

The Justinian

Volume 1977

Issue 2 *April*

Article 2

1977

The Justinian

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

Recommended Citation

(1977) "The Justinian," *The Justinian*: Vol. 1977 : Iss. 2 , Article 2.

Available at: <https://brooklynworks.brooklaw.edu/justinian/vol1977/iss2/2>

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

VOL. XXXVII

222

FRIDAY, APRIL 29, 1977

NO. 9

Hopes to Make BLS the Best

Glasser Chosen to Head BLS

By RICHARD GRAYSON
and KIM STEVEN JUHASE

"It would be presumptuous and stupid to say that I have plans to change BLS. I want and will make the changes necessary to achieve my objectives," says the incoming dean, Family Court Judge I. Leo Glasser.

Glasser, who was named by the Board of Trustees on April 5 to succeed Dean Raymond Lisle, reiterated his main objective several times in an exclusive interview with the *Justinian*. "I have dreams, hopes and aspirations of making BLS the best law school that it is in my power to make it. I want it to achieve the reputation in the legal community that it deserves."

Judge Glasser feels that a major problem at BLS is a "built-in inferiority complex." He stated that nothing bothered him more

than telling people he was a professor at BLS and hearing in response, "Oh." He noted that BLS has "tremendous pluses" and has turned out many fine lawyers who have significant positions in all levels of government. He argued that schools like Harvard or Columbia are considered "great" law schools because they have a tradition going back for hundreds of years and an elite student body. Glasser was quick to point out that he believes that the top graduates from BLS are just as good as the top graduates from the Ivy League schools.

"We have to begin to examine the belief that we are inferior. We are not. We have a fine law school and have had one for many years, and I don't think we should be ashamed of it."

Although Glasser did not specify any changes that he will make when he assumes his office on September 1, hints as

to his future moves may be gleaned from what he said. He is aware of the paucity of BLS's communication with outside media and with the community. Glasser might remedy this public relations problem by "playing a more active role in the bar associations' activities, Association of American Law Schools, and by bringing alumni into the fold." He suggested the use of alumni and students as "ambassadors" for the school. Although he doubts that he will hire a full-time public relations director, that possibility exists, depending on finances and need.

The Judge also considers lack of financial and moral support from the alumni to be a problem. "Fund raising is a significant function to the extent that graduates can be made to recognize some allegiance to the school," Glasser remarked that he might consider hiring a full-time fund raiser. (Approximately

35% of the more than 10,000 alumni pay the nominal yearly membership dues of the Alumni Association.)

One reason why some alumni do not support BLS is that the placement office has not done the job that students and alumni expect. The problem revolves around lack of sufficient funding and staff. Glasser recognizes the seriousness of this problem and "to the extent it affects the morale of students or recent graduates of the school, I will direct my attention to it."

Another student concern which has been brought to his attention is the future lack of space in the library. "The space problem will probably take on a different aspect because of the use of fiche, film, and tape." The propensity of some faculty members to keep only the smallest amount of school office hours while they keep an outside practice is also recognized by the new dean. Glasser knows that a strong dean is needed to convince these professors to become more student-oriented, and he says of this problem, "I will do whatever is necessary. As I understand it, according to AALS standards, a full-time professor is to spend substantially all of his time as a professor. Substantially."

Students in the evening session will have a strong advocate on the ninth floor when Glasser becomes dean. "I went to college at night, and I started law school at night," stated the magna cum laude graduate of BLS. "If it wasn't for the war and the GI Bill, I would have finished law school at night. I think that anyone who makes the sacrifice to go at night ought to be given any assistance he can be given to achieve his goal. I admire people who go to school at night."

Glasser's interest in continuing education (he lectures to the Family Court judges every year and spent many years with the Practicing Law Institute) leads



(Photo by Marcia Knigin)
Judge Israel Leo Glasser

him to consider the possibility of starting a graduate advocacy program. "The school is ideally situated to give students the chance to be first rate trial lawyers. I don't know if it's feasible; I'll have to investigate."

Because Glasser recognizes a need for student input, he plans to keep his office open to students at all times. "My office was always open to students when I was teaching and I want to keep it that way."

But he cautions students that it is not their responsibility to make educational policy. He says that is the responsibility of the dean and the faculty.

Glasser, who has no prior administrative experience, will not have a contract with BLS. He wants it that way and says he will "stay as Dean as long as I contribute to the school."

In the meantime, Glasser's first big date is probably June 1, when he will leave the bench. That will give him the rest of the summer to gradually ease himself into the dean's chair.

Moot Court Fights BLS, Other Schools

Moot Court v. Ninth Floor

By RICHARD GRAYSON

In late February, Dean Raymond Lisle sidetracked the efforts of the Moot Court Honor Society to send two teams to the new ABA-LSD National Appellate Advocacy Competition in Albany. Lisle denigrated the Society to its chairperson, Barry Salzberg, and this precipitated internal problems which resulted in the resignation of Bart Strock, business manager of the Society.

According to Salzberg, the Society decided to send two teams of three students each to the competition after the ABA requested that each school send two teams. Since this was a new event, the ABA wanted to see how things would go, says Salzberg. In addition, the Society had "an overabundance of students interested in arguing without having to write a brief."

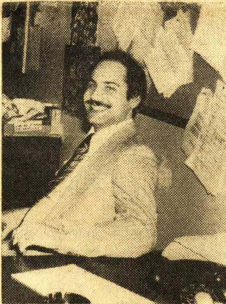
After Prof. Richard Farrell, faculty advisor to the Moot Court Honor Society approved the two teams, Salzberg submitted a budget for \$40.00 to the bursar, Rosalind Zuckerman. After about one week, Zuckerman told Salzberg that the dean did not want to fund the two teams.

Salzberg went to Lisle, who reportedly asked him if it was "worth our efforts" to enter because this is a new competition. Salzberg told *Justinian* that Lisle also said:

• "Instead of enhancing our reputation, it is ruined by sending out so many teams that don't do well."

• "Before 1970 we did well [in moot court competitions] but since 1970, we haven't done well."

• "I've gotten comments from



(Photo by Marcia Knigin)
Barry Salzberg, Chairman Moot Court Honor Society.

outside judges that we only appear to show off our eloquence in articulation rather than any legal expertise."

• "[The Moot Court Honor Society] is not deserving of the word 'honor' because you do nothing to deserve it."

Lisle also wanted to know the names of the six students on the two ABA teams. Salzberg told him but admitted to *Justinian*, "It was a big error. After I came back from class, Lisle had their academic records on his desk. He asked me how we can have two teams when some of the members have failed courses and have poor academic records? I replied that there's no correlation between academic ability and oral advocacy skills. Finally, he compromised and we sent one team."

The team won first place in the region and will argue in the nationals in Chicago in August. [See accompanying article.]

Lisle's comments led Business Manager Bart Strock to believe, "Lisle didn't give a damn or care about Moot Court. On one hand,

(Continued on Page 6)

Mooters Excel In Competition

By MARCIA KNIGIN

BLS's record in Moot Court competitions has been superb this year. Teams have entered three events and have fared well in the regional competition. In mid-March, the International finals after coming in second in the regional competition. Two weeks ago the International Team won first prize for its brief in the regionals of the International Moot Court Competition, and later in March, BLS's American Bar Association team won first place for oral advocacy in the regionals of the American Bar Association competition.

On March 12, 1977, the BLS International Team of Vivian Rifkin Friedman, Howard Rubin, Michael Itteilag, Rachel Arfa, and Ira Salzman defeated ten other teams to win first place for its brief in the New England region of the Philip C. Jessup International Moot Court Competition, held in Portland, Maine. By winning the award for best brief, BLS outclassed Harvard and Boston University.

This was the third year that BLS has competed in this event. In their first appearance, in 1975 BLS won the regionals for best oral performance.

The Philip C. Jessup International Moot Court Competition involves eleven regions nationally and an international region, which includes teams from Ghana, West Germany, Liberia and the Netherlands, among others.

The winners of each region's oral competition compete for the National title in late April. The winning briefs from each region, including that of BLS, will also

(Continued on Page 6)



(Photo by Marcia Knigin)
BLS American Bar Association Team — Larry Sandak, Ted Bartelstone, Jay Haberman.

Justinian

Published under the auspices of the Student Bar Association

BROOKLYN LAW SCHOOL

250 Joralemon Street, Brooklyn, N. Y. 11201

Telephone (212) 625-2200 Ext. 50

Editor-in-Chief Richard Grayson
 Managing Editor John Rashak
 Associate Editor Marcia Knigin
 Copy Editor Linda Riley
 Arts Editor Paul Harris Forman
 News Editors Howard Cohen and Rochelle Strahl
 Photography Editor Ken Shiotani

STAFF

Marc Aronson, Joyce Balaban David, Randall S. Ferguson, Lillian Gewirtz, Stephen Jackel, Kim Steven Juhase, David Leibman, Martin Lerner, Joel Mitofsky, Dale Mark Ross, David Sloan, Manuel Taitz, Miggie Warms, Michael Weinberger, Debra Wolin.

(Editorials express the opinion of the Editorial Board)

Copyright © 1977 by BLS Student Bar Association

Improving Images

Much of the reputation of BLS as a second rate institution results from the Administration's failure to recognize and publicize the accomplishments of our students.

