

VOLUME 1

Plus ça change, plus c'est la même chose.

“The more things change, the more they remain the same.”

When asked to contribute to the 35th anniversary edition with a “short commemorative piece,” I wondered what I could possibly say that would be remotely insightful or meaningful. But then I reflected on the many pieces I had written appearing in this review and concluded that having nothing meaningful or insightful to say had never stopped me from writing for this review before. So why should year thirty-five of the law review be any different?

Perhaps I did write something meaningful ten years ago when, in a “short commemorative piece,” I wrote of the late Professor William A. Donaher, first faculty advisor to the law review. I referred to him as the “midwife” at the founding of the review. He was much, much more than that. When I lost my mother to cancer during my senior year of law school, he was there for me as I dealt with personal tragedy and the looming specter of the draft at the cusp of the Vietnam War. So, at least for me, the opportunity to remember Bill Donaher was meaningful for his brief tenure at Creighton Law School came at a critical point in my life and in the history of the review.

I do take a certain amount of pride in realizing that I’m probably the most prolific contributor to the review in its thirty-five year history. Then, of course, I have to acknowledge that faculty advisor status has its privileges: The editors in chief and lead articles editors of years past were probably musing, *sub silentio*, “Oh, no, another article from Volkmer and we can’t tell *him* to take his esoteric musings to the *Monash Law Review*.”

But those plucky editors did publish my pieces and by some strange twist of fate someone actually determined that the Supreme Court of Nebraska accidentally stumbled upon them (er, cited them for some reason or another) (as did an occasional casebook editor). So at this point, I should declare “Victory” and go home. But I can’t do that. I can’t depart without telling you about the most challenging and difficult piece I ever wrote for this sainted review. Now just to pique your interest I must tell you that the piece to which I refer—the most challenging and the most difficult—was all of one page and two additional lines.

As you’ve probably surmised by now, the piece I wrote was not the traditional law review article. It was the “lead” tribute in an issue dedicated to Professor Michael J. O’Reilly in Volume 11. For those of you who knew Professor O’Reilly no explanation is needed. For those

of you who did not know Professor O'Reilly no explanation is possible. All that I can do, if you are interested in the persona of this remarkable individual, is to refer you to what I will always regard as a *classic* in the annals of the *Creighton Law Review*—the “Student’s View” of Professor O'Reilly authored by Pat Parenteau.

My dedicatory piece was labeled “Colleague and Friend.” But truth be told, he was much more than that: He was mentor, my comrade in arms, a renaissance man in the truest sense of that term. How could I *possibly* write a tribute that would, in one page, express how I felt about him as former student, colleague, mentor, and friend? I sweated bullets and prayed for divine inspiration. Nothing seemed to help.

But then I began reflecting on what was unique about Michael and what I had learned from him. And then, from somewhere, came images and voices from the classes he taught. I heard echoes of Holmes, Frankfurter, and Cardozo, as well as euphonious Latin and French phrases. What of his influence upon me and countless other students? How could I describe it? Then, in a flash, I recalled Michael, in Trusts and Estates class, waxing eloquently on Cardozo’s lyrical phrase: “as enduring as the inscription upon a monument.” That’s it!! That’s the legacy of Michael the teacher. I had found the phrase that I was searching for and I was ecstatic since it seemed the fit was perfect. So that’s how I ended that piece and to this day I still recall vividly the pride I felt in finding the right words.

So it comes back to the point of beginning for every author and editor: We need to find the right words. And how important is that? Like every other good writer who has gone before me, I can do no better than to quote persons more learned, more wise, more insightful. So why is it so important to use the right words? Here are two quotations to ponder as the volume thirty-six editors settle in:

Why shouldn’t we quarrel about a word? What is the good of words if they aren’t important enough to quarrel over? Why do we choose one word more than another if there isn’t any difference between them?

G.K. Chesterton

But if thought corrupts language, language can also corrupt thought. A bad usage can spread by tradition and imitation, even among people who should know better.

