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Preface

Thomas Yannucci

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SEVENTH CIRCUIT REVIEW

1975 DECISIONS

Preface

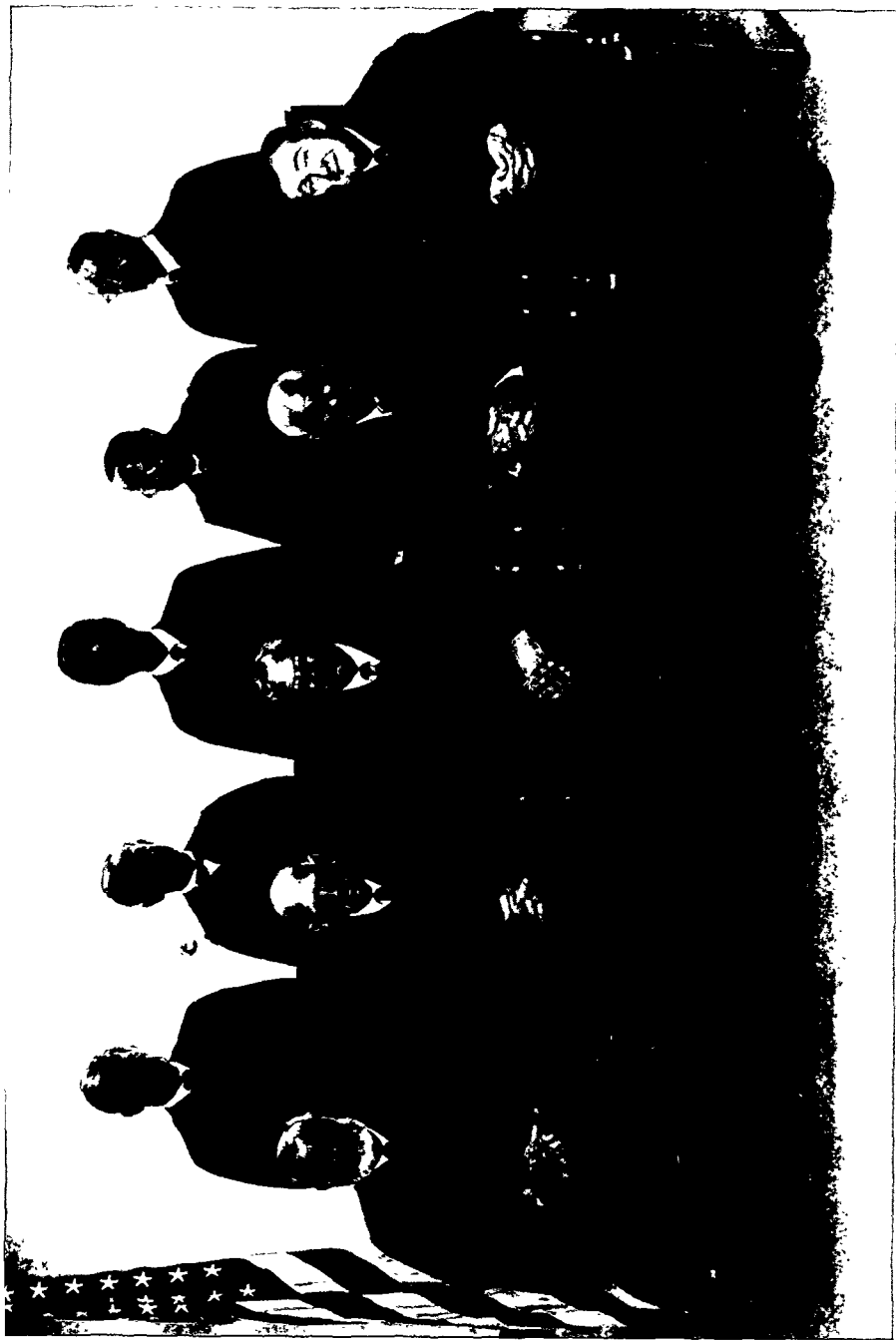
The *Notre Dame Lawyer* is proud to present its initial Seventh Circuit Review. The cases considered are those decided by the Circuit during the 1975 calendar year and are classified under four headings—Constitutional Law, Federal Jurisdiction and Procedure, Federal Statutes and Government Regulation, and The Legal Profession. While the pertinence of the first three categories is obvious, the inclusion of cases concerning the legal profession is warranted by the increasingly litigious relationships developing among the bar, its members, clients, and other public institutions. These relationships, once solemn and unquestioned, are now being scrutinized, and, contained within the cases decided by the Seventh Circuit in 1975 are three directly questioning our profession—the competency of counsel, the recovery of attorney fees, and the ability of the profession to fairly regulate the conduct and speech of attorneys.

While the publication of this Review is a result of intense research, careful analysis, and precise writing on the part of our staff and editors, its success is equally due to the Seventh Circuit. Throughout this undertaking, the court has been supportive and cooperative. Chief Judge Fairchild has personally aided us from the beginning with both the technical and planning difficulties attendant with such a project. The court's senior law clerk, Mr. Collins Fitzpatrick, has also repeatedly assisted us and reduced many administrative problems to more manageable proportions.

