

Missouri Law Review

Volume 74
Issue 3 *Summer 2009*

Article 1

Summer 2009

Table of Contents - Issue 3

Follow this and additional works at: <https://scholarship.law.missouri.edu/mlr>



Part of the [Law Commons](#)

Recommended Citation

Table of Contents - Issue 3, 74 Mo. L. REV. (2009)

Available at: <https://scholarship.law.missouri.edu/mlr/vol74/iss3/1>

This Front Matter is brought to you for free and open access by the Law Journals at University of Missouri School of Law Scholarship Repository. It has been accepted for inclusion in Missouri Law Review by an authorized editor of University of Missouri School of Law Scholarship Repository. For more information, please contact bassettcw@missouri.edu.

CONTENTS

SYMPOSIUM:

MULLING OVER THE MISSOURI PLAN: A REVIEW OF STATE JUDICIAL SELECTION AND RETENTION SYSTEMS

Foreword *R. Lawrence Dessem* 473

The 2009 Earl F. Nelson Lecture

The Essentials and Expendables
of the Missouri Plan *Sandra Day O'Connor* 479

Special Interest Influence: Balancing Independence and Accountability

We Have Met the Special Interests,
and We Are They *Michael R. Dimino, Sr.* 495

A Plea for Reality *Roy A. Schotland* 507

Federal and State Judicial Selection
in an Interest Group Perspective *Michael E. Solimine* 531
Rafael Gely

Parties, Interest Groups, and
Systemic Change *Anthony Champagne* 555

Shedding (Empirical) Light on
Judicial Selection *Lee Epstein* 563

Retention Elections in a Merit-Selection System: Balancing the Will of the Public with the Need for Judicial Independence and Accountability

Reconciling the Judicial Ideal
and the Democratic Impulse in
Judicial Retention Elections *Rachel Paine Caufield* 573

Do Retention Elections Work? *G. Alan Tarr* 605

Using Judicial Performance Evaluations
to Supplement Inappropriate Voter Cues
and Enhance Judicial Legitimacy *Penny J. White* 635

**The Fallacies and Fixables of Merit Selection
and the Constituencies that Support Missouri Plan Reform**

The Politics of Merit Selection.....	<i>Brian T. Fitzpatrick</i>	675
The Missouri Nonpartisan Court Plan: The Least Political Method of Selecting High Quality Judges		
	<i>Laura Denvir Stith</i> <i>Jeremy Root</i>	711
The Missouri Plan in National Perspective		
	<i>Stephen J. Ware</i>	751
The Bench, the Bar, and Everyone Else: Some Questions About State Judicial Selection		
	<i>Michael E. DeBow</i>	777
Exporting the Missouri Plan: Judicial Appointment Commissions		
	<i>Mary L. Volcansek</i>	783

NOTES

The High Cost of Low-Cost Workers: Missouri Enacts New Law Targeting Employers of Unauthorized Workers		
	<i>Michael B. Barnett</i>	801
There but for the Grace of God Go I: The Right of Cross-Examination in Social Security Disability Hearings.....		
	<i>Bradley S. Dixon</i>	823
The Eighth Circuit Loosens the Grip of the Bankruptcy Gag Rule, but Holds Attorneys to Advertising Disclosure Requirement.....		
	<i>Bethany R. Findley</i>	845
Fender Bender Lottery: Direct Victims and Bystanders in Recovery for the Negligent Infliction of Emotional Distress.....		
	<i>Josh Hill</i>	871
The Inadequacies of Missouri Intestacy Law: Addressing the Rights of Posthumously Conceived Children.....		
	<i>Kimberly E. Naguit</i>	889