
Reflections on Establishing the DePaul Law Review

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REFLECTIONS ON ESTABLISHING THE DEPAUL LAW REVIEW

Academic law reviews and journals serve a variety of important purposes and functions. Not only can they have a positive impact on the education and development of students, but they also influence the careers of academics, practitioners, and judges. The articles selected for publication can have a lasting effect on law and society. Many of these articles serve a critical research need for the legal practitioner. They can provide a synopsis of an area of law as well as the relevant statutory and case law needed to address a current or potential legal dispute. A well-researched law review article can help to develop and reform the law by recognizing and exposing issues and providing a path to resolution.

An important aspect of the academic law review or journal is the role they play in training future lawyers, judges, and members of the legal academy. This training aspect may have been the original purpose behind the establishment of student-run law reviews. The work involved in editing and publishing a student-run journal is unlike any other work or activity in law school. Working as a team to produce a significant and potentially influential end-product presents a rare opportunity to gain important skills, which the student editors carry into their professional career.

As we commemorate the 70th anniversary of *DePaul Law Review*, we take note of the role and significance that law reviews and journals have played in the development of American jurisprudence. Born out of a need to keep practitioners informed about developing areas of the law, the precursor to the modern day law review can be found in a series of legal periodicals and journals published between 1800 and 1850.¹ Most were around for a brief period and were described as either too general for practitioners or too technical for general readership.² Of note is *The United States Law Intelligencer and Review*, published between 1829 and 1831.³ It contained case reports and general news and was the first legal journal that had the distinct feature of

1. Michael I. Swygert & Jon W. Bruce, *The Historical Origins, Founding, and Early Development of Student-Edited Law Reviews*, 36 HASTINGS L.J. 739, 754 (1985).

2. *Id.*

3. *Id.* at 753–54.

“lead articles”; foreshadowing a defining characteristic of the modern-day law review.⁴

By the mid-1800s, many western territories sought statehood and the country grew at a rapid pace.⁵ Legal professionals required sources on the developing law with a national scope. In response, a new, more refined legal periodical emerged. In 1852, the *American Law Register* began publishing monthly issues containing digests of recent decisions and scholarly articles.⁶ It has been described as the “prototype of the American academic-professional periodical.”⁷ Started as a commercial venture by members of the Pennsylvania Bar, the publication originally had no academic affiliation.⁸ However, over the years, more legal scholars and academics joined the board of editors.⁹ By 1896, the *American Law Register* was being edited by law students at University of Pennsylvania School of Law, in Philadelphia.¹⁰ It exists today as the *University of Pennsylvania Law Review* and is widely considered to be the country’s oldest continuously published legal periodical.¹¹

By the late 1890s and into the early 1900s, student edited law reviews began to appear, reflecting a growing trend throughout the country.¹² However, the first American law periodical to be published exclusively by students was the *Albany Law School Journal* in 1875.¹³ It contained “a few short articles, reports of moot court dispositions, interesting news items, and information about the law school’s clubs.”¹⁴ Although well received, the *Albany Law School Journal* only lasted for one academic year.¹⁵

4. *Id.* at 754.

5. Samuel Shipley, *List of U.S. States’ Dates of Admission to the Union*, ENCYCLOPEDIA BRITANNICA (Feb. 11, 2020), <https://www.britannica.com/topic/list-of-U-S-states-by-date-of-admission-to-the-Union-2130026>.

6. Swygert & Bruce, *supra* note 1, at 755–56.

7. *Id.* at 755.

8. Edwin J. Greenlee, *The University of Pennsylvania Law Review: 150 Years of History*, 150 U. PA. L. REV. 1875, 1880 (2002).

9. *Id.*; see also Swygert & Bruce, *supra* note 1, at 756 (Notably, Thomas Cooley, of the University of Michigan and former Chief Justice of the Michigan Supreme Court, and William Draper Lewis, Dean of University of Pennsylvania Law School, arranged for publication of the *American Law Register* by the law school in 1895.).

