

# The Justinian

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Article 1

1983

## The Justinian

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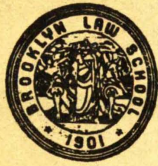
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# Justinian

"Capitalism is the extraordinary belief that the nastiest of men, for the nastiest of reasons, will somehow work for the benefit of us all."  
—John Maynard Keynes

Vol. XLII

Wednesday, February 16, 1983

No. 6

## Teachers Tap Trager

### Johnson, Others, Not "Qualified"

By Carol Milder  
Stephen Richards

Professor David G. Trager has won the recommendation of the faculty for the post of Dean of Brooklyn Law School. Later he told the *Justinian* that "within a year or two" after he takes office "Brooklyn will again be perceived as a school on the move." Professor Trager prevailed over Acting Dean George Johnson and two "outside" candidates by a vote of 28-3. The vote concluded a four hour meeting held on January 15, 1983, and marked the conclusion of the penultimate stage in a nine month long search for an executive to replace former Dean I. Leo Glasser, now a federal judge. The faculty's recommendation goes to the Board of Trustees, which will meet on February 24 to begin deliberations on a final decision.

#### "Only One Qualified"

Commenting on the meeting, Professor Richard Farrell emphasized that every member of the tenured teaching faculty was present, a fact which he called a "clear indication of the seriousness" with which the faculty regarded the decision. At the outset, each faculty member delivered a short statement of his/her views. After an initial non-binding "straw vote" several intermediate ballots were held in order to eliminate weaker candidates. The final vote was in support of a resolution which stated that the faculty "finds David Trager the only one qualified" of the candidates to be appointed Dean. Additionally, the resolution requested that Trager be appointed Dean as soon as possible and for a term of five years.

Most faculty members seemed reluctant to specify their reasons for selecting Trager. When pressed, most emphasized the prominence which Trager's experience and prestige would bring to the school. Farrell argued that Trager's "distinguished record of public service" would have a positive effect on "the face the law school presents to the outside world." Given Trager's record he was the only possible choice. "Dave's accomplishments up to age 55 would match the accomplishments of many a lawyer of 50 years experience." Professor Margaret Berger agreed, calling Trager "a bright,



Johnson

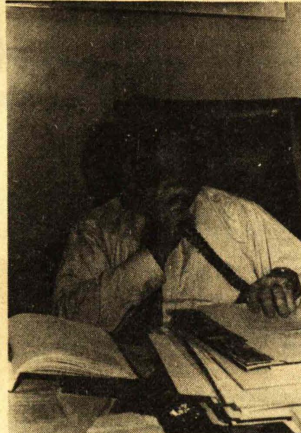
#### Difference in Style?

competent person."

In an interview, Acting Dean Johnson stated that he had heard the faculty had chosen Trager over himself because "the external connections of Trager are important now, (whereas) my connections are too distant or just developing." If "the faculty perceives the failure of the school as connections (Trager) has them."

In contrast, Assistant Dean of Academic Affairs Karen Hutson, who was not eligible to participate in the decision, stated that she did not believe connections should be the only consideration in choosing a Dean. The person selected should "have a philosophy that can be identified about legal education" and "a goal in mind where he or she wants the law school to go in the next five or ten years" as well as the ability to "work with the law school community to accomplish these goals." She stated that although the "faculty made a wise choice," the sole distinction between Trager and Johnson which she could identify was their "very different styles."

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Trager

## Student Course Views Sought

By Risa Gerson

On January 31, 1983, Professor Norman Poser, Chairman of the Curriculum Committee, announced that the committee would hold hearings to solicit student views on the curriculum. He told the *Justinian* that students, an important constituency of the school, should be heard and he expected that they would have valuable and interesting things to say.

So far, the committee has made a thorough review of the school's course offerings and solicited professors' views on the courses they teach. Following the hearings, the Curriculum Committee will engage in a series of meetings to search for themes among the various suggestions. The committee will also consider changes that it thinks are important. The final result will be a report submitted to the faculty at large for approval.

Professor Maryellen Fullerton, a member of the committee, stated that there is a

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## Cash & Carry

By Allan Young

At first, little notice was taken of the slim, well-dressed stranger who asked to use the BLS library for his "Law I" class at Medgar Evers College. He chose to sit next to women, generally, and to wait until they got up to visit the stacks or rest room, before gathering up his belongings and moving off to a new location to "study." Coincidentally, those whom he chose to sit near found, upon their return, that they had been relieved of cash, purses or wallets.

Since the final exam period began, there have been at least four victims of sneak theft in the library. All reportedly briefly left their places at study carrels or tables only to discover upon their return that personal belongings and cash were missing. Two of the victims, a New York Law student and a BLS student on the library staff were "hit" on the evening of January 19 within minutes of each other and called the police to report the incident. According to Howard Brenner, weeknight librarian, the police were not interested in the victims' speculation regarding the "slim, well-dressed man" without any witnesses to the alleged thefts.

Linda Holmes, assistant librarian, has subsequently seen and denied entrance to this individual on two occasions, the last time on January 28. When she informed him that he must obtain a Metro Card for courtesy privileges at BLS, he entered the smoking room across the lobby and sequestered himself in a study carrel in the back. Brenner noted that although two more students reported having a wallet and a purse stolen from the smoking room recently, neither could remember seeing anyone suspicious at the time.

Despite the watchful eyes of the librarians, Brenner cautions all library users, male or female, to carry valuables at all times, even for brief trips away from the table. "I see guys come in and take off their

watches, remove their wallets from back pockets, stretch out and get comfortable. That's asking for trouble," warned Brenner. Women are equally cautioned to take handbags with them on even the briefest forays to the copy machines, shelves or rest rooms.



