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Introduction

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Introduction to Volume 55

Welcome to Volume 55, Issue One of the *Loyola University Chicago Law Journal*. With each publication, the *Law Journal* seeks to highlight thoughtful legal scholarship, while honoring Loyola's commitment to transformation and social justice. Each article offers an essential framework for progress, emboldens the discussion on critical yet challenging subjects, and advances practical and visionary solutions. The *Law Journal* proudly presents this Issue as a testament to these guiding principles.

Issue One begins with Professor Denise Gilman reconceptualizing the U.S. asylum system. Professor Gilman provides an exhaustive analysis and critique of the U.S. asylum system, charting its evolution, application, and recent changes due to the COVID-19 Pandemic. Contending that the asylum system is exclusionary, admitting only exceptional asylum seekers, Gilman proposes comprehensive reforms to dismantle this trend of exceptionality and reduce elements of exclusivity.

Next, Professor Miranda McGowan details the Supreme Court's consequential decision to overturn longstanding precedent in *Dobbs v. Jackson Women's Health Organization*. Professor McGowan focuses on the hypocrisy and deficits in the Court's latest rendition of the history and tradition test. Through identifying four distinct history and tradition tests employed by the Court over the past six decades, McGowan details how the logic of *Dobbs* defies both originalist methods and normative justifications of popular sovereignty. In this rebuke of *Dobbs*, Professor McGowan brings into focus the implications that *Dobbs* will have on other fundamental rights jurisprudence.

Continuing the discussion on U.S. abortion law, Attorney Jackson Hill shines a light on the potential repercussions of the *Dobbs* decision on abortion reporting. Hill shows that because the current data collection system relies on private research studies and underinclusive U.S. Food and Drug Administration documentation, it is unreliable and contrary to public health priorities. Advancing a uniformed federal law—comprised of robust confidentiality measures and standards—Hill opines that accurate and complete abortion data will lead to better abortion policymaking.

In our penultimate piece, Professor Taylor R. Dalton and Professor Adam Feldman embark on a first-of-its-kind empirical analysis of when the Supreme Court decides not to decide the merits of a case after granting certiorari. Through an extensive analysis of hand-coded data from

the Rehnquist and Roberts Courts, Feldman and Dalton test the hypotheses that the Justices make decisions based on forward thinking and the ideological makeup of Congress. Further, Feldman and Dalton's analysis provides an empirical understanding of how the Supreme Court deploys its prudential doctrines.

Finally, we are proud to present a comment by Loyola student and *Law Journal* member, Connor Druhan. Druhan discusses how law enforcement has discovered a grey area intersecting copyright law, free speech, and enforcement tools. By playing copyrighted music while being filmed, police aim to trigger algorithmic takedown systems used by social media platforms. Druhan critiques this tactic by showing that police exploit copyright law to curb accountability. Druhan proposes practical solutions to close this loophole and protect a person's First Amendment right to record the police.

The *Law Journal* would like to sincerely thank our authors for contributing their valuable scholarship to our publication. The collective effort and care from each made this an immensely rewarding experience. The Executive Board would also like to extend its deepest appreciation to the staff members of the *Law Journal*, whose tireless dedication made this publication possible.

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