



# Preface

The role of the courts in American politics has increased dramatically over the course of the last century. Whether we're talking about abortion, criminal procedure, campaign financing, federal versus state regulation, or corporate protectionism, the judiciary's impact on our daily lives has been monumental. ***Readings on the American Judicial System*** provides students with a variety of unique perspectives on the role of the courts by legal scholars and lawyers who have valuable experience in their areas of expertise, including constitutional law, the criminal justice system, corporate law, the selection of judges, judicial federalism, and administrative law.

In ***Constitutional Principles or Politics? A History of Judicial Policy-Making***, Michael Luis Principe examines how the political preferences of Supreme Court justices have historically had a tremendous impact on the interpretation of our Constitution, regardless of whether those preferences conflict with the intentions of the framers of that specific constitutional section. A graduate of Whitman College (B.A.), University of Washington School of Law (J.D.), and University of California, Santa Barbara (Ph.D.), as well as a Fulbright Scholar (New Zealand) and Visiting Fellow of St. Edmund's College, Cambridge University, Professor Principe is Director of the Legal Studies Program at William Paterson University.

In ***The Motion to Suppress: A Critical Proceeding in the American Criminal Justice System***, Frank J. Ducoat discusses perhaps the most important motion in the criminal justice system's pre-trial stage. Critical to determining whether the government can introduce certain evidence at trial, Mr. Ducoat examines how the motion to suppress can involve Fourth Amendment or Fifth Amendment issues, as well as the exclusionary rule and "fruit of the poisonous tree" doctrine. A graduate of William Paterson University (B.A.) and Rutgers University Law School (J.D.), Mr. Ducoat spent a number of years as Deputy Attorney General with the New Jersey Attorney-General's Office, Division of Criminal Justice, before assuming his current position as Assistant Prosecutor and Director of the Appellate Division in the Essex County Prosecutor's Office.

In ***United States Corporate Law: An Overview and the Role of Corporate and Transactional Attorneys***, Valerie A. Gross provides a valuable Overview of corporate law in the United States, including an outline of general considerations and issues for the practicing corporate attorney and business attorney. A graduate of William Paterson University (B.A.) and Cornell University Law School (J.D.), Ms. Gross formerly practiced corporate law in the offices of such law firms as McCarter & English, as well as Herrick, Feinstein LLP, before assuming her current position in the prestigious New York City law firm of Morgan, Lewis, & Bockius.

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In *Independence or Accountability: The State of Judicial Selection in the States*, Ryan Rebe examines one of the most enduring debates in American politics – what is the best method for selecting judges at the state level? In the process of reviewing the various methods observed by individual states, Dr. Rebe discusses partisan elections, non-partisan election, retention elections, merit selection, as well as states combining features from different selection systems. A graduate of the University of North Carolina (B.A.), University of Houston Law School (J.D.), and Texas Tech University (Ph.D.), Dr. Rebe practiced criminal law before assuming his current position as Assistant Professor in the Legal Studies Program at William Paterson University.

In *Law, Politics and Citizens United v. FEC*, Martin D. Carcieri examines one of the most important and controversial Supreme Court decisions of recent history, *Citizen United v. FEC*. While offering his unique perspective that *Citizens United* is highly defensible as a matter of law, Professor Carcieri argues that, as a matter of politics, an amendment to the U.S. Constitution invalidating the ruling would also be highly defensible. A graduate of the University of California, Hastings College of Law (J.D.) and University of California, Santa Barbara (Ph.D), Dr. Carcieri is Professor of Political Science at San Francisco State University, where he teaches courses in constitutional law and political theory.

In *State and Federal Courts: Relationship and Interaction*, John Pizzo discusses the relationship, conflicts, and cooperation between the federal and state judicial systems. In addition to including an overview of the composition of the two systems, as well as the scope of their jurisdiction, Mr. Pizzo examines the concepts of dual sovereignty, concurrent jurisdiction and abstention. A graduate of William Paterson University (B.A.) and West Virginia University School of Law (J.D.), where he was Articles Selection Editor of the WVU Law Review, Mr. Pizzo is currently serving as Law Clerk for the Honorable Irene M. Keeley, United States District Court Judge, Northern District West Virginia.

In *The Role and Effect of Administrative Law in the American Judicial System*, Christopher Bauer examines one of the most significant legal trends of the last century – the rapid expansion of administrative law within the American judicial system. From rulemaking and legislative powers to agency adjudication and discretion, Mr. Bauer discusses the tremendous impact this expansion has had on society. A graduate of William Paterson University (B.A.) and West Virginia University School of Law (J.D./M.B.A.), where he was Executive Article Selection & Symposium Editor of the WVU Law Review, Mr. Bauer has accepted a position with the prestigious West Virginia law firm of Steptoe & Johnson.

Our intentions are that these readings will provide students with valuable and interesting perspectives on a judicial system we find tremendously important and yet somewhat misunderstood. Hopefully, readers will be encouraged to further their studies of the incredibly complex American Judicial System.

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