

THE SECRET LIFE OF THE PRIVATE ATTORNEY GENERAL.....	<i>Jeremy A. Rabkin</i>	179
THE BATTLE THAT NEVER WAS: CONGRESS, THE WHITE HOUSE, AND AGENCY LITIGATION AUTHORITY	<i>Neal Devins and Michael Herz</i>	205

SPRING ISSUE

III. GOVERNMENT LAWYERS FOR THE CONGRESS

LAWYERS IN CONGRESS	<i>John C. Yoo</i>	1
WHO'S THE CLIENT? LEGISLATIVE LAWYERING THROUGH THE REAR-VIEW MIRROR	<i>Michael J. Glennon</i>	21
THE ETHICS OF REPRESENTING ELECTED REPRESENTATIVES	<i>Kathleen Clark</i>	31
THE SENATE AND HOUSE COUNSEL OFFICES: DILEMMAS OF REPRESENTING IN COURT THE INSTITUTIONAL CONGRESSIONAL CLIENT	<i>Charles Tiefer</i>	47

IV. GOVERNMENT LAWYERS FOR THE EXECUTIVE BRANCH

THE PRESIDENT AS CLIENT AND THE ETHICS OF THE PRESIDENT'S LAWYERS.....	<i>Nelson Lund</i>	65
HIGH-LEVEL, "TENURED" LAWYERS	<i>Thomas W. Merrill</i>	83
LAWYERS IN AGENCIES: ECONOMICS, SOCIAL PSYCHOLOGY, AND PROCESS	<i>Jonathan R. Macey</i>	109
THE ROLE OF THE ATTORNEY-ADVISER IN THE U.S. DEPARTMENT OF STATE: INSTITUTIONAL ARRANGEMENTS AND STRUCTURAL IMPERATIVES	<i>Michael K. Young</i>	133
THE INTERNAL RELATIONS OF GOVERNMENT: CAUTIONARY TALES FROM INSIDE THE BLACK BOX.....	<i>Peter L. Strauss</i>	155
DEPARTMENT OF JUSTICE LITIGATION: EXTERNALIZING COSTS AND SEARCHING FOR SUBSIDIES	<i>Nicholas S. Zeppos</i>	171

LAW AND CONTEMPORARY PROBLEMS

DURHAM, NORTH CAROLINA

VOLUME 61

WINTER & SPRING 1998

NUMBERS 1 & 2

GOVERNMENT LAWYERING

Neal Devins
Special Editor

WINTER ISSUE

	page
FOREWORD..... <i>Neal Devins</i>	1
I. GOVERNMENT LAWYERS SHAPING LAW AND POLICY	
LAWYERS AND POLICYMAKERS IN GOVERNMENT <i>Peter H. Schuck</i>	7
THE ROLE OF GOVERNMENT ATTORNEYS IN REGULATORY AGENCY RULEMAKING <i>Thomas O. McGarity</i>	19
CREATING LAW AT THE SECURITIES AND EXCHANGE COMMISSION: THE LAWYER AS PROSECUTOR <i>Roberta S. Karmel</i>	33
REALLOCATING INTERPRETIVE CRIMINAL-LAWMAKING POWER WITHIN THE EXECUTIVE BRANCH..... <i>Dan M. Kahan</i>	47
THE PRESIDENT, THE SUPREME COURT, AND THE CONSTITUTION: A BRIEF POSITIVE ACCOUNT OF THE ROLE OF GOVERNMENT LAWYERS IN THE DEVELOPMENT OF CONSTITUTIONAL LAW..... <i>Steven G. Calabresi</i>	61
HELL, HANDBASKETS, AND GOVERNMENT LAWYERS: THE DUTY OF LOYALTY AND ITS LIMITS..... <i>Michael Stokes Paulsen</i>	83
II. LITIGATING ON BEHALF OF THE UNITED STATES	
“FOR THE UNITED STATES”: GOVERNMENT LAWYERS IN COURT..... <i>Patricia M. Wald</i>	107
UNITED STATES ATTORNEYS— WHOM SHALL THEY SERVE? <i>H.W. Perry, Jr.</i>	129
INDEPENDENT COUNSEL AND VIGOROUS INVESTIGATION AND PROSECUTION..... <i>William Michael Treanor</i>	149
THE SOLICITOR GENERAL AND THE INTERESTS OF THE UNITED STATES <i>David A. Strauss</i>	165

LAW AND CONTEMPORARY PROBLEMS

GOVERNMENT LAWYERING

Neal Devins

Special Editor

SCHOOL OF LAW • DUKE UNIVERSITY
VOL. 61 WINTER & SPRING 1998 NOS. 1&2

INFORMATION RESOURCE
CENTER
United States Information Service
Tel: 511 1227 4047