Amy Wildermuth Federalist Society

amy wildermuth federalist society: Sentencing Law and Policy Nora V. Demleitner, 2004 Four leading sentencing scholars have produced the first and only text with enough up-to-date material to support a full course or seminar on sentencing. Other texts offer only partial coverage or out-of-date examples. The chapters in Sentencing Law and Policy: Cases, Statutes, and Guidelines present examples from three distinct types of sentencing guideline-determinate, and capital. The materials draw on the full spectrum of legal institutions, from the U.S. Supreme Court To The state court level, with close consideration of the role of legislatures and sentencing commissions. The only current, full-course text on sentencing, this new title offers: an 'intuitive', conceptually-based organization that looks at the essential substantative components and procedural steps following the sequence of decisions that typically occurs in every criminal sentencing examples covering three distinct areas of sentencing, with chapter materials based on guideline-determinate, indeterminate, and capital sentencing materials from a range of institutions, including decision from the U.S. Supreme Court, state high courts, federal appellate courts, and some foreign jurisdictions - along with statutes and guideline provisions, and reports from various sentencing commissions and agencies in-text notes on sentencing policies that explain common practices in U.S. jurisdictions, then ask students to compare different institutional practices and consider the relationship between sentencing rules, politics, And The broader aims of criminal justice

amy wildermuth federalist society: The Second Founding Ilan Wurman, 2020-11-12 In The Second Founding: An Introduction to the Fourteenth Amendment, Ilan Wurman provides an illuminating introduction to the original meaning of the Fourteenth Amendment's famous provisions 'due process of law,' 'equal protection of the laws,' and the 'privileges' or 'immunities' of citizenship. He begins by exploring the antebellum legal meanings of these concepts, starting from Magna Carta, the Statutes of Edward III, and the Petition of Right to William Blackstone and antebellum state court cases. The book then traces how these concepts solved historical problems confronting framers of the Fourteenth Amendment, including the comity rights of free blacks, private violence and the denial of the protection of the laws, and the notorious abridgment of freedmen's rights in the Black Codes. Wurman makes a compelling case that, if the modern originalist Supreme Court interpreted the Amendment in 'the language of the law,' it would lead to surprising and desirable results today.

amy wildermuth federalist society: *Administrative Law Theory and Fundamentals* ILAN. WURMAN, 2021-05-11 CasebookPlus Hardbound - New, hardbound print book includes lifetime digital access to an eBook, with the ability to highlight and take notes, and 12-month access to a digital Learning Library that includes self-assessment quizzes tied to this book, leading study aids, an outline starter, and Gilbert Law Dictionary.

amy wildermuth federalist society: A Debt Against the Living Ilan Wurman, 2017-07-31 This book is an introduction to and defense of originalism and the Founding intended for a more general audience. No similar book exists. It is aimed at law students, advanced college students, policymakers, and the politically interested reader seeking a general introduction to originalism and its implications for today.

amy wildermuth federalist society: The Original Meaning of the Fourteenth Amendment Randy E. Barnett, Evan D. Bernick, 2021-11-02 A renowned constitutional scholar and a rising star provide a balanced and definitive analysis of the origins and original meaning of the Fourteenth Amendment. Adopted in 1868, the Fourteenth Amendment profoundly changed the Constitution, giving the federal judiciary and Congress new powers to protect the fundamental rights of individuals from being violated by the states. Yet, according to Randy Barnett and Evan Bernick, the Supreme Court has long misunderstood or ignored the original meaning of the amendmentÕs key

clauses, covering the privileges and immunities of citizenship, due process of law, and the equal protection of the laws. Barnett and Bernick contend that the Fourteenth Amendment was the culmination of decades of debates about the meaning of the antebellum Constitution. Antislavery advocates advanced arguments informed by natural rights, the Declaration of Independence, and the common law. They also utilized what is today called public-meaning originalism. Although their arguments lost in the courts, the Republican Party was formed to advance an antislavery political agenda, eventually bringing about abolition. Then, when abolition alone proved insufficient to thwart Southern repression and provide for civil equality, the Fourteenth Amendment was enacted. It went beyond abolition to enshrine in the Constitution the concept of Republican citizenship and granted Congress power to protect fundamental rights and ensure equality before the law. Finally, Congress used its powers to pass Reconstruction-era civil rights laws that tell us much about the original scope of the amendment. With evenhanded attention to primary sources, The Original Meaning of the Fourteenth Amendment shows how the principles of the Declaration eventually came to modify the Constitution and proposes workable doctrines for implementing the key provisions of Section 1 of the Fourteenth Amendment.

