

The Justinian

Volume 1982
Issue 4 *October*

Article 1

1982

The Justinian

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Recommended Citation

(1982) "The Justinian," *The Justinian*: Vol. 1982 : Iss. 4 , Article 1.
Available at: <https://brooklynworks.brooklaw.edu/justinian/vol1982/iss4/1>

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A Case of No Casebooks

By Risa Gerson

Citing increased theft and vandalism, BLS Law Librarian Charlotte Levy has refused to purchase casebooks for the past two semesters. As a result, students taking courses in which new editions of books are required have been frustrated when attempting to complete their assignments with library materials, since they don't exist.

Professor Levy has stressed that it is not the library's function to provide casebooks for students, and has stated that students should be required to buy their own casebooks. Furthermore, the high incidence of theft convinced her that "to buy casebooks for one or two individuals is a sheer waste of library funds."

Levy said that the number of books stolen vastly increased last year, but admitted that the stolen material "ran the gamut" and was not limited to casebooks. Initial expenditures for casebooks were approximately \$1200 in 1980-81 out of an annual book-buying budget of \$231,500. Levy maintains that most of the book-buying budget is consumed by keeping materials up to date (e.g. looseleafs, pocket parts, supplements, reporters, etc.). Approximately 3 percent of that budget—or \$7,500—goes to maintain the faculty library on the eighth floor.

When queried about whether affirmative steps were being taken to prevent theft, Levy responded that the school was considering purchasing an electronic anti-theft tagging device such as the 3M "Tattle Tape." Such a system would cost approximately \$35,000 for the initial hardware and a few cents for each of the 165,000 books in the library. That idea was tabled in late 1981 when expansion plans were considered. Expansion would necessitate purchase of new hardware thus doubling the cost of the initial outlay. But once definite expansion plans are made, Professor Levy thinks that plans will also be made to implement such a security system.

Dean Johnson, however, was less enthusiastic. He noted that the difficulty with electronic security alone is that it encourages people to razor books and walk out with the pages. Dean Johnson seemed to think that the most effective form of security would be an electronic tagging system coupled with searching people on their way out. He quickly acknowledged, though, that it would be embarrassing to the 99 percent of the people who use the library properly.

Professor Levy, who made the decision to discontinue buying casebooks, indicated that if the number of thefts decreased, she would reconsider buying casebooks for the reserve area.

She had hoped to reduce the number of razored pages by slashing the price of photocopying from 10 cents to 5 cents a page. In addition, the library will be acquiring a WESTLAW computer system to be on-line before the end of the semester and is upgrading the LEXIS from standard to deluxe, which essentially means that the quality of the printout paper will be improved.

Professor Levy also stressed that students who couldn't find books at the BLS library could borrow them through the Conference of Law School Library Directors of Greater New York, a consortium that includes Brooklyn, Cardozo, Fordham, Hofstra, New York Law, New York University, Pace, Rutgers-Newark, Seton Hall, St. John's and Touro. To obtain the book, the student must request a letter from Brooklyn's Law Librarian which would then allow the student access to a collection that has the book.

The Brooklyn Law School library is also plagued by a space problem. Although there is currently adequate free shelf space, Levy estimates that the library will be completely out of space within the next three to five years.

The "information explosion" in published

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In Memoriam



1947-1982

Jeffrey Rockwell, assistant professor of law, died of pneumonia on Thursday, September 9. Professor Rockwell taught Trusts and Estates and International Law at BLS from the fall of 1980 until last spring, when he was stricken by a sudden illness. He was 35 years of age.

Professor Rockwell was born in Kansas on May 2, 1947. He attended the University of Kansas, graduating in 1969 phi beta kappa and *summa cum laude*. His degree of B.A. in history was awarded with honors. He then studied for a year at the London School of Economics on a Rotary International Fellowship, earning an M.S.C. in International Relations.

After graduating from Yale in 1974, Professor Rockwell joined the firm of Cleary, Gottlieb, Meredith, and Jones, principally because of its strong reputation in international law. Professor Rockwell soon discovered, however, that he lacked interest in the "commercial" type of international law practiced at Cleary. Like many new attorneys, he found his ultimate field of specialization purely by chance. "Happening" upon a case involving trusts and estates, he began to devote himself to the rich obscurities of the laws governing the transmission of property. Guided by his mentor at Cleary, George DeScipio, he also engaged in general litigation and handled several important bankruptcy cases.

Professor Maryellen Fullerton, perhaps the member of the faculty closest to Professor Rockwell, sadly recalled their "humorous" friendship. She remembers him as a person completely different from herself. They disagreed on the value of calling on students for recitation. They each thought the other's field of study boring. Yet, Professor Fullerton remarked, their friendship, fueled by many "good discussions," thrived on their differences.

Professor Fullerton went on to characterize Professor Rockwell as a man with a "remarkable concern for standards." Reading the remembrances of him published in this issue of the *Justinian*, she noted that he expected no more from his students than he exacted from himself: "He didn't have double standards." This same concern informed his contributions to faculty meetings. Though cautious, he was always seeking for ways in which Brooklyn might change and improve.

Despite their close friendship, Professor Fullerton admitted that "his students knew him better. They saw more of a range." Teaching, she added, "is something one does alone." She misses him.

Professor Rockwell was always close to his family and often spoke of practicing law with his brothers in Kansas. He is survived by his brother, a litigator working in Seattle, Washington; a sister who resides in Boulder, Colorado; and his father, who now lives in Massachusetts.

Stephen Richards

SBA Election Results

By Tom Kranidas

The SBA elections are over and the new student government is both ready to go and anxious to attract renewed student participation.

The Student Bar Association (SBA) is the voice of the students at Brooklyn Law School. It has control of the student activity budget and oversees general administration—student relations.

The SBA, according to several new officers, is especially concerned with apathy among both the day and evening students. The SBA office is located on the 4th floor and is open between 1 to 2 and 5 to 6 daily. Students are urged to drop in for information, or to contribute ideas or criticisms. Students should also get to know their officers and class representatives.

Many important issues, from the never-ending schedule battle to the day to day concerns of students are dealt with, or can be dealt with, through the SBA. Don't just complain—get involved. Below are the winners of the recent representative elections.

First Year:

Sec. 1

Karen Kruger, Michael Arwe

Sec. 2

Valerie Simuro, James Markarian

Sec. 3

Alan Young, Amy Posner

Evening Sec.

Edward Oppen, Eva Heller

Second Year Day:

Lisa Heide

Mary Malet

Josh Mallin

Matthew Kletter

Eric Remensberger

Jerry Breen

Third Year Day:

Bruce Feffer

Judy Shouse

Karen Lee Abbondante

Michael Barnes

Michael Calano

Steven Richman

Second Year Evening:

Arnie Decker

Third Year Evening:

Winston McLaughlin

Fourth Year Evening:

Henry J. Achiron

Kunstler as Quixote

By Lisa Heide

The verdict is in on William Kunstler...he's slightly off the wall. His detractors would have to admit, however, that he is a superior trial attorney, with an enviable series of professional achievements in his 35-year-career. For those who are sympathetic to his vision of the law, he is an inspiration.

Sponsored by the National Lawyers Guild, Kunstler spoke at BLS on September 20th to an audience of well over 100 students. It may be said that the name of Kunstler is synonymous with the nearly extinct brand of attorney known as the "Radical Lawyer." As such, Kunstler defines his role as that of "an attorney in a pre-revolutionary state" who is a "seed-sower of a radical alteration." His main goal is to help "keep functioning the people who expedite this radical change."

The role of the Radical Lawyer changed drastically during the "Sixties" (coincidentally the point at which Kunstler entered this particular milieu). Prior to this time even the Radical Lawyer played in the establishment's ballfield by the establishment's rules. As an officer of the court, s/he was a captive of the judicial whim. But with the emergence of a new more activist approach the Radical Lawyer was no longer a "controllable functionary." S/he became an officer of the client rather than the court. As for Kunstler he "reached a point where he had to put the client first, politics second and not be bound by the narrow parameters of an oppressive system of jurisprudence." An example of this is Kunstler's circumvention of (the now abolished) Canon 34 which prohibited defense at-

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Justinian

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Editorials express the opinions of the Editorial Board
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EMPTY SHELVES

Despite new carpeting, the library continues to reverberate with the echoes heard only in unoccupied space. Volumes of valuable legal material manages to slip out of the library unnoticed. Consequently, Professor Charlotte Levy, the Law Librarian, has implemented her own short term solution to the disappearing book problem. Levy has decided to stop buying casebooks.

Levy's new policy is premised on several theories, one being that students are required to *buy* all of their casebooks. In fact, students are not required to buy all of their casebooks. They need only *read* the assigned course material. Clearly, not all students can afford to buy the course materials.

In addition, some students prefer not to buy the casebooks until they are sure that they want to remain in the course. This preference is motivated by the school bookstore's policy of not refunding casebooks. Even students who own casebooks have a need to borrow the library's books on those occasions when they have not schlepped their books to school.

Levy also claims that because coursebooks are often stolen, stocking such books does not serve the majority of students. This is not persuasive. The answer is not to discontinue stocking books but to provide more adequate security. Electronic detector systems are widely used devices through which books are tagged so that no one can leave with a book unnoticed. Levy would like such a system to be installed in the BLS library.

