

The framework of judicial sentencing

A STUDY IN LEGAL DECISION MAKING

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Framework Of Judicial Sentencing A Study In Legal Decision Making

Rasmus H. Wandall



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The Framework of Judicial Sentencing Austin Lovegrove, 1997-05-01 Austin Lovegrove examines the thinking of judges as they sentence multiple offenders and identifies the strategies judges have developed to help them apply sentencing law in individual cases based on their responses when asked to think aloud while undertaking sentencing problems Giving increased specificity to legal analyses of the sentencing process Dr Lovegrove enables the appropriateness of the judicial approach to be evaluated and offers a basis for rule based and numerical guidelines by making what is currently a largely intuitive process more deliberative

Constructing Objectivity: Emotions in Legal Decision-making Stina Bergman Blix, Sharyn Lee-Anne Roach Anleu, Mojca M. Plesnicar, Louise Victoria Johansen, 2025-08-28 The field of Law and Emotion originated in discussions that disputed the bifurcation of emotion and law In the past decade these discussions have inspired socio legal research on the dynamic and social dimensions of court work The field has grown exponentially in diverse disciplines such as sociology law philosophy anthropology and criminology At the core of legal decision making lies the fundamental principles of objectivity impartiality and independence The Research Topic Constructing Objectivity Emotions in Legal Decision making addresses the dialectical processes of translating these principles into everyday judicial practice across a wide range of legal systems Building on empirical research including observations interviews shadowing vignettes and workshops with legal professionals this collection engages with objectivity in the making It addresses such questions as What role does court architecture and material objects play in the emotional dynamic of the legal procedure How do judges manage victims emotional statements or evaluate their credibility How do judges make independent decisions in a collective setting What role does extra legal lay specialist expertise play in co constructing legal knowledge of relevance to decision making How do judges embrace the idea of objectivity How is all this influenced by the growing digitalization of courts and hearings In so doing it investigates the complexity of objectivity as an ideal a judicial value requiring performance promoting courtroom atmosphere and as sometimes feigned

Judicial Applications of Artificial Intelligence Giovanni Sartor, Karl Branting, 1998-12-31 The judiciary is in the early stages of a transformation in which AI Artificial Intelligence technology will help to make the judicial process faster cheaper and more predictable without compromising the integrity of judges discretionary reasoning Judicial decision making is an area of daunting complexity where highly sophisticated legal expertise merges with cognitive and emotional competence How can AI contribute to a process that encompasses such a wide range of knowledge judgment and experience Rather than aiming at the impossible dream or nightmare of building an automatic judge AI research has had two more practical goals producing tools to support judicial activities including programs for intelligent document assembly case retrieval and support for discretionary decision making and developing new analytical tools for understanding and modeling the judicial process such as case based reasoning and formal models of dialectics argumentation and negotiation Judges squeezed between tightening budgets and increasing demands for justice are

desperately trying to maintain the quality of their decision making process while coping with time and resource limitations Flexible AI tools for decision support may promote uniformity and efficiency in judicial practice while supporting rational judicial discretion Similarly AI may promote flexibility efficiency and accuracy in other judicial tasks such as drafting various judicial documents The contributions in this volume exemplify some of the directions that the AI transformation of the judiciary will take

Decisions to Imprison Rasmus H. Wandall, 2016-05-13 Rasmus Wandall uses quantitative and qualitative methods from studies carried out in Denmark to address the formal and informal norms and ideologies that are used to generate decisions to imprison Focusing on the operations of the courtroom participants his work investigates how court decision making is organized to allow the sentencing procedure to be open to more than its formal legal framework while at the same time keeping the sentencing within the boundaries of law and legal validity The author uses the theory of law's operational closure developed by Niklas Luhmann The theory provides an advantageous point of departure to capture the close and subtle interactions between law's need for validity and for contextual openness in every legal operation including court decision making

