

LAW, COURTS, AND JUDICIAL PROCESS SECTION

NEWSLETTER

Vol. 1 No. 2

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**DATA AVAILABLE FROM THE INTER-UNIVERSITY CONSORTIUM FOR
POLITICAL AND SOCIAL RESEARCH ON LAW, THE COURTS, AND JUDICIAL PROCESS**

*Christopher A. Innes,
Institute for Social Research*

Computerized data collections on law, the courts, and the judicial process are available to interested researchers for secondary analysis from the Inter-university Consortium for Political and Social Research (ICPSR) based at The University of Michigan's Institute for Social Research. Now in its third decade of operation, the Consortium maintains an extensive archive of computerized data collections on virtually every aspect of social life, both historical and contemporary.

The ICPSR maintains a number of data sets which are of interest to judicial scholars researching judicial behavior. Included are Glendon Schubert's JUDICIAL MIND, REVISITED, and Stuart Nagel's JUDICIAL CHARACTERISTICS AND JUDICIAL DECISION-MAKING STUDY, 1955. Also available are data on Supreme Court certiorari decision-making from S. Sidney Ulmer's SUPREME COURT CERTIORARI STUDY, 1947-1956.

One of its recent projects has been the development, over the last seven years, of the Criminal Justice Archive and Information Network (CJAIN). This project is supported through a co-operative agreement between the ICPSR and the Bureau of Justice Statistics. Through this project, the ICPSR has acquired, processed, and is redistributing over 100 different data collections on crime and the criminal justice system.

Many of these collections are of interest to researchers in the area of courts and judicial processes. These include data on court organization, employment and expenditure case processing, prosecution, and sentencing, as well as a wide variety of other data on crime, corrections, and public attitudes. Included are several federally sponsored collections including the NATIONAL SURVEY OF COURT ORGANIZATION, 1971-1972; EXPENDITURE AND EMPLOYMENT DATA FOR THE CRIMINAL JUSTICE SYSTEM, 1971-1972, which includes information on courts; and the NATIONAL JUSTICE AGENCY LIST, 1980, with basic information on over 10,000 jurisdictions. Other available data cover such issues as plea bargaining, pre-trial release, and case processing. These include data collected by Wayne Kerstetter on Pre-Trial Settlement Conferences, Clarke Stevens' data on Plea Bargaining in Alaska, the data compiled by Herbert Miller, William McDonald, and James Cramer on Plea Bargaining in the United States, and data from Mary Toborg's study of pre-trial release practices in the United States.

Although the focus of the project has been on criminal justice, in recent years its activities have begun to expand into related areas. Examples are the acquisition of data from the Civil Litigation Research Project, 1977-1979, and on Illegal Corporate Behavior compiled by Marshall Clinard and Peter Yeager. A great many relevant attitude surveys are also available through the ICPSR, including some focusing specifically on the courts. These include data collected in 1977 on the PUBLIC IMAGE OF THE COURTS and the 1979 SURVEY OF JUDGES ON THE ROLE OF THE COURTS.

The ICPSR itself is a membership organization made up of over 260 colleges and universities in North America and abroad. Member institutions pay annual dues for participation, and all of the data are available at no charge to any faculty or student at a member institution. An Official Representative on each campus is available to assist in the process of gaining access to any data collection in the holdings. Persons not affiliated with an ICPSR member institution may contact the ICPSR directly to make arrangements to utilize its resources.

To assist those interested in the holdings of the ICPSR, several documents are periodically published and distributed. The GUIDE TO RESOURCES AND SERVICES is an annual publication describing all data collections in the Archive. It is updated quarterly in the ICPSR BULLETIN. For those specifically interested in the activities of CJAIN, a semi-annual Newsletter is available free of charge upon request. Requests for additional information about available data sets should contact Christopher Innes at the address listed below. The ICPSR also seeks new acquisitions in the area of law, courts, and the judicial process. Researchers interested in archiving their data collections or others with suggestions for data the Archive should acquire are invited to contact the ICPSR. For further information please contact Christopher Innes, P.O. Box 1248, Ann Arbor, MI 48106 or call (313) 763-5010.

CONSULTING ON THE U.S. SUPREME COURT

Harold J. Spaeth
Michigan State University

It began as a result of a phone call in 1970 from a Hollywood publicist and statistician who moonlighted by writing a newspaper column, "The Sports Computer." He had read an article of mine published in *Behavioral Science* and wanted to know if I could predict the outcome and how the Justices would vote in forthcoming Supreme Court decisions. If I could, he wanted me to write a column, parallel to his own, that he would distribute as my agent.

