

San Diego Law Review

Volume 1
Issue 1 1964

Article 2

1-1-1964

Foreword

George W. Hickman Jr.

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Recommended Citation

George W. Hickman Jr., *Foreword*, 1 SAN DIEGO L. REV. 1 (1964).

Available at: <https://digital.sandiego.edu/sdlr/vol1/iss1/2>

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FOREWORD

Our law school at the University of San Diego is, by almost any standard, a small one. Over two-thirds of our students attend the part-time division; the day school numbers less than sixty. Only one hundred men and one woman have earned degrees since the school was founded, originally as a night school, some ten years ago. Our school is not endowed; our graduates are just beginning to make their presence truly known in local legal circles. The first gift from alumni to the school—in the form of a cash prize for outstanding work by a student—was received on December 10, 1963.

Nevertheless, the school is made up of students with high purpose and undeviating resolution. All seriously pursue the law; many possess gifted minds and versatile, energetic personalities that the profession of law urgently needs. Our student body possesses pioneer stuff. As individuals, they long to reach out and travel and navigate upon the unknown; they are not content to stand or to lie and to gaze "silently at a peak."

I was not surprised, then, six months ago when a delegation of top students from both divisions of the school sought authority to launch a law review. Realistically, the students desired to prepare and publish, for the time being, only a single edition each year. The objective was modest, though the proposed task was concededly arduous.

Our faculty—full-time and part-time professors—met as a committee of the whole and, after weighing all known factors, approved the project. Enthusiasm for the new Review has been high among the students; participation among eligible students has reached almost the one hundred per cent mark; the editorial staff has visibly

aged with the ending of each short night; growing pains have somehow become dulled by the anesthesia of either repetitious attacks or increased know-how.

On behalf of the faculty, I congratulate the planners of this project for their intrepidity; the editorial board for its drive, perseverance, industry, and patience; the student contributors for their serious efforts in the realm of learned research and scholarly writing; and the faculty advisers for their patient and non-dictatorial supervision.

On behalf of our School of Law and of the President of the University of San Diego, I express, also, our deepest appreciation to the members of the legal profession who have contributed leading articles and book reviews for our initial publication. Their learned contributions, irrespective of any other merit in this, our first volume, have enabled us to go forward with this law review. As a result, we teachers here at our law school see already a new awareness among our students of the value of learned legal writing.

George W. Hickman, Jr.
Acting Dean*

* Major General, United States Army, Retired; Judge Advocate General, 1957-60; B.S., United States Military Academy, 1926; LL.B., Harvard University, 1948; Associate Professor, United States Military Academy, 1935-39; Professor of Law, University of San Diego, 1961-63.