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Sound Off

PART II

Editor's Note—This is part two of a faculty-student discussion held at the end of the 1975 Spring semester. Participating in the discussion were students Myra Saul, Gerald Kaden and, Nora Lavori. Representing the faculty were Professors Brandt, Gershenson and Chase. This article came about through the efforts of David C. Sprafkin and Anne Hunter.

JUDGMENT

Prof. Chase: I'm in conflict about that because I like to grade not only a student's exam but also what he's done in the classroom, which, I think, is in some sense fairer. But then one has two choices, either you rely on your general impression of the student or you make what might be called a lawyer-like careful

record of each student's participation. In some sense it's a more agreeable procedure because it's fairer. I don't want to do that because I think that does tend to set up barriers in the course of the discussion. If the student knows that on each and every recitation they may be graded, I think it's better although there is some unfairness, to just rely on my impressions gained over a term. But how do the students feel about it? Would they prefer not to be graded on a basis of class participation or do you think they

should be?

Mr. Kaden: I think it's very individual.

Prof. Chase: The ones who do well in class like it, the others don't, right?

Ms. Lavori: I object to the concept of being judged in the classroom situation although I realize what the justification for it is, namely that you have to rank people so that when they get into the outside world they have grades to show employers who are judging them against each other. I find that I enjoy learning much more when I don't

feel that I am being judged.

Prof. Chase: It's just something no one enjoys and yet we all agree that there is no substitute as society is presently structured and I doubt whether any technological society can structure a system in which education didn't involve grades. Maybe I'm not visionary enough but even the Chinese had to abandon the non-grading system after a couple of years.

Mr. Kaden: Do you think that at the end of the semester when you are faced with the task of

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Page One

Ct. Aids Civilians

By John Rashak

With much attention focused on the rights of the accused, a major part of the criminal justice system has been ignored. For years, the victim or witness has been threatened outside the court by the suspect or the suspect's family. Once inside the court, the victim or witness has had to put up with dingy waiting rooms and long waits. However, at Brooklyn Criminal Court, some of these problems will be alleviated with the help of a grant of \$1,044,000 in federal funds from the Law Enforcement Assistance Administration, which is initiating an experimental program to help witnesses and victims of crime. The Brooklyn Victim-Witness Assistance Project (BVWAP), will be run by the Vera Institute of Justice, a criminal justice think tank. It is designed "to make court appearances less of a dehumanizing experience," according to Gail Roberts, the Special Assistant to the Director of the Project. The program was developed jointly with the New York City Criminal Justice Coordinating Council, in cooperation with the New York City Criminal Court, the Kings County District Attorney and the New York City Police Department.

The Project will have four basic components, i.e., a Complaint Room unit, a computerized case management system, a witness Courtesy Center and an outside work force.

The Complaint Room will be where the witness will have his first contact with the Criminal Court. While the witness or victim is waiting for the complaint to be processed, which may take hours, he will be interviewed by a bilingual staff. Their job will be to gather information for future contact with the witness and to explain to the witness how the criminal justice system works.

A computerized case management system will improve the method of informing both police and civilians of their court appearances.

Police notifications are made by a teletype machine which has outlets in all the precincts. However, the list that is produced each day is not divided up by precinct and must be sifted through manually. The new computerized system will produce a precinct by precinct notification readout.

Civilian notifications currently are not followed up in any way. The Project will call up all witnesses.

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Book Co-op: Success!

By Kim Steven Juhase

The most successful book co-op in the history of BLS closed up shop early last month and according to SBA Treasurer Howard Peltz, the Co-op "saved the students thousands of dollars."

Feeling that co-ops in years past were not planned well enough, Peltz and the Book Co-op's Director, Brian Davis, started to plan the project in July and opened well before classes, on August 14. Unfortunately, it got off to a slow start. The school was late in issuing an address listing for entering students so Davis and Peltz were required to reach the first year students by word of mouth and by posting signs. However, after the first two days of orientation, the Co-op sold almost every first year book in stock. From then on the Book Co-op did a brisk business. "The Co-op was more successful than any of us anticipated," Davis explained.

There were numerous reasons for the Co-op's success. Most important was the time and effort put into the job by Davis and Peltz. The twosome estimated that before classes began they each devoted about 25 to 30 hours each week to the Co-op. After classes began they still put in about 20 hours a week. The co-managers of the Co-op had help from the SBA Secretary Elyse Lehman, Tom Donovan and about five others.

