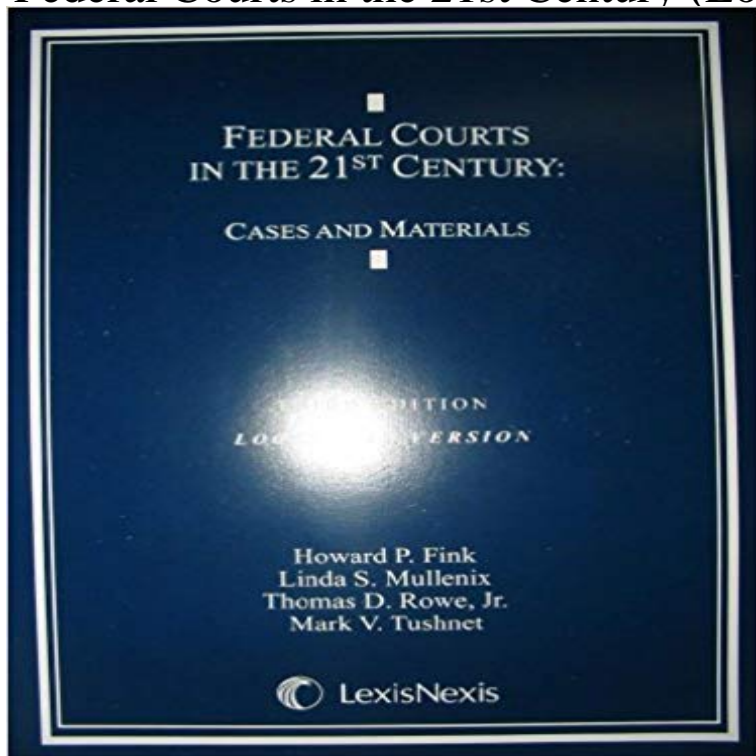


Federal Courts in the 21st Century (Loose-leaf version)



This three-hole punched, alternative loose-leaf version of the hardbound book is printed on 8 1/2 x 11 inch paper with wider margins and the same pagination offered at a substantially lower price than the hardbound book. An underlying theory of this book is that there is no plain meaning to Article III or to statutes defining federal jurisdiction and those creating federal rules of procedure. Concepts such as due process, habeas corpus, the right to jury trial, Article I and Article III courts, abstention, class actions, and jurisdiction are, in the final analysis, all judicial constructs, ever subject to the winds of change. This casebook was the first to discuss the 1996 legislation limiting habeas corpus and death-row appeals and the Supreme Courts decision interpreting this legislation. It was also the first casebook to discuss the Supreme Courts new view of the Eleventh Amendment and of Congress power to waive a states sovereign immunity. A developing area is the threat to the predominance of Article III judgesconstitutionally life-tenured and protected from salary reductionfrom escalating reliance by Congress on other forums to resolve federal rights. This book stresses issues of distribution of power within the federal court system itself. The Third Edition of Federal Courts in the 21st Century discusses the latest cases interpreting Article IIIs case and controversy requirements as a limit on access to the federal courts. Further, this text treats the evolving role of the federal courts in limiting actions of state governments and state officials. It also provides substantial discussion of issues of federal venue, transfer, and law applied in diversity and alienage cases, because of the continued importance of these areas and in recognition that these subjects more and more are being given short shrift in curtailed Civil Procedure courses in the first year.Changes reflected in the Third

Edition include significant revisions of the chapters dealing with class actions, habeas corpus, and Article I courts. The authors have also added a new chapter on federal common law. A section addressing attempts to try foreign enemy combatants before military commissions has also been added. All material has been revised and updated to reflect current developments, recent cases, and important law review scholarship.

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