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Preface

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PREFACE

In the 78 years since the original volume of the *Harvard Law Review* was published, a plethora of law reviews that attempt to emulate the traditional Harvard standard has emerged. The legal community has become saturated with traditional reviews, most seeking to be national in scope and printing almost any piece of legal writing out of desperation for articles.

But in recent years, a new breed of law reviews, such as Golden Gate's, has emerged. The *Golden Gate Law Review* and others like it are challenging one of the basic assumptions giving rise to traditional law reviews--that student-edited reviews consisting of articles by outside authors are the most valuable contributions law students can make to the legal community.

I do not question the value to the legal community of the *Harvard Law Review* and the *Yale Law Journal*. But to suggest that every law review (many with far less economic resources) must emulate their traditional standard is absurd and, in my opinion, a waste of valuable talent. The new breed of law reviews can make equally valuable contributions to the legal community and the society.

Since so many of today's legal problems are social problems, why restrict authorship of law review articles to members of the legal profession? Why limit a law review's reading audience exclusively to the legal community? Shouldn't law students, who have learned legal methodology during their first year, be encouraged to undertake creative

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community projects rather than be caught up in examinations, grades and class rankings, or in simply passing time until graduation.¹

The Golden Gate Law Review has developed from a traditional law review organization into an active problem-solving organization that defines problems in the urban community, establishes priorities among these problems, performs legal and empirical research, determines solutions to the problems under consideration, implements these solutions to the extent possible, and publishes the results of its efforts for the community at large. This redirection stems from the fact that there are a number of critical problems facing our society that demand legal attention but that practicing attorneys find difficult to resolve. Socially-conscious law students, possessing legal skills and not yet attached to confining organizational structures, are in an ideal position to perceive the depth and dimension of these critical problems and to become effective in their resolution.

One of the focuses of the 1972 Law Review was on high school legal education. Law and American legal institutions are not fully understood by a majority of the population, and few educational programs provide laymen with a view of the law and its institutions. Indeed, law is

1. Recently, I received a letter from the American Bar Foundation, a research institution engaged in the empirical study of law and the legal system, soliciting proposals for grants to law schools "for use by their law reviews in student-conceived and student-executed research projects." See a letter from Barlow F. Christensen, Project Director, Law Review Research Project, American Bar Foundation, Chicago, Illinois, to Editor in Chief, *Golden Gate Law Review*, March 27, 1972.

It is interesting to see the American Bar Foundation urging law reviews to undertake student research projects--projects that most traditional law reviews have spurned.

infrequently represented in secondary school curricula. Recognizing the educational need, the Golden Gate Law Review developed the Golden Gate Legal Education Project. The project was cosponsored by the Constitutional Rights Foundation of Northern California in cooperation with the Bar Association of San Francisco.

The Golden Gate Legal Education Project has culminated in the publication of Issue No. 1, which includes a description and critical evaluation of the course and a statistical analysis of the student attitude questionnaire designed and administered to measure students' attitudes about the police, courts and our legal system. Also included is legal educational curricula on the First, Fourth, Fifth and Sixth Amendments, landlord-tenant law, contracts, tort law, and court systems. While much of the material contained in these units was covered in the classroom, the units were not written until the conclusion of classroom activities.

Another focus of the 1972 Law Review was on urban renewal. While the term "urban renewal" suggests slum clearance, beautified cities and more and better housing (and in some instances urban renewal projects have increased and improved housing), many projects have failed to provide decent, safe and sanitary housing for citizens of the area.² One urban renewal project involved legal research and preparation of lay handbooks for redevelopment project residents enumerating their relocation rights and the rights of renewal project tenants living in

2. *San Francisco Urban Renewal--Relocation and Its Problems*, 1 Golden Gate Law Review 9, 11 (1971).

federally-funded housing projects. Volume II, Issue No. 2 of the *Golden Gate Law Review* includes a copy of the lay handbooks that were published. Also included is a discussion of the sources of the law summarized in the handbooks.

Another urban renewal project planned to rehabilitate four to six housing units in San Francisco under section 235(j) of the 1968 Housing Act and to produce a handbook based on the law review staff's experience in rehabilitating the San Francisco housing units. Unfortunately, the handbook will not be published because there are several bills currently before Congress that will so weaken section 235 as to make a handbook useless. Their enactment into law is very likely.

Issue No. 2 also contains an article on recycling. It discusses the extent of the exhaustion of nonrenewable natural resources and the methods currently used to minimize resource depletion, and makes some positive suggestions for dealing with the complex problem.

