

11-22-2019

Prefatory Matter and Table of Contents

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



Part of the [Law Commons](#)

Recommended Citation

Prefatory Matter and Table of Contents, 74 U. Miami L. Rev. Iss. 1 (2019)

Available at: <https://repository.law.miami.edu/umlr/vol74/iss1/1>

This Prefatory Matter is brought to you for free and open access by 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.

University of Miami Law Review

VOLUME 74

FALL 2019

NUMBER 1

ARTICLES

EVIDENCE'S #MeToo MOMENT	<i>Anibal Rosario-Lebrón</i>	1
JUSTICE SCALIA GOT IT RIGHT, BUT FOR THE WRONG REASONS: SCALIA'S RECOGNITION OF THE SUPREME COURT'S "SOUTHERN EXCEPTION" IN U.S. CONSTITUTIONAL JURISPRUDENCE AND THE CONNECTION OF "SOUTHERN EXCEPTIONALISM" TO "AMERICAN EXCEPTIONALISM"	<i>James D. Wilets</i>	109
ACCESS TO LAW OR ACCESS TO LAWYERS? MASTER'S PROGRAMS IN THE PUBLIC EDUCATIONAL MISSION OF LAW SCHOOLS	<i>Mark Edwin Burge</i>	143
BITCOIN IS SPEECH: NOTES TOWARD DEVELOPING THE CONCEPTUAL CONTOURS OF ITS PROTECTION UNDER THE FIRST AMENDMENT	<i>Justin S. Wales & Richard J. Ovelmen</i>	204

NOTES

A MODEST PROPOSAL: THE FEDERAL GOVERNMENT SHOULD USE FIRING SQUADS TO EXECUTE FEDERAL DEATH ROW INMATES	<i>Stephanie Moran</i>	276
NIPPED IN THE BUD: HOW LEGAL DISPARITIES CREATE FINANCIAL GROWTH HURDLES IN THE STATE-SANCTIONED MARIJUANA INDUSTRY AND WHY BANKRUPTCY COURTS CAN PROVIDE A REMEDY	<i>Caitlyn Cullen</i>	310

University of Miami Law Review

ADVISORY BOARD

ROY BLACK	STEVEN MARKS
SCOTT E. BYERS	ADAM MOSKOWITZ
HON. A. JAY CRISTOL	MICHAEL NACHWALTER
JARET L. DAVIS	REBEKAH J. POSTON
FREDDY FUNES	PETER PRIETO
ELIZABETH A. GONZALEZ	JOE SEROTA
CHARLES KLINE	HON. THOMAS E. SCOTT
GUY LEWIS	BRIAN W. TOTH
ALVIN LINSDAY	HARLEY S. TROPIN
JOSEPH MAMOUNAS	

STATEMENT OF EDITORIAL POLICY

The *University of Miami Law Review* (ISSN 0041-9818) is published four times in Fall, Winter, Spring, and Summer by the University of Miami: 1311 Miller Road, Law Library, B-349, Coral Gables, FL 33146. Periodicals postage is paid at Miami, Florida 33152 and additional mailing offices. **POSTMASTER:** Send all address changes to the *University of Miami Law Review*: 1311 Miller Road, Law Library, B-349, Coral Gables, FL 33146.

SUBSCRIPTIONS: One year's subscription for four issues / one volume is \$60.00 for domestic mailing and \$65.00 for international mailing, payable in advance. Single issues are \$15.00. Address your order to *University of Miami Law Review*, 1311 Miller Drive, B-349 Law Library, Coral Gables, FL 33124. If the *University of Miami Law Review* does not receive notice of termination before the expiration of the subscription, it will be automatically renewed. Because the *University of Miami Law Review* holds back issues at its editorial offices for a limited time only, subscribers should report non-receipt of an issue within six months of its mailing or one month following receipt of a succeeding issue.

SINGLE AND BACK ISSUES: Each issue of Volume 74 of the *Review* can be purchased for \$15.00 from the *University of Miami Law Review*. Back issues of Volumes 1–73 are available through William S. Hein and Company, Inc., 1285 Main Street, Buffalo, New York 14209, (800) 828-7571. Back issues can also be found in electronic format on HeinOnline (<http://heinonline.org>).

