

Suffolk Journal of Trial and Appellate Advocacy

Volume 26 | Issue 2

Article 4

1-1-2021

Editor's Note

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Recommended Citation

26 Suffolk J. Trial & App. Advoc. ix (2020-2021)

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EDITOR'S NOTE

Dear Reader:

On behalf of the Suffolk University Law School Moot Court Honor Board, I am honored to present the first issue in Volume XXVI of the *Suffolk Journal of Trial & Appellate Advocacy*. This issue contains one lead article and eight student-written pieces. Each piece is designed to provide insight and be of practical use to lawyers and judges at both the trial and appellate levels. Due to the ongoing global pandemic, this volume was edited and compiled remotely by our authors and editorial staff. Covid-19 provided unique challenges for journal, as we were unable to collaborate with each other in person. I am incredibly proud of our staff's hard work, dedication, and perseverance during this difficult time.

The lead article, *The Demise of the Law-Developing Function: A Case Study of the Wisconsin Supreme Court*, was written by Skylar Reese Croy. Attorney Croy is the Executive Assistant to the Honorable Patience Drake Roggensack, Chief Justice of the Wisconsin Supreme Court. He formerly served as her law clerk. He graduated from the University of Wisconsin Law School in 2019, magna cum laude and Order of the Coif. There, he served as Editor-in-Chief of the Wisconsin Law Review. His published work has appeared in several legal periodicals, including the Wisconsin Law Review, the Marquette Law Review, and the Georgetown Journal of Legal Ethics.

The Demise of the Law-Developing Function: A Case Study of the Wisconsin Supreme Court examines an increase in Wisconsin Supreme Court decisions with no majority opinion. This increase is partially due to conservative justices with an anti-consensus building philosophy joining the court. Pursuant this philosophy, a justice will refuse to join an opinion if the opinion does not state almost precisely what the justice believes. In this Article, Attorney Croy addresses (1) the problems associated with this philosophy, (2) how it conflicts with the law-developing function of the Wisconsin Supreme Court, and (3) proposes solutions for minimizing the number of decisions issued without a majority opinion.

The student-written pieces discuss the following legal topics and cases:

- An examination of the Supreme Court's most recent affirmation of an overlooked loophole to the Double Jeopardy Clause that undermines the Clause's guaranteed protections (Ross Ballantyne);
- An analysis of upholding the right to choose through the right to physician-assisted suicide if *Roe v. Wade* is overturned (Jennifer McCoy);
- A forecast of the California Consumer Privacy Act's impact on nationwide data breach class actions (Brendan Chaisson);
- An analysis of excessive force and whether a police officer can be held civilly liable for tasing a mentally ill person after resisting arrest (Brandon Vallie);
- A discussion of how Supreme Court jurisprudence has determined the content neutral classification for buffer zone ordinances that restrict speech near abortion facilities (Jamie Wells);

- An analysis of the cat’s paw liability doctrine and its expansion to include the discriminatory intent of non-employees in case analysis (Kendra Lena);
- An examination of the shifting landscape of federal anti-LGBT discrimination protections, centering on a landmark case that used Title VII precedent to insulate queer Americans from housing discrimination (Cayla Keenan); and
- An inspection of the Second Circuit’s interpretation of § 230 of the Communications Decency Act and the need to revise the statute in light of social media’s advanced capabilities (Alison Eleey).

I sincerely appreciate the twenty-seven staff members of the Moot Court Honor Board, who worked diligently to edit and cite-check throughout the semester. Special thanks to our Executive Editor, Katherine Marshall, whose hard work was vital throughout the editing process; our Managing Editor, Christina Gregg, who helped solicit and polish an exceptional Lead Article; and our Associate Managing Editor, Julia Caccavo, who worked tirelessly to format this issue. I would also like to thank our Associate Executive Editors, Brinhley Alvarez, Meaghan Callahan, Kendra Lena, Jennifer McCoy, and Marissa Persichini, for providing quality editorial feedback and encouraging staff members throughout the editing process; and our Lead Article Editors, Symin Charpentier, Alexandra Sissons, and Jamie Wells, for their excellent Lead Article revisions. Finally, I extend my utmost gratitude to our Board’s advisor, Professor Richard G. Pizzano, the Board’s Staff Assistant, Janice Quinlan, and the Deans and Faculty of Suffolk University Law School for their continued support of the *Suffolk Journal of Trial & Appellate Advocacy*.

Thank you for reading our first issue in Volume XXVI of the *Suffolk Journal of Trial & Appellate Advocacy*. I am confident that judges, practitioners, professors, and students will benefit from our scholarship. I hope that you will find this issue to be compelling, relevant, and useful during these challenging times.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana Hurtado", with a stylized, cursive script.

Diana Hurtado

Editor-in-Chief