

McGeorge Law Review

Volume 23 | Issue 3 Article 23

1-1-1992

Board of Editors

University of the Pacific; McGeorge School of Law

Follow this and additional works at: https://scholarlycommons.pacific.edu/mlr



Part of the Law Commons

Recommended Citation

University of the Pacific; McGeorge School of Law, Board of Editors, 23 PAC. L. J. xcvi (1992). $A vailable\ at: https://scholarlycommons.pacific.edu/mlr/vol23/iss3/23$

This Front Matter is brought to you for free and open access by the Journals and Law Reviews at Scholarly Commons. It has been accepted for inclusion in McGeorge Law Review by an authorized editor of Scholarly Commons. For more information, please contact mgibney@pacific.edu.

PACIFIC LAW JOURNAL

Member, National Conference of Law Reviews

JULY 1992

VOLUME 23, ISSUE 4

BOARD OF EDITORS

JAMES STUART BAILEY

Editor-in-Chief

JACQUELINE Y. ENGEL

Managing Editor

DEBORAH GLYNN
Associate Managing Editor

Luisa A.M. Giuffrida

Comment Editor

WILLIAM T. BABBITT
IAN W. CRAIG
VIRGINIA C. MAGAN
Associate Comment Editors

FRED P. CAVESE Legislation Editor

DAVID PAUL CUSICK
MICHAEL J. FANNON
EVAN D. SMILEY
Associate Legislation Editors

CRAIG A. BARBAROSH
Articles Editor

JULIE KOYAMA

Associate Articles Editor

EDITORIAL STAFF

GARTH W. AUBERT
Assistant Managing Editor

JENNIFER P. ANDERSON CARRA LASSMAN Assistant Legislation Editor DEBRA S. FRIEDMAN Assistant Articles Editor

NANNETTE J. STOMBERG
Symposium Editor

ASSISTANT COMMENT EDITORS

JENNIFER P. ANDERSON
SUSAN L. BALLARD
TODD BRADY
FRED P. CAVESE
DAVID PAUL CUSICK

JAMES M. DUNCAN
DEBORAH GLYNN
S. ALEXANDRIA JO
ELIZABETH JOHNSON
M. BRIAN KNOTEK
GEORGE J. KUNZELMAN

CARRA L. LASSMAN ROSS W. LEE NICOLA MIGLIACCIO REED SCHREITER EVAN D. SMILEY

STAFF MEMBERS

MARK ANKCORN
DANA ASTRACHAN
PAMELA LEWIS BAILEY
TAMARA BOECK
TERRYL N. A. BUCCINO
DON COPE
JINEEN CUDDY
JEFFREY W. DALY
THOMAS DAVENPORT, III
MICHAELLE DIGRAZIA
CHRISTOPHER W. EWING
ALBERT FLOR, JR.
LUKE FOSTER

ADAM GUBNER
STEVE HOLDEN
BETTY JONES
JEFF JONES
JOHN KESECKER
TIFFANIE KOVACEVICH
JOHN E. LATTIN
GREGORY LIVINGSTON
BRIAN MARTY
RICHARD D. NOBLEMAN
RICHARD C. O'HARE
ROSS PETTY
ROBERT ROBARDS

RANDY ROSTAD
DANIEL ROSTON
KELLEY SBARBARO
ANNE SCHMITZ
ANDREW SRIRO
ANNE C. STOLL
SCOTT WAAGE
NICOLE WALTHALL
THOMAS WEATHERS
STEVE WEBER
BRETT WITTER
WENDY YORK

JEROME J. CURTIS, JR. Faculty Advisor

OWEN KUNS EDWARD PURCELL California Legislative Review Advisors

Hon. B. Abbott Goldberg Special Consultant

SHERI SHUTEROFF Secretary

SELECT COMMITTEE OF ADVISORS

CHARITY KENYON, CHAIR

HON. COLEMAN BLEASE

HON. CECILY BOND

Judiciary

JEROME J. CURTIS, JR.

