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The Justinian

Member of American Law Student Association



VOL. XXV, NO. 1

BROOKLYN LAW SCHOOL, BROOKLYN, NEW YORK

OCTOBER, 1964

FRIENDLY ADDRESSES JUNE GRADS

On June 16, 1964, Brooklyn Law School held its commencement exercises in the Grand Ballroom of the Hotel St. George. Two hundred and forty-four Bachelor of Laws degrees, twenty-five Master of Laws degrees, and one Doctor of Juridical Science degree were conferred. Reverend Benjamin C. Bentley delivered the Invocation and Benediction.

An honorary degree of Doctor of Laws was conferred upon the Hon. Henry J. Friendly, Judge of the United States Court of Appeals for the Second Circuit. Judge Leonard P. Moore, Vice President of the Board of Trustees, conferred the degree upon Judge Friendly.

Judge Friendly, who gave the principal address, spoke about the evolution of a law school curriculum in the past 40 years and its ramifications on the Court and the legal profession in general.

Justice Henry L. Ughetta, President of the Board of Trustees of the Law School, presided; Mr. Arthur Schwimmer, representing the graduating class, addressed the audience. Mr. Schwimmer was also a recipient of the West Publishing Company and Edward Thompson Company Prize.

Dean Jerome Prince presented the candidates for the Bachelor of Laws Degree, and Professor Donald F. Sealy, Director of the Graduate Division of Brooklyn Law School presented the candidates for the graduate degrees. Honors went to Mrs. Susan May Lebow who received the Bachelor of Laws degree *cum laude*. Mrs. Sara Schipper received the Master of Laws degree, *cum laude*. The Doctor of Juridical Science degree, *summa cum laude* was conferred upon Mr. Sanford C. Abelow.

The following prizes were awarded at the Exercises: Scholarship Prize, Mrs. Susan May Lebow. Mrs. Lebow also received the Matheson Prize. Mr. John Louis Butler received the Evidence Prize. The Allen Brown Flouton Prize was awarded to Mr. Stanley Gary Schragar. Mr. Adelino R. Franginiha received the Henrietta and Stuart Hirschman Prize and Miss Gitta Rosenzweig was awarded the Surrogate E. Ivan Rubenstein Memorial Prize. Mr. Arthur Michael Lieberman was awarded the Trusts Prize.

Mr. Charles Norman Bezinover, Editor of Brooklyn Law Review, received the Lawyers Co-operative Publishing Company prize, while Mr. Richard T. Farrell, former Editor of the Brooklyn Law Review received the Williams Press Prize. Mr. Farrell has now joined the educational staff of Brooklyn Law School.

REAL PROPERTY UP IN THE AIR

Those of us who always thought of real property as being rights in terra firma must now think again. Since the passage in March, 1964 of the Condominium Act (Chapter 82 of the Laws of 1964; Article 9B of the Real Property Law), New York has officially recognized the fee ownership of the air space above the land as real property. A condominium, very generally speaking, is the fee ownership of individual cubicles of space over land owned in common with others who own in fee other cubicles of space. In some states this is known as horizontal property, as each owner owns horizontal layers of space.

New York City has had a condominium in existence since 1947, but formation of new ones will now be facilitated by the new law. The Condominium Act provides for the filing of plans and descriptions similar to the filing of a subdivision map which is filed when developing a tract of land for one-family dwellings. Each unit or apartment thereafter is treated as if it were a lot on a filed map. Future conveyances can thus be made by simply using the unit number rather than lengthy descriptions of the space. The law also provides for the taxation of the units individually so that each unit is treated as a separate piece of property. Provision is made for financing the

individual units. This enables those with sufficient cash to purchase their units debt-free, and other unit owners who need financial assistance to mortgage their units in accordance with their needs. Mortgages on such units have been insured under the National Housing Act by the Federal Housing Administration since 1961.

A building either to be erected or one already erected may be brought under the new law by the filing of certain documents as set forth in the law.

Since the Condominium Act became law, construction of several condominiums has commenced and it is quite possible that they will become more popular than cooperatives. They may appeal to those in the upper economic classes because one may own his apartment, thus permitting more flexibility in estate planning. The condominium form of ownership may even enable those in lower economic groups to own real property in large cities. It is possible that public housing facilities, office buildings and commercial structures may be brought under the Condominium Act. Regardless of what type of buildings are brought under the Condominium Act, however, those of us who desire to be up-to-date in the field of property and real estate must give due study to the new statute.