Claiborne:

"People have rotten attitudes."

Perhaps more startling than larceny in the library is the plunder throughout the building of virtually anything not nailed down. According to Dean Lewis Kerman, the past twelve months have seen the loss of a \$3,000 video cassette deck; a black-and-white video camera; the brass nozzles and fittings on hallway fire hoses which, after replacement with plastic fittings, was followed by the theft of entire hoses; every table microphone in the building; an entire public address system including microphone, amplifier, podium and speakers; and every ashtray in the building (over 300 at last count).

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## LSD Cans Cary

By Ann Galen

Larry Cary, Brooklyn Law School's representative to the Law Student Division of the American Bar Association, was removed from office last month by the 2d Circuit Governor of the LSD Joseph LaRosa. The removal was effected by a letter from LaRosa to Cary which stated that Cary had been "grossly negligent" in fulfilling the responsibilities of an LSD representative. LaRosa was out of town this week and therefore unavailable for comment, but SBA President Bobby Steinberg, with whom LaRosa consulted before the removal, said that there is no question about whether the removal was warranted. Steinberg said that Cary made no effort to build membership, promote LSD programs such as the Round Tables and the annual meeting!

of the Division.

Cary admits to having been less than diligent in performing the duties of an LSD rep, but this is not the source of his dissatisfaction with the removal. The letter from LaRosa was Cary's first news of the removal and his reaction was one of "surprise, particularly because the constitution of the LSD requires that Joseph LaRosa consult with me prior to taking such action and he never did." Article 4 of the Law Student Division By-Laws states that "Division Representatives may be removed for cause from office by the Circuit Governor with approval of the Vice Chairperson upon consultation with the SBA President...and the Division Representative." Cary considers the fact that neither LaRosa nor Bob-

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# Justinian

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## EDITORIALS

# 1984

In the course of researching a number of articles over the course of the year, we have become aware of some fairly widespread misconceptions about our policies. For the purpose of clarification, we make the following points:

1. Except in the most unusual circumstances, the *Justinian* will not show its copy to anyone, including persons quoted or discussed in articles or editorials, before publication. We follow this policy for the reasons of principle and practicality. As a matter of principle, pre-publication screening of news material by anyone except those charged with editorial responsibility constitutes a prior restraint. Prior restraints offend the freedom of the press as guaranteed by the First Amendment. *Near v. Minnesota*.<sup>1</sup> Moreover, it is a universally accepted rule of journalism that reporters should "never agree to show [a] story to the person . . . interview[ed] before it is printed."<sup>2</sup> As a practical matter, to show a news article or editorial to every person affected by it is simply impossible. Our current story on the Dean Search for example, used over fifteen sources. Had we been forced to show it to every one of those people, this issue of the *Justinian* would likely bear the appropriate date of February 14, 1984. Reporters are responsible for checking the accuracy of quotations and statements used. As we have said in the past, and as we repeat now, we will print a prominent correction of any factual inaccuracy or misquotation brought promptly to our attention. But accusations of inaccuracy delivered in private or before the captive audience of a classroom rather than in cold print do not merit reply.

2. Persons interviewed by *Justinian* reporters should be on notice that their remarks may wind up in print. If they want to keep their remarks "off-the-record" they should say so in advance. Off-the-record remarks will not be printed, but may be used to ask questions of other sources. Not-for-attribution means that the remark may be used, but the speaker will not be identified. The *Justinian* will not honor a request for off-the-record or not-for-attribution status which is received after the statement is made.

3. In general, the penchant for secrecy which moves some members of the faculty to ask for screening of *Justinian* articles seems to us to be self-defeating. Much of the mutual suspicion and distrust characteristic of student-faculty relations at BLS stems from the faculty's refusal even to announce, let alone to explain or justify its decisions. A good example is the faculty's failure to publicly announce its decision to postpone a decision on a proposed change in the calendar supported by over 90 percent of the student body. Secrecy, in any case, is simply not possible in a village of 1500 people. The inevitable result of attempting to enforce a policy of secrecy is government by rumor. Since rumor is by nature inaccurate, those who choose to govern in secret cannot then be heard to complain of inaccuracy.

1. 283 U.S. 697 (1931).

2. See Burrows, *On Reporting the News* (1977), p. 119, n. 7.

## LETTERS:

The views expressed in the following letters are not necessarily those of the members of the Editorial Collective.

## Sensational Justinian

To the Collective:

It has always been my belief that the editors of a newspaper have the responsibility to decide what gets printed. When an event takes place or a story is written, readers expect to receive the whole story. In your coverage of SBA activities, your methods have verged on sensationalism: material better suited to the National Enquirer.

Don't get me wrong. I am not criticizing anyone's journalistic ability, but in failing to cover both sides of the story you are shortchanging the students.

Everyone enjoys a little juicy controversy now and then. Lord knows you portray me as being as controversial as anyone save James Watt. I can live with that, but it bothers me that every article concerning the SBA is related to difficulties between the SBA and various people in the school.

For instance, there has been no mention of:

- ABA/LSD Liaison program
- The Blood Drive
- Insurance opportunities
- Reports from the Committee on Governmental Affairs
- Reports from the Committee on Student & Cultural Affairs
- Procedures for becoming a member of the five student-faculty committees
- Activities of the New York State Bar and general fund raising activities
- (You did report on Race Judicata two issues after it took place.)

These activities and many others have been discussed at the SBA meetings. More importantly, they affect the student population.

