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No. 5

Exciting New Seminars Offered This Spring

By THOMAS J. VETTER

This year may well mark the beginning of a welcome and exciting trend in course offerings at Brooklyn Law School.

Beginning this spring, three seminars will be added to the curriculum. They are the Advanced Taxation Seminar taught by Prof. Deborah H. Schenk, the Housing Law Seminar taught by Prof. Bailey H. Kuklin, and the Negotiations Seminar taught by Prof. Barry Zaretsky.

In the Fall Semester a seminar in Emerging Land Use Problems, taught by Prof. George W. Johnson, III was offered for the first time.

In previous years a total of only nine seminars were included in the BLS curriculum. Of these, only seven were actually offered on a regular basis: Antitrust, Domestic Relations, Environmental Law, Evidence, Problems in Labor Law, Law as an Instrument of Social Change, and Problems in Constitutional Law. The two not offered were Federal Securities Regulation and Legislation and Bill Drafting.

Seminars are an important complement to the substantive law courses of the curriculum. They offer a relatively small class size that promotes greater interaction among students as well as between students and their professor. The typical seminar is limited to an enrollment of 20 students.

Seminars usually deal with the law on a level more advanced than courses which deal merely with the letter of the law. Seminars deal with the questions of why certain laws exist, how these laws are actually applied, and what their ultimate effects are.

Finally, the course burden in a seminar is carried by its student members who are relatively free to pursue those aspects of the subject which provide for the greatest interest. The faculty leader's role is more guide and supervisor than teacher.

If seminars are so important, why haven't more been offered before this time? The answer lies in the way that courses are added to the curriculum.

The first step is a decision by the faculty and administration that a particular area of the law, e.g., tax, domestic relations, should be included in the curriculum.

Next, the scope of the offering is worked out by the faculty.

Finally, if approved, the Dean assigns faculty to the number and types of courses required.

Seminars, on the other hand, are proposed by individual faculty members. Published by Brooklyn Works, 1979 as a

whole. The faculty member who makes such a proposal is probably one with a special interest in the seminar subject and also one with a special interest in teaching it.

Before a seminar reaches the students, however, it must first be accepted by the Faculty Committee and then by the entire faculty. Then, if approved, the Dean must be willing to assign a faculty member. This member should be the one who originally proposed the idea.

When dealing with a limited number of faculty, however, and the limited number of hours a faculty member may teach, it may not be possible to assign a particular faculty member to teach a class of 20 students, at least not when he or she is needed to teach a class of 90 in a non-seminar course. Moreover, such a situation may tend to discourage faculty members from proposing a seminar since its chances for fruition would be small.

Fortunately, this situation is changing at BLS. The size of the faculty is increasing as manifested by the recent shortage of faculty office space as well as by the increasing variety of course offerings.

In any case, the three new seminars being offered this spring will offer interesting alternatives to the past.

The Advanced Taxation Seminar will cover questions of tax policy — the "why" of tax law, of the interaction of tax with economics and of problems in tax legislation such as how to get a tax law through Congress, how to deal with reform efforts and with Congressional action in general.

Grades will be based one-third upon class participation and two-thirds upon a paper that will, in effect, be the final examination.

Registration for the Advanced Taxation Seminar will be selective based upon a student's grade in Federal Income Tax (a prerequisite) and his or her actual experience, future aspirations, and interests.

There are several reasons why Prof. Schenk proposed this tax seminar. Aside from her interest in tax law, she explained that "students are required to write in too few courses" and that "there are too many courses that deal with what the law is, rather than with what the law ought to be."

The seminar will probably offer the most benefit to students contemplating a career in tax law, although Prof. Schenk warns that "the Seminar is not for the student interested in learning 'black letter law.'"

Continued on page 2

BLS Symposium Focuses On Commercial Speech

By STEPHEN GANIS

The rights of lawyers to advertise, the rights of utilities to use bill inserts to express their views on controversial issues, and the role of the Federal Trade Commission in regulating deceitful product advertising were among the wide-ranging topics discussed by lecturers at the recent all-day symposium on "Commercial Speech and the First Amendment" held in the Moot Court Room.

The symposium, which was sponsored by the Brooklyn Law Review, attracted an audience of about 200.

Essentially, the commercial free-speech doctrine protects corporations and businesses under the First Amendment's free-speech guarantee, but at a lower level than individuals. It is an emerging area of First Amendment law and has been the frequent subject of court interpretation in the past few years. It is indicative of this trend that the Supreme court has granted certiorari to hear two cases on commercial free-speech during this term.

The morning session of the symposium was scheduled to begin with an address by New York Court of Appeals Judge Jacob D. Fuchsberg, but the judge had to cancel at the last minute due to illness. Prof. Joel Gora, the moderator of the program, discussed the evolution of the commercial speech doctrine.

The first topic discussed was "Advertising by Lawyers." The panelists for this subject were Prof. William C. Canby, counsel for the appellants in the 1977 landmark Supreme Court case, *Bates v. State Bar of Arizona*, 433 U.S. 350 (1977), which established a lawyer's right to advertise the price and availability of their services, and Roger Brosnahan, the chairman of the American Bar Association Commission on Advertising. The ABA is opposed to advertising by lawyers and although Mr. Brosnahan is personally opposed to that stance, he was able to explain the ABA position.

Prof. Canby focused on the uncertain course of the Supreme Court decisions regarding a standard of review for commercial speech cases. The holding in *Bates* ruled that while there is no first amendment protection for false and misleading advertising, truthful advertising of legal services is protected by the First and Fourteenth Amendments against blanket prohibition by a State. Prof. Canby asserted that the Court presumption in *Bates* was to permit speech and if the State wants to restrain it, the state will have the burden of proof to show cause why.

The language in subsequent solicitation cases, *Ohralik v. Ohio State Bar Association*, and *In Re Primus*, has left Prof. Canby somewhat uncertain as to whether the *Bates* presumption is still vital law. In *Ohralik*, a case which was familiar to students in the audience because of its inclusion in the Civil Procedure I curriculum, the Court held that the State could prohibit solicitation under circumstances that may lead to fraud and overreaching. Prof. Canby noted that *Ohralik* gave the state more leeway than in *Bates*, but cautioned that the Court possibly views solicitation differently from advertising.

Laws Change After Bates

After *Bates*, 44 states amended their laws regarding advertising by lawyers, and, according to Mr. Brosnahan, 23 of them would not allow the *Bates* ad today. Eight states have restrictions on



Photo by Fred Cavanaugh

Prof. Burt Neuborne
Defends Con Edison

the content of lawyer ads, and do not allow fees to be advertised. One state does not allow the lawyer to be in the ad because that would be "self-laudatory." Another state allows lawyers to advertise on television by exhibiting only business cards with no audio. He also noted that the Supreme Court denied certiorari on a recent case involving an Ohio law banning lawyer advertising on billboards.

Mr. Brosnahan cited that post-*Bates* developments include the growth of clinics, specialty clinics, and nationwide law firms. He revealed that in cases of price advertising, prices were reduced to consumers. But he noted that only seven percent, or 30,000 lawyers, now advertise, reflecting "a lot of peer pressure against it."

