Ninety Years of the *Iowa Law Review*: The Personalities, Policies, and Events that Shaped an Enduring Tradition in Iowa Legal Education

*Willard L. Boyd* & *Randall P. Bezanson***

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* Rawlings-Miller Distinguished Professor of Law, University of Iowa College of Law, and President Emeritus, University of Iowa and The Field Museum (Chicago, IL).

** David H. Vernon Professor of Law, University of Iowa College of Law.
   With the research assistance of Gregory T. Densen.
I. THE IOWA LAW REVIEW: ORIGINS AND MODELS

At the beginning of the twentieth century, legal education, like all forms of professional education, was the subject of great and active debate. Legal education was only beginning to find a home in universities; much legal training continued to occur at the knee of a judge or in the office of a local lawyer. The educational program offered by universities, too, was out of step with the then-current progressive thinking, for it remained steeped in the classical tradition of treatise and lecture, abstracted from the law’s application to real social and economic problems and not connected with the practical thinking skills demanded of a lawyer in America’s twentieth century economic, social, and legal system.

Clearly, professional education had to be improved, and bringing legal education into universities was seen as a major means of doing so. The exact form the educational program should take, however, was a matter of considerable dispute. A report advocating diversity in educational approaches and types of law schools, with some retaining the classical approach and others more clinical and case-based approaches, failed to gain credibility. A new approach had been developed at Harvard—the case method. Without any national consensus among educators about the form that university-based legal education should take, a model for sound legal education was unofficially adopted. Follow Harvard!

The Iowa Law School bore the imprint of Harvard almost from its beginning. When Eugene Wambaugh came to the Iowa faculty from Harvard in 1889, Iowa became one of the early schools to adopt the case method of teaching pioneered by Christopher Columbus Langdell at Harvard. And when Herbert Goodrich came to Iowa from Harvard twenty-five years later in 1914, he responded readily to Professor Percy Bordwell’s proposal to reestablish the Iowa Law Bulletin and serve as its Editor-in-Charge.

The time was ripe for a new journal. Emlin McClain had just returned from the Supreme Court of Iowa to serve as the Law School’s Dean. From 1891 to 1900, during Judge McClain’s prior tenure as a faculty member, the Law School had published a Bulletin. According to Dean Ladd, the original Bulletin had been

widely recognized in its day and represented an early urge on the part of the Iowa Law School to contribute to the literature of the law. This early publication was quite different from law reviews of today. It contained listings of leading cases classified under the different phases of a subject, and much of the writing consisted of hypothetical cases and analytical studies in the various subjects of

the law. The Bulletin reflected a period of transition in legal education from a reliance upon treatises and textbooks to an emphasis upon situational studies and cases.  

The new Bulletin was inaugurated in January of 1915. In the introduction to its first issue, the new Bulletin acknowledged its predecessor:

While the old series of the Bulletin was published by the faculty of the College of Law, the new series is edited by the faculty and students. The student board is made up of men of high rank chosen from the Juniors and Seniors of the Law College. The Notes and Recent Cases which appear in this number are due to their efforts. Members of the faculty assist with criticisms and suggestions, but the work is that of the student board.

The Bulletin does not purport to be a review of current decisions throughout the common law world, nor even of the important cases decided in the United States. This field it believes to be carefully and adequately covered by older publications. Its efforts are to be directed to a narrower field of law, that of this state. . . . Without in the least suggesting that its statement will be the last word on any legal subject, the Bulletin hopes that it may be of service not only to the students of this College of Law, but to the bar of the state as well.  

Explicit directions were given to the members of the student editorial board. Everyone was assigned to read select cases from the Northwestern Reporter, the Supreme Court Reporter, and the Federal Reporter. The instructions stressed Iowa cases. At a mandatory group meeting, members reported on cases and were assigned important ones for a preliminary written report. If a topic was deemed promising, the student was expected to develop a first draft of a case or note. The draft would be reviewed by a faculty member in whose area the subject fell, and thereafter the student would do further work as suggested by the faculty member.

"Always look for Iowa cases" was the Bulletin's guiding premise. It was a goal honored even then, and surely since, as much in the breach as in the promise. Iowa developments were not ignored, but the reporting horizon has always been broader.

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3. Editorial, 1 Iowa L. Rev. 29, 29 (1915).
II. THE IOWA LAW OR MORE

In 1925, the Bulletin became the Iowa Law Review. In announcing the change, it was stressed that the purpose of the periodical would remain "to present scientifically the law of Iowa."5 Faith in the application of knowledge to practical problems thus continued, as did the focus on Iowa. While "occasionally an article of general scope will appear," the Law Review announced, in the main "the Review will direct its efforts to a narrow field of law, that is, the law of the state."6

According to Dean Ladd, the Iowa limitation was immediately disregarded, as it had been from the very beginning of the new Bulletin—and as it would be thereafter and to the present.7 Throughout its history, the Iowa Law Review has paid attention to Iowa cases and to topics growing out of Iowa law. However, the near-exclusive focus on Iowa law promised by the newly named Iowa Law Review would never be realized—a fact that caused frustration for and criticism from many generations of Iowa lawyers, but that also contributed to the ever-increasing national presence and reputation of the Iowa College of Law.

In 1933, the Law Review set a national precedent. Dean Hines would later observe, with understandable pride, that

the legal symposium was introduced to legal scholarship through the fertile imagination of then faculty advisor, Professor Paul Sayre. Sayre's brilliant idea of combining the talents of a number of outstanding legal scholars to write about different aspects of a common theme was immediately successful, and was emulated by . . . other legal periodical[s].8

The first symposium focused on administrative law and included contributions from Felix Frankfurter and John Henry Wigmore.9 A symposium on an issue of national importance marked most subsequent volumes until the late 1960s.

The continuing vitality of the Law Review manifested thirty-five years later in 1968 with the inauguration of the "Contemporary Studies Project."10 Unlike the symposia, the Contemporary Studies Projects were large-scale, often interdisciplinary research projects undertaken by the Law Review

6. Id. at 67.
10. The first Contemporary Studies Project was Juvenile Delinquency in Iowa, 53 IOWA L. REV. 1119 (1968).
editors and staff. They typically involved an empirical investigation of the operation of an institution or legal process, conducted by a team of Law Review student writers and supervised by a student editor. The projects were major efforts that often spanned more than a single year, so they were not published on a regular schedule.

Like the symposia first developed by the Iowa Law Review, the Contemporary Studies Projects became the stimulus for interdisciplinary projects of similar character at other law reviews throughout the country. Many of the Iowa Law Review's projects received national attention and significantly affected legislative, executive, and judicial reforms in Iowa and elsewhere.11

III. FACULTY ADVISORS AND STUDENT EDITORIAL RESPONSIBILITY

Professor Goodrich was always the Bulletin's advocate. He took great pride in the students' work and went to some lengths to bring the Bulletin to the attention of a wider audience. He once wrote, for example, to an Arkansas Supreme Court Justice recommending for consideration the treatment of a case report involving "the liability of the seller of food." He also replied to critical comments on student work published in the Bulletin. In one such reply to Judge Scott Mason Ladd of the Iowa Supreme Court, Professor Goodrich thanked the judge for his "discriminating estimate of our Law Bulletin work." He then spoke of the challenge of developing writers only to have them graduate when they are doing good work. He admitted that the Bulletin was not always right, but gently and wisely concluded, "After all, the most valuable part of such a comment is to stimulate thought and if the view taken is well worked out the effort seems worth the doing."14

The masthead of Volume 21, published after the Bulletin had become the Iowa Law Review, carries the following note:

Entering its twenty-first year of publication, the Iowa Law Review takes a place among those law reviews of the country which follow the Harvard system of complete student editorial responsibility.

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11. For example, the Contemporary Studies Project published in April of 1970, Facts and Fallacies About Iowa Civil Commitment, 55 IOWA L. REV. 895 (1970), led to the wholesale revision, in 1975, of Iowa's civil commitment laws. Two studies, A Comparison of Iowans' Dispositive Preferences with Selected Provisions of the Iowa and Uniform Probate Codes, 63 IOWA L. REV. 1041 (1978), and The Iowa Small Claims Court: An Empirical Analysis, 75 IOWA L. REV. 433 (1990), have been widely cited and relied upon in law review articles and by courts throughout the country.


14. Id.
Election to the *Review* comes as an honor bestowed for demonstrated legal scholarship and affords unsurpassed opportunity for intensive training in original legal research and thought. The adoption in its entirety of the policy of student editing makes available this opportunity in fullest measure, while by the same token insuring the publication of a *Review* of maximum service to the profession.\textsuperscript{15}

The faculty advisor's chief responsibility has been to preserve and build upon this firm tradition of student control. Every faculty advisor since Judge Goodrich has been a counselor to, and an advocate for, the *Iowa Law Review*. There have been twenty faculty advisors to date. Each of them has played a unique and changing role in the life of the *Iowa Law Review*, sometimes shaping it, often defending it, and always viewing it from the inside—but as an observer, not a participant. For the faculty who have served in this capacity, it has been a labor of love, not a source of influence or fame.\textsuperscript{16} Their recollections give us a unique account of the history of the *Iowa Law Review*.

**FRANK STRONG** (1934–1937). Frank Strong came to the Iowa faculty directly upon his graduation from the Yale Law School, where he had served as Editor-in-Chief of the *Yale Law Journal*. He remained at Iowa for only three years, from 1934 to 1937, before leaving to join the faculty at Ohio State University, where he later became Dean. In Frank Strong's tenure as faculty advisor, the *Iowa Law Review* moved from faculty to student control, after the Harvard, Yale, and Columbia (HYC) pattern. The following is his account by year:

1934–35: The *Review* is directed by the Faculty Advisor. Student officers are elected but they have little authority. Lead articles are the responsibility of the Advisor. Case editors assign recent cases for review but they attempt no intellectual exchange with the student writers nor do they exercise authority to reject the written product. The student writer proceeds under the direction of a Faculty member whose decision on publication is final. Topics for longer student writing—Comments—are handled in the same fashion. I begin to describe how under the HYC system the Case Editors engage in spirited exchange with the student writers reporting to them and decide whether their products are of a quality to be recommended to the Editor-in-Chief for publication. However, the Case Editors are hesitant to exercise much of this authority. The Editor-in-Chief has little responsibility with respect

\textsuperscript{15} Notes, *The Iowa Law Review*, 21 *IOWA L. REV.* 91, 91 (1936).

\textsuperscript{16} See infra, An Annotated Chronology of the *Iowa Law Review*, for a full listing of faculty advisors, as well as other highlights in the journal's history.
to lead articles and exercises little reviewing power over student writing.

1935-36: This is a transition year in which elected members of the Review begin to understand the HYC model and accept it in practice. However, there is no challenge to decisions of faculty members on the merits of student writing, nor of judgments by the Faculty Advisor with respect to any aspect of the operation.

1936-37: [The student editors rejected two student Comments approved by faculty members.] A Faculty meeting is called. There is tension in the room although no impoliteness. My adrenaline runs high in defending Garigues and Kindig [the student editors]. The issue was clear: this is what is meant by student control of a journal. I cannot recall how the meeting ended but faculty editing and direction was ended and the Iowa Law Review came of age.

WILLARD M. WIRTZ (1937-1939). Bill Wirtz succeeded Frank Strong, both on the Iowa faculty and as the Law Review's advisor. Bill came to Iowa straight from the Harvard Law School, where he had been Treasurer of the Harvard Law Review as a student. He stayed at Iowa for just two years, after which he moved to Chicago to become a member of the Northwestern faculty and, shortly thereafter, to join the Roosevelt Administration during World War II. He served as the United States Secretary of Labor from 1962 to 1969.

Faculty opinion at the Iowa Law School regarding the "independence" of the law review was still divided in the late 1930s. As "faculty advisor" (part of the job description of each successive incoming member of the faculty), I could count on receiving, when a new issue (there were four a year) emerged, a complaint from some senior colleague about some piece of student work (about 50 pages in each issue) not measuring up to standard and expectation. And it wasn't to happen again[.]

