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Failures of American Civil Justice in International Perspective

James R. Maxeiner

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American civil justice fails to meet the nation's needs. America's eighteenth century founders expected of the nation's future civil justice system that everyone "ought to obtain right and justice freely, without sale, completely and without denial, promptly and without delay." Few lawyers today would say that American civil justice fulfills the founders' expectations. Some say that it is oppressive and unjust. Many have given up the goals that the founders set. America's reformers have run out of ideas. They have no proven models for fixing what they know is broken. This book provides a comparative critical introduction to civil justice systems in the United States, Germany, and Korea. It shows shortcomings of the American system and compares them with German and Korean successes. The book shows foreign systems as a source of ideas that are proven to work. The book informs general readers as well as specialists.

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