

# The Justinian

---

Volume 1971  
Issue 4 *October*

---

Article 1

1971

## The Justinian

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

---

### Recommended Citation

(1971) "The Justinian," *The Justinian*: Vol. 1971 : Iss. 4 , Article 1.  
Available at: <https://brooklynworks.brooklaw.edu/justinian/vol1971/iss4/1>

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.





# Justinian

Volume XXXII - No. 1

FRIDAY, OCTOBER 8, 1971

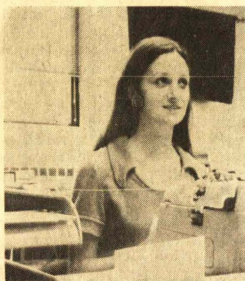
Page One

## SBA Gains Control Of Student Fee

By ROSEMARY CARROLL

Things really happened this summer at BLS. With the splendid cooperation of Dean Prince, the SBA achieved control of \$10,615 of the Student Activity fee to be disbursed to the Justinian, Women's Action Group, Moot Court Program and BLS Chapter of the funds will also be used by the SBA to implement programs for the general student body. Additionally, we were provided with a preliminary statement describing the allocations of the student activity fee for 1970-71.

The SBA initiated its 1971-2 program with a one-day student-organized orientation program including mock recitations of assigned cases, tips on briefing and the use of review materials. Additionally there were workshops provided by the various student groups. Most importantly entering students were personally received by their fellow students and given a realistic idea of life at the law school in a relaxed atmosphere. In this aspect, incidentally, the



SBA President Rosemary Carroll

women's group provided outstanding participation.

In the works is a descriptive student handbook prepared by a faculty committee and the SBA to be distributed to all students this fall. The handbook is designed as a useful, informal guide to facilities in the Law School and in the adjoining community.

Recreation and culture will be combined in two new programs instituted at BLS. A discount rate for the use of the newly renovated gym and exercise facilities and the pool at the nearby St. George Hotel and discount tickets for Broadway and off-Broadway pro-

(Continued on Page 4)

## FORKOSCH CLASS ALLOWED SWITCH

One of the three Administrative Law sections in the second year class, day session, has been granted the option of withdrawing from the class and taking the course next term.

The action came as a result of extreme grievances presented by the class to the Faculty Committee on Student Relations. The issue involved the class' complete incompatibility with Professor Morris Forkosch. It was their second consecutive semester with the professor.

The administration made its decision known in a memorandum from Dean Jerome Prince last Wednesday. It said in part:

Students in this class who are carrying at least 12 credits of work are being given the option to withdraw from the Administrative Law class this semester and to take Administrative Law in the spring semester in addition to their regular scheduled work.

As students are required to take a minimum of 10 credits, dropping the 2-credit course, would not affect their full-time status. Provisions were made only for stu-

dents with less than 12 credits to transfer to an evening section this semester.

The memorandum cited no reason for the action. The section will continue as scheduled for those students who choose to remain.

"The classroom atmosphere was one of hostility and frustration, rather than one of learning," one of the students who spoke to the faculty committee declared. "It had reached a point of impasse," added another.

Last Friday a meeting of the

(Continued on Page 4)

## Deanship Remains An Open Question

Brooklyn Law School is still waiting for its new dean. The ten member Board of Trustees still has not announced who will replace retiring Dean Jerome Prince. The retiring Dean has agreed to carry on as administrative head until his successor is named.

Last February, when Dean Prince announced his intention to retire, the Board was unsure what procedures it would follow in selecting candidates for the position. The task was an unfamiliar one, the last Dean having been chosen 18 years ago. Moreover, there was a sharp difference of opinion as to whether the new dean ought be brought in from the outside or chosen from the faculty's ranks.

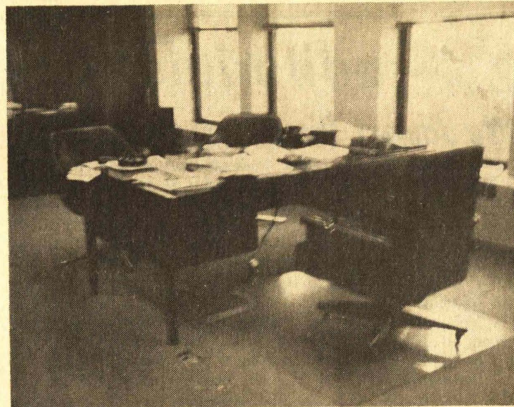
Some members of the student body feared that their views would be completely ignored. The Board of Trustees, however, showed a willingness to listen to any student who wished to voice any point of view. Closed interviews were held by the Board in April when about a dozen students were seen by three Board members.

### Search Committee

The students emphasized the need for an equitable Search Committee that would represent the three major interested groups of the School: students, faculty and alumni. Names of possible candidates were also suggested. The Board thanked the students and left it at that.

