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Federalism on Trial Nolette, Paul Published by University Press of Kansas Nolette, Paul Federalism on Trial: State Attorneys General and National Policymaking in Contemporary America

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Paul Nolette. Federalism on Trial: State Attorneys General ...

Paul Nolette Federalism on Trial: State Attorneys General and National Policymaking in Contemporary America Lawrence: University Press of Kansas, 2015 ix + ...

FEDERAL & STATE POLICYMAKING

4 Nolette, Federalism on Trial: State Attorneys General and National Policymaking in Contemporary America (University Press of Kansas, 2015) 5
Purcell, Originalism, Federalism, and the American Constitutional Enterprise: A Historical Inquiry (Yale University Press, 2007) 6

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1 Consider extending the competitive federalism model of corporate law into other areas, especially securities regulation 2 Overturn the 1998 "Master Settlement Agreement," through which attorneys general, trial lawyers, and tobacco firms imposed a \$240 billion national excise tax and which has

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Federalism and the Enforcement of Antitrust Laws by State ...

by State Attorneys General THE HONORABLE RICHARD A POSNER* I will first offer an analysis-an economic analysis, naturally-of federalism, and I will then apply it to two related questions The first, to which I will devote the bulk of my attention, is whether state attorneys general should be permitted,

Chapter 6: Federalism: National, State, Local Powers

Chapter 6: Federalism: National, State, Local Powers 4 State Governments in a Federal System Strange things were going on in Texas in 2003 State troopers were scouring the state looking for lost legislators The missing lawmakers were not in any danger Instead, they were hiding out in Ardmore, Oklahoma, and later in

THE ROLE OF THE STATE ATTORNEY GENERAL IN PREVENTING ...

prosecuting criminals directly or supervising law enforcement officials Most attorneys general also provide legal services to the governor and state agencies¹⁵ In order for a state attorney general to assert standing under the doctrine of parens patriae, "the State must assert an injury to what has been characterized as a 'quasi-

Cartel Federalism? Antitrust Enforcement by State ...

A Posner, Federalism and the Enforcement of Antitrust Laws by State Attorneys General, in Ep-stein and Greve, eds, Competition Laws 252 (proposing that states not be allowed to apply anti-trust law to interstate or foreign commerce, or, as a second-best solution, that state attorneys

Judicial Federalism in Action: Coordination of Litigation ...

JUDICIAL FEDERALISM IN ACTION: COORDINATION OF LITIGATION IN STATE AND FEDERAL COURTS William W Schwarzer* Nancy E Weiss** Alan Hirsch *** Stories are an old way of organizing knowledge, but their place in the

When Constitutions Collide: A Study in Federalism in the ...

WHEN CONSTITUTIONS COLLIDE: A STUDY IN FEDERALISM IN THE CRIMINAL LAW CONTEXT Michael R Braude I INTRODUCTION Most of the provisions of the Constitution of the United States that apply to criminal cases have cognate provisions in the constitutions of the various states - provisions that create the same right or restriction

PATENT LAW FEDERALISM

state courts to decide state law cases involving patents, “may well have survived the Supreme Court’s decision”¹¹ Amid this growing tension over patent law federalism, scholars have begun to debate what role—if any—state and local governments should play in ...

Nationwide, State Law Class Actions and the Beauty of ...

state courts certifying nationwide class actions is the desire of activist judges and plaintiffs’ attorneys to regulate through litigation); Glenn A Danas, Comment, The Interstate Class Action Jurisdiction Act of 1999: Another Congressional Attempt to Federalize State Law, 49 EMORY LJ

Federalism as a Trial Lawyer's Bill of Rights

Federalism as a Trial Lawyer's Bill of Rights By Michael S Greve Republicans and conservatives are generally supposed to favor federalism and states' rights Democrats and liberals are supposed to be against those things Contrary to these convenient generalizations, however, liberals tend to be pro states' rights on a central federalism issue? the federal preemption of state law and, in

The New Front in the Clean Air Wars: Fossil-Fuel Influence ...

Federalism on Trial: State Attorneys General and National Policymaking in Contemporary America 2 —suggest different answers At its core, Struggling for Air is about a “tragic flaw” that has hampered the Clean Air Act’s effectiveness (Revesz & Lienke, p 3) It is also a story of how, for decades, the fossil-fuel industry exploited

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active role in assisting state attorneys and promoting cooperation and coordination among state attorneys general in amicus matters, as well as educating state attorneys on US Supreme Court practice NAAG is an important resource in any case in which state amicus support is under consideration Of particular importance, NAAG has contacts with

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I Attorneys General Civil Law Enforcement is Federalism in Action A What is Federalism? At its core, federalism is the allocation of governmental authority to the level of government best suited to address the problem at hand There are two sides of federalism: one is protecting state authority when appropriate, and the other is ensuring the