FOREWORD
THE IMPORTANCE OF LAW REVIEWS

Since 1980, the Creighton Law Review has continued the tradition of writing notes and comments concerning significant cases decided by the United States Court of Appeals for the Eighth Circuit. This year's Eighth Circuit survey carries on this practice by addressing such important issues as the qualifications for protection under the Americans with Disabilities Act and the constitutionality of the Religious Freedom Restoration Act. The bar of the Eighth Circuit has come to look upon the Creighton Law Review as a valuable contribution to the legal lore of this circuit.

Many lawyers and judges have commented to me over the years about the significance of the contribution of law reviews. Often, critical comments have appeared in law reviews on case decisions and have persuaded other jurists that decisions should be questioned or even changed. In fact, I am reminded of Justice Holmes, who once stated that he did not mind the law reviews saying that he was wrong in his legal opinions, but what bothered him the most was their boldness in telling him that he was right.1

As the research laboratories of the law, law reviews are not only helpful to the judiciary, they provide an invaluable experience to the students. There is little doubt of the educational discipline instilled in student writers by painstakingly writing a comment or note on a legal decision worthy of publication. Such experiences stay with the student for a lifetime and often serve to guide them toward an unquenchable thirst for research and writing throughout their legal career.

I commend the faculty and the student body of Creighton University School of Law for carrying on this rich and great tradition. I know that I express the appreciation of the judiciary of the Eighth Circuit, as well as the many hundreds of lawyers who look forward to this contribution every year.

Congratulations for a job well done.

Judge Donald P. Lay
Senior Judge, United States Court of Appeals for the Eighth Circuit

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