George Orwell

Ronald R. Volkmer
Faculty Advisor
Editor-in-Chief, *Creighton Law Review*, Volume 1

VOLUME 3

The invitation addressed to me as Editor-in-Chief of Volume 3 of the Creighton Law Review requested my "thoughts, comments, and memories" on the occasion of the THIRTY-FIFTH anniversary of the Review. My reaction? Surely the editors of the Review are kidding! Tenth Anniversary, O.K. Fifteenth, maybe. But thirty-five years? Quick calculation confirmed that the anniversary date was correct and that thirty-two years have passed since those of us who labored on Volume 3 burned the midnight oil accompanied by the popping of the steam radiators in the third floor Review offices of the old School of Law building. Yes, the lightning-like speed by which those years passed is a matter of personal concern for those of us involved in the early development of the Review, but for the Creighton Law Review the 35 years reveal an impressive record of service to the State of Nebraska and the nation.

Even a cursory examination of the contents of the Review over its thirty-five years reveals the significance of its contributions. Outstanding articles by influential judges, scholars, lawyers, public officials, student notes and comments, and the annual surveys of Nebraska, Eighth Circuit, Federal, and Supreme Court decisions have all had substantial impact on the development of legal doctrine, how we think about the law, and ultimately the way society goes about its business. In short, the very sort of impact that law review, this amazing, student edited intellectual exercise, should have.

An objective review of Volume 3 would undoubtedly conclude that our most significant contribution was a student comment by Law Review members John Decker and Tom Lorigan, "Right to Counsel: The Impact of *Gideon v. Wainwright* in the Fifty States" (3 CREIGHTON L. REV. 103 (1970)). *Gideon* is the 1963 United States Supreme Court decision that recognized the right to appointed counsel for indigent persons charged with felonies in state court proceedings. Both the genesis of that article and its significance are worth noting here.

The idea for the *Gideon* article flowed from the creative and far-sighted mind of Dan McTaggart, Recent Developments Editor of Volume 3. After reviewing case law developments related to *Gideon*, Dan detected what he thought was movement on the part of the Supreme Court toward extending the appointed counsel right to indigents accused of misdemeanors as well as felonies. He suggested a survey of the fifty states to ascertain the extent to which the states were already providing counsel to persons accused of misdemeanors without direct Supreme Court mandate. When a preliminary survey revealed that

many states did provide counsel, Dan predicted that an article based on an in-depth, comprehensive survey of the states might be of value to the development of right to counsel law if the issue of counsel for persons accused of misdemeanors reached the Supreme Court. Dan then passed the ball to John Decker and Tom Lorigan who did an excellent job as co-authors of the article and the rest is literally history, the history being Justice Douglas' citation to and extensive reliance on the article in the United States Supreme Court's decision of *Argersinger v. Hamlin*. That case extended the right to appointed counsel to persons accused of qualifying misdemeanors and was the first United States Supreme Court decision to cite the Creighton Law Review.

To balance the significance of the Supreme Court citation, I feel compelled to report a couple of embarrassing moments for Volume 3. The first was the day Professor Father Leroy Endres opened the door to the Law Review office with a highly recruited prospective student and the prospective student's law school alumnus father in tow. Bookcases near the door blocked the view of the working area of the office and as the door opened we heard Father Endres say to the prospect and his father, "and this is where the scholars reside." Although the announcement provided the editorial staff with a few seconds' warning, alas and alack there was insufficient time to scuttle the evidence of the red hot poker game then in progress. I have no idea whether the prospect ultimately enrolled and suspect that I don't want to know.

The Editor-in-Chief suffered the second embarrassing moment on his own. The first draft of an article by Justice Tom C. Clark of the United States Supreme Court (Volume 3's second most significant contribution?) was overdue from Justice Clark. One afternoon I summoned the courage to call Justice Clark's secretary to politely inquire, and if necessary lay down the law, about the missing article. When I asked the person answering the phone for Justice Clark's secretary, the response was, "My secretary isn't here now but this is Justice Clark, may I help you?" The shock resulting from having placed myself in the position of confronting a justice of the United States Supreme Court about a missed deadline prevents a clear recollection of the subsequent exchange. All I can now say for sure is that despite my stammering response we ultimately received and published the article.

