Foreword: 50 Volumes of the UC Davis Law Review

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Not long after UC Davis admitted its first entering class, seven students with faculty editor Professor Frank B. Baldwin III in 1969 published the first volume of the “U.C.D. Law Review.” The issue was devoted to “Legal Control of Water Pollution.” The purchase price was $8.50, but discounts were available for sales of five or more volumes.

The introduction to the first volume of the law review read as follows:

In planning a student publication for the University of California’s newest law school, the faculty agreed on two principles: first, that law review experience is valuable
educationally, and indeed is the high spot of many students' legal education; second, that one thing America definitely does not need is just another law review, churning out leading articles and unrelated student writings of varying lengths.2

The first volume lists no specific positions on the otherwise traditional law review masthead. The first Editor-in-Chief, J. Richard Couzens, took the helm with Volume 2.3

Following Professor Baldwin, Professor Jack Ayer,4 who established what evolved into the current “Intellectual Enrichment” program for the law faculty, was one of the faculty advisers for seven of the first eight volumes of the UC Davis Law Review. Professor Brian Soucek5 has been advisor of the three most recent volumes (Volumes 48–50).

As the list of symposia in the Appendix denotes, the first ten volumes of the UC Davis Law Review were entirely student-written and devoted to one topic: “The choice of topic reflects a determination to move outside the traditional materials of legal research and to explore an area in which lawyers need to understand and assimilate a mass of technological and political data before a legal solution can be devised.”6

With Volume 11 published in 1978, the UC Davis Law Review, with little fanfare, changed its collective mind about the journal’s format. In a one-paragraph foreword, the Editor-in-Chief Deena G. Peterson simply declared “our first publication of a general law review,” which included non-student written articles on different topics.7 The Law Review also expanded to two issues per volume. The increased number of issues began a trend. Volume 13 crept up to three issues. Volume 14 was four issues. Volume 35 expanded to the five issues that the UC Davis Law Review publishes today.

Beginning in Volume 10, the Law Review has held an annual symposium on topical legal issues. See the Appendix for a list of the UC Davis Law Review symposia. The topics of the symposia have run the gamut of the law, from intellectual property to evidence to criminal procedure to environmental law to international law to family law to immigration law to critical race theory and so on. I had the

2 Id. at ix.
honor of making contributions to several symposia, including one of
the top 25 most cited articles.\(^8\)

The UC Davis Law Review’s highest profile symposium accomplishment was its role in the movement to “Save Mono Lake” (quoting the bumper sticker). In September 1980, the Law Review held its symposium, “The Public Trust Doctrine in Natural Resources Law and Management.” Architect and founder of the environmental law program at the School of Law, Professor Harrison (Hap) Dunning\(^9\) organized the two-day event, which attracted roughly 650 attendees.

The articles from that symposium were published in Volume 14, Issue 2, in the winter of 1980–81.\(^10\)

In an issue commemorating the thirtieth anniversary of the symposium, Professor of Environmental Practice Richard M. Frank and Director of the California Environmental Law and Policy Center\(^11\) assessed the importance of the public trust doctrine symposium in a piece entitled “The Public Trust Doctrine: Assessing Its Recent Past & Charting Its Future.”\(^12\) Frank wrote, “Most environmental scholars cite two critically-important developments as the basis for converting the public trust from an arcane principle of Roman, Spanish and English property law into a cornerstone of modern environmental law.”\(^13\) One was a 1970 Michigan Law Review article by Joseph L. Sax.\(^14\) The other was the UC Davis Law Review symposium.\(^15\)

Professor Frank continued:

In 1983 the California Supreme Court responded by issuing what was perhaps “the nation’s most important public trust decision in nearly a century — the iconic ‘Mono Lake’ case. . . . Critically, the court’s landmark opinion cited to the

\(^8\) See Jones, supra note *, at 35 (noting that my contribution to Volume 27’s NAFTA and Human Rights symposium, Kevin R. Johnson, Free Trade and Closed Borders: NAFTA and Mexican Immigration to the United States, 27 UC DAVIS L. REV. 937 (1994), was among the most cited).


\(^10\) The Public Trust Doctrine in Modern Natural Resources Law and Management: A Symposium, 14 UC DAVIS L. REV. 181 (1980) [hereinafter Public Trust Symposium].


\(^13\) Id. at 667.


\(^15\) See Public Trust Symposium, supra note 10.
articles contained in the 1980–81 UC Davis symposium issue devoted to public trust principles on no less than eight separate occasions.16

Professor Sax’s contribution to the symposium, “Liberating the Public Trust Doctrine from Its Historical Shackles,”17 has been cited more than any piece ever published by the UC Davis Law Review.18

Professors Alan Brownstein and Vikram David Amar persuaded a prominent University of Chicago law professor to speak at the 1996 Law Review symposium “Developments in Free Speech Doctrine: Charting the Nexus Between Speech and Religion, Abortion, and Equality.”19 The professor published her article “When a Speech Code Is a Speech Code: The Stanford Policy and the Theory of Incidental Restraints” in Volume 29.20 Fourteen years later, the author, Elena Kagan, became Associate Justice of the Supreme Court of the United States.21 1996 was also the year Law Review launched its first website.22 The site included basic information about the journal, including tables of contents from recent issues.

