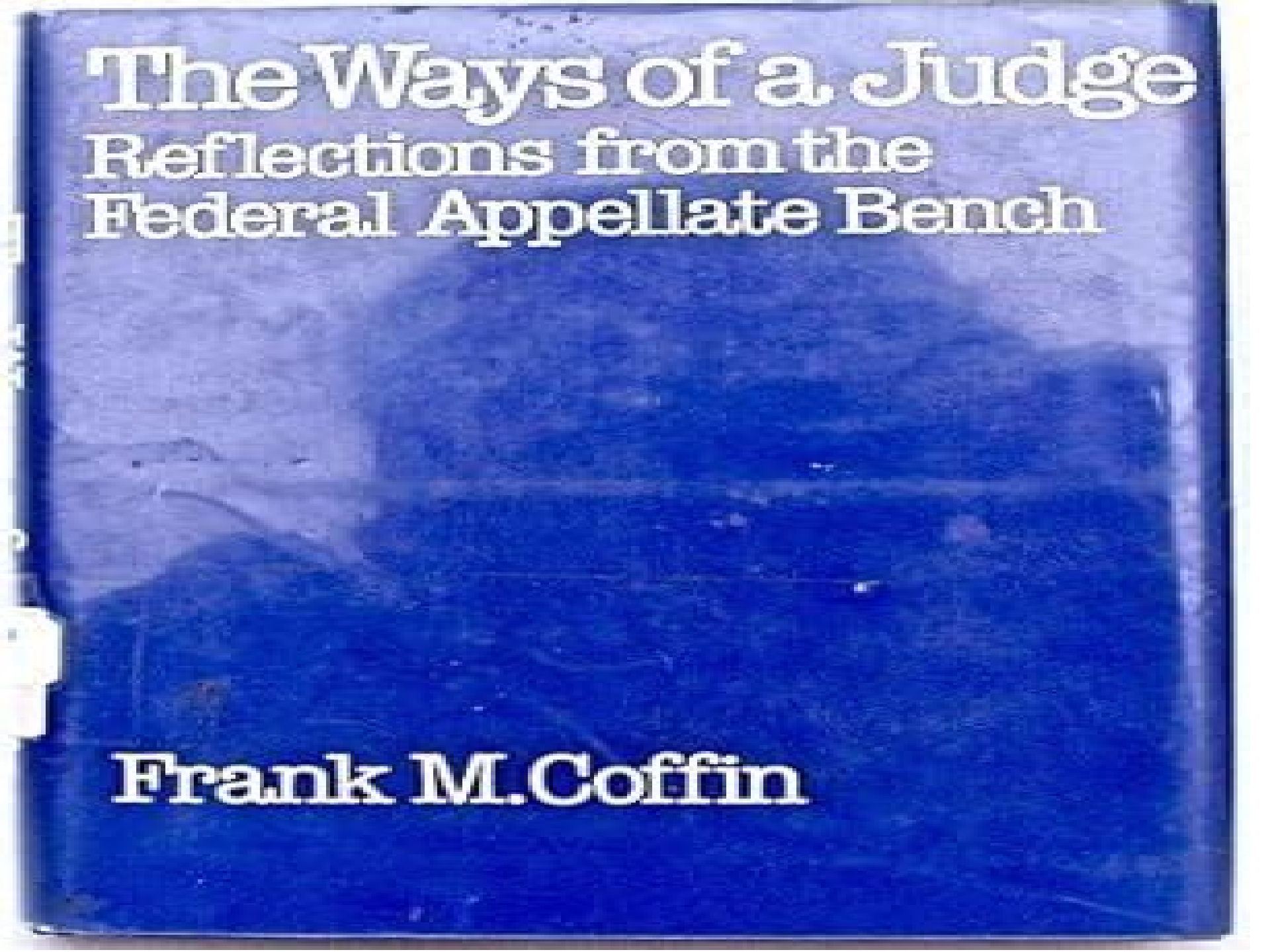


The Ways of a Judge

Reflections from the
Federal Appellate Bench



Frank M. Coffin

The Ways Of A Judge Reflections From The Federal Appellate Bench

Richard A. Posner



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distinguished and experienced appellate court judge Posner offers in this new book a unique and to orthodox legal thinkers a startling perspective on how judges and justices decide cases **John Paul Stevens** Bill Barnhart,Gene Schlickman,2010-04-21 During Justice Sonya Sotomayor s 2009 confirmation hearings the idea of biography played a high profile role in the debate How much does a person s experience affect his or her judicial opinions Should personal history be a key consideration when determining qualifications to sit on the highest court in the land In this impeccably researched book journalist Bill Barnhart and retired lawyer and former legislator Gene Schlickman paint a detailed portrait of Justice John Paul Stevens remarkable life and tenure on the Court Through vivid family history and a careful look at his work on the

