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Foreword

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Foreword

The Honorable Lawrence J. O'Neill
Chief Judge, Eastern District of California

In its second year of publication, *The Judges' Book* again brings together legal scholarship of particular use and interest to members of the judiciary. As before, the articles presented avoid pure theory in favor of bringing theory to bear on practical topics. But, these works do much more. They push us to think, to question, and to be better, more consistent, and more conscientious decision makers.

Judicial officers, with the help of staff, are experts at distilling legal rules from primary authorities and at applying those rules to record facts. But, as caseloads become ever more crushing, members of the judiciary increasingly lack the time and means for reflection. We may notice large scale patterns, but do not have the resources to make sense out of the chaos, let alone to steer jurisprudence in the most sensible direction. We routinely encounter complex litigation challenges, but lack access to practical, innovative solutions. Perhaps most importantly, because the press of business is the enemy of circumspection, we charge forward without questioning our own ways of thinking and the mechanisms that underlie our reasoning.

The articles in this edition challenge readers to be more mindful, to recognize vulnerable groups, to consider ethical issues in new ways, to be aware of unexpected consequences, and to be conscious of prejudice. Other included works provide thoughtful approaches to evaluating topical, real-world challenges. Still others tame trends and bring them down to earth. Judges, often overwhelmed with the practical task of making decisions, rely on scholars to open these doors. Those featured herein do not disappoint.