SUBMISSIONS: The *University of Miami Law Review* invites the submission of unsolicited articles. All submissions should conform to *The Bluebook: A Uniform System of Citation* (20th ed. 2015). In general, the *University of Miami Law Review* follows *The Redbook: A Manual on Legal Style* (3d ed. 2013) on grammar, style, and usage. Authors seeking publication in the *University of Miami Law Review* should submit manuscripts electronically and in Microsoft Word format. For more information, please visit us online at <http://lawreview.law.miami.edu/>.

COPYRIGHT: Copyright © 2019 by the *University of Miami Law Review*. The author of each article published in the *Review* grants permission for copies of that article to be made and used for classroom use, provided that the user identifies the author and the 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, 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. For reprint permission for purposes other than classroom use, please contact the *University of Miami Law Review* at the above address, or fax (305) 284-6506. Please allow at least one business week for processing.

UNIVERSITY OF MIAMI SCHOOL OF LAW

ADMINISTRATION

Julio Frenk, M.D., M.P.H., Ph.D, *President of the University*
Jeffrey Duerk., *Provost & Executive Vice President*
Anthony E. Varona, *Dean & M. Minnette Massey Professor of Law*
James M. Bond, *Associate Dean, Finance and Budget*
Andrew B. Dawson, B.A., J.D., *Vice Dean for Academic Affairs & Professor of Law*
Lili Levi, A.B., J.D., *Vice Dean for Intellectual Life, Dean's Distinguished Scholar & Professor of Law*
Raquel M. Matas, B.A., J.D., *Associate Dean for Administration & Counsel to the Dean*
Georgina Angones, B.A., *Assistant Dean, Law Development & Alumni Relations*
Marcelyn Cox, B.A., J.D., *Assistant Dean, Career Development Office*
Stephanie Cox, B.A., *Associate Dean, Office of External Affairs*
Michael L. Goodnight, B.A., M.S., *Associate Dean of Admissions & Enrollment Management*
Marni B. Lennon, B.A., Ms.Ed., J.D., *Assistant Dean, Public Interest & Pro Bono; Director, HOPE Public Interest Resource Center; & Lecturer in Law*
Greg Levy, B.A., J.D., *Associate Dean, Law Academic & Student Services and Strategic Initiatives*
Janet E. Stearns, B.A., J.D., *Dean of Students & Lecturer in Law*
Kele Stewart, B.S., J.D., *Associate Dean, Experiential Learning; Co-Director, Children and Youth Law Clinic; & Professor of Law*
William P. VanderWyden, III, B.A., M.Ed., J.D., *Assistant Dean, Professional Development*

FACULTY

Anthony V. Alfieri, A.B., J.D., *Dean's Distinguished Scholar, Professor of Law, & Director, Center for Ethics & Public Service*
Paula Arias, J.D., *Director, International Moot Court Program & Lecturer in Law*
Yasmina Assis, LL.M., J.D., *Associate Director, International Graduate Law Programs & Lecturer in Law*
Jill Barton, B.J., B.A., M.S., J.D., *Professor of Legal Writing & Lecturer in Law*
Ricardo J. Bascuas, B.A., J.D., *Professor of Law*