Some weeks later the Board announced the formation of a six member Search Committee.

Professors Joseph Crea and Milton Gershenson represented the faculty, Jim Parker and former Law Review Editor Mark Adelsohn were the student representatives with alumni Leon Bordon and Louis Rosenthal rounding out the committee. The Search Committee



Dean's office on the ninth floor.

sent correspondence to every individual suggested by the students. Candidates proposed included Ralph Nader and Ramsey Clark as well as members of the BLS faculty. They also made independent inquiries. The responses were minimal. On July 31 the committee sent their report to the Board. The report remains confidential.

The Committee was faced with an almost impossible task even before it started. It had barely a month's time to submit its report. Finding a Dean for a Law School is a delicate task. Past experience at other schools has shown that it can easily take a year. Secondly, the Deanship was open for immediate placement. Many possible candidates were unavailable at this time due to previous commitments. Thirdly, the very nature and stature of the Deanship drastically narrowed the number of qualified applicants. Budget crises, student unrest, faculty unrest,

community pressure, political pressure — has made the heading of any school a thankless and very vulnerable position. Finally, Brooklyn Law School's unique position as a Law School was a limiting factor. Lack of membership in the Association of American Law Schools was viewed by some interested candidates as detracting from the prestige and importance of the school and thus of the Deanship.

All decision making processes are now in the hands of the Board of Trustees. What actions will be taken by them, and when, remains a matter of pure speculation.

## BLS Limits First Year Enrollment

By STUART SCHWARTZ

Assistant Dean Gerard Gilbride has informed *The Justinian* that 740 students were offered seats in the 1971 entering class. Approximately 2200 applications were received by the April 1, 1971 cut-off date and 425 of those students actually enrolled. This contrasts with 606 students in last year's entering class.

When queried about the smaller number of students accepted this year, the Assistant Dean said, "We need a limit and this gives us the ability to properly train students. We could have had several hundred more applications if we had extended the deadline, but there was no point in taking more than we needed and raising false hopes."

This year's class has 44 women compared with 62 in 1970. Thus, women still comprised just over 10 per cent of the entering class in both 1970 and 1971.

Both the median and average Law School Admission Test scores were substantially higher for the 1971 class, as were the undergraduate grade point averages.

(Continued on Page 2)

## Evaluations Evaluated

By BARRY WADLER

Not the least of the projects initiated or pursued by the Student Bar Association over the summer was the compilation and tabulation of last Spring's student evaluation of the faculty. The highest average overall rating was earned by Prof. Leon Wein in Property II for the day session; Prof. David Schwartz's New York Practice class gave him the highest average rating among the evening classes. Also high on the list were Hauptman (Corporations), Leitner (Tort Litigation), and Meehan (Real Estate Draftmanship).

The forms — which asked each student to provide a "reasoned evaluation of faculty performance" — called for rating each professor in each course using Excellent, Good, Fair, Poor, and Very Poor. The words were later translated into numbers to facilitate finding mathematical averages. Additionally, all comments written

at the bottom of any form were transcribed. The work was done by SBA Treasurer Mike Steinhorn and evening Vice-President Bob Elliott.

All ratings of all professors were submitted to the Dean and to the Faculty Committee on Selection and Tenure. Each professor received a copy of his own ratings and all comments pertaining to him and his class.

The complete results of the evaluation are available to any student in the SBA office, Rm. 403.

The primary purpose of the survey, according to Steinhorn was "to provide the Faculty Committee with a student voice on any professors who are being considered for tenure or reappointment" but one secondary purpose was to provide all professors with feedback from their students.

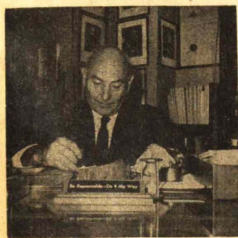
Professor Philip Yonge is chairman of the Faculty Committee on Selection and Tenure which also

includes Professors Crea, Farrell, Gilbride, and Hauptman. His committee does not actually hire instructors or grant them tenure, but, rather, makes strong recommendations to the administration. Tenure may be granted or withheld within the first three years that an instructor is on the faculty.

"There are many variables" considered in granting tenure, Professor Yonge said, and student opinion is carefully regarded. "To my mind", he emphasized, "it is the most important factor" but not the only one. "Generally the comments are very revealing and usually they are pretty consistent", indicating a prevalent opinion. Yonge concluded, "We are all working toward the same result — to get good men."

The areas to be rated for each professor were: Generates interest in his subject; Is clear and understandable in his explanations;

(Continued on Page 4)



Professor Morris Forkosch



## Justinian

Published under the auspices of the Student Bar Association  
BROOKLYN LAW SCHOOL  
250 Joralemon Street, Brooklyn, N. Y.

