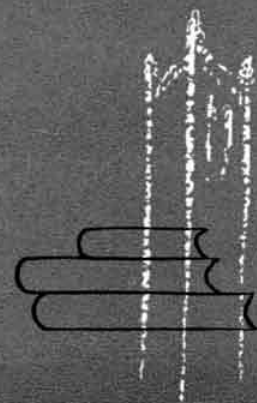


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Last August, the Conference of Chief Justices adopted a report of its committee on "Federal-State Relationships as Affected by Judicial Decisions." The Chairman of that committee was the Honorable Frederick W. Brune, Chief Judge of Maryland. The report contains the following foreword:

"Your Committee on Federal-State Relationships as Affected by Judicial Decisions was appointed pursuant to action taken at the 1957 meeting of the Conference, at which, you will recall, there was some discussion of recent decisions of the Supreme Court of the United States and a Resolution expressing concern with regard thereto was adopted by the Conference. This Committee held a meeting in Washington in December, 1957, at which plans for conducting our work were developed. This meeting was attended by Sidney Spector of the Council of State Governments and by Professor Philip B. Kurland, of the University of Chicago Law School.

The Committee believed that it would be desirable to survey this field from the point of view of general trends rather than by attempting to submit detailed analyses of many cases. It was realized, however, that an expert survey of recent Supreme Court decisions within the area under consideration would be highly desirable in order that we might have the benefit in drafting this report of scholarly research and of competent analysis and appraisal, as well as of objectivity of approach.

Thanks to Professor Kurland and to four of his colleagues of the faculty of the University of Chicago Law School several monographs dealing with subjects within the Committee's field of action have been prepared and have been furnished to all members of the Committee and of the Conference. These monographs and their authors are as follows:

1. "The Supreme Court, The Due Process Clause, and the In Personam Jurisdiction of State Courts" by Professor Kurland;
2. "Limitations on State Power to Deal with Issues of Subversion and Loyalty" by Assistant Professor Roger C. Cramton;
3. "Congress, the States and Commerce" by Professor Allison Dunham;

4. "The Supreme Court, Federalism, and State Systems of Criminal Justice" by Professor Francis A. Allen; and
5. "The Supreme Court, the Congress and State Jurisdiction Over Labor Relations," by Professor Bernard D. Meltzer.

These gentlemen have devoted much time, study and thought to the preparation of very scholarly, interesting and instructive monographs on the above subjects. We wish to express our deep appreciation to each of them for his very thorough research and analysis of these problems. With the pressure of the work of our respective courts, the members of this Committee could not have undertaken this research work and we could scarcely have hoped, even with ample time, to equal the thorough and excellent reports which they have written on their respective subjects.

It had originally been hoped that all necessary research material would be available to your Committee by the end of April and that the Committee could study it and then meet for discussion, possibly late in May, and thereafter send at least a draft of the Committee's report to the members of the Conference well in advance of the 1958 meeting; but these hopes have not been realized. The magnitude of the studies and the thoroughness with which they have been made rendered it impossible to complete them until about two months after the original target date and it has been impracticable to hold another meeting of this Committee until the time of the Conference.

Even after this unavoidable delay had developed, there was a plan to have these papers presented at a Seminar to be held at the University of Chicago late in June. Unfortunately, this plan could not be carried through, either. We hope, however, that these papers may be published in the near future with such changes and additions as the several authors may wish to make in them. Some will undoubtedly be desired in order to include decisions of the Supreme Court in some cases which are referred to in these monographs, but in which decisions were rendered after the monographs had been prepared. Each of the monographs

as transmitted to us is stated to be in preliminary form and subject to change and as not being for publication. Much as we are indebted to Professor Kurland and his colleagues for their invaluable research aid, your Committee must accept sole responsibility for the views herein stated. Unfortunately, it is impracticable to include all or even a substantial part of their analyses in this report."

In addition, the Conference passed a Resolution of Appreciation to Professor Kurland and the Law School of the University of Chicago in the following language:

"RESOLUTION OF APPRECIATION

The Conference particularly extends its appreciation:

To Professor Philip B. Kurland and the Law School of the University of Chicago.

The Conference of Chief Justices extends to Professor Philip B. Kurland of the University of Chicago

Law School its profound thanks for his scholarly and painstaking work as consultant to the Conference of Chief Justices Committee on Federal-State Relationships as Affected by Judicial Decisions.

It further extends its appreciation to Professor Kurland and to Professor Allison Dunham for their excellent talks on federal-state relations to the Conference. Their presence and remarks were of the highest importance in this matter of vital interest to the Conference.

The Conference further extends its appreciation to the members of the faculty of the Law School of the University of Chicago who prepared scholarly research documents which were of inestimable value to the Committee in the preparation of its own report."

The papers prepared for the Conference by the members of the Faculty of The University of Chicago Law School are reprinted, with revisions, with this issue of the *Record* as a special supplement. The talks given at the Conference by Professors Dunham and Kurland are also included.

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