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2196 0-300-03723-3

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Redefining the Supreme Court's Role



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Redefining the Supreme Court's Role

SAMUEL ESTREICHER • JOHN SEXTON

Redefining The Supreme Courts Role A Theory Of Managing The Federal Judicial Process

H. W. Perry



Redefining The Supreme Courts Role A Theory Of Managing The Federal Judicial Process:

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criteria for the measurement and assessment of court efficiency Should the courts try to operate efficiently and to what extent is this viable What is the proper relationship between efficiency and justice considerations in a judicial proceeding To answer these questions a conceptual framework is developed on the basis of empirical studies and surveys carried out mainly in the United States Western Europe and Latin America Two basic ideas emerge from it First economic rationality has penetrated the legal and judicial systems at all levels and dimensions from the level of society as a whole to the day to day operation of the courts from the institutional dimension of adjudication to the organizational context of judicial decisions Far from being an alien value in the judicial process efficiency has become an inseparable part of the structure of expectations we place on the legal system Second economic rationality is not the prevalent value in legal decision making as it is subject to all kinds of constraints local conditions and concrete negotiations with other values and interests

The Supreme Court in the Federal Judicial System Stephen L. Wasby, 1988

International Judicial Integration and Fragmentation Philippa Webb, 2013-05-09 Fragmentation is a potential problem in an international legal system that has seen the creation of new courts and tribunals around the world with the chance for different judicial approaches to develop in different courts This book addresses this issue by analysing judicial practice in three areas genocide immunities and the use of force

Deciding to Decide H. W. Perry, 2009-06-01 Of the nearly five thousand cases presented to the Supreme Court each year less than 5 percent are granted review How the Court sets its agenda therefore is perhaps as important as how it decides cases H W Perry Jr takes the first hard look at the internal workings of the Supreme Court illuminating its agenda setting policies procedures and priorities as never before He conveys a wealth of new information in clear prose and integrates insights he gathered in unprecedented interviews with five justices For this unique study Perry also interviewed four U S solicitors general several deputy solicitors general seven judges on the D C Circuit Court of Appeals and sixty four former Supreme Court law clerks The clerks and justices spoke frankly with Perry and his skillful analysis of their responses is the mainspring of this book His engaging report demystifies the Court bringing it vividly to life for general readers as well as political scientists and a wide spectrum of readers throughout the legal profession Perry not only provides previously unpublished information on how the Court operates but also gives us a new way of thinking about the institution Among his contributions is a decision making model that is more convincing and persuasive than the standard model for explaining judicial behavior

Recueil Des Cours, 1998 Academie de Droit International de la Haye, 1999-04-01 The Academy is an institution for the study and teaching of public and private international law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law This volume contains Conf rences prononc es l occasion du soixante quinzi me anniversaire de l Acad mie Addresses

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Proceedings of the American Philosophical Society ,1926 **The Judicial Process** Henry Julian Abraham,1993 Written by one of the nation's most astute observers of the court this classic text examines the theory practice and people behind the judicial process The new seventh edition brings the work completely up to date by examining important developments and structural changes in these three judicial systems up through the end of 1997 including judicial appointments during the Bush and Clinton administrations significant alterations in the structure and organization of the United States British French and other European courts with an emphasis on the ongoing changes in the judiciary of the United Kingdom and the collateral developments on the frontiers of judicial review procedures as well as the judicial role At once comparative expository analytical and evaluative this new edition of *The Judicial Process* illuminates even more vividly the judiciary's political legal and governmental roles examining closely that much debated but little understood line between judicial activism and judicial restraint **Federal Court Practice and Procedure** Thomas E. Baker,1999 **Treatise on Constitutional Law** Ronald D. Rotunda,John E. Nowak,1999 **Bowker's Law Books and Serials in Print** ,1995 *Treatise on Constitutional Law: Chapters 1-8* Ronald D. Rotunda,John E. Nowak,2007 **Index to Volumes I-xlv. 1886-1930** ,1931 A review devoted to the historical statistical and comparative study of politics economics and public law *Encyclopedia of Legal Information Sources* Paul Wasserman,Gary McCann,Patricia Tobin,1988 **The Publishers' Trade List Annual** ,1990

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