Editor-in-Chief  
CHARLES WENDER

Managing Editor  
BARRY WADLER

### Contributing Staff

Harold Briscoe  
Lloyd Burns  
Rosemary Carroll  
Ron Einziger

Ronald Mandel  
Elliot Schaeffer  
Stu Schwartz  
Bob Status

Mike Steinhorn  
James Steproe, Jr.  
Malcolm Taub

345

## — editorials —

### We Almost Died

A handful of your fellow students were up late last night. We worked in a crowded little print shop on one of those side streets in the West Village. We wrote and rewrote, proofread, edited and finally laid out what appears on these pages. By this morning there was a paper to distribute to the student body. The student publication of BLS. It's your paper. We put news into it, views into it, articles, pictures and columns.

You know, we have an office in room 304. Stop in and tell us what you think. Maybe help out. We don't know how to say it except, simply, we need your support.

We could die of neglect.

### Attica

The silence at this school shatters. As if it doesn't touch us at all. It was not mentioned in a single class; not a single outrage. Weren't our consciences struck?

A Law School, especially, a large one must share the burden of responsibility for Attica. Law school is the fountainhead of the criminal justice system, the important first beginning. From it flow the lawyers, judges, legislators and very often the law. We boast the highest number of justices in New York as our graduates while nobody's justice is being served. The end result is the misnamed Correctional System manifesting its failure in the incredibly high recidivism rate and the ultimate horror, Attica.

The school pretends that the Criminal Law doesn't exist. Only one three-credit course is given or even available in our entire "legal" education, and that course being as broad as a single P.L.I. book. More time is devoted to Insurance than to Criminal Procedure.

The reality is too glaring; we can't pretend any more.

As an institution we prop and shore up the falling pillars. As individuals we are preparing ourselves as the plea bargainners who become the guardians of the system. When taking that oath before the Bar we become its defenders. As legal scholars delving into the intricacies of a bankrupt concept we add intellectual legitimacy. How long can we go on imagining that we have nothing to do with the breakdown of the system, that we bear no blame?

As a law school we possess tremendous assets. Our faculty is sprinkled with men considered the elite of their profession. As students we stand more than a thousand strong. We expend enormous energy putting out a widely circulated legal journal. We have a newspaper read in places one would not expect. We could be heard. We could make a difference.

If Attica can't and doesn't move us, then, nothing will.

### In Memoriam

In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell.

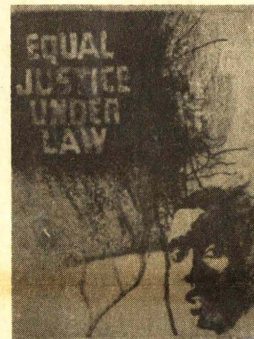
—JUSTICE HUGO BLACK  
1886 - 1971

## Black Students Form Chapter

By HAROLD BRISCOE

Late in April 1971 a few of the Black Brooklyn Law Students met with other Black students attending Columbia Law School and New York University Law School. These students sincerely felt that they had much in common. It was generally agreed that they would have to beware of soaring national attrition rates. It was further agreed that a reduction in grater their number would create a problem than just a shortage of Black lawyers in the United States. Their major concerns were unity and the combination of efforts to insure the successful completion of law school by those already attending. There was an awareness that increased enrollment of Black law students in the future was essential for building a larger community of Black lawyers throughout the country. Thus, with the foregoing in mind — the Brooklyn Law School Chapter of Black American Law Students Association.

Figures produced recently re-

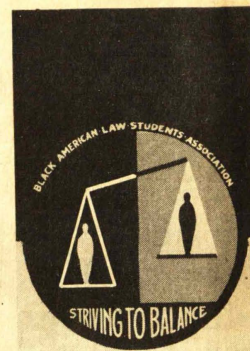


flect a national percentage of 2% enrollment of Black law students. Those figures include the enrollment of Black law students in the four predominantly Black law schools, (Howard University, Southern University, Texas Southern University, and North Carolina Central University Law Schools). An interesting sidenote to this situation is that Howard University is currently experiencing increased enrollment by White students which will have its effect on the openings available to Black applicants. Brooklyn Law School has approximately 1300 students of which twenty are Black Americans. Of the twenty, six attend the day session and 14 attend the evening session. The twenty students represent about 1½% of the students at Brooklyn Law School.

### High Attrition Rates

Above, there was mention of the soaring attrition rates in law schools across the country. At Brooklyn Law School the attrition rate approximates around 60%. That figure is excessively high and more will be heard about that from other commentators at the school. The point is that if there is an overall attrition rate of 60%, what effect will that have on the 1½% of minority students who must as all others succumb to that rate? The problem is as serious as the figures indicate.

