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## Editor's Note

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## EDITOR'S NOTE

Dear Reader:

On behalf of the Suffolk University Law School Moot Court Honor Board, I am proud to present the first Issue in Volume XXV of the *Suffolk Journal of Trial & Appellate Advocacy*. This Issue contains one lead article and eight student-written pieces, each designed to provide insight and be of practical use to lawyers and judges at the trial and appellate levels.

The lead article, *The Use and Abuse of Dogs in the Witness Box*, was written by John J. Ensminger, Sherri Minhinnick, James Lawrence Thomas, and Itiel E. Dror. John Ensminger is a member of the New York and United States Supreme Court bars and is the author of *Service and Therapy Dogs in American Society and Police and Military Dogs*. Sherri Minhinnick is the Director of Operations, canine trainer, and handler at K9 Resources in Kings Mills, Ohio. She served for a time as a limited special deputy with the Warren County Sheriff's Office in Ohio. Additionally, she holds a Special Investigator License in four states and holds clearance for Class 33 High Grade Explosives with the U.S. Department of Justice. James Lawrence Thomas is a clinical psychologist, neuropsychologist, and the founder of The Brain Clinic in New York City. He has held faculty appointments at New York University School of Medicine, Fordham University, and John Jay College. Itiel E. Dror is a Senior Cognitive Neuroscience researcher at University College London. He researches a variety of issues regarding psychology, bias, and the law and works closely with the judiciary and law enforcement in the U.S., U.K., and other countries.

*The Use and Abuse of Dogs in the Witness Box* provides an overview of how courts and state legislatures have sought to define the parameters of using dogs to support children and vulnerable adult witnesses testifying in legal proceedings. The authors postulate that while courts have evaluated when individual dogs can be used to assist in testifying, legislatures have restricted the use of dogs in courtrooms to those that have received specified types of training and certification. This has, they argue, created an unnecessary monopoly and may even be excluding dogs that courts have previously found acceptable and have helped witnesses testify effectively in the past.

The student-written pieces address topics that are of interest to members of the bar in Massachusetts and nationwide. The topics covered involve:

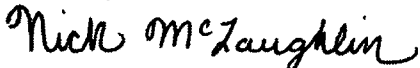
- a look at the use of the individualized theory as compared to the conspiracy-wide theory in drug charge sentencing, and an argument that the individualized theory is the proper method to be implemented in the federal courts (Hunter R. Wildrick);
- an examination of the historical development of animal testing in the cosmetic industry, and a review of the modern animal testing regulations in the U.S. and abroad (Jane K. Innis);
- an analysis of the pros and cons of the United Kingdom's post-employment promise, known as Garden Leave, and its implementation into the newly-enacted Massachusetts Noncompetition Agreement Act (Helen Yuxuan Huang);
- a historical examination of the constitutionality behind the authority to tax, and an analysis of its relation to the current trade climate (Jessica A. Mehaylo);

- an examination of the current legal climate surrounding sexual misconduct on college campuses (Aubrey Trudeau);
- an analysis of the First Circuit’s decision that found the terrorism exception under the Foreign Sovereign Immunities Act inapplicable to an alleged extrajudicial killing of a United States citizen (Stephanie M. Sader);
- a discussion of the Sixth Circuit’s decision on the attachment of the Sixth Amendment right to counsel to critical stages of prosecution that occur prior to the formal commencement of judicial proceedings (Sierra Lovely); and
- an analysis of the D.C. Circuit’s decision on the application of the political question doctrine regarding the use of armed drones to conduct conventional strikes abroad (Stephen R. Harris).

My thanks and gratitude go out to the twenty-seven staff members of the Moot Court Honor Board who helped put this Issue together with hard work and dedication. Special thanks goes out to our Executive Editor, Stephanie Sader, whose hard work, support, and commitment was vital throughout the editing process. I want to also thank our Managing Editor, Dean Fiotto, who sought out and polished an exceptional lead article; Associate Managing Editor, Stephanie Calderon, who worked diligently to format this Issue; Associate Executive Editors, Jane Innis, Helen Huang, Sierra Lovely, Shauni Lynch, and Hunter Wildrick, who ensured the quality of our staff members’ cite checking; Lead Article Editors, Thomas Stirrat, Aubrey Trudeau, and Stephen Harris, who polished and provided important feedback on the lead article; and President, Timothy Rennie, Note Editor, Danielle Paulson, and Executive Director of Trial Competitions, Anna McCabe, who all took part in a final executive editing round. The Moot Court Honor Board is indebted to the entire editorial staff for the countless hours devoted to the editing process. Finally, I would like to thank the 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* and the Moot Court Honor Board,.

Thank you for reading the first Issue in Volume XXV of the *Suffolk Journal of Trial & Appellate Advocacy*. I am confident judges, practitioners, professors, and students will benefit from our scholarship. My best wishes in your endeavors, and I hope you will find this Issue thought-provoking, relevant, and useful. Lastly, we hope that you and your families and friends remain healthy and safe during this unprecedented time.

Sincerely,



Nick McLaughlin  
Editor-in-Chief

