



N.C. Practice Materials

Practice Materials are those resources which focus on aspects of legal practice rather than exploring the law from an academic, historical, or public-policy perspective. These resources come in many forms, and each resource has its own set of features. Although each source is unique, we can make broad generalizations about resources based on several categories. The following categories of publications are not the only types of practice materials available, and they are not formal, exclusive definitions. A resource may contain elements from all three of these categories, or none of them. However, knowing these broad generalizations can be useful in choosing a resource to explore.

Manuals

You've probably run across non-legal manuals in your life, and might think of them as 'how-to' guides for a task or piece of equipment. Legal manuals can be conceived of similarly. These practice-oriented books often contain a combination of legal information and practical, procedural information, arranged in logical order. Manuals often contain forms of various types as well.

Form Books

Not all form books are alike, and they can be used in many different contexts. Form books may contain copies of actual fill-in-the-blank forms used by law enforcement or the court system. They may also contain sample documents—such as wills, contracts, or complaints—with “boilerplate” language that an attorney or law student may use as an aid in drafting their own legal documents. The forms may serve as templates for certain types of legal documents. Law students may find form books useful guides to what these legal documents look like, what sorts of clauses they contain, and what specific legal language or phrasing may be used to invoke a particular legal concept. Attorneys may find formbooks useful as a checklist or as a starting point for drafting documents to fit their clients' needs. Some form books contain analysis as well as forms.

Desk Books

So named because they are meant to be kept close at hand (on a lawyer's desk), these books are designed to function as a comprehensive guide to an area of law, highlighting causes of action and rules of law and construction on legal topics. Many also include forms.

Continuing Legal Education Publications (CLEs)

In order to stay current on the law, attorneys are required to complete a certain number of education credits each year. The publications from those classes are often succinct and practical highlights of special topics in an area of law or changes in the law. These publications are not updated, but can provide a useful view of legal topics aimed at practicing attorneys.

Below you will find resources for North Carolina Practice arranged according to fields of law. NOTE: although some of the publications have older copyright dates, **many of them are updated periodically with supplements or new chapters/pages**—so if an older dated publication looks interesting, check for supplementation (often in a pamphlet in the back of the book).

Forms, General

Barlow, John, et. al., *North Carolina General Practice Form Book*. Winston-Salem, NC: Wake Forest CLE, Annual [[KFN7481 .N673 1999](#)]

This CLE material contains forms for a variety of general practice areas: debt collection, will drafting and probate, workers' compensation, criminal trial practice, commercial real property, residential real property, business associations, divorce, alimony, and family law.

Douglas' Forms, 6th ed. Newark, NJ: LexisNexis, c2005-. [[KFN7468 .D68 2005](#)] (Reserve Room) [[Available electronically via Lexis Advance to UNC Law Students and Faculty](#)]

One of the most commonly used North Carolina form books, Douglas' Forms contains a variety of forms used in Business Transactions; Civil Litigation; Wills, Trusts and Estate Administration; Real Estate; and Domestic Relations and Guardians.

General Statutes of North Carolina Annotated. Charlottesville, VA: LEXIS Law Pub., 1999-. [[KFN7430 1943 .A24](#)]

A selection of forms is available in Volume 19 of the printed statutes, but is not available electronically.

North Carolina General Practice Deskbook. 3rd ed. Cary, NC: North Carolina Bar Association Foundation, c2004. [[KFN7481 .G45 3rd](#)]

This practice oriented deskbook covers many areas of law, including: NC Administrative law, business law, environmental law, immigration, Medicaid, personal injury, domestic practice, federal practice, wills and estates, employment law and real estate. The materials include practical information, such as the elements and components of crimes and legal actions, and guidance on how to proceed through those actions from experienced attorneys. It also includes a number of forms with sample language.

North Carolina Formfinder, [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This database of forms is fully searchable, browse-able by subject, and can be limited to any state jurisdiction.