Although time and distance have rendered contacts with my colleagues on Volume 3 infrequent at best, I am sure that over the years most of us have found our law review experience to be the most rewarding aspect of our legal education. Sure, Creighton Law Review

participation opened doors to judicial positions, positions with prestigious law firms, businesses, and in academia (John Decker, co-author of the *Gideon* article has been a member of the DePaul University College of Law faculty since 1971, and I cannot fail to mention the contributions of Professor Ron Volkmer of Creighton, our founding Editor-in-Chief, who set the standards by which the rest of us have been measured). However, I am also sure that we have found that the Review's most valuable impact on our professional lives has been in the rigor of thought and disciplined devotion to quality of effort learned through our law review experience.

Ken Gould
Professor of Law
University of Arkansas School of Law, Little Rock
Editor-in-Chief, Creighton Law Review, Volume 3

VOLUME 4

Thirty years have passed since I served as Editor-in-Chief of Volume 4 of the *Creighton Law Review*. When I look back on those days so long ago, the overwhelming memory that comes to mind is just how much of a struggle it was to put out those two issues of legal critique. In the early 1970's, Creighton law students were not particularly interested in writing articles for the *Review*. Clerking for downtown firms was more important than having a note published in the *Review*. Evidently, in those days, hiring decisions turned more upon whether the graduate could find his or her way to the courthouse than on whether he or she had the ability to make a critical analysis of the law. Finding good lead articles for the newly instituted *Review* was another difficulty, but this was undoubtedly a problem which every law review faces in its infancy.

Perhaps the greatest difficulty arose from the fact that I was the first woman to be appointed Editor-in-Chief. Women law students were something of an oddity in those days. There were only five women in my class. Our presence was unsettling to some of our fellow classmates who believed that the world of law belonged solely to men. As one of my male classmates told me, "You don't deserve the honors you have been given because after you graduate you will probably get married and stop practicing law while some male student could better benefit in his career if he were given these honors." In fact, some of the male students absolutely refused to serve on the Board of Editors because, one put it, "I will not serve under a woman Editor."

Fortunately, I had a great staff (all male) who worked hard and supported me throughout these difficult times. At one point, however, when we were facing what seemed to be insurmountable problems in putting out the first issue, one of my Editors came to me and suggested that we give it all up and let the *Review* fail. I told him I could not because, as I explained, it would then be said that the *Review* failed because a woman had been appointed Editor-in-Chief. I told him I had to prove that a woman could handle the job even if that meant I had to write every article myself. Today, thirty years later, I am happy to see that the *Review* is alive and well and has become one of the most respected law reviews in the country. I hope that, in some small way, my staff and I contributed to that success.

Maureen E. McGrath
Editor-in-Chief, Creighton Law Review, Volume 4

VOLUME 6

I am honored to participate in the celebration of the 35th Anniversary of the Creighton Law Review.

To the students involved, the research, writing, double and triple checking of propositions of law and citations, and the editing process itself, sometimes may seem overwhelming. However, the ability to clearly express a researched thought is an essential component of the lawyer's craft, and I know of no better method for developing that skill than participation in a student law journal.

The benefits from the work of the student review members extend well beyond the limits of the Creighton Law School campus, however. The timely and well-researched articles of the Creighton Law Review also provide a valuable component in the continuing education of the practicing bar.

I recall with great pleasure the opportunity on the Law Review to work closely with fellow students, faculty and members of the legal community. I commend Creighton University, the School of Law, its faculty and its students for providing a high quality legal journal for three and one-half decades.

*Thomas F. Hoarty, Jr.
Editor-in-Chief, Creighton Law Review, Volume 6*

VOLUME 9

As I write this piece celebrating the 35th anniversary of the Creighton Law Review, it is difficult for me to believe that it has been twenty-five years since my days as Editor-in-Chief of Volume 9.

The Law Review moved into the Ahmanson Law Center during the fall of my junior year and our second issue in my senior year featured a series of articles from the dedication ceremonies of the new law building. The dedication issue included an article by Robert H. Bork, then Solicitor General of the United States and later a federal appeals court judge, who expressed his thoughts on judicial restraint: that we as a society “are attempting to apply law and judicial processes to more and more aspects of life in a self-defeating effort to guarantee every minor right people think they ought ideally to possess.”¹ The dedication issue also included pieces by Roman L. Hruska, Senior United States Senator from Nebraska, Paul W. White, Chief Justice of the Nebraska Supreme Court and Steven P. Frankino, Dean of the Creighton University School of Law.

