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Justinian

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No. 2

Chinese Lawyers Visit Brooklyn Law School



By Martin Kleinman

On September 18th an observer group made up of lawyers and professors of law from the People's Republic of China visited Brooklyn Law School. This was the first major American tour by members of the Chinese legal profession in thirty years. The purpose of the visit was said to be an examination of American legal ideas and institutions, in order that from our best ideas they might choose those which seemed most adaptable to the Chinese system of law.

The highly distinguished team, led by Xu Hegao, Director of the International Law Research Department at the Institute of Jurisprudence in Peking, included Shao Xunyi, Legal Advisor to the Legal Affairs Department of the China Council for the Promotion of International Trade; Zhu Qiwu, Associate Professor at Beijing Political-Legal Institute; Zhong Huihua, a lawyer in the Guangzhou Municipality Law Advice Office, and two other lawyers and a third who served as their secretary.

The trip, brought about with the co-operation of the Chinese government, and the Chinese Mission to the United Nations, was arranged by Donald Paragon, a graduate of Brooklyn Law School who practices in New York City.

During their fifteen day trip to Albany, Washington D.C. and New York City, the lawyer/observers stopped at prisons, courts, government agencies and law schools. At

Brooklyn Law School they exhibited a keen interest in the manner in which American legal education is conducted. During the course of their day, they sat in on classes, questioned the Deans of the law school at some length, enjoyed a faculty luncheon, and then went on to meet with faculty and students in an open question and answer meeting.

A lively exchange of ideas took place at the well attended meeting. Through the medium of simultaneous translation the observer group spoke about China's desire to move ahead with industrialization and of their need to increase the number of lawyers in practice if they wish to accomplish the goal of modernization. They noted that there are only about three thousand lawyers in all of China, but they assured the eager audience that in China salaries were only equivalent to those of the average working person. They expressed hope that they could learn from all legal systems and pick what was best from them for their own.

Unfortunately, the meeting ended too soon, because of the busy schedule of the visiting team, and many questions had to remain unanswered. The event was unique, affording faculty and students a glimpse of the intricacies of Chinese legal customs and an opportunity to share with the visitors some ideas about the American system of justice.

New Placement Director

By Jane Huseman

"Every day is a new adventure," commented Paulette A. La Doux, the new director of Placement and Career Planning.

Although new to the field of law, Ms. La Doux, who joined the staff September 25, has substantial experience with placement in other schools, having spent five years as Director of Placement at Mount St. Vincent and at Manhattan College, where she did psychological work.

In her past experience, La Doux had found that what many seniors needed was information, not psychotherapy. "I have seen people become more well adjusted with job satisfaction," she stated.

In the search for the perfect job, Ms. La Doux sees many pitfalls. She feels one of the basic problems with placement and career planning is that students spend a great deal of time on exams, papers and other school work but very little time preparing for the rest of their lives. When the work and skills needed to acquire employment are left until the eleventh hour, the results are not the best that could be achieved and the new director would like to change this.

There are things within the office that Ms. La Doux finds excellent, such as some of the preparation booklets. She commented favorably on the overall quality of the resumes submitted this fall. She plans to add to and update the employment seeking materials available in the office and to offer new programs to the students.

Although there have been a few problems experienced recently involving scheduling of job interviews and the closing of the office, Ms. La Doux attributes them to the change of administration and she plans to work out these difficulties. While reorganization is going on, the placement office will be closed from 10-11 A.M. and 2:30-3:30 P.M. for the remainder of October.

Ms. La Doux comes to Brooklyn Law School with a B.A. in Psychology from the University of Kentucky, an M.A. from St. Bonaventure, and is currently completing her Ph.D. in Clinical Psychology at St. John's University. In addition to Ms. La Doux, the placement office also welcomes a new secretary, Marge De Simone, and a new clerk, Gina Spataro.

OIA Exhibit in Lounge

By Bruce Braswell

Brooklyn Law School is currently hosting an exhibition of geometric art sponsored by the Organization of Independent Artists (OIA) through Dec. 15th in the third floor lounge.

This selection of about 30 paintings from 23 professional artists' collections features the geometric art style, from Robert Swain's color gradations to James Bowness' wall mural. Mr. Bowness painted the mural on the east wall of the lounge for the exhibition. He has donated the mural for the permanent beautification of the lounge. The artists represented used different mediums: oil on carved wood or fabric, graphite on paper, acrylic polymer emulsion on canvas, masonite on wood, mixed media on paper, and graphite plus caren d'ache.

According to Cliff Singer, artist and curator of the show, "The objective of the exhibition is to scan the vast amount of information involved in geometric art to demonstrate its importance in modern art. The varied form and content of the work presented shows the continual invention by the artist to integrate re-discovered and newly discovered elements of pictorial space.

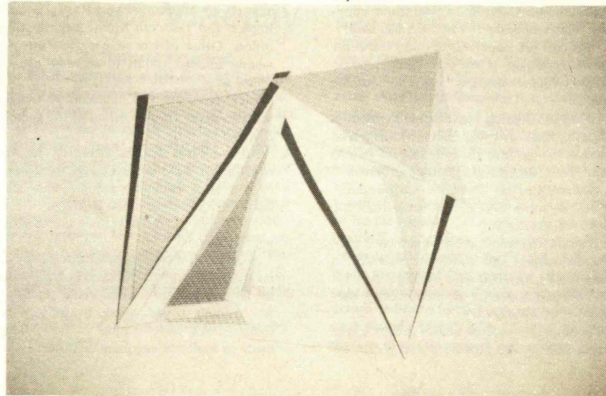
"Individual paintings have been appraised at anywhere from \$500 to \$25,000 or more

by the directors of OIA. Most of the artists here found the work of their fellow contributors to be far above the quality they had come to expect in most public places," Singer concluded.

Not all would agree with him. Student reactions ranged from vocal disagreement concerning the aesthetic value of the art to pleasure at seeing the walls adorned with works of talented artists.

One student who spent several minutes viewing the work, at times appreciatively, other times shaking his head, said after a hasty glance, "The juxtaposition of law classes and art may be seen by some as clashing. I'm not sure. In law and in art there is a combination of concept, detail, nuance and emotion. Art, like the law, is a civilizing experience. Both nourish the soul, one through intellect and the other through vision."

Credit for bringing the exhibition to the school goes to our local culture maven, Professor Leitner, who persuaded OIA two years ago that we met the criteria of Public Law 94-541, the "Public Buildings Cooperative Use Act of 1976." This act calls for the use of Federal Buildings for cultural activities, in an attempt to stimulate citizen traffic into public buildings. It also provides a forum for the artist whose works need public exposure.

Rebecca Martin's *Tempera on Wood, Masonite, Wire*

SBA Delegates Elected

By Rebecca Arce

Eighteen day and eight evening students were elected to represent their classmates as SBA delegates in the general elections held in mid-September. George Angelastro, Jr. and Michael Calano were elected by Section I, and Rich Pomerantz and Rosa Wong-suwan by Section III. Section III representatives are John Pietrunti and Kenrick Wharton, and the first year evening division selected Erika Hoffman and Winston McLaughlin from a field of six candidates.

Second year day students voted for six delegates from among nine candidates. Paul Bierman and Avery Eli Okin were re-elected for their second terms, and Geri Klein, Howard Korman, Peter Prandi and Wendy Weinstein were elected for their first terms. Thaddeus McGuire and Margaret McManus are the second year evening delegates.

Elections from the third year day-division returned Mark Casso and Mary Jane Huseman for their third terms, and Alice Alper Rein for her second. The other three delegates are Stacy Kaufman, Laura Shapiro and Deborah Ellis Timberlake. This election had to be held twice, according to Sylvia Goldschmidt, day-division vice-president. Apparently a mistake in names was made on the ballots. The error was not discovered until over forty people had voted in what was to be a close contest. The election committee decided it was easier to hold another election than to try and contact all the people involved.