FastCase Legal Forms and Documents, [[Available electronically via FastCase to UNC Law Students and Faculty](#)]

This resource is also provided to North Carolina Attorneys free of charge through their participation in the North Carolina Bar Association. [[NC Bar Association](#)]

Automobiles

Snyder, James E. Jr., ***North Carolina Automobile Insurance Law***, 3rd ed. Suwanee, GA: Harrison Co., c. 1999. [[KFN7591 .A4 S69 1999](#)]

This annually updated text lays out the NC statutory provisions and relevant case law governing automobile insurance, and covers the insurance contract, liability coverage, coverage for covered vehicles, medical payments, assigned risk, underinsured and uninsured motorists, sanctions, and premiums.

North Carolina Conference of Superior Court Judges. Committee on Pattern Jury Instructions. ***North Carolina Pattern Jury Instructions for Motor Vehicle Negligence***. Raleigh: The Conference, 1973-. [[KFN7942 .A65 N681](#)]

Pattern Jury instructions lay out the elements of crimes and burdens of proof in simple, straightforward model language, and can therefore be an invaluable resource for preparing complaints, defenses, and courtroom arguments.

Business/Corporations

2008 Basics of Business Law. Cary, NC: North Carolina Bar Association Foundation, c2004. [[KFN7613 .A75 B38 2004](#)]

These CLE materials, compiled from a weekend program on business law in North Carolina, covers many of the issues that will face an attorney practicing business law, from choosing a form of association to working with commercial loans and identifying environmental or intellectual property concerns.

Robinson, Russel M., *Robinson on North Carolina Corporation Law*. 7th ed. Newark, NJ: LexisNexis/ Matthew Bender, 2000-. [[KFN7613 .R62 7th](#)] (Reserve Room) [[Available electronically via Lexis Advance to UNC Law Students and Faculty](#)]

This resource combines treatise-like analysis of corporation law in North Carolina --including case law and statutory analysis -- with forms of a variety of corporate legal documents. Forms range from document templates to collections of sample language to be used to invoke particular legal constructs.

Snyder, James E., *North Carolina Corporation Law and Practice Forms*. 3rd ed., Suwanee, GA: Harrison Co., c1999. [[KFN/7613 .A65 569 1999](#)][[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This resource contains a variety of business forms for everything from incorporation to settlements and release agreements. Beyond corporate forms, there are forms for other business entities, including: Limited Liability Companies, Limited Partnerships, Limited Liability Partnerships, Registered Limited Liability Limited Partnerships, Professional Corporations, Professional Limited Liability Companies, General Partnerships and Cooperative Associations.

Johnson, Cyrus M., *North Carolina Limited Liability Company : Forms and Practice Manual*. 3rd ed. Brooklandville, MC : Data Trace Pub., 2001-. [[KFN7607.5 .A65 J64 3d](#)]

This practice manual lays out the statutory provisions (and case law where relevant) which govern limited liability entities in North Carolina. It is organized around the "life cycle" of an organization, from formation and organization through dissolution. It contains numerous forms in the text, giving sample language for corporate documents, and also comes with a CD-ROM of forms.

Civil Practice and Procedure

Luney, Percy R. Jr., *Luney's Burns North Carolina Discovery*. Norcross, GA: Harrison Co., 1992. [[KFN7937 .B85 1992](#)] (Reserve Room)

Designed as a guide for attorneys in their everyday contact with discovery issues, this practice manual addresses general provisions governing discovery before substantially discussing more specific types of discovery, such as depositions. It reference statutory law, rules of procedure, and other relevant primary law to aid in discussion.

Woodlief, Alan D. *Shuford North Carolina Civil Practice and Procedure: with appellate advocacy*. 6th ed. Eagan, MN: Thomson West, c2003. [[KFN7930 .S53 2003](#)] (Reserve Room) [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

Shuford's NC Civil Practice and Procedure contains analysis of major case law developments that impact the NC Rules of Civil Procedure as well as the full text of the rules for civil actions as well as appeals. The analysis also includes comparison of NC rules with Federal rules and current trends in court rulings.

Gray, Wilson G. *North Carolina Civil Procedure*. 3rd ed. Newark, NJ : LexisNexis, 2007. [[KFN7930 .G73 2007](#)] (Reserve Room) [[Available electronically via Lexis Advance to UNC Law Students and Faculty](#)]

Designed as a reference for practicing trial lawyers, this treatise gives an overview of major case law applying and interpreting civil rules of procedure. Some discussion of federal rules and cases is also included where relevant.

