



## A Rough Legal Intersection Made Smooth: New York University School of Law's Journal of Legislation and Public Policy

[9-20-04 by Joe Cockman]

Usually we feature an interview with a law school's career counselor in this slot. This week, however, as a special feature, we're going to report on NYU School of Law Journal of Legislation and Public Policy, a relatively new but innovative and informative journal that we feel you should hear about.

If Law & Order epitomizes the fictional end of the spectrum of America's fascination with legal issues and legal actors, then the realm where politics, legislation and public policy intersect may operate as its real-world balancing force. Pieces of legislation like the Campaign Finance Reform Act or the Religious Land Use Act are the results of decisions made by the players in this realm, and these decisions hold impact for many Americans. Where the decisions of ersatz District Attorney Jack McCoy entertain, the choices made by a state legislature or the U.S. Congress proclaim-funds are directed, behavior is controlled, and the daily lives of millions are given limits and freedoms.

Studying and understanding these public policy choices is essential to an educated system of democratic participants. That check-and-balance dream of the Fathers surely anticipated that some group of inquiring minds would perpetually analyze and question the results of these lawmaking bodies and the current public policy issues they face.

Enter the New York University School of Law Journal of Legislation and Public Policy.

Since April of 1997, the Journal of Legislation and Public Policy has sought to publish articles that examine a specific policy issue, specific piece of legislation, or a proposed legislative initiative. Knowing that strong analysis leads to more productive debate, the Journal recognizes that its title should always direct its mission. "It is critical that all of our articles have both components," said Editor-In-Chief Heather Pierce. "We're

the Journal of Legislation and Public Policy."

This requires that a wide net of inquiry be cast and discussed before settling upon a narrow aim. It is a balance that may seem simple, but in the world of law creation- if one is honest-no issue is completely detached from the broader social experience.

Examining the reach and ambition of both a past and upcoming issue of this young Journal reveals that its mission is likely to be achieved with considerable success. In the fall of 2003, it published papers resulting from an earlier symposium entitled "Teaching Legislation" that focused on the legislative aspect of its mission. Currently the Journal is compiling an issue of papers that were written from a symposium it co-sponsored with the Health Law Society, named "Increasing Access to Healthcare." This symposium sustains the balance by providing a direct focus on public policy. Where "Teaching Legislation" concerned itself with the role of legislatures in public law, the Journal's upcoming health-care symposium issue covers a broad range of topics, from reducing medical errors to why the modern health-care crisis exists in the first place.

"We were astounded at how different the pieces were," said Pierce, referring to the soon-to-be-published health-care issue. "The topic range illustrates the complexity of the situation." On a public policy scale this could not be more true. The health-care question attracts the opinions and ideas of lawyers, physicians, hospitals, and insurance companies, contributing to a lively debate that will certainly make this forthcoming December issue a worthwhile read.

Located off Washington Square in New York City, the office of the Journal knows the talented energies of a variety of members. The Journal is made up of 40 second-year staff editors, approximately 20 third-year articles editors, and an executive board. Unlike some Journals, this small community randomly assigns second-year editors to assist and learn from third-year editors, and these assignments shift at least once during the semester. This way, every Journal member is "more invested right from the beginning," due to a more varied involvement in the publication process, Pierce noted. It also "increases the institutional memory" of the Journal, she continued, thereby allowing for more involved projects like symposiums or a special section in each issue of the Journal called "Recent Developments."

"Recent Developments" is an example of how the Journal is driven to inform its potential audience in distinctive ways. According to Pierce, these essay-length pieces, written by Journal staff, "invoke brief and thoughtful analysis of a current piece of legislation." Items in "Recent Developments" allow more staff writing to be published, and the section seemingly allows the staff to further strengthen their joint commitment to the Journal. Most importantly, these pieces enable a reader to get a "good grasp of policy issues without being overburdened," said Managing Editor Rachel Grand. And when the policy issue is one like same-sex marriage, for example, parsing down the rhetoric and presenting clear analysis makes this section a valuable contribution to public debate.



The enthusiasm and professionalism of editors Pierce and Grand help to reveal why the Journal's content is so compelling. Where Pierce brings a Master's in Public Health to the table, Grand holds interest in topics from the study of bioethics to workplace gender discrimination. It does not seem unreasonable to assume that the entire staff at the Journal offers a similar variety of interests and expertise that contribute to this intellectual vigor. Past issues of the Journal contain articles with topics ranging from employment law statutes to transportation subsidies, and student notes discussing the public's role in caring for the elderly and juvenile curfews.

In an election year where policy argument is ignored in favor of campaign strategy, and in a modern America where Law & Order episodes are "ripped from the headlines," the line between fiction and reality, in regards to law, legislation, and policy issues, has undeniably blurred. Thankfully, the New York University School of Law Journal of Legislation and Public Policy is picking up where negligent reporting has failed. This Journal provides a fresh and substantive outlet for future and current legal leaders to consider the prospect for public law. That is a great thing for public policy and a great thing for the polity.

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<http://www.law.nyu.edu/journals/legislation/index.html>.