Four candidates ran for the two third year evening delegate positions and each received one vote. In a run-off election, Mike Barry and Bobbie DiBenedetto were the victors. Fourth year-evening elected Joe Bam-

Methods Class to Pay Big Dividends

By Martin Kleinman

High on the gripe list of this year's plebe class is the complaint that Legal Methods unfairly discriminates against all students with the misfortune, etc. This new program, Methods, Writing, and something euphemistically referred to as the Moot Court experience, was sold to the student body with an option reserved for increases in class hours, vague terms concerning grading and credit values, and the hidden requirement of personal interviews after each writing assignment, for the student's own good, of course. But the cry is about, in library and saloon alike: "one-class hour, one credit" and "no argumentation without remuneration."

There is some good news coming, however, if the Board of Trustees approves the recent faculty decision to raise from one credit to two the value of the year's work in this program. This move is especially welcome to part-time students without futures in gold or Certificates of Deposit purchased at last year's bonanza rates. If the Trustees decide to upgrade the credit value of the program, half-time students will qualify as three-quarter timers, which in the worst of times would be a truly forgettable distinction, but it means more money for those who have been limited to a \$2500 loan by the absence of the one credit which would be added in the Spring. Additionally, the degree requirement will be raised to 85 credits to accommodate the change without sacrificing any coursework.

This realignment of credit value received with class time expended carries with it other interesting ramifications, which if you are reading about here for the first time means you owe it to yourself to become better connected to the student info pipeline. Buy a funny hat, carry a copy of a California newspaper and a bottle of Mexican beer, anything, but this really should be old

news to you by this time. Some of these other ramifications include possible deferral of previous student loans (if your bank is amenable); TAP if you can show, as a single person, an income less than \$5700 per year, or more if married with dependents; and for the veterans in the crowd, three-quarter time status will qualify you for full-time loan money, which means you can get that old M 16 out of the closet and really get in some good weekends of small game hunting before all the deer and gophers are gone. If any of this applies to you, you will no doubt rediscover the financial aid office at the earliest opportune moment. For those who borrowed \$2500, a sizable minority, the change means an additional \$1250. The school has assured us it will be most cooperative in processing the hill of extra paper that will be generated by this change, although as we all know, the most important thing to the State of New York is the date of expiration on the notary's rubber stamp.

But what about the substantive complaints voiced whenever students get together, annoyance about the seeming irrelevance of the program to the actual classwork in the other classes, and about the number of hours required for young jurists without the desire to perform purely academic exercises in research and synthesis of case materials? The faculty maintains in the face of dwindling attendance, that the course in Methods is extremely valuable as an intensive workshop in the nuts and bolts of judicial reasoning. Ironically, the ungraded class, designed to allow students ease to speak up, has resulted in their speaking a much different message—nonattendance.

One faculty member who is presently teaching the new Methods course commented that some students' apparent lack

of commitment to the course is probably the result of their sense of resource allocation and the need to attain short term goals, perhaps to the detriment of the Methods program which rests its case on the noble but future tense grounds of better-analysis-later. Not terribly compelling to the student seeking more-cases-read-earlier, although this may be of no avail to the student whose analysis fails to meet the nuances of the decision.

Another faculty member who teaches the course noted that students acquire the analytical ability at different speeds. So, while the course has managed to merge some of

the disparate introductory material which used to go scattered throughout the first year classes into a more coherent body of material, it might be said that it only speaks to a student's needs for as long as it takes that person to reach the level of competence required for his or her studies. Again, that level is called hard to describe and harder to measure.

Evaluation of the program will take place at the end of the year, although it is not yet certain what procedures or tests will be used to determine the new program's effectiveness.

Juvenile Justice

New York's new Department of Juvenile Justice was the topic when Professor Garrison invited Kaye Murray and Hildy Simmons to lecture at her seminar. Ms. Murray, Counsel to the department, stated that the agency has come to depend on lawsuits to straighten out problems caused by legislative compromise. Ms. Simmons, representing the Department of Social Services, stated that the goals of well intentioned administrators were confounded by an uncertainty as to whether the situation calls for criminal justice or social welfare solutions. With the average juvenile spending eight to twelve months in juvenile "detention" after sentencing for long term imprisonment, the speakers agreed that the situation has reached horrendous proportions, threatening the stability of all juvenile care in the city.

Essay

The topic for the 1980-81 contest sponsored by the Association of Trial Lawyers of America is: Love Canal et al: What are the Federal Government's Rights, Responsibilities, and Liabilities for the Damages from Chemical Dumps?

"The genesis of the issue is not that hard," said Professor Kaming. "It's that old tort issue of dangerous instrumentalities revisited, with modern technology offering special opportunities for analysis."

The right of injured victims to sue the government for damages, as a result of the government regulatory agencies having created and sanctioned such dumping sites, as well as the government's ability to recover from those companies that disposed of the unsafe chemicals, should be assessed.

Background information and complete contest rules are available from: Jane Murphy, ATLA National Coordinator, 1050 31st St. NW, Washington, DC, 20007. Phone: 202-965-3500, ext. 221.

New Xerox Machine Installed

By Judy Shouse

You may have noticed some construction taking place upstairs. In an effort to alleviate many of the frustrating moments spent waiting for xerox copies by both administration and the student body, a new Xerox 9400 was installed during the week of October 6 on the ninth floor. With the growth of Brooklyn Law School this fall, faculty, students and the administration sought a larger and more efficient copying system.

The Xerox 9400 was chosen for its broad capacity for copying, collating and stapling. The machine can automatically reproduce on both sides of the paper, collate 100 sets of a document at one time with a maximum of 100 pages per set, and has the ability to staple in process. According to Lewis Kerman, Dean of Students, "The 9400 is a wonderful machine and will make the operation of the copying room much more efficient."

"Cost was also a factor considered in choosing the 9400 in that the school will now be able to handle all of its copying needs without having to send major copying jobs to outside firms," Kerman said.

The cost per page will be under five cents including paper, labor etc. This is less expensive than sending copy to outside printers.

The 9400 is being leased from Xerox on a monthly basis with the first month as a trial period. "If we find that the 9400 isn't up to our needs, we can give it back to Xerox," explained Bursar Rosalind Zuckerman, "but we have every confidence that the 9400 will do the job."

Because the 9400 is on a one month probation period, the machines presently in use, the Xerox 7000 and 4000, will be kept in storage, for use in the event the new machine is unsatisfactory.

Because the 9400 is unable to copy pages from a book, the administration is also in-

stalling a Xerox 3400, a much smaller machine capable of book copying. With the combination of machines, the copying room will be able to handle all the jobs necessary, large and small.

The copy room handles all copies requested by the faculty, administration and student organizations.

To accommodate the Xerox 9400, which is approximately 13' by 5', a new room was arranged on the ninth floor. The front of the records room was closed off by a new wall and its side wall, which backs up to the bookstore cage, will be knocked down. The 9400 will be installed in the front section of the former records room and the records room will occupy the area in back of the former cage area. The cage area will be walled in to make the room secure. The bookstore will be moved into the old copying room.

The other structural changes made in the building were the carving out of offices for the seven new full-time faculty. Two new offices were made out of space previously allotted to student organizations. Lucille Kaplan and Deborah Moritz occupy these offices. Other offices were made from previously unused rooms to accommodate the other new professors: Poser, Rockwell, Walter, Herman, and Fullerton. An office was also made from a section of the Faculty Library.

All structural changes, including the construction of walls and painting, were made by the BLS Building and Ground staff headed by supervisor Bob Hudson.

The Xerox is planned to begin reproducing October 10.

Because all usable space within the building is now occupied, Dean Kerman said that the administration is considering placing a few student organizations in offices off campus. An investigation is now being made to look for adequate facilities.