10. Swygert & Bruce, *supra* note 1, at 756.

11. Michael L. Closen & Robert J. Dzielak, *The History and Influence of the Law Review Institution*, 30 AKRON L. REV. 15, 32 (1996).

12. Swygert & Bruce, *supra* note 1, at 779 (Harvard University in 1887, Yale University in 1896, Columbia University in 1901, the University of Michigan in 1902, and Northwestern University in 1906).

13. *Id.* at 764.

14. *Id.*

15. *Id.*

In 1885, six students at Columbia Law School started the second student-edited journal, called the *Columbia Jurist*.¹⁶ Published weekly, it included case notes and lead articles by practitioners as well as “notes from class lectures, moot court decisions, plus ‘all news that can interest Law Men’.”¹⁷ Although it ended after two years, it has been suggested that the short-lived success of the *Columbia Jurist* motivated students at Harvard to create the *Harvard Law Review*, which published its first edition in 1887.¹⁸

Harvard Law Review quickly became the standard and model for the creation of similar periodicals at other institutions.¹⁹ In the twenty years after Harvard began publishing its titular journal, five of the nation’s most prestigious legal academies followed suit.²⁰

Throughout the early to mid-20th century, having a law review became a mark of distinction for law schools.²¹ Within legal academia, a law review or journal implied a mature and established institution willing to stake at least some aspect of its reputation on the work of its students.²²

DePaul joined this distinguished group of institutions in 1951, when it published the first issue of the *DePaul Law Review*.²³ It was the fourth of the six law schools in the Chicago area to do so.²⁴

An ambitious undertaking, DePaul’s inaugural issue included six book reviews, four case notes, six comments and four scholarly articles.²⁵ The articles covered topics such as jury persuasion, duty of care, constructive eviction, chattel security, and the UCC.²⁶

The *DePaul Law Review* has held its own for nearly three-quarters of a century, making its mark and leading the way for other specialized journals at the law school.²⁷

16. Closen & Dzielak, *supra* note 11, at 34.

17. *Id.*

18. Swygert & Bruce, *supra* note 1, at 768.

19. *Id.* at 779.

20. *Id.*

21. *Id.*

22. *Id.*

23. 1 DEPAUL L. REV. (1951), <https://via.library.depaul.edu/law-review/vol1/>.

24. DePaul was preceded by Northwestern in 1906, *see* Swygert & Bruce, *supra* note 1, at 779; preceded by Chicago-Kent in 1923, *see* 1 CHI.-KENT L. REV. (1923), <https://scholarship.kentlaw.iit.edu/memorabilia/14/>; and preceded by University of Chicago in 1933, *see* 1 U. CHI. L. REV. (1933), <https://lawreview.uchicago.edu/masthead-archive>.

25. 1 DEPAUL L. REV. (1951), <https://via.library.depaul.edu/law-review/vol1/iss1/>.

26. *Id.*

27. Other specialized journals include: The Journal of Art, Technology and Intellectual Property Law in 1991, *see* 1 DEPAUL J. ART, TECH. & INTELL. PROP. L. (1992), <https://via.library.depaul.edu/jatip/vol1/>; Journal of Health Care Law in 1996, *see* 1 DEPAUL J. HEALTH CARE L. (1996), <https://via.library.depaul.edu/jhcl/vol1/>; Business and Commercial Law in 2002,

In a letter to the editor, published in the 50th anniversary issue, David Dahlquist wrote: “*In the fall of 1951, the DePaul College of Law launched a review under its name to provide another voice in the realm of scholarly legal discourse.*”²⁸

Dahlquist went on to quote from a speech made by DePaul University President, Comerford J. O’Malley, C.M., on the founding of the law review: “*It is my sincere hope that the DePaul Law Review may be an instrument of genuine service to the legal profession.*”²⁹

In that same issue, William Bauer, Senior United States Circuit Judge of the United States Court of Appeals for the Seventh Circuit, distinguished DePaul alum and a staff writer for the very first issue offered his *reflections*: “*Many of the most important changes in how we approach the practice of law . . . started with a labor of love that found its way into print, and into the body of legal thinking, by its publication in a law review.*”³⁰

In the summer of 2021, we asked past Editors-in-Chief of the *DePaul Law Review* to share their memories about their experiences on law review and how it has impacted them both professionally and personally. The following is a compilation of their responses to the following questions.

