

## LAW, COURTS, AND JUDICIAL PROCESS SECTION

### NEWSLETTER

Vol. 4 No. 3

Summer, 1987

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*Chair: Lawrence Baum*

*Chair-Elect: Doris Marie Provine*

*Secretary/Treasurer: Victor Flango*

*Executive Committee:*

*Robert Carp, Beth Henschen, Susan Olson*

*G. Alan Tarr, Lettie Wenner*

*Newsletter Editor: Charles A. Johnson*

*Associate Editors: Lief Carter and Charles Lamb*



## SECTION NEWS

### NOMINATION OF OFFICERS FOR 1987-88

The Nominations Committee has nominated the following persons to section offices for 1987-88:

Chair Elect:	Karen O'Connor, Emory University
Executive Committee:	Neal Tate, North Texas State University Henry Glick, Florida State University Christine Harrington, New York University

The Nominations Committee consisted of Professors Grossman (Chair), Barker, Dudley, Cook, and Handberg. This slate of nominees will be placed in nomination at the section's business meeting at the annual APSA meeting in Chicago.

Doris Marie Provine, who was elected chair elect last year, will become section chair for 1987-88.

### 1987 SECTION MEETINGS

The Law, Courts and Judicial Process Section will have its annual meeting at 5:30 p.m. Thursday, September 3, during the APSA annual meeting in Chicago. Major agenda items for the meeting include the election of officers, announcements about upcoming conventions, and discussion of section activities for 1987-88. *(Please note that this meeting was not included in the preliminary program presented in PS but will be included in the final program).*

The newly elected Executive Committee will meet September 4 at 5:30 p.m. to consider plans for 1987-88. Suggestions for section activities should be made to any section officer.

Panels organized by the section are listed in the conferences section of this newsletter.

### WILLIAM MCLAUCHLAN SELECTED AS NEWSLETTER EDITOR

The Search Committee for an editor of the section newsletter recommended and the Executive Committee approved William McLauchlan as editor of the newsletter. The Search Committee consisted of Susan Olson (Chair), Beth Henschen, and John Brigham. McLauchlan will assume the editorship for the next issue of the newsletter and serve a three year term. His address is: Department of Political Science, Purdue University, Lafayette, Indiana 47907.

## CONFERENCES

### LAW AND SOCIETY ASSOCIATION (1987)

The following papers were presented at the 1987 annual meeting of the Law and Society Association, June 11-14, in Washington, D.C.:

#### *THE CONSEQUENCE OF DIVORCE*

"The Consequence of Changing Divorce Laws," Herbert Jacob, Northwestern University

"Adult Children of Divorce and Duty: Some Effects of Dissolution and Marriage," June Louin Tapp, University of Minnesota

"Children's Life Changes: The Impact of Parental Divorce: A Reappraisal," Mavis MacLean, Centre for Socio-legal Studies, and Michael Wadsworth, University College, London

"A Study of Child Support Enforcement Through a Quasi-judicial Process," Becky L. Glass, State University at Geneseo

#### *THE U.S. SENTENCING COMMISSION*

"Philosophical and Political Issues in Assigning Research Priorities," Ilene H. Nagel and Michael K. Black, U.S. Sentencing Commission

"The Kinds of Research that Inform a Policy Debate," William M. Rhodes, U.S. Sentencing Commission

"Potential for Research on General Deterrence to Influence Sentencing Reform," Philip J. Cook, Duke University

"Disparity and Discrimination: New Face in the 80s," Shelly M. Matsuba and Phyllis J. Newton, U.S. Sentencing Commission

"Estimating Prison Impact: Designing a Simulation Model for Policy Purposes," Gerald G. Gaes, Federal Bureau of Prisons, and Eric S. Simon, U.S. Sentencing Commission

#### *SOCIAL CONTROL AND REGULATION*

"Environmental Law Reform: Conditions and Alternatives," Jurgen Backhaus, Rijksuniversiteit Limburg

"Regulating the Company," Cosmo Graham, University of Sheffield

"Administrative Procedures and Private Standards Setting," Ross E. Cheit, Brown University

"Professionals as Intermediaries Between Economic and Legal Change," Yves Dezalay,  
Centre de Recherche Interdisciplinaire

*LANGUAGE, DOCTRINE AND EQUALITY*

"Evolution in the Meaning of Equal Protection Law from 1865 to 1954," Donald W.  
Jackson, Texas Christian University

"The Intersection of Process and Rights Values in New Equal Protection: The  
Burger/Rehnquist Court in Transition," Ronald Kahn, Oberlin College

"On the Social Reality of Constitutional Legal Forms," Dennis Goldford, Drake  
University

*INNOVATION AND CHANGE IN COURTS CROSS-CULTURALLY*

"Settlement as Usual: Case-Management Ideology and Practice in an American  
Setting," Marie Provine, Syracuse University, and Carroll Seron, Baruch  
College, CUNY

"Settlement and the Role of Litigation," Konstanze Plett, Zentrum fur Europaiche  
Rechtspolitik

"The Site of Judgment and the Form of Law," Maureen Cain, Institute of Criminology,  
Cambridge University

"Justice and Informal Settlement in Italy," Maria Rosaria Ferrarese, University of Bari  
(Italy)

*CURRENT RESEARCH IN POLICING AND ITS POLICY IMPLICATIONS*

"Research on Drunk Driving," Sampson Annan, Police Foundation

"Violence Reduction Experiments," James Fyfe, Police Foundation

"Women in Policing," Susan Martin, Police Foundation

"Civil Litigation Against Police," Candace McCoy, Police Foundation

"Police Response to Domestic Violence," Anthony Pate, Police Foundation

*ARE HUMAN SUBJECTS PROTECTED BY IRBS?*

"The Importance of Human Subject Protection in Justice Research," William B.  
Eldridge, Federal Judicial Center

"Reforming IRBs: The Case of the University of Washington," Joe Weis, University of  
Washington

"IRBs Are Not the Answer: Reform Proposals for the 1990s," Jerry Goldman, Northwestern University

*REGULATORY ENFORCEMENT AND COMPLIANCE RESEARCH: THE CASE OF OSHA*

"Longitudinal Patterns of Violation for Individual Firms," Carol Jones, University of Michigan, and Wayne Gray, Clark University

"Regulating High Risk Systems: OSHA's New Strategy for the Chemical Industry," Joseph Rees, Texas A&M University

"The Impact of OSHA Records Check Inspections on Reported Occupational Injuries," John Ruser, Bureau of Labor Statistics, and Robert Smith, Cornell University

"Enforcement Styles and Effectiveness," John T. Scholz, SUNY Stonybrook

*CLAIMS AND DAMAGES: EMPIRICAL STUDIES AND ASSESSMENTS*

"Medical Malpractice Claims: The British Experience," Robert Dingwall, Centre for Socio-legal Studies

"Who Goes to Trial," Yvonne Chilik, Rutgers University

"Punitive Damages," Stephen Daniels and Joanne Martin, American Bar Foundation

"Hard Bargaining: Out of Court Negotiations and Settlement of Personal Injury Claims," Hazel Genn, Centre for Socio-legal Studies

*THE POLITICS AND JURISPRUDENCE OF CONSTITUTIONAL INTERPRETATION*

"The Burger Court and Separation of Church and State," Ronald Kahn, Oberlin College

"The Extrajudicial Writings of William O. Douglas," Susan E. Grogan, St. Mary's College of Maryland

"Justice O'Connor: Her First Five Years in the Criminal Arena," Richter H. Moore, Jr., Appalachian State University

*ISSUES OF PRIVATIZATION*

"The Privatization of Public Sector Services in Theory and Practice," Janet Rothenberg Pack, Department of Public Policy and Management, Wharton School, University of Pennsylvania

"Privatized Industries and Government in the United Kingdom," Tony Prosser, University of Sheffield

"The Privatization of Urban Transit," Edward Morlock, School of Engineering, University of Pennsylvania

*EMPIRICAL STUDIES ON DUE PROCESS*

"Juror Decisionmaking, Attitudes, and the Hindsight Bias," Jonathan D. Casper, American Bar Foundation/Northwestern University, and Kennett Benedict, Evanston, Illinois

"Vigilante Activity: When the Public Accepts Police Violation of Due Process," Paget Gross, University of Indiana