Caroline Bettinger-López, B.A., J.D., *Professor of Law & Director, Human Rights Clinic*
William S. Blatt, A.B., J.D., *Professor of Law*
Caroline M. Bradley, B.A. (Hons), LL.M., *Dean's Distinguished Scholar & Professor of Law*
Patricia A. Brown, B.S.F.S., J.D., *Director, Graduate Program in Taxation*
Glenn R. Butterson, A.B., M.A., Ph.D., J.D., *Lecturer in Law*
Sergio J. Campos, A.B., J.D., *Professor of Law*
Kathleen Claussen, B.A., M.A., J.D., *Associate Professor of Law*
Donna K. Coker, B.S.W., M.S.W., J.D., *Dean's Distinguished Scholar & Professor of Law*
Charlton Copeland, B.A., M.A.R., J.D., *Dean's Distinguished Scholar & Professor of Law*
Caroline Mala Corbin, B.A., J.D., *Dean's Distinguished Scholar & Professor of Law*
Christine Anne Darias Daniels, B.A., J.D., *Visiting Professor of Legal Writing & Lecturer in Law*
Michele DeStefano, B.A., J.D., *Professor of Law & Executive Director, LawWithoutWalls*
Scott A. Eichhorn, B.S., J.D., *Practitioner in Residence & Supervising Attorney, Investor Rights Clinic*
Andrew Elmore, B.A., J.D., *Associate Professor of Law*
Marc Fajer, A.B., J.D., *Professor of Law*
Zanita E. Fenton, A.B., J.D., *Professor of Law*
Harold A. Flegelman, B.A., J.D., *Director of the Graduate Program in Entertainment, Arts and Sports Law; Director of the Entertainment Law Track; Lecturer in Law*
Mary Anne Franks, B.A., M.Phil., Ph.D., J.D., *Dean's Distinguished Scholar & Professor of Law*
Sandra Friedrich, J.D., LL.M., *Director, White & Case International Arbitration LL.M. Graduate Program & Lecturer in Law*
Christina M. Frohock, B.A., M.A., J.D., *Professor of Legal Writing*
A. Michael Froomkin, B.A., M.Phil., J.D., *Laurie Silvers and Mitchell Rubenstein Distinguished Professor of Law*
Patrick O. Gudridge, A.B., J.D., *Professor of Law*
Susan Haack, B.A., M.A., B.Phil., Ph.D., *Distinguished Professor in the Humanities, Cooper Senior Scholar in Arts and Sciences, Professor of Philosophy & Professor of Law*
Stephen K. Halpert, A.B., J.D., *Professor of Law*
Frances R. Hill, B.A., M.A., Ph.D., J.D., LL.M., *Dean's Distinguished Scholar for the Profession, Professor of Law*
Elizabeth M. Iglesias, B.A., J.D., *Professor of Law*

Jan L. Jacobowitz, B.S., J.D., *Director of the Professional Responsibility and Ethics Program & Lecturer in Law*

Osamudia R. James, B.A., J.D., LL.M., *Dean's Distinguished Scholar & Professor of Law*

D. Marvin Jones, B.S., J.D., *Professor of Law*

Stanley I. Langbein, A.B., J.D., *Professor of Law*

Robert Latham, B.A., B.A., J.D., *Clinical Instructor & Practitioner-in-Residence, Children & Youth Law Clinic*

Tamara Rice Lave, B.A., M.A., Ph.D., J.D., *Professor of Law*

Romy Lerner, B.A., J.D., *Associate Director, Immigration Clinic & Lecturer in Law*

Pam Lucken, B.S., M.L.S., J.D., *Lecturer in Law & Head of Reference, Law Library*

Martha R. Mahoney, B.A., M.A., J.D., *Dean's Distinguished Scholar & Professor of Law*

John M. Newman, B.A., J.D., *Associate Professor of Law*

JoNel Newman, B.A., J.D., *Director, Health Rights Clinic & Professor of Clinical Legal Education*

Jessica Owley, B.A. MLA, M.S., J.D., Ph.D., *Professor of Law*

Bernard H. Oxman, A.B., J.D., *Richard A. Hausler Endowed Chair & Professor of Law*

Kunal Parker, A.B., M.A., J.D., Ph.D., *Dean's Distinguished Scholar & Professor of Law*

Shara Kobetz Pelz, B.A., J.D., *Professor of Legal Writing & Lecturer in Law*

Carmen Perez-Llorca, J.D., LL.M., *Director, International Graduate Law Programs & Lecturer in Law*

Bernard P. Perlmutter, B.A., J.D., *Co-Director, Children and Youth Law Clinic & Professor of Clinical Legal Education*

Ileana Porras, B.A., M.Phil., J.D., *Senior Lecturer*

Alejandro Portes, B.A., M.A., Ph.D., *Professor of Sociology & Professor of Law*

Daniel B. Ravicher, B.S.C.E., J.D., *Director, Larry Hoffman|Greenberg Traurig Startup Law Practicum & Lecturer in Law*