The Black American Law Students Association has been formed at BLS to give the few Black students here a sense of identity and hopefulness which will greatly advance their possibility of successful completion of their studies. BALS was formed in the interest of Black students across the country and the members have since committed themselves to increasing their numbers. During the first



week of August 1971 The National Bar Association had its 44th Annual Convention in Atlanta, Georgia. Brooklyn Law School was represented by a student for the first time at that meeting. The National Bar Association was formed at a time when Black attorneys were denied admission to the American Bar Association. The NBA recently launched a full scale effort to make its Law Student Division a viable adjunct. Black Law Students from most of the law schools across the country were present at this convention. A major outcome of that convention was the installation of the Executive Board of BALS as the Executive Board of the Law Student Division of the NBA. The Black American Law Students now have an organized and prominent body of Black Lawyers to represent their interests. Hopefully, the NBA will not ape the ways of the ABA. Hopefully, there will be significant confrontation in America geared toward finally rooting out injustice. This reporter received very good vibes while in Atlanta, Georgia in August of 1971.

## Ripping Off...

By MALCOLM TAUB

I can still remember the fear. It was late on that Sunday night and the report on South America was due the next day. Mrs. Goldberg would just not understand. She just wouldn't understand that I was twelve years old and wanted to play ball and couldn't care less about British Honduras and had once again waited too long to complete the report. There was no choice, it was due the next day and the library was about to close. That's how I found myself in the bathroom of the Grand Army Plaza Library, Encyclopedia Britannica in hand. I was going to do it. After all I had no other choice. I was going to rip out those pages on British Honduras, stuff them in my shirt, sneak out of the library, past the guard, all the way on the subway, all the way home, type it up from those sweaty pages and hand the damn thing in the next day.

Bathrooms are not friendly places, especially in public libraries. Yet, I had my mission to complete and that was the place to complete it. First you have to wait for all those people to leave, pretending all the time that there is a sane reason for your remaining and hoping that no one sees, hears, suspects what you are about to do. Damn it! Why don't they go? Why do I have to remain locked in this small booth? The smell, the sweat dripping on the pages, as I gently rip, trying to avoid losing words in the margin, trying desperately not to be heard, whistling, sick,

hating goddam Mrs. Goldberg, goddam British Honduras, and all the time knowing what a pig I really was.

What gives me the right to be so outraged now? Maybe it's because I'm 26, maybe it's because this is a law school, or maybe it's because it's such a pain having all the book you need removed from the shelves by the librarian, but it is difficult to describe the anger I feel when I find a case ripped out of a reporter, or even

worse, two or three lines carefully removed by a razor blade.

Look buddy, I really don't care why you do it. I don't care if you're lazy or trying to beat your classmates out of a particularly valuable case. All I can hope is that someday, when you are hiding in that bathroom stall, or on the second floor mezzanine or wherever, someone finds you, razor in hand, pawing over a reporter and kicks you right in the ass!

### entering class is smaller

(Continued from Page 1)

Commenting on this fact, Assistant Dean Gilbride said, "I consider this class to be one of the most qualified we have ever accepted." Of the 128 colleges represented, the largest group of stu-

dents came from The City University of New York.

Professor John J. Meehan furnished the statistics for the 1970 entering class in which approximately 65 per cent of applicants were accepted.

	1970	1971
Applicants .....	2,150	2,200
Number of applicants accepted .....	1,398	740
% of applicants accepted .....	65%	34%
Total students in entering class .....	606	425
Day Students .....	411	300
Evening Students .....	195	125
Women Students .....	62	44
Median L.S.A.T. Scores .....	Day 535	566
Evening 544		557
Average L.S.A.T. Scores .....	Day 542	572
Evening 549		560
L.S.A.T. Scores above 675 .....	8	15
Data on undergraduate cumulative indexes was not made available.		



## IRS Rules On Paper's Tax Status

By ELLIOT L. SCHAEFFER

In June of 1970, Columbia University's daily newspaper, *The Spectator*, came under the scrutiny of the Internal Revenue Service for its activities during the election campaigns of 1968. *The Spectator* had carried several articles endorsing such candidates as Eugene McCarthy, Eldridge Cleaver, and Governor Rockefeller. At times, these articles were followed by dissenting opinions or notations from those editors who did not follow the principles and opinions so espoused.

This series of events came to the attention of the IRS as a result of the *Spectator's* 1967 Tax Return. The *Spectator* enjoys the status of a non-profit corporation. As such, it reaps many tax benefits. After incorporating as a Not-For-Profit enterprise with literary and educational goals, the *Spectator* filed for tax exempt status on IRS form 1023; the paper being eligible under IRC §501 (C) (3). This was subsequently granted. However, to maintain this status, the '67 tax return form asked the question, "Have you during the year participated in, or intervened in (including publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for office?" *The Spectator* replied in the negative. This was followed by the explanation that "Editorial comment as determined by the Student Editorial Managing Board sometimes deals with pending or proposed legislation and with candidates for political office and sometimes takes a stand with respect thereto."

