

Supreme Court New York Kings County

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this book discusses civil litigation at the supreme courts of nine jurisdictions argentina austria croatia england and wales france germany italy spain and the united states and focuses on the available instruments used to keep the caseload of these courts within acceptable limits such instruments are necessary in order to allow supreme courts to fulfil their main duties that is the administration of justice in individual cases private function and providing for the uniformity and development of the law within their respective jurisdictions public function if the number of cases at the supreme court level is too high the result is undue delays which are mainly problematic with regard to the private function it may also put the quality of the court s judgments under pressure which can affect its public and private function alike thus measures aimed at avoiding excessive caseloads need to take both functions into account increasing the capacity of the court to handle larger numbers of cases may result in the court being unable to adequately fulfil its public function since large numbers of court decisions make it difficult to guarantee the uniformity of the law and its development therefore a balanced approach is needed to safeguard capacity and quality as shown by the contributions gathered here the nature of reform in this area is not the same everywhere there are a variety of reasons for this heterogeneity ranging from different understandings of the caseload problem itself local conceptions regarding the purpose of the supreme court and strong entitlements concerning the right to appeal to budgetary restrictions and extremely rigid legislation the book also shows that the implementation of similar solutions to case overload such as access filters may have different effects in different jurisdictions the conclusion might well be that the problem of overburdened courts is multifactorial and context dependent and that easy one size fits all solutions are hard to find and perhaps even harder to implement

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explores the failures of family court and calls for immediate and permanent change at the turn of the twentieth century american social reformers created the first juvenile court they imagined a therapeutic court where informality specially trained public servants and a kindly all knowing judge would assist children and families but the dream of a benevolent means of judicial problem solving was never realized a century later children and families continue to be failed by this deeply flawed court the end of family court rejects the foundational premise that family court can do good when intervening in family life and challenges its endless reinvention to survive jane m spinak illustrates how the procedures and policies of modern family court are deeply entwined in a heritage of racism a profound disdain for poverty and assimilationist norms intent on fixing children and families who are different and the court s interventionist goals remain steeped in an approach to equity and well being that demands individual rather than collective responsibility for the security and welfare of families spinak proposes concrete steps toward abolishing the court shifting most family supports out of the court s sphere vastly reducing the types and number of matters that need court intervention and ensuring that any case that requires legal adjudication has the due process protections of a court of law she calls for strategies that center trusting and

respecting the abilities of communities to create and sustain meaningful solutions for families an abolitionist approach in turn celebrates a radical imagination that embraces and supports all families in a fair and equal economic and political democracy

includes a section called opinions of the attorney general

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