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## Letter from the Editor

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## LETTER FROM THE EDITOR

Dear Readers,

On behalf of the *University of Richmond's Public Interest Law Review*, I am pleased to welcome you to the Spring Issue of Volume XX. This final installment in Volume XX contains articles written by six attorneys as well as two student comments. These works cover a broad range of topics related to public interest, but this Issue reflects a special interest in military veterans' issues on one hand and covers legislation from the Virginia General Assembly on the other.

Each year we publish a collection of articles that focus on several topics debated during the previous Sessions. This year's selections include in-depth discussions regarding a hotly debated topic in the food and beverage industry, a recently codified law that has the potential to greatly impact the future of the conditional zoning system in Virginia, and an attempt to change the burden of proof required for civil forfeiture.

In their article, *Virginia's Proffer System and the Proffer Reform Act of 2016*, attorneys Edward A. Mullen and Michael A. Banzhaf delve into the history of Virginia's conditional zoning system, covering its early roots and modern uses. The authors then analyze the recently codified Proffer Reform Act of 2016, discussing its expected impact on Virginia's proffer system in the future.

In *Fixing Virginia's Food-Beverage Ratio: Is This Inescapable Problem Also an Unsolvable One?*, attorney Mark Shuford examines Senate Bill 970, the most recent legislative attempt regarding Virginia's food-beverage ratio requirement. The author summarizes the current statutory scheme, including its historical framework beginning in the 1930's, then discusses Senate Bill 970, before assessing possible future solutions to the current food-beverage ratio problem.

The second half of the Spring Issue focuses on topics related to veterans' legal concerns. In honor of Volume XX, I wanted to select a special topic to commemorate twenty years of providing a scholarly voice for a wide range of public interest issues. I chose the topic of veterans' legal issues because I

wanted to provide a voice for the large number of veterans that face unanticipated difficulties after returning home from serving our country. The articles delve into the relationship between veterans and the criminal justice system, the Survivor Benefit Plan in the context of divorce cases, and the veterans' disability appeals process.

In *Wounded Warriors' Redemption Denied: Should Barriers to Expungement Keep Veterans Unemployed and Homeless?*, attorney Roberto Cruz focuses on the redemptive nature of expungement of veterans' criminal records. The author first looks at the barriers to obtaining expungement that jobless and homeless veterans face, dividing the barriers into those imposed by the legislative, executive and judicial branches. Mr. Cruz, writing from his experience representing veterans in criminal and civil cases, offers several redemptive strategies and policies that could overcome those barriers through all branches of government.

In *The Missing Annuity Mystery*, retired Army JAG Mark Sullivan discusses the Survivor Benefit Plan, which is a survivor annuity available for members of the armed forces to provide continued income for a surviving spouse or ex-spouse, in the context of divorce cases. Many times courts fail to allocate this asset in divorce cases and Mr. Sullivan explains several possible avenues for obtain it in various legal situations.

Next, in *Cook v. Snyder: A Veteran's Right to an Additional Hearing Following a Remand and the Development of Additional Evidence*, attorney Shawn Murray provides an overview of the veterans' disability appeals process through the lens of *Cook v. Snyder*, a 2017 precedential decision out of the Court of Appeals for Veterans Claims. The author uses the holding in *Cook* to discuss a veteran's right to have a hearing before a Veterans Law Judge during the initial claim, as well as the right to a second hearing following a remand and the development of additional evidence.

In the first of two student comments, *Uncivil Asset Forfeiture: An Analysis of Civil Asset Forfeiture and Virginia H.B. 48*, Brent Ashley covers the current federal and Virginia legislative landscapes addressing civil forfeiture and associated problems. He discusses Virginia House Bill 28, introduced in the 2016 Virginia General Assembly Session, which attempted to raise the burden of proof to stay a forfeiture until the Commonwealth established a required finding of guilt, before he proposes suggestions for reform.

In her student comment, *Private Right of Action Jurisprudence in Healthcare Discrimination Cases*, Allison Tinsey examines Section 1557, the nondiscrimination provision of the Affordable Care Act, and the circuit division regarding its creation – or lack thereof – of a private right of action.

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She then explores intersectional discrimination claims and argues agency deference should allow courts to find a private right of action to enforce Section 1557, as the U.S. District Court did in *Rumble v. Fairview Health Services*.

I am grateful to the *Richmond Public Interest Law Review* staff and all of the amazing authors we had contribute to the Spring Issue. It is my hope that you enjoy reading these thought-provoking articles and comments as much as I have.

Sincerely,

Lauren Ashley Ritter  
*Co-Lead Articles Editor*

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