

# The Justinian

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Article 1

1974

## The Justinian

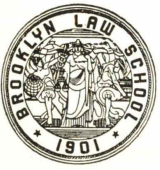
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# Justinian

Volume XXXIV - No. 8

MONDAY, APRIL 1, 1974

Page One

## Evaluation Form Ready:

Trager & Farrell  
Urge Its Adoption

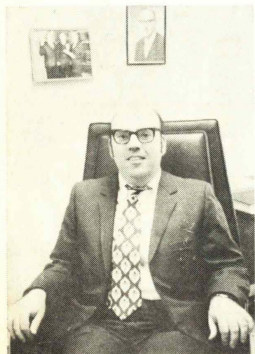
TO: Members of the Faculty  
FROM: Prof. Richard T. Farrell  
Prof. David G. Trager

**SUBJECT: Law School Survey**  
After considerable effort the committee of faculty and students created by this faculty's resolution of March 16, 1973 to study an improved faculty survey form as well as procedures for improving administration has drawn up the annexed survey and experimental program.

The survey itself is an amalgam of a number of surveys principally those used at the University of Minnesota Law School and New York University Law School. An examination of the survey will indicate that it is very thorough both as to the course and the professor as well as the student. The committee believes, it will provide much helpful information for the school, the students, and all faculty members. Throughout, the committee has endeavored to make the survey as "value free" as possible. For example, the survey takes no position as to whether the lecture or discussion method of teaching is to be preferred. (See Questions #16 and #17)

The very length of the survey and its detailed nature we believe to be its principal virtue. It will require the students to express something more than "gut reactions".

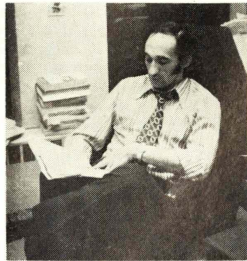
As a first step, we should like to recommend that, as an experiment, we survey the Fall 1973



Professor Trager

term. In making this recommendation we do not contemplate that any change be made at the present time in the resolution adopted by the faculty on March 16, 1973 which bars the use of these surveys for purposes of reappointment, tenure, etc. It is contemplated that no recommendation to change the faculty's position will be made until after the experiment, which we are here proposing, has been successfully carried out.

The procedure for this experiment would be as follows:



Professor Farrell

All students (except third year evening) have at the present time one required course.\* After the necessary forms have been prepared and arrangements made for the use of machinery to tally the results, the survey and sufficient answer sheets will be made available to the students on a designated day immediately after their required course. They would then fill out the answer sheets for their Fall 1973 term and return the forms immediately to their class representative. The forms would then be immediately taken by the class representative to Dr. Hambrecht's office where either a joint committee or Dr. Hambrecht's personnel will sort the various forms according to the course and professor. At that point the forms will be sent to the service bureau which would then tally the numbers.

When the material is returned, a booklet will be prepared containing the tallies for each course. A copy of the booklet will be made available to the Deans and each professor, and a reasonable number will be made available to the students in the school library for their perusal.

If there is widespread participation and effective administration of the survey, we think that there can be little complaint about its publication and its use by the school as an evaluation device. In addition all members of the faculty will no doubt be interested in the detailed type of information given.

We ask your approval to participate in this experimental program.

### LAW SCHOOL SURVEY

#### Ia. The Course (6 Questions)

- Do you think the total number of class hours allotted to this course should:
  - Be increased
  - Remain the same
  - Be decreased
- How do you evaluate the amount of materials covered by this course?
  - Too much covered
  - Reasonable amount
  - Too little covered
- Do you think the assigned materials contributed to your understanding of the subject?
  - Not at all or poorly
  - Adequately
  - Moderately well
  - Very well
- Should course, if required, be elective?
  - Yes
  - No
- Do you think the material in this course is best taught:

(Continued on Page 4)

## Regional Conference A Success For Law Women

By Nora Lavori

"Sisters, we must turn the law to our own purposes!" With that opening statement, New York City Human Rights Commissioner Eleanor Holmes Norton expressed the spirit of the Metropolitan Law Women's Conference on Women and the Law held at N.Y.U. in February.

More than 300 women attorneys and law students participated in the conference which was organized by women attending the nine New York area law schools.