One such system was considered by the previous administration, under Dean Glasser, and tabled until definite expansions plans for the school were agreed upon. There is still no definite expansion plan.

Given the school's history of short-sightedness with regard to future planning, restraint with regard to major expenditures is not inadvisable. However, the probability is that expansion is several years away. This, along with the fact that other books are stolen as frequently as the coursebooks, raises disturbing implications should Levy's policy continue to be supported by the present administration.

Levy's policy has affected one of the most valuable resources of the BLS student. Paradoxically, this resource is one of the most inexpensive in the library—some 0.0048% of a total book budget of \$250,000. Until this policy is replaced by a more constructive one the second most valuable resource of BLS will remain sorely lacking.

RULES OF THE GAME

The Office of the Academic Dean recently released a most interesting pamphlet called "Brooklyn Law School Student Regulations 1982-83." It should be required reading for all students since "To . . . be eligible for the J.D. Degree, students must comply with all rules and regulations of the law school."

As Ed McMahon so often says to Johnny Carson: "Absolutely amazing, all the rules and regulations of Brooklyn Law School in one small easy-to-read list." And as Johnny so often replies, "Wrong, due process breath," for the preamble to the booklet states: "The law school reserves the right . . . to change any regulation affecting students."

Not to worry, all changes will be posted in the lobby and the Dean of the law school is "the final arbiter of questions concerning student regulations."

We won't dwell on the poster system used at BLS to convey information to the students. Suffice it to mention that the only other place known to the Editorial Collective to use this system is Maoist China.

What we will dwell on a bit is the particularly troublesome fact that many of the rules and regulations contained in the booklet are phrased in such a fashion as to defy any concept of certainty. For example, "Students having excessive absences may be denied graduation, dismissed, suspended, denied credit for all or part of the work done during a semester, denied permission to take final examinations, regarded as having withdrawn during a semester, or may be punished to fit a crime."

LETTERS:

To the Editor:

I find it hard to believe that Ms. Birnbaum is serious when she speaks of modern-day references to Pandora's box as being "the most blatant and offensive form of sexist stereotyping." Is the women's movement now at the point where it has won all the major battles for equality so that it is left only with the tedious task of mopping up the last trivial traces of misogyny in every linguistic nook and literary cranny it can find?

To suggest that modern passing references to Pandora's box reflect profound anti-female sentiments is as absurd as imputing anti-male feelings to one who refers to "Procrustean methods" of conformity. Procrustes, you'll remember, was the wicked robber who amputated or stretched his victims' limbs to make them fit the length of his bed. Does this evil male forever malign the good reputation of men? Nonsense!

Our language is rich because it has borrowed from many cultural sources. Today, mention of Pandora's box is meant to communicate *nothing more* than synonymy with unforeseen troubles. It is no more offensive or sexist than reference to "opening a can of worms" (which, I'm sure, no one would consider anti-vermicular). Twelve hundred years have sufficiently diluted any possible sexist overtones that Hesiod may have intended. In the 20th century, it is as easy for Jack to open a Pandora's box as it is for Jill to be Procrustean. The women's movement should not be diverted from important struggles by nitpicking at trivialities.

—Allan Young
First Year
Section 3

To the Editor:

I wish all of you the best of success in your publication of the *Justinian*. I am of the opinion, that one function of a school newspaper is to voice the general mood or feelings of the student body as a recognizable entity. Your first edition addressed several issues, namely employment and the Brooklyn Law School Schedule. I submit that these issues are of serious concern to a fair number of the students. Previous staffs obviously did not think so. Your candid presentation was refreshing and courageous. It would behoove the faculty and administration to pay more attention to the interests of the student entity. This is because within a mere three years, students become alumni. And alumni are a key factor in determining whether a school can ever rise in status.

Students at Brooklyn Law School must constantly deal with entering the "real" world. I am of the opinion that certain members of the faculty and administration have lost sight of this reality.

Hopefully, more of the school community will read the *Justinian* and take common concerns more seriously. I am sure all parties are capable of doing this.

—Gordon F. Wylie
Third Year

To the Collective:

Your first issue was daring and impressive. However, you were obviously just looking to stir controversy and unrest in an underhanded way in order to turn Brooklyn Law into a "little red schoolhouse." You deserve to be denounced and decried from one end of Joralemon Street to the other. Of course, it is possible that your real aim was (is) to offer Brooklyn Law School a "real" objective and innovative student newspaper that is not a mere mouthpiece for faculty or for student political hacks.

By the way, where did you get the great idea for forming an editorial collective?

Good luck!

Clifford Bob
Loie Feuerle
Richard J. Milder
Daniel A. Nathan
Howard Ostrowsky
Merle Witkin

The Editorial Collective, *The Commentator*, the student newspaper of the New York University School of Law. Winner of the 1981-82 A.B.A. Second Circuit Award for Excellence in Law School Journalism.

Comrades:

We welcome your spirited good wishes for the success of the *Justinian*. Your expression of support is made all the more important to us because of how flush the capitalist running dog *Commentator* is with imperialist lucre derived from the crass merchandising of egg noodles. Rest assured that the *Justinian* will be guided by eternal principles of truth, justice and the American way.

By the way, we got the idea for an editorial collective after a summer of intensively reading the *Bible* and the *Gundrisse*. As you must know, the latter work was written by Marx in 1857 and was never published in his lifetime. A recent translation issued by West Publishing Co., contains a footnote on page 1267, which if dialectically interpreted, along with the story of Job, points out the historical-materialist-religious necessity of running all law student newspapers in this fashion.

Best of Luck.

The Editorial Collective,
The Justinian, the student newspaper of Brooklyn Law School, Winner of the 1958, 1961, 1964, 1973, 1974, 1977, and 1980 ABA awards for excellence.

Dean Prince has donated a copy of Richardson on Evidence, Tenth Edition, to the prisoner who requested the book in a letter published in the last issue of the *Justinian*. The Editorial Collective applauds this unselfish gesture.

Another significant example is the definition of grades. "Grades may be based on the student's total course performance, and performance may include a written final examination, a mid-term examination, a paper, or other writing assignments, or any combination of examinations and papers." To the critical reader, an important element is significantly missing: class participation. Perhaps the intent is to indicate that from now on class participation will no longer be considered by the professor in grading students. We doubt it, and rather suspect the omission is the product of the faculty's inability as a group to set policy on this important issue beyond merely "let each faculty member do his or her own thing."

When some professors give no credit for class participation, and some add points, and some subtract points for failure to be prepared, and the difference between being in the top 10 percent of the class or the bottom 90 percent of the class can hinge on whether one receives an 86 or an 87 in a particular course, the inadequacy of the current non-policy needs no explanation.

In truth we commend the Office of the Academic Dean for publishing "Brooklyn Law School Student Regulations 1982-83." It is a serious attempt to inform students in a systematic way of the existing rules and regulations affecting all of us. We could not, however, let the occasion go by without noting that the rules and regulations themselves leave much room for improvement.

Disabled, Behind Bars: The Jack Parker Story

By Bruce Feffer

(Note: The names used in this article are fictitious, although the account is entirely factual).

It is almost a year, as of this writing, since Jean Parker has seen her father. Jean is a 17-year-old girl who lives on Long Island. Her father, Jack Parker, is a prisoner in a New Jersey county jail. During the past year he has been shuffled from prison to prison, from New York, to Pennsylvania, to New Jersey. Most of this time has been spent inside "segregation units" (a.k.a. solitary confinement) where an inmate's freedom and "privileges" are even more restricted than those of the general prison population.

By now perhaps, you are asking why. What kind of horrible individual is this Jack Parker? This is his story. After reading it, maybe you can tell me.

I met Jack Parker in November of 1981 at New York's Metropolitan Correctional Center (MCC), a federal prison in Manhattan. I was participating in the Brooklyn Law School Inmate Legal Counseling Program. Parker, after serving eight years of an eleven year sentence for bank robbery after being released on parole on 1977, was back in prison for violating his parole. He allegedly failed to regularly report to his parole officer, and failed to notify him of a change in employment. The law entitled Parker to a parole revocation hearing to determine whether he should spend another year in custody or be released back to parole. He was also entitled to legal representation at that hearing. I was to act as his representative.

After interviewing Parker for approximately a half hour, it seemed absurd that this man was actually facing the prospect of another year in prison. In 1980, Jack Parker was in a bar in the Bronx when, under circumstances still unclear today, he was shot from one to five times in the head, face and neck. As a result, he now suffers partial paralysis on the right side of his body, deafness in one ear, occasional seizures for which he needs medication, and severe disabilities in speech, reading, writing, and memory. At the age of 36, he must now count on his fingers and must give descriptions when talking of things for which he can no longer remember the names (for example, he gestures as if to pound the table when he can't remember the word "hammer").

Although his alleged parole violations occurred before he had been shot, he was not returned to prison until he had spent several months under a different name, receiving medical treatment in hospitals and clinics. Meanwhile, his daughter Jean moved to Long Island with her mother and he moved in with his aunt in New Jersey.

Once back in prison, Jack Parker was no longer receiving needed therapy. He refused to take the prison's substitute version of the medicine he had been taking. He had been placed in the "hole"—segregation—in order, said prison officials, to protect him from other inmates.

I never had the chance to represent Jack Parker at his parole revocation hearing. Only a week or two after my visit with him he was transferred to Lewisburg Penitentiary in Pennsylvania. Prison officials knew he had been visited by the Inmate Counseling Program and knew that his closest relatives lived in New York and New Jersey, but nevertheless decided to give him his hearing in Pennsylvania.

