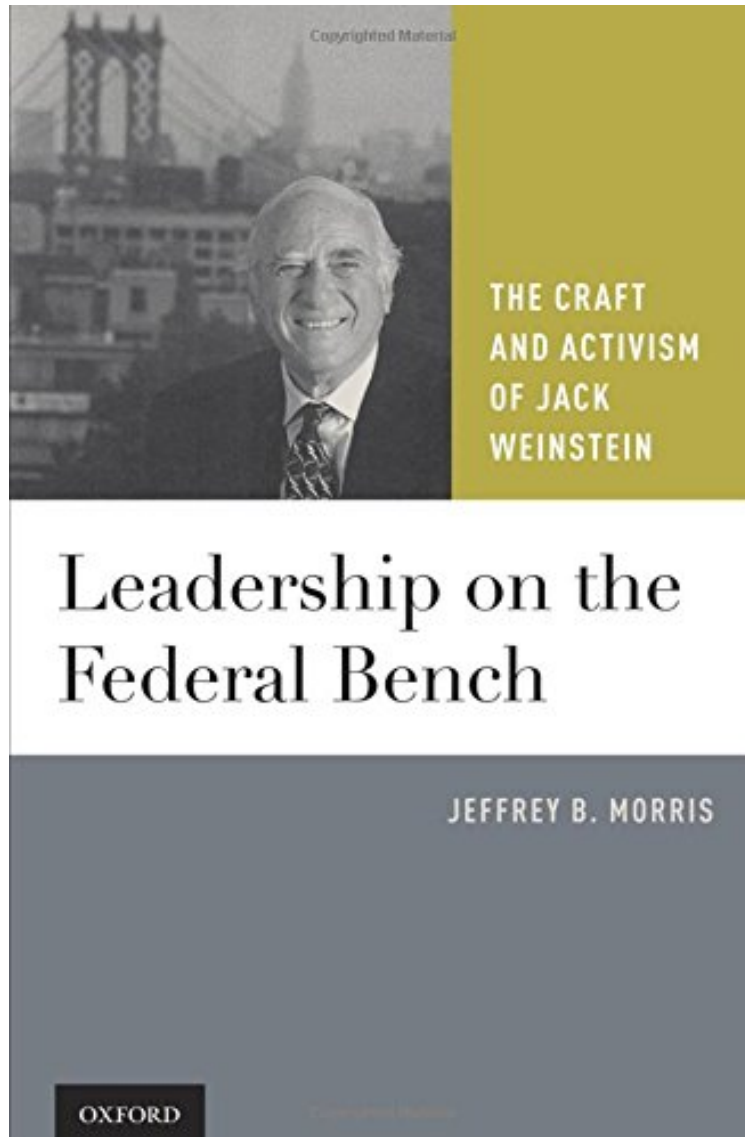


Leadership on the Federal Bench: The Craft and Activism of Jack Weinstein

Jeffrey B. Morris

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Jeffrey B. Morris : Leadership on the Federal Bench: The Craft and Activism of Jack Weinstein before purchasing it in order to gage whether or not it would be worth my time, and all praised Leadership on the Federal Bench: The Craft and Activism of Jack Weinstein:

1 of 1 people found the following review helpful. Extraordinary judge; extraordinary bookBy Ronald H.

Clark Although this is a book about the distinguished United States District Judge Jack B. Weinstein (E.D.N.Y.) (b. 1921), it is also an extremely valuable portrait of the work, activities, and norms of the United States District Courts, the workhorses of the federal judicial system. In fact, the subject of the first chapter is the "job" of the federal district judge. This is an important extra "bonus," because a book on Weinstein's extraordinary career(s) alone richly rewards the reader. Weinstein's pre-appointment life itself is fascinating, with a single chapter covering it from 1921-1967. From his childhood in Brooklyn, to his WWII submarine service, to his legal education, to his clerkship with Justice Fuld, to his private practice period and his teaching at Columbia Law, the reader really gets to know Weinstein and the forces that shaped his judicial perspective before the author tackles his judicial career. There is also a helpful chapter on the characteristics of the Eastern District of New York where Weinstein has sat since 1967, and how it compares to the work of other federal district courts. A preliminary chapter encapsulates the author's conclusions as to the characteristics of Weinstein's judging. The author has chosen to review Weinstein's judicial career in chapters each covering a decade of service. As various cases are discussed, it becomes evident how wide a subject-matter universe a district judge encounters on a daily basis. For Weinstein, Vietnam war resistor; first amendment; civil rights; school desegregation; criminal cases and environmental disputes were but some of the issues he encountered during his first decade. The second decade brought political corruption; Social Security disability; and organized crime cases to his docket. A highlight of his third decade was his masterful handling of the Shoreham Nuclear Reactor litigation. Several chapters provide excellent case studies of a superior district judge at work in areas in which Weinstein made enormous contributions. His work in developing judicial techniques for handling mass tort and class actions, such as the Agent Orange and Asbestos cases, made justice a reality for large groups of plaintiffs. His use of these techniques in the DES, Breast Implant, Repetitive Stress and light cigarette cases is also discussed. Weinstein has been a controversial judge as well. He has not hesitated to push the envelope, to manipulate the court's discretion, and in other ways to be the epitome of the judicial activist. He has had his run-ins with the Court of Appeals for the Second Circuit, such as the author skillfully recounts in discussing Weinstein's "war" against the sentencing guidelines. While Weinstein has made inestimable contributions to American law, I would be quite uncomfortable if every district judge tried to be a Weinstein. So, this is a fine book from two perspectives: Weinstein and as undoubtedly the best case study we have of the work of federal district judges. Based on my experience, I would argue we could use a few more Weinstein's on the federal district bench. But individuals that have his energy, intelligence, organizational skill, knowledge of federal procedure and evidence, and humanity are very few indeed. I am pleased that he continues to push along at age 90, and continues to make manifold contributions.

