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The Resource Page

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JUVENILE-JUSTICE WEBSITES

National Council of Juvenile and Family Court Judges <http://www.ncjfcj.org/>

The National Council of Juvenile and Family Court Judges has an excellent website that can lead you to publications on just about any aspect of juvenile- or family-court interest. Click on the “Publications” tab to go to the group’s own publications, including ones on improving practice in the issuance of protection orders, how to best foster child safety in custody cases, and how to improve court practices in juvenile-delinquency cases.

From the main publications page, you can click on a link to all of the publications of the National Center for Juvenile Justice, which number in the hundreds. Also on the main publications page, you can choose topics like juvenile delinquency, family violence, domestic relations, and substance abuse to find links to key resources in those areas.

National Center for State Courts Resource Guides <http://www.ncsc.org/information-and-resources/browse-topics-a-z.aspx>

One part of the National Center for State Courts’ website is a set of resource guides organized by topic. Separate guides are available for family courts, juvenile justice and delinquency, adoption/termination of parental rights, dependency, court improvement, and gender fairness. Each topic has links to web-accessible publications of interest that National Center staff have reviewed and found useful. For example, the topic Juvenile Justice and Delinquency, more than 80 separate studies or reports are listed with a brief description and a link to the underlying material. You can quickly find something of interest on almost any juvenile-justice topic.

The Future of Children Website <http://www.princeton.edu/futureofchildren/>

This website is run by the Woodrow Wilson School of Public and International Affairs at Princeton University and the Brookings Institution. The site provides notice of new social-science research about children and youth with the goal of making such information easily available to—and useful for—policy makers and practitioners alike. It’s a good source for keeping up with developments as they occur as well as finding overview reports that put new developments into context.



NEW BOOKS

LAWRENCE M. SOLAN, *THE LANGUAGE OF STATUTES: LAWS AND THEIR INTERPRETATION*, The University of Chicago Press, 2010. 281 pp. \$45.

Brooklyn Law School Professor Lawrence M. Solan has produced a new, highly readable review of the current debates in statutory interpretation, combined with the insights of a scholar trained in both law and linguistics. Anyone who wants to think critically about how one goes about interpreting a statute will find value in this book.

Solan’s overarching conclusion is that when all is considered, the system works pretty well. Judges of all stripes concede that the legislature should be in charge of determining the law when it passes a statute, so judges must be mindful of the primacy of legislators. Most of the time, Solan concludes, they are: people usually understand their legal obligations well enough, and judges usually will agree on the law’s application.

But though the hard cases that result in 5-to-4 United States Supreme Court cases on statutory interpretation are rare, he also explains, linguistically and psychologically, why it’s practically impossible to avoid hard cases with indeterminate

results at the margins. In his discussion, he reviews key cases and everyday examples—like a sign on subway cars in New York that clearly shows that you can’t ride in between cars but doesn’t indicate that you can’t move between cars when the train is stopped. Yet that had also been outlawed and thousands of citations issued. In such cases, Solan argues that the proper question is, “Given a law that appears to be quite specific, are there values that might override fidelity to the language of a statute when the law’s substance was miscommunicated?” In the subway-car example, he concludes that concepts of fair notice override the plain-language legal rule, though he also recognizes that others might rule differently.

In separate chapters, he discusses the difference between ordinary meaning and dictionary definitions, the challenges in determining legislative intent, values implicit in statutory interpretation (like stability and responsiveness to changed circumstances), and how the responsibility for statutory interpretation may be shared by the three branches of government. He also devotes a chapter to jurors as statutory interpreters, convincingly demonstrating that a jury instruction parroting a complicated criminal statute is quite unlikely to be understood.

He concludes with recommendations for judges, legislators, and the executive branch. For judges, he urges frank discussion in hard cases of the values at stake and the considerations that are driving the outcome, not merely dictionary definitions or canons of construction. By doing so, he concludes that judges actually constrain themselves: “When judges are forced to defend the consequences of their decisions overtly, it can only serve to reduce the range of arguments that are deemed legitimate, thus making the exercise of judicial discretion less of a problem—not more of one.”

The book is a worthy successor to his 1993 work, *The Language of Judges* (Univ. of Chicago Press, 209 pp., \$22.50), which provides a great introduction to the value of linguistic analysis in statutory interpretation, including detailed discussion on how well judges act as linguists.