amy wildermuth federalist society: Regulatory State Lisa Schultz Bressman, Edward L. Rubin, Kevin M. Stack, 2019-09-13 The Regulatory State, Third Edition is distinguished by a practical focus on how federal administrative agencies make decisions, how political institutions influence decisions, and how courts review those decisions. With coverage tailored to 1L or upper-level courses on the regulatory state or legislation and regulation, Bressman, Rubin, and Stack use primary source materials drawn from agency rules, adjudicatory orders, and guidance documents to show how lawyers engage agencies. Additionally, this book uses an accessible central example (auto safety) throughout to make the materials cohesive and accessible, and presents legislation with attention to modern developments in the legislative process. The Regulatory State, Third Edition also presents statutory interpretation in useful terms, highlighting the "tools" that courts employ as well as the theories that judges and scholars have offered. New to the Third Edition: Expanded discussion of agency methods of statutory implementation and regulatory interpretation Additional primary source materials Up-to-date examination of political and judicial control of agency action New chapter with a case study of the regulatory process using the main example from the book Professors and students will benefit from: Tools-based approach that highlights the methods of analysis that agencies, courts, and lawyers utilize Use of an accessible central example as a familiar entry point into a complex legal area Primary source materials—agency documents, including notice-and-comment rules, adjudicatory orders, agency guidance, and more Empirical data, normative or theoretical questions, and practical examples

amy wildermuth federalist society: Constitutional Process Maxwell L. Stearns, 2002 This is the first comprehensive analysis of how the collective nature of Supreme Court decision making affects the transformation of the justices' preferences into constitutional doctrine. Analyzing the Supreme Court from the perspective of social choice theory, Maxwell L. Stearns offers new insights into Supreme Court decision making that have profound implications for understanding the outcomes in a number of cases and the resulting doctrinal development within constitutional law which traditional analyses have proven ill-equipped to explain. The book models several important process-based Supreme Court rules, including outcome voting, the narrowest-grounds rule, stare decisis, and justiciability, with a particular emphasis on standing. These doctrines have each had a significant impact upon the evolution of modern constitutional law, including but not limited to the following areas: affirmative action, school desegregation, racial gerrymandering, obscenity, and abortion. Each model is presented in nontechnical language with several concrete illustrations drawn from recent Supreme Court case law. The book offers a new understanding of two apparently paradoxical situations: first, cases in which there are separate majorities on specific issues in the case that suggest, logically, that there should be a majority for the dissenting result; and second, cases in which discrete minorities--as opposed to the apparent majority--control the identification and resolution of dispositive case issues. In addition, the book sheds new light on why the Court

employs stare decisis, even though the doctrine grounds the evolution of legal doctrine on the order in which cases are presented and decided, and on how the modern standing doctrine ameliorates the incentives for interest groups to time the litigation of cases in a way that will exert a disproportionate influence over the direction of constitutional doctrine. This book will appeal to scholars of the Supreme Court or judicial decision-making. It should also be of interest to students of social choice and of law and economics who have not previously considered the Supreme Court or constitutional law as fertile ground for their disciplines. Maxwell L. Stearns is Professor of Law, George Mason University School of Law.

amy wildermuth federalist society: Gideon's Promise Jonathan Rapping, 2020-08-18 A blueprint for criminal justice reform that lays the foundation for how model public defense programs should work to end mass incarceration. Combining wisdom drawn from over a dozen years as a public defender and cutting-edge research in the fields of organizational and cultural psychology, Jonathan Rapping proposes a radical cultural shift to a "fiercely client-based ethos" driven by values-based recruitment training, awakening defenders to their role in upholding an unjust status quo, and a renewed pride in the essential role of moral lawyering in a democratic society. Public defenders represent over 80% of those who interact with the court system, a disproportionate number of whom are poor, non-white citizens who rely on them to navigate the law on their behalf. More often than not, even the most well-meaning of those defenders are over-worked, under-funded, and incentivized to put the interests of judges and politicians above those of their clients in a culture that beats the passion out of talented, driven advocates, and has led to an embarrassingly low standard of justice for those who depend on the promises of Gideon v. Wainwright. However, rather than arguing for a change in rules that govern the actions of lawyers, judges, and other advocates, Rapping proposes a radical cultural shift to a "fiercely client-based ethos" driven by values-based recruitment and training, awakening defenders to their role in upholding an unjust status quo, and a renewed pride in the essential role of moral lawyering in a democratic society. Through the story of founding Gideon's Promise and anecdotes of his time as a defender and teacher, Rapping reanimates the possibility of public defenders serving as a radical bulwark against government oppression and a megaphone to amplify the voices of those they serve.

amy wildermuth federalist society: Legal Design Corrales Compagnucci, Marcelo, Haapio, Helena, Hagan, Margaret, Doherty, Michael, 2021-10-21 This innovative book proposes new theories on how the legal system can be made more comprehensible, usable and empowering for people through the use of design principles. Utilising key case studies and providing real-world examples of legal innovation, the book moves beyond discussion to action. It offers a rich set of examples, demonstrating how various design methods, including information, service, product and policy design, can be leveraged within research and practice.

amy wildermuth federalist society: <u>History of Sheboygan County, Wisconsin, Past and Present</u> Carl Zillier, 1912

amy wildermuth federalist society: The Conservative Assault on the Constitution Erwin Chemerinsky, 2010-09-28 Over the last few decades, the Supreme Court and the federal appellate courts have undergone a dramatic shift to the right, the result of a determined effort by right-wing lawmakers and presidents to reinterpret the Constitution by reshaping the judiciary. Conservative activist justices have narrowed the scope of the Constitution, denying its protections to millions of Americans, exactly as the lawmakers who appointed and confirmed these jurists intended. Basic long-standing principles of constitutional law have been overturned by the Rehnquist and Roberts courts. As distinguished law professor and constitutional expert Erwin Chemerinsky demonstrates in this invaluable book, these changes affect the lives of every American. As a result of political pressure from conservatives and a series of Supreme Court decisions, our public schools are increasingly separate and unequal, to the great disadvantage of poor and minority students. Right-wing politicians and justices are dismantling the wall separating church and state, allowing ever greater government support for religion. With the blessing of the Supreme Court, absurdly harsh sentences are being handed down to criminal defendants, such as life sentences for shoplifting

