

A BIBLIOGRAPHY ON PLEA BARGAINING

ALBERT R. MATHENY

This bibliography is an extensive, though not exhaustive, collection of studies relating to plea bargaining. It represents, in large measure, the sources used by the authors of the articles in this issue and has, thereby, idiosyncratic depth rather than comprehensive breadth. The reader should use this bibliography to pursue interests quickened by the foregoing research; it is not a simple checklist of publications. In addition to collecting the authors' sources, I have attempted to gather references from different research traditions: in particular, the "administrative reform" tradition, characteristic of the crime surveys that appeared in the 1920s and 1930s; the "due process" tradition that has dominated legal analyses; and the comparatively recent "organizational" tradition. Regarding the latter, I have also included a selection of basic sources on organization theory that proved helpful in my own research on plea bargaining as an organizational phenomenon. If two or more articles from an edited collection were noteworthy, I listed the edited work alone. Further, if an author's earlier works have been strictly incorporated into a later publication, I noted only the latter.

- ABEL, Richard L. (1974) "A Comparative Theory of Dispute Institutions in Society," 8 *Law & Society Review* 217.
- ABRAMS, Norman (1971) "Internal Policy: Guiding the Exercise of Prosecutorial Discretion," 19 *UCLA Law Review* 1.
- ADAMS, Henry, Henry Cabot LODGE, E. YOUNG and James LAUGHLIN (1876) *Essays in Anglo Saxon Law*. Boston: Little, Brown.
- ALASKA JUDICIAL COUNCIL (1977a) *Alaska Felony Sentencing Patterns*. Anchorage: Alaska Judicial Council.
- (1977b) *Interim Report on the Elimination of Plea Bargaining*. Anchorage: Alaska Judicial Council.
- ALFINI, James J. and Rachel N. DOAN (1977) "A New Perspective on Misdemeanor Justice," 60 *Judicature* 425.
- ALFINI, James J. and John Paul RYAN (1977) "Trial Judges' Participation in Plea Bargaining: How Much, Why, with

I would like to thank Hazel Pridgen for her help in preparing this bibliography.

- What Results?" Presented at the Annual Meeting of the Southern Political Science Association, New Orleans.
- ALSCHULER, Albert W. (1968) "The Prosecutor's Role in Plea Bargaining," 36 *University of Chicago Law Review* 50.
- (1975a) "The Supreme Court, the Defense Attorney, and the Guilty Plea," 47 *University of Colorado Law Review* 1.
- (1975b) "The Defense Attorney's Role in Plea Bargaining," 84 *Yale Law Journal* 1179.
- (1976) "The Trial Judge's Role in Plea Bargaining, Part I," 76 *Columbia Law Review* 1059.
- (1978) "Sentencing Reform and Prosecutorial Power: A Critique of Recent Proposals for 'Fixed' and 'Presumptive' Sentencing," 126 *University of Pennsylvania Law Review* 550.
- (1979) "Plea Bargaining and Its History," 13 *Law & Society Review* 211.
- AMERICAN BAR ASSOCIATION. PROJECT ON MINIMUM STANDARDS FOR CRIMINAL JUSTICE (1968) *Standards Relating to Pleas of Guilty*. New York: Institute for Judicial Administration.
- (1971) *Standards Relating to the Prosecution Function and the Defense Function*. New York: Institute for Judicial Administration.
- (1974) *The Administration of Criminal Justice*. New York: Institute for Judicial Administration.
- AMERICAN BAR ASSOCIATION SECTION OF CRIMINAL JUSTICE (1977) 5 (2) *Criminal Justice* k.
- AMERICAN JUDICATURE SOCIETY (1973) 3 *Criminal Justice in Dade County: A Preliminary Survey*. Chicago: American Judicature Society.
- AMERICAN LAW INSTITUTE (1934) *A Study of the Business of the Federal Courts*, Part I. Philadelphia: American Law Institute.
- (1972) *A Model Code of Pre-Arrest Procedure, Tentative Draft No. 5*. Philadelphia: American Law Institute.
- (1975) *Model Code of Pre-Arrest Procedure*. Washington, D.C.: American Law Institute.
- ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE (1933) "Symposium on 'The Administration of Justice,'" 167 *Annals of the American Academy of Political and Social Science* 1.
- ARCURI, Alan F. (1973) "Police Perception of Plea Bargaining," 1 *Journal of Police Science and Administration* 93.
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

- (1977) *The Nation's Toughest Drug Law: Evaluating the New York Experience*. Washington, D.C.: Drug Abuse Council, Inc.
- AUERBACH, Jerold S. (1976) *Unequal Justice*. New York: Oxford University Press.
- BAKER, Newman F. (1933) "The Prosecutor—Initiation of Prosecution," 23 *Journal of Criminal Law and Criminology* 770.
- BALBUS, Isaac D. (1973) *The Dialectics of Legal Repression: Black Rebels before the American Criminal Courts*. New York: Russell Sage Foundation.
- BALDWIN, John and Michael McCONVILLE (1977a) *Negotiated Justice: Pressures to Plead Guilty*. London: Martin Robertson.
- (1977b) "Patterns of Involvement amongst Lawyers in Contested Trials in the Crown Court," 127 *New Law Journal* 1040.
- (1978) "The Influence of the Sentencing Discount in Inducing Guilty Pleas," in J. Baldwin and A. K. Bottomley (eds.) *Criminal Justice: Selected Readings*. London: Martin Robertson.
- (1979a) "The Legal Profession and the Politics of Research: A Case Study," in R. Luckham (ed.) *Law and Social Enquiry: Case Histories of Research*. New York: International Center for Law and Development, and Uppsala: Scandinavian Institute of African Studies.
- (1979b) "Plea Bargaining and Plea Negotiation in England," 13 *Law & Society Review* 287.
- BALDWIN, Simeon (1908) "The American Practice as to Jury Trials in Criminal Cases," in W. Mittermaier and M. Liepmann (eds.) 1 *Schwurgerichte und Schöffengerichte: Beiträge zu ihrer Kenntnis und Beurteilung*. Heidelberg.
- BARNARD, Chester I. (1938) *The Functions of the Executive*. Cambridge, Mass.: Harvard University Press.
- BATTLE, Jackson B. (1971) "In Search of the Adversary System: The Cooperative Practices of Private Criminal Defense Attorneys," 50 *Texas Law Review* 60.
- (1973) "Comparison of Public Defenders' and Private Attorneys' Relationships with the Prosecutor in the City of Denver," 50 *Denver Law Journal* 101.
- BAZELON, David L. (1973) "The Defective Assistance of Counsel," 42 *University of Cincinnati Law Review* 1.
- BEATTIE, J. M. (1977) "Crime and the Courts in Surrey: 1736-

- 1753," in James S. Cockburn (ed.) *Crime in England, 1550-1800*. Princeton, N.J.: Princeton University Press.
- BEDFORD, Sybille (1961) *The Faces of Justice*. New York: Simon & Schuster.
- BEHA, James A. (1977) "And Nobody Can Get You Out: The Impact of a Mandatory Prison Sentence for the Illegal Carrying of a Firearm on the Use of Firearms and on the Administration of Criminal Justice in Boston," 57 *Boston University Law Review* 96, 290.
- BENJAMIN, Roger W. and Theodore B. PEDELISKI (1969) "The Minnesota Public Defender System and the Criminal Law Process," 4 *Law & Society Review* 279.
- BEQUAL, August (1974) "Prosecutorial Decision Making: A Comparative Study of the Prosecutor in Two Counties in Maryland," 4 *Police Law Quarterly* 34.
- (1978) *White-Collar Crime: A Twentieth-Century Crisis*. Lexington, Mass.: Lexington Books.
- BERNSTEIN, Ilene and John HAGAN (1978) "Process and Outcome in the Study of Social Problems: Multiple Methods and Theoretical Transformations." Presented at the Second National Meeting of the Law and Society Association, Minneapolis (May 18-20).
- BERNSTEIN, Ilene, William KELLY and Patricia DOYLE (1977a) "Societal Reaction to Deviants: The Case of Criminal Defendants," 42 *American Sociological Review* 743.
- BERNSTEIN, Ilene, Edward KICK, Jan LEUNG and Barbara SCHULTZ (1977b) "Charge Reduction: An Intermediary Stage in the Process of Labelling Criminal Defendants," 56 *Social Forces* 362.
- BLACK, Donald J. (1970) "Production of Crime Rates," 35 *American Sociological Review* 733.
- (1971) "The Social Organization of Arrest," 23 *Stanford Law Review* 1087.
- (1972) "The Boundaries of Legal Sociology," 81 *Yale Law Journal* 1086.
- (1973) "The Mobilization of Law," 2 *Journal of Legal Studies* 125.
- BLACKBURN, William James, Jr. (1935) *The Administration of Criminal Justice in Franklin County, Ohio*. Baltimore: Johns Hopkins University Press.
- BLANKENBURG, Erhard, Klaus SESSAR and Wiebke STEFFEN (1978) *Staatsanwaltschaft im Prozess Sociale Kontrolle*. Berlin: Duncker & Humblot.

