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## Foreword

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## FOREWORD

BOB ELARDO<sup>†</sup>

Congratulations to the Buffalo Public Interest Law Journal, *In the Public Interest*, on publishing the 30<sup>th</sup> Volume. Having survived and thrived through 30 graduating classes is quite an accomplishment.

I am particularly pleased because way back in 1980 Dave Milliken<sup>1</sup> and I had the idea to create *In the Public Interest* as “a much needed forum for analysis and debate of the issues and ideas” that we hoped would “shape the contours” of what we called a “new and precarious decade.”<sup>2</sup>

Dave and I enticed fellow law students, Eric Cahalan<sup>3</sup> and Howie Berger<sup>4</sup> to join us on the first editorial board. We obtained a little funding from Sub Board One for publication costs and started publishing articles written by other law students and ourselves in a magazine format with newspaper print pages. The first publication (Vol. 1, No. 1) included 5 articles and was a mere 16 magazine size pages.

By the time that Vol. 2, No. 1 was published, our editorial and production staff had grown to 13. For Volume 3, we had a glossy cover, published 48 pages and had subtitled *In the Public Interest*

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<sup>†</sup> Co-Founder of *In the Public Interest*, Class of 1981.

<sup>1</sup> A graduate of the Class of 1982. Dave went on to have a career in public service at the Monroe County Public Defender’s office and then at the Monroe County Attorney’s office handling matters involving children.

<sup>2</sup> *By Way of Introduction*, IN THE PUBLIC INTEREST, vol.1, number 1, at page 1, April 1980.

<sup>3</sup> A graduate of the Class of 1981. Eric is a solo practitioner on Long Island.

<sup>4</sup> A graduate of the Class of 1981. Howie is a partner at Duke, Holzman, Photiadis & Gresens, LLP. He is a former President of the Board of Directors for the Erie County Bar Association Volunteer Lawyers Project, Inc.

as “A Review of Law and Society.”<sup>5</sup> Dave Milliken, who was always the driving force in those early days, wrote in Volume 3:

*In the Public Interest* was originally conceived as a forum through which students and professionals could explore and discuss the meaning and destiny of public interest law. It was not intended as a legal periodical but rather as a magazine which would explore legal issues by examining their historical, economic, and social context. The journal has become a voice for alternative viewpoints and presents a venue for students to publish their writing in a style generally disdained by legal publications. It is our belief, however, that this style makes us more effective carriers and transmitters of information.<sup>6</sup>

We went through growing pains in those early days. For example there was the afternoon in our first year when we offered free pizza to students that came to hear about our plans for *In the Public Interest* and the Center for Public Interest Law, which at that time was the name of our overarching organization, but which did little other than publish *In the Public Interest*. We had great hopes for recruiting more help. Instead, 30 or 40 hungry law students descended on the student lounge, devoured our pizzas, and left.

However, we also had some minor successes. Dave believed strongly that for *In the Public Interest* to become more relevant and to have more staying power as a publication, we needed to get outside of the walls of O’Brian Hall. He had two ideas to bring this to fruition. First, we started mailing copies of each issue to law school libraries throughout the country. Frankly, we were pleased when we received a few acknowledgements and none of the libraries asked us to stop sending issues. During 1982-83, I was

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<sup>5</sup> During the late 1980’s, the editors briefly changed the subtitle of *In the Public Interest* to “An Alternative Law Review”, but by 1991 it had been changed back to “A Review of Law and Society”.

<sup>6</sup> *Editorial Policy & Submission Information*, IN THE PUBLIC INTEREST, vol. 3, at page 2, Fall 1982.

teaching Research & Writing at the University of California at Berkeley School of Law. I gave myself a research project and looked in the law library to see if *In the Public Interest* was on the shelves. I was so pleased when I found it there.

Dave's second strategy for increasing the journal's relevance and longevity was to work to get some articles contributed by people outside of the law school. The 3<sup>rd</sup> issue<sup>7</sup> that we published included an article by Erwin Knoll who was then the editor of *The Progressive* magazine and a defendant in *United States v. The Progressive*,<sup>8</sup> a significant First Amendment prior restraint case that had then just finished working its way through the federal courts. In 1980, Edwin Knoll was a nationally known figure and it was a major *coup* to publish his article about his renowned first amendment victory.<sup>9</sup>

From those humble beginnings, *In the Public Interest* has (at least in the eyes of this interested observer) evolved into a fine law journal, while still keeping the original point of view and focus on exploring progressive ideas. It is a journal that the law school and community should be proud of. I know that I am proud of my role in getting it started and I also know that Dave Milliken, who died this year way before his time, was proud of *In the Public Interest* – both in its infant stages and in what it grew up to be.

Keep up the great work.

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<sup>7</sup> Volume 2 Number 1 (fall 1980).

<sup>8</sup> *United States v. Progressive, Inc.*, 467 F. Supp. 990 (W.D. Wis. 1979), *dismissed without opinion*, 610 F.2d 819 (7th Cir. 1979).

<sup>9</sup> He remained a national figure until his death in 1994. He died during the editing process of an article he wrote and which was published in the WILLIAM & MARY BILL OF RIGHTS JOURNAL, Vol 3, Issue 2, Article 7, The H-Bomb and the First Amendment, by Edwin Knoll (1994). This article was also about the *United States v. The Progressive*, which he had written about for us.