and other petty offenses. Even in death penalty cases, defendants are being denied the right to competent counsel at trial, and as a result innocent people have been convicted and sentenced to death. Right-wing politicians complain that government is too big and intrusive while at the same time they are only too happy to insert the government into the most intimate aspects of the private lives of citizens when doing so conforms to conservative morality. Conservative activist judges say that the Constitution gives people an inherent right to own firearms but not to make their own medical decisions. In some states it is easier to buy an assault rifle than to obtain an abortion. Nowhere has the conservative assault on the Constitution been more visible or more successful than in redefining the role of the president. From Richard Nixon to George W. Bush, conservatives have sought to significantly increase presidential power. The result in recent years has been unprecedented abuses, including indefinite detentions, illegal surveillance, and torture of innocent people. Finally, access to the courts is being restricted by new rulings that deny legal protections to ordinary Americans. Fewer lawsuits alleging discrimination in employment are heard; fewer people are able to sue corporations or governments for injuries they have suffered; and even when these cases do go to trial, new restrictions limit damages that plaintiffs can collect. The first step in reclaiming the protections of the Constitution, says Chemerinsky, is to recognize that right-wing justices are imposing their personal prejudices, not making neutral decisions about the scope of the Constitution, as they claim, or following the original meaning of the Constitution. Only then do we stand a chance of reclaiming our constitutional liberties from a rigid ideological campaign that has transformed our courts and our laws. Only then can we return to a constitutional law that advances freedom and equality.

amy wildermuth federalist society: Victims in Criminal Procedure Douglas E. Beloof, Paul G. Cassell, Steven J. Twist, 2006 In the new and revised 2005 edition of this outstanding casebook, authors Professor Doug Beloof, Judge Paul Cassell, and victims attorney Steven Twist review the expanding role of the crime victim in criminal procedure. Crime victims' law has been neglected in the education of law students even though it represents the single greatest revolution in criminal procedure in the last twenty years. The book addresses that neglect and provides lively and provocative materials about how victims fit into the contemporary criminal justice process. The casebook examines the role of the crime victim from the early stages of the criminal process (investigation and charging) through pre-trial discovery, plea bargaining, trial, and sentencing. The book includes not only recent caselaw concerning crime victims' rights, but also law review articles, victim impact statements, and other interesting materials. The authors provide the perfect set of reading materials for a full course on victims law, a seminar style discussion class, or supplemental materials for a conventional criminal procedure course. A teacher's manual will be available. Every now and then, a book comes along that can truly be said to be a landmark in its field. . . . Victims in Criminal Procedure is such a book. --The Crime Victims Report on the First Edition

amy wildermuth federalist society: No Seat at the Table Douglas M. Branson, 2006-12-01 Women are completing MBA and Law degrees in record high numbers, but their struggle to attain director positions in corporate America continues. Although explanations for this disconnect abound, neither career counselors nor scholars have paid enough attention to the role that corporate governance plays in maintaining the gender gap in America's executive quarters. Mining corporate governance models applied at Fortune 500 companies, hundreds of Title VII discrimination cases, and proxy statements, Douglas M. Branson suggests that women have been ill-advised by experts, who tend to teach females how to act like their male, executive counterparts. Instead, women who aspire to the boardroom should focus on the decision-making processes nominating committees—usually dominated by white men—employ when voting on membership. Filled with real-life cases, No Seat at the Table opens the closed doors of the boardroom and reveals the dynamics of the corporate governance process and the double standards that often characterize it. Based on empirical evidence, Branson concludes that women have to follow different paths than men in order to gain CEO status, and as such, encourages women to make flexible, conscious, and often frequent shifts in their professional behaviors and work ethics as they climb the corporate ladder.

amy wildermuth federalist society: Law's Abnegation Adrian Vermeule, 2016-11-14 Ronald Dworkin once imagined law as an empire and judges as its princes. But over time, the arc of law has bent steadily toward deference to the administrative state. Adrian Vermeule argues that law has freely abandoned its imperial pretensions, and has done so for internal legal reasons. In area after area, judges and lawyers, working out the logical implications of legal principles, have come to believe that administrators should be granted broad leeway to set policy, determine facts, interpret ambiguous statutes, and even define the boundaries of their own jurisdiction. Agencies have greater democratic legitimacy and technical competence to confront many issues than lawyers and judges do. And as the questions confronting the state involving climate change, terrorism, and biotechnology (to name a few) have become ever more complex, legal logic increasingly indicates that abnegation is the wisest course of action. As Law's Abnegation makes clear, the state did not shove law out of the way. The judiciary voluntarily relegated itself to the margins of power. The last and greatest triumph of legalism was to depose itself.

amy wildermuth federalist society: *A Blackletter Statement of Federal Administrative Law* American Bar Association. Section of Administrative Law and Regulatory Practice, 2004 The Blackletter Statement of Federal Administrative Law is published by the Administrative Law section of the American Bar Association.