It was about this time, early December 1981, that I came in contact with Jean, Jack Parker's daughter. As it turned out, she was apparently the last of his relatives who still cared where he was and how he was being treated. His phone calls to her provided the only direct link between himself and the outside world. He could not read letters sent to him, was not allowed to receive phone calls, and was too far away to have visitors. He did have the right to representation at his revocation hearing. But citing his best interests, the

staff at Lewisburg Pen managed to get him to sign a waiver of his right to counsel. It is questionable whether he understood at the time the meaning and consequences of such a waiver, and when asked about it at a later date he said he recalled being asked to sign something but did not remember what it was or even having it explained to him.

By January 1982, through my periodic conversations with Jean Parker, as well as with the Lewisburg Prison Project (a small group of legal workers who agreed to visit Jack Parker and report back to us), and with the Lewisburg prison officials themselves, I learned that Jack Parker was still in segregation. He was somewhat confused and disoriented, still without counsel, and was receiving no therapy for his disabilities. His life in prison, however, was not entirely uneventful. Prison officials had confiscated all his personal papers, including legal materials, and he was unsure whether he would have them back in time for his parole hearing. In addition, he was charged with possessing a 17 inch knife in his cell. Personnel at the prison viewed him as either a lunatic or a moron. The visiting room guard, who to the best of my knowledge has no degree in psychology, rated Jack Parker's intelligence as a two on a scale of zero to ten. Jack was aware of this appraisal and, understandably, bothered by it. When interviewed by a member of the Lewisburg Prison Project, he felt the need to continually remind the interviewer that "I'm not stupid." He did say that he often felt like a "small child" since his injury and felt he could no longer "cope" like he used to. He wanted help.

In February, it looked as if Jack Parker's ordeal was over. The United States Parole Board experienced a fleeting wisp of wisdom and ruled that Jack Parker was not a threat to society and should be released from federal custody. Indeed, he was to be released even from parole supervision. Upon listening to the tape recording of the parole revocation hearing, it is easy to see that the Board could not, in all fairness, have ruled otherwise. The interview between two hearing examiners and Jack Parker was a pathetic farce during which Jack groped for words and the examiners tried to fill in the blanks. The injustice of the proceeding was mitigated only by the mercy of the examiners.

But Jack Parker was not on his way home as was first thought. Before his release from federal custody, the New Jersey Governor's office requested his extradition to New Jersey on state charges of possession of a weapon without a permit, and the unauthorized use of a credit card. Parker was arrested in Jersey on these charges back in 1977 and never appeared for trial. Five years later, it was coming back to haunt him.

Since Jack Parker had been under strict instructions from his daughter and myself never to sign anything he didn't understand (ever since his waiver of counsel), he refused to sign a waiver of an extradition hearing. Unfortunately, this hearing in his case would have been a mere formality and waiving it would have brought him to New Jersey sooner. Instead, it was not until May 1982 that he was sent to a New Jersey county jail.

That is where Jack Parker is today. He now has a court appointed attorney representing him on the state charges. It may be months before the case is resolved. More time to sit. More time without therapy.

And Jean Parker still waits for her father's release. This whole episode has left one young woman in Long Island very bitter and angry. She is also disillusioned with the judicial system.

More than once I have heard her ask, "How can they do this?" How helpless I felt in the wake of that question. How does one explain the difference between what we learn in law school and what is real?

There are lessons to be learned from the Jack Parker case, however, and while it is better to learn them while you're still in high

For Jeffrey Rockwell

Any illness or accident that robs a young man of life in his prime spawns a two-petaled flower of destruction: the annihilation of youthful promise, and the heart-ache it wreaks upon his family and loved ones. In the instance of the tragic, youthful death of Jeff Rockwell, the roots of that evil run deeper. The tragedy is heightened by the fact that this was a good teacher and a decent man: we mourn his passing, share this grief with those whom he loved.

I am moved to pay tribute to Professor Rockwell because his death provokes in my heart a particular rage at the cruelty of his fate. I knew him a little; it would be a presumption to claim his friendship, but he won my admiration for his humility as well as his skill as an instructor. He once told me that he felt he would not be a teacher until he had served his apprenticeship; that his greatest fear as a teacher was in failing to transmit to his students the proper volume of knowledge, of short-changing them. (I took his Wills class last Spring, and the notes from that class were prodigious.) If anything he overworked himself at class preparation. His courses were superbly organized and orchestrated, his lectures thoughtful and flavored with a dry, subtle Kansas style of humor that underscored his compassion. He cared about us, worried with us about the usual law student's angst. He was so gentle and thoughtful that the first time he cracked a joke I nearly fell out of a seat in my astonishment. I remember thinking to myself that if the workload killed us, at least we'd all die laughing.)

It didn't, of course, but it didn't do him much good. He was sick as hell even before he left school, and at times the pain was etched so clearly on his face it was difficult not to look away. Looking back on Spring, and the last time I saw him, I wish I'd had the foresight to thank him. (Lord, if one only knew when one is saying goodbye.

It hurts too much to contemplate that now.

—Richard T. Maher

The untimely death of Jeff Rockwell has given me cause to reflect upon the all too short friendship we enjoyed. He gave me an ear to bend and a shoulder to cry on. He helped me cope with adversity and wholeheartedly rejoiced in my successes and accomplishments.

Jeff was a sensitive man. He loved teaching and voiced great concern over the harsh reputation with which he was known. He painstakingly prepared for each class, reviewing and rewriting his notes. He demanded that his students be prepared and would accept no less. He earnestly sought criticism of his 'style' in an attempt to make the sometimes tedious course material more palatable.

Jeff was open and candid. He welcomed unexpected visitors with a gracious smile. His laugh was unrestrained. He admitted to suffering from pre-class nervousness and hoped it would pass with time. He confessed that he, too, had to close his eyes when a movie got too bloody. He expressed love for reading and the theatre. He was a sports enthusiast and agreed that trading Ron Davis would surely cost the Yankees.

Jeff anticipated returning to BLS this fall, although by late summer he began to feel weak and languid. When he realized that his lack of strength would no longer permit him to lecture in the usual upright stance, he repeatedly questioned me about the practices of the rest of the BLS faculty. He voiced disillusionment with the medical care he was receiving and disappointment with his slow recovery.

I had a good friend in Jeff Rockwell and I miss him.

—Joy Simon

school, it's certainly not too late to learn them in law school.

One is that when we talk of criminals and prisoners in our society, we not only talk of Charles Manson and David Berkowitz (Son of Sam). We talk of Jack Parker. And if our society is so intent as it seems to be these days, on making hell for those who commit crimes, it must realize that it might be making hell for the Jack Parkers of our society.

And for those who contend that Jack Parker is a unique case and that to single out his plight is to unfairly portray the prison system as cruel and insensitive, I can only ask this: If such a glaring example of human frailty and helplessness draws so little concern from his custodians, what must be the attitude of the system towards the more subtle cases—men and women with less severe, less noticeable disabilities? If it is agreed that it is unjust to

keep such a man as Jack Parker behind bars (and I don't assume all would agree), is it not possible that there are others in prison whose confinement is also unjust?

Another lesson to be learned is this: Prisoners, not just Jack Parker but all of our prisoners, are human beings. As such, they are perceptive. They see injustice rendered upon others just as clearly as they feel it upon themselves. Do you think that most prisoners who return to society do so with a renewed faith in justice, equity, and fair play?

The ultimate lesson is that Jack Parker is a symbol of a society which says a criminal is a criminal and ignores the basic fact that every case involves an individual. If we allow ourselves to ignore this fact we will forget about rehabilitation, about justice and about why we have a judicial system to begin with.

Note: Jack Parker was recently released.

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Musical Pluralism in a Musicians' Collective

By Warren Shaw
and Matthew Kletter

The Association for the Advancement of Creative Musicians (AACM) held two concerts at Symphony Space in Manhattan's West Side on September 17 and 18 to publicize its official designation of a New York chapter. Formation of a New York branch is a significant event for this most famous of jazz musical institutions, because it marks the success of the association as a vehicle for the perpetuation and continued growth of jazz music—although most of its members avoid calling their music "jazz."

Historical Impetus for the AACM

Jazz musicians have never had an easy time carving out careers for themselves. The nature of the music demands careful listening, and it is usually presented as serious, artistic music. These aspects of jazz are hardly likely to appeal to great numbers of people. Consequently, the more esoteric styles of jazz have rarely if ever received large-scale recognition or acceptance, and in America, racial prejudice has often compounded the problems facing jazz musicians.

Jazz musicians' resentment of their frequently marginal status reached a peak during the 1960's, a time of turbulence for jazz in the United States. This resentment led to a revolt by many younger musicians such as Archie Shepp, John Coltrane, Cecil Taylor, and Albert Ayler, whose feelings found expression in a radical new musical style known as "free jazz" or "avant-garde jazz." Often characterized by the absence of what had been universal elements in jazz—functional tonality, thirty-two bar and/or blues form, and a "swinging"

meter—free jazz incorporated atonal musical theory, collective improvisation, ametric phrasing, and harshly emotive sonorities into a music unlike any previously known in jazz, and one which deeply polarized the jazz community. At the same time that the avant-garde was redefining the boundaries of jazz, the rock and roll explosion of the 1960's absorbed much of the jazz audience, driving jazz as far underground as it has ever been. Many jazz greats such as Dexter Gordon were forced to emigrate to Europe, where the audience was more receptive. Naturally, the radical free jazz musicians had an impossible time finding work, or even encouragement for their efforts.