Mr. Brosnahan, once neutral on this issue, now believes it is time for the ABA to take a leading position to encourage advertising.

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L.A.W. NEWS

By LINDA STAGNO

- Rape is increasing at a faster rate than any other crime.
- Rape convictions are the lowest of any crime.
- One incident of "wife-beating" is reported every minute.
- One-third to one-half of all women will, at some point in their lives, be victims of violent abuse.

These very disturbing statistics, among others, were the subject of Brooklyn L.A.W.'s Symposium: "Crimes Against Women, Women Strike Back" which was presented on Tuesday afternoon, November 27th.

Over 50 people attended the program which featured Liz Schneider, Adjunct Professor at BLS and practicing attorney with the Center for Constitutional Rights; and Mary Rose, Coordinator of the Rape Advocate Program at St. Luke's Hospital. Ms. Rose opened the program by discussing the psycho-emotional trauma of rape and how the St. Luke's program assists rape victims. Ms. Schneider elucidated the subtle legal difficulties involved in prosecuting rape and battering cases.

As explained by Ms. Rose, the Rape Crisis Intervention Program at St. Luke's Hospital was founded to provide a support system, through the use of peer counselors or "advocates," which aids rape victims from the early stages of their emergency medical treatment through the criminal proceeding, should they choose to prosecute. In her presentation, Ms. Rose stressed the cultural biases and sociological myths about rape which reinforce the humiliation and alienation felt by most rape victims by imputing that the victim is herself responsible for the attack. Ultimately, according to Ms. Rose, the trauma of rape is aggra-

vated by an insensitive legal forum where these same prejudices are embraced and employed in the courtroom to the detriment of the victim who is seeking restitution.

Ms. Schneider expanded on the legal aspects of crimes of violence against women, battering in particular. Through her active participation in the Women's Self Defense Law Project at the Center for Constitutional Rights, Ms. Schneider has defended battered women who have committed homicide as a direct result of being violently abused.

In her talk, Ms. Schneider presented an overview of the law as it has historically equated women with property, thereby spawning the view that "wife-beating" is a perfectly acceptable practice. Conversely, Ms. Schneider urges that a rape or battering should be viewed as it usually is: a life-threatening situation where a woman is entitled to use self-defense. Ms. Schneider warns that until inherent sexual discrimination within the criminal laws and within the judiciary itself is eliminated, a battered woman's right to use deadly force to meet deadly force is tenuous, at best.

Clearly, the attitude of society which is reflected in our legal system toward crimes against women is an outrage. Cloaked in fictions and falsehoods, rape and "wife-beating" are subjects which have too long been granted either a cursory glance or dismissed completely as "taboo." It is time now for us, as individuals, to re-evaluate our social attitudes toward women who are victims of violent abuse. It is our duty, as future lawyers, to influence change within our legal system in order to insure equal protection under the law for women.

Seminars Added at BLS

Continued from page 1

The Housing Law Seminar will deal with theoretical and practical problems encountered in today's housing market. The actual scope of the course will be determined by what its student members wish to pursue.

If schedules permit, Prof. Kuklin plans to arrange for small student teams to follow actual problems from start to solution by visiting with and interviewing the people who were presented with and who found solutions for the particular problems. Upon completion of such a study, the student teams would prepare a written report of their findings for presentation to the other members.

If schedules do not permit, then a more academic approach will be taken.

Grades in the seminar will be based exclusively upon the written report and its presentation.

Although the seminar will be limited to 20 students, Prof. Kuklin feels that the limit will probably not present a problem. The seminar is scheduled for the 8 to 10 p.m. time

slot. Otherwise, a student's interest is the only requirement.

Enrollment in this seminar would most benefit students who are contemplating a career in government, in political office or in real estate development and real estate transactions.

The Seminar in Negotiations will introduce its members to the 'art of negotiation.' As described in the *Bulletin*, negotiations in a variety of contexts will be considered including litigation, contracts, labor, and matrimonial.

Grades will be determined primarily by the outcome of from four to six negotiation exercises carried on between students. A smaller part of the grade will be based upon class participation and the preparation of a complex written contract.

Even though 'permission of the instructor' is required for registration in this seminar, Prof. Zaretsky admits that this is only to inform students that due to the nature of the seminar, they will not be permitted to transfer out or drop out once accepted. He is leaving it up to those of who will and who will not be accepted to the computer, but

Investors Denied Standing

Transamerica Mortgage Advisors, Inc. v. Lewis, 48 U.S.L.W. 400 (Nov. 13, 1979): The majority opinion by Justice Stewart held that section 215 of the Investment Advisors Act of 1940, which voids contracts whose formation or performance would violate the Act, implies the customary incidents of voidness: a private cause of action for rescission, injunctive relief or restitution, but that section 206 simply proscribes certain conduct tending to defraud and therefore does not imply a private damage remedy.

The majority limited its inquiry to the intent of Congress and refused to consider the utility of a private remedy to effectuate the purposes of the statute.

According to Justice White, who also wrote for Justices Brennan, Marshall and Stevens, the majority confused "the existence of a right of action with the question of available relief." Justice White insisted that the legislative history failure to show an intent to create a private action should not control unless there was an explicit purpose to deny a private remedy. The dissent's inquiry also addressed the class protected by the act; the utility of a private remedy, and whether the subject matter of the cause of action is traditionally relegated to the states. The dissent included damages among the private remedies implied by the Act.

The S.E.C. had maintained that private litigation was a necessary supplement to its enforcement activity.

U.S. v. Benmar Transport and Leasing Corp. 48 U.S.L.W. 3256 (Oct. 15, 1979): The Interstate Commerce Commission may reopen its proceedings and remedy defects in its order after a petition for review of the defective order is filed if the Commission's action does not interfere with the pro-

ceedings in the United States Court of Appeals.

Justice Marshall dissented from the *per curiam* opinion's assertion that the Commission did not interfere in any manner with the proceedings in the Court of Appeals.

P.C. Pfeiffer Co., Inc. v. Ford, 48 U.S.L.W. 4018 (Nov. 27, 1979): Justice Powell wrote for the unanimous court. Land-based workers who move a cargo between ships and land transportation are engaged in "maritime employment" and thus are entitled to compensation under the Federal Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972 for inquiries suffered in areas adjoining navigable waters.

Perrin v. United States, 48 U.S.L.W. 4009 (Nov. 21, 1979): Chief Justice Burger wrote for the entire court except Justice White who took no part in the deliberations. It is a federal offense under the Federal Travel Act to use interstate facilities to further commercial bribery prohibited by state law. The Court rejected the defendant's argument that the statute was limited to bribery of public officials. The opinion resolves a conflict between the circuits and overrules *United States v. Brecht*, 540 F. 2d 45 (2d Cir. 1976).

