

# The Justinian

---

Volume 1964  
Issue 1 *March*

---

Article 1

1964

## The Justinian

Follow this and additional works at: <https://brooklynworks.brooklaw.edu/justinian>

---

### Recommended Citation

(1964) "The Justinian," *The Justinian*: Vol. 1964 : Iss. 1 , Article 1.  
Available at: <https://brooklynworks.brooklaw.edu/justinian/vol1964/iss1/1>

This Article is brought to you for free and open access by the Special Collections at BrooklynWorks. It has been accepted for inclusion in The Justinian by an authorized editor of BrooklynWorks.

## BLOODMOBILE HERE THURSDAY, MARCH 5



## The Justinian

Member of American Law Student Association



VOL. XXIV, NO. 3

BROOKLYN LAW SCHOOL, BROOKLYN, NEW YORK

MARCH, 1964

## Nightingale Joins Law School Faculty

by BARRY COOPER

Professor Eric Nightingale was born in Montreal, Canada, but came to the United States at an early age. He received his Bachelor of Arts degree from Columbia College and then attended Brooklyn Law School during the evenings, while teaching during the day.

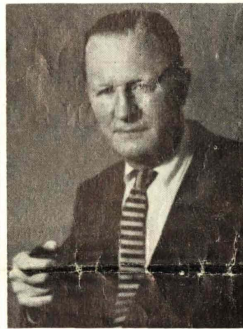
After receiving his Bachelor of Laws degree from Brooklyn Law School in 1940, Professor Nightingale obtained a position with a major law firm. He remained there for approximately one year before entering the army. Later, he served with the Red Cross in North Africa and in Italy.

Following the Professor's discharge from service, he returned to private practice in New York and Paris. His legal experience has also included an association with the Legal Aid Society, and with the Waterfront Commission where he remained for approximately five years. During this time he received a Master of Laws degree from New York University Law School.

After leaving his position on the Waterfront Commission, the Professor was appointed Chief Counsel to the Committee on Grievances of the Association of the Bar of the City of New York.

Professor Nightingale's last association before coming to Brook-

(Continued on page 3)



Professor Eric Nightingale

## Alumni Plan Homecoming

On Wednesday, April 15, 1964, commencing at 4:30 P.M., Brooklyn Law School will hold its fifth annual Alumni Homecoming Day.

The purpose of Homecoming Day is to provide the alumni with an opportunity to re-acquaint themselves with the school and their fellow graduates. It is held under the auspices of the Alumni Association, of which Mr. Philip Hoffer of the class of 1933 is president.

This year there will be two guest lecturers. Mr. Harry Zucker, class of 1930, will speak on the practical aspects of federal estate tax proceedings, and Mr. John O'Boyle of the class of 1949, who is law assistant to Surrogate Maximilian Moss, will discuss current developments in the area of surrogate law. Each lecturer is expected to speak for approximately thirty minutes.

At about 6 P.M. following the lectures there will be a reception to be held in the Faculty Library of the Law School.

Last year's Homecoming Day featured Professor Peter W. Thornton, class of 1941. Professor Thornton discussed some of the changes brought about by the new Civil Practice Law and Rules which became effective on September 1, 1963.

## Court Trials and Visits Are Now In Progress

Over fifty undergraduates have signed up to participate in the Appellate Moot Court program which is conducted in the Spring of each year. Participation in the program involves the preparation of and argument of an appeal before a Moot United States Supreme Court.

This program, directed by Professor Gershenson, is designed to give the undergraduate an opportunity to argue orally before a panel of faculty judges. Finalists will be selected to represent the school in the National Inter-Law School Competition sponsored by the Association of the Bar in the Fall of each year.

In the fifteen year history of the National Competition, Brooklyn Law School has won nationally once, and has been the City Regional Champion four times.

Fourteen senior student law firms have been formed to appear as counsel in the Trial Moot Court program, also under the direction of Professor Gershenson.

All participating students will be given an opportunity to prepare and try a case before guest judges and jurors. Opposing teams consisting of two students each will be given a fact situation to work on. The student counsel will then proceed to prepare pleadings and conduct all of the usual pre-trial activities.

Trial briefs will be prepared, witnesses procured and a full trial will follow. Juries will be composed of students invited from the local colleges; judges will be members of the judiciary who are now a part of the city's court system. The trials will be conducted in the Kings County Supreme Court courtrooms in the latter part of April.