Musical Pluralism in a Musicians' Collective

The AACM constitutes a practical response to the particularly severe circumstances surrounding jazz during the 1960's. The association seeks to provide support to its members' musical ventures, support which they have found exists nowhere else. Founded in 1965 by a group of Chicago-based musicians, the AACM is a musicians' collective "dedicated to the idea of self realization for all" through the free pursuit of music, both individually and in groups, unhampered by commercial pressures. The association is intended to foster the creation of new music using elements from "the entire spectrum of both jazz and classical forms."¹ In fact, the association's primary source is music within the jazz tradition. Many of the AACM's members have roots in free jazz, but they have abandoned the divisiveness of the 1960's for a freewheeling musical approach which readily synthesizes both the old and the new. Thus, the AACM's members comprise some of the most innovative of con-

temporary jazzmen (and women), including Roscoe Mitchell, Malachi Favors Maghostut, Famoudou Don Moye and Joseph Jarman of the Art Ensemble of Chicago, Anthony Braxton, Lester Bowie, Chico Freeman, and Leroy Jenkins, among others.

The AACM provides a harbor for its musicians, offering management and production personnel, counseling on the intricacies of the music industry, and even legal advice from two attorneys who have long been involved with the association and who volunteer their services.

Along with the greatly increased visibility that jazz has received since the mid-1970's, the AACM has prospered as well. The organization has grown over the last seventeen years to the point that they now have their own school, where they teach musicians by means of both formal classes and apprenticeships. Moreover, by 1977 most AACM musicians were performing in Soho lofts—until those forums got priced out of the market by the growing notoriety of these musicians. Record companies such as Columbia and Arista as well as independent labels have signed many of these artists and today they are featured in jazz festivals all over America and Europe.

At the present time the AACM remains an all-black organization, in keeping with their feeling that the advancement of jazz is inextricably linked with the spiritual future of blacks in America. However, they do plan to eventually admit whites as well.

The September 18 Concert

The Symphony Space Theater was well packed with enthusiastic music lovers as the program began with Air, a trio composed of Henry Threadgill, reeds; Fred Hopkins, bass; and Steve McCall, drums. Their first piece, a ballad-tempo waltz, was introduced by Hopkins' solo bass statement of the theme. Then followed Threadgill on tenor sax, whose solo moved easily among a variety of moods, while Hopkins' and McCall's accompaniment demonstrated great attention to dynamics. Hopkins' subsequent bass solo was highly dissonant, with much stretching of notes and chords in a way that unaccountably seemed to amuse several listeners. Threadgill's second solo was less varied but more fevered, and was supported by a droning bass motif, until Threadgill yielded to McCall's intricate, subtly colored drum solo which made good use of his unusual hi-hat work. Hopkins' second solo was truly remarkable—his sliding technique made the notes seem to fade in from nowhere, the dissonances clustering in space.

Air's next piece began as a duet, with Hopkins playing bowed bass—from which he obtained a deep sound full of overtones—and McCall's rumbling drums, played with mallets. Threadgill entered on bass flute, and he and Hopkins quietly played a tender, lyrical melody, after which McCall's cymbals washed over the audience. The piece concluded in a hymn-like solemnity evocative of John Coltrane's later work, with searching and plaintive saxophone work from Threadgill.

Muhal Richard Abrams and Amina Claudine Myers followed Air with a piano duet begun by Myers. Strongly influenced by the 20th century piano literature, the duet had an interestingly jagged melodic character.

Motives laced and melded with each other in an orderly fashion, as the two stated a theme and then improvised off it. The piece was quite good at setting a certain introspective or melancholy mood, but it went on for approximately twenty minutes; an informal survey of about ten members of the audience revealed that at various points the concentration of each had wandered.

The AACM Orchestra II performed after an intermission, and featured Lester Bowie, Frank Gordon (Trumpets); Henry Threadgill, Anthony Braxton, Chico Freeman, Kalapusha (Reeds); George Lewis, Craig Harris (Trombones); Leroy Jenkins (Violin); Amina Claudine Myers (Piano); Thurman Barker (Drums); and Fred Hopkins (Bass). An avant-garde jazz orchestra is unique in that its appearance and instrumentation is the same as a conventional big band, reminding one of, say, the Duke Ellington orchestra, but in musical structure it is more flexible, allowing individual musicians to perform intense solos within the context of a rhythmic flow maintained by the group as a whole. The first piece, an untitled composition by trumpeter Frank Gordon, painted diverse colors with the orchestra, in a contrapuntal and dissonant ensemble passage. Subsequent solos were uniformly excellent, and were supported by a driving accompaniment, with Thurman Barker's drums especially noteworthy. Gordon's work had an ominous, unsettling quality that was well emphasized throughout by Leroy Jenkins' violin, and by an unusual trombone solo from George Lewis that contrasted low gurgles with high screams, as well as more thematic improvisations. A concluding solo by Barker drew masses of sound from the drums, in contrast to the more rhythmic approach of most other drummers.

The Orchestra's second piece was Composition #89 by the famed reedman Anthony Braxton. The piece's ensemble portions juxtaposed several angular figures in a very dense polyphony. Lewis performed a second trombone solo, a thematic improvisation based on a fast, brief motif. An ametric section followed, played by bass, trumpet, and trombone. Next, Braxton played a short solo in a "time" section, after which followed another ametric portion featuring Jenkins' violin and Lewis' trombone. The concluding ensemble sustained the piece's earlier dense polyphony, which built to a hypnotically drawn-out final chord, and brought to an end an inspiring night of music.

The AACM keeps a mailing list, by which it notifies listeners of upcoming performances. To enter your name on the list, please write the AACM, at P.O. Box 7987, Chicago, Ill. 60690. The mailing address of the New York chapter is P.O. Box 187, Times Square Station, New York, N.Y. 10108.

P.S. The authors wish to thank Mr. Douglas Ewart, reedman and member of the AACM, for his courtesy in granting us an interview with him.

Notes

1. Program Notes for the AACM's Symphony Space concerts 1 (Sept. 17 & 18, 1982).
2. *Ibid.*

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**Open House for
Prospective Staff Writers
Thursday, October 7
at 4:00 p.m.,
in the Justinian Office,
Room 304
Refreshments Served**

<https://brooklynworks.brooklaw.edu/justinian/vol1982/iss4/1>

Symposium

On Saturday, September 25, the Brooklyn Law School Journal of International Law sponsored a symposium on nuclear arms. Speakers came from a variety of law schools, legal organizations, and government agencies. Topics discussed included the legality of nuclear weapons under international law and the right to peace as a fundamental human right. A full report of the event will appear in the next issue of *Justinian*.

—Ethan Wolfe

Tickets

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

- Amadeus**, thru Nov. 14.
- Annie**, thru Nov. 14.
- Charlotte Sweet**, thru Oct. 31.
- Crimes of the Heart**, thru Nov. 7.
- Evita**, thru Oct. 10.
- Joseph and the amazing technicolor dreamcoat**, thru Oct. 17.
- 'Master Harold' ... and the boys**, thru Oct. 16.
- Sophisticated Ladies**, thru Nov. 7.

et al.: The Justinian

Anti-Gay Recruiters Banned

(CPS)—While some universities aren't exactly welcoming gay students on campus, seven of the country's most esteemed law schools are drawing criticism and threats from the U.S. Army precisely because of school policies which protect gay students.

Moreover, the Army, in threatening to cut off Department of Defense (DOD) research funding for the universities involved, has given credence to deep-seated concerns by educators that all Pentagon money comes with strings attached. Inevitably, the educators have warned, DOD and other military spending on college campuses will put schools in a compromising, possibly subservient position to the Pentagon.

The seven law schools—Columbia, Harvard, Yale, Wayne State, New York University, Ohio State, and the University of California at Los Angeles (UCLA)—all ban job recruiters from using school facilities if, among other things, they discriminate on the basis of sexual preference.

Thus the Army, with its blanket policy against hiring gays, has been unable to recruit at the seven law schools. So earlier this summer, Army officials sent letters to the schools urging them to reconsider their policies in light of the Army's "special personnel requirements."

"Soldiers are required to live and work under entirely different conditions than civilians," the letter says. "Soldiers must often sleep, eat, and perform hygiene under conditions affording minimal privacy. The presence of homosexuals in such an environment tends to impair unit morale and cohesion."

Then the letter threatens to withdraw all DOD funding for the law schools and their parent universities unless Army representatives are allowed to recruit there.

The stakes are high. UCLA, for instance, was awarded nearly \$30 million in Pentagon funding for 1980-81, and Harvard received nearly \$3 million for the same period.

So far, the law schools are standing behind their anti-discrimination policies, although they have agreed to "consider" the letter. Several, such as Yale and Ohio State, have sent the letters to special committees to evaluate the Army's argument.

"I will present the matter to the law school faculty this fall," says James E. Meeks, law dean at Ohio State, "but I don't anticipate anything to change. I think there's a real reluctance on the part of faculty to allow recruiters to discriminate on the basis of sexual preference."