Andrus v. Allord, 48 U.S.L.W. 4013 (Nov. 27, 1979): Justice Brennan wrote for the entire Court except the chief justice who concurred in the judgment. Regulations promulgated by the Secretary of Interior, which ban the sale of parts of birds protected by the Migratory Bird Treaty Act and The Eagle Protection Act even though the parts were lawfully acquired prior to the effective date of either act, are authorized by those acts and are not a taking of property.

—G.F.

New Assistant Dean Appointed

The appointment of Mr. Frederick R. Brodzinski as Assistant Dean for Administration and Student Affairs effective December 10, 1979 has been announced by Dean I. Leo Glasser.

Mr. Brodzinski received his A.B. in 1970 from St. Joseph's College in Philadelphia. He received his M.S. in 1972 from Indiana University in College Student Personnel Administration and Organizational Behavior. His dissertation is currently in progress for the Ph.D. degree at Teachers College, Columbia University in College and University Administration.

At Teachers College from 1977 to the present, Mr. Brodzinski was, successively, the Coordinator of Student Ad-

ministrative Consultant and Acting Director of Admissions. He was the Associate Dean of Students at St. Mary's College in Maryland from 1975 to 1977; the Director of Housing at Iona College in New Rochelle from 1972 to 1975 and has held other administrative positions at Indiana University and Manchester College.

Mr. Brodzinski has lectured and written extensively on topics relating to educational administration. He was selected as an Outstanding Young Man of America in 1977 and for inclusion in Who's Who in the East 1979-80. He has a strong interest in theatre, art and music and is also an avid skier, oenophile and an active basketball referee.

he noted that third year students will be given priority.

Prof. Zaretsky proposed the seminar because BLS "doesn't have enough seminar courses" and because "exposure to negotiating is important to nearly everyone who plans to practice law. Lawyers must expect to negotiate at some point in their career, if not on a regular basis. It is also," he added, "because I like the idea of playing the

role of facilitator rather than teacher."

In conclusion, this is certainly one area where progressive policies will enable BLS to provide a more varied and meaningful legal education. Seminars may not help students on the bar exam, but their effect upon a student's understanding of law and its ramifications will probably, over the long term, have a greater impact than any other type of law school course.

Talent Shows at BLS Talent Show '79

By ALICE ALPER REIN

The Brooklyn Law School Annual Talent Show was held on Wednesday evening, November 28, in the student lounge. It was an enjoyable experience for the participants as well as the audience.

The lounge was transformed into a "coffee house" reminiscent of those found in Greenwich Village, utilizing candle lights atop each table for special effect. Wine, soft drinks, and pretzels were served at no charge by Barbara Migdal and Joann Greenwald. The admission charge was a moderate one: \$1.50 in advance and \$2.00 at the door for this SBA sponsored event. Approximately 80 students, their friends, and relatives as well as Professors Palmino, Schenk, and Zaretsky attended.

Jean Smiertka and Pete Kearns emceed the evening's events. Two BLS students who have performed professionally in the past, Fred DeBerardinis (piano-vocal) and Dave Spatt (guitar-vocal) opened the show with a rendition of Billy Joel's "I Love You Just The Way You Are." Marialina Dominguez and Bob Blau, both second year students, began their act by introducing their first song in Spanish. When Marialina introduced "Here Comes the Sun" as "The Sun is Coming," Bob exclaimed, "You must watch those small distinctions — that's what law school is all about." For Bob's and Marialina's second number, "Big, Bad Leroy Brown" they donned hats and encouraged the audience to sing and clap along.

Fred DeBerardinis and Alexandria Valicenti (dressed in black gown) sang "You Don't Bring Me Flowers Anymore." Said Alex in introducing the song, "When two Italians get together to sing, what do they sing but sad love songs." Fred accompanied Alex on the piano as she sang a number made famous by Billie Holliday, "God Bless the Child."

Jean Smiertka and Dave Spatt continued the show, singing "Amie." For many the highlight of the show was Peter Kearns, "BLS Blues." A typical line from this burlesque-like spoof was "I think I'll get a drink and go up to the eighth floor and grab Nancy Fink and ask her why I failed Con Law and she'll say '... I have to think.'"

Barry Jacobson and Melody Miller began act two with a comic skit from Neil Simon's play "Plaza Suite," about parents' anguish over a daughter who refused to get married on her wedding day. When Mimsi refuses to come out of the bathroom to get married, Barry as Roy says, "I'm going to kill her. Once I show them the wedding bills no jury on earth will convict me." The acting was superb.

A second year student, Bernice Rosenthal, sang, "Nobody Does It Like Me" written by Cy Coleman for the play "Seesaw." The next act, a duo, was comprised of second year students, Stacey Kaufman and Sharon Katz. This act was especially enjoyable. They sang, "Will You Still Love Me Tomorrow," "Be My Baby," "Peaceful Easy Feeling" and "Do Run Run." The audience participated in most of their numbers and begged for

more when they were finished singing. At the rehearsal immediately preceding the Talent Show, Sharon's 10 month old daughter Dara (who attended BLS with her mother for the nine months preceding her birth) crawled over to Sharon as she sang "Be My Baby." A tender moment was had by all present at this rehearsal.

Fred DeBerardinis (who said that his mother forced him to practice the piano) played and sang, "Nobody Loves You When You're Down and Out," "Breaking Up Is Hard To Do" and "Twisted" (a song Fred claims is about first year students.)

Dave Spatt had the honor of ending

the show with a ballad written by Don McLean called "American Pie" which turned into a singalong. When Dave finished the song, the audience called out for more and remained seated hoping the show was not over. Dave came back to sing "Shanty." Fred DeBerardinis sang a medley, "Rock Around the Clock, Blue Suede Shoes and Tutti Frutti." Dave Spatt asked the audience for a song suggestion and played Cat Stevens' "Father to Son."

A handful of people who stayed to help with the clean up were treated to songs sung by a small group who gathered around the piano as Fred played.

Special thanks to Sam Rein for working the stage lights, selling tickets, and making sure the "behind the scenes" chores were taken care of. Thanks also to George Taylor for selling tickets, Paula Schaap, and Ret Luberda for photographing the event and Barry Jacobson for tracking down a piano. A very special thanks to Jean Smiertka for organizing the talent show, coordinating the acts, and making sure everything ran smoothly. Last, but not least, thanks to those extra special BLS students who sang, played, and acted for sharing with a part of themselves not often seen in Law School.

Photo by Fred DeBerardinis



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Another Step Forward

As we approach the next few weeks, our feelings are mixed. There is the joy of the holidays and the despair of exams. *Justinian* extends its sincere wishes that you enjoy the first and survive the second.

We note that for the first time in our memory, students will be able to catch their breaths between semesters during intersession. We applaud this added feature to the academic calendar.

Finally, we hope that we have met your expectations and fulfilled some of your needs this semester. We look forward to continuing our service and hope that you look forward to reading us. See you next year!

Shelve it for Chris

A law school curriculum should be more than an expanded bar review course. After all, a statement of the law is likely to be found in the nearest code, digest, or bar review outline. However, if one asks the question why or how, the answers are not so accessible.

