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From The Editors

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FROM THE EDITOR...

In this issue of the *Tulsa Law Journal*, we proudly present a Symposium on Native American law, in honor of the University of Tulsa College of Law's continuing commitment to the study of Native American legal issues.

In June, 1999, the University of Tulsa College of Law co-sponsored Sovereignty Symposium XII. This conference featured Native American legal scholars from across the nation and around the world, and we feature a sample of the work presented, as well as articles contributed by eminent Native American legal authorities.

Robert Laurence, Leflar Professor of Law at the University of Arkansas, contributes *The Role, if any, for the Federal Courts in the Cross-Boundary Enforcement of Federal, State and Tribal Money Judgments*. Professor Laurence presents a series of hypothetical cases and evaluates the ability of courts to enforce judgements from different jurisdictions. After presenting four principles of how courts should enforce judgements, Professor Laurence makes four predictions of how case law in this area will evolve.

Ann Juliano, Assistant Professor of Law at Villanova University School of Law, writes on the relationship between the Clean Air Act and Indian reservations. In *Redesignating Tribal Trust Land Under Section 164(c) of the Clean Air Act*, Professor Juliano argues that the Environmental Protection Agency should amend its regulatory definition of Indian reservation. Until then, Professor Juliano encourages tribes to bring their land within the current definition.

Jessie Huff Durham, Acting Attorney General of the Muscogee (Creek) Nation, adds to the Symposium *Responsible Sovereignty: How Tribes Can Use Protections Provided in P.L. 93-638 and P.L. 101-152 to Their Advantage Without Taking Advantage*. General Durham presents ways that sovereign tribes can handle tort claims without compromising sovereign immunity.

Fred Lomayesva, attorney, Hopi tribe leader, activist and Indian law scholar, contributes *Indian Identity- Post Indian Reflections*. Based upon his remarks at the Sovereignty Symposium, Mr. Lomayesva examines how Indians maintain their identity and urges Indians to focus on community.

Kristen Carpenter, Judicial Clerk for the U.S. Court of Appeals for the Tenth Circuit and *cum laude* graduate of Harvard Law School, presents *Interpreting Indian Country in State of Alaska v. Native Village of Venetie*. Ms. Carpenter studies this recent landmark United States Supreme Court decision, and its impact on Native American jurisprudence. Ms. Carpenter puts a human face on the legal issues through her relation of native poetry and powerful testimony offered by Venetie villagers.

In addition, the *Tulsa Law Journal* proudly includes two Student Comments, authored by our own Amy Jolley and Jason Jenkins. In *Not Necessarily the Best Seat in the House: A Comment on the Assumption of the Risk by Spectators at Major Auto Racing Events*, Mr. Jenkins examines the legal issues surrounding accidents at auto racing tracks, and what track owners and spectators can do to ensure safety. Mr. Jenkins argues for tort reform to protect fans and proprietors.

In Scaring the States Into Submission? Divergent Approaches to Environmental Compliance, Ms. Jolley studies the relationship between the Environmental Protection Agency and state governments on environmental audit policy, and a recent case of first impression on the use of environmental audit results.

The *Tulsa Law Journal* owes a tremendous debt to Professor Judith Royster for her assistance and guidance in the production of this issue. We appreciate her help, and congratulate her, her co-director of the Native American Law Certificate Program, Professor William Rice, and the University of Tulsa College of Law for their leadership in Native American legal scholarship.

Hugh Brown

FROM THE EDITOR...

This issue of the *Tulsa Law Journal* considers a wide range of pressing legal issues, chief among them the future of legal education in the new century.

We are honored to present remarks given by Associate Justice Steven Breyer of the United States Supreme Court during his visit to Tulsa last year. Justice Breyer met with students and faculty at our school before speaking to the Tulsa County Bar Association as that group celebrated Law Day in Tulsa. Justice Breyer observed the continuing responsibilities members of the Bar have to their communities.

In this issue, we present a Symposium on legal education. Corinne Cooper, Professor of Law at the University of Missouri-Kansas City School of Law, Laurie A. Morin, Associate Professor of Law and Director of the Mason Enhancement Program for Academic Success at the University of the District of Columbia, and the University of Tulsa's own Clinical Professor of Law Morris D. Bernstein each write on an area of teaching that affects new law students. Professor Cooper demystifies the first year of law school in *Letter to a Young Law Student*, Professor Morin urges teachers to consider morality, and offers class exercises designed for that, and Professor Bernstein presents a narrative of issues confronting students and teachers who participate in legal clinics.

We proudly feature two genres long missing from the *Tulsa Law Journal*: a book review and a practitioner's guide. Jonathan L. Entin, Professor of Law and Political Science at Case Western Reserve University, reviews *Brushing Back Jim Crow*, a recent book on the relationship between the desegregation of minor league baseball and the civil rights movement. Professor Entin discusses the Tulsa Oilers, and other teams of local interest. Joseph H. Paulk presents *So You Want to be a Mediator?*, practical advice for attorneys and students entering the mediation field.

Our three articles are thought provoking and challenging to current conventional wisdom. Dr. Walter Block continues "defending the indefensible" with his call to reconsider rules on blackmail, extortion, robbery and threats. Anoop and M. Varn Chandola present an alternative theory on actus reus. Brenden Troy Ishikawa tackles a key issue in modern Constitutional law with his warnings on a budget amendment to the United States Constitution.

We are delighted to feature the writing of three of our own students: Kathryn Kindell, Kimberly D. King-Hopkins, and John Trebilcock. Ms. Kindell examines the exploding popularity of Viagra, and whether medical insurance companies should reimburse clients for purchasing the drug. Ms. King-Hopkins observes the successes and failures of the Inter-American Commission on Human Rights. Mr. Trebilcock, a veteran of the classroom, carries our education theme to the public school level, studying the relationship between school boards and teachers, currently a major issue confronting education in Oklahoma.

Hugh Brown

FROM THE EDITOR

The *Tulsa Law Journal* proudly presents our annual Practitioner's Guide to the Supreme Court Symposium. In this issue, we examine major cases from the 1998-1999 term of the Supreme Court. Contributors include Vicki J. Limas, Barbara Bucholtz, Chris Blair, and, making his maiden appearance in our publication, our recently installed Chapman Distinguished Professor of Law Paul Finkelman. We are again pleased to have The Honorable Sven Erik Holmes of the United States District Court for the Northern District of Oklahoma introduce the Symposium.

I am delighted to announce the Editorial Board for Volume 36: Melinda L. Kirk, Editor-In-Chief; Lawrence Grable, Executive Editor; Krisin B. Reser, Articles Research Editor; Bryan G. Looney, Notes and Comments Research Editor; Tammy McBride, Managing Editor; Jefferson McBride, Development Editor; Ben Berkstresser, Charles Cooper, Rob Killen, Marcus Ratcliff, Eric Wade, Articles Editors; Richard M. AuBuchon, Vickie Brandt, Jon Cartledge, Notes and Comments Editors.

Hugh Brown

