

# The Justinian

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## The Justinian

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# Justinian

VOL. XXXIX

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NO. 4

## Frustrated Students Rally; Will Meet With Dean Dec. 12th



Students presenting their grievances at Nov. 30 rally.

Photo by Ken Shiotani

By Madelaine Berg

More than 250 day session students heard fellow students air their grievances at a rally held on November 30 in the Moot Court Room.

The rally, called by a committee of interested students in conjunction with the SBA and with the support of the National Lawyers Guild, was closed to the faculty and administration. Organizers hoped that by gathering the students together at a rally, they would be able to determine what issues the students felt should be called to the attention of the administration. A similar rally was held for evening students on December 6th.

SBA President Pat Smillie

told the assembled students that, while SBA wants to bring their feelings to the attention of the administration, "the only way that SBA can know about the students' problems is if they are aware of them."

The grievances voiced by the students touched upon a number of areas affecting BLS students. Among them:

- What the dean is doing to improve the reputation of BLS.
- The imposition of penalty fees for late filing of the certificate of attendance.
- The general "lack of responsiveness" of the administration to the needs of the students.
- The fact that the spring semester will not end until after the Bar Review courses have already begun; and the length of the semesters at BLS in general.
- The fact that the Summer School schedule is not available to students when they are registering for their spring term.
- The emphasis on New York law in the course work.

Continued on Page 2.

## Increased Black Enrollment Sought

By Christine Short

The BLS chapter of the Black American Law Students Association (BALSA) is interested both in promoting the national organization's goal of instilling in its members a greater awareness of and commitment to the needs of the Black community and in increasing the Black student population at BLS.

At present the BLS chapter of BALSA is composed of approximately 20 students, the majority of whom are evening students. The group considers all Black students at the law school to be members and includes such students in regular mailings. No local dues are required; the local organization does pay regional dues using funds allocated by the SBA. While all present members are Black students, the organization is not a closed one and any student is welcome to attend.

Because the majority of BALSA members are evening students with full-time jobs and, often, families, the group does encounter difficulties in arranging suitable meeting times and in communicating with individual members. Meetings are held on a monthly basis with time and place posted. A bi-monthly newsletter, to begin publication in the near future, is intended to better inform BALSA members about meetings, programs and activities.

The national organization with which the BLS chapter is closely affiliated recently celebrated its tenth anniversary. Its relatively short existence reflects the earlier lack of focus on the

needs and goals of Blacks in the legal profession; its creation was in part a reaction to the activism of the '60s and the increase in ethnic awareness.

The BLS group also works with a Metropolitan Chapter encompassing New York City law schools. This larger organization has a coordinating committee which meets once a month to develop programs. Attention is given to urging Black law students to become aware of and respond to the needs of Black communities, especially certain economic groups — segments of society of-

ten ignored by the legal community.

The SBA budget for the fiscal year 1978-79 allotted \$1,016 to BALSA. Debbie Lashley, BALSA president and a fourth-

year evening student, explains that the major portion of this allotment will go toward convention expenses. BALSA feels it is important that BLS be represented

Continued on Page 2.

## Affirmative Action Studied

By Nancy H. Lord

The SBA Affirmative Action Committee was established in November 1977 by students who felt a need to increase minority enrollment at BLS.

Some of the initial members of the committee came from stu-

dent groups such as the Black American Law Students Association (BALSA), the Puerto Rican Law Students Association (PRSLA), the Asian American Law Students Association (AALSA), the Women's Action Group and the National Lawyers Guild. Other students joined because they were "stunned" by the small number of minority students they encountered when they came to BLS.

Last year the committee submitted several recommendations to the SBA which were accepted by it and forwarded to Dean I. Leo Glasser and the Chairman of the Admissions Committee, Professor John Meehan. According to members of the committee Dean Glasser has been "generally cooperative." A month ago, on the students' initiative, the dean established the Student-Faculty Affirmative Action Committee giving the SBA Affirmative Action Committee the right to select both the student and faculty members. The students, who were selected from the SBA Affirmative Action Committee, are Judith Spektor, Sheila Maron, Deborah Ellis, Wanda Denson and Hector Marichal. Professors Bailey Kuklin, Margaret Berger, Stacy Caplow and George W. Johnson are the faculty members

who have been selected to serve on the committee. Dean Glasser authorized the student-faculty committee to function as a study group to explore the area of affirmative action. According to SBA committee member Gerard Flanagan, the faculty-student committee was requested to draw up a definition of affirmative action and to submit proposals for an affirmative action program if it finds that the need for such a program exists at BLS.

The focus of the Student-Faculty Committee, according to committee member Professor Kuklin, is "to increase the number of minority students at BLS and to assist minority students once they are here." In line with these goals the SBA Affirmative Action Committee has set up four subcommittees; a tutorial subcommittee; a policy subcommittee and two recruitment subcommittees — one to recruit minority faculty members and one to recruit minority students. The four student members of the Student-Faculty Committee will report the findings and conclusions of the SBA Affirmative Action subcommittees to the faculty members on the official committee which will then act upon them and submit a report to the Dean.

Continued on Page 2.

## Hispanic Student Sues; Discrimination Charged

Second year student Lydia Padilla has brought suit against Brooklyn Law School in the Federal District Court alleging under 42 USC 1981 that BLS discriminated against her because of her race, creed and national origin.

Ms. Padilla, who attended classes this term under a court order, was allowed to officially register for the fall term on November 20th after BLS requested an adjournment to prepare to argue against a motion to amend, filed by Ms. Padilla on November 16th. According to Ms. Padilla's attorney, Jose Rivera, the amended complaint alleges breach of contract and damages for mental anguish, pain and suffering and tortious interference with her right to contract.

Initially, BLS was represented in the suit by Professor Albert DeMeo and Dean Jerome

Prince. After the amended complaint was filed, BLS retained the firm of Cahill, Gordon & Reindel. According to Dean I. Leo Glasser, the outside counsel was retained when it became apparent that the trial preparation was becoming "too onerous in light of the professors' teaching responsibilities."

As *Justinian* goes to press, the trial has resulted in only one day of testimony, November 3rd, and will resume on April 9, 1979.

Among the issues raised the first day of trial were the lack of an Affirmative Action policy at BLS and the status of minorities at the law school. After these issues were raised, *Justinian* spoke to representatives of related groups on campus (see stories this page) to ascertain the status of affirmative action and BALSA at BLS.



# Increased Black Enrollment...

Continued from Page 1.

at these conventions to dispel the image of BLS as a law school indifferent to minorities. Ms. Lashley also feels that students who attend these conventions make contacts and pick up valuable skills that are brought back to BLS and diffused throughout the student body. It should be noted that the conventions are to be held in San Francisco this year, drastically increasing travel costs — an item not under the control of any local chapter.

While Balsa officially refuses to comment on the *Padilla* case now pending, it does express concern about the low minority population (especially Black students) at BLS. In an attempt to recruit and reassure Black students as to the merits of attending BLS, Balsa has, in a variety of ways, contacted Black college students to provide them with information.

Suggesting that there are

"several reasons" why so few Blacks attend BLS, Balsa is unprepared to say whether the administration consciously avoids the recruitment of black and other minority students. The group does suggest that with the population of the borough of Brooklyn reflecting larger and larger numbers of Blacks, it would be only appropriate to increase the Black population at BLS.

The group admits to occasional friction with past administrations but considers its relationship with the present administration "unclear" at this time, because of its relative newness.

Parties are a "low priority" item for Balsa members who are more concerned with speaker programs and dispensing information throughout the Black communities as to the availability and purpose of legal help. The organization feels that it suffers as an

information-providing body because it has no office space of its own and thus no central place to receive messages and dispense information.