Even though postdiction had kept me fully occupied, I entrepreneurially assumed that if nothing is ventured, nothing is gained. I therefore accepted, with the understanding that the column, entitled "The Supreme Court Computer," would be an occasional feature. I did not want to be bound by deadlines not of my own choosing.

As a columnist, I gained neither fame nor fortune, unlike my erstwhile colleague, George Will. George, however, was willing to sunder the umbilical cord, departing the ivory tower in favor of foggy bottom. Not I. Editors beat no path to my or my agent's door. Instead, a reporter might call if a case of interest had come to his editor's attention. Needless to say, whatever the reporter wrote produced no revenue for me.

On the other hand, reports of my predictions now began to appear in the broadcast as well as the print media. The University's public information office also expressed interest. When I mailed off a column, a copy would be sent to a University publicist, who would rewrite the column as a news story and disseminate it a day or two after the column presumably appeared *qua* column.

As a result of this publicity, I began to receive inquiries from attorneys and litigants with cases that were on their way to, or before, the Court. Remuneration, however, did not unfailingly accompany these inquiries. Michigan State University, as a land grant institution, prides itself on public service. Its message, widely and pervasively disseminated, has caused individuals and organizations to believe that tapping faculty brains is part of their birthright. To the extent that faculty in certain units of the University -- most notably the College of Agriculture -- receive 12-month contracts in return for free in-state consulting, the public's perception is warranted. The faculty of the Political Science Department, however, is not so rewarded.

Recompense was further hindered by the reluctance of attorneys to take advice, on

matters they perceived to be within the legal realm, from a non-lawyer. My 1981 graduation from the University of Michigan Law School and admission to the bar six months later alleviated this difficulty, however. Now all that gives my licensed colleagues pause is the fee I quote them.

Such clients who retain my services do so because of my reputation as a predictor of U.S. Supreme Court decisions, rather than because of oral argumentative or brief writing skills. My function is to "psych out" the Court -- to identify the issues, the Justices, and the arguments crucial to the outcome.

I eschew consultation on matters that are not potentially suitable for High Court review, except where friends, neighbors, and colleagues are concerned. For them I will function as a counsellor and perform simple legal tasks. I do not consider these services as part of my consulting, but rather as part of the price one pays for being a nonpracticing lawyer. My compensation is their thanks and, occasionally, a decent bottle of wine or a fifth of bourbon.

The client who retains me is typically the attorney of record rather than a party to the litigation. On average, perhaps one out of three inquiries results in my retention. But months may go by without so much as a nibble. Suffice it to say that fulltime consulting would precipitously drop my standard of living and produce an amount of leisure that would approximate retirement.

The stages of litigation at which clients contact me are the following: 1) after the writ of certiorari or appeal has been granted but before oral argument; 2) after the lower court's decision but before the Supreme court is petitioned for review; 3) after trial court proceedings are completed but before intermediate appellate proceedings have begun. Obviously, stage 3) is preferable to 2) or 1). The more options that are open, the better can the client be served.

Consulting has produced several unusual experiences. In the summer of 1975, a Wall Street brokerage firm approached me concerning the antitrust suit that Telex had brought against IBM. In September 1973 a federal judge in the Northern District of Oklahoma had found IBM guilty of violating the Sherman Act and awarded Telex \$350 million in damages. On appeal, the Tenth Circuit reversed the District Court except for IBM's counterclaim for theft of trade secrets which the District Court had upheld. The \$18.5 million awarded IBM threatened to bankrupt Telex. Telex petitioned for a writ of certiorari.

In my report, distributed to the firm's clients in early August, I concluded that the Court was unlikely to accept the case for review and if it did IBM would prevail. Two months later, three days before the start of the October term, the Justices dismissed Telex' petition at the mutual request of Telex and IBM. 423 U.S. 892. Under the terms of the settlement, Telex withdrew its petition with prejudice and IBM surrendered the \$18.5 million awarded it by the Tenth Circuit. The status quo ante was thereby re-established.

Although dismissals at party's requests are not exactly uncommon (six other cases were so resolved between the end of the 1974 Term and the beginning of the 1975 Term; see 423 U.S. 801), this one engendered speculation that a leak at the Court occasioned it. (See J.C.Goulden, "The Case of the Loose-Lipped Law Clerk," 8 *Juris Doctor* 40 (Oct/Nov 1978); J.C.Goulden, *The Million Dollar Lawyers* (New York: G.P.Putnam's Sons, 1978); A.J. Keefe, "Leaks at the Supreme Court?," 65 *American Bar Association Journal* 494 (March 1979); J.B.Stewart, *The Partners* (New York: Simon and Schuster, 1983).) By contrast, the vice-president of the brokerage firm who had retained me credited my analysis in part as producing the settlement. Also pertinent, he said, was the

mutually beneficial minimax result. Telex escaped bankruptcy and IBM would recoup the slump in the price of its stock. Investors had reportedly suffered a paper loss of \$5.5 billion (sic!) in the 13-month period between the District court's decision and that of the Tenth Circuit. By the time my analysis appeared the price of IBM stock had further declined: from \$246 to \$190.

