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## RECENT PUBLICATIONS

HENRY FRIENDLY: GREATEST JUDGE OF HIS ERA. By David M. Dorsen. Cambridge, Mass.: Harvard University Press. 2012. Pp. xiii, 489. \$35.00. Proclaimed “the most powerful legal reasoner in American legal history” (p. xiii) by Judge Richard Posner in his foreword to this remarkable biography, Judge Henry Friendly of the Second Circuit Court of Appeals has achieved lasting renown in the legal profession as a giant of the appellate bench and a first-class scholar. His continued influence is evidenced by frequent Supreme Court citations to his writings and the prominent roles now occupied by many of his former clerks (including Chief Justice John G. Roberts, Jr.). In this biography, David Dorsen draws on rich and varied sources — including argument transcripts, opinions, articles, oral histories, private correspondence, and interviews with clerks, family, staff, and peers — to illuminate Judge Friendly’s formative experiences, years in private practice, interactions with clerks, and formidable achievements on the bench. Dorsen pays particular attention to Judge Friendly’s creative, brilliant, and distinctive style of judging, and he divides the chapters addressing Judge Friendly’s judicial career by legal subject matter rather than by chronology. The reader is thus treated to a fine-grained and enlightening exploration of Judge Friendly’s methods of legal reasoning across a range fields, an approach especially well suited to a subject famed for his avoidance of grand theories and his genius for deeply pragmatic and commonsensical judging.

THE ETHICS OF PLEA BARGAINING. By Richard L. Lippke. New York, N.Y.: Oxford University Press. 2011. Pp. xii, 258. \$120.00. In the United States, approximately ninety-five percent of criminal cases are resolved through plea bargains, over which prosecutors exercise wide discretion. In *The Ethics of Plea Bargaining*, Richard Lippke provides a much-needed analysis of the ethical and moral issues surrounding this process. Using an approach that is both rigorous and nuanced, Lippke analyzes the American plea bargaining system on its own terms and compares the system to plea bargaining practices in Europe. While not advocating a blanket ban on plea bargains, Lippke argues against a status quo that effectively punishes defendants for availing themselves of their right to trial. Lippke puts forward a number of concrete reform proposals, such as instituting more robust judicial oversight of the settlement process and discouraging prosecutors from systematically overcharging defendants. *The Ethics of Plea Bargaining* should be read by all who care about the state of the American criminal justice system — and especially by prosecutors, who, for better or for worse, hold virtually all the cards.