Another reason for their success was the service they provided. While the Pax Bookstore pays about 25% of list price for used books and sells them for 75% of list, the Co-op acted as an intermediary, taking a book on consignment and pricing it at half of the list price, taking only 25% each from the buyer and the seller of the book. The service charge was to cover expenses and allow the Co-op to provide better services.

This year's Co-op also introduced some innovations. For the first time, review books were sold. Also the Co-op sold new books for students who had dropped a course. The books were priced for a few dollars less than list price and a notice was posted on the bulletin board that the book was available. The ninth floor bookstore refuses to take back any books once they are sold.



Photo by Marcia Kniglin

Daring Duo — Brian Davis and Howard Peltz

Davis and Peltz have not yet decided whether the Co-op will open next semester. They felt that they had spent much more time than they intended on the Co-op. Therefore it's not surprising that one of the changes that Peltz would institute if the Co-op opens next semester would be to run it on a tighter schedule. "Even though we had posted hours, there were many times we kept the office open for the convenience of the students," explained Peltz. Davis would like to make a more

fundamental change. He proposes that any surplus that the Co-op makes from the twenty five cent service charge be put into a special Book Co-op fund "so that the Co-op would be independent and continuing and not subject to the whims of whoever is in charge of the Executive Board. The money's shouldn't be used to bail out money losing things."

The Executive Board of the SBA has voted to put this year's surplus into the SBA general fund.

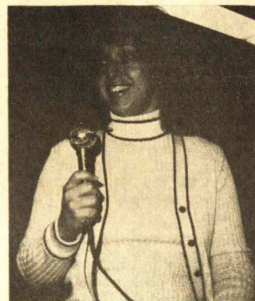
1st Yr. Briefing

By John Rashak

Lynne Gold stressed "substantive activism in the Bar" in a keynote speech before 60 freshman law students. The speech took place at New York Law School in lower Manhattan, where freshman law students from Brooklyn Law School, New York Law School, NYU, St. John's, and Hofstra were represented. Ms. Gold is the first woman president of the Law Student Division (LSD) of the American Bar Association (ABA).

Ms. Gold covered all aspects of LSD before a receptive audience. She revealed that 'Juriscan' is a new computer-run 'interest-match' service for law student members and the job market (including law firms, corporations, public interest groups, government, etc.) 'Juriscan' is available for \$5 over the LSD membership fee of \$5.

Ms. Gold was most voluble on women's issues. She personally fought for 10% of LSSF (Law



School Student Funds') money for women's projects, over and above the 25% that goes to minority-related programs. LSSF funds total \$32,000, and are distributed nationwide to worthy projects in 100 blocks.

"A high proportion of women" are entering law school. Presently,

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BLOOD BANK

OCT. 13

12:30-5:30

Student Lounge

Please
Donate

Upon hypothesizing the possibilities
(To the detriment of my sensibilities)

Regarding the awesome responsibilities

Of:

Briefs that befuddle the cases

Students' interlocutory races

Professors who deny the Paper Chase's

validity — as they begin their Inquisition.

Friends at a great loss to find

One too fast deluged by bookbind,

I am quickly becoming resigned

To wedding — some well-endowed physician.

—LILLIAN GEWIRTZ

Justinian

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Correction?

It has been brought to our attention that in our last editorial we mistakenly stated that our LSD delegate was appointed by the SBA President. He was appointed by the five member Executive Board of the SBA. That still does not make the selection process democratic or fair.

Funds Needed

SBA President Alan Tivoli has been fighting for the survival of the SBA as we know it. The Administration, which has just raised tuition \$400 for day students in the last year, and will raise it another \$250 next year, insists the SBA must continue to function on only \$16,000 a year, the same amount it received last year. During the summer, when Dean Lisle was asked why tuition at the school has increased so substantially over the years, he replied "inflation". Does the ninth floor think the SBA is immune to inflation? Printing costs of this paper have risen, costs for speakers have increased. Because of the bind inflation has put on the SBA, they will be forced to cut back on some of the many programs that make the students feel they are part of a community rather than a commuting school. Groups will have their budget slashed, innovative programs will be nipped in the bud and social activities will be reduced.

The Administration contends that since student enrollment has been reduced, the SBA needs less money. However, there are many things that will cost the same amount, no matter how small the student population. For example, the cost of a speaker does not depend on the size of the audience.

We urge that students write to Dean Lisle or this newspaper. Show the ninth floor that we are not just faces in a classroom.