Now either your staff writers reporting on the SBA meetings are not including these matters in their articles on purpose or the editorial collective deemed them not important enough to write about and has edited them out. I find this particularly disturbing because two members of the Collective are the SBA Secretary and a second year member and the SBA Treasurer is also a staff writer.

These activities are not as "eyecatching" as some of the things you have printed. But as SBA President I am compelled to say you have a duty as our school newspaper to report these and similar activities because it is the students who lose out.

As long as I have the opportunity to speak with you, let me say that it serves little purpose to perpetuate the internal controversies of the members of the Student Bar as you seem to enjoy doing. Despite difference of opinion, we all work together in hopes of making Brooklyn Law School a more enjoyable place to learn.

I think that you would do the school a service by including articles that portray BLS as the fine Law School it is. One with a concerned Student body, faculty and administration all working to improve Brooklyn's image.

Robert B. Steinberg  
SBA President

## Feffer Assails Pettiness

Dear Collective:

It is February and the petty bickering in the SBA continues. Admittedly, there have been power struggles, self interests, and personality conflicts on both sides of most of the arguing. Other times, both sides have acted in the good faith pursuit of what was perceived by each to be in the best interests of the students.

The basic problem facing the SBA this year has been the clash of two different points of view. One is the view of the

best interest of the students. Initially, there were arguments over how the students' money would be allocated. More recent feuds have focused on who would be responsible for actually spending the students' money. Mistrust and fear of abuse runs deep on both sides and often there are many SBA delegates who don't know who or what to believe.

There is nothing wrong with conflict between opposing perspectives. Often it is an

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## Poser's Initiative

Professor Poser, in announcing that students would be heard on the possible revamping of the curriculum seems to have articulated a bold—even radical—policy for Brooklyn Law School: consideration of student views. It is now up to us as students to render suggestions honestly, intelligently and articulately. We have reasonable opinions which should be voiced. All students who have thoughts on the curriculum are urged to speak at the hearings. Whether it be the total reorganization of the first year of study, or suggestions for changing the allocation of credit for certain courses, or any other suggestions, students should take advantage of this opportunity to be heard.

One final caveat: We should not be discouraged by the fact that last year the school held a referendum on changing the school calendar and despite overwhelming consensus among students to the change, the administration and faculty declined to institute the desired change. We trust that the faculty, in soliciting our views before any changes are made, is seriously interested in our opinions.

## The Enemy Within

Students may have noted the increased security on the eighth floor where a locked door and glass partition separate the professors and secretaries from the public. Communication is through a sliding glass panel and even after gaining the privilege to enter, a visitor may be stopped a number of times before reaching his destination. As one first-year student remarked, "They have more shortstops here than the National League."

The explanation for this departure from the faculty's open-door policy may be found not in faculty policy but in secretarial policy. Indeed, the secretaries because of their fear of theft and complaints that no work can get done with students tramping through the eighth floor have managed to close the door on one of the few positive areas of student-faculty relations.

Guards, checkpoints, ropes, ID cards, and signatures may be signs of the times: defenses erected against the enemy without. The eighth floor may have a better understanding of siege-craft than most of us, viewing the lobby precautions as a modern Maginot Line while erecting its own fortifications within. Do they know something that we don't? Is the enemy really within?



# L.A.W. Blasts Profs

The Legal Association of Women held its first meeting of the semester on February 1, and a full and varied program schedule was announced.

Two speakers programs are in the works. On March 3 at 4 pm there will be a program which will explore the role of women in legislative politics: as elected officials, lobbyists and representatives of private sector agencies. The second program will focus on dual career families and will feature speakers from the faculty of B.L.S.

L.A.W. is also involved in the B.L.S. Coalition. Some members are actively working with the N.L.G. in bringing Alternative Law Careers Day to B.L.S. on Saturday February 26; others are working on the Coalition's Peace with Jobs Week activities April 11-15.

Additionally, the city-wide consortium of law school women's groups has several active L.A.W. members. They are arranging for buses to the 14th National Women in Law Conference in Washington, D.C. April 7-10; working with Judge Margaret Taylor on a project to decriminalize prostitution and are planning a study of hiring practices at large law firms in the city.

To prevent L.A.W.'s twice monthly meetings from degenerating into mere bureaucratic work, we make time to discuss matters of social, political and legal import. Our discussions of the last two meetings have focused on strategies to combat what we see as a terribly disturbing practice of some professors. Apparently certain instructors have been foisting bigoted remarks and "jokes" upon their classes to the great detriment of all involved. Clearly, these inane remarks cannot be deemed to enhance our understanding of the law. Rather these racist, sexist and homophobic ravings serve to offend our sensibilities and impede the educational process.

Many of us are afraid to speak up in class to voice our disgust and risk reprisals from our professors or derision from our less enlightened colleagues. We determined that we would speak out in one collective voice, and publicize our outrage in this article. Moreover, we are putting the law school community on notice that our members plan to monitor classes. Any further vile and insulting remarks made will receive publicity in such a way as to insure that the practice will not be continued.

## Spinning Discs

By Warren Shaw

The Entertainment, Arts and Sports Law Society held its fourth and final guest speaker program of the Fall in December, featuring Gary Baker of Meyer, Nussbaum, Katz, and Baker, and Michael Pollack of Arista Records. The two spoke together on various aspects of negotiating a record contract.

\* Mr. Pollack began by saying that a record company exists to serve artists. Potential recording artists are either found by staff who prowls halls and clubs for interesting or locally famous performers, or are selected from among the hundreds of "demo" records received from aspirant stars each year.