BLS has participated in four Moot Court competitions this year, and has gone onto the finals in three. Our National Team qualified for the finals for the first time in eighteen years by defeating our nemesis, New York University. (BLS was also ranked eighth in the country on the brief in that competition.) The International Team won best brief in the regionals and the brief will go on to the finals. The American Bar Association Team will also go on to the finals in that competition as winners of the regional rounds. The Tax Team made the semi finals.

The Administration has failed to recognize any of these achievements. It has even gone so far as to undermine attempts by Moot Court to send teams to compete. As a front page article in this issue details, Dean Lisle refused to fund a second team to the American Bar Association competition. The total cost of sending that second team would have been less than \$200. Originally he was against sending any team until he was persuaded by Barry Salzberg, chairperson of Moot Court, that this was a worthwhile endeavor.

The Administration has also failed to get outside press attention of these accomplishments. Through media coverage, BLS can strive to set aside its reputation as a provincial institution and begin to change its position in the eyes of the outside community.

Welcome, Judge Glasser

Justinian welcomes Judge I. Leo Glasser as the new dean at BLS. There are many pressing problems that will confront him. Some of those which deserve his serious consideration are minority recruitment, the reputation of the school, lack of communication within the school, and improving the quality of the faculty. We hope that he will successfully achieve everyone's mutual goal, which is to improve BLS.

Hurrah

Hurrahs are due for the Election Committee's recent decision to re-open nominations for the SBA Executive Board. The situation had been bleak, with only single candidates for 4 of the 5 SBA Executive Board positions. However, after the rude awakening of facing the possibility of uncontested elections, students belatedly began to file their candidacies. The reputation of the SBA as the student voice can only improve by giving the student body a real choice in the coming SBA elections.

Moot Court

To The Editor:

Now that this year's Moot Court competition has ended, I would like to take a moment to issue a caveat to the new members — being in the Society is not the same as being allowed to participate in its activities. The following few paragraphs will explain this point.

This year, the Law Student Division of the American Bar Association initiated a new inter-school competition — the National Appellate Advocacy Competition. The Executive Board of the Society was interested in participating and so they posted a sheet where those interested in being on the team could sign up. The rules of the competition allowed each school to send a maximum of two teams of three persons each, or six total. The Executive Board received eight responses; two persons later dropped out, leaving the maximum allowed. The team was then submitted to Dean Lisle for his normally routine funding approval. Unfortunately, such approval was not forthcoming. Dean Lisle only approved funding for one team, and that approval was allegedly based on the following points of consideration.

First, that there were no funds available and it would be too expensive to send two teams to the competition. This is hard to understand, since funds for three other teams, namely Patent, Kaufman, and Labor had previously been allocated and no teams for these competitions were fielded by the school. These funds could have been re-allocated to this team, which would have meant no extra funding.

Second, that sending two teams would lower the esteem of the school; i.e., that we were sending six people to do the job of three. Why not look at it from the other side — that we had six capable oral advocates to field? And besides, the school's reputation would not be harmed in any way by sending two teams.

Third, and most important, that team members should be chosen, not on the basis of Moot Court performance, but rather on the basis of scholastic standing. This is the greatest insult which the Dean could give to the Moot Court Honor Society.

The Society has always prided itself on the fact that grades did not matter for membership; that it was the Honor Society for those who were not candidates for Law Review. All that mattered to Moot Court was whether or not you were a competent oral advocate. Whether you qualified as an honor student was unimportant.

By making team membership contingent on scholastic standing, Dean Lisle has effectively undermined the entire spirit of Moot Court. It forces one to reflect on whether Moot Court competitions should be educational experiences for the students, or glory-hunts for the school.

In the end, the Executive Board chose three of the six, and these three — Ted Bartelstone, Larry Sandak and Jay Haberman went on to capture the first place Regional Championship.

Letters to the Editor

They will represent Brooklyn in the National competition in Chicago this coming August. I extend my heartiest congratulations and best wishes to them all.

In regard to the issue at hand, I can only hope that under new leadership, this school will not see repeated such acts as those which occurred in the choosing of this team.

One postscript of this entire story need be told. It appears that when Prof. Hahl, who was faculty advisor to the team, asked Dean Lisle how he had liked the team's performance, the Dean automatically thought that Prof. Hahl was talking about the Jessup Team. The Dean was totally unaware of the National Appellate Advocacy Competition team's performance, causing one to question his original great concern for its members.

Respectfully yours,
Eugene J. Glicksman

the Administration concerning the union's 'trespass' on BLS property which it quotes can easily deter wary employees from engaging in protected, union activity. The article, and the administration remarks cited therein, are inferentially indicative of management's hostile reaction against unionization of its employees. The National Lawyers Guild at BLS, as an organization which has always supported the rights of workers to freely organize and engage in concerted, union activity, unfettered by threats, coercion and discrimination on the part of management, take issue with this. We need hardly remind the *Justinian* and the Administration that the above rights of employees are embodied in the National Labor Relations Act. We only hope that the law is followed by BLS with the same zeal with which it is purportedly taught.

National Lawyers Guild

NLG: "Disturbed"

To the Editor:

The members of the National Lawyers Guild were very disturbed by an article which appeared on page one of the Feb. 17th, 1977 issue of the *Justinian* dealing with an attempt by the Office & Professional Employees International Union, Local 153, to unionize the clerical and administrative employees at BLS. The article, written by Richard Grayson and Howard Cohen, paints a picture of happy employees, working "a very loose 9-5 day," enjoying incomparable benefits, and generally bathing in the beneficence of the BLS Administration. Using [a] prejudicial phrase like "target" employees, the authors conclude that "the union has made a poor choice in trying to organize at BLS."

To those BLS students who have come in contact with those who rule the 9th floor, there prevails a cynicism, at the very least, regarding the alleged "beneficence" of the Administration in its dealings with students, as well as employees. Certainly the value of collective action on the part of students in dealing with past arbitrary and detrimental action by the Administration has clearly been demonstrated [sic]. It seems difficult to believe that this recurrent arbitrariness dissipates, or that collective action becomes inappropriate, when employees rather than students are involved. Surely Holzman's comment that an aggrieved employee "can quit" is indicative of the Administration's position towards its employees.

In any event, we maintain that it is within the sole discretion of BLS employees to decide whether or not to unionize. It is those employees alone whose lives and working conditions are at stake and they alone are in the best position to evaluate their present condition of employment and the probable effects of unionization. Surely, it is the height of presumptiveness for non-employee students to advise employees against unionization.

Finally, both the tone of the article itself and the remarks by

Committment Needed

To the Editor:

The Puerto Rican Law Students Association (PRLSA) was indeed encouraged to read your editorial in the 75th Anniversary issue of the *Justinian*. While the student newspaper has occasionally reported the facts on the gross underrepresentation of Puerto Ricans, Blacks and Asians among the student body and faculty at Brooklyn Law School, this is the first time it has taken a position on the issue of affirmative action.

Faced with years of resistance from the Administration, lip-service from "interested" faculty members and the indifference of the Student Bar Association leadership, your editorial gives us the minimal satisfaction that our concerns are shared by some of our student colleagues.

Should we take hope that your editorial, the election of new SBA officers and the installation of the new dean may herald a change in the staus quo?

In its seventy-five years, Brooklyn Law School has taken pride in the opportunity it has provided minority applicants to move up the socio-economic ladder. During its first fifty to sixty years, the "old minorities," Jews, Italians and the Irish, could count on admission to Brooklyn Law School when most other doors were closed to them. It is thus troubling to find that we of the "new minorities" do not enjoy the same access. The commitment to "minorities" — the oppressed of the moment — must be renewed.

Sincerely,
Gloria E. Quinones,
President, PRLSA

SOFTBALL
Students v. Faculty
May 1 at noon at
Tillary Street Field
(under the BQE)

SBA Finally Passes Budgets

By MIGGIE WARMS

"Although the Executive Board has spent nearly half of the available funds, the 1976-1977 budget has still not been approved," stated the first-year caucus of the SBA Delegate Assembly in a Report to the First-Year Class that was distributed on February 7. At a February 8 meeting of that Assembly, the budget was finally passed.

Final passage was a culmination of the budget-cutting process that has occupied most of the Delegate Assembly's meeting time for the last several meetings. Some items were juggled from various groups to the SBA General Fund, a get-reimbursed-as-you-spend arrangement for common needs like speakers, postage, printing and films. Other items were eliminated altogether.

The net result was that special interest groups like the National Lawyer's Guild, AALSA and the various women's groups lost control of most of their funds in the shift to the general fund, although most other items were approved outright for these groups. More established and service-oriented groups, like Moot Court (Day and Evening) Honor Society and the Justinian, fell victim to de facto cuts, while retaining complete control over amounts allocated. BALSAs seemed to get the short end of the stick from both angles, with many funds shifted to the general fund (\$320) and many cut altogether (\$1270 cut

from convention requests). But then, BALSAs' approved expenditures (\$1020) exceeded the allocations for both the National Lawyer's Guild (\$1,000) and all three women's groups combined (\$995).

When items came up that were related to courses that are required by the school (Moot Court) or have been approved for credit (Women's Clinic), delegates questioned the propriety of spending SBA funds to support them. The Assembly plans to try to recoup some of these funds from "the ninth floor."

There is a possibility that "The Paper Chase" will be shown at BLS this Spring. Dean Silverberg, SBA Recording Secretary, is waiting to be approached by those willing to help plan such a showing.

SBA President Howard Peltz announced that the Placement Office Committee may become a joint student faculty committee in the near future.

