

2016

Here's to the Next 40 Years

Marcy S. Wallace

Follow this and additional works at: <http://open.mitchellhamline.edu/mhlr>



Part of the [Legal Education Commons](#)

Recommended Citation

Wallace, Marcy S. (2016) "Here's to the Next 40 Years," *Mitchell Hamline Law Review*: Vol. 42: Iss. 1, Article 5.
Available at: <http://open.mitchellhamline.edu/mhlr/vol42/iss1/5>

This Prefatory Matter is brought to you for free and open access by the Law Reviews and Journals at Mitchell Hamline Open Access. It has been accepted for inclusion in Mitchell Hamline Law Review by an authorized administrator of Mitchell Hamline Open Access. For more information, please contact sean.felhofer@mitchellhamline.edu.

© Mitchell Hamline School of Law

HERE'S TO THE NEXT 40 YEARS

Marcy S. Wallace[†]

In 1974 the *William Mitchell Law Review* had no past, and its future was in grave doubt. Recently founded Hamline Law School had no law review. Today's *Mitchell Hamline Law Review* was beyond imagining.

I remember when the *William Mitchell Law Review* had a short past and a still uncertain future. I knew that publishing Volume 1, Number 1, as momentous as it felt, did not necessarily mean that William Mitchell had a law review.

I was not there for the founding of the *Hamline Law Review*, but I can imagine it well. I am sure there was pain at its birth and a time when its future was uncertain.

Today the *William Mitchell Law Review* has more than a forty-year history. The *Hamline Law Review* has more than a thirty-five year history. I still can hardly believe that I am writing these words.

I worried about the future of the *William Mitchell Law Review* for years. Gradually, almost imperceptibly, I came to realize that hundreds, then thousands, of students, under the incomparable mentorship of Mike Steenson, had turned once lonely little Volume 1, Number 1, into an enduring institution. Today, the *William Mitchell Law Review* sits within the top 100 in the Washington and Lee University rankings¹ of student-edited flagship² law reviews.³

[†] Marcy S. Wallace is the first Editor-in-Chief of the *William Mitchell Law Review*.

1. *Law Journals: Submissions and Ranking, 2007–2014*, WASH. & LEE U. SCH. L., <http://lawlib.wlu.edu/LJ/index.aspx> (last visited Feb. 3, 2016). Commonly known as the W&L rankings, these are the most widely followed and influential of law review rankings. See David Lat, *America's Next Top Law Review: New Rankings!*, ABOVE L. (Feb. 24, 2014, 4:30 PM), <http://abovethelaw.com/2014/02/americas-next-top-law-review-new-rankings>.

2. By this term I mean the school's first law review and one of generalized subject matter.

3. *Law Journals: Submissions and Ranking, 2007–2014*, *supra* note 1.

Now there is a threat to all law reviews, no matter how well established: a talent drain. Having peaked in 2011, college enrollments have been declining steadily⁴ and precipitously.⁵ People who have the talent for law review are instead starting careers out of high school or after technical training. Whatever the cause, and there is much debate about that, we cannot rely on this trend reversing itself.

Merger is the best, perhaps the only, strategy to address the talent drain. Cutting quality is not an option. As I know well, you need talented people to publish a high quality law review. My nightmare is that a dwindling talent pool would send the *William Mitchell Law Review* back to its origins: a handful of students working like dogs in a dingy little basement room behind the boiler.

I submit that the *William Mitchell Law Review* and the *Hamline Law Review* are perfect merger partners. They are members of a small and elite club in the law review world: flagship law reviews that started from scratch in relatively recent years and developed into enduring institutions.

When we were starting the *William Mitchell Law Review* we sought a recently founded law review to ask for guidance. There were none. Back then, founding a law review was so labor intensive and costly as to be nearly impossible. Despite the new technology that has made all manner of researching and publishing cheaper and easier, that has remained generally true. Fewer than twenty currently published flagship law reviews in the United States were founded from the 1970s until today.⁶ A number of those are so recently established that their futures cannot be considered certain.

During the 1970s and 1980s only six flagship law reviews that survive today were founded in the United States. William Mitchell

4. Rani Molla, *College Enrollment Peaked in 2011*, WALL ST. J. (Sept. 24, 2014, 1:48 PM), <http://blogs.wsj.com/numbers/college-enrollment-peaked-in-2011-1776>.

5. *Current Term Enrollment Report: Spring 2015*, NAT'L STUDENT CLEARINGHOUSE RES. CTR. (May 13, 2015), <http://nscresearchcenter.org/currenttermenrollmentestimate-spring2015>.

6. Data are not easy to come by, but I have confidence in this estimate, which I made by correlating the information about law schools and their law reviews. See *Law Journals: Submissions and Ranking, 2007–2014*, *supra* note 1.

and Hamline are two of those six.⁷ All of us who have been involved with either law review ought to be enormously proud of this. Separately, we have done what was almost impossible. Together, there is no limit to what we can do. That the merger comes before declining enrollments created a crisis for either law review gives us a golden opportunity not available to other journals that have done nothing to avert the looming threat.

I am proud to call the *Mitchell Hamline Law Review* my law review. I have big dreams for it. In my lifetime I expect to see it crack the top ten and maybe even hit number one in the Washington and Lee University rankings. Sounds impossible? Having seen what seemed impossible to me in 1974 come to pass, I know better.

7. I am quite confident of this number, which is based upon the same sources. *See id.* The other four are the *University of Arkansas Little Rock Law Review*, *Cardozo Law Review*, *Touro Law Review*, and *Pace Law Review*. *See Cardozo Law Review*, CARDOZO L., <http://www.cardozo.yu.edu/faculty-intellectual-life/journals/cardozo-law-review> (last visited Feb. 3, 2016); *UALR Law Review*, U. ARK. LITTLE ROCK, <http://ualr.edu/lawreview/the-review> (last visited Feb. 3, 2016); *Touro Law Review*, TOURO L., <https://www.tourolaw.edu/LawReview/?pageid=430> (last visited Feb. 3, 2016); *Pace Law Review*, PACE L. SCH., <http://digitalcommons.pace.edu/plr/> (last visited Feb. 3, 2016).