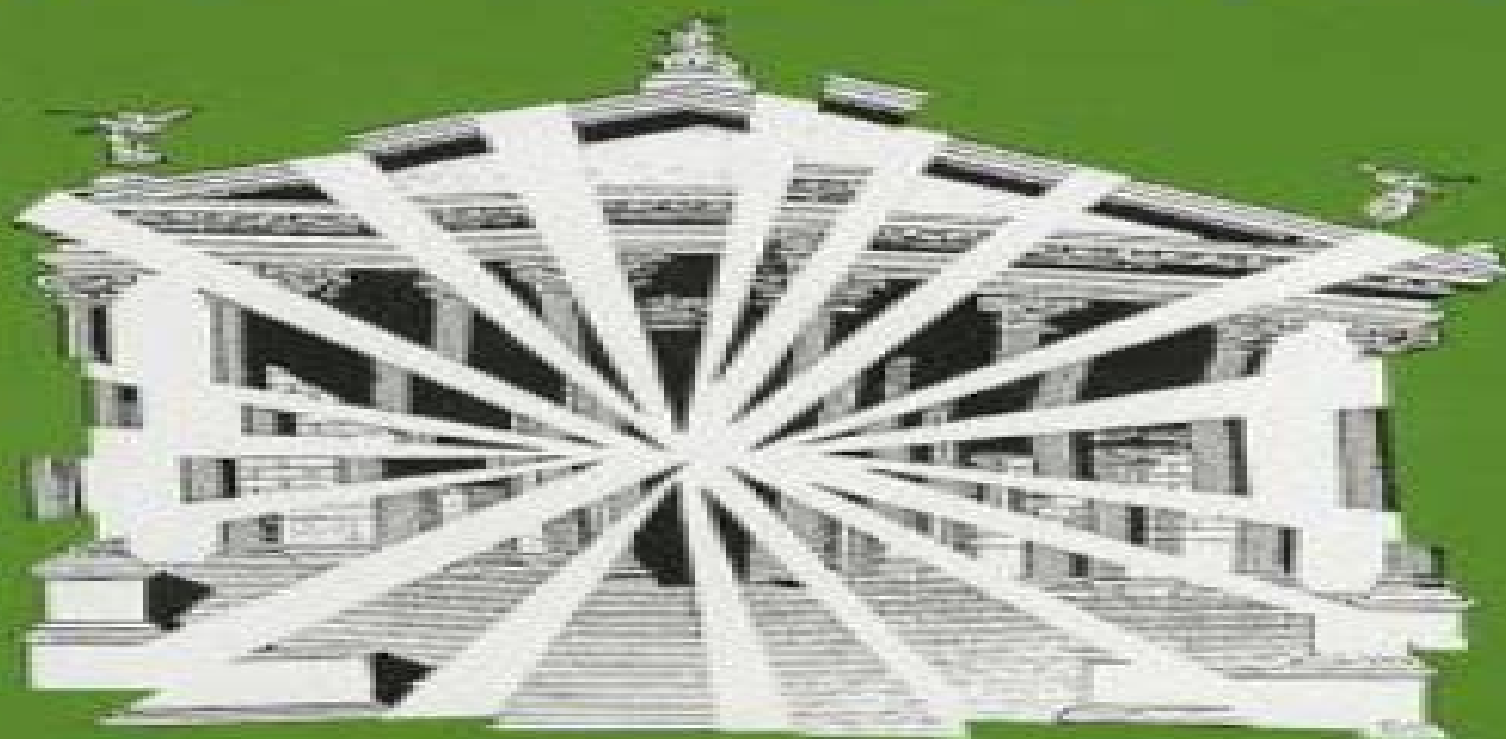


RATIONALIZING

JUSTICE



THE POLITICAL ECONOMY OF
FEDERAL DISTRICT COURTS

WOLF HEYDEBRAND AND CARROLL SERON

Rationalizing Justice The Political Economy Of Federal District Courts

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Fairness**

Rationalizing Justice The Political Economy Of Federal District Courts:

Rationalizing Justice Wolf V. Heydebrand, Carroll Seron, 1990-01-01 This book connects the history and organization of the federal district courts to the emergence of a new technocratic form of justice The centerpiece of this study is the clash between adjudication the traditional model of dispute resolution and the introduction of modern management techniques From the perspective of the federal trial courts the authors examine the tension between adjudication and administration They show dramatic changes in the nature of judicial decision making and the emergence of new forms of court organization These changes signal a potential crisis of the judicial system and Heydebrand and Seron provide insights into its nature and direction and the immense structural forces underlying the administration of justice in America **Rationalizing Justice**

