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Schedule Change: Still Up in the Air

By Carol Milder

Last April, the faculty of Brooklyn Law School voted to table discussion on a proposed schedule change which had been supported by 88% of the student body in a referendum held last March.

The proposed schedule change called for a fall semester beginning in August, with finals ending prior to the Christmas vacation. Spring semester finals were to end by May to permit students to begin summer jobs at the same time as those of other law schools and to permit third year students to finish finals prior to the start of the Bar Review courses. (The history of the schedule change movement and the arguments put forth by the faculty, students, and the administration may be found in last May's issue of the *Justinian*.)

There have been conflicting reports on the number of faculty members present at this meeting, the actual proposal voted on, and the actual vote. Unfortunately, nobody who has spoken to the *Justinian* has had a clear recollection of what had in fact transpired during the course of this meeting.

According to one version of the events, the faculty overwhelmingly voted against the proposed schedule change, with only two professors, Professors Yonge and Farrell, voting in favor. Yonge indicated that "other people raised good points" about the proposed schedule but "I don't remember who or what the vote was."

Professor Yonge stated that he voted in favor "largely as a protest because it should have been further explored . . . My objection was in theory to the denial of the student proposal. It takes a lot more thought than was actually put on it."

Although Yonge indicated "sticking points" in the proposal such as the need for a different schedule for first year students than for upper class students, the job prejudice issue which "we never got to the bottom of," the evening student position, and "how early we'd have to begin the school year," two other points which Yonge characterized as "irrational" persuaded him to vote for the change.

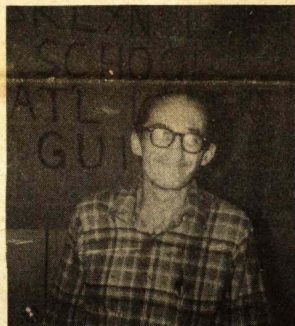
These points concerned the statistics that student Bobby Steinberg presented to the faculty. According to Yonge, "I thought, well, if 90% of the student body wants it, there may be something to it," and "if the majority of other schools are doing it, there may be some

wisdom to it. Actually, I'd like to have exams before the holidays so I can get started on them. I don't mean to say I'd spend all of the holidays on them, but it would be nice to have them available."

Professor Farrell also didn't remember much about the meeting. "Faculty meetings are like t.v., I always do something else and I never miss much." Although Farrell didn't recall the vote or the exact proposal that had been voted on, he stated "I hate to see someone like Yonge stand alone in front of the faculty."

As far as the student proposal itself was concerned, Farrell stated, "the last time I looked this wasn't a democracy. Serious organizations like the Jesuits and marines don't ask their recruits for advice." According to Farrell, students should not have a say as to how much instruction is appropriate.

Farrell theorized that, until law schools are conducted as serious enterprises, the issue of a schedule change is unimportant. "Law school is a peculiar institution. It's one of the few consumer industries where consumers are delighted to pay more money to get less. I'd



Professor Farrell

just as soon see law school start September 1st and end June 1st with a two week break between semesters," continued Farrell, adding that "only infants and religious fanatics care about Christmas. Farrell, who has never submitted his version of an ideal schedule, admitted "I doubt the majority of the faculty could keep my schedule." *Cont. on p. 7*

Brooklyn Grad Charged in Admissions Scam

by D. Henkin

Brooklyn District Attorney Elizabeth Holtzman has announced that three indictments have been handed down against Brooklyn lawyer Spencer Lader, charging him with 37 counts of grand larceny. Lader, 30, is charged with stealing in excess of \$458,000 from 13 people.

Lader, a graduate of Brooklyn Law School, has been charged with three counts of grand larceny in the second degree and three counts of grand larceny in the third degree in connection with a fraudulent promise to get two individuals admitted to Brooklyn Law School between May and November 1981.

The "scam" was first brought to the District Attorney's attention by Deans Glasser and Johnson. Lader had allegedly introduced a young woman to various faculty members at BLS, thereby inducing her to believe that, for \$5,000, he could guarantee her admittance to Brooklyn Law School. Lader had allegedly

the school. When, despite the payment, her application was rejected, she contacted one of the professors she had met to find out what went wrong. He in turn contacted Dean Johnson.

Although urged to bring charges, the woman declined to do so. The Deans decided to submit what information they had to the District Attorney's office which then initiated its own investigation.

Mr. Lader is also accused of making false promises to help two couples adopt babies, of taking money from individuals as payments for tracts of land in which they actually received no interest, and of attempting to defraud an elderly couple of their savings through a fraudulent investment scheme. He faces a maximum prison term of seven years for each conviction on a count of grand larceny in the second degree.

BLS Secures Student Housing

By Tom Gordon

One of the best kept secrets of this semester is the availability of dormitory space to BLS students. According to Dean Lewis Kerman, Long Island University, located at Flatbush and DeKalb Avenues, has offered forty dormitory rooms to Brooklyn Law School for immediate occupancy.

The procurement of this student housing results from the efforts of a faculty housing committee composed of Dean Kerman; Professor Charlotte Levy, the Law Librarian; and Carole Rosen, the Assistant Director of Admissions. The committee was formed in response to what is perceived as a growing need to provide safe and inexpensive housing to students at BLS. Dean George W. Johnson notes that such housing must be made available if the school is to attract students from outside the metropolitan area. He adds that the LIU housing represents only a short term solution to the housing problem faced by many BLS students. Among the long term solutions being considered is cooperative housing with Brooklyn Polytechnic Institute in the event it goes through with its proposed \$200 million renovation of the Brooklyn Downtown Area. Dean Johnson cautions that at this

point the plan is merely speculative.

In addition to finding housing at LIU, Dean Kerman reports that the committee ordered all housing notices moved to a central location (outside the SBA office) and is attempting to establish "formal arrangements" with local realtors. The Committee also negotiated with Pace University, but was unable to secure housing for this academic year.

Residents at LIU are entitled to use a number of facilities, including the library, the gymnasium, and the infirmary. Dean Kerman adds that the security at LIU is "very impressive."