Participants had the opportunity to choose from among fifteen panel discussions: Women's Law Firms, Sex Discrimination in Education, Women as Victims of Crime, Gay Women's Rights, Women and Welfare Law, Women in the Courtroom, Ethical Problems Facing Women Attorneys, Women and Credit, Women and Health Care, Title VII and Job Discrimination, Constitutional Issues, Women and Prison, and The Law



School, Brooklyn Law Women sponsored two very successful panels. The first, on Women and Politics, included State Senator Karen Burstein, City Councilwoman Carol Greitzer, and Emily Jane Goodman, author. The second panel, on the subject of Marriage and Divorce, was led by Marjorie Fields of Brooklyn Legal Services, Nancy Erickson of the Women's Law Center, and Diana Du Broff, a practicing attorney. Ms. Goodman and Ms. Erickson are graduates of Brooklyn Law School.

The Women and Politics panels focused on the difficulty women candidates face in attracting financing for their campaigns. They attributed their problem to the fact that women do not control the purse strings and even those women having access to large amounts of money often have trouble accepting other women as serious candidates. They predicted,

(Continued on Page 4)

## Mentally Handicapped Fight for Rights

By Joseph Supp

The mentally disabled, unlike the criminal, has committed no crime but yet he can be deprived of his liberty without the minimal guarantees of due process which the criminal defendant receives. Many states do not have to notify patients of their rights and status upon admission to a mental institution, can detain patients for an unreasonable length of time without judicial review, do not provide lawyers, and can deprive patients of their civil rights.

According to Professor Schultze, who is currently exploring the rights of the mentally handicapped in his Civil Clinical Education seminars, the Supreme Court "has never ruled on the procedural due process rights of the mentally handicapped to the same extent it has with regard to Criminal or Juvenile defendants." *Lessard v. Schmidt*, 449 F. Supp. 1078 was a very important case recently up before the Court which could have had a drastic effect upon the current practices in every state. It dealt with the Wisconsin civil commitment procedure which allows a patient to be detained up to 145 days without a hearing. The Federal District Court held that the state procedure was constitutionally defective in that there was no notice of the patient's legal rights and status given at admission, no hearing held on the probable cause for retention within 48 hours, no right to a full jury hearing within 14 days, and no right to be represented by adversary counsel. It was also defective in that hearsay evidence was admissible in court, that psychiatric evidence was allowed, without the patient having been informed of the right to be free from being drugged until after having consulted with counsel and of the right to adequate treatment as discussed in *Wyatt v. Stickney*, 334 F. Supp. 1341. The Supreme Court successfully avoided ruling on the constitutional issues presented when the case came up before it in January. The court held that the District Court's order was too vague and fell short of satisfying the requirements for specificity in Rule 65 (d) of the FRCP. Accordingly, the District Court's judgment was vacated and remanded for further proceedings.

### N. Y. Mental Hygiene Law

The mentally disabled include the mentally ill, the retarded, alcoholics and addicts. Such people can be admitted to hospitals, state schools, or treatment facilities if it is established that they are in need of care and treatment. The police have the power to seize such people and bring them to the institution if they refuse treatment. The rules governing the admission procedures can be found in Article 31, 33 and 35 of the N.Y. Mental Hygiene Law.

New York's newly revised law which went into effect a year ago still falls short of the standards set in *Lessard*. A person does receive a written notice of his status

and rights upon admission but before being examined by the admitting physician, he receives nothing equivalent to the Miranda warnings given to the criminal defendant. His rights do include the right to a hearing within 5 days



which must be requested in writing from either the patient or someone on his behalf, the right to be represented by counsel and the right to have another psychiatrist on the patient's behalf provided at state expense. A patient may be committed and is entitled to a jury only upon appeal, which is the next step beyond the initial hearing. A patient supposedly retains his civil rights unless declared judicially incompetent, but the institution is entitled to hold his personal property up to a value of \$5,000 to use for expenses. Also, the patient or his immediate relatives must pay for the cost of treatment if they can afford it. One substantial improvement over the former law is that a patient's consent to shock therapy and surgical operations is now required.

The patient also has the right to contact the Mental Health Information Service (MHIS) at any time. MHIS (the "Legal Aid Society" of the civilly committed) is a court agency established to protect the rights of patients by reviewing all involuntary admissions within 2 days, advising patients and concerned parties of their rights, and instituting action whenever they feel that a patient is being held improperly. A major problem acknowledged by MHIS concerning the involuntary admission of the mentally ill in New York City is that most patients are being admitted as dangerous through the emergency procedure, regardless of whether or not they actually are dangerous. The old law allowed this practice and the doctors have been reluctant to change since it is easier to admit most patients under the old procedure.

