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The chief justice of the United States Supreme Court describes the history, evolution, operations, and decision-making procedures of the Court, and examines the relationship of the Court to Congress and the President. The Roberts Court, seven years old, sits at the center of a constitutional maelstrom. Through four landmark decisions, Marcia Coyle, one of the most prestigious experts on the Supreme Court, reveals the fault lines in the conservative-dominated Court led by Chief Justice John Roberts Jr. Seven minutes after President Obama put his signature to a landmark national health care insurance program, a lawyer in the office of Florida GOP attorney general Bill McCollum hit a computer key, sparking a legal challenge to the new law that would eventually reach the nation's highest court. Health care is only the most visible and recent front in a battle over the meaning and scope of the U.S. Constitution. The

battleground is the United States Supreme Court, and one of the most skilled, insightful, and trenchant of its observers takes us close up to watch it in action. Marcia Coyle's brilliant inside account of the High Court captures four landmark decisions—concerning health care, money in elections, guns at home, and race in schools. Coyle examines how those cases began—the personalities and conflicts that catapulted them onto the national scene—and how they ultimately exposed the great divides among the justices, such as the originalists versus the pragmatists on guns and the Second Amendment, and corporate speech versus human speech in the controversial Citizens United campaign case. Most dramatically, her analysis shows how dedicated conservative lawyers and groups are strategizing to find cases and crafting them to bring up the judicial road to the Supreme Court with an eye on a receptive conservative majority. The Roberts Court offers a ringside seat at the struggle to lay down the law of the land. In this electrifying bestseller, the shrewd and voluble trial lawyer Louis Nizer, who made a long career of representing famous people in famous cases, recounts some of his significant civil and criminal cases. Nizer rose to national fame with his real-life accounts of tension-filled courtrooms and the fervor of the advocate, and "My Life in Court" proved to be no exception: it rose to the top of the Times's best-seller list on its publication in 1961 and logged 72 weeks as a sales leader. The book is an in-depth collection of some of Mr. Nizer's court case success stories, including his client Quentin Reynolds' famous libel action against the columnist Westbrook Pegler,

which would also become the basis of the 1963 Broadway play "A Case of Libel." Praised by critics as "entertaining and philosophically instructive, an unusual combination," Nizer's movie-like plots of real-life courtroom drama will keep you captivated until the very last page. This book examines whether and how the Office of the Solicitor General influences the United States Supreme Court. Combining archival data with recent innovations in the areas of matching and causal inference, the book finds that the Solicitor General influences every aspect of the Court's decision making process. The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts. When the first Supreme Court convened in 1790, it was so ill-esteemed that its justices frequently resigned in favor of other pursuits. John Rutledge stepped down as Associate Justice to become a state judge in South Carolina; John Jay resigned as Chief Justice to run for Governor of New York; and Alexander Hamilton declined to replace Jay, pursuing a private law practice instead. As

Bernard Schwartz shows in this landmark history, the Supreme Court has indeed travelled a long and interesting journey to its current preeminent place in American life. In A History of the Supreme Court, Schwartz provides the finest, most comprehensive one-volume narrative ever published of our highest court. With impeccable scholarship and a clear, engaging style, he tells the story of the justices and their jurisprudence--and the influence the Court has had on American politics and society. With a keen ability to explain complex legal issues for the nonspecialist, he takes us through both the great and the undistinguished Courts of our nation's history. He provides insight into our foremost justices, such as John Marshall (who established judicial review in Marbury v. Madison, an outstanding display of political calculation as well as fine jurisprudence), Roger Taney (whose legacy has been overshadowed by Dred Scott v. Sanford), Oliver Wendell Holmes, Louis Brandeis, Benjamin Cardozo, and others. He draws on evidence such as personal letters and interviews to show how the court has worked, weaving narrative details into deft discussions of the developments in constitutional law. Schwartz also examines the operations of the court: until 1935, it met in a small room under the Senate--so cramped that the judges had to put on their robes in full view of the spectators. But when the new building was finally opened, one justice called it "almost bombastically pretentious," and another asked, "What are we supposed to do, ride in on nine elephants?" He includes fascinating asides, on the debate in the first Court, for instance, over the use of English-style wigs and gowns (the decision: gowns, no wigs); and on the day

