

# Factors in accepting a case

Sociology



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**SOCIOLOGY QUESTION** The two theories, Attitude theory and Rational Choice theory, are vital in influencing the acceptance of a case for appeal. Both theories involve the appellate jurists who view cases in terms of personal values or attitudes. They also use rationalizations, strong beliefs and convictions to pass judgments to these cases.

Rational choice theory often involves the values and decision of other judges to make the final ruling. This implies that other judges must consent to the policy that has been passed by the judge. In contrast, attitude theory has no consent from other judges and the decisions judges make are final. Rational theory uses the justices that are in their calculus and not just their personal demands and attitudes. On the other hand, Attitude theory involves purely the usage of convictions and rationalizations and there is no reference to any legal publication. (Ramington, 1995)

The most effective theory is therefore the rational choice theory. This is because it applies the usage of deep feelings and attitudes in addition to the justices that are documented in the calculus. It is normally good to be human while passing judgement. This will make one to have feelings towards the parties. However, the feelings will be controlled by the written law. The verdict will also be approved by other judges. This will ensure that there is fair judgment.

#### QUESTION 2

The client has convictions that the court will not hear her case. Ordinarily; the justices on the Supreme Court will not hear the case if it has no material matter. This is because there is no substantial reasons to spent time agonizing on a case that presents a trivial questions in the subject matter. Therefore, if they view that the case is not ripe for adjudication it will be

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dismissed on the ground of wanting of a substantial federal question.

(Ramington, 1995) However, the case will be subjected to finding the cues in it to justify if the certiorari will be granted or not. These cues involve,

I. Whether the US government was a prime part to the present case and that there were questions of preview.

II. Whether civil liberties issues were debated.

III. Whether there was a disagreement between two or more courts or other reputable government agencies.

Normally, there are numerous cases that judges receive in a day. Most of the cases oftenly entail trivial questions having no subject of the matter especially when scrutinized carefully. To avoid the crushing and impossible workload which may cause the piling of more cases it is wise for the appellate jurists to take the decision of using the cues.

#### Works Cited

Ramington, B. (1995). Addictive behaviour. Wiley.