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Introduction to Volume 53

Welcome to Volume 53, Issue One of the *Loyola University Chicago Law Journal*. With each issue we publish, the *Law Journal* seeks to advance legal scholarship with innovative, relevant articles. This publication is the result of months of hard work on the part of authors and staff members alike. We are proud to present scholarship that brings together influential thinkers to offer insight on critical legal issues of our time. This issue's authors explore diverse topics, from antitrust reform and copyright law, to criminal disenfranchisement and the opioid crisis. However, these discussions share an important characteristic: at their core, they address questions that could move conversations in the legal profession forward, clarify existing law, and catalyze meaningful change.

Bill Baer—the only person to have led antitrust enforcement at both U.S. antitrust agencies as former Assistant Attorney General for Antitrust and former Acting Associate Attorney General of the U.S. Department of Justice—opens this issue with remarks that shine a spotlight on the current high-profile moment in competition policy. He asserts that antitrust law has reached an inflection point, one that requires action rather than discussion, and urges statutory reforms as well as lawsuits that seek to expand the consumer welfare standard.

In our first article, Dr. Daniel G. Aaron examines the role of the opioid litigation in protecting and maximizing public health, offering an instructive analysis of how the parties can reject the current landscape of suit and rapid settlement and instead choose to move toward a resolution that addresses the true breadth of public health needs, yielding benefits for years and even decades to come.

Professor Daniel R. Correa then discusses the controversy surrounding felony disenfranchisement, which has withstood constitutional challenge despite scant justification for the practice. He contends that the Thirteenth Amendment, when considered within the context of the Reconstruction amendments' unity of purpose, is an essential tool in evaluating the legitimacy of criminal disenfranchisement.

Next, Professor Frank D. LoMonte explores the tension between copyright and freedom-of-information law, evaluating an increasingly common situation where a government agency insists that otherwise-public records can be withheld on the grounds of copyright protection. He asserts that copyright law should not be applied in a way that

forecloses fair use and ultimately finds that harmonizing the two conflicting bodies of law requires giving effect to the principle that the law should be construed to maximize transparency.

In our final offering from an outside author, Lael Weinberger argues that distance learning, a resort of necessity during the pandemic, should assume a permanent role in legal education. In an article that is particularly fitting for Loyola University Chicago, which launched a pioneering weekend-and-online J.D. program five years ago, Weinberger explores the benefits of online legal education, not only to students, but for access to justice.

Finally, we are thrilled to present a student comment, written by Rohan Andresen, examining the discriminatory restrictions that gay men who wish to donate blood still face. He asserts that in the post-*Obergefell*, post-*Bostock* era, intermediate or even rational basis scrutiny would expose the practice's unconstitutionality.

The *Law Journal* would like to thank our authors for sharing their works with our publication. The Executive Board also extends its deep appreciation to our staff, whose diligent efforts during these challenging times made it possible to publish this excellent issue.

Emily J. Binger
Executive Editor, Lead Articles
Loyola University Chicago Law Journal