According to MHIS for the First (Continued on Page 3)



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John Di Bella

Managing Editor  
Elyse G. Lehman

Feature Editors ..... Kenneth Raphael, Jan Schoenhaus  
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## — editorials — Late Report Cards

The uncalled for delay by the administration in mailing grades to the students exposes once again insensitivity by the faculty and administration to legitimate student needs. The fact that a few professors delayed in reporting their class grades is no justification for the hardship and anxiety that was inflicted upon the student body. It is the duty of the administration to set up and enforce a specific deadline for members of the faculty. Most members of the faculty will successfully meet the challenge of a deadline.

We urge the administration and faculty to immediately promulgate a plan which calls for the posting of grades by each professor for each class. Identification can be made by using the student's social security number. This simple and obvious procedure would eliminate the needless hostility and frustration which is engendered by the obsolete system presently used.

We also urge the SBA Executive Board to follow up and assist the faculty and administration on this proposal.

## New Grading System

The change of the grading system from letters to numbers is welcome, both as a symbol of the administration's openness to national standards and as a fair measure of the performance of students. The cloud around this silver lining is the failure of the faculty and of the administration to solicit the participation of students in the process of formulation of proposals, and of adoption of the best alternative. Policy participation was non-existent; events on the ninth and eighth floors took place, as usual, in a vacuum. Student input is desirable in all matters, and, especially in a matter in which the students' interest is paramount and direct. Grades are such a matter, and it is a reflection on the obtuseness of the faculty and of the administration that they could not see this. It was only after student protest that students' views were solicited; but this was after the process and after the fact, and the decision now has to be made under pressure of a deadline.

The means for cooperation between students and the faculty, and, through the faculty with the administration, are the faculty-student committees. These committees exist, and many meet regularly. The question for the faculty and for the administration is whether policy matters are to be referred to the appropriate faculty-student committee for timely consideration. If the faculty and the administration accept the premise that Brooklyn Law School is a professional school, and are willing to treat B.L.S. students as adults rather than as raw material in a factory, then it is incumbent upon the administration and the faculty to work with students for the good of the law school.

## Anonymous Donation

An anonymous alumnus of Brooklyn Law School whose name is known only to the Dean has donated \$1,000.00 in honor of Surrogate Nathan R. Sobel, '27. Surrogate Nathan R. Sobel, together with Surrogate Louis D. Laurino, will conduct the Symposium at Brooklyn Law School Alumni Association Homecoming Meeting. Dean Lisle will announce the donation at that time.

### STUDY REVEALS CRIMINAL JUSTICE STANDARDS OF ABA, NATIONAL ADVISORY COMMISSION ALMOST IDENTICAL

A comparative analysis has revealed that two sets of standards for modernizing the nation's criminal justice system are almost identical.

One set of standards is being implemented by the ABA, and the other by the National Advisory Commission on Criminal Justice Standards and Goals (NACSG), appointed by the Law Enforcement Assistance Administration (LEAA). The analysis, financed by LEAA, was conducted by the ABA's Section of Criminal Justice. It found only 16 differences in principle among the 476 ABA standards involved.

The major philosophical split revealed by the 594-page published study occurs in the standards dealing with "plea bargaining." The NACSG standards recommended abolition of plea bargaining by 1978. The ABA standards described plea discussions as an appropriate, realistic means of disposing of criminal cases, provided the negotiations are conducted in the open, according to strict rules of due process.

#### View by Justice

Other differences occur in standards involving pretrial release, discovery and pretrial procedure, probation, and post-conviction proceedings.

"The analysis reveals substantial similarities between the two sets of standards," said Jack G. Day, of Cleveland, ABA Criminal Justice Section chairman. He said the analysis should clear up any confusion and doubt as to whether these two "quality products" are in competition with each other.

Former Supreme Court Justice Tom C. Clark, chairman of the section's Implementation Committee, noted in the foreword to the analysis: "The comparison has demonstrated that these two studies, together spanning 10 years, have produced standards to improve our criminal justice system, and, by their substantial similarities, fortify each other. Neither asserts . . . that one version is 'right' and the other 'wrong'."

He urged that the two organizations reach agreement through "dialogue" and then team up on implementation.

#### LEAA Position

The 17 volumes of ABA criminal justice standards, which cover each stage of a criminal proceeding, were compiled and issued over a period of 9 years, beginning in 1964. Since 1968, the Criminal Justice Section has headed a nationwide effort to implement these standards in every state and federal jurisdiction. Many states have already substantially adopted the standards.

In a recent statement, LEAA Administrator Donald E. Santarelli urged that the states consider both the ABA and NACSG standards.