This same reply was given to



Picturesque Brooklyn Law School looms in the distance beyond picturesque Cadman Plaza in picturesque Brooklyn Heights. Viewed from our editor's apartment. He takes pictures.

a similar question on the tax form that granted the *Spectator* its tax exempt status.

After an audit and review of several back issues, the IRS determined that the *Spectator* had violated the political prohibition clause and if it wished to maintain its tax exempt status it would have to file a written statement that it would refrain from any such comment in the future. If it did not, it could continue as a tax paying organization. In effect, this was a censure. The *Spectator* could not survive without its status. Its primary source of income was the University and it only received about 10% of its monies from outside sources.

In rebuttal, the *Spectator* filed a brief with the IRS making the following points. It claimed that implicit in IRC §501(c)(3) was the de minimus concept which permitted such comment provided it made up an insubstantial part of its overall activities. Furthermore, the opinions expressed were not those of the paper itself and, therefore, it had not violated the political prohibition. This was evidenced

by the dissenting opinions and notations of dissenting editors. By far the most convincing statement was that, "Unlike a commercial newspaper, it cannot be said of a campus newspaper that it, as an institution, takes a position or endorses a candidate; rather, the newspaper neutrally serves its educational purposes by affording students the opportunity to gain the educational experience of expressing themselves in a responsible forum."

Following the submittal of these and several other arguments, the IRS held that the *Spectator* had not violated the political prohibition clause and could maintain its tax exempt status. It found that the political comments were not that of the paper itself and were insubstantial as compared with the total copy.

The precise effect of this ruling is still not clear, but its immediate consequences are not in dispute. The *Spectator* continues, its principles unchanged, its commitment clear. In this coming year, there will be many elections of great importance.

## How Would You Like

By MIKE STEINHORN

... an all expense paid trip to fifty-seventh street and Seventh Avenue in Manhattan.

While most of you were enjoying your July 4th weekend, I was packing for that dream of dreams, an all-expense paid trip. With cabfare in hand, it was easy to get where I was going. All traffic going to the airports, it was clear sailing for me into deserted Manhattan to meet with law student delegates from close to 100 schools around the country. This was the beginning of my first hotel stay in New York City in my entire life. No big city awe in my eyes, just a hopeful chance of being elected Secretary-Treasurer of the Law Student Division of the American Bar Association.

Along with Bruce Elliott, Student Bar Association night Vice-President, who was Brooklyn Law School's voting delegate, we hoped that representation of our school would be honorable. After all, New York was our school's home and we felt like hosts. Being the 7th or 8th largest undergraduate law school in the nation, we felt that we might carry some weight.

The Law Student Division is the best way that I can think of for the law students of America to influence the thinking of American lawyers. The Law Student Division has two voting delegates to the American Bar Association's House of Delegates and they, through the Law Student Division's passed resolutions, inform the American Bar Association of student opinion on matters concerning legal education.

Between annual meetings, the Law Student Division's Executive Committee and Board of Governors guide the organization in serving the needs of its membership. While the Law Student Division membership does not represent a majority of American law students, it does carry some weight in conveying student opinion that will be respected by the organized Bar.

It was my aspiration, besides personal development, to acquaint myself with other law school's problems and see how our school fared compared with others. Some school representatives said, that from my description, our school was like theirs ten or more year ago. We all

"Some school representatives said that from my description, our school was like theirs ten or more years ago . . ."

know about the numerous problems in our institution which are a result of authoritarian leadership. The solution in other schools has been time and the lack of apathy among the student body.

Even in our school, change is apparent. Fifty percent of the student fee is now in the hands of the Student Bar Association. This small miracle is but a beginning as student's prove their concern in school affairs. Unfortunately, time is not on the side of the student with only a three year stay at the law school. As a third year student myself, I truly believe that I am working in the Student Bar Association for a slightly better school now and a vastly improved institution in the proximity of 1975 at the latest.

The Law Student Division provides the mechanism for interaction between Student Bar Associations in each area of the country. Circuits exist (following the number of Federal Courts of Appeal), which have their own conventions during the school term.

The member schools of the Law Student Division each have one vote regardless of size. The voting delegate casts his ballot on many measures proposed by the members. Some of the important resolutions passed this year were: 1) support of minority student recruitment programs, 2) support of governmental funding for clinical legal education by recommending passage of Title XI of the Higher Education Act, 3) Sponsoring a national conference on law school problems, 4) recommending that judges teach at law schools and 5) that the Law School Admission Test is discriminatory with respect to minority students and therefore the Law Student Division resolved to ban it's use.