Wolf Heydebrand, Carroll Seron, 1990-09-11 This book connects the history and organization of the federal district courts to the emergence of a new technocratic form of justice The centerpiece of this study is the clash between adjudication the traditional model of dispute resolution and the introduction of modern management techniques From the perspective of the federal trial courts the authors examine the tension between adjudication and administration They show dramatic changes in the nature of judicial decision making and the emergence of new forms of court organization These changes signal a potential crisis of the judicial system and Heydebrand and Seron provide insights into its nature and direction and the immense structural forces underlying the administration of justice in America The Judicial Branch of Federal Government

Charles L. Zelden, 2007-07-12 This volume in ABC CLIO's About Federal Government set looks at the history and daily operations of the federal judiciary from district courts to courts of appeal to the Supreme Court The Judicial Branch of Federal Government People Process and Politics shows how the federal courts act as interpreters of the law definers of rules and shapers of policy covering the judiciary throughout U S history and as it functions today In one concise yet comprehensive resource The Judicial Branch of Federal Government describes the constitutionally ascribed roles and structures of the courts It looks at the men and women who serve on the federal bench who they are and how they are appointed as well as the fascinating relationship of the federal courts with the legislative and executive branches and with the 50 state court systems The State and Federal Courts

Christopher P. Banks, 2017-01-26 How does the American judiciary impact the development of legal and social policies in the United States How are the state and federal court systems constructed This book answers these questions and many others regarding politics the U S courts and society This single volume work provides a comprehensive and contemporary treatment of the historical development of state and federal courts that clearly documents how they have evolved into significant political institutions It addresses vital and highly relevant subjects such as the constitutional origins of courts the nature of judicial selection and service and the organization of courts and their administration The book explains civil and criminal legal proceedings the political impact of judicial rulings and the restraints placed upon the exercise of judicial powers Readers will come away with an understanding of the key principles of

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Wilson,2011-12-06 A comprehensive three volume set that provides detailed background essays short topical entries and primary document excerpts to explain the organization history and functioning of the U S justice system The U S Justice System An Encyclopedia is a one stop resource uniquely structured to include both introductory information as well as more in depth and detailed resources It explains not only how the American civil and criminal justice system affects the parties to a particular case or other legal action but also how the rights benefits and legal protections of our country impact virtually all people in America The set comprises three volumes The first volume provides chapter length essays explaining the organization and functioning of federal state and local government as well as the working of federal and state judiciaries regulatory bodies and penal systems The second volume contains shorter alphabetically arranged entries on hundreds of law related topics including case descriptions and biographies of major figures federal and state court organizational charts legal statistics and other background information The third volume contains original documents statutes and texts of important cases relevant to the functioning of the American justice system Readers will understand the structures concepts and vocabulary of American law and legal institutions and grasp how the U S legal system has evolved to meet the complex changing needs of the nation

Politics and Judgment in Federal District Courts C. K. Rowland,Robert A. Carp,1996 A

major empirical and theoretical work that has the potential for becoming a classic in the field Sheldon Goldman author of The Federal Courts as a Political System This provocative theoretical approach should be of great interest to scholars and students of the federal bench Elliott E Slotnick editor of Judicial Politics

Leadership on the Federal Bench Jeffrey B. Morris,2011-06-13

Leadership on the Federal Bench The Craft and Activism of Jack Weinstein considers the ways a particularly gifted federal judge seized the opportunities available to district judges to influence the results of the cases before him and employed the tools available to him to make policy having a national impact In the book author Jeffrey Morris considers the ways in which the judge Jack Weinstein of the Eastern District of New York has been limited by his position This book adds to the slim literature about the policy making role of district judges applying the work of legal historians political scientists and those trained in the law Focusing upon an admitted judicial activist perhaps the most famous innovative and controversial district judge sitting today the book permits a close look at activism at the trial level Leadership on the Federal Bench The Craft and Activism of Jack Weinstein begins by analyzing the job of a federal district judge and why it is profitable to study Judge Weinstein Related topics include Weinstein s background before appointment to the bench the

political and legal environment within which Weinstein has judged and the characteristics of the district in which he sat and its possible impact on him Part of the book focuses on Weinstein s judicial output for each of his four decades on the bench Cases are drawn from a diverse number of areas among them the areas of civil rights freedom of speech search and seizures organized crime and political corruption cases evidence and procedure Finally conclusions are made on the role of district courts judicial activism in general along with a summary of Judge Weinstein s career