—Nancy Munson

ALSA NEWS

The American Law Student Association held its sixteenth annual meeting on August 8-13, 1964, at the Biltmore Hotel in New York City. There were delegations from approximately 105 law schools in attendance. Representing Brooklyn Law School were Joel D. Tenenbaum, President of the Student Bar Association, Susan Stollman, First Vice-President, and William A. Colton, Jr., Parliamentarian.

The avowed purpose of the meeting was to examine the essential skills so necessary to our profession. An ambitious program was very thoughtfully assembled with the desire to supplement the academic instruction received while in attendance at law school. The outstanding seminars covered such topics as *Elements of Law Practice*, *the Role of the Computer in Law Practice*, *Transition from Law Student to Law Practice*, *Trial Techniques in Criminal Cases*, and a *Legal Writing Symposium*. Principal speakers during these programs, and during General Sessions of the meeting, were American Bar Association President Lewis F. Powell, Jr., Dean John Ritchie III, President of the Association of American Law Schools, Mr. Justice Tom C. Clark of the Supreme Court of the United States.

The conference was successful in bringing together the future leaders of the legal profession in an atmosphere of congeniality. This was enhanced by the efforts of the host schools. Fordham Law School sponsored a tour of the Lincoln Center; New York University Law School sponsored a reception and dance at their school. A cocktail party, co-sponsored by Brooklyn Law School and St. John's University Law School, was a resounding success and was participated in by our own Dean Jerome Prince, and Professors John C. Doyle and Russell Perry.

VISITING PROF JOINS FACULTY

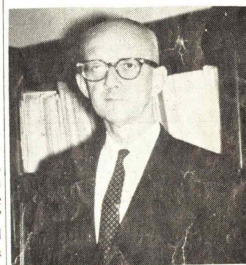
By BRIAN C. RAPPAPORT

Philip Keyes Yonge was born in Pensacola, Fla., in 1917. He received his A.B. in 1939 from Washington and Lee University and his LL.B. in 1942 from the University of Florida. During World War II, Prof. Yonge served in the Army Air Force and was stationed in the Pacific area. At the present time, Prof. Yonge is working on his doctoral thesis dealing with the problem of the right to jury trial in the joinder of law and equity cases.

Before coming to Brooklyn Law School, Prof. Yonge taught at the University of Florida Law School, Western Reserve University Law School, George Washington University Law School and Washington and Lee University Law School. This past year, Prof. Yonge taught at the University of Rajasthan in Jaipur, India, on a Fulbright Lectureship. In India, Prof. Yonge says, "there is very little interest in the law," and that "they go to law school only because they cannot get a job. There are never any daily assignments given to the students as they are never expected to study."

The Indian students, according to Prof. Yonge, are deeply interested in the Civil Rights struggle presently going on in our country, since they classify themselves as black. As an illustration, Prof. Yonge recounted that when the news of President Kennedy's assassination reached them, the students passed a resolution praising the late President and included therein the statement, "and he died for the cause of the Negro in the South."

This is Prof. Yonge's first teaching assignment in the Northeast, and he has already been impressed with the degree of preparation of the students and the formal air of the classroom. As Prof. Yonge states, "there is an air of dignity not always found in law schools. This is fostered by the decorum and dress of the students and by their habit of standing to recite when called upon."

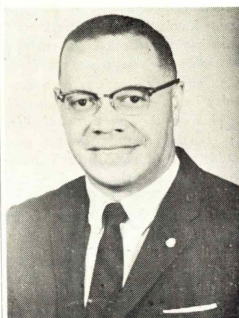


During the first and second weeks of October, Brooklyn Law School will conduct the annual court visit program for first year students. This program is directed by Professor Meehan, assisted by Professors Hahl and Herrmann.

The students will be shown the workings of the courts, attend trials, and observe the jury system in operation. The court visit is one of the several programs conducted by the school to make the curriculum as practical as possible without sacrificing the theoretical aspects of a legal education.