amy wildermuth federalist society: *Citizenship Reimagined* Allan Colbern, S. Karthick Ramakrishnan, 2020-10-22 States have historically led in rights expansion for marginalized populations and remain leaders today on the rights of undocumented immigrants.

amy wildermuth federalist society: Enforcing Equality Rebecca E Zietlow, 2006-10 In Enforcing Equality, Rebecca E. Zietlow assesses Congress's historical role in interpreting the Constitution and protecting the individual rights of citizens, provocatively challenging conventional wisdom that courts, not legislatures, are best suited for this role. Specifically focusing on what she calls "rights of belonging"—a set of positive entitlements that are necessary to ensure inclusion, participation, and equal membership in diverse communities—Zietlow examines three historical eras: Reconstruction, the New Deal era, and Civil Rights era of the 1960s. She reveals that in these key periods when rights of belonging were contested and defined, Congress has played the role of protector of rights at least as often as the Supreme Court has adopted this role. Enforcing Equality also engages in a sophisticated theoretical analysis of Congress as a protector of rights, comparing the institutional strengths and weaknesses of Congress and the courts as protectors of the rights of belonging. With the recent new appointments to the Supreme Court and Congressional elections in November 2006, this timely book argues that individual rights are best enforced by the political process because they express the values of our national community, and as such, litigation is no substitute for collective political action.

amy wildermuth federalist society: EPA-R5, 1972

amy wildermuth federalist society: Judging Statutes Robert A. Katzmann, 2014-08-14 In an ideal world, the laws of Congress--known as federal statutes--would always be clearly worded and easily understood by the judges tasked with interpreting them. But many laws feature ambiguous or even contradictory wording. How, then, should judges divine their meaning? Should they stick only to the text? To what degree, if any, should they consult aids beyond the statutes themselves? Are the purposes of lawmakers in writing law relevant? Some judges, such as Supreme Court Justice Antonin Scalia, believe courts should look to the language of the statute and virtually nothing else. Chief Judge Robert A. Katzmann of the U.S. Court of Appeals for the Second Circuit respectfully disagrees. In Judging Statutes, Katzmann, who is a trained political scientist as well as a judge, argues that our constitutional system charges Congress with enacting laws; therefore, how Congress makes its purposes known through both the laws themselves and reliable accompanying materials should be respected. He looks at how the American government works, including how laws come to be and how various agencies construe legislation. He then explains the judicial process of interpreting and applying these laws through the demonstration of two interpretative approaches, purposivism (focusing on the purpose of a law) and textualism (focusing solely on the text of the written law).

Katzmann draws from his experience to show how this process plays out in the real world, and concludes with some suggestions to promote understanding between the courts and Congress. When courts interpret the laws of Congress, they should be mindful of how Congress actually functions, how lawmakers signal the meaning of statutes, and what those legislators expect of courts construing their laws. The legislative record behind a law is in truth part of its foundation, and therefore merits consideration.

amy wildermuth federalist society: Terror in the Balance Eric A. Posner, Adrian Vermeule, 2007-01-04 In Terror in the Balance, Posner and Vermeule take on civil libertarians of both the left and the right, arguing that the government should be given wide latitude to adjust policy and liberties in the times of emergency. They emphasize the virtues of unilateral executive actions and argue for making extensive powers available to the executive as warranted. At a time when the 'struggle against violent extremism' dominates the United States' agenda, this important and controversial work will spark discussion in the classroom and intellectual press alike.

amy wildermuth federalist society: Basic Skills for the New Mediator Allan H. Goodman, 2005 This book provides a detailed overview of mediation, from the premediation conference through all stages of the mediation session. It guides the new mediator through the mediation process by answering the one hundred questions most frequently asked by new mediators. The book has been used successfully for self-instruction and as a training manual. Experienced mediators and attorneys who represent clients in mediation will also find this book extremely useful. The Appendix 'Everything You Never Wanted to Know About the Rules of Evidence' is especially valuable for the non-attorney mediator, who must often deal with the evidentiary vocabulary of the legal profession. You will learn to establish your authority as a mediator, schedule the mediation session, deliver the mediator's opening statement, prioritise issues, preside during joint sessions, conduct private caucuses, overcome impasses, identify 'hidden agenda' and 'throwaway' items, deal with parties who lack settlement authority, and aid parties to achieve a viable settlement.

amy wildermuth federalist society: Reason in Law Lief H. Carter, Thomas F. Burke, 2016-03-04 Newly updated ninth edition: "A superbly written, pedagogically rich, historically and conceptually informed introduction to legal reasoning." —Law and Politics Book Review Over the decades it has been in print, Reason in Law has established itself as the place to start for understanding legal reasoning, a critical component of the rule of law. This ninth edition brings the book's analyses and examples up to date, adding new cases while retaining old ones whose lessons remain potent. It examines several recent controversial Supreme Court decisions, including rulings on the constitutionality and proper interpretation of the Affordable Care Act and Justice Scalia's powerful dissent in Maryland v. King. Also new to this edition are cases on same-sex marriage, the Voting Rights Act, and the legalization of marijuana. A new appendix explains the historical evolution of legal reasoning and the rule of law in civic life. The result is an indispensable introduction to the workings of the law.