HON. LEONARD M. FRIEDMAN

Practicing Bar

Judiciary

Judiciary

Judiciary

MARTHA GEIGER Public Employment Relations Board

HON, B. ABBOTT GOLDBERG Special Consultant

BION M. GREGORY Legislative Counsel of California

HON. EUGENE GUALCO

HON. LAWRENCE K. KARLTON

ADOLPH MOSKOVITZ

DONALD R. PRINZ

Judiciary

Practicing Bar

Faculty

ALBERT S. RODDA California State Senator (Retired)

JOHN E. RYAN Acting Dean and Professor of Law

HON. GORDON D. SCHABER University Counsellor and

Distinguished Professor of Law

ROBERT WILLIAMS Office of the Governor
WILLIAM WILSON Practicing Bar

The Editorial Board of the *Pacific Law Journal* is pleased to announce the Board of Editors for Volume 24.

STEVE HOLDEN Editor in Chief
CHRISTOPHER W. EWING Managing Editor

ROBERT ROBARDS Associate Managing Editor

DON COPE Legislation Editor

RICHARD D. NOBLEMAN
STEVE WEBER
Associate Legislation Editor
WENDY YORK
Associate Legislation Editor

ALBERT FLOR, JR. Articles Editor

TERRYL N. A. BUCCINO Associate Articles Editor

MICHAELLE DIGRAZIA Comment Editor

DANA ASTRACHAN

PAMELA LEWIS BAILEY

JINEEN CUDDY

Associate Comment Editor

Associate Comment Editor

Associate Comment Editor

Copyright 1992 by McGeorge School of Law, University of the Pacific. Second Class Postage paid at Sacramento, California and at additional mailing offices (ISSN 0030-8757). Additional entries in Indianapolis, Indiana.

Published quarterly by the students of McGeorge School of Law, University of the Pacific, 3200 Fifth Avenue, Sacramento, CA 95817.

The Pacific Law Journal prints all matter that it deems worthy of publication. Views expressed herein are those of the authors, and do not necessarily reflect the policies or opinions of the Journal, its editors and staff, or the law school.

The Journal welcomes the submission of unsolicited manuscripts. Manuscripts along with computer disk (preferably in WordPerfect 5.1), if available, should be sent to the Articles Editor, Pacific Law Journal, 3200 Fifth Avenue, Sacramento, CA 95817.

The Pacific Law Journal gratefully acknowledged the complimentary subscripts to the National Report System Advance Sheets, presented by West Publishing Company.

Citations conform generally to A UNIFORM SYSTEM OF CITATION (14th ed. 1986), copyright by the Columbia, Harvard, and University of Pennsylvania Law Reviews and the Yale Law Journal.

SUBSCRIPTION INFORMATION AND REQUESTS FOR BACK ISSUES

The Pacific Law Journal is published quarterly (October, January, April and July), and the subscription cost for the volume, which includes all four issues, is \$20.00. (This subscription cost includes our yearly Review of Selected California Legislation). Single issue subscriptions are available, and single issues may be purchased independently of a subscription.

Requests for the Journal should be in writing; telephone orders will be taken only if paid prior to mailing. A subscription will commence with each October issue and billing will occur within that month. Statements will be sent quarterly through July, at which time an account must be current to insure mailing of the next volume. Subscriptions will be automatically renewed each October unless a cancellation request is received prior to September to prevent mailing of the October issue. If A SUBSCRIBER WISHES TO CANCEL MID-YEAR, THE JOURNAL WOULD PREFER TO COMPLETE THE MAILING OF THE ISSUES THAT WOULD COMPLETE THE VOLUME. THE SUBSCRIBER IS RESPONSIBLE FOR ANY ISSUES MAILED PRIOR TO THE DATE OF THE CANCELLATION REQUEST.

Duplicate copies of the *Journal* will not be sent without charge if nondelivery is based upon a change of address without notification. A notice of the subscriber's change of address must be received at least 60 days before the date of the issue for which it is to take effect. Unless a claim is made for nonreceipt of an issue (other than an address change) within 60 days of publication that issue will not be supplied free of charge.

Requests for subscription information, or notices of an address change, should be sent to the Subscription through Volume 10 may be obtained from Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado 80123. Copies of back issues from Volume 11, as available, may be purchased directly from the *Pacific Law Journal*.

SUBSCRIPTION: \$20.00 per year

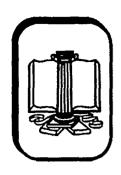
Single issues (Volume 11 and continuing, as available): January issue \$15.00, Symposium issues \$15.00, all other issues \$10.00. (These prices are subject to change without notice).

