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## Introduction

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## Introduction to Issue Four

The Editorial Board and staff of Volume 55 are excited to continue the tradition of dedicating Issue Four of the *Loyola University Chicago Law Journal* to scholarship focusing on important and relevant legal developments that affect Illinois. This Issue of the *Law Journal* strives to serve as a resource for academics, judges, and practitioners. In addition, Issue Four is used to showcase an article written by a current student member of the *Law Journal*. This Issue includes a remark reflecting on four great Justices of the U.S. Supreme Court, articles, and a student comment on Illinois law and policy.

The first remark, authored by The Honourable Mr. Justice Gerard Hogan of the Irish Supreme Court, explores the reputation of Supreme Court justices. First, Judge Hogan juxtaposed with Justices Oliver Wendell Holmes and John M. Harlan I—discussing why Holmes’ reputation has somewhat cast a shadow on the achievements of his colleague Harlan. Second, Judge Hogan elucidates on Justices Frankfurter and Justice John M. Harlan II—contending that Frankfurter stood in the way of his potential and success, allowing Harlan to distinguish himself as one of the great Justices of the post-World War II era.

Assistant Attorney General Nancy Jack and Professor Karl T. Muth, who wrote the first article, examine *People v. Timmsen*, a recent traffic stop case in Illinois. Professors Jack and Muth rejected the Illinois Supreme Court decision that held that Timmsen’s wholly legal conduct created the basis for a roadside interaction. The potential effects of this decision prompt Jack and Muth to propose an alternative vantage point from which to review policy revision in this area.

In the following article, Professor Jason Cieslik exposes a recent trend—particularly in Illinois—of county sheriffs declaring legislation unconstitutional and refusing to enforce the law. The problem, Professor Cieslik explains, is that a county sheriff’s constitutional and statutory duties do not include declaring a law unconstitutional. Professor Cieslik examines how acting outside the scope of their authority might permit an elected sheriff to be removed absent voter approval.

Professor Charles Murdock and Michael Huiras track Illinois corporate-law jurisprudence, which finds that the Illinois Supreme Court has taken a technical approach to fiduciary duties, resulting in wrongdoers getting away with unconscionable conduct. After examining two recent

Illinois Supreme Court decisions, Professor Murdock concludes with resolutions courts and lawyers can take when facing Illinois courts' jurisprudence covering anti-reliance clauses in fraud in the inducement claims.

Finally, we are thrilled to present a student comment authored by Kellie Kleitsch. The comment reflects on the legislative action Illinois took following the 2022 Highland Park Fourth of July terror attack—become the ninth state to enact a ban on assault weapons within the border. Kleitsch concludes that under the Court's contemporary interpretation of the Second Amendment, the Illinois assault weapon ban is constitutional. Kleitsch dedicates this comment to the victims and survivors of the Highland Park shooting, and every victim and survivor of gun violence.

The *Law Journal* sincerely thanks the authors for contributing their pieces to Issue Four. The Executive Board also extends its deep appreciation to all staff members for their efforts and dedication; this Issue would not have been possible without them. We are incredibly grateful to have had the opportunity to work on Issue Four. Working with the authors and staff members throughout this process has been a privilege, and we are indebted to them for their tremendous contributions to the *Law Journal*.

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