"The Usefulness of Adopting Social Scientific Perspectives for Studying Judicial Policy Issues," Alan Tomkins, University of Nebraska, and Joe Cecil, Federal Judicial Center

"Accuracy and Error in Legal Judgments," Robert MacCoun, Rand Corporation

*ROUNDTABLE ON TRIAL COURT DELAY REDUCTION*

"Trial Coordination: The Alberta Experience," Darlene Wong, Provincial Court of Alberta

"The Canadian Context: Three Stages of Caseload Management," Carl Barr, Brock University

"American Perspective on the Alberta Experience," Barry Mahoney, Institute for Court Management

"The American Experience," Geoff Gallas, National Center for State Courts

*LAW, POLITICS AND ALTERNATIVE PUBLIC POLICIES*

"Law, Economics and Politics of Consensual Criminal Behavior," Tefvik Nas and Albert Price, University of Michigan at Flint

"Crime, Politics, Candidates, and Voters," Marc Getz and Edmund True, Florida State University

"The Attorney General and Conflicts of Interest," Katie Harriger, Wake Forest College

"Rape Shield Laws," Susette Talarico, University of Georgia

*ADMINISTRATIVE AGENCIES AND THE COURTS*

"Natural Gas Policy Making, The FERC, and the Federal Courts, 1978-1987," William Green, Morehead State University

"Court Over Agency: The San Francisco Federal District Court and Immigration Policy, 1891-1905," Lucy E. Salyer, University of California at Berkeley

"Conflict Over the Rule of Law: Nonacquiescence by the Social Security Administration," Susan Gluck Mezey, Loyola University of Chicago

*PSYCHOLOGY OF DISPUTE RESOLUTION*

"Claims Consciousness: Personality and Attitudinal Correlates," Neil Vidmar and Regina Schuller, University of Western Ontario

"Interaction Between Law and Everyday Thinking in the Social Categorization of Events," Sally Lloyd-Bostock, Centre for Socio-legal Studies

"Justice Considerations in Civil Law Negotiations," Peter Van Koppen, Erasmus University

"Repertoires of Conflict Avoidance," Deborah Kolb, Program in Negotiation, Simmons College

"Role of Decision Control in Disputant Satisfaction with Mediation and Arbitration," Larry Heuer, Northwestern University

*CORRECTIONAL CAPACITY AND LEGAL POLICY:  
STRATEGIES FOR CHANGE, RESEARCH AND POLICY*

"Strategies to Reduce Prison Overcrowding: An Assessment of Public Attitudes," Sandra Evans Skovron, University of Cincinnati; Joseph Scott, Ohio State University; and Francis T. Cullen, University of Cincinnati

"Correctional Policy Outcomes in Post-War California: A Simultaneous Equation Model of Prison Admissions, Releases and Rated Capacity," Susan L. Rhodes, University of Kentucky

"Bureaucratic Constraints on Court Ordered Prison Reforms," Sheldon Ekland-Olson and Steve J. Martin, University of Texas at Austin

*CONSUMER LAW PANEL*

"Why Do We Keep Doing it Wrong: Lemon Laws and Consumer Protection," Joan Vogel, University of Pittsburgh

"Business Practice and the Law," Sally Wheeler, Centre for Socio-legal Studies

"Twenty Years of Consumer Protection: What Have We Learned?" William Whitford, University of Wisconsin

"Consumer Protection: Do We Need Government Regulation?" Wayne Lewis, De Paul University

"Bargaining for Time," Patricia Williams, CUNY Queens Law School

*FEMINIST PERSPECTIVES ON THE FAILURE OF LAW REFORM*

"The Impact of Mediation on the Development and Application of Legal Norms: Child Custody Decision Making," Martha L. Fineman, University of Wisconsin

"The Symbolic Construction of Rape in Criminal Trials," Kristine Bumiller, Johns Hopkins University

"Liberal Theory and the Law of Divorce in 19th Century America," Elizabeth Clark, Princeton University

"The ERA and Liberal Legal Reform," Laura Woliver, University of South Carolina

*SOCIO-LEGAL ASPECTS OF POLITICAL ECONOMY*

"Socio-legal Aspects of Third World Debt," Gunter Hormann, Rechtropolitik

"The Politics of Legal Pluralism in Sudan," Deborah Mack, Wake Forest College

"The Role of Womanhood in the Changing Pattern of Ghanaian Society," Amerley Ollenu, Institute for Legal Studies, The Hague

"The Political Economy of Tourism -- An Australian Case," Rosemary Wearing, LaTrobe University

"Chiefly and National Policing in Botswana," Marlies Bouman, Groningen University, The Netherlands

*REASSESSING THE USEFULNESS OF INDIVIDUAL RIGHTS*

"Structural Differences Between Individuals and Organizations in Law," Klaus F. Rohl, Juristische Fakultät, Ruhr University

"Getting In and Staying Out: Law as a Strategy for Cultural Minorities in the United States," Jill Norgren and Serena Nanda, John Jay College of Criminal Justice

"Community Work and the Maintenance of Citizen's Rights," S.G. Outram, North Staffordshire Polytechnic

"Parents, Choice of School and the Quality of Education: The Dilemma of Legal Rights in Social Programs," Jack Tweedie, SUNY Binghamton

"The Experience of Group Rights," Margot Kemper, Fitchburg State College

*THE CONSTITUTION AND THE SUPREME COURT*

"The Constitution Besieged: The Progressive Challenge to the 'Republican Ideal' and the Response of the Supreme Court," Howard Gillman, University of California at Los Angeles

"The Supreme Court Death Penalty Jurisprudence," Jonathan Simon, University of California at Berkeley

"The ERA and the Supreme Court: The Conceptual Influence of Argument," Leslie F. Goldstein, University of Delaware

"Conceptions of Constitutionalism: An Analysis of a Bicentennial Conference," Phyllis Rippey, University of Massachusetts

*PROBLEMS IN LEGAL REASONING*

"Frames and Legal Decisionmaking," Keith Hawkins, Centre for Socio-legal Studies, Oxford, and Peter Manning, Michigan State University

"Technological Innovation and the Nature of Legal Reasoning: Paradoxes of the Postal Contract Rules," Julian Newman, City of London, Polytechnic

"The Process of Analogizing in Law: Thinking About Emergent Situations in the Law," Allan Wallis, University of Colorado

"Expert-Novice Differences in Lawyer Reasoning," Michael E. Johnson, University of Tennessee

"Causation, Communication, and Control," Andrew Arno, University of Hawaii

"Law and Society: The New Problem and Methods of Jurisprudence," V.K. Zabigailo, USSR -- Institute of State and Law

*JUVENILE JUSTICE PANEL*

"Attitudes Toward Juvenile Justice Reform in Accountability States," Andrea Horner-Cabush and Christopher Manfredi, The Claremont Graduate School

"Preventive Detention and the Prediction of Dangerousness for Juveniles," Jeffrey Fagan, NYC Criminal Justice Agency, and Martin Guggenheim, New York University

"The Role of the Prosecutor in the Juvenile Court -- Comparative Study of Juvenile Justice System in England, USA, and Japan," Toshikuni Murai, Boalt Hall School of Law

"Juveniles Caught in the Criminal Justice System and the Juvenile Court: Organizational Issues and Juvenile Court Dispositions," Simon I. Singer and Robert Schwartz, SUNY Buffalo

"A Critique of Juvenile Sentence Reform," Patricia Harris and Lisa Gaff, Temple University

*TWENTIETH CENTURY LABOR LAW HISTORY*

"Labor Injunction in Industrial America: The Worker's Perspective," William Forbath, University of California, Los Angeles

"Labor Injunction in Industrial America: The Employer's Perspective," Dan Ernst, University of Wisconsin

"State Autonomy and Modern Labor Law," Robin Stryker, University of Iowa

*THE CONSTRUCTION OF LEGAL DEVICES*

"The Construction of Priority in Bankruptcy," Doreen McBarnet and Christopher Whelan, Centre for Socio-legal Studies

"Lawyers in Corporate Takeovers: The 'Poison Pill,'" Michael Powell, University of North Carolina

"Corporate Law," Robert Gordon, Stanford University

"Devices for Tax Avoidance," Graham Mansfield, Centre for Socio-legal Studies

*TAKING THE CULT TO COURT: SOCIOLOGICAL, PSYCHOLOGICAL,  
AND ANTHROPOLOGICAL ASPECTS OF CULT-RELATED LITIGATION*

"From Cultural Context to Legal Concept: The Best Interests of the Child," Randy Frances Kandel, Cardozo School of Law

"The Cult: Culture, Doctrine and Litigation," Maurice Pappa [No affiliation given, ed.]