These are questions for contemplation, discussion, and debate. *Justinian* does not contend that such scholarly activities are not pursued by students and faculty at Brooklyn Law School, but *Justinian* does contend that the opportunities for such pursuit have not been given enough attention—that is until now.

The addition of seminars in Taxation, Housing, Negotiation, and Land Use to the course offerings manifest an awareness by the BLS faculty and administration that such attention is appropriate.

Justinian wishes to commend those faculty members who have undertaken this aspect of our legal education. This progressive policy of instituting additional seminars is another important step in Brooklyn Law School's quest towards national recognition.

Best Wishes

Just as Andy Upton doesn't like to see trash all over the cafeteria, we don't like to see unshelved books scattered all over the library.

We are not talking about a few books for a few days but day after day of mountains of reporters, Shepards, digests, and statutes scattered everywhere.

We are not in the business of writing editorials about basic courtesy and good manners but after over a week of not being able to find the Abbott's volume for Criminal Law #19, we've decided enough is enough.

Reshelve your books, ladies and gentlemen. There's no rule that requires that you leave respect for others behind when you enter a law school library. In the long run, you'll be helping yourselves.

We know our readers do not care much for this type of editorial and may even label it preachy and childish. So what's so mature about being lazy and inconsiderate?

Letter to the Editor

Moot Court Team Member Expresses Thanks

To the Editor:

I take great pride in having represented Brooklyn Law School in the Regional Rounds of the National Appellate Advocacy Competition at the New York City Bar Association. I feel privileged to have worked with teammates as professional as Kristina Geiser Manon and Debra Roth; for me, our two and a half month association was at once edifying, arduous, and inspiring. I believe that the phrase "team spirit" best characterizes what I felt by November 14, the day we finally competed after weeks of meetings, research, writing, and practice arguments. Most gratifying was the support we received from the law school community — students, faculty, and administration. Approximately one half of the fulltime faculty generously gave up many hours of their time to read the record on appeal, research the issues, and sit on practice round benches. Their comments and criticisms were invaluable. Special thanks are due Professors Hoffman and Palomino who attended the competition and stayed with us until we learned that we had been eliminated from the competition late that evening. Dean Glasser's presence at our final round against New York Law School was particularly appreciated. To all the students who came out to support the team, I especially want to express my thanks. Through all my own anxiety, I could feel every one of you pulling for us. We were also extremely fortunate to obtain the able assistance of Moot Court alumni. I only wish that these words of gratitude could be inscribed on a big silver trophy. Hopefully, that will be for next year's National Team to do.

To those of you who ask whether the Moot Court Honor Society still exists, I answer with a most emphatic yes. Approximately 32 students, Honor Society "eligibles," will compete in February for the three positions on next year's National Team. They have already submitted full length briefs on this year's national problem which concerns the right to a jury trial in complex civil litigation. To all the eligibles of the Society, congratulations and good luck. You are about to experience one of the most exciting challenges of your law school careers. In this time when law schools are adding skills courses to their curricula, the importance of any well run Moot Court competition can not be over-

looked. The Honor Society members are working diligently to provide the second year students with the best possible appellate advocacy competition. Since the membership voted not to administer the first year moot court competition unless granted academic credit, they now have available the amount of time necessary to run an effective second year competition.

Last month I attended a conference on Moot Court at St. John's University School of Law. Participating were most of the law schools in the metropolitan area, including Yale, Fordham, St. John's and Brooklyn, to name only a few. I was asked to address the conference because Brooklyn has one of the most highly respected Moot Court programs in the region. It was noted that the administration of such a program is a mammoth task, particularly when added to a full course load. That our program was a good one is evidenced by the fact that our inter-scholastic teams have consistently done well. Most recently, the 1979 Jessup International Team placed third in the nation following a first place victory on the regional level.

Although I am delighted that the second year competition will probably be better than ever before, I am saddened at the loss of the first year competition as it had existed. Unfortunately, upperclass students are only human, and the organization and administration of a competition involving 250 plus first year students required a super-human effort on the part of many Honor Society members. Academic credit would have enabled many Honor Society members to carry a more manageable course load and thus run the program even more efficiently. More important, credit would have provided the membership with an important morale-builder in the form of tangible recognition.

To my knowledge, it has not been publicly disclosed whether there is to be a first year program next semester. I assume that if the program operates, it will be run by the faculty. I sincerely hope that the administration grants additional compensation or teaching credit to any faculty members who administer a first year appellate advocacy competition. Like students, professors, too, are only human.

Sincerely yours,
 Alexandra Valicenti

Season's Greetings

from the Justinian

Law Review Symposium

Continued from page 1

"The debate should be on delivery of legal services, and not decorum," Mr. Brosnahan explained. "It's a delivery problem. Advertising leads to better delivery systems, better office systems, and a reduction of costs to the public." He emphasized that his committee had urged that false, misleading, and deceptive advertising by lawyers should be banned by statute.

That prompted Mr. Brosnahan to recount the television ads by an imaginative lawyer who advertised a "no frill will" by driving a hearse around town, and who had placed a nearly demolished car in front of his office with a sign on top of it reading "Sideswiped? Call _____." He also ran television ads with such come-ons as "Reason number 15 for coming to a legal clinic — we need the money."

Mr. Brosnahan believes that even if such advertising is not dignified, its excesses could be excused because the lawyer was delivering legal services.

"That clinic's ads brought in 5,000 customers," Mr. Brosnahan recalled, "and 70 percent had never been to a lawyer before. Statistics show that many people fear lawyers and also fear their prices. But this guy gets the clients in."

Rights of Utilities Explored

The next subject discussed in the morning session was "Advertising by Utilities." The address was delivered by New York University School of Law Prof. Burt Neuborne, a former ACLU attorney who is defending Con Edison in a suit that will be heard by the Supreme Court next spring. That case, *Consolidated Edison v. Public Service Commission*, involves the right of a utility to insert newsletters in monthly bills which would express views on controversial subjects, including nuclear power. The New York Court of Appeals has ruled for the state regulatory agency in denying Con Edison the right to insert such information in their billing envelopes.

The Supreme Court has recently granted certiorari to another commercial free speech case involving a utility, *Central Hudson Gas and Electric Corp. v. Public Service Commission*. The upstate New York utility is appealing an advertising ban issued by the state regulatory agency at the height of the Arab oil embargo in December 1973. The ban on promotional advertising to increase demand for its product was upheld last may by the Court of Appeals on the ground the oil shortage presented a "compelling justification" for curtailing the utility's right to advertise its product. The ban is still in effect.

Prof. Neuborne believes that billing is an appropriate mode of advertising for a utility, and insists that the commercial free speech doctrine allows consumers "the right to know," and that restrictions on advertising are in violation of the First Amendment. He believes that the state wants to stop public utilities from speaking because "regulators are so used to regulating,

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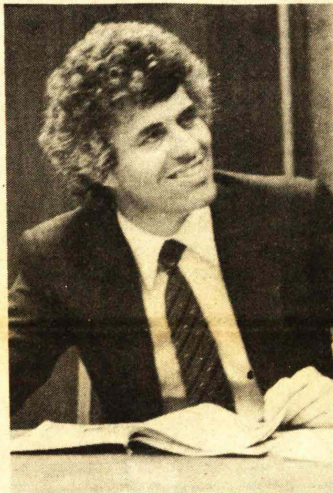
Williamson v. Lee Optical Case and allow these restrictions."

