1. Record Nr. UNINA9910808031403321 Autore Posner Richard A Titolo The federal courts: challenge and reform / / Richard A. Posner Pubbl/distr/stampa Cambridge, MA,: Harvard University Press, 1996 **ISBN** 0-674-04224-7 Edizione [2nd ed.] Descrizione fisica xvi, 413 p 347.732 Disciplina Soggetti Courts - United States Judicial process - United States Judges - United States Court congestion and delay - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Bibliographic Level Mode of Issuance: Monograph Note generali Nota di bibliografia Includes bibliographical references and index. Frontmatter -- Contents -- Figures -- Tables -- Preface -- I The Nota di contenuto Institution -- 1 The Organization of the Federal Courts -- 2 The Jurisdiction of the Federal Courts -- II The Challenge -- 3 The Growth of the Caseload -- 4 Why the Caseload Has Grown So -- 5 Consequences: The System Expands. . . -- 6 ... And Is Streamlined -- III Incremental Reform -- 7 Palliatives -- 8 Specialized Courts -- IV Fundamental Reform -- 9 The Role of Federal Courts in a Federal System -- 10 Federal Judicial Self-Restraint -- 11 The Federal Judicial Craft -- Appendix: Supplementary Tables -- Index The federal courts are the world's most powerful judiciary and a vital Sommario/riassunto 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.