constitutional law and the litigation process to tort law, contract law, property law, and criminal law. Feinman illuminates each discussion with many intriguing, outrageous, and infamous cases, from the scalding coffee case that cost McDonald's half a million dollars, to the sensational murder trial in Victorian London that led to the legal definition of insanity, to the epochal decision in *Marbury v. Madison* that gave the Supreme Court the power to declare state and federal laws unconstitutional. He broadens the reader's legal vocabulary, clarifying the meaning of everything from "due process" and "equal protection" in constitutional law, to the distinction between "murder" and "manslaughter" in criminal law. Perhaps most important, we learn that law is voluminous and complex, but accessible to everyone.

Anyone who enjoys Court TV will find this book irresistible. Everyone who wants a better grasp of current legal issues, from students contemplating law school to journalists covering the legislature or the courts, will find here a wonderful source of information--a complete, clear, and colorful map of the American legal system.

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Editorial Review

Amazon.com Review

Thanks to TV cop shows, most Americans can probably recite the Miranda warnings, but do they know when the warnings do--and do not--apply? Tort reformers cite the \$2.7 million in punitive damages a jury awarded a little old lady in Albuquerque when the cup of coffee she had set between her legs spilled and scalded her. These crusaders against "excessive" damage awards do not usually note that the trial judge reduced the award to \$480,000, or that the coffee was 20 degrees hotter than competitors' coffee.

The law is all around. People continually invoke their rights, and every year millions of Americans are involved in formal legal proceedings. Yet most people are ignorant of even the basic concepts and organizing principles of U.S. law. Into the breach comes Jay Feinman's engrossing book *Law 101: Everything You Need to Know About the American Legal System*. Akin to a crash course in the first year of law school, *Law 101* is a clearly written, eminently readable guide to the tenets of our legal system. It is structured around basic questions such as "If a contract is unfair, can a court refuse to enforce it?" and replete with clarifying examples--real and hypothetical. In explaining battery, Feinman writes: "If someone consents to a certain bodily invasion, he does not necessarily consent to any bodily invasion, however. When Mike Tyson and Evander Holyfield are in a boxing match, Holyfield has consented to Tyson punching him in the nose ... but he has not consented to Tyson biting off a piece of his ear." Much clearer.

Law 101 won't instruct you on how to write your will or get divorced, but it will educate you at a more systematic level. It is also a great read. --J.R.

From Publishers Weekly

Although it falls a long way short of delivering "everything you need to know" about American law, this basic text offers nonlawyers a concise, accessible overview of topics typically introduced in the first year of law school. Feinman, a law professor at Rutgers, cites seminal cases to highlight key concepts in the fields of constitutional law, civil procedure, torts, contracts, property, criminal law and criminal procedure. He does not minimize the actual complexity of these subjects, conceding variously that contract law has "tormented the most students," property law "most irritates students," conflicts of law "tortures students" and civil procedure is "the most alien." Nevertheless, he distinguishes his book from the various how-to-be-your-own-lawyer manuals on the market: "This one is fun to read." But how much fun is to be found here is questionable. Although Feinman does explore a few juicy cases, such as the successful lawsuit against McDonald's by a woman scalded by its extra-hot coffee and the headline-grabbing criminal prosecution of subway vigilante Bernhard Goetz, much of his book is a no-frills restatement of the most general legal principles, minus the titillating nuances. Uninitiated readers may prefer Feinman's regular-guy style ("some contracts just stink") to his more academic voice ("The decision in a particular case will depend on the level of generality at which the court states the controlling principle"). They may also wish he had provided a glossary for quick reference. But many readers, particularly those contemplating law school, will find this a painless introduction to American legal theory and practice. (Mar.)

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From Library Journal

Rutgers law professor Feinman has written an entertaining and informative introduction to the law. Taking the basic subjects covered in the first year of law school (constitutional law, tort law, contract law, property law, and criminal law), the author explains how the law applies to everyday situations. Each of the nine

chapters has a series of questions and answers regarding the type of law. For example, the author asks in Chapter 4, "Your Day in Court," when a lawsuit can be brought and what makes a case federal. He methodically explains the steps that take place throughout a trial and shows that TV trials do not reflect reality. To his credit, he tackles high-profile cases--the McDonald's hot-coffee injury case, the Pennzoil-Getty Oil contract dispute, the Lorena Bobbitt assault prosecution, and the Supreme Court decisions on busing and abortion--and shows how the basic principles of law apply to them. Feinman is even-handed in his comments on the cases but gives his opinions. For journalists, those interested in the law, and fans of television law dramas, this book should be required reading.

-Harry Charles, Attorney at Law, St. Louis

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Users Review

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