Criminal Justice Theory Edward Maguire, David Duffee, 2015-02-11 Criminal Justice Theory Second Edition is the first and only text edited by U S criminal justice educators on the theoretical foundations of criminal justice not criminological theory This new edition includes entirely new chapters as well as revisions to all others with an eye to accessibility and coherence for upper division undergraduate and beginning graduate students in the field

A Place of Recourse Roberta Sue Alexander, 2005 The first history of a federal district court in a midwestern state A Place of Recourse explains a district court s function and how its mission has evolved The court has grown from an obscure institution adjudicating minor debt and land disputes to one that plays a central role in the political economic and social lives of southern Ohioans In tracing the court s development Alexander explores the central issues confronting the district court judges during each historical era She describes how this court in a non slave state responded to fugitive slave laws and how a court whose jurisdiction included a major coal mining region responded to striking workers and the unionization movement The book also documents judicial responses to Prohibition New Deal legislation crime mass tort litigation and racial desegregation The history of a court is also the history of its judges Accordingly Alexander provides historical insight on current and past judges She details behind the scenes maneuvers in judicial appointments and also the creativity some judges displayed on the bench such as Judge Leavitt who adopted admiralty law to deal with the problems of river traffic A Place of Recourse demonstrates that at least in the Southern District of Ohio the federal district court has played the role its creators hoped it would upholding federal law even when the citizens of the region actively opposed such enforcement

American Criminal Courts Casey Welch, John Randolph Fuller, 2013-02-19 American Criminal Courts Legal Process and Social Context is an introductory level text that offers a comprehensive study of the legal processes that guide criminal courts and the social contexts that introduce variations in the activities of actors inside and outside the court Specifically the text focuses upon Legal Processes U S criminal courts are constrained by several legal processes and organizational structures that determine how the courts operate and how laws are applied This book explores how democratic processes develop the criminal law in the United States the documents that define law federal and state constitutions legal codes administrative policies the organizational structure of courts at the federal and state levels the overlapping authority of the appeals process and the effect of legal processes such as precedent jurisdiction and the underlying legal philosophies of various types of courts Although most texts on criminal courts do a credible job of describing legal processes this text looks more deeply into the origins of criminal law historic turning points in

the criminal law conditions that affect the decision making of criminal justice practitioners and the contentious political process that affects how criminal laws are considered Social Contexts The criminal courts are staffed by people who represent different perspectives occupational pressures and organizational goals The text includes chapters on actors in the traditional courtroom workgroup judges prosecutors and defense attorneys as well as those outside the court who seek to influence it including advocacy groups media and politicians It is the interplay between the court legal processes and the social actors in the courtroom that makes the application of the criminal laws so fascinating By focusing on the tension between the law legal processes and the actors inside and outside the courts system social contexts this text demonstrates how the courts are a product of law in action and it presents the course content in a way that enables students to understand not only the how of the U S criminal court system but also the why

Inside Appellate Courts Jonathan M.

Cohen,2009-12-10 Offers an in depth consideration of how the United States Courts of Appeal operate

Handbook of

Court Administration and Management Steven W. Hays,Cole Blease Graham Jnr.,2017-10-19 Blending both the theoretical and applied aspects of contemporary issues in court management this reference text offers in depth coverage of all major topics and developments in judicial systems administration It is suitable for use in the classroom or for self study Providing the background material to clarify even the most technical management application this book presents the history and theory of the court management movement examines the separation of powers doctrine and its relationship to judicial independence discusses the latest developments in court reform the American Bar Association standards alternative dispute resolution techniques and caseload considerations analyzes unified court budgeting and revenue generation by judicial systems describes personnel administration training and jury management and elucidates court performance evaluation planning approaches the use of cameras in the courtroom and audio visual applications

Conference on Assessing the Effects of Legislation on the Workload of the Courts A. Fletcher Magnum,1998-05 Includes background information on how legislation affects court workload theory caseload in the balance judicial impact statements unpacking the discourse judicial preferences public choice applied the impact of national legislation on State courts observation on impact models on Federal courts

Conference on Assessing the Effects of Legislation on the Workload of the Courts ,1995

Crime, Justice and Social Democracy K. Carrington,M. Ball,E. O'Brien,J. Tauri,2012-10-17 This is a provocative collection of timely reflections on the state of social democracy and its inextricable links to crime and justice Authored by some of the world s leading thinkers from the UK US Canada and Australia the volume provides an understanding of socially sustainable societies

