

Judicial process - law, courts, and politics in the United States

Harcourt Brace College Publishers - Constitutional law



Description: -

- Law and politics.

Judicial process -- United States.

Courts -- United States.

Procedure (Law) -- United States.Judicial process - law, courts, and politics in the United States

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Outlines and Highlights for Judicial Process : Law, Courts, and Politics in the United States by David W. Neubauer, ISBN by Cram101 Textbook Reviews Staff (2014, Trade Paperback, New Edition) for sale online

Karlen, Delmar 1963 Appellate Courts in the United States and England. When the Supreme Court hears a case, the parties are required to file written briefs and the Court may hear oral argument. Courts on behalf of the Federal Judiciary.

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The Constitution does not stipulate the number of Supreme Court Justices; the number is set instead by Congress.

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Equality before the law is such an essential part of the American system of government that, when a majority, whether acting intentionally or unintentionally, infringes upon the rights of a minority, the Court may see fit to hear both sides of the controversy in court. The direction of reform, therefore, has been toward making tenure long, but at the same time providing for retirement or removal under the proper conditions and by a simple and effective procedure. Professor Meinhold's current research focuses on college students' use of attorneys, their plans to attend law school, and their attitudes about the legal system.

Judicial Process: Law, Courts, and Politics in the United States

American Political Science Review 53:777—791. What Marshall claimed was that courts, in carrying out their age-old task of assisting in the peaceful settlement of disputes by applying previously established general rules to particular situations, were free to do even more than reshape

through imaginative statutory interpretation.

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Tanenhaus, Joseph 1956 The Supreme Court and. A much more likely area of reform is the court structure of any given state, where there frequently is great complexity and disorganization. At the trial of James Kirkland Batson for burglary and receipt of stolen goods, the prosecutor used his peremptory challenges to remove all four African Americans from the jury pool.

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After a totalitarian system has been established the rules produced by the judiciary are not likely to conflict with those coming from the legislature. But there are conflicting precedents and an infinite variety of factual situations to which the uncertain precedents can apply. On the other side conservatives not surprisingly used the orthodox explanations of the judicial process to defend the restrictive judicial rulings, to urge judicial control of legislative and administrative agencies, and to stress the desirability of judicial checks on popularly elected and politically accountable decision makers.

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But only judges are compelled to provide detailed, formally stated, and—at the appellate level—frequently written justifications of why they decided as they did.

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