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## Introduction to International Perspectives on Therapeutic Jurisprudence, Part II

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## **Introduction to this issue: International Perspectives on Therapeutic Jurisprudence, Part II**

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Therapeutic jurisprudence (TJ) is flourishing. There is a proliferation of articles being published. In addition, books are being written, and in the past several years, conferences devoted to TJ have been held. (For a listing of over 300 books and articles, see <http://www.law.arizona.edu/upr-intj> and follow the “Cumulative Bibliography” link.) Some recent examples: Professors Bruce Winick and David Wexler, who developed the TI concept, teamed with former University of Denver Law Dean Edward Dauer (internationally known for his work in preventive law) to edit a special issue of the journal *Psychology, Public Policy, and Law* on “Therapeutic Jurisprudence and Preventive Law: Transforming Legal Practice and Education” (volume 5, number 4, 1999). Judge Steve Leben (Johnson County, Kansas), editor of *Court Review: The Journal of the American Judges Association*, organized a special issue of the journal on TI (volume 37, issue 1, 2000). In addition, the Second International Conference on Therapeutic Jurisprudence will be held on 3-5 May, 2001, at the Kingsgate Conference Center at the University of Cincinnati. One can find out about various TJ activities from the web site hosted by the International Network on Therapeutic Jurisprudence at the above web address.

We are pleased that *BS&L* is another scholarly journal participating in international TI efforts. Last year, *BS&L* published the first of two special issues on TI (volume 17, number 5, 1999). The first issue contained several articles that originated as papers presented at the First International Conference on Therapeutic Jurisprudence held in Winchester, UK, in the summer of 1998. The present issue is the second of the two issues, and it includes five more articles that started as Winchester conference papers (Allan & Allan; Birgden & Vincent; Drogin; Elbogen & Tomkins; and McGuire), along with three other articles not from the Winchester conference (Casey & Rottman; Levine; and Slobogin & Fondacaro).

In the recent *Court Review* issue on TJ, Judge William Schma of Kalamazoo County, MI, wrote enthusiastically about the possibilities of TJ for judges. Judge Schma (2000) indicated TJ captures ideas and ideals of importance to judges, and he suggested judges could take a leadership role in making sure the ideas and ideals successfully penetrate legal culture. Judge Schma observed that TJ allows judges and lawyers to arrive at “beneficial and sensible outcomes of [social] problems that come to light in legal trappings,” balancing such values as “outcome, social harmony, and the ethic of care” against the other values (e.g., adversarial process) that too often dominate the focus of the justice system (p. 6). In his editor’s note in the same issue, Judge

Leben (2000) points out “the American Judges Association has recognized the potential value” of TJ for the courts (p. 2). We agree with both of these American judges: TJ is a concept worthy of judicial attention, not only in the U.S. but in other jurisdictions as well. We also believe judges, lawyers, mental health practitioners, and academics of all types will find the articles in this special *BS&L* issue continue to contribute the scholarly assessment of the potentials—and even the cautions—of TJ in the legal system.

Alan J. Tomkins, J.D., Ph.D., and David Carson, LL.B,  
Special Issue Editors

### References

- Leben S. 2000. Editor's note. *Court Review* 37: 2.
- Schma W. 2000. Judging for the new millennium. *Court Review* 37: 4-6.