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A commitment to judicial independence seems to preclude such deference to the public's reactions. This article argues that this seemingly counter-intuitive approach toward appearing principled is the right approach. For the Court, as for other institutions or individuals called upon to justify themselves to others, appearing to decide in the correct manner is a normatively necessary component of good judicial decision-making.

In the article, Professor Hellman argues that judges ought to take into account whether the reasons they offer for decisions are likely to be accepted by others as good reasons for the outcomes reached. In part, this requirement derives from the fact that judicial opinions seek to justify outcomes *to others*. In part, it derives from the fact that in order for the Court justifiably to compel compliance with its directives in individual cases, it must be effective enough to do so generally. Because the Court's ability to be effective is intimately tied to its image, the Court has an important reason to safeguard that image.

This article summarizes the development of the tort of bad faith against first-party insurers, with particular attention to the standards of culpability that have been adopted by the courts to determine whether an insurer has fulfilled its duty of good faith and fair dealing toward its insured. The author discusses new areas and types of conduct, beyond that of claim processing, for which insurers have been held to have acted in bad faith. A critical examination of issues regarding causation and types of harm that should be required before the tort is recognized is also provided. Finally, developments in the area of punitive damages are reviewed, not only as they apply to the tort of bad faith, but for tortious conduct in general.

A new medical controversy is developing. Thousands of brain-damaged and seriously ill patients who owe their existence to medical technology are seeing that existence threatened by a growing acceptance of medical rationing and euthanasia. Some medical professionals, insurance executives, and legislators advocate denying life-sustaining care and treatment to certain classes of patients, even against the wishes of a patient. Professor Linder examines whether a state that participates in a decision to deny life-sustaining care violates the guarantee of the Fourteenth Amendment that no person shall be deprived of life without due process of law. Professor Linder suggests that the answer may depend upon whether the injury of a patient is of such a nature as to negate any "life" interest that the patient would otherwise have.

Lawyers have long dismissed management theory as irrelevant to the conduct of their profession. But a growing knot of practical problems in the legal profession, including billing troubles, slow service, and public disgruntlement, have begun to threaten the profession's stability. This paper by Professor Oedel reviews the foundations of quality management theory and its possible use by lawyers and firms in reforming law practice.

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