In the *Central Hudson* case, the utility is arguing that the state has failed to show that the advertising ban will do anything to alleviate the energy crisis. The utility contends that the order simply "bans speech which advocates no unlawful conduct, and is neither fraudulent, deceptive, obscene, libelous nor provocative of violence."

Prof. Neuborne agrees with the utility. "If the court's reasoning is recognized as a sufficient basis for cutting down commercial speech, it will be a dangerous precedent," he asserted. "It is too amorphous and too manipulative. You could forget about the First Amendment."

Defends Con Edison

Commenting on the Con Ed case, Neuborne reviewed the Public Service Commission's reasons for instituting a ban on inserting opinions on contro-



Tracy Western

versial issues in monthly billing statements. The PSC views such a practice as an invasion of privacy, upsetting the tranquility of the home, and an unfair consumer subsidy of corporate ideas.

Neuborne pointed out that the state court has allowed private house-to-house solicitations by Jehovah's Witnesses, and that if the utility is allowed to ring doorbells to tell others of its opinions, why, then, he asked, can't utilities use the less-intrusive mode of enclosing these opinions in bills? "You don't protect the minority at the expense of the majority," he affirmed. "The utility should be allowed to work something out so the minority won't have to receive it."

Neuborne also took issue with the PSC's view of a "subsidy."

"As long as the utility is willing to absorb all cost of printing and distributing the message, with no out-of-pocket loss to the consumer, then it is not a subsidy," he urged. "There is no net economic transfer. The PSC has forbidden this service completely instead of instituting less drastic means."

Neuborne admitted to the audience that he has been criticized roundly for defending Con Edison in this important issue and in fact received less criticism for defending the right of the Nazi party to march in Skokie, Ill. "Con Ed has less esteem than the

et al.: The Justinian

Nazis," he said in earnest. But he also made the point that by allowing government regulation in the commercial speech area, a tension may be created to water down the political free speech doctrine.

The subject of advertising by utilities was referred to in the afternoon session by Andrew Schwartzman, director of the Media Access Project. In his speech entitled "A Few Kind Words About the Fairness Doctrine," Mr. Schwartzman advocated that the fairness doctrine be applied in "utility bill stuffer" cases. "There should be one set of arguments on one side, and one set of arguments on the other side. The public should get more information," he urged.

The afternoon session began with an address on whether the First Amendment is a barrier, or an impetus to Federal Trade Commission advertising remedies. Tracy Western, deputy director of the Bureau of Consumer Protection of the F.T.C., described the need for greater regulation of commercial speech than political. Mr. Western noted that modern commercial speech is dominated by a relatively small number of speakers and stated that the top 100 corporations do 75 percent of all network television advertising. He also noted that not all speakers in the marketplace have the same access to audiences.

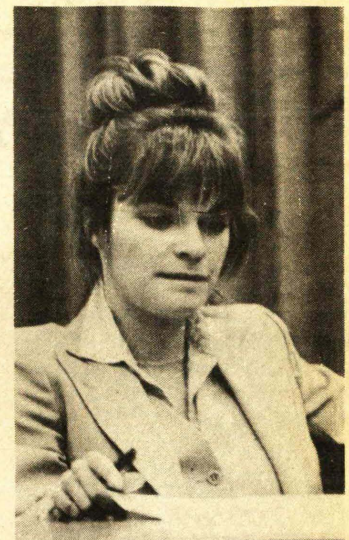
"Advertisers spent \$7.8 billion last year on television advertising alone. A mere one minute of advertising time on next year's Super Bowl will cost \$468,000. By contrast, Environmental Action, a small consumer group with views opposed to those in automobile and gasoline ads, had an entire budget last year of only \$350,000 — not enough to buy one minute of speech time in the bizarre electronic town hall meeting we call the Super Bowl."

Mr. Western concluded that there are two sets of problems in the commercial speech area. "The first involves removing various forms of 'deception' from the marketplace in a manner that is efficient, but still protective of important speech rights. This task, while not an easy one, is well underway."

"The second, and perhaps major, problem is more intractable. Business now spends over \$48 billion a year on advertising in this country alone. Because commercial speech is understandably, and perhaps necessarily, one-sided, the marketplace of commercial ideas runs the risk of remaining badly skewed. Perhaps the most difficult problem for the future will be to preserve valid First Amendment rights of commercial speakers, yet devise a system in which opposing speakers will have equally effective speech rights as well."

Commissioner Lee Speaks

Commissioner Robert E. Lee of the Federal Communications Commission, who has held this post since 1953 and as such as the senior member of federal regulatory agency commissioners, spoke at length about the F.C.C.'s impact on product advertising. Commissioner Lee delivered a detailed history of F.C.C. intervention, and noted the agency's fairness doctrine, which essentially calls for broadcasters to air con-



Photos by Fred Cavagnuolo

Molly Pauker

troversial arguments and to include in their coverage of these controversial issues of public importance a reasonable balance of opinion of the issues. Commissioner Lee noted that the commission's ban on cigarette advertising on television and radio stemmed from its reading of the fairness doctrine.

The FCC ban on cigarette advertising was cited by the next speaker in a totally different context. Molly Pauker, general counsel for Action for Children's Television, delivered a plea for government regulation of television advertising directed toward children. Ms. Pauker insisted that the ads directed at children were deceptive and not protected by the commercial free speech doctrine.

"There are age requirements in other laws to protect children from their own weaknesses," Mr. Pauker argued. "The state has a need to nurture children in this area of the law as well."

Tony the Tiger Poll

Ms. Pauker related the results of a survey in which 33 percent of all children polled thought that Tony the Tiger would cry if the children didn't eat their Frosted Flakes.

"I believe this is unfair advertising, and to define 'unfair,' I would look at the F.C.C. ban on cigarettes," Ms. Pauker asserted. "First, is it against public policy? I believe it is, especially with all the laws protecting kids. Second, is it immoral, unscrupulous, or oppressive? Look at the Tony the Tiger survey. Third, does the practice foster harm on competitors or consumers? The harm is minimal on competitors, but advertising promotes tooth decay, obesity and disease among children."

Ms. Pauker discounted the cereal producers' contentions that their advertising is truthful, by noting that the advertising has a deceptive effect, and as such is not protected by the commercial free speech doctrine.

Ms. Pauker argued that time, place and manner restrictions be placed on television advertising aimed at children. When asked whether, in lieu of this remedy, it would be better for parents to monitor their children's television viewing time more carefully, Ms. Pauker replied that this was an impractical solution to the problem of the intrusiveness of electronic media.