To afford students the opportunity of gaining an insight into the practical application of the rules of pleading and evidence, the law school, under the supervision of Professor John J. Meehan, has recently held its semi-annual visit to the Supreme Court, Kings County. The program was conceived with this objective in mind.

## Stephen Kressel

## LAW AND MORALITY

A perfunctory examination of the law suggests that its development was a series of historic accidents. Indeed, the growth of custom and taboo from which the law evolved, appears to have occurred at random, depending more on the vicissitudes of climate and geography than on any political philosophy. Such conclusions, however, misconstrue the true fountainheads of the law, because they do not consider the essential qualities of Man.

If Man, of all nature's creatures, is its most efficient destroyer, he is also the only one who appreciates its supremacy. For Man is not merely ruled by man, but by his observations about things. He came very early to understand that a harmony existed in the land, which if upset meant starvation and death for him. For example, when the rivers yearly overflowed their banks and left fertile ooze in the fields, there were great harvests and Man rejoiced. When the rains failed and the rivers dried up the land lay barren, Man wept. In all the seasons of bounty and famine Man surmised forces which he felt near to and yet did not understand. He won-

dered about these forces, he rationalized their existence and found strong reasons for his conclusions. Notably, his rationalizations and reasons were never incorporated into the customs and taboos of his society, but existed coextensively with them. His customs and taboos governed him in his community. These rationalizations and reasons, however, explained nature and from them moral attitudes evolved.

Moral attitudes are judgments about the propriety or impropriety of things. Primitive man made such judgments about Nature. He found rain good and drought bad. He found he could not control Nature but could only invoke it and make himself acceptable to it by being in harmony with it. When he killed carrion birds the plague hit the land. When certain stars lit the heavens it was harvest time. Man discovered and rediscovered elemental rules that existed around him in the balance of Nature. It took him centuries to discover he was not outside this harmony. Guided by these elemental rules he found all things either good or bad. Man judged everything including himself and

his deeds. He that stole from his neighbor weighed not only the outrage of a society, but the devils of the mind. When one stole, the very trees and brooks and sky all became mirrors of Man's conscience, reflecting the broken harmony of things. The devils of his conscience suggested for such wrongful acts torments more remorseless than society could ever inflict.

As between taboos and moral attitudes, the latter have a more potent if not more subtle effect on the community. A taboo like any stricture precludes one particular course of behavior. A moral attitude governs not merely one course of behavior but all possible actions within a particular area. A taboo, for example, may preclude murder but a moral attitude censures not only the killing, but the thought of killing and the preparation involved therein. In addition, a moral attitude stipulates ways to avoid the act. A society that merely prohibits murder is not so deeply committed to the preservation of life as a society that warns against allowing an ox loose that once gored a man.

Moral attitudes unlike taboos

frequently filtered from the bottom of the society. Farmers and serfs were in a favored position to observe Nature and conclude how best to make their peace with it. Taboos might indeed be the guide reins that ruled the land but they were political in Nature. No one defied a taboo, for upon the taboo rested the entire social order. But it was the moral attitudes of the land that even a king lived by.

A king might decree that it was unlawful to hoard grain, but it was only someone close to the soil who understood the impropriety of harvesting a field twice and leaving nothing for widow, orphans, and strangers to glean. The former act was against society, but the latter act upset the harmony that existed between Man, and by extension, in Nature. Royal decrees might last a generation, but moral attitudes rooted themselves deeply into the genius of the society, insinuating themselves not merely into its behavioral patterns but into its thoughts.

Codification of the law involves a transposition of taboos and cus-

oms by means of interpretation of the character and needs of the society. Whenever such codification has occurred, much time is spent in analyzing the history of the community. History gives clues to goals and social aims, but never fully mirrors those attitudes called morals. History does not even record at what point Man began to conceive of a harmony existing between himself, his fellow men and Nature. We do know though that he conceived of this harmony very early. We also know that not all societies came to the identical moral conclusions. Nevertheless, within given societies these moral attitudes held so firmly in the consciousness of each member that these selfsame values characterize the societies and their law today.

The influence of moral attitudes on the law is large, but the extent of this influence is not obvious until we consider that every human achievement is the fruit of an individual belief in the propriety or impropriety of some course of behavior.