Applications for housing at LIU are available at the admissions office. The rates are as follows:

Housing Type	Price per student per semester
2 Student dorm rm.	\$720
2 Student suite	\$830
2 Student Apt.	\$1135
4 Student Suite	\$760
4 Student Apt.	\$1060

LIU also offers optional meal plans for between \$580.00 and \$730.00 per semester.

BLS Weighs Expansion

By Tom Gordon

Faced with an acute shortage of office and library space, the Brooklyn Law School Administration is considering several plans to substantially enlarge the law school. According to Dean George W. Johnson, the need for a larger facility results from a significant increase in faculty in the years since the present building was erected.

The increase in faculty is due in large part to changing American Bar Association student-to-faculty ratio requirements. Dean Johnson notes that when the existing building was designed, the ABA required a ratio of 61:1 as opposed to the 31:1 ratio that BLS is currently required to maintain. The ABA standards have created a need for more faculty office space, a larger secretarial staff, and a larger library to serve the more specialized BLS faculty.

One plan being considered would expand the existing structure over a major portion of the plaza in front of the school. The nine-story addition would double the size of the structure. The library would reap the greatest benefit from the plan, utilizing over half of the added space. According to Dean Johnson, this plan would cost between ten and twenty million dollars.

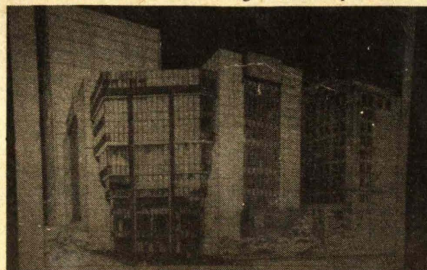
Another plan under consideration calls for the school to buy the building across Boerum Place, currently occupied by the Republic National Bank. The Dean reports that the build-

ing is for sale and its purchase is being considered by a joint faculty-trustee committee. Dean Johnson feels that this plan is problematic in that it would leave a "moat" between the school and many of its offices.

He adds that neither plan will go into operation soon, since BLS does not yet have sufficient funds to carry them out. He admits that last year's appeal to BLS alumni, the first such fundraiser in the school's history, appears to have been very successful, but states that considerably more money must be raised.

The shortage of space plaguing the faculty also affects student organizations. Some are currently sharing offices while other groups are without any office space. To remedy this problem, Dean Johnson is considering proposing to the student body that approximately ten feet of one end of the student lounge be sectioned off in order to create four to five student offices. These rooms could double as interview rooms which the placement office claims are desperately needed. This conversion could be accomplished as early as this semester. Dean Johnson, however, plans to talk with members of the student body before taking such a step.

In addition to the plans described above, the administration will consider the purchase or lease of any nearby facility that becomes available. Dean Johnson stresses that the school is weighing all possible options with regard to the expansion of its existing facility.



Proposed addition.

Justinian

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Faculty to Students: Drop Dead!

As announced elsewhere in this issue, the faculty has successfully voted down a change in the schedule supported by over ninety-percent of the student body. To their credit, two professors, Richard Farrell and Philip Yonge, refused to accept the parochial arguments advanced by their colleagues and voted for a change which would have benefited the entire Brooklyn Law School community. To their discredit, a substantial minority of the faculty did not even bother to attend the meeting to register a vote.

We will not rehash the arguments for and against the proposed change. The faculty, in opposition to the express policy of the administration regards the decision as an "academic" one—within its peculiar competence to make. The faculty's latitudinarian definition of "academic" decisions has apparently prevailed. The faculty having spoken, further discussion of this particular issue is truly "academic."

Yet not all discussion should end. The faculty's decision is symptomatic of a deeper malaise at Brooklyn Law School.

Someday, we are sure, Brooklyn will discard its antiquated schedule and adopt the August through May system used by nearly all of the other law schools in the region. We would have little to complain about if the schedule was the only antiquated feature of a Brooklyn Law School education. But Brooklyn has consistently lagged in other, more important areas of innovation as well. Brooklyn was one of the last schools in the region to introduce electives in the second and third year, anonymous grading, and a writing program. There is no question that these matters were the subject of academic discussion within the peculiar competence of the faculty. It is precisely in the area of academics that the faculty's exercise of its competence deserves to be questioned. Why does Brooklyn always follow, and never lead? We propose a discussion of this question for the next faculty meeting, if any faculty members can be persuaded to attend.

If they should attend such a meeting they might also consider other "academic" matters. Brooklyn *still* lags behind other schools in curriculum and teaching methods. The faculty might do well to ask themselves such questions as: What is the value of briefing cases? Is it really necessary to call students for recitation? Why are there so many short-answer exams? Why the continued emphasis on rote memorization of black letter-law?

We can imagine some of the answers that certain faculty members might give. Brooklyn's heavy emphasis on black-letter law, for example is usually justified by the assertion that Brooklyn is a hard, practical place, where students learn law which they can use in the "real world" (Court Street). This line of argument has some merit. But much of the "black-letter" law actually taught will seldom be used in actual practice.

More than half of the first semester of Torts, for example, is given over to an endless discussion of intentional torts; material which the courses at Columbia and NYU cover in a single day. Given the fact that only a minute percentage of tort cases involve battery, assault, false imprisonment or conversion, the practical value of such study seems illusory. In any case, the eccentricity of the Brooklyn approach to legal education deserves a thorough-going exercise of the faculty's competence, preferably at the next faculty meeting.

In advance of this meeting we suggest some partial answers to the questions raised above. The reason why Brooklyn follows but never leads is self-contempt. This attitude has several facets. An institutional self-contempt, reactionary in every sense of the word, paralyzes innovation and stifles creativity. Whatever was, is right, at least until others decide it is wrong. Professors rely on rote memorization because they believe that Brooklyn students are incapable of any other kind of learning. What the faculty may not realize is that this method of instruction leads to the justifiable suspicion that the faculty is incapable of any other kind of teaching.