- BLAU, Peter M. (1963) *The Dynamics of Bureaucracy* (revised ed.). Chicago: University of Chicago Press.
- (1964) *Exchange and Power in Social Life*. New York: John Wiley.
- BLAU, Peter M. and W. Richard SCOTT (1962) *Formal Organizations: A Comparative Approach*. San Francisco: Chandler.
- BLUMBERG, Abraham S. (1967a) *Criminal Justice*. Chicago: Quadrangle Books.
- (1967b) "The Practice of Law as a Confidence Game: Organizational Cooptation of a Profession," 1 (2) *Law & Society Review* 15.
- BLUMSTEIN, Alfred, Jacqueline COHEN and Daniel NAGIN (eds.) (1978) *Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates*. Washington, D.C.: National Academy of Sciences.
- BOND, James E. (1976) "Plea Bargaining in North Carolina," 54 *North Carolina Law Review* 823.
- (1978) *Plea Bargaining and Guilty Pleas* (2d ed.). New York: C. Boardman Co.
- BOSTON UNIVERSITY SCHOOL OF LAW, CENTER FOR CRIMINAL JUSTICE (1977) "Interim Report—Massachusetts Gun Law Project." Boston: Boston University School of Law, Center for Criminal Justice, mimeo.
- BOTTOMS, Anthony E. and John D. McCLEAN (1976) *Defendants in the Criminal Process*. London: Routledge & Kegan Paul.
- BRAYBROOKE, David and Charles LINDBLOM (1963) *The Strategy of Decision*. New York: Free Press.
- BRESSLER, Fenton S. (1965) *Reprieve: A Study of a System*. London: Harrap.
- BRUNK, Conrad (1979) "The Problem of Voluntariness and Coercion in the Negotiated Plea," 13 *Law & Society Review* 527.
- BRUNS, Hans-Jürgen (1974) *Strafzumessungsrecht* (2d ed.). Köln: Carl Heymanns.
- BUBANY, Charles P. and Frank F. SKILLERN (1976) "Taming the Dragon: An Administrative Law for Prosecutorial Decision-Making," 13 *American Criminal Law Review* 473.
- BUCKLE, Suzann R. Thomas and Leonard G. BUCKLE (1977) *Bargaining for Justice: Case Disposition and Reform in the Criminal Courts*. New York: Praeger.
- BURGER, Warren (1971) "The State of the Federal Judiciary," in H. James, *Crisis in the Courts* (revised ed.). New York:

McKay.

- CAHALAN, William (1973) "Certainty of Punishment," 51 *Journal of Urban Law* 163.
- CALLAN, Sam (1979) "An Experience in Justice without Plea Negotiation," 13 *Law & Society Review* 327.
- CARLEN, Pat (1976) *Magistrates' Justice*. London: Martin Robertson.
- CARTER, Lief H. (1974) *The Limits of Order*. Lexington, Mass.: Lexington Books.
- CARTER, Robert M. and Leslie T. WILKINS (1967) "Some Factors in Sentencing Policy," 58 *Journal of Criminal Law, Criminology and Police Science* 503.
- CASALE, Silvia S. G. (1978) *Plea Compromise in New York and London*. Ph.D. Dissertation, Political Science Department, Yale University.
- CASPER, Gerhard and Hans ZEISEL (1972) "Lay Judges in the German Criminal Courts," 1 *Journal of Legal Studies* 135.
- CASPER, Jonathan D. (1972) *American Criminal Justice: The Defendant's Perspective*. Englewood Cliffs, N.J.: Prentice-Hall.
- (1978) *Criminal Courts: The Defendant's Perspective*. Washington, D.C.: Government Printing Office.
- (1979) "Reformers *v.* Abolitionists: Some Notes for Further Research on Plea Bargaining," 13 *Law & Society Review* 567.
- CHANDLER, Alfred D. (1962) *Strategy and Structure*. Cambridge, Mass.: M.I.T. Press.
- CHILD, John (1972) "Organization Structure, Environment and Performance: The Role of Strategic Choice," 6 *Sociology* 1.
- CHURCH, Thomas W., Jr. (1976) "Plea Bargains, Concessions, and the Courts: Analysis of a Quasi-Experiment," 10 *Law & Society Review* 377.
- (1979) "In Defense of 'Bargain Justice,'" 13 *Law & Society Review* 509.
- CLARK, Charles E. and Harry SHULMAN (1937) *A Study of Law Administration in Connecticut*. New Haven, Conn.: Yale University Press.
- CLARKE, Thurston and John J. TIGUE, Jr. (1975) *Dirty Money*. New York: Simon & Schuster.
- CLYNCH, Edward and David NEUBAUER (1977) "Trial Courts as Organizations: A Critique." Presented at the Meeting of the Midwest Political Science Association, Chicago (April 23).

- COCKBURN, James S. (1975) "Early-Modern Assize Records as Historical Evidence," 5 *Journal of the Society of Archivists* 215.
- (1978) "Trial by the Book? Fact and Theory in the Criminal Process, 1558-1625," in J. H. Baker (ed.) *Legal Records and the Historian*. London: Royal Historical Society.
- COHEN, Richard M. and Jules WITCOVER (1974) *A Heartbeat Away*. New York: Viking.
- COLE, George F. (1970) "The Decision to Prosecute," 4 *Law & Society Review* 331.
- (1973) *Politics and the Administration of Justice*. Beverly Hills, Calif.: Sage Publications.
- (1977) "Will Definite Sentences Make a Difference?" 61 *Judicature* 58.
- COTTU, Charles (1822) *On the Administration of Criminal Justice in England*. Boston: Little, Brown.
- COX, Sarah J. (1976) "Prosecutorial Discretion: An Overview," 13 *American Criminal Law Review* 383.
- CRESSEY, Donald R. (1968) "Negotiated Justice," 5 *Criminologica* 5.
- CROWLEY, George D. (1975) "The Tax Fraud Investigation," 1 *Journal of Criminal Defense* 155.
- CYERT, Richard M. and James G. MARCH (1963) *A Behavioral Theory of the Firm*. Englewood Cliffs, N.J.: Prentice-Hall.
- DAHLIN, Donald C. (1974) "Toward a Theory of the Public Defender's Place in the Legal System," 19 *South Dakota Law Review* 87.
- DANZIG, Richard (1973) "Toward the Creation of a Complementary, Decentralized System of Criminal Justice," 26 *Stanford Law Review* 1.
- DASH, Samuel (1951) "Cracks in the Foundation of Criminal Justice," 46 *Illinois Law Review* 385.
- (1968) "The Defense Lawyer's Role at the Sentencing Stage of a Criminal Case," 54 *Federal Rules Decisions* 315.
- DAVIES, Clive (1970) "The Innocent Who Plead Guilty," *Law Guardian* 9 (March).
- DAVIS, Anthony (1971) "Sentences for Sale: A New Look at Plea Bargaining in England and America," [1971] *Criminal Law Review* 150, 218.
- DAVIS, Kenneth Culp (1971) *Discretionary Justice: A Preliminary Examination*. Urbana, Ill.: University of Illinois Press. Originally published as *Discretionary Justice: A Preliminary Inquiry* (1969). Baton Rouge: Louisiana State University.

