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From the Editor's Desk

Notre Dame Law Review Editors

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From the Editor's Desk—

With much fanfare, the Consumer Credit Protection Act was passed by Congress in 1968. Though the law has spawned voluminous commentary, criticism, and debate, its ultimate impact on the plight of the consumer remains an open question. In a searching, practical, and constructive article, Professor William Boyd of the University of Arizona College of Law invites our readers to explore with him the parameters of that question. To be sure, the Act is no panacea; in some respects its provisions are less than vigorous; indeed, concedes Professor Boyd, it may be something of a "put-on" insofar as it fails to deliver that measure of protection its proponents have occasionally claimed for it. Moreover, some of the basic assumptions underlying major sections of the Act are at least questionable. Still, argues Professor Boyd, in the hands of imaginative and dedicated lawyers and governmental administrators the Act contains potential for considerable consumer benefit. If that potential is to be realized, vigorous enforcement must be coupled with a practicing bar's grasp of the Act's general plan, weaknesses, and strengths. "The Federal Consumer Credit Protection Act—A Consumer Perspective" contains both an analysis of the role of enforcement agencies and an exposition of the Act's substance designed to properly acquaint consumer advocates with its potential.

It is currently very fashionable to reproach lawyers for their provincialism, for failing to take account of social and psychological realities, and for losing sight of the humanity of the people involved in the cases they treat. It is simple to assert that the law must adopt an interdisciplinary awareness; it is more difficult to bridge the gap between sciences such as the law and psychology. In this issue the *Lawyer* is pleased to present an article by Associate Dean Thomas Shaffer of Notre Dame that does effectively relate psychological theory to the practical problems confronted by practicing lawyers. "Undue Influence, Confidential Relationship, and the Psychology of Transference" deals principally with testation but touches also upon the lawyer's role as counsellor. By explaining the mechanics and origins of the transference in terms that the nonpsychologist may quickly comprehend, and by documenting the legal situations in which the transference is clearly demonstrable, Dean Shaffer's article provides lawyers with valuable insight into the behavior of their clients.

In another article dealing with law and psychology, Professor David B. Saxe of City University of New York proposes the expanded use of psychological examination and expert testimony to uncover behavioral pathology that may affect the credibility of witnesses.

The Twentieth Annual Moot Court Competition was held Saturday evening, February 21, 1970. A distinguished panel of judges entertained arguments from the four student finalists before a capacity crowd in the Memorial Library Auditorium. On that panel the Law School was honored to have three of the nation's most eminent jurists—the Honorable Roger J. Traynor, Chief Justice of the California Supreme Court (retired); the Honorable Henry Friendly of the United States Court of Appeals for the Second Circuit; and the Honorable Luther Swygert of the United States Court of Appeals for the Seventh Circuit. We of the Law School are deeply indebted to these men for their generosity in giving their valuable time toward the success of the Moot Court program.

The student participants were the same four men who represented Notre Dame in the National Moot Court Competition this past November: Messrs. James Harrington, Robert LaRusso, Robert Quinlan, and Richard Slawson. The Dean's Award, sponsored by Mr. Harold Weber, '22 and conferred upon the two most outstanding advocates, was earned by Messrs. Robert LaRusso and Robert Quinlan.