# The Justinian

Published quarterly during the school year under the auspices of the  
Student Bar Association of the Brooklyn Law School  
375 Pearl Street, Brooklyn 1, New York

VOL. XXIV, No. 3

MARCH, 1964

Harvey A. Eysman, Herbert S. Zane  
Co-Editors-in-Chief

Stephen Kressel  
Associate Editor  
Brian Goldstein  
Features Editor  
Richard Goldsweig  
Topical Editor

Richard Rosenbaum  
Managing Editor  
Robert Haber  
Alumni Editor  
Seymour Kravet  
Photo Editor

Jerry Lessne  
Assistant Editor  
Michael Lacher  
News Editor  
Sandra Goldberg  
Secretary

Gary Schragar  
Advisory Editor

Professor Milton C. Gershenson  
Faculty Advisor

Staff: Dave Abramson, Stephen Bass, Victor Berger, Sam Bernstein,  
Charles Bezinover, Richard Blum, John Butler, Kathy Carlson,  
Allen Cohen, Bill Colton, Roland Cutler, Alan Davidson,  
Bob Ettinger, Sydney Freedler, Martin Goldman, Leonard  
Halpern, Howard Koff, Bert Lahr, Dudley Lehman, Dennis  
Lempert, Richard Lorge, Bob Lusthaus, Darrell McGowan,  
Ruth Moskowitz, Richard Rubin, Jerry Slate, Stanley Spector,  
Steve Sitomer, Jeffrey Stadler, Joel Tenenbaum, Leonard  
Tishberg, Al Tomci, Bill Victor, Arnold Wertheimer, Stuart  
Witt.

## Specialization Boon or Bane?

In the professions of law and of medicine, the tendency today is toward specialization.

In medicine, the intern often restricts himself to a specialized field. In law, while the trend away from general practice is not as marked, it seems to be gaining momentum. This trend is indicated by increasing attendance in graduate law programs and by the blossoming of specialized programs in some schools.

Graduates of these programs receive the benefit of extended knowledge from intensive study in their chosen field and are, therefore, equipped for specialized practice.

There are many reasons for specializing, such as interest in a single area, opportunity to acquire reputation, and tempting financial opportunities.

But specialization is not always desirable from the standpoint of the community which has always turned to the attorney for general legal advice. The general practitioner can often accomplish more for his client through a personal relationship than can be accomplished by an impersonal specialist. The client can come to the general practitioner for advice as to any number of legal problems that arise from day to day. For example, the traditional lawyer is an adviser not only on a tax problem or a domestic problem, but on any problem of legal import that may arise; whereas the specialist can give similar advice, but only in his specialized field. Just as the family doctor is a traditional part of the American scene, the family lawyer is equally necessary to preserve the legal "health" of the community.

The general practitioner also fulfills the role of personal advisor. Actively, he advises his clients on the spectrum of problems in their life and affairs. Passively, his sympathetic ear is always available to the troubled client. Because of the built-in impersonality that inheres in the specialist-client relationship, the specialist has chosen a role that is frequently less meaningful to the individual client and the community as a whole; but this lack is compensated for by the far greater service the specialist can afford a client whose problem lies in the lawyer's specialty.

Young people about to enter the practice of law must seriously reflect upon the nature of community-oriented practice. Doubt may be cast upon a hasty decision either to specialize or to "go general." This doubt may give rise to a desire to aid the community through practice as a general practitioner or to aid only the individual through specialization.

—H. S. Z.

## COMMISSION REVAMPS LIQUOR LAWS

by VICTOR BERGER

A general dissatisfaction with prohibition became apparent throughout the nation as a result of its failure to cure the so-called "evils" attributed to alcohol, and its seemingly active role in the creation of new evils. The end came with repeal on December 5, 1933, followed by the rapid adoption of the 21st amendment by the states. The New York Legislature, aiming at an elimination of problems created by liquor, enacted the Alcoholic Beverage Control Law. Administrative machinery was created under this law to achieve its purpose, i.e., to promote temperance and foster respect for and obedience to law. When enacted on July 1, 1934, it was the first permanent, affirmative liquor control law in the United States since the institution of prohibition. From then to the present time, this statute has been the basic law governing the alcoholic beverage industry in this state, subject to limited modifications during its thirty years of existence.

A general distrust of this statute's application has arisen and has been strengthened by disclosures of corruption within the State Liquor Authority, its administrative body. To cope with this situation, on March 1, 1963, Governor Rockefeller, ordered the New York State Moreland Commission on the ABC Law to undertake a thorough study and reappraisal of the law, and to propose any revisions in that law which might be found necessary in the light of experience and current social and economic conditions.