North Carolina Conference of Superior Court Judges. Committee on Pattern Jury Instructions. *North Carolina Pattern Jury Instructions for Civil Cases*. Raleigh: The Conference, 1975-. [[KFN7942.6 .A6 N67](#)]

Pattern jury instructions lay out the elements of crimes and burdens of proof in simple, straightforward model language, and can therefore be an invaluable resource for preparing complaints, defenses, and courtroom arguments

Collections

Collection and Enforcement of Judgments. Cary, NC : North Carolina Bar Association Foundation, c. 2011. [[KFN7951 .N67 2011](#)] CLE

This CLE outlines the law from a practical standpoint, giving information on pre- and post-judgment collections and remedies, ethical considerations, and dealing with debtor avoidance. Sample forms, judgments, and other legal documents are included as well as bibliography of applicable statutes and case law.

North Carolina Construction Law Deskbook, Peter J. Marino, ed. Cary, NC: North Carolina Bar Association Foundation, Continuing Legal Education, 2010. [[KFN7675 .N67 2010](#)] CLE

This collection of CLE materials focuses on the various legal aspects of construction, including dispute resolution, employment, environmental issues, insurance and licensing.

Contracts

Form contracts in various areas of law can be found in more general formbooks as well as resources that are written on general contracts. For instance, Douglas' Forms contains a chapter on Business Contracts, Partnerships and Joint Ventures.

Criminal Law and Procedure

Welty, Jeffrey B., *Arrest Warrant and Indictment Forms*. 6th ed. UNC Institute of Government, c2005-. [[KFN7976 .A65 A77 6th](#)]

While Administrative Office of the Courts forms (official NC Court forms) are available online, this resource outlines the charging language for a variety of crimes, brief notes about the language, statutory authority for the language, sample uses of the specific language, and the associated forms for each offense covered.

Joyner, Irving, *Criminal Procedure in North Carolina*. 3rd ed. Newark, NJ: LexisNexis, c2005. [[KFN7975 .J69 2005](#)] (Reserve Room) [[Available electronically via Lexis Advance to UNC Law Students and Faculty](#)]

This manual contains analysis and explanation of criminal rules of procedure, including relevant case law which impacts interpretation or application of those rules. Other material, including practical and ethical considerations, gives attorneys guidance on issues that could impact the trial process.

North Carolina Criminal Law and Procedure. Annual, Charlottesville, VA: Michie Co. [[KFN7961 .N673](#)]

This comprehensive resource lists and explains North Carolina statutes, constitutional provisions, and U.S. Constitutional provisions which affect criminal law and procedure. Editors also note which statutes have been added or amended for the year

Price, Ronald M. *North Carolina Criminal Trial Practice Forms*, 6th ed. Eagan, MN: West, c2011-. [[KFN7975 .A65 P741](#)] (Reserve Room) [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This resource is primarily comprised of forms which can be adapted for many criminal trial situations. Forms are organized according to the chronology of the criminal case, and were either issued by the Administrative Office of the Courts or written by experienced attorneys. Other materials include attorney checklists and a few explanatory notes.

North Carolina Conference of Superior Court Judges. Committee on Pattern Jury Instructions. *North Carolina Pattern Jury Instructions for Criminal Cases*. Raleigh: The Conference, 1973-. [[KFN7983 .A65 N671](#)]

Pattern jury instructions lay out the elements of crimes and burdens of proof in simple, straightforward model language, and can therefore be an invaluable resource for preparing complaints, defenses, and courtroom arguments

Smith, Jessica, *North Carolina Crimes: a Guidebook to the Elements of Crime*. Chapel Hill, NC : UNC School of Government, 2012. [[KFN7961 .N61 2012](#)]

This commonly-used resource lays out the elements of crimes, and provides both the statutory language defining the crime and major case law interpreting the statute

Domestic Relations/ Family Law / Divorce Law

Kelso, Lloyd T., *North Carolina Divorce, Alimony and Child Custody: With Forms*, 4th ed [rev.] St. Paul, MN: West Group, c2003. (Supplement 2007/08) [[KFN7500 .K44 2003](#)]

This two volume practice guide outlines the statutory law and relevant case law governing family law in North Carolina with straightforward explanations. The second volume contains a selection of forms with sample language for complaints and other documents. Forms are accompanied by comments from the author.