"It is LEAA policy," Santarelli said, "to neither endorse the (National Advisory) Commission's recommendations nor mandate acceptance by states and units of local government of the Commission's recommendations. LEAA cannot and will not require incorporation of the Commission's specific standards into a state (criminal justice planning agency) plan as a condition of approval. It is the standard-setting proceeds which LEAA endorses, not any individual standards."

## Clinical Program For Senior Citizens Approved

The Jewish Association for Services to the Aged (JASA) has for over a year and half, been delivering free legal assistance to the elderly poor in Queens county as a part of a protective services pilot project to the aged. The program is unique in that it is the only one of its kind in the social services and legal profession to date catering to the aged poor on a personal basis.

Allen Federman, JASA's attorney in this experimental program, says that he has "been able to help out numerous clients of the program who because of advanced age, have been victimized and abused. The mere fact that our clients can leave our office, feeling that they have an attorney who will defend them and fight for them, reduces tremendous anxiety and fears typical to the aged."

JASA's legal program is an integral part of the agency's social work program, and their team approach of attorney and social worker working together on a case has proven extremely successful. Often, it is the key factor in breaking down the barriers

which have prevented the existing legal services agencies from reaching and effectively meeting the legal needs of the elderly.

The success of JASA's program in Queens has led the Mayor's Office For the Aged to plan an allocation of funds for a new legal program specifically designed to serve the elderly population in Central Brooklyn. JASA is seeking student volunteers who are interested in working with the aged and want to be a part of a clinic program currently in Queens and later in Brooklyn when the new legal office opens.

Students volunteers will work directly with the JASA attorneys in all aspects of the program. Typical problems of the elderly include consumer issues, Medicaid and Medicare benefits, Social Security payments, landlord and tenant and housing and family law.

(Editor's note: This program has been approved by the Committee on Clinical Education. If you are interested in this program, please see Professor Leitner.)

## L.S.D On Impeachment Rebuffed By A.B.A.

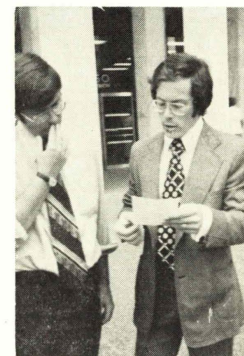
### Kane Attacks A.B.A. For Refusal To Meet The Issue

At the beginning of February, the American Bar Association met in Houston, Texas to convene the ABA House of Delegates. At that convention, Howard Kane, president of the Law Student Division of the ABA, submitted a resolution which called upon the Congress of the United States to fully disclose to the public all proceedings relevant to impeachment. This resolution by the Division comes after repeated attempts by the LSD to take a public position on the impeachment proceedings. In October 1973, at a LSD Conference, law students representatives from Oklahoma, Colorado, Kansas, New York, Connecticut, and Wyoming called for Congress to begin impeachment proceedings. In November, 1973, the Division took a poll of law students throughout the continental United States. The results of this poll demonstrated that 62% of the 17,625 law students respondents desired a law student movement seeking President Nixon's impeachment. While the Division was earnestly attempting to find the position of law students, many members felt that the parent organization, the American Bar Association, has made no attempts to respond to the critical issue which faces our nation and the legal profession. As Howard Kane aptly put it, "In an era when the integrity of the legal profession is in doubt, it is incumbent upon the American Bar Association as a pre-eminent representative of the organized Bar to act in the name of the members of the Bar to promote the administration of justice and to apply the knowledge and experience of the profession in the promotion of the public good."

The Law Student Division concluded that an open and public investigation of Watergate is essential to fair and just proceedings on several grounds: that one of the basic tenets of representa-

tive government is an informed electorate which can express its views to its representatives based upon sound reasoning rather than manipulated emotions; the extensive and complicated legal issues and Constitutional questions that surround Watergate have led to public confusion; the obvious political backroom maneuvers have created public dissatisfaction with governmental personnel and the system of justice.

On February 1, 1974 the ABA Board of Governors recommended the tabling of the LSD resolution.



Jon Steiger and Howard Kane

Howard Kane then made a direct appeal to the House of Delegates in a speech on the floor of the assembly, in which he said, "We are not asking this House of Delegates to vote on Mr. Nixon's guilt or innocence. The law students of the nation are not asking this House of Delegates to take any action that is any more or less political than any of our recommendations to Congress and to the Administration have been in the past. We are asking you to apply the knowledge and experience of the profession to promote the pub-

(Continued on Page 4)



## LSD Announces Plans For Annual Meeting

The Law Student Division will be holding its annual meeting this year in Chicago, Illinois, the first week in August. The President of this national organization, Howard Kane, a 3rd year BLS student would like to see as many BLS students in attendance as is possible.