S.B.A. DELEGATES

FIRST YEAR

Section A —

Elyse Di Biago-Wood
Nina A. Shafiroff
Richard Rosenthal
Jay Haberman

Section B —

Louise Hayes
Dorsey Regal
Sara Schoenwetter
Benjamin Weinstock

Section C —

Marc Aronson
Naomi Duker
Ken Johnson
Frank Lattanzio

Evening —

Donald L. Berman
Deborah Lashley
John Leventhal
Debra Wolin

SECOND YEAR

Day —

Tom Donovan
Archie Cheng
Mary Cheasty
Brian T. Davis
Bruce Leder
Joseph Flynn

Dean Silverberg
Pat Locke
Randy Ferguson
Elinor Hoffman
Ken Nagin
Alan Rosenberg

Evening —

Ed Cohn
Steve Geller
Joel Mitofsky
Linda Susskind

THIRD YEAR

Day —

Susan Alexander
Pat Bannon
Frank Carroll
Jay Feigenbaum
Andrew Haber
Bernie Hammel

Anne Hunter
Fred Mittelman
Martin Mullen
Carolyn Queally
Neil Schorn

Evening —

Thomas Cullen
3 vacancies

FOURTH YEAR EVENING

Nobody Ran — 4 vacancies.

There are still three openings for 3rd year evening, one for 3rd year day and four openings for 4th year evening. Those interested please submit name to S.B.A. office.

Bklyn Bridge Museum Opens

By Dick Grayson

At the northern end of Cadman Plaza West, next to the historic Brooklyn Bridge, public and private groups are working together to turn Brooklyn's Fulton Ferry area into a park-museum-restaurant complex. The ferry used to run to South Street in Manhattan and ended its service in 1924.

The focal point of the development will be the old two story towered Fulton Ferry firehouse, which was recently renovated by New York City's Department of Ports and Terminals. The firehouse will become a museum dedicated to the history of the bridge and the surrounding area. Next to the firehouse is a new waterfront park where one can stroll among the rhododendrons or sit on a bench and gaze at the symmetry of the bridge or at the skyline of Manhattan. Moored nearby will be a floating barge restaurant.

To celebrate the opening of the museum and to raise funds for the Brooklyn Academy of Music, the Friends of the BAM sponsored a benefit on October 4. The black tie affair featured jazz pianist Eubie Blake, the Brooklyn Boys Choir, as well as several bands, the barge restaurant and a fireboat salute on the East River.

The first exhibit in the museum deals with the Port of New York and consists of about 80 photos from the archives of the Department of Ports and Terminals. According to Evelyn Ortner, a member of the Friends of BAM and the organizer of the exhibit, the photos date from the 1890's to 1913 and "were taken to demonstrate the working conditions of the port of New York."

The Ports and Terminals department will keep the museum open for the public and in 1976, the Downtown Brooklyn Development Association and other groups are planning to turn the museum into a permanent home for memorabilia of the Roebling family, the builders of the Brooklyn Bridge.

Interest in the Roebling family recently increased with the public disclosure that thousands of



Photo by Marcia Knigin

Washington Roebling's original engineering sketches for the bridge are lying in a city owned carpentry shop in Brooklyn, strange enough, under the Williamsburg Bridge. The sketches were accidentally discovered by a city engineer in 1967 and have remained in the shop ever since.

According to Frank Valentine, the engineer who found the sketches, most of the 10,000 or so drawings are in excellent condition. One of the sketches that elicits the most attention is a 25 foot long canvas of the entire span of the bridge, possibly drawn by Washington Roebling's father, John, as part of his original presentation during hearings on the construction of the bridge.

John Roebling died in 1869, after receiving a crushed foot while surveying the early construction of the Brooklyn pier. His son completed the bridge 14 years later, though he too was injured on the job. The younger Roebling was so severely incapacitated by repeated attacks of the bends while working on the bridge's caissons that he had to supervise construction from a house on Columbia Heights, several blocks from BLS. Washington's wife, Emily, is com-

memorated by a plaque on the bridge, which notes that her "faith and courage helped her stricken husband, Washington Roebling, complete the construction of this bridge from the plans of his father, John Roebling."