Marian F. Dobbs, *Determining Child & Spousal Support*. Eagan, Minn. : West, 2011-2013. [[KF549 .B462](#)] [[Available electronically via WestlawNext to UNC Law Students and Faculty](#)]

Although this resource is not intended solely for North Carolina attorneys, many of the principles discussed in the analysis are applicable in many jurisdictions. It contains forms and worksheets along with completed examples and explanations intended to guide attorneys and consultants in support calculations

Sullivan, Mark E. & Bailey J. Farrin., *Family Law Practice and Procedure*. Raleigh, NC : North Carolina Academy of Trial Lawyers, 2000. [[KFN7494 .A65 S94 2000](#)]

This comprehensive work offers practical pleadings, motions and forms in addition to commentary on a variety of family law practice areas. Topics include divorce and child custody, division of assets, and adoption among others. This manual includes citation to primary law for easy updating.

Kelso, Lloyd T., *North Carolina Family Law Practice*. St. Paul, Minn. : Thomson/West, 2008. [[KFN7500 .K442 2008](#)] [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This resource contains treatise-like analysis of issues in family law arranged by topic, with statutory and case law discussion included.

Saxon, John L., *North Carolina Guardianship Manual*. Chapel Hill, NC : UNC, School of Government, 2008. [[KFN7506 .S39 2008](#)]

Written for attorneys who are appointed to represent adults alleged to be incapacitated, this manual references statutes and other primary law which govern guardianship. It gives an overview of guardianship, and covers topics such as appointment of attorneys, jurisdiction, appointment of guardians, mediation, and appeal of guardianship orders, among others.

After Lawrence: LGBT Legal Issues in North Carolina. Durham, NC : North Carolina Gay and Lesbian Attorneys, 2004. [[KFN7502 .A58 2004](#)] CLE

This CLE packet, compiled from a program on LGBT program in 2004, addresses a variety of legal issues facing LGBT individuals, including issues with various matters of family law.

Mental Health and Disability Law

Turnage, Benjamin M. *North Carolina Civil Commitment Manual*. Chapel Hill, NC: UNC School of Government; Durham, NC: North Carolina Office of Indigent Defense Services, 2011. [[KFN7764.Z9 N49 2011](#)]

This practice manual analyzes North Carolina law as it applies to commitments and admissions to 24 hour facilities and outpatient commitments. The work covers voluntary and involuntary commitment of minors, adults and inmates for reasons ranging from substance abuse issues, being found guilty by reason of insanity, and incompetence. It includes sample forms and motions as well as advice on working with clients.

Personal Injuries

North Carolina Personal Injury Liens Manual. Raleigh, NC : North Carolina Academy of Trial Lawyers; Albany: LexisNexis, 2011. [[KFN7576.L5 N67 2011](#)]

This resource gives a basic overview, as well as the background and mechanics of various types of liens, including

Medicaid/Medicare, ERISA, workers compensation, and estate recovery liens. Forms are included on CD ROM as well as within the text of the resource.

Property

Szypszak, Charles, *North Carolina Guidebook for Registers of Deeds*, 10th ed. UNC School of Government, 2013. [[KFN7493 .C35 2013](#)]

This resource contains administrative information about registers of deeds in North Carolina as well as information about access to and preservation of real property transaction records and other official records such as marriage licenses and birth certificates

Campbell, William A., *Property Tax Lien Foreclosure: Forms and Procedures*, 6th ed. UNC Institute of Government, c2003. [[KFN7871.9 .F6 C35 2003](#)]

A compact volume, this manual contains checklists, forms, and procedures for property tax lien foreclosures.

Commercial Real Estate CPE. Cary, NC: North Carolina Bar Association Foundation, 2010. [[KFN7526 .Z9 C65 2010](#)] CLE

This CLE packet contains a look at real estate attorney malpractice before focusing on legislative updates, title claims, standards and compliance. This CLE contains forms and samples where relevant.