bench Barnhart and Schlickman offer the first biography of the second longest serving Supreme Court justice of the modern era one who has proudly earned the title of the Court's most prolific dissenter To provide a nuanced and multifaceted look at the justice Barnhart and Schlickman interviewed Stevens and an extraordinary number of Stevens friends and family members former clerks current colleagues politicians and court watchers They spoke with such public figures as former President Gerald Ford former Ford chief of staff Donald Rumsfeld and Justice Ruth Bader Ginsburg Interviews with Stevens children and one of his brothers provide personal insights into the man behind the robe Tales of his childhood of growing up in an affluent family in Chicago's Hyde Park neighborhood and of the family business including The Stevens Hotel now the Chicago Hilton and Towers create a rich portrait of the independent man and judge Intimate anecdotes from Stevens former law clerks reveal the lighter side of some of the most serious work in the country Barnhart and Schlickman also give careful consideration to Stevens career They trace his early years as a Chicago lawyer his appointment to the federal appeals bench in Chicago and his ultimate nomination to the Supreme Court by Republican President Ford They examine his best known opinions including his emotional dissents in *Texas v Johnson* and *Bush v Gore* They trace his growth as a mold of Court decisions In an era of an increasingly politicized judiciary the story of Stevens life as a lawyer who joined the bench with no political or ideological baggage is an urgent reminder of the importance of judicial impartiality and the need to cultivate it This vibrant biography will be of interest to those fascinated by the inner workings of the Supreme Court as well as those who simply want to learn more about one of Chicago's favorite sons Great American Judges John R. Vile, 2003-06-23

Inspiring and instructive biographies of the 100 most influential judges from state and federal courts in one easy to access volume Great American Judges profiles 100 outstanding judges and justices in a full sweep of U S history Chosen by lawyers historians and political scientists these men and women laid the foundation of U S law A complement to Great American Lawyers together these two volumes create a complete picture of our nation's top legal minds from colonial times to today Following an introduction on the role of judges in American history are A Z biographical entries portraying this diverse group from extraordinarily different backgrounds Students and history enthusiasts will appreciate the accomplishments of these role models and the connections between their inspiring lives and their far reaching legal decisions William Rehnquist Oliver Wendell Holmes Jr and 12 other Supreme Court justices are found alongside federal judges like Skelly Wright who ordered school desegregation in 1960 Influential state judges such as Rose Elizabeth Bird California's first woman Supreme Court Chief Justice are also featured **The Third Branch** , 1980 A bulletin of the federal courts *Continuity and Change on the United States Courts of Appeals* Donald R. Songer, Reginald S. Sheehan, Susan B. Haire, 2000 The first comprehensive examination of the shifting role of the Courts of Appeals **In Pursuit of Justice** Joseph R. Grodin, 1989 As Justice William Brennan observes in his foreword state courts are in some critical ways more important than federal courts in deciding controversies which affect the lives of ordinary citizens Yet outside of technical legal materials little attention is paid to their

role in shaping the law Joseph R Grodin seeks to fill this vacuum A law professor and former justice of the California Supreme Court Grodin was removed from the bench in 1986 along with Chief Justice Rose Bird and Justice Cruz Reynoso after a highly publicized campaign that focused on their decisions in death penalty cases Drawing on his own experience and in a lively style spiced with anecdotes and aimed at a general audience Grodin writes about state appellate courts with insights that only a former justice could provide Grodin begins with a reflection on the perspective of the bench addressing such questions as how judges view the arguments of lawyers and how appellate courts cope with an ever increasing caseload He describes his own elevation up the judicial ladder and points out significant aspects of the landscape along the way In Part Two he discusses the judicial functions that are more or less distinctive to state courts using case descriptions to illustrate the history and development of the common law the significance of state constitutions for the protection of individual liberties the special problems posed by enactment of laws through the initiative process and the dilemmas surrounding the administration of the death penalty In Part Three he confronts a perennial and vastly important question do judges make law Grodin argues that in a sense they do but only within a framework of constraints that make the process quite different from legislative lawmaking Moreover the nature of judicial lawmaking varies from context to context and it has different dimensions in the state systems than in the federal Finally Grodin discusses the election process which is used in most states to decide upon selection or retention of judges He argues that elections pose a threat to judicial independence and he considers several alternatives to the current system This engaging book offers a fascinating look at the courts and will appeal to anyone interested in how judges think about the law

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Table of Contents The Ways Of A Judge Reflections From The Federal Appellate Bench

1. Understanding the eBook The Ways Of A Judge Reflections From The Federal Appellate Bench
 - The Rise of Digital Reading The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Advantages of eBooks Over Traditional Books
2. Identifying The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an The Ways Of A Judge Reflections From The Federal Appellate Bench
 - User-Friendly Interface
4. Exploring eBook Recommendations from The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Personalized Recommendations
 - The Ways Of A Judge Reflections From The Federal Appellate Bench User Reviews and Ratings
 - The Ways Of A Judge Reflections From The Federal Appellate Bench and Bestseller Lists
5. Accessing The Ways Of A Judge Reflections From The Federal Appellate Bench Free and Paid eBooks
 - The Ways Of A Judge Reflections From The Federal Appellate Bench Public Domain eBooks
 - The Ways Of A Judge Reflections From The Federal Appellate Bench eBook Subscription Services
 - The Ways Of A Judge Reflections From The Federal Appellate Bench Budget-Friendly Options

6. Navigating The Ways Of A Judge Reflections From The Federal Appellate Bench eBook Formats
 - ePub, PDF, MOBI, and More
 - The Ways Of A Judge Reflections From The Federal Appellate Bench Compatibility with Devices
 - The Ways Of A Judge Reflections From The Federal Appellate Bench Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Highlighting and Note-Taking The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Interactive Elements The Ways Of A Judge Reflections From The Federal Appellate Bench
8. Staying Engaged with The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers The Ways Of A Judge Reflections From The Federal Appellate Bench
9. Balancing eBooks and Physical Books The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection The Ways Of A Judge Reflections From The Federal Appellate Bench
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Setting Reading Goals The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Fact-Checking eBook Content of The Ways Of A Judge Reflections From The Federal Appellate Bench
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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