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***Modern Trials*, by Melvin M. Belli (1954)**

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BOOK REVIEWS

MODERN TRIALS, by Melvin M. Belli, Bobbs-Merril, 1954, 3 volumes (the final volume soon to be published), \$50.00.

In fairness to the reader of this review it should be stated that there was a strong possibility that the reviewer would not have been fair and impartial in his consideration of a work presented by Melvin M. Belli because of the reviewer's great enthusiasm for trial work and further for the type of work that Mr. Belli has done and about which he writes. Nevertheless, after a reasonably careful reading of the first 1900 pages of this three-volume work, it is a pleasure to say that it is one of the most significant books for lawyers published in this generation.

Of course, in order to know the author it is probably better to be a reader of *Life Magazine* where he has been referred to as the "King of Torts" and given somewhat sensational publicity. On the other hand, if one is not interested in the spectacular side of the author, a reading of this work and a consideration of the tremendous amount of material included therein, although not being quite so sensational, shows that there is a side of Mr. Belli not covered by the *Life* article, which was capable of producing a serious and valuable compendium of contemporary trial techniques.

Modern Trials may not be of great interest to the "corporation lawyer" who never gets near the courthouse and who is like the practicing physician who never gets near surgery, but if he would like to smell the odor of the courtroom and see some of the bright flashes and hear some of the loud sounds without danger of involvement, he should buy this book anyway. As for the lawyer who is drawn into the courtroom for any purpose which requires him to present evidence or to guard against the presentation of improper evidence, it is this reviewer's opinion that that lawyer has not performed his duty to his clients if he goes into court without having first read *Modern Trials*. Needless to say, it is a must for lawyers whose livelihood and the welfare of whose clients depend upon the proper presentation of the claims of injured persons. Conversely, attorneys who attend to the defense of personal injury claims cannot be fully rounded in their approach to their work without a reading of *Modern Trials*.

Really what this book amounts to is the biggest "bull session" on trial tactics and techniques that has ever been recorded. As moderator of the bull session, we have Melvin M. Belli whose skill in his own courts is only too well known and who has a personality which includes in its makeup some quality which seems to invite the contribution to him of the best of the knowledge of anyone whom he meets. The author is on a first-name basis with more excellent trial lawyers in the United States, probably, than any other living person. The result of this friendliness and mutual interest in trial law has been that he has easily, in his travels about the country, assembled the best anecdotes, statistics, photographs, and other memorabilia of the Courtroom. He has then, in a more or less systematic way, reduced all of this information to writing, along with illustrative pictures and drawings, and delivered to the purchaser of the work the heaviest and best trial handbook we have ever seen.

It becomes evident to the reader that the author is a member of the National Association of Claimant's Compensation Attorneys, "NACCA," and that many of the trial lawyers mentioned in the book are also members of the same organization. He has taken advantage of his membership in that association to accumulate further material for our benefit.

This book should convince the average young general practitioner that the days of proceeding into court without adequate preparation—a few notes on his cuff—are gone. It further should indicate to him that the process of learning and development of skill and technique in trial work does not end when the law student receives his diploma and is admitted to the Bar. It should further indicate to the young practitioner that the methods of handling material he uses in the trial of cases are limited only by his own ingenuity. This reviewer is of the opinion that up until perhaps the end of World War II, the ordinary trial lawyer had somewhat of a horror of the use of any new techniques in the presentation of evidence and believed that field had been preempted by such criminal trial luminaries as "The Great Mouthpiece" William J. Fallon and his like. Our author, by his numerous references to the criminal practice in this book, clearly demonstrates that the backward approach of the civil trial lawyer has been costing his clients money and further that it has kept the law profession from developing and progressing in company with other professions, such as medicine, sociology, and photography. Mr. Belli has very carefully outlined: Investigating the case, investigating the client, investigating the law, investigating the manner of presentation of the case and investigating the possible outcome. The result of these investigations is all to the benefit of the general practitioner, and in particular to the benefit of the attorney handling personal injury cases more or less as a specialty.

One of the most striking and also most painful characteristics of the general practitioner's situation with reference to handling personal injury claims has been, for many, many years, the feeling of aloneness that the plaintiff's attorney has during the entire course of the handling of the claim from the moment the client first walks into the office until the end of the entire litigation, be it finished by way of settlement or by way of trial, jury verdict and ultimate payment of the verdict. *Modern Trials*, in lieu of personal contact and guidance and friendship of other lawyers in the same boat, furnishes to the young practitioner a ready-made pat on the shoulder and word of advice. In addition, it gives him the citations to support the bright idea that he has in connection with the presentation of his claim, either to the opposing insurance adjuster, opposing counsel, or to the trial court.

It is highly probable that nowhere else in the hundreds of thousands of pounds of books sold to lawyers annually can be found the valuable citations provided as ready working tools for personal injury claim work. In addition to these citations, which include trial court decisions, the excellent suggestions of the author and of his friends as reported to him, the studious attorney will be able to find what he needs to put the last skillful turn on the presentation of his case.

In closing, the reviewer would like to stress that the author, although he is willing to be photographed in his roadster with the skeleton he uses in the presentation of the personal injury case, has produced a work of extreme importance, honest in its content and honest in its end. Belli's approach to the trial of a law suit is characterized by the same care, thoroughness and dedication that is more commonly found in the abstract sciences. This innovation is perhaps the greatest single contribution of *Modern Trials*.

Here and there the spelling or the choice of words or sentence structure might seem a little ragged, but I prefer to think that it is due to the rush of getting all this important material to the press and out to the litigating attorney.

In the absence of a special star-studded course for lawyers in trial technique and related subjects, the subscription price of \$50.00 probably provides the most economical schooling for trial internship and further for trial specialization that we have yet had offered to us.

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