

Stanford Law Review

© 2005 by the Board of Trustees of the
Leland Stanford Junior University

April 2005

CONTENTS

2005 STANFORD LAW REVIEW SYMPOSIUM: *THE CIVIL TRIAL: ADAPTATION AND ALTERNATIVES*

SYMPOSIUM ARTICLES

THE HUNDRED-YEAR DECLINE OF TRIALS AND THE THIRTY YEARS WAR	1255
<i>Marc Galanter</i>	
EXPLORING ECONOMIC AND DEMOCRATIC THEORIES OF CIVIL LITIGATION: DIFFERENCES BETWEEN INDIVIDUAL AND ORGANIZATIONAL LITIGANTS IN THE DISPOSITION OF FEDERAL CIVIL CASES	1275
<i>Gillian K. Hadfield</i>	
SUMMARY JUDGMENT AND THE VANISHING TRIAL: IMPLICATIONS OF THE LITIGATION MATRIX	1329
<i>Martin H. Redish</i>	
THE WHAT AND WHY OF CLAIMS RESOLUTION FACILITIES	1361
<i>Francis E. McGovern</i>	
WHY ME? THE ROLE OF PRIVATE TRUSTEES IN COMPLEX CLAIMS RESOLUTION	1391
<i>Georgene Vairo</i>	
ALTERNATIVE COURTS? LITIGATION-INDUCED CLAIMS RESOLUTION FACILITIES	1429
<i>Deborah R. Hensler</i>	
CLASS ACTION "COPS": PUBLIC SERVANTS OR PRIVATE ENTREPRENEURS?	1441
<i>John H. Beisner, Matthew Shors & Jessica Davidson Miller</i>	
THE CLASS ACTION COUNTERREFORMATION	1475
<i>Elizabeth J. Cabraser</i>	
REMOVING CLASS ACTIONS TO FEDERAL COURT: A BETTER WAY TO HANDLE THE PROBLEM OF OVERLAPPING CLASS ACTIONS	1521
<i>Alan B. Morrison</i>	

ASSESSING THE CASE FOR EMPLOYMENT ARBITRATION: A NEW PATH FOR EMPIRICAL RESEARCH.....	1557
<i>David Sherwyn, Samuel Estreicher & Michael Heise</i>	
ADR AND THE COST OF COMPULSION	1593
<i>Stephan Landsman</i>	
CREEPING MANDATORY ARBITRATION: IS IT JUST?	1631
<i>Jean R. Sternlight</i>	

NOTE

THE COURT'S IMPLICIT ROADMAP: CHARTING THE PRUDENT COURSE AT THE JUNCTURE OF MANDATORY ARBITRATION AGREEMENTS AND CLASS ACTION LAWSUITS.....	1677
<i>Joshua S. Lipshutz</i>	

BOOK REVIEW

UNCERTAIN BARGAINS: THE RISE OF PLEA BARGAINING IN AMERICA	1721
<i>Jennifer L. Mnookin</i>	

Stanford Law Review



.....	1255
.....	1275
.....	1329
.....	1361
ON.....	1391
IES.....	1429
.....	1441
.....	1475
TIONS.....	1521