REPRINTS: \$6.00 per copy (as available). Reprints from Volume 21 to present are available at no charge, since the *Journal* is now computer typeset. To obtain a laser printed reprint of any article, please write to the *Pacific Law Journal*, 3200 Fifth Avenue, Sacramento, CA 95817.

REVIEW OF SELECTED NEVADA LEGISLATION

Due to a declining subscription base, the *Pacific Law Journal* was forced to discontinue its *Review of Selected Nevada Legislation*. The last issue available is 1989. The *Journal* has a limited supply of back issues available at a cost of \$20.00 per issue.

All issues of the <u>Pacific Law Journal</u> are typeset in-house using WordPerfect 5.1 and printed on the Lasermaster 1000, Personal Typesetter, printer. For information on this process you may call the editorial offices at (916) 739-7171 between the hours of 8:30 a.m. to 5:30 p.m. (PST).



UNIVERSITY OF THE PACIFIC McGEORGE SCHOOL OF LAW

3200 Fifth Avenue, Sacramento, California

THE ADMINISTRATION

BILL L. ATCHLEY, B.A., M.S., PH.D. HORACE W. FLEMING, JR., B.A., M.A., PH.D. JOSEPH L. SUBBIONDO, B.A., M.A.

MICHAEL GOINS, B.A. CURTIS S. REDDEN, B.S. JUDITH M. CHAMBERS, B.A., M.A., D.H.L. GORDON D. SCHABER, A.B., J.D., LL.D.

John E. Ryan, B.A., J.D., LL.M. DAVID W. MILLER, A.B., J.D. GLENN A. FAIT, B.A., J.D.

Jane Kelso, B.A., J.D. James J. McHugh, A.B., M.A., LL.B.

MARGARET K. DISTLER, B.A.
W. ERIC MCELWAIN
ROBERT M.C. WEBSTER, B.A.
ROBERT A. CHAIM, B.A., D.A.
CAROL J. HUNTER
KATHERINE HENDERSON, B.A., J.D., M.L.L.
GARY L. EVANS, B.A., C.P.A.
MERRIS Z. DARNELL, M.A., M.S.

President of the University

Executive Vice President of the University

Vice President for Academic Affairs

of the University

Vice President for Finance of the University

Vice President for Finance of the University
Vice President for Institutional Advancement
Vice President for Student Life of the University
University Counsellor and Distinguished
Professor of Law

Acting Dean and Professor of Law
Acting Associate Dean for Academic Affairs
and Professor of Law

Associate Dean/Special Counsel and Director, Institute for Administrative Justice, Lecturer in Law

Dean of Students and Lecturer in Law Associate Dean for Career Development, Lecturer in Law

Director of Development
Director of International Studies
Director, European Studies, Lecturer in Law
Assistant Dean of Students, Lecturer in Law
Registrar
Law Librarian

Director of Business Affairs
Director of the Career Development Office

FACULTY OF LAW

JUDGE JAMES R. ADAMS, B.A., J.D. Professor of Law JAIME AGUDELO, B.S., M.A., PH.D., C.P.A. Adjunct Professor of Accounting RICHARD ALBAUGH, B.A., J.D., LL.M. Adjunct Professor of Law CECILIA ARNOLD, B.A., M.A., J.D.

Associate Clinical Professor Adjunct
GILLES S. ATTIA, B.S., J.D., LL.M

Professor of Law
GORDON S. BACA, B.S., LL.B.