The convention will be the only time for BLS students to meet with Law students from all over the nation. "It is the time for the national elections and another BLS student should run for office," Kane said. In order to facilitate getting many BLS students to the convention site, Kane is arranging for a bus or reduced metroliner tickets. He hopes that somewhere near 50 students who are LSD members will be interested in going.

As far as room cost goes, Kane said the hotel site will be the Sheraton in Chicago. They are offering reduced rates. Also there will be student dorms (single or doubles) available at a nominal rate.

The probable dates will be Thursday, August 1st through Sunday, August 4th.

What happens at an ABA-LSD annual meeting? The regular business of policy making by the LSD House of Delegates. Awards dinner (Whereat BLS Justinian was honored last year) will be held the last evening. A convention hall with all special interest groups represented, including: Legal fraternities, societies, BALSA, AILSA, PRLSA, LARAZA, West, Foundation, Computer forms and Scribes. Speakers will be, by far, the best that have ever been presented to law students at one convention. They will probably be: Masters and Johnson, Ralph Nader, a U.S. Supreme Court Justice, Counsel to The House Judiciary Committee, Senator Sam Erving, et al.

A formal placement bureau will be functioning all during the conference.

For SBA leaders. WORKSHOPS, encounter groups, program exchange sessions, "How to" sessions for SBA TREASURERS.

For Law Review Editors and members: workshops, meeting of scribes, exchange program, and judicial clerkship introductory sessions taught by members of the ABA Judicial Administration Division.

Newspaper Staffs will be afforded the opportunity to meet with leaders of the regular press i.e. Jack Landau, Art Buchwald, Jack Anderson.

LSD membership is the only requisite for registering for this meeting. Until July it will cost \$3.00. After July it will be \$5.00. The Student Bar Association has subsidized the LSD groups to the annual meeting. That money will be apportioned to as many LSD members as is possible.

The BLS Alumni Association has been requested to assist us in subsidizing or sponsoring the BLS contingent to the annual meeting.

If you are or might be interested in attending please leave a note for the LSD Representatives at the SBA office with your name, address and phone number. Also, there will be an LSD meeting here at BLS the 1st week of March. Look for notices.

## SBA Proposes To Amend Constitution

Proposed amendments of the present Student Bar Association Constitution have been drawn by the Constitution Committee. The Committee, whose members are Steve Spilky (a fourth-year evening student) and Pat Kane (a third-year day student), have worked on a number of drafts since they commenced work at the beginning of this semester. The function of the committee is not to initiate major changes in the present Constitution, but to set forth, in writing and with clarity, the assumed and customary powers and structure of the S.B.A. Although the present Constitution sets up a basic structure, it is silent on many vital questions. Ms. Kane pointed out, "Simplicity is not always a virtue". Mr. Spilky stated that the present Constitution is both complex and uninformative. For example, the present Constitution is so skeleton-like as to suit the claims of S.B.A. officers to non-customary or to unreasonable authority. Also, the present Constitution is confusing on the questions of impeachment of officers and on accountability of

officers and of committees to the House of Delegates.

Ms. Kane and Mr. Spilky are confident that the proposed amendments will remedy present defects. Their proposed changes include provisions for accountability of all officers and members of committees to the House of Delegates; mandated contact (by notices of meetings, open meetings, and electoral reforms), between the S.B.A. and the students at large; required record-keeping, and students' right of inspection of such records; and clarity of expression, so that future students will be able to hold the S.B.A. to a standard of legal conduct.

The House of Delegates discussed the proposals at its previous two meetings. The final draft will be presented at the next regular meeting.

### LOOKING AHEAD

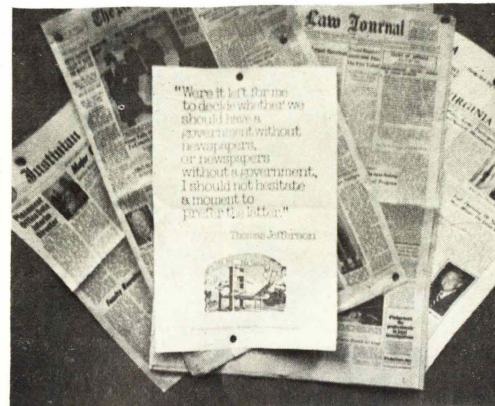
Summer course schedules from various law schools across the country are posted on the bulletin boards in the basement. BLS is not represented and we wonder whether there will be summer school in Brooklyn this year.