Each voting delegate also cast a vote for each national office. This political side of the convention took about one-third of all of the delegates' time and about three-quarters of each candidate's time. I never got more than 4 or 5 hours of sleep since I was attending political caucuses of various circuits. I had very strong opposition in the form of a formidable candidate from Duquesne University named Laura Horton. Laura won over myself and another by a 2:1 margin as she just received a majority of delegate's votes. Laura's prior year in the Law Student Division and many circuits first ballot commitment to her got her elected. As the only accountant in the Secretary-Treasurer race, I felt that I had a good chance in the election as being qualified for the job of handling \$100,000 plus, as opposed to being any sort of experienced, political leader. Politics won out again, I guess.

In retrospect, I wonder whether it wasn't fortunate that my loss meant being able to devote more time to Brooklyn Law School matters such as the Student Evaluation of Faculty and the handling of the treasury. The convention introduced me to a new source of matching grants for certain qualified programs that the Student Bar Association might desire to initiate.

Next August, the Law Student Division will hold its convention in San Francisco. It's my desire to have two students attend. One should be from the first year and the other from the second year. The first year student could be groomed for national office and run at his second convention. Having a national officer would add prestige to our school and give us sorely needed publicity. The extent of financial support for our delegates will depend on our expenditures during the year but I would expect that we will at least pay all of the expenses of the parties when they reach California.

Summing up, the impression that I got this summer is that the Law Student Division will strongly advocate clinical legal education so as to highlight practical experience as a major goal of all legal education. Federal funding is the solution and such a bill died in a Congressional Committee last session. I seriously believe that our school's administration should prepare for the day when our curriculum could be overhauled to comply with a federal project involving meaningful clinical legal education.

## Law Review Expands As Policies Change

By JAMES G. STEPPOE JR.

This year the Brooklyn Law Review will break with a 14 year tradition by publishing four issues instead of the usual three. In addition to enhancing the Review's prestige, the expansion will afford more students the opportunity of having their work published. According to editor Martin Schumaecker fourth issue will be a Second Circuit Review discussing the most significant decisions to come down during the past year. This issue will be comprised exclusively of student work.

The Review's staff has been supplemented by the invitation and selection of 34 new student members. Of the 54 freshmen who were invited by virtue of their first year's grades to write a Recent Decision, 29 had their Recent Decision accepted, seven never wrote, four were rejected, and 14 are still writing. All second year students were invited last May to write a publishable note. Despite the 42 topics which were approved, only 13 papers were actually submitted. From this group five were accepted, five rejected, and three returned for revision and further consideration.

The first issue, prepared primarily by the Editorial Board during the summer months, will appear approximately October 12th. The lead article is by Counselman-at-large Robert I. Postel and is the culmination of a 10

year effort on his part. Entitled *Civil Commitment: A Functional Analysis*, it discusses the general principles of law behind involuntary commitments without formal

adjudication. The second article is by Waldo G. Rothenberg, a Florida bankruptcy specialist, and is entitled *Stockholders' Loans to*

(Continued on Page 4)

## Panthers Plan Tribunal

By HAROLD BRISCOE

Throughout this past week negotiations were carried out between the Black Panther Party and Brooklyn Law School for use of the school's facilities to hold a People's Tribunal.

The purpose of this tribunal is to have testimony offered from prisoners and other knowledgeable persons as to the conditions at Attica and from such testimony have Governor Rockefeller and Commissioner Oswald indicted for homicide. The members of the negotiation committee that first went to Attica would also be invited to testify, first hand, as to their efforts to bring about a peaceful solution to the problem. The prosecution is to be handled by William Kunstler with assistance from lawyers from the National Lawyers Guild.

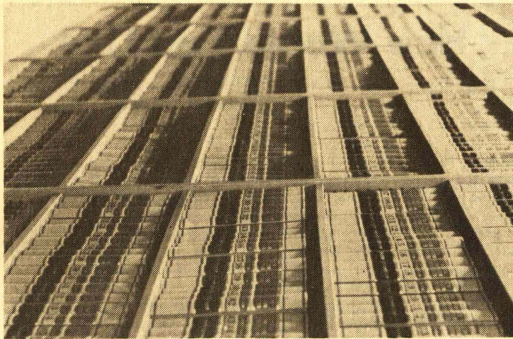
Due to subsequent expansion of the planned Tribunal, however, BLS will not be used as a location.

BLS, became involved when the New York chapter of the Black Panther Party called and asked for the use of the school.

Through the combined efforts of the Student Bar Association and the Black American Law Student Association (BALSA), permission to use the Moot Court Room was granted by the faculty. The tentative date was to be October 7, 1971 at 3:00 P.M. However, because of commitments previously made by many of the lawyers that were to participate, a new date had to be set. The faculty was amenable to the change of date also.