Delegates were reminded that the SBA office traditionally serves as a training ground during the spring semester for replacements for this year's graduating officers. The tacit assumption that those now serving on the Delegate Assembly would be the likely (only?) candidates for SBA office went unchallenged.

Backtracking a bit, here are the significant items of business that passed the Assembly since the November 29 "non-meeting" last covered in the Justinian:

On December 9, the Assembly accepted Robert's Modified Rules of Order for use at Assembly meetings. The Assembly accepted all persons who had volunteered to serve on the Student Committee on Faculty Hiring.

Various amendments to the SBA budget were discussed and passed, and several budget items were "ratified," preliminary to final passage of the budget on February 8.

The Pass/Fail option proposal was explained and distributed. Policy proposals affecting the budget were presented by the first-year caucus and by evening division reps Sam Hagan and Jerry Judin, to be discussed, dissected and partially passed by the Assembly.

[Ed Note: The Pass/Fail option proposal passed the Student/Faculty Relations Committee on February 9, but was overwhelmingly defeated by the faculty on April 19.]

The December 16 meeting, called specifically to wrap up the budget, failed to do so. Much of the meeting was spent discussing a rebuttal to a December 14 Justinian editorial, arguing about budget priorities and paring the budgets for both the Moot Court program and the Justinian. It was at this meeting that the general budget proposals introduced earlier were hashed out in detail. As a result, final passage on February 8 was a relatively simple process.

The first-year caucus has proposed that a finance committee be appointed to par-boil the hash next year.

Faculty Investigates Attendance Fraud

By RICHARD GRAYSON

The Faculty Committee of Scholastic Standing is investigating charges that several students have filed false certificates of attendance.

Assistant Dean Gerard Gilbride, chairman of the committee, refused to name either the professors who have brought the matters to the committee, or the students who are involved. But he did say, "There are about three or four students involved and my recollection is that they are probably not first year students."

The committee has invited the students to explain the discrepancies between the records of their professors, and their certificates. According to Gilbride, the certificates are filled out under a BLS policy. "It is a sound rule because we certify that you've been in good and regular attendance." "Good and regular attendance" in law school is one of the requirements for admission to the bar.

Prof. Joseph Crea, who is also a member of the committee, remarked recently to his Corporations class that a lot of faculty are now taking attendance. Later, he told Justinian, "I've demanded an investigation because I think [fulltime] students are working fulltime." Crea noted that the situation regarding attendance is not of recent

vintage. "The school stopped taking mandatory attendance about five years ago. The first day off the old system, one of my Corporations students took a full-time job at Gimbels from 9 to 5. I told him to leave school if he was going to work fulltime. But he said that he wanted to study the law. He thought I was a bastard. But he graduated."

Crea believes that there are many students who file inaccurate certificates. "It's a reflection on their moral standards and abilities."

Gilbride went one step further by noting that an inaccurate certificate can be an obstruction to graduation, and to admission to the bar. He recalled that one of the three students charged with cheating on last June's Civil Practice exam also allegedly filed an inaccurate attendance certificate. [See Justinian, September 7, 1976.] "He passed the bar and will have to answer to the Character Committee about his attendance certificate," says Gilbride.

The committee has already acted against one student who filed a false certificate. This 2nd year student has been forced to drop several classes and admit that she signed false certificates. The committee is expected to make the rest of its decisions before the semester ends.

Refreshing Rudolf Serkin

By PAUL HARRIS FORMAN

A recent evening spent in Carnegie Hall with pianist Rudolf Serkin was a refreshing opportunity to learn that what is oldest and simplest is best. Serkin, at age 73, is at the height of his power as a performer who maintains his prodigious technique, while developing his intellectual maturity.

Serkin was born in imperial Austria and grew up in a Vienna where giants of music — the likes of Beethoven, Brahms, Schubert and Mahler — must have seemed like living presences. It is not surprising that with age he has turned more often to music of that time.

This is not music that dazzles audiences with bravura, flash and brilliance, but music that is noble, powerful and sublime. Serkin shares some of these qualities. He is a shy, awkward man in a baggy suit, who comes out on stage, bows stiffly to the overflow audience and begins to play as if he were oblivious to his surroundings. Serkin's appeal and greatness is based on nothing external, only the fact that he plays his kind of music better than anyone else alive today. The press agents that have pushed many mediocre talents to fame beyond their gifts would have a hard time with Rudolf Serkin.

On this occasion the audience heard three sonatas by Beethoven, one from each of his creative periods. He began with the first of Beethoven's thirty-two sonatas and went on to the celebrated "Appassionata" and "Hammerklavier."

Each performance was full of insight. Beethoven's early sonatas are pleasant enough, but they often seem like elegant trifles written for the drawing rooms of Rococo Vienna.

Through infinite patience and a rocklike strength, Serkin made this sonata seem like something monumental.

The "Appassionata" is from Beethoven's middle period, when he composed the works that are today household clichés. In his smaller works, like this sonata, Beethoven is not the conquering hero, but tempers the familiar force with beauty. When music of this kind is played by a musician like Serkin the results are transcendent. The slow movement of the "Appassionata" almost sounded like a hymn. As befits an older man, Serkin's playing is gentler than it once was.

The "Hammerklavier," twenty-ninth in the series of thirty-two, dates from the last period of Beethoven's life, when, almost completely deaf, he retreated into a strange inner world. The gigantic proportions of this sonata suggest that it was written for a superman. This is craggy music, full of strangeness, tiny melodic fragments, an introverted lyricism, all capped by a wild, grating, and dense fugue that is ungrateful and puzzling. The "Hammerklavier" is a great challenge to both performer and listener. Serkin communicated the introverted, solemn nature of the opening sections and then attacked the great fugue. This music is not beautiful, but the mere fact that anyone can play it with the technical brilliance and monumentality that the audience heard on this evening generates an excitement of its own.

Beethoven and Serkin belong together, both genuine articles, without any frills. With the arts more prone to commercialization, occasions like this one are best described as precious.

FINAL BUDGET 1976-77 AS APPROVED

SBA General Fund

Speakers	\$ 1,500
Printing	400
Postage	75
Sundry	200
Stationery & Supplies	700
Films	1,000
Directory	225
Orientation	680
S/F Teas	500
Parties	2,438
ABA/LSD Convention	560
Evening Coffee Hours	150

\$ 8,428

Justinian

Printing	\$ 5,775
Postage	100
Film	200
ABA/LSD Convention	150
75th Anniversary	1,000

\$ 7,225

Moot Court (Day)

Dues	\$ 85
Certificates	50
Refreshments - Judges	100
Intramural Prize	200

\$ 435

Moot Court (Night)

Refreshments	\$ 60
School Party	225

\$ 285

Sports

Football	\$ 50
Softball	100

\$ 150

National Lawyers Guild

Dues	\$ 100
Convention	900

\$ 1,000

AALSA

No funds allocated

Cultural Affairs

No funds allocated

Women's Clinic

No funds allocated

Evening Women's Group

Convention	\$ 265
------------------	--------

\$ 265

Women's Action Group

Dues	\$ 50
Met. Conference	150
Convention	530

\$ 730

NORML

No funds allocated

BALSA

National Dues	\$ 100
Regional Dues	50
MCC Balsa Dues	50
Black Alumni Reception	200
National Convention	500
Regional Conference	120

\$ 1,020

TOTAL

\$18,638

The Docket

SBA ELECTIONS — are scheduled for May 2 and 3. Vote.
FACULTY WILL LOSE AGAIN — Annual student faculty softball extravaganza takes place Sunday, May 1 at noon at the Astrodome of the East, in the friendly shadows of the BQE, off Tillary Street.

THE SECOND CIRCUS REVUE, starring the Not Ready For Law Revue Players presents its annual farce this coming Thursday, Friday and Saturday nights (April 28 through 30 at 8 pm). Tickets are \$1.50 in advance (sold in the lobby between 1-2 and 5-6 pm), or \$2.00 at the door.

LAST SBA PARTY — Thursday, May 5 at 4:30 pm in the lounge. Live it up while you can.

STUDENT COURSE COUNSELING — scheduled for Monday, May 2 at 4:30 pm in the Moot Courtroom. There will also be counseling Tuesday through Friday from 1-2 and 4-6 pm in the SBA Office.

BALSA — 1st Annual Alumni Reunion will be held at BLS on April 29 at 5 pm. For tickets see Deborah Lashley.

BLS Students Work in Law Collectives

By JOHN RASHAK

The law collective is a recent phenomenon, an out-growth of the political turmoil of the last 10 years. Two second-year BLS students, Andi Levine and Fran Weinstock who describe themselves as "feminists," work at two of the more active New York City law collectives.

Before entering BLS, Levine did paralegal work at an anti-trust firm. "It was a factory. There were no ethics in the work they did," Levine continued, "The ethical approach to law should be 'What's the right argument?', rather than 'What's the bottom argument?'"

Weinstock came to BLS after working as a city-funded community-organizer in Cambridge, Mass. She described Cambridge as "a poor neighborhood totally ignored by Harvard and MIT." Federal funds would instead go to "the nationally-known ghetto of Roxbury in Boston." The law in general and the law collective in particular seemed natural extensions of their backgrounds.

Group Decision-Making

Students are more than just clerks in the law collective setting. "There is group decision-making in every case," Fran Weinstock explained. "After we decide whether we want to take the case and why, we have to decide what to charge." The fee would be lower, even nothing, for a politically important case. The political consciousness of



Andi Levine and Fran Weinstock, BLS students who work in law collective. Photo by Ken Shiorani

the law collective thus results in politically-oriented "pro bono work."

