



1958

The New Index for the Kentucky Law Journal

Elizabeth Durfee Oberst

Follow this and additional works at: <https://uknowledge.uky.edu/klj>

Right click to open a feedback form in a new tab to let us know how this document benefits you.

Recommended Citation

Oberst, Elizabeth Durfee (1958) "The New Index for the Kentucky Law Journal," *Kentucky Law Journal*: Vol. 47 : Iss. 1 , Article 1.
Available at: <https://uknowledge.uky.edu/klj/vol47/iss1/1>

This Foreword is brought to you for free and open access by the Law Journals at UKnowledge. It has been accepted for inclusion in Kentucky Law Journal by an authorized editor of UKnowledge. For more information, please contact UKnowledge@lsv.uky.edu.

The New Index for the Kentucky Law Journal

ELIZABETH DURFEE*

As most members of the Kentucky bar are doubtless aware, there has been no cumulative index for the Kentucky Law Journal since 1930, when an index covering the first 18 volumes was published. In the years since then, much useful material has been inaccessible to the profession for lack of an index, and the value of the Journal as a research tool has been seriously impaired. Now a new cumulative index is about to come off the press. It will cover the years from 1930 to 1958—volumes 19 through 46—and will, it is hoped, unlock many doors for the bench and bar of Kentucky.

In the pages of the Journal may be found papers on almost every phase of the law, from abortion to zoning. Articles range from such practical subjects as the taxability of various interests in property or the circumstances which may reduce a charge of murder to one of manslaughter (see "Manslaughter") to such esoteric titles as "Aesthetics and the Law," listed under the heading "Jurisprudence." If a lawyer wants help unraveling a subtle point in the law of Future Interests, he may find what he needs in any of several general articles in the field, to be found under the heading "Future Interests", or in one of the more specific headings such as "Life Estates", "Remainders", or "Perpetuities", to mention a few. If he wants to know his chances of success in a negligence suit against the United States, he will find assistance in the Journal by looking under "Federal Tort Claims Act." If he is faced with a question of measure of damages, admissibility of evidence, enforceability of contracts, constitutional right to jury trial, pleading and procedure under the new Kentucky rules, or any of numerous other problems, he will find useful and valu-

* A.B., A.B.L.S., J.D., University of Michigan.

able material. The attorney preparing a case, the judge handing down an opinion, the scholar engaged in research—all will find a wealth of hitherto unavailable material through the new index.

In form, the index is similar to the Index to Legal Periodicals, in that it consists of four parts: subjects, authors, cases and book reviews. Each of these parts will be described briefly, and the method of preparation outlined.

SUBJECT INDEX. Everything written during the 28 years covered was read with more or less thoroughness, and appropriate subject headings assigned to each article, note and case comment. Depending on the material, a paper might be placed under one or a dozen headings, with three or four being normal. Occasionally an unusually long or meaty article might receive as many as 25 headings. Thus, it is hoped, everything in the Journal will become available whether it is the main subject of an article or a subordinate discussion of some other phase of the law.

In assigning subject headings, two objectives were sought: first, an effort was made to enter the article under all subjects under which a lawyer might look for the material at hand; second, any incidental discussion of other subjects was appropriately indexed, with inside paging given. Thus, an article on the family purpose doctrine in tort law was indexed under "Motor Vehicles", "Negligence", "Parent and Child", and "Agency", for it was felt that a lawyer might look under any one of those headings for material on that problem. If the article also discussed the doctrine as applied to husband and wife, it was placed under "Husband and Wife"; if it digressed into a discussion of contributory negligence or last clear chance, it was put in those categories as well.

In addition to assigning appropriate subject headings, an effort was made to treat all materials on the same subject in the same manner, so that all articles on the family purpose doctrine, for example, will be found under the same headings.

As might be expected, a great deal of writing has appeared in certain fields of the law, notably Torts, Contracts, and Constitutional Law. In these fields, as well as a number of others, many headings covering specific aspects of the law have been set up and entries placed under these specific headings rather than under the

general headings of "Torts," etc., reserving the general headings for general articles. Thus, to illustrate once more in the field of Torts, there are 29 entries under "Torts," and cross references to 25 other headings, from "Assault and Battery" through "Wrongful Death Actions." This was done in order to keep the various subjects within reasonable bounds, so that the user of the index will not have to read through page after page of general entries in order to find material on some particular point. A wealth of cross references will assist the user in locating the various specific headings used, and will also serve to suggest other related headings. The subject index contains over 4,000 entries, and is the product of some 600 hours of research.

AUTHOR INDEX. This is an alphabetical list of all authors, whether of leading articles, notes, case comments or book reviews, including student authors. Under each author's name appears an alphabetical listing of his titles, with an asterisk to denote leading articles and notes. This index will be primarily useful to the person who knows of an article by a certain author. It contains some 1700 entries.

CASE INDEX. In this index, a choice had to be made between (1) entering only those cases which are the subject of a case comment and (2) entering all cases cited. It was felt that the former would fail to reveal many useful discussions of case material, and that the latter would be needlessly prolix without accomplishing anything that Shephard's Citator does not do. Therefore a middle ground was taken. Cases which are *analyzed* and *discussed* to the extent of half a page or more are listed, as well as some leading cases which are mentioned without critical discussion. This eliminates cases which are merely cited, and those which are described without any critical analysis. The case index will, of course, be useful to the person who has a case in point and wants more material on the same subject as well as to the person who wants critical opinion of a certain holding. It has approximately 1350 entries.

BOOK REVIEWS. This is an alphabetical list by author of all books reviewed. In addition to author, title and date of the book, the name of the reviewer is given.

* * * *

I wish to acknowledge the invaluable assistance given me by Miss Dorothy Salmon, law librarian at the University of Kentucky, in making available to me a copy of the library's list of subject headings. This list, in addition to providing me with a ready-made set of headings, served as a convenient check-list of headings selected, as well as providing a place for notes on the inclusiveness of the various subjects. It thus served the dual purpose of rendering mechanical aid in addition to providing an excellent list of usable headings.

I am grateful also to the other members of the faculty of the College of Law, all of whom were both patient and helpful in solving various problems that I brought to them. Whether it was a simple question of "Where would you look to find something on such-and-such," or a request for help in a specialized field of law, I always found the assistance I needed. Any merit which the index possesses is due in large part to the help given me by these persons; any deficiencies in it are my own responsibility.