North Carolina Construction Law Deskbook. Peter J. Marino, ed. 5th ed. Cary, NC: North Carolina Bar Association Foundation, Continuing Legal Education, c.2010. [[KFN7675 .N67 2010](#)] CLE.

This collection of CLE materials focuses on the various legal aspects of construction, including dispute resolution, employment, environmental issues, insurance and licensing.

Webster, James A., *Webster's Real Estate Law in North Carolina: Possessory Estates and Present Interests in Real Property*. 6th ed. New Providence, NJ: LexisNexis, c. 2011-. [[KFN7512 .W421 6th](#)] (Reserve Room) [[Available electronically via Lexis Advance to UNC Law Students and Faculty](#)]

This resource contains an analytical overview of the Nature and Classification of Property, Estates and Interests in Real Property, Models of Acquisition and Transfer of Title or Interests in Real Property, Examinations of Titles to Real Property in North Carolina, and Uniform Acts and Related Legislation.

Urban, Edmund T., *North Carolina Real Estate with Forms*. Eagan, MN : West, 2009. [[KFN7526 .U73 2009](#)]

This work offers fairly comprehensive coverage of real estate law and issues in North Carolina, including extensive forms.

Owens, David W., *Land Use Law in North Carolina*. Chapel Hill, NC : UNC School of Government, 2011 [[KFN7858 .O92 2011](#)]

This manual covers the basics of land use law by examining legislation, regulations, judicial and quasi-judicial decisions which impact this topic. This work contains extensive citation to primary sources of law to support its analysis.

Tax

Campbell, William A., *Property Tax Lien Foreclosure: Forms and Procedures*, 6th ed. UNC Institute of Government, c2003. [[KFN7871.9 .F6 C35 2003](#)]

A compact volume, this manual contains checklists, forms, and procedures for property tax lien foreclosures.

North Carolina Tax Reporter: State and Local; All Taxes, All Taxables. Commerce Clearing House, 1951-.

[\[KFN7870 .A6 N67\]](#) (Reference Collection- 4th Floor)

In addition to providing a detailed overview of the revenue-producing taxes of North Carolina, this publication includes a section on tax practice and procedure as a guide to non-substantive aspects of tax law practice.

10th Annual North Carolina/South Carolina Tax Section Workshops. Cary, NC : North Carolina Bar Association Foundation, 2011. [\[KFN7870 .A75 T39 2011\]](#) CLE

Compiled from a multi-day workshop on North and South Carolina tax law, these materials cover myriad topics in tax law, including emerging trends, business law, and ethics in tax law practice.

Trial Practice, General

North Carolina Judicial Department Forms Manual. Raleigh, NC: Administrative Office of the Courts, 1984-. [\[KFN7468 .N677 Rev.\]](#) (Reserve Room) [\[Available electronically via NC Court System\]](#)

Allows users to find official Administrative Office of the Courts forms by form number, category, and for whom the form was written (for example: clerks, attorneys, guardian ad litem, or the public). Forms are available in English, and some are available in Spanish and Vietnamese. These fill-in-the-blank forms are intended to be filed with the clerk of court, and cover many categories, including civil, criminal, estate, juvenile, small claims, administrative and other types of forms.

Thorp, William L., ***Thorp's North Carolina Trial Practice Forms***, 7th ed., Eagan, Minn.: West, c2011. [\[KFN 7930 .A65 T48 2011\]](#) (Reserve Room) [\[Available electronically via Westlaw Next to UNC Law Students and Faculty\]](#)

Thorp's contains commentaries on the NC Rules of Civil Procedure and forms associated with those rules. Forms are primarily sample language, intended as a guide for drafting motions, pleadings, summons, orders, and other court documents. It is intended to be used by attorneys as they practice in court, and contains useful research references for further investigation of some topics.

Blakey, Walker J. ***NC Evidence ... Courtroom Manual.*** Cincinnati : Anderson Pub. Co., 1998-. [\[KFN7940 .B53\]](#) (Reserve Room) [\[Available electronically via Lexis Advance to UNC Law Students and Faculty\]](#)

This resource contains detailed analysis on all North Carolina Rules of Evidence as interpreted by statute and case law. Comparisons with federal rules of evidence, significant recent changes to the rules, and additional authority round out discussion. To illustrate the rules, real-world hypotheticals are included.

