

The American Courts: A Critical Assessment

Gates, John B.

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The American Courts A Critical Assessment

Robert J. Hume



The American Courts A Critical Assessment:

The American Courts John Boatner Gates, Charles A. Johnson, 1991 In 18 original commentaries scholars address the seminal issues in American judicial research the nexus between policymaking and judicial decisionmaking the impact of external pressures on the courts the intricacies of judicial recruitment and the forces that drive policy innovation ISBN 0 87187 541 1 pbk 23 95

Judicial Politics Elliot E. Slotnick, 1999 This anthology of more than seventy articles published by the American Judicature Society is distributed by Rowman Littlefield Publishers

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

The Puzzle of Judicial Behavior Lawrence Baum, 2009-10-22 How do we explain judges decisions

Decisions on the U.S. Courts of Appeals Ashlyn Kuersten, Donald Songer, 2014-02-04 This book provides institutional information as well as practical usage information on the U S Courts of Appeals In addition it includes important statistical information for researchers and students interested in a variety of topics less directly related to the judiciary

The Courts of International Trade Isaac Unah, 1998 Focuses on the Court of International Trade to illuminate the important role of specialized courts in critical areas of law

How Courts Impact Federal Administrative Behavior Robert J. Hume, 2009-05-07 What impact do federal courts have on the

administrative agencies of the federal government How do agencies react to the decisions of federal courts This book answers these questions by examining the responses of federal agencies to the U S Courts of Appeals revealing what happens inside agencies after courts rule against them Robert J Hume draws upon dozens of interviews with current and former administrators taking readers behind the scenes of these organizations to reveal their internal procedures their attitudes about courts and their surprising capacity to be influenced by a judge s choice of words This fascinating study will be of interest to students and scholars of politics as well as those seeking great understanding of the intricacies of the US political system

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 constitutional interpretation and judicial review as well as judicial independence what factors affect access to courts the underlying politics of state judicial campaigns and the confirmation of presidential appointments to the federal bench The book covers historical and contemporary court perspectives on major issues such as same sex marriage the Affordable Care Act campaign financing gun rights free speech and religious freedom racial discrimination affirmative action criminal procedure and punishments property rights and voting rights

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*

In Defense of a Political Court Terri Jennings Peretti, 2001-10-29 Can the Supreme Court be free of politics Do we want it to be Normative constitutional theory has long concerned itself with the legitimate scope and limits of judicial review Too often theorists seek to resolve that issue by eliminating politics from constitutional decisionmaking In contrast Terri Peretti argues for an openly political role for the Supreme Court Peretti asserts that politically motivated constitutional decisionmaking is not only inevitable it is legitimate and desirable as well When Supreme Court justices decide in accordance with their ideological values or consider the likely political reaction to the Court s decisions a number of benefits result The Court s performance of political representation and consensus building functions is enhanced and the effectiveness of political checks on the Court is increased Thus political motive in constitutional decision making does not lead to judicial tyranny as many claim but goes far

to prevent it Using pluralist theory Peretti further argues that a political Court possesses instrumental value in American democracy As one of many diverse and redundant political institutions the Court enhances both system stability and the quality of policymaking particularly regarding the breadth of interests represented

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