Two forces operated in 1937-39 to accelerate transition to unimpeded student handling of the review. One was a succession of remarkable review officers. Refreshing my memory only a little bit 60 years later I think of Harry Wilmarth (older and wiser than I was), Lowell Kindig, William Hoffman, Erwin Buck, Glen Harlan, and Harvey Uhlenhopp as among the most competent of what are now the hundreds of students I have known. They tolerated the faculty advisor graciously. No "interference" issue ever arose.

The other cleansing influence was Dean Wiley Rutledge's strong persuasion that the [Iowa Law Review]'s primary importance was the learning experience it afforded the school's best students. I
remember his saying once something to the effect that "[W]hat goes into the law review is more important than what comes out." Although the dichotomy wouldn't stand up under cross-examination, its point is clear and right.

I remember in this connection our looking together once at the masthead of Volume One (1887–1888) of the Harvard Law Review. The list of editors included Samuel Williston, Joseph H. Beale, Julian W. Mack, John J. McKelvey, and John Henry Wigmore. We mused about the obviously unanswerable question whether that flagship law review was so notably successful because of the extraordinarily talented young men who launched it or whether their experience as co-editors contributed in substantial measure to their subsequent achievements and recognition.

Conscientious as he was, Wiley Rutledge felt deep concern about the fact that the law review experience was limited to so few students, arguably to those least in need of it. Considering writing the best stimulant to thinking, and counting the interplay between students’ minds more constructive than reading casebooks and... classroom listening, the dean talked often about broadening the law review opportunity. As well as I can remember, these thoughts never got beyond the difficulties of dissuading faculty members from the notion that their own writing was more important than that of their students, which is another flawed but suggestive dichotomy.

In the spring of 1939 (as I remember it now), the Iowa Law Review editors arranged and hosted a three-day conference of the members of all Big Ten law reviews. Participation in both the formal and informal sessions of that conference was a remarkable experience and I guess I still believe, contrary to history, that it should have marked the establishing of a tradition in the law review world.

I think of being Wiley Rutledge's emissary to the Iowa Law Review, Volumes 23 and 24, as a pinnacle in my own education.17

FRANK KENNEDY (1946–1951). Frank Kennedy came to Iowa as an Instructor and Assistant Professor in 1940, immediately upon his graduation from the Washington University Law School, in St. Louis, where he had been the Editor-in-Chief of the Washington University Law Quarterly. He would later receive an S.J.D. from Yale in 1953. In 1942, Frank left the Iowa law

faculty to join the Roosevelt Administration in Washington, and thereafter to serve in the armed forces. He returned to the Iowa faculty as an Associate Professor in 1946, when he also became the Law Review's advisor. Frank Kennedy thus continued the pattern started with Goodrich of having new faculty members serve as advisor to the Law Review.

I think it is fair to say that my experience as faculty advisor of the Law Review in 1946–51 was the most enjoyable of all my years of teaching. I had closer contact with the students who were the writers and editors of the Review than I ever had with students in my classes and seminars. And of course the . . . writers and editors were the cream of the crop during their years of service on the Review. I was privileged to have an office whose door was almost directly across the hall from the door to the offices of the Law Review editors. There were no “office hours,” and there was constant interchange between me and the editors seven days a week for twelve months of the year. Although we published only four issues of the Review each year, there was never a lull in the conversation. The conversation of course included politics and athletics and family problems, but the dominant theme of most of the talk in the offices and hall between related to questions that arose out of work on the Law Review.

I can recall many discussions of the standards for appointment as editorial officers and recognition in the review as contributors. Should a Note count as the equivalent of two case comments? How should the work of a student as a research assistant or as a collaborator with a faculty member or another student in the writing of a published contribution be accorded the proper weight in assigning credit on the masthead? These matters were always of considerable importance to the students, and I recall that their resolution was sometimes time-consuming. I do not, however, recall any ill feeling on the part of the students that developed from decisions made about appointments of officers and recognition in the Review. I think there must have been records kept of the policy determinations made from time to time in naming officers, editors, and contributors to the Review, but I have not found any copies of such records in my papers. So far as I can recall, the selection of Law Review officers and editors was left to the Faculty Advisor and the incumbent officers, editors, and writers. I cannot recall any faculty discussion of these matters, although I am sure that I frequently conferred with the Dean about such matters and less often with individual faculty members, particularly Lee Tunks, Robert Hunt, Leo Levin, and [Sandy Boyd].
The tradition of publishing one symposium each year was established before my time. The student editors were not involved in selecting a symposium topic. The choice was a result of an informal consensus developed during the year before the symposium was to be published. The symposium topics during the years 1946–51 were as follows: 1946–47, Regional Planning and Development; 1947–48, State Administrative Procedure; 1948–49, Agricultural Law; 1949–50; National Health Insurance; 1950–51, [a symposium honoring Dean and Justice] Wiley Rutledge. The last symposium was published jointly with the Indiana Law Review. Lee Tunks' influence was dominant in the selection for 1948–49, and I think he was influential in connection with the selection for the previous year. Mason Ladd strongly supported the choice for 1948–49. He joined with Percy Bordwell in supporting the choice of the Rutledge symposium. I do not recall how the choice for 1949–50 was made.

Bob Hunt was a particularly strong supporter of the Law Review during his tenure at Iowa. His office was convenient to the Law Review offices, and he was a kind of unofficial Advisor of the Review along with me. He had been an officer on the Yale Law Journal staff, and he enjoyed participating in the discussions of the cases and the issues that the Law Review editors and writers were working on. Philip Tone, editor-in-chief of the Review in 1947–48, was awarded a Sterling Fellowship at Yale in 1948, received an appointment as law clerk to Justice Wiley Rutledge in 1949–50, and thereafter became an associate of Jenner & Block in Chicago. Phil, along with Donald Shaw, his successor as editor-in-chief of the Law Review, Duane (Bud) Vieth, who became editor-in-chief in the fall of 1948, and other officers of the Law Review staff in the late [1940s] blazed the way for Iowa Law graduates to obtain access to appointments in metropolitan law firms. Their experience on the Review opened the doors to professional opportunities not easily available to Iowa Law graduates in earlier years.

A fortunate development in the late forties was the commencement of a relationship between the Law Review and United States District Judge Henry Graven. The judge regularly appointed each year an alumnus of the Law Review staff of writers and editors as a law clerk for a year, and the law clerk wrote a note for publication in the Review. Donald Lay, who was an officer on the editorial board of the Law Review in 1950–51 and who became a judge of the Court of Appeals of the [Eighth] Circuit in 1966, has carried on the tradition of selecting alumni of the Iowa Law Review staff as law
clerks and animating them to write notes and articles for publication in the Law Review.

In the fifties I began to offer to second- and third-year students at Iowa a seminar on Current Supreme Court Decisions. The students chose a case on the current Supreme Court docket as a subject for special study and the basis for an opinion or possibly two opinions (majority and dissenting) anticipating the Supreme Court's ultimate disposition. This seminar was an adaptation of the annual familiarization process for the Law Review candidates as they entered the competition for membership on the Law Review staff. Don Lay, who went through this process at Iowa, [adopted] and adapted it at Creighton where he conducted a seminar as an adjunct professor[.] Susan Boyd, as editor of Syllabus, arranged for the publication of Don Lay's description of his seminar in the AALS news journal.

The Law Review alumni became a kind of fraternity at Iowa, and the members gathered every year after homecoming games, joined by Charles Davidson[, Sandy Boyd] and me as faculty advisors, past and current. Publication in the Iowa Law Review was a sufficient credential that assured mutual respect.

My memory on such matters as eligibility requirements and academic credit is unreliable at this late date. The overriding memory is that the students who wrote for the Law Review stamped themselves as conscientious, talented, and energetic scholars, distinguishable from the students who did not write for the Review, including those whose grades made them eligible but who did not seize the opportunity. The challenge of writing for Law Review enabled them to prove their mettle. The records of their professional and public lives over the course of the past four decades are dramatic evidence of the value of the opportunity afforded by the Law Review to the students having the ability and determination to accept the challenge.'

Charles Davidson (1950–1954). Charles Davidson joined the Iowa faculty in 1950, having graduated from the Ohio State Law School in 1949, where he wrote for the Ohio State Law Journal, and having received his Masters in Law in 1950 from the University of Michigan. Charles remained a member of the Iowa faculty throughout his career, serving also in both formal and informal capacities as a trusted and valued advisor to University of Iowa presidents.

During my term as faculty advisor to the Iowa Law Review, student control and student responsibility were clearly expressed and emphasized. Editors were assured that I would back them and defend them if ever a need was felt. A major ground rule was that nothing would be published which I had not seen; this on the theory that one can hardly defend what is unknown. Manuscripts might be returned for more work (as many as four times), but never with any suggestion to delete or alter content. Freedom and responsibility were theirs and they knew it and therein lay much of the superior value of the Law Review experience.

In the heyday of McCarthyism the editors wanted to publish a student's book review of Whittaker Chambers' book, The Witness, although the Iowa tradition had not included student work in the Book Review section. Knowing full well the risk, the faculty advisor made no attempt to dissuade [them]. A very prominent Iowa attorney and bar examiner severely and intemperately criticized the Review, the writer and the law school. Through a series of letters the faculty advisor defended [them]. Two comments: an amusing irony is that the student thought by the critic to be a disloyal fellow traveler at least, turned out to be one of the most politically conservative lawyers in the country; and second, the critic, after the passing of many years, extended his friendship to the law school and even to the faculty advisor.

The United States had used statutory and administrative law during World War II to control retail prices and to ration goods and services in short supply. When the Law Review published a symposium on the legal, economic and political lessons from the great experiment, we were the target of criticism of a number of Iowa lawyers, who regarded it as academic, theoretical, historical and not relevant to the daily law practice in Iowa. However, the Law Review sold more individual copies of this issue than ever before. The Iowa Law Review found its way into many new libraries and the editors really knew that theirs was a national law school and that the nation and the world were their audience.

Dean Jefferson B. Fordham was usually well informed and richly experienced in the world of law reviews, having started and rejuvenated and nurtured several of them. While Dean at Penn in the 1950's, he led an informal faculty conversation about law reviews with emphasis on the level and extent of student control, during which I described the Iowa situation as I experienced it. Dean Fordham said he knew of no law review anywhere which gave more autonomy to students than did Iowa. I took that as an
accolade. What could possibly be better preparation for life in the profession? 19

WILLARD L. BOYD (1954–1964). Sandy Boyd came to the Iowa faculty in 1954, having graduated from the Minnesota Law School, where he wrote for and served as Note Editor of the Minnesota Law Review, and thereafter practiced for a time in Minneapolis. Having been prepared by his experience as faculty advisor for the Law Review, Sandy would become the University’s Academic Vice President in 1964, and five years later its President. In 1982, Sandy retired as President of the University to become the President of The Field Museum in Chicago. In 1996, he returned to the Iowa Law School faculty.

I became a member of the Iowa Law Faculty in the fall of 1954. Half of my time was allocated to being the faculty advisor of the Iowa Law Review. I came to that position with enthusiasm because of my experience at the University of Minnesota. At Minnesota, writing for the Minnesota Law Review was the most significant educational experience of the school. If you were eligible by grades to write for the Review, you were expected to do so. If you chose not to do so, there was much pressure applied by the faculty.

In the fall of 1954, I found a splendid Iowa Law Review editorial board. There [was], however, [one thing] that concerned me. . . . Student writers only wrote two pieces and those in their second year. If you were not selected for staff, you did not write in the third year of law school. At Iowa you received a Law Review writing certificate for 3 points while Minnesota required 6 points. I wanted to increase the writing requirement immediately but felt that there needed to be some compromise so we only moved the writing requirement up to 5. In order to enlist third-year writers, we filled faculty research assistantships with persons who had been eligible for staff but were not selected.

During the years that I served as faculty advisor, the volume of student writing increased dramatically. I considered the leading articles section to be of lesser importance than the student writing both in terms of quality and quantity.