My only regret is not that I received no public credit for the settlement (assuming that credit was warranted), but rather that I did not have enough business sense (i.e., greed) to recognize the stakes that were involved. If a contingency fee arrangement could somehow have been worked out, a windfall would have been mine.

A year before the Telex-IBM contretemps, I had predicted the result in *Milliken v. Bradley*, 418 U.S. 717, the Detroit cross-district busing case. Although the media displayed considerably more interest in the Watergate Tapes controversy, *United States v. Nixon*, 418 U.S. 683, which had been decided a day earlier, and which I had also predicted, *Milliken* did not lack for attention, especially in the metropolitan Detroit area.

A few days prior to the Court's decision I was interviewed by a rock oriented Detroit radio station, whose call letters I have consciously forgotten. I provided them with my analysis and prediction -- which, like that in Watergate Tapes, was accurate vote for vote. My interviewer disapproved of my prediction as to the outcome of the case, alleging that it was racist. He inquired as to my view, to which I replied that my druthers were irrelevant and that, according to my analysis, the Court would decree no busing. On the day the Court decided the case, the interviewer and one of his associates phoned, both of whom blamed *me* for the Court's decision. Their reasoning: if I hadn't made my prediction, the Court would not have decided as I had forecast.

A month or so after the foregoing conversation, I received a call from the University's public information officer who disseminated my public predictions. She reported that her counterpart at the U.S. Supreme Court had phoned. He had been asked, she said, to be put on the mailing list for all future predictions that I made. He did not disclose who at the court had requested the information or the reason therefor. I regret to say that I was sufficiently nonplussed that I did not inquire.

Consulting does have its moments. It is a challenge and a refreshing change of pace. A steady diet, however, regardless of remuneration, would lack the intellectual stimulation that research and teaching provide.

ANNOUNCEMENTS

DISSERTATION AND LAW REVIEW RESEARCH GRANTS

The American Judicature Society is sponsoring a program to support doctoral dissertation and law review research. Awards will be made to cover research related expenses for *empirical* research contributing to the understanding of the administration of justice in the United States. Grants are intended to provide funds for items not normally available from the student's university such as travel to field research locations, sample survey costs, and payment to subjects or informants. Computer time will be covered only if not available from the university. Funds cannot be used to type or reproduce dissertations or articles or as students stipends. Proposals are welcome from doctoral and advanced law students. Full proposals will be invited and reviewed after an initial screening of applicants. Application deadlines: April 1 and October 1. For further information contact: Dr. Frances K. Zemans, Director of Education and Research, American Judicature Society, 200 West Monroe Street, Suite 1606, Chicago, Illinois 60606.

SECTION NEWS

*Charles A. Johnson, Section Chair
Texas A&M University*

The number of official members of the Law, Courts, and Judicial Process Section has increased steadily from the initial mailing of section. I would like to remind members of the Association that they should check the appropriate box on the APSA renewal form and add an additional \$5.00 dues to their APSA dues to continue their Section membership.

On a different topic, the Executive Committee of the Section was unable to meet at the 1983 APSA Meeting. As a result, the terms of office for the elected Executive Committee members could not be determined by drawing lots as prescribed by the By-Laws. With the consent of the Executive Committee I conducted such a drawing at Texas A&M with three colleagues drawing the names of the three individuals who would serve two year terms. The results of the drawing are that two year terms will be served by Lawrence Baum, Sheldon Goldman, and Joel Grossman; one year terms will be served by Beverly Blair Cook and E. Wally Miles. The two latter positions will be filed in elections conducted this spring. This election process is discussed below.