"Perceptual Distortion, Consensual Validation, Independent-Decisionmaking and Parental Custody Rights," Josephine Carlson and Donna Washaw [No affiliation given, ed.]

"Manipulation of Psychological Transference by Cult Therapists and Legal Presumptions of Individual Autonomy," Michael Bray and Michael Cohen, CUNY

"The Relation of Social and Behavioral Sciences to Cult Litigation," Jean Zorn, CUNY Law School

*NEW LONGITUDINAL RESEARCH ON TRIAL COURT LITIGATION*

"Civil Litigation and Modernization: The Work of the Municipal Courts of Bremen, Germany, in Four Centuries (1549-1984)," Christian Wollschlager, Universitat Bielefeld

"The Rise of Adversarial Procedures: Changes in Criminal Procedure at Old Bailey, 1717-1797," Stephen Landsman, Cleveland-Marshall College of Law

"Transformations of Punishment in Comparative and Historical Perspective," Stephen Spitzer, Suffolk University

*IDEOLOGICAL VARIATION IN CONFLICT MANAGEMENT CROSS-CULTURALLY*

"Confrontation and Consensus in Mediation Ideology," Sally Merry, Wellesley College

"Therapy," in Mediation, Arbitration, Courts and Other Conflict Situations: Towards a Definition," Vivian J. Rohrl, San Diego State University

"Turkish Courtroom Styles, Law and Truth Telling: Judicial Decisionmaking in the Context of Practice," June O. Starr, SUNY Stonybrook

"Empowerment or Enforcement? Some Questions about Party Control in Divorce Mediation," Robert Dingwall, Centre for Socio-legal Studies, Oxford

"Interpretation and Settlement: Two Forms of Organizational Mediation," Deborah Kolb, Harvard Program on Negotiation/Simmons College

"Justice is a Many Splendored Thing," Donald Weckstein, University of San Diego Law School

"Japanese Mediation in a Comparative Perspective," Takao Tanase, Kyoto University

*ROUNDTABLE DISCUSSION: FEMINIST THEORY AND THE SOCIAL CONSTRUCTION OF WOMEN IN THE LAW*

"Reconstructing Power in Feminist Theories," James Foster, Oregon State University

"Establishing Prior Relationship: The Social Construction of Acquaintance Rape," Lisa Frohmann, University of California at Los Angeles

"Law and Sex Roles: The Concept of Sexual Property," Susan McCoin, University of California at Los Angeles

*COURT-ANNEXED ARBITRATION: ASSESSING IMPACTS AND EFFECTS*

"Preliminary Report on Litigant and Attorney Reactions to Arbitration in a Federal Court," E. Allan Lind, Rand Corporation

"Do Courts and Lawyers Know Enough about What They are Doing to Evaluate the Effects of Innovation," Gene Kassebaum and David Chandler, University of Hawaii

"Evaluation of a Pilot Arbitration and Mediation Program in the Southern District of New York," Hallie Stephenson, U.S. District Court, Southern District

"Stimulating Innovation: Why NIDR is Interested in Court-Annexed Arbitration," William Drake, National Institute of Dispute Resolution

*EVALUATION OF ATTORNEY PERFORMANCE: ATTORNEYS FOR CHILDREN IN CASES OF CHILD ABUSE AND NEGLECT*

"A System for Monitoring and Evaluating Attorney Performance: A Proposal," Robert F. Kelly, Le Moyne College

"The Bar, Self Regulation, and Coming to Terms with Research Findings," Robert M. Horowitz, ABA National Resource Center/Child

"The Linkage Between Evaluation and Policy," Charles Gershenson, HHS, Administration for Children, Youth, and Families

***LAW ENFORCEMENT BY REGULATORY AGENCIES***

"Enforcing the Law: Casework in the Federal Trade Commission," Jack Bilmes,  
University of Hawaii at Manoa

"The Impact of IRS Audits on Taxpayer Compliance: A Field Experiment in Specific  
Deterrence," Susan B. Long and Richard D. Schwartz, Syracuse University

"The SEC and the IRS: Different Perspectives of Financial Fraud," David Parsons,  
Securities and Exchange Commission

***LEGAL DECISION MAKING: PSYCHOLOGICAL PERSPECTIVES***

"The Use of Social Science Data by the Supreme Court," Phoebe Ellsworth, Stanford  
University

"On Libel and Civil Juries," Neil Vidmar, University of Western Ontario

"Deceptive Advertising and Trademark Infringement," Shari Diamond, University of  
Illinois

"What Litigants Want from Legal Authorities," Tom Tyler, Northwestern University

***INFLUENCING COURT DECISION MAKING***

"The Solicitor General Before the Supreme Court: 1959-1982," R.M. Salokar, Florida  
State International University

"Changing Patterns of Agreement Among the Justices, 1971-1985," Charles Cappell,  
University of Virginia

"Judicial Response to New Litigations: The Legal Service Program Before the  
Supreme Court," Susan E. Lawrence, Rutgers University

***OBSERVING JUDICIAL DECISIONS AND ENVIRONMENTS***

"The Party Variable in Supreme Court Appointments," Jilda Aliotta, Miami University

"Contextual Factors as an Influence on Judicial Decision," Lettie Wenner, University  
of Illinois at Chicago Circle

"The Politics of Implementing Structural Reform: Lessons from the New Jersey  
Judiciary," Ronald Lippincott, University of Baltimore, and Robert Stoker,  
George Washington University

***OBJECTIVE QUALITY VS. DISPUTANT PREFERENCE:  
A CONFLICT IN CHOOSING PROCEDURES FOR RESOLUTION***

- "Value Tradeoffs in Balancing Objective and Subjective Justice," Allan Lind, Rand Corporation
- "Informal Conflict Intervention: A Tale of Two Models," Blair Sheppard, J. Roth, and K. Blumenfeld-Jones, Duke University
- "Falling Into and Climbing Out of the Pitfalls of Adversarial Procedural Justice," Martin Kaplan, Northern Illinois University
- "Citizen Evaluation of Judicial Performance," Anne Rankin Mahoney, University of Denver

***JURY DECISION MAKING***

- "Mock Jurors' Damage Awards in Civil Cases," Jane Goodman, Elizabeth Loftus, and Edith Greene, University of Washington
- "When do Jurors Make Up Their Minds?" Bettyruth Walter, University of Pennsylvania
- "Responsibility for the Seriousness of Criminal Events," David Rauma, University of Michigan
- "Recognizing Conditional Dependencies in Evidence," William Thompson, University of California at Irvine

***PROPERTY, LIABILITY AND THE ECONOMY***

- "Does Rent Control of Mobile Home Parks Constitute a Taking?" Werner Z. Hirsch, University of California at Los Angeles
- "Constitutional Rights of Landowners in State Supreme Courts," Dennis Coyle, University of California at Berkeley
- "Land Transactions in Property Law in 14th Century English Economy," Thomas E. Headrick, SUNY Buffalo
- "Torts in Dollars and Sense," Timothy O'Neill, Wellesley College
- "Public Purposes and Social Spending, 1877-1935," Susan Sterett, SUNY Binghamton

***EMPIRICAL STUDIES OF DISPUTING***

- "Disputes Among Condominium Owners," Klaus Rohl, Ruhr Universitat
- "What People Do When They Don't Like What the Media Say About Them," David Pritchard, Indiana University

"Social Correlates of Patients' Decisions to Sue, or Not Sue, Physicians," Marlynn L. May, Beloit College

"Disputing Through Polycephalous Networks," Phil Parnell, Indiana University

#### *RISK AND THE COSTS OF ACCIDENTS*

"Airline Safety: Some Empirical Evidence from the Past Ten Years," Arnold Barnett, MIT Sloan School of Management

"Tort Twice-Born: The Bhopal Disaster and the Second Coming of Tort Law in India," Marc Galanter, University of Wisconsin Law School