Andi Levine gave an example of how group decision-making was used in a labor case. "There was a group of workers from the Riverboat Restaurant [in the Empire State Building] having trouble with their union contracts." Her collective represented the workers for free before the NLRB (National Labor Re-

lations Board). The NLRB case was "political work" for the law collective. "Political work includes educating and organizing people. It means using the legal system, rather than depending on it," says Levine.

Weekly meetings take place at both students' collectives. Levine's is near BLS, in a second-floor storefront walk-up. Weinstock's is in downtown Manhattan, "not as accessible as

a community storefront would be, but still near legal resources such as the courts and law libraries." (Due to a N.Y. Court of Appeals ruling, both firms must be listed by the names of their attorney-partners: namely, Gladstein, Meyer, Reif, and Siegel, at 308 Livingston in Brooklyn, who employ Levine, and who gave a seminar on opening an "alternative" law office at BLS last spring; and Stolar, Alterman, and Gulielmetti, at 250 Broadway in Manhattan, where Weinstock is employed.)

Their firms are totally different in terms of personnel. Gladstein et al has four Rutgers' attorneys (three females), one office worker (paid the same as a "legal worker" although not a partner), and 2 law students. Stolar et al, in contrast, has three male attorneys (two NYU-trained), two "legal workers" (for a total of five partners), and three female law students. "Students, although not partners, are encouraged to participate in decisions," Levine explained. "Perhaps the most important element of the law collective is that you can retain your ethics, while surviving and making a living."

"It's been a really good experience [at Gladstein]. I learned more in three months than in my whole law school career," Andi Levine related. Her law collective charges fees "25-50% lower than most law offices." The collective is distinguishable

from the typical firm in three respects, according to Levine. "First, there's group decision-making in every case. Second, legal workers or paralegals are equal partners with the lawyers. Finally, there is the additional political criteria in decision-making."

NLG Types

Fran Weinstock identified the kind of people who would work for a law collective. They would be "people with varied legal skills, who are not interested in making lots of money, and who agree with NLG [National Lawyers' Guild] politics." The NLG has published works such as *The Grand Jury Manual and Law for the People*, which implicitly embody its policy. Weinstock praised the BLS chapter of the NLG as being "the most active in the country," with lunch-time speakers and summer-job projects.

There are only three kinds of clients that collectives refuse to represent: rapists, heroin pushers, and landlords. "Rape is a political crime against women; heroin dealers are parasites of the community; and housing courts in capitalist countries are havens for landlords," were the reasons given by Levine and Weinstock for this policy. The strength of the NLG and its collectives is best illustrated by the revelation that Spiro Agnew asked the NLG for advice during the criminal trial that followed his ouster as U.S. Vice-President. Their reply is unprintable.

LSD 2nd Circuit Conference Honors Two BLS Students

Special to The Justinian

Steven M. Swirsky, a second year student at Fordham Law School was elected 2d Circuit Governor of the American Bar Association's Law Student Division (LSD) at its annual Spring Conference held in South Egremont, Massachusetts, on March 25 and 26, 1977. Also during the conference, two BLS students, Kim Juhase, third year day, and Robin Garfinkel, a second year day student, received awards for their contributions to the LSD during the past year.

The election of Swirsky ended a weekend of activities and panel discussions centering around the theme of professional responsibility and the quality of advocacy. The highlight of an otherwise unexciting conference was a panel discussion on the newly established Committee of the Judicial Conference of the United States to Consider Standards for Admission to Practice in the Federal Courts, (also known as the Devitt Committee for its chairman, Federal District Judge Edward J. Devitt of Minnesota). This committee was established by Chief Justice Warren Burger last year to determine whether there is a need to establish national qualifications for practice before the federal courts. Many in the legal profession, including the Chief Justice, felt that the quality of advocacy before federal courts is deplorable.

No Assumptions

According to Judge Morris Lasker, a member of the Devitt Committee, the committee has

made "no assumptions" and therefore will do "much research" on the issue. In a discussion before law students representing the 1st and 2d Circuits of the LSD, Judge Lasker outlined the tentative plans of the committee. Initially, he explained, it will solicit opinions from various legal organizations and from leaders of the bar. At the same time, all federal judges will be polled on whether they feel there is a need for improving professional standards of lawyers in federal practice. They will also be requested to rate the lawyers who come before them over a period of time. Judge Lasker stated that the Devitt Committee's next step will be to hold regional public hearings. Finally, the committee will draw up tentative recommendations and again solicit opinions of bar leaders. Final recommendations will be forwarded to the U.S. Judicial Conference and then on to the U.S. Supreme Court for final approval. If the Supreme Court approves the rules, they will go into effect unless Congress affirmatively acts to amend or cancel them.

New Governor

Judge Lasker described the main issue before the Devitt Committee to be "to determine if trial advocacy is so important to the community that it is important enough to regulate by rules." The judge stated he felt the answer was yes.

Steven Swirsky, who succeeds Andy Goodman of NYU Law School as 2d Circuit Governor, has two major plans for the

coming year. He would like to increase the frequency of the Circuit's new radio show and newspaper. He would also like to establish a job counseling program. "I've already spoken with Dan Paterno, the President of the ABA Young Lawyers Section, about instituting a program of individual and group counseling. I envision a situation where students could speak, not just with attorneys, but with attorneys in certain fields so that they can get a feel for the area, which can only come from talking to an actual practitioner."

Other new Circuit officers are Lindsay Rosenberg of New York Law School, Lieutenant Governor; Richard Chen of St. John's Law School, Secretary-Treasurer; and Michael Barnas of Ford-

ham Law School, Director of Communications.

BLS Students Honored

Two students from BLS were given awards during the 2d Circuit annual banquet held in conjunction with the Spring Conference. Kim Juhase, the retiring Circuit Director of Communications and former *Justinian* Editor-in-Chief was awarded the LSD Silver Key by retiring Governor Goodman. Goodman, in presenting the award, termed the third year day student "the best idea man I know." This is Juhase's second LSD Silver Key award. Robin Garfinkel, a second year day student, was awarded a certificate of merit for her work as the LSD representative at BLS and for her imaginative LSD poster designs.



The two award winning BLS students, Robin Garfinkel and Kim Juhase, surround Andy Goodman of NYU, outgoing LSD Second Circuit Governor.

Volunteer Lawyers For the Arts

Special to The Justinian

On December third and fourth of last year the Association of the Bar of the City of New York hosted a unique event — the First National Art Law Conference. The Conference was sponsored by Volunteer Lawyers for the Arts, a non-profit corporation, which functions in New York City as a legal referral service for indigent artists and performers and for non-profit arts organizations with limited budgets. VLA also seeks to provide the arts community with comprehensive legal education, to inform the legal community with respect to the kinds of legal problems artists and art organizations face, and to familiarize them with available solutions.

The purposes of the Conference were to discuss recent developments in art and the law, to present several approaches to the delivery of legal services to the arts, and to discuss common management and legal problems of not-for-profit arts organizations.

VLA hopes to encourage arts councils, bar associations, and other interested groups to establish volunteer legal service organizations for the arts in their communities. A panel on "Legal Services for the Arts" examined the differing approaches that Volunteer Lawyers for the Arts' organizations have adopted, as well as some of the problems that may arise in establishing a volunteer program of lawyers-for-the-arts.

For further information, contact Barbara Kibbe (a third year day student) or Jim Fishman at VLA (36 West 44 St., 575-1150).

Juriscan: Flop or Fraud?

By KIM STEVEN JUHASE

Juriscan, a computerized placement service for law students, was initiated in January 1975 under the joint sponsorship of the American Bar Association (ABA) and its Law Student Division (LSD). By August of that year, the then LSD President, David Erdman, termed the program "a success." Less than two years later, the present LSD President, David Stoup, stated that Juriscan "failed miserably." On February 13, 1977, the short lived project was terminated by the ABA Standing Committee on Professional Career Development upon the recommendation of the LSD.

It appears that those in authority in both the LSD and ABA should have known from the beginning that the service was doomed. The program, however, at the urging of LSD President Erdman, was established, and many students participated with high hopes of getting a job. Soon, the LSD began to realize that, to the chagrin of law students, Juriscan could not even meet the minimal needs of job seekers.

The Concept

Juriscan, in concept, was very much like the centralized placement services that many bar associations and legal organizations have run for many years. Its major distinction was that it was completely computerized and nationally promoted.

Both the employer and law student were asked to fill in computer coded questionnaires. Then a computer matched qualifications with job descriptions. Every month, a computer printout was sent to participating employers with the name, address and telephone number of those students who matched his requests, along with a description of the applicants' qualifications. Meanwhile, the student received a similar printout of matching employers. There was no charge for employers, but students had to pay five dollars for the service.

The nation-wide advertising plan turned out to be very limited. Questionnaires were placed in issues of the *American Bar Association Journal* and the LSD publication, the *Student Lawyer*. A plan to have LSD members personally enlist employers in their area fell through.

History

When David Erdman of Georgetown University Law Center ran for LSD President



1974-75 LSD President David Erdman.

at the August 1974 LSD annual convention in Chicago, his major promise was the establishment of a computerized job placement service for law students. This concept was first considered by Howard Kane of Brooklyn Law School, the 1973-

74 LSD President. However, Kane took no action on it. Almost immediately after Erdman was elected President, he set to work to fulfill his promise.