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Brooklyn Student Advocates Environmentalism

By Lisa Printz

"Environmental Law is the most important subject that can be tackled with a legal career," says Rick Reibstein, president of the Natural Resources Law Society. To emphasize this point, Reibstein has nearly singlehandedly presented the student legal nation with his views on environmentalism. It sounds like an achievement—it is.

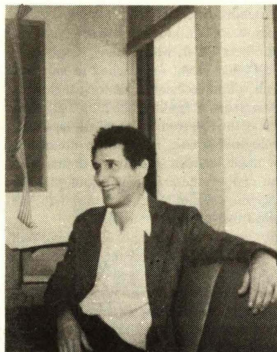
What Rick Reibstein is, can be defined by what he does, and by how he implements his ideas. He organized the Natural Resources Law Society at Brooklyn Law School to emphasize environmental issues especially as they relate to law. "I think any problems that we face, face all of us; environmentalism has been viewed as a small subject. The truth is, the threat of poisoning from toxic chemicals, the problems of hazardous waste dumps, problems of carcinogens, affect us all, in fact, are the basis for a lot of our policy decisions."

With this unifying idea in mind, Reibstein formed the Society. At this point in time, he sees it as having three main functions; first, to succeed in passing four resolutions before the Board of Governors of the Law Student Division of the American Bar Association; second, to publish the second edition of the Natural Resources Society Newsletter, and third, to offer a program of guest speakers to lighten awareness and to entertain the students of B.L.S. with regard to environmental issues.

The main focus of Reibstein's work for several months has been centered around four resolutions which were first presented at the Second Circuit Caucus this past spring. The resolutions which passed related to recommendations for: recycling of glass and paper, task forces to delineate guidelines for landowners and people exposed to pesticides, measures to conserve energy resources, and a hazardous waste cleanup program funded in part by a levy on the companies involved in the dissemination of this waste material. These resolutions, the brain child of Reibstein, travelled with him to San Francisco this summer to

the ABA/LSD convention. Reibstein made the drive at his own expense to insure his resolutions would be presented to the assembly.

The resolutions were presented and were tabled by the Board of Governors, the Governors demanding "more detailed legal and scientific justification." Reibstein was invited by the Governors to appear at their November meeting and present his data.



However, the trip to California was by no means a waste of time. The assembly did pass a resolution affirming some of Reibstein's views. It was quite vague. "It's ironic that the resolution that was actually passed was a lot more vague than the one which I had drafted." But the significance of the trip remains. He was directed to appear before the Governors again.

It seems to be such a tedious way to make the ABA aware of the law students' views, but Reibstein feels it is a necessary vehicle. "Certain people in the ABA will take notice that the law students are concerned and willing to fight for environmental issues."

The importance of this cannot be stressed enough. "The ABA is extremely persuasive. If they can be persuaded to do the work we have proposed, the whole country would take notice that the lawyers of this country feel that this is important, that this is top agenda work—it would be a terrific achievement."

In order to enable Reibstein to present the Board with the information it requires, volunteers are needed to do research to prepare "scientific and legal justification."

The second way the bar will take note of Reibstein's activities is through the Natural Resources Law Society Newsletter. Last year Reibstein, subsidized by SBA, wrote and printed the first issue of the newsletter himself. Reibstein wants this year's newsletter to be filled with other peoples' efforts as well. "Just write a paragraph on any environmental issue and its relation to the law . . . if we had small submission from a large group of students, we would be able to demonstrate a large support, the willingness of people to work for environmental issues." (Submissions should be addressed to box 566 or the Natural Resources Law Society mailbox.)

The third function of the Society is to sponsor speakers. All speakers are *gratis* and have been willing to talk to some incredibly low attendance, for example, an audience of three. Reibstein hopes to do better this year.

Reibstein feels that the environmental focus should be on industries, not on individuals. Industry has only begun to realize the importance of alternate forms of energy.

The problem lies in lack of awareness. "People don't understand what they suspect requires scientific knowledge. People have a feeling that all the resources are going to be expended. In a way, the rape of natural resources has accelerated by the perception that resources are finite."

In advocating this long range view, Reibstein stresses unity. "If proponents of alternate energy projects succeed, it could help our foreign economic problem. It's intimately connected with everything. It's one thing which people can theoretically be united against being poisoned, against having a shortage."

For Rick Reibstein, environmentalism is a part of his life. He wants to have "a role in convincing people to get involved, to effect change through environmental issues. I see it as having great potential for creating political unity."

Reibstein takes this optimistic foresight and applies high energy to his work. "I don't feel like I'm a lone voice crying in wilderness. People of like mind *do* listen. It helps for us to come together."

S.B.A.

Continued from page 1

bara and Livio Lazzari.

Delegates represent their class at SBA meetings held approximately once a month. They are expected to attend in order to keep their positions. Jeff Notarbartolo, evening vice-president, stresses that everyone should seek out delegates for information and with their suggestions.

Product Viability

By Professor Kingsfield

Many years ago in the City of Brooklyn there lived on old man called Barney Smith, the wise one. Many people came seeking his advice, which he gave freely, asking nothing in return. There came to him one day a young man who had spent much but gotten little in return. He asked: "Tell me, oh wise one, how shall I get the most for that which I spend?" "You should look for the priceless ingredient, young man." "But what, oh wise one, is this priceless ingredient?" "The priceless ingredient in any product is the honor and integrity of the man who made it."

"I'm loving it!" the young man said and he went away.

Natural Law

By Jane Falcon

An argument that the existence of Natural Law can be discovered quite effectively by any seven, nine or thirteen year old.

Parents preside over a trial court of general jurisdiction whose doors never close and whose jurisdiction is theoretically unlimited. This is a court where *res judicata* is forbidden, yet *stare decisis* is constantly invoked if convenient. Defense never rests, prosecution never quits, and an exhausted Justice is advised not to put her blindfold on or she may fall asleep behind it.

CONTRACTUAL OBLIGATION: There is no one so loving of the contractual agreement and the obligations it imposes on the offeror as the thirteen year old who needs everything and has nothing. Little Adam spends a great deal of his time shopping for binding promises, unilateral offers—no performance too onerous as long as the promise is tempting enough. Case in point: I am the unwitting offeror, and thinking I am the mistress of my offer I smugly say, "Adam, lend me ten dollars now and I will pay it back with interest." Offeree Adam says, "you know I'm saving up for a microscope, and last time you borrowed money from me you didn't pay it back." Offeror, somewhat disturbed, replies: "What about the bike, the captain's bed, the chemistry set?" Offeree ignoring rebuttal, "How much interest?" Offeror (still smug) responds, "Don't worry, you'll be very pleased with the interest." Offeree paces to dig his microscope fund money out of its hiding place and magnanimously presses fifteen dollars (a counteroffer?) in offeror's hands, which offeror happily accepts (*contract*). A reasonable amount of time passes, and Adam comes to collect the principle and the interest. Offeror presents offeree with sixteen dollars. In an action for damages sustained by breach of an oral contract plaintiff appeals a judgment of the lower court (me) which found for defendant offeror on indefiniteness. The learned appellate justice (daddy) reverses and fixes damages at three dollars (not nominal in this case), this sum deemed to be the amount of interest a reasonable thirteen year old would be pleased with.