Adjunct Professor of Law

CHRYSTA BAN, J.D. Visiting Professor of Law ELIZABETH A. BECKER, B.A., J.D. Director, Sacramento Mediation Center Clinical Program MICHAEL A. BERCH, B.A., J.D. Visiting Proffessor of Law DON BERGER, A.B., J.D., LL.M. Professor of Law JOHN D. BESSEY, B.A., J.D. Adjunct Professor of Law ROBERT K. BEST, A.B., J.D. Adjunct Professor of Law WILLIAM R. BICKFORD, B.A., LL.B. Adjunct Professor of Law KIMEERLY MITCHELL BOTT, B.A., J.D. Adjunct Professor of Law COREY BROWN, B.S., J.D. Adjunct Clinical Professor of Law STEPHEN J. BURNS, B.A., M.A., J.D. Assistant Professor of Law JOYCE L. CARRILLO, B.A., J.D. Clinical Professor LINDA CARTER, B.A., J.D. Professor of Law ROBERT A. CHAIM, B.A., D.A. Assistant Dean of Students, Lecturer in Law JEFFREY C. CHANG, A.B., J.D., J.S.M. Adjunct Professor of Law THOMAS CHASE, B.S., M.B.A. Adjunct Professor of Business Administration JONATHAN CHRISTIANSON, B.A., J.D. Legal Process Instructor ERIC J. COFFILL, A.B., J.D., LL.M. Adjunct Professor of Law RAYMOND COLETTA, A.B., J.D. Associate Professor of Law ROBIN A. MORRIS COLLIN, B.A., J.D. Professor of Law THOMAS COYNE, B.A., J.D. Professor of Law KEVIN R. CULHANE, J.D., J.S.M. Adjunct Professor of Law JEROME J. CURTIS, JR., B.A., J.D., LL.M. Professor of Law, Advisor to the Pacific Law Journal JULIE ANNE DAVIES, B.A., J.D. Associate Professor of Law WYLIE H. DAVIS, J.D., LL.M. Visiting Professor of Law CHRISTINE DENTINO, B.A., J.D., LL.M.

Professor of Law

Professor of Law

Lecturer of Law

GLENN A. FAIT, B.A., J.D.

HOWARD E. ENGLE, JR., B.A., J.D., LL.M.

Institute for Administrative Justice,

Associate Dean/Special Counsel and Director,

BENJAMIN D. FRANTZ, B.A., J.D. Professor of Law RENEE E. FORD, B.A., J.D. Clinical Staff Attorney KATHLEEN FRIEDRICH, B.A., J.D. Clinical Staff Attorney FRANKLIN A. GEVURTZ, B.S., J.D. Professor of Law JUDGE B. ABBOTT GOLDBERG, B.A., LL.B. Sacramento County Superior Court (Retired) Scholar in Residence, Special Consultant to the Pacific Law Journal GEORGE A. GOULD, B.A., J.D. Professor of Law EILEEN HAMILTON, B.A., M.A., J.D. Legal Process Instructor MEGALI HAVENS, B.A., J.D. Legal Process Instructor MARK L. HEFTER, B.A., M.A., LL.M. Adjunct Professor of Law AMEY STEWART HEMPEL, B.A., J.D. Legal Process Instructor VINCENT C. IMMEL, B.S., J.D. Distinguished Visiting Professor of Law CORWIN W. JOHNSON, A.B., J.D. Distinguished Visiting Professor of Law WARREN A. JONES, B.A., J.D. Clinical Professor of Law KATHLEEN M. KELLY, B.A., J.D. Professor of Law CHARLES D. KELSO, A.B., J.D., LL.M., LL.D., J.S.D. Professor of Law J. CLARK KELSO, B.A., J.D. Associate Professor of Law, Advisor to The Transnational Lawyer JANE KELSO, B.A., J.D. Dean of Students, Director, Pre-Law Summer Program, Lecturer in Law JUSTICE ANTHONY M. KENNEDY, A.B., LL.B. Associate Justice, Supreme Court of the United States, Adjunct Professor of Law PHILIP M. KNOX, JR., B.S., J.D. Adjunct Professor of Law BRIAN F. LANDSBERG, B.A., J.D. Professor of Law LAWRENCE LEVINE, B.A., J.D. Professor of Law HANS-HENRIK LIDGARD, Ph.D./LAW Professor of Law EDWARD R. LITWIN, B.A., J.D. Adjunct Professor of Law PIERRE R. LOISEAUX, LLB., LLM. Visiting Professor of Law FLORENCE J. LUTHER, J.D. Emeritus Professor of Law STEPHEN C. McCAFFREY, B.A., J.D., Dr., Jur.

Professor of Law

REAR ADMIRAL JAMES J. MCHUGH, A.B., M.A., Associate Dean for Career Development, Lecturer of Law

KENT MEYER, B.A., M.B.A., PH.D., J.D.

