

# **Empirical Theories About Courts**

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CLASSICS OF LAW & SOCIETY

# Empirical Theories About Courts

**Jicheng Xie**



## **Empirical Theories About Courts:**

Empirical Theories About Courts Keith O. Boyum, Lynn Mather, 2015-11-17 The classic and groundbreaking study of trial courts and other dispute processes and foundational ways to think about researching them is now available in a modern digital edition It is edited by Professors Keith O Boyum and Lynn Mather and includes chapters from the leading theorists about courts and their research Much cited and relevant today in how it frames the analysis of courts this book s new republication features an additional Introduction and Afterword by the editors with updates and a new Foreword by Christina L Boyd As Boyd writes For nearly all civil and criminal cases the traditional model of court as a judge dominated formal adversary process of adjudication does not hold What exists instead is so variable complex and dynamic that a proper study of courts must return to first principles And that is precisely what an all star list of interdisciplinary court scholars many of whom have established storied careers as trial court experts does so well within the chapters of this book She adds I find the text to be very contemporary Empirical Theories About Courts design to focus on theory building rather than simply examining discrete datasets or engaging in data mining of a single set of observations is a key factor in the book s longevity Quality ebook features includes linked Contents and notes fully linked and paginated Index proper formatting and all of the tables and figures of the original properly presented Part of the Classics of Law Society Series from Quid Pro Books

Inside Appellate Courts Jonathan M. Cohen, 2009-12-10 Offers an in depth consideration of how the United States Courts of Appeal operate *Courts Liberalism And Rights* Jason Pierceson, 2005-10-02 In the courts the best chance for achieving a broad set of rights for gays and lesbians lies with judges who view liberalism as grounded in an expansion of rights rather than a constraint of government activity At a time when most gay and lesbian politics focuses only on the issue of gay marriage Courts Liberalism and Rights guides readers through a nuanced discussion of liberalism court rulings on sodomy laws and same sex marriage and the comparative progress gays and lesbians have made via the courts in Canada As debates continue about the ability of courts to affect social change Jason Pierceson argues that this is possible He claims that the greatest opportunity for reform via the judiciary exists when a judiciary with broad interpretive powers encounters a political culture that endorses a form of liberalism based on broadly conceived individual rights not a negative set of rights to be held against the state but a set of rights that recognizes the inherent dignity and worth of every individual **Constitutional**

**Courts in Comparison** Ralf Rogowski, Thomas Gawron, 2016-08-01 Constitutional litigation in general attracts two distinct types of conflict disputes of a highly politicized or culturally controversial nature and requests from citizens claiming a violation of a fundamental constitutional right The side by side comparison between the U S Supreme Court and the German Federal Constitutional Court provides a novel socio legal approach in studying constitutional litigation focusing on conditions of mobilisation decision making and implementation This updated and revised second edition includes a number of new contributions on the political status of the courts in their democratic political cultures *Criminal Justice Theory* Edward

Maguire, David Duffee, 2015-02-11 Criminal Justice Theory Second Edition is the first and only text edited by U S criminal justice educators on the theoretical foundations of criminal justice not criminological theory This new edition includes entirely new chapters as well as revisions to all others with an eye to accessibility and coherence for upper division undergraduate and beginning graduate students in the field      **Routledge Handbook of Judicial Behavior** Robert M. Howard, Kirk A. Randazzo, 2017-10-02 Interest in social science and empirical analyses of law courts and specifically the politics of judges has never been higher or more salient Consequently there is a strong need for theoretical work on the research that focuses on courts judges and the judicial process The Routledge Handbook of Judicial Behavior provides the most up to date examination of scholarship across the entire spectrum of judicial politics and behavior written by a combination of currently prominent scholars and the emergent next generation of researchers Unlike almost all other volumes this Handbook examines judicial behavior from both an American and Comparative perspective Part 1 provides a broad overview of the dominant Theoretical and Methodological perspectives used to examine and understand judicial behavior Part 2 offers an in depth analysis of the various current scholarly areas examining the U S Supreme Court Part 3 moves from the Supreme Court to examining other U S federal and state courts and Part 4 presents a comprehensive overview of Comparative Judicial Politics and Transnational Courts Each author in this volume provides perspectives on the most current methodological and substantive approaches in their respective areas along with suggestions for future research The chapters contained within will generate additional scholarly and public interest by focusing on topics most salient to the academic legal and policy communities      **Conference on Assessing the Effects of Legislation on the Workload of the Courts** A. Fletcher Magnum, 1998-05 Includes background information on how legislation affects court workload theory caseloading in the balance judicial impact statements unpacking the discourse judicial preferences public choice applied the impact of national legislation on State courts observation on impact models on Federal courts      *Strategic Behavior and Policy Choice on the U.S. Supreme Court* Thomas H. Hammond, Chris W. Bonneau, Reginald S. Sheehan, 2005 This book presents the first comprehensive model of policymaking by strategically rational justices who pursue their own policy preferences in the Supreme Court s multi stage decision making process      **The Cult Of The Court** John Brigham, 2010-05-27 A fresh and innovative examination of the U S Supreme Court as the final arbiter of constitutional interpretation      Criminal Courts Aaron Kupchik, 2019-01-15 The social organization of criminal courts is the theme of this collection of articles The volume provides contributions to three levels of social organization in criminal courts 1 the macro level involving external economic political and social forces Joachim J Savelsberg Raymond Michalowski Mary E Vogel John Hagan and Ron Levi 2 the meso level consisting of formal structures informal cultural norms and supporting agencies in an interlocking organizational network Malcolm M Feeley Lawrence Mohr Jo Dixon Jeffrey T Ulmer and John H Kramer and 3 the micro level consisting of interactional orders that emerge from the social discourses and categorizations in multiple

layers of bargaining and negotiation processes Lisa Frohmann Aaron Kupchik Michael McConville and Chester Mirsky Bankole A Cole An editorial introduction ties these levels together relating them to a Weberian sociology of law *Supreme Court Economic Review, Volume 22* Michael S. Greve, Thomas W. Hazlett, Todd J. Zywicki, 2015-06-21 Supreme Court Economic Review is an interdisciplinary journal that seeks to provide a forum for scholarship in law and economics public choice and constitutional political economy Its approach is broad ranging and contributions employ explicit or implicit economic reasoning for the analysis of legal issues with special attention to Supreme Court decisions judicial process and institutional design