Working with Neal Mann, also a student at Georgetown, a computerized system was devised. On approaching the ABA for funding and support, Erdman was referred to the ABA Standing Committee on Professional Career Development, which has jurisdiction over all ABA placement services. As is usual with ABA Committees, the committee's staff investigated the request. The staff concluded that the program would not work.

At a time when Erdman was estimating that the program would enroll 5,000 law students and 1,000 employers, Mrs. Frances Utley, ABA staff liaison to the Professional Career Development Committee, and a person with experience in running a placement service for lawyers, was estimating that no more than 500 employers would sign up. In fact, in a memorandum dated November 1, 1974, she wrote to Lowell Beck, Deputy Executive Director of the ABA staff that her "own guess is that we will be lucky to have 100 employer enrollees." In an earlier letter dated May 7, 1974, to Walter P. Armstrong, Jr., who was then Chairman of the Professional Career Development Committee, she explained her reasoning. "I question whether or not a large number of employers would be interested in receiving computerized lists of candidates with the possibility that they would be deluged with resumes from individuals to add to the continuing barrage they are currently receiving."

Even the LSD Director at the time, Raymond Tyra, indicated that "employer participation is the largest unknown to the entire Juriscan program."

Impression of Fraud

Much was at stake for both the ABA and the LSD in deciding whether to approve the program. According to a February 1977 report on the Juriscan project by Chris Otorowski, the LSD Secretary-Treasurer, "If the program were not a success, any student paying for the service might leave with the distinct impression of fraud. This would have a long range detrimental effect on membership and participation in the Division [LSD] and the ABA."

Despite pessimistic predictions, the program was approved in the Fall of 1974 on a probationary basis by the ABA Professional Career Development Committee. Many reasons have been suggested for the ABA approval of Juriscan, despite its predicted bleak future. One viewpoint is that given by Otorowski, who is a third year student at the University of Denver Law School. The Secretary-Treasurer told the *Justinian*, "He [Erdman] made them buy it when they shouldn't have. He gave them the hard sell. All the right questions were raised at the time but he got it by them." Mrs. Utley backs Otorowski's opinion to an extent. She told this correspondent that the Development Committee, at the time, took the attitude that since Erdman promised that Juriscan would be self-sustain-

ing, "then it was all right to try it."

The program officially began in January 1975 and almost immediately ran into difficulties with the questionnaire's design and the computer matchings. Some employers complained that the student questionnaire did not ask for grade point averages. Other complained that the profiles they received were not even close to the specifications they requested.

Employers were not the only ones who were not getting satisfactory results. For example, Otorowski's report contains a letter written on April 17, 1975, by a law student, Anne Lukingbeal of Davis, California. She complained that she requested employment only in the Boston area, in a small law firm dealing with criminal or domestic relations and that she preferred litigation and client contact. According to Lukingbeal, she received the following matches: "A corporate law firm of 31-50 lawyers with no litigation in Phoenix, Arizona; a public defender... with no litigation in Springfield, Illinois; and finally a negligence-malpractice lawyer with no client contact in Lexington, Kentucky." Another law student, who listed as his major consideration for a job that it be in Connecticut, received matches with an employer in New Mexico and another in Texas.

Chastise ABA Staff

In spite of these problems, Juriscan recruited 212 employers in its first year. Though Erdman had originally predicted 1,000 employers, he called the program a success in his final report to the LSD at the end of his term of office in August 1975. He also took a parting shot at the ABA staff. "Without naming anyone in particular, I point a general finger of chastisement at the ABA staff for not recognizing earlier Juriscan's potential to help law students. I encountered instead, not only general conservative unwillingness, even to give the new concept a try, but also, at times, even active staff opposition to the program."

During the 1975-76 school year, the participation of employers started to spiral downward. Only 167 firms and about 1,000 students signed up for the program, a result the 1975-76 LSD President, Lynne Gold, in her annual report, termed "less

JURISCAN Student's Questionnaire

than successful." Despite these statistics, the LSD pushed for an extension of Juriscan's probationary status for one year, from September 1976 to September 1977. In its proposal to the ABA, the LSD hierarchy urged that support be sought for the program from all areas of the organized bar. The LSD proposal concluded, "[I]f the program should be rejected... it shall be deemed that the ABA professional division... shall be heavily indicted for having failed to support the efforts of the LSD of the senior body. Such indictment shall include the documentation of efforts and shall be published in the *Student Lawyer*." The proposal was approved by the ABA.

Participation Dropped

Despite various attempts by the LSD to revive Juriscan, employer participation continued to drop considerably. On November 20, 1976, the LSD Board of Governors voted to suspend Juriscan temporarily and requested that the LSD Executive Board look into the prospects of continuing the program. Chris Otorowski, the LSD Secretary-Treasurer, was appointed to investigate and to report back to the LSD Board of Governors.

Otorowski prepared a report which concluded "that Juriscan in its present form and any conceivable similar forms, is unworkable in light of the present condition of law placements in the country." His suggestion that the program be abandoned was adopted by the LSD. However, since Juriscan was technically an ABA undertaking, any final decision involving the computerized placement service was with the ABA Professional Career Development Committee. This decision came on February 13, 1977, when the ABA committee agreed to terminate Juriscan. At that time, there were 862 students and only 22 employers on file. The Development Committee also decided to refund the money received from the students who had not previously requested refunds.

Doomed to Fail

Though technically and economically feasible, Juriscan's promoters failed to perceive that in today's buyers' market for lawyers, no nationwide placement service could be successful. According to Otorowski, there was "an imbalance of needs."

Another reason for Juriscan's failure was its lack of a successful nationwide solicitation campaign for employers. Even the LSD realized that just placing ads in ABA and LSD publications would not be enough. In the original employer promotion plan, it was planned that students would make oral presentations about Juriscan to local bar associations and visit employers in their offices to solicit their participation in the program. Needless to say, neither idea succeeded. As LSD President Lynne Gold stated in her August 1976 annual report, "If students were going to employers, they were going to get themselves jobs, not for altruistic reasons."

The final major reason for Juriscan's failure was that it was not able to retain the employers it had originally signed up. According to both LSD and ABA sources, this result came about because the newness of the program wore off and because of the many mistakes which inconvenienced employers. "It is obvious," according to Otorowski's report, "that for the few number of employers that were solicited, there were a great deal of errors in the process. These errors contributed to a generally negative image of the [LSD] Division and Juriscan, and may carry this damage forward into future Association participation."

Fraud?

Many students sent in their money to Juriscan hoping that they would get a long list of employers who were interested in their qualifications and whose interests matched their own. Yet from the beginning, it had been predicted that Juriscan would not work. Was Juriscan a fraud on law students? Even Otorowski's report acknowledged that some students may feel that way. Andy Goodman, the LSD Second Circuit Governor and a former chairman of a committee to study the problem of employer participation in the program, does not think there was intentional fraud "in the legal sense." He stated in an interview that there may have been "unintentional misrepresentation" and that the program was an "error of judgment." However, he says that it was a result of "overexuberance rather than Machiavellian political instincts."

"Not Dead"

"The subject is not dead" is the way Mrs. Frances Utley described the issue of centralized law student placement. Mrs. Utley, as staff liaison to the Professional Career Development Committee, is the person most directly responsible for ABA placement services. According to Mrs. Utley, the LSD and her committee will continue to investigate ways of reestablishing a student placement service, although "no proposal is being tossed around now."

Though Juriscan was started with good intentions, both the LSD and ABA will be very reluctant to try anything so daring on a nationwide level within the foreseeable future. Where does this leave law students? It leaves them where they have always been: to their own devices.

Moot Court Teams Triumph

(Continued from Page 1)

be considered for the national award for best brief. The winners of the national contest then compete against the winners of the international region contests, to choose the best oralists and best brief in the International competition (not to be confused with the National Team competition in December).

BLS also did well in the oral competition. The team defeated Columbia easily, by a score of 8-1. Then BLS defeated New England (5-4) and Boston University (7-2) before being eliminated by Harvard "in a tough blood match," as one team member put it. (The score was 5-4.)

The team members were disconcerted by their belief that the competition had been unfair. Since the arguments were held at the University of Maine Law School, that school arranged the schedule. Most of the BLS team members believe that Harvard (which came in second) had the toughest competition, while Maine had the easiest. Although it is not clear that this was done purposely, the BLS team wrote a letter of protest on behalf of Harvard. Since there were no elimination rounds, the regional victory of the University of Maine was based upon a combined score of their earned points in all four rounds of argument. Every team argued four rounds and since Maine had the easiest competition, they were able to accumulate the most points.

ABA Team Victory

Team member Howard Rubin said, "Our performance in both the oral competition and our victory on our brief show that the best from BLS can compete successfully against the best of Columbia and Harvard. The success of our International and National teams demonstrate the potential of the students here. The school should recognize this potential and encourage more of this type of program."

BLS had another victorious Moot Court team in March. Perhaps this victory was "sweeter" since the team members had to overcome hurdles on the ninth floor to get money to send the team. [See accompanying article.] Dean Raymond Lisle originally opposed sending any teams to the American Bar Association competition, but finally

consented to send one team. Moot Court had originally planned to send two teams to give more students exposure to oral competition. Ted Bartelstone, Jay Haberman and Larry Sandak emerged victorious in the Second Circuit competition of the American Bar Association Law Student Division National Appellate Advocacy Competition.