"Facts and Fiction of Causation in Toxic Tort Cases," Sheila Jasanoff, Cornell University

"Dispute Resolution and Accidents: Examining the Life Cycle of Litigation," Judith Lachman, MIT Sloan School of Management

#### *SOCIO-LEGAL ANALYSIS OF THE INSANITY DEFENSE*

"Why Was John Hinkley Acquitted? A Retrospective Analysis of a Trial," Richard Moran, Mount Holyoke College

"Post-Hinckley Insanity Defense Reforms: Legislative Response to Recent Case Law?" Connie Mayer, Albany School of Law

"Did Montana Abolish the Insanity Defense?" Lisa Callahan, New York State Office of Mental Health

"The Insanity Defense: One Jurisdiction's Experience," Neil Cohen and Michael Johnson, University of Tennessee

#### *LITIGANT ENCOUNTERS WITH THE CIVIL JUSTICE SYSTEM*

"Litigant Expectations about the Civil Justice System," William O'Barr, Duke University, and John Conley, University of North Carolina

"Litigant Encounters with the Civil Justice System: The Role of the Lawyer in Shaping and Interpreting Client Experiences," William Felstiner, American Bar Foundation, and Austin Sarat, Amherst College

"Litigant Procedural Justice Judgments: New Findings and New Perspectives," Allan Lind, Rand Corporation, and Tom Tyler, Northwestern University

#### *CITIZENSHIP AND LAW: AN EXTENDED DISCUSSION*

"Swiss Labor Force: Citizenship Rights and Stratification," Lynne Snowden, University of Delaware

"The Mixed (Half Alien/Half Native) Jury and Changes in Conceptions of Citizenship,"  
Marianne Constable, University of California at Berkeley

"The Culture Defense," Allison Renteln, University of Southern California

*PERENNIAL ISSUES IN CRIMINAL RESPONSIBILITY AND PUNISHMENT*

"How Many 'Bad' are 'Mad,'" Ellen Hochstedler, University of Wisconsin-Milwaukee

"Biology and Crime: Free Will or Free Ride?" Deborah W. Denno, Wharton School,  
University of Pennsylvania

"Cradled on the Sea: Positive Meanings of Penal Confinement," Martha Duncan, Emory  
University

"Historical Perspectives on Punishment," William Farrell, Ball State University

*IN AND OUT OF INSTITUTIONS*

"Legal Problems of the Homeless: Social Psychological Explanations and Social Policy  
Implications," Russell Schutt, University of Massachusetts

"Rights Issues and Advocacy Strategies for Mentally Retarded Persons," Kathryn  
Moss, SUNY Stonybrook

"Hospitals to Jails, a Path Made by Reformed Mental Health Law," Virginia Aldige  
Hiday and Lynn Newhart-Smith, North Carolina State University

*FORMAL AND INFORMAL CONTROL OF DRUNK DRIVING*

"Technical Knowledge of the Drunk Driving Laws as a Function of the 'Need to  
Know,'" John R. Snortum and Dale E. Berger, Claremont McKenna College

"The Role of Legislation and Publicity in Deterrence: An Analysis of Arizona DUI  
Law," H. Laurence Ross, Gary LaFree, and Dick McCleary, University of New  
Mexico

"Beverage Server Intervention: Broadening the Boundaries," Frances Baker Dickman,  
National Highway Safety Commission

"Program Emphasis of MADD: Punishment or Prevention?" Steven Block and Steven  
Ungerleider, Integrated Research Services

*STATE THEORY AND LAW*

"State Formation and Private Violence Privateers, Naval Strategies and International  
Law," Pat O'Malley, LaTrobe University

"State Organized Crime," William Chambliss, George Washington University

"U.S. Immigration Law and its Consequences," Josefina Alvarex, Instituto de Ciencias Peuales

#### *REGULATION OF LAWYERS*

"Regulation of Lawyers in Scotland: A Comparative Study," Frances S. Cole, California State University at San Bernardino

"Attorney Misconduct: Public Interest Sanctions and Compensatory Sanctions," Jeffrey A. Parness, Northern Illinois University

"Effective Assistance of Criminal Defense Counsel and the Impact of Strickland v. Washington," William Green, Morehead State University, and Wiley Rutledge, Maryland Public Defender's Office

"Self Regulation in the Legal Profession," Jessica M. Burns, University of Aberdeen

"Effects of Advent of Self-Help Law on the Legal Services Markets," Steven R. Cox, Arizona State University

#### *LEGAL POLICY EVALUATION*

"Legal Policy Evaluation Across Private and Public Law," Stuart Nagel, University of Illinois

"The Use of Data in Legal Policy Evaluation," Steven Schlesinger, U.S. Department of Justice

"Evaluating Alternative Decisional Institutions for the Allocation of Social Problems," Thomas D. Barton, West Virginia University, College of Law

"Capital Punishment and Homicide Rates, Dennis Wiechman, University of Evansville

"Abolition of Capital Punishment in Canada: What Difference Did It Make?" Jane F. Gentleman and Paul Reed, Statistics Canada

#### *CONTEMPORARY CONSTITUTIONALISM*

"A Constitutional Frame of Mind," William Harris, University of Pennsylvania

"Constitutionalism and Social Science," Karol Soltan, University of Maryland

"Constitutionalist Perspectives on American Politics," Sotirios Barber, Notre Dame University, and Jeffrey Tulis, Princeton University

#### *PUBLIC ATTITUDES AND THE LAW*

"A Survey of Bench, Bar and Press Issues," Charles Sheldon, Washington State University

"Marital Rape: What Support is There to Deal with it as a Crime?" Joseph E. Scott, Ohio State University; Sandra Skovron and Francis T. Cullen, University of Cincinnati

"Attitudes Toward Punishment: The Religious Factor," David Shichor, California State at San Bernardino; Herman J. Loether, California State University at Dominguez Hills; and Alan S. Miller, University of Washington

#### *ORGANIZATION OF DISPUTE RESOLUTION*

"Dispute Processing in Managerial Hierarchies: Evidence from a Financial Services Corporation," Calvin Morrill, University of Arizona

"Ethos, Power Relations and Distribution of Resources in a Statewide Dispute Resolution Program," Barbara J. Schwartz, Mediation Research Inc.

"The Velvet Glove: Alternative Dispute Resolution in the United States. A Critical Appraisal," Stephan Parmentier, Catholic University, Leuven

"Disputes Before Administrative Tribunals," Patrick C. Musah, Institute of Social Studies, The Hague

#### *TRANSFORMATIONS IN EARLY AMERICAN LEGAL THOUGHT*

"From Servant to Employee," Robert Steinfeld, SUNY Buffalo

"Politeness and Civic Culture in American Constitutional Thought," Steve Conrad, Indiana University, National Humanities Center

"Lord and Massa: Patriarchy and Slave Law in Antebellum Kentucky," Liane Kosaki, Washington University

#### *WHITE COLLAR CRIME: ISSUES IN THEORY AND RESEARCH*

"Social Status and White Collar Crime: The Case of Convicted Federal Defendants (with Stanton Wheeler and Elin Waring)," David Weisburd, Rutgers University

"Reacting to Moral Outrages: Corporate Versus Conventional Crime," Nancy Frank, University of Wisconsin

"Manipulating the Criminal Label: White Collar Crime and the Construction of Immunity," Doreen McBarnet and Graham Mansfield, Centre for Socio-legal Studies

#### *THE LITIGATION CRISIS AND TORT REFORM*

"Crisis? What Crisis: Liability Insurance and Tort Reform," Paul Parker, University of Maryland

"Cultural Commonsense and the Perception of the Tort Insurance Crisis," Robert Hayden, University of Pittsburgh, and Stephen Daniels, American Bar Foundation

*DEVELOPMENTS AFFECTING THE LEGAL PROFESSION*

"Social and Academic Origins and Legal Careers: An Overview of Findings," Seymour Warkov, University of Connecticut, and Sharon Roach, Flinders University, South Australia

"Criteria for Assessing Claims of the Proletarianization of the Legal Profession," Robert Eli Rosen, University of Miami

"Gender and the Structure of the Legal Profession," Marjorie S. Zatz, Arizona State University and John Hagan, University of Toronto