In arguing against the schedule change one faculty member pleaded the cause of those professors who, having deserted lucrative practices for the "love of teaching," deserved an August vacation to compensate for a substantial cut in salary. This vision of Brooklyn as a retirement home for superannuated practitioners needs no comment. The contempt of the faculty for the students, as exemplified by the schedule vote, mirrors the contempt of the faculty for itself. When the faculty begins to regard teaching as an honor and Brooklyn's students as men and women whom it is their privilege to teach, Brooklyn will improve. Not before.

PERSONALS & CLASSIFIEDS

The *Justinian* will print classified ads submitted by members of the Brooklyn Law School Community. There will be a charge of \$1.00 per 25 words with a maximum of 50 words per ad. Ads may be submitted for the next issue by September 23, 1982.

Attention: STUDENT GROUPS

All student organizations are invited to contribute to the *Justinian*. Please inform us of upcoming forums, meetings and other events. If we know about it we'll write about it. The deadline for the next issue is September 21.

LETTERS:

Last spring the first pamphlets were handed out for the 1982-83 Brooklyn Law School Student Bar Association (SBA) election. This election for SBA executive officers proved to be the most controversial and hotly contested event in recent BLS memory. It also aroused a great deal of infantile and vituperative behavior. Brooklyn Law School's chapter of the National Lawyers' Guild was accused of attempting to take over five of the six executive offices of the SBA. In response to these accusations, we, as members of the NLG want to clarify the issues spawned by the election.

SBA officers are elected annually by popular student vote. In last spring's election five candidates were labeled "Guild Affiliates." That is, they were classified by the entrenched opposition as participants in an organized effort by the NLG to subvert the SBA of our school. In their view... **POLITICS HAVE NO PLACE IN A STUDENT ELECTION.**

We find this a naive and hypocritical presumption.

The purpose of the SBA is to act as a conduit for student opinion and to disseminate information pertinent to the student body. This past year the SBA has succeeded in informing the students of 1) its monthly pizza parties (which fluctuated from pizza, to fried chicken wings, to kosher pastrami) 2) reductions in financial aid awards (unfortunately the well-intentioned anti-cutback student petitions were mislaid), and 3) the admirable, annual, administration-resisted referendum to change the BLS academic calendar.

Lest we forget Race Judicata and Second Circus Review.

The virulent reaction to this particular election may point to the hallowed misconception that the study of law is that of a pure science. It behooves those who consider it so to realize that its application is much less a cerebral exercise than a means by which to resolve societal confrontations.

Tensions increased after the first round of elections, when three "Guild Affiliates" were elected to SBA office and the contest for President caused a run-off a week later between the two contenders, one of whom was in fact a member of the NLG.

Within twenty-four hours after the election results became known the last meeting of the outgoing SBA House of Delegates was held. In honor of the finality of the occasion the meeting was conducted in a Chinese restaurant. Hastily added to the agenda were two proposed referenda with far reaching effects;

and as liquor flowed from the open bar, both were pushed through.

The first motion concerned the powers of the SBA Treasurer. Traditionally, the Treasurer, like the President, had the power to sign checks for the student activities from SBA funds (approximately \$20,000 last year). In a blatantly political move the outgoing SBA administration voted to eliminate the Treasurer's check-writing power, making it subject to the approval of the SBA President. The pretense for this radical change in procedure was administrative efficiency: who better than the President to allocate SBA funds? (that is, if the "right" President is elected).

The second referendum dealt with what would happen if the "wrong" President was elected. In another break with tradition a quasi-constitutional standing committee on the budget was proposed to "advise" the incoming SBA administration.

Of all the SBA functions, the allocation of student funds is the most important. Our suspicions were aroused when this responsibility was dispensed with in a most irresponsible way. Especially since the referenda were put forth *after* the ("wrong") Treasurer had been elected by a popular mandate.

The implications of these actions were that the outgoing SBA administration had little faith in a popular election and placed more credence in their own inbred prejudices.

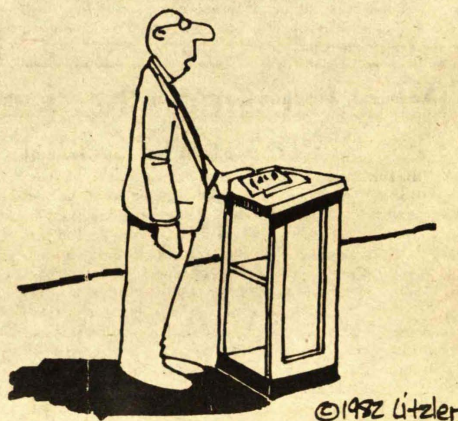
Suffice it to say that the "right" President was elected. We drop our briefs and raise our glasses in wishing him every success. We have the utmost faith that he will fulfill his pre-election promise to restore the SBA Treasurer's power. We also trust that he will rectify the clearly unpopular and obviously political legacy of the outgoing administration.

To new and/or benighted students: A hearty welcome. We invite you to attend the first Guild meeting on the first Tuesday, September 14 at 4:00 in Room 401.

To those returning to the Brooklyn Law School Community, we extend the same invitation and remind you that "the tigers of wrath are wiser than the horses of instruction." (W. Blake)

David Howe
Adam Pollack

Letters cont. on p. 7



"REFER TO THE SYLLABUS. IN WEEK ONE I ASSIGNED THE 20-PAGE REPORT WHICH IS DUE IN WEEK TEN. YOU CAN DROP THE COURSE THROUGH WEEK EIGHT IF YOU PANIC."

The Politics of Justice

By Ira Glasser

The Attorney General of the United States is our chief law enforcement officer and, next to the President, the most powerful figure in America in the field of domestic affairs.

The position is powerful partly because the Justice Department has jurisdiction over such a broad range of issues, and partly because—in recognition of its diverse functions—the President is likely to select his closest and most trusted associate to fill the job. The relationship of William Rogers to President Eisenhower, of the Kennedy brothers, of John Mitchell to President Nixon, of Griffin Bell to President Carter, and currently of William French Smith to his "closest friend," President Reagan, all attest to the special nature of the appointment. For good or ill, the attorney general, more than any other government official, reflects the personal philosophy of the President.

