

Preface

This 1976 symposium edition of the *Texas Tech Law Review* is the second to be devoted to a survey of cases decided by the United States Court of Appeals for the Fifth Circuit. The compendium period begins where the 1975 survey ended; decisions rendered from September 1, 1974, through August 31, 1975, are the subject of the survey. Current decisions are again readily identified by citation form which includes the month of decision.

Past readers will notice that this FIFTH CIRCUIT SURVEY is considerably smaller than the first edition published in 1975. This reduction in size was brought about by a number of factors. No section on the personnel of the court was included this year, although the student-authored survey articles continue to make frequent reference to the judges who authored the current opinions. Additionally, the survey articles themselves concentrate more heavily on the current decisions, rather than engaging in extensive examination of the background of the Fifth Circuit jurisprudence in the areas surveyed. Such examination and discussion, if desired, may be found in the first FIFTH CIRCUIT SURVEY. Finally, the *Review* chose not to include an appendix comparable to the FEDERAL RULES OF EVIDENCE contained in last year's survey. It is anticipated, however, that a separate portion of the next edition of this survey will be devoted to an analysis of the initial Fifth Circuit decisions construing those rules, and will also contain a review of similar decisions rendered by other United States Courts of Appeals.

Once again, the survey indicates short introductory pieces authored by a practitioner or professor distinguished in the particular area of law. The *Review* expresses its appreciation to these various authors for their time and cooperation in contributing to the survey. The survey itself is introduced by Judge Irving L. Goldberg, a native Texan whose excellent and refreshing opinions have often provided relief from the terse style of judicial writing that prevails in the work of most United States Courts of Appeals. The *Review* is honored to have the remarks of Judge Goldberg at the beginning of the second FIFTH CIRCUIT SURVEY.

Finally, it is only by the receipt of well-considered criticism that an undertaking such as this survey may be improved and made even more useful to the practitioners and judicial officers that it is intended to serve. With this in mind, the *Review* solicits comments from the readers and users of this FIFTH CIRCUIT SURVEY.

