

Supreme Court Policy Making: Explanation and Prediction

Spaeth, Harold J.

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Supreme Court Policy Making Explanation And Prediction

A. Mitchell Polinsky, Steven Shavell



Supreme Court Policy Making Explanation And Prediction:

The Supreme Court and the Attitudinal Model Revisited Jeffrey A. Segal, Harold J. Spaeth, 2002-09-16 This book authored by two leading scholars of the Supreme Court and its policy making systematically presents and validates the use of the attitudinal model to explain and predict Supreme Court decision making In the process it critiques the two major alternative models of Supreme Court decision making and their major variants the legal and rational choice Using the US Supreme Court Data Base the justices private papers and other sources of information the book analyzes the appointment process certiorari the decision on the merits opinion assignments and the formation of opinion coalitions The book will be the definitive presentation of the attitudinal model as well as an authoritative critique of the legal and rational choice models The book thoroughly reflects research done since the 1993 publication of its predecessor as well as decisions and developments in the Supreme Court including the momentous decision of *Bush v Gore* Judicial Review and Judicial Power in the Supreme Court Kermit L. Hall, 2014-07-22 Available as a single volume or as part of the 10 volume set *Supreme Court in American Society* **The Psychology of Judicial Decision Making** David E. Klein, Gregory Mitchell, 2010-02-08 Over the years psychologists have devoted uncountable hours to learning how human beings make judgments and decisions As much progress as scholars have made in explaining what judges do over the past few decades there remains a certain lack of depth to our understanding Even where scholars can make consensual and successful predictions of a judge's behavior they will often disagree sharply about exactly what happens in the judge's mind to generate the predicted result This volume of essays examines the psychological processes that underlie judicial decision making **The Pioneers of Judicial Behavior** Nancy L. Maveety, 2009-11-16 Examines the contributions of the pioneers of research into judicial behavior Handbook of Public Policy Evaluation Stuart S. Nagel, 2002 This handbook deals with many aspects of public policy evaluation including methods examples professionalism studies perspectives concepts substance theory applications dispute resolution interdisciplinary interaction **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

Handbook of Law and Economics A. Mitchell Polinsky, Steven Shavell, 2007-11-07 Law can be viewed as a body of rules and legal sanctions that channel behavior in socially desirable directions for example by encouraging individuals to take proper precautions to prevent accidents or by discouraging competitors from colluding to raise prices The incentives created by the legal system are thus a natural subject of study by economists Moreover given the importance of law to the welfare of societies the economic analysis of law merits prominent treatment as a subdiscipline of economics This two volume Handbook is intended to foster the study of the legal system by economists The two volumes form a comprehensive and accessible survey of the current state of the field Chapters prepared by leading specialists of the area Summarizes received results as well as new developments

Politics and Public Policy Donald C. Baumer, Carl E. Van Horn, 2013-07-09 Getting beyond the traditional policy cycle discussed in most textbooks the fully updated fourth edition of Politics and Public Policy offers a more comprehensive and realistic view of policymaking in the United States one that looks beyond the jockeying between presidents and members of Congress and explores the influence of corporate leaders interest groups bureaucrats judges and journalists The book explores six distinct yet connected policy domains Boardroom Politics decisions by business leaders and professionals Bureaucratic Politics rule making and adjudication by administrators Cloakroom Politics lawmaking by legislators Chief Executive Politics decision making by presidents governors mayors and their advisers Courtroom Politics rulings by judges and Living Room Politics opinions expressed through the mass media grassroots movements political activists and voters The authors unique framework prepares students to evaluate the strategies of various political actors within each domain

The Constrained Court Michael A. Bailey, Forrest Maltzman, 2011-09-11 How do Supreme Court justices decide their cases Do they follow their policy preferences Or are they constrained by the law and by other political actors The Constrained Court combines new theoretical insights and extensive data analysis to show that law and politics together shape the behavior of justices on the Supreme Court Michael Bailey and Forrest Maltzman show how two types of constraints have influenced the decision making of the modern Court First Bailey and Maltzman document that important legal doctrines such as respect for precedents have influenced every justice since 1950 The authors find considerable variation in how these doctrines affect each justice variation due in part to the differing experiences justices have brought to the bench Second Bailey and Maltzman show that justices are constrained by political factors Justices are not isolated from what happens in the legislative and executive branches and instead respond in predictable ways to changes in the preferences of Congress and the president The Constrained Court shatters the myth that justices are unconstrained actors who pursue their personal policy preferences at all costs By showing how law and politics interact in the construction of American law this book sheds new light on the unique role that the Supreme Court plays in the constitutional order

Explaining and Predicting Supreme Court Decision Making Joseph Anthony Ignagni, 1990 The Oxford Handbook

of Political Networks Jennifer Nicoll Victor, Alexander H. Montgomery, Mark Lubell, 2018 Politics is intuitively about relationships but until recently the network perspective has not been a dominant part of the methodological paradigm that political scientists use to study politics This volume is a foundational statement about networks in the study of politics

