

DICKINSON LAW REVIEW

PUBLISHED SINCE 1897

Volume 123 | Issue 2

Winter 2019

Front Matter

Follow this and additional works at: https://ideas.dickinsonlaw.psu.edu/dlr

Recommended Citation

Front Matter, 123 Dick. L. Rev. (2019).

 $A vailable\ at:\ https://ideas.dickinsonlaw.psu.edu/dlr/vol123/iss2/1$

This Front Matter is brought to you for free and open access by the Law Reviews at Dickinson Law IDEAS. It has been accepted for inclusion in Dickinson Law Review by an authorized editor of Dickinson Law IDEAS. For more information, please contact lja10@psu.edu.



DICKINSON LAW REVIEW

VOLUME 123, ISSUE 2 • WINTER 2019

PUBLISHED SINCE 1897

Table of Contents

ARTICLES

Private Interests, Public Law, and Reconfigured Inequality in Modern Payment Card Networks	307
Canines at the Company, Felines at the Factory: The Risks and Rewards of Incorporating Service Animals and Companion Animals into the Workplace Rebecca J. Huss	363
A Gun to Whose Head? Federalism, Localism, and the Spending Clause Daniel S. Cohen	421
COMMENTS	
Dr. Tele-Corporation: Bridging the Access-to-Care Gap	481
Whose Market Is It Anyway? A Philosophy and Law Critique of the Supreme Court's Free-Speech Absolutism	517
Where the Constitution Falls Short: Confession Admissibility and Police Regulation	551



DICKINSON LAW REVIEW

VOLUME 123, ISSUE 2 • WINTER 2019

PUBLISHED SINCE 1897

2018-2019 Editorial Board

Editor-in-Chief Michael J. Slobom

Managing Editor
CLIFFORD R. KELLY

Executive Articles Editor
SARAH KABOLY

Research Editor
Trevor S. Deakin

Executive Comments Editor
Malcolm McDermond

Articles Editors
SPENCER H. C. BRADLEY
COURTNEY E. LEWIS
OLIVIA PHILLIPS
MARC N. WAGNER

Executive Editor for Digital Media Anisha Patur Reddy Comments Editors
Nader Amer
Sean Philip Kraus
Rebecca C. Marsnik
Andy Scott

Symposium Executive Editor
Doris Baxley

Associate Editors

Anahita Anvari Gregory Archibald Anne Marie Bingaman Andrew R. Ford Jill Gorman Emily R. Mowry Bianca Nalaschi Mary E. Nikityn Nicholas Panos SARAH PHILLIPS
MICHAEL A. PIPA
TORI L. REMINGTON
JASMINE SANDHU
GRIFFIN SCHOENBAUM
CLAIRE I. SHOOK
JENNA STRAUSBAUGH
WYATT C. WEISENBERG
SARAH ANTONIA ZOMAYA

Publication Manager
Anne Porter

Faculty Advisor
Matthew J.B. Lawrence

Publication Assistant Brenda Garland

Dickinson Law Review

formerly published as The Forum (1897-1908), the Dickinson Law Review (1908-2003), and the Penn State Law Review (2003-2017)

DICKINSON LAW THE PENNSYLVANIA STATE UNIVERSITY

The *Dickinson Law Review* is one of the oldest legal journals in the nation and is the flagship publication of Dickinson Law of the Pennsylvania State University. Published in Carlisle since 1897, the *Dickinson Law Review* features articles, essays, and book reviews by leading professors, judges, and practitioners from around the country and the world, as well as student-authored comments. Views expressed in the *Dickinson Law Review* are those of the authors and do not necessarily reflect the policies or opinions of the *Dickinson Law Review*, its editorial board, Penn State's Dickinson Law, or The Pennsylvania State University.

