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Aviation Law: Cases And Materials



Synopsis

This new casebook, the most comprehensive ever written about the subject, is sure to be a hit with both students and instructors. Unlike previous works, which have treated aviation law as a narrow and technical specialty, this text is driven by a broad and unique vision. Through the use of contemporary cases, extensive notes, intriguing problems, and frequent references to popular culture, it is the first to make clear just how large a role aviation plays in everyday life and explain why all lawyers can profit from having at least a passing familiarity with the field. The text—fresh and crisply written—is organized into six chapters that can be taught as sequenced or in an instructor’s preferred order. After an introductory chapter that explains the principles of flight, identifies the sources of aviation law, and reflects on the ethical challenges faced by aviation practitioners, the book proceeds to look at the legal issues surrounding aircraft, airmen (pilots, mechanics, flight attendants), airlines (both passenger and cargo), and airports. Inside the book users will find 112 principal readings, 168 notes, 25 problems, and 30 appendices. The principal readings are drawn from a rich variety of sources, including cases, law review and bar journal articles, newspaper reports, and legislative and executive pronouncements. The notes both expand on the principal readings and provide commentary on additional issues and subjects. The problems, one for each section, allow students to quickly determine if they have successfully mastered the materials they have just read. And the appendices reproduce the most important air treaties—from Paris (1919) and Warsaw (1929) to Montreal (1999) and Cape Town (2001)—thereby further increasing the book’s utility and flexibility (while obviating the need for students to purchase and carry with them a separate statutory supplement). A particularly distinguishing feature of the book is its focus on the social history of aviation. Thus, sprinkled liberally throughout the notes are references to the men and women who have become part of aviation lore, including the Wright Brothers, Charles Lindbergh, Amelia Earhart, Howard Hughes, Chuck Yeager, D.B. Cooper, and Jessica Dubroff. Also covered are notable historical incidents, such as the 1948 Berlin Airlift, the 1960 U-2 spy plane crisis, the 1976 Entebbe Airport raid, and the 1983 U.S.S.R. shoot-down of a civilian airliner. As one would expect, special attention is paid to 9/11 and its aftermath—from the renaming of Newark International Airport to the numerous changes that have been made in boarding procedures to the dispute over how to compensate the victims and their families. The notes also draw heavily from popular culture. Thus, students learn not only from treaties, cases, and statutes, but from such varied and fun fare as Erica Jong’s *Fear of Flying*, Donald Trump’s *The Apprentice*, and that TV show "about nothing" (*Seinfeld*). As a result, students are far more likely to come to class prepared, excited, and eager to participate.

Lastly, the Teacher's Manual will help both new and experienced instructors get the most out of the book. In addition to comprehensively analyzing the text, it offers tips for preparing extra credit assignments, leading field trips, tapping guest speakers, and incorporating video clips into class presentations.

Book Information

Hardcover: 976 pages

Publisher: Carolina Academic Press (March 27, 2006)

Language: English

ISBN-10: 1594600309

ISBN-13: 978-1594600302

Product Dimensions: 1.5 x 7 x 10 inches

Shipping Weight: 3.6 pounds (View shipping rates and policies)

Average Customer Review: 4.1 out of 5 stars 6 customer reviews

Best Sellers Rank: #1,522,117 in Books (See Top 100 in Books) #66 in Books > Law > Specialties > Air & Space #7766 in Books > Humor & Entertainment > Pop Culture > General #101781 in Books > Politics & Social Sciences > Social Sciences

Customer Reviews

"All told this is an extremely comprehensive and ambitious project which succeeds in providing the student with readily available materials for a vast assortment of topics in a vast and interesting field. This book - and its accompanying teacher's manual - will surely make the life of any aviation law instructor considerably easier. I highly recommend it." --Transportation Law Journal (Spring 2006)"Aviation Law is an outstanding text reflective of the collective practical experience, knowledge and quality of its authors. The textbook captures the excitement and compassion that most of us share in this profession through its presentation, organization, case law, notes and problems. It is academically stimulating and includes a very helpful and insightful teacher's manual. . . ." --ABA Air & Space Lawyer (Spring 2006)"[T]his is a great book. It includes a seven-page table of contents, a five-page table of cases, 676 pages of text and notes, followed by thirty appendices (259 pages), and a five-page index. A ninety-page Teacher's Manual supplements the case book and provides users with insight into the selection and editing of cases." --Journal of Air Law and Commerce (Fall 2006)"Aviation Law is an outstanding text reflective of the collective practical experience, knowledge and quality of its authors. The textbook captures the excitement and compassion that most of us share in this profession through its presentation, organization, case law, notes and problems. It is

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There are really only two "casebooks" for aviation law in U.S. law schools. This one and "Aviation Law: Cases, Laws, and Related Sources." I have used both of them. In general, I believe the latter is a better all-around introduction but probably not the best for use in the classroom. In short, if you are not a law student but a lawyer that requires thorough introductory materials then I recommend the other book. In this case, I also recommend the treatise: Aviation Tort & Regulatory Law by West Group. If you are a law student or law professor teaching aviation law, then I recommend this book. My reasoning is that this book is best suited for the three month semester class and achieving the objectives of learning the basics of aviation law. For the student who is more interested in aviation law, the notes at the end of each section provide for further information on the related subject matter, such as law review articles, cases, regulations or statutes. That said, I have a couple of problems with this book: First, the introductory chapter is absolutely terrible and essentially useless. To tell the reader about the history of aviation, the authors felt it acceptable to simply copy and paste this information from Wikipedia. I give them credit for having the audacity to not only do this but also to let you know that they did this by citing to it. This is weak. The introduction could have

been used to provide commentary on the various aviation organizations involved, such as the roles of the U.S. Department of Transportation (economic), FAA (safety) and NTSB (investigative). Instead, the introduction's section on "Sources of Aviation Law" is a bundle of cases and articles that don't provide anything coherent or usable. In the least, would it have hurt the authors to copy the table of contents from Title 49 of the U.S. Code or Title 14 of the Code of Federal Regulations to show all the main areas of U.S. aviation law? This would have been an ideal place to also list a lot of aviation legislation (i.e. Airport and Airway Improvement Act, etc.) and conventions (Chicago, Cape Town, etc.). Second, there is an over focus on litigation (or case materials) when it comes to aviation law here. There is a great deal of transactional and regulatory practice involved in aviation law. In fact, there is no reason why a law school course in aviation law couldn't be a completely transactional course. It would have been useful for the authors to provide the text of relevant statutes and regulations. Overall, I recommend this book for the classroom setting - but it would be preferred if the professor incorporates real-world transactional and regulatory issues; otherwise, the professor is depriving the students of really understanding this very interesting area of law. Students who are truly interested in this industry should thoroughly review the notes at the end of each section, reading the recommended materials.

It is as you would expect a text on aviation law would be.

Book arrived, but no instructor manual as advertised.

Everything as expected!

If you enjoy anything in aviation, you will enjoy this helpful book. The cases are great at explaining the laws.

The book was in good condition and shipped promptly but I expected to also receive an instructor's Workbook with the text which did not sent to me.

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