This new event took place at Albany Law School. There were five schools in the competition. Every school, except BLS and N.Y.U., sent two teams. One of the BLS team members thinks it is unfortunate that the Dean refused to send the second team. "The more teams we send, the more exposure we are giving our students to oral competition."

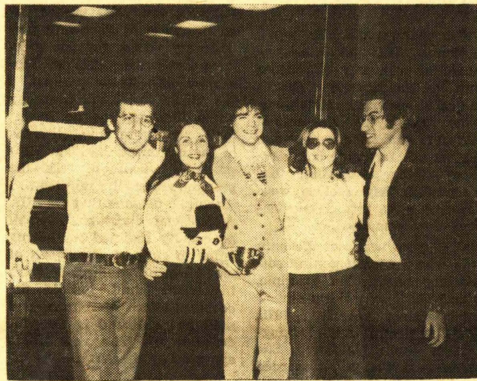
Bar Strock, former business manager of the Moot Court

the second round, Ted Bartelstone said, "This only proves that, especially in oral advocacy, it doesn't matter what school you come from."

The entire competition was held on Saturday, March 19th, between the hours of 11:00 am and 5:00 pm. The team argued three rounds, and Bartelstone, as saving person, argued every round.

The team members had three formal practice rounds, where faculty members and students sat as judges. This year's National Moot Court team was particularly helpful in preparing the ABA team for competition. Sandak said, "Some of the questions asked in the practice rounds were among the toughest we had to face, even more difficult than at the actual argument."

The American Bar Association



International Moot Court Team — Howard Rubin, Vivian Rifkin, Friedman, Michael Itteilg, Rachel Arfa, Ira Salzman.

Society, who resigned after the disagreement between the Moot Court Executive Board and Dean Lisle over Lisle's refusal to send the second team, said it was interesting that, "even though this was a new competition, most schools saw fit to send two teams to Albany."

BLS emerged victorious by defeating Fordham, New York Law School and N.Y.U. Since this was an elimination competition, BLS had to win every round in order to continue. The team members all agree that their toughest foe was New York Law School, who they faced in

national competition will be held in Chicago in August. Bartelstone will be graduating in June and will already have taken the bar examination by the time of the finals. He says he is willing to return to compete, as he believes the experience is worthwhile and enjoyable.

When asked how he felt about giving up part of his summer, Haberman, a second year student, replied, "It's a worthwhile investment, and an interesting experience."

Sandak said he was "surprised and appreciative of the great faculty and student support the team received, particularly in light of the lack of assistance from the administration."

Sandak also said that he believed that the success of BLS's Moot Court teams this year was not an accident. He attributes the victories not only to capable students but to the Moot Court Executive Board, particularly Barry Salzberg, chairperson. "Barry was always available to support the team and to cooperate with us by organizing practice rounds, and securing rooms. He supported us when we were faced by adversity from the administration and was around to deal with problems that arose."

On February 18, 1977, BLS was notified that the National Team's brief was ranked eighth in the nation, out of 140 teams that submitted briefs to the competition.

BLS's Moot Court Tax Team
(Continued on Page 7)

Commentary

Garden Variety Wisdom

By MICHAEL WEINBERGER

It was recently reported that some federal regulatory agencies, whose job it is to redistribute wealth, now make grants of taxpayer money to private interest groups. The interest groups use the money to put together a persuasive argument designed to convince the agency to regulate in favor of their interests.

However, once a decision is made that wealth should be distributed by agencies, instead of by free people making individual decisions, there exists a need to restore to private individuals the economic voice that they once had. While in the market economy one expresses his views on the economic order every time he makes a purchase, in the regulated economy, that ability is partially lost and should be replaced by some alternate method. Historically, the cash disbursement method has been one favored by government experts.

One historical episode has to do with the small and nearly isolated village of Garden Patch. Although no one in Garden Patch knew exactly why, everyone in Garden Patch was a vegetarian. The main source of employment in Garden Patch, not surprisingly, was gardening. Each gardener was a specialist who grew one crop, and one crop only. For example, Pete grew only tomatoes, Phil only cucumbers, Sally naught but squash, and so on.

Every evening, after putting in a full day tending their respective fields, all the citizens of Garden Patch would gather for an hour or two at the Garden Patch Commodities Exchange, the largest building in town. There, using the traditional medium of tobacco leaves, the citizens would enact vegetable exchanges among themselves. The system seemed to work rather well. Everyone grew all the vegetables he could and then exchanged those vegetables for others till he had just the variety he wanted.

Things went on like this for quite a while until the day an interesting article appeared in the new edition of the "Farmer's Almanac." The article was authored by an upstart young agronomist by the name of John Maynard Kaines and was entitled "Garden Variety Wisdom." Kaines argued that it was silly for farmers to spend two hours out of each day in the Garden Patch Commodities Exchange. In "Garden Variety Wisdom," Kaines said that the farmers should set up what he called a BVD, a Bureau of Vegetable Distribution. The fellows who worked for the BVD would collect all the produce grown in Garden Patch and then distribute it to all of Garden Patch's citizens. The farmers would get back from the BVD an amount of vegetables equal to what they put in, less, of course, the operation costs of the BVD.

As time went on, the theme of "Garden Variety Wisdom" caught on with the residents of Garden Patch until "Garden Variety Wisdom" had become wisdom of the conventional kind. After all, most people reasoned, something that sounded that good on paper couldn't be all bad. Sometime after the idea was first suggested to them,

they unanimously agreed to start a BVD of their own. The old Garden Patch Commodities Exchange building was converted into a gigantic office building in which the employees of the BVD would set about their work.

For several years after the founding of the BVD, the distribution of vegetables was carried on in a smooth and efficient manner. No one seemed to mind that he had a few less vegetables under the new system than he had under the old. In the fourth year of the BVD's existence, however, all that changed. It was in that year that Pete caused a minor scandal by accusing the BVD of not giving him his fair share of vegetables. Some of Pete's neighbors joined him in making the same claim. They started a movement to influence the BVD decision-making process. The movement grew and took the name of the Green Panthers.

Green Panther sit-ins and Green Panther rallies became more and more commonplace until the day that the Green Panther Executive Committee and the BVD reached a compromise agreement. From then on, if a citizen of Garden Patch felt the BVD wasn't treating him fairly, he could make a formal request, filed in triplicate, that the BVD allocate him some more vegetables. As per the compromise agreement, however, each request had to be accompanied by an affidavit from an "expert with acknowledged expertise" stating why the request should be granted. In order for the citizens of Garden Patch to pay for the expert advice of an "expert with acknowledged expertise," each claimant was allocated ten extra carrots to be used as payment for the expert's services. (Tobacco leaves, because they were now obsolete, were abolished by an earlier order by the BVD.)

The response by the citizens of Garden Patch to the compromise agreement was overwhelming. Within weeks after the announcement of the Due Influence Program, or DIP, as it was called for short, thousands of requests were filed with the BVD for increased allocations. Each claimant, of course, was given ten carrots to be used for the services of an expert.

After the 6,432nd request was filed, the director of the DIP program ran out of carrots. That problem was quickly overcome when the Executive Board of the BVD ruled that 13 radishes could be allocated for expert advice instead of 10 carrots. After the radishes were all gone the BVD switched to tomatoes, squash, cucumbers and so on. Although the members of the Executive Board of the BVD were justifiably proud of the overwhelming success of the DIP program, in private, several of the board members revealed that they were worried that one day the bureau would run out of vegetables to allocate for expert advice.

Two months after that private disclosure, the BVD issued its last vegetable. There was nothing left to allocate at all. Moral: The problems inherent in regulation cannot be solved by more regulation. If you don't like the way your BVD is working, scrap it, but don't be duped by garden variety wisdom.

Mooters v. Administration

(Continued from Page 1)

he wants better results, but on the other, he couldn't care about helping."

Strock says that his resignation was a result of the actions of the Society's Executive Board and not a result of Lisle's actions.

"The board was in a furor over the fact that Lisle exercised some veto over their control and yet when I said, 'Don't give him the names of team members [in the future],' they refused to go along with my suggestion. Suggestions for alternative funding also scared them. The SBA reluctantly agreed to fund the second team, and Farrell agreed. But they were afraid Lisle would write letters to the Character Committee about them. But I give Lisle more credit than that."

Strock emphasized that he resigned from the board, but not from the Society. "I couldn't continue, because Society members were being shafted. The board refused to go to bat for three students. They're 'paper tigers' on the board."

To refute Lisle's statements, Salzberg noted that the Society is "three for three this year. The International Team finished first on the brief and third overall, the National Team finished second in the regionals, and eighth on the brief out of 140 schools, and the ABA finished first in the region, and goes on to Chicago."

Dean Lisle, when asked by Justinian about his statements on Moot Court, replied, "No comment."

Alumnotes: Stanley Friedman

By JOYCE BALABAN DAVID

Stanley Friedman, a 1961 BLS graduate, is one of the Deputy Mayors of the City of New York.

"When I went to BLS we were in the old building near the Transit Authority, on Pearl Street. It was a small school. We had classes in the morning and finished around 12:30. When school was over most of us went our own way and worked.

"I remember having Crea when I was there, and Hoffman for Conflicts, Gilbrede for Contracts and of course, Dean Prince for Evidence. In fact I still speak to him once in a while; he's on the Conciliation and Appeals Board and sometimes we have some matters to discuss.