North Carolina Manual of Complaints. Sean A. B. Cole, ed. Raleigh, NC : North Carolina Advocates for Justice; Albany, NY: LexisNexis, 2013. [\[KFN7935.A65 N67 2013\]](#)

This manual, written for attorneys by attorneys, contains summary of elements of tort complaints in North Carolina. These sections include practice tips and extensive sample language from which to draw.

Brannon, Joan G. and Jan S. Simmons. ***North Carolina Clerk of Superior Court Procedures Manual.*** Chapel Hill, NC: UNC School of Government, 2003-. [\[KFN7926 .C6 N62\]](#) (Reserve Room).

This practical guide to the North Carolina Courts outlines the procedural steps surrounding criminal and civil actions, as well as other special proceedings. It also includes a detailed overview of the administrative structure of the courts.

Torts

Woodlief, Alan D. ***North Carolina Law of Damages.*** 5th ed. Eagan, MN : Thomson/West, 2004. [\[KFN 7595.H53 2004\]](#) [\[Available electronically via Westlaw Next to UNC Law Students and Faculty\]](#)

This treatise-like guide to damages, or compensation, outlines each of the major types of damages recognized by NC law, including compensatory, nominal, and punitive among others. It examines each type of damage generally before delving deeper into damages for specific subject areas. Analysis is accompanied by references to NC case law and statutory law.

North Carolina Tort Law, 2006. Winston-Salem, NC: Wake Forest University School of Law, 2006. [[KFN7595.L63 2006](#)] CLE

This packet of CLE materials covers topics such as negligence, premises liability, wrongful death, product liability, and right to privacy torts in North Carolina law. It also contains selected forms where appropriate.

Wills, Trusts, and Estates

Atwell, J. Stanley. *Will Drafting and Probate Practice, 2006*. Winston-Salem, NC: Wake Forest CLE, c2006. [[KFN7544.N67 2006](#)] CLE

These CLE materials cover topics such as professional responsibility, special trusts, joint ownership, drafting, planning considerations, and administration in will drafting and probate practice.

Basics of Will and Revocable Trust Drafting. Cary, NC: North Carolina Bar Association Foundation, 2010. [[KFN7544.B372 2010](#)] CLE

This packet of CLE materials is an introduction to issues in will and trust drafting as well as simple estate planning in North Carolina. Entries are organized like commercial law outlines with forms.

Hall, C. Wells, *North Carolina Will and Trust Manual*. 2002 ed. Winston-Salem: Wake Forest University School of Law, c2002. [[KFN7542.A6 W54 2002](#)] (Reserve Room)

This resource is almost entirely comprised of sample wills with form language, with a brief introductory section which comments generally on estate planning in North Carolina and use of forms.

Holding, Graham D. and Reid, Christy Eve. *BB&T Estate Planning Forms Manual*, 2006 rev. Branch Banking and Trust Corp., c2006. [[KFN7540.H64 2006](#)]

This manual contains primarily forms with sample language and brief introductions for context. There are multiple versions for many of the types of will forms included. Types of forms include those for simple wills, for pour-over wills, and for various trusts among others.

McLamb, Janet H. *Edwards' North Carolina Probate Handbook: with Forms*. St. Paul, MN: Thomson/West, 2003-. [[KFN7544.E38](#)] [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This handbook discusses procedural steps in administration of probate estates in North Carolina. Designed as a practical guide, the source contains Administrative Office of the Courts forms and is focused on the practical steps to be taken when administering estates

Huggard, John Parker. *North Carolina Estate Settlement Practice Guide*. Eagan, MN : Thomson Reuters, 2013. [[KFN7547.H84 2013](#)] [[Available electronically via Westlaw Next to UNC Law Students and Faculty](#)]

This guide is similar to a deskbook in that it offers fairly comprehensive coverage of the subject matter. The resource also contains forms, checklist, and practical advice on applying the law and avoiding malpractice.

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