We experienced no financial problems with the Law Review because Dean Ladd took the position with the University administration that the Law Review served the Iowa State Bar in the same way that

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the extension bulletins at Iowa State served the agricultural community.\textsuperscript{20}

My experience as faculty advisor of the \textit{Iowa Law Review} has been the most satisfying professional experience in my lifetime. I was much impressed by the students who wrote and the excellent staff. There was very little friction between the staff and the faculty advisor and the faculty. Even though I read everything that went through the \textit{Law Review}, I never caused anything to be deleted unless I felt that it was inaccurate. The faculty were generous with their time in working with the comments and note writers. All citations were read by the staff as well as \textit{Bluebook}-ed by them.

As a result of my \textit{Law Review} experience, I have been a life long editor.\textsuperscript{21}

\textbf{JAMES MEEEKS (1964–1969).} Jim Meeks joined the Iowa faculty in 1964, having graduated from the Columbia Law School, where he wrote for the \textit{Columbia Law Review} and served for a year as a law clerk to Judge Carl McGowan of the United States Court of Appeals for the District of Columbia Circuit. Jim remained on the Iowa faculty until 1978, serving as Associate Dean from 1974 to 1976. In 1978, he became Dean of the Ohio State Law School, where he now teaches as a member of the faculty.

The years from 1964 to 1969 saw very significant change in the \textit{Iowa Law Review}. In a period when education in general and legal education in particular was changing dramatically, the \textit{Law Review} was no exception.

The 1964 academic year marked the publication of Volume 50. Issue 1 commemorated this milestone with comments by Mason Ladd, Frank Strong, and Professor Goodhart. That issue also published one of the important links in the important series of articles on the preclusion doctrine by Professor Vestal. The student editors that year were an outstanding group entering practice all over the country, including Conrad Welser, the editor-in-chief, going into practice in Hawaii. Other noteworthy aspects of Volume 50 included an outstanding symposium on land use, with articles from many of the outstanding names in property law. Percy Bordwell's article on Common Law Scheme of Estates Revisited was

\textsuperscript{20} Extension bulletins are published by Iowa State University to provide Iowans information concerning families, community, business, and farming. Iowa State University, Iowa State University Extension, http://extension.iastate.edu/General/about.html.

another of Percy's major contributions; this one at age 87. Issue number 4 included an article by future faculty member, Ronald Carlson, then in practice in Davenport. Finally, Issue 4 included a memorial note for University President Virgil Hancher, who had served as Editor for Volumes 8 and 9 of the Law Review.

Volume 51 continued the tradition of a symposium issue, this one dealing with regulated industries. Issue 4 was dedicated to Dean Mason Ladd, upon his retirement from the Deanship. Again the student editors found jobs with outstanding opportunities all over the country. But as this author was reviewing these years, he was struck by the fact that from each of the Law Review classes during this period at least one or two went into law school teaching. For example, Mike Martin, editor-in-chief for Volume 51 became a Bigelow Fellow at the University of Chicago and then joined the faculty at Fordham University, where he has served with distinction since.

Volume 52 saw the beginnings of change. One was to expand the number of issues from four to six. This was done, however, with the expectation that the total number of printed pages would remain about the same. The intent was to publish notes and comments in a somewhat more timely fashion. This praiseworthy intent, however, was frustrated for the first year by problems with the printer publishing the Review. Issue one was delayed by several weeks due to a mechanical breakdown. This ended up throwing the schedule off for the entire year. The planned Copyright Symposium was postponed until the next issue. The number of students eligible for the Law Review was increasing and it became necessary to enlarge the number of editorial officers. The editor-in-chief, John Rashke also started each issue with a note from the editor, titled the Editor's Desk, regarding the Review and its contents. This innovation only lasted through the next Volume. More lasting was an innovative plan to include more empirical research or other special kinds of research financed in part by applications prepared by the students to foundations or to other possible sources that might be interested. Contemporary Studies Projects Editors were added to the officer corps of the Review to plan and supervise these projects. Fortunately, this innovation was very successful.

The first two Contemporary Studies Projects were published in Volume 53—one dealing with our juvenile justice system and the other with prison life and prisoner rights, the former funded by the Walter Meyer Foundation and the latter funded by the State of Iowa prison department. This Volume also saw the publication of
two traditional symposia, the delayed copyright symposium and one on international human rights. Interestingly, the experience with these two symposia convinced the editors that the tradition of having a symposium in each volume should not be continued. Rather, symposia should be published when a good, timely topic was available and outstanding authors could be found to write. This partially reflected the advent of a number of specialized journals springing up around the country that made it more difficult to plan and execute an outstanding symposium issue, as had been the tradition in the past. It is interesting to read now, several years later, the commentary in the Editor’s Desk by Editor-in-Chief John Murray to introduce number 5 of Volume 53. His commentary dealt with the role of academia in general, and particularly legal academia in a time of significant societal change and student dissent. While his words were restrained and balanced, clearly reflected was a new era in higher educational philosophy. This year also saw the publication of an index prepared by a student team for Volumes 42-52.

Volume 54 contained many outstanding articles and student work, as usual. The Contemporary Studies Project was an outstanding review of Iowa eminent domain law, policy and administration. It was funded by the Iowa State Bar Association. Many of the changes that were occurring had budget implications. While the Law School Administration throughout this period was very supportive, it was also clear that some additional funding was going to have to be added. With that in mind there was some experimentation with pricing of the Review and in 1968 the decision was reached to sell to the William Hein Company the entire inventory of back issues and a continuing arrangement for that company to market back issues in the future.


My impressions of [my] advising experience remain very strong, though I find it surprisingly difficult to remember some of the details. At the impressionistic level, what I remember is my sharing with the student writers and editors a deep commitment to the importance of the enterprise and an appreciation of the value of the kind of work that was undertaken. My advice to students, then
and now, when I am asked for my advice about the desirability of "writing for the law review" has been based on this assessment: The credential is valuable but not valuable enough alone to justify the hard work involved; but the work itself can be extremely rewarding both at the level of individual learning and at the level of jointly participating in the production of a quality product.

I was always especially impressed with the seriousness with which the selection of the successor Board of Editors was carried out—including, not incidentally, the shared apprehension that the next staff might not be up to the task. Contrary to the rules apparently followed by some earlier faculty advisors, I played no role in deciding who should be chosen. It was my position that grade point averages and class-room performance were irrelevant, and I was always very careful not to influence the students' evaluation of eligible candidates in any way. I did act as a kind of parliamentarian/moderator; I informed the students doing the electing of past practices and traditions when that was relevant; and my presence and comments were designed to reinforce the students engaged in the selection process to concentrate on the relevant qualities of the eligible candidates as determined by their performance as second-year Law Review writers. The meetings were held at my house, started before dinner, included dinner, and often went very late into the evening or the next morning.

When I became the Faculty Advisor, the Law Review was in financial difficulty, a problem which was solved with much help from then Dean David Vernon (and, I believe, solved in part by discontinuing a past practice of automatically sending copies to all members of the Iowa Bar Association in exchange for a modest contribution). I also remember that in the early years while I was advisor, there were frequent problems with the printer, but, with the help of John Simmons and other people at the University of Iowa Press, those problems gradually were worked out. I personally believed (and believe still) that much of the value of the law review experience for students required substantial student autonomy: taking and exercising responsibility for both the intellectual output of the Law Review and the management of the enterprise; and I always tried to protect and encourage that autonomy. Much of my considerable time spent as advisor was devoted to giving advice that mediated the students' problems and their possible effect on the Law School as an institution.

During my faculty advising years, the Law Review revised its system for determining eligibility to write by eliminating any requirement
based on a student's first year grade point average. [This was accomplished in two stages: first, in the early 1970s, students who did not qualify to write based on their grades were able to enter a writing competition through which a limited additional group of writers was selected; and second, in the early 1980s, the Law Review went to an open competition, with everyone eligible to begin writing. 22] Apart from the pedagogical justification for this change, it is important to acknowledge that the change grew out of a period of challenge to traditional institutional arrangements when there was much alienation to all "establishments" and hostility to elitism. The special relationships between faculty advisor and law review advisees recounted by some of the earlier faculty advisors would be regarded as unthinkable [favoritism] in today's world (or at least the world of the 70s). The change in eligibility standards (not initiated but approved by me) seemed right at the time; and it continues to seem right to me although the net gain no longer seems so clear. It has had the positive effect of opening the law review experience to many students who would have been excluded. It has also had the negative effect of encouraging some students to aspire to write, and in fact to write, for one of the law reviews even when it may not be in their best interest; and it has had the negative effect of producing so many law review writers that the value of the law review writing and editing experience is diluted. There is some irony and, perhaps, some lesson in this: A fundamental justification for the opening-up process was to give more students the opportunity to have the "law review experience," but doing so may have had the unintended effect of giving the best possible law review experience to no one.

During my faculty advising years, a change was made in the Law Review reward system that is controversial among the faculty at the present time. Under the system as it now works, writers and editors receive academic credit for their law review work and [editors] are also paid [a stipend] at the rate of student research assistants (which means being paid as if they worked 10 hours a week even though they habitually work many more hours). Interestingly enough, the faculty decision to give Law Review editors and writers additional academic credit for their work [and to give editors a stipend for the time they remained in Iowa City working on the

22. This evolutionary process was extended to its present form (in which all students who begin to write, rather than complete their writing, are considered members of the Law Review) during Dean Matasar's tenure as faculty advisor (see infra). Until that later change, all students were free to begin writing but would not be considered members of the Law Review until they had completed their work successfully.
Review over the summer] was made in 1970 when Randy Bezanson was the Editor in Chief of the Law Review. Randy was a guest participant at the decision-making faculty meeting and later, as a member of the Iowa law faculty, became my successor (and predecessor) as Faculty Advisor. I know at the time of this change, there was a very strong view held by the Iowa Law Review Editors in Chief and editorial board members that this double (academic and financial) reward [for editors—who (at that time) had to forego four or five weeks of summer employment to work on the Review—] was justified by the kind and quantity of work produced and that it was necessary in order to attract an adequate number of well qualified students to write for the Law Review and to serve as members of the Board of Editors.

The changes described in the two preceding paragraphs were entirely contrary to my own experience as a member of the Harvard Law Review, and thus contrary to my intuition; yet I became convinced that these new policies were desirable for Iowa at the time they were adopted. Although these changes applied only to the Iowa Law Review at the time they were made, they have subsequently been applied to newly created law reviews at Iowa and, to some extent, to other student organizations.

Acting as Faculty Advisor to the Iowa Law Review was a fulfilling experience for me and created many relationships with students that I continue to treasure.²³


My time as faculty advisor was brief and was not, as I recall, marked by any important new policies or developments. The opening up of student eligibility to write was already underway, with a writing competition serving to leaven the unforgiving former policy of

selecting writers only on the basis of first year grades. Movement toward further liberalization was in the air—and received my encouragement—but I do not think the important step of going to a full write-on system was implemented before I stepped down as advisor. But I recall encouraging the Review to consider taking that step by adopting a system under which all second year students could begin to write if they wished, but with the understanding that there would be a series of clear deadlines that, if missed, would end their writing for the Review, and that qualitative judgments would also be made by the editorial staff that could result in a student’s being removed from the writing rolls. It seemed to me that such a system, while staff intensive for a period at the beginning of each year, would ultimately winnow the group down to the best researchers and writers who were clearly dedicated to the task. Grades are a reasonable, but imperfect, surrogate for that.

I am, I believe, the only advisor who had previously served as the Editor-in-Chief of the Review. Bill Buss had been the advisor when I was the editor, and it was Bill whom I succeeded as advisor. As a consequence, perhaps, I found Bill’s approach to the faculty advisor’s job worthy of emulation. Like Bill, I felt quite strongly that the Review’s central value was the education of the student participants, and that an important aspect of the educational experience was the autonomy and editorial independence of the Review from the faculty. As faculty advisor Bill Buss let me know that he was there to help if needed, but that he had no interest in supervising the editorial decisions of the staff or interfering in other ways in the Review’s work. We were free to make our own mistakes, and we exercised that freedom on more than one occasion.

