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PREFACE THE FIRST DECADE

*Norman George**

This issue marks the beginning of the tenth volume of the *University of Dayton Law Review*. Such a milestone provides an opportunity to reflect on the *Law Review* in terms of its vital significance as an integral part of the University of Dayton School of Law.

That the *Law Review* is and was from the very beginning regarded as a major component of the law program is, as I can personally attest, a matter of record. Those who developed the comprehensive plans for launching the law school in the fall of 1974 had no misapprehensions about the importance of immediately establishing a law journal. The *Law Review* was not merely regarded as something that should be added at some indefinite future time, but was undertaken as early as feasible.

Certain fundamental decisions were made early in the launching state. The *Law Review* would be a "traditional" one in the sense that it would be general rather than specialized in focus of subject matter. Rigorous standards of professional quality would be implemented at the very outset, giving no quarter to variance that might have been justified or rationalized under the rubric of the learning process. Quality rather than quantity would be preeminent; thus the two issues per year in the early years would be increased only when consistency of quality could be assured.

Personal impressions of the early days of the *Law Review* are still vivid: the enthusiasm of the first staff, the excitement surrounding the first issue, and, yes, the struggles in evolving and refining the staff selection process. But what stands out most indelibly in my recollection is the attitude and behavior of the very first student staff. One might have expected that it would take time before the staff would develop the level of performance required for a professional journal, but this did not prove to be the case. The first staff took hold immediately and quickly mastered the operational details. Even more significantly, they

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approached every aspect of the process of producing a law review with the dedication and skill demanded of such an enterprise. Suffice it to say that the first staff established the professional climate upon which subsequent staffs have been built and expanded.

Several benchmarks reflect the progress of the *Law Review* in its first ten volumes. The transition from an intramural to a fully indexed legal periodical was effected early. The two issues per year were expanded to three. A review of Ohio legislative developments was implemented as a regular feature.

But the most significant benchmarks are qualitative in nature. An examination of the cumulative indexes compiled shows a steady expansion of the range and diversity of respected and recognized authors. Even a cursory perusal through the issues in chronological sequence readily reveals the *Law Review's* growth and development in the substance of its contents—more timely treatment of major issues, more insightful analyses, more comprehensive coverage of selected areas of legal inquiry, and the incorporation of special features.

The hallmark of the *Law Review's* achievements so far is undoubtedly the Summer 1983 issue that presented a symposium entitled *Judicial Review and the Constitution: The Text and Beyond*.¹ The array of constitutional law luminaries contributing to the issue speaks for itself. The level of the dialogue presented in that issue and extended via rejoinder in the subsequent issue² is certain to be regarded as a significant contribution to the literature of constitutional law.

While the quality of the constitutional law symposium issue speaks for itself, the significance of this undertaking, for purposes of this reflection on the development of the *Law Review*, lies in its implications to the staff. The symposium issue represented a major project to the editors and to the second-year staff members. The impressive results undoubtedly enhanced confidence in their ability to cope with features of similar magnitude and scope in the future. Verification of this capability is demonstrated by the antitrust symposium in the Summer 1984 issue.³ This demonstrated capability adds a further dimension that augurs well for the *Law Review's* continued growth and development. This continued progression is evidenced by the *Law Review's* plans to discuss important themes in future symposium issues.

As one looks forward to the *Law Review's* further achievements, one can also look back on the first ten volumes with justifiable satisfac-

1. 8 U. DAYTON L. REV. 443 (1983).

2. *Judicial Review and the Constitution: The Text and Beyond, a Rejoinder*, 9 U. DAYTON L. REV. 171 (1984).

3. *In Restraint of Trade and the "Privilege."* 9 U. DAYTON L. REV. 403 (1984).

tion. The *Law Review* as an interactive process among student staff, faculty, administration, authors, and audience has been firmly established and functions productively. The process maintains a strict adherence to professional standards in both form and substance. The *Law Review's* horizon is in an expansionary mode, reaching out to a wider audience, attracting contributions from an increasingly impressive array of legal scholars and accepting greater challenges in the substance treated.

The personal equation in these successes should not be overlooked. Foremost among those who should be cited are the students, past and present, who have staffed the *Law Review*. It is the students who, in making the personal sacrifices and extraordinary time commitment that dedication to a law review demands, have enabled the *University of Dayton Law Review* to attain recognition and respect in its place among journals of older, more established law schools. In addition to the efforts of students, the active support of the deans, first Richard L. Braun and now Frederick Davis, have been important factors. Faculty interest and involvement has often been indispensable. Special note should be made of the contributions of long-time faculty advisor, Professor E. Dale Searcy, and the current faculty advisor, Professor Richard Saphire. The interactions among all these "people components," with the student staff as the focal point, has produced a synergism that gives the *Law Review* enterprise its special characteristics.

And now what of the future? The past is relevant primarily for what it instructs regarding the future. Perhaps more important than the temporal aspects of this commemorative occasion would be a reflection on the role of a law review. This can best be approached in terms of what it means to its several interested groups.

To the students who staff it, the law review is in a sense their first experience as active participants in the legal process. Their work product is not a classroom exercise. Rather, it is a contribution to legal analysis and conceptualization. The standards of the profession in this part of the legal process are not a hypothetical matter since the results of their work can be readily examined by the legal community.

To the faculty and administration, the law review is the school's component for regular and ongoing legal research, analysis, and commentary. Moreover, the law review exemplifies what the faculty seeks to instill in the students—that the law is not a static edifice but a dynamic process that is constantly changing and developing.

To authors, the law review is a channel of legal communication affording them an outlet for putting forth and sharing their analyses, conceptualizations, proposals, and commentary. The law review becomes a forum through which views are exchanged, compared, and fre-

quently challenged.

To readers, the law review serves several purposes. It may provide an update on the complexities of certain issues, or an in-depth analysis of a problem or issue in a seeming state of flux. Frequently, the law review challenges readers to rethink a legal concept which is apparently well established; but always it is a reminder that the law is a living and dynamic process constantly striving for some sense of order for human behavior and thought.

Most importantly, the law review provides a means through which all members of the legal profession, both academics and practitioners, can meet one of the most vital of all their professional responsibilities—participating actively and directly in the process of developing the law.

It is that role of helping to develop the law that is the ultimate purpose of a law review. In the first decade, the *University of Dayton Law Review* has demonstrated its capacity and dedication to that purpose. To do so in even larger measure is its commitment to the future.