TORT LIABILITY: To seven year old Amy, smaller and frailer than her older siblings, the legal redress for an intentional tort is indispensable. In a recent action, Amy is found helplessly wound up in several layers of blankets, with an Ace bandage carefully wound round her head. Two potential defendants are found giggling and hiding in a nearby closet. Plaintiff is unwound and court is in session. Plaintiff wisely chooses to sue in tort rather than institute a criminal proceeding as using her sister's and brother's prized possessions (the general damages award) is far more satisfying to her than watching defendants languish in their rooms for several hours (criminal penalties). Amy then proceeds to sob out her story of being grabbed and wrapped. "I warned them, I told them they'd be in trouble if they wound me up . . . and then they wound my head and I couldn't talk anymore. They wanted me to suffocate to death." (A battery with malicious intent—obviously plaintiff wants compensatory and punitive damages on this one.) Adam argues for the defense, "You know, she wanted to be the mummy, we told her she could be the scientist but she made us let her be the mummy . . . she asked for it." (Consent). Amy now senses she is on dangerous ground and replies, "I said I would be mummy, but that didn't mean I'd be wrapped and dead forever. I wanted to come out." (The act went beyond the consent given) Defense: "A mummy is wrapped and dead forever, and you wanted to be the mummy." Lower court finds for plaintiff on the facts. Nonetheless, defendants appeal to daddy. Affirmed, the lower court is a trier of fact and the facts in this case support a cause of action. In collateral action instituted by defendants in the prior case plaintiff (Amy) is accused of the conversion of certain prized possessions.

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L.A.W. Notes

By Dorothy Morrill

In times of great dislocation and economic unrest, it is very seductive to idealize "otherworldly" virtues. Professor Rhonda Copelon, in a symposium on The Politics of Abortion, suggested that the foes of abortion would like to give the impression that they have appropriated morality unto themselves. They would protect the "innocent fetus" and those who support their position can think of themselves as "good" and "moral" while the proponents of abortion are "bad" and "immoral." "The claim of moral superiority is the greatest obstacle to be overcome," Professor Copelon warned that the same "moral" thrust fueled Fascism.

The symposium, attended by more than two hundred people, was sponsored by LAW (The Legal Association of Women); BALSA (Black American Law Students Association) and the National Lawyer's Guild. Belinda Sifford of CARASA (The Committee for Abortion Rights and Against Sterilization Abuse), another featured speaker, emphasized that CARASA does not view abortion as an isolated issue. Rather, it must be viewed in the context of the question "What do reproductive rights really mean?" She noted the unavailability of safe, reversible contraceptive methods and that research funds devoted to the quest for chemical methods of contraception far exceed the dollars spent on barrier methods which seem to be safer for the user. She suggested that the coalition of forces against abortion have strategically chosen to attack those most powerless to fight back, poor women.

Since the 1973 Supreme Court decision in *Roe v. Wade* which affirmed women's fundamental right to abortion, the court seems to have retreated from its commitment. Fundamental rights can not be taken away except for reasons which are extraordinarily compelling. During the first six months of pregnancy, the legitimate interests of the state are limited to protecting and preserving the health of the pregnant woman. The State's interests do not permit any regulation during the first trimester of pregnancy.

During the second trimester of pregnancy, the state may impose regulations which protect the health of the woman. Examples of permissible regulations include license requirements, both for the person who performs the abortion and for the facility where it is performed.

Only during the final three months of pregnancy does another State interest attain any influence. The interest of the State in "protecting the potentiality of life" as measured by the viability of the fetus can then be cited by the State as a reason to proscribe abortion "except when it is necessary to preserve the life or health of the mother." It would seem then, that the right of the mother to life and health is primary, even in the third trimester of pregnancy.

It is only in the light of *Roe v. Wade* that the *Harris v. McRae* decision which was argued before the Supreme Court by Professor Copelon on behalf of The Center for Constitutional Rights, can be evaluated.

In 1976, the Hyde Amendment, a Congressional rider on an appropriations bill, limiting the funding of abortions through Medicaid unless the woman's life was in danger or the pregnancy was the result of rape or incest, was promptly reported. The reporting period then was sixty days.

The 1981 version of the Hyde Amendment is, at this writing, being battled over on the floor of Congress to determine whether the reporting period should be 72 hours or 48 hours.

The *McRae* decision held that a state could refuse to fund abortions through Medicaid, not just during the final trimester of pregnancy, but throughout the entire nine month period. Only if the woman's life is threatened by the failure to terminate the pregnancy or if the pregnancy arises from rape or incest reported within hours of the occurrence, may funds be provided.

What price fundamental rights? How basic are fundamental rights if the road toward their exercise is a minefield of economic barriers?

It should be noted that if the thrust of this legislation is an economy measure, it is ineffective. It certainly costs more to have a child and to raise that child than it does to terminate the pregnancy. Since a woman eligible for Medicaid is unlikely to have many resources, the State will bear at least some portion of these expenses. It would seem then, that in a shrinking economy, funds are being committed on the basis of a limited, secondary State interest which only arises during a limited period, the final trimester of pregnancy, at the expense of the State's primary interest: the health and safety of the woman. If for some individuals, fundamental rights are less fundamental than for others, that is indeed immoral.

Law Students Civil Rights Research Council

For the first time in recent years, there is now a chapter of the Law Students Civil Rights Research Council (LSCRR) at Brooklyn Law School. LSCRR is the only national multi-ethnic, non-sexist law student service organization committed to the development of "people's lawyers" to serve poor and minority communities. This past summer, nine Brooklyn Law School students worked as interns in poverty law offices ranging from neighborhood legal services offices to national backup centers and Indian reservations. Other students worked with the city Human Rights Commission, a state commission to revise the Family Law Act, and a union group working on occupational health and safety issues.

This year an official Brooklyn Law School chapter of LSCRR will encourage students to propose their own summer internship projects. The chapter will also publicize existing LSCRR programs and suggest ideas for summer placements.

Last year the informal LSCRR chapter worked with the placement office to publicize the summer programs. We intend to

continue this cooperation this year and also to try to increase availability of work-study funds at Brooklyn Law School to facilitate BLS students obtaining paid summer jobs with public interest employers.

In addition, LSCRR is committed to changing the law school experience to better reflect the needs of poor and minority groups and women. Toward that end we will also be working in coalitions with other student groups to increase the number of courses offered in public interest areas of the law, to sponsor speakers on alternative types of law practice and to diversify the Brooklyn Law School faculty and student body to include more minority group members.

An informational meeting will be held in late October or early November, with a representative present from the national LSCRR board. We encourage all interested students to attend, particularly first and second year students. Check the bulletin boards for our notices. Questions can be directed to Susan Sternberg, Tony Cheh or Bob Michaelson.

The Living Will

By Lisa Printz

Rose P. died one February evening after a three year bout with stomach cancer. She died at home surrounded by her children and grandchildren, at least happy to have spent her last moments as she wished to.

For most, death at home is not the outcome. Often the pain and anguish of hospital care force a loved one to spend his remaining moments in an alien environment surrounded by machines.

The gentle hiss of an M-I Bennett respirator is a familiar sound to most residents of extended care facilities. It is not only familiar, it is life producing. It is this machine, and others like it, which many people wish to die away from, unattached to anything which will unnecessarily prolong their life.

The issue of "pulling the plug" has long been at the forefront of medical, legal and theological debate. Each camp presents a new angle, a fresh side to the drama. But what really is the problem? Should not the focus be on the patient rather than the learned men arguing philosophy?

For people with foresight, the Living Will has been established to make known an individual's wish to die free from artificial means or heroic measures. Right to Die legislation has been passed in ten states; New York is not one of them. Yet, as we recently saw in the "Brother Fox" litigation, the New York courts have shown a willingness to terminate respirator treatment upon evidence of the patient's previously expressed desire for a natural death. In addition, in the "Fox" decision, the Appellate Division implied that there could be an advantage to having a Living Will. After recognizing the constitutional right to privacy, the court turned to the question of how an incompe-

tent patient could exercise it: "the task of ascertaining whether the patient would wish to exercise his right is, of course, considerably easier when . . . a 'living will' is made . . .".

Homicide, suicide, mercy killing, euthanasia are all terms used to describe a conclusion. The ultimate result of death is the same. The means by which one reaches it are varied. The first point of confusion that must be clarified is that mercy killing is the active intervention into the dying process, whereas proponents of the Living Will (and others) are advocating passive intervention, allowing nature to take its course.