Years later, during the confirmation process of United States Supreme Court nominee Bork in the United States Senate, I contacted Senator Hruska, Chief Justice White and Dean Frankino to discuss the nomination for an *Another Point of View* article that was published in the *Omaha World-Herald*. Each of them supported the elevation of Judge Bork to the United States Supreme Court but the United States Senate had other ideas. It was interesting to follow the confirmation process of Judge Bork and to have some minimal connection with an important part of our recent judicial history that resulted from my involvement with the Creighton Law Review.

Professor Ronald R. Volkmer, who was faculty advisor during my junior year, left for a sabbatical and Professor G. Michael Fenner served as our advisor during my year as Editor-in-Chief. I have great respect for Professor Volkmer and Professor Fenner and consider each of them to be a great credit to the Creighton University School of Law and the legal community. Each of them had a great impact in shaping me as a lawyer. Professor Volkmer is responsible, in part, for inspiring me to pursue a Masters of Law degree at the University of Illinois, and my time at the Creighton University School of Law and the University of Illinois was certainly the most intellectually stimulating period of my life.

1. Robert H. Bork, *Dedication Ahmanson Law Center*, 9 CREIGHTON L. REV. 236 (1975).

I save perhaps the most significant part of my year with the Creighton Law Review for last. At our law review banquet at the conclusion of my year as Editor-in-Chief, I was complimented by Professor Fenner for a successful year. I responded that my theory as Editor-in-Chief of the Creighton Law Review was to surround myself with the brightest minds among the students at the Creighton University School of Law and then to delegate everything. I do remember with awe the intelligence and abilities of the members of our Board of Editors, Editorial Staff and General Staff. We have all scattered over the past twenty-five years and it becomes more and more difficult to keep in touch. God bless you all wherever you are and I want you all to know how much richer my life became by knowing you.

*Michael L. Johnson*²
Editor-in-Chief, Creighton Law Review, Volume 9

2. B.S., University of Nebraska; J.D. *cum laude*, Creighton University; L.L.M. University of Illinois.

VOLUME 12

On the occasion of the 25th anniversary of the Creighton Law Review, I reflected on my tenure as Editor-in-Chief. I observed that the quality of the Review had improved with each succeeding year. I knew that the improvement was not because previous boards and staff did not publish a quality product, rather it was due to each succeeding board's dedication to improving the publication. That always was and continues to be the foundation of the Creighton Law Review's stature as an outstanding legal periodical. Now, 10 years later in this 35th anniversary year, my observations have not changed. The scholarly work of contributing authors and the commitment of the Board of Editors and Staff is consistently outstanding, as they should be.

My reminiscences concerning the goings on in the law review offices have not changed over the past 10 years either. Some have suggested that memory loss is the reason. I prefer to posit that there is nothing else to add. It was a great time to be working with the talented Volume 12 editorial board members who cared more about what we were doing collectively to publish a quality legal periodical than they did about their personal lives. That was abundantly clear from the long hours of daily and weekend toil at the law review offices. Their commitment made the difference.

Congratulations to the 2001-2002 Creighton Law Review Editorial Board and to all previous Editorial Boards. The 35th anniversary celebration is a testament to their success. Anecdotally, contrary to my piece written for the 25th anniversary, I reached my goal of including no footnotes this time.

Richard P. Marshall, Jr.
Editor-in-Chief, Creighton Law Review, Volume 12

VOLUME 13

**LAW REVIEW, CHAPTER 13:
ONE LEG OF A SUCCESSFUL AND
REWARDING JOURNEY**

Success, it is often said, is a journey, not a destination.

Congratulations to the Creighton Law Review for 35 years of excellence in serving the legal community and representing Creighton as well as its alumni in what by any measure has been a hugely successful journey. This brief memoir recognizes some of the successes of the Law Review, the manner in which those of us involved in chapter 13 tried to uphold the legacy of our predecessors and the contributions of the many individuals who participated in chapter 13 of the journey.¹

Chapter 13 of the journey for me, and I think my colleagues, was an immensely rewarding experience and one of the high points along our own individual journeys.² At least it seems that way as the passage of time has shaded the once vivid memories of life without a “life,” late night editing, endless re-writing, conflicting time demands, and emotionally charged debates over who was invited, who was expelled, what was published and who would follow.