As faculty advisor, I believed strongly that the student’s education (writers and staff alike) was the principal function of the Review; that if the educational experience were good, the quality and reputation of the Review would improve; that assuring close editorial supervision by the [third-] year staff, coupled with rigorous standards, was essential to this function; that my responsibility as advisor was to help maintain and build upon the traditions of editorial supervision and high standards, but not to supply them myself; and that as to specific editorial decisions (accept this article or not, for example) my role was to protect the Review’s independence from the faculty. This was a continuation of Bill Buss’s philosophy, and perhaps an extension of it, shaped no doubt by my then-recent experience as the Review’s Editor-in-Chief (1970–71). Ironically, I thus felt free to critique and cajole (always
privately with the editor) because the Review knew that I would protect its independence—even from me.

I recall relatively few specifics of my three years as advisor. One incident I do recall, however, involved the Review's decision to decline publication of an article submitted to it by a member of the faculty. I had been made aware of the situation by at least one colleague who had spoken to me, expressing concern that the Review would arrogate to itself the power to judge the quality of a faculty member's work. Shortly thereafter the editor came to see me. I was advised of the Review's decision and the seriousness with which it had been made, and [I was] invited to review the manuscript and offer my own view. I informed the editor that the Review's decision, mistaken or not, would not be interfered with by anyone, that my responsibility was to assure that this was so, and that I had no interest in reviewing the manuscript and venturing any opinion.

I was confident that the Review's decision had been made with care and on the proper kinds of grounds, and that this being so I would compromise the educational value of the Review were I to lift the burden of the decision from the editorial staff's shoulders.

When I was again approached by a colleague who was upset by the Review's decision, I simply informed the colleague that the rightness or wrongness of the decision was beside the point, and that as faculty advisor I could tolerate no effort by members of the faculty to influence the Review's decision on behalf of a colleague. Any other resolution would have to come from the full faculty. The matter ended there. I have no doubt that this is but one of many instances in which faculty advisors have responded similarly.

I also believe that it was during the 1976–79 period that the first woman student was selected as Editor-in-Chief. She was Susan Casamassimo, an extremely able editor who helped the Review break through a number of other barriers in the years that followed.

The only other notable development during my tenure as advisor was a change in the cover (from brown to black with white lettering). I recall kidding the staff that changes in the cover design were usually given the greatest attention by the editors, but had the least consequence. They did not care to hear that, of course. I had to admit, however, that the earlier, brown cover had been
introduced during my tenure as Editor-in-Chief, and that the new design was a marked improvement (even if it was a bit flashy).  


No one is more arrogant than a young faculty member, fresh from the practice of law at a fancy law firm, federal clerkship, and leadership role on the law review of a prestigious law school. Such young faculty members know very little, but they know it with a certainty and a burning desire to impose it on others. I was once just such a young faculty member, and I can recall my conversations with the Law Review's editors even today, telling them how we did it at dear old Penn, making "little" suggestions to completely alter Law Review traditions, and complaining about timeliness and quality. I can't recall a single editor who agreed with a single suggestion, but they did get a kick out of someone they could get interested in the arcane lore of "that's" versus "which's" and dangling whatever.

Thus, it should have come as no surprise to me that Bill Hines would ask me to put my money where my mouth was. "Rick," he said, "you seem to have taken great pleasure in telling Law Review editors how to do their jobs. How about a license to continue? You can be their advisor." And, an advisor I became.

I learned very quickly that the relationship of the advisor to the Review would be unlike any other student/faculty experience in the legal academy. In the spring of 1981, Bill Buss, then the Law Review's advisor, asked me to sit in on the selection of the incoming Law Review staff with whom I would be working. Let me describe this process. It began with a large meal at Bill's home at which dogs, children, faculty members, spouses, and people from the street gorged themselves into a stupor. Mercifully releasing all non-voters, the editors sat down for the next several hours (or was it days?) to make their selections. Bill said nothing, but counted the

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votes. Occasionally, he was asked to referee some delicate point of procedure. But through it all, Bill watched as wonderful (and surprising) selections were made. At the end of the evening they thanked each other and went on with their chores—the editors to make the happy calls to their successors and the sad calls to those who did not receive named positions on the board; Bill to reflect on the close friendships and associations he established with the terrific group of students who were leaving. He told me then that I would cherish my experiences with the Review. He was right.

One can divide the world of law reviews into neat compartments: articles, notes and comments, and the teaching and management of interpersonal relationships. Over the nine years I worked with the Iowa Law Review each of these compartments had its share of challenges.

**ARTICLES.** Who could forget when Professor Bob Bartels, tongue placed firmly in cheek, submitted his now classic article on the Specific Deterrence of the Death Penalty. With all of the seriousness due this topic, he reported that there were no known cases of anyone being put to death ever committing another act. And, in keeping with the law review format, he added a lengthy footnote about a well-known ancient case from the Middle East in which one individual who was put to death was alleged to have risen from the dead. Bob's submission led another colleague to decry that the Law Review had descended to the depths of hell, had no standards, and would embarrass us all by publishing this article. He demanded that I advise the journal to pull this article. Suffice it to say I advised the journal that it had to exercise editorial responsibility for its issue. It did. The article is a classic.

**NOTES AND COMMENTS.** One special joy of advising the Iowa Law Review is determining which students will receive credit for the papers they have written. The standard at the time was that the paper should be of publishable quality. I took this standard seriously—for about a year. The broad participation of students in the Review assured that as the number of papers increased, the advisor's reading time and comment time would decrease. "Publishable" in my view came to mean solid, good work. And, much to my delight, virtually all submissions, with some work, could be much better than that.

There were exceptions. I will never forget the student whose elegant paper about a recent Supreme Court case eloquently presented a description of an emerging doctrine adopted by a slim majority of the Court. When I asked the student about the policy
issues that had been raised by the dissent, the concurring opinion, and the law review commentary critical of the majority’s position, the student promptly replied: “Oh, I never read that other stuff; it takes too long and it’s not the law.” After the final draft, when the student became convinced that the dissent had it right, the student returned to talk about seeing the light and trying this new “dissent and other opinion stuff” in classes. His grades actually improved. I took from that experience a new teaching maxim: read the whole case, you’ll like it!

INTERPERSONAL RELATIONSHIPS. How do they do it year after year? The Review brings people together from every ideological perspective, all races, both genders, Iowans, out of state students, young, old, with and without families, with and without high grades. They learn to work together, or fail. But, mostly it was commitment—to pulling together, helping each other out, getting the work done, sharing responsibility, and growing.

Over the years, the editors have kept in touch with their colleagues and with me. That wonderful Law Review network led me back to Julie Fenton, the Editor-in-Chief of Volume 71, who I enticed to become the Assistant Dean of Students at Chicago-Kent College of Law. Working with Julie... reminded me of the best that the Iowa Law Review brought to the law school. Before her Board left office, they opened the membership of the Review tremendously.25

Previously, membership was predicated upon completion of all written work; hence membership was often delayed until the end of the second year. Julie’s Board created the current system in which students become members much earlier by completing a series of smaller assignments. The consequence has been extraordinary: no law school has greater numbers of excellent students who are full members of the law review.

25. As mentioned earlier by Bill Buss, eligibility to write for the Law Review had been opened to all students some years before this, when Bill was the advisor. Rick Matasar is referring to changed eligibility for membership (which is listed on the student’s resume and noted in the Law Review’s masthead), which during his tenure no longer was made to depend on the student completing the writing that he or she had begun (though if the student left the Law Review before completing his or her writing, the student would thenceforth no longer be a member). This change in membership (not eligibility), in the view of some, set the wrong incentives in motion, encouraging persons not interested in completing Law Review writing to begin it in order to claim membership, thus burdening the editorial resources, only to stop serious effort to complete their work but remain nominally involved, and thus a member, for as long as a year or more. It is hard to know how often this might have occurred, and the extent to which it might have contributed to the low level of student publication the Law Review experienced for a time thereafter, notwithstanding record levels of membership.
Through the years, I have come to understand in a fundamental way that the *Iowa Law Review* is not merely a student activity nor even an important part of the law school's curriculum. It is an organic institution with a life of its own. Each year, new students come to serve. They take on the fiduciary responsibility of managing the *Review*'s assets. They nurture it by continuing the quest for knowledge. They care for it by demanding much of each other in student writing, in supervising and teaching their colleagues, in selecting articles, in working with faculty members and authors, and in carrying forward the law school's banner. I am proud of my small part in the heritage of this great institution.

PATRICIA CAIN (1991-1997) and JEAN LOVE (1995-1997). Pat Cain is a graduate of the Georgia Law School and a former writer of the *Georgia Law Review*. Shortly after receiving her law degree, Pat began teaching as a member of the faculty at the University of Texas Law School. She had been a member of the Texas faculty for 17 years when, in 1991, she accepted Iowa's offer and moved to Iowa City to join the faculty of the law school. Pat was Associate Dean for Academic Affairs from 1996 to 1999 and Associate Dean for Admissions from 2001 to 2003. In the 2003-2004 academic year, Professor Cain served as Interim Provost of the University of Iowa. She is presently serving as its Vice Provost.

In 1995, Jean Love joined Pat as a co-advisor to the *Law Review*. Jean is a graduate of the Wisconsin Law School, where she wrote two student comments published in the *Wisconsin Law Review*. Upon graduation from law school in 1968, she practiced for three years and began her teaching career at Wisconsin, moving thereafter to the University of California at Davis. After visiting at UCLA and Texas she moved with Pat Cain to the Iowa Law School.

From Pat Cain:

When Andy Ramzel, editor-in-chief for Volume 77, came into my office to ask me to serve as the new faculty advisor for the *Law Review*, we both agreed on one thing: two advisors would be better than one. The *Law Review* had grown in size significantly in recent years. With one hundred second-year writers participating in *Law Review*, and with each participant producing two papers for faculty review, I did not see how one person could do the job and give any meaningful feedback. An additional concern of mine was that I was new to Iowa and knew very little of the *Iowa Law Review* tradition. I had taught for seventeen years at the University of Texas, where the *Law Review* was a separately incorporated organization, whose day-to-day operation was quite independent from the law faculty.

The Iowa tradition seemed much different to me. The independence of the editorial staff was clear, but because academic
credit was awarded to student participants, a much closer and
different relationship with the faculty advisor existed at Iowa than
at Texas. I had one final concern as well. There had never been a
female faculty advisor to the Law Review. It occurred to me that
working with a male co-advisor would solve all of the problems I
envisioned. Andy agreed, and he and his staff selected several
possible co-advisors, including Bill Buss, who had already broken
the record, both for number of terms as faculty advisor and
number of years.

Perhaps it should have been a warning signal when the three
selected faculty members all declined the offer. They all assured
me that they thought I would do a wonderful job on my own and
that they stood ready to consult as needed.

Although there had been female editors-in-chief before my tenure,
one of the most noteworthy events during my time as advisor is the
fact that for three successive years the editors-in-chief were female:
Kay Bartolo, Victoria Westenfield, and Kristy Albrecht. Other
important events that... occurred during the years I... served
include publication of the largest volume containing more
symposia than any other volume (Volume 77 with 1942 pages and
three symposia), significant cutting of publication costs by
implementing desktop publishing (Kristy Albrecht gets credit for
this one), and finally accomplishing my initial goal of providing the
Review with more than one faculty advisor. Mike Green agreed to
serve as co-advisor with me during the year I had a semester's
development leave, and [in] 1995, Jean Love... agreed, as co-
advisor, to take primary responsibility for reading student work,
which [gave] me more time to advise on other issues....

Before I agreed to become the advisor, I asked the departing
advisor, Rick Matasar, how he managed to read two hundred
student papers in a year. He gave me some hints, said he was sure
I'd find my own way, and assured me that I could rely on the
student editors' help. He was certainly right about the student
editors. They [took] very seriously the responsibility for running
what amount[ed] to a second-year writing program for 80 to 100
students. [I was] awed and impressed by the dedication and high
ethical standards exhibited, in particular, by the note and
comment editors.

At the same time, I [became] aware of the limitations in teaching
legal writing through a student-run program such as the Law
Review. Cogent substantive feedback, beyond what one should
expect of a third-year student editor, would greatly improve a
number of papers, provided the feedback could occur at an early draft stage. Yet the practice had become one in which there was no faculty input until the final draft had been approved by a student editor. I... helped to initiate two programmatic changes that address[ed] this problem.

