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*The Year in Judicial Review, 1997*

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Abstract by Christine Parsadaian

This article surveys a hodgepodge of cases in the past year that are unique, important, or controversial. The author begins his survey by addressing cases that uniquely affect access to judicial review on the grounds of jurisdiction and ripeness. First, he looks at a controversial case where the Court removed the case under 28 U.S.C. § 1367 that fit the literal language of the statute but went well beyond it purpose. Such a finding, suggests the author, may have the dyer effect of forcing federal courts to face an overwhelming number of state cases for which they do not have expertise. Next, the author examines a unique case where the Court takes a different approach to the traditional ripeness test.

Continuing with his survey, the author looks at a couple of cases regarding the Court's use of discretion when drafting its opinions and when ordering remedies. To demonstrate the Court's unique use of discretion when reviewing cases, he examines a case where one could reasonably construe the Court's "reasoned decision-making" as a blatant advisory opinion. Lastly, the survey concludes with an analysis of significant cases regarding the Court's broad discretion in providing remedies. Specifically, the article looks at two cases with almost indistinguishable fact patterns where the Court provides for very different remedies.