Negotiations over the terms of a record contract begin very early on in the relationship between company and artist, said Mr. Baker, and due to the unique nature of every act, no two deals are the same. Typically there are three primary considerations: the geographic territory covered by the contract, the number of years, and the number and frequency of records released. The artists would generally prefer the smallest possible territory, as this allows the artist to make deals with other companies for other areas—a more profitable scenario for the artist. The record company wants world rights, because of the consequent advantages for marketing strategy—a crucial factor given the industry's current state of depression. Moreover, world rights yield both greater and more stable profits.

The traditional time frame of a record contract was the "1 & 4" deal, i.e., one year plus four one-year options. Obviously, the artist's mobility is least impaired by a short contract. The record company, however, needs time to build the artists up into a source of profit. Practices are changing due to the recession: the contracts now provide more opportunities for the company to terminate the relationship.

As for required product output, a typical term is two albums per year. "Product" is defined by the company to mean newly recorded material. Hence, the status of "live" albums of old songs is debatable. Related questions involved recent sales, soundtrack Lps and multi-record sets.

Published by Brooklyn Works, 1983

tions, questions relating to creativity are hotly debated, e.g., choice of songs, where and when to record, whether the company will have a representative present during recording, and who should produce the album. Record company interest here varies throughout the industry. In general, however, artists want independence while record companies want hits.

Payments to artists are determined via a maze of terms, but the fees themselves fall into two groups: advances and cash, and earnings and recoupments. Advances may go to pay for recording, touring, or living, and the amounts vary greatly, depending on the style of the music, the fame of the artist, and the particular record company involved. Advances are deducted from later earnings and recoupments from record sales. Marketing strategy for albums encompasses a number of media, including radio and even television advertising, billboards, and touring. The timing of record release dates, which depends on such questions as whether an album by a direct competitor has recently been released, can also have a great impact on record sales. Duplication of the name of another group leads to problems in a surprisingly large number of cases. The company usually will either buy out the other group or change that of their own artist.

Questions from the audience drew out various points of interest, including the fact that artists actually have less leverage with little companies than with big ones, because the small companies are the artist's last resort—and the company knows it. Piracy and home taping of hits hurts non-commercial music the most, because it is the profits generated by commercial groups that support company efforts on behalf of more obscure acts. Presently, home taping costs record companies between one-half and three-quarters of a billion dollars per year. On the positive side, there is some great music on the market now, and modern recording techniques capture this music with finer fidelity than ever before. And with that, the program ended.

The Entertainment, Arts, and Sports Law Society held four guest speaker programs during the Fall 1982 semester. It plans to hold more programs next semester, and it welcomes new members.

## et al.: The Justinian Check Writing Again?

By Adam Pollack  
and Evan Gordon

The embers of the check writing controversy were once again fanned into flames at the SBA meeting held on Ground Hog's Day 1983. Although seemingly laid to rest at the December SBA meeting the issue burned anew upon a proposal by Josh Mallin.

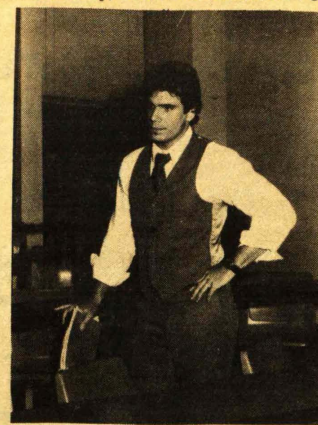
Citing the late hour and general cacophony surrounding the last vote (which took the SBA check writing authority away from the President and gave it to the Treasurer with a required co-signature of one other Executive Board member), Mallin offered the House not one, but two plans.

PLAN A would require that all SBA checks be signed by either the President or the Treasurer, and additionally by another Executive Board Member.

PLAN B alternatively, left the check writing authority with the Treasurer but saddled the Treasurer with liability as well.

Plan A was rejected, Plan B approved. No substitutions please.

In another matter handled more fully elsewhere in this edition, copies of a letter from the LSD/ABA local governor dismissing Larry Cary (the BLS LSD/ABA representative) were distributed. The letter was included among the minutes of the last meeting without comment, and no comments were solicited. More sparks are sure to fly.



SBA President Robert Steinberg

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# **ALTERNATIVE LAW CAREERS DAY**

**A Forum Exploring Opportunities  
in the Nontraditional Practices of Law**

**FEBRUARY FEBRUARY 26, 1983  
9:30—4:30**

**9:15-10**

Registration (Coffee and Donuts Will Be Provided)

**12:45-1:45**

Lunchtime Panel—

"Problems Inherent in Trying Political Cases."

**10:00-11:00**

Keynote Panel—"Why Consider Alternative Areas of Law?"

Featuring: Fern Brandveen: National Conference of Black  
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Arthur Kinoy: Rutgers University  
Betty Levinson: Attorney, NYC

**1:45-3:00**

Workshops

1. Defending the Rights of Lesbians and Gay Men.
2. Practicing Immigration Law.
3. Practicing Title VII Law
4. Community Organizing

**11:00-12:15**

Workshops

1. Setting up a Solo Practice or a Partnership
2. Practicing Labor Law
3. Practicing Housing Law
4. Lobbying

**3:00-4:15**

Workshops

1. Combining "Straight" and "Progressive" Law Practices
2. Defending the Rights of Women
3. Third-Party Politics

**12:15-12:45**

Lunch Break

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\$7 thereafter

Note: The admission price will be waived in cases of need.

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I will need day care for \_\_\_\_\_ child(ren).

(Where day care is required, applications must be mailed  
no later than February 18, 1983)

Make checks payable to BLS National Lawyers Guild

Mail to: BLS National Lawyers Guild 250 Joralemon Street Brooklyn, NY 11201 or return to SBA Office, room 403.