Oliver Wendell Holmes announced his resignation--the same day that Earl Warren, as a California District Attorney, argued his first case before the Court. The author brings the story right up to the present day, offering balanced analyses of the pivotal Warren Court and the Rehnquist Court through 1992 (including, of course, the arrival of Clarence Thomas). In addition, he includes four special chapters on watershed cases: Dred Scott v. Sanford, Lochner v. New York, Brown v. Board of Education, and Roe v. Wade. Schwartz not only analyzes the impact of each of these epoch-making cases, he takes us behind the scenes, drawing on all available evidence to show how the justices debated the cases and how they settled on their opinions. Bernard Schwartz is one of the most highly regarded scholars of the Supreme Court, author of dozens of books on the law, and winner of the American Bar Association's Silver Gavel Award. In this remarkable account, he provides the definitive one-volume account of our nation's highest court. Few institutions in the world are credited with initiating and confounding political change on the scale of the United States Supreme Court. The Court is uniquely positioned to enhance or inhibit political reform, enshrine or dismantle social inequalities, and expand or suppress individual rights. Yet despite claims of victory from judicial activists and complaints of undemocratic lawmaking from the Court's critics, numerous studies of the Court assert that it wields little real power. This book examines the nature of Supreme Court power by identifying conditions under which the Court is successful at altering the behavior of state and private actors. Employing a series of

longitudinal studies that use quantitative measures of behavior outcomes across a wide range of issue areas, it develops and supports a new theory of Supreme Court power. 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. An unprecedented work of civil rights and legal history, Presumed Guilty reveals how the Supreme Court has enabled racist policing and sanctioned law enforcement excesses

through its decisions over the last half-century. Police are nine times more likely to kill African-American men than they are other Americans—in fact, nearly one in every thousand will die at the hands, or under the knee, of an officer. As eminent constitutional scholar Erwin Chemerinsky powerfully argues, this is no accident, but the horrific result of an elaborate body of doctrines that allow the police and, crucially, the courts to presume that suspects—especially people of color—are guilty before being charged. Today in the United States, much attention is focused on the enormous problems of police violence and racism in law enforcement. Too often, though, that attention fails to place the blame where it most belongs, on the courts, and specifically, on the Supreme Court. A "smoking gun" of civil rights research, Presumed Guilty presents a groundbreaking, decades-long history of judicial failure in America, revealing how the Supreme Court has enabled racist practices, including profiling and intimidation, and legitimated gross law enforcement excesses that disproportionately affect people of color. For the greater part of its existence, Chemerinsky shows, deference to and empowerment of the police have been the modi operandi of the Supreme Court. From its conception in the late eighteenth century until the Warren Court in 1953, the Supreme Court rarely ruled against the police, and then only when police conduct was truly shocking. Animating seminal cases and justices from the Court's history, Chemerinsky—who has himself litigated cases dealing with police misconduct for decades—shows how the Court has time and again refused to impose constitutional checks on police, all the while

deliberately gutting remedies Americans might use to challenge police misconduct. Finally, in an unprecedented series of landmark rulings in the mid-1950s and 1960s, the pro-defendant Warren Court imposed significant constitutional limits on policing. Yet as Chemerinsky demonstrates, the Warren Court was but a brief historical aberration, a fleeting liberal era that ultimately concluded with Nixon's presidency and the ascendance of conservative and "originalist" justices, whose rulings—in Terry v. Ohio (1968), City of Los Angeles v. Lyons (1983), and Whren v. United States (1996), among other cases—have sanctioned stop-and-frisks, limited suits to reform police departments, and even abetted the use of lethal chokeholds. Written with a lawyer's knowledge and experience, Presumed Guilty definitively proves that an approach to policing that continues to exalt "Dirty Harry" can be transformed only by a robust court system committed to civil rights. In the tradition of Richard Rothstein's The Color of Law, Presumed Guilty is a necessary intervention into the roiling national debates over racial inequality and reform, creating a history where none was before—and promising to transform our understanding of the systems that enable police brutality. This book contains transcripts of twenty-three live recordings of landmark cases argued before the United States Supreme Court between 1955 and 1993. Offers an analysis of the politics of court reform through a focused review of Indonesia's complex court system. The new 2006 Edition of the American Bar Association's Model Rules of Professional Conduct provides an up-to-date resource for information on lawyer ethics. The