In addition, Meeks points out, "sexual preference should be irrelevant to being a lawyer in the armed forces. The Navy recognizes this, and they decide such matters on an individual basis. They don't have a blanket anti-gay policy like the Army."

Meeks thinks most of the law schools will stick by their policies, although he admits that threats to cut off funding "are obviously something we are very concerned about."

"The DOD has on many occasions shown its readiness to use its funding as a lever," observes Dr. Seymour Melman, a Columbia University professor who has written several books on the issue of Pentagon funding. "The new twist to this whole thing is the greater vulnerability of universities at a time when federal funding is being cut back."

The Army, however, denies using DOD college funding—expected to total \$709.7 million this year—as a lever to force the law schools into amending their policies.

"Discussions are still underway on the matter," says Margaret Tackley, Army public affairs officer. "There haven't been any decisions by any of the colleges that we know of."

Tackley says the Army's main purpose in sending the letter was to explain the Army's situation, and to let the schools know that "we might recommend" withdrawal of DOD funds.

National Lawyers Guild Protests "Legalized Lynching"

By John Sokolow and Bill Hoffman

The National Lawyers Guild is becoming increasingly alarmed about the civil rights policies of the Reagan Administration. After 20 months in office, Reagan has made clear his commitment to wiping out the hard-won gains of the civil rights movement. The continuing attack on school busing, the failure to enforce federal laws preventing housing discrimination and the attempt to prevent extension of the Voting Rights Act of 1965—all point to a decision taken at the highest levels of government to halt civil rights enforcement. These policies prompted 33 state advisors to the U.S. Commission on Civil Rights to accuse President Reagan of presiding over a "dangerous deterioration in federal enforcement" of civil rights laws.

The implications of this assault on civil rights can be seen in a major case now pending in the courts of Mississippi. On October 19, Eddie James Carthan, ex-Mayor of Tchula, Mississippi, and his brother Joseph Carthan, will go on trial for their lives. They are charged with murder, armed robbery and conspiracy in connection with a holdup in which a town alderman was killed.

The State of Mississippi knows these charges are false. The only piece of evidence which has been produced linking the Carthans to the crimes is a written confession by Earl V. Bolden, the convicted killer, alleging that the Carthans hired him to do the job. This "confession" which has been withheld from the defense lawyers, was secured from Bolden in return for the State's promise not to seek the death penalty against him.

Eddie Carthan's real crime was running afoul of entrenched interests. Though Tchula is 80 percent Black, Carthan, in 1977, became the first Black mayor of that small Mississippi Delta town since Reconstruction. As mayor, Carthan stood up to the white plantation owners who control the political and economic life of Tchula. Carthan exposed the historic cor-

ruption of the town's white power structure, while he instituted policies which created new jobs and built new housing, a health clinic, a day care center and a nutrition program.

The established white leadership of Tchula and of the State of Mississippi was not pleased by Carthan nor by the Voting Rights Act which made his election possible. They mounted an attack on Carthan which succeeded in driving him from office and landing him in jail on phony assault charges. Reagan's Justice Department played an important role in this attack by pressing charges of fraud against Carthan despite the fact that someone else admitted to forging Carthan's signature on the very document by which Carthan allegedly had committed the fraud.

Despite a crescendo of protest from elected officials, civil rights and religious organizations, including the Detroit City Council, the National Conference of Black Mayors, the National Council of Churches and the National Conference of Black Lawyers, the persecution of Mayor Carthan continues. The Reagan Administration has not only participated in at least parts of the frame-up, but the Justice Department has refused to intervene in what may turn out to be a legalized lynching. Despite the clear violations of civil and human rights in the Carthan case, not to mention the absence of any semblance of justice, the federal government has remained silent. Similarly, the administration has failed to ensure adequate enforcement of the Voting Rights Act and prevent serious violations of it such as has occurred in the Carthan case.

The National Lawyers Guild, therefore, will join thousands of other people in turning our eyes on Mississippi on October 19 when the Carthan trial begins. Our eyes will also be on Washington because Reagan's seige on civil rights is giving active encouragement to those who would send Eddie Carthan to his death.

HILSA News

By Veronica Ramirez

The Hispanic Law Student Association: (HILSA) is dedicated to the improvement of legal education and legal services. The organization provides a myriad of services and invites all members of the Brooklyn Law School Community to participate in its varied functions which include: Exam taking, resume writing, interviewing workshops and employment opportunity seminars. Last year with the assistance of the organization, HILSA members were placed in rewarding legal positions. This year, the organization's major focus will center upon retention of educationally or economically disadvantaged students. In the past, retention has been a serious problem and, while it has not been totally eradicated, HILSA's work in conjunction with the administration has improved the situation. A "buddy" system, tutorials, and periodical legal analysis workshops will enable

students to achieve the goal of becoming well prepared and successful lawyers. Moreover, HILSA recognizes the need to work with other student groups in order to effectively deal with issues that are common to the entire student body.

Fortunately, all present HILSA officers are second year students. Therefore, next year the organization should be able to take an active role in community legal issues. HILSA is considering the possibility of providing interns for community legal services programs, becoming more active in college recruitment and making contacts with lawyers and judges who seek budding Hispanic and non-traditional lawyers.

The ivory tower can be a disincentive for many students. HILSA's role is to encourage hard work and to provide much-needed information on law as it relates to us outside of the academic structure.

Computer Course

It has been suggested that Brooklyn Law School offer a course that would introduce law students to the basics of computer programming, and would highlight specific uses of computers related to law. Before further action is taken, the administration would like to know that students here are definitely interested in such an offering. If you think you might like to take advantage of such an opportunity, please check off the box below and return it to the *Justinian* envelope on the 3rd floor. Alternately, if you have strong feelings against such an offering, let us know.

☐ ★ Yes ☐ ★ No

**DEADLINE FOR SUBMISSION
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FOR THE NEXT ISSUE:
OCT. 15.**

Labor Films Festival

By Larry Cary

The largest labor film festival ever to be held in New York City will open Tuesday evening at 8:00 p.m., October 19, 1982. The festival will feature 27 documentary films concerned with work, working people and organizing. Most of the films have won awards world wide.

The festival will consist of ten two-hour programs appearing on Tuesday and Friday evenings, and will be held at New York University, Main Building, Room 703, 100 Washington Square East. The festival is open to the public and free.

The opening program features the newly released "Miles of Smiles, Years of Struggle" and the New York premiere of "Good Monday Morning." The first film is about the Brotherhood of Sleeping Car Porters, the first major union in America for black workers. The second film is about clerical workers, the problems they face at work, and a successful strike waged to improve working conditions.

John J. Sweeney, president of the Service Employees International Union, which is a co-sponsor of the festival, explains the reason his union is supporting the festival: "Today with organized labor besieged by attacks from every quarter, it is important for people to understand the history, accomplishments and goals of the labor movement."

The New York City Labor Film Festival is also being co-sponsored by Cornell University—New York State School of Labor and Industrial Relations, Empire State College—Center for Labor Studies, New York City Labor Film Club, the Public History Department of New York University, and the Robert F. Wagner Labor Archives of Tamiment Institute Library.

Following is a nightly schedule of the festival. (All programs begin at 8:00 p.m.)

Tues. Oct. 19:
Miles of Smiles, Years of Struggle
Good Monday Morning

Fri. Oct. 22:
Rosie the Riveter
Moving Mountains

Tues. Oct. 26:
Wilmar — 8
I Am Somebody

Fri. Oct. 29:
Collection and Disposal
Tighten Your Belts
Mouseland

Fri. Nov. 5:
New Technology
Nails
Clockwork
Shrdlin

Tues. Nov. 9:
Shutdown
With Babies and Banners
Houdaille—Days of Courage, Days of Rage

Fri. Nov. 12:
Union Maids
Brandon Films—Workers' Newsreels of the 1930's
Gleghorns

Tues. Nov. 16:
Controlling Interests
Resurgence—The Movement for Equality vs. the KKK

Fri. Nov. 19:
Song of the Canary (Part I)
Work Place Hustle
Pregnant But Equal

Tues. Nov. 23:
Maria
What Can You Do For a Nickel
Bread and Roses Too

By Warren Shaw

The Firm is a new television series about lawyers in preparation for its debut next spring, and Brooklyn Law School's own Professor Jerome Leitner is its technical consultant on questions relating to the law and lawyers. The series chronicles the exploits of a wily trial attorney—senior partner in a posh Manhattan law firm—and his daughter, a junior partner with the same firm. The firm primarily handles high-power corporate litigation. But, somewhat perplexing to their brother and sister attorneys, the senior partner and his daughter insist on taking occasional criminal cases "to keep their blood warm." In pursuing these criminal cases, however, the legal positions of father and daughter frequently clash. The senior partner is played by Wilfred Brinley, noted for his performance as the District Attorney in the 1981 film *Absence of Malice*, starring Paul Newman and Sally Field.

Professor Leitner's function as technical consultant is to ensure that the series realizes its goal of portraying the life of lawyers and the law with absolute accuracy, uncompromised save for the fact that a fascinating trial comes to the series' hero in each and every episode. The intensity of the producers' passion for realism led them to film the first completed episode in real law offices and a real courtroom. Professor Leitner works with the producers and writers throughout the process of creating an episode, describing and even demonstrating typical mannerisms of attorneys, the tenor of a conference between judge and counsel, how legal issues such as the admissibility of a piece of evidence might be dealt with, and any other questions which im-

pact on the series' true-to-life depiction of the law. Veto power is vested in Professor Leitner, as an additional guarantee of verisimilitude in the series.

