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Steve Leben

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Court Review

THE JOURNAL OF THE AMERICAN JUDGES ASSOCIATION

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EDITOR'S NOTE

This issue marks a transition of significance. For much longer than I've been editor, Professor Charlie Whitebread wrote an annual review of the past Term of the United States Supreme Court. He died in September, and we are left without his help in keeping up with the latest developments. We are also left without his great friendship, which is noted in a tribute on page 88. Because our readers and members have known Professor Whitebread for so long, we also note at page 128 a full obituary you can find online.

I am quite pleased that Professor Chuck Weisselberg of Boalt Hall, the law school at the University of California, Berkeley, has agreed to provide an annual review of the Court's criminal cases. Professor Weisselberg has a wealth of experience in teaching criminal law and procedure, including 11 years on the faculty with Professor Whitebread at the USC law school before Weisselberg headed to Berkeley in 1998. Weisselberg has crafted his review in ways that you will find helpful. Not only has he reviewed all of the key Supreme Court cases, he has also reviewed what early lower-court cases exist interpreting them. And he has previewed for us the key cases being argued in this Term. If any of our readers have suggestions of how to make these reviews even more useful, please let me know.

Our second article reviews the use of a new technology to monitor those accused or convicted of drunk driving while under court supervision. The new technology is a transdermal monitor, which can detect alcohol use from the skin and sends a report electronically if a person being monitored is using alcohol. Researchers Gene Flango and Fred Cheesman report that an early study shows that these devices are quite effective in preventing recidivism during the period of monitoring. They also recommend that combining treatment with the use of a 24-hour monitor like this has significant promise for changing offender behavior.

Our third article considers the intersection of laws allowing the use of marijuana for medical purposes and drug laws. Law student Cameron Mustaghim won the American Judges Association's annual writing competition with this article. Mustaghim specifically reviews the possible reasons that a person might have marijuana for medical purposes in his or her possession while driving a vehicle. He concludes that courts should reconcile laws permitting marijuana for medical purposes with other laws prohibiting drug possession by generally presuming that a person transporting marijuana is doing so for illicit purposes unless the drugs were purchased the same day.—Steve Leben



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Letters to the Editor, intended for publication, are welcome. Please send such letters to one of *Court Review's* editors: Judge Steve Leben, 301 S.W. 10th Ave., Suite 278, Topeka, Kansas 66612, e-mail address: sleben@ix.netcom.com; or Professor Alan Tomkins, 215 Centennial Mall South, Suite 401, PO Box 880228, Lincoln, Nebraska 68588-0228, e-mail address: atomkins@nebraska.edu. Comments and suggestions for the publication, not intended for publication, also are welcome.

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