The program has been made possible by the close and continued cooperation of Justice Anthony J. DiGiovanna, Chairman of the Board of Justices, James V. Mangano, Administrative Director and General Clerk of the Supreme Court, and Charles Solodkin, Director of the Court Tours and Seminar Program.

ALUMNUS CHOSEN MAYOR



MAYOR CARROLL

From within our walls in 1950, came George D. Carroll, who, in July, 1964, became the first Negro mayor of a major city in the United States. In these days of "backlash," manifested by civil strife and violence, the action of the City Council in Richmond, California, unanimously selecting Mr. Carroll is unprecedented, especially when only 20% of Richmond's 80,000 inhabitants are Negro.

Mr. Carroll was born in Brooklyn forty-one years ago. He attended Boys High and Brooklyn College. During World War II, Mayor Carroll saw action in Italy with the Army. He was discharged as a Sergeant, and returned to work in the office of the King's County District Attorney. In 1950, Mayor Carroll graduated from Brooklyn Law School *cum laude*, and entered into the active practice of law in this borough.

Mayor Carroll has declared that he should like to be called a "civil libertarian"; that he believes in fighting for what he knows is right, and that "anyone of good will who wants to study and work, can greatly help himself."

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REDEDICATION

It is the year 1964, in a society based on law, or so we are taught. This past summer has made this writer ponder over the value we place on the law and on ourselves, its keepers. Our society has been plagued by a continuing series of heinous crimes based not on greed or lust, but on racial hatred.

The murder of the three civil rights workers is more than just a murder, an act horrible enough in itself. It is a crime that exemplifies not only flagrant disregard of the law, but also a disregard for the value that we as a society place on the right of the individual to participate in it as a citizen. Such rights as the right to protest, to speak and act freely, and to aid our nation to build its strength, are hindered and destroyed when fear and violence instead of law and the courtroom take over. All of us must take the blame for such a crime, because it is our apathy and lack of vigor as citizens and as human beings that have nurtured the conditions necessary to precipitate this crime. This state of being is very much present in New York City as evidenced by the recent murder and rape of two women, during which our citizenry stood by motionless.

More must be done so that depraved people will not flout the law and violate the individual's rights. The public must continue to be educated and shown that there is redress through the law and the ballot-box and that they must never take the law into their own hands, for this shakes the very foundations of our society. As students of the law and eventually as attorneys, we should be aware of and should strive to implant the above concepts in those with whom we come into contact. As keepers of the law we must uphold it.

—R.G.

Sealy Heads Harlem Precinct

By LAWRENCE KATZ

One of the results of the tragic Harlem riots which plagued New York City this past July, was the appointment of Lloyd George Sealy, by Police Commissioner Michael Murphy, '46, as Captain of Harlem's 28th Precinct. Sealy, a Brooklyn Law School graduate, became the first Negro police officer to command a Harlem precinct. His appointment, which was encouraged by civil rights groups, is an attempt to improve relations between the police force in Harlem and those embittered residents of the area, who have been distrustful of the police and who claim to have rarely found an understanding or a sympathetic ear in the neighborhood patrolman.

Captain Sealy, however, is not under the illusion that this appointment is going to make law enforcement in the area any easier. Nor does he believe that there will be an overnight change in the thinking of the neighborhood. Says Sealy, "I try to explain to the Negro groups the role of the policeman and why he's here . . . explain that all of us are human beings with the virtues and failings of human beings, men with families trying to do their job right." In this way, Sealy is attempting to improve communication between Harlem's residents, especially the youth of the area, and the police force.

(Continued on page 4)

Stephen Kressel

ON THE NATURE OF EVIL

The assumption underlying the exercise of lawful force is that it is morally proper to do so. However, we do not go so far as to claim divine authority for our legal system even though we occasionally represent that the rudiments of our jurisprudence derive from providentially revealed truths.

Moreover, in order to have a working system of law which embodies social force it is necessary to have a broad set of related standards against which the propriety of every law can be measured. Without such a set of related standards any exercise of force could be justified.

It is thus that laws (as do all human activities) become "moral" in conformity with standards, and immoral when they fail to conform to the selfsame standards. In addition, laws can be unjust if in theory they are not to be applied consistently against every member—for justice implies equality of application.

Therefore justice and morally based law are not identical concepts. The former idea signifies theoretically consistent application of law. The latter idea conveys not consistency in the application of law but conformity of the law with basic assumptions.