The first of these changes occurred in 1993[. The] Law Review began using a preliminary writing exercise to test students' ability to do Law Review work before those students dedicated an entire year to the Law Review experience, only to find out at the end that their work was not up to par. This writing exercise [was] completed over the summer before the second year [began]. Students who [were] identified as having problems either with writing or with legal analysis [were] referred to faculty members to work on the problems. These students [would] be eligible for Law Review if they work[ed] through the problems and complete[ed] a second writing exercise successfully.

The second change occurred in 1996 and is more fully described by Jean Love, below.

From Jean Love:

I came on board as a co-advisor in the fall of 1995 to perform one task and one task only—to review student notes and comments. In the first semester, I read all . . . of the student papers for the Class of 1996, and in the second semester, I read all . . . of the student papers for the Class of 1997—a total of approximately 360 notes and comments! By the end of this marathon, I was convinced that the law review writers should be getting earlier feedback and more constructive commentary from the faculty advisor. However, I did not see how only one faculty advisor could improve the quality of faculty supervision without reducing the quantity of the student manuscripts. So—I conducted a “pilot project,” in which I wrote extensive comments on the papers of thirty students from the Class of 1997, in order to demonstrate what I could do if I were given more time to devote to each student’s manuscript. The upshot of the “pilot project” [was] described by Trent Vich, [then] current Editor-in-Chief of the Iowa Law Review, as follows:

The 1996–97 school year marks a significant change in the writing component of second year students' Iowa Law Review experience. Students will no longer write two papers for the journal. Beginning this year, students will dedicate their entire second year to writing a single article, with the goal of producing an article of publishable quality. Professor Love made an extraordinary commitment to the
Iowa Law Review by agreeing to provide a critique of each student's preliminary draft at the mid-point of the school year. The Iowa Law Review has received strong encouragement for this change from law school administration, faculty, and students based on a pilot project that tested the value of her critique.\footnote{Letter from Jean Love, former Faculty Co-Advisor, Iowa Law Review, and Professor, The University of Iowa College of Law, to authors (Sept. 4, 1996) (on file with the Iowa Law Review).}

MICHAEL GREEN (1997–1999). Mike Green joined the Iowa College of Law faculty in 1979, teaching for 20 years before accepting a chair at Wake Forest University School of Law in 2000. He served as co-faculty advisor with Patricia Cain in 1993–1994 before serving as the sole advisor for Volumes 83 and 84.

My service as faculty advisor to the Law Review was initiated by the most extraordinary student (and now close friend) I have had the good fortune to teach, Jonathan Cardi, the Chief Articles Editor of Volume 82. He approached me one day and explained that the law review was seeking an advisor and asked if I would be willing to serve. His recollection is that this occurred in 1997 when his Board began its service, but my recollection (and the masthead) suggests that it was the following year.

Like a number of my predecessors, my philosophy was that the law review was a student-run organization, and the faculty "advisor" should be just that. To each Editor in Chief, I explained that selecting articles and student notes, editing of the ones selected for publication, attending to the publication process, and supervising students was their function, not mine. I would be available if they wanted advice, but otherwise I would try to stay out of the way. Both Susan Schwochau and Tr\[y\]stan Phifer O'Leary, the two Editors in Chief with whom I served, were entirely comfortable with this "passive" advisor arrangement.

There were two exceptions to my passive role; since student editors were receiving academic credit for their work on law review, the ultimate determination about that question had to be a faculty member's. This was a matter about which there was broad agreement among the faculty at the College of Law during my tenure. Student papers would, at the end of the drafting process, be read and approved for credit by a faculty member. The second matter about which I had special interest was academic integrity within the law review enterprise. The College of Law had strong, yet appropriate policies on academic integrity and, over the years, I
realized that there were inevitable, but thankfully rare, incidents that required attention. When those arose in the Law Review, faculty involvement was required.

I must confess to one violation of the precepts I laid out above for passive advising. Every year when the board was preparing to select its successors, I would encourage them to ask a question on the application form that had not been asked for many years: what was the applicant’s grade point average? I explained that this was at least significant if the student was in academic difficulty and, therefore, would be better served by attending to classes than spending the extraordinary amount of time required of a conscientious board member. I also contended that this information was surely relevant beyond simply protecting weak students, so why would the board blind itself to relevant information? I never received a good answer to that question, but I am pleased to say that my violation was harmless error. Despite what I am confident was vigorous and persuasive advocacy on my part, the board decided each year not to accept my “advice” on obtaining grade point averages...

The one policy change that was initiated while I was faculty advisor was to seek broader faculty involvement in reading student notes. I was confident that a faculty member with some expertise in the subject matter of the paper could do a much better job than I in providing substantive feedback to student writers. Moreover, with this change we could spread the burden that had weighed so heavily on some of my predecessors. I was the backup, of course, but the Note and Comment Editors were quite successful in soliciting broad faculty involvement in reviewing student work.27

TODD PETTYS (2001–present). Todd Pettys joined the Iowa College of Law faculty in 1999, moving from private practice to teach Constitutional Law, Evidence, and Federal Courts. When he took the reins as faculty advisor to the Iowa Law Review in 2001, the journal had undergone several changes in the prior five years. Membership was no longer open; students could become members only through a rigorous, anonymous write-on competition at the end of their first year. In addition, the emergence of the Internet as the primary tool for legal research and article submissions had altered the universe of scholarly publication, simultaneously creating new challenges and presenting new opportunities for legal journals.

27. E-mail from Michael Green, former Faculty Advisor, Iowa Law Review, and Professor, Wake Forest University School of Law, to Randall P. Bezanson, Professor, The University of Iowa College of Law (Sept. 28, 2005, 17:33 EST) (on file with the Iowa Law Review).
The Iowa Law Review was a thriving institution when I became its faculty advisor in 2001, and it continues to thrive today. Each year, approximately fifteen editors and forty student writers set off down a path that will require them to trek deep into the recesses of the law library, write and edit intelligently in areas of the law they never before encountered, find their way through thickets of footnotes and citation conventions that the uninitiated can scarcely fathom, and weather the relentless deluge of manuscripts that those in my profession submit each year with the hopes of publication. And each year, the students emerge from the experience with the gratifying sense of camaraderie, perspective, and, yes, exhaustion that comes with having worked so hard and traveled so far together.

In many respects, the issues that the editors and student writers confront today are the same that their predecessors confronted before them—distinguishing good writing from bad and timely topics from timeworn, learning the techniques of thorough legal research, fostering the patience necessary to attend to the finest points of detail, and so forth. At the same time, however, the world of legal publishing continues to evolve. A number of leading law reviews recently issued a joint statement, for example, declaring that they believed articles had become too long and that footnotes had become too numerous; accordingly, many journals now express a strong preference for articles that fall below a specified number of words. Many journals also have begun to integrate the Internet into their operations, such as by requiring those submitting articles for possible publication to do so by way of a website. Computing and printing capabilities require continual updating. The members of the Iowa Law Review regularly respond to these and similar developments, to ensure that the journal continues to operate in as efficient and professional a manner as possible.

Regardless of the ways in which the Review's operations evolve over time, however, its fundamental objective remains unchanged: to provide the editors and student writers with the invaluable learning opportunities that come with producing a first-rate legal journal. Following a recent trend on the Review, we are continuing to place a special emphasis on the importance of publishing students' own work. In that and nearly all other areas, however, the students remain in charge. Like those who preceded me, I believe that students benefit most from their journal experiences when they are given the autonomy required to create their own successes and to make their own mistakes. I am the students' advisor; I am not their
employer. I sometimes send along unsolicited advice and I review each of the notes written by the student writers, but I make it clear to the students that my primary job is to make myself available to them whenever they have questions along the way. On almost all issues that matter, the ultimate decision-making responsibility rests with them.

If the alumni of the Iowa Law Review could meet today's editors and student writers and see the journal's daily operations, I am certain they would be proud. Today's students take seriously the wonderful traditions they have inherited—as they should—and there is every reason to believe that future generations of the Review's staff will look back to their predecessors with gratitude.28

IV. LEARNING BY WRITING

On the occasion of the Iowa Law Review's 50th Anniversary in 1964, Dean Ladd wrote that the Review's greatest value is as an educational tool, providing law students an opportunity to engage in research and writing. Law Review work is considered to provide the very best of training in a student's legal education.... We are pleased that as we enter upon our fiftieth year, the student production in the Iowa Law Review is among the highest of all law school reviews, both in quantity and, we believe, in quality.29

Twenty-five years later, Dean Hines observed that "the Review is first and foremost a vehicle for professional education."30

The Iowa College of Law has taken the position that writing is a fundamental skill in lawyering. Good writing requires good thinking. They are acquired by continual doing and rigorous editing. That, it seems, has always been the overarching objective of the Iowa Law Review, as demonstrated by the constant emphasis on publication of student work. In 1964, Professor Arthur L. Goodhart of Oxford University stated that he found it astonishing... for one accustomed to the English system, to read that nearly sixty percent of the material in the Iowa Law Review has been written and edited by students.... It is not surprising that

students trained in this way have given to the Iowa Law School the reputation of being one of the leading ones in the United States.\textsuperscript{31}

The lasting value to the student of this unique learning opportunity is eloquently described by a former \textit{Iowa Law Review} Editor, Judge Donald P. Lay:

I attended Iowa Law School from 1948 to 1950. I was encouraged by many colleagues and upper classmen to write for the \textit{Law Review}. As I recall, I had two comments published and then was selected to be Leading Articles Editor for my senior year. Professor Frank Kennedy was the advisor to the \textit{Review} at that time. Through the combination of Professor Kennedy's zeal for excellence as well as the demands of the \textit{Review} itself, I believe my experience on the \textit{Law Review} had the greatest impact upon me than any other in law school. I learned areas of research not otherwise provided in our normal classrooms. More specifically, I came to respect the need for accuracy and the importance of expressing thoughts clearly and concisely. The \textit{Law Review} required late hours and the discipline provided each of us on the staff was such that I am confident that it impacted on each of the staff members' legal career. I can remember working late into the evening with Professor Kennedy editing manuscripts and in reading many, many articles submitted for publication which we had to reject. After graduation, I commenced writing for law reviews. In the expanse of my legal career, now of some 46 years,\textsuperscript{32} I believe I have written over 50 law review articles and essays for other legal periodicals.

The guidance received from my experience carried over and has aided me tremendously in the role of United States Circuit Judge. I have written over 2,000 opinions in the last 30 years and I am constantly reminded of the needed discipline for thoroughness and accuracy that I learned at the \textit{Iowa Law Review}. Being an editor of the \textit{Iowa Law Review} is an experience that only a few students can undertake. However, I urge every student to strive to write for the \textit{Law Review} so as to be exposed to the disciplines involved.\textsuperscript{33}

The publication of articles written by faculty members and professionals, of course, is also of great, though clearly secondary, importance. The most remarkable feature of the \textit{Iowa Law Review}, and


\textsuperscript{32} Judge Lay is now approaching his fortieth anniversary on the Eighth Circuit Court of Appeals; he was appointed by Lyndon B. Johnson in 1966.

indeed all other student-run journals, is the fact that decisions about which faculty articles to publish, and what editorial changes to require, is vested in students, not faculty. This feature has also occasioned the greatest amount of controversy. Authors of leading articles—academics and members of the practicing profession alike—complain that students are not equipped to decide whether an article is worthy of publication, much less to edit and revise it. There is no doubt some truth to this; the lawyer’s greatest arrogance, after all, is the claimed ability to deal with any problem and any issue. But there is only some truth. It is remarkable how insightful and knowledgeable a bright law student can really be, even when dealing with the most sophisticated of problems.