- (1975) *Police Discretion*. St. Paul: West Publishing Co.
- (1976) *Discretionary Justice in Europe and America*. Urbana, Ill.: University of Illinois Press.
- DAWSON, Robert O. (1969) *Sentencing: The Decision as to Type, Length, and Conditions of Sentence*. Boston: Little, Brown.
- DECKER, Gerhard (n.d.) *Die Einstellung des Ermittlungsverfahrens unter Auflagen gem. § 153a StPO in der Praxis der Staatsanwaltschaft*, Doctoral Dissertation, Faculty of Law, Universität Augsburg.
- DELL, Susanne (1971) *Silent in Court*. London: Bell.
- DEUTSCH, Stuart Jay and Francis B. ALT (1977) "The Effect of Massachusetts' Gun Control Law on Gun-Related Crimes in the City of Boston," 1 *Evaluation Quarterly* 543.
- DIAMOND, Shari and Hans ZEISEL (1975) "Sentencing Councils: A Study of Sentence Disparity and its Reduction," 43 *University of Chicago Law Review* 109.
- DILL, Forrest D. (1973) *Bail and Bail Reform*. Ph.D. Dissertation, Department of Sociology, University of California, Berkeley.
- DOBBS, Dan B. (1973) *Handbook of the Law of Remedies*. St. Paul: West Publishing Co.
- DOLBEARE, Kenneth M. (1967) *Trial Courts in Urban Politics*. New York: John Wiley.
- DOWNIE, Leonard, Jr. (1972) *Justice Denied: The Case for Reform of the Courts*. Baltimore: Penguin Books.
- DuBOW, Fredric L. and Theodore M. BECKER (1976) "Patterns of Victim Advocacy," in W. F. McDonald (ed.) *Criminal Justice and the Victim*. Beverly Hills, Calif.: Sage Publications.
- DUKE LAW JOURNAL (1974) "Note: Competence to Plead Guilty—A New Standard," [1974] *Duke Law Journal* 149.
- DWORKIN, Gerald (1970) "Acting Freely," 4 *Nous* 367.
- EDELHERTZ, Herbert (1970) *The Nature, Impact and Prosecution of White-Collar Crime*. Washington, D.C.: Government Printing Office.
- EISENBERG, Melvin A. (1976) "Private Ordering through Negotiation: Dispute Settlement and Rule Making," 89 *Harvard Law Review* 376.
- EISENSTEIN, James (1973) *Politics and the Legal Process*. New York: Harper & Row.
- (1978) *Counsel for the United States*. Baltimore: Johns

Hopkins University Press.

- EISENSTEIN, James and Herbert JACOB (1977) *Felony Justice: An Organizational Analysis of Criminal Courts*. Boston: Little, Brown.
- EMERSON, Robert M. (1969) *Judging Delinquency*. Chicago: Aldine.
- ENKER, Arnold (1967) "Perspectives on Plea Bargaining," in President's Commission on Law Enforcement and the Administration of Criminal Justice, *Task Force Report: The Courts*. Washington, D.C.: Government Printing Office.
- ERICKSON, William H. (1973) "The Finality of a Plea of Guilty," 48 *Notre Dame Lawyer* 835.
- FEDERAL BUREAU OF INVESTIGATION (1975) *Uniform Crime Reports for the United States*. Washington, D.C.: Government Printing Office.
- FEDERAL JUDICIAL CENTER (1978) *The Second Circuit Sentencing Study*. Washington, D.C.: Government Printing Office.
- FEELEY, Malcolm M. (1973) "Two Models of the Criminal Justice System: An Organizational Perspective," 7 *Law & Society Review* 407.
- (1978) "The Effects of Heavy Caseloads," in S. Goldman and A. Sarat (eds.) *American Court Systems: Readings in Judicial Process and Behavior*. San Francisco: W. H. Freeman.
- (1979a) "Perspectives on Plea Bargaining," 13 *Law & Society Review* 199.
- (1979b) "Pleading Guilty in Lower Courts," 13 *Law & Society Review* 461.
- (1979c) *The Process is the Punishment*. New York: Russell Sage Foundation.
- FEIT, Michael A. (1973) "Before Sentence is Pronounced: A Guide to Defense Counsel in the Exercise of his Postconviction Responsibilities," 9 *Criminal Law Bulletin* 140.
- FELSTINER, William L. F. (1979) "Plea Contracts in West Germany," 13 *Law & Society Review* 309.
- FELSTINER, William L. F. and Ann B. DREW (1978a) "European Alternatives to Criminal Trials," 17(3) *The Judges' Journal* 18.
- (1978b) *European Alternatives to Criminal Trials and Their Applicability in the United States*. Washington, D.C.: Government Printing Office.
- FERGUSON, Gerard A. (1972) "The Role of the Judge in Plea Bargaining," 15 *Criminal Law Quarterly* 26.

- FERGUSON, Gerard A. and Darrell W. ROBERTS (1974) "Plea Bargaining: Directions for Canadian Reform," 52 *Canadian Bar Review* 297.
- FINKELSTEIN, Michael O. (1975) "A Statistical Analysis of Guilty Plea Practices in Federal Courts," 89 *Harvard Law Review* 293.
- FLAHERTY, David H. (1973) "Criminal Justice in Provincial Massachusetts." Presented at the Conference on Atlantic Society, University of Edinburgh (June 29-July 1).
- FLEMING, Macklin (1974) *The Price of Perfect Justice*. New York: Basic Books.
- FOGEL, David (1975) *We Are the Living Proof: The Justice Model for Corrections*. Cincinnati: W. H. Anderson Co.
- FOGELSON, Robert M. (1977) *Big City Police*. Cambridge, Mass.: Harvard University Press.
- FOLBERG, H. Jay (1968) "The 'Bargained for' Guilty Plea—An Evaluation," 4 *Criminal Law Bulletin* 201.
- FOSDICK, Raymond B. (1922) "Police Administration," in Roscoe Pound and Felix Frankfurter (eds.) *Criminal Justice in Cleveland: Reports of the Administration of Criminal Justice in Cleveland, Ohio*. Cleveland: The Cleveland Foundation.
- FRANK, Jerome (1949) *Courts on Trial*. Princeton, N.J.: Princeton University Press.
- FRANKEL, Marvin E. (1973) *Criminal Sentences: Law without Order*. New York: Hill & Wang.
- FRANKFURT, Harry G. (1973) "Coercion and Moral Responsibility" in Ted Honderich (ed.) *Essays on Freedom of Action*. London: Routledge and Kegan Paul.
- FRIEDMAN, Lawrence M. (1973) *A History of American Law*. New York: Simon & Schuster.
- (1979) "Plea Bargaining in Historical Perspective," 13 *Law & Society Review* 247.
- FRIEDMAN, Lawrence M. and Robert V. PERCIVAL (1976) "A Tale of Two Courts: Litigation in Alameda and San Benito Counties," 10 *Law & Society Review* 267.
- FULLER, Hugh Nelson (1931) *Criminal Justice in Virginia*. Charlottesville: University of Virginia Institute for Research in the Social Sciences.
- GALANTER, Marc (1974) "Why the 'Haves' Come Out Ahead," 9 *Law & Society Review* 95.
- GALLAGHER, Kathleen (1974) "Judicial Participation in Plea Bargaining: A Search for New Standards," 9 *Harvard Civil*