Our Board inherited the luxury of time for creative planning due to the hard work of the Volume 12 Board in eliminating a backlog of unpublished pages.³ Some of our creativity bordered on heresy.⁴ For a brief moment, we even toyed with the notion of bowing to superstition, like some architects, and skipping Volume 13.⁵ We actually had

1. Among the people who bother to read this memoir, probably few will read these notes and fewer still will understand their meaning. Nevertheless, these notes will serve as a valiant attempt to recognize in a more concrete way some of those who contributed to chapter 13 of the review and my own journey. Sandy this first one is for you. You have inspired me and always have been first, even though it may not have seemed so. Rosie and Ann, thank you for helping Sandy and untold other “law wives” learn to cope with first year and the ensuing demands of law review and a life of the law.

2. Ron, through it all, you provided unwavering support, wise counsel and valued friendship.

3. Dick, you personally ensured that not even galley proofs from Volume 12 were left to divert our focus from Volume 13. Jim and Kathryn, your views on leadership probably contributed in a profound way to fostering the creative thinking of our Board. Joe, your thoughtful and patient guidance of student writers, including me, was a model for all of our editors.

4. Rod, thank you for your patience in letting us come to our own realization that there are some limits to creativity, and some articles that we just don't edit.

5. Phil, we knew your support of the proposal was merely a joke, though with at least one other we could never tell.

the audacity to put a photograph taken by one of our board members of St. John's Church on the cover of Volume 13.⁶ While the cover reminded us of Creighton's Jesuit roots, it soon was replaced by our successors with more legally apropos photo of the Doyle Courtroom that would last over a decade.

Other of our ideas lasted longer than the cover.⁷ We drew upon the success of the Volume 8 Board's initiation of the Survey of Nebraska Law to start the Eighth Circuit Survey.⁸ With the financial support of the administration,⁹ the survey was distributed at the Eighth Circuit judicial conference, undoubtedly fostering its notoriety and longevity. It met an unfulfilled need and has endured, hopefully enhancing Creighton's visibility in the process. Subsequent boards contributed to the 35-year journey by augmenting the Nebraska and Eighth Circuit Surveys with the Supreme Court Survey and other special issues along the way.

The Law Review's 35 years of success is the culmination of the hard work, support and creativity of many people. So too Chapter 13 is a reflection of the efforts of numerous others. Thank you to the authors who spent so much time writing and re-writing,¹⁰ to the professors who contributed insight and support for numerous student writers in addition to many of their own articles,¹¹ to the administration for standing behind us, to the editorial staff who never ceased to volunteer the necessary time to edit and cite check in order to meet deadlines, to our loyal assistants,¹² and especially to my fellow board members with whom I had the pleasure to spend a year working and forming many friendships that endured long beyond the end of Chapter 13.¹³

6. Terry, we understood why the cover with your photo ended with our volume, but we were shocked and failed to understand why your own journey had to come to an abrupt, premature end.

7. Scott, it is tragic that your journey also ended prematurely. You may be gone but I never will forget your patient understanding of my own fallibilities. Despite Ron's assurance, they still leave the covers on bound volumes in some places, like SMU.

8. Tom, as our chief idea man and the genesis of the idea to do something special with Chapter 13, your cerebral neurons always seemed to be firing on all cylinders. May the force be with you, sorry I could not.

9. Jed, I still can recall you wiping the beads of sweat off your brow trying to figure out how we'd balance the books until the Dean stepped forward to cover the additional printing costs.

10. Asenath, we know there was at least one article that you, and perhaps Jack, should have received co-authorship for editing.

11. Pat, you shattered the Professor Kingsfield image, crafted so artfully over the span of first year, with your thoughtful and considerate editorial review of my own article.

12. Maylow, you, along with able support from Artoo Deetoo, provided a valuable bridge between the Volume 12 and 13 Boards, as well as between many others I'm sure.