Balsa is an organization directed primarily at Black law students. Upon graduation, Black attorneys can look to the National Conference of Black Lawyers to continue the support and cohesiveness provided by Balsa.

Outstanding black graduates of BLS include Percy Sutton, former Borough President of Manhattan and Judge Mary Johnson Lowe of the Federal Court, one of the first black women appointed to such a position.

Balsa is looking forward to working with other minority groups at BLS including PRLSA, which represents Puerto Rican and Hispanic Students, to achieve a greater voice in the operation of the school. It also hopes to increase its recognition by non-minority students as an essential part of the BLS community.

# Affirmative Action...

Continued from Page 1.

According to the members of the SBA committee, the administration claims that the reason there are so few minority students at BLS is because the school gets a small pool of minority applicants each year. Committee member Wanda Denson, a first-year student feels that the "administration could exert more of an effort to recruit minority students."

The recruitment subcommittee for students has been contacting pre-law and minority advisors at undergraduate institutions to encourage more minority students to apply to BLS. The subcommittee is planning a Law Day where prospective minority applicants will be invited to the school.

Ms. Denson believes that "if the student body were exposed to more minority students there would not be as great a need for support services." According to Ms. Denson, "the need for support

services arises because the few minority students that are in the school feel a sense of isolation and feel that there is a sense of apprehension or hesitancy on the part of the white student body to interact with minority students, whether it be in the cafeteria or in a study group." She further believes that, "this could be a result of the fact that there are so few of us here and that the other students are not used to being around minority students."

The tutorial committee proposes to set up a tutoring program which will be open to any student who feels that he or she is "disadvantaged" in some way. Committee member Sheila Maron feels that "the most important aspect of the SBA Affirmative Action committee is the proposed tutorial program. Once it is implemented, all those first-year students who feel that they need assistance in any of their subjects will have tutors available to them on a regularly scheduled basis.

If the program is approved the tutorial sub-committee will solicit help from second- and third-year students who will then be assigned to tutor a small group of first-year students.

When asked why BLS should institute a program to increase minority enrollment, committee member Paul Kuperstein stated that, "a school benefits by a diverse population and it would be detrimental to a lawyer to come from a homogenized background." Mr. Kuperstein also feels that an increase in minority students would generally improve BLS's image. Professor Kuklin feels that law schools have an "ethical and moral duty to society as officers of the court" to increase the number of minority lawyers. Aside from this, he believes that an increase in minority lawyers would have "socially desirable consequences."

The SBA Affirmative Action Committee is open to all interested students. Watch the bulletin board for information on future meetings or get further information from the SBA office.

# Rally...

Continued from Page 1.

• The problem of professors who insult students.

• The policy of allowing only students who received a grade of less than 75 per cent to go over their examinations.

The rally organizers have demanded a meeting with Dean Glasser on Tuesday December 12th at 4:30 p.m. to present him with these grievances. In addition to presenting the complaints they intend to offer suggestions to alleviate the situations.

According to one organizer, "It is important that the students attend Tuesday's rally to prove to the administration that there is wide-spread discontent among the students."

# A Consumer Guide: Teacher Evaluations

By Steve Art

The Spring '78 course/instructor evaluation now available in the library is the first of what should be an important and continuing asset to all BLS students. In any survey, data is easily misinterpreted if it is not read while bearing in mind the guidelines used for collecting and correlating the material. What follows are instructions for the interpretation of the results of the survey. While some courses were omitted because of a lack of survey-takers, hopefully these courses will be included in the next survey. The survey was, however, able to evaluate the responses in 64 sections.

When reading percentages be aware of the problem of small numbers: when seventy-five percent of a course responds favorably to that course, do not fall into the trap of assuming that the response is "overwhelmingly" favorable; 75 percent of four responses is not nearly as meaningful as 75 percent of 400.

In sorting through the computer printout, you may notice that the total percentage for a question does not add up to 100 percent. When percentages were calculated all decimal percents were dropped in printing. That is to say that 87.5 percent became 87 percent.

An overall benefit of this survey is that students are able at a glance to determine which elective courses had the highest registration due to either bar content or popularity.

Here are a few brief descriptions and explanations of the survey format to facilitate understanding:

Following the instructor's name are two sets of numbers. The first is the number of students enrolled in this section according to the registrar as of March 3, 1978. The latter number is the number of enrolled students who actually responded to the survey.

Next to each choice of every question two separate numbers are listed. The first is the actual number of students who responded to this choice favorably. The second is the percentage of those students in this section responding to the survey, and not the percentage of the number of students enrolled in the course.

If 100 per cent of the students answered any one question with the same response, two asterisks will be shown as the percentage.

The first step has been taken to provide what the SBA hopes will be a useful tool for the students at BLS.

Below is a tabulation of the answers to one question on the survey.

## Question 26: Would you take this instructor for another course?

Prof.	Subject	Yes	No	%	Reg	Resp
Farrell		90	05	61	12	
DeMeo		16	79	35	19	
Prince	Evid. Seminar	92	08	16	13	
Comerford	Gift Tax	24	71	36	17	
Comerford	Income Tax	50	41	70	46	
Duffy	Fed. Sec. Reg.	43	43	15	07	
Fragomen	Immigration	74	14	58	43	
Palomino	Insurance	51	43	64	37	
Meehan	Land Finance	96	04	72	45	
Chase	Law & Discrim.	83	10	48	29	
Clark	Law of Soc. Ch.	70	30	23	10	
Palomino	Legal Prof.	13	80	108	61	
Palomino		29	71	110	21	
Farrell	NYCP	60	33	106	73	
Chase		84	14	66	56	
Chase	NYCP Workshop	80	20	41	25	
Palmer	Patent	75	25	15	12	
Sherman	Prod. Liab.	43	57	20	07	
Wein	Property	90	06	87	81	
Nightingale		33	61	81	61	
Kuklin		92	07	86	76	
Meehan	Real Est. Prac.	98	02	76	51	
DeMeo	St. & Fed. Proc.	41	50	51	22	
Korman		85	15	113	66	
Leitner	Torts	73	25	84	77	
Leitner		85	12	84	67	
Crea		42	52	87	69	
Meehan	Trusts	98	00	101	64	
Wein		96	00	39	28	
Rice	Wills	73	18	54	40	
Leitner		79	12	117	58	
Hoffman		71	29	46	31	
Rice		57	41	105	54	
Holzer	App. Adv.	88	13	18	08	
Rice	Civil Pro.	13	85	83	71	
Berger		47	35	82	60	
Berger		75	16	88	64	
Allan		71	24	58	42	
Yonge	Comm. Paper	44	44	56	41	
Yonge		53	42	67	38	
Sherman	Sales	43	55	64	42	
Yonge	Consumer Cred.	67	27	22	15	
Fink	Const. Law	59	36	89	75	
Holzer		50	43	85	76	
Fink		38	58	87	76	
Gellers		57	40	63	35	
Gilbride	Contracts	44	52	86	63	
Gilbride		86	08	82	66	
Ronayne		73	24	88	63	
Kuklin		63	28	58	32	
Schenk	Corp. Tax	74	26	32	27	
Schenk		87	13	16	15	
Hoffman	Corp.	51	39	83	61	
Hauptman		40	50	17	10	
Hauptman		59	38	45	37	
Crea		47	50	118	68	
Ronayne	Criminal	29	55	59	31	
Allan	Dom. Rel.	75	21	32	28	
Palomino		50	50	18	12	
Gershenson		76	16	55	37	
Izett	Est. Admin.	08	92	36	24	
Comerford	Est. Plan.	53	41	25	17	
Berger	Evidence	53	45	93	73	
Gershenson		58	38	72	48	



## Reflections of A Third Year Student

By Barbara Naidech

I have come to a realization. My friends will surely think I have sold out, much like Hayley Mills did, in *The Trouble With Angels*. But, it is the truth, and I must confess, school is not so bad.