- Rights-Civil Liberties Law Review* 29.
- GARDINER, John A. (ed.) (1977) *Public Law and Public Policy*. New York: Praeger.
- GARFINKEL, Harold (1956) "Conditions of Successful Degradation Ceremonies," 61 *American Journal of Sociology* 421.
- GEIS, Gilbert and Robert F. MEIER (eds.) (1977) *White-Collar Crime*. New York: Free Press.
- GELB, Barbara (1975) *On the Track of Murder*. New York: William Morrow.
- GENTILE, Carmen L. (1969) "Fair Bargains and Accurate Pleas," 49 *Boston University Law Review* 514.
- GEORGIA DEPARTMENT OF PUBLIC WELFARE (1924) "Crime and the Georgia Courts," 16 *Journal of the American Institute of Criminal Law and Criminology* 169.
- GEORGIU, Petro (1973) "The Goal Paradigm and Notes towards a Counter Paradigm," 18 *Administrative Science Quarterly* 291.
- GOLDSTEIN, Abraham S. (1960) "The State and the Accused: Balance of Advantage in Criminal Procedure," 69 *Yale Law Journal* 1149.
- GOLDSTEIN, Abraham S. and Marvin MARCUS (1977) "The Myth of Judicial Supervision in Three 'Inquisitorial' Systems: France, Italy, and Germany," 87 *Yale Law Journal* 240.
- (1978) "Comment on *Continental Criminal Procedure*," 87 *Yale Law Journal* 1570.
- GOLDSTEIN, Joseph (1960) "Police Discretion Not to Invoke the Criminal Process: Low-Visibility Decisions in the Administration of Justice," 69 *Yale Law Journal* 543.
- GOLDTDAMMERS ARCHIV (1870) "Comment: Das Schwurgericht: Geständniss und Verdikt und Kollision zwischen beiden," 18 *Goldtdammers Archiv* 530.
- GOULDNER, Alvin W. (1954) *Patterns of Industrial Bureaucracy*. New York: Free Press.
- (1959) "Organizational Analysis," in R. K. Merton, *et al.* (eds.) *Sociology Today*. New York: Basic Books.
- (1960) "The Norm of Reciprocity: A Preliminary Statement," 25 *American Sociological Review* 161.
- GRAHAM, Fred P. (1970) *The Due Process Revolution: The Warren Court's Impact on Criminal Law*. New York: Hayden.
- GREEN, Edward (1961) *Judicial Attitudes in Sentencing*. London: Macmillan.
- GREENAWALT, Kent (1974) "Perspectives on the Right to Silence," in R. Hood (ed.) *Crime, Criminology and Public Pol-*

- icy. London: Heinemann.
- GREENWOOD, Peter W., Jan M. CHAIKEN, Joan PETER-SILIA and Linda PRUSOFF (1975) *The Criminal Investigation Process, Vol. III: Observations and Analysis*. Santa Monica, Calif.: Rand Corporation.
- GRIFFITHS, John (1970) "Ideology in Criminal Procedure, or a Third 'Model' of the Criminal Process," 79 *Yale Law Journal* 359.
- GROSMAN, Brian (1969) *The Prosecutor*. Toronto: University of Toronto Press.
- GROSS, Avrum (1978) "Plea Bargaining—The Alaskan Experience." Presented at the Special National Workshop on Plea Bargaining, French Lick, Indiana (June 14-17).
- GURR, Ted Robert (1972) *Politometrics*. Englewood Cliffs, N.J.: Prentice-Hall.
- HAAS, Harl (1974) "High Impact Project Underway in Oregon—'No Plea Bargaining Robbery and Burglary,'" 10 (2) *The Prosecutor* 127.
- HAGAN, John (1974) "Extra-Legal Attributes and Criminal Sentencing," 8 *Law & Society Review* 357.
- (1975) "Parameters of Criminal Prosecution: An Application of Path Analysis to a Problem of Criminal Justice," 65 *Journal of Criminal Law and Criminology* 536.
- HAGAN, John and Ilene Nagel BERNSTEIN (1979) "The Sentence Bargaining of Upperworld and Underworld Crime in Ten Federal District Courts," 13 *Law & Society Review* 467.
- HALE, Matthew S. (1736) 2 *The History of the Pleas of the Crown* (S. Emlyn, ed.). London: Nutt; 1st American ed. (1847) Philadelphia: R. H. Small.
- HALL, Terence (1976) "Mandatory Minimum Sentencing—The Concept, and a Controversial New Michigan Statute," [1976] *Detroit College of Law Review* 575.
- HALLER, Mark H. (1970) "Urban Crime and Criminal Justice: The Chicago Case," 57 *Journal of American History* 619.
- (1976) "Historical Roots of Police Behavior: Chicago, 1890-1925," 10 *Law & Society Review* 303.
- (1979) "Plea Bargaining: The Nineteenth Century Context," 13 *Law & Society Review* 273.
- HANEY, Craig (1979) "Social Psychology and the Criminal Law," in Patricia Middlebrook (ed.) *Social Psychology and Modern Life*. New York: Random House.
- HARNO, Albert J. (1928) "The Workings of the Parole Board and Its Relation to the Courts," 19 *Journal of the American*

- Institute of Criminal Law and Criminology*, appendix p. 83.
- HARVARD LAW REVIEW (1970) "Comment: The Unconstitutionality of Plea Bargaining," 83 *Harvard Law Review* 1387.
- (1977) "Note: Plea Bargaining and the Transformation of the Criminal Process," 90 *Harvard Law Review* 564.
- HAY, Douglas (1975) "Property, Authority and the Criminal Law," in Douglas Hay, Peter Linebaugh, John G. Rule, E.P. Thompson and Cal Winslow, *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*. London: Allen Lane.
- HEBERLING, Jon L. (1973) "Conviction without Trial," 2 *Anglo-American Law Review* 428.
- HEINZ, Anne M. and Wayne A. KERSTETTER (1979) "Pretrial Settlement Conference: Evaluation of a Reform in Plea Bargaining," 13 *Law & Society Review* 349.
- HEINZ, John P., Robert W. GETTLEMAN and Morris A. SEESKIN (1969) "Legislative Politics and the Criminal Law," 64 *Northwestern University Law Review* 277.
- HERRMANN, Joachim (1974) "The Rule of Compulsory Prosecution and the Scope of Prosecutorial Discretion in Germany," 41 *University of Chicago Law Review* 468.
- HEUMANN, Milton (1975) "A Note on Plea Bargaining and Case Pressure," 9 *Law & Society Review* 515.
- (1978) *Plea Bargaining: The Experiences of Prosecutors, Judges, and Defense Attorneys*. Chicago: University of Chicago Press.
- HEUMANN, Milton and Colin LOFTIN (1979) "Mandatory Sentencing and the Abolition of Plea Bargaining: The Michigan Felony Firearm Statute," 13 *Law & Society Review* 393.
- HOBBS, Gregory J., Jr. (1971) "California Plea Bargaining," 59 *University of California Law Review* 962.
- HOFFMAN, Paul (1974) *Tiger in the Court*. Chicago: Playboy.
- HOGARTH, John (1971) *Sentencing as a Human Process*. Toronto: University of Toronto Press.
- HOME OFFICE (1977) *Criminal Statistics, England and Wales, 1976 (Cmnd. 6909)*. London: HMSO.
- HOROWITZ, Donald (1977) *The Courts and Social Policy*. Washington, D.C.: The Brookings Institution.
- HYMAN, Jonathan M. (1979) "Philosophical Implications of Plea Bargaining: Some Comments," 13 *Law & Society Review* 565.
- ILLINOIS ASSOCIATION FOR CRIMINAL JUSTICE (1929) *The Illinois Crime Survey*. Chicago: The Illinois Association

- tion for Criminal Justice.
- INTER-DEPARTMENTAL COMMITTEE (1975) *The Distribution of Criminal Business between the Crown Court and the Magistrates' Court (Cmnd. 6326)*. London: HMSO.
- IOWA LAW REVIEW (1975) "The Elimination of 'Plea Bargaining in Black Hawk County: A Case Study,'" 61 *Iowa Law Review* 1053.
- JACKSON, Richard M. (1972) *The Machinery of Justice in England* (6th ed.). Cambridge: Cambridge University Press.
- JACOB, Herbert (1973) *Urban Justice: Law and Order in American Cities*. Englewood Cliffs, N.J.: Prentice-Hall.
- (ed.) (1974) *The Potential for Reform of Criminal Justice*. Beverly Hills, Calif.: Sage Publications.
- (1977) "A Second Look at Organizational Analysis of Trial Courts." Presented at the Meeting of the Midwest Political Science Association, Chicago (April 23).
- (1978) *Justice in America: Courts, Lawyers and the Judicial Process* (3rd ed.). Boston: Little, Brown.
- JESCHEK, Hans-Heinrich (1970) "The Discretionary Powers of the Prosecuting Attorney in West Germany," 18 *American Journal of Comparative Law* 508.
- JOURNAL OF CRIMINAL LAW (1910) "Immunity of Petty Criminals," 1 *Journal of Criminal Law* 638.
- KADISH, Mortimer and Sanford KADISH (1973) *Discretion to Disobey*. Stanford, Calif.: Stanford University Press.
- KALVEN, Harry and Hans ZEISEL (1966) *The American Jury*. Chicago: University of Chicago Press.
- KAMISAR, Yale, Wayne LAFAVE, and Jerold H. ISRAEL (1974) *Modern Criminal Procedure*. St. Paul: West Publishing Co.
- KAPLAN, John (1965) "The Prosecutorial Discretion—A Comment," 60 *Northwestern University Law Review* 174.
- (1977) "American Merchandising and the Guilty Plea: Replacing the Bazaar with the Department Store," 5 *American Journal of Criminal Law* 215.
- KAPSCH, Stefan J. (1971) *The Adversary System and the Assistance of Counsel*. Ph.D. Dissertation, Department of Political Science, University of Minnesota.
- KATZ, Jack (1979) "Legality and Equality: Plea Bargaining in the Prosecution of White-Collar and Common Crimes," 13 *Law & Society Review* 431.
- KATZ, Lewis R., Lawrence LITWIN and Richard BAMBERGER (1972) *Justice is the Crime: Pretrial Delay in Felony Cases*. Cleveland: The Press of Case Western Reserve