- What were the highlights of your experience as Editor-In-Chief (EIC) of the DePaul Law Review?
- Were there particular rewards or challenges that you would like to talk about?

Henry McGee, Co-Editor-in-Chief

DePaul Law Review — 1957 — Volume 6

Due to the ranking of DePaul, my status as Editor-in-Chief of the Law Review made a huge difference in employment opportunities. I had graduated in 1954 from the leading Journalism School and Northwestern Medical School and so I had an edge many DePaul grads did not have.

see 1 DEPAUL BUS. & COM. L.J. (2002), <https://via.library.depaul.edu/bclj/vol1/>; Sports Law in 2003, see 1 DEPAUL J. SPORTS L. & CONTEMP. PROBS. (2003), <https://via.library.depaul.edu/jslcp/vol1/>; Journal for Social Justice in 2007, see 1 DEPAUL J. SOC. JUST. (2007), [https:// via.library.depaul.edu/jsj/vol1/](https://via.library.depaul.edu/jsj/vol1/); and Journal of International Human Rights Law in 2015, see 1 INT’L HUM. RTS. L.J. (2015), <https://via.library.depaul.edu/ihrj/vol1/>.

28. David Edward Dahlquist, *Letter from the Editor*, 50 DEPAUL L. REV. 1061, 1062–63 (2001).

29. *Id.* at 1063.

30. Judge William J. Bauer, *Foreword*, 50 DEPAUL L. REV. 1057, 1058 (2001).

Edwin L. Ryan, Jr., Co-Editor-in-Chief
DePaul Law Review — 1957 — Volume 6

I was co-editor with Henry McGee. Henry was a better writer while I was perhaps better at business. We were, in my view, caretakers in that our time in office was relatively brief. Our predecessors were better, but really, we were all learning. Support for the law review by the university was sketchy at best. Actually, the whole project was new to all involved. It was difficult in those days to attract first rate legal articles! We were kids. I was 27 and my work experience was 2 years in the Army!

Morton Gitleman, Editor-in-Chief
DePaul Law Review- 1958-59— Volume 8

I was elected editor-in-chief in 1957 and re-elected in 1958 and served two years. I published the largest number of pages in the 58-59 issue and was reprimanded by faculty advisor, Prof. Seiter over the expense of having such a large issue! One highlight was rejecting an article offered by a powerful, well-known local attorney.

Dennis Carlin, Editor-in-Chief
DePaul Law Review — 1966— Volume 16

Yes, it was rewarding enough to see a complete issue put together. Starts with finding articles and writers, reviewing and editing articles and notes and reviewing final galleys. Lots of work but much gratification to see the final product. Also, I got to meet a lot of people and make some good connections that were useful in my career.

Robert Silbert, Editor-in-Chief
DePaul Law Review — 1972 — Volume 21

The Law Review work was a good opportunity to meet other students at DePaul Law School, including students who were in classes behind my class. It also presented some challenges, as otherwise excellent students did not always know how to write an article fit for publication.

Robert N. Hermes, Editor-in-Chief
DePaul Law Review — 1978-79 — Volume 28

My experience as EIC impacted me in three significant ways. All three of these I think relate, in large part, to the success I enjoyed in my career. First, and most obvious, it dramatically helped me hone and improve my legal writing skills. Second, it taught me how to successfully manage my time. Third, I learned how to work with others. Even though I was supposed to give some direction, we needed to build a consensus, and there were twelve different points of view or however many we had on the board, and everybody had an equal say. It was at times tricky trying to navigate your way through it all, but it was a very helpful experience for working at a large law firm.