"I'm not an active alumnus. I pay my dues, but I'm not active. I never go to any meetings, or to the dinners.

"When I went to BLS, what I heard was that they took almost everybody that applied and on the first day at orientation in the auditorium, they said, 'look to your right and look to your left because next year at this time many of those people won't be there, because of the large dropout after the first year, from failures.' Now I understand they're more selective and the law school admission tests play more of a role in your admissions. I got admitted just on the basis of my college grades, before the results of the LSAT's even came out.

"I think BLS's reputation has improved because of the selectivity of taking students. But I loved the school. I thought the teachers were great, and I think you got the best preparation for the bar exam, far superior than fellows I know got, who graduated from other schools. I think the bar review course that I

took was just a review of what we had already learned in the three years and that made it much easier. I don't recall more than one or two electives that we had; it was all required, it was all the guts of the bar exam.

"As far as preparing you for being a lawyer, you can only go by results. There are all different kinds of lawyers, trial lawyers, brief writing lawyers, appellate lawyers, criminal, civil, etc. I don't think the school itself, probably no school, prepares you to be a lawyer like Perry Mason or Clarence Darrow. But I think that my academic training in all the schools I went to made me suitable for the positions that I've always held."

First Year the Worst

While he was in law school he was in the honors program. He graduated in the top 11% but was not on law review. His first year in law school was his worst year. After that his grades got considerably better. "I don't know why, maybe I just got used to the school and how to answer questions. The key is not how much you're learning, but how to answer the questions, particularly the essay questions. You can have the same amount of knowledge about the subject, but if you have a knack of writing, you'll do much better."

The Federal Trade Commission hired Friedman under an honors program in 1961. Before being admitted, he worked as an investigator with the FTC in New York City. He left there in August 1964 and was then appointed an Assistant District Attorney in Bronx County. From being active in politics in the Bronx, he went to the City Council, as an associate counsel to the Majority Leader of the Council. Then,

when Mayor Beame was elected Friedman became his legislative representative in Albany. He spent a year there working with the legislature and Governor Wilson's office. During Mayor Beame's second year, a vacancy occurred in the Deputy Mayor's office and he was promoted to this job.

Worked for Carey

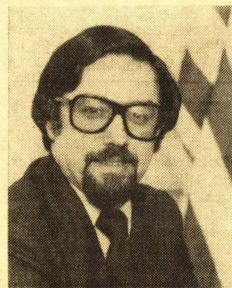
Friedman was active with Governor Carey, traveling with him during the campaign. He took a leave of absence from his job to travel throughout the state with him, and when Carey was elected he came back to his job.

He was recently active as the Mayor's representative and liaison to Governor Carter's campaign. He was also, during the period of the Democratic Convention, New York City's coordinator, or liaison, with the Democratic National Committee and with Madison Square Garden, to make sure all the arrangements and everything was done properly. "And we did pretty well, frankly," Friedman said.

He is the Mayor's Deputy Mayor for intergovernmental relations, which means he is the liaison with the City Council, the Board of Estimate, Albany and Washington. The job entails coordinating the City's programs with the respective legislative bodies. And he is the political Deputy Mayor, where he deals with the political leaders of the City.

"My personal feelings," says Friedman, "are that although the fiscal situation has forced us to reduce the city payroll by some 40,000, there are always opportunities available for bright young people. We hope to be hiring in the Corporation Counsel's office and in other city departments for legal talent and for administrative talent."

"But, very frankly, I'm a little turned off on the system. People who become active in politics and government get thrown in the fish bowl. I think that scandal-minded newspapers and scandal-minded media who are interested in selling newspapers, have, since Watergate at least, been building up and mushrooming, and in many cases, unduly criticizing, public officials and governmental officials and political heads. At some point bright young people are going to say, 'Why should I subject myself to that type of abuse when I could make a lot more money on the outside?' So my advice and recommendation to most people is to come into government for a couple of years only, get some legal experience here or experience in how government works and then utilize it out in the private world and make a better life for themselves.



Stanley Friedman, Deputy Mayor.

"My job is more administrative than legal. I think my legal background has helped me very much in my thinking process and in my ability to reason and to negotiate and to compromise. I do not avail myself of strict legal knowledge to decide the matters that are before me. For that I have the Corporation Counsel, which I rely on for the legal work.

"I'm more someone who likes to think of himself as getting things done and accomplished and for that you don't necessarily have to be a lawyer. But I think the legal background and training has been very helpful. When I was with the DA, I enjoyed practicing that type of law. I found it exciting and rewarding and stimulating, but I find what I'm doing now much more so.

Move to the Feds?

"As for the future, I'm not really sure what I want to do. You know, people still say to me, 'What do you want to be when you grow up?', and I say 'a baseball player.' Seriously though, I think that I'd like to put in two to three years in a federal administration, if I have the opportunity. No one's made the offer yet. But if I have the opportunity, I will do that. My leanings are, when I leave city government, to go into either an established law firm or to start a new one and do, not lobbying, but government affairs, public affairs type of law, and utilize what I've learned for the past ten years, and hopefully be retained by other lawyers or associations or unions or corporations.

"I have no aspirations to run

for office for the reasons I mentioned earlier, that you subject yourself and your family to unnecessary and undue harassment, and invasion of your privacy.

"I love the job I do now. I put most of my waking hours into this job. You become addicted to the job, you become a mainliner. It's in your veins and when you accomplish something it's a great sense of satisfaction. When I got into law school I had no idea of the type of law I wanted to practice; I had no preconceived notions. I never thought or dreamed that I'd be Deputy Mayor of the City of New York, so I certainly didn't aspire to be.

City Will Survive

"I don't think the City's situation is as bleak as our critics make it out to be. I think we should have great spirit and confidence. Not only is our City going to survive, but we're going to surpass ourselves. I think we proved our worth this past summer with Operation Sail and the Democratic National Convention. Two big companies that left the city five years ago, said they were disillusioned with business life outside the city. This is where their sales are made, this is where most of their business is conducted so they're coming back to New York. During the World Series, there wasn't a hotel room available in the whole city. Business seems to be picking up all around and with a little recognition from Washington, and a little relief, I think we'll be all right.

"Even though I do work most of the time I try to arrange to have some free time for myself. I make an appointment for myself and block off some free time. I like to play tennis. During the summer I play a lot, but in the winter I don't get as much of a chance. I like to relax with friends.

"The most frustrating thing about this job is erroneous newspaper stories. You know it's not the way they say it is and you also know that people believe what they read. But you learn to live with it, it's part of the job.

"I think that regardless of what school anyone goes to, they get out of it what they put into it, and I don't believe that a Columbia or a Harvard or a Yale graduate is any smarter or any better than a BLS graduate. The problem is that because of the historical nature of these schools and the closeness of their alumni associations and social background of the alumni associations, they sort of take care of their own, when they get out, so they have a good head start. But on a one to one basis, I'll put a street gutter New Yorker, who went to New York schools, City College, BLS, against anybody when it comes to native or raw talent."

Stanley Friedman, who is 40 years old, went to PS 48 in the Hunts Point section of the Bronx, then to Stuyvesant High School in Manhattan and City College of New York, where he majored in government. His office in City Hall is not as large as I expected but the whole atmosphere down there is very busy. As we talked, the phone kept ringing, to interrupt us. He paced quite a bit while we talked and kind of chewed on a cigar and spoke quickly and assuredly.

Moot Court Teams Triumph

(Continued from Page 6)

of Mark Harmon and Susan Blackstrom competed in Buffalo on April 22 and 23 in the Arthur Mugel Tax Competition. The competition attracted 17 teams this year. Brooklyn got into the semi finals by defeating the University of Toledo and American University, but lost to Wake Forest University in the semi-final round. However, BLS ranked third overall, counting brief and oral scores. Both scores are averaged together to determine the score in each round.

Although all scores were not available when the team left Buffalo on Saturday, they believe that BLS ranked first or second in the oral argument. The judges of the BLS's semi final round said that the total scores of the two teams were quite close. Since Wake Forest went into the competition five points ahead of BLS on the brief, and then went on to win best brief, the assumption is that BLS probably fared better in the orals, than the other school. The other teams to reach the semi finals were Seton Hall, and American University's second team.

Team member Mark Harmon says he was elated at the reception BLS got at the competition. "BLS is well respected among the schools competing in this competition. We are not perceived of as being second rate." Harmon and Blackstrom worked hard in three practice rounds with the assistance of Professors Hauptman, Comerford, Johnson, Schenk and Barry Salzberg, Moot Court chairper-

son and former tax team member. Harmon says, "It was a valuable learning experience. This goes to show that Moot Court can be a worthwhile education experience."

Blackstrom said she spoke to some of the judges after the competition was over. "They seem to believe that a good Moot Court program is as prestigious to a law school as a good Law Review."



BLS Tax Team members Susan Blackstrom and Mark Harmon.

(Photo by Marcia Kniggen)

Justinian Talks to the Candidates

SBA elections will be held on Monday, May 2 and Tuesday, May 3. As a service to the students, JUSTINIAN News Editor Howard Cohen conducted interviews with the following candidates. Gail Ostriker, who is a candidate for Treasurer, was unavailable for comment.

FOR PRESIDENT

Joe Porcelli

Joe feels that his experience and service to the school in the Delegate Assembly, SBA Book Co-Op, and Constitutional Revision Committee qualify him for office. He feels that because he knows many people, having been active in the SBA and in the freshman orientation program, he therefore would be able to bring new ideas and "a point of view different from what we've been getting" into the SBA government. Porcelli's goal as President will be to "make the students feel that they are part of the SBA and to make them feel that the SBA works for them."

