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Reform—A Timely Alternative to Piecemeal
Modification*

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Contents

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WASHINGTON LAW REVIEW

Volume 48, Number 4, August, 1973

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Mental Illness: A Legal Fiction

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Professor Hardisty examines the use of the term "mental illness" by the law, focusing upon competency and insanity defense tests. After determining that the term has no accepted medical definition, the author analyzes the necessity for legal usage of the term. Professor Hardisty concludes that the term "mental illness" should be deleted from the law.

Due Process and Deeds of Trust—Strange Bedfellows?

David A. Leen, Peter A. Galbraith and John Gant 763

The authors examine in detail the validity of the private sale provisions of the Washington Deed of Trust Act in light of the recent procedural due process decisions of the United States Supreme Court. In addition to concluding that the present Washington Act appears to be unconstitutional, the authors briefly discuss the policy considerations involved and suggest general guidelines for change.

Symposium

Comprehensive Judicial Reform—A Timely Alternative to Piecemeal Modification

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The Washington Legislature currently has before it S.J. Res. 113, a proposal to comprehensively reform the judicial system in Washington by amending Article IV of the Washington constitution. The proposed changes include a new system for selecting, disciplining and removing judges; a new procedure for financing and administering the courts; and unification of Washington's judicial system. Carefully analyzing this proposal for judicial reform in Washington, United States Supreme Court Justice Tom C. Clark (retired), Washington Supreme Court Justice Robert F. Utter, and Professor Luvern V. Rieke probe and discuss the substantive issues raised by the legislation. Their analysis should be helpful to all those interested in judicial reform—legislators, judges, lawyers, and Washington voters, who may be asked to approve or disapprove S.J. Res. 113 as early as November 1974.

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