It is obvious that a system of law can endure though conceptually unjust, but no system of law can remain immoral (in the narrow sense we use here) and avoid social chaos. History reports many instances where the letter of the law was applied consistently but where the assumptions upon which the law was based did not represent the attitudes of the society. One such society was Hammurabi's Babylonia.

In this Chaldean empire a physician who during surgery blinded a patient would himself be blinded. Criminals were brutally treated and anyone who violated the king's peace was a criminal. Neither blindness nor infancy nor lunacy could save a petty infractor from the ravaging jaws of a remorseless justice.

The hallmark of the Hammurabi legal system was its extensive codification of custom and taboo. In addition, it was characterized by a marked inflexibility which left it unable to carry to logical conclusions the single assumption upon which it rested. The preservation of the social order with a god-king at its head was of course manifestly important. But in a society as vast and as rich as was Babylonia legal adaptability was a necessity too. For, along with law there must be a mitigation of law. If these mitigations do not exist the varied life of even the most primitive society withers and dissolves. So it was with Babylon. Babylon's legal system was "just." But Babylonia was a growing empire not an insect colony and its dedication to an unchanging order was not so generous a standard as to base an enduring society upon.

It then may be asked whether any growing society can base its legal system on anything more definite than a set of generalities. Surely a society must set a mark between its laws and the vagaries of human nature. Laws will always remain, fundamentally, the instruments of power which protect and give life to government. Governments do not give up lightly this power once possessed. This is the problem, therefore, that laws must be based upon assumptions but for a system of jurisprudence to assume almost anything limits both the members of the society and the society itself. For example, in classic Marxist theory man is largely a conditioned creature. Or suppose some system which assumed that man was primarily venal—could unnumbered acts of human love and courage be explained?

Yet, that mark must somewhere be cast. As long as man remains a social creature he must function within the laws of a social order that cannot totally allow him to be what he is. In the most viable societies laws must rest on reasonably current assumptions. For example, in the area of penology it is commonly assumed today that lopping off the hand of a habitual criminal is a bit harsh but that ten years in a small room is not. It will be observed that as these assumptions must remain fairly recent the meaning and existence of our laws will change, as will our ideas of morality.

Inevitably our "assumptions" became broader and broader. It would not be inaccurate to say that as societies truly grow they must become more and more tolerant of the human condition.

At one time we deemed all things good or evil. As our understanding of ourselves and our world has grown we have considered fewer things ill. Our old standards are smashed like Hammurabi's tablets. We have fashioned our new standards not out of clay but flesh.

Legal Aid Program Under Way

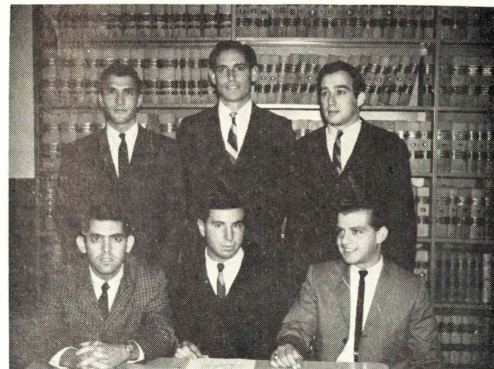
During the Fall Semester of 1963, a program was arranged between Brooklyn Law School and the Legal Aid Society.

The program provided that six students would be assigned to work, as student-assistants, for the Society: three to work in the Family Court, the remaining three being assigned to the Criminal Part of the Supreme Court. The students were to participate two days a week, for approximately three hours a day.

The work consisted of research, interviewing defendants, and attending the various court proceedings. The students who worked in the family Court were assigned to the Children's Part and were able to observe the application of the many sections of the new Family Court Act of New York State. After interviewing the defendants, the students discussed the case with the attorney assigned to defend the defendant, at which time the students had the opportunity to learn how an attorney prepares the defense of his client.

The program proved to be so successful that during the Spring Semester three additional students were picked and assigned to the Family Court.

The experience proved to be extremely rewarding to the students involved. The work was of such a nature that the students were able to see what the work of an attorney involves on a day-to-day basis. They were also able to observe the realities of life, that is, that people do get into trouble and do need help from an attorney, even though they are unable to afford such help, and thus they are fortunate in having the Legal Aid Society there to assist them. Since it is the intention of the Law School to continue with this program, it is sincerely urged that more students come forward to participate in this very valuable program.



