1. Record Nr. UNINA9910811356903321 Autore Klein David E. <1970-> Titolo Making law in the United States Courts of Appeals / / David E. Klein Cambridge, UK;; New York,: Cambridge University Press, 2002 Pubbl/distr/stampa **ISBN** 1-107-12509-X 1-280-41947-4 0-511-17735-6 0-511-02098-8 0-511-15832-7 0-511-30495-1 0-511-61370-9 0-511-04498-4 Edizione [1st ed.] Descrizione fisica 1 online resource (x, 180 pages): digital, PDF file(s) Disciplina 347.73/24 Soggetti Appellate courts - United States Judicial process - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Title from publisher's bibliographic system (viewed on 05 Oct 2015). Note generali Nota di bibliografia Includes bibliographical references (p. 171-178) and index. Nota di contenuto Cover; Half-title; Title; Copyright; Contents; Tables; Acknowledgments; 1 Law Making in a Hierarchical Judicial System; 2 Theory and Hypotheses: 3 The Cases: 4 Influences on Circui Judges Responses: Case Evidence: 5 Influences on Circuit Judges Responses: Interview Evidence; 6 Anticipating the Supreme Court; 7 Implications and Future Directions; Appendix A Rules and Cases; Appendix B Interview Questions: References: Index Sommario/riassunto The book, first published in 2002, examines circuit court decision making on issues not clearly covered by existing precedents. Its central questions are to what extent circuit judges' choices to adopt legal rules are influenced by the actions of other circuit judges and whether judges attempt to decide legal issues as they think the Supreme Court would in their place. Evidence comes from quantitative analyses of several hundred cases and from interviews with two dozen circuit court judges. The evidence indicates that judges give attention to the work of

colleagues on their own court and other circuits and that the actions, prestige, and expertise of these colleagues are important. On the other hand, while Supreme Court precedents factor heavily in the circuit judges' decisions, expectations as to how the Supreme Court might decide appear to have little effect on their actions. These findings suggest that legal and policy goals influence judges' decision-making.