Dickinson Law is proud of its four core principles and the way in which the *Dickinson Law Review* advances those principles. The *Dickinson Law Review* serves as a tool to advance the law school's scholarly mission, sharing knowledge and wisdom with students, the legal profession, scholars, policy makers, and others, consistent with Penn State's role as a world-class research university. An additional purpose of the *Law Review* is to provide students at Dickinson Law with opportunities to acquire important lawyering skills. The *Dickinson Law Review* advances the law school's service mission through its efforts to improve global understanding and the lives and wellbeing of its students and the world in which they will live. The *Law Review* is also committed to Dickinson Law's fourth core principle – to strive on a daily basis to foster a sense of community and mutual support between and among faculty, students, staff, and those outside the Dickinson Law community.

Submissions: The *Dickinson Law Review* invites the submission of unsolicited manuscripts for future publication in the *Law Review*. Electronic submissions via ExpressO or Scholastica are preferred. *Dickinson Law Review* also accepts submissions sent via electronic mail to DickinsonLRev@psu.edu. As a matter of policy, the *Dickinson Law Review* encourages the use of gender neutral language in legal scholarship. Citations substantially conform with *A Uniform System of Citation* (20th ed. 2015), copyright by the *Columbia, Harvard* and *University of Pennsylvania Law Reviews* and the *Yale Law Journal*.

Reprint permission: For reprint permission, please contact the Law Review's office at the address below.

Subscriptions: The subscription price of the *Dickinson Law Review*, ISSN 2574-2604, which is published three times per year, is \$35.00 per annum. Address all subscription and business inquiries, including changes of address, to the *Dickinson Law Review* at the address listed below. Unless notice to the contrary is received at the editorial office, it is assumed that a renewal of subscription to the *Dickinson Law Review* is desired.

Known Office of Publication: Dickinson Law Review Penn State's Dickinson Law 150 S. College St., Carlisle, PA 17013 Email: DickinsonLRev@psu.edu Web Site: ideas.dickinsonlaw.psu.edu/dlr

THIS PUBLICATION IS AVAILABLE IN ALTERNATIVE MEDIA ON REQUEST.

Notice of Non-Discrimination

The University is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the University's educational mission, and will not be tolerated. Direct all inquiries regarding the nondiscrimination policy to the Affirmative Action Office, The Pennsylvania State University, 328 Boucke Building, University Park, PA 16802-5901, Email: aao@psu.edu, Tel 814-863-0471.

Copyright © 2019 by The Pennsylvania State University, University Park, PA 16802 All Rights Reserved

DICKINSON LAW THE PENNSYLVANIA STATE UNIVERSITY

ADMINISTRATION

- **Gary S. Gildin**, Dean, Dickinson Law, Honorable G. Thomas and Anne G. Miller Chair in Advocacy, Director of the Center for Public Interest Law and Advocacy, and Professor of Law
- **Amy C. Gaudion**, Associate Dean for Academic Affairs and International and Graduate Education and Visiting Assistant Professor of Law
- Gail A. Partin, B.S., M.S.L.S., J.D., Director of the Law Library and Law Librarian

Bekah Saidman-Krauss, Assistant Dean for Admissions and Financial Aid

Yolanda Ingram, Assistant Dean for Student Services

Laura H. Williams, Assistant Dean for Career Services and Policy and Planning

FACULTY

William B. Barker, B.A., J.D., Polisher Family Faculty Scholar and Professor of Law

Stanley M. Brand, B.A., J.D., Distinguished Fellow in Law and Government and On-site Director, Semester-in-Washington Program

William E. Butler, B.A., J.D., LL.D., LL.M., M.A., Ph.D., John Edward Fowler Distinguished Professor of Law

Lance Cole, B.S., J.D., Hon. W. Richard and Mary M. Eshelman Faculty Scholar, Director of the Center for Government and Public Policy Studies, and Professor of Law

Amy C. Gaudion, B.A., J.D., Associate Dean for Academic Affairs and International and Graduate Education and Visiting Assistant Professor of Law

Gary S. Gildin, B.A., J.D., Dean, Dickinson Law, Hon. G. Thomas and Anne G. Miller Chair in Advocacy, Director of the Center for Public Interest Law and Advocacy, and Professor of Law

Peter G. Glenn, A.B., J.D., Professor of Experiential Learning

Dermot M. Groome, B.A., J.D., *Harvey A. Feldman Distinguished Faculty Scholar and Professor of Law*