## Legal Trends: Right-of-Reply

By Jan Schoenhaus

The right of the people to have access to the mass media has in recent years been a fruitful source of First Amendment litigation. A 1973 Florida Supreme Court decision has added a new dimension to this important constitutional controversy. Since 1915 the state of Florida has had a right-of-reply statute on its books. Under the terms of this statute a newspaper is obligated to provide space for a reply to a public official or political figure attacked by the newspaper in an editorial position. Last spring the Miami Herald was ordered by a Florida court to publish the reply of an office-seeker the Herald had criticized in an editorial. It was the first time this statute had ever been given application by a court of law. A storm of controversy has arisen over this decision. As former California Chief Justice Roger F. Traynor remarked in a recent New York City Bar Association address: "Hurricane Florida is now upon us."

Supporters of the Florida decision contend that the right-of-reply statute enhances rather than limits the First Amendment guarantee of freedom of speech. In these days of increasing concentration of newspaper ownership in the hands of a few wealthy publishers, a form of private censorship is being imposed by these owners. A person who is attacked or censured by a monopolized press is helpless to make his views known. When one criticized in the pages of a newspaper cannot "shout back" and reply to his critics' accusations, it is a restraint of freedom of speech. In 1964, in *The New York Times vs. Sullivan*, the United States Supreme Court



ruled that the First Amendment gives a newspaper the right to be careless and even inaccurate. Anything short of malicious libel is safeguarded by the Constitution. This gives the press an awesome power to twist and distort the news and censor political figures with impunity. The Florida decision gives a remedy for these potential abuses of the freedom of the press. Since the 1969 "Red Lion" decision of the U.S. Supreme Court the broadcasting industry has been obligated by the Federal Communications Commission to give free time to those challenged in station editorials. The supporters of the Florida decision see no reason why this same fairness doctrine applied to the broadcasting media should not also be applied to an increasingly less competitive press.

Opponents of the right-of-reply position believe that such government enforced replies would act as an inhibition to the robust exercise of freedom of the press. The newspaper editor is naturally partisan and prone to criticism of those people and issues

he opposes. His freedom of expression is the same as that guaranteed to every other American citizen by the First Amendment. Oppression can begin in small ways. The government may first interfere with the press for the beneficial purpose of correcting a blatant falsehood about some public official; but to paraphrase Justice Brandeis, our liberty must be protected most from zealous men of good will. When confronted with the choice of a slanted, uncompetitive press or a government enforcing "fairness", the greater danger to liberty comes from the government. The power of government is infinitely more hazardous to the exercise of freedom of speech than any distortions the press can foist on the public.

The future is uncertain. We must await the decision of the Supreme Court for a definitive solution to the problem of the citizen's access to the press.

**Editors Note:** This case is before the Supreme Court and a decision is expected soon.

## Mentally Handicapped Fight for Rights

(Continued from Page 1)

Judicial Department, during the judicial year 1972-73 there were about 14,000 involuntary and 11,400 voluntary mentally ill patients admitted to hospitals in Manhattan and the Bronx. There were only 355 hearings demanded, and only 2 appeals. MHIS maintains that the relatively low number of hearings is due to their intervention prior to the initiation of judicial proceedings. Since the object is to gain the immediate release of the patient, the normal judicial process is usually too slow. A hearing can take up to a week, a jury review may take over a month, while the regular appellate procedure can take a year or more. A writ of habeas corpus is sometimes used and is always available to bring the patient immediately before a judge. Not too frequently the admitting physician is in the dark when it comes to knowing the exact circumstances under which the patient has been brought to the hospital for admission. MHIS can investigate and present the full story and any pertinent background information to the doctor or hospital director which

may lead to the patient's immediate release. MHIS can also gain the patient's release through negotiation with the hospital or doctor by showing various alternative treatment possibilities which may exist; i.e., a relative who may be willing to provide care, a halfway house, or even a foster home.

According to a staff attorney with the Mental Health Law Project, co-sponsored by the New York Civil Liberties Union, the First Judicial Dept. of MHIS is by far the best in the state, being staffed by 22 lawyers, though perhaps not as aggressive as it should be. The Second Dept. is staffed mostly by lawyers, while the Third and Fourth Departments are staffed mostly by social workers; thus upstate patients generally have poorer access to legal counsel.

The most recent statistics for the First Dept. show that involuntary admissions has greatly decreased to 832 a month while the number of voluntary admissions has increased to 1266 a month. Some reasons for this trend are the effect the new law has had upon the admission procedure in requiring that voluntary admis-

sions be encouraged and alternative treatment to commitment be explored.