BLS Evening Students Speak Out

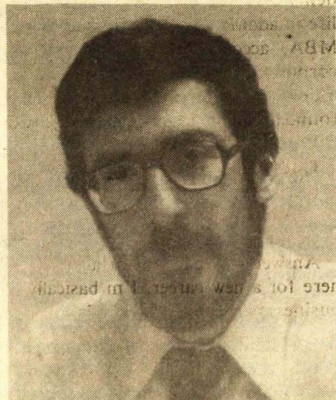
Inquiring Photographer

By JERRY M. JUDIN

Question Asked: As an evening student, what situation would you like to see changed at Brooklyn Law School?



Marsha Weinschenker, second year evening, "I would like to see evening students given priority in signing for evening courses. Too often day students choose to sign up for already crowded evening courses and this results in a possibility of an evening student being closed out from his choice."



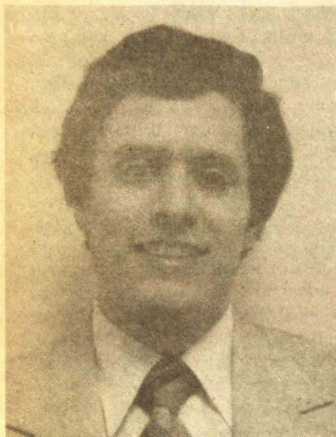
Ira Greenberg, third year evening, "I would like to see more course offerings for evening students. Despite the fact the BLS tries to accommodate day and evening students by offering a course on an alternating semester schedule, the day students have a much larger selection of courses."



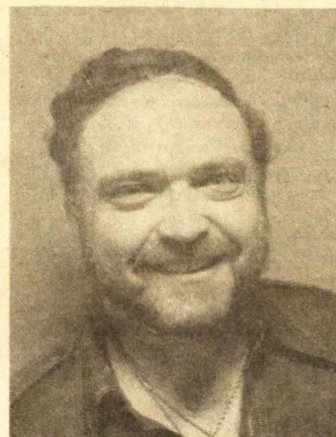
Linda Renicky, fourth year evening, "I would like to see the school administrators keep later office hours so that evening students can conduct their business with BLS without having to take time off from work."



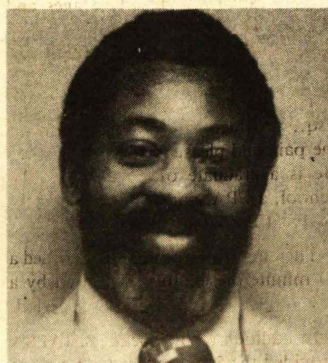
Mary Allen, third year evening, "I would like to see the evening session stop being called 'part-time.' This would help to erase the second class attitude people have about evening students, especially at BLS."



Mark Newfield, fourth year evening, "I would like to see BLS schedule more late afternoon classes at 4:00. It's a lot easier going from 4:00 until 8:00 than it is going from 6:00 until 11:00."



Stanley August, first year evening, "I would like to see BLS functions intended to benefit all students held at such time that evening could also benefit of these functions."



Randolph Howard, first year evening, "I would like to see a greater amount of respect for punctuality shown on the part of evening students. An attorney who has a calendar call at 10:30 in the morning must be on time; the same should be true for a student who has a 6:00 class."



Sandi Goodman, third year evening, "I would like to see special activities, such as the upcoming Career Fair, made more accessible to evening students. This could be done by extending the time period until 6:00 or by having an extra day on a Saturday."

First Year Students Express Sentiments

By RICK HOWARD

The following selected comments, seemingly representative of the general feelings and concerns of the first year evening class, were given in response to a survey of the entire group.

First in everyone's thoughts was the amount of work required. Dr. August, our resident class physician, noted "a feeling of fatigue, tough going at night." This, of course, was related to the constant demand on our time. As Barbara Levine expressed it, "[I] envy day students [their] time to read, read, read."

Despite the difficulties, however, there wasn't any indication of giving up. Glenn Vanderwater, a Metropolitan Life analyst, expressed the class's determination by saying, "I never worked so hard. . . That's why I am looking forward to next semester so much. Then it *really* gets touch."

Many people seemed relieved and grateful for the supportive environment of our school itself. Betty Marshall said, "Many feel . . . that the school administration cares . . . There seem to be conscious efforts on the part of faculty members to keep us from getting ulcers."

Carmine Scarpa adds that "it was very generous of Professors Gilbride and Leitner to donate their time . . . in giving our class a sample . . . exam . . . it relieved some of the tensions."

Another student was impressed when "someone (in the administration) looked up my office phone number

and called me to get omitted information . . . to expedite forms completion."

There was, however, some concern with our "introduction to legal research." One class member felt it "should have provided . . . more guidance." Virginia Pruitt, a teacher, thought it "should . . . begin with small groups immediately, and the assignments be given very early in the term."

Captain O'Leary, of the Brooklyn courts, agreed, saying, "It is nearly impossible to explain to a class of ninety how to look up a book or how to 'Shepardize' . . . The instructor cannot rely upon the Orientation Committee to conduct library tours or introduce . . . briefing, without supervision."

In general everyone seemed rather pleased with their initial experience at BLS. Randy Howard of the Brooklyn Supreme Court, enthused, "I am proud to mention . . . I enjoy every minute . . . only there are not enough."

Regarding our relations with one another, I again quote Ms. Levine, "Classmates are stimulating, friendly, interesting people." Our class chaplain, the Rev. Roland J. Ghirlando, seemed to speak for all of us in relating how "I enjoy meeting the other members of the class."

In fact, the only *real* complaint came from an anonymous source who lamented, "No beer left for night students . . . on party nights. . . two kegs for one thousand people. . . is ridiculous."

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IALSA Career Symposium Evening Student Drewes: A Man of Many Talents

By THOMAS J. VETTER

The Italian-American Law Students Association (IALSA) sponsored a symposium on Nov. 15 entitled, "Where Do We Go From Here?" featuring three guest speakers.

The first speaker, Frank Chiaro, Esq., who graduated from Brooklyn Law School in 1976, discussed employment with medium to large sized firms. He is presently employed as an associate with Mendes & Mount, an 80 attorney firm specializing in aviation, admiralty, and professional malpractice law.

Joseph Elhilow, Esq., who graduated from BLS in 1974, is an Assistant District Attorney for Kings Coun-

ty. He explained the advantages and disadvantages of working for government with particular emphasis upon working in the D.A.'s office.

The third speaker, Larry J. Kushner, Esq., provided a lively discussion on the pain and pleasure of solo practice. He is a graduate of New York Law School, a CPA, and an Assistant Professor at Brooklyn College.

The one-hour symposium provided a 30 minute presentation followed by a 30 minute question and answer period.

In addition to the speakers, IALSA provided the 50 attendees with a more than adequate supply of fresh Italian pastries, fresh coffee, and tea.

