

AN EDITORIAL NOTE

The Editors are pleased to join the law school community in congratulating Professor Richard G. Huber, new Dean of the Law School, as he begins his first year at the helm.¹ A member of the faculty for fourteen years, Dean Huber has been a continuing friend and adviser to the *Review* since its inception. We share the faculty's confidence in looking to Dean Huber for the leadership that will guide the School through continued growth in the seventies.

Readers of this column were informed last June that *Volume Twelve* marked the first time this *Review* had published six times during the academic year. The decision to expand to six issues was made in 1969, by the Editors of *Volume Eleven*,² at a time when the journal was a quarterly. It was the goal of our predecessor Board of Editors that this quantitative expansion not occur at the expense of quality. The response of our readers clearly indicates that the transition was a successful one. Numerous features of *Volume Twelve* have received vigorous approval—among them: the special environmental issue (March); the special treatment of franchising in the fifth issue (April); the comprehensive Annual Survey of Labor Relations Law in the sixth issue (June); and the widely requested Symposium on the Tax Reform Act of 1969 (February).

The Editors acknowledge with appreciation the considerable assistance rendered to the Tax Symposium by Professor Paul R. McDaniel, of the Law School faculty. Professor McDaniel, who in recent years has contributed two of his own excellent tax articles,³ is presently engaged, with faculty colleague Professor Hugh J. Ault, in a long overdue, major revision of the Surrey and Warren *Federal Income Taxation* casebook. We look forward to its publication.

The first⁴ *Editorial Note* to appear in this *Review* reminded our readers of the intent behind the creation of this specialized journal. The student and faculty founders⁵ decided that the *Review* could "more effectively contribute to an expanding body of legal literature . . . by specialization within the area of commercial- and industrial-

¹ Dean Huber served as Acting Dean in the 1970-71 academic year, during Dean Robert F. Drinan's successful campaign for election to Congress.

² See An Editorial Note, 11 B.C. Ind. & Com. L. Rev. i (1969). In preparation for the increase to six issues, the Editors of *Volume Eleven* published five issues.

³ McDaniel, Alternatives to Utilization of the Federal Income Tax System to Meet Social Problems, 11 B.C. Ind. & Com. L. Rev. 867 (1970); McDaniel and Kaplinsky, The Use of the Federal Income Tax System to Combat Air and Water Pollution: A Case Study in Tax Expenditures, 12 B.C. Ind. & Com. L. Rev. 351 (1971).

⁴ 10 B.C. Ind. & Com. L. Rev. i (1968).

⁵ That group included, among others, Dean Huber, Professor William F. Willier, and student, now Professor, Peter A. Donovan, all currently members of the faculty.

related subject matter."⁶ The growing acceptance the *Review* has enjoyed over the past decade is indicative of the founders' sagacity. Our readers have come to rely on the regular features which provide comprehensive coverage in matters of antitrust, bankruptcy, taxation, labor, corporations, securities regulation and the Uniform Commercial Code. Accordingly, student editors and writers annually commit themselves to inform our readers of current developments in these areas of the law.

Over the years, however, both the "commercial" and "industrial" aspects of our journal have been broadened in a manner analogous to the expansion in scope of the Commerce Clause of the U.S. Constitution. Striving to deal with emerging societal problems not anticipated by the framers of the Constitution, the Supreme Court in recent years has held the Clause to govern such diverse matters as civil rights, gambling, racial discrimination, prostitution and air pollution.⁷ In similar fashion, the scope of topics treated by the *Review* has experienced a gradual expansion. Thus, while mindful of its commitment to the readers and practitioners who have come to trust that particular areas of the law will be covered, the *Review* in recent volumes has complemented its regular features with treatment of problems such as employment and sex discrimination,⁸ housing,⁹ water pollution,¹⁰ air pollution,¹¹ prejudgment attachment,¹² organized crime,¹³ the attorney-client privilege¹⁴ and class actions.¹⁵

The present issue is representative of this continuing policy. For example, Professor Dugan's persuasive rejoinder to Professor White's analysis of U.C.C. Article 3 "holder" conundrums is in strict keeping

⁶ 10 B.C. Ind. & Com. L. Rev. i (1968).