Nomination of Officers

The By-Laws of the Section call for the nomination of officers by the membership during the Spring of each year. Accordingly, I have organized a committee to receive nominations and to make recommendations for Section officers. As provided in the By-Laws, the nominations committee is composed of five members representing the diverse interests of the Section. The members of the Committee are:

Professor S. Sidney Ulmer, University of Kentucky

Professor Peter G. Fish, Duke University

Professor Beth Henschen, Purdue University

Professor Stuart Scheingold, University of Washington

Professor Susette Talarico, University of Georgia

Individuals wishing to nominate persons for Section Chair or for the Executive Committee (two positions) should contact the Nominations Committee Chair, Professor Ulmer, Department of Political Science, University of Kentucky, Lexington, Kentucky 40506. The letter of nomination should include a brief recommendation *and* the address and phone number of the nominee. The Nominations Committee will determine the availability of the individual for office when it makes its nominations to the Section membership. Individuals receiving nominations from 10 percent of the Section's members will be automatically placed on the ballot. *All nominations should be received by the Committee by March 21st.*

I have asked the nominations committee for at least two candidates for each office, although there may be more. Following receipt of the nominations list, a ballot will be sent to all Section members by first class mail. The results of the election will be announced in the June Newsletter.

Nominations for Editor of the Section Newsletter

I have discovered that preparing a Section newsletter is a very time consuming task when added to other obligations of Section Chair. Undoubtedly, as the Section grows, these two jobs will become increasingly demanding and difficult to handle at the same time. Moreover, the editor of a newsletter should probably serve for more than one year simply for the sake of organizational memory and cohesion. For these reasons, and with the approval of the Executive Committee, I have organized a committee to receive nominations for editor of the Section newsletter. The Committee will ultimately make a recommendation to the Executive Committee. That body should then select an editor at their annual meeting in September, 1984. I will also recommend that the term of office for the editor be three years, although this decision is up to the Executive Committee.

The Committee to recommend a newsletter editor is composed of five section members who are broadly representative of the membership:

Professor William McLaughlin, Purdue University, Chair

Professor Lief Carter, University of Georgia

Professor Philip Dubois, University of California, Davis

Professor Karen O'Connor, Emory University

Professor Paul Weber, University of Louisville

Anyone wishing to nominate an individual for newsletter editor should write Professor McLaughlin, Department of Political Science, Purdue University, West Lafayette, Indiana, 47907. The letter should contain a brief recommendation and the address and phone number of the nominee. The Committee should receive nominations by March 30th. Inasmuch as some negotiations will be necessary concerning resources, institutional commitments to cover some costs of production, and editorial ideas, the committee's work may extend into the summer before it is able to recommend one or more names to the Executive Committee.

APSA Meeting Plans

As I indicated in the previous newsletter, the Section will co-sponsor several panels on the official program. Four such panels are organized for the meeting and are listed in the Conferences Section of the Newsletter.

In addition to sponsoring panels, the Section will also have its annual meeting. The tentative time for the meeting is Friday, August 31st at 5:30. The meeting will be followed by a Dutch Treat Reception until 7:30. All members of the Section as well as friends of the Section are invited to both events.

Some individuals have also suggested that the Section sponsor some activities at the U.S. Supreme Court. At this time I am exploring possibilities, and should be prepared to discuss any such events in the next newsletter. I would welcome any ideas or offers of assistance for events that might be scheduled during the APSA meeting.

CONFERENCE INFORMATION

RESEARCH COMMITTEE FOR COMPARATIVE JUDICIAL STUDIES

The following papers will be presented at the 1984 Conference of the Research Committee for Comparative Judicial Studies of the International Political Science Association Meeting on February 9th-10th, 1984. The Conference will be held in Los Angeles, California.

A REAPPRAISAL OF COMPARATIVE JUDICIAL STUDIES

Chair: Professor Martin Edelman, SUNY, Albany

- Papers:
- "Social Systems and Legal Systems"
Professor Adam Podgorecki, Carleton University
 - "The Concept of Families of Law"
Professor Samuel Krislov, University of Minnesota
 - TBA
Professor Beverly B. Cook, University of Wisconsin, Milwaukee
 - "A Report on the Civil Litigation Research Project: Implications for Comparative Research?"
Professor Joel Grossman, University of Wisconsin, Madison
 - "The Role of Interest Groups in Constitutional Litigation: A Comparative Perspective"
Karen O'Connor and Lee Epstein, Emory University

Discussant: Mr. Delavan Dickson, University of Southern California

THE JUDICIAL ELITES OF SEVERAL DEVELOPED NATIONS

Chair: Professor John R. Schmidhauser, University of Southern California

- Papers:
- "The Political and Social Status of Japanese Judicial and Legal Elites"
Professor Takeo Hayakawa, Senshu University
 - "Recruitment to the British Higher Judiciary: Casual Models Across Time"
Professor C. Neal Tate, North Texas State University
 - "Canadian Judicial and Legal Elites"
Professor Edward McWhinney, Q.C., Simon Fraser
 - "Judicial and Legal Elites in Wilhelmine, Weimar, and Nazi Germany" (tentative title)
Visiting Professor Henry W. Ehrmann, University of California, San Diego
 - "A Unique Legal Elite: American Judicial Law Clerks - Some Comparative Perspectives"
Visiting Professor Joseph Peek, Georgia State University

