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Introduction to Issue Three

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Introduction to Issue Three

Welcome to Volume 54, Issue Three of the *Loyola University Chicago Law Journal*. With each publication, the *Journal* seeks to call attention to thoughtful legal scholarship that provides essential information and encourages discussion of challenging topics that are important to the legal community—and we are proud to present this Issue as a continuation of that mission. Issue Three covers a broad range of topics that have recently come into sharper focus, including several recent Supreme Court decisions that have reverberated throughout the legal community and beyond.

Issue Three begins with an article written by Professor Warren Grimes of Southwestern Law School. Professor Grimes discusses the advent of the ‘major questions’ doctrine in recent Supreme Court jurisprudence, and argues that this school of thought is a form of judicial activism that improperly hinders executive agencies, Congress, and democratic governance as a whole.

Following this is an article regarding the Supreme Court’s consequential decision to overturn decades of precedent in *Dobbs v. Jackson Women’s Health Organization*, written by Professor Shai Stern of Bar Ilan University in Israel. Professor Stern analyzes the Court’s decision and argues that its approach not only denies a previously recognized constitutional right, but also opens the door for the challenge to other recognized rights. In addition, Professor Stern highlights the Court’s own delegitimization and contribution to rising political polarization.

Professor Eduardo R. Ferrer of Georgetown University then explores the history and background of the juvenile delinquent system in the United States. Professor Ferrer argues that the philosophical underpinnings of our legal youth systems, under the concept of *parens patriae*, have led to failure with regard to how states care for children that come under their control—and ultimately need to be abandoned in favor of a more effective and just system.

Next, Professor Cara McClellan of the University of Pennsylvania analyzes two conflicting cases regarding race-conscious admissions at American universities. As she examines the background and arguments of both *SFFA v. Harvard* and *Smith v. Regents of University of California*, Professor McClellan highlights how their dichotomy can be

used to provide more guidance and insight to the evolving conversation regarding race-conscious admissions.

In our penultimate article, Professor Douglas R. Richmond provides an in-depth and insightful commentary into the concept of judicial ethics, an issue that has recently garnered much attention. Professor Richmond defines and explains two key concepts of judicial ethics—the duty to sit and the rule of necessity—and enriches our understanding of a lesser-known issue and the commentary surrounding it.

Finally, we are proud to present a Note from one of our own *Journal* members, Sarah Gleason. Sarah analyzes the Court’s decision in *FEC v. Cruz*, a First Amendment case concerning the regulation of campaign contributions. In her analysis, Sarah argues that the Court’s decision, which marked a sharp departure from precedent, increases both the risk and appearance of corruption in our elections and consequently erodes public faith in our democratic institutions.

The *Journal* would like to sincerely thank our authors for presenting their valuable scholarship to our publication. Your collegiality and care made the publication of Issue Three an absolute pleasure. The Executive Board would also like to extend its deep thanks to the *Journal* staff members, whose dedication and late nights made this publication a success.

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