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From the Editor's Desk

Notre Dame Law School Editors

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From the Editor's Desk—

Established in 1967, the Indiana Trust Code Study Commission has been seeking to harmonize and modernize the state's trust law into a comprehensive code — a code to replace the confused aggregation of case law and disconnected statutes now governing the formation and administration of trusts in Indiana. As the Commission's final product is polished for submission to the legislature, Mr. Anthony E. Ard contributes his thoughts to the *LAWYER*. Mr. Ard, who served as the Commission's Executive Secretary, briefly surveys the status of trust legislation nationally and in Indiana, pinpoints some of the key concepts that the Commission sought to embody in the code, sketches the proposed code's formal structure, and then turns to a detailed examination of three of the code's most important and innovative provisions. The provisions discussed in the latter segment of the article endeavor to abolish oral trusts, legitimize the land trust in Indiana, and streamline the law pertaining to the trustee's liability to third parties. We recommend "A Proposed Trust Code for Indiana — An Effort at Reform" not only to our Indiana readership but to students and practitioners of trust law throughout the country.

Professor John D. Johnston, Jr., of New York University School of Law and noted authority in trusts, insurance, and real estate, gives our readers "Developments in Land Use Control." Quite comprehensive in scope, the article discusses zoning, subdivision control, and developing principles of eminent domain. While the essay is intended to apprise the practicing bar of recent judicial response to problems in land use regulation, it is far more than a simple survey of new cases. The work contains penetrating insight and critical commentary on such interesting and controversial topics as aesthetic zoning, the "floating zone," planned unit development, and control of population density.

In our Winter issue, Professor William Boyd wrote of the Consumer Credit Protection Act, noting that the Act does not constitute a panacea for consumers and that other and varied approaches would be required to meet the consumer's most pressing problems. Senator Joseph D. Tydings of Maryland, long a staunch consumer advocate, takes up the standard in this issue, advancing his belief that the private bar, given enough incentive and procedural muscle, can best wage the consumer's war. Senator Tydings speaks frankly of the consumer's plight and openly discusses the relative merits of pending legislation. He proposes expanded availability of the private class action in the federal courts coupled with the creation of an Office of Consumer Affairs to represent consumers at all levels of government.

The subject of judicial ethics has generated extraordinary interest of late. Indeed, Senator Tydings has opined that there is "a crisis of confidence" facing the nation's courts. For federal judges, at least, the single most important institution involved in the debate is the Judicial Conference of the United States. We are privileged to have the Honorable Robert A. Ainsworth, Jr., a distinguished federal judge and Chairman of the Judicial Conference's Committee on Court Administration, describe for us the work of the Conference in the area of judicial ethics.