Granted, classes are boring, reading is brutal. I have become too proficient at "dots." I know finals are awful, grueling and unclear. But, the real world is worse.

The thought of sitting at the same desk, day after day and doing what is known as "watching the seasons change," while remaining at the same vantage point, is depressing. Knowing that in winter, spring, summer and fall I will see the same six faces every morning is frightening. It should be noted that this is the stage of life when changing your desk set would appear to be important.

What is awful is that it is forever. No summer vacations. No new schedules three times a year. No sleeping late Tuesday mornings and saving Wednesdays at four for checking the A&S inventory. You are locked. You really only need one or two pairs of jeans. Oh sure, you can keep hopping from job to job, just to main-

tain a fresh attitude. But, if you think Master Charge will buy that, you are wrong.

After school, the next time you will be surrounded by as many of your peers will be in the cemetery, or worse, at bar association seminars. You won't have as many of your good friends around to talk about. Meeting people becomes tough. Club Med appears as a good idea.

Making money isn't all it is cracked to be. Some will actually have to begin to support themselves. And for the rest, the bell will toll for paying back student loans. In either case, drawing a salary is going to cost you.

I do not want to wear pantyhose on a regular basis. I don't even want to think about what color briefcase to get, nor does Carol wish to become familiar with the workings of a brassiere. We will both miss our sneakers dearly.

I doubt that I will find an employer sympathetic to my allergic reaction to morning. It will be difficult to explain exactly why there is no alarm clock or radio I can't sleep through.

I just wish I hated school again.

## Moots Meet Match

By Tom Vetter

On November 14 and 15, Julian Kaplan, Joe Knock and Ellen Taubenblatt represented BLS in this year's National Moot Court Competition held at the headquarters of the Association of the Bar of the City of New York.

Twelve law schools competed for the regional berth and the chance to move on in national competition. BLS participated in three of the four rounds, defeating Rutgers at Newark and Columbia before bowing to New York University in the third round. In that third round, BLS remained tied with NYU after oral arguments. The deadlock was broken in NYU's favor upon evaluation of the written briefs.

In this regard, Ms. Taubenblatt stated that the written brief was not organized well enough and that the team could easily have gone on to the nationals had more time been available to organize the brief.

NYU continued into the fourth round where they were defeated by the Fordham team, the winner of the regional competition. The national winner will be determined in January.

Overall, the BLS team described the competition as a "fantastic experience," and wishes to express their appreciation to Professors Hoffman, Schenk, Johnson, Kuklin, Holzer, Berger and Masterson for their support and cooperation.

BLS will be a strong contender in next year's competition

where it will be represented by Kristina Geiser, Debra Roth, Alexandra Valicenti and David Aaronson (the alternate) who were recently selected through a demanding intra-school competition.



SBA delegates tackling budget allocations.

Photo by Ken Shiotani

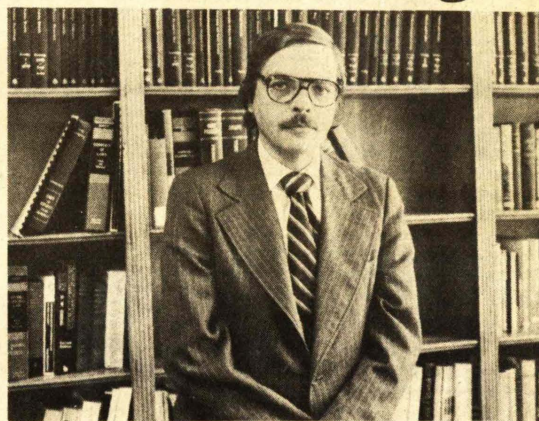
## Faculty Meeting Okays Anonymous Grading

Dean Paul Sherman has announced that beginning with the Fall 1978 examinations, BLS will adopt an anonymous grading system. The system, whereby each student will be assigned a randomly selected examination number, was approved at a Faculty Meeting on November 20th.

BLS students have long requested that the school adopt a form of anonymous grading. Dean Sherman credits pressure from the SBA Executive Board during their regular meetings with the Administration as well as the preference for anonymous grading exhibited by students who completed last spring's teacher evaluation survey for the system being instituted at BLS.

Shortly before the end of the term, students will receive randomly selected examination numbers in their first floor mailboxes. These numbers will be placed on the examination bluebook and the student's name and examination number will be placed on the tear-off portion of the book as a safeguard.

The exams will be graded



Dean Paul Sherman

Photo by Ken Shiotani

anonymously and the raw scores sent to the registrar by the faculty member to be correlated with the student's name. After the raw scores are determined, the professor will have the option of adding or subtracting points from the raw score, based on class participation, to determine the final grade. Students whose final grade differs from their exam

grade will be notified of both marks.

All courses will be graded anonymously this term with the exception of legal research, appellate advocacy and courses with required papers that have already been turned in. Starting with the Spring term, these courses will also be graded anonymously. —MB

## SBA Approves Budget

By Christine Short

The SBA Delegate Assembly approved a final budget for fiscal year 1978-79 at its meeting November 8th, showing a deficit of \$1,222. An emergency meeting to complete the agenda was held November 14th.

The budget presented to the Assembly was the result of a nine

hour meeting of the Finance Committee on October 29, 1978. This earlier meeting, attended by representatives of groups requesting funds, grew more unruly as the hours passed. Each group's request was considered, however, and the proposed budget developed.

The largest single expendi-

ture after funding of the SBA General Fund was for *Justinian* in the amount of \$5,550. The funding for the newspaper was suspended until action was taken by the Editorial Board in regard to the conduct of its editor-in-chief. At the meeting on the 14th, it was announced that the editor-in-chief had resigned. The paper stressed that the decision was an internal one and not the result of SBA pressure.

Other large allotments include \$1,457 for the sports program, \$1,016 for BALSA and \$1,018 for the National Lawyers Guild. The great proportion of funds for these two organizations are designated for convention expenses.

The entire budget is available for review in the SBA office located on the fourth floor.

Issues discussed at the emergency meeting included funding for the SBA Talent show organized by SBA Secretary Tom DeMaria. An advance of \$500 which is expected to be recouped through sale of tickets and refreshments, was approved. BLS alumni activities were announced by Vice President Teresa Eddy.

Several complaints were raised by the members present. Dissatisfaction with the service in the cafeteria was expressed. The need for anonymous grading and the problem of abuse of students by faculty also drew heated comment. Third year student Guy Novak expressed his personal discontent with certain actions of the administration and urged official SBA support for the mass rally held on November 30th (see story page 1).



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(Editorials express the opinion of the Editorial Board)  
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## Now Hear This!

It is not often that nearly 300 BLS students gather in one place for anything, thus it is especially indicative of their feelings of dissatisfaction that the November 30th rally drew such a large turnout.

Rumblings of discontent are commonplace around the school, but usually little is done to deal with grievances in a cohesive manner.

The organizers of and participants in the rally have taken the first steps. It is now incumbent upon the administration to respond to them.

Do not lose the momentum that has been gained so far. Attend the meeting on December 11th and let the ninth floor know how you feel.

## Don't Tread On Us

It is within these columns that the greatest danger lies. For it is within these columns that the greatest freedoms are to be expressed.

The Editorial Board does not now seek to support the actions of its former editor-in-chief. It does not agree, however, with the actions of the SBA Delegate Assembly whose resolution put *Justinian* in the position of either disposing of its editor to prevent the loss of its funding, or seeking outside revenue in order to publish.

