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Preface

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PREFACE

Volume 29 of the Golden Gate University Women's Law Forum is dedicated to issues relating to women, families, minorities and sexual orientation. Each article addresses a cutting edge area of law by thoroughly discussing a specific case and presenting a detailed, thought provoking analysis of the court's conclusions.

One writer presents a brief survey of American Indian Law and its relationship to a provision of the Clean Water Act which grants Native American Tribes the power to enforce their own water quality standards on upstream, non-tribal polluters. This author proposes that all federal circuit courts should follow the 10th Circuit's decision to uphold the Tribe's powers of enforcement. Another writer analyzes the Montana Supreme Court's recent decision recognizing the tort of wrongful adoption and proposes the court should have expanded this tort further by requiring the adoption agency to investigate and disclose defects in the child's biological history. A third writer discusses the U.S. Supreme Court's recent decision relating to employer liability in Title VII sexual harassment cases and suggests that, rather than create a new affirmative defense for employers, the Court should have imposed strict vicarious liability upon employers in all Title VII sexual harassment cases. Finally, a fourth writer discusses the process of gaining asylum in the United States and praises the 9th Circuit's recent holding that the asylum applicant need not prove that his or her persecutor intended to inflict harm upon the applicant. This author suggests that the other federal circuit courts should also adopt this view.

This issue of the Women's Law Forum would not have been possible without the passion and dedication of the writers. It has been my honor and pleasure to work with each of them. I hope their articles inspire and educate you as they have me. In addition, I would like to thank the associate editors and faculty mentors for their dedication and hard work. Finally, I would like to thank my colleagues on the Law Review Editorial Staff, particularly Bergen Herd, as well as Roberta Simon, Faculty Advisor to the Women's Law Forum, for their guidance and support.

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Senior Editor, Women's Law Forum