13. Gayla, it's fitting that note 13 of chapter 13 is for you. More than anyone else on our Board, you were a driving force to keep us on track, whether by lining up workers

To the Board of Volume 35 and those that follow, keep the sails of your aspirations high and continue to chart the course of future success for the Law Review. Your own personal journeys will be laced with experiences and relationships that you'll cherish a lifetime from your own chapter of the Law Review journey.

William R. Drexel
Editor-in-Chief, Creighton Law Review, Volume 13

in the middle of exams to ensure deadlines were met or by personally writing, editing and proofing articles when no one else would. You have remained a valued and trusted friend long after the ink dried on Volume 13.

VOLUME 22

Living and practicing law in Portland Oregon has only strengthened my ties to Creighton University School of Law. The distance, instead of separating me from Creighton, has made me appreciate it more for what it has given me in my daily life. This continued feeling of being a part of Creighton is due in large part because of the concerted effort by Creighton to maintain contact with its alumni. Although I can only occasionally talk to the wonderful friends I made at Creighton Law School, I very much enjoy reading about the personal and professional successes of my fellow students in the alumni publications.

I remember my time on the law review as being around a group of individuals with a great deal of diversity but much in common. We truly had a wonderful mix that I continue to look back on with a grin. The time on the law review was filled with great friendships and good times. Perhaps the diversity seemed greatest to me since I was raised in the great state of Wyoming where diversity meant mashed, baked or French fried potatoes with your steak. God, I love Wyoming. In fact, I think my appointment as the Editor-in-Chief proves that the law review board has a sense of humor. I can see the outgoing board sitting around the table asking how they can play just one more joke on the second year class. I gladly and easily can poke fun at myself when I reflect back on the incredible group of people that I had the pleasure and privilege of working with, and the amount that I learned from them.

My practice today is limited to international tax law. I assist US and foreign companies structure their global operations in a tax efficient manner. Although there were no specific courses available at the time to prepare me for this specialty, I believe the thought process learned at Creighton and on the law review created a foundation that prepared me for any specialty or profession. For that, I am forever grateful to Creighton and its wonderful professors. To my fellow editors (Keith Larsen, Pat Gregory, Donald Montgomery, Henry Chun, Mimi (Mary) Boyle, Sarah Recker and David Reinmiller), I want to say hello, best wishes and look me up in Portland if you ever get the chance.

*Greg Engrav
BTI International Law Office
Editor-in-Chief, Creighton Law Review, Volume 22*

VOLUME 23

It has been twelve years since I served as Editor-in-Chief of the Creighton Law Review. While thinking about my time on law review, and what I have learned in the twelve years that have followed, two thoughts come to mind. First, the ability to write is one of the most important skills a lawyer can possess. It is also one of the most overlooked skills in the practice of law. Serving on the Creighton Law Review helped to develop my research and writing skills—skills that I continue to use every day in my practice.

Second, working with people you enjoy makes all the difference in what you do. I had the pleasure to work on law review with very intelligent, talented people who were also fun to be around. In fact, when I think about the 1989-90 Creighton Law Review, my memories are not about the topics of the articles we published but about the other editors I worked with during that year—Lisa Henkel, Laura Essay, Steve Flynn, Mike Weaver, Julie Niemeyer, Diana Vogt, and Michele Seger. These individuals, and the other law review members from the class of 1990, made my law review experience one that I will always fondly remember.

*Lori L. (Fuhrman) Cleary
Editor-in-Chief, Creighton Law Review, Volume 23*

VOLUME 25

A FIVE EDITION YEAR

Upon reviewing Volume 25 to gather my thoughts for this essay, I realized that I remembered most of the articles in the volume with frightening clarity. Given that I don't always remember the details of the trust I drafted last month, I was a little startled to discover just how familiar the Volume 25 articles were. I was reminded of the depth of the commitment that is required to publish a law review, the long hours spent on each and every article and the number of times each article crossed an editorial desk on its way to publication.

Volume 25 included twenty five non-student articles, thirty two student notes or comments and a variety of essays, introductions and commemorations. We published a special fifth edition on reproductive rights that was put together by a few of us well after graduation had passed. We set lofty goals for ourselves that year and we worked hard to achieve them. I was pleased to realize that I have kept track of most of the editorial board of Volume 25 and can say that the skills and attitude displayed in the law review suite that year are evidenced in their current careers.

