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## Letter from the Editor

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## LETTER FROM THE EDITOR

Dear Readers,

It is with great pride that I present to you the first issue of Volume XVIII of the *Richmond Journal of Law and the Public Interest*, the 2014 edition of the General Assembly in Review. This issue has been several months in the making and is the product of very hard work and dedication of both the Editors and the Staff of the Richmond Journal of Law and the Public Interest (JOLPI).

In particular, I would like to thank Stephanie Fitzgerald, the Editor-in-Chief of Volume XVII for JOLPI for her guidance and support in preparing me to take over the reigns of JOLPI over the past six months. I would like to thank the entire staff for their hard work to get this issue out. This is the first General Assembly issue where we have not had a separate editorial staff and everyone did a fantastic job working hard over the summer to get this issue ready for publication. As this is the first issue of Volume XVII, we hope you will find that this is only the beginning of a series of quality issues that we look forward to publishing for you this year.

The articles in this year's edition of the General Assembly in Review focus on topics of legislative debate during the 2014 Spring Session of the Virginia General Assembly. We hope that this edition will give you, our readers, insight into some of the salient topics of the 2014 General Assembly, and that you might find this issue to be a valuable rouse in running a legal practice, evaluating Virginia's political system, and helping to foster a healthy dialogue in the Commonwealth.

In *Renewed Commitment: The Latest Chapter in Reforming Virginia's Mental Health System*, Delegate Jennifer McClellan (D-71st) recounts a history of mental health facilities in the Commonwealth and discusses the 2014 reforms to mental health legislation introduced by Senator Deeds (D-25th) following the system's tragic failure of his son, Gus Deeds. These reforms intend to close some of the most pressing gaps in the mental health system, but represent merely a first step in reforming the Commonwealth's health system in order to meet the needs of the citizens of the twenty-first Century.

In *An Analysis of the Political and Legal Debates Concerning Medicaid Expansion in Virginia*, University of Richmond Political Science Professor

Rick Mayes and student Benjamin Paul discuss the debate over Medicaid expansion in Virginia following the Supreme Court's decision in *National Federation of Independent Business v. Sebelius*. Virginia's Medicaid requirements remain one of the most stringent in the country, and as of the 2014 Spring Session and Special Session of the Virginia General Assembly, there are no expansions in sight. The article reviews the heated debate over Medicaid expansion and its relation to the budgetary concerns, which culminated in a last minute compromise to pass a budget without Medicaid expansion in order to avoid a government shutdown.

In *The Judiciary in Virginia: Changes and Challenges in Virginia. One Trial Judge's Perspective*, Retired Judge Thomas D. Horne elucidates the issues Virginia faces with judicial vacancies and a lack of state funding. During the 2014 Session of the General Assembly, the members of the House and Senate received the anticipated 2013 Judicial Workload Assessment Report, commissioned by the 2012 legislature. The report reignited debates over funding of judgeships and filling of judicial vacancies in the Commonwealth. As a retired judge who continues to serve the Commonwealth, Retired Judge Thomas D. Horne contributes to this statewide dialogue on how to address these concerns.

In *Unclaimed Remains and Next of Kin: A New Path to the Final Resting Spot*, W. Scott Johnson, Founding Principal of Hancock, Daniel, Johnson & Nagle, discusses changes to the state policy regarding unclaimed remains and next of kin. In April 2013, the Attorney General issued an opinion that dramatically changed the process by which law enforcement interacted with healthcare facilities in handling unclaimed remains and notification of next of kin. Senate Bill 304 in the 2014 Spring Session of the Virginia General Assembly addressed the issue of a return to the process that was in place prior to the issuance of the April 2013 Attorney General opinion. The new statutes provide a detailed checklist approach to deadlines and steps to be taken; they also allow law enforcement and healthcare facilities to foster a good working relationship in handling the unclaimed remains. It is a great example of the legislature responding to an issue by making a process a more efficient use of resources.

In "*Screening the Poor: The Legality of Drug Testing Welfare Benefits*", law student and Managing Editor of JOLPI Jacquelyn Bolen discusses the proposed bill to screen or test applicants for illegal substances prior to obtaining public assistance. Virginia joined the seventeen other states in proposing legislation to drug test individuals before they can receive welfare funds. The article places Virginia's proposed bill into the context of other state efforts to drug test welfare beneficiaries. Thus far, the constitutionality of these efforts has not been directly challenged on Fourth Amendment

grounds. The bill eventually failed to pass, primarily due to budgetary concerns regarding the enormous cost this would impose on the state government.

We sincerely hope that these articles and comment will provide you with a valuable tool to help in your practice areas. We encourage you to use this issue as a starting point for discussion, as well as a catalyst to encourage your involvement in the political process in the Commonwealth of Virginia.

Sincerely,

Katherine Lent  
*Editor-in-Chief*