

10-1-2002

## Front Matter and Table of Contents

Follow this and additional works at: <https://repository.law.miami.edu/umlr>

---

### Recommended Citation

*Front Matter and Table of Contents*, 57 U. Miami L. Rev. Iss. 1 (2002)

Available at: <https://repository.law.miami.edu/umlr/vol57/iss1/1>

This Prefatory Matter is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact [library@law.miami.edu](mailto:library@law.miami.edu).

# University of Miami Law Review

VOLUME 57

OCTOBER 2002

NUMBER 1

## ARTICLES

- IS IT "THE WILL OF THE PEOPLE" OR A  
BROKEN ARROW? COLLECTIVE PREFERENCES,  
OUT-OF-THE-MONEY OPTIONS, *BUSH v.*  
*GORE*, AND ARGUMENTS FOR QUASHING  
POST-BALLOTING LITIGATION ABSENT  
SPECIFIC ALLEGATIONS OF FRAUD ..... *Mark Klock* 1
- LOOKING FOR LAW IN ALL THE WRONG PLACES:  
A CRITIQUE OF THE ACADEMIC RESPONSE  
TO THE FLORIDA ELECTION ..... *Kenneth Ward* 55
- FUNDAMENTALLY FLAWED: TRADITION AND  
FUNDAMENTAL RIGHTS ..... *Adam B. Wolf* 101
- SUPPORTING THE WORK OF LESSER GENIUSES:  
AN ARGUMENT FOR REMOVING OBSTRUCTIONS  
TO HUMAN EMBRYONIC STEM CELL  
RESEARCH ..... *Christopher D. Hazuka* 157

## BOOK REVIEW

- CONTEMPT OF COURT, THE TURN-OF-  
THE-CENTURY LYNCHING THAT LAUNCHED  
100 YEARS OF FEDERALISM..... *Robert D. Peltz* 221

## COMMENTS

- PRESERVING THE ESSENCE OF *ZADVYDAS v.*  
*DAVIS* IN THE MIDST OF A  
NATIONAL TRAGEDY ..... *N. Alejandra Arroyave* 235
- BUCKHANNON BOARD AND CARE HOME, INC.*  
*v. WEST VIRGINIA DEPARTMENT OF HEALTH*  
*AND HUMAN RESOURCES: GOOD-BYE TO*  
*OUR "PRIVATE ATTORNEYS GENERAL"* ... *Ellen Ross Belfer* 267

**University of Miami  
Law Review**

**Volume 57**

**2002-2003**

# University of Miami Law Review

VOLUME 57

OCTOBER 2002

NUMBER 1

## EXECUTIVE BOARD

	ROBERT W. ABEL <i>Editor-in-Chief</i>	
THOMAS REGNIER <i>Senior Articles Editor</i>	SCOTT W. AKINS <i>Executive Editor</i>	LINDA M. RECK <i>Senior Notes &amp; Comments Editor</i>
NICOLE LEVY <i>Writing &amp; Research Editor</i>	KIRSTEN BROWN <i>Managing Editor</i>	ALLYSON DU LAC <i>Projects Editor</i>
N. ALEJANDRA ARROYAVE <i>Articles &amp; Comments Editor</i>	SARAH B. BELTER <i>Articles &amp; Comments Editor</i>	JON POLENBERG <i>Articles &amp; Comments Editor</i>
JAMES SHAW <i>Articles &amp; Comments Editor</i>	KAREN STEWART <i>Articles &amp; Comments Editor</i>	TAMMY WILSKER <i>Articles &amp; Comments Editor</i>

