Introduction to Issue 4

The Loyola University Chicago Law Journal has a strong tradition of featuring Illinois-related articles in Issue Four. Volume 47 is proud to continue this legacy through the publication of articles that commemorate, challenge, and debate Illinois governance and case law.

The first Illinois article in the Issue argues that legislative vetoes of agency rulemaking in Illinois are unconstitutional, and that the General Assembly should consider alternatives to the current system in order to be prepared for such a ruling. The next article recognizes the accomplishments of Illinois Senator and attorney, and author of the Thirteenth Amendment, Lyman Trumbull, and suggests that his work for the rights of workers led him to become an advocate for the Second Amendment. The third article discusses a mechanism within Illinois civil procedure, the “testing the waters” doctrine, and asserts that it remains a viable doctrine under the current substitution of judge statute.

The Issue then features three general articles exploring, in turn, third-party litigation financing by modeling the underlying assumptions; the propriety of importing the objective theory of contract law into trademark law; and criteria and approaches for constitutional theory assessment and selection. In addition, the Issue includes a student-written comment that proposes enterprise insurance as a mechanism to promote physician participation in accountable care organizations.

The Issue concludes with two Illinois-related recent development articles that are also written by members of the Law Journal. The first piece addresses the Illinois Supreme Court’s recent holding in People v. Burns that provisions of the Illinois Aggravated Unlawful Use of a Weapon statute are unconstitutional. The second recent development discusses recently enacted legislation regarding police officer body cameras in Illinois.

The Law Journal expresses its sincerest gratitude to all of the contributing authors. The impressive scholarship in Issue Four is a direct result of their extensive research and thoughtful analysis. Finally, thank you to all of the members of the Law Journal for your time, dedication, and diligent work, the product of which is an exceptional conclusion to Volume 47.

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