University.

- KAUFMAN, Herbert (1960) *The Forest Ranger: A Study in Administrative Behavior*. Baltimore: Johns Hopkins University Press.
- KELLY, Michael (1975) "Social Science Evaluation and Criminal Justice Policy-Making: The Case of Pre-Trial Release," in K. Dolbeare (ed.) *Public Policy Evaluation*. Beverly Hills, Calif.: Sage Publications.
- KERSTETTER, Wayne A. and Anne M. HEINZ (1979) *Pretrial Settlement Conference: An Evaluation*. Washington, D.C.: Government Printing Office.
- KIPNIS, Kenneth (1976) "Criminal Justice and the Negotiated Plea," 86 *Ethics* 93.
- (1979) "Plea Bargaining: A Critic's Rejoinder," 13 *Law & Society Review* 555.
- KLEIN, John F. (1976) *Let's Make a Deal*. Lexington, Mass.: Lexington Books.
- KLONOSKI, James R. and Robert I. MENDELSON (1970) *The Politics of Local Justice*. Boston: Little, Brown.
- KLONOSKI, James R., Charles MITCHELL and Edward GALLAGHER (1971) "Plea Bargaining in Oregon: An Exploratory Study," 50 *Oregon Law Review* 114.
- KOBLENZ, M. R. and C. P. STRONG, Jr. (1972) "Justice: A Word to Bargain," 8 *The Prosecutor* 388.
- KRANTZ, Sheldon, Charles SMITH, David ROSSMAN, Paul FROYD and Janis HOFFMAN (1976) *Right to Counsel in Criminal Cases: The Mandate of Argersinger v. Hamlin*. Cambridge, Mass.: Ballinger.
- KRISLOV, Samuel (1979) "Debating on Bargaining: Comments from a Synthesizer," 13 *Law & Society Review* 573.
- KUH, Richard H. (1975) "Plea Bargaining: Guidelines for the Manhattan District Attorney's Office," 11 *Criminal Law Bulletin* 48.
- KURLAND, Philip B. and D. M. W. WATERS (1959) "Public Prosecution in England, 1854-79: An Essay in English Legislative History," [1959] *Duke Law Journal* 493.
- LABOVITZ, Sanford (1967) "Some Observations on Measurements and Statistics," 56 *Social Forces* 151.
- LACHMAN, Judith and William McLAUCHLAN (1977) "Models of Plea Bargaining," in Stuart Nagel and Marian Neef (eds.) *Modeling the Criminal Justice System*. Beverly Hills, Calif.: Sage Publications.
- LaFAVE, Wayne R. (1965) *Arrest*. Boston: Little, Brown.
- (1970) "The Prosecutor's Discretion in the United

- States," 18 *American Journal of Comparative Law* 532.
- LAGOY, Stephen P., Joseph J. SENNA and Larry J. SIEGEL (1976) "An Empirical Study on Information Usage for Prosecutorial Decision-Making in Plea Negotiations," 13 *American Criminal Law Review* 435.
- LANDES, William M. (1971) "An Economic Analysis of the Courts," 14 *Journal of Law and Economics* 61.
- (1974) "Legality and Reality: Some Evidence on Criminal Procedure," 3 *Journal of Legal Studies* 287.
- LANE, Roger (1967) *Policing the City: Boston, 1822-1885*. Cambridge, Mass.: Harvard University Press.
- LANGBEIN, John H. (1973) "The Origins of Public Prosecution at Common Law," 17 *American Journal of Legal History* 313.
- (1974a) *Prosecuting Crime in the Renaissance: England, Germany, and France*. Cambridge, Mass.: Harvard University Press.
- (1974b) "Controlling Prosecutorial Discretion in Germany," 41 *University of Chicago Law Review* 439.
- (1977a) *Torture and the Law of Proof: Europe and England in the Ancien Régime*. Chicago: University of Chicago Press.
- (1977b) *Comparative Criminal Procedure: Germany*. St. Paul: West Publishing Co.
- (1978a) "The Criminal Trial before the Lawyers," 45 *University of Chicago Law Review* 263.
- (1978b) "Torture and Plea Bargaining," 46 *University of Chicago Law Review* 3.
- (1979) "Understanding the Short History of Plea Bargaining," 13 *Law & Society Review* 261.
- LANGBEIN, John H. and Lloyd WEINREB (1978) "Continental Criminal Procedure: 'Myth' and Reality," 87 *Yale Law Journal* 1549.
- LEVIN, Martin A. (1977) *Urban Politics and the Criminal Courts*. Chicago: University of Chicago Press.
- LEVINE, James P. (1975) "The Impact of 'Gideon': The Performance of Public & Private Criminal Defense Lawyers," 8 *Polity* 215.
- LÖWE-ROSENBERG, R. (1978) 4 *Die Strafprozessordnung und das Gerichtsverfassungsgesetz* (23rd ed.). Berlin: de Gruyter.
- LOWRIE, Donald (1912) *My Life in Prison*. New York: M. Kennerley.

- MACKINNON, F. D. (1933) "The Law and the Lawyers," in A.S. Turberville (ed.) *2 Johnson's England*. Oxford: Oxford University Press.
- MARCUS, Marvin and Robert J. WHEATON (1976) *Plea Bargaining: A Selected Bibliography*. Washington, D.C.: National Institute of Law Enforcement and Criminal Justice.
- MARKOWITZ, Joseph C. (1978) *Plea Bargaining: An Annotated Bibliography*. Chicago: American Judicature Society.
- MATHENY, Albert R. (1979) *Bargaining in Organizational Perspective*. Ph.D. Dissertation, Department of Political Science, University of Minnesota.
- MATHER, Lynn M. (1974a) "Some Determinants of the Method of Case Disposition: Decision-Making by Public Defenders in Los Angeles," 8 *Law & Society Review* 187.
- (1974b) "The Outsider in the Courtroom: An Alternative Role for Defense," in Herbert Jacob (ed.) *The Potential for Reform of Criminal Justice*. Beverly Hills, Calif.: Sage Publications.
- (1977) "The Ethnographic Approach to the Study of Courts," in John Gardiner (ed.) *Public Law and Public Policy*. New York: Praeger.
- (1979a) *Plea Bargaining or Trial? The Process of Criminal Case Disposition*. Lexington, Mass.: Lexington Books.
- (1979b) "Comments on the History of Plea Bargaining," 13 *Law & Society Review* 281.
- McBARNET, Doreen (1979) *Conviction: The Law, the State and the Construction of Justice*. London: Macmillan.
- McCABE, Sarah and Robert PURVES (1972) *By-Passing the Jury*. Oxford: Basil Blackwell.
- McCALL, George J. (1975) *Observing the Law: Applications of Field Methods to the Study of the Criminal Justice System*. Washington, D.C.: Government Printing Office.
- McCALLUM, Gerald, Jr. (1967) "Negative and Positive Freedom," 76 *Philosophical Review* 312.
- McDONALD, William F. (1979) "From Plea Negotiation to Coercive Justice: Notes on the Respecification of a Concept," 13 *Law & Society Review* 385.
- McINTYRE, Donald M. (1968) "A Study of Judicial Dominance of the Charging Process," 59 *Journal of Criminal Law, Criminology and Political Science* 463.
- (1974) *Criminal Justice in the United States*. Chicago: American Bar Foundation.
- McINTYRE, Donald M. and David LIPPMAN (1970) "Prosecutors and Early Disposition of Felony Cases," 56 *American*