"LaSalle Street and Main Street: The Impact of Context of Law Practice," Donald Landon, Southwest Missouri State

*PROTECTING RIGHTS AND PROVIDING SERVICES*

"Conflict Resolution among Professionals," Joanna Weinberg, Bryn Mawr College

"Law in the Shadow of Bargaining: Welfare Professionals and Clients," David Nelken, University College, London

"Financial Control of Long Term Elderly Care Institutions," Lisa Stearns, Columbia University

"The Citizen and the Welfare State: The Post Modern Search for Community," Joel Handler, University of California Los Angeles School of Law

*DOMESTIC VIOLENCE INTERVENTION:  
RESEARCH PROGRESS AND PROSPECTS FOR CHANGE*

"Strategies for Improving the System's Response to Victims of Family Violence," Adele Harrell, Institute for Social Analysis

"Prosecution Policy and Treatment for Batterers," Jessica Kohout, Institute for Social Analysis

"Police Officers' Disinclination to Arrest Wife Batterers: A Survey of Police Attitudes Towards Probable Cause Arrest for Conjugal Battery," David Ford, Indiana University at Indianapolis

"Policies and Comprehensive Services of the Denver City Attorney Domestic Violence Unit," Nancy Thoennes, Center for Policy Research

*PRIVATIZATION OF LEGAL PROCESSES: INTERPRETATIONS AND CRITIQUE*

"Dispute Shrinking: Civil Procedure 1970s-1980s," Bryant Garth, University of Indiana School of Law

"Interpretive Processes in Private and Public Forums," Sally E. Merry and Susan S. Silbey, Wellesley College

"The Private and Non-Private of Mediation Ideology," Neal Milner, University of Hawaii, and Peter Adler, Judiciary State of Hawaii

#### *FORMALIZING EMPLOYMENT RIGHTS*

"The Legal Basis of Employment Opportunities: Individual or Family?" Charles A. Thrall, Superior Court of Pennsylvania

"Working Perceptions of Justice: Dismissal Disputes in Ireland," Rhona Newman, University of Ulster

"Organizational Governance and Due Process: The Expansion of Rights in the American Workplace," Lauren B. Edelman, University of Wisconsin

#### *ROUNDTABLE ON LONGITUDINAL LITIGATION RESEARCH*

"Comparing Legal Cultures in Europe," Erhard Blankenburg, University of Amsterdam

"The Potential and Limitations of the International Comparison of the Evolution of Caseloads: The Experience of the European Working Group (Netherlands, Denmark, France, Belgium, West Germany)," Hellen Ietswaart Ackerman, Centre de Recherche Interdisciplinaire de Vaucresson

#### *LEGAL PROCEDURE AND PRACTICE IN APPELLATE COURTS*

"Screening Practices in Four Federal Appellate Courts," Donna Stienstra and Joe Cecil, Federal Judicial Center

"Incentives and Adoption of Criminal Appeals Procedures," Joy A. Chapper, Justice Resources

"The Use of Unpublished Opinions in Federal Courts of Appeals," Lauren Robel, School of Law, Indiana University, Bloomington

"Explaining Case Backlogs: A Quest for Appropriate Methods," Thomas Marvell, Court Studies Inc.

#### *LEGITIMACY AND PUBLIC LAW*

"Legitimacy: A Residual Category," Robert Eli Rosen, University of Miami

"A Critical Public Law," Tony Prosser, University of Sheffield

"Collective Intelligence: A Darwinian Approach to Delegitimizing American Militarism," Jeffrey Blum, SUNY Buffalo

"Political Trials: Examples in the Hebrew Bible," Marvin Zalman, Wayne State University

*CRIMINAL PROCESSES: PROBLEMS IN POLICING AND SENTENCING*

- "Comparing the Effects of the Exclusionary Rule and Civil Liability on Police Behavior," Myron Orfield, University of Chicago
- "The DEA in Latin America: Dealing with Institutionalized Corruption," Ethan Nadelmann, Woodrow Wilson School for Public and International Affairs University
- "Police Organization and Policy: Towards a New Paradigm," Roger Grimshaw, National Children's Bureau, London, and Tony Jefferson, University of Sheffield
- "The Role of the Prosecutor in Presumptive Sentencing: What New Jersey Prosecutors Think," Harry L. Wilson, Roanoke College
- "Sentencing Sex Offenders: A Case Study," Joseph Cammarano, Rutgers University

*PROBLEMS IN LAW AND ECONOMICS*

- "Can an Economist be of Assistance in Liability Litigation?" Claude M. Vaughan and Allen Webster, East Kentucky University
- "The General Part of the Criminal Law: An Economic Perspective," Charles M. Gray, College of St. Thomas
- "The Normative Basis of Dispute Settlement in Stateless Societies: A Primitive Analysis of the GATT Subsidies Code," James Zengierksksi, New School of Social Research
- "Economic and Legal Problems of Subcontracting," J.M. Oliver, Hatfield Polytechnic

RESEARCH COMMITTEE ON COMPARATIVE JUDICIAL STUDIES (1987)

The following papers will be presented at the 1987 interim meeting of the Research Committee on Comparative Judicial Studies, August 10-12, 1987, in Netherlands:

*POST-INDUSTRIALISM AND THE EXPANSION OF DEMOCRATIC JUDICIARIES: TRENDS AND EXPLANATIONS*

- "The Organization of Courts in Federal Systems: Trends and Explanations," Kenneth M. Holland, University of Vermont, and Priscilla Machado, University of Texas at Austin
- "Toxic Tort Litigation in Federal Courts: Special Problems and Uncertainties for Judges Who Must Function 'Outside the Limits of Scientific Certainty,'" Howard Ball, University of Utah
- "Courts in the Post-Industrial Era," Jerry Waltman, University of Southern Mississippi

*EQUALITY, RIGHTS AND THE EXPANSION OF THE DEMOCRATIC JUDICIARY*

"Comparative Perspectives on the Concept of Equality," Donald W. Jackson, Texas Christian University

"The Search for Original Intention: The Fourteenth Amendment and the States," Judith A. Baer, California State Polytechnic University

"The Indian Supreme Court and the Expansion of the Scope of Adjudication of Reasonableness of State Action with Respect to Fundamental Rights: A Probe into the Recent Trends in the Judicial Behaviour Regarding Fundamental Right to Equality and Allied Rights," Madhukar Shyam Chaturvedi, Jaipur, India

*THE EXPANSION OF THE DEMOCRATIC JUDICIARY: THE CANADIAN CASE*

"Policy and/or Principal? Components of Judicial Interpretation and the Expansion of the Democratic Judiciary: The American and Canadian Cases," A.E. Keir Nash, University of California at Santa Barbara

"The Duality of Legal Traditions and Human Rights Jurisprudence in Canada," Pierre Patenaude, Universite de Sherbrooke, Canada

"Democracy and the Supreme Court: Canada Under the Charter of Rights and Freedom (1982)," Frederick Vaughan, University of Guelph, Canada

*INSTITUTIONAL CHANGE IN JUDICIAL SYSTEMS*

"Legislative Selection of Judges," Paul C. Cline, Harrisonburg, VA [No affiliation given, ed.]

