

January 1971

Introduction

David Lawson

Follow this and additional works at: <http://digitalcommons.law.ggu.edu/ggulrev>



Part of the [Law Commons](#)

Recommended Citation

David Lawson, *Introduction*, 1 Golden Gate U. L. Rev. (1971).
<http://digitalcommons.law.ggu.edu/ggulrev/vol1/iss1/3>

This Introduction is brought to you for free and open access by the Academic Journals at GGU Law Digital Commons. It has been accepted for inclusion in Golden Gate University Law Review by an authorized administrator of GGU Law Digital Commons. For more information, please contact jfischer@ggu.edu.

INTRODUCTION

Several months ago, the editors of nearly all of the American law reviews assembled at a conference in Denver. An elderly professor greeted them. His opening question was simple: "How many of you have read more than one law review article during your legal career, excluding the articles you edit for your own review?"

Four editors raised their hands. The other two hundred did not. He had made his point; no one reads law reviews, not even the editors.

If the professor had asked how many had read the West Wyoming Law Review, or the Golden Gate Law Review, his point would have been even more starkly illustrated. Of the limited number of law review articles that are read, nearly all appear in the large "recognized" journals. The editors of the small unknown law reviews are publishing to be read only by their own editors.

No one disputed the value of the discipline that law review work provides for the student. In the 77 years or so since the original volume of the Harvard Law Review, law students have found that participation requires demanding research, creative application of the law, and flawless academic presentation.

Faced with the realization that law review work is generally of minimum utility outside of the experience it pro-

vides for the students, the editors of the Golden Gate Law Review founded their efforts for the 1970-1971 academic year upon the following goals:

- (1) preservation of the disciplining academic experience for the law student, i.e., requirement of in-depth research, creative application of the law and flawless presentation;
- (2) creation and implementation of solutions to community problems that are within the scope of a law student's ability; and
- (3) presentation of the results of the law review work to the community so that it may be used to catalyze further social change.

The editors reject the concept that all of the effort and talent that is spent in the production of a volume of a law review should find its ultimate purpose in an obscure corner of the law library. Law review students realize that they have an obligation to use their ability and opportunity to improve their society. Furthermore, it is found that coordinated law student effort can solve community problems.

PROBLEM SOLVING BY A LAW REVIEW

The emphasis of this publication is on the results -- the benefits to the students and to the community. In order to provide a framework, however, for future boards of editors to use in establishing their projects, the following approach is stated in some detail. The time for each portion of the work is indicated after the title.

INTRODUCTION

SUMMARY

1. SOURCE OF PROBLEMS
 2. CONVERSION OF PROBLEMS INTO POTENTIAL PROJECTS
 3. SELECTION OF ONE OR A FEW PROJECTS
 4. COMPLETION OF LEGAL AND EMPIRICAL RESEARCH
 5. IMPLEMENTATION OF CHOSEN SOLUTIONS
 6. PUBLICATION OF ANALYSIS AND RESULTS
-

(1) SOURCE OF PROBLEMS (Spring of the prior school year)

There is no end to the number or types of community problems that the law review can consider. As the new law review board of editors first convenes, it is their duty to sort through this plethora and narrow the list so that a few interesting, worthwhile, and feasible problems can be "pre-studied" in some detail.

Anybody may present problems to the law review. Indeed, the editors should insure that a respectable array of possible endeavors is available for consideration.

(2) CONVERSION OF PROBLEMS INTO POTENTIAL PROJECTS (Spring)

Each editor will be assigned by the editor in chief to analyze a single proposed problem. It will be his duty to evaluate the potential solutions and possible law student implementation of solutions to that problem. In reality, he will be working to convince the board of editors that his problem is the problem, or one of a few problems, that the

law review should tackle in the ensuing year. The burden is on the editor to present his case. He must provide:

- (a) A careful definition of the problem;
- (b) A detailed statement of the proposed solutions; and
- (c) A proposed plan of implementation of the solutions by the law students; including the scope of the project, the number of law students required, the amount of financing necessary and the possible trouble areas that may arise.