The Commission began to fulfill its charge by seeking the views of the various segments of the industry and as a result has become convinced that the ABC Law is an inadequate method of remedying the anti-social problems created by liquor. It is in fact believed that the ABC Law does even more harm by creating a false sense of controlling much that is beyond its control by imposing a myriad of restrictions upon the sale and distribution of alcohol.

The Commission has carried on the most extensive study of the liquor field ever to have been conducted, which includes five published study papers on the sociological and economic effects of alcohol; the researching of the New York Law and those of other jurisdictions; the conducting of public hearings throughout New York where the opinions of those best qualified to speak about these problems were put on the record.

As a result of this study, the Commission up to date has published three reports for the Governor. The first, "The Licensing and Regulation of Retail Package Liquor Stores" recommends measures that will eliminate many of the minute restrictions on the package stores within a three year transition period. The second, "The Food Requirements in Bars and Grills" recommends the institution of a system wherein there will be two types of licenses, one for premises selling food and alcoholic beverages and a second where alcoholic beverages are sold alone, with the latter having a higher license fee. The third, "Mandatory Resale Price Maintenance" calls for the repeal of the law under which distillers fix the consumer price of liquor.

The Commission believes that the adoption of these changes by the State Legislature will result in a more realistic system of regulation of the alcoholic beverage industry, and that the law will then achieve the purpose it was designed for.

Mr. Berger became a member of the Moreland Commission staff during June of 1963, and is presently with the Commission aiding in the preparation of the draft of the proposed statute.

## FACULTY NEWS

Prof. Hoffman during the past few months lectured on the new Business Corporation Law on behalf of the Practising Law Institute. He also addressed the Banking Law section of the New York State Bar Association at its annual meeting on January 30, 1964, on "Some Planning Considerations for the Multi-Jurisdictional Estate."

He acted as the drafting consultant for the New York Joint Legislative Committee on the Revisions of Corporation Laws of the Revisions of the Railroad Law and the Transportation Corporations Law, currently before the Legislature for enactment. He is presently making a comprehensive study of the subject of Revocation of Wills for the New York Commission on Estates.

Prof. Sklar has been serving as co-counsel on the appeal to the Court of Appeals in the case of *People v. Ford*, a felony-murder case, which has already been before the Appellate Division where the conviction was affirmed. He has also been assisting Dean Prince on the revisions for the 9th Edition of the Evidence text.

Prof. Gershenson continues as Chairman of the Advisory Council of the New York State Joint Legislative Committee on Family Law, and recently testified at a public hearing in Albany concerning current bills introduced by this Committee. Following his contribution of an article entitled: "Commutation of Military Sentences," to the Military Law Review of July 1963, he received a certificate of achievement "for exceptional meritorious service and outstanding performance of duty." Prof. Gershenson is a Lt. Colonel in the Judge Advocate General's Dept. of the U. S. Army Reserve.

Mrs. Lucie Jurow, B.L.S. Librarian, is presently serving as a member of the Committee on The Index to Legal Periodicals. Miss Mildred Russell, who is the daughter of Prof. Franklin Russell, is the Indexer.

## Ruth Moskowitz JUSTINIAN STUDENT PROFILE by SAM BERNSTEIN

Since the decision of the Supreme Court in *Brown v. Board of Education*, in 1954, more momentum and cooperation has been developing among those involved in the struggle for civil rights. Of late the attention of our nation and that of the world has been focused repeatedly on the American Negro's pursuit of equal opportunity.

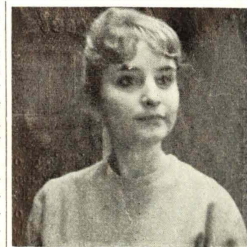
We at Brooklyn Law have also turned our thoughts and feelings to those who are stimulated to take part in the civil rights fight. It is thus fitting that we recognize one among us who has participated in this campaign.

Ruth Moskowitz attended Brooklyn College for her undergraduate training and received a B.A. degree in sociology in 1957. In the two years following her graduation Ruth worked to obtain a Master of Arts degree at the University of Connecticut while she was a teaching assistant of anthropology and sociology there.

From 1959 to 1961, she did research in medical sociology, evaluating a New York City Department of Health program to educate doctors as to mental health techniques in their work in child health stations throughout the city.