Pictured above is the Editorial Staff of the December issue of the *Brooklyn Law Review*. (Top Row, left to right): Richard Weiner, Notes Editor; Robert D. Bush and Bernard J. Fried, Decisions Editors. (Front Row, left to right): Alan C. Cohen, Associate Editor; Howard M. Koff, Editor-in-Chief; Martin R. Hauptman, Book Review Editor.

ATTORNEY GENERAL'S PROGRAM LAUDED

The United States Attorney is the trial counsel for all government agencies, except for cases tried in the tax and customs courts.

In 1953, the United States Attorney's Offices of the Southern and Eastern Districts of New York started a program for student assistants. It was a clerkship program for students of outstanding scholastic achievement in the third year of law school. These students, upon recommendation from the Deans of their respective law schools, were given the opportunity to work part-time in the United States Attorneys' Offices.

In the eleven years that this program has been in effect, it has grown and improved. At present it is no longer limited to part-time work, but has been expanded to include a summer program. This year, the summer program proved to be a very fruitful experience for the law students who participated. A number of them were from Brooklyn Law School.

To the best of the writer's knowledge, this program is only offered by two United States Attorneys' offices. These are the offices of Joseph P. Hoey, U.S. Attorney for the Eastern District of New York, administered by Chief Assistant U.S. Attorney Vincent T. McCarthy, and the office of Robert M. Morgenthau, U.S. Attorney for the Southern District of New York.

This program has been established for the benefit of the student. It is designed to help bridge the gap between the law student and the lawyer. It gives the law stu-

dent a chance "to live with attorneys" so as to receive a preview of the professional life of a lawyer. The student assistants work on actual matters and cases in the office and all their time and effort is utilized in the advancement of the work of the office.

The student assistant is given his choice of working in either the criminal or civil division. He is then assigned to an assistant U.S. attorney. The student assistant is to aid him as much as possible. While a good portion of the work is related to research, the student assistant is not appointed for the sole purpose of spending his time in the library. Instead, he is often given a case and allowed to proceed with the research and drafting of the papers under the close supervision and guidance of the assistant U.S. Attorney. The student assistant helps prepare the memoranda of law, questions for depositions before trial and office memoranda. All final papers are written by the assistant U.S. attorney.

The work of the student assistant runs the gamut from research to preparation of papers for court, from sitting in on depositions before trial to attending the actual trial in court.

While working for the U.S. Attorneys' Office this summer, this writer found the experience extremely interesting and most rewarding. It is recommended that those to whom this opportunity is offered take advantage of this outstanding program.

— Alan Pressman

Congratulations

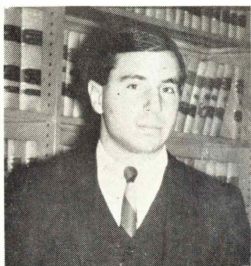
The following second-year students have been selected as candidates for the staff of the Law Review on the basis of first year grades. They will become staff members after producing an original manuscript acceptable for publication: Ira L. Berman; Daniel S. Chorne; Howard J. Greenwald; Gary Halberstadt; Edward R. Korman; Myron Levine; Seth Natter; Robert M. Ornstein; Robert Pitler; Michael S. Schwefel; Kenneth J. Wapnick; Clifford J. Watkins; David Yavarkovsky; Mark M. Richard.

Student Profile

Howard Michael Koff was born in Brooklyn on July 25, 1941. When Howard was 4 years old, the Koff family moved to Cedarhurst, Long Island. After graduating from Lawrence High School, Mr. Koff entered New York University, School of Commerce, Accounts and Finance as an accounting major and through constant effort was graduated from New York University in three years. While a student at New York University, Mr. Koff was on the dean's list, a member of Beta Alpha Psi-National Accounting Honorary, Arcopagus-National Pre-Law Honorary, and was a recipient of the Founder's Day Award for excellence in scholastic achievement.

As a student at Brooklyn Law School, Mr. Koff has been a member of the Justinian staff, a former Book Review Editor of the Law Review, and is presently Editor-in-Chief. Mr. Koff views the role of the Law Review as a "socratic gadfly for the legal profession."

