

Top Ten Kentucky Law Books to Own in Print

Kurt X. Metzmeier

Occasionally, while watching the local news, I will see a video clip from a Kentucky trial, featuring a serious attorney standing up to make a legal point, waving or gesticulating to a passage in a certain green book. More frequently, I see legal scenes played out with attorneys sitting behind stacks of other familiar books, often tabbed or marked with sheets of paper.

Since I work around Kentucky law books every day, purchasing them, using them to teach Kentucky law and to answer legal research questions, it is easy for me to identify the books I commonly see on counsels' tables.

As a legal researcher, I find it useful to consult Kentucky legal treatises in electronic resources where I can direct keyword searches and pinpoint a passage or two to understand a narrow point of law. This is what databases are good for. Sometimes, however, I wish to better grasp a whole area of law. At these times, I'll pull the book down from the shelves, scan through the table of contents for the applicable chapters and read or skim through all the relevant passages. This is a task a book is suited for.

Often the books are legal treatises authored by lawyers, judges and law professors that many Kentucky attorneys know, respect and could recognize walking through the lobby at a bar meeting. Their key works are authoritative, legally correct and can be cited in court—unlike the glib AI-generated legal commentary that is beginning to glut the internet.

Here are my top ten Kentucky books that you might want to own in print. These are books that a lawyer might want to read cover to cover, tab the important things and bring to the counsel's table. At critical points in a trial, they might even want to show a passage to a judge who does not seem to be getting the point they are making. I tried to make my picks universal, but I can't get around the fact that the books that a personal injury lawyer might find useful aren't the same as those a criminal lawyer would.

10. Thomas L. Canary, Jr., *Kentucky Collections* (Thomson Reuters)

As the nephew of prominent Kentucky collections lawyer William R. Mapother once yelled into a phone: "Show me the money!" Every lawyer wants their clients

and themselves to get the fruits of successful litigation, even if it is sometimes a "mission impossible." This book builds on the late Bill Mapother's prior treatise and covers default judgements, garnishment, execution on personal property and real estate, replevin and attachment. Trying to collect on a judgment without ever consulting *Kentucky Collections* is risky business.

This book is part of Thomson's Handbook series; each title is one paperback book that is issued with updates annually. Fragile lawyers know that Kentucky law doesn't change that much and they don't need to buy new ones every single year. The *Kentucky Collections* title is one of the books in the series that a young lawyer can build a practice area around. Another is Joseph B. Suhre and Wilbur M. Zeveley's *Kentucky Driving Under the Influence Law*.

9. Leslie W. Abramson, *Substantive Criminal Law* (Thomson Reuters)

8. David J. Leibson, *Tort Law* (Thomson Reuters)

Both of these titles are written by former professors of the UofL Brandeis School of

Law, and the topics correspond to courses UofL students may have taken. In David Leibson's Torts class, students learned that concept of reasonableness is best understood by asking "What would your mother say?" but his description of the reasonable person standard in his book is a little more conventional.

Both books are part of Thomson Reuters' Kentucky Practice service, a group of numbered hardback maroon books that, together, look like a legal encyclopedia but are not. Also, in the series is ...

7. Louise E. Graham and James E. Keller, *Domestic Relations Law* (Thomson Reuters)

This treatise was drafted by Louise E. Graham, an emeritus professor of the topic at the University of Kentucky College of Law who was beloved by generations of law students who knew her as "Weezy," and the late Kentucky Supreme Court Judge James E. Keller. While neither of the original authors may be editing the annual pocket parts, the foundational material is eminently citable in family court.

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6. Dorislee Gilbert, *Trial Handbook for Kentucky Lawyers* (Thomson Reuters)

This annual handbook is “designed to be kept at your fingertips in the heat of a trial,” and is regularly recommended by Kentucky criminal trial lawyers. Hardcore litigators might be seen toting it into court, perhaps along with Richard H. Underwood (of UK Law and KBA ethics committee fame) and University of Cincinnati Professor Emeritus of Law Glen Weissenberger’s *Kentucky Evidence Courtroom Manual* (LexisNexis).

5. *Criminal Law of Kentucky* (“The Green Book”) (Thomson Reuters)

If you practice criminal law, and own only one law book, this is that book. Widely known as the “Green Book”—even during those few years that the publisher inexplicably experimented with blue and grey covers—the annually released work (now in two volumes) is a compilation of the annotated version of all criminal laws throughout the KRS, the rules of criminal procedure and evidence, and two valuable appendices by

University of Kentucky law professor Allison Connelly. One is a detailed outline of the elements of all crimes and the requirements for indictments; the other is a chronological guide to the sequence of criminal procedures from police investigation through criminal appeal.

4. Ronald W. Eades, *Kentucky Law of Damages* (Thomson Reuters)

Retired since 2008, former UofL law professor Ron Eades still updates his prolific output of Kentucky treatises, all of which are worth owning, but the *Law of Damages* has the most universal appeal as every civil case must state the remedies the plaintiff seeks, whether it be monetary compensation or equitable relief. (His *Kentucky Wrongful Death Actions* (Thomson Reuters) is a close second.)

3. *Kentucky Rules of Court: State* (Thomson Reuters)

A dog-eared copy of the Kentucky rules of court is an essential accessory for the seasoned litigator. The Thomson Reuters version is a popular selection, although lawyers with a printed edition of the KRS

might prefer the rules volumes that come with the set. Colored tabs or Post-its are a sign you know exactly what is in CR 43 and KRE 802 and are ready to pounce on your unwary prey!

2. Donald P. Cetrulo and John S. Palmore, *Kentucky Instructions to Juries: Civil* and William S. Cooper and Donald P. Cetrulo, *Kentucky Instructions to Juries: Criminal* (LexisNexis)

While many states have official pattern jury instructions, Kentucky has a venerable privately compiled work that derives from real instructions collected originally by Osso W. Stanley in the 1940s, but made famous by the edition edited by the Kentucky Supreme Court Justice John S. Palmore. “Palmore’s Jury Instructions” is still carried into chambers as written instructions are hammered out.

1. Robert G. Lawson, *The Kentucky Evidence Law Handbook* (LexisNexis)

Cited in 1,462 Kentucky state and federal cases, Bob Lawson’s Kentucky evidence

treatise is by far the most influential law book in state history. A longtime UK law professor of evidence and criminal law, Lawson chaired the group that revised the state penal code in the 1970s. In 1974 he first published his evidence handbook, which made him an excellent person to help revise the Kentucky Rules of Evidence (KRE) in the 1990s. Now retired, this treatise carries the weight of Lawson’s more than 50 years of knowledge.

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