In 1961, moved by her personal empathy in the equal rights movement, Miss Moskowitz joined with others in a freedom ride to Jackson, Mississippi. There, she was arrested by the authorities, while attempting to patronize a restaurant in the DA's terminal, and was incarcerated for forty days in the Mississippi State Penitentiary under maximum security conditions. She was eventually released on bail, and is presently appealing her case with the help of the Congress of Racial Equality (CORE).

It was while jailed in Mississippi that Ruth made the decision to leave her profession in research to educate herself for the law. Her purpose was to assume a greater role in the civil rights cause. It is Miss Moskowitz's belief that she might more effectively pursue this end in the courtroom rather than on the demonstration and layman level, although her interest in the



Ruth Moskowitz

latter has not paled.

While at Brooklyn Law School, she has been a member of the staff of the Law Review, and is presently its Associate Editor. She has also participated in the legislative workshop program, and has written for the *Justinian*. During her years here she has become even more interested in the field of Constitutional Law, especially in civil liberties. She is looking forward to active participation in these fields through the legal profession. Some day, Miss Moskowitz hopes to be able to enter politics with an eye to the furtherance of civil rights goals.

Now a graduating senior Miss Moskowitz is interested in meeting students at Brooklyn Law who feel strongly enough about the cause of civil rights to join with those students of other law schools who have volunteered their spare time to research legal problems for lawyers engaged in civil rights litigation.

## Book Review

## The Humorous World of Henry Cecil

by HERBERT DUBIN

While we are busily engaged in indoctrinating our minds with legal concepts, it is often a pleasure to read a novel. Henry Cecil, an Englishman who is quite sympathetic to our calling, has been providing perfect legal diversion for more than a decade. The atmosphere of English litigation is brilliantly portrayed in all of Cecil's humorous works.

*Brothers In Law* introduces Roger Thursby. Roger has just been admitted to the English bar as a barrister. We are permitted to accompany Roger through the trials and tribulations of a fledgling barrister. Roger's attitude is similar to that of any one of us after admission to the bar. As Roger tells it, "I can't think of anything except that I'm a barrister, a real live one. I've been one for twenty-four hours. I could defend you for murder or shoplifting. I could get you a divorce or appear at your inquest." But, alas, no clients.

Mr. Cecil brilliantly seasons Roger by means of delightful and charming adventures throughout *Brothers In Law* and *Friends At Court*. We can appreciate Roger's maturation when he interviews a Swiss hotel proprietor who has been accused of bribing a police inspector.

"I suppose," said Roger to his client, "That your idea is that we should invent a good story for you to tell."

"What else is a lawyer for? When the truth is good, what need I of a lawyer? I go to a lawyer when the truth is—how do you say?—inconvenient?"

"Well," said Roger, "There may be some countries where lawyers behave like that. And there may be one of two over here who'd do it for you, but not many. . . ."

"You have their addresses perhaps" said the client.

"I have not."

The ladies of our profession have not been neglected by Mr. Cecil as demonstrated in a recent novel entitled *Daughters In Law*. The reader's funny bone is constantly stimulated as he or she follows the tale of Major Buttonstep, a lawyer-hater, and his campaign against his prospective daughters-in-law, two lady lawyers.

Mr. Cecil's humorous prolificness is manifested in approximately fifteen works to date. Our British cousins have this extensive collection of Cecil novels at their disposal. Unfortunately only a handful of these selections are presently available in America. Harper and Brothers Publishers currently have five Cecil books in print: *Brothers In Law*, *Friends At Court*, *Daughters In Law*, *Settled Out of Court* and *Brief To Counsel*. [All of the books are bound in hard covers, available at hard cover prices (about three dollars and fifty cents each).]

*Brief To Counsel* is the only Cecil non-fiction of which we are aware. It is a charming exposition of the role of the English barrister. Although this book is directed to prospective barristers, as prospective attorneys we will enjoy it because the predicaments of a fledgling barrister and of a fledgling attorney are analogous.

This year will bring more Cecil novels to America since Penguin Publishers are planning to publish Mr. Cecil's works in paperback form. The first three paperbacks available will be: *Ways and Means*, *Alibi For a Judge*, and *Daughters In Law*. [All Cecil paperbacks will be for sale at the moderate price of ninety-five cents.]

It seems conceded that Henry Cecil is the pseudonym for someone in the English judiciary. It is interesting to note that the person employing this appellation is remarkably silent as to his identity. This writer is of the opinion that Henry Cecil is His Honour Judge Henry Cecil Leon, a county court judge.