In that sense, the job of attorney general is a political one, and each attorney general, in attempting to implement presidential philosophy, inevitably politicizes the Justice Department to a certain extent. However, past decisions about the selection of cases and of legislative issues, although they may well have served political goals, were generally made within a constitutional framework. Previous Attorneys General felt obliged to identify the constitutional justification of any proposed course of action, and even though constitutional violations occurred in every administration (in some more than others), no previous administration bluntly and explicitly sought to alter the constitutional system itself.

For example, the notorious raids against immigrants conducted by Attorney General A. Mitchell Palmer during the Harding Administration and the roundup of more than 110,000 Americans of Japanese origin in concentration camps under Attorney General Francis Biddle during the wartime Roosevelt Administration constituted grievous breaches of the Constitution.

But never in their history of the ACLU has any administration so boldly tried, fundamentally and permanently, to alter the constitutional framework.

In a paradoxical way, even the subversion of civil liberties by Attorney General John Mitchell during the Nixon Administration validates this conclusion. That is, the participants in the Watergate schemes knew their activities were unconstitutional. That is why they were kept secret. When Mitchell was charged with illegal surveillance of dissidents, with the illegal roundup of anti-war protesters, with illegal wiretaps, etc., he did not defend his actions by saying they were constitutionally permissible. On the contrary, he denied having participated in the decisions to undertake them. In fact, when these actions were made public it was the Constitution that provided the remedy.

The Justice Department Today

What is so different about the incumbent, William French Smith, is that he does not understand that the Constitution in general, and the Bill of Rights in particular, is intended to limit the majoritarian passions of the moment. The Bill of Rights establishes individual rights precisely by placing limits upon the government's power and by establishing an independent federal system to enforce those limits. But in fact, the Attorney General has accused the federal courts of invading the domain of state legislatures and of Congress in decisions that override the "majority will."

He has told federal judges to "heed the groundswell of conservatism evidenced by the 1980 election."

He has warned the American Bar Association that it could expect to see "serious attacks on the independence and legitimacy of the courts" by people who see majority rule being "thwarted by the legal system itself."

Lacking this fundamental insight into the function of the Constitution as a limit upon the majority's authority, the Attorney General has embarked on a conscious program of stripping political, racial, sexual, ethnic, and other minorities of their constitutionally guaranteed rights.

The Attack on Civil Rights

In the field of civil rights, the clock is being turned back to the period before the 1954 *Brown v. Board* desegregation decision.

A 75-page report issued by the Leadership Conference on Civil Rights analyzes more than 20 legal cases and legislative issues in education, employment, and voting rights in which the Justice Department is (a) taking positions in opposition to established laws, (b) refusing to enforce established laws, and (c) endorsing legislation to deprive minorities of the equal protection of the law as guaranteed in the 14th Amendment to the Constitution.

In just one year, the Attorney General has:

- Called for a return to "voluntary" school desegregation, which means that black children once again have the "right" to attend "separate but equal" public schools;
- Proposed overturning the statutory prohibition against tax subsidies to segregated private schools;
- Refused to enforce court-ordered remedies for discrimination in federally-supported employment;
- Gratuitously advised government agencies that they did not need to adopt programs designed to eliminate discrimination against minorities and women, despite sections of the Civil Service Reform Act which legally require the adoption of precisely such programs;
- Made an all-out effort to kill the Voting Rights Act. When that failed, he focused on weakening it to a point just short of extinction; and,
- Supported the right-wing effort in Congress to strip the federal courts of jurisdiction over desegregation cases (among others) by spearheading a strident attack on our court system.

The move to strip the federal courts of jurisdiction of cases involving such issues as desegregation, abortion, prayer in public schools, etc., is regarded as a serious threat to the democratic system by constitutional scholars of all political persuasions. David Brink, president of the American Bar Association, has called court-stripping "a legislative threat to our nation that may lead to the most serious constitutional crisis since our great Civil War."

Asked by the ABA to oppose court-stripping bills as unconstitutional, Attorney General Smith refused to take a position. Instead, the day after Mr. Brink's remarks, Mr. Smith launched a fresh assault on the courts: "The Federal courts have overstepped their constitutional authority," he declared, and have "removed questions of policy from resolution by the political branches." That statement echoes precisely the rationalizations of the court-strippers.

After Civil Rights—The Other Shoe Drops

Civil rights were an early casualty of Mr. Smith's stewardship because powerful political figures in both Congress and the Administration pushed the anti-civil rights agenda at the start of the Reagan presidency. The next several months were devoted to the Reagan economic package.

Now the Administration is focusing again on the balance of the "New Right's" social agenda. Published by BrooklynWorks, 1982

Part of that agenda is the mirror image of the program of the Moral Majority and other right-wing groups: The President has endorsed a constitutional amendment to permit prayer in public schools. He has endorsed tax subsidies for parents who send their children to private religious schools. We have already noted the Attorney General's support of court-stripping to circumvent the Constitution not only on civil rights but on school prayer and abortion as well.

Another part of that agenda dovetails with the effort to divert attention from unemployment that has reached the levels of the Great Depression by scapegoating aliens. The massive raids staged by the Justice Department's Immigration and Naturalization Service have made a mockery of constitutional guarantees.

These raids were directed exclusively against Hispanics and were thus openly racist; they swept up American citizens, legally resident aliens and illegal aliens alike, all without warrants; they illegally detained those arrested for long periods in conditions that violated minimum health, safety, and sanitary standards. Some of those arrested were subjected to handcuffing, strip-searching, solitary confinement, and other humiliations; others were denied access to legal counsel; still others were coerced, intimidated, or denied reasonable bail to force the signing of "voluntary" deportation forms.

In an immediate sense, nothing has happened so far under this Attorney General that equals the enormity of the internment of Japanese Americans, an outrage committed during the tenure of a truly civil-libertarian attorney general.

In an immediate sense, the ACLU and other groups have challenged some of the abuses we have described and stand a fair chance of winning some of these cases. We have been able to mobilize opposition to some of the Attorney General's legislative proposals and to turn some of them back.

In these two immediate ways, the position of civil liberties under the current Justice Department can be characterized as seriously threatened, but by no means beyond our ability to preserve.

