Articles

Hearsay in Illinois: A New Look at Some Old Problems
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Based on the premise that the hearsay rule is both fundamental and
insufficiently understood, this article discusses the basic principles of
this rule of evidence with special emphasis on its application under Il-
inois law. Both recent and older cases are examined in an attempt to
provide guidance to lawyers and judges who deal with these questions.

The Bankruptcy Code Requirement of Compliance With Lease
Obligations—Does “All” Mean Everything?
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This article considers the intent of Congress in Bankruptcy Code sec-
tion 365(d)(3) as it affects the rights of shopping center lessors vis-d-vis
their tenants who seek bankruptcy protection. The author concludes
the Section should be broadly applied to require such tenants to fully
comply with the terms of their leases.

Commentary

Judicial Procedures in Misdemeanor Domestic Assault Cases—A
Model Policy
Beverly Balos and Isabel Gomez .................. 259

Professor Balos and Judge Gomez combine to produce this model
policy dealing with domestic assault cases. The foundation of this
policy is the result of research comparing jurisdictions requiring
varying degrees of police intervention and court involvement in such
cases. The authors conclude that a policy, such as the one proposed
here, which mandates arrest of the perpetrator in addition to requiring
various police and court procedures is most effective in protecting the
rights of the victim as well as the defendant.
Comment

The Scope of the Public Duty/Special Duty Doctrine in Illinois: Municipal Liability for Failure to Provide Police Protection
David A. Aaby .............................. 269

This comment examines the development of the public duty doctrine and its special duty exception. It focuses on Illinois' treatment of the special duty exception and its application in cases involving an alleged failure of a municipality to provide police protection. The author concludes that the "control" element of Illinois' special duty test is overly restrictive, and advocates a balancing approach in its place.

Casenotes

Patterson v. McLean Credit Union: Preventing Backdoor Discrimination Actions or Closing the Door?
Elsa R. Miller .............................. 303

This recent United States Supreme Court decision interprets 42 U.S.C. § 1981 as not allowing an action for racial harassment during employment. This note examines the antecedent cases to Patterson along with Congressional actions which appear to indicate a lack of tolerance of racial discrimination in the public and private sectors. The author concludes that Patterson is a step in the wrong direction and calls into question the commitment of the United States Supreme Court to move in the direction of eliminating workplace distinctions based on the race of the worker.

Work for Hire After CCNV v. Reid: Adequacy of Protection for Artists and Extent of the Doctrine's Applicability to Software Developers
Sheila M. Heitke .............................. 331

This note examines the United States Supreme Court's decision which set forth the proper analysis for resolving copyright disputes involving the work for hire doctrine. The Court concluded a "literal interpretation" of the governing statute was appropriate. The author contends the literal interpretation, now to be applied by all courts deciding work for hire issues, provides a uniform standard as well as predictability—two paramount objectives of copyright law.

Book Reviews

Law and Information—A Review of the Electronic Media and the Transformation of Law
Reviewed by Stephen M. Barkan .................. 365

Professor Barkan critiques the recent work of M. Ethan Katsh and concludes it is a worthy comment and analysis of the often ignored topic of law and information. Professor Barkan takes issue with some of the basic theses in the book but overall finds it to provide some intriguing insights and arguments.
In this book review, Professor Strickman concludes that, overall, Robert Nagel has produced a thought-provoking book that endorses judicial self-restraint by the United States Supreme Court. Although this review challenges some of Nagel's assertions, Strickman maintains this book should be a valuable addition to the libraries of constitutional law scholars.