Discussants: Visiting Professor Kristine Olson, California State University, Los Angeles

JUDICIAL ELITES IN MULTI-ETHNIC NATIONS

Chair: Professor Torbjorn Vallinder, University of Lund

- Papers:
- "The Political and Social Role of Swiss and South African Judicial Elites"
Professor Glendon Schubert, University of Hawaii
 - "The Judicial Elite of Israel"
Professor Martin Edelman, SUNY, Albany
 - "India's Judicial and Legal Elites: From Colonial Status to Independence"
Professor Rajeev Dhavan, Brunel University

"Indian Supreme Court Justices, 1950-Present"
Professor George Gadbois, University of Kentucky

"The Judicial and Legal Elites of Brazil"
Professor Doris Castro-Neves, Candido Mendes University

Discussant: Professor Edward Goldberg, California State University, Los Angeles

JUDICIAL RESEARCH: DEVELOPMENTS ACROSS NATIONS

Chair: Professor Justin J. Green, Virginia Polytechnic Institute and State University

Papers: "Decision-Making Analysis of the British High Court"
Professor Burton Atkins, Florida State University

"Use of Information by Private Law Judges"
Dr. Peter Van Koppen and Dr. Jan Ten Kate, Erasmus University

"Major Developments in Indian Judicial Institutions Since 1980"
Professor Ram Naresh Trividi, Ranchi University

"The Structure of the Indian Judiciary: Major Problems and Correctives"
Vice Chancellor A. K. Dhan, Ph.D. Ranchi University

"A Comparison of the Attitudes of Swedish Judges and Jurors Toward Free
Speech in the Printed Media in the 1970's"
Professor Torbjorn Vallinder, University of Lund

Discussants: Visiting Professor Gerald Houseman, California State College, San Luis
Obispo

SOUTHWESTERN POLITICAL SCIENCE ASSOCIATION

The following papers will be presented at the 1984 Meeting of the Southwestern Political Science Association on March 22nd - 24th, 1984. The meeting will be held in Fort Worth, Texas.

CRIMINAL LAW AND THE 1983 SUPREME COURT: VIEWS OF ACADEMICS AND PRACTITIONERS

Chairman: Allan Butcher, University of Texas at Arlington

Participants: Gordon Gray, Judge, Criminal District Court, Tarrant County
Larry M. More, Assistant Criminal District Attorney, Tarrant County
Virginia Perrenod, North Harris County College
Robert Carp, University of Houston

POLITICS OF THE JUDICIARY AND LEGAL REASONING

Chair: Robert Carp, University of Houston

Papers: "Carter's Judicial Appointments: A Voting Analysis of the United States Courts
of Appeals"
Sue Davis, University of Tulsa

"Nixon's Judicial Legacy: Prisoner's and Defendant's Rights Cases in the United
States Courts of Appeals"
John Gottschall, State University of New York at Plattsburgh

"The Burger Court and Equal Protection: Exercises in Legal Pragmatism"
James Bølner, Sr., Louisiana State University

"The Effect of Judicial Nominating Commissions on the Influence of Senators in the Selection of Judges for the U.S. Courts of Appeals During the Carter Administration"
 Donald R. Songer, Oklahoma Baptist University and
 Sue Davis, University of Tulsa

Discussant: Ronald Stidham, Lamar University

STUDYING THE SUPREME COURT AS AN INSTITUTION

Chair: Gregory Casey, University of Missouri - Columbia

Papers: "The United States Supreme Court and Judicial Review: An Activist Institution in An Age of Limits"
 Roger Handberg, University of Central Florida

"Theoretical Threads, Woodward's Yarns, and Discrete Patterns: Supreme Court Opinion Assignments, 1976-1981"
 Christopher Perry, Mankato State University

"Judicial Concurrences: The Stimulus-Response Model Revisited and Revised"
 Nathan Goldman and Priscilla Machado, The University of Texas at Austin

"Here Comes The Judge: Crime, Corrections and the Federal Judiciary"
 Paul E. Grosser, Louisiana State University

Discussant: James Calvi, West Texas State University

THE CONSTITUTION AND CIVIL RIGHTS

Chair: Priscilla Machado, The University of Texas at Austin

Papers: "The United States Constitution in School: The Rights of the Student"
 Gayle Avant, Baylor University, and
 Hugh Davis, Jr., City of Arlington

"Some Observations on the First Four Articles of the United States Constitution: A Layman's View"
 Anthony J. Pansini, Waco, Texas

"The Snepp Case: National Security Exception to the Prior Restraint Doctrine or the Resurrection of Seditious Libel?"
 U. Lynn Jones, McMurry College

"The War Powers Resolution: An Infringement on the President's Constitutional and Prerogative Powers"
 Kenneth Holland, The University of Vermont

Discussant: Mary R. Mattingly, Texas A & I University

WESTERN POLITICAL SCIENCE ASSOCIATION

The following papers will be presented at the Western Political Science Association Meeting on April 12th - 14th, 1984. The meeting will be held in Sacramento, California.