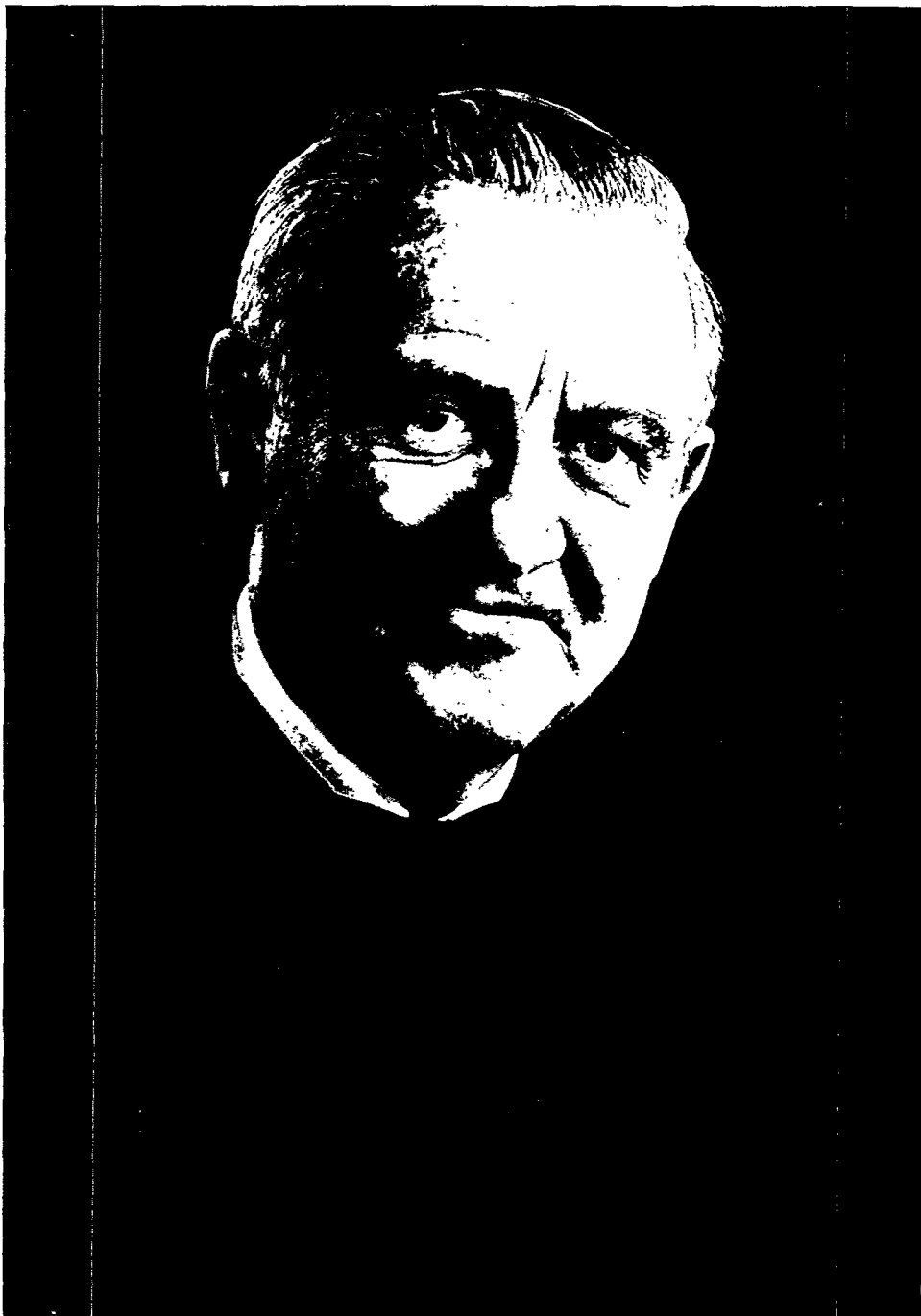
Of course, the Circuit's greatest contribution to the Review has been the judges' thoughtful performance in discharging their public responsibilities. During the preparation of the Review, we have been repeatedly reminded of the difficulty involved in deciding complex legal issues, especially in the frequent situation where the court must chart new legal courses. While the comments do not always agree with a decision or the reasoning employed by the court, one element is consistent throughout the Review: respect for the conscientious manner in which the judges wrestled with the legal arguments, policy considerations, and equities inherent in difficult questions of law and fact.

Indeed, endemic to legal analysis is an abhorrence of facile arrivals at either praise or criticism. The writers and editors have attempted to avoid offering either panacea or diatribe in assessing the opinions reviewed. Rather, it is our hope that the comments reflect the same earnest intellectual effort applied by the judges of the court.

Thomas Yannucci
Editor-in-Chief



The United States Court of Appeals for the Seventh Circuit
Top Row (l.-r.): Philip W. Tone, John Paul Stevens, Wilbur F. Pell, Jr., Robert A. Sprecher, William J. Bauer.
Bottom Row (l.-r.): Luther M. Swygert, John S. Hastings, Thomas E. Fairchild, C.J., Latham Castle,
Walter J. Cummings



JUSTICE JOHN PAUL STEVENS
United States Supreme Court Justice
for the United States Court of Appeals
for the Seventh Circuit