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# Law Review

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## Articles

### Settlement Week: Measuring The Promise

James G. Woodward ..... 1

*Consistent with a growing trend in urban trial courts, the Circuit Court of Cook County, Illinois has experimented with an alternative dispute resolution technique known as Settlement Week. This article examines the experience courts around the nation have had with Settlement Week and reports the findings of an empirical assessment designed to measure Settlement Week's performance as an alternative dispute resolution program in the Circuit Court of Cook County, Illinois.*

### Waiver of Constitutional Issues in Criminal Cases: Confusion in the Illinois Supreme Court

Timothy P. O'Neill ..... 55

*For years, a serious problem has faced an Illinois criminal defendant who challenged the constitutionality of the statute supporting his conviction for the first time on appeal. Two contradictory lines of Illinois Supreme Court authority came to opposite conclusions on whether the issue had been waived. This article examines the failure of the Illinois Supreme Court squarely to confront this issue.*

## Comment and Casenotes

### When Self Abuse Becomes Child Abuse: The Need for Coercive Prenatal Government Action in Response to the Cocaine Baby Problem

Kevin Drendel ..... 73

*This Commentary identifies prenatal drug exposure of infants as a problem with which our society must come to terms. The judicial system is capable of providing solutions, but a void of appropriate legislation hampers that ability. Among the legal vehicles available are criminal laws, child abuse and neglect laws, civil and criminal injunctions, and involuntary commitment laws. A balancing of the maternal, societal, and fetal interests involved can be accomplished on a case by case basis in the absence of enabling and guiding legislation. However, legislation in this highly sensitive area is a better way. This commentary explores the problem, the possible solution, and suggests an appropriate balancing of interests.*

**Clayton v. Place: Dancing Around The Establishment Clause—  
Religion In The Public Schools**

Paul T. Donahue ..... 119

*This note examines the Eighth Circuit Court of Appeal's decision refusing to strike down a public school board rule which prohibited social dancing inside the public schools of Purdy, Missouri. The issue facing the court was how far local religious groups could go in influencing public school policy. The court of appeals reversed the ruling of the trial court which found that the prohibition on social dancing was a result of local religious pressure and thus in violation of the Establishment Clause of the Federal Constitution. The author concludes that the decision of the court of appeals ignored the power of a prohibition as a tool of religious instruction and concludes further that allowing local religious majorities to affirmatively influence public school policy is inconsistent with the Establishment Clause.*

**Caplin & Drysdale, Chartered v. United States: Seizing Attorney  
Fees—Frozen Assets or Frozen Justice? The Sixth Amendment  
Right To Counsel Of Choice is Given the Cold Shoulder**

Anthony G. Vella ..... 155

*This note examines the United States Supreme Court decision that found confiscation of criminal defense attorney fees under RICO and the continuing criminal enterprise statutes is permissible under the sixth amendment. The Court's reasoning is presented in this note. The note analyzes the Court's decision through the eyes of the dissenters and other commentators opposed to the result. The author concludes that this decision has rendered the sixth amendment right to counsel of choice an insubstantial right and damaged the integrity of the adversary system in our courts.*

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