Regardless of the identity of Henry Cecil, his novels are a sheer delight. His wonderful sense of humor and skillful literary style assure a treat for all who peer into a Cecil novel.



Pictured above, is the editorial staff for the May issue of the *Brooklyn Law Review*. Top Row (left to right): Allen C. Cohen, Notes Editor; Victor M. Berger, Decisions Editor; Howard M. Koff, Book Review Editor. Bottom Row (left to right): Ruth E. Moskowitz, Associate Editor; Charles N. Bezinover, Editor-in-Chief; Roy Brounny, Decisions Editor.

## New Family Court Strives To Promote Domestic Unity

by KATHY CARLSON

Why a "family" court? Until September 1962, there was no such thing. The Children's Court handled juvenile delinquents and parents who neglected their children. The Magistrate's Court had jurisdiction over family assaults. The Surrogate's Court arranged adoptions.

Today, the child who has committed a burglary, the father who refuses to support his child, the wife who suffered a black eye at the hand of her husband, and the young couple who want to adopt a child all come to the Family Court, a statewide court established under the Family Court Act, independent of, but on a level with, the Supreme Court, having original jurisdiction in such matters as those mentioned, as well as related areas—problems that affect the "family." The family is considered as a unit by the Court and the auxiliary services are particularized to the needs of the family.

Let us take a hypothetical case of Mr. and Mrs. Edward Doe. They had an argument and while Mr. Doe was intoxicated he threw a frying pan at his wife and she decided to go to Court. After coming to the Intake Division of the Family Court, Mrs. Doe was interviewed by a Probation Officer, experienced in sifting problems and referring clients to appropriate social agencies. He attempted to work with the couple on an informal basis. But, after seeing each of them twice it was apparent that no progress was being made. Mrs. Doe then filed a "family offense petition" charging her husband with assault. They went before the Judge and an affirmative finding was made. Only competent, material and relevant testimony was accepted. An ad-

judicatory hearing must be based upon a preponderance of the evidence and need not be "beyond a reasonable doubt". In our case, the Judge ordered a Pre-Dispositional Probation Report and Investigation, directed the Petitioner to file a non-support petition against her husband and ordered that each of them be seen at the Court's own Psychiatric Clinic. An Order of Protection was issued, directing the Respondent to refrain from assaulting the Petitioner. By showing the Order of Protection to any policeman and alleging that the Respondent had violated its provisions, she could have him returned to Court immediately or held in custody until Court resumes the next day.

The case was adjourned for several weeks so that the Probation investigation might be completed. In the meantime, the Probation Officer assigned to the case interviewed each party in his office. He gathered information about their personal backgrounds and sent for psychiatric reports, police records, Army records, Social Service Exchange records, among others. He visited the home and talked to the children. He compiled a Case History and formulated a recommendation as to what Disposition he felt the Court ought to make of the case. All of this information is confidential, as is the very fact that a person is a party to an action in the Family Court.

On the appointed day the couple return to Court. Our Respondent, Mr. Doe is placed on Probation on certain conditions including an order that both parties consult regularly with a marriage counselor available from a private sectarian agency but provided free of cost through the Court. The Respondent is continued on Probation for a year and must report at least once a month to his Probation Officer. It is interesting to note that in this case neither the Petitioner nor the Respondent had a lawyer to represent him. Most

of the people who come to the Family Court cannot afford substantial counsel fees. Therefore, the Court adheres to a minimum of legal maneuvers, does not provide for trial by jury and it is not necessary to be represented by counsel.

The Doe case is typical. But, besides Family Offense cases, there are cases to establish paternity, proceedings for the permanent termination of parental rights, adoptions and guardianship and custody cases, as well as conciliation proceedings.

The other basic area that the Court deals with is the child in trouble. If he is over seven and under sixteen years of age and has committed an act which would be a crime if committed by an adult, he can be found to be a Juvenile Delinquent. If he is under sixteen (or a girl under eighteen) and is an habitual truant or incorrigible, or habitually disobedient and beyond the lawful control of his parent, he can be found to be a PINS (a Person In Need of Supervision).

Basically the same services of the Court that were available in the Doe case would be available to the child in this case. If the child requests counsel and his parents are unable to pay or where the child's interests are adverse to those of the parents, the Court appoints a Law Guardian who may be from the local Legal Aid Society or from a Panel of selected lawyers who have agreed to serve in this capacity. They are given nominal compensation.