### ABA Commission

The ABA's new Commission on the Rights of the Mentally Disabled has been formed in response to the growing awareness of injustice which has plagued the mentally handicapped. The Commission consists of physicians, judges, social workers, administrators, and practicing lawyers who will be working to stir local bar associations to action to deliver adequate legal services to the mentally disabled. Legal aid should extend to all stages of the treatment process, including the providing of a lawyer to handle patient's legal problems frequently neglected during confinement. The commission will also examine the problems and abuses inherent in psychiatric treatment, develop systems for monitoring health programs, and develop the law in this area.

It must be kept in mind that it will take more than just a change in the law to give the mentally disabled the protection they need.



## Evaluations

1. Principally by the lecture method?
2. Principally by the decision method?
3. By a relatively equal balance of the lecture and discussion methods?
6. Should the emphasis in this course be:
  1. Be more oriented towards the law of New York?
  2. Be more oriented towards "general" law?
  3. Remain unchanged from its present format?
- II. The Instructor (28 Questions)**
7. What is the instructor's attitude toward students?
  1. Understanding, sympathetic
  2. Neutral, unconcerned
  3. Little understanding, impatient
8. Do you feel you can interrupt class to ask a question?
  1. Yes
  2. No
9. How would you rate this instructor as to his availability and willingness to give personal help outside of class?
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
20. The quality of his/her daily preparation is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
21. His/her organization of course materials is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
22. His/her knowledge of the subject matter of his course is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
23. His/her ability to clarify difficult problems is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
24. His/her capacity to stimulate your intellectual curiosity and to induce you to independent thinking is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
25. His/her effectiveness in guiding class discussion is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
26. His/her ability properly to interrupt and utilize ideas presented by members of the class is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
27. His/her use of hypotheticals to clarify problems is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
28. His/her capacity to hold your attention and interest is:
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
29. Which of the following best reflects your attitude?
  1. My interest in the subject matter of course was substantially **increased** by the instructor.
  2. **decreased**
  3. **neither increased nor decreased**
30. Would you recommend to a friend that he take a course from the instructor?
  1. Recommend highly
  2. Generally recommend
  3. Recommend with reservations
  4. Neither recommend nor advise against it
  5. Advise against it
31. Would you recommend to a friend that he take this course from the instructor?
  1. Recommend highly
  2. Generally recommend
  3. Recommend with reservations
  4. Neither recommend nor advise against it
  5. Advise against it
32. How would you rate this instructor in general?
  1. Outstanding
  2. Very good
  3. Good
  4. Average
  5. Poor
  6. Very poor
33. Have you had this instructor in a previous course?
  1. Yes
  2. No
34. Which of the following is most accurate?
  1. The instructor's performance is substantially **higher** than what I had been led to expect.
  2. The instructor's performance is **substantially lower** than what I had been led to expect.
  3. The instructor's performance is about the same as what I had been led to expect.
  4. I had no opinion or expectations concerning the instructor before taking the course.
- II. The Student (14 Questions)**
35. Rate your interest in the subject matter of this course prior to taking it.
  1. A slight interest
  2. Interested in part
  3. A great interest
  4. No particular interest
36. (For electives only) In choosing to take this course did the instructor play any role in making your decision.
  1. He/she was a somewhat negative influence
  2. He/she was a somewhat positive influence
  3. He/she had a decisive influence
  4. He/she had no effect
37. How often do you attend this course?
  1. Never
  2. Rarely
  3. Sometimes
  4. Usually
  5. Always
38. Do you read assigned materials in preparation for this course?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
39. Do you do supplementary reading on this subject?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
40. On the average, how much time did you spend preparing for class in this course?
  1. A half-hour or less per class hour.
  2. Between a half-hour and an hour per class hour.
  3. One to one and a half hours per class hour.
  4. One and a half to two hours per class hour.
  5. Two to three hours per class hour.

41. How does the time you spend preparing for class in this course compare with the time you have spent for other courses with the same amount of credit?
  1. Less
  2. About the same
  3. More
42. How would you characterize your own typical daily class preparation?
  1. Excellent
  2. Good
  3. Average
  4. Poor
  5. Very poor
43. Have you sought personal help from this instructor?
  1. Yes
  2. No
44. Do you voluntarily participate in class discussions in this course?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
45. (If applicable) Do you think your class discussion in this course is of value to you?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
46. Do you find other students' participation of value to you in this course?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
47. In general, do you thing the classroom discussion is of value to students?
  1. Never
  2. Rarely
  3. Sometimes
  4. Often
  5. Always
48. Class standing?
  1. Top Quarter
  2. Middle Half
  3. Bottom Quarter
- III. Additional Comments:**
1. What suggestions have you to improve this survey?
2. Do you have any other comments to make concerning this course or professor?