*Justinian* must and shall continue to be independent of the SBA. The SBA's "power of the purse" cannot be used to censor unpopular stands or to second guess editorial policy.

Unfortunate circumstances and potential abuses of power have led to a decision that could become a dangerous precedent. Let it never be followed.

## Final-ly

We thank the administration for adopting an anonymous grading system. A professor's particular attitude about a student will now be out in the open, as students will have an opportunity to compare their exam score with their final grade. Students always appreciate knowing how they got what they get. The individual results may be good or bad, but at least they will be fair. We hope the faculty institutes this system in the spirit in which it was intended.

## Write On

*Justinian* invites all students to contribute to the content of your newspaper by submitting articles and letters to the editor. All submissions should be typed and double-spaced. Names may be withheld

on letters to the editor, but the letters must be signed.

We function best with an interested and responsive readership. Let us know what you would like to read in these pages.

# Letters to the Editor

## Litter to the Editor

### To the Editor:

I am writing in reference to the by now chronic problems of books not being reshelfed in the library and of garbage being left all over the school — in the library, the lockers, the classrooms, the cafeteria.

A code of behavior seems to have developed among some BLS students which can best be summed up in the statement, "I'll do my thing and the hell with anyone else."

This is an unacceptable state of affairs among intelligent people and it should not be tolerated. I do not have any brilliant solution to the problem but I believe there should at least be recognition among the student body that these conditions should not exist. The SBA would be a logical starting point for developing student awareness of this problem.

Andrew Upton '80

## Gibbs-Novak Affair

### To the Editor:

We are victims of recent rulings of this BLS Administration (include the Committee on Scholastic Standing) which exemplify what seems to be a growing pattern of irrational and arbitrary disregard for the needs of BLS students. That being the case, we feel it urgent that our respective grievances be brought to the attention of the larger academic community. Our two cases involve essentially the same principles, but the facts and consequences of each are quite different. Therefore, in the interest of presenting the issues fairly, we will describe the pertinent events

separately, (and in each case in the first person).

### With respect to Ms. Gibbs:

When I received my transcript last July I learned that I'd been given a grade of 50 in Dom. Rel., a course which I'd never taken. I immediately visited the Registrar's Office and learned that there were documents in my file indicating that I'd signed up for the course and, (although there were two multiple-page program changes for each of which I'd paid \$10,) there was nothing to indicate that I'd dropped Dom. Rel. I was informed that my only recourse was to petition the Committee on Scholastic Standing which would not meet until well into the Fall semester.

In my petition I stated that I was uncertain as to how this happened. I freely admitted that there could have been negligent oversight on my part, but I asked the Committee to give consideration to the circumstances under which I might have made this error. In the interests of brevity and privacy I will here state only that I was dealing with very severe personal adversity which, among other things, effectively precluded me from consulting my original program. I offered assorted documentation of my circumstances (including medical statements) which the Committee declined to inspect. As evidence of my good faith I brought to their attention one of the program changes in my file which clearly states the number of credits for which I believed I was enrolled. That number was entirely inconsistent with taking Dom. Rel., and this "error" was never brought to my attention. In sum, I asked the Committee to do equity, the harshness of the results

being unwarranted by the circumstances.

On October 26th, the Committee turned me down flat; I was summarily denied a personal hearing. Consequently I must take a "make-up" exam (at a cost of \$10) or else pay additional tuition (an impossibility) to "retake" the course. In all events the grade of 50 remains on my record. I will be on probation until I graduate, and I face having to take the equivalent of 7 courses my final semester at law school.

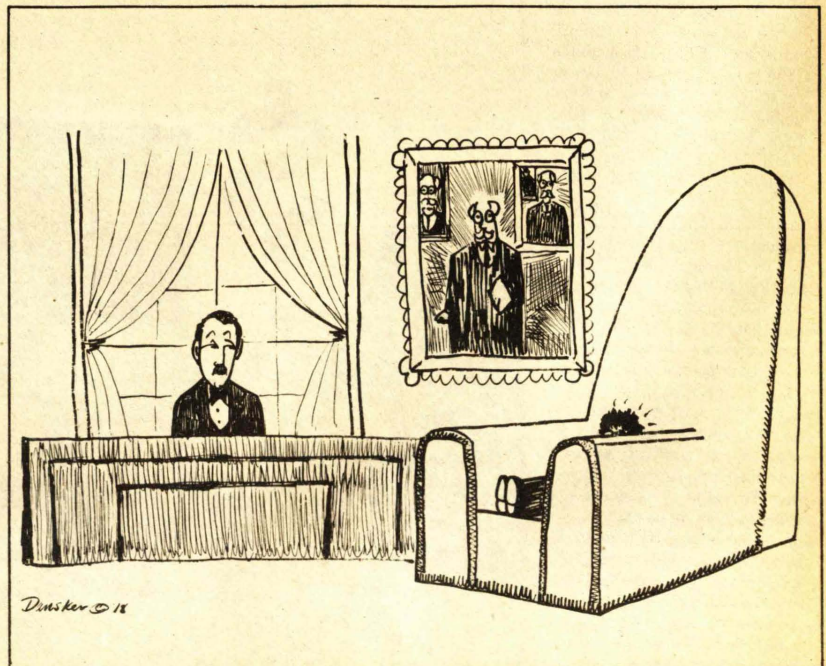
### With respect to Mr. Novak:

In late October of this year I was notified that my current program violated the "4-day-per-week" attendance rule. I immediately spoke with Dean Sherman and denied that my program constituted such a violation. In the course of this interview I learned that a change in my program (putting me in compliance with that rule) was not to be found in my file. I searched my personal records thoroughly for a receipt for the \$10 program change fee or some other evidence that the Registrar's Office had in fact received my papers. Unfortunately I paid the fee in cash, and could find no such documents.

The changes I made consisted of substituting N.Y. Civil Practice (which I have been studying and attending regularly all semester), for Federal Securities Regulations (which I have neither studied nor attended at all). The Professors have, in both cases, confirmed these facts.

Dean Sherman told me that I would be required to take the final exam in Federal Securities and would not be permitted to take the one in N.Y. Civil Practice (notwithstanding my viola-

Continued on next page.



You're admittedly very well qualified but I'm afraid we're looking for someone with a bit more uh...stature.



## Letters to the Editor...

Continued from previous page.

tion of the 4-day-per-week rule and my failure to meet the attendance requirements for Fed. Securities). I appealed my case to Dean Glasser who affirmed this decision. I then drafted a petition to the Committee on Scholastic Standing, stressing the unfair, incongruous, and absurd results of such a ruling, and offered ample evidence of my good faith in the matter.

On November 21st the Committee met and decided that since no grade had as yet been entered for Federal Securities, the matter was not within their jurisdiction. Therefore, I am told, the decisions of Deans Sherman and Glasser must stand: I must take a final in a course for which I have had no preparation, and cannot take one for which I have been preparing throughout the semester.

In both of our cases we made — or thought we made — program changes of which the Registrar claims to have had no knowledge. The Administration presumes that we are at fault. In neither case could we overcome that presumption, nor would the Administration grant us equity. A myriad of questions spring to mind.

Why doesn't the Registrar's Office send to each of us a copy of our complete programs after all allowable changes have been made? What interest can be served by such a rigid adherence to a highly technical set of rules? (In filling out these papers we are not functioning as lawyers; we are not undertaking the responsibility of enforcing the rights of a client.) Wouldn't a liberal construction and the application of equitable principles on a case by case basis be more appropriate? Shouldn't the Registrar's Office undertake to read our student documents and to bring any inconsistencies therein to our attention? (E.g. if Ms. Gibbs' documented error was brought to her attention in time she could probably have passed Dom. Rel.) For what, if not this, are we charged \$10 each time we make such a change?