Last year, Mr. Koff and former Editor-in-Chief Richard T. Farrell completed a study of, and report on, the English system of the removal of judges for Justice Miles McDonald of the Supreme Court of the State of New York, Kings County. The report was prepared on behalf of the Committee on the Removal and Discipline of Judges of the American Bar Association. The purpose of this report was to serve as the basis for a possible amendment to the United States Constitution.



This past summer Mr. Koff had the honor of working for the United States Attorney's Office for the Southern District of New York. After graduation Mr. Koff hopes to work for the Tax Division of the Justice Department.

APPOINTED

Dean Prince has announced the appointment to the faculty of visiting Prof. Phillip K. Yonge, Robert L. Frome and Richard T. Farrell.

Prof. Yonge's biography appears in this issue; later issues will include Mr. Frome and Mr. Farrell.

Professor John C. Doyle has recently been appointed to the Committee on Grievances and to the Committee on Interprofessional Cooperation Between Physicians and Lawyers of the Brooklyn Bar Association.

MOOT COURT

Prof. Milton G. Gershenson, Chairman of the Faculty Moot Court Committee, has announced the selection of the Moot Court Team for the 1964 Appellate Moot Court Program.

The members of the team are: William Aronwald, Gary Halberstadt, and Henry Sobel. The team will represent the Law School in the Annual National Moot Court Competition, sponsored by the Association of the Bar of the City of New York. The regional round will be held in New York City in November. The winners of this round will go on to the National competition which will be held during Christmas vacation in New York City.

The following students were semi-finalists in competition held at Brooklyn Law School: S. Chesnoff, L. Katz, E. Lipton, R. Ornstein, and D. Seltzer.

Prof. Gershenson said, "The case involves a lawsuit brought by a restaurant cook for radiation burns sustained while using an atomic powered stove which was purchased by his employer, outside the state, and had been manufactured in still another state. The question involved includes the construction of section 302 of the CPLR, known as the 'Long Arm Statute,' and whether the law applicable to privity in warranties should be changed."

Approximately fifty students took part in this year's Appellate Program. The program is offered by the Law School in the Spring Semester and is open to all students who have taken or are taking Constitutional Law. The participants are given an opportunity to argue an appeal before a faculty board.

PROFESSIONAL RESPONSIBILITY

For the recently graduated, newly admitted young attorney there must be an increased awareness of the heavy responsibility with which he will be confronted. For, using his knowledge, acquired skill, and energy, the young attorney must guide his client's affairs through the tangled web that is the Law. And he must always be mindful of the fact that failure, due to his own negligence, may result in personal liability despite his best intentions.

The Appellate Division is given the authority "to censure, suspend from practice or remove from office" any attorney guilty of malpractice. Judiciary Law §90(2). And the aggrieved client may seek redress against his attorney for negligence, fraud, or breach of fiduciary duty.

The issue of the attorney's malpractice may arise in two ways. First, where the client institutes an action for damages due to his lawyer's negligence. Secondly, where the attorney sues his client for services rendered and the client interposes the defense or counterclaim of negligence.

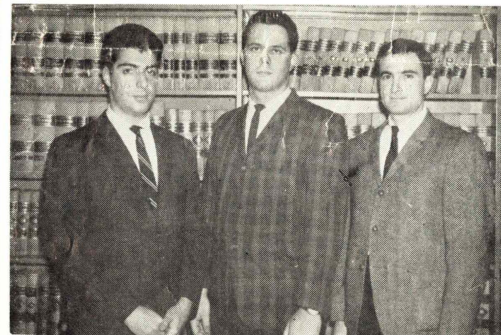
No attorney is expected to know all the law all the time, therefore, is neither held to be an insurer nor a guarantor with respect to his judgment or advice; nor is he liable for every mistake that may occur in practice. The attorney, however, is bound to exercise the ordinary skill and knowledge of his profession, and is not liable for every error of judgment or opinion as to the law.

What then will the attorney be held liable for? He will be deemed negligent for failure to know a rule of law which has been clearly defined in the judicial decisions and precedents, for not adequately understanding the fundamental principles of the common law, or for failing to be familiar with existing statutory authority. And where the attorney is retained in a matter involving foreign law, he is expected to know the law of the foreign jurisdiction.