But in the long term, the potential for danger, embodied by Mr. Smith's lack of philosophical constitutional framework, is part of the present danger. That is no mere existential rhetoric. Once the notion gains currency that it is possible and even permissible to administer the Justice Department by enforcing only currently popular laws without reference to the abiding principles of justice and fair play, then the Constitution becomes merely a yellowing document in the National Archives and not the living force that shapes our political destiny.

Ira Glasser is the Executive Director of the American Civil Liberties Union.

On Sexist Language

By Rhonda Birnbaum

"... we are called upon to decide another one of the difficult issues escaping from the Pandora's box of... litigation;" "... this spells confusion, instability, inability to diagnose what are legal rights, inconsistency, arbitrariness... Pandora's box is opened, regardless of the best possible intentions..." "with incalculable and unforeseeable consequences..."

The invocation of the fable of Pandora's blatant and offensive form of sexist stereotyping.

Box is a colorful and powerful rhetorical expedient. It is also perhaps the most pervasive vestige of undisguised sexist language commonly employed by lawyers, including some Brooklyn Law School faculty members.

The lesson taught by this story, (and perpetuated by its continued reference), is 1) that Woman is governed by uncontrollable "curiosity", and 2) that there are incalculable, chaotic consequences which befall Mankind when Woman's desire "to know" is not contained. One might have thought that this 8th century, B.C. misogyny would be anachronistic by now.

Hesiod's account of Pandora has been labelled merely an anti-feminist fable of his own creation, rather than a true myth.¹ He blamed this First Woman for all of life's ills, as well as for the "frivolous and unseemly behavior of wives."²

In *Works and Days* and *Theogony*, Hesiod elaborated on what (his version of) Pandora represents. She introduced sexuality into the world, thus ending the "Golden Age" when men were free of evil, work and sickness.³ She is "the cruelty of desire and longing that wear out the body."⁴ She represents "lies and cunning words and a deceitful soul."⁵ She is the origin of "the damnable race of women—a plague which men must live with."⁶

The study of law is necessarily the study of order, controls and boundaries. Thus the story of Pandora's Box lends itself to judicial and didactic admonitions against boundary violations. But the continued conjuration of the venerated visual of Pandora's vessel to admonish against the chaotic consequences of the loss of control can no longer be quietly condoned.

It's time to put the lid on Pandora's "Box" in the classrooms of Brooklyn Law School. Its continued use, (by female as well as male faculty members) lends credence to the most

1. 597 F. 2d 1002 (1979)
2. 4 N.Y.S. 2d 553 (1958)
3. 56 Misc. 2d 128 (1967)
4. Robert Graves, *The Greek Myths*.
5. *Ibid*.
6. *Works and Days*.
7. *Ibid*.
8. *Ibid*.
9. *Ibid*.
10. *Theogony*.
11. All direct quotations from works of Hesiod, from Kate Millet's *Sexual Politics*, 70-72.

Trager Named



Professor David G. Trager has been named by Mayor Koch to head the Mayor's Committee on the Judiciary. This panel, consisting of 27 unsalaried members, screens candidates for all mayoral judicial appointments.

Trager, a former United States Attorney for the Eastern District of New York, succeeds William Liebowitz, who had been chairman of the committee since its inception in 1978.

Legal Association of Women

The Legal Association of Women (LAW) will hold its orientation meeting, a wine and cheese get-together, at 4 P.M. in the student lounge on Monday, September 13.

As Brooklyn Law School's only Women's group, LAW exists: 1) to lend support to BLS women; 2) to educate the school community regarding issues which affect women's lives; and 3) to encourage networking among BLS faculty, students and outside practitioners.

Last year LAW conducted speakers' programs on Marital Rape, the New Right's Legislative Attack on Sexuality, and Abortion (co-sponsored by the National Lawyers Guild). A networking program was held which centered on the disparate experiences of

female law students as viewed by faculty and the students themselves. Several students also attended the Women in Law Conference in Detroit last March under the auspices of LAW.

Following the orientation meeting of the 13th, LAW will offer its first program on Wednesday, September 22, from 4 to 6 P.M. in the student lounge. The topic will be "Reaganomics and Women." Other long range plans include organizing a panel of female attorneys from various areas of the law to discuss job opportunities and planning for the upcoming Women in Law Conference next spring in Washington, D.C.

We encourage all who support feminist work to turn out for our first meeting.

BALSA Agenda

Lance K. Dandridge, Chairman

For academic year 82-83 the Black American Law Students Association (BALSA) chapter at Brooklyn Law School will concentrate its energies in three major areas: recruitment, retention and political action.

Increasing minority representation in law schools around the country has always been a major goal of the Black American Law Students Association. To further this objective this chapter will send representatives to undergraduate schools which have significant minority enrollments to encourage prospective minority students to apply to Brooklyn Law School. Our representatives will be able to convey the law school experience to these prospective law students, something which their pre-law advisors are generally unable to do.

BALSA will gear a significant amount of its

resources to retention of minority law students at Brooklyn Law School. To further this goal BALSA will provide study aids, hold exam writing seminars and, through its buddy system, help its members adjust to the law school experience.

BALSA will seek ties with other organizations in and outside of Brooklyn Law School which share this chapter's commitment to racial and social justice in the United States and abroad. BALSA will conduct seminars geared to inform the student body of injustices that persist in the United States and the Third World.

As we begin the new academic year BALSA looks forward to working with HLSA, AASLA, and the Administration to bring about a productive and rewarding year.

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NLG

Founded in 1937, the Guild is an organization of progressive legal workers who use their legal skills to promote social change. National Lawyers Guild chapters exist in over 80 law schools in the United States.

Last year at BLS the Guild sponsored, among other things, a bus trip to Washington, D.C. for the demonstration against U.S. involvement in El Salvador; educational work and a speakers program on the Nestle boycott; a film on the Greensboro massacre; and a film on abortion.

The Guild's first meeting will be on Tuesday September 14 at 4 PM in Room 401. Those interested in becoming involved and meeting other progressive law students are urged to attend.