Is there any rational basis for presuming that the student, as opposed to the Registrar's Office, has erred in a disputed case? We know of several students who have found that the Registrar's Office is quite capable of losing documents pertaining to dropping courses. In at least one clear-cut case the ninth floor's answer has been, "That's o.k., just fill out another form." Should the stu-

dent be penalized for the same error that is overlooked when it is made by the Administration? Finally, shouldn't these cases be decided by a panel consisting of both students and Faculty/Administration, or is the notion of a trial by a jury of one's peers only to be applied in the ritual circumstances to be found across Joram St.?

These are just two cases of BLS administration injustice. There are many of them. Ten years ago students forced not only universities but national governments to pay attention to them. In 1978 are we to surrender what was won at such dear cost a short time ago? What has happened to the two of us can happen to any of you at BLS. Do not forget that we (the students) pay them (the ninth

floor) to administer the paperwork of our education. They have sadly chosen to be our adversaries. But something can be done about this, and we urge that appropriate steps be taken.

Until this BLS Administration becomes responsive to its student body we (the undersigned) shall continue to regard it with the utmost contempt. Although we fear Administration reprisals, which we understand are not without precedent, we stand firmly on our First Amendment rights.

Jacqueline Gibbs '79  
Guy Novak '79

For Dean Sherman's comments on this matter see box below.

## Sherman Speaks

By Paul Dansker

*Justinian*, noting the controversies surrounding the administration's handling of the problems of Jackie Gibbs and Guy Novak, spoke with Paul Sherman, Assistant Dean of Academic Affairs, to ascertain his position on the matters.

Dean Sherman feels that the administration's position in dealing with the students was not a hard-line stand. "There is an assumption of competence and maturity among individuals attending this school. They are all assumed to be able to read and understand the rules of registration and abide by them. The judgments were proper in view of the fact that the school is trying to train lawyers ... Would you want to be represented by a lawyer who made a similar mistake in filing?" he asked. "There is a required standard of care that the students should have been aware of and complied with."

The dean does not feel that it would be fair to other students to allow the changes to be made in the registration retroactively. "Each and every student should be treated in as even-handed a manner as possible. No one should get special dispensation. It would be ridiculous for the school to have any rules if we were to waive the rules without overwhelmingly extenuating circumstances that would indicate a reason for the waiver," he said.

The dean stated that, while Mr. Novak failed to prove such extenuating circumstances, he was less certain about the lack of merit in Ms. Gibbs' case. However, he claimed that the Committee alone was responsible for that decision.

"According to her file, it seems that Ms. Gibbs did not

appeal the Committee's June decision until October. That lapse of time is a very serious indication that Ms. Gibbs did not feel the decision was unjust or unfair. If she had ... talked to Dean Gilbride [Ed. note: Dean Gilbride was Assistant Dean of Academic Affairs at that time] ... within a reasonable time of receipt of her grade there might have been a different outcome. At least it would certainly be a factor to be considered. If that were the case I might change my vote, subject of course, to a review of the other facts in the case."

When questioned by *Justinian*, Ms. Gibbs stated that she had gone to the school within a week of receiving her grade in July to speak with Dean Gilbride who was on vacation at the time. She did not reach him until August when he told her that her only recourse was to wait until the committee met sometime in the fall.

With regard to Mr. Novak, the dean feels that because both the Registrar's and Bursar's Office are independent of one another, the chance that both could have made a mistake approaches "infinite impossibility." "Even if Mr. Novak acted on a good faith belief that he made the course change," the dean said, "it was a totally unfounded belief. Having made other course changes early this semester and receiving confirmation of those changes in September, he should have been familiar with the process."

In response to a final question concerning the administration's basic attitude toward the student body, the dean stated that he feels "generally" that students should be trusted and that "generally" the administration does trust the students.

## PLANNING AHEAD

CHARLES M. FOX

### THE PROBLEM

The programming of course selections and the registration process just completed for the Spring '79 semester has once again highlighted the problems which BLS students must contend with on a semi-annual basis.

The conflicting course offerings and exam schedules have greatly contributed to the dismay and utter frustration of the student body.

How can the students be expected to select a course program for one semester when the requisite information concerning tentative course offerings and scheduling for future semesters is deficient or unavailable? It is not enough to provide students with a tentative list of proposed courses for the upcoming semester without also providing a tentative course schedule delineating the days and times in which such courses are to be offered. Without this vital information, intelligent planning for one's academic requirements is an impossible task.

As a case in point, courses in Evidence II (Evening) and Labor Law II (Evening) for the upcoming semester were scheduled on the same day and time. Yet, during the present semester the first segments of said courses (ie. Evidence I and Labor Law I) were scheduled at different times to allow for registration in both. A reasonably large group of students did, in fact, register for both courses last spring with the intent of continuing each course sequence this coming semester. However, to their astonishment they learned upon receipt of registration materials that they would have to discontinue one of the course sequences.

A meeting with Dean Sherman was held on November 27th, to call attention to this and other related problems. Although Dean Sherman was sincerely concerned and receptive to critical comments made regarding the overall registration process, he indicated that rescheduling specific courses to avoid the conflicts would not be possible. The major reasons cited for refusing to amend the schedule were:

- 1) Administrative difficulties and excess costs in reprocessing registrations.
- 2) Relative unlikelihood of finding new time slots for the courses in issue without creating additional new conflicts in exam schedules or with courses of those students who had already registered.
- 3) Comparatively small number of students affected.

This decision was distressing, but in view of the practicalities of the situation somewhat understandable, though not entirely excusable.

However, when the discussions proceeded to broader issues, it was learned that there are other more subtle problems confronting the administration which have directly contributed to next semester's general scheduling fiasco. The most significant of those appears to be the inflexibility of certain faculty members in connection with their teaching assignments. There appear to be some instructors who absolutely refuse to teach either (1) evenings or (2) evening hours beyond 8:00 p.m. or (3) Friday evenings (objections not premised on religious beliefs).

This would account for the fact that the course offerings on week-nights between 8 and 10 p.m. for the coming semester are quite sparse. This lack of faculty cooperation caused the Administration to cram most of the evening electives into the 6-8 p.m. time slot Monday through Thursday which resulted in many of the problems complained of and the further consequences that, although more electives were actually offered for next semester, selections were greatly restricted due to the increased number of multiple course conflicts scheduled.

### SOLUTIONS

There are methods available to remedy the seemingly recurrent problems of course scheduling and registration. Here are some suggestions:

- 1) Prepare a tentative program of course offerings with scheduled day and time for an entire academic year and make it available for comment by faculty and students at least one semester in advance of actual implementation. This would allow an appropriate response time in which to consider the feedback from all those concerned and to make revisions to the program as required.
- 2) Require all faculty members to share the so-called "burden" of teaching evening classes, whether such classes are scheduled from 8-10 p.m. or on Friday evenings (with appropriate allowances for religious observers). Evening students are entitled to benefit from the knowledge of all faculty members and increased exposure would certainly help to broaden a student's perspective. Why should evening students be restricted solely to those faculty members willing to teach evenings or those compelled to do so because of their lack of seniority? As every student at BLS subsidizes the salaries of the faculty in part, it should not be asking too much to require that they all provide a return on the student's investment.
- 3) Do not allow a time gap of more than two years between successive offerings of the same course especially when the course is one that is critical to the student's legal education. It has already been documented by this writer that at least ten elective courses

Continued on Page 8.



