FROM THE EDITOR

Probably the last thing American law needs right now is another typical law journal. That was my view even as I agreed to edit last year's inaugural issue of the *SJLW*. So I decided to make it atypical if possible — readable, for one thing — and the *Journal* immediately found an audience.

Shortly after its release, a law librarian wrote to say: "Rarely does a new journal arrive that I don't ask 'Who needs it?' Then along comes *The Scribes Journal of Legal Writing* and I ask 'Why has it taken so long?'" How gratifying that pieces from the first issue have been widely reprinted for use in law-school courses, CLE programs, and other legal publications. If the demand for reprints is any indication, the *SJLW* has indeed filled an important niche.

Along the way, I think I've learned a few things. For example, I've been surprised at just how many so-called "writing experts" can't write. Since the first issue appeared, I've received countless manuscripts on topics such as "psychodynamicizing the reader (or receiver)/writer (or transmitter) relationship relative to effective juridical communicativeness." It would be hard to declare a winner in the contest to state the obvious most absurdly.

Is that criticism fair? After all, many good political scientists would be disastrous politicians. Must one be a competent practitioner to be a competent commentator? If so, why isn't it equally so in all disciplines? I haven't yet sorted that out.

Another thing: I have more than an inkling of why student-edited journals have such a tenacious hold in legal publishing despite the frequent criticisms of the system. Putting together a journal is devilishly hard work — tedious, mind-numbing, and slow. So why not let the students continue to feed like piranhas on professorial manuscripts?

There is much to be said for that view. My fellow editors and I were almost persuaded, indeed, when we learned of a blunder in last year's issue. True, we had told contributors — and prospective contributors — that "[a]uthors are responsible for the accuracy of

all quotations and citations."[1] Not resting on that alone, though, we hired student editorial assistants to double-check all citations and quotations. And then, just for good measure, the editors themselves triple-checked dozens of references.

But all that wasn't good enough. Susan Rushing's essay on judicial humor misattributed a judicial opinion — and not just any opinion. It was *People v. Arno*,[2] the obscenity case in which the majority opinion obliquely refers to the lone dissenter as a "schmuck." Inexplicably, the essay attributed the opinion to Judge Arthur Alarcon — now a Ninth Circuit judge — and not to its true author. In fact, Judge Alarcon wasn't even on the California appellate panel that decided *Arno*. Judge Alarcon was understandably miffed, and the editors were deeply chagrined.

How does one forestall such an error? This year, we have tried to do it by having the editors themselves — in addition to students — check all quotations and citations. Work like that doesn't exactly make you nostalgic for the old law-review days. In fact, it might easily persuade you that we ought to keep all this tedious work right where it generally stays: on the desks of extraordinarily bright law students.

Nevertheless, the editors believe that there is a need for seasoned editorial hands, and we pledge to continue our commitment to producing a lively and informative journal.

Bryan A. Garner

---

[1] *See* "Information for Contributors" inside the front cover.

[2] 153 Cal. Rptr. 624 (1979).