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## Letter from the Editor

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## LETTER FROM THE EDITOR

Dear Readers:

The *Richmond Journal of Law and the Public Interest* is proud to present our third issue of Volume XIV. Viewed through the lens of today's cultural climate, the legal scholarship presented in this quarterly issue examines the profound effects of modern social conditions on individual liberties under Bill of Rights.

*Courts Re-Examine the Application of Goldfinger-Era Electronic Tracking Cases to Law Enforcement Use of GPS Tracking Devices*, written by Joshua A. Engel, examines how rapid advancements in technology continue to affect an individual's reasonable expectations of privacy and, consequently, constitutionally-protected interests. In the absence of Supreme Court precedent, federal and state courts continue to have divergent opinions on whether law enforcement officials must obtain a warrant before placing a GPS device on a private vehicle. Accordingly, Engel presents conflicting judicial treatment of the warrantless use of GPS tracking devices, in light of the Fourth Amendment's prohibition against unreasonable searches, and forecasts how future courts will interpret this area of the law.

In his article, *Protecting the Ivory Tower: Sensible Security or Invasion of Privacy?*, Professor Stephen D. Lichtenstein chronicles recent episodes of campus violence in analyzing how existing statutory and regulatory security measures do not adequately protect students and faculty. However, Lichtenstein further examines the use of electronic surveillance and campus monitoring policies, and thus, he advocates for the implementation of preventative, yet minimally invasive, security precautions in order to ensure a safe educational environment without infringing on individual privacy rights.

In *Automobile Consent Searches: The Driver's Options in a Lose-Lose Situation*, Arthur J. Park provides an informative account of the legal context surrounding consent searches of automobile in hopes of addressing some of the pragmatic concerns of the motoring public. From the initial basis for a stop and subsequent citation to canine drug sniffs and the potential for arrest, this article discusses relevant case law protecting the driver's Fourth Amendment right when probing police officers seek to search a vehicle.

In *Judicial Gatekeeping and the Seventh Amendment: How Daubert Infringes On the Constitutional Right to a Civil Jury Trial*, Brandon Boxler argues that the U.S. Supreme Court decision allows a judiciary gatekeeping role that offends the civil litigant's right to trial by jury. Specifically, Boxler contends that while the increased complexity of modern litigation calls for effective judicial management of conflicting expert testimony, *Daubert* hearings violate the Seventh Amendment by stripping the jury of its fact-finding power to determine the validity and credibility of the evidence. Boxler concludes by proposing alternative legal reforms that address the same concerns of *Daubert* without infringing upon the jury's constitutionally protected fact-finding power.

Finally, in their comment, *The Unavoidable Ecclesiastical Collision in Virginia*, Isaac A. McBeth and Jennifer R. Sykes explore the constitutional implications of church property litigation when courts are forced to handle property disputes arising from internal schisms within the church. In particular, McBeth and Sykes discuss Virginia's recent ecclesiastical crisis which arose after internal disputes concerning ordainment of homosexual ministers, whereupon several local parishes attempted to separate themselves from the Protestant Episcopal Church in the Diocese of Virginia while retaining possession of their congregational property. Against the backdrop of U.S. Supreme Court precedent, McBeth and Sykes argue that Virginia's statutory scheme for resolving church property disputes does not operate in a constitutional manner due to its excessive entanglement with the Free Exercise Clause and the Establishment Clause of the First Amendment.

We hope that the aforementioned articles and comments offer an intellectually stimulating and informative collection of works, as we look forward to providing you with our forthcoming issues.

Sincerely,

Sheila Moheb  
*Editor-in-Chief*