# Open Hearings

Continued from page 1

divergence of views on the faculty and on the committee itself concerning the curriculum. She reported that there is a split on whether the school should require more courses and offer more electives as well as on the role clinics should play in the education process. Fullerton also reported that there is a split among legal academicians as to the value and emphasis given to skills training versus the importance of theoretical scholarship.

Below is a copy of the memorandum Poser has posted in the lobby. Poser has noted that if he does not receive a large response from the student body by the deadline of February 15, he would be willing to accept notices to speak until the end of the week.

Brooklyn Law School  
MEMORANDUM

January 31, 1983

To: The Student Body  
From: Professor Norman S. Poser  
Chair, Curriculum Committee  
Subject: Hearings Concerning the  
Curriculum, February 23, 1983

The Curriculum Committee will hold hearings at 2:00 pm on Wednesday, February 23, 1983, in the Board Room on the ninth floor. The purpose of the hearings is to provide an opportunity to students to state their views in connection with the review of the curriculum of Brooklyn Law School that is currently being conducted by the Curriculum Committee. The Curriculum Committee believes that the views of students will be valuable in its formulation of recommendations to the Faculty and Administration.

Any student who wishes to be heard, either as an individual or, preferably, as the representative of a student group or organization should send a typed notice of his or her request to appear at the hearing to Professor Poser not later than 5:00 pm on Tuesday, February 15. A schedule of the appearances will then be posted on the Bulletin Board in the Lobby.

Students' requests to appear at the hearings should include a general statement of the topic or topics to be discussed, and if applicable, any specific recommendations to be made. Student presentations will be limited in time, depending on the number of requests to appear.

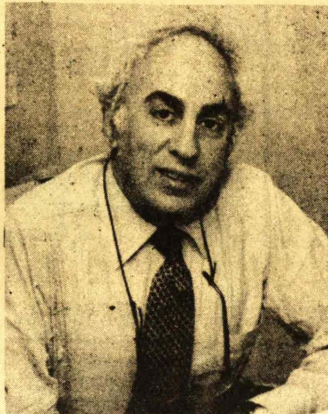
In order to guide students who are considering making an appearance at the hearings, the following topics are particularly relevant to the current deliberations of the Curriculum Committee.

1. Does the present curriculum adequately prepare students for entry into the legal profession? For available legal positions?
2. Are there gaps or overlaps in the curriculum?
3. Should the number of credits assigned to any course be increased or decreased?
4. Should there be additions to or deletions from the number of required courses?
5. Should any courses be moved to or from the first-year curriculum?
6. Should there be more or less emphasis on courses designed to teach skills? On clinical courses? On theoretical courses? On public-interest law?
7. Should there be changes in prerequisites for courses?

## Tip of the Iceberg

A Lawmerrick by Ron Kaplan

There once was a Brooklyn Law Student,  
Who, dismayed about on-campus  
recruitment,  
Cried, "Dr. LaDoux,  
What's a student to do?"  
Published by Brooklyn Works, 1983



Prof. Poser

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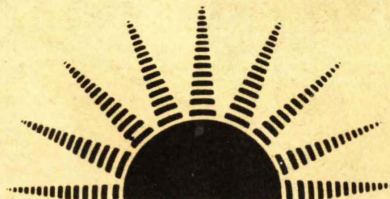
Some bar applicants will work full time during bar preparation while others will not work at all.

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- CONTINUOUS EVALUATION
- MARINO PROBLEM INTEGRATION
- JOSEPHSON ISSUE GRAPHS
- EXAMSMANSHIP CLINICS

### REPS:

Luciano Pisano  
Robert Carrano  
Debby Green  
Bob Rothberg  
Ken Esreck  
Jeffrey Fried  
Michael Quinn  
Francis O'Leary  
Kathleen Kenny  
Jody Pugach  
Estelle Roond  
A.M. Petrey  
Mary Malet  
Judy Fensterman  
Richard Gertler



**Marino-Josephson  
BRC**

### REPS:

Mike Fried  
Howard Saffan  
Eric Remensperger  
Betty Semel  
Karl Berdenfeld  
Judith Koper  
Joan Gottesman  
Mareena Frankel

ENROLL NOW AND SAVE!



# Cary

Continued from p. 1

issue of his removal "a breach of due process." LaRosa says in the removal letter that his decision was based on consultation with "Bobby Steinberg and other students," and Cary questions "why he found time to consult with them and not me as required by the By-Laws of the LSD." Cary said that it was improper for LaRosa to "term my performance grossly negligent when it could have been rectified by a simple phone call." He offers LaRosa's contention that he had displayed an "utter disregard for the promotion of the Division at Brooklyn Law School" as a case in point. Cary says that 169 new members have joined the LSD since his election and that "given the statistics I find it very surprising that Joe LaRosa would accept at face value statements that I am not doing anything without giving me an opportunity to answer questions he might have." Asked if he feels he deserved the removal Cary said "I was not the best LSD rep in the history of the organization but I sincerely doubt that I was the worst or that my conduct and performance can be termed 'flouting of the by-laws and...utter disregard for the promotion of the Division at Brooklyn Law School.'"

The circumstances surrounding the removal lead Cary to believe that it is "in part attributable to the degree of ill will between Bobby Steinberg and myself." \*SBA Secretary Tom Gordon expanded upon this notion by suggesting that the motivation for the removal was political and "stems from animosity between Steinberg and Cary over last year's election." Gordon described last year's run-off between Bobby Steinberg and current Treasurer Bruce Feffer as reminiscent of 1950's McCarthyism during

which hostilities and mudslinging reemerged. Feffer claims the whole removal issue "would never have come about if certain things hadn't happened last year." Neither Feffer nor Gordon were able to deny Cary's irresponsible behavior as an LSD rep. Feffer questions, however, whether the removal was really due simply to Cary's violation of the rules.