Doctors maintain that the Hippocratic Oath binds them to keep the patient alive—the questions spring into the mind faster than we can realize that they exist. What is alive? Who determines what is incurable? The list is endless, the issues are confused, perhaps because they deal with a subject so inextricably entwined with our deepest emotions, those of life and death.

Concern for these issues is felt in every corner, in every field of study; perhaps because the concern is fostered by the one event in our lives that we all share, our death. Please join your colleagues from every New York law school, as well as medical students, nursing students and theologians, Saturday, November 8th. The *Justinian* will be host to a seminar conducted by the Concern for Dying, an educational council. The seminar will begin at 1:00 in the Moot Court Room, where, after some opening remarks, a film entitled "Whose Life is it Anyway?" will be shown, followed by a panel discussion. Refreshments will be served.

Kunstler to Visit

By Chris Silber

William M. Kunstler, the controversial defender of civil rights and left-wing activists in the 1960's, will address Brooklyn Law School students on October 28, 1980, on "The Itinerant Lawyer in American History." He will speak in the third floor lounge at 4:00 p.m.

Mr. Kunstler began his itinerant activism in civil rights causes in 1961 when he helped defend a group of Freedom Riders arrested in a bus terminal in Jackson, Mississippi. During the '60's he served as a counsel for the Southern Christian Leadership Conference, and for the Council of Federated Organizations which sent a thousand white students into Mississippi and for the Mississippi Freedom Democratic Party. He is probably best remembered for his defense of the Chicago Seven, who were accused of conspiracy to incite riots at the 1968 Democratic National Convention. Mr. Kunstler is now a voluntary staff attorney and vice president of the Law Center for Constitutional Rights, an organization which he co-founded in 1966.

The Center for Constitutional Rights, headquartered in Manhattan, has been active in the Wounded Knee, Attica and Chicago conspiracy trials, the Puerto Rican Nationalist movement, the Chicano movement in the Southwest, and recently lost the *McRae* case in the United States Supreme Court. The Center is currently defending the St. Regis-Mohawk Indians in their land dispute and the Youngstown Steel workers in their effort to gain community ownership of the plant.

According to Mr. Kunstler, the Center's purpose is two-fold. In addition to defending civil rights causes it seeks to educate and train new attorneys.

Mr. Kunstler said he feels it is important to talk to law students to try to prevent them from getting into what he called "the dreary American nightmare" of traditional law practice which produces "varicose veins and alcoholism."

"I hope one or two students will become the kind of lawyer I am," said Mr. Kunstler.

stler. "The itinerant lawyer can challenge the system the way local attorneys with ties in their home towns can never do."

Mr. Kunstler asserted that he follows the Scaramouche doctrine: Born with the gift of laughter and the sense that the world is mad. He views current events as reported by the media as either "mad or boring."

Asked if he thought there would be a significant difference in Supreme Court appointments under Carter and Reagan, he replied that it was an issue without meaning. "People in this country are in a state of total despair and don't know it," said Mr. Kunstler. "Spectator sports effectively keep people quiet."

Mr. Kunstler declared that he works for people who may start the process of changing the world. "The rest is not serious—it's bull," he said.

Mr. Kunstler is speaking at the invitation of the Brooklyn Law School chapter of the National Lawyers Guild, a bar association of progressive lawyers. The National Lawyers Guild has sponsored programs on alternative practice at Brooklyn Law School in the past. Representatives have been invited from public interest and environmental law groups and civil rights and women's organizations to participate in workshops at the school next semester. The National Lawyers Guild seeks to give students an opportunity to investigate progressive alternatives rather than to meet only with normal recruiters from mainline organizations.

Essay Contest

The International Association of Insurance Counsel announced a legal writing contest. The article may be written on the subject of the author's choosing in the fields of insurance, tort and compensation law. Articles must be submitted by April 1, 1981. Rules and further details are available in the *Justinian* office.

Justinian

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Editorials express the opinion of the Editorial Board
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“For The Student’s Own Good”

The new writing program is basically a series of four papers submitted at approximately equal intervals during the term, each more difficult and requiring more legal research. Sounds pretty good so far. The student puts her or his name on the paper and in it goes for the number grade. Just one problem here: the abandonment of the anonymous grading procedure means each paper is identified as the work of a particular student prior to the moment of grading. Then the inevitable rust of bias sets in even in the most well-intentioned teacher, and does its dirty work. Now to be fair to the fair graders; they are asking students to put their names on the last page or the back of the paper in order to eliminate some of the unavoidable associations of particular personality traits of the writer — be they for better or worse — with the quality of the writing. But this does not go far enough to remedy the inadvertent errors in grading which may still result. We applaud those who, by taking the name off the first page, are trying to diminish the effects of grading named papers. We urge those teachers who have not yet chosen to do so to adopt a similar blind grading technique. Above all, we ask the faculty to take control and institute a formal anonymous grading procedure for the last and most grade-determinative paper of the term. There is plenty of time to do so. The argument that has been advanced for the names appearing on the papers is that this promotes a closer relationship between student and teacher, a relationship which is, we are told, conducive to learning so personal a thing as written style. It is for our own good. However, this argument lacks merit since the number used to identify each student can be translated after the grading has been accomplished and the same flavor of pungently persuasive pedagogy may be enjoyed nonetheless at the post-grading conference.

LEXIS:

Lawyers of the Future?

In law firms and law libraries across the country, hundreds of thousands of people are being trained to use one of the newest computer innovations to storm the legal field.

The Lexis computer system began to inspire excitement in the heart of lawyers and students alike when it first appeared on the research scene. As we languished in the musty book smell of first year research, faint rumblings of some mystical machine captured our attention. Somewhere, lurking in the depths of the basement was a computer that held the secret source of knowledge — through which the life's blood of West Publishing ran. There was nothing this machine was incapable of knowing. Those long, arduous hours in the library poring over Abbotts New York Digest, learning what the small “s” meant in the margin of Shepards, and discovering the difference between the Federal Digest and the Federal Practice Digest seem suddenly wasteful. The thought of a machine capable of disseminating all of this legal gibberish without the pain and agony of legal research was almost too much to bear. The night spent checking *A Uniform System of Citation* for our first research paper, comes flooding back. The spilled coffee, the crumpled mistake ridden pages, the bleary eyes and the angry tears are all fresh again; the cruelty of first year — learning to do legal research.

But now, all that has changed. Once we've met Lexis, research is a snap. The most difficult part is learning to use the system. Will a future generation of law students learn “legal research” by simply learning a computer language?

The hours spent by law clerks and students in libraries will be cut to minutes by Lexis, freeing these people for other tasks: fact finding, interviewing witnesses. A great burden will be lifted once Lexis assumes the legal research load.

But after this, a bit further down the road, perhaps just beyond the point George Orwell cared to see, the congestion in our present justice system may be solved by the progeny of Lexis. No longer will the complaint be heard that “old cases never die, they just get tired of waiting to be litigated.” Lexis will have streamlined the courts to a point where only a few computer engineers will be needed to insure the machine works properly. An attorney will present the facts of his case to the Great Lexis Machine and because Lexis knows *all* the legal principles, *all* the precedent case law, and *all* the controlling statutes, it will deliver a fair and logical decision: it will dispense “justice.” And if justice be nothing more than the “exact conformity to some obligatory law” (Blacks) then who, but Lexis, without subjectivity, could render true justice?



National Team Gears Up for Competition

By Diane Namm

On November 12, BLS will participate in the regional preliminary rounds of the National Moot Court Competition. The Competition is sponsored by the Young Lawyer's Committee of the Association of the Bar of the City of New York, and the American College of Trial Lawyers and will be held at 42 West 44th Street. BLS is one of 11 schools competing in these regional preliminary rounds, and BLS will be arguing against the national competition teams of St. John's Law School and Rutgers Law School.