"Muslim Judiciaries," Daniel Lev, University of Washington

"The Expansion of the Indian Judiciary???" R. Madhanagopal, Madurai Kamaraj University, India

*ETHICS IN COURTS AND ETHICS IN GOVERNMENT*

"A Comparative Analysis of Judicial Ethics," Alison Dundes Renteln, University of Southern California

"Electoral Adjudication in India: A Study in Legal Provisions and Judicial Behavior Regarding Election Disputes in India," Ashok Sharma, Jaipur, India

"American and Israeli Responses to Allegations of Malfeasance by High Government Officials," Martin Edelman, SUNY Albany

*INSTITUTIONAL POLICY MAKING IN COURTS*

"Integration and Control Functions Performed by English and American Appellate Courts," Burton Atkins, Florida State University

"Longitudinal Analysis of the Decision Making of the Canadian Supreme Court," Panu Sittiwong, North Texas State University

"Longitudinal Anaysis of the Decision Making of the Philippine Supreme Court," C. Neal Tate, North Texas State University

#### AMERICAN POLITICAL SCIENCE ASSOCIATION (1987)

The following papers will be presented at the 1987 annual meeting of the American Political Science Association, September 3-6, in Chicago:

#### *NEW WINE INTO OLD BOTTLES: REINTERPRETING CONSTITUTIONAL DEVELOPMENTS*

"A Non-Chafee Account of Free Speech (1870-1940)," Mark A. Graber, Yale University

"Liberalism and Privacy: The Paradox of Protecting a Public Expression of Privacy," Grant Mindle, North Texas State University

"The Reluctant Revival of Landowner Rights," Dennis Coyle, University of California at Berkeley

"The Nazi Saboteur Case," David Danelski, Occidental College

#### *EQUALITY IN RACIAL AND POLITICAL DISTRICTING*

"The Court and the Definition of Gerrymandering," Stephen E. Gottlieb, Albany Law School

"The Burger Court and Group Access to the Political Process," Nancy Maveety, Tulane University

#### *COMMUNICATION AND THE COURTS: TO, WITHIN, AND FROM*

"The Influence of Interest Groups on Agenda-Setting in the United States Supreme Court," Gregory A. Caldeira, Ohio State University, and John R. Wright, University of Iowa

"The Supreme Court in the Newspapers: What the Medium Does to the Message," William Haltorn, University of Puget Sound

"Communication in a Large Appellate Court: The Ninth Circuit," Stephen L. Wasby, SUNY Albany

#### *AMERICAN CONSTITUTIONAL PRACTICE IN COMPARATIVE PERSPECTIVE*

"Equal Protection: United States and Ireland," Francis X. Beytagh Jr., Ohio State University School of Law

"Federalism: United States and West Germany," John Finn, Wesleyan University

"Defendants' Rights: United States, Canada, Great Britain, and France," Priscilla H. Machado, University of Vermont

*SEX ROLES, ORIENTATIONS, DEPRIVATIONS:  
AMERICAN LAW AND POLITICS IN THE 1980S*

(Co-sponsored by APSA Organized Section: Politics and the Life Sciences)

"Homosexual Behavior as Civil Liberty: A Bioconstitutional Politics Analysis," Ira H. Carmen, University of Illinois

"Divorce, Social Fictions, and Legal Reforms: An Empirical Assessment of Weitzman's Arguments," Herbert Jacob, Northwestern University

*CONSTITUTIONALISM AND ECONOMIC ANALYSIS OF LAW*

(Co-sponsored by the Conference Group on Jurisprudence and Public Law)

"Economics and Constitutionalism," Richard Posner, Judge, U.S. Court of Appeals

"Constitutionalism and Economics," Jules Coleman, Yale University School of Law

*CONSTITUTIONAL INTERPRETATION I:  
THE WARREN, BURGER, AND REHNQUIST ERAS*

"Sex Discrimination and the Warren, Burger, and Rehnquist Court Eras," Karen O'Connor, Emory University, and Jeffrey A. Segal, SUNY Stonybrook

"The Right of Sexual Privacy in the Warren, Burger, and Rehnquist Courts," David Adamany, Wayne State University

"Political Powerlessness and Suspect Class Analysis," Inez Smith Reid, *Finley, Kumble, Wagner, Heine, Underberg, Manley, Myerson, and Casey*

"Legislative Apportionment: Interpretation by the Warren, Burger, and Rehnquist Courts," David Saffell, Ohio Northern University

*CAN INTERPRETIVE METHODS UNITE POLITIES?: A ROUNDTABLE*

"Liberal Aristotelianism," Sotirios Barber, University of Notre Dame

"Jurisprudence," Sanford Levinson, University of Texas Law School

"Theology," Milner Ball, University of Georgia Law School

"Modern Liberalism," Rogers Smith, Yale University

*FRANCE AND THE U.S.: THE TWO REVOLUTIONARY CONSTITUTIONAL TRADITIONS*

"John Adams and the French Critics of the American Constitution," John Diggins, University of California at Irvine

"The Father of Two Revolutions," Judith Shklar, Harvard University

"Montesquieu in America," Jean-Claude Lamberti, Universite de Paris V, Sorbonne

"The Constitution and Its Founding Myths," Elise Marienstras, Universite de Paris VII, Jussieu

*FEMINIST THEORY, LAW AND THE CONSTITUTION*

"Liberalism and the Death of Feminism," Catherine MacKinnon, York University

"The Engendered Nature of the Law," Zilah Eisenstein, Ithaca College

"A Feminist Approach to Law and Difference," Martha Minnow, Harvard University School of Law

*DOES THE CONSTITUTION MATTER? AN INVENTORY AFTER TWO CENTURIES: A ROUNDTABLE*

"The Presidency," Richard Pious, Columbia University

"Congress," David R. Mayhew, Yale University

"Federalism," Arthur Maass, Harvard University

"Political Parties and Elections," Benjamin Page, University of Texas at Austin

*TOWARD A CONSTITUTIONAL POLITICAL SCIENCE*

"A Constitutional Frame of Mind," William F. Harris II, University of Pennsylvania

"Constitutionalist Theory and the Study of American Politics," Sotirios Barber, University of Notre Dame

"Constitutionalizing the Interpretation of Social Practice," Kim Lane Scheppele, University of Michigan

"Constituting the Forms of Political Meaning," Anne Norton, Princeton University

*SECTIONALISM AND THE CONSTITUTION*

"The Impact of Jurisdictional Decision-Making on the States in the Supreme Court's 1937-1976 Terms," S. Sidney Ulmer, University of Kentucky

"The Sectional Inheritance of American Public Law: The Case of the South," Kermit L. Hall, University of Florida

LAW, COURTS AND JUDICIAL PROCESS SECTION (1987)

The following papers will be presented at the 1987 APSA meeting organized by Law, Courts, and Judicial Process Section:

*CHANGE OVER TIME IN SUPREME COURT POLICY*

"Supreme Court Decision-Making: An Institutional Perspective," Lee Epstein, Southern Methodist University; William Dixon and Thomas Walker, Emory University

"The Supreme Court and the Growth of Civil Liberties: The Process and Dynamics of Agenda Change," Richard L. Pacella Jr., Indiana University

"Measuring Ideological Change in the Supreme Court: Civil Liberties in the 1946-85 Terms," Lawrence Baum, Ohio State University

*SUPREME COURT DECISION MAKING*

"Reasons for the Defection of the Marginal Justice in Minimum Winning Original Decision Coalitions on the Warren Court," Timothy M. Hagle and Harold Spaeth, Michigan State University, and Saul Brenner, University of North Carolina-Charlotte

"Patience Rewarded? An Analysis of Concurring Opinions by Justices Blackmun, Powell and Stevens, 1976-84," R. Christopher Perry, Indiana State University

"The Role of Litigants in Judicial Decision-Making: The Legal Services Program and the U.S. Supreme Court," Susan E. Lawrence, Rutgers University at New Brunswick

*STATE JUDICIAL PROCESS*

"Political Culture and State Court Legitimacy: The Uncertain Boundaries of Judicial Role," Thomas C. Dalton, California Polytechnic State University

"Easier Access, Reduced Cost, More Appellate Judges: An Analysis of Negative Responses in the System," Connie Mauney, Emporia State University

"Representation Before State Supreme Courts: State Attorneys General as 'Gatekeepers,'" Thomas R. Morris, University of Richmond

"Judicial Roles and Gender Roles: Men and Women on the State Courts," Elaine Martin, Eastern Michigan University

*EQUALITY AND THE LAW*

"Equal Protection Through a Dozen Decades: Part Two -- Revolutions and Evolutions, 1954 to the Present," Donald W. Jackson, Texas Christian University

"The Burger Court Era: Reappraisal of Gender Equality Decisions by the Supreme Court," Louise Byer Miller, Empire State College

"Comparable Worth and Constitutional Equality: The Radical Potential of Liberal Ideology," Michael W. McCann, University of Washington

*CONSTITUTIONALISM AND CONSTITUTIONAL IDEAS IN THE CURRENT ERA*

"The Constitution as Symbol: Change or Stability after Ten Years?" Larry R. Baas, Valparaiso University

"The Burger Court and the Living Framers," Arthur G. Svenson and Gordon Lloyd, University of Redlands

"Tocqueville, the Constitution, and Constitutionalism," Gerald N. Rosenberg, University of Chicago