My comments at the time I was Editor-in-Chief reflected upon what I had learned in terms of human relationships. Looking back, I continue to see the human lessons as the most valuable. Everyone on the law review board was intelligent, intense, committed and focused. As a board, we learned how to listen to a variety of views and perspectives—none of them wrong—and negotiate the path to achievement of a common goal.

To me, the value of the law review articles that are published represent only a small part of the value of the law review. To me, the real value of the law review lies in the human skills that have carried me forward into being a partner at a law firm. I am proud that the law review tradition continues and I am grateful to have been a part of that tradition at Creighton.

Mary E. Vandenack
Editor-in-Chief, Creighton Law Review, Volume 25

VOLUME 32

When looking back on my recent tenure as Editor-in-Chief of the 1998-99 Creighton Law Review, I remember (i) the seemingly endless amount of work that was required to produce five volumes that year; (ii) the dedicated board members that kept everything organized and running smoothly; and (iii) the constant support of the law review members who provided endless hours in writing their articles, spading the lead-author and student articles, and doing whatever other tasks arose from time to time. My law review experience provided me with tremendous opportunities to grow, both in terms of becoming a better editor and writer and also in terms of managing time and working with others. Overall, I look back at it as a great experience; however, I would never volunteer to do that again! Once is enough! Many thanks to Ron Volkmer for his insights, wisdom and guidance during my tenure as Editor-in-Chief (and throughout law school), and I again thank all of the law review members who guided me and helped me as a student writer and as Editor-in-Chief.

Finally, I have one piece of advice for all Editors-in-Chief in the future. If Professor Ralph U. Whitten ever asks if you'd be interested in publishing an extra edition of the Creighton Law Review during your tenure, be on guard! And if that extra edition is somehow tied in with a symposium that Professor Whitten is hosting and every article submitted will somehow relate to questions of civil procedure, I respectfully suggest you follow Nancy Reagan's sage advice: "Just say no!"

Thomas F. Ackley
Editor-in-Chief, Creighton Law Review, Volume 32

VOLUME 34

Thirty-five years of the Creighton Law Review. This law review is neither the oldest nor the largest. But it is one of the best. Naturally I am biased, but a look at how this particular journal is run gives a good indication of the quality product put out four times per year.

As part of one of the more stressful duties in my year as editor, I had occasion to travel to Baltimore for the National Conference of Law Reviews. While there, I spoke with numerous editors-in-chief about the way things are done with their respective journals. To my surprise, I discovered that other journals have neither the tradition of excellence nor the desire to maintain the high standards the Creighton Law Review has set for itself. A large number with whom I spoke were still working on editions their predecessors had failed to publish. Others informed me of their policy of publishing articles without so much as a review of the veracity of the arguments or statements made. I in no way mean to disparage the way other journals are put together but, rather, to point out the excellence to which the Creighton Law Review strives.

Since the early days of this review, painstaking effort has gone into reviewing and authenticating any writing received. The quality control is a matter of pride. Submissions are extensively reviewed before any publication decisions are made. An extensive editorial process ensures the articles are of the highest quality before the publication leaves the law school. Apart from the editorial process, other measures are taken to ensure the standards remain high. Proofreading and citation checking are a part of the process up to the time the journal is ever sent to the publisher. Further reads are made before the edition goes to the publisher for the last time.

Even more surprising about the quality control measures taken is the fact that the *Creighton Law Review* board of editors is entirely comprised of third-year students. This group is accorded nearly complete autonomy in the operation of the journal. This is indeed unique among law reviews. Often, other law school's faculty are intimately involved in the product sent out the door. Without this involvement, a great deal of faith is placed on the board of editors, and this becomes a source of pride with those charged with management of the law review. Also, the outgoing editorial board is given the task of choosing those who will succeed them. I am proud to say that I had at least a small role in selecting the current editorial board. The current group has made a conscientious effort to maintain the standards established before them. In my opinion, they are on the road toward accomplish-

ing that goal. Congratulations to the Creighton Law Review for thirty-five great years.

Eric D. Kelderman
Editor-in-Chief, Creighton Law Review, Volume 34