Bleeding Hearts

The Student Bar Association and Justinian would like to thank the following students for donating blood at the SBA Blood Drive held Nov. 13: Charles Arcodia, Alex Avitable, John Basso, Eric Bettelheim, Mark Bierman, Paul Bierman, Leon Bijou, Mark Casso, John Christie, Edmund Dane, Paul DeFonzo, Sara Delaurentis, Richard Feiner, Gerard Flanagan, Kevin Fox, Arthur Friedman, Tom Genova, Ronald Holik, Richard Izzo, Lawrence Jacobs, Robert Johnson, Arnold Kaplan, Irwin Kavy, Lawrence Kelly, Mark Krassner, Harold Landes, Andrew Lerner, Phillip Levy, Maria Logus, Traci Medford-Rosow, Lori Mogol, Chris Molloy, Laurie Nelson, Ann Nissen, Eugene O'Neill, John Pittari, David Redmond, Ralph Sabatino,

Daniel Scott, Jeffrey Sherman, Christine Short, Gary Silverman, Barton Slavin, Joanne Smith, Robert Szartowski, George Taylor, Andrew Upton, Walter Wagner, William Wallace, Wendy Weinstein, Howard Wittlin, Ian Zimmerman and Jon Zinke.

Aid for Cambodia

The Brooklyn Law School community recently contributed \$202.49 for Cambodian relief. The money is being sent to the American Friends Service Committee which, working in conjunction with Oxfam, has been successful in getting food into Cambodia according to news sources.

Further contributions can be mailed to American Friends Service Committee at 15 Rutherford Place, New York, New York 10003.

Armed With Energy

Continued from page 8

As in bar softball, they have learned to shed their societal hangups being a woman in a typically male activity and to go out and give it all they have. Ann says that many women do nothing but train for these tournaments. She was even offered a sponsorship (where all her living expenses would be paid so she could train exclusively for these matches) but declined as she considered it a waste of time.

Education is just as important in her life as sports. She believes that if anyone has the opportunity to expand their education they should take full advantage of it. She enjoys learning just as she enjoys athletics and believes the two go hand in hand (or rather arm

in arm). In the future she plans to get a Ph.D. in psychology and maybe even a degree in tax.

As the mother of a five year old, how does she explain all this to her daughter? "What's to explain? She is very proud of me. And she even arm wrestles."

Ann says that the recent surge in women's athletics is long overdue. She feels athletics is but one important part of the whole person and many women lack it. "The biggest part is getting women to believe that femininity is irrelevant once you step out on that field. The main thing is to learn to physically exert yourself, and above all, to have fun."

Ann bubbles with enthusiasm when

Evening law students are a varied and interesting lot. The following is an interview with one of the many evening students who hide a wealth of experience behind the facade of a law student.

By RICHARD PETTY

Like many of his fellow evening students, Bill Drewes leads a very active life in addition to his legal studies. An MBA, accountant, principal of two corporations, SBA rep, he is primarily a development consultant for a public foundation and a family man with two children (one born this year).

Question — With all your various career successes and other activities, why pursue a new career at this stage of your life?

Answer — Well, first of all I'm not here for a new career. I'm basically a businessman, and as today's society becomes increasingly more complicated and law-oriented the explosion of governmental regulations has a tremendous impact on a small businessman like myself. We have to deal with a myriad of lawyers of all sorts as our every activity takes on legal significance. Even to hire a lawyer requires a knowledge of the law, to discern a good lawyer from a bad one. I want to know what my attorney is doing and why. Society's attitude toward lawyers is an almost mystical reverence, and with the power usually held by lawyers, they tend to perpetuate this attitude.

Q. What would you suggest a lawyer's role should be?

A. Rather than complicating society and relationships, lawyers should be working to streamline them. The "Catch 22" effect is that every attempt to streamline or clarify things seem to result in more litigation. The law has a definite role in helping us all to deal with each other.

talking of athletics or education. She cannot seem to get enough of either. For the winter she plans to organize a women's volleyball league. When asked how she keeps this pace in life she replied, "The key is motivation. You must keep a purpose in mind and stick to it."

Ann Konovitch: mother, athlete, therapist, model, and just another one of your BLS students.

My male ego said "No" but my athletic curiosity said "Yes." I had to give

Q. Do you feel grades are important?

A. Studying sixty hours a week instead of thirty could mean a ten point grade difference. That ten point difference might produce more job interviews, perhaps even the first job, but it would not necessarily produce a better attorney. I feel that I take too much time away from my family now.

Law Review and numerical representations of my response to a particular question on a particular day would not give me as much satisfaction as knowing that I am a competent, able attorney representing clients with more than a modicum of common sense. I'm looking for credibility and respect from those with whom I'm dealing, rather than a silk suit or a black robe.

Q. Do you feel that BLS is helping you toward your goals?

A. I'd rather be here than in Harvard. I had an image of BLS as a more down-to-earth, practicality-oriented school, rather than an ivy hall of theory. Most students here are mature, hard-working and very serious about their law studies.

Still, I feel that less emphasis on the theoretical side would be helpful. I would like to see more professors that I could relate to — those who are able to give the practical side of a subject area. Guest lecturers would be appropriate in many subjects (perhaps alumni would volunteer), more clinical exposure, maybe even credit given for law office work.

It's not enough to be academically proficient if one cannot relate one's education to the real world in a practical sense. It's a big world, and survival mandates dealing with others in a practical manner.

it a try. I remembered when Prof. Kuklin declined a match after the news of another male classmate's defeat. Once again Prof. Crea was there to "jeer" me on. Our muscles tightened and our fists clenched. It took about fifteen seconds to find out what I wanted to know.

No readers, this author did not lose, nor did he win. In fact, he could not budge Ms. Konovitch which seems to suggest that she was being nice. Maybe I should arm wrestle her daughter?

#4

STAR LAWS

STARRING:
PROFESSOR
LUKE SKYLAWYER

LAW CADETS, YOUR 1ST YEAR IS YOUR HARDEST AND YOU'VE NEVER TAKEN A LAW CADET EXAM BEFORE. YOU ARE FACED WITH A CONFLICT. YOU WANT TO ENJOY YOUR CHRISTMAS/CHANUKAH VACATION. YOU MUST STUDY—PROGRAM—STUDY!

BUT DON'T DESPAIR. YOU SHOULD BE ABLE TO GET ALL YOUR PROGRAMMING DONE EVEN IF YOU DO TAKE OFF CHRISTMAS EVE AND NEW YEARS EVE! BAH HUMBURG — I MEAN — MERRY CHRISTMAS AND A HAPPY NEW ORBIT!

Merry Christmas/ Happy Chanukah Happy New Orbit !!

Almost Wins Grid Title by a Mudslide

By STEVEN J. SALTZMAN

Almost borrowed a play from U.S.C.'s playbook, the famous "student body left," and revised it law-school style to run Mud into the ground, capturing the Brooklyn Law School football championship, 5-3.

The play that came to be known as the "law review left" called for law review candidates Dan Corey, John Petito, Kevin O'Regan, and Phil Levy to sweep to the left while the Journal's own Steve Mankett "paved" the way for runningbacks Jack Hollander and Mark "Sterl" Bresky to sprint untouched down the field.

The victory capped a perfect 9-0 season and brought the closely knit second year squad the championship that had barely eluded them last year. Thus the name Almost was born.

