2020

Introduction

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**Recommended Citation**


Available at: https://digitalrepository.unm.edu/nmlr/vol50/iss2/2

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INTRODUCTION

On March 27–28, 2020, the New Mexico Law Review intended to cohost a bi-journal symposium with the Natural Resources Journal, entitled Activism and the Law: Legal Action Creating Social Change. The symposium’s intent was to bring together a variety of national scholars, attorneys, litigants, and activists, and showcase the impact of civic engagement on an ever-changing legal landscape. Unfortunately, this was not to be. The COVID-19 global pandemic caused this event to be postponed indefinitely. It is the sincere hope of the New Mexico Law Review Editorial Board that the symposium will be rescheduled.

What was originally born out of the idea to celebrate the fiftieth anniversary in 2019 of the landmark United States Supreme Court case Tinker v. Des Moines Independent School District that so closely corresponded with the New Mexico Law Review’s milestone fiftieth volume, the symposium’s concept grew to include surveys of the work being done to achieve societal transformations in the areas of race, gender, immigration, and climate change. It was set to feature panel discussions and presentations from youth plaintiff and lifelong activist Mary Beth Tinker, civil rights attorney L. Chris Stewart, United States Representative Deb Haaland, Sho Shato Professor of Law Daniel Farber, and many others.

In the spirit of the symposium’s initial intent, this Special Issue of the New Mexico Law Review collects articles that capture the state of youth rights in the modern era, flowing from Tinker. First, scheduled symposium speaker and attorney Jameson Rammell discusses the fragile footing upon which youth rights find themselves in the midst of a growing number of school shootings in An Uncertain Balance: Student Privacy Rights in a Dangerous World. In the second article, Equal Protection for Children: Toward the Childist Legal Studies, Professor Hiroharu Saito raises a novel question of law regarding the appropriate standard of review under the Equal Protection Clause of the United States Constitution for discriminatory conduct against children. Finally, Professor David L. Hudson Jr. takes a critical look on what infringement cyberbullying laws have on students’ rights to free speech in his essay, Cyberbullying and Freedom of Speech.

While the New Mexico Law Review is disappointed that the broader discourse surrounding important social issues could not take place as scheduled, the articles that follow certainly play a significant role in continuing the dialogue concerning the contemporary state of the rights of children. Many thanks are due to the countless people who contributed to what surely would have been a truly outstanding event; they include Symposium Editor Lionel Betsch, Professor Carol Suzuki, Dean Sergio Pareja, Assistant Dean Hannah Farrington, the editorial board and staff of the New Mexico Law Review, and the multitude of remaining individuals who had a hand in symposium planning and outreach. Your time and talent has not gone unnoticed. Finally, the New Mexico Law Review would like to thank the organizations and law firms that sponsored this event. The support of the New Mexico legal community is invaluable in ensuring our state’s only general law review continues to thrive.

Andrew J. Pavlides, Editor-in-Chief