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Redefining the Supreme Court's Role: Theory of Managing the Federal Judicial Process

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Redefining The Supreme Courts Role

Richard Pacelle



Redefining The Supreme Courts Role:

The Supreme Court in a Separation of Powers System Richard Pacelle, 2015-01-09 The U S Supreme Court is not a unitary actor and it does not function in a vacuum It is part of an integrated political system in which its decisions and doctrine must be viewed in a broader context In some areas the Court is the lead policy maker In other areas the Court fills in the gaps of policy created in the legislative and executive branches In either instance the Supreme Court s work is influenced by and in turn influences all three branches of the federal government as well as the interests and opinions of the American people Pacelle analyzes the Court s interaction in the separation of powers system detailing its relationship to the presidency Congress the bureaucracy public opinion interest groups and the vast system of lower courts The niche the Court occupies and the role it plays in American government reflect aspects of both the legal and political models The Court has legal duties and obligations as well as some freedom to exercise its collective political will Too often those studying the Court have examined it in isolation but this book urges scholars and students alike to think more broadly and situate the highest court as the balance wheel in the American system

The Oxford Handbook of Law and Politics Keith E. Whittington, R. Daniel Kelemen, Gregory A. Caldeira, 2010-06-11 The study of law and politics is one of the foundation stones of the discipline of political science and it has been one of the most productive areas of cross fertilization between the various subfields of political science and between political science and other cognate disciplines This Handbook provides a comprehensive survey of the field of law and politics in all its diversity ranging from such traditional subjects as theories of jurisprudence constitutionalism judicial politics and law and society to such re emerging subjects as comparative judicial politics international law and democratization The Oxford Handbook of Law and Politics gathers together leading scholars in the field to assess key literatures shaping the discipline today and to help set the direction of research in the decade ahead

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Department of Justice Manual Wolters Kluwer, 2012-03-23 The new Department of Justice Manual Third Edition takes you inside all the policies and directives outlined in the latest U S Attorneys Manual used universally by the DOJ in civil and criminal prosecutions Along with comprehensive coverage of all the information relied on by today's DOJ attorneys this guide offers you other valuable DOJ publications in the form of Annotations You'll find the Asset Forfeiture Manual the Freedom of Information Act Case List and Merger Guidelines And it's all incorporated in a comprehensive six volume reference You'll discover how to Request immunity for clients using actual terminology from factors that DOJ attorneys must consider Phrase a FOIA request so as to avoid coming within an exempted category of information Draft discovery requests using terminology to avoid triggering an automatic denial by the DOJ Counsel clients on DOJ investigative tactics and their significance using actual DOJ memoranda Develop trial strategies that exploit common problems with certain methods of proof and kinds of evidence offered by the government Propose settlements or plea bargain agreements within the authority of the DOJ attorney handling the case This new Third Edition of Department of Justice Manual has been expanded to eight volumes and the materials have been completely revised to accommodate newly added materials including the text of the Code of Federal Regulations Title 28 and Judicial Administration as relevant to the enforcement of the Federal Sentencing Guidelines by the Department of Justice The Manual for Complex Litigation and The United States Sentencing Commission Guidelines Manual The new edition also

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Rethinking Nordic Courts Laura Ervo, Pia Letto-Vanamo, Anna Nylund, 2021-08-01 This open access book examines whether a distinctly Nordic procedural or court culture exists and what the hallmarks of that culture are Do Nordic courts and court proceedings share a distinct set of ideas and values that in combination constitute the core of a regional legal culture How do Europeanisation privatisation diversification and digitisation influence courts and court proceedings in the Nordic countries The book traces the genesis and formation of Nordic courts and justice systems to provide a richer comprehension of contemporary Nordic legal culture and an understanding of the relationship between legal cultural stability and change In answering these questions the book provides models for conceptualising procedural culture Nordic procedural culture has partly developed organically and is partly also the product of deliberate efforts to maintain a certain level of alignment between the Nordic countries Studying Nordic cooperation enables us to gain a deeper understanding of current regional European and global harmonisation processes within procedural law The influx of supranational European law increased use of alternative dispute resolution and growth in regulation density that produces a conflict between specialisation and coherence have tangible impact on the role of courts in a democratic society the form of court proceedings and court structures This book examines whether and why some trends exert more tangible or perhaps simply more perceptible influence on procedural culture than others

Columbia Law Review ,1916

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