The game ended a somewhat successful football program. In an attempt to elicit greater student participation, the league was expanded from seven teams to twelve. Unfortunately this resulted in more forfeits and cancelled games which are directly contrary to the whole purpose behind the league.

The enlarged schedule meant more playoff teams and by the end of the six regular season games, eight of the twelve teams qualified for the playoffs, including all three freshman and both alumni clubs.

In the first round Mean Machine defeated a gutsy freshman, Section 2, minus their star quarterback, David Sheegar. Mud overtook the Cowboys, another first year group, and Rookie of the Year Candidate Rod Stillwell. Almost was too much for the third freshman team, the B-52's. Quarterback Jerry Hughes showed an excellent arm and a brain to match (Princeton grad) but could not crack the Almost defense.

The final first round game between the Squeeze and the Alumnitolah's was marred by violence in typical Squeeze fashion and when the dust cleared the alumni club was the victor, 5-2.

Second round action pitted Mud against the heavily favored Mean Machine, comprised mostly of last year's champs. Mean Machine seemed headed for another shot at the title when Richie Feldman took a handoff on the first play from scrimmage and raced for a touchdown. Somehow the arm and legs of quarterback David Getz kept Mud in the game and upset the cocky third year squad, 5-3.

Almost almost did not get to the championship when the powerful Alumnitolahs fought back and tied the game with five minutes to play. However, in the form of true champions, Almost quarterback Kevin O'Regan hit Jack Hollander in the end-zone for his fourth touchdown reception of the game. But the "rifle-arm" of Buz Greenwald shot bullets into the Almost secondary and brought his team to the ten-yard line with two plays left. The Almost defense, led by the best safety tandem in the league, Dan "D.C. Express" Corey and John "Boom Boom" Petito, would not be denied and two bone-jarring hits brought them into the finals.

The championship game proved to be more exciting than expected at the overmatched Mud dug in and fought back once again on the running and long bombs of David Getz, last year's championship quarterback. With Stu "Too Cool" Orden nullified, Getz found Steve Gersky and Kenny Bouche behind the secondary several times. This brought in the famed and feared "bookends," Steve Mankett and Marc Seedorf, to put pressure on Getz. You can still see his body imprints on the ground. Occasionally Teddy "Bear" Oshman would shoot under the line-man and set Getz afire.

Offensively, short passes and long runs a la "law review left" kept the Mud defenders worried and confused. The game was a lot closer than the 5-3 scored indicated because Almost scored on the last play of the game. O'Regan, not content to run out the clock, found Seedorf, who made a diving grab near the goal line. On the next play he threaded the needle to a to-be-nameless receiver in the end-zone.

Unfortunately, the season ended on a sour note. The three co-commissioners, Steve Mankett, Jack Hollander, and Steve Saltzman all announced their resignation from their volunteer positions. Their reasons were uniform as they felt a sense of frustration and aggravation in the high number of forfeitures and cancellations. This indicates the players' lack of consideration for each other and perhaps the overall student disinterest in sports altogether at this institution.

As an example, on the last day of regular season play two last place teams were scheduled to play two last place teams were scheduled to play each other for the "battle of the unvictorious." The other game was mutually cancelled. It was pouring rain outside. Quite typically, one team was left standing in the rain with not so much as a phone call from the other team. This is but one example of many similar incidents.

The reasons seem to be the SBA's lowering of the entry fees and the increase of the number of entrants allowed in the league. As the basketball season is approaching, Rich Millazo, an athletic committee member, is investigating the issue.

The following awards are based on a survey conducted throughout the league.

M.V.P. — The catching, running, and kicking of Jack "Hollywood" Hollander were no doubt a prime reason for his team's perfect record. As the leading scorer in the league, his statistics back up the choice.

Sportsman of the Year — For the last two seasons Kevin O'Regan has led his squad to the finals without ever arguing a call or threatening an opposing player. His quiet, yet assertive demeanor made him the most respected player by his peers.

Rookie of the Year — Two players, both quarterbacks, are the recipients of this award. Rod Stillwell of the Cowboys and Jerry Hughes of the B-52's molded their "rag-tag" squads into playoff contenders.



INTRAMURAL FOOTBALL CHAMPS: The team called "Almost" poses with celebratory beers in hand after clinching the BLS Football Championship. Standing (l. to r.) are: Steve Saltzman, Jack Hollander, Marc Seedorf, John Petito, Dan Corey, Steve Mankett, and Kevin O'Regan. Seated (l. to r.) are: Phil Levy, Ted Oshman, and Marc Bresky.

Ann Konovitch: Armed With Energy

By STEVEN J. SALTZMAN

It was the first day of contracts. I got to class early and took a seat on the side next to a shapely blond. She seemed friendly enough at first, but soon I began noticing some strange things. She would bring cleats to class. She could carry three law books in one hand. And one day when she accidentally pulled a chair out of its socket I realized she must be the "bionic woman."

Actually, Ann Konovitch is nothing of the sort. If it were not for a newsman who challenged her to an arm wrestling contest none of us would ever know the talents Ms. Konovitch possesses. Not only is she a champion arm wrestler but also a star player on a women's softball team. The team is from Maspeth, Queens and is sponsored by a neighborhood bar called "B.V.D.'s." They play in a league organized under the auspices of Bill Bunting, who happens to own B.V.D.'s. Coincidentally the league is called "B.V.D.'s Women's Softball League."

Ms. Konovitch explains the phenomenon of a women's softball league, "Until a couple of years ago you could go into almost any neighborhood bar in Queens and find a male softball team. Now there is a good chance there will be a women's team also. The first year (two summers ago) we were hor-

rendous. The girls were unsure of how to handle themselves and be a 'lady' at the same time. Tears on the field were a familiar sight. We also had to learn sportsmanship and the meaning of athletic competition. But through it all we had a great time."

Ms. Konovitch, 30, has led a life full of learning. She is one of those people with boundless energy, and once she puts her mind to something it is as good as done. She graduated Flushing H.S. at 16, went to Queens College and Nassau Community College at the same time and graduated in two and a half years all the while working her way through. Soon after, she got her masters from Queens in psychology and also had extensive training in psychotherapy. To make ends meet she did some modelling in a "Women's Strength" periodical.

Ann got involved in arm wrestling quite by accident. Her team manager, Bill Bunting, entered the whole team in a local tournament and to everyone's surprise Ann won. Since then she has kept on winning and in the process won herself a boyfriend, Bill Bunting.

"The thing in arm wrestling," she says, "is not necessarily strength, but quickness, although strength helps you if you can't win immediately."

Women's arm wrestling is growing.

Continued on page 7



JUSTINIAN STAFF WRITER Steve Saltzman has a gripping experience with champion arm wrestler Anna Konovitch

Photo by Arthur S. Friedman

Crybaby of the Year — This award goes to an entire team, the Squeeze, for never failing to berate referees, fight with the opposing team and even among themselves in every game they played this year.

Cheerleaders of the Year — The only

unanimous choice among all the voters, this award goes to the "Beavers," the girlfriends and wives of Almost who never failed to miss a game. And, in case anybody realized, that was the key to their success. One look at them and you see why.