Tiffany N. Jeffers, B.A., J.D., Assistant Professor of Legal Writing

Lucy Johnston-Walsh, B.S., J.D., M.S.W., Director of the Children's Advocacy Clinic, Director of the Center on Children and the Law, and Professor of Clinical Law

Matthew J.B. Lawrence, B.A., J.D., Assistant Professor of Law

Medha D. Makhlouf, B.A., J.D., Director of the Medical-Legal Partnership Clinic and Assistant Professor of Law

Camille C. Marion, B.A., J.D., Professor and Director of Experiential Learning

Anne Toomey McKenna, B.A., J.D., Distinguished Scholar of Cyber Law and Policy, Dickinson Law and ICS Associate and Professor of Practice, Penn State Institute for CyberScience

Michael A. Mogill, B.A., J.D., LL.M., Professor of Law

Katherine C. Pearson, B.A., J.D., Arthur L. and Sandra S. Piccone Faculty Scholar and Professor of Law

Thomas M. Place, B.A., J.D., William Trickett Faculty Scholar and Professor of Law

Samantha J. Prince, B.S., J.D., LL.M., Assistant Professor of Legal Writing and Entrepreneurship

Megan M. Riesmeyer, B.A., J.D., Director of the Community Law Clinic and Professor of Clinical Law

Martin Skladany, B.A., M.Phil., M.P.A., J.D., Associate Professor of Law

Laurel S. Terry, B.A., J.D., H. Laddie Montague Jr. Chair in Law and Professor of Law

LIBRARY FACULTY

Laura Ax-Fultz, B.A., M.S.L.S., J.D., Associate Law Librarian and Assistant Director, Law Library

Richard O. Paone, B.A., M.S., J.D., Assistant Law Librarian

Gail A. Partin, B.S., M.S.L.S., J.D., Director of the Law Library and Law Librarian

Pamela G. Smith, B.A., J.D., Assistant Law Librarian

EMERITI FACULTY AND LIBRARIANS

Harvey A. Feldman, B.A., J.D., LL.M., Professor of Law, Emeritus
James R. Fox, B.A., M.S., J.D., Professor of Law, Emeritus
Cecily A.H. Giardina, B.A., M.L.S., J.D. Associate Law Librarian, Emerita
Christine H. Kellett, B.A., J.D., Professor of Law, Emerita
Leslie M. MacRae, B.A., J.D., LL.M., LL.M., Professor of Law, Emeritus
Mark W. Podvia, A.B., M.S.L.S., M.A., J.D., Associate Librarian and Archivist, Emeritus
Robert E. Rains, B.A., J.D., Professor of Law, Emeritus
Jane Rigler, B.A., J.D., LL.M., Professor of Law, Emerita
Judy L. Swarthout, B.A., M.S., M.L.S., J.D, Associate Law Librarian, Emerita

AFFILIATE FACULTY

Hon. Guénaël Mettraux

ADJUNCT FACULTY

Paul A. Adams **Bradley C. Bechtel** Dr. Paul S. Besson Hon. Jessica E. Brewbaker Eric L. Brossman John W. Carroll Hon. Christopher C. Conner Grace E. D'Alo Louis A. Dejoie Mitchell L. Feuer Michael A. Finio Nicole M. Lacoste Folks Hon. Mary D. France John J. Gallagher Hubert X. Gilroy Carlesha Green Halkias Hon. Kevin A. Hess Timothy A. Hoy Yolanda D. Ingram Stephanie A. Jirard Hon. John E. Jones III

Teresa A. Lazo Hon. Richard A. Lewis **Alison Flowers Lintal** Mala Malhotra-Ortiz R. Burke McLemore Jr. Patricia B. Minikon LTC May L. Nicholson Timothy J. Nieman Linda J. Olsen **Anna Stolley Persky** Lloyd R. Persun Mary Kaye Polacheck Dr. David M. Sarcone David. S. Senoff Mark Allen Smith Rhodia D. Thomas Vicky Ann Trimmer Hon. Thomas I. Vanaskie Laura H. Williams Helen Odar Wolstoncroft Timothy J. Woodford