"Interpretivism and the Burger Court: A Closer Examination," Traci V. Reed, North Carolina State University

*JUDICIAL REVIEW*

"James Madison on Judicial Review," Stephen M. Baron, SUNY Oswego

"The 'Problem' of Judicial Review: Disciplinary Boundaries, The Rule of Law and Interpretation," Charles J. Helm, Western Illinois University

"Arenas of Judicial Power: The Relationship Between Policy Areas and Judicial Review," Rachel Reiss, Cornell University

*CONSTITUTIONAL INTERPRETATION II:  
THE WARREN, BURGER, AND REHNQUIST ERAS*

"The Supreme Court and Executive Authority: The Warren, Burger, and Rehnquist Courts," Richard Brisbin Jr., West Virginia University

"Federalism and the Warren, Burger, and Rehnquist Courts," Lettie M. Wenner, University of Illinois at Chicago

"Federalism, the Commerce Clause, and Federal Control over Local Activities: Turning Wheat Into Chaff?" James Walker, Wright State University

"Adjusting the Federal Balance: The Burger Court's Role in Enhancing the Power of the State Courts in Constitutional Adjudication," Susan Gluck Mezey, Loyola University of Chicago

*CONFERENCE GROUP ON JURISPRUDENCE AND PUBLIC LAW (1987)*

The following papers will be presented at the 1987 APSA meeting and were organized by the Conference Group on Jurisprudence and Public Law:

*CONSTITUTIONALIST POLITICAL ECONOMY*

"Deliberative Government after the New Deal," Cass Sunstein, University of Chicago Law School

"The Modern Presidency and Domestic Policy," Jeffrey Tulis, Princeton University

"Constitutionalism and Democracy," Karol Soltan, University of Maryland

*PROPERTY AND THE CONSTITUTION*

"Substantive Due Process in 19th Century State Constitutional Cases," Thomas Grey, Stanford Law School

"The Constitutionalization of the Liberal Conception of Property," Margaret Jane Radin, University of Southern California Law Center

"Property: The Legacy of the Framers in the Modern Welfare State," Jennifer Nedelsky, University of Toronto

*HAYEK, LEGAL THEORY AND CONSTITUTIONALISM*

"The Dilemmas of Contemporary Constitutionality: A Hayekian Diagnosis and Prescription," Hannes Gissurarson, University of Reykjavik

"The Problems and Promise of Hayek's Legal Theory: Towards Politics as Dialogue," Jeremy Shearmur, George Mason University

*CONSTITUTIONAL INTERPRETATION*

"Interpreting Noninterpretivism," Dennis Goldford, Drake University

"Making Meaning in a Constituted Social Order," Mark Brandon, Princeton University

"Beyond the Safety of Liberal Theory: A Feminist Constitutional Jurisprudence," Tammy Learned, University of Michigan

"The Burger Court, Process and Rights Values, and the Religion Clauses of the First Amendment," Ronald Kahn, Oberlin College

*LAW, RISK AND INSURANCE*

"Toward a Social Theory of Risk," Carol Heimer, Northwestern University

"The Liability Crisis: Private Pressure on Public Order," Paul Parker, University of Maryland

"Risk Management: The New Non-Politics of Inequality," Jonathan Simon, University of California at Berkeley

*THE PUBLIC / PRIVATE DISTINCTION*

"The Theory of the Public Forum," Robert Post, University of California at Berkeley

"Private/Public," Daniella Gobetti, University of Michigan

"Private Rights and Public Competence," Jonathan Simon, University of California at Berkeley

*MORAL THEORY AND LAW*

"Can Liberals Justify Punishment?" Stanley Brubaker, Colgate University

"Liberal Foundations of America's Constitutional Community," Steven Macedo, Harvard University

"Moral Skepticism and Law," Jeremy Waldron, University of California at Berkeley

*REASONS, CAUSES AND LAW*

"Reasons as Causes," Larry Mohr, University of Michigan

"Rules as Reasons," Frederick Schauer, University of Michigan Law School

"Idea and Reality in German Legal Theory," Ellen Kennedy, University of York

*CONSTITUTIVE LAW IN POLITICAL PRACTICE*

"Law in Mental Health and Mediation: A Comparison," Neal Milner, University of Hawaii

"Law and the Practice of In Vitro Fertilization," Andrea Bonnicksen, Eastern Illinois University

"The Constitution and Community Property Rights," Phyllis Farley Rippey, University of Massachusetts at Amherst

*REPUBLICANISM AND CONSTITUTIONALISM*

"Constitutionalism and Constitutional Ideology in Republican Thought," Shelley Burtt, Yale University

"Republican Virtue and Individual Motivation," David Levy, George Mason University

"Republicanism, Property and Free Trade," Istvan Hont, Columbia University

*WESTERN POLITICAL SCIENCE ASSOCIATION (1988)*

The Western Political Science Association annual meeting for 1988 will be March 10-12 in San Francisco. Proposals for panels and papers should be sent to

Judith Baer, Department of Political Science, California State Polytechnic University, Pomona, CA 91768; Phone: (714) 869-3883 or 3887. Deadline for submission of proposals is October 15.

#### SOUTHWESTERN POLITICAL SCIENCE ASSOCIATION (1988)

The 1988 annual meeting of the Southwestern Political Science Association will be held in conjunction with the Southwestern Social Science Association on March 23-26 at the Adam's Mark Hotel in Houston. Individuals wishing to present papers or organize panels should contact Arthur English, Department of Political Science, University of Arkansas at Little Rock, 33rd and University, Little Rock, AR 72204.

#### MIDWEST POLITICAL SCIENCE ASSOCIATION (1988)

The Midwest Political Science Association annual meeting for 1988 will be April 14-16 at the Chicago Hilton and Towers, 720 South Michigan, in Chicago. Proposals for papers should be sent to Twiley Barker, Department of Political Science, University of Illinois-Chicago, Chicago, IL 60616; Phone: (312) 996-3105. Deadline for submission of proposals is October 1.

#### AMERICAN JUDICATURE SOCIETY Director of Education and Research

The American Judicature Society seeks an experienced person with a J.D. or Ph.D. to serve as Director of Education and Research. The Director of Educational Research directs a small staff and is responsible for planning and conducting AJS programs around the country.

Applicants should have experience and demonstrated skill in planning and conducting educational and research activities relating to the courts. Excellent written and oral communications skills, an ability to interact with a variety of constituencies (including academics, judges, journalists and the public), and significant expertise in the American judicial system are required.

AJS is an independent national not-for-profit organization dedicated to improving the administration of justice and is an equal opportunity employer. This is a full-time year-round position; salary is commensurate with experience.

Send letter, vita and list of references to:

Dr. Frances Kahn Zemans  
Executive Vice-President and Director  
American Judicature Society  
25 East Washington, Suite 1600  
Chicago, Illinois 60602

## BIBLIOGRAPHIC INFORMATION

For the second year, the Newsletter is providing a listing of newly published books, including a number of volumes published in 1986 and early 1987. Most are specialized, although some are texts. This listing is not exhaustive. It was developed by relying on such sources as *Choice* and the *Library Journal*, correspondence from authors, and advertisements. If you have published a recent book in the subfield and it's not included, we apologize for the omission. If you want it to be listed in the 1988 summer issue of the Newsletter, please contact Charles M. Lamb, Department of Political Science, SUNY Buffalo, Buffalo, NY 14260.

Abraham, Henry J. *The Judicial Process: An Introductory Analysis of the Courts of the United States, England, and France* 5th ed. (New York: Oxford University Press, 1986), \$13.95, 604 pages.

Abraham, Henry J. *The Judiciary: The Supreme Court in the Governmental Process* 7th ed. (Boston: Allyn and Bacon, 1987), 264 pages.

Barendt, Eric. *Freedom of Speech* (New York: Oxford University Press, 1986), \$35.00, 314 pages.

Baum, Lawrence. *American Courts: Process and Policy* (Boston: Houghton Mifflin, 1986), \$16.95, 343 pages.

Berry, Mary Frances. *Why ERA Failed: Politics, Women's Rights, and the Amending Process of the Constitution* (Bloomington, IN: Indiana University Press, 1986), \$17.95, 147 pages.