The Fulton Ferry Development Area is one way to heighten interest and preserve the history of the area, says Evelyn Ortner. "Near the museum is an old toilet seat factory that has been renovated and is now a fancy loft building." On September 23, the City Landmark Commission held its second set of hearings to determine whether to designate the Fulton Ferry district as an historic district. The Brooklyn Bridge, for years the world's longest suspension bridge, was designated a city landmark in 1974, 10 years after being named a national historic monument.

The groups working for the Fulton Ferry Development Area hope that all these meandering threads — the Fulton Ferry firehouse museum, Roebling memorabilia, waterfront park, floating restaurant, and landmark status will wind together into a bicentennial project that Brooklyn and its then 93 year old bridge can be proud of.

MOVIE BRIEF

THREE DAYS OF THE CONDOR

By Jake

Facts: Turner (Robert Redford) is the Condor, an average computer age bookworm turned CIA employee. Kathy (Fay Dunaway) is your average Brooklyn Heights free-lance photographer who Turner kidnaps after he allegedly shoots his best friend in a CIA crossfire. And, as the ad says, "... in the next 72 hours nearly everybody he trusts will try and kill him."

Issue: Do they? And if not, should they?

Rule: "All governments are obscure and invisible." — Francis Bacon.

Application: Sydney Pollack, whose credits include "They Shoot Horses . . .", "Jeremiah Johnson", and "The Yakuza" perhaps the best modern samurai film ever made, has combined his talents to convince you that — right around you, (don't turn around, turkey!) in the heart of Manhattan, are

crazed CIA agents, paid assassins and cosmic plots that can topple the world. And the only salvation we have lies in Bob Redford, sole survivor of one of the best choreographed bloodbaths ever filmed in the wild west, much less in an unassuming little brownstone off Park at 69th Street. Redford, as Turner, a CIA "reader", whose task it is to read between the lines of every book published in the world, uncovers a real pot-boiler of a CIA plot. Thus, the chase is on with the CIA out to erase Turner, Turner out to erase whoever wants to erase him, etc. . . . By the time we reach the conclusion, the spies, counterespies, and corpses are piled as high as a Cozzoli hero.

Recommendation: Three Gilberts. Except for the ending, which seems like a tacked on preview of Redford playing Watergate supersleuth in "All the President's Men". But don't be put off by the earnestness, rhetoric, and bullshit. **Condor** may be the best new action film of the season.

MORE TALKING

(Continued from Page 1)

grading people you have a sufficient basis to really weigh their accomplishments or their knowledge?

Prof. Brandt: You consciously try to structure your exam so that it will give you a sufficient basis. I've agonized over this business about credit for class participation. The first semester I taught I repeatedly thought about it and I finally decided that if I allowed myself to give credit for class participation I would wind up being too subjective; also I remembered that when I was back in law school I was one of those people who sat there with my teeth chattering — I was so afraid of being called on — that I decided that really the fairest thing to do would be to base the grades solely on the exam and that the only time I would do otherwise was when someone had affirmatively demonstrated to me in class that he or she really had a good hold of the subject and for one reason or another did absolutely abysmally on the exam, I would use that factor to raise the grade. I don't know whether it's the right decision but it's the one I'm most comfortable with.

Prof. Gershenson: Would it dispel some of the lack of comfort if in the beginning of the course the professor said: "We're here to learn this course, we're here to work together on it. I encourage you to participate, believe me I take into account the fact that you are not an expert in this. If you are an expert you wouldn't be in this class." That type of thing?

Mr. Kaden: I think that would be particularly appropriate for first year students.

Prof. Gershenson: They are unwilling to make that assumption, isn't that your point? They have to be told it?

Mr. Kaden: Yes. Even that may not work, but it's worth a try.

Prof. Chase: As far as grades go, I have usually found that while I sometimes make mistakes in a grade it's usually within the letter range. I don't think I've ever found a situation in which a student got an A and deserved a C or a D and vice versa. I think there's going to be some human error and there is a lot of subjectivity in grading but by reading the exam without knowing whose paper you are reading you can avoid some of that. I think that is important because you do have unconscious feelings about students that are going to affect you. There's one other thing, I don't think the law school grading system is a necessarily good judge of one's ability as a lawyer or as a student. I remember my first year I taught here I had assigned papers in my Rights of the Indigent course. A fellow who was a very mediocre student here, wrote a paper about the Ninth Amendment that was insightful, literate, and graceful. Of course I gave him a very high grade and he said to me, that other than his mother, I was the only one who ever recognized his worth. The point is that somehow people of talent can escape the ability to have it measured, which is unfortunate.

