From the Editor

When Frank Munger and I first spoke about a possible Special Issue of the *Law & Society Review* on longitudinal studies of trial courts, I had some questions about the value of the enterprise. As Frank pointed out in his excellent 1988 article in the *Review*, the relationship between litigation and social development has confounded even the most persistent and perceptive investigators. Was it fruitful to plan a Special Issue on the topic when available theoretical frameworks (e.g., functionalist, or normative effects theory) and weak proxy measures (e.g., population as a proxy for dispute level) appeared to pose serious and potentially debilitating conceptual and methodological obstacles? While longitudinal studies of trial courts, a number of them published in the *Review* (e.g., Toharia, 1975; Friedman and Percival, 1976), have made important contributions to our understanding of law and social change, was there a sufficiently large body of promising research to justify a Special Issue? Were researchers developing new approaches that could overcome some of the limitations of the traditional reliance on archival data sets? If we accept that context is crucial to understanding the behavior of law, is the inevitable dependence on retrospective data an infirmity that can be overcome?

The articles in this Special Issue offer convincing evidence that the answer to all of my questions is yes. In no small measure due to Frank's advice and editing, the articles in this Special Issue provide both a summing up of the achievements and limitations of past work, and an array of new ways to generate promising future research and theoretical development. While the intrinsic challenges to using longitudinal studies of trial courts to understand the relationship between law and social change remain, many of the articles in these pages (e.g., Galanter's description of research on case congregations, Lempert's push for prospective longitudinal research, Mather's lessons from dispute processing research, and Yngvesson's demonstration of how citizens share power with court officials) both reveal the limits of earlier approaches and propose ways to fill in the gap between what has been achieved and what can be achieved. If no single study can address every concern, this issue shows that a researcher with a clearly specified theoretical question has an arsenal of ways of approach it.

In addition to its intrinsic merit, this Special Issue is a bonus for *Review* subscribers in several ways. Funded by the Law and Social Science Program of the National Science Foundation, it supplements the four regular issues being published in 1990. Moreover, all manuscripts that appear in the Special Issue were care-

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fully edited by Frank Munger, the Special Editor for this issue, as well as evaluated by two anonymous reviewers and by me. Frank not only edited the issue but also organized the conference that produced the first drafts of all the manuscripts that appear in these pages. The result is that the authors in this Special Issue had the unusual opportunity to hear and respond to one another, creating the mix of independent research and responsive commentary you see in these pages.

Shari S. Diamond
June, 1990

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