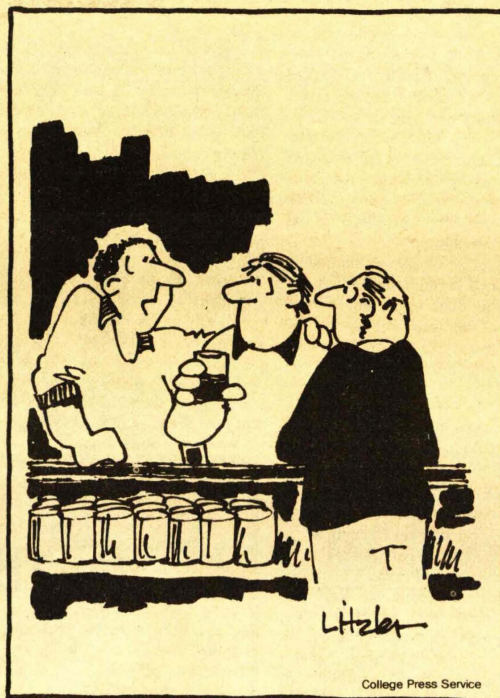
The SBA is undecided as to what it will do next. According to Tom Gordon, "We have no further control, but we don't have to recognize the action to the extent that we



LARRY CARY

don't have to elect someone to take Larry's place. We can also condemn the removal." Cary has also not yet decided if he is going to recognize the action. He calls the whole situation "regrettable, because it certainly puts my status in limbo and I don't know if anybody is served by that."

\*Steinberg himself admits to having been involved in the decision to remove Cary, while Tom Gordon asserts that Steinberg actually initiated the investigation into Cary's performance. Unfortunately, as mentioned above, La Rosa was unavailable to clarify this issue.



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# Trager Gets Faculty Nod; Board to Meet

Continued from p. 1

## Trager's Vision

Professor Trager himself attributed his overwhelming victory to his presentation of a "clearer vision" of the law school's future. Trager asserted that his ability to increase the importance of the United States Attorney's Office for the Eastern District was viewed by the faculty as proof that he could accomplish his stated goal of moving BLS forward.

BLS's major problem is that it is not the "best regional law school in the region and it can be" explained Trager. In order to achieve his goal of making BLS the premier regional law school in the New York area, Trager's priorities will be improving placement, establishing better relationships with the alumni association, and reform of the curriculum.

According to Trager the nature of legal practice has changed vastly over the last few decades. Thirty years ago most BLS graduates entered small private firms. "That kind of practice," asserted Trager, "is, with some exceptions, no longer viable." In recent years most BLS graduates have instead taken jobs in government. "Ironically, because of where BLS is located, and who its alumni are, I think we can do very well" in the fields of public interest and administrative law. For this reason, Trager advocates strengthening Brooklyn's clinical programs. For example, he plans to establish an administrative law clinic which would place students in state and federal agencies.

Trager also plans to reach out to the alumni, "who, at this point, let's say, play no role in the school." He stated that there is a large number of successful and prominent BLS graduates who would bring an "enormous plus" to the school. Trager emphasized that he is personally acquainted with many of the alumni. Moreover, even those alumni whom Trager is not personally acquainted with "respect me enough to make a connection" with the alumni association and the school.

Trager believes that a revived alumni association can improve job prospects of BLS graduates. He stated that he was not worried about placement for the top 10% of the class, adding, "I think we've come along far enough," so that the top of the class has adequate opportunities. If the top 10% of the class currently faces problems, he asserted, they will cease to do so once he becomes Dean. Trager did express concern about the remaining 90% of the class. To assure adequate jobs for these students, Trager plans to assume direct control over placement. In return for relieving the faculty of tedious administrative tasks, he has asked the faculty to become more actively involved with placement, a suggestion which he noted "met with a very warm response." He also expressed concern for those students "who must spend a lot of time in non-legal jobs. 'I want to get an honest count of what's going on and how to deal with it in some effective way.'"

Trager also plans to add a third year writing requirement, partially for the purpose of improving each student's competitive position in the job market. The requirement would be the "equivalent of a law review note" and would "give students the ability to think in depth about legal issues."

Summarizing Brooklyn's current status and the prospects for improvement, Trager mentioned a number of relevant factors, some cutting both ways. Brooklyn's location in New York, for example, enables BLS graduates to obtain government employment, but the existence of a large number of schools in the region tends to diminish its reputation. If BLS were located in another state, Trager insisted, it would be in the top 25% of all law schools. Another stated reason is Brooklyn's lack

of a university affiliation. "Ironically," claimed Trager, "the fact that BLS is not university affiliated helps us in positioning for the late nineteen eighties financially," principally because the revenues of university-affiliated law schools are often used to finance other, less lucrative departments. However, Trager acknowledged that Cardozo Law School, affiliated with Yeshiva University, is the "biggest challenge" to Brooklyn's competitive position.

## The Missing Candidate

The Dean Search Committee headed by Dean Emeritus Jerome Prince initially reviewed more than sixty applications. Twenty-two candidates were selected for interviews. Of these, the Committee picked the five finalists whose names were submitted to the faculty: Professor Trager, Dean Johnson, Ford Foundation executive Sanford Jaffe, University of South Dakota Law School professor Peter McGovern, and Lincoln Savings Bank president Covington Hardee. Mr. Hardee, who apparently enjoyed strong support among some faculty members, retrieved his hat from the ring just days before the meeting, citing business reasons.