amy wildermuth federalist society: Originalism Steven G. Calabresi, 2007-08-21 What did the Constitution mean at the time it was adopted? How should we interpret today the words used by the Founding Fathers? In ORIGINALISM: A QUARTER-CENTURY OF DEBATE, these questions are explained and dissected by the very people who continue to shape the legal structure of our country. This is a lively and fascinating discussion of an issue that has occupied the greatest legal minds in America, and one that continues to elicit strong reactions from both those who support and those who oppose the rule of law. Steven G. Calabresi, co-founder of the Federalist Society and professor of law at Northwestern University School of Law, has compiled an impressive collection of speeches, panel discussions, and debates from some of the greatest and most prominent legal experts of the last twenty-five years.

amy wildermuth federalist society: The Oxford Handbook of American Bureaucracy Robert F. Durant, 2012-08-02 One of the major dilemmas facing the administrative state in the United States today is discerning how best to harness for public purposes the dynamism of markets, the passion and commitment of nonprofit and volunteer organizations, and the

public-interest-oriented expertise of the career civil service. Researchers across a variety of disciplines, fields, and subfields have independently investigated aspects of the formidable challenges, choices, and opportunities this dilemma poses for governance, democratic constitutionalism, and theory building. This literature is vast, affords multiple and conflicting perspectives, is methodologically diverse, and is fragmented. The Oxford Handbook of American Bureaucracy affords readers an uncommon overview and integration of this eclectic body of knowledge as adduced by many of its most respected researchers. Each of the chapters identifies major issues and trends, critically takes stock of the state of knowledge, and ponders where future research is most promising. Unprecedented in scope, methodological diversity, scholarly viewpoint, and substantive integration, this volume is invaluable for assessing where the study of American bureaucracy stands at the end of the first decade of the 21st century, and where leading scholars think it should go in the future. The Oxford Handbooks of American Politics are a set of reference books offering authoritative and engaging critical overviews of the state of scholarship on American politics. Each volume focuses on a particular aspect of the field. The project is under the General Editorship of George C. Edwards III, and distinguished specialists in their respective fields edit each volume. The Handbooks aim not just to report on the discipline, but also to shape it as scholars critically assess the scholarship on a topic and propose directions in which it needs to move. The series is an indispensable reference for anyone working in American politics. General Editor for The Oxford Handbooks of American Politics: George C. Edwards III

amy wildermuth federalist society: <u>Administrative Law Stories</u> Peter L. Strauss, 2006 Essay after essay in this fascinating book explores the statutory and historical setting of the cases discussed, rather than mere doctrine, examining in detail lawyers' judgments and tactics. Many use recently revealed papers of Supreme Court Justices to discuss often surprising elements of the decision by the Court. Students can learn a good deal about the handling of these disputes at the administrative level, before they ever get to court -- a perspective essential to understanding the field, but hard to pick up from the reported cases. Attention is paid to the ways in which many of these decisions affected future developments, with primary focus on context and on understanding the ways in which administrative disputes develop, and the roles that lawyers play in developing them.

amy wildermuth federalist society: <u>Phonetics, Theory and Application</u> William R. Tiffany, James A. Carrell, 1977

amy wildermuth federalist society: The Little Green Book of Golf Law John H. Minan, 2007 Golfers and lawyers alike will enjoy this insightful look at law and golf. Not concerned about the rules of golf, each chapter of this book examines an actual case where law and golf have come together. Read about a wide array of legal issues, including Tiger Woods' right of publicity, personal injury and product liability cases, contract disputes involving hole-in-one contests, IRS litigation over tax deductions for golf expenses, equipment patent disputes, and much more. It's the perfect book to share with the golfer or lawyer looking for a new perspective on the game!

amy wildermuth federalist society: The Great Lakes Water Wars Peter Annin, 2009-08-25 The Great Lakes are the largest collection of fresh surface water on earth, and more than 40 million Americans and Canadians live in their basin. Will we divert water from the Great Lakes, causing them to end up like Central Asia's Aral Sea, which has lost 90 percent of its surface area and 75 percent of its volume since 1960? Or will we come to see that unregulated water withdrawals are ultimately catastrophic? Peter Annin writes a fast-paced account of the people and stories behind these upcoming battles. Destined to be the definitive story for the general public as well as policymakers, The Great Lakes Water Wars is a balanced, comprehensive look behind the scenes at the conflicts and compromises that are the past-and future-of this unique resource.

amy wildermuth federalist society: Environmental Law and American Business Joseph F. DiMento, 2013-06-29 We are in the second decade of modem environmental law. By some indicators this body of regulation has matured greatly. We can point to statutes and codes at the federal, state, and local levels which address almost every conceivable form of pollution and environmental insult.