"What's real is what's exciting," says Professor Leitner. "The writers have discovered that the real work and skills of attorneys make for better drama about law than they could invent."

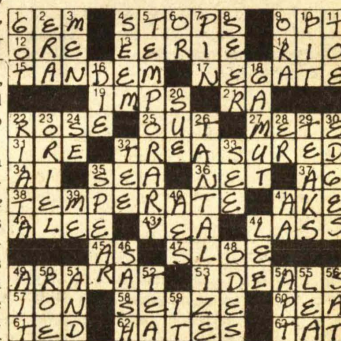
Consulting for *The Firm* is by no means Professor Leitner's first involvement with films and series dealing with the law. He also served as a technical advisor for the famed 1957 film *Twelve Angry Men*, starring Henry Fonda and Jack Warden, which focused on a jury's agonizing deliberations in a murder case. Leitner was retained as consultant when the film was made into a television show, for which consultation he won two Emmy awards. The author of *Twelve Angry Men*, Reginald Rose, also wrote a teleplay which became the basis of the highly praised *The Defenders*, about father-and-son attorneys, with E.G. Marshall. Professor Leitner served as a consultant for the series from 1961 to 1965. The series won two Emmys.

Professor Leitner also was advisor for a number of critically acclaimed but commercially unsuccessful series including *For the People*, which concerned a District Attorney's office, and starred Howard DeSilva and William Shatner. Another such short-lived series was the comedy *Trials of O'Brian*, about a "funny attorney" played by Peter Falk. Single episodes and specials which Leitner advised include *The Doctors* and *The Nurses*, both of

which were about medical malpractice, and 1980's *The Deadliest Season*, which concerned a homicide trial resulting from a fight in a hockey game.

Plautus Production Company is the force behind all these programs. They are a highly respected independent production company which also produced the miniseries *The Holocaust* and *Skokie*. Professor Leitner readily admits that work as a technical advisor is "great fun." *The Firm* is especially enjoyable, says Leitner, for it is a top-notch series. It is scheduled to debut on NBC next spring.

Answer
to last month's puzzle:



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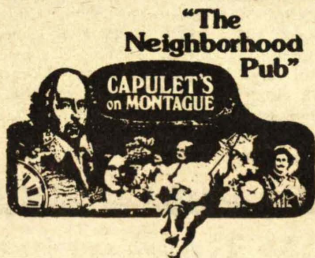
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To reserve a place in my October 30 (SAT.) OR November 14 (SUN.), 1982 seminar at the New York Sheraton Hotel, 56th St. at 7th Avenue, New York City, send a \$10.00 check or money order to Wentworth Miller OR Legal Essay Writing Seminar, GPO Box 2293, Brooklyn, NY 11201. The full tuition (which includes the book) is \$50.00. Obtain a \$10.00 discount by remitting full payment by October 24 or November 7. Additional information upon request.

- If more than one seminar date, please specify your preference. Include your name, address, telephone number, law school and year with your remittance.

- The Primer alone may be obtained by mailing a check or money order for \$12.00. Due to the sophistication of the method, however, attendance at the seminar is recommended.

- Wentworth Miller is a Rhodes scholar, a graduate of Yale Law School, and a practicing attorney in New York City. He has extensive experience instructing law students in effective study and exam-writing technique.



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By Michael Barnes

cavalary.

Although relentless, the violence in *Road Warrior* is explosive, concentrating on the impact and leaving the rest to our imaginations. It completely avoids the gory voyeurism of *Friday the 13th* and similar films. The cast handles their undemanding roles with skill. Especially good is Mad Max's dog, who gives one of the best animal performances I've seen.

By Joseph Hudak

Unfortunately, despite all the polls and all the studies, the two stereotypes that bookbuyers would be happiest to see die are still held by some writers—though most are afraid to admit it. The first is that a bookbuyer wants

Published by Brooklyn Works, 1982



Tending Towards Equilibrium

By Adam & Dave

It is rapidly becoming a tradition: With each correspondence concerning tuition Dean Johnson includes a message of condolence ("Sorry but ..." or "I regret to inform you that ...").

The relationship between a student and a law school lacks a basic ingredient of any contractual arrangement: There is no bargaining between the parties. The Law School states the terms and the student must abide. Since the situation is substantially the same in all law schools, the student is faced with a take it or leave it proposition.

In the past, a B.L.S. student was assured that tuition would be the same for each year of his/her attendance. This assurance no longer exists. Beginning with the class of '84 Day/'85 Night, B.L.S., exercised its power to reserve "the right to change or add to its tuition or fees at any time." Implicit in reserving this right was the expectation that it might be implemented.

The class of '83 Day has known since September of 1980 that its tuition is \$3,800.00 a year. The class of '85 Day was informed in their acceptance letter that the tuition was \$5,200.00 for the 1982/83 year. The class of '84 Day/'85 Night, on the other hand, had to wait until August, less than a month before tuition was due, to receive the Administration's tuition notice (with the aforementioned condolences).

We concede that the recent tuition increase was expected. Our gripe, then, is not with the

tuition raise per se nor with the amount of that increase, but rather with the lack of sufficient notice to allow students to budget their resources in advance.

This increase puts the cost of tuition above the maximum loan appropriation offered by NYSHESC. After the banks deduct their fees, a full-time student is left with \$4,693.70 some \$500.00 short of tuition.

Based on last year's estimated expenses (from the Financial Aid Department), an independent full-time student needs \$13,706.00 per academic year to meet basic needs. Even with the additional NDSL allocation of \$680.00 per year, a full-time independent student is still short \$9,120.00. This estimate is based on last year's figures, without allowances for inflation, increases in lender's fees and stricter eligibility standards for loans.

The writers suggest a modest proposal to the B.L.S. Administration: In the future, tie tuition increases to the Consumer Price Index (5.5% according to the most recent government figures). This will provide students with notice of yearly increments and not subject them to another 15.5% surprise increase as per the 82/83 year.

It is small comfort that in his August, 1982 letter to the class of '84 Day/'85 Night, Dean Johnson assured us that B.L.S. has the lowest tuition in New York State.

For those who are interested, the tuition at Buffalo Law School is \$2,500.00 per year for in-state residents.

Moot Court

By Ed Fong

As the school year begins to pick up momentum, the Moot Court Honor Society has already received invitations to five inter-scholastic competitions. The competitions range from Client Counseling to Constitutional law to Securities Law.

The benefits, aside from fueling a natural competitive drive and improving advocacy skills, include one (1) course credit (upon completion of Faculty requisites) and possible admission to the Society.

All entrants should contact Steve Richards at the Moot Court Office, indicating which competition they wish to enter and submit one copy of a brief.

Following is a skeletal description of the five competitions:

1) 1983 National Appellate Advocacy Competition Entry submission by: November 30, 1982; Regional site: New York, date unknown. Finals Site: July 29-31, 1983-Atlanta, Georgia.

2) Eighth Annual Irving R. Kaufman Moot Court Competition Entry submission by: December 1, 1982; Finals Date & Site: March 16-18, 1983, Site: Fordham University, New York, New York. Topic: Securities Law.

3) Fourth Annual National Administrative Law Competition Entry submission by: November 5, 1982; Finals Date & Site: March 25-26, 1983, Site: University of Dayton School of Law, Dayton, Ohio. Topic: Administrative Law.

4) J. Braxton Craven Memorial Moot Court Competition Entry submission by: Mid-November; Finals Date & Site: Early March, Site: University of North Carolina, Chapel Hill, Carolina. Topic: Constitutional Law.

5) 1983 Giles Sutherland Rich Moot Court Competition Entry submission by: October 31, 1982; Regional Date & Site: March 25-27, 1983, Site: New York, New York; Finals Date & Site: April 20-22, 1983, Site: Washington, D.C. Topic: Patent Law.

Placement Update

By Carol Milder

As a result of Director of Placement, Paulette LaDoux's request for student help, the Office of Placement and Career Planning (OPCP) will now employ students on a per project basis.

LaDoux is currently seeking students to work on two projects. One project is placement statistics. She has indicated that the standard NALP form filled out by employers for use in the OPCP "is not adequate for our needs." The statistics project will consist of salary surveys and on-campus recruitment results.

Another project concerns judicial clerkships. There will no longer be a formal committee recommendation in the application

ABA/LSD Meet

By D. Eric Remensperger
Lieutenant Governor 2nd Circuit

On August 4 through 8, the American Bar Association/Law Student Division held its annual convention in San Francisco. Brooklyn Law School was one of more than one hundred law schools from throughout the country represented at the conference. The Division held its meetings at the University of San Francisco, The "Senior Bar" also met, at the downtown Hilton Hotel. The law students were invited to attend any of the seminars or committee meetings held by the Senior Bar.

During the convention, meetings were also held by the National Student Bar Association, an organization composed of the Student Bar Association presidents from law schools throughout the country. Our SBA president, Bobby Steinberg, actively participated in the workshops, which focused on the problem-solving and organizational aspects of student Bar Associations.

The Law Student Division held meetings of the Board of Governors—which often continued past midnight—as well as the House of Delegates. The delegates met as an assembly, each law school allowed a maximum of two votes: one from the SBA president, one from the LSD representative. Not only were the national Division Delegates—who serve as liaisons between the LSD and the Senior Bar—elected during the convention, but the assembly debated and acted on a variety of resolutions proposed by the law schools of the various circuits.