## International Law Society; Focus on Cambodia

By Bernard Lemelman

On November 8th, under the auspices of the International Law Society, Carl Gershman addressed a large BLS audience on the question of genocide in Cambodia. Mr. Gershman, Executive Director of the Social Democrats, USA, author of *Labor and Foreign Policy* and a frequent contributor to *Commentary* magazine, called the program of starvation, terror and mass murder practiced by the newly installed Communist government of Democratic Kampuchea one of the bloodiest in history.

The aim of the regime, according to Mr. Gershman, is nothing less than the complete restructuring of Cambodian society



Carl Gershman

along the lines of some sort of Marxian ideal. To accomplish this, the Angka Loeu, "the mysterious Organization on High that runs the country," is willing to exterminate not only active opponents, but indeed all elements that resist the winds of change. The attitude of the government in relation to those individuals who are either unwilling or unable to adjust to the new order of things is quite simply: "Nothing to gain by keeping them alive; nothing to lose by killing them."

The "bloody saga," according to Mr. Gershman, began April 17, 1975 with the entry of the Khmer Rouge into Phnom Penh. Within forty-eight hours the city of three million was evacuated. By the end of the week every city in Cambodia was similarly depopulated with more than four million people sent on a forced march into the

### Res Ipsa Loquitur

There have been some changes around *Justinian* lately. Harry Hertzberg, controversial editor-in-chief for this term's first three issues has resigned and former managing editor Madeline Berg has been elevated to the chief editorship.

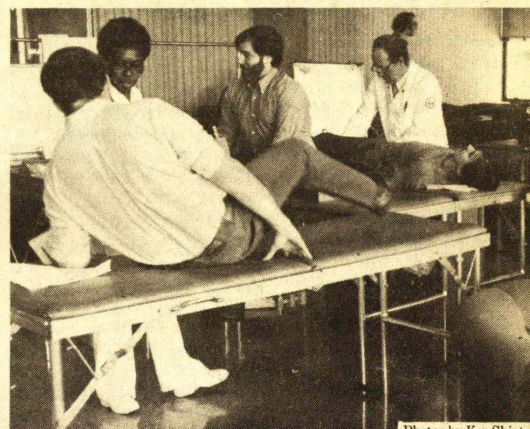
Moving up to managing editor positions are former features editor Barbara Naidich and former senior editor Ken Shiotani. Christine Short has been appointed as news editor.

countryside, the initial consequences of which was more than four hundred thousand deaths. A refugee recalls that he passed the body of a dead child every 200 yards. Since then, according to conservative estimates, nearly 1,200,000 people have been exterminated by the regime's fanatical policies. Some authorities suggest that the figure is well above two million with no end in sight.

While Mr. Gershman did not suggest military intervention, he nevertheless believes that at the very least the resettlement program of refugees from Cambodia, and indeed all of Southeast Asia, should be expanded by the U.S. government. Currently our government is committed to the settlement of 25,000 refugees a year. Mr. Gershman believes that this figure can easily be doubled without any real inconvenience.

"While the absorption of fifty thousand refugees spread across a population of two hundred million would be statistically insignificant, from a moral viewpoint such a gesture would be very significant indeed."

In addition, Mr. Gershman suggested that passing ships be required to pick up "boat people" fleeing the Southeast Asian mainland. The rules of international law, he noted, mandate such rescue. Many shipping companies, fearing economic reprisals, have failed to abide these rules. Additionally, Mr. Gershman believes that a United Nations conference ought to be convened on the subject.



Photos by Ken Shiotani

As if law school were not enough of a drain, 60 students showed up to donate a pint of blood to the Greater New York Blood Program, as part of a Blood Drive sponsored by SBA. Single students who donated received coverage for their parents and siblings and married donors got coverage for their spouse, dependent children under 19 and parents of both spouses. Now if only next year SBA would try to get Frank Langella himself to draw the blood.

## Questionnaire Qualms

By Martin Edelstein

Last term an inspired group of individuals were ambitious enough to compile a questionnaire measuring the "character" of each course and the character of the professor teaching the course. The results of this poll are in the library and are very intriguing. Nevertheless, it seems that certain important questions were somehow omitted from the survey. Questions such as:

1. Which word best describes the professor's style of dress?
  - a) casual
  - b) formal
  - c) tacky
  - d) early-Sears
2. When the professor tells a joke, most of the time the joke is at the expense of:
  - a) the student
  - b) the profes-

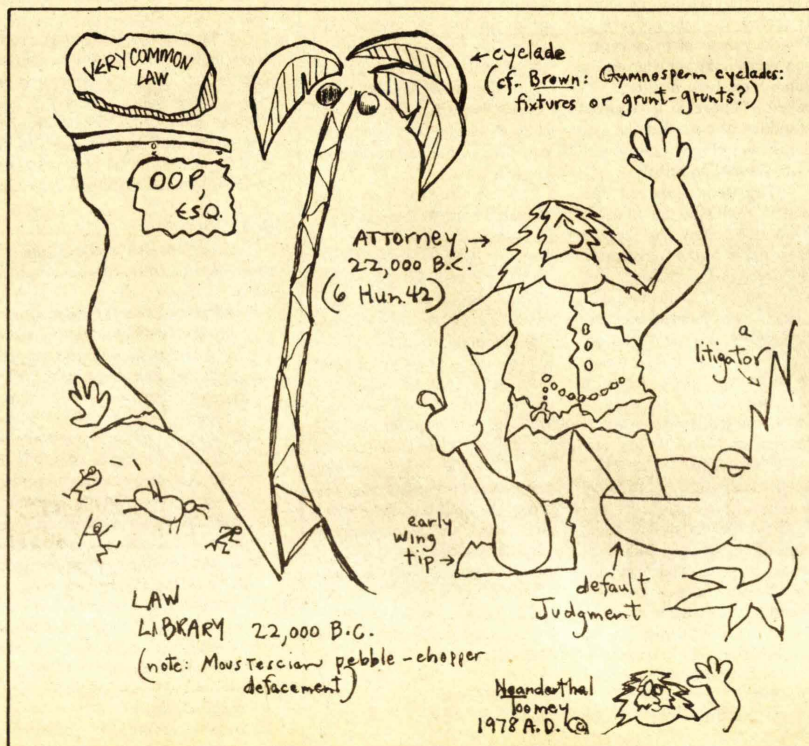
sor c) the course d) some combination of a, b, c; e) to the best of my knowledge the professor has not told a joke this term

3. What disturbs you most about this course?
  - a) the subject matter
  - b) the professor
  - c) the clown who smokes cigars that reek in class
  - d) b&c are the same
4. Which of the following most aptly describes the smell most prevalent in the classroom where the course is given?
  - a) smoke
  - b) stale coffee
  - c) stale perfume
  - d) the Knicks' locker room after a basketball game
  - e) Elizabeth, N.J.
  - f) none of these
6. If you were rewriting the description of this course for the

catalog, which adjective would you use?

a) thrilling b) exciting c) comatose d) #!\*\*\*@!

7. On what floor is this course regularly scheduled?
  - a) 4th b) 5th c) 6th d) I don't know e) none of these
8. Where do you think it would be best to hold this course?
  - a) where it is now being held
  - b) the Moot Court Room
  - c) Yankee Stadium
  - d) Central Park Zoo
9. How much did you spend for books and review materials for this course?
  - a) between \$20 and \$30
  - b) between \$30 and \$40
  - c) between \$40 and \$50
  - d) exactly \$19.98
  - e) I don't know, I didn't take math in college.
10. The subject matter of this course makes you want to ...
  - a) read further in a hornbook
  - b) investigate related articles in law reviews
  - c) ask more questions
  - d) puke
11. With respect to this course, from what source did you acquire the best understanding of the subject matter?
  - a) the professor
  - b) your classmates
  - c) a hornbook
  - d) review materials
  - e) common sense
  - f) *National Lampoon*
12. How do you think you will do on the exam?
  - a) excellent
  - b) very good
  - c) good
  - d) fair
  - e) How should I know, I've never had this professor before.
13. How many credits do you think this course should be?
  - a) 2 b) 3 c) 4 d) -1 e) 0
14. Should this course be deleted from the curriculum?
  - a) no
  - b) yes
  - c) no, BLS needs more courses like this
  - d) yes, only if it means that the professor who teaches it will be deleted as well.
15. Does this professor deserve to be fired?
  - a) no
  - b) yes
  - c) no, because who would hire him/her and then his/her family would starve
  - d) yes, he/she is too complacent.





