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## Issue Editor's Preface

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## Issue Editor's Preface

This issue opens the 1967-1968 academic year with a discussion of "Youth and the Law." The focus is on *In re Gault*, decided May 15, 1967, the first state juvenile court case ever reviewed by the United States Supreme Court. The American juvenile court system has always been considered *sui generis*—an exception from the normal rules of criminal procedure, an exception from the constitutional safeguards employed in criminal courts. *Gault* has changed this. No fewer than 40 states will have to revise extensively their juvenile court laws as a result of this decision. The issue presents discussions of the implications and limitations of *Gault*, as well as explores other contemporary problems of "Youth and the Law."

Professor Aiden R. Gough, himself an alternate referee, looks at the California referee system in the juvenile courts. Based on questionnaires sent to the presiding judge of the juvenile court in each of California's 58 counties, Professor Gough's study analyzes the referees' educational backgrounds, the frequency of referee use, and the policies of the juvenile courts in assigning referees cases.

Has the criminal law model of "due process" been shifted intact to the juvenile courts? Mr. Thomas A. Welch distills the constitutional theory emerging from two recent decisions of the United States Supreme Court.

California's Juvenile Court Law has remained virtually unchanged since its enactment in 1961. Mr. Ralph A. Boches discusses California's 6 years of practical experience under this law, and suggests needed changes.

Professor Robert E. Furlong examines the problems created by the instability of youthful marriages. Developed is a plan for more intensive family life education in the school system.

Also included in this issue are two articles not in the topical format, but of interest to the legal scholar. Professor Ralph A. Newman presents his fourth article in the *Journal* in the past 4 years. A distinguished legal historian, Professor Newman develops "The Hidden Equity," principles common to all systems of law. Dr. Bernard Diamond, an eminent psychiatrist, criminologist, and Professor of Law, in a speech presented to the National Conference of Law Reviews, looks to the future of the law in a scientific world, and concludes that the law, too, must look to science to remain effective.

The first student work, a comment by Mr. Robert Belzer, traces the "immunity rule" of tort actions in which a child sues his parent. Mr. Gary Strieker looks at the problem of a minor's waiving of his constitutional rights in the juvenile court. The increasing liberality of

the California decisions relating to an illegitimate's right to inherit from his father is the subject of a note by Miss Naomi Litvin, who concludes that the California statutes should be amended to reflect this judicial and social trend. Mr. Brian Pendleton examines California's new Therapeutic Abortion Act, and compares it to recent similar legislation in two other states.

I must close with words of special appreciation to those whose help was unsparingly given to produce this issue: the note and comment editors, Donna Spragg, Tom Wood and Sam Young; and the technical editor, Richard Smith.

VERNON JAMES JACKL  
*Issue Editor*