Rise of Judicial Management in the U.S. District Court, Southern District of Texas, 1955-2000 Steven Harmon Wilson,2010-07-01 This is the first book length study of a federal district court to analyze the revolutionary changes in its mission structure policies and procedures over the past four decades As Steven Harmon Wilson chronicles the court s attempts to keep pace with an expanding diversifying caseload he situates those efforts within the social cultural and

political expectations that have prompted the increase in judicial seats from four in 1955 to the current nineteen Federal judges have progressed from being simply referees of legal disputes to managers of expanding courts dockets and staffs says Wilson The Southern District of Texas offers an especially instructive model by which to study this transformation Not only does it contain a varied population of Hispanics African Americans and whites but its jurisdiction includes an international border and some of the busiest seaports in the United States Wilson identifies three areas of judicial management in which the shift has most clearly manifested itself Through docket and case management judges have attempted to rationalize the flow of work through the litigation process Lastly and most controversially judges have sought to bring constitutionally flawed institutions into compliance through structural reform rulings in areas such as housing education employment and voting Wilson draws on sources ranging from judicial biography and oral history interviews to case files published opinions and administrative memoranda Blending legal history with social science this important new study ponders the changing meaning of federal judgeship as it shows how judicial management has both helped and hindered the resolution of legal conflicts and the protection of civil rights *Preliminary Draft Report of the Second Circuit Task Force on Gender, Racial, and Ethnic Fairness in the Courts* United States Second Circuit Task Force on Gender, Racial, and Ethnic Fairness,1997

Verdict Robert E. Litan,2011-09-01 The right to a jury trial is a fundamental feature of the American justice system In recent years however aspects of the civil jury system have increasingly come under attack Many question the ability of lay jurors to decide complex scientific and technical questions that often arise in civil suits Others debate the high and rising costs of litigation the staggering delay in resolving disputes and the quality of justice Federal and state courts crowded with growing numbers of criminal cases complain about handling difficult civil matters As a result the jury trial is effectively being challenged as a means for resolving disputes in America Juries have been reduced in size their selection procedures altered and the unanimity requirement suspended For many this development is viewed as necessary For others it arouses deep concern In this book a distinguished group of scholars attorneys and judges examine the civil jury system and discuss whether certain features should be modified or reformed The book features papers presented at a conference cosponsored by the Brookings Institution and the Litigation Section of the American Bar Association together with an introductory chapter by Robert E Litan While the authors present competing views of the objectives of the civil jury system all agree that the jury still has and will continue to have an important role in the American system of civil justice The book begins with a brief history of the jury system and explains how juries have become increasingly responsible for decisions of great difficulty Contributors then provide an overview of the system s objectives and discuss whether and to what extent actual practice meets those objectives They summarize how juries function and what attitudes lawyers judges litigants former jurors and the public at large hold about the current system The second half of the book is devoted to a wide range of recommendations that w

The Oxford Handbook of Empirical Legal Research Peter Cane,Herbert Kritzer,2012-05-17 The empirical study of law

legal systems and legal institutions is widely viewed as one of the most exciting and important intellectual developments in the modern history of legal research. Motivated by a conviction that legal phenomena can and should be understood not only in normative terms but also as social practices of political economic and ethical significance, empirical legal researchers have used quantitative and qualitative methods to illuminate many aspects of law's meaning, operation and impact. In the 43 chapters of *The Oxford Handbook of Empirical Legal Research*, leading scholars provide accessible and original discussions of the history, aims and methods of empirical research about law, as well as its achievements and potential. The Handbook has three parts. The first deals with the development and institutional context of empirical legal research. The second and largest part consists of critical accounts of empirical research on many aspects of the legal world: on criminal law, civil law, public law, regulatory law and international law; on lawyers, judicial institutions, legal procedures and evidence; and on legal pluralism and the public understanding of law. The third part introduces readers to the methods of empirical research and its place in the law school curriculum.

Does Economic Governance Matter? Mehmet Ugur, David Sunderland, 2011. This book is a welcome addition to the lively field of economic governance. The editors give a thoughtful review of ideas and landmarks in the literature and an organizing framework; the other chapters are a good mixture of theoretical, empirical and case studies. The whole will significantly advance our understanding of institutions and economic performance. Avinash Dixit, Princeton University, US.

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Does Economic Governance Matter? brings together state-of-the-art research and analysis that will appeal to academics and undergraduate and postgraduate students of economics, public policy, network analysis, corporate governance and business law. The book will also appeal to a wide range of practitioners and policymakers in areas such as regulation, competition, international development, corporate law and macroeconomic policy design.

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