

Indian Tribal Courts, what they are and how they work...

## American Indian Tribal Courts: The Costs of Separate Justice

by Samuel J. Brakel

This study, comparing court procedures and interviews of court personnel and related officials on five reservations having tribal courts with seven tribes without tribal courts, traces the history and development of the tribal justice systems, examines the reservation environments in which they function, and presents descriptions of legal codes, personnel, selection, training, court facilities, and tribal politics. The author concludes that greater justice for reservation Indians could be achieved by integrating tribal courts into state court systems. Since this is unlikely to be viewed as an acceptable solution by today's Indian leadership, he recommends alternatives to improve the existing tribal court system.

**Publication: October 1978      142 pages      Cloth: \$10.00      Paper: \$5.00**

Samuel J. Brakel is a Research Attorney, American Bar Foundation.

A Different Approach to the Problems of Judicial Reform...

## The Nature of System Change: Reform Impact in the Criminal Courts

by Raymond T. Nimmer

It is the thesis of this monograph that misconceptions about the nature of the judicial process and about how behavior within that process can be modified are the principal causes for the failure of reform efforts in the criminal courts. The author contends that the judicial system is a "closed system" reflecting long-standing accommodations to various interests that resist external control. Citing case studies of comparable efforts to reform criminal courts in different locales, Nimmer demonstrates that such reforms will produce differing impacts according to the local distribution of intragroup power.

For those interested in designing and implementing judicial reforms, Nimmer offers a systematic framework to examine how changes will affect a system; he assesses the possible beneficial and detrimental effects of reform on different elements of the judicial process, and he estimates the likelihood and extent of change.

**Publication: October 1978      193 pages      Cloth: \$10.00      Paper \$5.00**

Raymond T. Nimmer is Associate Professor of Law and Associate Dean, University of Houston College of Law, and an Affiliated Scholar of the American Bar Foundation.

ORDER FROM:



AMERICAN BAR FOUNDATION PUBLICATIONS  
1155 East 60th Street  
Chicago, Illinois 60637