The American Legal System Albert P. Melone, Allan Karnes, 2008 Firmly anchored in social science concepts the second edition of The American Legal System demonstrates the relationships among private law the business legal environment and public law issues as well as related subjects of interest This fifteen chapter book is divided into three parts Part I places the legal system in a political perspective centering on the origins of the law schools of jurisprudence branches and functions of law legitimacy of law how the judiciary functions in the federal system of government and judicial interpretation and decision making Part II contrasts legal processes civil suits for money damages criminal processes equity justice administrative processes and alternative dispute resolution Part III centers on the legal norms or rules governing both civil and criminal conduct property law family law contract law and government regulation of business Throughout the text features edited court opinions many new to this edition illustrating lively and thought provoking controversies that are certain to spark student interest Among the many compelling issues addressed are the legal and constitutional controversies surrounding the Bush Administration s War on Terror and the socially explosive developments concerning same sex marriage In addition each chapter includes at least three comparative notes showing how other legal cultures in different nation states treat legal matters A wealth of pedagogical features chapter opening objectives key terms names and concepts a glossary discussion questions and appendices are included to aid student comprehension The authors have prepared an Instructor s Manual and Test Bank to facilitate the book s use in the classroom

Judges and Their Audiences Lawrence Baum, 2009-01-10 What motivates judges as decision makers Political scientist Lawrence Baum offers a new perspective on this crucial question a perspective based on judges interest in the approval of audiences important to them The conventional scholarly wisdom holds that judges on higher courts seek only to make good law good policy or both In these theories judges are influenced by other people only in limited ways in consequence of their legal and policy goals In contrast Baum argues that the influence of judges audiences is pervasive This influence derives from judges interest in popularity and respect a motivation central to most people Judges care about the regard of audiences because they like that regard in itself not just as a means to other ends Judges and Their Audiences uses research in social psychology to make the case that audiences shape judges choices in substantial ways Drawing on a broad range of scholarship on judicial decision making and an array of empirical evidence the book then analyzes the potential and actual impact of several audiences including the public other branches of government court colleagues the legal profession and judges social peers Engagingly written this book provides a deeper understanding of key issues concerning judicial behavior on which scholars disagree identifies aspects of judicial behavior that diverge from the assumptions of existing models and shows how those models can be strengthened

Judicial Policy Making Glendon A.

Schubert,1974 Overruled? Jeb Barnes,2004-02-25 Since the mid 1970s Congress has passed hundreds of overrides laws that explicitly seek to reverse or modify judicial interpretations of statutes Whether front page news or not overrides serve potentially vital functions in American policy making Federal statutes and court cases interpreting them often require revision Some are ambiguous some conflict and others are obsolete Under these circumstances overrides promise Congress a means to repair flawed statutes reconcile discordant court decisions and reverse errant judicial interpretations Overrides also allow dissatisfied litigants to revisit issues and raise concerns in Congress that courts have overlooked Of course promising is one thing and delivering is quite another Accordingly this book asks Do overrides in fact effectively clarify the law reverse objectionable judicial statutory interpretations and broaden deliberation on contested issues The answers provide new insights into the complex role of overrides in U S policy making and in the politics of contemporary court Congress relations The Rights of the Accused Kermit Hall,2000 First Published in 2001 Routledge is an imprint of Taylor Francis an informa company **Ibss Poli Sci 29 1980** "International Committee For Social Sciences Documentation",2013-10-15 The International Bibliography of the Social Sciences IBSS is an essential tool for librarians academics and researchers wishing to be kept up to date with the published literature in the social sciences IBSS is compiled in four divisions Anthropology Sociology Economics and Political Science This is Volume XXIX of the International bibliography of political science as of 1980 **Decision-Aiding Software and Legal Decision-Making** Stuart S. Nagel,1989-09-26 The use of microcomputers as decision aids in law practice is increasing rapidly Nagel here shows how developments in software over the last few years are making microcomputers practically indispensable to lawyers as decision aids This is in contrast to his earlier book on Microcomputers as Decision Aids in Law Practice It dealt speculatively with ways in which decision aiding software could be used by lawyers for judicial prediction litigation strategy allocating scarce resources and negotiation mediation The book is divided into three parts covering general developments specific lawyer skills and application to all fields of law The first part previews various uses of decision aiding software by practicing lawyers including a general discussion of the potential and actual benefits of such software How decision aiding software enhances specific lawyer skills comprises the second and largest part of the work Among the topics discussed are computer aided counseling computer aided mediation legal policy evaluation and computer aided advocacy law prediction and legal administration In the third part Nagel assesses applications of decision aiding software to all fields of law with an emphasis on contracts property torts family law criminal law constitutional law economic regulation international law civil procedure and criminal procedure In a provocative concluding chapter he deals with the thorny issues of individual ethics and professional responsibility in the context of microcomputers Because decision aiding software encourages decision makers to be much more explicit about their goals than they otherwise would be its use raises questions as to whose goals should be pursued and to what degree This is a nuts and bolts guidebook that will be a valuable tool for practicing attorneys with some

knowledge of microcomputers and is recommended reading for legal scholars and law students Criminal Justice John R. Fuller, 2013 Criminal Justice Mainstream and Crosscurrents uses a distinctive crosscurrents theme to teach students about the complexities of the criminal justice system and help them think critically about critical issues *Making Law in the United States Courts of Appeals* David E. Klein, 2002-08-08 Publisher Description

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