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Preface

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Preface
by
ALLAN A. ACKERMAN*

Judges have at last awakened, or at all events a number of them not wholly negligible, to the treasures buried in the law reviews.¹

BENJAMIN N. CARDOZO, *Growth of the Law* 14 (1924).

Three lead articles and an excellent series of student notes comprise the bulk of this issue of the 1976 *Loyola Law Journal*. Attorneys Alwin, Robison and McKinstry have submitted lead articles covering various aspects of Illinois Criminal Law and Procedure. Mr. Alwin's article deals extensively with the past and present law as it relates to the often mystic and confusing area of arrest, search and seizure in automobile-stop situations. Mr. Alwin carefully traces the history of this troublesome and complex area of constitutional law on a case-by-case analysis, ultimately concluding that an ad hoc approach to each case is the only way that the practitioner can realistically assess the reasonableness vel non of an arrest, search and seizure in any given situation. This exhaustive analysis will serve as a valuable guide to judges, prosecutors and defense attorneys in their collective attempts to find the correct road while deciding troublesome issues in the complex world of car-stop and the attendant arrest, search and seizure problems therein presented.

Mr. Robison has provided the first exhaustive analysis of the new legislative enactments relating to the grand jury bypass. Every person working within the Illinois Criminal Justice System is justifiably confused as to problems attendant with how to deal with new legislation which, in part, does away with over 100 years of tradition in the bringing of felony criminal prosecutions in Illinois. There is little question but that Mr. Robison's article and detailed analysis will provide much needed insight in this new arena of problems under the Illinois Criminal Practice and Procedures.

Mr. McKinstry has written a thoughtful and provocative article based on the United States Supreme Court opinion in *Gerstein v.*

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1. BENJAMIN N. CARDOZO, *GROWTH OF THE LAW* (1924).

Pugh.² This article details the multiple problems of pre-hearing custody. There is little question but that this article is among the most thought-provoking essays on the subject of pretrial detainment currently available.

This introduction would be less than complete were I not to acknowledge the Loyola law students who assisted in the preparation and editing of both the three lead articles and the supplementary notes and commentary on Illinois Criminal Law and Procedure. For their time and effort I wholeheartedly thank them, secure in the knowledge that their collective efforts will long be remembered.

Having had the pleasure of both reading and reviewing the lead articles as well as the student notes, I can safely suggest that this volume of the *Loyola Law Journal* will provide Illinois judges, prosecutors and members of the Illinois Defense bar with an invaluable guide to the multifaceted problems facing all of us in the complex world of criminal litigation in Illinois.

2. 420 U.S. 103 (1975).