

INTRODUCTION

I am delighted to introduce the Creighton Law Review's survey of significant Eighth Circuit decisions for the court year ending in June of 1984. This year's survey, like the prior surveys published every year since 1980, is of great value to all federal judges who serve in this circuit and to the lawyers who practice before those judges.

Last fall when Creighton Law School invited Judge Donald R. Ross of Omaha and me to participate in the School's first "jurists-in-residence" program, we had the pleasure of meeting the editors and members of the law review and the general student body. We thoroughly enjoyed our week "in residence" in which we gave lectures and discussed with students and faculty members the business of "judging." Thus, this survey prepared by Creighton Law students carries a special meaning for me.

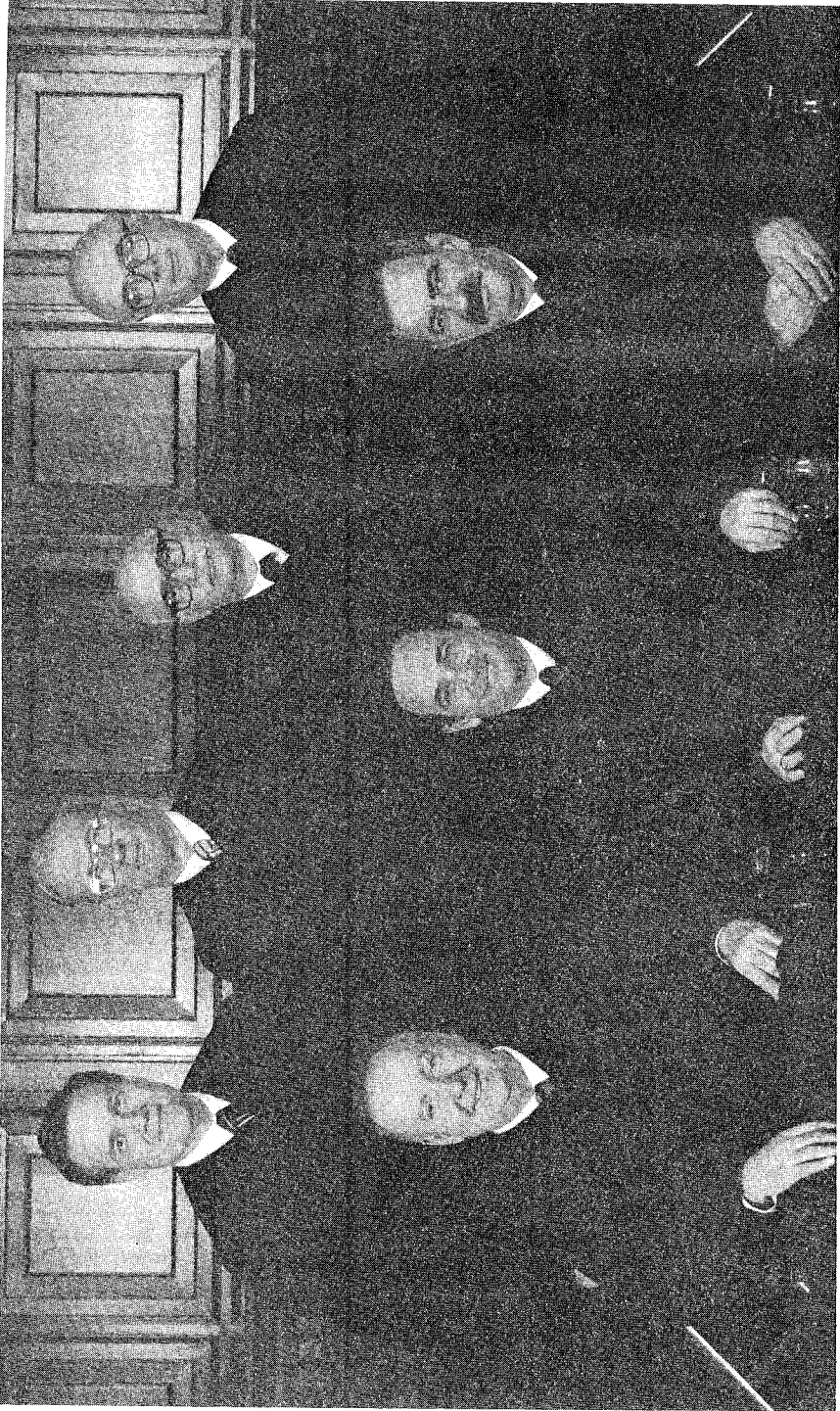
With the appointment to the court of Judge Pasco Bowman of Kansas City, Missouri, the Eighth Circuit operated for the whole year as a nine-judge court for the first time in its history. This year the caseload increased about 10% and the filings have reached new historical highs, probably about 2000 filings as of the close of the fiscal year on June 30, 1984. Through various expediting procedures, and with the invaluable assistance of our senior judges, Floyd R. Gibson and J. Smith Henley, and that of visiting judges including district judges serving districts in this circuit, the court has kept abreast of the caseload.

The cases that come before the federal courts are as diverse as the geographic areas served by the court, that area stretching from the Canadian Border to the Delta and Razorback Country of Arkansas. The editors and members of the Review have selected for review, comment and criticism important decisions in several areas of the law, particularly the developing and changing legal concepts relating to the fields of antitrust, employment discrimination, search and seizure, and the awarding of attorneys' fees in certain types of federal litigation. The reader will find much of value, information and interest in these pages.

I believe I express the thoughts of the lawyers and judges of the Eighth Circuit in saying to the editors and staff of the Review for their scholarly efforts, "We sincerely thank you."

Myron H. Bright

Fargo, North Dakota
June 14, 1984



THE JUSTICES OF THE SUPREME COURT OF NEBRASKA

Front Row: Honorable Leslie Boslaugh, Norman M. Krivosha, *Chief Justice*, and C. Thomas White;
Back Row: Honorable Thomas M. Shanahan, William C. Hastings, D. Nick Caporale and John T. Grant.