The resolutions voted on dealt both with problems peculiar to the Division, such as the timing of election of national officers, and issues of national importance. Such as the proposed Constitutional Amendment on school prayer and the extension of the Voting Rights Act. Although it may seem—at first glance—that such resolutions carry little or no authority, they do serve a purpose in that they represent, to the Senior Bar, the stand taken by future attorneys on these and other important issues.

At the closing banquet, the keynote speaker was Rev. Joseph Drinan, a former Massachusetts congressman who is now Dean of Georgetown University School of Law. His address focused on the policies of the current administration and the potential contribution of law students both to the legal profession and the nation.

Next year's convention will be held in Atlanta, Georgia. All students who are members of the Division are invited to attend.

process for judicial clerkships. Judicial clerkships will now be listed as open positions. This change in policy is primarily a result of the AALS abolition of a deadline for such applications. The OPCP will be soliciting judges on the Supreme Court of the U.S., the U.S. Court of Appeals, the U.S. District Courts, the Highest State Courts, and all courts in N.Y. State among others. The project is primarily a clerical position involving said solicitations.

Additionally, in connection with LaDoux's request for additional staff, Dean Johnson has indicated that budget—permitting the OPCP will gain another full time assistant this fall.

Clinic Openings

The Inmate Legal Counseling Program has openings for second semester. Interested second and third year students should contact Prof. Lee now so they can sit in on the seminar this semester. The program provides legal services to federal jail inmates on a wide range of problems including civil matters, parole and institutional problems.

Contest! Win Prizes!

**Here's your
chance to tell BLS
what to do!**

Space and employment are among
the myriad problems facing BLS today.
**STOP BUTCHERING and give
the JUSTINIAN**

(in 30 words or less) some suggestions.
**ENTER NOW AND WIN
THESE GREAT PRIZES:**

1st Prize: 5 Record Albums
2nd Prize: 3 Record Albums
3rd Prize: 2 Record Albums
Honorable Mention: 1 Record Album

All suggestions will be printed
in the next issue of the JUSTINIAN.

Suggestions will be judged on the basis
of originality, humor, practicality,
creativity, etc.

SUGGESTIONS MUST BE SUBMITTED TO THE JUSTINIAN BY OCT. 18

NAME _____
STUDENT _____ OTHER _____
FACULTY _____ MAILBOX # OR ADDRESS _____
ADMINISTRATION _____ TELEPHONE # _____

WOMEN

**BLS finally offers a volleyball
league organized by women
played by women and
FOR women**

**Contact: Amy Greenberg Box #: 930
Gianna Torre Box #: 1250**

RADIO RADIO

By Anthony Paonita

It's a weekend night and you're broke—not so much a rare occurrence in the Reagan Eighties. Or, you're home studying and can't stand the silence. What to do? Well, one thing just about everyone can afford, and even enjoy, is listening to the radio. Now, I'm not referring to the usual, predictable stations that play pre-programmed muzak of every stripe. I'm including stations that are, well . . . unusual, along with a couple of commercial favorites.

Some caveats—I live in Staten Island, so my choice of stations to the left of 92 MHz could reflect this. Maybe your favorite Westchester station is missing. This admittedly selective guide reflects my tastes. I defer to one of the members of the Editorial Collective on jazz, and for classical tastes, the *Times*' listings are more than adequate.

WBAI (99.5 FM) A Pacifica station, listener-supported. It seems that most listeners live on the Upper West Side. WBAI broadcasts what is probably the best newscast on any electronic medium, at 6:30 p.m., repeated at 11:30 p.m. Their news is in depth, comes from a variety of sources, foreign and domestic, and will make you better-informed than most. You might or might not like the rest of their programming, but give it a listen.

WFMU (91.1 FM) Beware—for the brave only! Really, anything goes, from Burmese temple music to Buddy Holly to bluegrass—often in the same set. FMU emanates from Upsala College in New Jersey, and represents college free-form radio at its best and most eccentric.

WHBI (105.9 FM) If you need to feel international, this is the place. Multilingual, multi-ethnic, this could only exist in New York. I sometimes tune in about noon, when Italian pop music predominates. Close your eyes, and imagine yourself on a Mediterranean beach . . . After 11 p.m. or so, it's roots reggae, funk, rap, "breaks" music, or whatever Realradio, Inc. has on hand. Insomniacs should check out Wednesday and Thursday nights (or Thursday and Friday mornings, if you prefer) after about 1 a.m. for street music.

Faculty Party

Brooklyn Law School will host a cocktail party reception honoring its new faculty members on October 6, 1982 in the Lounge of the Law School. The new members names are: Kirsten Mishkin, formerly with N.Y.C. Department of Consumer Affairs; Ms. Susan Pouncey, formerly of Paul, Weiss, Rifkind, Wharton & Garrison and Michael Meyerson, formerly Consumer Affairs Attorney with the NYS Consumer Protection Board.

Joining the adjunct faculty are Ms. Deborah Buell, Law Clerk, Hon. William C. Connor; Mr. Michael Lasky, Associate, Paul, Weiss, Rifkind, Wharton & Garrison; Mr. Jeffrey Slonim, Assistant Attorney General, New York State Department of Law; Ms. Kathleen A. Roberts, Asst. U.S. Attorney, Southern District; and Mr. Richard Frank, Esq.

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 October 18, 1982.

Attention: STUDENT GROUPS

All student organizations are invited to contribute to the *Justinian*. Please inform us of upcoming forums, meetings and other events. Published by Brooklyn Works, 1982. The deadline for the next issue is October 18.

WNYU (89.1 FM) New York University's station has limited hours, but a couple of programs are of interest. Weekday afternoons, from four to about seven, feature the "New Afternoon Show" which showcases, as can be surmised, "new music," predominately British imports and independent releases. Friday nights at 7:30, it's reggae, and at 9:30, "Funk It" follows, which usually means HARD funk, of the P-funk Mob variety.

WSIA (88.9 FM) Of course, I have to plug the hometown people. Staten Island's one and only, under the aegis of the College of Staten Island. SIA plays music only, but each segment reflects the resident dj's tastes, and it ranges from jazz to classical to AOR and new wave. I can't give you specifics, as the mix changes with the ebb and flow of students.

et al.: The Justinian
WLIR (92.7 FM) Long Island's LIR has gone "new wave", or, as they claim, they are "the station that dares to be different." If you're tired on the usual tired-blood "rock" of WPLJ and WNEW, this is the place. The morning jock is pretty good, with a mordant wit and charming personality.

DANCE PARTY!! New York's population mix is about 55 percent of what the press calls minority groups, so we have four stations that reflect this potential audience.

They are **WKU** (92.3 FM), **WRKS** (98.7 FM), **WBSL** (107.5 FM), and **WLIB** (1190 AM). The three FM stations are superficially alike, playing commercial dance music/disco hits, but each has its own slant. KTU displays an affinity for Eurodisco, plays lots of Motown, and in general, reflects its eclectic Bed-Stuy-Bensonhurst orientation. Coincidentally, it's No. 1 according to Arbitron ratings. WRKS, or "KISS FM" plays more hits and doesn't take too many chances, except on weekend nights, when a commercial-free party is on. Also, they play lots of hot mixes. WBSL is rootsier, with a harder R&B bias. WLIB is

something else altogether. During the week, it's the "Black News and Information Service", all talk and news, with interviews of community leaders, sports figures, etc. On weekends, it becomes the station of the various West Indian communities in New York. Saturdays, it's all reggae and Calypso, and early Sunday afternoons, Haitian Creole music and language is featured.

This isn't a complete list. I'm sure there are other eccentric stations out there, and I've described only those that appeal to me. Anyway, these stations show that radio doesn't always have to conform to what advertisers and programmers think is the most lucrative market. Most commercial stations pander to this kind of "market targeting," which results in fragmentation of musical tastes and audiences, especially along racial lines. "Rock" stations are especially guilty of this practice, while the three dance-music stations frequently play crossover hits. The stations listed, all in their own way, resist this pigeonholing, which results in richer, more diverse listening for their audiences.

ON TARGET AGAIN!

BRC students had no cause for concern on 3 of the six essay questions on the July 1982 New York Bar Exam, because Joe Marino, Sr., a virtual legend in New York bar review (with over 35 years of experience) thoroughly analyzed the issues that appeared on those questions during the bar review lectures.

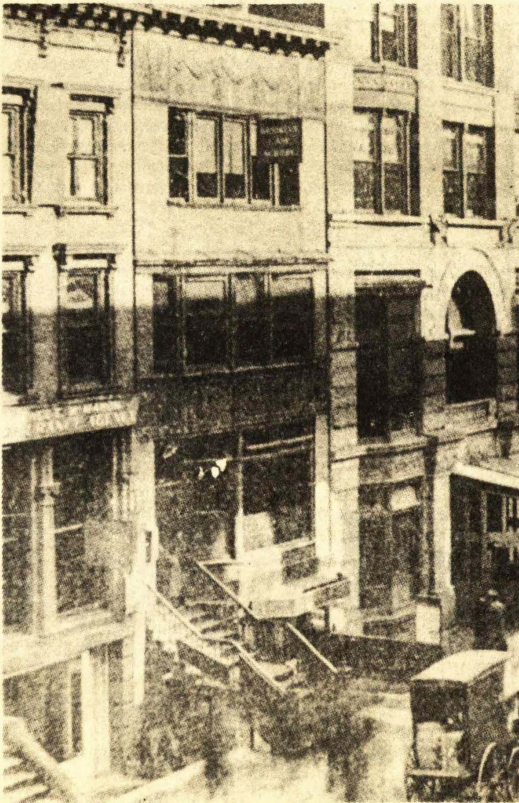
BRC's amazing ability to "predict" many bar exam issues is only one of the critical differences that give our students a competitive edge on the exam. Ask a BRC representative for others.