The Federal Courts Richard A. Posner, 2009-07-01 The federal courts are the world's most powerful judiciary and a vital element of the American political system In recent decades these courts have experienced unprecedented growth in caseload and personnel Many judges and lawyers believe that a crisis in quantity is imperiling the ability of the federal judiciary to perform its historic function of administering justice fairly and expeditiously In a substantially revised edition of his widely acclaimed 1985 book *The Federal Courts Crisis and Reform* Chief Judge Richard A. Posner of the U S Court of Appeals for the Seventh Circuit provides a comprehensive evaluation of the federal judiciary and a detailed program of judicial reform Drawing on economic and political theory as well as on legal analysis and his own extensive judicial experience Posner sketches the history of the federal courts describes the contemporary institution appraises the concerns that have been expressed with the courts performance and presents a variety of proposals for both short term and fundamental reform In contrast to some of the direr prophecies of observers of the federal courts Posner emphasizes the success of these courts in adapting to steep caseload growth with minimum sacrifice in quality Although the book ranges over a variety of traditional topics in federal jurisdiction the focus is steady on federal judicial administration conceived of as an interdisciplinary approach emphasizing system rather than doctrine statistics rather than impressions and caseload rather than cases Like the earlier edition this book promises to be a landmark in the empirical study of judicial administration

**A Constructive Critique of Religion** Mia Lövhelm, Mikael Stenmark, 2020-02-06 Why do some strategies for critique of religion seem to be more beneficial for constructive engagement whereas others increase intolerance polarization and conflict Through an analysis of the reasons underpinning a critique of religion in institutional contexts of secular democratic societies *A Constructive Critique of Religion* explores how constructive interaction and critique can be developed across diverse interests It shows how social and cultural conditions shaping these institutions enable and structure a critical and constructive engagement across diverging worldviews A key argument running through the book is that to develop constructive forms of critique a more thorough and systematic investigation of resources for criticism located within religious worldviews themselves is needed Chapters also address how critique of Islam and Christianity in particular is expressed in areas such as academia the law politics media education and parenting with a focus on Northern Europe and North America The interdisciplinary approach which combines theoretical perspectives with empirical case studies

contributes to advancing studies of the complex and contentious character of religion in contemporary society

**Handbook of Court Administration and Management** Steven W. Hays, Cole Blease Graham Jr., 2017-10-19 Blending both the theoretical and applied aspects of contemporary issues in court management this reference text offers in depth coverage of all major topics and developments in judicial systems administration It is suitable for use in the classroom or for self study Providing the background material to clarify even the most technical management application this book presents the history and theory of the court management movement examines the separation of powers doctrine and its relationship to judicial independence discusses the latest developments in court reform the American Bar Association standards alternative dispute resolution techniques and caseload considerations analyzes unified court budgeting and revenue generation by judicial systems describes personnel administration training and jury management and elucidates court performance evaluation planning approaches the use of cameras in the courtroom and audio visual applications *Annual Report of the National Institute of Law Enforcement and Criminal Justice* National Institute of Law Enforcement and Criminal Justice, 1973

**Conference on Assessing the Effects of Legislation on the Workload of the Courts**, 1995 **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 **The Supreme Court's Role in Mass Incarceration** William T. Pizzi, 2020-09-17 The Supreme Court's Role in Mass Incarceration illuminates the role of the United States Supreme Court's criminal procedure revolution as a contributing factor to the rise in U S incarceration rates Noting that the increase in mass incarceration began climbing just after the Warren Court years and continued to climb for the next four decades despite the substantial decline in the crime rate the author posits that part of the explanation is the Court's failure to understand that a trial system with robust rights for defendants is not a strong trial system unless it is also reliable and efficient There have been many explanations offered for the sudden and steep escalation in the U S incarceration rate such as it was the war on drugs to it was our harsh sentencing statutes Those explanations have

been shown to be inadequate This book contends that we have overlooked a more powerful force in the rise of our incarceration rate the long line of Supreme Court decisions starting in the Warren Court era that made the criminal justice system so complicated and expensive that it no longer serves to protect defendants For the vast majority of defendants their constitutional rights are irrelevant as they are forced to accept plea bargains or face the prospect of a comparatively harsh sentence if convicted The prospect of a trial once an important restraint on prosecutors in charging has disappeared and plea bargaining rules This book is essential reading for both graduate and undergraduate students in corrections and criminal justice courses as well as judges attorneys and others working in the criminal justice system      Equality and Non-discrimination in South Africa Shadrack Gutto,2001 This study explores and critiques law and law making in the nascent constitutional democracy in the new South Africa with a focus on the complex roles of the executive parliament political parties the media and civil society The capacity and potential in the judiciary and the legal profession in promoting and protecting values and rights of equality and non discrimination is examined Substantive equality and non discrimination law in theory and in practice is considered critically from a broad historical and social context that highlights areas of race gender disability harassment and hate speech socio economic rights and legal services International human rights law and comparative law aspects are skillfully interwoven in this pioneering scholarly work      *The Open Court* Paul Carus,1899 vols 46 47 have special title New Orient Society monograph

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