

# Maryland Law Review

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## Editorial Section

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# Maryland Law Review

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**EDITOR-IN-CHIEF'S NOTE**

*No, not one shall be forgotten who was great in the world.  
But each was great in his own way, and each in proportion  
to the greatness of that which he loved.*

*S. Kierkegaard*

Although Professor Russell R. Reno, Sr., is retiring from teaching after thirty-eight years with the University of Maryland School of Law, his influence upon those who have known him will continue. His patient and scrupulous scholarship and his constant enthusiasm, apparent in his writings and his classes, serves both as proof of his devotion to the law and as a model for those who aspire to teach or practice the law. Thus, in dedicating this issue to this exceptional man, the Editorial Board is proud to join with those who pay tribute to him.

In the first part of our Tribute, we present remarks from a variety of Professor Reno's acquaintances. In recognition of his contributions to the law, the House of Delegates, which consists of many of the Professor's former students, passed a resolution to honor him. Louis L. Kaplan and Wilson H. Elkins, who have observed the Professor's influence from the vantage point of educational administration, congratulate him. Dean William P. Cunningham has known Professor Reno as a legal administrator and as a teacher. Insights into Professor Reno's contributions to the development of the law and the legal profession come from Professor Laurence M. Jones, a long time associate of Professor Reno and a devotee to the law of property. Norman P. Ramsey, Esq., gives his own impressions, as a student, as a member of the bar, and as a fellow teacher, of Professor Reno. Finally, Charles T. Albert, Esq., details Professor Reno's contributions to the modernization of the statutory law of property.

In the second part of our Tribute, Shale D. Stiller, Esq., presents an enlightening biographical sketch of Professor Reno and a skillful analysis of his scholarly writings. As Mr. Stiller shows, Russell Reno is no ivory-towered stylite. His ability to distinguish between his own clear vision and the often murky reality of the law perhaps derives from the richness and variety of his experiences. At any rate, this ability, combined with his clarity of expression, is responsible for his highly successful efforts to reduce some of the confusion in the law of property. Mr. Stiller

ably explains why Professor Reno's writings will continue to be both a reliable exposition of the law as it is and a clear guide to the law as it should be.

In an issue dedicated to a person of Professor Reno's accomplishments, it is appropriate that we have, as our lead article, the definitive analysis of one aspect of the law of future interests. No sooner does a rule achieve a stable interpretation than social changes cast doubt upon the rule. Historically, the Rule Against Perpetuities has voided future interests which possibly could vest more than 21 years after the death of all the lives in being at the creation of the interest. Recently, however, most states and the federal government have reduced the ages of majority from 21 to 18. What affect does this change have upon the 21-year period? To answer this question, Professor Alice A. Soled examines in great detail the origin and the development of the Rule and concludes that a change in the age of majority should have no effect upon the 21-year time period in the Rule Against Perpetuities. The thoroughness of Professor Soled's research and analysis should reestablish order to a field rendered uncertain by the vagaries of unrelated political developments.

Very often, a court will adopt a different approach toward the solution of a problem in order to avoid the difficulties of a prevailing method of analysis. Such change, which may represent an improvement in analysis, usually creates new complexities. Recently, the Supreme Court continued its shift from an equal protection analysis to a due process analysis in order to evaluate the constitutionality of regulations requiring mandatory maternity leave for pregnant school teachers. The first student work, a Note, analyzes the due process reasoning given by the Court and questions the propriety of this approach. The writer then applies an equal protection reasoning to the specific controversy and concludes that, while not free from difficult questions, an equal protection rationale is a more suitable vehicle for deciding classification cases than a due process analysis. Our second student work should be of singular interest to the Bar. This Recent Decision discusses the expansion of the liability of an attorney, negligent in his preparation of an opinion letter, as an aider and abetter of a fraudulent securities distribution scheme.

The *Review's* budget, for the most part provided by the University, has not kept up with the *Review's* expanding ability to publish more material. Our missed opportunity to publish the works of several authors and student writers is only one of the costs of this budgetary strangulation. A larger budget, and hence a larger volume of material, would empower the Editorial Board

to satisfy the many requirements of the readers of the *Review*. Having asked for a considerable increase, we hope that a sizeable budgetary raise for the *Review* can be effectuated.

This issue marks the end of our editorial responsibilities. Congratulations, best wishes, sympathy, and a belief that the *Review* is in good hands go to our successors: Barbara J. Safriet, Editor-in-Chief; Jeffrey A. Hammond, Managing Editor; Judy Beckner Sloan, Thomas A. Stout, and G. Stewart Webb, Jr., Articles Editors; Steven I. Klein, Lewis E. Leibowitz, Gilbert Thornton Renaut, and Richard Rubin, Notes and Comments Editors; and Gerard P. Uehlinger, Jr., Research Editor. Our special thanks to Jeffrey A. Hammond and the members of the *Review*, old and new, for their contributions to our last two issues. Our thanks also to Professor Hal M. Smith for his advice and to Mrs. Shirley Myers, the *Review's* Secretary, and other faculty secretaries for their invaluable assistance throughout the year. Finally, we wish to acknowledge our appreciation to William P. Cunningham. For the past twelve years, Dean Cunningham has been a great friend of the *Review*. We wish him well in his return to full time teaching.

October, 1974

The following student has contributed a Note:

Steven I. Klein