# SBA Delegate Dossier

Photos by Ken Shiotani



First year, Sec. 1: L. to R., Leslie Fielden; Noah Cohen.



First year, Sec. 2: L. to R., Art Skaar; Mark Casso.



First year, Sec. 3: L. to R., Robert Harrison; Mary Jane Huseman.



Second year, day: L. to R., Jay Cantor; Barbara Migdal; Bruce Herman; Gerard Flanagan; Joe Cafiero; Richard Milazzo.



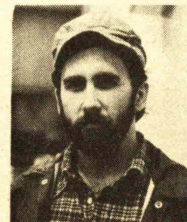
Third year, day: L. to R., Ralph Sansone; Sal Aspromonte; Mike Heavy; Ira Miller; Phil Brown.



Second year, night: Albert Natoli.



Executive Board: L. to R., Steve Taplits; Teresa Eddy; Pat Smillie; Tom DeMaria; Charles Fox.



Second year, night: Tom Urgo.



First year, night: L. to R., Lois Chamberlain; Bernadette Schacht.



Third year, night: L. to R., Joseph Winowiecki; Martha Kunkis.

## 'The Paper Chase': Eye On Us

By Barbara Naidech

The time has come. It is the day of the law student. The American public obviously wants to know more about us. The television show, *The Paper Chase*, purportedly fills that need.

Law students are portrayed as straight-haired, briefcase-toting, bow-tie wearing neurotics. They worry about getting in trouble, or worse, falling behind in their study group outlines. They stay sober at parties, looking forward to a few hours of blissful study later. They shake when they bump into professors. They consider the terms "cruel and unusual punishment" and "habeas corpus" as natural parts

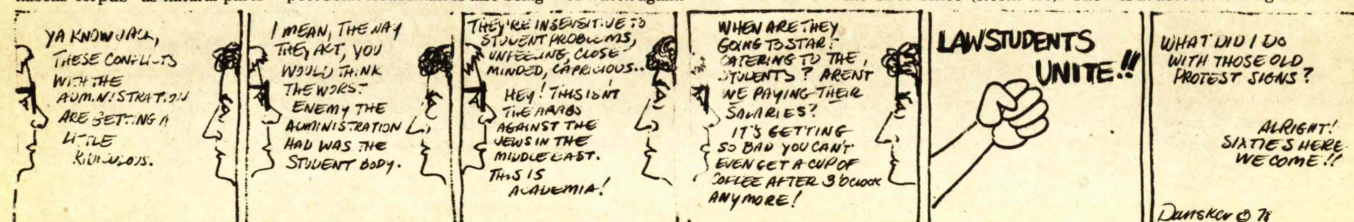
of everyday speech. They suffer through all of this anguish, yet appear to only take one course.

I hope that America does not take this show too seriously. It does depart from reality on occasion. I have never, in my years at law school, heard a third-year student threaten to make verbal mincemeat out of a first-year student. Nor could anyone ever say "being married to a law student is like living in an isolation booth," without being paid well for it.

For some unknown reason, the students all fear and despise Professor Kingsfield. His name is mentioned, on the average, every three and a half minutes. I suspect John Houseman is also being

paid handsomely. In any case, he actually recognizes his students and remembers their names outside of class. In one special moment, when a student called upon to recite a case began to fumble, Kingsfield gallantly moved on to someone else. Further, he acted wisely and judiciously when he realized that the majority of the class was unprepared. He walked out.

I have only one suggestion for the writers of the show, and that is that a third-year class should be shown. A class in Evidence would be nice, with students reciting the cases in the Prince casebook. I would be sure to watch again.



DUNKER © 78

## SBA PRESIDENT

## BASIC INFORMATION

### PAT SMILLIE

Unfortunately, this article which is supposed to inform students as to what is happening in the SBA must again address itself to basic information which the Administration has failed to give BLS students. Contrary to rumors you may have heard, the Cafeteria does not now close at 3 p.m. because the school is trying to get rid of its evening students. (Although it may have seemed that way since no notice or explanation of the change of hours was posted until after the change had been effected.)

The simple explanation is that the Administration is seeking a new food vendor and wished to terminate its contract with Automatique at the end of the Fall semester. Automatique exercised what Dean Haverstick termed a cancellation option — which entitled the vendor to close down its operation as of November 22nd. The Administration stated that it obtained an extension until December 22nd by agreeing to the cut in hours.

I have been told that a new vendor will be obtained and will begin operating by the beginning of the Spring semester. Further inquiries on this matter were dismissed with the statement, "we are aware of the problems... we are working on it." A suggestion that students be represented in the search by someone from the SBA was also dismissed.

The SBA urges any students who have constructive suggestions as to the Cafeteria and the food it serves to direct them to Dean Haverstick or the SBA. Along this same line the SBA suggests that if you have had a problem with the Administration and feel that you have been treated unfairly or that your constructive suggestions have fallen on deaf ears, that you come to the SBA office and tell us. I can assure you that every problem and suggestion will be given attention.

If you should wish to post a notice on the Student Activities Bulletin Board, you may drop off your announcement with a note asking that it be posted, at the SBA office. If we are not in put it in our mailbox, next to the door or slip it under the door.

Since my last article a number of things have happened in the SBA office (Room 403). The

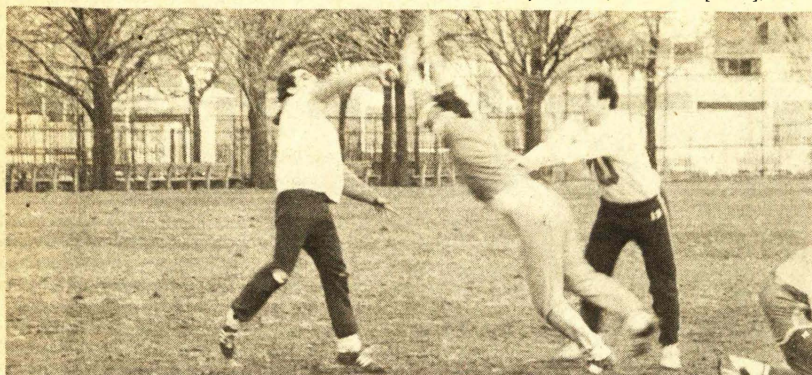
most obvious work of the SBA office is the publishing of the Student Directory. Those who have seen Directories from other years can readily see the additions and improvements which have been made. The Directory comes to you thanks to the hard work of Teresa Eddy, the Day Vice President, who received assistance from Charles Fox, the Evening Vice President.

Another product of the work of the SBA is the rental of a gym. It has long been the dream of BLS students to have a gym in which to play ball and unwind from the pressures of law school and/or work. Recently, largely through the efforts of Howard Greenwald, a third year student on the SBA Sports Committee, a gym was secured. The gym was located at Junior High School 51, which is on 5th Ave. and 5th St. in Brooklyn. Although the gym is not as close to BLS as we would have liked, it is the best that was available. The gym will be available for eight weeks, two nights a week — from 7-10 p.m., Dec. 11, 13, 18 and 20. The gym will again become available in January after exams, beginning with Jan. 29th and continuing for six weeks thereafter on Mon. and Wed. nights.