V. CONCLUSION

As the twenty-first century begins, the Iowa Law Review is one of over 300 student-edited law journals in the country—not, as in 1914 when it began, one of a handful of new and largely untested periodicals. Today the Law Review exists in a technological age when publication on computers and in commercial databases is as important—is perhaps more important than—production of a printed volume. Paper subscriptions to the Law Review have declined in recent years, in proportion to the increase in revenues generated from such electronic databases as Westlaw, Lexis, and Hein.34

Yet the fundamentals of the Iowa Law Review remain sound. It is student-run; its Editorial Board consists of sixteen third-year students, selected each year in March among the second-year Student Writers by the previous year’s Board. It remains editorially independent; while Iowa faculty members occasionally send along a piece of their own or a colleague’s for consideration, they unilaterally recognize that the selection of articles rests entirely in the student-run Articles Department. The Law Review holds firmly to its great tradition of concentrating on student work; in the present Volume 91, half of the approximately forty pieces selected for publication will be student-written. The Law Review is a place where the most rigorous and individualized editorial oversight can be provided; the Note & Comment Department runs a personalized writing program for a group of approximately forty second-year students, who become “Student Writers” through a highly competitive write-on process (focused on writing, analytic, and editing skills, rather than grades) conducted after their first-year finals. The Law Review provides an educational experience second to none; in addition to writing a professional, forty-page legal paper, second-year

34. During the 2004–2005 academic year, the Law Review generated approximately $55,000 in revenue. Of that amount, approximately two-thirds was derived from royalty fees generated by electronic databases such as Westlaw, Lexis, and Hein. As recently as 1995–1996, electronic royalty fees constituted only a third of total revenue. As electronic royalty revenue has increased, revenue generated from hardcopy subscriptions has concomitantly decreased.
students complete one hundred "office hours," the fulfillment of which includes editing and engaging in various research projects. "Authority checks," the scrupulous fact-checking process Editors organize and second-year students complete for each article and note, are required in addition to the office hours requirement. Upon satisfactory completion of these projects, second-year students earn two writing credits. Editors earn two to four credits and receive a modest stipend, as well as the honor of joining the long tradition of Law Review editorship, for dedicating the majority of their third-year efforts to the publication of five new issues of the journal. Finally, the Law Review remains a periodical carrying professional scholarship of the highest quality.

The extent to which these fundamental purposes are realized may vary over time, but the purposes themselves have remained constant over the course of the Law Review's ninety-year history. The benefits to the writer of participating in the Iowa Law Review are many and diverse, grand and mundane—all essential to good thinking and good writing. From the accuracy of careful proofreading esteemed by Oliver Wendell Holmes to the comprehensive and anticipatory approach of the Brandeis brief, writers develop the fundamentals that underlay all other basic legal skills. These are best cultivated in a one-on-one relationship between student writer and student editor, coupled with the support of the faculty. It is this intimate and personalized learning environment that has made Law Review a unique experience in the educational life of hundreds of Iowa law students for decades.
APPENDIX: AN ANNOTATED CHRONOLOGY OF THE *IOWA LAW REVIEW*

The history of the *Iowa Law Review* is much more than the recollections of its faculty advisors, as revealing as they are. It also consists of the people who served as members of the Law Review's staffs and as its writers, of the publications they produced and the changes they wrought over the years, and of the events in which they participated and the forces that bore on them during their years as writers and editors. These events ranged from wars and drafts, to dramatic changes in technology, to increases in the size of the Law Review and its offices and staffs, and to changes in the student body of the law school from which they were drawn. This history does not permit detailed examination of these changes, nor does it permit even a listing of all editors and writers over the years. In the place of such an extended treatment, some of the names, and many of the events, have been incorporated in the following chronology of the *Iowa Law Review*. 
### AN ANNOTATED CHRONOLOGY OF THE IOWA LAW REVIEW

<table>
<thead>
<tr>
<th>YEAR</th>
<th>VOLUME</th>
<th>PAGES</th>
<th>STAFF SIZE</th>
<th>NOTES</th>
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| 1915  | 1      | 206   | 11–12      | • Students contributed 95 of the 206 pages<sup>37</sup>  
• Called the Iowa Law Bulletin. The Bulletin had been published from 1891–1901, but was discontinued when Dean Emlin McClain joined the Iowa Supreme Court.  
• All members of student staff titled Student Editors  
• Professor Goodrich titled Editor-in-Charge (1915–Jan. 1922)  
• Clarence Updegraff member of student staff |
| 1916  | 2      | 228   | 12         | • Students contributed 116 of the 228 pages |
| 1917  | 3      | 256   | 12         | • Students contributed 95 of the 256 pages |
| 1918  | 4      | 287   | 10–11      | • Students contributed 83 of the 287 pages; the number of student pages contributed to Volumes 4, 5, and 6 was low due to students' participation in World War I |
| 1919–1920 | 5      | 288   | 9          | • Students contributed 61 of the 288 pages |
| 1920–1921 | 6      | 256   | 11–12      | • Students contributed 84 of the 256 pages |

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35. Staff size includes all staff through Volume 12, and only individually-titled staff members in Volumes 13 through 91. Staff size of Volumes 1–20 also includes the Faculty Editor. Where a range is noted, staff size varied from issue to issue.

36. In 1915, when the chronology begins, the Law School is located in Gilmore Hall. The Law School had moved there in 1910 from Old Capitol. Gilmore Hall would be the Iowa Law Review's home until 1961, when it would move into the "new" Law Center.

37. Student page counts include Contemporary Studies Project (CSP) pages. Thus, in some volumes (Volume 57, for instance), the page numbers may be the result of efforts begun under previous staffs.
<table>
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<th>YEAR</th>
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</table>
| 1921–1922| 7      | 272   | 12–13      | • Students contributed 96 of the 272 pages  
• Professor Patterson served as Editor-in-Charge for the March and May Issues (1922)                                               |
| 1922–1923| 8      | 288   | 13         | • Students contributed 105 of the 288 pages  
• Professor Breckenridge became Editor-in-Charge (1922–1924, 1943–1946)  
• Student staff included Mason Ladd, Virgil Hancher, Martin Van Oosterhout                                             |
| 1923–1924| 9      | 320   | 10–14      | • Students contributed 106 of the 320 pages  
• Individually-titled student position, Managing Editor, created  
• Hancher and Von Oosterhout still members of student staff  
• Managing Editor: Donald D. Holdoegel                                                                               |
| 1924–1925| 10     | 352   | 15–16      | • Students contributed 114 of the 352 pages  
• No titled student positions  
• Professor Patton became Editor-in-Charge (Nov. 1924–1926)                                                          |
| 1925–1926| 11     | 408   | 16         | • Students contributed 125 of the 408 pages  
• Name changed to Iowa Law Review, Dec. 1925 Issue  
• One titled member of student staff: the Note and Case Editor  
• Note and Case Editor: Matthew M. Stafford, Dec. 1925 Issue                                                            |
| 1926–1927| 12     | 463   | 17–19      | • Students contributed 176 of the 463 pages  
• Professor Updegraff became Faculty Editor (Dec. 1926–1930)  
• Note and Case Editor: Paul C. Clovis                                                                                 |
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<th>YEAR</th>
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| 1927–1928  | 13     | 488   | 4          | • Students contributed 137 of the 488 pages  
• Three titled members of student staff: President, Case Editor, Note Editor  
• All non-titled student staff members now called Associate Student Editors  
• President: Joseph F. Rosenfield |
| 1928–1929  | 14     | 511   | 5          | • Students contributed 203 of the 511 pages  
• Fourth titled student position created: Circulation Manager  
• President: Frank E. Horack, Jr. |
| 1929–1930  | 15     | 527   | 4          | • Students contributed 205 of the 527 pages  
• No longer a position titled Circulation Manager  
• Student staff included Arthur O. Leff  
• Felix Frankfurter was a contributing author in the Feb. 1930 Issue: “The Conditions for, and the Aims and Methods of, Legal Research”  
• Arthur L. Corbin contributed The Restatement of the Common Law by the American Law Institute  
• President: Paul E. Raymond |
| 1930–1931  | 16     | 615   | 6          | • Students contributed 207 of the 615 pages  
• Two new titled student positions created: Statute Editor and Administration Editor  
• Professor Sayre became Faculty Editor (1930–1934)  
• President: Dwight Brooke |
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<tr>
<td>1931–1932</td>
<td>17</td>
<td>584</td>
<td>6</td>
<td>Students contributed 209 of the 584 pages</td>
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<tr>
<td></td>
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<td>Volume included a 136-page study of criminal law by Professor Rollin M. Perkins</td>
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<td>President: James E. Carroll</td>
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<tr>
<td>1932–1933</td>
<td>18</td>
<td>598</td>
<td>5–6</td>
<td>Students contributed 190 of the 598 pages</td>
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<td></td>
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<td>No longer a position titled Statute Editor</td>
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<td>New position created: Legislation Editor</td>
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<td></td>
<td>The Iowa Law Review presents the first symposium ever published in</td>
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<td>a law review, Administrative Law Based upon Legal Writings 1931-1933</td>
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<td></td>
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<td>Felix Frankfurter contributed an Introduction to the symposium</td>
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<td>Louis L. Jaffe wrote The Contributions of Mr. Justice Brandeis to</td>
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<td></td>
<td>Administrative Law</td>
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<td></td>
<td></td>
<td>President: Fred A. Dewey</td>
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<tr>
<td>1933–1934</td>
<td>19</td>
<td>663</td>
<td>6–7</td>
<td>Students contributed 230 of the 663 pages</td>
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<td></td>
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<td>New titled student position, Book Review Editor, created</td>
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<td>Symposium: International Law Based upon Legal Writings 1930-1934</td>
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<td>President: John C. Butler</td>
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<tr>
<td>1934–1935</td>
<td>20</td>
<td>871</td>
<td>3–8</td>
<td>Students contributed 284 of the 871 pages</td>
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<td></td>
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<td>At the end of the next six volumes (including Volume 20), an Iowa</td>
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<td>Bar Association section appeared, called the Iowa Bar Review</td>
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<td>Symposium: Succession to Property by Operation of Law</td>
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<td></td>
<td>Professor Frank R. Strong became Editor (1934–1937), Professor</td>
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<td>Sayre now titled Advisory Editor</td>
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<td>President: T. Maxwell Anderson</td>
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<tr>
<td>YEAR</td>
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| 1935-1936  | 21     | 832   | 3          | • Students contributed 249 of the 832 pages  
• Volume included a 64-page Iowa State Bar Association section  
• Faculty Advisors/Editors no longer listed on masthead  
• Student positions now titled Editor-in-Chief, Note Editor, Comment Editor  
• The symposium in this volume was untitled, but focused on markets, unfair competition, and the restraint of trade  
• Editor-in-Chief: Caspar C. Garrigues, Jr. |
| 1936-1937  | 22     | 784   | 2-3        | • Students contributed 250 of the 784 pages  
• Volume included an 83-page Iowa State Bar Association section  
• Symposium: State Income Taxation  
• Editor-in-Chief: Amos A. Belnap |
| 1937-1938  | 23     | 670   | 3          | • Students contributed 227 of the 670 pages  
• Volume included a 109-page Iowa Bar Association section  
• The Law Review included a tribute to Percy Bordwell after twenty-seven years of service to the Law School  
• Titled student positions included Editor-in-Chief and Notes and Comments Editors  
• Symposium: Cooperative Federalism  
• Professor Wirtz became Faculty Advisor (1937-1939)  
• Editor-in-Chief: Harry E. Wilmarth |
| 1938-1939  | 24     | 817   | 3          | • Students contributed 325 of the 817 pages  
• Volume included a 109-page Iowa Bar Association section  
• Symposium: Techniques in the Introduction of Evidence  
• Editor-in-Chief: Erwin L. Buck |
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<th>YEAR</th>
<th>VOLUME</th>
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<th>NOTES</th>
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</table>
| 1939–1940 | 25     | 857   | 3          | - Students contributed 286 of the 857 pages  
- Volume included an 84-page Iowa Bar Association section  
- Symposium: *Procedural Administrative Law*  
- Professor Byse became Faculty Advisor  
- Editor-in-Chief: James McCarthy |
| 1940–1941 | 26     | 924   | 4          | - Students contributed 360 of the 924 pages  
- Titled student positions included *Editor-in-Chief, Notes and Legislation Editor, Comments Editor, and Book Review Editor*  
- Symposium: *State Inheritance and Estate Taxation*  
- Editor-in-Chief: W. Howard Mann |
| 1941–1942 | 27     | 678   | 4          | - Students contributed 257 of the 678 pages  
- *Book Review Editor* now titled *Article and Book Review Editor*  
- Student staff included Vic R. Pomerantz  
- Symposium: *Security*  
- Professor Williams became Faculty Advisor |