ABA Model Rules serve as models for legal ethics rules of most states and provide guidance on key ethical issues, including lawyer malpractice, disciplinary action, sanctions and more. From an award-winning lawyer-reporter, a radically new explanation for America's failing justice system The stories of grave injustice are all too familiar: the lawyer who sleeps through a trial, the false confessions, the convictions of the innocent. Less visible is the chronic injustice meted out daily by a profoundly defective system. In a sweeping investigation that moves from small-town Georgia to upstate New York, from Chicago to Mississippi, Amy Bach reveals a judicial process so deeply compromised that it constitutes a menace to the people it is designed to serve. Here is the public defender who pleads most of his clients guilty; the judge who sets outrageous bail for negligible crimes; the prosecutor who brings almost no cases to trial; the court that works together to achieve a wrong verdict. Going beyond the usual explanations of bad apples and meager funding, Bach identifies an assembly-line approach that rewards shoddiness and sacrifices defendants to keep the court calendar moving, and she exposes the collusion between judge, prosecutor, and defense that puts the interests of the system above the obligation to the people. It is time, Bach argues, to institute a new method of checks and balances that will make injustice visible—the first and necessary step to any reform. Full of gripping human stories, sharp analyses, and a crusader's sense of urgency, Ordinary Injustice is a major reassessment of the health of the nation's courtrooms. Edgar Award Winner: True stories of miscarriages of justice, legal battles,

and landmark reversals, by the creator of Perry Mason. In 1945, Erle Stanley Gardner, noted attorney and author of the popular Perry Mason mysteries, was contacted by an overwhelmed California public defender who believed his doomed client was innocent. William Marvin Lindley had been convicted of the rape and murder of a young girl along the banks of the Yuba River, and was awaiting execution at San Quentin. After reviewing the case, Gardner agreed to help—it seemed the fate of the "Red-Headed Killer" hinged on the testimony of a colorblind witness. Gardner's intervention sparked the Court of Last Resort. The Innocence Project of its day, this ambitious and ultimately successful undertaking was devoted to investigating, reviewing, and reversing wrongful convictions owing to poor legal representation, prosecutorial abuses, biased police activity, bench corruption, unreliable witnesses, and careless forensic-evidence testimony. The crimes: rape, murder, kidnapping, and manslaughter. The prisoners: underprivileged and vulnerable men wrongly convicted and condemned to life sentences or death row with only one hope—the devotion of Erle Stanley Gardner and the Court of Last Resort. Featuring Gardner's most damning cases of injustice from across the country, The Court of Last Resort won the Edgar Award for Best Fact Crime.
Originating as a monthly column in Argosy magazine, it was produced as a dramatized court TV show for NBC. In October 1948-one year after the creation of the U.S. Air Force as a separate military branch-a B-29 Superfortress crashed on a test run, killing the plane's crew. The plane was constructed with poor materials, and the families of the dead sued the U.S.

government for damages. In the case, the government claimed that releasing information relating to the crash would reveal important state secrets, and refused to hand over the requested documents. Judges at both the U.S. District Court level and Circuit level rejected the government's argument and ruled in favor of the families. However, in 1953, the Supreme Court reversed the lower courts' decisions and ruled that in the realm of national security, the executive branch had a right to withhold information from the public. Judicial deference to the executive on national security matters has increased ever since the issuance of that landmark decision. Today, the government's ability to invoke state secrets privileges goes unquestioned by a largely supine judicial branch. David Rudenstine's The Age of Deference traces the Court's role in the rise of judicial deference to executive power since the end of World War II. He shows how in case after case, going back to the Truman and Eisenhower presidencies, the Court has ceded authority in national security matters to the executive branch. Since 9/11, the executive faces even less oversight. According to Rudenstine, this has had a negative impact both on individual rights and on our ability to check executive authority when necessary. Judges are mindful of the limits of their competence in national security matters; this, combined with their insulation from political accountability, has caused them in matters as important as the nation's security to defer to the executive. Judges are also afraid of being responsible for a decision that puts the nation at risk and the consequences for the judiciary in the wake of such a decision. Nonetheless, The Age of