Professor Barry Zaretsky, a member of the Search Committee, admitted that the group had looked unsuccessfully for a candidate with a "national reputation." Dean Johnson also stated that he had "hoped we would find someone who had a national reputation in the legal education business." Zaretsky defended the Committee against the accusation that it had not pursued this goal aggressively enough. He pointed out that one quarter to one third of all law schools are currently seeking a new Dean. In a seller's market, "it's easier to be a candidate than a searcher." People with "established lifestyles" are reluctant to relocate in New York. Most importantly perhaps, "Word has gotten out that the job of Dean is a thankless task." Zaretsky acknowledged that the diminished power of a modern Dean makes the position less attractive. Commenting on the same point, Professor Farrell recalled the days when the Dean of a law school ruled "a monarchy of which Louis XIV would have been jealous."

Not everyone, however, agreed that the ideal candidate for the position should be an outsider with a national reputation. Trager stated that "at this point in Brooklyn's history that would not be the answer to our problems." Trager argued that only a person knowledgeable about BLS would have the ability to confront problems which must be faced immediately. Speaking with a characteristic sense of urgency, he insisted that the law school cannot afford the year or two it would take to train a Dean initially unfamiliar with the school.

## Drawbacks?

A Committee of representatives of student organizations interviewed the five candidates and submitted a report which endorsed Dean Johnson and Sanford Jaffe. Explaining her own reasons for favoring Johnson and Jaffe over Trager, Law Review representative Marya Yee expressed the fear that Trager's "intransigence on various issues will lead to retrenchment" among the faculty instead of "moving forward." She argued that Trager "is not a diplomat but a believer in causes," and "doesn't listen to old or new ideas he hasn't come up with." As a result, he will create "a lot of animosity on the faculty" by the time he finished his five year term. The student report itself, while praising Trager's abilities, expressed the opinion that Dean Johnson would be more likely to pay attention to student input.

Professor Berger responded to the fear that Trager would eventually alienate other

members of the faculty. She stated that she did not believe that the "congeniality" characteristic of Brooklyn's faculty would be affected in any way by Trager's accession. Moreover, she pointed out that "congeniality itself" is not enough of a goal. As to student "input" Professor Trager himself indicated that he would not "spend a lot of time in informal discussions with students" but that he would encourage formal, organized discourse with student representatives. Professors Farrell and Zaretsky both reported that the student committee's contribution was a "factor" in the final decision.

## Board to Meet

Paul Windels, president of the Board of Trustees, indicated that he had received copies of the faculty resolution. Although he refused to speculate on the action which the Board will take, he promised that the Board would appoint a new Dean sometime during the course of the next few Board meetings. Windels had high praise for both Trager and Johnson, but indicated that the Board will not force a Dean upon the faculty. He also praised the work of the Search Committee. Commenting on whether an "insider" or an "outsider" would be a bet-

ter Dean, he noted that "an insider knows about the problems and opportunities of the school better than an outsider" and that the faculty and the Board is in the best position to assess the qualifications of the inside candidates. "On the other hand," he added, "the school must be something more than a convenient boardinghouse for those who want to stay." Windels also specified his criteria for a Dean, emphasizing that he wanted someone of academic experience or with high academic qualifications. Judge Moses Weinstein, another member of the Board of Trustees stated that he is interested in choosing a Dean "who will get along with students, faculty, and the BLS community in general." Both Trustees emphasized that they wished to hear everyone's point of view.

*It should be noted that everyone interviewed expressed high praise for Dean Johnson's performance in office. Professor Farrell, for example, stated that while he was not surprised that Dean Johnson did "a magnificent job" he was "delighted that he did." The next issue will contain a review of Dean Johnson's administration.*

WHEREAS, the Decanal Search Committee recommended five persons for the position of dean: Messrs Hardee, Jaffe, Johnson, McGovern and Trager, and Hardee having withdrawn; and

WHEREAS, on January 25, 1983, 31 out of 34 tenured and tenure-track members of the Faculty met under the Chairmanship of Professor Emeritus Milton Gershenson to consider the Decanal Search Committee's recommendations;\* and

NOW, THEREFORE, after due deliberation and a secret ballot vote of 28 to 3 the tenured and tenure-track members of the Brooklyn Law School Faculty

RESOLVED, that of the aforesaid four candidates recommended by the Decanal Search committee, the Faculty, pursuant to Sections 6-6(c)(ii) and (iii) of the Rules of the Association of American Law Schools, as incorporated by the regulations of Brooklyn Law School, finds David Trager the only one qualified; and

FURTHER RESOLVED that the Faculty recommends that the Board of Trustees appoint David Trager as Dean of Brooklyn Law School for a term of 5 years; and

FURTHER RESOLVED that the Faculty requests the Board of Trustees to appoint Professor Trager Dean as soon as possible and announce the appointment as soon as possible.

\*Neither Acting Dean Johnson nor Professor Trager joined the Faculty's deliberations, although they were authorized to do so.

This refers to AALS rule 68(iii) which states:

*Except in rare cases and for compelling reasons, no decanal . . . appointment . . . is made over the expressed opposition of the faculty . . .*

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## VERDICT: SIMPLISTIC

By Constantine Papas

By the time we're told that Paul Newman, as the has-been-but-might-be-again lawyer, Frank Galvin, is up against the "fucking Prince of Darkness" (easily the best line in an otherwise uninspired screenplay by David Mamet) it's too late to care who wins or loses "the case." The good guys are too pathetically good to believe in, much less care about, and the bad guys might just as well be wearing black hats to compliment their dark pin-striped suits. Add to this neat dichotomy the Catholic Archdiocese of Boston, some not very honest doctors, a judge of very questionable legal expertise, a femme fatale and you have a rather unsatisfying moral fable parading as classic drama.