Appeals from the Family Court may be taken to the Appellate Division of the Supreme Court. An appeal may be taken within thirty days, as of right, from any order of disposition, and in the discretion of the Appellate Division, from any other order, under the Family Court Act. It is not necessary to provide a printed case and brief.

## Nightingale . . .

(Continued from Page 1)

lyn Law School was as a partner in a New York law firm.

He feels that "his students are generally conscientious, but that many of them are neglecting the development of basic skills in their eagerness to acquire mere book knowledge."

The first year student is searching for certainty. "This is erroneous," Professor Nightingale remarked, "since he should be searching to develop his power of analysis and reasoning thereby creating in a sense a fertile legal soil rather than memorizing rules and categories."

The Professor has found that the students, "treat the facts too casually; they tend in their recitations to fail to give a strong statement of the facts." The students should make a concerted effort to correct this weakness.

At the close of the interview, Professor Nightingale made one final suggestion to his students: "That they should not act simply as students absorbing doctrine, but as lawyers in training. They should view their recitations somewhat in the light of making statements to a court, thereby starting early to develop skills which will always stand them in good stead."

## Student Legal Aid Program

The Law School, in cooperation with the Legal Aid Society, has inaugurated a student volunteer program. Participants aid in researching and preparing cases for trial. During the current semester, three senior students are working in the Criminal Court office of the Society in the Supreme Court—they are: Richard Creditor, Burton Fried, and Audrey Vitolo.

The second year students working in the Family Court Branch are: William Aronwald, Charles Gonzales, Edward Gradinger, Seymour Kravet, and Gerald Kirschbaum.

During the current semester, the program is expanding to other offices in other boroughs of the city.

## Law School Mourns Passing of Castellano

Former assistant professor at Brooklyn Law School, and federal referee in bankruptcy cases, Louis J. Castellano, '14, died January 4 at Mercy Hospital in Rockville Centre.

Mr. Castellano had practiced federal criminal law for almost thirty-five years before his 1948 appointment as federal referee in bankruptcy proceedings from Long Island, Brooklyn, and Staten Island, comprising the Eastern District.

Professor Castellano taught courses in bankruptcy in the Graduate Division of Brooklyn Law School between the years 1950 and 1954, and was often retained as a lawyer's lawyer because of his special competence in law.

# ALUMNI IN CURRENT NEWS

1905

LOUIS CHARLES WILLS was awarded a citation in recognition of fifty years of uninterrupted service as a director, vice president, president and now honorary chairman of the board of the Brooklyn Eye and Ear Hospital.

1925

SOL A. LIEBMAN is chairman of the Brooklyn Jewish Community Council's organization membership committee.

1928

BENJAMIN RUBENSTEIN and JEROME S. RUBENSTEIN will continue the practice of law, specializing in labor relations and general litigation under the name of Rubenstein and Rubenstein, formerly Rubenstein, Droisen and Rubenstein.

1931

SOLOMON GELFAND and HENRY A. ROBINSON, associated for years in the practice of law, announce the formation of their law partnership under the firm name of Robinson and Gelfand, 15 Park Row, New York, New York.

ELGIN SHULSKY announces the removal of his offices to 307 Fifth Avenue, New York, New York.

1932

ISIDORE H. WACHTEL and JOHN COSGROVE McBRIDE are the co-authors of the seven volume treatise on GOVERNMENT CONTRACTS, an encyclopedic guide to law, administration and procedure. Before entering private practice, Mr. Wachtel served a number of public agencies, including the Reconstruction Fi-

nance Corporation, the Office of Price Administration, and the New York City Housing Authority. He is at present a member of the American Bar Association and the Federal Bar Association. Practicing in Washington, D. C., he frequently lectures on government contract law.

1937

ASHER H. ENDE has been appointed Associate Chief of the Common Carrier Bureau and Chief of its Office of Satellite Communications for the Federal Communications Commission.

1951

BERNARD J. RUGGIERI is counsel to the Democratic Senate minority leader in the State Legislature. Prior thereto, he was the city's legislative representative for Mayor Wagner. In his new job, Mr. Ruggieri will shift from the role of municipal lobbyist to that of legal advisor to Senator Joseph Zaretski.