3 of 3 people found the following review helpful. Inspirational
By Big Molf
I could put to practice even 10% of what Jack Weinstein has done with his life I will have felt completely fulfilled. This man is a true example of a patriotic American who uses his amazing skills and experience and life to help people in trouble. All judges should be required to read this book. Judge Weinstein is a man with steel skin but a heart of velvet. Written by a historian, with all the boring footnotes, the writing style is respectful and fair, but not the greatest. The best writings are the quotes taken from Judge Weinstein and anecdotes from his cases and real-life situations, and there are plenty of really inspiring stories. I'm actually not a compulsive reader, especially of non-fiction stuff like this, but once I started reading about this fascinating man, I could not put it down till I finished. Waaaaay better than any Grisham novel I've ever read, but this is the real thing!

Anyone in any job or in any phase of their life, education, career, retirement, whatever, will benefit in some way from the inspiration of this no-nonsense real-life, let's get the job done, whatever it takes judge. His way of dealing with complex problems will give anyone the inspiration to take on their own complex issues and put the "Weinstein Common Sense" logic to the problem, and have it solved and have all sides happy. Great help if you ever are in a position of having to negotiate. And who isn't? Even if it's how late you let your kid stay out, everyone acts like a judge, negotiator, mediator. Just because he has the title, and we don't, does not mean we can't all gain from what this fearless judge has to teach us.

0 of 0 people found the following review helpful. Remarkable
By TYLL VANGEEL
This is an extraordinary work. It combines an insightful personal biography of Judge Weinstein with an in-depth, meticulous and informative accounting of the broad range of cases he has dealt with, and the law he reshaped. On top of that, this book is one of the best, if not the best, account of the work of the Federal District Courts. The book ought to be on the reading list of every law student and anybody else who is interested in how our judicial system works. Tyll van Geel

Leadership on the Federal Bench: The Craft and Activism of Jack Weinstein considers the ways a particularly gifted federal judge seized the opportunities available to district judges to influence the results of the cases before him, and employed the tools available to him to make policy having a national impact. In the book, author Jeffrey Morris considers the ways in which the judge, Jack Weinstein of the Eastern District of New York, has been limited by his position. This book adds to the slim literature about the policy-making role of district judges applying the work of legal historians, political scientists and those trained in the law. Focusing upon an admitted judicial activist - perhaps the most famous, innovative and controversial district judge sitting today - the book permits a close look at activism at the trial level. Leadership on the Federal Bench: The Craft and Activism of Jack Weinstein begins by analyzing the job of a federal district judge and why it is profitable to study Judge Weinstein. Related topics include Weinstein's

background before appointment to the bench; the political and legal environment within which Weinstein has judged and the characteristics of the district in which he sat and its possible impact on him. Part of the book focuses on Weinstein's judicial output for each of his four decades on the bench. Cases are drawn from a diverse number of areas, among them the areas of civil rights, freedom of speech, search and seizures, organized crime and political corruption cases, evidence and procedure. Finally, conclusions are made on the role of district courts, judicial activism in general, along with a summary of Judge Weinstein's career.

"Morris' book captures the essence of Jack B. Weinstein's judicial career. Having been privileged to practice law before Judge Weinstein, work for him as a Magistrate Judge, and now join him as a federal district judge, there is one word that stands above all: inspiration. Jack has inspired numerous lawyers, judges, legislators, and ordinary citizens to emulate him by contributing more to our system of justice than we thought we could. I would not be the Judge I am today, if I had not been inspired by Judge Jack B. Weinstein." --Shira A. Scheindlin, United States District Judge

Jeffrey Morris' essential new book chronicles one of the most influential American jurists since World War II. Judge Weinstein's impact on the law has been profound and lasting. In a wide-ranging series of judicial decisions encompassing torts, contracts, evidence, procedure, criminal law and the sentencing of convicted offenders, Weinstein has paved the way in making the law relevant to modern day America. Always controversial and provocative, Weinstein's scholarly legal opinions, treatises, law review articles and hundreds of other writings and speeches provide a blueprint of modern American law. This is a comprehensive study of a legal giant." --Kenneth Feinberg, Administrator of the 9/11 Victim Compensation Fund and the BP Oil Spill Claims Process

"This book is a tribute to the towering role that Judge Jack Weinstein has played over the past five decades in both the legal academy and the courts. Jack's creativity and his passion for justice come alive in these pages." --David M. Schizer, Dean and the Lucy B. Moses Professor of Law, Columbia Law School

About the Author: Professor Jeffrey B. Morris began teaching at the City College of CUNY and then taught at the University of Pennsylvania. Beginning in 1988, he taught law as a Professor at the Jacob D. Fuchsberg Law Center of Touro College. Professor Jeffrey B. Morris has written or edited over a dozen books and was commissioned to write histories of the U.S. Court of Appeals for the Second Circuit, the U.S. Court of Appeals for the District of Columbia Circuit, the U.S. District Court of the Eastern District of New York, and U.S. District Court for the District of Columbia.