CHEATING

Prof. Gershenson: Just as you don't trust faculty, sometimes when you get a term paper from a student, you don't trust the student.



Photos by Marcia Knigin/Howard Peltz

Prof. Chase: What do you mean by that?

Prof. Gershenson: Getting somebody else to write a paper or using a paper used by somebody else another time. I was a student for many years too, and I know all the tricks of the trade, because, in part, I indulged in them.

Prof. Chase: As far as cheating goes, there are those of us on the faculty who feel that cheating is an important problem and you should structure the system of grading to avoid it. The others, and I'm more tending to the latter group, think that cheating is a minor problem and that important thing is to structure the grading system to the student who is not likely to cheat. For example, I'm more willing to assign a term paper than are some of my colleagues who worry because it is easier to cheat on a term paper than on an exam and I think that's just one of the many issues on which this is an eclectic faculty.

Ms. Saul: I'm rather surprised that you think a lot of people cheat. I was really taken aback by that. I thought that once people got in here they had some sort of personal ethics, and they realized they shouldn't go that far.

Prof. Gershenson: If you're unwilling to assume such personal ethics on the part of a faculty member teaching the class, why should we assume the personal ethics of the students?

Mr. Kaden: I think it is being naive. Look up sometime when taking an examination.

Prof. Chase: I assigned a term paper last year as did Prof. Wein who had a course in Urban Law. Four students submitted the same paper to both courses without asking permission of either of us. They just assumed that we would never question it.

Mr. Kaden: They may have assumed it was o.k.

Prof. Chase: They may have although upon being interviewed later not one of them said that and indeed they had all had them typed over rather than Xeroxed. I assume that most people in the world, as well as the people who come to law school are ethical but there are substantial numbers of people who under stress or tension suffer. It's a very competitive profession. Especially for a person entering and the pressures to

do well are greater than they should be in my view but people occasionally react by trying to cut shortcuts.

The lawyer is under a lot of emotional stress because the code of professional responsibility first tells you that you are supposed to represent your client wholeheartedly and to the best of your ability and then it gives you a whole list of things that you can't do to that end and so the problem always is which of these mandates do you obey. Maybe that's what results in cheating among the lawyers, and there is plenty of that, too.

Prof. Gershenson: Or the fear of losing a client?

GETTING TOGETHER

Mr. Kaden: I have an open question to anybody. What can be done in this school to get a closer knit between faculty and students? I feel that there are two separate groups who never really get together.

Ms. Saul: I thought orientation was a disaster. I was looking for some inspiration and all I got was your class had an average LSAT score of such-and-such. The coffee hours should have been sooner. When they did occur, it was too late. I'm very hesitant to talk to professors.

Prof. Chase: It may be that part of the trouble in orientation generally is that teachers assume that students know what the

Socratic method is and know what is expected of them and they just start out doing it and maybe what we ought to do is explain what we're doing, why and what's expected of the students.

Prof. Gershenson: Part of the problem may be this. Coming out of a college there is a feeling, I think, on the part of many entering students that there's certainty to the same degree as you find in a science and they get impatient if a professor goes into this "on the one hand, on the other hand" type of business, with the inarticulate cry "what's the answer so I can write it down." There used to be a famous definition of a legal education, the process by which the notes of the instructor become the notes of the student without passing through the heads of either.

Prof. Brandt: I find that sort of thing frustrating. If only there were some way we could convey to law students from the very first year that the practice of law is perhaps one percent hard and fast rules and the rest of it is what you are able to do with your head given a fact pattern and given legal principles. Perhaps if students were made fully cognizant of this from the very beginning then maybe there wouldn't be such a demand for the hard and fast rules all the time.

Prof. Chase: I'd like to get back to the point you made about getting students and faculty closer together. There is always going to be a gap between faculty and students. For one thing, there are only 35 of us and there are 1,000 of you. If we try to meet a substantial number of them we would have no time to do all the other things you want us to do, be good teachers, publish, contribute to the community and so forth. I think we ought to recognize that this may be one problem with BLS as opposed to some others. We do have a higher student-faculty ratio than many other schools that charge higher tuition and the higher the student-faculty ratio the less likely it is that the faculty will have time for the students in the first place.

Prof. Brandt: At least comparing BLS with NYU, where I went to law school, our faculty is five million percent more accessible. At NYU you didn't dare walk on the floor where the faculty offices were unless you were an appointed pet of someone. Other than that, you felt that you had

no business being there. Heaven forbid that you would go there and impose upon a professor's time outside of the classroom. I think it's marvellous, all the activity that goes on the eighth floor.