David Sheikh, *Editor-in-Chief*

DePaul Law Review — 1991-92 — Volume 41

I had the good fortune of being able to work with a talented group. One challenge that we faced was publishing Issues 3 and 4 in the midst of the “Great Chicago Flood” (or “Leak”) that forced us out of the law school facilities. Ultimately, we were able to publish what I believe are two high-quality issues, including a Symposium on Employment, Discrimination, Affirmative Action, and Multiculturalism, which was a satisfying experience. I’m sure that Boards of Editors who have had to deal with challenges brought on by the covid-19 pandemic feel the same sense of satisfaction.

Melisa Thompson, *Editor-in-Chief*

DePaul Law Review — 1992-93 — Volume 42

When we started in the fall of 1992, we first had to finish the last volume from the prior year. We ended up putting out five volumes in less than a year. A few of us continued working while we were studying for the bar, but we got it done. The best part of the experience was working closely with a smart and talented group of people, many of whom I remain close with today.

Donna Welch, *Editor-in-Chief*

DePaul Law Review — 1993 — Volume 43

Working with peers on the editorial board was the highlight of my time on law review. It was so rewarding to form a leadership team and mentor 2L’s through the process.

Hon. Annette M. Messitt, *Editor-in Chief*

DePaul Law Review — 2001-02 — Volume 51

I served as Editor-in-Chief during the 9/11 attacks. I recall learning about the attacks on the World Trade Center when I was on route to the gym, and by the time I finished swimming, I learned about the attacks on the Pentagon. I proceeded on the ‘L’ train to downtown for the purpose of putting a sign on the door canceling our Law Review board meetings that day so folks could stay home. By the time I arrived, the school had been shut down and the Loop was evacuating. I got back on the train. It was unreal. There were loads of people on the platform trying to get home, and as I sat on the train listening to NPR, I learned the Twin Towers had fallen. It was a very scary and uncertain time. But we had work to do, and we worked as a team to get our four issues out on time.

Heather McDonald Becker, Editor-in-Chief

DePaul Law Review — 2002-03 — Volume 52

Being the EIC was a rewarding experience. It strengthened my skills as an editor, and the role allowed me to develop deep, long-lasting friendships with many of my colleagues who I spent countless hours within the Law Review Office.

Geoff Burkhardt, Editor-in-Chief

DePaul Law Review — 2007-08 — Volume 57

The folks on Volume 57 are still some of my closest friends. I've spoken to Patrick Ross, Joe Culig, Mary Meixner, Shay-Ann Heiser Singh, and Mike Gentithes all in the past month. We all share a certain way of looking at the world. We approach projects with vigor, but we all have a pretty good sense of humor about it all, too. I remember Volume 57 creating the Sapientia Award, too. It was neat to launch something that recognized past Law Review members who went on to interesting careers.

Melanie McKay, Editor in Chief

DePaul Law Review — 2009-10 — Volume 59

When I think about my time as the EIC, I cherish above all else the hours spent around a conference table debating grammar choices and which proposed edit might be the most thoughtful, the least intrusive and the most faithful to the author's original intention. And I learned a very valuable lesson: if you are surrounded by intelligent, interesting people, then you will enjoy yourself immensely, regardless of what you are doing or how hard you might have to work. And I am proud of what we accomplished together. So, I will always remember with fondness my time as EIC, and most especially, the friendships we developed and the meals and laughs we shared on a regular basis.

Kate Watson Moss, Editor-in-Chief

DePaul Law Review-- 2014-15 — Volume 64

My experience as EIC of the DePaul Law Review was incredibly rewarding. Getting the bound copies of the Review was extremely thrilling. I loved working with the Board and the faculty advisors. On top of that, working with the authors and speakers of the Clifford symposium—including Judge Jack Weinstein—was a highlight of my legal career.

Nolan Leuthauser, Editor-in-Chief

DePaul Law Review — 2017-18 — Volume 67

It may sound kind of insignificant, but one of my missions that delayed publication of the first issue for weeks was changing the cover art of the Law Review. I was looking through some old editions and found a really early issue with an absolutely beautiful design. I thought this was a great way of honoring all of the tremendously smart and talented people that have served on the law review before us, while reminding us that we are really just trying to do our best to improve the journal incrementally, so we pass it on in better shape than we found it.

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