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Employees from Sexual Harassment and a Hostile Work Environment / Gross, Fredric J. -- 9. Doe v. Poritz and Megan's Law (1995): The Subtle Art of Judicial Deference to the Legislature / Chen, Ronald K. -- 10. New Jersey's School Funding Litigation, Robinson v. Cahill and Abbott v. Burke (2011): The Epitome of the State Supreme Court as an Independent, Progressive Voice in Guaranteeing Constitutional Rights / Tractenberg, Paul L. -- Conclusion: New Jersey's 1947 Constitution and the Creation of a Modern State Supreme Court / Wefing, John B. -- Notes on Contributors -- Index

Sommario/riassunto

Since 1947 a modernized New Jersey Supreme Court has played an important and controversial role in the state, nation, and world. Its decisions in cutting-edge cases have confronted society's toughest issues, reflecting changing social attitudes, modern life's complexities, and new technologies. Paul Tractenberg has selected ten of the court's landmark decisions between 1960 and 2011 to illustrate its extensive involvement in major public issues, and to assess its impact. Each case chapter is authored by a distinguished academic or professional expert, several of whom were deeply involved in the cases' litigation, enabling them to provide special insights. An overview chapter provides context for the court's distinctive activity. Many of the cases are so widely known that they have become part of the national conversation about law and policy. In the Karen Ann Quinlan decision, the court determined the right of privacy extends to refusing life-sustaining treatment. The Baby M case reined in surrogate parenting and focused on the child's best interests. In the Mount Laurel decision, the court sought to increase affordable housing for low- and moderate-income residents throughout the state. The Megan's Law case upheld legal regulation of sex offender community notification. A series of decisions known as Abbott/Robinson required the state to fund poor urban school districts at least on par with suburban districts. Other less well known cases still have great public importance. Henningsen v. Bloomfield Motors reshaped product liability and tort law to protect consumers injured by defective cars; State v. Hunt shielded privacy rights from unwarranted searches beyond federal standards; Lehmann v. Toys 'R' Us protected employees from sexual harassment and a hostile work environment; Right to Choose v. Byrne expanded state constitutional abortion rights beyond the federal constitution; and Marini v. Ireland protected low-income tenants against removal from their homes. For some observers, the New Jersey Supreme Court represents the worst of judicial activism; others laud it for being, in its words, "the designated last-resort guarantor of the Constitution's command." For Tractenberg, the court's activism means it tends to find for the less powerful over the more powerful and for the public good against private interests, an approach he applauds.