- Bar Association Journal* 1154.
- McLAUGHLIN, Edward J. (1969) "Selected Excerpts from the 1968 Report of the New York State Joint Legislative Committee on Crime, Its Causes, Control, and Effect on Society," 5 *Criminal Law Bulletin* 255.
- MENDES, Richard G. and John T. WOLD (1974) "Plea Bargaining Revisited: New Uses for an Old Practice." Presented at the Meeting of the Western Political Science Association, Denver, (April 4).
- MERTON, Robert K. (1957) *Social Theory and Social Structure* (revised ed.). New York: Free Press.
- MICHAEL, Jerome and Herbert WECHSLER (1940) *Criminal Law and Its Administration*. Chicago: Foundation Press.
- MILESKEI, Maureen (1971) "Courtroom Encounters: An Observational Study of Lower Criminal Courts," 5 *Law & Society Review* 473.
- MILLER, Frank W. (1969) *Prosecution: The Decision to Charge a Suspect with a Crime*. Boston: Little, Brown.
- MILLER, Herbert S., William F. McDONALD and James A. CRAMER (1978) *Plea Bargaining in the United States*. Washington, D.C.: National Institute of Law Enforcement and Criminal Justice.
- MILLER, Justin (1927) "The Compromise of Criminal Cases," 1 *Southern California Law Review* 1.
- MILLER, Warren (1973) "Ideology and Criminal Justice Policy," 64 *Journal of Criminal Law and Criminology* 141.
- MILLER, Wilbur R. (1975) "Police Authority in London and New York City, 1830-1870," 8 *Journal of Social History* 81.
- (1977) *Cops and Bobbies: Police Authority in New York and London, 1830-1870*. Chicago: University of Chicago Press.
- MILLS, James (1975) *One Just Man*. New York: Simon & Schuster.
- MINNESOTA LAW REVIEW (1972) "Plea Bargaining—Proposed Amendments to Federal Criminal Rule 11," 56 *Minnesota Law Review* 718.
- MISSOURI ASSOCIATION FOR CRIMINAL JUSTICE, SURVEY COMMITTEE (1926) *Missouri Crime Survey*. St. Louis: Missouri Association for Criminal Justice, and New York: Macmillan.
- MOHR, Lawrence B. (1973) "The Concept of Organizational Goal," 67 *American Political Science Review* 470.
- (1976) "Organizations, Decisions, and Courts," 10 *Law &*

- Society Review* 621.
- MOLEY, Raymond (1926) *The Administration of Criminal Justice in Missouri: A Summary of the Missouri Crime Survey*. St. Louis: Missouri Association for Criminal Justice.
- (1928) "The Vanishing Jury," 2 *Southern California Law Review* 97.
- (1929) *Politics and Criminal Prosecution*. New York: Minton, Balch.
- (1930) *Our Criminal Courts*. New York: Minton, Balch.
- MONAHAN, John (1977) "Empirical Analyses of Civil Commitment," 11 *Law & Society Review* 619.
- MORRIS, Norval (1974) *The Future of Imprisonment*. Chicago: University of Chicago Press.
- MORRIS, Norval and Gordon HAWKINS (1977) *Letter to the President on Crime Control*. Chicago: University of Chicago Press.
- MORSE, Wayne L. and Ronald H. BEATTIE (1932) *Survey of the Administration of Criminal Justice in Oregon*. Eugene, Oregon: University of Oregon.
- MYHRE, Jonas (1969) "Conviction without Trial in the United States and Norway," 5 *Houston Law Review* 647.
- NAGEL, Stuart S. and Marian NEEF (1976) "Plea Bargaining, Decision Theory, and Equilibrium Models," 51 *Indiana Law Journal* 987; 52 *Indiana Law Journal* 1.
- NARDULLI, Peter F. (1976) "Criminal Justice Reform in Cook County Courts: Is More Always Better?" 2 (8) *Illinois Issues* 5.
- (1978) *The Courtroom Elite: An Organizational Perspective on Criminal Justice*. Cambridge, Mass.: Ballinger.
- NELSON, William E. (1978) "Emerging Notions of Modern Criminal Law in the Revolutionary Era: An Historical Perspective," in L. Friedman and H. Scheiber (eds.) *American Law and the Constitutional Order: Historical Perspectives*. Cambridge, Mass.: Harvard University Press.
- NEUBAUER, David W. (1974) *Criminal Justice in Middle America*. Morristown, N.J.: General Learning Press.
- NEWMAN, Donald J. (1956) "Pleading Guilty for Considerations: A Study of Bargain Justice," 46 *Journal of Criminal Law, Criminology and Police Science* 780.
- (1966) *Conviction: The Determination of Guilt or Innocence without Trial*. Boston: Little, Brown.
- NEWMAN, Donald J. and Edgar NEMOYER (1970) "Issues of Propriety in Negotiated Justice," 47 *Denver Law Journal* 367.

- NEW YORK STATE CRIME COMMISSION (1927) *Report to the Commission of the Sub-Committee on Statistics*. New York City: New York State Crime Commission.
- NIMMER, Raymond T. (1971) *Two Million Unnecessary Arrests*. Chicago: American Bar Foundation.
- (1976) "A Slightly Moveable Object: A Case Study in Judicial Reform in the Criminal Justice System," 53 *Denver Law Journal* 206.
- (1978) *The Nature of System Change: Reform Impact in the Criminal Courts*. Chicago: American Bar Foundation.
- NIMMER, Raymond T. and Patricia Ann KRAUTHAUS (1977) "Plea Bargaining: Reform in Two Cities," 3 *The Justice System Journal* 6.
- NOZICK, Robert (1969) "Coercion," in Sidney Morgenbesser, Patrick Suppes and Morton White (eds.) *Philosophy, Science, and Method*. New York: St. Martin's Press.
- OAKS, Dallin H. and Warren LEHMAN (1968) *A Criminal Justice System and the Indigent: A Study of Chicago and Cook County*. Chicago: University of Chicago Press.
- OHLIN, Lloyd E. and Frank J. REMINGTON (1958) "Sentencing Structure: Its Effects upon Systems for Administration," 23 *Law and Contemporary Problems* 495.
- O'BRIEN, Stewart, Steven PHETERSON, Michael WRIGHT and Carl HOSTICKA (1977) "The Criminal Lawyer: The Defendant's Perspective," 5 *American Journal of Criminal Law* 283.
- O'LEARY, Vincent and Joan NUFFIELD (1972) "Parole Decision-Making Characteristics: Report of a National Survey," 8 *Criminal Law Bulletin* 651.
- PACKER, Herbert L. (1968) *The Limits of the Criminal Sanction*. Stanford, Calif.: Stanford University Press.
- PARSONS, Talcott (1951) *The Social System*. New York: Free Press.
- (1956) "Suggestions for a Sociological Approach to the Theory of Organizations: Part I," 1 *Administrative Science Quarterly* 63.
- PERROW, Charles (1961) "The Analysis of Goals in Complex Organizations," 26 *American Sociological Review* 854.
- (1972) *Complex Organizations: A Critical Essay*. Glenview, Ill.: Scott, Foresman.
- PLATT, Anthony and Randi POLLOCK (1974) "Channeling Lawyers: The Careers of Public Defenders," 9 *Issues in Criminology* 1.
- POLICY STUDIES JOURNAL (1974) "Symposium on 'Crime

