



Cases and Materials on Federal Courts (American Casebook Series)

Michael L. Wells, William P. Marshall, Larry W. Yackle

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The distinctive feature of this Federal Courts casebook, and the main difference between this and other Federal Courts books, is its systematic focus on remedial issues, especially the range of problems that arise when a litigant tries to enforce federal constitutional rights against state officers in the federal courts. Over the past fifty years, constitutional litigation has become a staple of the federal courts, and with it have come a number of doctrines aimed at channeling, timing, framing and otherwise regulating the way constitutional litigation is conducted. The Supreme Court's concerns have shifted away from such matters as the Erie doctrine and the relations between state and federal law, and toward the relations between federal courts and state officers. Current casebooks do not ignore these developments, but the books try to fit them into a model that is increasingly ill suited to the task of presenting them in a straightforward and effective way. Departing from the traditional approach of Federal Courts books, the book begins with a chapter on 1983 litigation, and it includes the most comprehensive treatment of habeas corpus to be found in any Federal Courts casebook. The book stresses economy of means, clarity of presentation, and attention to the real world Federal Courts issues that students need to be prepared for. At the same time, it gives due regard to the history and theory of Federal Courts Law, for one must read the cases in their historical context in order to understand them, and one cannot grasp the doctrine without studying the rationales that animate it. The book does, however, avoid extended treatments of issues that have great theoretical importance but little practical impact, and it gives little attention to historical debates that were once vital but have become largely irrelevant to modern Federal Courts law.

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