It is my opinion that student projects like those reported in this volume make significant contributions to our society. Such projects not only benefit the recipients, be they high school students, urban renewal residents, or conservationists, but offer the Golden Gate Law Review staff a disciplined, academic experience consisting of research, creative application of the law, and writing. By performing a problem-solving function in the community, the staff is able to observe the constructive role that law can play in our troubled society.

It is hoped that the publication of these project results will aid those in the community who are interested or involved in the problems

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under discussion. From his comments, a law professor from the University of Kentucky who read the small claims court article in Volume I profitted from our last publication. He said:

Recently our Law Librarian thrust into my hands a copy of your April 1971 number for possible relevance to my current consumer conflict-resolution research....

Today I have had a chance to look at the small claims court legislative proposals and the rest of the contents. Although limited in immediate utility to California legislation, the proposals are a useful addition to small claims court literature--far more useful than the usual student note rehash of the state of the institution and of vague (and hence not useful) suggestions for change.

It is more the point of this note, however, to commend you generally for abandoning the traditional law journal format in favor of a publication designed to connect directly student work with legislative and judicial change. That law journals are largely unread (except by law school pedants and the adjudicators of their progress up the academic ladder) cannot be gainsaid. If more journals would strike out in different...directions, two disparate goals would be served: first, the enormous quantities of talent now channeled into print would not lie up in the undistrubed dust of library shelves and, second, the value of faculty writing in law reviews would have to rise as the opportunities for obtaining publication became less unrestricted and undirected - thus hitting the law school teacher's version of the publish or perish game in its vulnerable underbelly.

Again my compliments. I hope that your new start wears well and that future issues of the Golden Gate Law Review sustain the spirit and calibre of the beginning.³

3. A letter from Robert M. Viles, Associate Professor of Law, University of Kentucky, Lexington, Kentucky, to The Editors, *Golden Gate Law Review*, November 17, 1971.

I owe thanks to a large number of people and organizations. These include Golden Gate College and its president, Dr. Otto Butz, for financially supporting the Law Review projects; the Northern California Chapter of the Constitutional Rights Foundation for cosponsoring the High School Legal Education Project, and especially Naomi Lauter for her kind assistance in designing the student attitude questionnaire, Father John McEnhill, and Patricia B. Wally, members of its Board of Directors; the Southern California Chapter of the Constitutional Rights Foundation for resource materials and for permission to reprint the Fifth and Sixth Amendment case materials; DeAnne Sobul for her permission to reprint the Fifth and Sixth Amendment materials from her case study on *Miranda v. Arizona* entitled *What are the Rights of the Accused?*; Richard Weintraub, educational consultant of the Constitutional Rights Foundation, for conducting the law tutor seminar; Roland E. Brandel, Stuart A. Forsyth, and Herbert M. Rosenthal of the Youth Education Committee of the Bar Association of San Francisco for their advice and encouragement on the legal education project; the San Francisco Unified School District and the Archdiocese of Northern California for authorization to conduct the High School Legal Education Project and administer the student attitude questionnaire in their schools; David Hanchette of Wedell Group Architects and Environmental Planners of Sausalito, California, for his advice on the selection of 235(j) sites; Father John O'Connor and Sister Margaret of the Catholic Social Services of San Francisco for their interest in sponsoring the Law Review's 235(j) housing project; Mary Rogers of the Western Addition Project Area Committee (WAPAC) for

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arranging for the distribution of the *Why Move?* relocation handbook; and William R. Jones, Housing Specialist of the San Francisco Redevelopment Agency for arranging for the photographs that appear in the relocation handbook.

I am grateful to Golden Gate Law Professors Roger H. Bernhardt, Michael D. Devito, Lawrence H. Jones, Leslie A. Minkus, James B. Smith, and Robert C. Schubert for their assistance throughout the year and for their constructive criticisms of the legal curricula units, and especially to Professor and Law Librarian Gerard Magavero for his advice on copy-righting and our subscription drive.

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I offer special thanks to Marie Flamme, former Executive Secretary of the Northern California Chapter of the Constitutional Rights Foundation,

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I owe especial thanks to all the high school teachers, administrators and students who participated in the legal education project. I am grateful to the entire Law Review staff and project editors for the many hours they devoted to the projects, and especially to Editor Philip Pro who did far more for the Law Review than was ever requested.

I am indebted to Professor Miron L. Straf and Professor Morton S. Tenenberg for their assistance in designing the student attitude questionnaire, for locating a computer program, for coordinating the data processing, for analyzing the data, and for their article.

To my wife Kathryn, my especial gratitude is extended. Her patience, understanding, and assistance in editing and preparing the final manuscript have contributed immensely to the achievement of this volume.

Ronald E. Bogard
Editor in Chief

San Francisco, California
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