Kunstler to Speak

William Kunstler, the noted defense attorney, will be speaking on Monday, September 20 at 4 PM in the Student Lounge in this year's first NLG-sponsored program.

Nuclear Arms

"Can We Negotiate Our Way Out of Nuclear War?", a major conference on nuclear arms control negotiation, will be held on Saturday, October 2 at the John Hancock Auditorium in Boston. The conference, organized by the Lawyers Alliance for Nuclear Arms Control, will focus on ways to improve the arms control process and will explore ways to avoid a nuclear confrontation in time of crisis.

The sponsor of the conference, the Lawyers Alliance for Nuclear Arms Control (LANAC), has a national membership of 2,400 legal professionals. Its objective is to promote awareness of nuclear weapons issues and to elicit from the national and international legal community viable alternative proposals for reducing the likelihood of nuclear war while maintaining national security.

The conference will be held from 9 a.m. to 5 p.m. on Saturday, October 2 at the John Hancock Auditorium, 180 Berkeley Street, Boston. The registration fee is \$20.00. Checks made payable to "LANAC — Symposium" may be sent to LANAC Symposium, 14 Beacon Street, Suite 719, Boston, MA 02108. For further information regarding LANAC and the October conference, please call (617) 227-0118.

Symposium

The Brooklyn Journal of International Law, in conjunction with the Lawyers Committee on Nuclear Policy and the American Society of International Law, is sponsoring a one day symposium entitled "Nuclear Weapons: A Fundamental Legal Challenge."

We believe that the existence and use of nuclear weapons present a myriad of legal issues on which discussion and debate are timely and necessary. Our goal in this symposium is to spark thought provoking and

lively philosophical debate on such issues. To achieve this goal, we have arranged for a program of legal academics and practitioners, each with a special interest in the nuclear weapons controversy.

The symposium will take place on Saturday, September 25, 1982 from 9 a.m. to 6 p.m. in the Moot Court Room at Brooklyn Law School. There will be no admission charge and all are cordially invited to attend this unique event.

Symposium: Nuclear Weapons: A Fundamental Legal Challenge

Saturday, September 25, 1982

9:30—11:00 am

Introductory Comments

What is the Relevance of Law and Lawyers to the Threat Posed by Nuclear Weapons?

Speaker: Professor Burns Weston, Univ. of Iowa School of Law
Alan B. Sherr, President of Lawyers' Alliance for Nuclear Arms Control

SSOD: A Progress Report

Speaker: Mary Elizabeth Hoinkes, Deputy Assistant Director for Multilateral Affairs, U.S. Arms Control and Disarmament Agency

11:00—11:15 am

Break

11:15—1:00 pm

Nuclear Weapons and International Law

Are Nuclear Weapons Legal Under International Law?

Speaker: Elliot Meyrowitz, Vice chairperson of Lawyers Committee on Nuclear Policy

Panelists: Professor Harold J. Berman, Harvard School of Law
Professor John Norton Moore, University of Virginia School of Law
Edward Cummings, Dept. of State, Office of the Legal Adviser
Dean Emeritus Raymond E. Lisle, Brooklyn Law School

1:00—2:30 pm

Lunch Break

2:30—4:00 pm

Nuclear Weapons and the Right to Peace

Is the Right to Peace a Basic Human Right and Do Nuclear Weapons Pose a Threat to this Right?

Speaker: Professor Ved P. Nanda, Univ. of Denver School of Law
Panelists: Professor Saul Mendlovitz, Institute for World Order
Professor David Kennedy, Harvard School of Law
Professor Anthony A. D'Amato, Northwestern Univ. School of Law

4:00—6:00 pm

Wine and cheese reception

No Jobs Today—

Prospects Bleak for BLS Grads

By Carol Milder

Many students have begun to realize that obtaining a J.D. from Brooklyn Law School is not a guarantee of gainful employment. Both Dr. LaDoux, director of placement, and Dean Johnson attribute this to poor economic conditions, poor public relations, and the limited resources of the placement office. Moreover, Dean Johnson implies that BLS students are caught in the backlash stemming from our school's recent transition from a local to a regional law school.

Interviewing Dean Johnson in his spacious 9th floor office, visions of *Dallas* flash by as a much gentler J.R. draws, "About 10 years ago, the administration made a conscious choice to expand the school's image (by going) outside of the family of Brooklyn Law School to get new Professors." As a result, Brooklyn has gone from an "excellent local school to a good regional school."

Johnson defines a local law school as one that "tend(s) to serve people, not money." Its graduates become judges, prosecutors, or defense attorneys, and tend in general to work for small law firms. A school reaches "regional" status when in addition to "people" jobs, it places its graduates in judicial clerkships at the federal level and in the "moneyed interests" jobs. "(You) can call it progress" adds Johnson somewhat doubtfully, remarking that "national" schools "do really tend to serve the moneyed interests."

Johnson credits Prof. Trager with opening the door to federal clerkships when he began the judicial internship program in 1970. Since

1973 Brooklyn graduates have clerked in courts on the federal level including the 2nd, 3rd, 7th, and 10th Circuit Courts of Appeals. Prefacing his statement by saying that it was not meant in the pejorative sense, Johnson stated "our graduates have begun to serve the moneyed interests." According to Johnson, the top 10% now have "as much opportunity" to get those lucrative jobs as students at any other law school and the "top quarter has a shot."

Comparing the quality of Brooklyn's students with students at other law schools Johnson explained, "the top 15% of any school is fungible. The distance to the bottom is the difference." Although the distance is greater at Brooklyn than at NYU, he adds "that gap has begun to close in the last 3 years."

Drawing the connection between Brooklyn's move toward an "excellent regional reputation" and jobs, Johnson explained, "In a very negative economy there are fewer jobs and fewer service jobs." In addition, for the first time, corporations are putting a cap on previously unlimited litigation budgets. As a result there will be fewer prestigious jobs around. Consequently, the sources of BLS student employment are dwindling.

