



## The Third Branch, 1995-1997 (Classic Reprint) (Paperback)

By United States Federal Judicial Center

Forgotten Books, 2017. Paperback. Condition: New. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*. Excerpt from The Third Branch, 1995-1997 Whether the scheme of federal sentencing should emphasize deterrence as opposed to punishment, what is an appropriate sentence for a particular offense, and similar matters, are questions upon which a judge's view should carry no more weight than the view of any other citizen. In such cases I do not believe that the Judicial Conference, or other judicial organizations, should take an official position. Individual judges have, on occasion, expressed opposition to mandatory minimum sentences as a matter of policy. There is certainly no formal inhibition on judges publicly stating their own personal opinions about matters of policy within the domain of Congress, but the fact that their position as a judge may give added weight to their statements should counsel caution in doing so. There is considerable sentiment in the federal judiciary at the present time against further expansion of federal jurisdiction into areas which have been previously the province of state courts enforcing state laws. Part of this stems from a genuine concern about the erosion of federalism, and the...



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