Deference argues that as important as these considerations are in shaping a judicial disposition, the Supreme Court has leaned too far, too often, and for too long in the direction of abdication. There is a broad spectrum separating judicial abdication, at one end, from judicial usurpation, at the other, and The Age of Deference argues that the rule of law compels the court to re-define its perspective and the legal doctrines central to the Age. Both historically and in the present, the Supreme Court has largely been a failure In this devastating book, Erwin Chemerinsky—"one of the shining lights of legal academia" (The New York Times)—shows how, case by case, for over two centuries, the hallowed Court has been far more likely to uphold government abuses of power than to stop them. Drawing on a wealth of rulings, some famous, others little known, he reviews the Supreme Court's historic failures in key areas, including the refusal to protect minorities, the upholding of gender discrimination, and the neglect of the Constitution in times of crisis, from World War I through 9/11. No one is better suited to make this case than Chemerinsky. He has studied, taught, and practiced constitutional law for thirty years and has argued before the Supreme Court. With passion and eloquence, Chemerinsky advocates reforms that could make the system work better, and he challenges us to think more critically about the nature of the Court and the fallible men and women who sit on it. This book primarily covers legal professional ethics and court etiquette relevant to the duty of a lawyer in the major legal systems of the world. It emphasizes the point that lawyers must not only practice their craft with absolute integrity but

should also be well behaved and civil to each other, the courts and other court users. Lawyers are first and foremost officers of the court; it is their duty to assist the court come to a proper and just determination of the issues in dispute, serving before the court. A lawyer's duty to the court includes candour, honesty, and fairness. Lawyers, especially in an adversarial system, are required to act professionally with scrupulous fairness and integrity and to aid the court in promoting the cause of justice. There is an obligation on a lawyer not to take on a case in circumstances where the lawyer is plainly unqualified for the complexity of the task or has an inadequate knowledge of the area of law concerned. It is the duty of every lawyer to assist the judge by simplification and concentration and not to advance a multitude of ingenious arguments in the hope that one of the many arguments will win the day. Litigants and their lawyers are not entitled to the uncontrolled use of a trial judge's time. Litigants are only entitled to so much of the trial judge's time as is necessary for the proper determination of the relevant issues. Without this assistance from lawyers, the courts are unlikely to succeed in their endeavour to administer justice in a timely and efficient manner. This volume, the black-letter Rules of Professional Conduct are followed by numbered comments that explain each Rule's purpose and provide suggestions for its practical application. As Justice William Brennan observes in his foreword, state courts are in some critical ways more important than federal courts in deciding controversies which affect the lives of ordinary citizens. Yet, outside of technical legal materials, little attention is paid to

their role in shaping the law. Joseph R. Grodin seeks to fill this vacuum. A law professor and former justice of the California Supreme Court, Grodin was removed from the bench in 1986 along with Chief Justice Rose Bird and Justice Cruz Reynoso after a highly publicized campaign that focused on their decisions in death penalty cases. Drawing on his own experience, and in a lively style spiced with anecdotes and aimed at a general audience, Grodin writes about state appellate courts with insights that only a former justice could provide. Grodin begins with a reflection on the perspective of the bench, addressing such questions as how judges view the arguments of lawyers and how appellate courts cope with an ever-increasing caseload. He describes his own elevation up the judicial ladder and points out significant aspects of the landscape along the way. In Part Two he discusses the judicial functions that are more or less distinctive to state courts, using case descriptions to illustrate the history and development of the common law, the significance of state constitutions for the protection of individual liberties, the special problems posed by enactment of laws through the initiative process, and the dilemmas surrounding the administration of the death penalty. In Part Three he confronts a perennial and vastly important question--do judges make law? Grodin argues that in a sense they do, but only within a framework of constraints that make the process quite different from legislative lawmaking. Moreover, the nature of judicial lawmaking varies from context to context, and it has different dimensions in the state systems than in the federal. Finally, Grodin discusses the election process which is

