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By RICHARD TURKINGTON

Each judge has a different perspective and covers a different topic; however, all agree on one major difficulty of the court system—the fact that delay and inefficiency cause disrespect for the judicial process. In pursuing this theme in a slightly different direction it is pointed out that this same inefficiency and failure of the judicial process which was instituted over one hundred years ago is largely ignored today. Partly to blame for this situation is the lack of sufficiently objective criteria to permit efficient and just enforcement of the laws by those on the bench. Professor Turkington examines this latter problem relative to its effect in equal protection cases, particularly pointing out the unmanageability of an impact analysis in this area.

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By DONALD A. HUNTER

The significant number of people questioning the fundamental framework of our Republic is subjecting the judiciary to pressures that would belie its independent existence as a separate, co-equal branch of government. The men who preside over the nation's courts must be capable of meeting this challenge. The bar and bench must re-evaluate the criteria for qualification, selection, tenure, and retention of judges. The author discusses the prevalent criticisms of the present structures and proposes innovations for change geared to meet the challenges now facing our judicial structure.

THE URGENT CASE FOR AMERICAN LAW REFORM:
A JUDGE'S RESPONSE TO A LAWYER'S PLEA 466

By JAMES O. MONROE, JR.

The American legal system is urgently in need of repair. Symptomatic of this failure to function is the huge backlog of jury trial cases. Judge Monroe, observing this critical situation from his view

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as a trial court judge, calls for *radical* reform. The load of the courts must be lightened by removing to other agencies some matters traditionally handled by the courts. The fault concept for determining liability, divorce cases, and fiduciary matters involving only arithmetic are a few examples of this type of case. Lightening the case load will do precious little good if outmoded, inefficient court procedures are not modified. Judge Monroe presents concrete suggestions for substantial change in these areas. Neither of these reformations will be of benefit if those who man the system do not seek to improve their work habits. Lawyers, judges, and the courts they operate are themselves on trial.

MULTIPLE POST-TRIAL LITIGATION IN CRIMINAL CASES

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By RALPH M. HOLMAN

Present criminal post-trial litigation is repetitious and wasteful. State courts are totally subservient to the federal courts. The United States Supreme Court has created this situation largely through expansion of federal habeas corpus procedure, and through broadened use of the fourteenth amendment. State post-trial review is largely meaningless as the convicted defendant almost always appeals his case in the federal courts, especially when the cost is borne by the public. Justice Holman suggests that the appeal or other post-trial litigation go directly into the federal system. Although some safeguards are necessary to any system of justice, the existence of too many of them will cause the system to become cumbersome and impractical. The use of such duplicative and inefficient procedures can only breed disrespect for the judicial process.

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By THOMAS G. KAVANAGH

The vast, rapid transformation of society from rural-agrarian to urban-industrial has created a need to reflect upon the role and interrelation between the common law and the purpose of the courts, *i.e.*, to do justice. It is the self-imposed duty of the court to re-evaluate the relationship of the tradition and spirit of the common law to current problems. To render justice the court must reflect and fulfill the social needs of the community it serves. New conditions and changing needs require a continual re-appraisal of the relationship between the law and justice. What should students and professors of the law do? What should the practicing attorney do? What should the courts do? The author, an appellate court judge of long standing, discusses the answers to these significant questions.

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By RAYMOND K. BERG AND RICHARD L. SAMUELS

For more than ninety percent of the citizenry the only opportunity to observe the functioning of the courts is the traffic court. What the citizen observes there will deeply influence his attitude toward law enforcement, the judiciary, and the administration of justice. The authors, two experienced traffic court judges, discuss the steps taken to this end by one of the nation's largest traffic courts. Among those topics discussed are: due process in traffic cases; procedural dignity, formality, and consistency; the right to a speedy trial; non-revenue penalties; traffic education; avoidance of scandal; and support from the legal profession and the public.

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