## Law Women

(Continued from Page 1)

however, that this will change as more women run for office.

State Senator Carol Bellamy, a member of the panel considering Ethics, took the approach that all lawyers, male or female, face the same ethical problems. But the fact that women have been outside the system gives them an independence of mind which is an asset in avoiding unethical behavior which some male counterparts accept as inevitable. Karen Faraguna, former president of the Association of Legal Aid Attorneys of the City of New York, urged women to develop their own standards.

Diane Blank of Bellamy, Blank, Goodman and Carol Libow of Leftcourt, Kraft and Libow discussed the mechanics of forming a Women's Law Firm. Both firms do general practice, primary for female clients, and devote a substantial percentage of time to test case litigation in women's rights.

According to Marjorie Fields, "Divorce is the new sacrament." Diana Du Broff predicted that the law is headed toward an era of pre-nuptial agreements, divorce insurance and a non-adversary

divorce system.

Two feminist films, "Janie's Janie," about a woman learning to function independently and "Joyce at 30," about a woman learning to reconcile her professional and personal life, brought to light the more personal implications of the conference.

The reaction? Enthusiastic. Said one woman, "Where else would you find so many individualists cooperating so fully?" There seemed to be a feeling that the participants did not intend to become lawyers in the male mold — but to introduce into the profession those attitudes and concerns which women share.

One woman felt the conference was most beneficial to those with a low consciousness quotient and was not as substantive as she would have liked. Others felt that much information had been communicated and that both participants and panelists represented a powerful resource.

The conference grew out of a desire to sustain the activism stimulated by the First Annual Conference on Women and the Law held last year in North Carolina. The 1974 National Conference will take place in Austin, Texas, March 29 and 30. Brooklyn Law Women will send four representatives and Rhonda Schoenbrod, BLS professor, will appear as a speaker.

## Impeachment

(Continued from Page 2)

lic good — by recommending an end to a history of governmental secrecy. . . . The American Bar Association needs to act. Our responsibility derives from the fact that the multitude of attorneys involved have cast serious shadows on the profession's ethical pride."

The Board of Governors res-

ponded by stating that the impeachment proceedings are being carried out and that the issue involves a political question which the ABA should not get involved with. The Division responded: criminal behavior is not a political question; that impeachment is and should not be a political question; the ABA has in the past "educated" congressmen on bills which are indeed political; ABA president Chesterfield Smith has already made remarks on the impeachment proceedings; the issue of full disclosure is presently before the Congress, lobbied by such organizations as Common Cause; that full disclosure of all legislative and executive proceedings would eliminate any "caucus" atmosphere and circumvent political backroom deals.

There were many critics of the Division proposal besides the Board of Governors. As one delegate concluded, the proposal would only foster a resurgence of McCarthyism where individuals would lose vital constitutional protections and become the victims of shifting public opinion.


After considerable debate the House of Delegates voted to table the resolution, as recommended by the Board of Governors. The law students, openly bitter, spoke about the coercion of the ABA and the "Nixonesque tactics of deferring public debate when a controversy is live." Even with this defeat the law students and their president achieved a victory, a victory in which the LSD assured its members and the legal community that the LSD is a viable organization effectively representing its members without fear of coercion by the parent ABA.

The law students left Houston with the awareness that the bonds between the ABA-LSD still exist but that the LSD has an independent identity of its own.

# SUPER STREAK!

Now it's time to get everything out in the open!!!  
On April 1, campuses across the country will streak to the tune of:

## THE EMPEROR WEARS NO CLOTHES!



This is it kids!!!  
The ultimate streak -- SUPER STREAK!!!  
Fellow Streakers, we have nothing to lose but our clothes.  
This is our chance to lay bare all the facts; to get at the naked truth!

Wear Nixon masks, crowns, and tennis shoes. If you're modest, a royal purple robe is appropriate.  
STREAK FOR IMPEACHMENT!!! And remember the words of our immortal poet:

"Even the President must stand naked!!!"

Bob Dylan

# APRIL 1

Send results of your school's SUPER STREAK to --  
The Emperor Wears No Clothes, P.O. Box 6078, Washington, D.C. 20005

The first annual Brooklyn Law School streak-in will be held on April 1, 1974. Participants will meet in the offices of the Committee on Character and Fitness at 10:30 A.M. for their circumnavigation "au naturel" of the Supreme Court building.