If you wish to participate in intramural volleyball or basketball, both of which are open to both men and women, sign up in the SBA office or leave a note with your name and preference in our mailbox. It is also requested that any student who wishes to use the gym contribute \$5.00 to the cost of the rental. The SBA allocation towards the rental of the gym falls far below the cost of the rental, therefore your contribution is essential to its operation.

The SBA Executive Board is presently attempting to set up a typing room for BLS students. The Board has secured permission from the Administration to use a room on the seventh floor for this purpose. At the time of this writing we are still in the process of finding electric typewriters. If you or the office in which you work have an electric typewriter which is no longer needed, please donate it to the SBA for use in our typing room. We will accept any machine that is in decent working condition.





Intramural action: Mud 5, Beaver Patrol 4

Photo by Gina Caspi

## BLS Intramurals

# Mud Dams Beaver Patrol

By Jack Hollander

Saturday afternoon, November 25, marked the conclusion to the 1978 BLS intramural football season. The final game pitted Mud, comprised of confident second- and third-year veterans, against Beaver Patrol, a determined upstart group of first-year students. The contest, which was played on a crisp and gusty day, embodied fierce and tenacious play. Mud jumped off to a quick 2-0 lead, but Beaver Patrol fought back to even the score midway through the game. From that point on the game intensified as Mud would take the lead on their speed and accurate passing only to be joined in the score by the successful play execution of the Patrol. This pattern persisted until, with approximately one-half hour left in regulation time, Mud scored their fifth touchdown on a long pass. According to league rules this was the termination of the game. Final score: Mud 5, Beaver Patrol 4.

This play was indicative of the weekly action which matched each team of enthusiastic BLS students against each other. After five weeks of hard-hitting football and with one game remaining for each team (except

Mud, who had finished the six game schedule with a 4-2 record, Battery was the league leader posting a 5-0 record. They were scheduled to play the Traitors who at the time were 4-1. At this time the Bulldogs, 2-3, were pitted against Beaver Patrol, 1-4, and the other first-year squad, the Schenks, 1-4, were to compete against the hapless Marauders, also 1-4.

The game between Battery and the Traitors was a battle of job hungry third-year students fighting for the last time to finish in the first place spot. Battery continued to use their "tortious" style of play and pulled out a 4-3 victory in overtime. Beaver Patrol, in a must win situation, finally combined their offense along with an already solid defense and was able to come away with a 5-3 victory. The Schenks had an easy time with the Marauders and cruised to a 5-1 win in what was the quickest game of the season.

The playoffs, which commenced the week following these games, matched undefeated Battery against fourth place finisher Beaver Patrol and third place Mud was paired with the Traitors. The Patrol carried their momentum into the game and reduced Battery's charges to a mere

assault (apologies to Prof. Leitner) while Mud had an easy time of outscoring the "Ed Hayes-less" Traitors. These victories by Beaver Patrol and Mud led to the title game which was the last game of the season.

All in all the season was an overwhelming success. Much thanks must go to Phil Brown and Howard "Buzz" Greenwald who did a great job organizing the league and making sure it functioned properly. This year was the first time in the league's history that every registered team remained in the league for the entire season. Also, this year marked the first year that there was not one game forfeited. No doubt the good weather had a lot to do with such dedication. Much thanks must also go to Andy Engel of the Bulldog team who broke his wrist in the first game of the season against Battery, but came out every Saturday to referee the games.

Intramural events afford a unique opportunity for students to interact in a non-academic environment and to meet fellow and upper classmates. Those who missed the football season are invited to join in for the up and coming BLS intramural basketball season.

## Planning Ahead...

Continued from Page 5.

which traditionally generate a large amount of student interest have been offered so infrequently during evening hours (some not at all) over the past six semesters that a substantial number of graduating evening students have never had the opportunity to register for these courses. A more balanced distribution of elective offerings during evening hours is sorely needed and long overdue.

4) Improve the lines of communication between the students and the Administration. Publication of a school newsletter might prove to be a viable medium. In the same way that *Justinian* serves as the voicepiece of the students, a newsletter may be used to announce the administration's plans and proposals for BLS.

### OUTLOOK

The future is not entirely bleak. discussions with Deans Glasser and Sherman have indicated that they are making an earnest attempt to compensate for and correct the sins of those who preceded them. But time is of the essence. It will not do to say that change is an evolutionary process that will not happen overnight.

It is hoped that those who are in position to rectify this sordid state of affairs take heed of the suggestions made herein and learn from their past mistakes rather than perpetuate them.

## Teacher Feature:Zaretsky

By Rochelle Strahl

Another new addition to the BLS faculty is Professor Barry Zaretsky. Born and, for the most part, brought up in Brooklyn, Prof. Zaretsky is a graduate of the University of Michigan Law School. He brings to BLS four years of teaching experience which, with the exception of a visiting professorship at the University of San Diego Law School, were done at Wayne State University Law School.

Professor Zaretsky's field of specialization is commercial law. At Wayne State Law, he taught Agency and Partnership, Commercial Law, and Creditor's Rights. At BLS, he is teaching Sales and Secured Transactions and Unincorporated Business Associations. Though these are similar to the courses which he taught at Wayne State, Prof. Zaretsky noted several differences in the way the two law schools approach the area.

At Wayne State, the four-credit course entitled Commercial Law included sales, secured transactions and negotiable instruments, with the emphasis on the secured transactions part of the course. At BLS, Prof. Zaretsky noted, the courses are divided along the lines of a three-credit course in Sales and Secured Transactions, with the emphasis on the sales portion of the course and a two-credit course in Negotiable Instruments.

When asked to compare BLS with Wayne State Law School, Professor Zaretsky chose to re-



Prof. Barry Zaretsky

serve decision and comment until he became more familiar with his new environs. But he did advance some impressions of BLS students. He noted that "at Wayne State Law School, there tended to be more student activism" and student competitiveness, whereas at BLS, students seem to be "more deferential" toward the faculty and administration. He happily commented that there is more student participation by BLS students and that they tended to be more friendly.

In the near future, Prof. Zaretsky hopes to do some research and writing in the area of secured transactions with the aid of a student research assistant.

## Brooklyn Law Review Hosts Shaffer Symposium Saturday

BLS students who are still relying on *Harris v. Balk*, and those who are not, are invited to attend the *Brooklyn Law Review*

symposium on the *Shaffer v. Heitner* decision to be held on December 9 at BLS.

*Harris*, a landmark case on quasi-in-rem jurisdiction, was expressly overruled in 1977 when the Supreme Court held in *Shaffer* that in-rem and quasi-in-rem jurisdiction must satisfy the "minimum contacts" standards.

The Court's decision has far-reaching implications in the fields of procedural, corporate and matrimonial law.

Judges, prominent attorneys, corporate general counsels and BLS alumni have been invited to attend the symposium, which will explore the impact of the *Shaffer* case. The session will begin at 9:30 a.m. in the Moot Court Room.

The Hon. John F. Dooling, Jr. U.S. District Judge in the Eastern District of New York, practicing attorneys and professors of law from a number of law schools will participate in the symposium. The proceedings will be published in a future edition of the *Brooklyn Law Review*.



Photo by Ken Shiotani

SBA President Pat Smillie presenting Alumni Secretary William Holtzman with a plaque "in gratitude and appreciation" from the Student Bar Association, Class of 1978, at the BLS Alumni Annual Luncheon, held December 2 at the Plaza Hotel.