Joe feels that the current problems of the SBA stem from the fact that the current Executive Board fails to involve the students. He would delegate more power to the elected representatives, trying to dispel the present feeling that the SBA is run by a clique that wields its power arbitrarily. He would also like to get students, other than Assembly delegates, involved in SBA projects.

Porcelli would support SBA sponsored disco parties and expanded speaker and film programs. "Students look forward to them. It adds solidarity to the student body. There is no other reason for the SBA than serving the students. Law School is rough; the SBA should solve the problems which make it rougher."

Howard Sirota

Howard has always been an active reformer. He is a member of the Board of Directors of the Brooklyn Chapter of the ACLU, and of the National Lawyers Guild. While in college, Sirota was a member of the Students For A Democratic Society, and was active in the anti-war movement.

If elected, Sirota would work for academic credit for Moot Court, and for affirmative action in the hiring of faculty and admission of students. Howard is also opposed to the appointment of I. Leo Glasser as Dean, and would work for his removal and for the appointment of a "Nationally prominent academician for this position to replace the parochial patronage appointment of Judge Glasser."

Sirota would also like to see more delegation of authority to the Delegate Assembly. He feels that "the Assembly as a body and its committees should play a much larger role. It should not be one man rule. There should be collective decisions."

Howard will be maintaining a part-time job while serving as President. However, he feels that with proper delegation of authority, the job of President should not be a full time job.

Michael Swaaley

Michael has not been involved with the SBA this year, but feels

that as an outsider he can bring some fresh concepts to student government. He feels that the SBA is being under used, wasting much of its potential. He feels that "the SBA should know what the students want and should work to get it for them."

Swaaley sees his role as president to be that of an organizer and administrator to coordinate activities. He therefore would delegate more power to the Delegate Assembly and to the other Executive Board members. His hope is to run a more open SBA.

Michael feels that while parties have their proper place, they should not be the main function of the SBA. He plans to increase the scope of the orientation program to include an academic counseling program for first year students who need information on clinics, course planning, etc. Swaaley would also like to expand the athletic programs by negotiating with local colleges for the use of their athletic facilities. Michael's goal as President? "To protect the rights of the students."

FOR VICE PRESIDENT

Dave Fleisher

Dave was very active in student politics in college and held an executive office. He has been active in BLS government also, serving on the Delegate Assembly and on the Constitutional Revision Committee. His goal as V.P. is to have closer co-operation between the Executive Board and the Delegate Assembly. He feels that the present Executive Board assumed too much power and responsibility, some of which should have been delegated to the Assembly. As a result, at present, "the SBA has a low image, but it has potential under proper leadership."

Fleisher would like to see a more equitable exam schedule, and a school year with an inter-session between semesters. He would work with the new administration to achieve these goals. As for parties, while he enjoys the disco format, he feels other types of gatherings should be explored. Dave feels it would enhance the school's reputation to have some nationally prominent speakers visit and he would work with a cultural affairs committee in trying to arrange such engagements. Dave feels the purpose of the SBA is "to be the spokesperson of the student body to the administration and faculty. The SBA should also be responsible to the needs of the students."

Chuck Goldman

While in college, Chuck was involved with school politics but was turned off by it and consequently did not immediately get involved in SBA activities. However, after two years as a student at BLS, he has become unhappy with the achievements of the SBA. He now desires to work for the things he would like to see changed and feels that with a good Executive Board, things can be done.

Goldman feels "there should be a more cohesive and better organized recreational program under the SBA auspices." This would include expanded movie, sports, and speaker programs. Chuck would also work for

wider recognition of BLS's intramural teams, particularly the mock trial and client counseling teams. He would also like to see course credit given for moot court, and also final exam schedules distributed at registration period.

Chuck has been active in the first year orientation programs and would like to improve them. If elected, Goldman plans to maintain a part time job. However he does not intend to let the job interfere with his duties.

FOR EVENING VICE PRESIDENT

Samuel Hagan

Sam is presently the First Year Evening Delegate. As such, he feels he knows the needs and problems of the evening students. He feels his outgoing personality and willingness to take the initiative will be useful in serving the students.

Sam feels that the evening students have been neglected. His goal would be to inform the legal community, especially evening graduates now in practice, about the quality of the BLS Evening program with an eye toward improving employment opportunities for BLS evening graduates.

Hagan feels that the students are not informed enough about SBA activities. "They should be better educated as to the potential of the SBA. Once students become aware of the good the SBA does, they will become more interested." He would like to distribute a pamphlet at the start of the year informing students about the SBA. He would also work more closely with Justinian.

Sam has enjoyed the parties and feels they have been successful. However, he feels they should be less expensive. "Less money could be used to accomplish the same end. Money should be spent in a professional way, for professional purposes, in a professional school."

Richard Mathew

Richard's desire is to be of use to the evening students. He has always had the interest of his fellow students in mind, as evidenced by his service on student-faculty committees while in college.

Mathew feels that in the past, evening students have had very little input in running student affairs. He cites the fact that the SBA office is seldom open in the evenings, unfortunately preventing evening students from speaking to their government. In an effort to rectify this situation, Richard would be willing to man the SBA office during evening hours on a regular basis. Additionally, Mathew would work to have more SBA programs, specifically evening speakers and clinical programs geared toward evening students.

Richard feels there is presently a lack of "community feeling" among evening students, stemming from a lack of awareness as to what the SBA has to offer. He feels that if the students are just told what is going on they will become more interested and involved. His plea to the evening students is "A little bit from me and a little bit from you, and we can have a lot."

FOR TREASURER

Eric Brown

Eric's background in financial affairs is great. While serving as a lieutenant in the Army he was responsible for a fund for the benefit of over 500 soldiers. Furthermore, he has worked in the accounting and credit departments of several major financial firms. This year Eric was active in the SBA, serving as the First Year Representative on the Executive Board.

Brown's goal as Treasurer would be to provide to the students an accurate, timely reporting of the SBA's financial accounts. He would also establish a finance committee composed of delegates and non-delegates to evaluate budget proposals in order to provide "broad based participation in the budgetary process."

Eric feels that "it is absolutely vital that a treasurer have a good relationship with student groups." He says, "I have a good relationship with many groups and intend to further cultivate this relationship so I can better serve their needs." Eric feels that he has a "deep commitment to democratic principles. Student money should be for student use and spent in accordance with the desires of the students as expressed through their representatives."

Jonah Meer

Jonah feels his experience as a bookkeeper and his degree in accounting qualify him to be SBA Treasurer, just as it has qualified him to serve as assistant treasurer at his synagogue. Although not active in the SBA during the year, he feels that given the fact that very little was accomplished this year, maybe some new blood is in order. Jonah feels that there should be a new outside force who was not involved in the in-fighting that went on this year. "In the year of the Outsider — Jimmy Carter — new blood has been shown to be a breath of fresh air instead of the previous stagnation."

Meer feels the treasurer should not be just a bookkeeper, but rather should look out for the economic interests of the students to insure they get the most for their educational dollar. Jonah is willing to personally canvass local merchants to obtain discounts on various items.

As for student apathy to the SBA he says, "I don't believe the students don't care. We are going to be lawyers, the chief spokesmen of our day. Once the SBA proves that it can wield its power profitably and do more for the students, the students will become more interested. It's the snowball principle."

FOR SECRETARY

Sherry Carr

Sherry has a political background, having worked in the State Legislature. She feels this experience plus her experience in this year's Delegate Assembly qualify her for office.

Sherry feels the office of Secretary has been under-used. She would institute a more extensive reporting system to the students. She would post notices of meetings, activities and also report

to individual classes. In this way, students would be more aware of SBA operations and therefore more interested in the SBA.

Carr would work to expedite the completion of the budget to free SBA time for solving student problems. In the past the Assembly got bogged down with the budget, and never was able to get to the other problems. Sherry's goal will be to provide a more frequent, formal and open reporting system.

Hilary Mirrer

Hilary is a newcomer to student government, having never been involved in either the SBA or in college politics. However, she has school spirit and a desire to help improve BLS.

Mirrer says she is running more on an "academic" platform rather than a "social" one. She feels that movies and parties are important but that the SBA should be more than an amusement center. Hilary feels that there is a lack of academic counseling for first year students. She would work to establish a program whereby upperclassmen would help first year students decide on courses, clinics, and professors.

Mirrer would like to see more interaction between the various factions of the school community, including more input from the alumni. She feels that the alumni is an under-used asset which the school should develop for employment placement and counseling programs.

Hilary feels that "students really don't know what it means to be in the SBA" because they are not informed.

Todd Silverblatt

Todd recognizes that the power of student government is limited and admits that "no one can realistically promise far-reaching, radical innovations which are beyond the power delegated to the SBA." However, he feels he is prepared to work within the system to institute new policies which he feels are necessary.

One area which Silverblatt would hope to expand is the clinical education program. He would especially like to see more opportunity for night student participation. Another innovation Todd proposes is an apartment referral service. "Students desiring housing in the area would be able to contact other students who are moving out of apartments." Silverblatt would also back existing SBA programs, "specifically the book co-op, the student orientation program, and of course, the disco parties."

Todd's goal as Secretary is to "strive for better communication with the administration so that not only will (the student's) complaints be heard, but attended to as well."