(3) SELECTION OF ONE OR A FEW PROJECTS (Early summer)

The board of editors, meeting as a whole, will weigh the relative merits of each of the proposals using the following criteria:

- (a) The value of the project to the law student in the sense of a traditional law review;
- (b) The value to the community;
- (c) The feasibility for law student work;
- (d) The number of staff members required and the amount of time required of each to complete the project;
- (e) The planned duration of the project in terms of academic years;
- (f) The financing required and the sources of money available;
- (g) The skills available on the law review staff compared with the skills necessary to implement the proposed solutions;
- (h) The interests of the law students;
- (i) The legality of the project; and
- (j) The policy considerations of the law school which might affect the project.

INTRODUCTION

This list is intended only as a starting point. As other relevant criteria appear, they should also be considered.

The editor's initial report on the proposed project, which will be considered by the board in determining whether the above criteria are met, should be submitted in the form of a written "project prospectus." Each member of the board of editors should be supplied with a copy well in advance of the selection meeting.

(4) COMPLETION OF LEGAL AND EMPIRICAL RESEARCH (Summer)

After selection of the projects, full scale research on the details of implementation is undertaken. This process should be organized in great detail by the editor and completed to whatever extent possible during the summer. Upon selection of the law review staff in the early fall, the final research is the first order of business for the new members of the law review.

(5) IMPLEMENTATION OF THE CHOSEN SOLUTIONS (Late fall to early spring)

Without knowing in advance what specific projects will be selected, little can be said in anticipation of this phase. For all projects, implementation will have the following in common -- hard work and a variety of endeavors on the part of the law student. It will be the test of his ability to do research and to apply the law creatively to a specific situation. It will result in the sweetness of victory

or the agony of defeat for the student once the project is completed.

(6) PUBLICATION OF RESULTS (Spring)

Publication provides the law review staff with the opportunity for a critical review of the year's work. It demands of the staff members the high quality writing and analysis that has come to be expected of a law review. It also provides a working tool for the continuation of the project in future years if a later law review staff or a group outside the school wish to pursue it.

THE PREMIER YEAR (1970-1971)

After a quick glance through this volume, one will note that diverse projects were completed in the first year. Six independent projects were attempted. Four have reached the publication stage.

(1) THE URBAN REDEVELOPMENT STUDY GROUP

These law students completed the first phase of a comprehensive study of the laws, administrative regulations and case law relating to urban redevelopment in San Francisco. The application of these laws in two large redevelopment projects was the area of most concern. The interim analysis published here demonstrates the application of this body of law, the conflicting interests of the parties involved, and

INTRODUCTION

the enforcement proceedings involved in redevelopment which are being used and which are not being used.

(2) THE LEGISLATIVE DRAFTING PROJECT

Four law students redrafted the sections of the California Code of Civil Procedure relating to small claim courts. Their purpose was twofold: (1) to provide a common-sense, layman-developed statutory solution to many of the problems that exist in small claims courts and (2) to educate the participating law students in the policy considerations and writing requirements of a usable legislative draft.

(3) THE HIGH SCHOOL LAW PROGRAM

By far the majority of staff members worked with local high schools. Twenty-two law students participated in two separate projects, which presented the law and its processes to high school students. The curriculum group wrote and administered several units of "law oriented curriculum" to high school classes. The seminar group made a more informal approach to the high school students; setting the learning experience in skits and role playing by both law student and high school student and in discussion groups, usually held outside the academic classroom.

Both programs were enthusiastically received. By the end of the year, high schools were requesting that the law review bring its presentations to their students. The singular element of success appears to have been the bringing of

the law student into the high school classroom which helped the teacher convey the substantive material of the law as well as permitted the high school student to relate to it more easily.

This technique is unique in the law oriented programs presently in use in local high schools.

THE FUTURE

The board of editors of this first year have accomplished both the substantive projects which follow and the basic organization which is outlined above. The proposed format of the latter will probably have to be modified from time to time. Editors in future years, relying on this procedure instead of having to draft it as they go, should be able to achieve much more in the substantive work than was realized this first year.

There is a great potential reward to the law student, as a result of his own efforts in law review work as envisioned here. The possible benefits to a growing law school are obvious. Society cannot help but be better off with a few of its problems being worked on by energetic law students.