Boles, Janet K., ed. *The Egalitarian City: Issues of Rights, Distribution, Access and Power* (New York: Praeger, 1986), \$34.95, 224 pages.

Cantor, Norman L. *Legal Frontiers of Death and Dying* (Bloomington, IN: Indiana University Press, 1987).

Christenson, Ronald S. *Political Trials: Gordian Knots in the Law* (New Brunswick, NJ: Transaction Books, 1986), \$29.95, 303 pages.

Cooper, Phillip. *Hard Judicial Choices: Federal District Judges and State and Local Officials* (New York: Oxford University Press, 1987), \$24.95 (c), \$9.95 (p), 320 pages.

Cortner, Richard C. *A "Scottsboro" Case in Mississippi: The Supreme Court and Brown v. Mississippi* (Jackson, MS: University Press of Mississippi, 1986), \$19.50, 174 pages.

Damaska, Mirjan R. *The Faces of Justice and State Authority: A Comparative Approach to the Legal Process* (New Haven, CT: Yale University Press, 1986), \$26.00, 247 pages.

Dworkin, Ronald. *Law's Empire* (Cambridge, MA: Belknap, 1986), \$20.00, 452 pages.

- Edelman, Martin. *Democratic Theories and the Constitution* (Albany, NY: SUNY Press, 1986), \$39.50 (c), \$16.95 (p), 336 pages.
- Estrich, Susan. *Real Rape* (Cambridge, MA: Harvard University Press, 1987), \$15.95, 176 pages.
- Estreicher, Samuel and John Sexton. *Redefining the Supreme Court's Role: A Theory of Managing the Federal Judicial Process* (New Haven, CT: Yale University Press, 1986), \$20.00, 201 pages.
- Feinberg, Renee. *The Equal Rights Amendment: An Annotated Bibliography of the Issues, 1976-1985* (Westport, CT: Greenwood Press, 1986), \$29.95, 172 pages.
- Fullinwider, Robert K. and Claudia Mills, eds. *The Moral Foundations of Civil Rights* (Totowa, NJ: Rowman & Littlefield, 1986), \$32.95 (c), \$14.95 (p), 240 pages.
- Gibney, Mark. *Strangers or Friends: Principles for a New Alien Admission Policy* (Westport, CT: Greenwood Press, 1986), \$29.95, 184 pages.
- Goering, John M., ed. *Housing Desegregation and Federal Policy* (Chapel Hill, NC: University of North Carolina Press, 1986), \$40.00 (c), \$14.95 (p), 343 pages.
- Goldman, Sheldon. *Constitutional Law: Cases and Essays* (New York: Harper & Row, 1987), \$28.00, 982 pages.
- Goldman, Sheldon and Charles M. Lamb, eds. *Judicial Conflict and Consensus: Behavioral Studies of American Appellate Courts* (Lexington, KY: University Press of Kentucky, 1986), \$30.00, 305 pages.
- Hemmer, Joseph J. *The Supreme Court and the First Amendment* (New York: Praeger, 1986), \$39.95, 368 pages.
- Hixson, Richard F. *Privacy in a Public Society* (New York: Oxford University Press, 1987), \$19.95, 255 pages.
- Jacob, Herbert. *Law and Politics in the United States* (Boston: Little, Brown, 1986), 336 pages.
- Janosik, Robert J., ed. *Encyclopedia of the American Judicial System: Studies of the Principal Institutions and Processes of Law*, 3 Vols. (New York: Charles Scribner's Sons, 1987).
- Kammen, Michael. *A Machine that Would Go of Itself: The Constitution in American Culture* (New York: Knopf, 1986), \$29.95, 532 pages.
- Kluegel, James R. *Beliefs About Inequality: Americans' Views of What Is and What Ought to Be* (Hawthorne, NY: Aldine de Gruyter, 1986), \$37.95 (c), \$16.95 (p), 332 pages.
- Kurland, Philip B. and Ralph Lerner. *The Founders' Constitution*, 5 Vols. (Chicago: University of Chicago Press, 1986), \$300 per set.

- Landes, William M. and Richard Posner. *The Economic Structure of Tort Law* (Cambridge, MA: Harvard University Press, 1987), \$25.00, 352 pages.
- Lee, Francis Graham. *Wall of Controversy: Church-State Conflict in America* (Melbourne, FL: Krieger Publishing Co., 1986), \$6.50 (p), 132 pages.
- Lermack, Paul. *Rights on Trial: The Supreme Court and the Criminal Law* (Port Washington, NY: Associated Faculty Press, 1986), \$19.50, 122 pages.
- Levy, Leonard W. *The Establishment Clause: Religion and the First Amendment* (New York: MacMillan, 1986), \$16.95, 236 pages.
- Lieberman, Jethro. *The Enduring Constitution: An Exploration of the First 200 Years* (New York: Harper & Row, 1987), \$25.45, 416 pages.
- Lockard, Duane and Walter F. Murphy. *Basic Cases in Constitutional Law*, 2d ed. (Washington, DC: Congressional Quarterly, 1987).
- Mackinnon, Catherine A. *Feminism Unmodified: Discourses on Life and Law* (Cambridge, MA: Harvard University Press, 1987), \$25.00, 352 pages.
- McDonald, Douglas Corry. *Punishment Without Walls: Community Service Sentences in New York City* (New Brunswick, NJ: Rutgers University Press, 1986), \$30.00, 278 pages.
- Mee, Charles L., Jr. *The Genius of the People: The Constitutional Convention of 1787* (New York: Harper & Row, 1987), \$19.45, 352 pages.
- Miller, Robert T. and Ronald B. Flowers, eds. *Toward Benevolent Neutrality: Church, State, and the Supreme Court* 3d ed. (Waco, TX: Baylor University Press, 1987), \$36.00.
- Mooney, Christopher F. *Public Virtue: Law and the Social Character of Religion* (Notre Dame, IN: University of Notre Dame Press, 1986), \$19.95, 260 pages.
- Morello, Karen Berger. *The Invisible Bar: The Woman Lawyer in America 1638 to the Present* (New York: Random House, 1986), \$19.95, 271 pages.
- Murphy, Walter F., James E. Fleming and William F. Harris II. *American Constitutional Interpretation* (Mineola, NY: Foundation Press, 1986), 1262 pages.
- Murphy, Walter F. and C. Herman Pritchett, eds., *Courts, Judges, and Politics: An Introduction to the Judicial Process* 4th ed. (New York: Random House, 1986), \$18.00, 544 pages.
- Neely, Richard. *Judicial Jeopardy: When Business Collides with the Courts* (Reading, MA: Addison-Wesley, 1986), \$19.95, 189 pages.
- Nowak, John E., Ronald D. Rotunda and J. Nelson Young. *Constitutional Law* 3d ed. (St. Paul, MN: West Publishing Co., 1986), \$30.00, 1191 pages.
- O'Brien, David M. *Storm Center: The Supreme Court in American Politics* (New York: W.W. Norton, 1986), \$9.95 (p), 384 pages.



#### Editor's Note

Since this issue of the newsletter is my last, I would like to acknowledge the help I have received during the past four years. Lief Carter and Charles Lamb have served as associate editors for the previous two volumes and have added immeasurably to the quality and coverage of the newsletter. I appreciate their help and I know they appreciate the cooperation they received from authors, convention organizers, and others in pursuing their responsibilities.

The newsletter is edited and produced at Texas A&M University. In countless ways, the Department of Political Science at A&M has assisted in producing each issue of the newsletter. Edna Lumpkin, Terry Scheiten, Marcia Bastian, Judy Hogg, and Tammy Trebybig, all departmental staff, deserve special recognition for typing, correcting, collating, and mailing the 12 issues I have edited. Tracy Pulaski, as a consulting copy editor, more than compensated for my weak editing skills.

The American Political Science Association also supports the newsletter financially and by supplying mailing labels. The section owes a special thanks for the support and work of Thomas Mann and Chris Hill in the Washington office.

I feel very fortunate to have received the advice, counsel, and assistance of these individuals, and more generally, ideas and comments about the newsletter from members of the section. Thank you.

Finally, I wish to express my best wishes to the incoming editor, William McLauchlan. I was very pleased to learn of Will's nomination and his acceptance of the position. I know that he will make substantial contributions during his term as editor.

Charles A. Johnson  
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