Proceedings of the Conference, 1999 **Criminal Justice in Action**, *Routledge Handbook of Evidence-Based Criminal Justice Practices* Edelyn Verona, Bryanna Fox, 2023-10-31 Now more than ever the criminal justice system and the programs policies and practices within it are subject to increased public scrutiny due to well founded concerns over effectiveness fairness and potential unintended consequences One of the best means to address these concerns is to draw upon evidence based approaches demonstrated to be effective through empirical research rather than through anecdote standard practice or professional experience alone National Institute of Justice 2011 The goal of this book is to describe the most useful actionable and evidence based solutions to many of the most pressing questions in the criminal justice system today Specifically this edited volume contains brief and accessible summaries of the best available research alongside detailed descriptions of evidence based practices across different areas of the criminal justice system It is written so that practitioners and researchers alike can use the text as reference tool in their work and in training the new generation of individuals working to improve the system Researchers and practitioners in many areas of criminal justice crime prevention policing courts prosecution defendants judges corrections sanctions and sentencing can reference specific chapters in this book to guide their policy and practice decisions Although theory is a guide for the practices described the chapters will address practical issues in implementation and action This book overcomes the limitations of previous criminal justice practice books in that it is written as a practice resource and reference guide and spans practices and policies across different sectors of the criminal justice system from prevention to policing to sanctions and corrections Each chapter contains a list of action items based upon the best available scientific research that can be implemented in practice to address key issues and long standing challenges in the criminal justice system

International Criminal Justice Review, 1998 **Federal Sentencing Reporter**, 2003 **Bowker's Law Books and Serials in Print**, 1998 **Criminal Courts**

Aaron Kupchik,2019-01-15 The social organization of criminal courts is the theme of this collection of articles The volume provides contributions to three levels of social organization in criminal courts 1 the macro level involving external economic political and social forces Joachim J Savelsberg Raymond Michalowski Mary E Vogel John Hagan and Ron Levi 2 the meso level consisting of formal structures informal cultural norms and supporting agencies in an interlocking organizational network Malcolm M Feeley Lawrence Mohr Jo Dixon Jeffrey T Ulmer and John H Kramer and 3 the micro level consisting of interactional orders that emerge from the social discourses and categorizations in multiple layers of bargaining and negotiation processes Lisa Frohmann Aaron Kupchik Michael McConville and Chester Mirsky Bankole A Cole An editorial introduction ties these levels together relating them to a Weberian sociology of law *Criminology & Penology Abstracts* ,1991 Entangled Leah G. Pope,Amy C. Watson,Jennifer D. Wood,Michael T. Compton,2024-11-22 People with serious mental illness SMI are prominently and unjustly overrepresented in the criminal legal system More than one third and in some studies more than two thirds of those with SMI have a lifetime history of arrest For the first time a single volume takes a deep dive into the common behaviors contexts and decisions that lead to misdemeanor arrests Contributors representing the fields of anthropology social work criminology and psychiatry draw on data from a mixed method multisite study Atlanta Chicago New York and Philadelphia to examine how people with SMI become entangled in the criminal legal system and how failure to resolve underlying issues such as underfunded social and mental health service systems and the shortage of affordable housing plays a role Divided into three distinct sections Entangled How People With Serious Mental Illness Get Caught in Misdemeanor Systems Provides a historical perspective on how social mental health and criminal legal system policies have imperiled individuals with SMI and demonstrates the contexts that shape decision making across misdemeanor systems Looks at specific misdemeanor charges that have traditionally been common for people with SMI including criminal trespass shoplifting obstruction and resisting arrest and misdemeanor assault and battery with insight into the factors behind such charges Reviews necessary reforms and policy advances in the criminal legal system and the mental health crisis response system and advocates for a multisystem approach that emphasizes racial equity In each chapter data based clinical vignettes illustrate scenarios in which people with SMI have been arrested on misdemeanor charges heightening the clinical relevance of the information Key points summarize the main takeaways in every chapter and help readers retain important concepts Offering a thorough and nuanced description of current challenges as well as a vision of a better future Entangled encourages readers to be part of crafting solutions to help individuals with mental illness especially serious mental illness embrace a life of recovery hope empowerment and integration The British National Bibliography Arthur James Wells,1998 *Forthcoming Books* Rose Arny,1997 *Current Publications in Legal and Related Fields* ,1998 **Judicial Decision Making, Sentencing Policy, and Numerical Guidance** Austin Lovegrove,2012-12-06 This book describes an original empirical study of judicial decision making The process of determining sentences is a difficult one for judges and

often unnecessarily intuitive subjective and complex The present study introduces a conceptual outline and empirical technique for increasing the precision of sentencing policy thus offering an aid to judges who sentence in the light of this policy The primary purpose of this model of judicial decision making is to provide a framework for scaling the seriousness of any single case in relation to the facts of that case and for relating this assessment to the appropriate quantum of sentence The validity of the model is tested and cross validated in an archival study This innovative research serves as an important prototype for a system of numerical guidance to judges and sentencers Criminal Justice Review ,1997 *Recent Acquisitions* Ohio State University. College of Law. Library,1997 *Law Books Published* ,1998

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