used in most states to decide upon selection or retention of judges. He argues that elections pose a threat to judicial independence, and he considers several alternatives to the current system. This engaging book offers a fascinating look at the courts and will appeal to anyone interested in how judges think about the law. The premier choice for Courts courses for decades, this popular text offers a comprehensive explanation of the courts and the criminal justice system, presented in a streamlined, straightforward manner that appeals to instructors and students alike. Neubauer and Fradella's crisp and clear writing, characterized by the organization of material into brief sections within chapters, ensures that readers gain a firm handle on the material. At the same time, the text's innovative courtroom workhouse model -- which focuses on the interrelationships among the judge, prosecutor, and defense attorney -- brings the courtroom to life. AMERICA'S COURTS AND THE CRIMINAL JUSTICE SYSTEM has long been known for the way it gives students an accurate glimpse of what it is like to work within the American criminal justice system, and the Twelfth Edition is no exception. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version. In this original, far-reaching, and timely book, Justice Stephen Breyer examines the work of the Supreme Court of the United States in an increasingly interconnected world, a world in which all sorts of activity, both public and private—from the conduct of national security policy to the conduct of international trade—obliges the Court to understand and

consider circumstances beyond America's borders. Written with unique authority and perspective, The Court and the World reveals an emergent reality few Americans observe directly but one that affects the life of every one of us. Here is an invaluable understanding for lawyers and non-lawyers alike. A concise legal history of Illinois through the end of the nineteenth century, Prairie Justice covers the region's progression from French to British to early American legal systems, which culminated in a unique body of Illinois law that has influenced other jurisdictions. Written by Roger L. Severns in the 1950s and published in serial form in the 1960s, Prairie Justice is available now for the first time as a book, thanks to the work of editor John A. Lupton, an Illinois and legal historian who also contributed an introduction. Illinois' legal development demonstrates the tension between two completely different European legal systems, between river communities and prairie towns, and between agrarian and urban interests. Severns uses several rulings—including a reconstitution of the Supreme Court in 1824, slavery-related cases, and the impeachment of a Supreme Court justice—to examine political movements in Illinois and their impact on the local judiciary. Through legal decisions, the Illinois judiciary became an independent, co-equal branch of state government. By the mid-nineteenth century, Illinois had established itself as a leading judicial authority, influencing not only the growing western frontier but also the industrialized and farming regions of the country. With a close eye for detail, Severns reviews the status of the legal profession during the 1850s by looking new members of the

Court, the nostalgia of circuit riding, and how a young lawyer named Abraham Lincoln rose to prominence. Illinois has a rich judicial history, but that history has not been adequately documented until now. With the publication of Prairie Justice, those interested in Illinois legal history finally have a book that covers the development of the state's judiciary in its formative years. In this authoritative reckoning with the eighteen-year record of the Rehnquist Court, Georgetown law professor Mark Tushnet reveals how the decisions of nine deeply divided justices have left the future of the Court; and the nation; hanging in the balance. Many have assumed that the chasm on the Court has been between its liberals and its conservatives. In reality, the division was between those in tune with the modern post-Reagan Republican Party and those who, though considered to be in the Court's center, represent an older Republican tradition. As a result, the Court has modestly promoted the agenda of today's economic conservatives, but has regularly defeated the agenda of social issues conservatives; while paving the way for more radically conservative path in the future. "Highly illuminating ... for anyone interested in the Constitution, the Supreme Court, and the American democracy, lawyer and layperson alike." —The Los Angeles Review of Books In his major work, acclaimed historian and judicial authority Melvin Urofsky examines the great dissents throughout the Court's long history. Constitutional dialogue is one of the ways in which we as a people reinvent and reinvigorate our democratic society. The Supreme Court has interpreted the meaning of the Constitution, acknowledged that the Court's majority