The professional obligation to a client carries with it the duty of care despite the adequacy or inadequacy of compensation. Even where he renders free advice, the attorney will be held to the same standard of care imposed were he in fact being compensated. Such a duty, of course, pre-supposes an attorney-client relationship and it is therefore unlikely that the giving of off-hand opinion or "friendly advice" would be considered as imposing liability for negligence.

And it is expected that where one holds himself out as a specialist, he will be held to the legal skill and knowledge common among such specialists.

There is no absolute protection which can be offered against malpractice liability beyond taking out malpractice insurance, except the individual's personal concern and diligent effort in acquiring the knowledge and skill requisite to the successful practice of a most honored profession. For the law student, this means dutiful attention to his daily studies and mastery of the fundamental principles of substantive law, the technical niceties of adjective law, and painstaking thoroughness in the techniques of legal research.



1964 MOOT COURT TEAM—(Left to right): Henry Sobel, William I. Aronwald, Gary Halberstadt.

BAIL PROJECT INSTITUTED

The exact origin of bail is buried in judicial antiquity. In theory, it is the security posted by an accused for the purpose of guaranteeing his appearance at trial. Its development, both past and present, has however, been frequently guided by punitive considerations which eclipse the historic reasons for its existence. Fear of permitting a "menace" to walk the streets has motivated many judges to set bail so high that pretrial release is virtually denied. As a result, personal means and wealth have become major factors upon which depend a defendant's chances for pre-trial release.

In March, 1961, Louis Schweitzer, a chemical engineer and cousin of Albert Schweitzer, dismayed by the inequities of the present bail system, established the Vera Foundation. Vera's first endeavor, the "Manhattan Bail Project," was designed to prove that a greater number of people can be released on pre-trial parole without bail, if sufficient information concerning their background is presented to the judge. This technique has proved highly successful. As a result of data supplied by Vera to the court, many defendants who would otherwise have remained in jail until their trial, have been paroled. Out of these, only a minute percentage have "jumped parole."

In January, 1964, the entire Vera experiment was turned over to the New York City Office of Probation and placed under the direction of Henry H. Smith. This transfer was bolstered by an appropriation of \$186,000 for continued expansion of the project. Unlike the Vera experiment which confined itself to Manhattan and which was limited to less serious crimes, the Office of Probation expanded the project to other boroughs of the City and deals with both felonies and misdemeanors.

Under the aegis of the Probation Office, the bail experiment has thus far continued its impressive showing. Latest statistics show that out of those defendants released without bail on the recommendation of the Probation Office, only a very small percentage failed to return for trial. Not only have those released benefited, but so has the City, by not having to bear the expense of confinement prior to trial. The results of the Vera and Probation Office studies of bail procedure appear to corroborate the assertion by Judge Bernard Botwin, '24, Presiding Justice of the Appellate Division, First Department, and long time proponent of bail reform, that what is needed is a "conditioning of judges, lawyers, and most of all the public to the fact that our society will not collapse if now and then a person released without bail fails to appear for trial."

RICHARD ROSENBAUM

ALUMNI IN CURRENT NEWS

1914

HENRY GILLIGAN has been elected as president of the Brooklyn Real Estate Board.

1926

REV. ANDREW J. SEIDLER, who began his studies for the priesthood in 1960, was ordained on May 30, 1964. He was a former newspaperman and Assistant District Attorney in New York County. During World War II, he flew forty six bombing missions in the European Theatre as a gunner on a B-24.

1927

ROSEMARY GUNNING is active as a leader in the Parents and Taxpayers Coordinating Council.

1935

IRVING GOODSIDE is with the New York State Department of Taxation and Finance.

1936

BENJAMIN LASKIN is with the New York State Alcoholic Beverage Control.

MANUEL FREDERICK COHEN, a member of the Securities and Exchange Commission since 1916, was recently named Chairman of that Committee.

1937

EDWARD SHARF was elected President of Bnai Zion, an American Zionist fraternal organization.

MRS. JAMES E. SPAULDING was elected to the National Board of Directors of the Young Women's Christian Association of the United States.

1939

LEO BURD is with the State Education Department in Albany.