At a meeting between representatives of the Black Panther Party and representatives of SBA and BALSA on Sunday, September 26, 1971 it was revealed that plans for the Tribunal had expanded and that Brooklyn Law School would not be able to accommodate the masses of people expected to attend. Thus, the St. George Hotel was chosen as the site. The Panthers were assured that the students at Brooklyn Law School would be available for any assistance in legal research required to effectively carry out their plan.





Building blocks of the law.

## student bar

(Continued from Page 1)

ductions available through the Theatre Development Fund will both be available to interested students this term.

Programs still in the developmental stage which will require student participation this term include.

Participation of BLS in the ABA-Law School Division competition for the development of a relevant community law service project.

Program to be held at the Brooklyn Borough Hall Mall involving the entire legal community of Brooklyn.

Revamping the Placement Office and Procedures and Establishing a Student Placement Advisory Committee. Food, clothing and book drive at Thanksgiving for the benefit of Caesar Chavez, United Farm Workers Organizing Committee.

The establishment of a program

of student research assistants for the faculty.

Revitalizing the Student Faculty Relations Committee To Establish Permanent avenues of communication between students and faculty.

Encouraging the Student-Faculty Curriculum Committee toward the creation of a Legal Writing II course and a credit community legal service elective course.

Development of a health program at the Law School with full multiphase exams for all students.

Certainly being a student lawyer involves more than preparing for a lucrative notarial practice or studying the intricacies of the treasure-trove law. Today's lawyer must be a participant in and innovator of social change. Activism must be the core of legal concern. This year varied SBA program offers each student a chance to become involved. Don't complain about the status quo at BLS if you really don't give a dam. Don't let change pass you by, again.

## evaluation

(Continued from Page 1)

Motivates student participation in class; Is available and helpful outside of class; Deals with subject effectively; and Considering everything, how would you rate the professor. There was space left at the bottom for comments and the form did not ask the students name.

While not all students returned the form, the return was nonetheless unusually high. The more complete the response in any class, of course the more accurate the picture which may be formed. Generally, however, the evaluations indicated responsible consideration of an instructor's performance. That is, while the comments may have shown that a man was not liked as a "nice guy" he might nonetheless be rated highly in his handling of the subject, or vice versa. The written comments, thus, provide an extra insight into student concerns and opinions, often pinpointing a particular area of grievance or excellence or illuminating the problems behind a consistently low rating.

Moreover the tenor of the written comments seems fair and balanced. Where a professor is criticized for one aspect of his approach toward the class, the writer often made it clear that this was not an impediment to his teaching effectiveness. On the other hand, students are willing to concede the professor's overall knowledgeability while indicating their disdain for his pedagogical techniques. (One comment which repeatedly cropped up for one professor was "The man may be brilliant" but as an educator he is an incompetent.") Other comments were more colorful.

While it is all but impossible to dismiss a professor with tenure,

a consistently poor rating of such a professor prevents his lack of quality from going unnoticed at worst and at best his lack of rapport with students might be taken into account in his future teaching assignments. Moreover, a suddenly low rating of a professor who has been received more favorably in past serves as notice to him that he may in some way or ways be slipping.

"They help me individually," professor Yonge conceded, "to try as best one can to overcome one's weaknesses." Professor Joseph Crea attests that comments which pointed to an unbalanced course structure once prompted him to do a "massive clean-up" of his material cutting out many extraneous cases.

Since the students evaluations first began four years ago Dean Jerome Prince has made it a practice to review the results carefully. Several professors — tenured as well as non-tenured — individually indicated that the dean had called them in to constructively discuss their in-class performance based on the comments written by the students. According to the dean, he scheduled an appointment with "each instructor and discussed his evaluation with him, reviewing his method of instruction and handling of the class" offering suggestions where they were useful.

"I regard this (student evaluation) quite seriously," the dean added. "Assuming the students are making responsible observations I think it can be a very helpful guide." He expressed concern over the low ratings of certain professors and elation at the high ratings of others. "I'd like to see it continued," he said, "but with a larger response" from the student body.

## The Great Escape

By RON EINZIGER

Graduation day.

Three years and they spring you.

We're the lucky ones. When we leave old Alma Mater, Brooklyn Law School, they give us a piece of paper that says "Juris Doctor" on it. Some of our friends weren't so lucky. When they left, all they got was a letter from Dean Prince telling them he was sorry, but they just didn't have what it took.

The survivors had their coming out party at the Waldorf-Astoria on June 17. Trustee President, Judge Leonard Moore and Assistant Dean Gilbride jointly presided over the festivities.

The valedictory speech was made by Leonard Duboff, Number One on Brooklyn's All-Time Scholastic Hit Parade. The rest of us didn't even make the Top 40.

Duboff, who was blinded in an accident several years before he began law school, was the subject of articles in the Post, the News, and the Law Journal the week of the graduation.

