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Judging On A Collegial Court Judging On A Collegial Court

**Lee Epstein, William M Landes, Richard
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The Elevator Effect Morgan L. W. Hazelton, Rachael K. Hinkle, Michael J. Nelson, 2023 Notes bibliogr bibliogr p 251 271 index

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Asian Courts in Context Jiunn-rong Yeh, Wen-Chen Chang, 2014-12-11 The rise of Asia in global political and economic developments has been facilitated in part by a profound transformation of Asian courts This book provides the most up to date and comprehensive analysis of these courts explaining how their structures differ from courts in the West and how they have been shaped by the current challenges facing Asia Contributors from across the continent analyze fourteen selected Asian jurisdictions representing varying degrees of development Japan Korea Taiwan India Indonesia Mongolia the Philippines Hong Kong Singapore Bangladesh Malaysia Thailand China and Vietnam Setting the courts of each region in the context of their country s

economic political and social dynamics this book shows how and why Asian courts have undergone such profound transformations in recent years and predicts the future trajectories of tradition transition and globalization to suggest the challenges and developments that lie ahead

Nomination of Ruth Bader Ginsburg, to be Associate Judge of the Supreme Court of the United States United States. Congress. Senate. Committee on the Judiciary, 1994

High Courts in Global Perspective Nuno Garoupa, Rebecca D. Gill, Lydia B. Tiede, 2021-08-27 High courts around the world hold a revered place in the legal hierarchy These courts are the presumed impartial final arbiters as individuals institutions and nations resolve their legal differences But they also buttress and mitigate the influence of other political actors protect minority rights and set directions for policy The comparative empirical analysis offered in this volume highlights important differences between constitutional courts but also clarifies the unity of procedure process and practice in the world s highest judicial institutions High Courts in Global Perspective pulls back the curtain on the interlocutors of court systems internationally This book creates a framework for a comparative analysis that weaves together a collective narrative on high court behavior and the scholarship needed for a deeper understanding of cross national contexts From the U S federal courts to the constitutional courts of Africa from the high courts in Latin America to the Court of Justice of the European Union high courts perform different functions in different societies and the contributors take us through particularities of regulation and legislative review as well as considering the legitimacy of the court to serve as an honest broker in times of political transition Unique in its focus and groundbreaking in its access this comparative study will help scholars better understand the roles that constitutional courts and judges play in deciding some of the most divisive issues facing societies across the globe From Africa to Europe to Australia and continents and nations in between we get an insider s look into the construction and workings of the world s courts while also receiving an object lesson on best practices in comparative quantitative scholarship today Contributors Aylin Aydin Cakir Yeditepe University Turkey Tanya Bagashka University of Houston Clifford Carrubba Emory University Amanda Driscoll Florida State University Joshua Fischman University of Virginia Joshua Fjelstul Washington University in St Louis Tom Ginsburg University of Chicago Melinda Gann Hall Michigan State University Chris Hanretty University of London Lori Hausegger Boise State University Diana Kapiszewski Georgetown University Lewis A Kornhauser New York University Dominique H Lewis Texas A M University Chien Chih Lin Academia Sinica Taiwan Sunita Parikh Washington University in St Louis Russell Smyth Monash University Australia Christopher Zorn Pennsylvania State University Constitutionalism and Democracy

Decoupling Ethan Michelson, 2022-03-31 Michelson s analysis of almost 150 000 divorce trials reveals routine and egregious violations of China s own laws upholding the freedom of divorce gender equality and the protection of women s physical security Using big data computational techniques to scrutinize cases covering 2009 2016 from all 252 basic level courts in two Chinese provinces Henan and Zhejiang Michelson reveals that women have borne the brunt of a dramatic intensification since the mid 2000s of a decades long practice of denying divorce

requests This book takes the reader upstream to the institutional sources of China's clampdown on divorce and downstream to its devastating and highly gendered human toll showing how judges in an overburdened court system clear their oppressive dockets at the expense of women's lawful rights and interests This book is a must read for anyone interested in Chinese courts judicial decision making family law gender violence and the limits and possibilities of the globalization of law This title is also available as Open Access on Cambridge Core