## EDITORIAL BOARD

### *Members*

DANETTE ALFONSO	SAMUEL A. GRUNDWERG	CARLOS PORTUGAL
DAVID F. BIRKE	JOHN HANSON	ROMA PEREZ
WENDY C. BLASIUS	ALLISON B. HOAGLAND	REBECCA PLASENCIA
ANDREW B. BOESE	THOMAS H. HORENKAMP	JOSHUA D. POYER
ALEX BROPHY	ANDREW T. HOUSTON	JAVIER A. REYES
TYLER BROWNING	MICHEAL HUBER	ELLEN ROSS
NICHOLAS A. CAMPBELL	DAVID B. JOYCE	MARIANNE SCARBOROUGH
KELLY CARTUS	LIANI KOTCHER	MICHAEL S. SCHWAGER
CHRISTOPHER D. CASTRO	ROBERT C. LEITNER	ADAM J. SHAPIRO
ROBIN COHEN	STACY LIGHTFOOT	JAIME ELLEN SOPHER
CASEY CUSICK	ERIC M. LOPOTEN	MICHAEL STEELE
DOLLY VOORHEES DAVIS	LAUREN B. LUIS	MIKE TRAUBEN
JASON R. DOMARK	LAURINDA H. MARTINS	KARENE L. TYGENHOF
MAURA E. FITZGERALD	EDWARD MCCARTHY	CHANTELL S. VICHOT
JESSICA D. GABEL	JASON MYERS	SHANE WEAVER
ARI H. GERSTIN	ERIC W. OSTROFF	KIMBERLY WEISSLER
PENNIE BARASCH GOLDMANN	JOHN E. PAGE	SHANA ZIPKIN
	JORGE SCHMIDT PANEYKO	

PAM THOMAS-HILL  
*Administrative Assistant*

The *University of Miami Law Review* (ISSN 0041-9818) is published four times per year, in October, January, April, and July by the students of the University of Miami School of Law. Periodicals postage paid at Miami, Florida and additional mailing offices. Postmaster, send address changes to:

University of Miami Law Review  
1311 Miller Drive  
Coral Gables, FL 33124

---

Subscription price \$18.00 per annum. Single issues are \$7.00 per number. Back numbers (vols. 1-55) are available through:

William S. Hein & Co., Inc.  
1285 Main Street  
Buffalo, N.Y. 14209

Subscriptions are automatically renewable in the fall and can be cancelled only after the entire volume has been printed. Because the *University of Miami Law Review* holds back issues at its editorial offices for only a limited time, subscribers should report nonreceipt of an issue within six months of its mailing or one month following receipt of a succeeding issue.

---

Address all correspondence to:

University of Miami Law Review  
University of Miami School of Law  
349 Law Library  
Coral Gables, Florida 33124  
(305) 284-2464

Street address:

1311 Miller Drive  
Coral Gables, Florida 33146

Or visit us at:

[www.law.miami.edu/students/law-review](http://www.law.miami.edu/students/law-review)

---

The Executive Board invites the submission of articles of substantial legal merit. Authors seeking publication in the *University of Miami Law Review* should submit manuscripts with footnotes typed in a separate section from the text, all double- or triple-spaced, including any quoted or indented material. The *Review* assumes no responsibility for the return of any material.

Although the *Review* generally gives great deference to an author's work, the *Review* retains the right to determine the final published form of every article. As a rule, footnotes should conform to the 17th edition of *The Bluebook: A Uniform System of Citation*. Citations to Florida authorities, however, should conform to the *University of Miami Law Review Style Sheet*, available upon request. The *Review* also uses *A Manual of Style* (1986), prepared by the U.S. Government Printing Office, for additional guidelines on punctuation, capitalization, and compounding. For matters of style and usage, the editors recommend William Strunk, Jr. & E.B. White, *The Elements of Style* (3d ed. 1979), and *Webster's Dictionary of English Usage* (1989).

Except as otherwise expressly provided in the first footnote of any article, the author of each article published in the *Review* grants permission for copies of that article to be made and used by nonprofit educational institutions, provided that the user identifies the author and journal, affixes proper notice of copyright to each copy, and sends notice and a description of the use to the *University of Miami Law Review*. In addition, except as otherwise expressly provided, the author of each article grants the *University of Miami Law Review* the right to authorize the publication, reproduction, and distribution of the article in electronic, computerized retrieval systems, and similar forms, and to transfer such rights.

The *University of Miami Law Review* provides an opportunity for student members and outside authors to submit articles that discuss anything of general interest to law students, academicians, or practicing attorneys. A small section, entitled "Special Issues and Topics," is available for such pieces. This section is designed to provide members of the entire legal community with interesting and creative law-related material.

---

The *University of Miami Law Review* is indexed in *Contents of Current Legal Periodicals*, *Current Law Index*, *Index to Legal Periodicals*, and *Public Affairs Information Service, Inc.*, and is available in WESTLAW and LEXIS.

---