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### *Essay*

LIMITS ON JUDGES LEARNING, SPEAKING AND ACTING—PART I—TENTATIVE FIRST THOUGHTS: HOW MAY JUDGES LEARN?.....	<i>Jack B. Weinstein</i>	539
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In this essay the author suggests that judges should be encouraged to learn as much about the world as possible so that their decisions are sound in view of changing scientific and social factors. The parties should be aware of what the judge knows if that knowledge may affect a decision in a particular case. Sensibilities of the public may need to be considered in limiting settings and techniques for acquiring knowledge.

### *Articles*

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A recent Arizona Supreme Court decision reinforced the State's bifurcated system of water law that governs surface and groundwater by different legal doctrines. Using modern principles of hydrogeology, this article criticizes that decision and argues that its incoherence will have unfortunate environmental effects. The article also analyzes how the federal reserved rights doctrine will ultimately impose different rules concerning their relation between surface and groundwater.

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The article examines whether a participant in an ERISA-governed plan may recover consequential and punitive damages in addition to the amount of the benefit specified by the express terms of the plan document. Most court decisions have concluded that such damages are not recoverable based on a Supreme Court decision containing an erroneous version of the legislative history. Based on the correct version of the legislative history, the article asserts that ERISA provides participants recovery for these extracontractual damages in certain situations, just as if the benefits-due lawsuit were brought under either contract law or trust law.

A RIVER RUNS THROUGH IT: TAPPING  
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This article examines academic support programs (ASPs) and how they can be used to inform and change legal education for all law students. The author argues that the new laboratories of the ASPs should replace the "Langdellian laboratories" of traditional first-year legal instruction. Existing methods of legal education are outmoded and may, in fact, foster continued long-term segregation in the legal and academic community. The author argues that ASPs "level the playing field" for students who are often most isolated. Lessons learned in these ASPs, however, can benefit all students, and thus, she urges the law academe to take advantage of all the new research and re-create first-year education to better reflect lessons learned in these new laboratories of the ASPs. This article reviews and integrates research on psychology, learning theory, and methods instruction. Until now, these subjects have been addressed too frequently separately in various law reviews and without sufficient interconnection amongst the topics. The author unites these three areas of research and discusses how ASPs successfully reflect and integrate the entire spectrum of this new research.

*Notes*

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