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Introduction

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Introduction

*The dynamics of the American legal system cannot be understood without an appreciation of the position occupied by our law schools. . . . [O]urs is a profession in which its newest aspirants, indeed neophytes not yet admitted to practice, are assigned the responsibility of commenting upon recent leading decisions and statutes. This tradition of respect for student commentary is one of the greatest strengths of our profession. . . .*¹

The quoted language is representative of the mind-set for this year's *Review of Selected California Legislation*. The paramount purpose of any law review is and should be student development. This year, we have made a conscious effort to give the Legislation Staff Writers an opportunity to enhance their research and writing skills. The legislative analyses produced by the staff writers are intended to be succinct discussions of recent legislation. They are by no means exhaustive examinations of the complex issues that arise from the current legislation. The drafting of these analyses serves the function of offering staff writers invaluable experience and education in legal writing, as well as making a valuable contribution to the legal community.

The reader will notice that a comment is included with each legislative analysis. These comments are intended to provide insight into the bill's history, purpose, and, if applicable, constitutional implications. The Legislation Department has in the past included short comments to compliment selected analyses. The policy of supplementing *every* legislative analysis with a comment was established in Volume 26 of the *Pacific Law Journal*. This year, we have carried on that practice. We are cognizant of the value of constantly reevaluating our product and making refinements when they are beneficial. To that end, we have attempted to produce longer, more thorough comments this year. In addition to enhancing the student experience, we felt that the greater depth of analysis provided in longer comments would make a more meaningful contributions to commentators and practitioners.

As a technical matter, we have eliminated the distinction between an Interpretive Comment and a Comment that existed in the Volume 26 issue. Now all comments are simply labeled "Comment." This was done to eliminate confusion as the distinction was beginning to become blurred. Originally, a Comment, as opposed to an Interpretive Comment, was reserved for legislation that raised significant constitutional issues, and the analysis of such legislation was generally intended to be more in-depth. This year, however, we have strived to give more in-depth treatment to *all* bill analyses. Further, a piece of legislation might, at first blush, appear to raise a potential constitutional issue that, upon further research,

1. Anthony M. Kennedy, Associate Justice, Supreme Court of the United States, *Introduction*, 25 PAC. L.J. 1 (1993).

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turns out to be settled by case law. Under the prior approach, such legislation might have been labeled a Comment, but the analysis would reveal that it would only have been given the limited treatment of an Interpretive Comment. Also, a piece of legislation may warrant a very thorough analysis, but raise no constitutional issue. This would be the case where the legislation received wide public response or where the legislation dealt with a controversial issue.

Again, our goal with this volume was to enhance the student experience and in turn provide meaningful and timely analyses of current California legislation. On behalf of the staff writers, editors, and advisors, we proudly present the *Pacific Law Journal's* twenty-seventh annual *Review of Selected California Legislation*. As always, we encourage and anticipate feedback from our readers. You may direct your comments and suggestions to the *Pacific Law Journal's* Legislation Department.

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Chief Legislation Editor