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Law Writers And The Courts

A Matter of Interpretation: Federal Courts and the Law

Justice Scalia's engaging essay, 'Common-Law Courts in a Civil-Law System: The Role of United States Federal Courts in Interpreting the Constitution and Laws,' and the four comments it provokes, 2 should provide lawyers, judges, and other lawmakers with an interesting evening. Instead of presenting a theoretical view of the role of the

Conflict of Laws in the Federal Courts: The Erie Era

pressly reserved it in a subsequent decision,¹ law review writers and federal courts readily joined debate on how the issue should be resolved.¹⁷ Many a cogent argument was advanced for the view that the matter should be handled as it had been theretofore. State conflict of laws

Writ-Writers: Jailhouse Lawyers Right of Meaningful Access ...

THE WRIT-WRITERS: JAILHOUSE LAWYERS RIGHT OF MEANINGFUL ACCESS TO THE COURTS "It is not unusual in a subculture created by the criminal law, wherein prisoners exist as creatures of the law, that they should use the law to try to reclaim their previously enjoyed status in society"

Sources and Forms of Law

that is, discussions by text writers and commentators, which courts or legislators may give formal authority by embodying them or their results in decisions or in statutes The great bulk of Roman law was the work of jurists from the second century B C to the fourth century A D - chiefly

Overruling Statutory Precedents - Yale Law School Legal ...

of its common law decisions? Not so, say many courts and writers"); F NEWMAN & S SURREY, LEGISLATION: CASES AND MATERIALS 653 (1955) (judges often express special reluctance to over-rule statutory precedents); Rogers, Judicial Reinterpretation of Statutes: The Example of Baseball

The Limits Of Legal Realism

1 The Limits Of Legal Realism, by Anthony D'Amato*, 87 Yale Law Journal 468-513 (1978) Abstract: This article will address some criticisms of legal realism, primarily those of HLA Hart, that have been unanswered in the literature and have appeared to discredit the realist approach to law

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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