As of last spring, a Placement Office Survey of the class of 1980 indicated that of the 70% of the class who responded, 87% were employed in law or law related jobs. With the employment status of the other 30% of the class unknown, there is a possibility that two

et al.: The Justinian

years after graduating, less than 70% of the class of 1980 are employed as lawyers.

This past summer, according to LaDoux, an unusually large number of students on law review and in the top 10% of the class were not offered summer jobs or permanent positions. Statistics aren't available on the rest of the class. These statistics indicate that the class of 1983 will have difficulty securing employment.

In several interviews with the *Justinian*, LaDoux frankly assessed the strengths and weaknesses of the Placement Office. Among the major weaknesses, LaDoux cited a small staff, inadequate space, and underutilization of the school's resources.

"We're responsible here in our little office for 1200 students and anyone who has graduated since 1901 can come in to see me. That's a lot of people," pointed out LaDoux. According to a letter sent by the A.B.A. in 1978, a placement advisor was recommended for every 750 students, not including alumni. Ideally, the placement office should have a full time staff of three professional advisors, plus a support staff. LaDoux would like to see one advisor design the placement programs, one advisor to counsel the students, and one advisor for the alumni. She added that the A.B.A.'s recommended student/faculty ratio has been adhered to while the student/ placement ratio has not been acted upon.

LaDoux noted that although lack of space is a chronic problem in this building it is nowhere more evident than in the placement office when more than two students are looking at the job description files at the same time. Lack of space causes additional embarrassing moments during the on campus recruitment drive when recruiters have no place to interview or to wait for students.

"A lot of resources are underutilized," she stated, pointing out that the faculty and the alumni have yet to be tapped as employ-

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ment resources. Last year 20,000 letters were mailed out to alumni in an effort to spur interest in Brooklyn law students. As of last spring, 30% had replied and all but one replied negatively. Since then some have responded affirmatively but all of these would only employ a student on law review who was also Phi Beta Kappa in college. The outcome was no additional employment.

"I'd like to see the faculty more supportive. Some are very supportive" stated LaDoux. She added that she believed that the faculty has an idealized vision of law students as people who are here because of their love for the law, not because they want jobs.

LaDoux is aware that many students tend to blame the Placement Office rather than the factors mentioned above. Students have complained that the Placement Office caters to the top 10% of the class, that the on campus recruitment program is a waste of time for 90% of the class, that the placement office has not instituted a Spring recruiting program for small firms, and that even the Placement Office will not employ students. Moreover, several small firms have indicated displeasure with the way the Placement Office has treated them.

Shifting her focus to what the Placement Office does do and its role vis-a-vis the students, LaDoux stated "I would love to see every student get a job. I don't feel I stand in the way. Our philosophy should not be defending what we're not, but sharing what we are."

LaDoux stresses the counseling students receive with regard to resumes and interviews and the Consortium in which BLS participates with several other law schools and through which BLS students get interviews that they would not get otherwise. She also mentioned her public relations crusade during which she personally meets with prospective employers

Cont. on p. 6

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No Jobs

Cont. from p. 5

in order to persuade them to recruit at BLS.

As far as catering to the top 10% of the class is concerned, LaDoux indicated "I'm all for getting the class positions as low down as we can go. When firms ask for the top 10% we send them resumes down to 15%. Last year we got two batches back saying we told you to send the top 10%." LaDoux indicated that firms won't come to BLS unless they are permitted to prescreen the candidates first. "Even medium and small size firms want prescreening. In an employer's market," stated LaDoux, "firms feel they don't have to treat applicants with respect. The sad part is there's a lot of abuse of students seeking positions."

As far as a Spring recruiting program is concerned, LaDoux pointed out that invitations are sent out to firms of all sizes and the firms make the choice concerning the time of year to recruit. None of the firms have requested Spring recruitment.

As far as allowing students to work for the Placement Office is concerned, "It's a sensitive issue because of the confidential material available on other students." LaDoux would like to allow students to work on statistics projects in the Placement Office but she indicated that confidentiality was a problem.

As far as complaints from law firms are concerned, one law firm specializing in derivative suits had hired Brooklyn Law students every year for the past six years. According to the senior partner of this firm, the Placement Office has never called this firm to inquire regarding their hiring needs. LaDoux replied to this charge by stating that the Placement Office could not waste its time with firms that continue to come back to BLS anyway.

Another complaint, however, was categorically denied by LaDoux. A BLS student who wishes to remain anonymous informed the *Justinian* that his firm was spurned by the Placement Office. According to this

source, a small Brooklyn law firm intending to expand its number of associates by at least two, requested permission to participate in this fall's on campus recruitment drive. When the firm did not receive any response, the Placement Office was called. The firm was told that the salary it offered of \$19,000 and its small size did not meet the requirements at BLS. The firm then joined some 700 firms interviewing on the campus of NYU law school.

To this charge, LaDoux responded "Not true. If you give me the name of that firm I will call them personally and invite them on campus right now. Do you think I would refuse a firm offering jobs to students here when we post ads for jobs offering \$12,500?"

Charges and counter charges aside, LaDoux admits that students should not rely on the Placement Office in their search for jobs. She added, "The Placement Office at any law school is a service to assist students in getting jobs."

In an effort to improve the service that BLS students are currently receiving, LaDoux has submitted a voluminous report to Dean Johnson in which she supports a schedule change, requesting, among other things, additional full time staff members, and more space. Johnson indicated "I know she needs more help" but until the budget meeting in October, no decision can be made on hiring additional staff members. As for the rest of LaDoux's voluminous report "well, that's going to take a little digesting."

"Yes we do need more help. Is more help going to get everyone a job? No way" stated LaDoux "but it will help more students." She thinks that BLS has a lot of potential and that she wants to be a part of it.

Until such time as LaDoux's recommendations are acted upon, students relying on the Placement Office can expect the status quo.

Alumni Nominated for Federal Judgeships

Family Court Judge Shirley Wohl Kram and Nassau County Administrative Judge Francis X. Altamari have been recommended by Senator Alfonse D'Amato to fill vacancies in the Federal District Courts for the Southern and Eastern Districts of New York. Both judges are graduates of Brooklyn Law School.

