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## Forward to the Illinois Law Issue

Honorable William J. Bauer

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# FOREWORD

*The Honorable William J. Bauer\**

Somewhat over thirty years ago, DePaul College of Law determined for the first time to publish a law review. I can only assume that the decision was prompted by the faculty and the administration; although I served as an associate on the first board of editors, we students were made aware that the decision to publish was made before the board was selected. We had no office, no tradition, no "old boys" to rely upon for advice and only the frantic reading of other law reviews from various schools as a role model. How these learned volumes came into existence, how the notes were selected, how the contributors were picked—and convinced to contribute—were matters totally unknown to us. We had, of course, the advice of members of the faculty who had served on their respective reviews while students and, most of all, we had our faculty review advisor, the late Frank Seiter. Professor Seiter had been Editor-in-Chief of the *University of Chicago Law Review* some years earlier.

The rather small band of us selected to complete this initial undertaking either had an abundance of courage or a total lack of knowledge of the tremendous amount of work involved in publishing a professional journal. As it turned out we spent one full academic year organizing the review, and nearly a second full year in producing it. Eventually it was compiled, printed, distributed and, hopefully, read—at least by those of us who were contributing mid-wives. It was certainly not the best of the *DePaul Law Review*, but it was the first, and we were proud of it.

Since then, of course, the *DePaul Law Review* has been in continuous publication and has established its place in legal circles as a worthy companion to the very volumes that we relied upon for role models. Representative of its quality is the annual Illinois Law Issue, which surveys significant trends and developments in the Illinois state courts. Unlike many legal works, the *DePaul Law Review* recognizes the continuing importance of the issues of state court proceedings. The lead article in this issue, by Mr. Karasik, *Equal Protection of the Law Under the Federal and Illinois Constitutions: A Contrast in Unequal Treatment*, is a thought provoking example of considering state and federal approaches to the same problem.

In the years since I left the law school, I have really come to appreciate what a contribution law reviews in general, and the *DePaul Law Review* in particular, make to the legal profession. As a practicing lawyer, I had access on a regular basis to four or five law reviews from various schools (I now regularly receive over twenty), and learned to search out articles from many other reviews for help on particular problems or to develop particular arguments. My use of law reviews increased when I served as a trial judge, both on the state bench and then the federal district court. It was not until I became a member of the appeals court, some six years ago, that I discovered a new use for this particular vehicle of academic discussion: a source of cri-

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ticism (usually constructive, thank God!) of the opinions of this and other appellate tribunals. Law reviews also do splendid work in calling attention to the various directions and the divergences taking place among the several circuits and states. It is, in short, a splendid method for lawyers to find out what is going on in particular side streets of our profession. The reviews are also a source for judges to read and digest studious commentaries on the way judges are interpreting and occasionally creating law.

Law reviews are magnificent training for students who take part in the writing and production. They are valuable tools for the practicing bar and a significant source of continuing legal education. Very often they provide important post-mortem analysis work of recent opinions and therefore frequently give judges relatively objective appraisal of the judicial work-product. In a real sense, this source of comparison-evaluation is influential in shaping future opinions; the mirror of academic discussion frequently reveals shadows and nuances that are not apparent when an opinion writer analyzes and evaluates his or her own work.

All in all, I believe that the case for the existence and desirability of law reviews has long been established in our profession. Thank heaven for those foresighted people who plunged DePaul College of Law into this intellectual ocean. And thank heaven, too, for those students who have for so many years furthered their education, and ours, with so much hard work and superb results. Happy birthday, *DePaul Law Review*!