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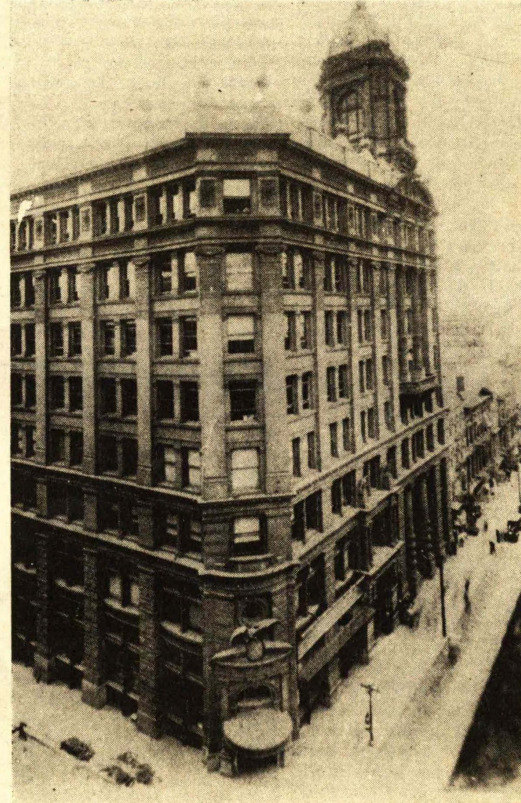


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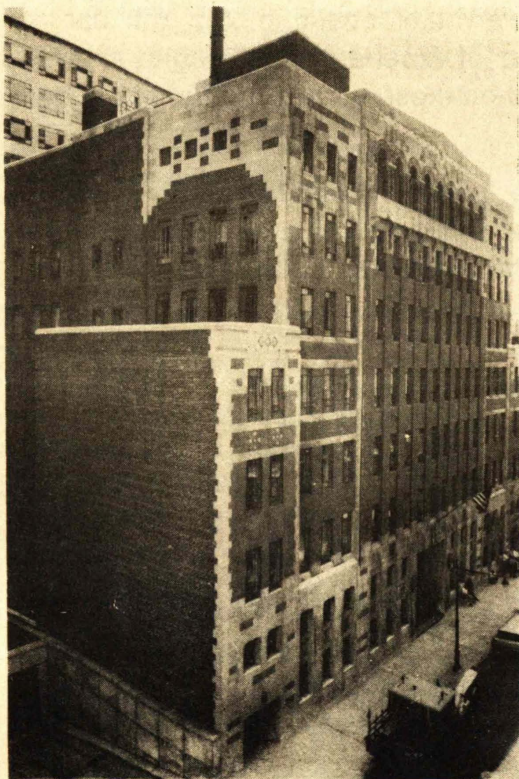
The Changing Face of BLS



187 Montague Street, the site of BLS from 1902 to 1903. BLS occupied the third floor of that brownstone, and if you look closely, you will see a shingle bearing the name of the school.



"The Brooklyn Eagle" building at the corner of Washington and Johnson Streets. It was the site of BLS from 1903 to 1928.



375 Pearl Street, the site of BLS from 1926 to 1969.



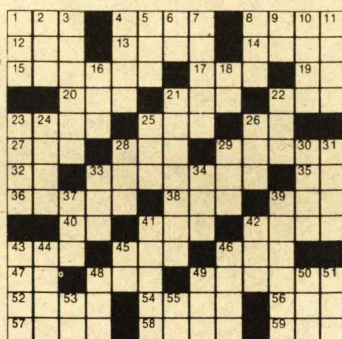
250 Joralemon Street, the present site of BLS.

Photo by Marcia Knigin

CROSS WORD PUZZLE

FROM COLLEGE
PRESS SERVICE

Answer to last month's
puzzle on page 6.



ACROSS

- 1 Period of time
4 Young cow
8 Window part
12 Decay
13 Region
14 Preposition
15 Sharp reply
17 Card game
19 Part of to be
20 Anger
21 Temporary bed
22 Mature
23 Arrow
25 Lard
26 Chinese mile
27 Dessert treat
28 Drink slowly
29 Postpone
32 Teutonic deity
33 Gratified
35 Xenon symbol
36 Lure
38 Nod
39 Fla.'s neighbor
40 Near
41 Everyone
42 Above
43 High mountain
45 Imitate
46 Exist
47 Nickel symbol
48 New Zealand parrot

- 49 Stab
52 Ginkgo
54 Utter defeat
56 Hindu symbols
57 Merit
58 Emmets
59 RR stop
DOWN
1 Transgress
2 Fish eggs
3 Clothing
4 Concern
5 Skill
6 French article
7 Bundle of sticks
8 Err
9 Article
10 Antlered animal
11 Residence
16 Worthless leaving
18 Call — a day
21 Able
22 Be ill
23 Expired

- 24 Land measure
25 For shame!
26 Conducted
28 Crafty
29 Morning symbol
30 Spindle
31 Time period
33 Vessel
34 The sun
37 Headgear
39 Avoids
41 Armadillo
42 Oslo coin
43 Poker stake
44 Italian coin
45 Diphthong
46 River islands
48 Range of knowledge
49 Place
50 Household pet
51 Guido note
53 Teutonic deity
55 Carry —

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'83 - '84 bar candidates, register by
OCTOBER 15, 1982
for maximum discount.

If you plan to take the bar exam in these states, a \$50 non-refundable deposit will secure the following discounts.

STATE	AMOUNT of DISCOUNT	OFF JULY '83 COURSE PRICE OF	TOTAL DISCOUNTED COURSE PRICE
CT*, DC, FL*, ME, MA*, NH*, NJ, PA, VT, VA	\$125	\$550	\$425
RI	\$100	\$495	\$395
NY*	\$150	\$650	\$500

MPRE* (where required) included in course price. MPRE filing deadline - OCTOBER 15 for Nov. 12 exam.

FEB. 1983 bar candidates can call for course schedules and particulars:

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Kunstler, Continued from page 1

torneys from speaking to the press, but permitted the prosecution to do so through various channels with impunity. Kunstler, articulate, charming, with a flair for the dramatic, made masterful use of the media. He found, however, that this was risky business.

"The risks are worth taking," Kunstler admonished the young BLS audience. "Most of you won't do this, and you are worthless to me," he said scathingly, adding "you're more concerned with filling your bellies and gassing your Mercedes."

Kunstler should know, as he was one of their ilk. Kunstler graduated from Yale before going into the Army where he was awarded the Bronze Star in 1945. After graduating from Columbia Law in 1948 Kunstler formed a partnership with his brother and Arthur Kinoy. Their practice was quite successful (in the traditional sense of the word) with clients such as KLM, the Royal Dutch Airlines, from whom he earned \$25,000 for each of 38 planes

he purchased on its behalf. Searingly candid in explaining his transition from a traditional lawyer to "people's" lawyer, Kunstler mused that he did not wish to be like those who "lead lives of quiet desperation."

Meeting Dr. Martin Luther King, Jr. in 1961 provided the impetus for Kunstler's metamorphosis. From his work in the South with the Student Non-Violent Coordinating Committee (SNCC) he went on to represent H. Rapp Brown, the Berrigan Brothers, the Black Panthers, and the "Chicago 7." A prodigious writer, he authored innumerable articles and books, one of which, "...And Justice for All" was the basis for the film starring Al Pacino. According to Kunstler these last 20 years of his career ("my transcendental years") have been the best. Kunstler announced that he'd rather be a "Don Quixote" with a great quest than be William Kunstler the corporate attorney. "After all," he noted with a grin, "Don Quixote will live a lot longer than Cravath, Swaine & Moore."

Library, Continued from page 1

legal materials is causing space problems for almost all law libraries, according to Levy. Many are trying to resolve the problem by relying more and more on computer systems. In fact the law school at CUNY Queens College is planning to rely very little on what computer jocks call "hard copy" (aka "books") and significantly on computer data bases. Gregory Koster, Associate Director of the CUNY Law Library explained, "We plan to have numerous LEXIS and WESTLAW terminals as well as teaching law computers which will be integrated into the curriculum. We are keeping hard copy purchases to a minimum."

Published by Brooklyn Works, 1982
hard copy collection will not be more than 150,000; most comparable law libraries are looking at 250,000."

At this point BLS is looking to expansion rather than changing the character of the library. Getting rid of infrequently-used books or putting them in dead storage is mentioned by both Levy and Johnson rather than major reliance on computer data bases. If, however, Levy achieves her dream of increasing the library's space by more than 200 percent, then Johnson would seriously consider innovative computer technologies such as video viewing rooms coupled with video production rooms as well as substantial increases in LEXIS and WESTLAW terminals.



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 First published 1979