ROBERT A. LEVITT, labor counsel for the Western Electric Company, will be promoted effective August 1 to administrative officer. He will continue to function as labor counsel for the company.

Mr. Levitt was a lecturer in labor law at the New York University Law School and has also been on the faculty of Brooklyn Law School.

SAMUEL ROBERTS is with the State University at Oneonta.

1951

ROBERT M. WEITZ has joined the City Commission on Human Rights of New York as attorney. Before coming to the Commission Mr. Weitz served as an Assistant Corporation Counsel.

1954

PETER J. COUGHTER, Army Reserve Colonel, was scheduled to graduate from the Army Reserve Command and General Staff College Associate course, July 18. During the Course Colonel Coughter received instruction as to command leadership, principles of war and logistics.

SEALY...

(Continued from page 2)

Captain Sealy is 47 years old. He was born in Manhattan and grew up in the Prospect Heights section of Brooklyn. He attended Thomas Jefferson High School, graduating in 1934. Captain Sealy attended Brooklyn College, attending classes at night, while supporting himself as a mail clerk. In 1942, he became a patrolman with the New York City Police Department. He graduated from college in 1946 with a major in Sociology.

Sealy entered Brooklyn Law School in 1948. While attending classes in the evening he continued his career as a policeman. He graduated from Law School in 1952 with a fine scholastic index and was admitted to the New York bar in 1954.

Throughout these years, his climb within the ranks of the Police Department has been steady. After spending five years walking a beat in the Bedford-Stuyvesant section of Brooklyn, he became a member of the Youth Division, first as a patrolman and then as a sergeant. In 1959, he was made a lieutenant and was assigned to the Confidential Squad. In November of 1963, he was promoted to Captain and assigned to Manhattan North, the headquarters in charge of police activity north of 58th St., as supervisor of patrol.

During the rioting in Harlem, Captain Sealy was assigned to the riot area where he ceaselessly worked, attempting to keep order and reduce tensions. His tireless and often heroic efforts in that crisis have won him a number of favorable write-ups in New York's leading newspapers and led to his transfer as Captain to the troubled Harlem Precinct. He has also won the respect of many within the Harlem community. The appointment of Captain Sealy to this sensitive position is to be applauded; we extend our congratulations to him, and hope that under his able leadership, the police and citizens of Harlem will appreciate and understand more fully problems faced by their respective groups.

1964

SIDNEY FREIDLER has been accepted by the Judge Advocate General's Department of the Army.

JOHN L. BUTLER is with the United States Department of Justice, assigned to the Anti Trust Division in New York.

LEONARD FELLEN is with the Patent Law Department of Radio Corp. of America.

FRANKLIN D. ORMSTEN is with the Law Department of the Employers Group of Insurance Companies of Boston.

1961

STANLEY KANE is with the New York State Alcoholic Beverage Control Board.

1963

ROBERT BRESSLER and Stephen Seidner have opened their office for the general practice of law at 15 Park Row in Manhattan.

Necrology

Brown, Israel, '29.

Cooper, Mary, '26. Miss Cooper was a former president of the Queens Women's Bar Association.

Dent, Risley R., Jr., '53. Former director of the Brooklyn office of the New York Rent and Rehabilitation Administration and former president of the Brooklyn branch of the National Association for the Advancement of Colored People.

Dougherty, Thomas G., '31. Graduate of Fordham University and Brooklyn Law School. Former special agent of the United States Department of Agriculture and recently served as commissioner of the Federal Mediation and Conciliation Service.

Feit, Abraham, '15.

Feuer, Moses, '29.

Fleckles, Robert S., '22. Attended Columbia University and Brooklyn Law School. He was an organizer and first president of the Brooklyn Trial Lawyers Association. Served as attorney-in-charge of the torts division of the New York Transit Authority.

Handin, Louis, '26. Former president of the National Variety Artists.

Harman, Frank S., LL.M., '30.

Lehman, Abraham, '06.

McGoldrick, Warren P., '34.

Rudick, Harry J., '27. Professor at New York University Law School since 1945. His book "Tax Consequences of Marriage and its Termination" was recently published.

Sand, Joseph H., '26. Received his Master of Laws from St. John's University School of Law. A member of Iota Theta Law Fraternity, and a former president of the Brooklyn Trial Lawyer's Association.

Wilson, Charles, '26.

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