

# Journal of Contemporary Health Law & Policy (1985-2015)

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Volume 10 | Issue 1

Article 20

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1994

## Volume II

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### Recommended Citation

Giovanna M. Cinelli, *Volume II*, 10 J. Contemp. Health L. & Pol'y 293 (1994).

Available at: <https://scholarship.law.edu/jchlp/vol10/iss1/20>

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## Volume II

*Giovanna M. Cinelli\**

Hard work is expected from everyone in law school. Dedication to the mastery of legal thinking, plus development of an understanding of legal right from legal wrong is also expected. But hard work, classes, cases and Socratic exchange alone, do not prepare a law student to master the skills necessary to become a good lawyer. In fact, the most critical lessons a law student learns come from the interaction the student has outside the classroom — interaction with professors, peers, and experts in the legal world. To experience this interaction and develop legal skills into good lawyering, one must be a member of the *Journal of Contemporary Health Law and Policy*.

A biased view? A broad generalization? Perhaps, coming from a former Editor-in-Chief of the *Journal*. But, in my opinion, that generalization has its basis in the experiences I had first as a member of the *Journal* in 1985, and then as Editor-in-Chief from 1985-86. In the post of Editor-in-Chief, I was given the opportunity to work closely with Professor George Smith, the Faculty Editor-in-Chief and Professor Raymond Marcin, the Faculty Editor of the *Journal*. Each provided unique insight into the duties and responsibilities of the post I held, while also eliciting lively and often divisive debate on the legal issues ensconced in the articles the *Journal* staff reviewed for publication. The valuable lessons Professors Smith and Marcin passed on are still with me today. Their guidance provided me with a sound basis in logical thinking, the ability to support legal arguments I propose, and the ability to understand and consolidate diverse opinions. A few examples of how, during the course of my year as Editor-in-Chief, I came to learn these lessons follow.

When I first joined the *Journal*, we were barely a staff, let alone an established publication. The preceding year, Professor Smith and a small staff of law students worked diligently and tirelessly to prepare the *Journal's* first issue. Without an office, without supplies, with a skeletal staff, and secretarial support from the Law School faculty secretaries, Professor Smith and the new Editorial Board edited and moved the first issue to-

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wards publication. I was appointed Editor-in-Chief during the Spring term of 1985 and oversaw publication of that issue during the Summer of 1985. Even as I think back now, the effort, energy, and dedication of that small group of people was astounding. Exposure to that drive and dedication taught me that setting a goal was important; achieving that goal was the reward.

During those hectic few months before the September term began, I saw Professor Smith on a daily basis. Meetings and telephone calls were required to coordinate office space for the *Journal*, to obtain supplies, to enlist secretarial support and to guarantee access to essential legal and policy research materials. Weekly, sometimes daily meetings with the Law School Administration resulted in the *Journal* being granted some space in the old Social Sciences building on the University campus. The rooms were away from the Law School, unfurnished, unpainted, and in disrepair. For the members of the Editorial Board of the second issue, however, they were essential to functioning as a respected legal publication. And more encouraging, the granting of these spaces seemed to evince a genuine interest by the Law School Administration that the *Journal* continue as a viable publication.

During that summer, the new staff painted, dusted, and prepared offices, began meetings, and researching papers, working with Professor Smith to publish the First Issue and lay the groundwork for the Second Issue. I can still feel the excitement as I think back about being on the ground floor of the development of a now successful, highly-acclaimed, internationally-read *Journal* in its 10th year of publication.

But the excitement of the summer wore off when the September semester began and law school classes, plus journal obligations created enormous pressure. The *Journal* had to decide all its policies — how to elect members, whether to have a writing competition, whether to cap membership, whether to have an editorial policy that controversial pieces would not be considered, and whether to continue to have Faculty Editors, who played a more active role in the day-to-day operations of the *Journal*, rather than Faculty Advisors. The pressure of these decisions, in conjunction with the need to convince the Law School Administration that the *Journal* was a viable, essential component of the Law School was overwhelming. There were days when I thought that the decision to accept the Editor-in-Chief spot was pure folly. But, Professor Smith, as the guiding force behind the *Journal*, was always there — teaching us that adversity really was the mother of invention. Given all these obstacles, Professor Smith would ask, not whether we could persevere, but *how*

could we persevere. I rely on the tenacity and determination learned during those days on the *Journal* in my everyday practice today.