As this history suggests, the Law Review’s annual symposium has become a major intellectual event at UC Davis and consistently has brought leading scholars to the campus. In 2009, it also brought C-SPAN to cover the symposium on “The Honorable John Paul Stevens.”23 Professor Diane Marie Amann,24 who had served as a law clerk to Justice Stevens, made the symposium possible, with the help of Senior Symposium Editors Jamie Chon and David Vogel and Editor-in-Chief Ryan Stahl.

18 See Jones, supra note 4, at 35.
22 The current UC Davis Law Review website can now be found at https://lawreview.law.ucdavis.edu/.
24 Professor Amann is now at the University of Georgia School of Law. See Diane Marie Amann, U. GA. SCH. L. http://www.law.uga.edu/profile/diane-marie-amann (last visited Jan. 19, 2017).
With Volume 40, Editor-in-Chief David Richardson and Technical Editor Micah Globerson brought the Law Review fully into the digital age. They replaced the old cardboard source boxes with digital “boxes” (which today, fittingly, are housed on an online file sharing service called Box), and established electronic processes for selecting and editing articles. Globerson worked closely with Law School staff to improve the Law Review website. He added the Law Review’s articles archives to the site, making them freely available to the public.


2016 marks the celebration of the fiftieth volume UC Davis Law Review. As part of that celebration, it is launching the UC Davis Law Review Online, a companion to the print edition designed to facilitate dialogue among legal scholars. One of the first pieces continues a conversation that began at the 2016 symposium entitled “Disjointed Regulation: State Efforts to Legalize Marijuana.” The online edition will allow Dean Steven W. Bender to revisit his article from Volume 50, Issue 2, “The Colors of Cannabis: Race and Marijuana,” with a

reflection on California’s newly passed Proposition 64 legalizing recreational use of marijuana.\(^\text{31}\)

The *UC Davis Law Review Online* owes its existence to Volume 50 Editor-in-Chief Lars Torleif Reed, Projects Editors Parnian Vafaeeinia and Andrew Karl Aaronian, and Managing Editor Markie Jorgensen along with the School of Law’s Senior Graphic Designer Sam Sellers and Web Application Developer Jason Aller.

In celebrating its fiftieth volume, the UC Davis Law Review will hold a symposium entitled “Future-Proofing Law: From rDNA to Robots” with papers — to be published in Volume 51 — that predict how the law will adapt to rapidly emerging technology. Discussion will surround technologies such as synthetic biology, artificial intelligence, and virtual and augmented reality. The keynote speakers are Mariano-Florentino Cuellar, Associate Justice, Supreme Court of California,\(^\text{32}\) and Mark A. Lemley, William H. Neukom Professor of Law, Director, Program in Law, Science & Technology; Stanford Law School.\(^\text{33}\)

As this brief history attests, the UC Davis Law Review has come a long way in fifty volumes. It describes itself in this way today:

The UC Davis Law Review is the school’s premier scholarly publication and is ranked thirty-fifth among student-run legal journals in the United States. We publish articles from legal academics, practitioners, and our own student editors. Each academic year, we print one volume composed of five issues and host a symposium focused on pressing legal issues. The Law Review provides students the opportunity to hone their research and writing skills, while advancing the public discourse surrounding important legal topics.\(^\text{34}\)

The *UC Davis Law Review* has evolved with the times. It is ranked highly in all rankings of law reviews.\(^\text{35}\) As has been said, from small acorns large oaks grow.


APPENDIX: UC DAVIS LAW REVIEW SYMPOSIA, VOLUMES 1–50

Full Volume Symposia
Vol 1 (1969). Legal Control of Water Pollution
Vol 3 (1971). Legal Problems of Landlord and Tenant
Vol 5 (1972). Legal Problems of Administrative Practice
Vol 6 (1973). Legal Problems in Family Law
Vol 8 (1975). Immigration, Alienage and Nationality

Single-Issue Symposia
Vol 11 (1978). Legal Problems in Agriculture
Vol 13 (1980). Legal Problems of Small Business
Vol 18 (1985). The Death Penalty
Vol 22 (1989). Law and Medicine

Symposia are listed here by the volume and year in which the papers were published, although many of the actual symposia were hosted by the Editorial Board for the previous volume.
Vol 23 (1990). Agricultural Law
Vol 24 (1990). Legalization of Drugs
Vol 29 (1996). Developments in Free Speech Doctrine: Charting the Nexus Between Speech and Religion, Abortion, and Equality
Vol 30 (1997). International Perspectives on Scientific Evidence
Vol 42 (2009). First Amendment Rights in America’s Public Schools: From the Schoolhouse Gate to the Courthouse Steps
Vol 43 (2010). The Honorable John Paul Stevens
Vol 45 (2012). The Public Trust Doctrine: 30 Years Later
Vol 46 (2013). The Daubert Hearing: From All the Critical Perspectives
Vol 50 (2016). Disjointed Regulation: State Efforts to Legalize Marijuana