Yet, despite the existence of this large body of law, despite considerable expenditures on enforcement, and despite the energetic efforts of people sympathetic to environmental objectives, violations are numerous. Serious pollution problems are commonplace. Love Canal, the Valley of the Drums, Times Beach, and Stringfellow Acid Pits epitomize the national environmental quality challenge. Daily, a major illegal disposal of haz ardous waste is recorded; a new mismanaged dump site is discovered; a toxic substance is found in our drinking water; or a failure to meet a water or air quality standard is identified. Many of these violations involve American business. Failures to comply are of several types. A small businessman in Pennsylvania mistakenly allows a spillover of a pollutant into a protected stream. An industrialist in the Midwest adds to his fortune by illegally dumping dangerous chemicals. A series of errors by several firms, some of which no longer exist, combine to create a health threatening conflagration on the West Coast. An automobile company interprets one of the almost innumerable air pollution rules differently from government: It produces a car which the government says fails to comply with the Clean Air Act.

amy wildermuth federalist society: Opportunities for Attorneys United States. Dept. of Justice. Tax Division, 1986

amy wildermuth federalist society: Bending the Rules Rachel Augustine Potter, 2019-06-15 Who determines the fuel standards for our cars? What about whether Plan B, the morning-after pill, is sold at the local pharmacy? Many people assume such important and controversial policy decisions originate in the halls of Congress. But the choreographed actions of Congress and the president account for only a small portion of the laws created in the United States. By some estimates, more than ninety percent of law is created by administrative rules issued by federal agencies like the Environmental Protection Agency and the Department of Health and Human Services, where unelected bureaucrats with particular policy goals and preferences respond to the incentives created by a complex, procedure-bound rulemaking process. With Bending the Rules, Rachel Augustine Potter shows that rulemaking is not the rote administrative activity it is commonly imagined to be but rather an intensely political activity in its own right. Because rulemaking occurs in a separation of powers system, bureaucrats are not free to implement their preferred policies unimpeded: the president, Congress, and the courts can all get involved in the process, often at the bidding of affected interest groups. However, rather than capitulating to demands, bureaucrats routinely employ "procedural politicking," using their deep knowledge of the process to strategically insulate their proposals from political scrutiny and interference. Tracing the rulemaking process from when an agency first begins working on a rule to when it completes that regulatory action, Potter shows how bureaucrats use procedures to resist interference from Congress, the President, and the courts at each stage of the process. This exercise reveals that unelected bureaucrats wield considerable influence over the direction of public policy in the United States.

amy wildermuth federalist society: Legal Reasoning and Political Conflict Cass R. Sunstein, 1998-02-26 The most glamorous and even glorious moments in a legal system come when a high court recognizes an abstract principle involving, for example, human liberty or equality. Indeed, Americans, and not a few non-Americans, have been greatly stirred--and divided--by the opinions of the Supreme Court, especially in the area of race relations, where the Court has tried to revolutionize American society. But these stirring decisions are aberrations, says Cass R. Sunstein, and perhaps thankfully so. In Legal Reasoning and Political Conflict, Sunstein, one of America's best known commentators on our legal system, offers a bold, new thesis about how the law should work in America, arguing that the courts best enable people to live together, despite their diversity, by resolving particular cases without taking sides in broader, more abstract conflicts. Sunstein offers a close analysis of the way the law can mediate disputes in a diverse society, examining how the law works in practical terms, and showing that, to arrive at workable, practical solutions, judges must avoid broad, abstract reasoning. Why? For one thing, critics and adversaries who would never agree on fundamental ideals are often willing to accept the concrete details of a particular decision. Likewise, a plea bargain for someone caught exceeding the speed limit need not--indeed, must not--delve into sweeping issues of government regulation and personal liberty. Thus judges

purposely limit the scope of their decisions to avoid reopening large-scale controversies. Sunstein calls such actions incompletely theorized agreements. In identifying them as the core feature of legal reasoning--and as a central part of constitutional thinking in America, South Africa, and Eastern Europe-- he takes issue with advocates of comprehensive theories and systemization, from Robert Bork (who champions the original understanding of the Constitution) to Jeremy Bentham, the father of utilitarianism, and Ronald Dworkin, who defends an ambitious role for courts in the elaboration of rights. Equally important, Sunstein goes on to argue that it is the living practice of the nation's citizens that truly makes law. For example, he cites Griswold v. Connecticut, a groundbreaking case in which the Supreme Court struck down Connecticut's restrictions on the use of contraceptives by married couples--a law that was no longer enforced by prosecutors. In overturning the legislation, the Court invoked the abstract right of privacy; the author asserts that the justices should have appealed to the narrower principle that citizens need not comply with laws that lack real enforcement. By avoiding large-scale issues and values, such a decision could have led to a different outcome in Bowers v. Hardwick, the decision that upheld Georgia's rarely prosecuted ban on sodomy. And by pointing to the need for flexibility over time and circumstances, Sunstein offers a novel understanding of the old ideal of the rule of law. Legal reasoning can seem impenetrable, mysterious, baroque. This book helps dissolve the mystery. Whether discussing the interpretation of the Constitution or the spell cast by the revolutionary Warren Court, Cass Sunstein writes with grace and power, offering a striking and original vision of the role of the law in a diverse society. In his flexible, practical approach to legal reasoning, he moves the debate over fundamental values and principles out of the courts and back to its rightful place in a democratic state: the legislatures elected by the people.