38. Security in the legal sense, not, as the date might suggest, national defense.
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<th>YEAR</th>
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<th>PAGES</th>
<th>STAFF SIZE</th>
<th>NOTES</th>
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</table>
| 1942-1943 | 28     | 727   | 4-5        | • Students contributed 219 of the 727 pages  
|          |        |       |            | • Symposium: *The Law of Divorce*  
|          |        |       |            | • Roscoe Pound of Harvard Law School contributed the *Forward* to the symposium  
|          |        |       |            | • Editor-in-Chief: Harold R. Grigg |
| 1943-1944 | 29     | 667   | 4\(^{39}\) | • Students contributed 195 of the 667 pages  
|          |        |       |            | • 2 positions listed: *Notes and Legislation Editor* and *Comments Editor*  
|          |        |       |            | • January Symposium: *Labor Law in War Time*  
|          |        |       |            | • March Symposium: *Constitutional Rights in Wartime*  
|          |        |       |            | • No Editor-in-Chief  
|          |        |       |            | • Volumes 29, 30, and 31 had drastically reduced staffs, an obvious result of World War II. During this period the enrollment in the College of Law dipped as low as twenty-five, with graduating classes as small as six graduates. The *Law Review*’s masthead listed no Editors-in-Chief. Instead, Professor Paul Sayre was listed as *Faculty Editor* on the masthead during these years. He stepped in to assume direct editorial responsibility for the *Law Review*, seeing to its uninterrupted publication through Volumes 29, 30, and 31. Unsurprisingly, symposiums comprised a large part of the *Law Review*’s published pages in these volumes. Thus Professor Sayre’s earlier intervention played an important role in keeping the *Iowa Law Review* in business between 1943 and 1947. |

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39. Staff size includes one Faculty Editor and one member on leave with the Armed Forces.
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<th>STAFF SIZE</th>
<th>NOTES</th>
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</table>
| 1944–1945| 30     | 592   | 2\(^{40}\) | • Students contributed 238 of the 592 pages  
• Included *Early History of the College of Law; State University of Iowa: 1865-1884*  
• January Symposium: *Federal Legislation Relating to Education*  
• March Symposium: *Legal Education After the War*  
• May Symposium: *International Administrative Agencies*  
• No Editor-in-Chief |
| 1945–1946| 31\(^{41}\) | 687   | 5\(^{42}\) | • Students contributed 216 of the 687 pages  
• November Symposium: *Legal Techniques for International Administrative Agencies*  
• January Symposium: *Fitting the Punishment to the Criminal*  
• March Symposium: *Federal Jurisdiction*  
• May Symposium: *Juristic Bases for International Law*  
• Editor-in-Chief: Robert W. Wilson |

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40. Staff size includes one Faculty Editor.

41. The practice of dedicating every issue to a symposium did not continue after Volume 31. However, due to the lasting impact of World War II, a large number of articles in the subsequent volumes were dedicated to wartime topics. Thus, volumes that did not contain symposia still contained a large number of related articles.

42. Staff size includes one Faculty Editor.
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<th>NOTES</th>
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</table>
| 1946–1947  | 32     | 816   | 5–8        | • Students contributed 278 of the 816 pages  
|            |        |       |            | • Titled student positions included Editor-in-Chief, Notes and Legislation Editor, Comments Editor(s), and Book Review Editor  
|            |        |       |            | • Included *History of the College of Law of the State University of Iowa: 1881-1922*  
|            |        |       |            | • The Faculty Advisor/Editor was once again removed from the masthead  
|            |        |       |            | • January Symposium: The forward was titled *Regional Planning and Development: The Process of Using Intelligence, Under Conditions of Resource and Institutional Interdependence for Securing Community Values.*  
|            |        |       |            | • Professor Kennedy became Faculty Advisor (1946–1950)  
|            |        |       |            | • Larned A. Waterman, after whom the Iowa Nonprofit Resource Center is named, was among the editorial staff  
|            |        |       |            | • Editor-in-Chief: David C. Duncan |
| 1947–1948  | 33     | 768   | 4–5        | • Students contributed 344 of the 768 pages  
|            |        |       |            | • Student position previously titled Book Review Editor titled Article and Book Review Editor  
|            |        |       |            | • Symposium: *State Administrative Procedure*  
|            |        |       |            | • Editor-in-Chief: Philip W. Tone (Issues 1 & 2); Donald H. Shaw (Issues 3 & 4) |

43. Believe it or not, this symposium dealt with the Tennessee Valley Authority project!
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<tr>
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<th>STAFF SIZE</th>
<th>NOTES</th>
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</table>
| 1948–1949  | 34     | 736   | 5          | • Students contributed 303 of the 736 pages  
• Symposium: Recent Agricultural Legislation  
• Editor-in-Chief: G. Duane Vieth (Issues 1 & 2); Jack C. Merrimon (Issues 3 & 4) |
| 1949–1950  | 35     | 739   | 5          | • Students contributed 292 of the 739 pages  
• Winter Symposium: An untitled Symposium dealing with proposals for a national health system  
• The entire summer issue was dedicated to former Supreme Court Justice and University of Iowa Professor Wiley Rutledge  
• Editor-in-Chief: Richard G. Huber |
| 1950–1951  | 36     | 730   | 5–6        | • Students contributed 281 of the 730 pages  
• Symposium: Law and Accounting  
• Professor Davidson became Faculty Advisor (1950–1954)  
• Editor-in-Chief: Richard D. Hobbet (Fall & Winter); John A. Stichnoth (Spring & Summer) |
| 1951–1952  | 37     | 628   | 5          | • Students contributed 234 of the 628 pages  
• Symposium: Current Civil Liberties Problems  
• Editor-in-Chief: David H. Foster |
| 1952–1953  | 38     | 781   | 5          | • Students contributed 168 of the 781 pages  
• Symposium: Price Control: Prospect and Retrospect  
• Editor-in-Chief: George W. McBurney |
| 1953–1954  | 39     | 691   | 5          | • Students contributed 147 of the 691 pages  
• Symposium: Res judicata  
• Editor-in-Chief: John E. McTavish |
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<tbody>
<tr>
<td>1954–1955</td>
<td>40</td>
<td>680</td>
<td>5</td>
<td>• Students contributed 99 of the 680 pages</td>
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<td></td>
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<td>• Symposium: <em>Adoption</em></td>
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<td></td>
<td></td>
<td>• Professor Boyd becomes Faculty Advisor (1954–1964)</td>
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<td></td>
<td>• Editor-in-Chief: Jack W. Peters</td>
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<tr>
<td>1955–1956</td>
<td>41</td>
<td>723</td>
<td>5</td>
<td>• Students contributed 226 of the 723 pages</td>
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<td></td>
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<td>• Symposium: <em>Water Use and Control</em></td>
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<td></td>
<td></td>
<td>• Editor-in-Chief: W. Joseph Shoemaker</td>
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<tr>
<td>1956–1957</td>
<td>42</td>
<td>657</td>
<td>6</td>
<td>• Students contributed 285 of the 657 pages</td>
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<td></td>
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<td></td>
<td></td>
<td>• Student position previously titled <em>Notes and Legislation Editor</em> now titled <em>Notes Editor</em></td>
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<td>• Symposium: <em>Post-Judgment Proceedings by the Plaintiff</em></td>
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<td>• Editor-in-Chief: Rex J. Ryden</td>
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<tr>
<td>1957–1958</td>
<td>43</td>
<td>673</td>
<td>6</td>
<td>• Students contributed 358 of the 673 pages</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Student position titled <em>Article and Book Review Editor</em> eliminated</td>
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<td>• Symposium: <em>Eminent Domain</em></td>
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<td>• Editor-in-Chief: John A. Senneff</td>
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<tr>
<td>1958–1959</td>
<td>44</td>
<td>829</td>
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<td>• Symposium: <em>jurisdiction</em></td>
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<td>• Editor-in-Chief: Heinrich C. Taylor, Jr.</td>
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<tr>
<td>YEAR</td>
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<td>STAFF SIZE&lt;sup&gt;55&lt;/sup&gt;</td>
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<td>• Symposium: Guardianship</td>
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<td></td>
<td>• Editor-in-Chief: John J. Bouma</td>
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<tr>
<td>1960–</td>
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<td>1961–</td>
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<td>1962–</td>
<td>48</td>
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<td>6–7</td>
<td>• Editor-in-Chief: Richard R. Albrecht</td>
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<td>1963–</td>
<td>49</td>
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<tr>
<td>1964</td>
<td></td>
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<td>• Symposium: Notice and Recordation</td>
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<td>• Editor-in-Chief: Larry L. Vickrey</td>
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<td>• Students contributed 712 of the 1092 pages</td>
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<td>• Titled student position, Developments Editor, created</td>
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<td>• Symposium: Federal Jurisdiction</td>
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<td>• Editor-in-Chief: Jon L. Jacobson</td>
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<td>• Students contributed 758 of the 1386 pages</td>
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<td>• Titled student position, Articles Editor, created; no Developments Editor</td>
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<td></td>
<td>• Included a Dedication to Virgil Hancher upon his retirement</td>
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<td>44.</td>
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<td>• Symposium: Sanctions</td>
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<td></td>
<td>• Editor-in-Chief: Stuart G. Webb</td>
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</table>

44. In 1961, the Law School moved across the Iowa River from Gilmore Hall to the new Law Center, which was perched atop the bluff overlooking the river. The new Law Center had been the Law Commons, a dormitory for law students, originally built in 1934, to which an addition for library and classrooms had been added. For a short time the Iowa Law Review was office in the "Penthouse," or upper floor, of the former Law Commons, but it was soon given a suite of offices on the bottom floor of the older dormitory section of the building. The suite included a large office for the Managing Editor and the Articles Editor (and later the Contemporary Studies Project Editor), a small adjoining office for the part time secretary and the financial and subscription records, an office for the Editor-in-Chief, and three other offices for the Note and Comments Editors. Dean Mason Ladd contributed a "Report of the Dean of the Iowa Law School" to the Law Review, which detailed the new "Iowa Legal Center."
<table>
<thead>
<tr>
<th>YEAR</th>
<th>VOLUME</th>
<th>PAGES</th>
<th>STAFF SIZE&lt;sup&gt;35&lt;/sup&gt;</th>
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<tr>
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<td>• Student position titled <em>Developments Editor</em> reestablished, <em>Articles Editor</em> eliminated</td>
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<td></td>
<td>• Symposium: <em>Land Use</em></td>
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<td></td>
<td>• Professor Meeks became Faculty Advisor (1964–1969)</td>
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<td>• Editor-in-Chief: Conrad M. Weiser</td>
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<td>1965–1966</td>
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<td>• Symposium: <em>Regulated Industries</em></td>
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<td>• Student position titled <em>Managing Editor</em> created; <em>Developments Editor</em> eliminated</td>
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<td>• Editor-in-Chief: John E. Rashke</td>
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<tr>
<td>1967–1968</td>
<td>53</td>
<td>1392</td>
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<td>• Students contributed 633 of 1392 pages</td>
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<td></td>
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<td>• Many students titled <em>Associate Editors</em>, and a position titled <em>Articles Editor</em> recreated</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>• October Symposium: <em>International Human Rights</em></td>
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<td>• February Symposium: <em>Copyright Law Revision</em></td>
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<td>• The <em>Iowa Law Review</em> had another first with the introduction of a</td>
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<td>• &quot;Contemporary Studies Project&quot; (CSP): <em>Juvenile Delinquency in Iowa</em></td>
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<td>• Editor-in-Chief: John S. Murray</td>
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<td>54</td>
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<td>• Students contributed 667 of the 1193 pages</td>
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<td></td>
<td>• CSP: <em>New Perspectives on Iowa Eminent Domain</em></td>
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<td>• Editor-in-Chief: Patrick J. Kelley</td>
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<td>• October CSP: <em>Detection, Treatment, and Control of the Potentially Violent Person</em></td>
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<td>• April CSP: <em>Facts and Fallacies About Iowa Civil Commitment</em></td>
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<td></td>
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<td></td>
<td>• Professor Buss, who would become the <em>Law Review</em>’s longest-serving advisor, became Faculty Advisor (1969–1976, 1979–1982)</td>
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<td>• Editor-in-Chief: Ronny R. Tharp</td>
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<td>1970–1971</td>
<td>56</td>
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<td>• CSP: <em>Impact of Local Governmental Units on Water Quality Control</em></td>
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<td>• Includes <em>In Memoriam of Percy Bordwell</em></td>
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<td>• Editor-in-Chief: Randall P. Bezanson</td>
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<tr>
<td>1971–1972</td>
<td>57</td>
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<td>• Symposium: <em>Conflict of Laws Roundtable</em></td>
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<td>• February CSP: <em>Perspectives on the Administration of Criminal Justice in Iowa</em></td>
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<td>• April CSP: <em>Regulation of Health-Care Personnel in Iowa—A Distortion of the Public Interest</em></td>
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<td>• Editor-in-Chief: Joel S. Wight</td>
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<td>1972–1973</td>
<td>58</td>
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<td>• Students contributed 729 of the 1339 pages</td>
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<td>• CSP: <em>Administrative Control of Police Discretion</em></td>
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<td>• Editor-in-Chief: John R. Werner</td>
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| 1973–1974  | 59     | 1377  | 9–10       | • Students contributed 924 of the 1377 pages  
• Writing competition opened *Iowa Law Review* membership to all students  
• CSP: *Large Farm Estate Planning and Probate in Iowa*  
• Editor-in-Chief: Jack M. Fribley |
| 1974–1975  | 60     | 1435  | 9–10       | • Students contributed 790 of the 1435 pages  
• Symposium: *Proposed Criminal Law Reform in Iowa*  
• CSP: *Funding the Juvenile Justice System in Iowa*  
• Editor-in-Chief: Dennis W. Johnson |
| 1975–1976  | 61     | 1470  | 10–11      | • Students contributed 1084 of the 1470 pages  
• CSP: *General Assistance in Iowa*  
• Editor-in-Chief: Peter Vermont |
| 1976–1977  | 62     | 1575  | 10         | • Students contributed 876 of the 1575 pages  
• Symposium: *Environmental Decisionmaking*  
• CSP: *Special Education: The Struggle for Equal Educational Opportunity in Iowa*  
• Professor Bezanson became Faculty Advisor (the only former Editor-in-Chief of the *Iowa Law Review* to become its Faculty Advisor) (1976–1979)  
• Editor-in-Chief: Michael D. Ferguson |