THE DILEMMAS OF JUDICIAL REMEDIES

Chair: Robert A. Kagan, University of California, Berkeley

Papers: "Toward a Redefinition of Tort Law? Judicial Remedies in Radiation Injury Litigation in Federal Courts"
 Howard Ball, University of Utah

"Pressure Point: A Comparative Case Analysis of Federal District Court
Equitable Decrees"
Phillip Cooper, Georgia State University

(Title Unknown)
Peter Irons, University of California, San Diego

Discussant: Edward M. Goldberg, California State University, Los Angeles

THE EMERGENCE OF RIGHTS

Chair: Gayle Binion, University of California, Santa Barbara

Papers: "Wealth Discrimination: An Investigation Into Constitutional Ideology"
John Brigham, University of Massachusetts

"Protecting Women's Rights Through the Courts: The Public Character of
Privacy Rights"
Patricia Boling, University of California, Berkeley

"Race and the Emergence and Eclipse of Rights--An Inter-Century Comparison,
1875 and 1975"
A. E. Keir Nash, University of California, Santa Barbara

"The Press and the Limits of the First Amendment: A Free Exercise Analogy"
Michael W. Bowers, University of California, Riverside

Discussants: Michael McCann, University of Washington
Kristine Olsen, California State University, Los Angeles

LEGAL MOBILIZATION

Chair: Stuart A. Scheingold, University of Washington

Papers: "Mental Patient Liberation Groups: Strategy and Ideology"
Neal A. Milner, University of Hawaii

"Rip Van Winkle Was a Woman"
Ann Harriman and June Horrigan, California State University, Sacramento

"Legal Services In the 1980's: Making the Most Out of Less"
Ralph Abascal, California Rural Legal Assistance

Discussants: Mark Aaronson, San Francisco Lawyers' Committee for Urban Affairs
Stuart A. Scheingold, University of Washington

MIDWEST POLITICAL SCIENCE ASSOCIATION

The following papers will be presented at the 1984 Midwest Political Science
Association Meeting on April 11th - 15th, 1984. The meeting will be held in Chicago,
Illinois.

ROLES OF ATTORNEYS IN THE JUDICIAL PROCESS

Chair: Professor Christine Harrington, Rutgers State University

Papers: "Economic Incentives and Lawyer Behavior"
Professor Herbert Kritzer, University of Wisconsin; Austin Sarat, Amherst
College; William Felstiner, Rand Corporation; and David Trubeck, University of
Wisconsin

"The Practice of Law as a Business"
Professor Michael Ban, The University of Texas at El Paso

"Government Clients of Government Lawyers: The Case of the Captious
Captive"
Professor Susan M. Olson, University of Minnesota

Discussants: Professor Richard A. Brisbin, St. Mary's College

TRIAL COURT PROCESSES

Chair: Professor William McLaughlan, Purdue University

Papers: "Dismissals: The Latent Method of Case Disposition"
Dr. Robert T. Roper, National Center for State Courts

"Sentencing and Disparity: A Model of Judicial Decision-Making"
Professor Margaret E. Gilkinson, Michigan State University

"Analysis of Trial Court Judges in Missouri"
Professor Peter J. Bergerson, Southeast Missouri State University

"Trial Court Clerks"
Professor John P. Winkle, University of Mississippi

APPELLATE COURTS: PERSPECTIVES ON THE JUDICIAL PROCESS

Chair: Professor Mary Cornelia Porter, Elmhurst College

Papers: "Which Appeals are Heard: Patterns of Case Selection in State Supreme
Courts"
Dr. Victor E. Flango, National Center for State Courts

"The Effect of Judicial Recruitment on Highest Appellate State Court Decision
Making: A Constitutionally Based Assessment"
Professor Kenneth P. Nuger, Southern Illinois University

"Changing the Rules of the Game: Election of Michigan Supreme Court
Justices"
Professor Diane Wall, Mississippi State University

Discussants: Professor David Neubauer, University of New Orleans
Mr. David Allen, Ph.D. Candidate, University of Wisconsin-Milwaukee