amy wildermuth federalist society: Understanding Secured Transactions William H. Henning, R. Wilson Freyermuth, Brook Gotberg, 2024 The sixth edition of this clear and concise Understanding treatise thoroughly incorporates and explains the 2022 Amendments to the Uniform Commercial Code. These amendments created a new Article 12 governing the holding and transfer of digital assets such as virtual currencies and non-fungible tokens. Significant portions of Article 9, the main subject of the book, were amended to facilitate the use of these assets as collateral for loans and other obligations. In describing these amendments, this edition explains inherently complex topics related to emerging technologies clearly, so that those without a background in technology may readily understand them. The new edition also expands its coverage of existing concepts, providing numerous examples to help the reader apply legal principles to many different types of commercial finance transactions. The chapter on the effects of bankruptcy on secured transactions has been thoroughly revised and expanded and provides the most comprehensive explanation of that topic available anywhere--

amy wildermuth federalist society: Polarized Politics and Policy Consequences Diana Epstein, John David Graham, 2007 To elucidate the impact of polarization on the daily lives of U.S. citizens, the research community may need to modify its benchmarks for what constitutes a successful public policy. The authors suggest that we need a better understanding of how polarization affects the quantity and substance of rulemaking, regulations, and judicial decisions. We also need to examine the effects of partisan polarization at the state and local levels of government, how much polarization complicates the conduct of defense and foreign policy, and precisely how polarization affects different policy areas. The publication should be of interest to members of Congress, presidential candidates, civil servants, political scientists, reporters, and stakeholders seeking to influence public policy.

amy wildermuth federalist society: *Should Trees Have Standing?* Christopher D. Stone, 2010-04-07 Originally published in 1972, Should Trees Have Standing? was a rallying point for the then burgeoning environmental movement, launching a worldwide debate on the basic nature of legal rights that reached the U.S. Supreme Court. Now, in the 35th anniversary edition of this remarkably influential book, Christopher D. Stone updates his original thesis and explores the impact his ideas have had on the courts, the academy, and society as a whole. At the heart of the

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In this report, we describe a sample of existing programs, provide perspectives on the subject ...

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Apr 14, 2016 · Finally, in May the Federalist Society's offices in Washington, D.C. moved to a new address: 1776 I St. NW, Suite 300, Washington, D.C. 20006. As always, we invite and ...

Schedule REVISED 2024 Annual Celebration - ilucc.org

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The Federalist Papers (1787-1788) - colchestercollection.com

good men on the wrong as well as on the right side of questions of the first magnitude to society. This circumstance, if duly attended to, would furn ish a lesson of moderation to those who are ...

ISSN 0041-9915 (print) 1942-8405 (online) DOI ...

Dean Amy Wildermuth for inviting me to give this lecture, to Professor Deborah Brake for hosting me, and to Alec Bosnic and Caden Meier for the opportunity to publish these remarks in the

The Federalist Society: An Extremist Institution

Federalist Society members were extensively involved with the Parents Involved in Community Schools v. Seattle School District No. 1 ruling, where the Supreme Court struck down ...

LECTIONS MATTER - journals.law.harvard.edu

tions of the Federalist Society has been the effort of its members to keep the courts from overturning democratic decisionmaking. Many Federalist Society members have been among ...

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amy.wildermuth@utah.edu SANNE H. KNUDSEN Counsel of Record UNIVERSITY OF WASHINGTON SCHOOL OF LAW William H. Gates Hall Box 353020 Seattle, WA 98195 ...

Academic Misconduct Quick Tips October 2012

Please contact the Office for Faculty 1-8763 or Amy Wildermuth (amy.wildermuth@utah.edu). APPENDIX Form A: Informing a Student of Alleged Academic Misconduct Dear [student]: It ...

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UNIVERSITY OF UTAH SAC HANDBOOK: 2016-2017

Amy Wildermuth L o r i M cDo nal d Vice President for Faculty De an o f S tude nt s 308 Park Building 2 70 U ni o n 801-581-8763 801 - 581 - 7066 amy.wildermuth@utah.ed u l m cdo nal ...

MEMORANDUM - academic-affairs.utah.edu

From: Amy Wildermuth, Associate Vice President for Faculty and Professor of Law Annie Christensen, Dean of Students Date: October 14, 2011 Re: Student Academic Misconduct ...

Volume 19 - Amazon Web Services

Amy Harper, Assistant Director of Finance Shiza Francis, Assistant Director for the Exec. VP Rhonda Moaland, Office Manager. ... 4 The Federalist Society Review Volume 19 Over the ...

wmlawreview.org

William & Mary Law Review VOLUME 54 NO. 1, 2012 JURISDICTIONAL PROCEDURE JUSTIN PIDOT* ABSTRACT Scholars have lavished attention on the substance of jurisdictional ...

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As society became more violent, so too did many prisons, but to view that violence as the underlying cause of the growth of supermax and other segregated confinement obscures the ...

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The University of Michigan Federalist Society chapter hosted the Thirty-Ninth Annual National Student Symposium, albeit remotely, on March 13th and 14th of 2020. The topic, which was ...

Mikaela Malsin Dissertation - University of Georgia

as constitutive even as they constituted particular visions of social scientific evidence and of racial discrimination. By contrast, the minority opinions in McCleskey embraced the constitutive ...

Wildermuth, Amy 10/13/2023 For Educational Use Only ...

Wildermuth, Amy 10/13/2023 For Educational Use Only Hyatt v. Office of Management and Budget, 998 F.3d 423 (2021) 21 Cal. Daily Op. Serv. 4867, 2021 Daily Journal D.A.R. 4905

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ORDER OF THE STATE BOARD OF PHARMACY Michele ...