As the Fall semester of 1985 closed, the Editorial Staff looked back at what it had accomplished. We had chosen new members based on grades, developing a grade-on component to the *Journal*. We had solicited and received all the professional manuscripts we were planning to publish. All the student members, plus several members of the Law School's Bioethics class, had begun notes or comments for consideration for publication in the *Journal*. We had begun pulls on the professional pieces, coordinating with the authors to clarify legal arguments and support for those arguments. And the second issue was taking on a definitive form.

By the time the staff returned from Christmas break, additional work to finalize the publication arose. Authors were clamoring for revised drafts to edit, and *Journal* members were having difficulty locating some of the more obscure international sources, rendering a cite check practically impossible. The issue of Law School funding for the *Journal* and its operations also arose. Again, throughout this difficult period, the guidance and perseverance of Professors Smith and Marcin kept the *Journal* staff going. Each of these problems was discussed with an eye towards finding a solution. Drafts were finalized and sent to authors. *Journal* editors coordinated closely with the authors to keep publication on schedule. Editors responsible for professional articles were required diplomatically to notify professional authors that edits were to be made judiciously. A delicate balancing was required between maintaining the integrity of the professional articles, keeping the authors happy, staying with the editing budget, and publishing a high quality journal. But the task was successfully accomplished.

*Journal* members' creativity and initiative resulted in the location of rarely available sources at obscure libraries. Phone calls to various U.S. government agencies, embassies, local universities and overseas academic institutions resulted in the location of every source which needed to be checked. Again, no small feat. But with the aid of Professor Smith and his contacts in the Bioethics field, this goal was achieved.

Throughout this time, the issue of funding hung over us like a Damoclean sword, ready to pierce the heart of our underlying efforts. The Law School Administration was hesitant to fund fully an unproven quantity. So we gave them proof. Our Executive Editor "beat the pavement" of the legal world, gathering subscriptions to meet the target for proof of legitimacy. Before long, that target was met, and we overcame

another crucial hurdle. With subscriptions came interest from the on-line legal services where the *Journal* remains available today.

Finally, the issue of funding was resolved. The *Journal* received official sanction from the Law School Administration and was funded with the view that funding would cease when the *Journal* reached self-sufficiency. The Editor-in-Chief from 1985 to 1986 will always be grateful for the support the Law School Administration provided. Although the path was not always smooth, the relationship between the *Journal* Editorial Board, the Faculty Editors, and the Law School Administration resulted in the *Journal* successfully reaching its Tenth Anniversary.

When May of 1986 arrived, along with finals, graduation and *Journal* publication, a crisis arose. Serious delays with some professional authors, last minute edits and budget overruns plagued the Editorial Board. The question was asked — “Can we meet the publication deadline?” Working closely with the publishers in the Midwest, the outgoing Editorial Board and the incoming Board under the leadership of Jim Prenetta worked ceaselessly to meet that deadline. And with only a minor delay, publication occurred. The second issue was out and the outgoing Editorial Board graduated with an easy mind and took its Bar exams. The end of a “mini-era” arrived.

Now that may sound dramatic. But in looking back, the *Journal*'s continuation during the 1985-86 period was never guaranteed. Hard work, dedication, drive, determination, ingenuity and patience were required to keep going. And amidst all the chaos came order. The guiding force behind the success of the *Journal* was the stewardship of Professor Smith. As we celebrate the Tenth Anniversary of the *Journal*, let us call to mind that nothing is successfully achieved without the strong leadership of an individual determined to succeed. Professor Smith and Professor Marcin both imbued this former Editor with the strength to continue and succeed, regardless of the odds. That lesson will remain with me for the rest of my legal career and for that I say, “thank you.” May the *Journal* continue to succeed and provide the legal community with insightful, thought-provoking legal scholarship in the health law and health policy area. No more so than now, as President Clinton prepares a comprehensive review of America's healthcare system, can the *Journal* provide much needed guidance as this country charts a new course in this field.