In his speech, he urged those of us who wished social change to work within the system, not outside it. He cited cases to prove his point. Undoubtedly, all the potential Weathermen in the audience were thusly turned away from a life of revolutionary violence.

Next came the presentation of the awards. The highest grade in Real Property; the highest grade in Evidence; the highest grade in Wills, etc. As his name was called, each winner went up on stage to receive his award. I was to receive an award, but I was fearful of going up on stage to get it. My mortarboard was about a size too large and it would have been most embarrassing if it fell off while I was up there.

My fears proved groundless. All I and the other twenty-five or so winners of the SBA award had to do was stand up at our seats as Dean Gilbride called out our names.

All went well until he came to my name. Naturally, he blew it. ("...Seligman, Ronald S. Eigenzer, Neil B. . .") At least my hat didn't fall off.

Now the main event — The Guest Speaker. Unable to get Neville Zweiback, well known court clerk of Fort Lee, N.J., we had to settle for one John V. Lindsay, reputedly a New York City civil servant.

The Mayor was resplendent in his light blue Yale cap and gown. Yale uses berets rather than mortarboards. Why is this?

Big John spoke of his fiscal problems and his efforts to solve them. "I've gone to Albany," he said. "I've gone to Washington. And now, my aides will be passing among you . . ." Best line of the whole ceremony. It even made the 11 O'Clock News.

I've got to hand it to them. They really must've put on a good show. They even had my mother applauding Lindsay, which is no mean feat. Well, at forty bucks a head they ought to put on a good show.

When the ceremony ended, we all went back to return our caps and gowns. If we wanted to keep the tassals, we had to pay 50¢. I saved my money.

I heard a rumor that they were giving out our diplomas somewhere in the same room. After about ten minutes of searching through the massed graduates, wives, brothers, sisters, and parents, I discovered that the rumor was true. A group of women were there to give you your diploma when you told them your last name.

There it was, my J.D. I was free.

## Moot Court

The team that will represent the Brooklyn Law School in the National Moot Court Competition has been selected. The members are second year law students Joe Hester, William Paul, and Craig Purcell.

This year's moot court problem is based on the case of Lt. William Calley, convicted of the My Lai massacre. Brooklyn will argue the petitioner's side (Calley's) against New York Law School at 4 P.M. on Nov. 10 and will argue the respondent's side against Fordham at 8 P.M. The arguments will be held at the Association of the Bar of the City of New York, 42 West 44 St.

All students are invited and urged to attend.

## WHERE THAT \$10 GOES

PRELIMINARY STUDENT ACTIVITY FEE ACCOUNTING FOR THE 1970-1971 SCHOOL YEAR

<b>INCOME</b>	
Student Activity Fee Collected .....	\$23,000
<b>TOTAL INCOME</b> .....	<b>\$23,000</b>
<b>EXPENSES</b>	
LAW REVIEW .....	\$18,400
JUSTINIAN .....	4,850
SBA & Related Student Activities (Teas, Orientation, Moot Court Program, awards and plaques) .....	4,400
Miscellaneous .....	350
<b>TOTAL DISBURSED</b> .....	<b>\$28,000</b>
<b>SCHOOL FUNDS TO COVER SHORTAGE</b> ..	<b>\$ 5,000</b>

The above statement supplied by Assistant Dean Gilbride at the request of the Student Bar Association is only a preliminary statement. In the near future, a more detailed and accurate statement will be provided including breakdowns of the various items.

It is important to realize that several items, beneficial to students, are not being included in this accounting. Capital assets in the nature of desks, filing cabinets, a bicycle rack and a mimeograph machine are some items not charged to the student fee. Phone calls and the assistance of the administrative staff are not included either.

On the other hand, approximately \$2,000 in law review subscriptions is not posted as **income** to the student fee fund. Interest earned, if any, on the student fee is likewise not included. The administration does not pay for its thousands of law review copies distributed to them free each year. The printing of this first preliminary accounting represents a step forward in filling the communications gap between students and the administration.

—Mike Steinhorn, SBA Treas.

## administrative law switch

(Continued from Page 1)  
committee was requested by SBA President Rosemary Carroll and the chairman, Professor Joseph Crea, called the meeting for last Monday. The class had selected a group of delegates to present the

grievances. Though the meeting lasted three hours, no decision was reached.

On Tuesday the committee met with Dean Prince and arrived at the solution.

In clarifying the administration's position, the dean stressed the "extraordinary nature of this particular situation" with this individual class and that "this should not be considered as a precedent for other classes or students seeking to withdraw from a course."

**NOTICE TO ALL FRIENDS OF MIKE TUCCI**  
Mike Tucci will be opening Oct. 15, 1971, in an improvisational theater piece, *Playbox Theatre* (Phone 724-5108).  
94 St. Marks Place (between 1st and Ave. A)  
Tickets may be obtained by calling the box office.