



The Contours of Justice: Communities and Their Courts

James Eisenstein, Roy B. Flemming, Peter F. Mardulli

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The Contours of Justice provides a framework for describing and understanding criminal courts throughout the United States by depicting the functions of criminal courts in nine middle-sized counties in three states. It integrates concepts from each of the three traditional theoretical approaches to court analysis: the individual, organizational, and environmental approaches. The authors approach the courts as communities composed of judges, prosecutors, and defense attorneys rather than as "legal institutions" applying formal law. They analyze the differences in culture, technology, physical setting, the customary ways of arriving at guilty pleas, as well as other aspects of the courts. The authors also incorporate information about the political and economic characteristics of the communities that the courts serve, along with the basic functions of scheduling cases and assigning personnel to cases. The portraits of the nine courts present the day-to-day activities of judges, prosecutors, and defense attorneys that lead to the decisions about the fates of the defendants brought to the courts. This comparison not only provides a vivid picture of actual court function, but allows an assessment of the process that leads to ideas for reform.

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