Judge Kram

Judge Kram was described by Senator D'Amato as an "outstanding jurist, author, and scholar" who would bring "a wealth of experience to the distinguished bench of the Southern District."

Judge Kram attended Hunter College at night while working as a secretary during the day. After graduating from Brooklyn Law School in 1951, she was employed both in private practice and with the Legal Aid Society. After several years as a solo practitioner, she rejoined Legal Aid in 1961 where she was in charge of the Narcotics and Mental Health Division before being appointed to the Family Court.

Judge Kram is co-author of *The Law of Child Custody: Development of the Substantive Law*. She is a member of the board of directors of the New York State Family Court Judges' Association and the Child Development Foundation, and heads the Appellate Division, First Department, Advisory Committee on the Family Court.

If approved as Southern District Judge, Judge Kram would be only the third woman to sit on that court.

Judge Altamari

Judge Francis X. Altamari, who has been recommended for an Eastern District vacancy, was described by the Senator as a "judge of great distinction who has compiled an impressive record of service."

Judge Altamari is a graduate of St. Francis College and Brooklyn Law School. He has taught law to undergraduate students at St. Francis for many years. Prior to becoming a Nassau County Court judge in 1966, he was an associate with Austin & DuPont and a partner in the firm of Hoffman & Altamari. Judge Altamari served as Administrative Judge of the Nassau County Court, Supervising Judge of the Nassau County Criminal Courts, and was chosen Nassau County Administrative Judge in January.

Investigation Required

Judge Altamari, Judge Kram, and a third nominee, Suffolk County lawyer Leonard D. Wexler, were recommended to Senator D'Amato by a judicial screening committee composed of prominent New York State attorneys. All three will be subject to an intensive investigation by the FBI and the Department of Justice before becoming eligible for recommendation by President Reagan.

Tickets

Student priced exchange tickets are available now in the *Justinian* office for the following Broadway shows:

CRIMES OF THE HEART, thru Oct 3
SOPHISTICATED LADIES, thru Oct 3
AMADEUS, thru Oct 10

EVITA, thru Oct 10
'MASTER HAROLD'...and the boys, thru Oct 16

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Pepperone	1.95	2.90	American Cheese	1.50	2.15
Capicola	1.95	2.90	Swiss or Provelone	1.50	2.15
Roast Beef	2.25	3.20	Egg Salad	1.50	2.15
Turkey	2.25	3.20	Shrimp	2.25	3.20

HOT HERO'S

	Hero	Plate		Hero	Plate
Meatballs	1.95	2.90	Egg Plant	1.95	2.90
Sausage	2.25	3.45	Shrimp	2.50	3.75
Steak	2.50	3.45	Pepper Eggs	1.75	2.70
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			Hamburgers		.95

Pasta

	Plates
Lazagna	2.90
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Ravioli	2.50

Pizza

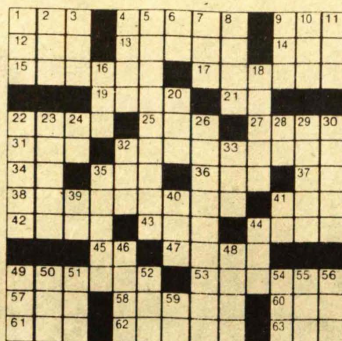
Cheese Pie	5.00
Sausage Pie	5.75
Pepperone Pie	5.75
Pepper or Onion	5.75
Sicilian Pie	6.75

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Letters cont. from p. 2

Dear Sir:

I am presently confined in the Monroe County Jail and am writing you with the hopes that you help me.

I'm not going to beat around the bush, I want to know if there is any way I can get a copy of Richardson on Evidence Tenth Edition.

The Law Library here has two editions of this book but we are lucky if we can get to the library once a week. I do a lot of research and always try to write my own memorandums to send to my attorney (I have a public defender). A guy who locked with me had an edition but he has gone. I could really use this book and it would not be a waste if you sent one.

Any consideration given this request will be appreciated.

Thank you
(Name withheld)

All members of the Brooklyn Law School Community are invited to contribute letters, and articles to the JUSTINIAN.

Schedule Change

Cont. from p. 1

Dean Johnson referred to the minutes of the meeting to refresh his memory. According to the Dean there was a genuine debate going on. "I know the students had the sense that the faculty to a person was against it, but when the debate began as many favored it as opposed (it)."

Johnson has not relinquished his commitment to the schedule change, indicating that the idea has merit and a change is long overdue. He plans to submit a new calendar to the student-faculty committee at its first meeting this year. The upper division would begin classes immediately after Labor day, with exams before Christmas. First year students would be examined after the Christmas break. Spring semester for the upper division would end in mid-May with graduation taking place on the 17th or 18th of May.

Dean Johnson indicated that the schedule would be submitted to the school as a group, with open hearings held in order that "we can plan a sensible calendar for the 1983-84 year."

Bar Course

The Special Committee on Practical Legal Education of the New York Lawyers' Association is offering a twelve-part course, "General Practice for the Newly Admitted Attorney."

The course will be held on consecutive Monday evenings. Following are the dates and subjects for the course:

Sept. 13: Matrimonial Practice.

Sept. 20: Purchase and Sale of a Small Business: Choosing the Form of Business Entity.

Oct. 4: Criminal Practice and Procedure.

Oct. 18: Bankruptcy Practice.

Oct. 25: Estate Administration and Practice.

Nov. 8: Collection and Enforcement of Judgments; Credit and Loan Transactions Under the U.C.C.

Nov. 15: Landlord and Tenant Practice.

Nov. 22: Tax awareness.

Nov. 29: Purchase and Sale of Residential Property; Consumer Law.

Dec. 6: Patents; Trademarks; Copyrights.

Dec. 13: How to Practice Law: Law Office Economics; Ethics; Dealing with Clients; Dealing with the Courts.

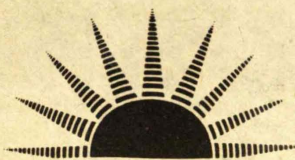
Further information may be obtained by calling Carrie Vassalotti at the New York County Lawyers' Association, 267-6646.

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