opinions have not always been right, and initiated a critical discourse about what a particular decision should mean before fashioning subsequent decisions—largely through the power of dissent. Urofsky shows how the practice grew slowly but steadily, beginning with the infamous and now overturned case of Dred Scott v. Sandford (1857) during which Chief Justice Roger Taney's opinion upheld slavery and ending with the present age of incivility, in which reasoned dialogue seems less and less possible. Dissent on the court and off, Urofsky argues in this major work, has been a crucial ingredient in keeping the Constitution alive and must continue to be so. This book contains a collection of cases decided by the Supreme Court of Hawaii. The cases cover a broad range of legal topics including property law, contracts, criminal law, and constitutional law. The book provides a valuable resource for lawyers, judges, and legal scholars. This work has been selected by scholars as being culturally important, and is part of the knowledge base of civilization as we know it. This work is in the "public domain in the United States of America, and possibly other nations. Within the United States, you may freely copy and distribute this work, as no entity (individual or corporate) has a copyright on the body of the work. Scholars believe, and we concur, that this work is important enough to be preserved, reproduced, and made generally available to the public. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant. Hear ye, hear ye! Get ready to learn all about the most powerful court in the United States. Ever since it was

established in 1789, the United States Supreme Court has had a major impact on the lives of all Americans. Some of its landmark decisions have helped end segregation, protected a person's privacy, and allowed people to marry whomever they love. Best-selling author, former executive editor of The New York Times, and self-confessed political junkie, Jill Abramson has written a detailed and fascinating book that explains how the highest court in the United States works, who gets to serve on it, which cases have had the greatest impact on the country, and why the US justice system is so vital to democracy. With 80 black-and-white illustrations and an engaging 16-page photo insert, readers will be excited to read this addition to this New York Times Best-Selling series. Protecting Court: A Practitioner's Guide to Court Security examines the art of protecting today's courts by using history as its example and common sense as its foundation. As demonstrated far too often in today's news, there are some who will lash out in anger and violence if the scale of justice does not weigh in their favor. The intensity of emotion within the courthouse has placed a spotlight on the court security officer whose role is to ensure that all participants in the courthouse are safe and free from harm. Protecting Court illustrates the importance of courtroom security measures which are too often overlooked until grave tragedies occur. Well paced examples throughout the book depict specific courtroom events to demonstrate applicable concepts and solutions for court security practitioners. For every Sheriff responsible for creating a safe and secure courthouse, 'Protecting Court' is absolutely required reading for practical

court security! -Sheriff Thomas Faust (Ret.), former Executive Director, National Sheriffs' Association Jimmie Barrett has captured the essence of court security, and his book is a must for all judges, bailiffs, court security officers, and court administrators. -Judge Richard W. Carter (Ret.), Arlington, Texas Director of Legal Services, Crime Stoppers USA. Author of: Court Security for Judges, Bailiffs & Other Court Personnel 'Protecting Court' is designed to be used by law enforcement and criminal justice officials addressing the complex issues of providing court security. This book provides a much needed pragmatic guide of best practices in courthouse security strategies. -Sheriff Beth Arthur, Arlington County, Virginia 'Protecting Court' should be the resource every court security professional reaches for before entering their first courtroom. -Lynda S. O'Connell, CAE, Executive Director, Virginia Center for Policing Innovation Revision of author's disseration (doctoral - Brandeis University, 2010), issued under title: The politics of judicial retrenchment. Poor Justice: How the Poor Fare in the Courts provides a vivid portrait and appraisal of how the lives of poor people are disrupted or helped by the judicial system, from the lowest to the highest courts. Drawing from court room observations, court decisions, and other material, this book spans the street level justice of administrative hearings and lower courts (where people plead for welfare benefits or for a child not to be taken away), the mid-level justice of state courts (where advocates argue for the right to shelter for the homeless and for the rights of the mentally disabled), and the high justice of the Supreme Court (where the battle for school

