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Preface: Missouri Law Review--1913-1936-1986

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PREFACE

The half-century from 1936 to 1986 has seen astonishing growth in the law and in legal education. Among countless illustrations are the enormous expansion of the law of products liability, the promulgation and adoption of numerous Model and Uniform Acts and Codes, and the adoption of the Federal Rules of Civil Procedure and of Evidence. In Missouri, procedural civil and criminal codes have been created, a new Constitution has been adopted, and the judiciary has recently abandoned the doctrine of contributory negligence in favor of a system of pure comparative fault, working a fundamental change in our common law of torts.

Legal education has changed too. Students entering law school in 1936 and those entering next fall would, if they compared notes, find many similarities. The common law courses are still being taught out of the familiar casebooks, and the professors are still enlightening, frustrating, and occasionally frightening the students through the Socratic method of instruction. The list of required courses for the first year student—Contracts, Torts, Criminal Law, Property, and Procedure—is basically unchanged. The *content* has shifted, narrowing in places and expanding in others, as the content of the law itself has changed. But there are other differences. Students now are exposed to numerous “Code” courses, grounded on the Uniform Commercial Code (Creditor’s Remedies, Sales, Commercial Paper), the Administrative Procedure Act (Administrative Law), and various federal statutes and regulations concerning business (Antitrust Law, Securities Regulation), to name a few. They examine policy issues in Environmental Law, Labor Law, Employment Discrimination, and Federal Protection of Civil Rights and Liberties. And they are given both extensive simulated litigation experience in Trial Practice and the opportunity to explore alternatives to litigation as a means of resolving disputes through classes in arbitration, negotiation, and mediation.

The students themselves are also different. A student entering law school in 1936 would in all probability have been male, white, middle- or upper-class in background, and fresh out of his undergraduate training. Law students today come from all walks of life; many wait several years before deciding to come to law school. They are from diverse economic backgrounds. The number of women and minority students attending law school has grown steadily.

This year marks the fiftieth anniversary of the *Missouri Law Review*. Throughout this fifty year period of growth and development, the *Missouri Law Review* has attempted to provide a forum for explanation and criticism of these changes, as well as a vehicle for the suggestion of further change. It has opened its doors to professors, students, judges, and practitioners, and has worked to maintain a presence as a creative and informative force in national and state jurisprudence. The *Review’s* success is also due to the dedication of the students who have worked on the *Review*, with the guidance and assistance

of the Faculty of the School of Law.

It is to the Faculty that the 1985-1986 Editorial Board has dedicated this issue of the *Review*. We recognize the important role the Faculty have played in providing lead articles for the *Review*, in suggesting topics for student written Comments and Casenotes, and in supporting the students who have worked over the years on the *Review* in their efforts. Hence, the Editors wish to commemorate this anniversary by publishing an "all Missouri" issue, with lead articles written by our Faculty, many of which deal with issues of concern to Missouri academics, judges, and practitioners. In addition, Professor William F. Fratcher has written a short history of the *Review*, which I am sure will be of interest to all of our graduates. The Editors and the Faculty hope that this issue and future issues of the *Review* will continue to meet the goals of offering practical and theoretical, critical and informative articles of interest to our readers.

DALE A. WHITMAN
DEAN