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**Volume 1978  
Spring  
Number 2**

**Visiting Scholars at the American Bar Foundation**

**Coastal Land Management: An Introduction**

Gilbert L. Finnell, Jr.

**The Federal Regulatory Role in Coastal Land Management**

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**Trends in the Incidence of Legal Problems and  
in the Use of Lawyers**

Yakov Avichai

**Meyer Research Grant Program**

**Public Attitudes About Distribution at Death  
and Intestate Succession Laws in the United States**

Mary Louise Fellows, Rita J. Simon, and William Rau



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.

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## **Visiting Scholars at the American Bar Foundation**

The Visiting Scholar program has been developed over the past several years to introduce new points of view to the Foundation's permanent professional staff and to offer selected scholarly professionals an opportunity to work for a time away from the demands of classroom teaching and committee work in the full-time research atmosphere of the Foundation.

The series of articles on land management in coastal zones, the first of which appear in this issue, are the result of work undertaken during Gilbert L. Finnell's tenure at the Foundation as a Visiting Scholar. Research for the series began in 1975 when he was resident at the Foundation during the academic year and has continued during the summers of 1976, 1977, and 1978 during his residency at the Foundation. His research continues.

Professor John P. Heinz, of Northwestern University School of Law, has been at the Foundation during parts of academic years 1975-76, 1976-77, and 1977-78. He is codirector of the Foundation's study of the Chicago Bar Association.

Professor Ronald M. Pipkin, of the Department of Legal Studies, University of Massachusetts, Amherst, has been director of the Foundation's study on law student activity patterns and will be in residence at the Foundation starting January 1979.