F. Letter Of Recommendation – Amy D. Wildermuth R.PH Dated January 11, 2023 G. Letter Of Recommendation – Cynthia Yu, R.PH Dated January 15, 2023 H. Michele Hacker – List of ...

2024 Annual Celebration Flyers

Presenter: Amy Wildermuth The Camp Forward team is excited to share the exploration process we have engaged in to evaluate the strengths and opportunities for growth of the two Illinois ...

Duke Law Journal - JSTOR

Lea Vandervelde, Joseph William Singer, Amy Wildermuth, and Steven Winter, as well as participants in faculty workshops at Florida State University, the University of Iowa, the ...

The Federalist Society Review

The Federalist Society Review February 2016 fedsoc.org Circumventing Congress: The Use of Sex-Stereotyping Theory to Expand Protected Classes Under Title VII — J. Gregory Grisham, ...

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Scientific and Technical Expertise After Loper Bright

to thank Nick Bednar, Kristin Hickman, Lidiya Mishchenko, and Amy Wildermuth for their helpful comments and suggestions, as well as the participants of the Works-in-Progress in Intellectual ...

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THE MAGAZINE OF THE FEDERALIST SOCIETY • FEDSOC.ORG Winter 2020. 2 FEATURES Federalist PAPER THE SOC.ORG 2020 SOC.ORG 4 NLC 6 Student Division 8 Mr. Steve A. ...

constitution-of-the-university-of-akron-federalist-society

The Society is a student organization of The University of Akron School of Law ("ALS"). The Society is also a student chapter of the Federalist Society for Law & Public Policy Studies ...

What is the Federalist Society? - openyls.law.yale.edu

Federalist Society is less a philosophic society than a mutual support group, a therapeutic community in which people who feel aggrieved and alienated canfind comfortandsupportfrom ...

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Federalist Papers, published between October 1787 and August 1788 to advocate in favor of the new Constitution being drafted to replace the Articles of Confederation for governing the ...

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ENVIRONMENT.UTAH.EDU GCSC Seminar Series 210 ASB (Aline Skaggs Building) ALL ARE WELCOME August 22, 2017 4:00-5:00 PM Refreshments & meet the speaker at 3:45

MM FEIS Appendix N Distribution List - DNR

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Memorandum TO: Academic Senate Executive Committee

This year, we have completed and submitted to Amy Wildermuth, Associate Vice President for Faculty, a template for use by departments for their career-line review standards. We hope ...

WI ONr~ illtIMING - Supreme Court of the United States

STEVEN TROY MARSHALL AMY JOELLE WILDERMUTH OFFICE OF THE ATTORNEY GENERAL 3900 Forbes Ave 501 Washington Avenue Pittsburgh, PA 15620 Montgomery, AL ...

William & Mary Law Review

Sep 26, 2012 · . 301 (2011), Amy Wildermuth and Lincoln Davies have considered appropriate procedures for developing a factual record related to standing to bring petitions for review, see ...

The Accidental Agency? - Florida Law Review

Melissa Wasserman, Kathryn Watts, John Whealan, and Amy Wildermuth for their comments and feedback; I.... Property Workshop Series, the MSU IP Fall Speakers Series, the 2012 Law & ...

KENTUCKY BOARD OF PHARMACY

• Amy Wildermuth • Amanda Balcerzak • Robert Holbrook – Reinstatement . IV. Next Meeting: May 17, 2022 V. Adjourn. Title: KENTUCKY BOARD OF PHARMACY Author: Burleson, Mike ...

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Amy Wildermuth, University of Utah Alex Winter-Nelson, University of Illinois Urbana-Champaign Joseph P. Zolner, Harvard University National Center for Professional & Research Ethics ...

regulations.utah.edu

Amy Wildermuth, Associate Vice President for Faculty July 26, 2012 RPT Standards Clarification (REVISED) To: FROM: DATE: The purpose of this memo is to clari\$' how those reviewing ...

BOARD MEETING AGENDA August 5 and 6, 2024 th 9:00 a.m.

Amy Wildermuth 2. Kenneth Smith . B. PROBATION COMPLETE 1. Vladislav Tenenbaum 2. Chris Holzman 3. Eric Hammond . Monday, August 5th, 2024 BOARD MEETING . 10:00 a.m. ...

The US Constitution: Federalists v. Anti-Federalists

the end the students should conclude that the "effects" include "a division of society," and the remedy is the formation of "a republic.") • Critical-Analysis Question 3: Federalist Paper #51 ...

The 2010 Annual Report Federalist Society - Amazon Web ...

FEDERALIST SOCIETY Annual Report | 2010 Student Chapters Programs 3 Lewis and Clark, Pennsylvania, Texas, UCLA, Chicago, St. Thomas (FL), Denver, UVA, and Kentucky also held ...

 $\underline{ \mbox{The University of Pittsburgh School of Law Center for } \dots \\$

Tuesday, May 18, 2021 8-8:10 a.m. (EDT) Welcome and Introduction Ariel Armony, Vice Provost for Global Affairs, Director, University Center for International Studies Amy Wildermuth, Dean, ...