To participate in the competition, each team must submit a brief, prepared according to Supreme Court standards and citation forms. The brief was due the week of October 13, and it comprises 40 percent of the team's score. The oral argument makes up the remaining 60 percent of the scoring. Each team has one half hour to present its case, or, in other words, 15 minutes to present each issue. Team members must be well versed in both sides of the problem being argued. On November 12, at 4 pm, BLS will argue as the respondent against St. John's. In the evening round, at 8 pm, BLS will argue for the Petitioner against Rutgers Law School team. If BLS is successful on November 12, we will go on to the semi-finals on November 13, and ultimately we hope to go to the National Competition rounds in December.

This year our team is working at a severe

disadvantage because we received the problem several weeks after most of the other schools received it. Over the course of the next few weeks, the team members will be engaging in practice rounds that will be argued in front of several faculty members who have offered their assistance, and possibly in front of a member of the Securities Exchange Commission. The team members, Elliot Schaktman, Susan Sternberg, and Carrie Teitcher, urge first and second year students, in particular, to try and attend some of these practice round sessions.

This year's team was selected through a process of four qualifying rounds in their second year. The first two rounds were mandatory for those who wished to gain entry into the Moot Court Honor Society. The final rounds were invitational. In the fourth and final round, Elliot, Susan and Carrie were selected out of eight possible candidates. Sid Dvorkin (presently the Vice Chairman of the Moot Court Honor Society) was selected as the alternate in the event that one of the team members is unable to participate in the competition. Each of the second year rounds was judged by a different panel of three individuals. The judges were either prior national team members, BLS faculty, or outside lawyers and judges.

As the final note, the team members extend a warm thanks to the faculty members who have been helpful, both in part competitions, and in the present competition.

Symposium on Proposed Code of Evidence

Brooklyn Law School

Saturday, November 15, 1980, 9 O'Clock AM

Morning Session

Nature of Hearsay

Dean Jerome Prince
Dean Emeritus and Professor,
Brooklyn Law School

Principal Hearsay Exceptions

Professor Peter J. O'Connor
Fordham University School of Law

Witnesses

Professor Travis H.D. Lewin
Syracuse University College of Law

Comments

The Honorable Bernard S. Meyer
The New York Court of Appeals
Mr. Robert Pitler
Chief of the Appeals Bureau,
New York County District Attorney

Afternoon Session

Privileges

Professor Michael M. Martin
Fordham University School of Law

Circumstantial Evidence

Professor Thomas F. Shea
St. John's University School of Law

Best Evidence

Professor Robert A. Barker
Associate Dean and Professor,
Albany Law School

Comments

Professor Margaret A. Berger
Visiting Professor,
Harvard University Law School,
Professor, Brooklyn Law School

Moderator, Professor Richard T. Farrell
Brooklyn Law School

All members of the legal community are invited. Admission to the Symposium is free. Brooklyn Law School is located at 250 Joralemon Street, Brooklyn, New York. For more information please call the *Brooklyn Law Review*, (212) 780-7968.

Spotlight

By Barry J. Fisher

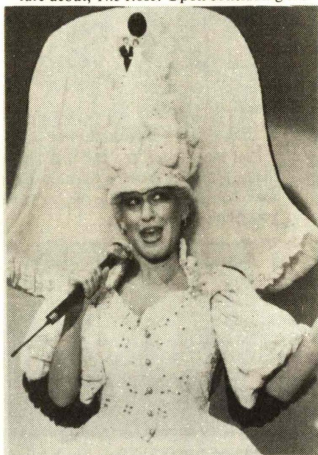
When looking back over Bette Midler's career, one has to ask the question, "Is there anything she can't do?" Since becoming an overnight sensation on the *Tonight Show*, back in the early seventies, the Divine Miss M has conquered the worlds of theater, nightclubs, concerts, television, recordings, motion pictures and even publishing.

Beginning with the record industry, Bette's first album, *The Divine Miss M*, won her a Grammy as "Best New Artist of the Year", and she had her first hit single, *Boogie Woogie Bugle Boy*. With assistance from Barry Manilow, who was then her producer, arranger and musical director, Bette quickly released her follow-up album, entitled *Bette Midler*.

In 1973, riding high on the success of her first two albums, Bette launched her first cross-country tour. Culminating at New York's Palace theater, Bette set a new box office record for advance sales in a single day. A year later, Bette broke her own box office record with her 1975 *Clams On The Half Shell* revue. Camping it up at the Minskoff, Bette once again proved to be a uniquely talented performer.

By now, Bette's live performances were becoming SRO events all over the country and her legion of fans was growing by leaps and bounds. Her 1976 concert tour, which was entitled *Songs For The New Depression*, also became a Home Box Office television special and Bette's first live album. *The Bette Midler Show* won the National Cable T.V. Association's first annual award for "Best Original Programming." The double album, *Bette Midler Live At Last* garnered critical acclaim for its ability to capture the true spirit of the Divine Miss M. Later that same year, Bette made her long awaited commercial television debut. Entitled *Ol' Red Hair's Back*, Bette presented the viewing public with a toned down version of her act, and won an Emmy for "Outstanding Variety Special."

In January 1978, while other performers were playing in large concert halls, Bette embarked on a series of nightclub performances, and played two sold out weeks at New York's Copacabana. Shortly thereafter, Bette began filming her motion picture debut, *The Rose*. Upon concluding the

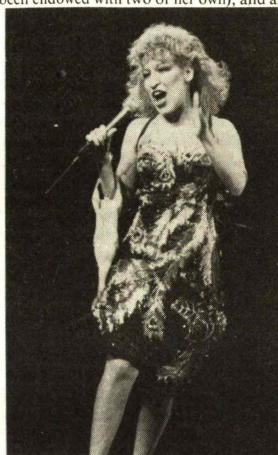


film, Bette took off on her first world tour and brought audiences to their feet in England, France, Germany, Australia and a half dozen other countries.

Bette kept a diary of her activities, and upon her return, she published it in her first book, *A View From A Broad*. Hitting the New York Times Best Seller list, Bette describes the trials and tribulations of what she refers to as her "monumental schlep" around the world.

Bette's return home was indeed a triumph. Receiving outstanding acclaim for

her portrayal of a Joplinesque type singer who OD's on drugs, sex and rock 'n roll, *The Rose* firmly established Bette as a major film star and added to her ever growing list of awards. Bette received two Golden Globe awards (noting that she had already been endowed with two of her own), and an



Academy Award nomination. The soundtrack to *The Rose* hit the top ten and became one of Bette's best selling albums. The song *The Rose* became a number one best seller for Bette, her first since *Boogie Woogie Bugle Boy*, back in 1973.

Coming back to New York in December of last year, Bette once again landed on Broadway. This time her new one woman show was entitled *Bette! Divine Madness*. After five sold out weeks, Bette took the show to California, where earlier this year, at the Pasadena Civic Auditorium, she filmed several of her concerts. The result is her new motion picture, entitled *Divine Madness*.

Emerging on stage with feathers wrapped around her arms and head, Bette proceeds at a non-stop pace, and looks as though she's a peacock gone berserk. After introducing her back-up singers, The Harlettes (Jocelyn Brown, Ula Hedwig and Diva Gray), Bette proceeds to take full control of the stage, and from then on, Bette does what Bette does best. She shows the audience Bette the singer, the actress, the comedian and of

course, the tacky and often tasteless Divine Miss M.

Bette's musical selections are as diversified as Bette herself. Starting with the big band sound set to disco (*Big Noise From Winnetka*), she proceeds to sing ballads (*The Rose* and *You Can't Always Get What You Want/I Shall Be Released*), rock and roll (*Paradise* and *Stay With Me Baby*) and punk/new wave (*Leader of the Pack*).

For years, Bette's act has been called "trash with flash", and in this latest outing, Bette does her best to keep the image alive. Appearing on stage in an electric wheelchair, dressed as a mermaid, Bette introduces a truly tacky lounge singer named Dolores De Lago ("She has no taste and even less talent.") Dressed as both bride and groom, Bette performs a splendid rendition of *Chapel of Love*, complete with wedding cake on top of her head.