Prof. Chase: I think that's a good point. I think I have to retreat. When I think back on my own education at Yale, where we had a very good student-faculty ratio, people who were the so-called giants of the legal education world usually went out the door at the end of the class and went back to writing their own book. I guess we can't have both.

Prof. Gershenson: I recall going to law school without ever speaking to instructors or persons in the office other than on business. I didn't go there to become friendly with the professors. I was there to try and learn the best I could.

Mr. Kaden: Don't you think a good deal of togetherness could be very useful just to know people who are involved with the law and practice the law and to get a feeling for what it's really like? I think it's a very important thing which seems to be lacking to a great degree here.

Ms. Saul: Maybe it's because this place is a commuter school and a lot of people seem to be running out the door themselves.

Mr. Kaden: It's strange, certain professors you feel you can speak to and certain professors you can't.

Prof. Gershenson: Yes, maybe as far as tying things together. I feel that part of my job after a segment is done is to say: "What have we accomplished?"

FEAR AND TREMBLING

Prof. Gershenson: I think we've wandered all over the place. I don't know if we clarified anything about the role of the teacher. It took me a fair number of years to learn that if I finished a class and went home and said to myself: "You were wonderful today," any number of times I found I wasn't that wonderful when I tried to check on it later on to see if I had communicated. It's got to be a two-way street.

I'd like to close by saying that the most disquieting thing this afternoon was learning that students are afraid of faculty. I'm speechless. I don't think anybody on the 8th floor is there to harass students or to make them uncomfortable or to give them a rough time.



Objection your honor! Counsel is badgering the witness!

Victim/Witness Aids

(Continued from Page 1)

nesses who have an adjournment date of less than 10 days. The computer will produce a letter for longer adjournment dates.

To further follow up the notification, if no confirmation of the mailing is received, the Project will alert one of five Community Representatives (CRs). A CR will telephone or make a personal visit to alert the hesitant witness as to his court date. Informed sources confirm that 15% of all witnesses require a personal visit and accompaniment to court. The CR is uniquely qualified to do the job since he is picked from different Brooklyn neighborhoods and knows where within his area a witness may hide out. One CR had to encourage a terrified witness to testify who had been shot as a warning to keep silent.

The CRs are not the only field workers. While 60-70 people are employed by Vera to run the project, fewer than 25% of them work at the Criminal Court. Besides the CRs, there is the special mobile repair unit and a transportation unit. The repair unit will go to recently burglarized homes and make them secure. It will be staffed by a two-man skilled repair crew. The transportation unit will drive vans, specially

leased for the Project, to transport the elderly and disabled to and from court. It will also supply late-night transportation home for those afraid to travel at night.

The Project will also have a Witness Courtesy Center complete with a resident social worker. The Center will have a central check-in. Staff at the check-in will know which witnesses are expected to appear in court that day. The Center will also provide child care facilities.

The Project will be run from day to day by the Victim Service Planners who will be in charge of leasing vans, expediting the return of stolen property after it has been entered into evidence, and finding skilled people to do the necessary work. One of the main sources of manpower will be Vera's Wildcat project, an independent corporation which is teaching skills to ex-cons.

The Project, whose motto is "nobody cares about victims and witness but us", will be federally subsidized for three years and then must find funding sources elsewhere.

BLS students who are interested in computer work, such as keypunching, or Complaint Room work may call Elise Creque at 834-7400 for information.

Freshman Conference

(Continued from Page 1)

about 30% of freshman law students are women. This was reflected in Ms. Gold's audience. She stressed women's issues from more lady's Johns in once male-dominated law schools to support for the ERA (Equal Rights Amendment).

Ms. Gold told of her experience last year while Governor of the Third Circuit of LSD. She was invited to be the keynote speaker on the ERA, at the fourth circuit conference in the South. She stressed the Southern "gut issue give-and-take" forced her to do some re-thinking on women's rights, but that this was characteristic of the LSD experience. "It enables you to meet people that you wouldn't meet otherwise".

Ms. Gold pointed out that project funding was more decentralized, with each Governor from the thirteen Circuits having discretionary funding of up to \$500, in project blocks of \$125. (School projects must have matching school funds, similar to the LSSF the law school's students are not required to be LSD members).