Adjunct Professor of Law DAVID W. MILLER, A.B., J.D., LL.B.

Acting Associate Dean and Professor of Law STEPHEN MOPSICK, A.B., J.D., LL.M.

Adjunct Professor of Law

JOHN P. MORRIS, B.A., J.D.

Professor of Law

JOHN E. B. MYERS, B.S., J.D.

Professor of Law

RICHARDSON W. NAHSTOLL, B.A., J.D., LL.B.

Visiting Professor of Law

ALLAN B. O'CONNOR, A.B., J.D.

Emeritus Professor of Law

ROBERT F. O'NEAL, B.A., B.S., J.D.

Professor of Law

CHRISTOPHER O'ROURKE, B.A., J.D., M.L.S.

Adjunct Professor of Law

GARY PERRY, B.A., J.D.

Adjunct Professor of Law

JILL C. PERTERSON, B.A., J.D.

Clinical Staff Attorney

DONALD R. PRINZ, B.S., B.A., J.D.

Professor of Law

JAN ELLEN REIN, B.A., LL.B.

Professor of Law

JAMES RITCHEY, B.S., M.S., Ph.D., J.D.

Adjunct Professor of Law

JUDGE RONALD B. ROBIE, B.A, M.A., J.D.

Sacramento County Superior Court,

Adjunct Professor of Law

CLAUDE D. ROHWER, A.B., J.D.

Professor of Law

ROBERT RUBIN, B.S., J.D., LL.M.

Adjunct Professor of Law

KENNETH W. RUTHENBERG, JR., B.A., J.D.,

LL.M.

Adjunct Professor of Law

JANE A. RYAN, B.A., M.A., J.D.

Legal Process Instructor

JOHN E. RYAN, B.A., J.D., LL.M.

Acting Dean, McGeorge School of Law,

Professor of Law

MICHAEL S. SANDS, B.S., J.D.

Director, Center for Legal Advocacy and

Professor of Law

JUDGE GORDON D. SCHABER, A.B., J.D., LL.D.

University Counsellor and Distinguished

Professor of Law

EUGENE F. SCOLES, J.D., LL.M., J.S.D.

Professor of Law

GLENDALEE SCULLY, B.A., J.D.

Director, Clinical Legal Education

Clinical Professor of Law

THOMAS J. SCULLY, B.A., J.D.

Clinical Professor of Law

GLEN W. SHELLHAAS, A.B., J.D.

Emeritus Professor of Law (Deceased)

JOHN CARY SIMS, A.B., J.D.

Associate Professor of Law

ANTHONY W. SKROCKI, J.D., LL.M.

Professor of Law

STUART L. SOMACH, B.A., J.D.

Adjunct Professor of Law

JUSTICE CHARLES SPRINGER, B.A, J.D., LL.M.

Justice, Nevada Supreme Court

Adjunct Professor of Law

CHARLES J. STEVENS, B.A., J.D.

Adjunct Professor of Law

BRIAN TAUGHER, B.S., J.D.

Adjunct Professor of Law

JOHN M. TAYLOR, B.A., J.D.

Adjunct Professor of Law

JUDGE RONALD S. TOCHTERMAN, A.B., J.D.,

Adjucnt Professor of Law

FRANK J. TRELEASE, A.B., LL.B., J.S.D., LL.D.

Emeritus Professor of Law (deceased)

STEPHEN W. TROPP, J.D.,

Adjunct Professor of Law

RICHARD VARGO, B.S., M.B.A., PH.D.

Adjunct Professor of Accounting

MICHAEL VITIELLO, B.A., J.D.

Professor of Law

GREGORY S. WEBER, A.B., J.D.

Assistant Professor of Law

ROBERT M. C. WEBSTER

Director, European Studies and

Lecturer in Law

PHILIP WILE, B.A., J.D.

Professor of Law and Director, Master of

Programs in Taxation and Laws in Business

and Taxation

FRANK D. WINSTON, B.S., M.B.A., J.D.

Adjunct Professor of Law

DONALD H. WOLLETT, A.B., LL.B.

Emeritus Professor of Law

KOJO YELPAALA, LL.B., M.B.A., MSc., J.S.D.

Professor of Law, Advisor to The

Transnational Lawyer