- and Criminal Justice Policy,'” 3 *Policy Studies Journal* 1.
- POUND, Roscoe (1930) *Criminal Justice in America*. New York: Henry Holt & Co.
- POUND, Roscoe and Felix FRANKFURTER (eds.) (1922) *Criminal Justice in Cleveland: Reports of the Cleveland Foundation Survey of the Administration of Criminal Justice in Cleveland, Ohio*. Cleveland: The Cleveland Foundation.
- PRESIDENT'S COMMISSION ON CRIME IN THE DISTRICT OF COLUMBIA (1966) *Report*. Washington, D.C.: Government Printing Office.
- PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE (1967a) *Task Force Report: The Courts*. Washington, D.C.: Government Printing Office.
- (1967b) *The Challenge of Crime in a Free Society*. Washington, D.C.: Government Printing Office.
- PURVES, Robert (1971) “That Plea-Bargaining Business: Some Conclusions from Research,” [1971] *Criminal Law Review* 470.
- QUINNEY, Richard (ed.) (1969) *Crime and Justice in Society*. Boston: Little, Brown.
- RADZINOWICZ, Leon (1948-56) 1 *A History of English Criminal Law and Its Administration from 1750* (4 vols.). London: Stevens & Sons Ltd.
- RAWLS, John (1971) *A Theory of Justice*. Cambridge, Mass.: Belknap Press.
- REISS, Albert J., Jr. (1971) *The Police and the Public*. New Haven: Yale University Press.
- RHODES, William (1978) *Plea Bargaining: Who Gains? Who Loses?* (PROMIS Research Project No. 14, Final Draft). Washington, D.C.: Institute for Law and Social Research.
- RICHARDSON, James F. (1970) *The New York Police: Colonial Times to 1901*. New York: Oxford University Press.
- ROSENTHAL, Douglas E. (1974) *Lawyers and Their Clients: Who's in Charge?* New York: Russell Sage Foundation.
- ROSETT, Arthur I. (1967) “The Negotiated Guilty Plea,” 374 *Annals of the American Academy of Political and Social Science* 70.
- (1972) “Trial and Discretion in Dutch Criminal Justice,” 19 *UCLA Law Review* 353.
- ROSETT, Arthur I. and Donald R. CRESSEY (1976) *Justice by Consent: Plea Bargains in the American Courthouse*. Philadelphia: Lippincott.
- ROSS, H. Laurence (1970) *Settled Out of Court: The Social*

- Process of Insurance Claims Adjustment*. Chicago: Aldine.
- ROSSUM, Ralph A. (1978) *The Politics of the Criminal Justice System: An Organizational Analysis*. New York: Marcel Dekker.
- RUBINSTEIN, Michael L. and Teresa J. WHITE (1979) "Alaska's Ban on Plea Bargaining," 13 *Law & Society Review* 367.
- RUESCHEMEYER, Dietrich (1973) *Lawyers and Their Society*. Cambridge, Mass.: Harvard University Press.
- RYAN, John Paul and James J. ALFINI (1979) "Trial Judges' Participation in Plea Bargaining: An Empirical Perspective," 13 *Law & Society Review* 479.
- RYAN, John Paul, Allan ASHMAN, Bruce D. SALES and Sandra SHANE-DuBOW (forthcoming) *America's Trial Judges at Work: The Role of Organizational Influences*. New York: Free Press.
- SAMAHA, Joel (1974) *Law and Order in Historical Perspective: The Case of Elizabethan Essex*. New York: Academic Press.
- SAN FRANCISCO COMMITTEE ON CRIME (1970) *A Report on the Criminal Courts of San Francisco, Part I: The Superior Court Backlog—Consequences and Remedies*. San Francisco: San Francisco Committee on Crime.
- SARAT, Austin (1977) "Studying American Legal Culture: An Assessment of Survey Evidence," 11 *Law & Society Review* 427.
- (1978) "Understanding Trial Courts: A Critique of Social Science Approaches," 61 *Judicature* 318.
- SARAT, Austin and Joel B. GROSSMAN (1975) "Courts and Conflict Resolution," 69 *American Political Science Review* 1200.
- SCHEFF, Thomas J. (1968) "Negotiating Reality: Notes on Power in the Assessment of Responsibility," 15 *Social Problems* 3.
- SCHELLING, Thomas (1966) *Arms and Influence*. New Haven, Conn.: Yale University Press.
- SCHUMANN, Karl F. (1977) *Der Handel mit Gerechtigkeit*. Frankfurt am Main: Suhrkamp.
- SEIFMAN, Robert D. (1976) "The Rise and Fall of Cain," [1976] *Criminal Law Review* 556.
- SELZNICK, Philip (1949) *TVA and the Grass Roots*. Berkeley, Calif.: University of California Press.

- SHAPIRO, Martin (1975) "Courts," in F. I. Greenstein and N. W. Polsby (eds.) *5 Handbook of Political Science: Governmental Institutions and Processes*. Reading, Mass.: Addison-Wesley.
- SHAPIRO, Susan (1976) *A Background Paper on White Collar Crime*. Unpublished Manuscript. Yale University.
- SHIN, Ho Joo (1973) "Do Lesser Pleas Pay?: Accommodations in the Sentencing and Parole Processes," 1 *Journal of Criminal Justice* 27.
- SILBERMAN, Charles (1978) *Criminal Violence and Criminal Justice*. New York: Random House.
- SILVERSTEIN, Lee (1965) *Defense of the Poor in Criminal Cases in American State Courts*. Chicago: American Bar Foundation.
- SIMON, Herbert A. (1957) *Administrative Behavior* (2d ed.). New York: Macmillan.
- (1969) "On the Concept of Organizational Goals," in Amitai Etzioni (ed.) *A Sociological Reader on Complex Organizations* (2d ed.). New York: Holt, Rinehart & Winston.
- SKOLNICK, Jerome H. (1966) *Justice without Trial: Law Enforcement in Democratic Society*. New York: John Wiley.
- (1967) "Social Control in the Adversary System," 11 *Journal of Conflict Resolution* 52.
- SMITH, Reginald Heber (1924) *Justice and the Poor: A Study of the Present Denial of Justice to the Poor* (3rd ed.). New York: Carnegie Foundation for the Advancement of Teaching.
- SMITH, Thomas (1583) *De Republica Anglorum*. London, as reprinted in L. Alston (ed.) (1906) *De Republica Anglorum*. Cambridge: Cambridge University Press.
- SOUTHERN CALIFORNIA LAW REVIEW* (1969) "Note: Prosecutorial Discretion in the Initiation of Criminal Complaints," 42 *Southern California Law Review* 519.
- STANFORD LAW REVIEW* (1976) "Comment: Preliminary Hearing in California: Adaptive Procedures in a Plea Bargain System of Criminal Justice," 28 *Stanford Law Review* 1207.
- STEFFEN, Wiebke (1976) "Analysis of Police Investigative Activities from the Viewpoint of the Later Criminal Trial." Presented at the International Seminar on Police Research at Leuven, Belgium.
- STEPAN, Jan (1973) "Possible Lessons from Continental Criminal Procedure," in S. Rottenberg (ed.) *The Economics of Crime and Punishment*. Washington, D.C.: American En-

- terprise Institute for Public Policy Research.
- STEPHEN, Henry (1874) *Commentaries on the Laws of England*. London.
- STEPHEN, James F. (1860) "The Criminal Law and the Detection of Crime," 2 *Cornhill Magazine* 697; reproduced in Philip B. Kurland and D. W. M. Waters (1959).
- (1883) 1 *A History of the Criminal Law of England*. London: Macmillan and Co.
- STEPHENS, Otis H. (1973) *The Supreme Court and Confessions of Guilt*. Knoxville, Tenn.: University of Tennessee Press.
- STRAUSS, Anselm, Leonard SCHATZMAN, Danuta EHR-
LICH, Rue BUCHER and Melvin SABSHIN (1963) "The Hospital and Its Negotiated Order," in E. Freidson (ed.) *The Hospital in Modern Society*. London: Free Press.
- STRICK, Anne (1978) *Injustice for All*. New York: Penguin Books.
- SUDNOW, David (1965) "Normal Crimes: Sociological Features of the Penal Code in a Public Defender's Office," 12 *Social Problems* 255.
- SUFFET, Frederic (1966) "Bail Setting: A Study of Courtroom Interaction," 12 *Crime and Delinquency* 318.
- TAPPAN, Paul (1960) *Crime, Justice and Society*. New York: McGraw-Hill.
- TAYLOR, Jean G., Thomas STANLEY, Barbara DeFLORIA and Lynne SEEKAMP (1973) "An Analysis of Defense Counsel in the Processing of Felony Defendants in Denver, Colorado," 50 *Denver Law Journal* 1.
- TERREBERRY, Shirley (1968) "The Evolution of Organizational Environments," 12 *Administrative Science Quarterly* 590.
- THOMAS, David A. (1970) *Principles of Sentencing*. London: Heinemann.
- THOMPSON, James D. (1967) *Organizations in Action*. New York: McGraw-Hill.
- THOMPSON, Victor A. (1973) "Organizations as Systems," *University Programs Modular Studies*. Published in 1976 as chapter 1 of *Bureaucracy and the Modern World*. Morristown, N.J.: General Learning Press.
- TIFFANY, Lawrence P., Donald M. McINTYRE, Jr. and Daniel L. ROTENBERG (1967) *Detection of Crime*. Boston: Little, Brown.
- TRAIN, Arthur (1906) *The Prisoner at the Bar* (3rd ed., 1924). New York: Charles Scribner's Sons.
- TRUBEK, David M. (1977) "Complexity and Contradiction in

