

including practical lawyers and eminent law professors who have never been judges — and even some judges.”⁴⁶ If the articles in this symposium have shed some light on judges and judicial lawmaking and suggested new areas for research,⁴⁷ they have done a valuable service.

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EDITOR'S NOTE:

Among the goals of the California Supreme Court Historical Society and its journal are to encourage the study of California legal history and give exposure to new research in the field. Publication of the following “Student Symposium” furthers both of these goals.

Professor Edmund Ursin, who offers a course each year in Judicial Lawmaking at the University of San Diego School of Law, graciously agreed to propose to his Spring 2014 students that they consider writing on California aspects of the topic, with the possibility that the most promising papers might be accepted by the journal. From those provided by Professor Ursin, I have selected the three that appear on the following pages as a student symposium on the California Supreme Court and judicial lawmaking.

— SELMA MOIDEL SMITH

⁴⁶ POSNER, *supra* note 10, at 2.

⁴⁷ For example, in addition to the Traynor decisions involving statutory interpretation presented by Marxen, other Traynor decisions illustrate further aspects of Traynor’s creative use of statutes. *See. e.g.,* Clinkscales v. Carver, 136 P.2d 777, 778 (Cal. 1943) (violation of criminal statute “does not create civil liability The significance of the statute in a civil suit for negligence lies in its formulation of a standard of conduct that the court [chooses to] adopt[] in the determination of such liability.”).