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## Introduction: Centennial Showcase of Law College Faculty

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## Introduction: Centennial Showcase of Law College Faculty

During 1991 the College of Law celebrates its Centennial year, recognizing the action in 1891 of the University's Board of Regents that acquired the privately owned Central Law School and established the College as part of the University of Nebraska. In July, 1922, almost seventy years ago, the first volume of the then *Nebraska Law Bulletin*, forerunner of the *Nebraska Law Review*, appeared.

The early volumes of the the *Nebraska Law Review* were almost exclusively the work of the College's faculty. Each of the eight issues of the first two volumes contained a single article written by a member of the faculty. The inaugural piece was "The Law of Covenants for Title in Nebraska" by Henry H. Foster,<sup>1</sup> followed in Issues 2 and 3 by a two part article "Jurisdiction in Suits to Quiet Title" by Professor George N. Foster.<sup>2</sup>

Indeed for its first decade the *Law Review* published work by its home faculty. Henry H. "Shimmy" Foster appears in six of the first ten volumes,<sup>3</sup> and Maurice Merrill produced five articles in that decade.<sup>4</sup> Other articles were written by Lawrence Vold,<sup>5</sup> by Charles

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1. Foster, *The Law of Covenants for Title in Nebraska*, 1 NEB. L. BULL. 5 (No. 1)(1922).
2. Foster, *Jurisdiction in Suits to Quiet Title, Part I*, 1 NEB. L. BULL. 5 (No. 2)(1922); Foster, *Jurisdiction in Suits to Quiet Title, Part II*, 1 NEB. L. BULL. 65 (No. 3)(1923).
3. Foster, *The Law of Covenants for Title in Nebraska*, 1 NEB. L. BULL. 5 (1922); Foster, *Execution and Acknowledgment of Deeds*, 2 NEB. L. BULL. 1 (1924); Foster, *The Nebraska Homestead*, 3 NEB. L. BULL. 109, 353 (1924); Foster, *Nebraska Landlord and Tenant*, 4 NEB. L. BULL. 317 (1926); Foster, *Does the Doctrine of Destructibility of Contingent Remainders Exist in Nebraska?*, 6 NEB. L. BULL. 390 (1928); Foster, *The Rule in Shelley's Case in Nebraska*, 8 NEB. L. BULL. 124 (1929).
4. Merrill, *Agency, Part III*, 6 NEB. L. BULL. 135 (1927); Merrill, *Some Observations Concerning Gordon v. Lowry*, 7 NEB. L. BULL. 410 (1928); Merrill, *Nebraska Suretyship, Part I, Part II*, 8 NEB. L. BULL. 266, 412 (1930); Merrill, *Nebraska Suretyship, Part III*, 9 NEB. L. BULL. 420 (1931); Merrill, *Nebraska Suretyship, Part IV, Part V*, 10 NEB. L. BULL. 260, 404 (1932).
5. Vold, *Express Conditions in Contracts*, 4 NEB. L. BULL. 215 (1926); Vold, *Repudiation of Contracts*, 5 NEB. L. BULL. 269 (1927); Vold, *The Intent to Pass Title in Sales of Goods, Part I*, 6 NEB. L. BULL. 257 (1928); Vold, *The Intent to Pass Title in*

"Cocky" Robbins,<sup>6</sup> by Ralph Wilson,<sup>7</sup> and by Herman Ginsberg.<sup>8</sup> In the second issue of Volume 2, John Mills Mayhew published "Medical Experts and Insanity" and was listed as a lecturer in Medical Jurisprudence and as "a member of our faculty."<sup>9</sup> In Volume 8 the *Review* reached out to the faculty of the University's Political Science Department to publish a piece by Lawrence Durisch.<sup>10</sup>

It was not until Volume 10 that the *Review* invited an author from another University to appear on its pages. The first such article was by John Hanna, a Professor of Law at Columbia, who described the Nebraska Law of conditional sales,<sup>11</sup> followed shortly thereafter by a five page article by Robert Kingsley of the University of Southern California bemoaning the growing length of judicial opinions.<sup>12</sup>

Since these early days the *Review* has been an important forum for the scholarship of a diverse range of authors with important contributions from a national pool of lawyers, social scientists, government officials, political figures, and legal academics. It is the nature of such publications that some ideas will grow and prosper while others will wilt and disappear. The pages of the *Nebraska Law Review* have contained some of both. Certainly Professor Kingsley's hope for shorter judicial opinions has had little influence, but other articles have made important contributions to jurisprudence and to legal developments both within the State and throughout the country.

To celebrate the Centennial of the College the *Review* is returning to its initial tradition. The lead articles in this issue and the next will be by members of the current faculty of the College. They demonstrate not only the richness and diversity of the faculty's scholarly interests but provide a public record of the growth and maturity of the College through its 100 years.

The Law Faculty continues to be involved in the development of Nebraska jurisprudence as illustrated by Robert Works' article on postloss insurance conditions in Nebraska and Steve Willborn's examination of judicial nominating commissions. Although the College is an academic institution, it remains aware of its relationship to the profession. In this issue Steve Kalish examines the malpractice liability fac-

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*Sales of Goods, Part II, Part III*, 7 NEB. L. BULL. 160, 257 (1928); Vold, *Trust Receipt Security in Financing of Sales*, 9 NEB. L. BULL. 295 (1931).

6. Robbins, *The Uniform Sales Act Compared with Nebraska Case Law*, 3 NEB. L. BULL. 201 (1925).
7. Wilson, *The Parol Evidence Rule in Nebraska*, 4 NEB. L. BULL. 115 (1925).
8. Ginsberg, *Who is a Depositor Within the Provisions of the Nebraska Depositors Guaranty Fund Law*, 3 NEB. L. BULL. 260 (1925).
9. Mahew, *Medical Experts and Insanity*, 2 NEB. L. BULL. 3 (No. 2)(1923).
10. Durisch, *Judicial Review of Tax Controversies in Nebraska*, 8 NEB. L. BULL. 163 (1929).
11. Hanna, *The Nebraska Law of Conditional Sales*, 10 NEB. L. BULL. 141 (1931).
12. Kingsley, *The Length of Judicial Opinions*, 10 NEB. L. BULL. 398 (1932).

ing the departing partners from a law firm, extending a series of articles he has recently published in various law reviews relating to organizational issues of the practice of law.

The attention of the Law Faculty is also drawn to matters of national significance. Lawrence Berger's article focuses on the New Jersey Supreme Court's approach to inclusionary zoning devices but the issues raised there have implications in all states. And Steve Bradford explores the issue of private rights of action for proxy fraud at the federal level.

Law can no longer be taught from a single perspective. Both in its faculty and in its curriculum the College has sought interdisciplinary connections that help provide insight into the issues that face the law or the legal profession. Robert Schopp, who holds Ph.Ds in both clinical psychology and philosophy in addition to his law degree brings all of these disciplines to bear in his article on the duty of psychotherapists.

The importance of scholarship to the reputation of the College and the quality of its educational program can not be understated. There is not, as some perceive, an inevitable conflict between a faculty's commitment to research and publication and its attention to teaching. A faculty's published record of scholarship offers a measure of the soundness and currency of the ideas and the level of intellectual curiosity and excitement that is brought into the classroom.

We appreciate this opportunity provided by the staff of the *Nebraska Law Review* to showcase our faculty during our 100th birthday celebration.