⁷ See Comment, The Clean Air Amendments of 1970: Better Automotive Ideas from Congress, 12 B.C. Ind. & Com. L. Rev. 571, 625 n.341 (1971).

⁸ Comment, The Elimination of Sex Discrimination in Employment: Alternatives to a Constitutional Amendment, 12 B.C. Ind. & Com. L. Rev. 723 (1971); Casenote, 12 B.C. Ind. & Com. L. Rev. 747 (1971).

⁹ Comment, Open Housing: Title VIII of the 1968 Civil Rights Act, 10 B.C. Ind. & Com. L. Rev. 688 (1969).

¹⁰ Symposium—Water Use, 9 B.C. Ind. & Com. L. Rev. 531 (1968).

¹¹ Comment, State Air Pollution Control Legislation, 9 B.C. Ind. & Com. L. Rev. 712 (1968); Comment, The Clean Air Amendments of 1970: Better Automotive Ideas from Congress, 12 B.C. Ind. & Com. L. Rev. 571 (1971).

¹² Comment, Expanding Limitations on Prejudgment Attachment: Reverberations of *Sniadach v. Family Finance Corp.*, 12 B.C. Ind. & Com. L. Rev. 700 (1971); Comment, Non-Judicial Repossession—Reprisal in Need of Reform, 11 B.C. Ind. & Com. L. Rev. 435 (1970).

¹³ Comment, A Civil Solution to the Problem of Organized Crime—The Florida Approach, 11 B.C. Ind. & Com. L. Rev. 974 (1969).

¹⁴ Weinschel, Corporate Employee Interviews and the Attorney-Client Privilege, 12 B.C. Ind. & Com. L. Rev. 873 (1971); Comment, Corporations and the Attorney-Client Privilege: *Garner v. Wolfenbarger*, 12 B.C. Ind. & Com. L. Rev. 1200 (1971).

¹⁵ Symposium—The Class Action, 10 B.C. Ind. & Com. L. Rev. 497 (1969).

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with the scope of the journal, and we recommend it to your close scrutiny. Similarly, two student comments thoughtfully consider current problems in antitrust and securities regulation. In the former, Section 5 of the Federal Trade Commission Act is assessed as a tool for dealing with oligopolistic market structures; in the latter, problems concerning disclosure requirements for "acquisitions" and "groups" under Section 13(d) of the Securities Exchange Act of 1934 are given incisive analysis. In addition, we call your attention to a unique Book Review, by Professor Edward A. Dauer, which not only criticizes a new Commercial Transactions casebook, but also sets forth the professor's philosophy as to the proper law school teaching of "Commercial Law." At the same time, we note two articles which deal with current societal concerns. Problems of admissions to low-rent public housing are discussed in a thoughtful comment by Mr. Michael J. Dale; and, with the Nixon Administration, the American Medical Association, and Senator Kennedy all currently sponsoring national health insurance programs, the student comment on the national health crisis in America is both timely and provocative. Subsequent issues of *Volume Thirteen* will continue to adhere to the above stated policy.

On a different note, the Editors are delighted that Professor Mary Ann Glendon has accepted the Board's invitation to serve as Faculty Adviser to the *Law Review*. We welcome her and we acknowledge with appreciation the assistance and advice she has generously rendered during the first months of this academic year. Professor Glendon has recently completed work on her own casebook, published by Foundation Press in early October: Rheinstein and Glendon, *The Law of Decedents' Estates* (1971). We commend it to your attention.

Finally, lest our readers conclude that the Editors have no time for pursuits other than citation checking, proofreading, job interviews and other exigencies of Law Review participation, here is proof contrary. We blush to announce that the faculty prevailed in the annual touch football game by the unconvincing score of 2-1. With especially aggressive representation from the Taxation contingent, and able grid work by the Deans, the faculty demonstrated its essential Renaissance nature. In any case, we were pleased to have taken part in yet another exercise reaffirming the continuing vitality of the Socratic Method.