

EVOLUTION
of the
JUDICIAL
OPINION

INSTITUTIONAL AND INDIVIDUAL STYLES



WILLIAM D. POPKIN

Evolution Of The Judicial Opinion Institutional And Individual Styles

Victor M. Corman



Evolution Of The Judicial Opinion Institutional And Individual Styles:

Evolution of the Judicial Opinion William D. Popkin, 2007-10 Publisher Description **Judicial Writing** Chinua Asuzu, 2016-05-04 To validate their institutional continuance as a branch of government writes Chinua Asuzu judges must make sound decisions They must also articulate and express those decisions efficiently and comprehensibly This book shows how This book will help judges arbitrators and other decision writers master the art and science of judicial writing A most welcome guide **Judicial Writing A Benchmark for the Bench** sets a high yet attainable standard of excellence for writing judicial decisions It will no doubt become the reference point for judging judges and their judgments Chinua Asuzu is that uncommon lawyer who wrote *The Uncommon Law of Learned Writing* His other works include *Anatomy of a Brief* and *Fair Hearing in Nigeria* A versatile arbitrator Asuzu served as an administrative law judge at the Tax Appeal Tribunal in Nigeria from 2010 to 2016 He is now the Senior Partner of Assizes Lawfirm a team of tax lawyers **Judicial Reputation** Nuno Garoupa, Tom Ginsburg, 2015-11-20 Judges are society's elders and experts our masters and mediators We depend on them to dispense justice with integrity deliberation and efficiency Yet judges as Alexander Hamilton famously noted lack the power of the purse or the sword They must rely almost entirely on their reputations to secure compliance with their decisions obtain resources and maintain their political influence In *Judicial Reputation* Nuno Garoupa and Tom Ginsburg explain how reputation is not only an essential quality of the judiciary as a whole but also of individual judges Perceptions of judicial systems around the world range from widespread admiration to utter contempt and as judges participate within these institutions some earn respect while others are scorned *Judicial Reputation* explores how judges respond to the reputational incentives provided by the different audiences they interact with lawyers politicians the media and the public itself and how institutional structures mediate these interactions The judicial structure is best understood not through the lens of legal culture or tradition but through the economics of information and reputation Transcending those conventional lenses Garoupa and Ginsburg employ their long standing research on the latter to examine the fascinating effects that governmental interactions multicourt systems extrajudicial work and the international rule of law movement have had on the reputations of judges in this era *Creating the Law* Michael K. Romano, Todd A. Curry, 2019-08-30 Written opinions are the primary means by which judges communicate with external actors These sentiments include the parties to the case itself but also more broadly journalists public officials lawyers other judges and increasingly the mass public In *Creating the Law* Michael K. Romano and Todd A. Curry examine the extent to which judges tailor their language in order to avoid retribution during their retention and how institutional variations involving intra chamber dynamics may influence the written word of a legal opinion Using an extensive dataset that includes the text of all death penalty and education decisions issued by state supreme courts from 1995-2010 Romano and Curry are the first to examine the connection between retention incentives and language choices They utilize text analysis techniques developed in the field of communications and apply them to the text of judicial

decisions In doing so they find that judges write with their audience in mind and emphasize duelling strategies of justification and persuasion in order to please diverse audiences that may be paying attention Furthermore the process of drafting a majority opinion is a team exercise and when more individuals are involved in its crafting the product will reflect this complexity This book gives students the tools for understanding how institutional variation affects judicial outcomes and shows how language relates to decision making in the judiciary more specifically

The High Court, the Constitution and Australian Politics Rosalind Dixon, George Williams, 2015-02-16 This book is an important contribution to the fields of law politics and to comparative constitutional law more generally

Symposium ,2008

Current Publications in Legal and Related Fields ,2008

All Judges Are Political—Except When They Are Not Keith Bybee, 2010-08-24 Comparing law to the American practice of common courtesy this book explains how our courts not only survive under conditions of suspected hypocrisy but actually depend on these conditions to function

Choice ,2009

Michigan Law Review ,2014

Annals of the American Academy of Political and Social Science ,1942

Organizing for Total War American Academy of Political and Social Science, 1942

Victoria University of Wellington Law Review ,2002

The Future of the European Judicial System in a Comparative Perspective Patricia Stöbener, Julia Mall, Ingolf Pernice, Juliane Kokott, Cheryl Saunders, 2006

The future of the European judicial system and the constitutional role of the European courts were the topics of the 6th Colloquium of the European Constitutional Law Network ECLN which took place in Berlin in November 2005 It was jointly organized by the ECLN and the International Association of Constitutional Law IACL This book reflects the topics of the colloquium where judges from the European Courts and the highest national courts and experts on European and Constitutional Law from all over the world exchanged experiences and developed concepts for future EU judicial architecture Subjects like the composition of the courts election procedures for the judges and their relationship to the ordinary judiciary are compared and the role of the ECJ in the European Judicial System is discussed

Corporate Governance in Context Klaus J. Hopt, 2005 Significant increases in regulatory competition have sharpened the comparative awareness of advantages of different national models of political economy governance and regulation The most important change in this regard is a shift in governance from state to the market The transition from corporatist governance to market governance poses a daunting challenge to regulators and academics This book addresses these challenges in a comparative and interdisciplinary perspective including the world's three leading economies and their legal systems the EU the U S and Japan

The American Monthly Review of Reviews ,1904

The Magazine of Christian Literature ,1892

American Monthly Review of Reviews Albert Shaw, 1904

The Congregationalist and Christian World ,1904

Rehnquist Justice Earl M. Maltz, 2003 With seven of its justices appointed by Republican presidents today's Supreme Court has significantly altered America's legal landscape since 1986 by tilting constitutional jurisprudence to the right That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism economic rights and affirmative

action However liberal issues such as abortion have moved only marginally to the right while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left In this collection of original articles prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed Reflecting views across the political spectrum the contributors help readers understand the Court dynamic its constrained conservatism and the forces that shape constitutional law in general As these authors show the overall pattern of decision making in the Rehnquist era cannot be attributed to any single unified approach to constitutional analysis Instead today s Court can only be understood as the product of a complex interaction among individual justices each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench From the staunch conservatism of Clarence Thomas to the accommodationism of Sandra Day O Connor to the liberal constitutionalism of David Souter the essays analyze the unique approach of each justice to interpreting the Constitution They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one which favors experienced often unknown jurists over high profile public servants By concentrating attention on its members Rehnquist Justice allows us to better understand the Supreme Court as a whole And by assessing today s judiciary in light of a public philosophy that looks askance at government it shows us that the Supreme Court has truly become a mirror of its times

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