Closing with the pun of being "turned on by LSD," Ms. Gold, in her rapid-fire delivery, mentioned health and life insurance, as well as a national program on client counseling, as special benefits to LSD members. Client counseling is similar to "moot court on a national level". One problem faced in counseling is "clients' reactions to women as attorneys".

Following Ms. Gold's remarks, Julius Marke, the senior NYU law

librarian, spoke on Legal Research. Prof. Marke distinguished mandatory from persuasive authority. Mandatory authority derives from the higher courts in each of 50 states, and the federal government. Persuasive authority derives from cases like *Rollins v. Fletcher*, where it was held in the late 1800's that "the owner of land is not responsible for the actions of individual contractors." Marke stressed finding the "ratio decidende" of a case, while not being a "juris prude". The *Rollins* case would thus not apply to an "unnatural use of land", where a facility was "inherently dangerous".

Marke surprised the audience by revealing that "federal district court cases overruled in the federal circuit court may never be published". He also revealed that the schedule of hearings and meetings in the NY State Legislature was hard to come by. Marke said that 17 states "have no official reporters" and 10 states "publish reporters several years late", Connecticut being a good example of the latter.

Marke closed his remarks with his own legal research "fact method", called "TAPP": "Think-Act-Person-Place". By using a general index, e.g. *American Jurisprudence*, the sequence in "TAPP" would specify the case in point.

Judge Seymour Schwartz of the NY City Civil Court spoke on "What Makes a Good Lawyer". Taking cases from his own personal experience, Judge Schwartz began with a personal injury case. A piece of brick from work-in-progress struck a bank customer

outside a Manhattan bank. The plaintiff pleaded "res ipso loquitur" (i.e., lit. 'something is wrong here', with the contractor). The plaintiff's lawyer proceeded to "spend a week on the minutia of the lawsuit", where the time of day, height of brick-work, and position of plaintiff were expanded into many more measurements. "The jury was so outraged" at the waste of their time that they found for the defendant. The plaintiff's lawyer had "overtired the case".

Judge Schwartz followed this example with the defense lawyer who held his ace-in-the-hole revelation until cross-examination to win his case. The case involved money found in a raided apartment, believed to have been robbed from a L.I. couple's home 8 years previously. The NY City Property Clerk held the money on the "interpleader" action, since the Judge initially had "no idea whose money it was". The case was hanging in the balance, until the defense lawyer cross-examined his client, the woman whose apartment was robbed years ago.

"Can you identify the \$3000 in any way?"

"Yes. In 1920 I won my first poker game, and my husband was so proud he had me sign one bill".

When the \$3000 was produced by the Property Clerk, the signed bill was found, and the case was clinched for the Judge.

The Judge finished with the picture of the lawyer being "the lubricant between the litigant, the court and society".

LSD Resolves

The Board of Governors of the Law Student Division of the American Bar Association in their fall meeting in Chicago gave final approval to a resolution suggesting to the ABA that law school accreditation regulations include a suggestion that would permit a law school to allow student input in determining the criteria for faculty tenure. The resolution, which was originally passed by the LSD House of Delegates in Montreal this summer, was introduced by the Student Bar Association President's Caucus and passed by a vote of 10-5. It will be referred to the ABA Committee on Continuing Education.

The Board of Governors, which include the 13 Circuit Governors of the LSD and LSD's six national officers, also voted to make the Black American Law Student an *ex officio* member of the Board of Governors after they heard a detailed presentation by BALSA President Ken Harris. Harris told the Board that he considered the LSD an umbrella organization of all law students but that there is very little minority participation within the LSD. This action would be "one way to make the LSD a positive vehicle for communication to minorities" according to Harris. In order to be fair to other groups, the Board decided that it would, on an individual basis, consider applications by other groups such as the SBA President's Caucus and La Raza for the same *ex officio* status.

During the summer, an ABA Special Committee of Law Students released a report on the LSD. After an intensive study of the Division, the Committee concluded that though the LSD had many bright spots, there was

plenty of room for change. Specifically, it offered 18 different suggestions as to how the LSD could be improved, including the abolition of the LSD House of Delegates and requiring that LSD representatives be elected school-wide. The latter suggestion has particular relevance to BLS where the LSD representative is appointed by the Executive Board of the SBA.

To reply to the report, the LSD, at the Chicago meeting, established a Committee which is due to issue a preliminary statement this month.