Yet another side to Bette's act is Bette the comedian. When letting loose in one of her monologues, nothing is sacred. Bette pokes fun at the Queen ("She is the whitest woman in the world"), Princess Anne (counting with one foot as though she were a horse), Nazis ("Hitler had only one big ball..."), her trip around the world (noting that she's been famous for doing that for years!), the audience ("God you're all so cheap"), herself (noticing the flabbiness under her arms she exclaims, "Isn't it terrible that once you've hit thirty your body wants a life of its own") and in what has become tradition at any Bette Midler performance, Bette tells a few of her wonderful Sophie Tucker jokes.

Although the show lags in a few spots (a magical lady pantomime and a punk/new wave sequence) the overall result is quite excellent. Director-producer Michael Ritchie has done a commendable job in transforming the show from the stage to the screen. His only flaw is his repeated use of long shots, which are both distracting and unnecessary. Also commended are Bruce Vilanch, Jerry Blatt and Miss Midler for some outstandingly fine writing.

Divine Madness is a unique celebration, and Bette Midler is a unique performer. She is the only performer capable of mixing music with comedy, sweetness with vulgarity, lavish sets with outrageous costumes and the Queen of England with Nazis all together into one. As Stewart Klein proclaimed, the result is "good, clean, dirty fun."

AIRLINES

Major airlines are now hiring for the following opportunities

FLIGHT ATTENDANTS
TICKET AGENTS
RAMP & BAGGAGE PERSONNEL
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CLERICAL POSITIONS

Individuals interested in applying with these airlines companies must be career oriented, have a public relations personality, be willing to travel if required, and be in good health. For further information on how to immediately apply directly with these major airlines companies, write to:

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Attn: Airlines Application Information
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84109

Please indicate briefly your background, what airlines position(s) you are interested in applying for and enclose a stamped, self-addressed envelope so that you may receive further information as to what steps to take so that possible interviews might be arranged by these airlines. All major airlines companies are Equal Opportunity Employers.



Epicuria

By Sid Dvorkin

Chicken Priscilla is probably the greatest innovation of the modern era in the preparation of the great American dish, chicken. It is a variation on the classic Chicken Kiev recipe and results in a superior dish. The chicken can be prepared in advance and chilled, both to allow the filling to harden and to allow you time to enjoy a relaxed final preparation. When the dish is accompanied by a rice pilaf with mushrooms and a salad or green vegetable, you have the makings of a truly memorable meal. Thanks, Priscilla.

Chicken Priscilla

8 boneless chicken breasts, pounded 1/4" thick
5 tablespoons butter
5 tablespoons bar style cream cheese
2 tablespoons dried chives (or 1 tablespoon fresh)
salt and pepper to taste
flour for dredging
1 egg, beaten
bread crumbs

Combine the cream cheese, butter, chives, salt and pepper. Mix well and refrigerate to chill the mixture. Remove all skin, fat and the silvery vein from the breasts. Place a chicken breast between two sheets of waxed paper and pound with a heavy flat object till it is 1/4" thick. Take one pounded breast and lay it flat in the palm of your hand. Place a teaspoon of the filling in the center of the breast and fold in all of the edges to completely envelop the filling. Form the breast into a ball by cupping it between both hands, as if forming a large meatball. Small bowls for the flour, egg and breadcrumbs will facilitate the breading process. Coat the ball with flour, shaking off excess flour with a flip or two from hand to hand. Dip the floured ball in the beaten egg briefly and coat with breadcrumbs. With practice, the chicken breasts will stay together well, but, if not, you can secure them with a toothpick or two. Refrigerate all of the finished breasts till you are ready to cook. Saute the breasts in butter in a large, covered skillet over a low flame. Brown the breasts on one side, then flip them over to brown on the other side. Keep turning the breasts until completely browned (total cooking time 20-25 minutes). Serve immediately. Serves 4 persons with two chicken breasts for each.

Recipe suggestions are welcome and may be left at the Justinian office.

Entertainment Bulletin

Inquiring Photographer

BARRY MANILOW, due to release an album at the end of the month, plays Madison Square Garden Oct. 27 . . . On the great stage at Radio City: ANNE MURRAY (Nov. 1) . . . SPYRO GYRA (Nov. 6) . . . DOOBIE BROTHERS (Nov. 13) . . . FRANK ZAPPA returns to the Palladium (Oct. 30-Nov. 2) . . . DON RICKLES, LIBERACE and RODNEY DANGERFIELD are among the fall line-up at Westbury Music Fair . . . Opening on Broadway: *Tintypes (A New Musical)* (Oct. 23) at the Golden . . . Tricks of the Trade with GEORGE C. SCOTT and TRISH VAN DEVERE at the Brooks Atkinson (Nov. 6) . . . NUREYEV and the *Boston Ballet* (Nov. 6-23) at the Uris . . . CHRISTOPHER REEVE in *The Fifth of July* (Nov. 5) at the New Apollo . . . Closing: *West Side Story* concludes its run at the Minskoff Nov. 30 . . . BARBRA STREISAND's new LP *Guilty* debuted at No. 1 on Variety's LP/Tape chart. Album was produced by BARRY GIBB, who joins Barbra for a few duets. . . At the movies: the critics gave their approval to *Gloria* and *Ordinary People* . . . Mixed notices went to *Oh God!* *Book Two*, *The Elephant Man*, GOLDIE HAWN'S *Private Benjamin*, PAUL SIMON'S *One-Trick Pony*, and WOODY ALLEN'S *Stardust Memories* . . . Critics panned *Somewhere in Time* . . . Some television and motion picture production has begun even though the SAG strike has not been settled . . . NEIL DIAMOND'S *The*

Jazz Singer due out for Christmas. Flick co-stars LAURENCE OLIVIER and LUCIE ARNAZ . . . Due at the Bottom Line: The Uncle Floyd Show (Oct 31-Nov. 1) . . . JOHN KAY (Nov. 6) . . . SONNY ROLLINS (Nov 7 & 8) . . . Hollywood Gossip at the Bookstores: New autobiographies just released by MERV GRIFFIN and SAMMY DAVIS JR. . . Latest revival: *Brigadoon* arrived at the Majestic last week.

—BJF

(Note: This is *Justinian's* first entertainment column. Anyone wishing to contribute suggestions, articles or ideas is invited to contact the *Justinian* office.)

October 31

Room 401, 9:30-5, Board of Education staff meeting for speech program.

Halloween Party at New York Theatre, admission \$5.

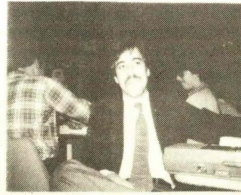
November 1

Moot Court 9-5. New York State Trial Lawyer's Association Seminar on Jury Selection and Summation.

National Lawyers Guild meets every other Wednesday, 1-2 pm. Room and agenda will be posted in the lobby.

All announcements of events, happenings, etc. are welcomed for the calendar. Just leave your event particulars in the *Justinian* envelope in room 304.

Students were asked, "If there was any law that you could change, what would it be, and why?"



Paul Silverstein: The law that I would change is the law that says you have to go to law school in order to take the bar in New York State.



Richard Latin: The laws which I find to be the most obnoxious are the laws dealing with victimless crimes. The crime which I think is most important which should not be illegal is consensual sodomy.



Audrey Shey: I would do away with the new *Harris v. McRae* decision because I think it has effectively overruled the *Roe v. Wade* to give access to abortion. The rich could always obtain safe abortions even if not legal and poor women were always discriminated against, and that's what I think has been done again with *Harris v. McRae*.