GROUP PRESSURES ON U.S. COURTS

Chair: Professor Clement E. Vose, Wesleyan University

Papers: "Amicus Curiae Briefs--Help or Hindrance"
Professor Karen O'Connor, Emory University

TBA
Professor Joseph F. Kobylka, Southern Methodist University

"Interest Group Litigation in the South"
Professor Joseph Steward, University of New Orleans, and
Professor James Sheffield, Wichita State University

Discussant: Professor Clement E. Vose

THE BURGER COURT'S PERFORMANCE ON CIVIL RIGHTS AND LIBERTIES

Chair: Professor Michael W. Combs, University of Nebraska

Papers: "Justice White's Role in Intent/Effect Cases, 1973-1983"
Professor R. Christopher Perry, Mankato State University

"Predicting Supreme Court Cases Probabilistically: The Search and Seizure Cases, 1962-1981"
Professor Jeffrey A. Segal, State University of New York at Stony Brook

"State Constitutions: Nemesis or Nirvana?"
Professor Brian Murphy, North Georgia College

Discussants: Professor Edward V. Heck, San Diego State University

Professor Theodore B. Pedeliski, University of North Dakota

SUPREME COURT POLICY MAKING

Chair: Professor Harold J. Spaeth, Michigan State University

Papers: "When the Court Can't Decide, Who's to Blame?"
Professors Michael F. Altfeld, David W. Rohde, Harold J. Spaeth,
Michigan State University

"Supreme Court Economic Decisions"
Professor Craig Ducat, Northern Illinois University, and
Professor Robert Dudley, Colorado State University

"Parties and the Court"
Professor John G. Francis, University of Utah, and
Professor Paul K. Warr, University of Michigan

"Justice Rehnquist"
Professor Sue Davis, University of Tulsa

Discussants: Professor George W. Pruet, Jr., University of New Orleans

Professor Ralph Baker, Ball State University

IMPACT OF JUDICIAL DECISIONS

Chair: Professor Charles A. Johnson, Texas A&M University

Papers: "The Supreme Court and Policy Legitimation: Experimental Tests"
Professor Larry R. Baas, Valparaiso University

"The Federal Courts and American Political Parties: Legal Constraints on the
Development of a Responsible Party System"
Professor Debra L. Dodson, University of Michigan

TBA
Professor John B. Gates, University of Maryland

Discussant: Professor O. Zeller Robertson, Jr., Saginaw Valley State College

Professor Charles A. Johnson, Texas A&M University

ROUNDTABLE ON THE UNCONSTITUTIONALITY OF THE LEGISLATIVE VETO

Chair: Professor Lettie M. Wenner, University of Illinois at Chicago

Papers: "The Legal Perspective"
Professor Lettie M. Wenner

"The Legislative Perspective"
Professor Mary Thornberry, Davidson College

"The Executive Perspective"
Professor Eric Moskowitz, University of Illinois at Chicago

"Possible Responses to the Court's Ruling"
Professor Barbara Hinkson Craig, Wesleyan University

"Possible Responses: A View from the States"
Professor Lelia B. Helms, University of Iowa

WHAT STUDENTS NEED TO KNOW, AND WHAT WE SHOULD BE TELLING THEM

Chair: Professor Elliot E. Slotnick, The Ohio State University

Professor Thomas R. Hensley, Kent State University

Dr. Frances Zemans, American Judicature Society

Professor David S. Mann, College of Charleston

Professor Kathleen Barber, John Carroll University

Associate Dean Stephen T. Yandle, Northwestern University School of Law

Assistant Dean James Faught, Loyola University School of Law

LAW AND SOCIETY ASSOCIATION

The Law and Society Association will hold its annual meeting on June 7th through 10th, 1984 in Boston, Massachusetts, in the new Marriott Hotel in Copley Place. Panels planned for the meeting include several honoring the 20th anniversary of the Association. A complete list of the panels and papers will be published in the next Section Newsletter. Individuals wishing information about the program or registration materials should contact Joyce Sterling, University of Denver, College of Law, Denver, Colorado 80204.

LAW, COURTS, AND JUDICIAL PROCESS SECTION

The following papers will be presented at the 1984 Meeting of the American Political Science Association on August 30th - September 2nd, 1984. The papers will be presented on panels co-sponsored by the APSA Official Program Committee and the Law, Courts, and Judicial Process Section. A complete listing of judicial panels will appear in PS and in the next Newsletter. The APSA meeting will be held in Washington, D.C.