integration has represented a route out of poverty and the stop and frisk cases illustrate a route to greater poverty, through the mass incarceration of people of color). Poor Justice brings readers inside the courts, telling the story through the words and actions of the judges, lawyers, and ordinary people who populate it. It seeks to both edify and criticize. Readers will learn not only how courts work, but also how courts sometimes help - and often fail - the poor. Gives you the scoop on how the Court reaches its decisions Get involved and track a case through the system This fun and easy guide demystifies the federal court system by describing what kinds of cases the justices hear, outlining how cases reach the Supreme Court, clarifying legal terms, and explaining how the Court arrives at its decisions. You'll discover how to get inside the Court yourself and investigate both the key issues and the players involved. The Dummies Way * Explanations in plain English * "Get in, get out" information * Icons and other navigational aids * Tear-out cheat sheet * Top ten lists * A dash of humor and fun "A groundbreaking book . . . revealing the systemic, everyday problems in our courts that must be addressed if justice is truly to be served."—Doris Kearns Goodwin Attorney and journalist Amy Bach spent eight years investigating the widespread courtroom failures that each day upend lives across America. What she found was an assembly-line approach to justice: a system that rewards mediocre advocacy, bypasses due process, and shortchanges both defendants and victims to keep the court calendar moving. Here is the public defender who pleads most of his clients

guilty with scant knowledge about their circumstances; the judge who sets outrageous bail for negligible crimes; the prosecutor who habitually declines to pursue significant cases; the court that works together to achieve a wrongful conviction. Going beyond the usual explanations of bad apples and meager funding, Ordinary Injustice reveals a clubby legal culture of compromise, and shows the tragic consequences that result when communities mistake the rules that lawyers play by for the rule of law. It is time, Bach argues, to institute a new method of checks and balances that will make injustice visible—the first and necessary step to reform. A sitting justice reflects upon the authority of the Supreme CourtÑhow that authority was gained and how measures to restructure the Court could undermine both the Court and the constitutional system of checks and balances that depends on it. A growing chorus of officials and commentators argues that the Supreme Court has become too political. On this view the confirmation process is just an exercise in partisan agenda-setting, and the jurists are no more than Òpoliticians in robesÓÑtheir ostensibly neutral judicial philosophies mere camouflage for conservative or liberal convictions. Stephen Breyer, drawing upon his experience as a Supreme Court justice, sounds a cautionary note. Mindful of the CourtÕs history, he suggests that the judiciaryÕs hard-won authority could be marred by reforms premised on the assumption of ideological bias. Having, as Hamilton observed, Òno influence over either the sword or the purse,Ó the Court earned its authority by making decisions that have, over time, increased the publicÕs trust. If public trust is now in decline, one part of the solution

is to promote better understandings of how the judiciary actually works: how judges adhere to their oaths and how they try to avoid considerations of politics and popularity. Breyer warns that political intervention could itself further erode public trust. Without the publicÕs trust, the Court would no longer be able to act as a check on the other branches of government or as a guarantor of the rule of law, risking serious harm to our constitutional system. Also probed is the part played by the early federal courts in America's neutrality-based foreign policy and in promoting economic enterprise by affording national forums for credit transactions, for corporations, for patent claimants, for those who suffered losses on the sea including maritime labor, and for real property owners and claimants. Political and social control issues, some of historic significance, reached the courts in the mid-Atlantic South. Professor Fish treats the national security impulses that dominated the seditious libel trial of James Callender, the treason trial of Aaron Burr, and the trials of numerous privateers-pirates for violating the nation's piracy and neutrality laws including the first capital case heard by a regularly constituted circuit court. The author explores judges' invocation of higher law, their embrace of a common law of crimes and their perplexity in construing uncertain language in statutes prohibiting the international slave trade. This book shows the significant impact and success that can be accomplished when courts are designed to meet the needs of the community regardless of traditional proceedings. The presentation of this unique approach marks the way for courts and ancillary justice

agencies of all sizes to work together to build community confidence and assure not only quality of life but quality of justice.

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