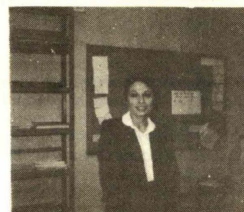
David Cohen: Any law that cannot be properly enforced by the judicial department should be made legal so this would relieve some of the overcrowding in our courts, for example, prostitution, illegal gambling and pornography. That leaves the laws that can be enforced, to be properly



Valeree Moodee: The law on marijuana. I don't think there's anything wrong with people who are caught with two joints. But I do think it should be considered illegal for one person to be caught with two or three ounces. I think it should be legal like carrying a pack of cigarettes.



Larry Kelly: Alternate side of the street parking, because the Sanitation Department never cleans the damn streets anyway and it's just a bother for the average person to get out of bed at six in the morning to change the car.



Leslie Brodsky: I think that euthanasia should be legal. The only way I think that it can work will be if you authorize it when you are of sane mind in writing. I realize that there are problems in implementing it, but so are there problems with people dying for years.

BEST OF BOTH WORLDS

The Marino Bar Review Course, with over thirty years of unequalled success preparing students for the New York Bar Exam, and the Josephson Bar Review Center (BRC), the nation's most innovative legal educator and most successful national bar reviewer, have joined forces to develop an extraordinary bar review program integrating the best features of both institutions. The result — a course perfectly designed to assure that you pass the new New York Multistate Bar Exam.


Marino-Josephson/BRC

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Andres Bosker
Howard Korman
Leslie Soloman
Paul Bierman
Akiva Teslier
Scott Schelkin
Glenn Frankel

Stan August: "My Son the Doctor"

By Steve Saltzman

Those who have seen him around with a stethoscope and a tongue depressor in his pocket refused to believe it. Some dismissed the thought as an act of a crazed masochist. Others philosophized, "He is a Jewish Mother's dream."

The very thought of a doctor going to law school seemed too incredible to comprehend. Nonetheless, second year evening student Dr. Stanley A. August is on the way toward his law school degree.

August, 36, is a pediatrician with a private practice in Brooklyn and also a clinical instructor at Downstate Medical Center. After attending Brooklyn College he graduated Upstate Medical Center in Syracuse, New York in 1969. Unmarried, Dr. August describes the single life of a young doctor as "everything you can imagine." But that life also had something to do with his decision to go to law school. "I had a lot of time on my hands since I was not raising a family. Going to a medical school with many legal-minded professors I naturally developed an avid curiosity with the law. And friends who were attorneys constantly excluded me in conversations about the law. After awhile it didn't matter anymore if I had no date for a Saturday night. Finally I decided it was about time I learned the law. I looked forward to starting law school as a way to meet new people. In a sense, being around young people and new ideas helps keep you young."

Dr. August stressed the fact that he was not attending law school to help defend himself in a malpractice action, which was usually one of the first questions asked of him. He would like to combine medical and legal aspects in his future, however he did confess there was little interest to practice law outside the medical field. "In a recent study," August observed, "there were about 500 doctors with legal degrees counted in the U.S. Of these, most practice medicine. Basically the financial rewards are greater."

In comparing his first year in law school with medical school, Dr. August found law far more interesting and practical. "You know the law in Torts or Property right away, while you don't really learn medicine until the last two years."

As you can imagine, Stan August's views on education are intertwined with his philosophy on life. "Education is to be used and applied to life situations. Diplomas are no good sitting on the wall. You must work for yourself and treat yourself with respect. You can't be pessimistic, you've got to reach out and grab what you want if you are willing to work for it."

Despite the fact that these sound like the utterings of a man possessed with a drive for power and success, Dr. August is a friendly, jovial man with a commentary and a joke for every case. Although he readily admits that some consider him overwhelming, to this reporter he has a delightfully refreshing attitude toward law school and life in general, more suitable to a New York cabdriver than a man of his many accomplishments. "It all equals out. No matter how good a student you are there is always someone better. Learn to accept that but don't ever stop trying."

The only son of a jeweler and a housewife, Stan describes his childhood as "perfectly normal for Brooklyn." Summers were spent in Peterboro, Canada, which helped him realize there is a whole other world outside New York with completely different value systems. "It is important to experience this world just as much as it is to experience New York," observes August.

Whether it was the four years of medical school pressure, the ten years of professional pressure, the security of a medical practice, his age or his general outlook on life Stan August feels he has learned the key to surviving law school. "You have to relax. Last year Professor Gilbride stressed this to us. Certain things are not that important

and will work themselves out. If it can wait till tomorrow let it. Try to protect yourself but usually it's not that important. And in order to relax you have to laugh a lot."

Among his other interests he was a professional musician at the age of sixteen. "I play (piano) now as a way of relaxing. It's better than watching reruns of 'Charlie's Angels.'" He also worked for various charities including the United Jewish Appeal. When asked if he misses the carefree bachelor life Stan merely said he has learned to be much more discreet with his free time. "Having ten years of dating behind you you don't mind the slower life."

Stan is satisfied with his first year performance within the confines of a medical practice. As an eligible for the Evening Moot Court Honor Society, he feels "there are bright students here. The trick is to learn how to study law." For some of us that is harder than it sounds. In both law school and medical school he has noticed the very quiet and serious students usually are at the top of the class. One talk with Stan August and you realize that life has much more to offer him than academic honors.

His future plans could include a further degree in law but he is certain he will not go to dental school. Dr. Stan August: pediatrician, clinical instructor, law student, musician, philanthropist, master storyteller and just another B.L.S. student.

Football League Kicks Off

By Steve Saltzman

To most sports fans fall means football, so once again the B.L.S. Intramural Football League is off to a bruising start. Under the auspices of Co-Commissioners Marc Seedorf and John Petito and Assistant Commissioner Steve Manket, the League has already seen several weeks of competitive action.

Yet, despite the enthusiastic outlook of the new Co-Commissioners some of the same old problems remain from last year. There have already been three forfeits. Teams often show up late and fail to provide necessary referees, and several fights have broken out in which the Commissioners' judgment has been questioned.

However there have also been some bright spots in this new season. Due to energetic efforts of the rookie Commissioners the League has a new field, replacing the glass and rock strewn dirt of Tillery Street. The field is all grass within the comfortable surroundings of Prospect Park and easily accessible on the F train. New equipment was also purchased before the start of the season.

So far this season we've seen last year's champions lose to a first year team in overtime only to discover one of the best players on the first year team was a "ringer" (not a B.L.S. student). The game was so brutal one of the third year players had to check into a hospital with bruised ribs.

And last year's oft-maligned team, "The Squeeze," has clearly turned into a group of gentlemen. Whether it was charm school, summer workouts, or game films, they have emerged as the team to beat.

The two familiar alumni teams, "Mud" and "The Alumnitolahs," are once again mixing it with the younger guys despite a

few more gray hairs.

Last year's three freshman teams all seem ready with a summer of writing for Law Review or The Journal behind them. And two out of the three freshman teams this year have already had some big games.

So with all this going for it what seems to be the League's problem? Basically and most importantly it is the issue of forfeitures. There may be no greater feeling of anguish in sports than to show up for a game with no opponent to play. Winning and losing is not what this League is all about. It is about third year students trying to ease the pressure of looking for a job. It is about first year students trying to take their minds off the books for a couple of hours. More importantly it is about sweat and fun.

For those of you who plan to show up once in awhile this League is not for you. Nor is it very fair to your teammates or your classmates. Part of being an attorney is the responsibility of following through on your commitments. And part of being a decent human being is not letting others down.

Can we look to the Commissioners for the blame? After all, last year we had twelve teams and the same problems arose. But if they did keep the League small and relatively closed to newcomers, as many suggested they should, they would not be fulfilling the objective of the League or the school sports program in general. Looking back on their three years at B.L.S. the Commissioners realized what football meant to them their first semester in law school.

We applaud them for their concern and the hard work they put in by giving us a chance to vent some of our frustrations. All they ask of you is that you show up and enjoy yourself.

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