45. Unlike other symposia, this volume’s symposium included a section of student commentary.
<table>
<thead>
<tr>
<th>YEAR</th>
<th>VOLUME</th>
<th>PAGES</th>
<th>STAFF SIZE</th>
<th>NOTES</th>
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</thead>
</table>
| 1977–1978| 63     | 1304  | 10         | • Students contributed 480 of the 1304 pages  
• Symposium: *State-Court Judicial Jurisdiction After Shaffer v. Heitner*  
• CSP: *A Comparison of Iowans’ Dispositive Preferences with Selected Provisions of the Iowa and Uniform Probate Codes*  
• Editor-in-Chief: Susan Thevenet Casamassimo (The Iowa Law Review’s first female Editor-in-Chief) |
| 1978–1979| 64     | 1516  | 12         | • Students contributed 759 of the 1516 pages  
• Symposium: *Toward a Resolution of the Expanding Conflict between the Press and Privacy Interests*  
• CSP: *Involuntary Hospitalization of the Mentally Ill in Iowa: The Failure of the 1975 Legislation*  
• Editor-in-Chief: Dennis Thorson |
| 1979–1980| 65     | 1496  | 10–11      | • Students contributed 716 of the 1496 pages  
• CSP: *Iowa Professionals and the Child Abuse Reporting Statute—A Case of Success*  
• Professor Buss returned to Faculty Advisor position  
• Editor-in-Chief: Margaret L. Tobey |
| 1980–1981| 66     | 1351  | 11–12      | • Students contributed 665 of the 1351 pages  
• Membership requirements and ceiling eliminated; open membership established  
• Symposium: *Mason Ladd Memorial Symposium on Evidence*  
• CSP: *Standards for Local Detention Facilities: An Attempt at Statewide Management of Iowa County Jails*  
• Editor-in-Chief: Wade R. Hauser III |
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<td>1981–1982</td>
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<td>• Editor-in-Chief: Robert H. Oberbillig</td>
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<td>1982–1983</td>
<td>68</td>
<td>1356</td>
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<td>• Students contributed 682 of the 1356 pages</td>
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<td>• CSP: Rural Land Use Regulation in Iowa: An Empirical Analysis of County Board of Adjustment Practices</td>
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<td></td>
<td>• Professor Richard A. Matasar became Faculty Advisor (1982–1992)</td>
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<td>• Editor-in-Chief: Lowell V. Stortz</td>
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<td>1983–1984</td>
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<td>• Students contributed 463 of the 1481 pages</td>
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<td>• Student position titled Senior Note and Comment Editor created</td>
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<td>• Mason Ladd Lecture: Comments on Judicial Creativity</td>
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<td>• Symposium: Public and Private Barriers to Competitive Reform of Health Care Services Delivery</td>
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<td>• Editor-in-Chief: Cathy R. Jones</td>
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<td>1984–1985</td>
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<td></td>
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<td>• October Symposium: Allan Delker Vestal Memorial Symposium on Civil Procedure/Preclusion</td>
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<td>• July Symposium: International Law and World Hunger</td>
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<td>• Editor-in-Chief: Gregory S. Bruch</td>
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<td>1985–1986</td>
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<td>• Editor-in-Chief: Julia A. Fenton</td>
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46. In May 1986, the Law School moved to its new location, now named the Boyd Law Building, and the *Law Review* moved into its quarters on the first floor.
<table>
<thead>
<tr>
<th>YEAR</th>
<th>VOLUME</th>
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<td>• January Symposium: Affirmative Action</td>
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<td>• July Symposium: In Celebration of the Bicentennial of the Constitution</td>
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<td>• CSP: Standards Governing the News: Their Use, Their Character, and Their Legal Implications</td>
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<td>• Editor-in-Chief: William J. Maddix</td>
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<td>1987–1988</td>
<td>73</td>
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<td>12–13</td>
<td>• Students contributed 399 of the 1254 pages</td>
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<td>• Editor-in-Chief: Lawrence R. Lassiter</td>
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<td>1988–1989</td>
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<td>• Students contributed 441 of the 1284 pages</td>
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<td>• Masthead lists the Faculty Advisor, Professor Matasar, for the first time since World War II</td>
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<td>• Symposium: Rhetoric and Skepticism</td>
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<td>• Editor-in-Chief: Michael T. Zeller</td>
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<td>1989–1990</td>
<td>75&lt;sup&gt;47&lt;/sup&gt;</td>
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<td>• Masthead once again lists the Administrative Assistant (Secretary)</td>
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<td>• CSP: Iowa Small Claims Court: An Empirical Analysis</td>
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<td>• Editor-in-Chief: Kyle R. Crowe</td>
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<td>1990–1991</td>
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<td>• Students contributed 495 of the 1181 pages</td>
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<td>• Editor-in-Chief: Kevin M. Lindsey</td>
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47. Beginning in the 1980s, Westlaw and Lexis began placing legal materials, including law reviews, on their data bases. By 1990, the Iowa Law Review was included in both. Lawyers and others using the Law Review's articles paid an access fee for each use. In 2005, the revenues generated from such electronic databases represents about two-thirds of the subscription revenues of the Law Review.
<table>
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<tr>
<th>YEAR</th>
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<th>STAFF SIZE</th>
<th>NOTES</th>
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| 1991–1992  | 77     | 1942  | 18         | • Students contributed 489 of the 1942 pages  
• Student positions titled Book Review Editor, Topic Editor, and Senior Associate Editor created  
• October Symposium: The Voices of Women: A Symposium on Women in Legal Education  
• January Symposium: Corrective Justice and Formalism—The Care One Owes One’s Neighbors  
• May Symposium: HIV Infection Among Women of Reproductive Age, Children, and Adolescents  
• CSP: An Empirical Examination of the Iowa Bar’s Approach to Regulating Lawyer Advertising  
• Professor Cain became the Law Review’s first female Faculty Advisor (1991–1997)  
• Editor-in-Chief: Andrew Ramzel |
| 1992–1993  | 78     | 1193  | 16         | • Students contributed 222 of the 1193 pages  
• Editor-in-Chief: Kay Bartolo |
| 1993–1994  | 79     | 1207  | 16         | • Students contributed 365 of the 1207 pages  
• CSP: The Iowa Mediation Service: An Empirical Study of Iowa Attorneys’ Views on Mandatory Farm Mediation  
• Professor Green became Professor Cain’s Co-Faculty Advisor (Volume 79 only)  
• Editor-in-Chief: Victoria A. Westenfield |
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| 1994–1995  | 80     | 1352   | 16         | • Students contributed 236 of the 1352 pages  
  • Editor-in-Chief: Kristy L. Albrecht |
| 1995–1996  | 81     | 1686   | 15–16      | • Students contributed 205 of the 1686 pages  
  • CSP: *Making Reasonable Efforts in Iowa Foster Care Cases: An Empirical Analysis*  
  • Professor Love became Professor Cain's Co-Faculty Advisor (1995–1997)  
  • Editor-in-Chief: Randy R. Merritt[^48] |
| 1996–1997  | 82     | 1534   | 16         | • Students contributed 121 of the 1534 pages  
  • Editor-in-Chief: Trent J. Vich |
| 1997–1998  | 83     | 1113   | 16         | • Students contributed 191 of the 1113 pages  
  • Editor-in-Chief: Elizabeth Green |
| 1998–1999  | 84     | 1181   | 14         | • Students contributed 201 of the 1181 pages  
  • Professor Green became Faculty Advisor (1998–2000)  
  • Editor-in-Chief: Susan Schwochau |
| 1999–2000  | 85     | 1859   | 16         | • Students contributed 402 of 1859 pages  
  • Student position titled *Executive Editor* created  
  • Editor-in-Chief: Trystan Phifer O'Leary |

[^48]: In January 1996, Randy Merritt resigned as Editor-in-Chief for personal reasons. A new Editor was not selected; instead, members of the existing staff assumed the responsibilities of the Editor-in-Chief for the remainder of Volume 81. The final issues published in Volume 81 list no Editor-in-Chief on the masthead.
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<td>2003–2004</td>
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**NOTES**

- Students contributed 356 of the 1,658 pages
- Issue 5 included *In Memoriam Alan J. Widlas. Professor Widlas joined the Iowa Law faculty in 1965.*
- Professor Bezanson returned to the position of Faculty Advisor (2000–2001).
- Editor-in-Chief: Teresa K. Baumann
- Students contributed 388 of the 1,674 pages
- Symposium: *Legal Issues and Sociolegal Consequences of the Federal Sentencing Guidelines*
- Professor Todd E. Pettys became Faculty Advisor (2001–present). Editor-in-Chief: Adam A. Shulenburger
- Students contributed 459 of the 1,274 pages
- Student position titled Senior Associate Editor was eliminated and a new student position titled Administrative Editor was created
- Editor-in-Chief: Tom Burkhart
- Students contributed 558 of the 1,800 pages
- Issue 5 was dedicated to Dean N. William Hines, who served the Iowa College of Law as both a professor and Dean. His tenure as Dean lasted twenty-eight years, from 1976–2004, making him the longest-serving Dean of a single law school in the United States. Bill Hines continues to teach Property to first-year students.
- Editor-in-Chief: Daniel M. Buroker

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| 2004–2005 | 90    | 1990  | 16         | • Students contributed 539 of the 1990 pages  
|        |       |       |            | • Student position titled *Associate Managing Editor* created  
|        |       |       |            | • Editor-in-Chief: Zeb-Michael Curtin |
| 2005–2006 | 91    | N/A   | 16         | • 21 student Notes are slated to appear in Volume 91  
|        |       |       |            | • Editor-in-Chief: Patricia A. Walsh |