SUPREME COURT BEHAVIOR: NEW RESEARCH ON OLD QUESTIONS
(Panel co-sponsored with the official APSA panels)

Chair: Michael Giles, Emory University

Papers: "Judicial Concurrences: The Stimulus-Response Model Revisited and Revised"
Nathan Goldman and Priscilla Machado, University of Texas

"Have We Been Overlooking Something? An Analysis of Supreme Court Decision-Making Using Both Unanimous and Non-unanimous Decisions"
Thomas Hensley and Karen Dean, Kent State University

"Measuring Power on the Supreme Court: An Alternative to the Power Index"
Harold J. Spaeth and Michael F. Altfeld, Michigan State University

Discussant: H. W. Perry, Washington University (St. Louis)

THE IMPACT OF JUDICIAL POLICIES ON SECONDARY POPULATIONS
(Panel co-sponsored with the official APSA panels)

Chair: Charles A. Johnson, Texas A&M University

- Papers: "The Impact of Judicial Rhetoric on American Newspapers"
William Halton, University of Vermont
- "Supreme Court Impact on Third Parties in the Courts Below: An Exploration"
Wayne McIntosh, University of Maryland
- "Interest Group Responses to Supreme Court Policies"
Karen O'Connor and Lee Epstein, Emory University

Discussant: Lawrence Baum, Ohio State University

IMPLEMENTATION OF NATIONAL POLICY BY LOWER FEDERAL COURTS
(Panel co-sponsored with the official APSA panels)

Chair: Bradley C. Canon, University of Kentucky

- Papers: "The Impact of Local and National Political Environments on Civil Rights Policy in Urban Federal District Courts"
Richard Feilock and Benjamin Clifton, University of Kansas
- "The Impact of the Supreme Court on Outcomes in the U.S. District Courts and the U.S. Courts of Appeals: A Longitudinal Analysis"
Donald Songer, Oklahoma Baptist University, Robert Carp, University of Houston, and C.K. Rowland, University of Kansas
- "Treatment of the Supreme Court Legislative Veto Decision in Lower Federal Courts"
Lettie M. Wenner, University of Illinois at Chicago

Discussant: Gregory Caldeira, University of Iowa

POLICE BEHAVIOR: REACTIVE AND PROACTIVE STYLES
(Panel co-sponsored with the official APSA panels)

Chair: Susette Talarico, University of Georgia

- Papers: "Armed Crime and Public Disorder: Crises in British Community Policing"
Donald Jackson, Texas Christian University
- "Police Responses to Domestic Disturbances: Two Dimensions of Reactivity"
Alissa P. Worden, University of North Carolina
- "Crime and Aggressive Patrol: Further Evidence on Deterrence"
Gordon P. Whitaker, Charles David Phillips, Petter J. Haas, Robert E. Worden, University of North Carolina

Discussant: TBA

SOUTHERN POLITICAL SCIENCE ASSOCIATION

The 1984 Southern Political Science Association Annual Meeting will be held in Savannah, Georgia, from November 1st through 3rd. The coordinator for judicial panels is Professor Susette Talarico. Possible topics for panels at this meeting include Judicial Biography, Article V of the U.S. Constitution, Judicial Review, and Judicial Behavior. Individuals with paper proposals in these or other areas or who wish to participate in another capacity should contact Professor Talarico as soon as possible. The address is: Professor Susette Talarico, Department of Political Science, University of Georgia, Athens, Georgia 30602.

NORTHEASTERN POLITICAL SCIENCE ASSOCIATION

The Northeastern Political Science Association will hold its annual meeting from November 15th - 17th, 1984. Individuals wishing to propose papers for the meeting should contact Professor Susan Sederman, Department of Political Science, Kean College of New Jersey, Morris Ave., Union, New Jersey 07083.

Research Committee for Comparative Judicial Studies

The Research Committee for Comparative Judicial Studies will organize panels at the 1985 Meeting of the International Political Science Association which will be held in Paris, France. Scholars who wish to present a paper on comparative judicial behavior, policies, elites, and institutions should submit a proposal which includes a title, a two or three page description of the purpose, mode of analysis, and anticipated findings of the paper. Send all proposals to: Professor John R. Schmidhauser, Chair, Research Committee for Comparative Judicial Studies, University of Southern California, Los Angeles, California 90089.

LAW AND SOCIETY ASSOCIATION

The 1985 annual meeting of the Law and Society Association will be held in San Diego, California, in early June, 1985. Those wishing to participate should contact Program Committee Chair: David Engel, Faculty of Law and Jurisprudence, John Lord O'Brien Hall, SUNY-Buffalo, Amherst Campus, Buffalo, New York 14260, phone: (717) 636-2071. The probable deadline for submission of proposals will be November 1st, 1984.

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