Other resolutions acted upon by the Board of Governors were:

A resolution urging the ABA to actively oppose "all attempts to eliminate predominantly minority institutions of legal education." The resolution was introduced by the Governor of the 13th Circuit (Arkansas, Louisiana, and Texas). He pointed out that there are only four predominantly black schools left when 20 years ago there were seven.

A resolution was passed requesting the establishment of an LSD/ABA Special Committee on Law Student's Rights and Privileges. The Committee would study such subjects as uniform student grading, minority admissions, due process in disciplinary actions and freedom of speech in law school publications.

TRUTH OR CONSEQUENCES

—Question: Have you even or are you now discriminating against whites, blacks, women, Jews, Catholics, Polish-Hungarians or any other person or thing? BLS.: Not to our knowledge [By mandate of HEW—Ed. note].

The Docket

TICKETS — At long last, the SBA again offers free and low cost theater tickets to off-Broadway events. The tickets will be offered every week on Tues. 4-6 P.M.; Thurs. 12-2 P.M. and Fridays 12-1 P.M. in the SBA office.

LSD — How will the new admission rules proposed for the Federal District Courts affect your legal career? Find out at the 2 Cir. Fall Roundtable Conference which will be held on Oct. 25, 1975 at NYU School of Law, 40 Washington Square South. Activities begin at 9 A.M. and end at

6 P.M. Featured will be a panel discussion on the proposed rules and caucuses of BALSA and Women, where a chairperson for the 2 Cir. Women's Conference will be elected. Among the guest speakers will be Carol Coe, LSD Secretary Treasurer and Ramsey Clark. The film *Attica* will also be shown. Free lunch and in the evening free drinks will be offered.

PLAY — Any students interested in working on or being in the student play, please leave your name in the SBA office.

Feminist Leader

By John Rashak

"Women have unique problems as lawyers". Under this belief, Lynne Gold organized Law School Women's Caucuses nationwide last year while Governor of the Third Circuit of the Law Student Division (LSD) of the American Bar Association (ABA). This year as President of LSD, Ms. Gold is moving into high gear on women's issues.

"I'm a feminist, but a lawyer first." There is a strong element of political know-how in Ms. Gold's statements. She has a most unusual background for a law student president. She married at 18 and had 4 kids before she was 30 (she's only 37 now). During her 20's she appeared in Off-Broadway and summer-stock theater productions. She studied voice at the Juilliard School in Manhattan (she's a native New Yorker), and did modelling to pay for it. At the age of 30, she did a complete turn-about and majored in Political Science.

Ms. Gold not only got her college degree, but was class valedictorian (i.e., she graduated no. 1). Her school experience was enriched by her work experience. She

was a coordinator for the McGovern campaign in Pa.'s Schuylker County, and was the "token woman" as town Transportation Commissioner.

Ms. Gold entered Villanova Law School in Philadelphia in Sept. of 1973, and "can't wait to begin law practice." She's committed to women's issues, objects to all "sexist comments", and wants to make women lawyers feel less like "interlopers" in a man's field. "Woman have to be supportive of each other" and not feel that they are "taking a man's place in law school".

Ms. Gold pointed out the value of student participation is LSD law sections. The Criminal Law Section drew up a resolution on rape, and which was recently presented to the semi-annual ABA House of Delegates' meeting. Congress had solicited the resolution as a result of *Mapp v. Ohio*. A similar solicitation on amnesty met with Congressional favor.

Ms. Gold sees the Equal Rights Amendment (ERA) as the prime women's issue. "Men will benefit from ERA, too, since either spouse can be liable for alimony, and either spouse can be granted cus-

One-ten,
Class is starting,
Purse is messy,
Time's departing.
Juggling books,
Dancing madly,
Hourly key search
Going badly.

No one enters,
No one leaves —
Female students,
Rapists, thieves.
Must be great
To be a man,
With easy access
To the can.

Borrow my Gilberts,
Steal my notes,
Take my Prosser
To underline quotes;
But this I guard
And this I guard
And this alone —
Key to the kingdom
And the throne.

One-fifteen,
Key located;
One would think
I'd be elated.
But just as hand
Reaches key,
Door swings open —
Entrance, free.

—S. A.

ody of the child in divorce proceedings . . . Women are tired of a paternal attitude. People must be accepted as people". The ERA choose". Functional instead of sexist classifications will be used in jobs, such as the military service. Despite her overriding activism in women's issues, Ms. Gold promised that "organizational matters" and "substantive programs" would be her goals as LSD President.