Judges and Legislators Robert A. Katzmann, 2010-12-01

The Judiciary and Congress not only do not communicate on their most basic concerns they do not know how they may properly do so writes Frank M Coffin a federal appeals court judge and former representative in *Judges and Legislators* The condition is that of a chronic debilitating fever Though the Senate lavishes its attention from time to time on particular judicial nominees Congress remains largely oblivious of the wellbeing of the federal judiciary as an institution And the judiciary seems often unaware of the critical nuances of the legislative process This state of affairs has had an adverse effect not only on relations between the two branches but also on public policy more generally Some forty five people including a Supreme Court justice federal and state court judges legislators and legislative staffers scholars and members of the private bar gathered for a series of discussion to identify fundamental issues affecting judicial congressional relations The articles published in this volume are an outgrowth of those discussions

Commitment and Cooperation on High Courts Benjamin

Alarie, Andrew James Green, 2017 Commitment and cooperation on high courts How do judges decide Planting the seed choosing high court judges Who hears the particular appeal Do judges care about others Slipping through the screen how do courts choose the cases they hear The influence of the parties on judges accuracy or affiliation Norms leadership and consensus

Judicial Vetoes Lydia Tiede, 2022-08-04 This innovative study demonstrates how mixed judicial selection

operates to influence judges and courts decisions Written in non technical language it will be useful to scholars students and those interested in judicial behavior and politics

Towering Judges Rehan Abeyratne, Iddo Porat, 2021-03-25 This first of

its kind volume surveys twenty constitutional judges who towered over their peers exploring their complexities and flaws

The Behavior of Federal Judges

Lee Epstein, William M Landes, Richard A Posner, 2013-01-07 Federal judges are not just robots or politicians in robes yet their behavior is not well understood even among themselves Using statistical methods a political scientist an economist and a judge construct a unified theory of judicial decision making to dispel the mystery of how decisions from district courts to the Supreme Court are made

What Makes Law Liam Murphy, 2014-06-16 This book

offers an advanced introduction to central questions in legal philosophy What factors determine the content of the law in force What makes a normative system a legal system How does law beyond the state differ from domestic law What kind of moral force does law have The most important existing views are introduced but the aim is not to survey the existing literature Rather this book introduces the subject by stepping back from the fray to sketch the big picture to show just what is at stake in these old debates Legal philosophy has become somewhat arid and inward looking In part this is because the

disagreement between the main camps on the important questions is apparently intractable The main aim of the book is to suggest both a diagnosis and a proper practical response to this situation of intractable disagreement about questions that do matter **Improving the Administration of Justice** United States. Congress. Senate. Committee on the Judiciary.

Subcommittee on Administrative Oversight and the Courts,2004 Beyond the Formalist-Realist Divide Brian Z.

Tamanaha,2009-10-26 According to conventional wisdom in American legal culture the 1870s to 1920s was the age of legal formalism when judges believed that the law was autonomous and logically ordered and that they mechanically deduced right answers in cases In the 1920s and 1930s the story continues the legal realists discredited this view by demonstrating that the law is marked by gaps and contradictions arguing that judges construct legal justifications to support desired outcomes This often repeated historical account is virtually taken for granted today and continues to shape understandings about judging In this groundbreaking book esteemed legal theorist Brian Tamanaha thoroughly debunks the formalist realist divide Drawing from extensive research into the writings of judges and scholars Tamanaha shows how over the past century and a half jurists have regularly expressed a balanced view of judging that acknowledges the limitations of law and of judges yet recognizes that judges can and do render rule bound decisions He reveals how the story about the formalist age was an invention of politically motivated critics of the courts and how it has led to significant misunderstandings about legal realism Beyond the Formalist Realist Divide traces how this false tale has distorted studies of judging by political scientists and debates among legal theorists Recovering a balanced realism about judging this book fundamentally rewrites legal history and offers a fresh perspective for theorists judges and practitioners of law Collegiality in the European Commission

Maria Patrin,2024-01-07 Maria Patrin s Collegiality in the European Commission offers a critically needed examination of collegiality the core legal principle governing the Commission s internal decision making process The novel study combines theory and empirical practice to advance an innovative framework for assessing the Commission s institutional role and power **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

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