Rodney P. Rawls, B.S., J.D., LL.M., *Associate Director, Academic Achievement Program & Lecturer in Law*

Thomas A. Robinson, B.S., J.D., B.Litt., *Professor of Law*

Scott L. Rogers, B.S., M.S., J.D., *Director, Mindfulness in Law Program & Lecturer in Law*

Laurence M. Rose, B.A., J.D., *Director, Litigation Skills*

Robert E. Rosen, A.B., M.A., J.D., Ph.D., *Professor of Law*

Andres Sawicki, S.B., J.D., *Professor of Law*

Robin Schard, B.A., M.L.S., J.D., *Associate Director, Law Library & Lecturer in Law*

Gabriel Scheffler, A.B., J.D., Associate Professor of Law
Alex Schimel, B.F.A., J.D., Associate Director, Academic Achievement Program & Lecturer in Law
K. Renee Schimkat, B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Stephen J. Schnably, A.B., J.D., *Professor of Law*
Rebecca Sharpless, B.A., M.Phil., J.D., *Professor of Law, Director, Immigration Clinic*
Irwin P. Stotzky, B.A., J.D., *Professor of Law*
Scott E. Sundby, B.A., J.D., *Professor of Law & Dean's Distinguished Scholar*
Melissa Gibson Swain, B.A., J.D., *Associate Director, Health Rights Clinic & Clinical Instructor, Health Rights Clinic*
Jessi Tamayo, B.A., J.D., *Director, Miami Street Law Program & Lecturer in Law*
Annette Torres, B.A., M.B.A., J.D., *Professor of Legal Writing & Lecturer in Law*
Craig J. Trocino, B.A., J.D., *Director, Innocence Clinic & Lecturer in Law*
Stephen K. Urice, B.A., Ph.D., J.D., *Dean's Distinguished Scholar & Professor of Law, Director, Arts Law Track – Graduate Program in Entertainment, Arts and Sports Law LL.M.*
Francisco Valdes, B.A., J.D., J.S.M., J.S.D., *Professor of Law & Dean's Distinguished Scholar*
Teresa J. Verges, B.A. J.D., *Director, Investor Rights Clinic & Lecturer in Law*
Marcia Narine Weldon, B.S., J.D., *Professor of Legal Writing & Lecturer in Law*
Patricia D. White, B.A., M.A., J.D., *Professor Law, Dean Emerita, and Co-Director, Sports Law Track – Graduate Program in Entertainment, Arts and Sports Law LL.M.*
William H. Widen, A.B., J.D., *Professor of Law*
Richard L. Williamson, Jr., A.B., M.A., J.D., *Professor of Law*
Juan Carlos Zamora, B.A., J.D., *Visiting Professor of Legal Writing & Lecturer in Law*
Cheryl E. Zuckerman, B.A., J.D., *Professor of Legal Writing & Lecturer in Law* ▲
Emeriti
David Abraham, B.A., J.D., *Professor of Law Emeritus*
Terence J. Anderson, B.A., J.D., *Professor of Law Emeritus*
Kenneth M. Casebeer, A.B., J.D., *Professor of Law Emeritus*
Stephen M. Diamond, J.D., *Professor of Law Emeritus*
Michael H. Graham, B.S.E., J.D., *Dean's Distinguished Scholar for the Profession, Professor of Law*

Dennis O. Lynch, B.A., J.D., J.S.D., LL.M., *Dean Emeritus & Professor of Law Emeritus*

Elliott Manning, A.B., J.D., *Professor of Law Emeritus*

George Mundstock, B.A., J.D., *Professor of Law Emeritus*

James W. Nickel, B.A., Ph.D., *Professor of Law Emeritus*

Keith S. Rosenn, B.A., LL.B., *Professor of Law Emeritus*

Edgardo Rotman, LL.M., Ph.D., LL.B., J.D., *Senior Lecturer in International & Comparative Law Emeritus*

Sally H. Wise, B.A., J.D., M.LL, *Professor of Law Emerita & Director of Law Library Emerita*