

California Law Review

MEMBER NATIONAL AND WESTERN
CONFERENCES OF LAW REVIEWS

Published Quarterly throughout the Year by Students of the School of Law
of the University of California, Berkeley, California. Indexed in Index to
Legal Periodicals and Public Affairs Information Service.

Subscription Price, \$5.00

Current Single Copies, \$1.50

BOARD OF EDITORS

REX A. COLLINGS, JR., *Editor*

Associate Editors

JAMES P. ANDERSON IV, *Managing*

MANUEL L. FURTADO, *Revising*
HARRY P. GLASSMAN, *Revising*
GEORGE C. KEELER, *Revising*

MARCOS E. KINEVAN, *Revising*
FREDERIC A. SAWYER, *Revising*
BYRON F. WHITE, *Articles and*
Book Reviews

MELVIN E. BEVERLY
ALBERT T. BLANFORD
KENNETH A. DEMATTEI
ROBERT M. DESKY
JULIUS W. FELDMAN
PHILIP J. GREGORY
GROVER R. HEYLER

KENNETH D. HINSVARK
DESMOND G. KELLY
GEORGE W. MILLER
IRWIN J. NEBRON
HARRIS W. SEED
ALDO J. TEST

KATHLEEN HARPER, *General Secretary*

Comment

FIRST CONFERENCE OF WESTERN LAW REVIEWS

Ten western law schools were represented at a Conference of Western Law Reviews which met at the University of California School of Law, Berkeley, April 13-15, 1951. The conference was an outgrowth of, and patterned upon, the first National Conference of Law Review Editors held at Northwestern University in October 1949.¹ Its purpose was to accomplish on a regional basis, where more reviews could participate, the objectives of the national conference. These objectives were:

First, to seek internal improvement through the exchange of ideas and procedures regarding personnel and editorial problems; and

Second, to measure the achievements of the law reviews against their responsibilities to the legal profession as a whole.

Forums were used as a means of exchanging ideas. The discussions covered subject matter and approach to casenotes and comments, editing and revising, editorial staffs and writers, integration of review and school work, articles, special issues, book reviews and business management.

¹ Comment, 44 ILL. L. REV. 676 (1949). Other regional conferences have been held, notably in the South and Midwest.

The forums, revealing diversity in law review practices and procedures, succeeded in demonstrating to each of the reviews methods for improvement. At the final session the forum chairmen reported to the entire conference and points of particular interest were discussed. A report of the sessions was prepared and copies furnished to each of the western law reviews.

The second objective was approached through addresses by representative members of the legal profession. Mr. Stanley E. Sparrowe, Oakland attorney, and Professor Richard W. Jennings of the School of Law, Berkeley, analyzed law reviews from the viewpoint of the practicing attorney. Both noted a lack of adequate indexing, locally and nationally, which results in loss to researchers of many valuable works.

Mr. Sparrowe also felt that reviews are failing to perform the service which they could for attorneys because public law is overemphasized, pointing out that the practicing attorney is primarily interested in private law since his everyday problems are in this field. However, Professor Jennings felt that the reviews should not go to the other extreme and omit public law subjects. He proposed a balance which would keep the lawyer informed on broad issues, but serve practical needs.

Mr. Sparrowe suggested law review treatment of undecided points in which brief analysis could be made of matters of practical utility on which there is no local statutory or case law. The student would have the writing and research advantages of a longer project, and his product would be very useful.

Professor Jennings pointed out that a lawyer expects and is entitled to thorough and careful research, and an accurate and fair statement of the cases. This is really a matter of intellectual integrity since most reviews place the main responsibility for accurate research and careful case reading on students.

Professor Milton D. Green of the University of Washington School of Law examined the functions of law reviews in legal education. Reviews are an important source and repository of instructional material, although often on too high a plane for students who could most benefit from their use. They are also a media for continuing education of the bar in which area they are doing an excellent job. A third educational function is that of an instructional device and laboratory supplementing classroom teaching. As such, reviews may be the best means of meeting the deficiency of personalized instruction in legal education.

Justice Maurice T. Dooling, Jr., of the California District Court of Appeal, observed that the impact of law reviews on courts is necessarily distant, but may occasionally be impressive. To the busy judge the important goal is the case before him. Scholars writing in the reviews are able to take a broader view, integrate the cases, and point the directions which the law is taking or should take.

Justice Dooling felt that student writing was of little importance to the courts. He suggested, however, that student staffs might perform a very