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Introduction

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SYMPOSIUM

THE SUPREME COURT AND LOCAL
GOVERNMENT LAW 1996-97 TERM

Hon. Leon D. Lazer:

Thank you. We have a very busy program. You all know that the last term of the Supreme Court was very productive. How constructive it was may depend on your own point of view, but we are going to try to cover a broad range of cases that are of general interest to us. We cannot cover everything, and there are a lot of cases that are not terribly significant to us at the state level.

We are going to deal with a number of subjects this morning. We are going to start with Section 1983, with Professor Schwartz and Judge Pratt, and then Professor Hellerstein is going to deal with criminal law and the Fourth Amendment. Marjorie Heins is going to deal with the First Amendment, which, as you know, covers both the freedom of speech and the freedom of religion. Then, finally, to wind up the morning, Professor Lane is going to deal with voting rights and federalism, which, of course, includes the Brady Bill and one other case of significance.

In the afternoon, we are going to have Professor Friedman from Hofstra discussing the assisted suicide case commonly known as "the right to die" cases. He is the leading authority in this area as well. Then our own Vice Dean, Eileen Kaufman, is going to do a roundup of cases running from executive immunity, the Jones case, to other issues of the Fourteenth Amendment, and the Constitutional right to a trial before an unbiased judge. I will wind up by discussing a land use case and two interesting tort cases, as well as a products liability case. So we have an ambitious program.

Let me start now by introducing you to our first two participants, Professor Martin Schwartz, who is a leading

national authority on Section 1983. The New York Law Journal publishes his column monthly. He is the author and co-author of two books, "Section 1983 Litigation Claims and Defenses" and "Section 1983 Federal Evidence," and he has been cited by the Supreme Court in one of its decisions. Joining him on the subject of 1983 is Judge George Pratt, who we are honored to have on our faculty, and Judge Pratt, as many of you know, was a District Judge in the Eastern District of New York and, subsequently, was appointed to the Second Circuit of the Court of Appeals. He was, prior to his judicial service, a member of the Farrell, Fritz firm. He served as municipal counsel to various municipalities in Nassau County, ranging from villages to the County itself. At Touro, we are very proud to have him as a permanent member of our full-time faculty.

So, having spoken long enough in a supposedly introductory fashion, let me now turn over the microphone to Professor Schwartz.