- the Legal Order," 11 *Law & Society Review* 529.
- TUKEY, John W. (1977) *Exploratory Data Analysis*. Reading, Mass.: Addison-Wesley.
- TWENTIETH CENTURY FUND TASK FORCE ON CRIMINAL SENTENCING (1976) *Fair and Certain Punishment*. New York: Twentieth Century Fund.
- TYLER, Harold R., Jr. (1965) "The Defense of the White Collar Accused," 3 *American Criminal Law Quarterly* 124.
- UHLMAN, Thomas M. and Darlene WALKER (1977) "Pleas No Bargains?: Criminality, Case Disposition and Defendant Treatment." Presented at the Annual Meeting of the American Political Science Association, Washington, D.C. (September 1-4).
- UNGER, Roberto M. (1976) *Law in Modern Society: Toward a Criticism of Social Theory*. New York: Free Press.
- U.S. DEPARTMENT OF JUSTICE (1975) *Criminal Victimization Surveys in the Nation's Five Largest Cities*. Washington, D.C.: Government Printing Office.
- U.S. NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS (1973) *Courts*. Washington, D.C.: Government Printing Office.
- U.S. NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT (1931a) *Report on Crime and the Foreign Born*. Washington, D.C.: Government Printing Office.
- (1931b) *Report on the Enforcement of the Prohibition Laws of the United States*. Washington, D.C.: Government Printing Office.
- (1931c) *Report on Prosecution*. Washington, D.C.: Government Printing Office.
- U.S. NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE (1969) *Law and Order Reconsidered*. Washington, D.C.: Government Printing Office.
- UNIVERSITY OF CHICAGO LAW REVIEW (1964) "Comment: Official Inducement to Plead Guilty: Suggested Morals for a Marketplace," 32 *University of Chicago Law Review* 167.
- UNIVERSITY OF PENNSYLVANIA LAW REVIEW (1969) "Comment: Client Service in the Defender Organization: The Philadelphia Experience," 117 *University of Pennsylvania Law Review* 448.
- UTZ, Pamela J. (1978) *Settling the Facts: Discretion and Negotiation in Criminal Court*. Lexington, Mass.: Lexington Books.
- UVILLER, H. R. (1977) "Pleading Guilty: A Critique of Four

- Models," 41 *Law and Contemporary Problems* 102.
- VASOLI, Robert H. (1965) "Growth and Consequences of Judicial Discretion in Sentencing," 40 *Notre Dame Lawyer* 404.
- VERA INSTITUTE OF JUSTICE (1977) *Felony Arrests: Their Prosecution and Disposition in New York City's Courts*. New York: Vera Institute of Justice.
- VETRI, Dominick R. (1964) "Guilty Plea Bargaining: Compromises by Prosecutors to Secure Guilty Pleas," 112 *University of Pennsylvania Law Review* 865.
- WALTHER, F. (1851) "Ueber die processualische Wirkung des Geständnisses im Schwurgerichtsverfahren," [1851] *Archiv des Criminalrechts* (Neue Folge) 225.
- WARREN, Carol A. B. (1977) "Involuntary Commitment for Mental Disorder," 11 *Law & Society Review* 629.
- WEAVER, Suzanne (1977) *Decision to Prosecute: Organization and Policy in the Antitrust Division*. Cambridge, Mass.: M.I.T. Press.
- WEINTRAUB, R. G. and R. TOUGH (1942) "Lesser Pleas Considered," 32 *Journal of Criminal Law and Criminology* 506.
- WEISS, Carol H. (1972) *Evaluation Research: Methods for Assessing Program Effectiveness*. Englewood Cliffs, N.J.: Prentice-Hall.
- WHITE, Welsh S. (1971) "A Proposal for Reform of the Plea Bargaining Process," 119 *University of Pennsylvania Law Review* 439.
- WHITMAN, Peter A. (1967) "Recent Developments—Judicial Plea Bargaining," 19 *Stanford Law Review* 1082.
- WIGMORE, John H. (1908) "A General Survey of the History of the Rules of Evidence," in A Committee of the Association of American Law Schools (ed.) 2 *Select Essays in Anglo-American Legal History*. Boston: Little, Brown.
- WILKERSON, Glen (1972) "Public Defenders As Their Clients See Them," 1 *American Journal of Criminal Law* 141.
- WILKINS, Leslie T. (1965) *Social Deviance: Social Policy, Action, and Research*. Englewood Cliffs, N.J.: Prentice-Hall.
- (1973) "Crime and Criminal Justice at the Turn of the Century," 408 *Annals of the American Academy of Political and Social Science* 13.
- (1976) *Sentencing Guidelines: Structuring Judicial Discretion*. Washington, D.C.: Government Printing Office.
- WILKINSON, Fenton P. (1972) "Plea Bargaining: The Case for Reform," 6 *University of Richmond Law Review* 325.
- WILLIAMSON, Thomas S., Jr. (1974) "Constitutionality of Re-indicting Successful Plea-Bargain Appellants on the Ori-

- nal Higher Charges," 62 *California Law Review* 258.
- WILSON, James Q. (1973) *Varieties of Police Behavior*. New York: Atheneum.
- (1975) *Thinking about Crime*. New York: Basic Books.
- WISCONSIN LAW REVIEW (1952) "Comment: The District Attorney: A Historical Puzzle," [1952] *Wisconsin Law Review* 125.
- WISHINGRAD, Jay (1974) "The Plea Bargain in Historical Perspective," 23 *Buffalo Law Review* 499.
- WOLD, John T. and Richard G. MENDES (1975) "Perceptions of Bureaucratic Needs in a Criminal Justice System." Presented at the Meeting of the American Political Science Association, San Francisco (September 2).
- WOOD, Arthur L. (1967) *Criminal Lawyer*. New Haven, Conn.: College & University Press.
- YALE LAW JOURNAL (1956) "Comment: The Influence of the Defendant's Plea on Judicial Determination of Sentence," 66 *Yale Law Journal* 204.
- (1967) "Note: Interrogation in New Haven: The Impact of Miranda," 76 *Yale Law Journal* 1519.
- (1972) "Comment: Restructuring the Plea Bargain," 82 *Yale Law Journal* 286.
- YEAGER, Matthew G. (1976) *Do Mandatory Sentences for Handgun Offenders Curb Violent Crime?* (2d ed.) Washington, D.C.: U.S. Conference of Mayors.
- ZALD, Mayer N. (1962) "Power Balance and Staff Conflict in Correctional Institutions," 7 *Administrative Science Quarterly* 22.
- ZANDER, Michael (1977) "The Legal Profession and Academic Researchers—A Plea for a Better Relationship," *Law Society's Gazette* 1121 (December 21).
- ZEISEL, Hans, Harry KALVEN and Bernard BUCHHOLZ (1959) *Delay in the Court*. Boston: Little, Brown.
- ZIMRING, Franklin (1977) "Making the Punishment Fit the Crime: A Consumers' Guide to Sentencing Reform." Chicago: University of Chicago Law School, (Occasional Paper No. 3).