

The SOUL OF THE LAW

UNDERSTANDING THE CRIMINAL
LAWYER'S ROLE AND THE ETHICS OF
THEIR PRACTICE

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Soul Of The Law Understanding Lawyers And The Law

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Soul Of The Law Understanding Lawyers And The Law:

Beyond Right and Wrong Randall Kiser, 2010-01-07 Let us endeavor to see things as they are and then enquire whether we ought to complain Whether to see life as it is will give us much consolation I know not but the consolation which is drawn from truth if any there be is solid and durable that which may be derived from error must be like its original fallacious and fugitive Samuel Johnson Letter to Bennet Langton 1758 Attorneys and clients make hundreds of decisions in every litigation case From initially deciding which attorney to retain to deciding which witnesses to call at trial from deciding whether to file a complaint to deciding whether to appeal a verdict attorneys and clients make multiple critical decisions about strategies costs arguments valuations evidence and negotiations Once made these decisions are scrutinized by an opponent intent on exploiting the consequences of any mistake In this intense and adversarial arena decision making errors often are transparent irreversible and dispositive wielding the power to bankrupt clients and dissolve law firms Although attorneys and clients may regard sound decision making as incidental to effective lawyering sound decision making actually is the essence of effective lawyering An attorney's knowledge intelligence and experience are inert resources until the attorney decides how to deploy those skills to serve the client's interests Those decisions in turn largely determine a case's course and outcome

Environmental Law and Justice in Context Jonas Ebbesson, Phoebe N. Okowa, 2009-02-19 political science and international relations Book Jacket **Restorative Justice** Theo Gavrielides, 2017-09-19 The legitimacy and performance of the traditional criminal justice system is the subject of intense scrutiny as the world economic crisis continues to put pressure on governments to cut the costs of the criminal justice system This volume brings together the leading work on restorative justice to achieve two objectives to construct a comprehensive and up to date conceptual framework for restorative justice suitable even for newcomers and to challenge the barriers of restorative justice in the hope of taking its theory and practice a step further The selected articles start by answering some fundamental questions about restorative justice regarding its historical and philosophical origins and challenge the concept by bringing into the debate the human rights and equality discourses Also included is material based on empirical testing of restorative justice claims especially those impacting on reoffending rates victim satisfaction and reintegration The volume concludes with a critique of restorative justice as well as with analytical thinking that aims to push its barriers It is hoped that the investigations offered by this volume not only offer hope for a better system for abolitionists and reformists but also new and convincing evidence to persuade the sceptics in the debate over restorative justice **Beyond Rationality** Kenneth R. Hammond, 2007-01-04 With *Beyond Rationality* Kenneth R. Hammond one of the most respected and experienced experts in judgment and decision making sums up his life's work and persuasively argues that decisions should be based on balance and pragmatism rather than rigid ideologies Hammond has long focused on the dichotomy between theories of correspondence whereby arguments correspond with reality and coherence whereby arguments strive to be internally consistent He has persistently proposed a

middle approach that draws from both of these modes of thought and so avoids the blunders of either extreme In this volume Hammond shows how particular ways of thinking that are common in the political process have led to the mistaken judgments that created our current political crisis He illustrates this argument by analyzing penetrating case studies emphasizing the political consequences that arise when decision makers consciously or unconsciously ignore their adversaries particular mode of thought These analyses range from why Kennedy and Khrushchev misunderstood each other to why Colin Powell erred in his judgments over the presence of weapons of mass destruction in Iraq For anyone concerned about the current state of politics in the U S and where it will lead us Beyond Rationality is required reading

Transforming Practices Steven Keeva, 2009 This book examines how lawyers can find deeper meaning in their work practice more compassionately and discover enjoyment in what they do all by developing a greater awareness for their inner lives Filled with inspiring profiles of lawyers who have successfully changed their work habits and who have healed themselves as individuals and within their communities this book makes it clear that the opportunity for change exists for every lawyer in every kind of practice

1001 Legal Words You Need to Know Jay M. Feinman, James Edward Clapp, 2005 1001 Legal Words You Need to Know explains and illuminates the most difficult and arcane vocabulary any American has to deal with that of the law This comprehensive but never condescending guide to the language of the American legal system carefully defines and explains every term with a sample sentence and many entries have supplementary notes In addition the book includes a number of quick miniguides to legal troubleshooting that include information on understanding wills trusts and inheritance granting someone the power of attorney understanding contracts what to do if you're sued how to choose a lawyer exploring law school and enjoying cop and lawyer dramas The backmatter contains an extensive list of legal aid organizations and a helpful bibliography of books about the law and lawyers for further reading

South Dakota Law Review, 1998

Security, With Care Elizabeth M. Elliott, 2020-05-21T00:00:00Z Restorative justice as it exists in Canada and the U S has been co-opted and relegated to the sidelines of the dominant criminal justice system In *Security With Care* Elizabeth M Elliott argues that restorative justice cannot be actualized solely within the criminal justice system If it isn't who we are says Elliott then the policies will never be sustainable Restorative justice must be more than a program within the current system it must be a new paradigm for responding to harm and conflict Facilitating this shift requires a rethinking of the assumptions around punishment and justice placing emphasis instead on values and relationships But if we can achieve this change we have the potential to build a healthier more ethical and more democratic society

The Lawyer's Myth Walter Bennett, 2010-02-15 Lawyers today are in a moral crisis The popular perception of the lawyer both within the legal community and beyond is no longer the Abe Lincoln of American mythology but is often a greedy cynical manipulator of access and power In *The Lawyer's Myth* Walter Bennett goes beyond the caricatures to explore the deeper causes of why lawyers are losing their profession and what it will take to bring it back Bennett draws on his experience as a lawyer judge

and law teacher as well as upon oral histories of lawyers and judges in his exploration of how and why the legal profession has lost its ennobling mythology Effectively using examples from history philosophy psychology mythology and literature Bennett shows that the loss of professionalism is more than merely the emergence of win at all cost strategies and a scramble for personal wealth It is something more profound a loss of professional community and soul Bennett identifies the old heroic myths of American lawyers and shows how they informed the values of professionalism through the middle of the last century He shows why in our more diverse society those myths are inadequate guides for today s lawyers And he also discusses the profession s agony over its trickster image and demonstrates how that archetype is not only a psychological reality but a necessary component of a vibrant professional mythology for lawyers At the heart of Bennett s eloquently written book is a call to reinvigorate the legal professional community To do this lawyers must revive their creative capacities and develop a meaningful professional mythology one based on a deeper understanding of professionalism and a broader more compassionate ideal of justice *ABA Journal* ,1996-03 The ABA Journal serves the legal profession Qualified recipients are lawyers and judges law students law librarians and associate members of the American Bar Association

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