

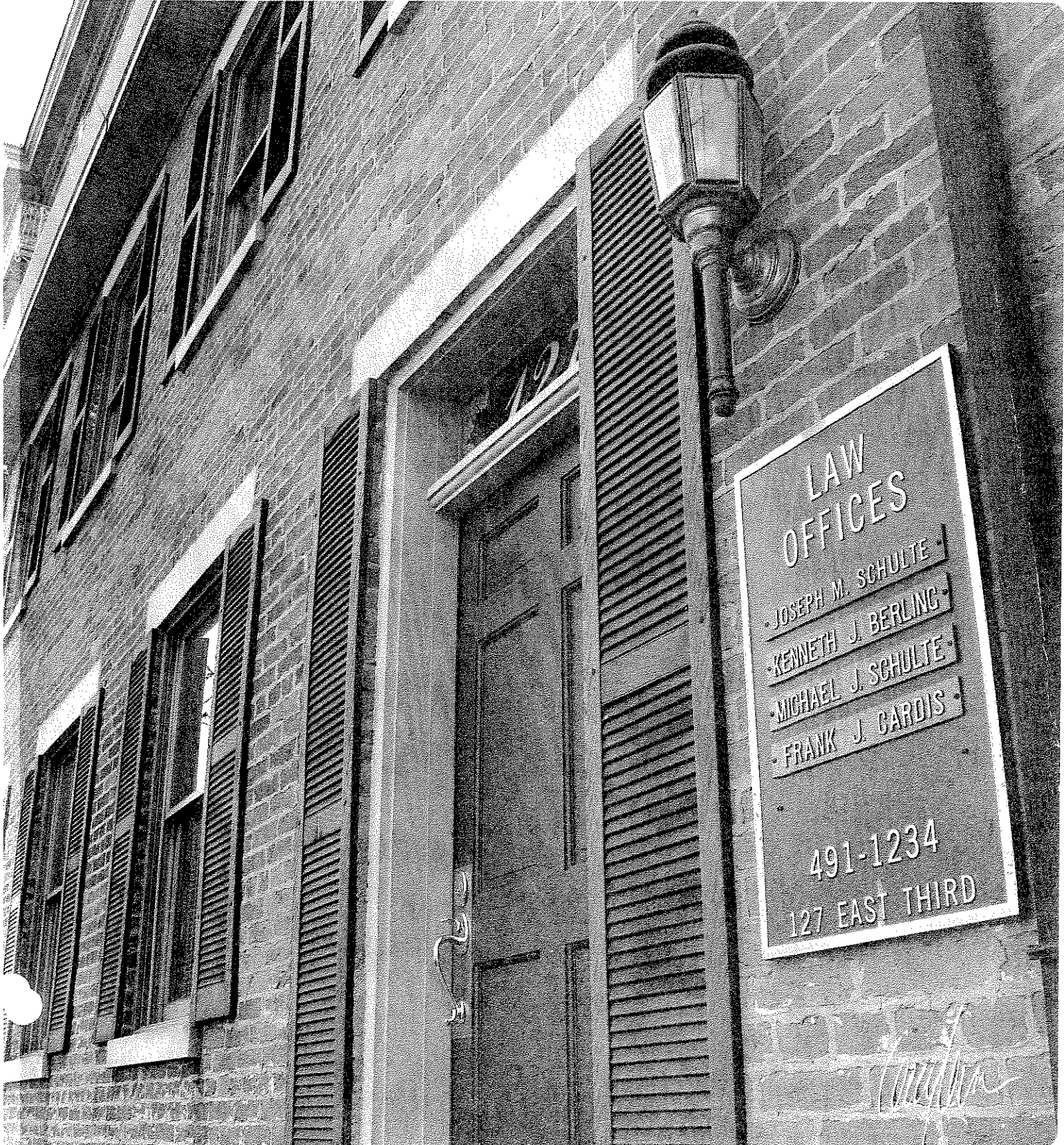
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NORTHERN KENTUCKY BAR ASSOCIATION



## ACROSS THIS GREAT BIG COUNTRY, FEDERAL FORMS FOR ALL

*by Mike Whiteman, Associate Dean for Law Library Services & Information Technology, Chase College of Law*

No matter where you practice law there is one set of courts that follow a uniform set of rules, the federal courts. Although each federal court is able to establish local court rules, they must all conform to the general rules of civil, criminal and appellate procedure. Each of these rules demands some degree of uniformity throughout the nation, and each of these rules often calls for a particular type of document to be filed in compliance with a particular rule. As you have no doubt guessed, in this column I will cover formbooks that can help a practitioner navigate his/her way through the requirements of the federal rules.

There are two particularly good sets of formbooks that are tied directly into the federal rules. They are West's Legal Forms (West Publishing) and Bender's Federal Practice Forms (Matthew Bender).

West's Legal Forms and Bender's Federal Practice Forms are both divided by court. They cover the three levels of federal courts including some of the specialty courts like the admiralty, tax and bankruptcy courts. The text of each set includes not only sample forms, but expert commentary to guide the legal practitioner through the proper use of these resources. One nice feature is that the index for these sets includes a table that allows you to look up a rule and find where corresponding forms will be located within the publication. For example if you are dealing with Fed. R. Civ. P. 30 and you want the court to allow your party to conduct an oral deposition by telephone what should you do? No problem, West's Federal Forms has a form [under Rule 30(b)(7)] "Motion that Oral Deposition be Taken by Telephone." So the next time a judge says "counselor please file a 10(b)(12) motion" rather than admit ignorance, turn to one of these great sources for examples of exactly what the judge is asking of you.

Although not technically a form book, no essay on the federal rules would be complete without mention of Wright & Miller's Federal Practice & Procedure (West Publishing). This "bible" of the federal rules has been guiding lawyers through the intricacies of the federal rules for years. It provides comprehensive treatment of all aspects of federal civil, criminal and appellate procedure, the rules of evidence, venue, removal of cases, res judicata, the relation between state and federal courts, multidistrict litigation, and more. Wright & Miller is so widely known that in 2004 alone it was cited over 700 times in published federal court opinions.

As we close out this four part series on formbooks I would just like to reiterate a few points. 1) It is not cheating to use these resources to find valuable help, and save time and money for you and your clients, 2) You should always modify the forms so that they match the facts and legal requirements of your particular client's situation., 3) There are formbooks that cover state, federal, topical, and general legal matters, 4) The Chase Law Library collects many of these resources, so please feel free to drop by and use them, and finally as always, 5) Happy drafting ?