1953

JAMES J. ELKINS has been elected to the post of corporate secretary and legal counsel for Royal McBee Corporation. Prior to joining Royal McBee's law department as assistant legal counsel in 1959, Mr. Elkins was engaged in the general practice of law in New York City.

ALVIN GOLDSTEIN is now engaged in the practice of law as a partner under the firm name of Berman, Paley, Goldstein and Berman, 10 East 40th Street, New York, N. Y.

1957

BERNARD STEBEL, a former Editor-in-Chief of the Law Re-

view, has become a member of the firm of Rubin, Baum and Levin, 598 Madison Avenue, New York, New York.

1959

CARL L. STEINHOUSE has been appointed to Grade GS-13 in the Antitrust Division of the U. S. Department of Justice.

1960

ROBERT R. McMILLAN has been appointed vice president of American Hydrofoils, Inc., 120 Wall Street, New York, New York.

JEROME L. SPIEGELMAN has become a member of the firm of Wilson, Spiegelman and Sternin, 26 Court Street, Brooklyn, New York.

1961

IRMA M. VIDAL SANTA-ELLA was named second deputy commissioner of correction by Mayor Robert Wagner. Mrs. Santaella is a charter member of the Puerto Rican and Latin American National Federation of Mothers.

1962

MARK A. AURIGEMMA and ROBERT F. CAVANAUGH announce the formation of a partnership to engage in the general practice of law at 591 Summit Avenue, Jersey City, New Jersey.

LUIS FELIPE GOMEZ has joined the staff of the City Commission on Human Rights as Commission Attorney.

1963

ALAN BROOMER, HERMAN I. GRABER, and ERMYN O. STROUD have been appointed to the office of District Attorney Hogan, New York County, New York.

## Necrology

Solomon, Charles, '22, former magistrate and Socialist leader. Appointed to the Bench in 1939 by the late Mayor Fiorello H. La Guardia, Mr. Solomon retired at the end of 1959 because of the statutory age limit. He was a well known political figure in the state, having been at different times a candidate for Governor, Mayor, United States Senator, and Supreme Court Justice. At the time of his death he had been a guest lecturer at Brooklyn Law School and New York Law School as well as a member of the Brooklyn Bar Association, the American Arbitration Association and the Workmen's Circle.

Tauber, Joseph, '23.

Gross, Simon F., '26.

Holland, Leo, '27, former member of the Smithtown School Board, past president of the Smithtown Lions Club, and past president of the Jewish Brotherhood of Kings Park. Mr. Holland was also a member of the Suffolk Bar Association, New York State Bar Association and the Masons.

Granirer, Martin, '28, received Doctorate in Juridical Science in that year from Brooklyn Law School. Mr. Granirer served as a member of the editorial staff of the New York Law Journal from 1940 to 1943 and as a government appeals agent for Selective Service for twenty years. He was a member of the Queens County Bar Association and the American Bar Association.

Weiner, Samuel, '31, engaged in the individual practice of law in Brooklyn, specializing in real estate matters. He was a member of the Nassau Lawyers Association, Knights of Pythias, and former President of the Freeport Democratic Club and of the Congregation of Shari Israel in Brooklyn.

Silverstone, Arthur W., '33, former assistant principal of Plainedge Junior High School and a leader in physical education in New York State. Active in numerous education groups, Mr. Silverstone was president of the New York State Association for Health, Physical Education and Recreation in 1959. He was also a member of the National Advisory Committee of the Campfire Girls.

Thomé, Dietrich, '36.

Strauss, Leon, '41, a member of the law firm of Strauss and Fitzgerald, who specialized in defense work for insurance companies. In World War II, he served in the Counter Intelligence Corps.

Wassung, Frank R., '48, former superintendent of schools in Garden City, L. I. He was past president of New York State Teachers Association southern zone, the past president and district governor of the Rotary Club, as well as the past exalted ruler of the New York State Elks Club.

## • CONVENIENT • HELPFUL • DIVERSIFIED . . .

MODERN COMMERCIAL BANKING FACILITIES —

SAVINGS AND TRUST SERVICES

— FREE PARKING FACILITIES NOW AVAILABLE —

BROOKLYN'S OLD RELIABLE

**KINGS COUNTY TRUST COMPANY**

ESTABLISHED 1889

342 FULTON STREET

at Borough Hall

BROOKLYN, NEW YORK

ULster 8-7500



DRIVE-IN BANKING ON BOERUM PLACE



MEMBER FEDERAL DEPOSIT INSURANCE CORPORATION