And it's the parade that is troublesome; Director Sidney Lumet is in earnest here. Lumet is giving us a movie-to-live-by that is in line with his "shoot 'em as you see 'um" philosophy of movie making. The movie opens strongly. We see Newman as a man at the end of his moral rope bribing morticians to allow him to visit with the bereaved widow just long enough to drop his card in her lap. We get it. But in case we didn't we're treated to a scene of watching Newman going through the obituaries with his felt-tip marker planning his days visits. From this despair the movie builds in everything but subtlety. The actual case Newman finally handles, that of a young girl whose life is ruined by the doctors, is a metaphor for his own comatose moral state. Lumet wants to establish that a victory in the court is going to be a victory in self-esteem, a victory for morality and a victory against evil.

For Newman fans, of which I am unabashedly one, this movie will be a minor pleasure. He doesn't so much as act through this movie as he works through it; it's familiar terrain. His "honest cop" in *Fort Apache*, *The Bronx* just went to law school at night and moved to Boston. But still, he's great to look at especially when he's exhausted or telling his stories to the boys in the bar. But what you see is less than what you get. His character is an open book; there's no complexity, no lurking doubts about his motives, no convincing self-examination after the decision to do good; he's a modern Red-Cross Knight charging against Lumet's contemporary versions of the Seven Deadly Sins, standard high and head empty.

He sets the tone for the movie and the cast follows. Everyone here knows how to act, and they all do what is necessary. But no one is taxed here; this is a role to pay expenses and remind the public that they're still around.

Lawyers, of course, take a reputation-bath. "Whores" someone calls them, "lacking in loyalty and all alike." The big-gun firm is perfectly caricatured in the James Mason character, especially in the conference room where he is surrounded by all his little pistols ready and eager to fire, or misfire, as the case may be. And then there's the little gun who only wants to be a big-gun to himself. Lumet's conception of lawyers seems to be culled from a black and white cartoon. In this movie, if something is big, it's bad; if it's small, its potential for good is immeasurable. And unfortunately, and in sad irony, *The Verdict*, which is small, is not very good.

A final note of caution should be extended to Evidence students and professors; the number of mistakes during the trial may make you blush. But at the same time, there are enough mistakes to make up a four hour exam—even without including the hearsay rule. For five dollars, it may be worth the review.

*The Justician*, Vol. 1983 [1983], Iss. 1, Art. 1

## Kid Stuff

By Mookie (Evan) Gordon

My brother asked me to do this. I don't know why. I guess because I'm real smart because I have a real good memory, even if my teacher last year said that doesn't mean anything. He helped me say some of the things I wanted to say, but except for that everything here is stuff I think.

I thought *Tootsie* was really funny right from the beginning, when Dustin Hoffman was trying to get a part and he was talking like he was in love with the person but you couldn't see who he was talking to at first. Then it turned out to be a man. I thought a whole lot of the movie was funny. I like to go around the house saying all the funny things to everybody. I think that's why my brother asked me to do this. So I wouldn't do it anymore at home.

I hope my Mom doesn't read this, at least this part. Remember when Tootsie went into her dressing room the first day and the tall lady who was hardly wearing any clothes, especially on top, was already in there and he turned around real fast and hit his big nose on the door? That was like the time she was getting out of the taxi and started to run and then tripped because he was wearing lady's shoes. I thought he was going to fall on his face. It was also real funny when she was trying to get a different taxi, and first he said in a lady's voice "Taxi, Taxi," and then yelled out real loud like a man "TAXI!" and the taxi driver stopped real fast like he was scared.

I liked that guy who was in *Meatballs*, too, Bill Murphy, when he called Tootsie that name after the doctor from the TV show went away. He just looked at Tootsie, who's really a man, Dustin Hoffman, and he knew it, and said, "You slutt!"

Everybody thought that was funny.

I didn't understand alot of the other things Bill Murphy was saying, like when he was talking at the party about how he wanted to make up a play about people at Love Canal (my teacher last year or the year before told us about it), but I'm not gonna worry about not understanding it, because nobody else did. Why weren't Dustin Hoffman's friends at his birthday party?

That guy with the glasses who was supposed to be working for Dustin Hoffman was funny, especially when Tootsie was trying to tickle at him in the restaurant. Then he yelled at him later, because his secretary started acting like Tootsie and got ruined.

There was a few other things I couldn't understand, or didn't make sense to me. That blonde lady who was the nurse had a baby and she never was married, but they made her nice. I didn't stop laughing when her fat father sat on the swing Tootsie was on and it broke. Why didn't she mind when she was in bed with Tootsie and Tootsie, who the blond lady thought was another lady, started touching her hair, and saying how soft it was, like men on TV? She was strange, but I liked it when she left Tootsie to watch the baby and the baby threw food all over the place, even in Tootsie's face.

That reminds me. Remember the time they were making the TV show and the blonde lady's boyfriend said he'd like to make Tootsie look better and he said how far away can we make the cameras, and the man said how about Cleveland? Everybody laughed. I didn't know why everybody wanted to kiss her either, since she wasn't really pretty. She looked like my aunt. I hope my father doesn't read this part.

I have my drum lesson now so I gotta go. I didn't know what Dustin Hoffman meant at the end when he told the blonde lady he just gotta learn to do it without the dress. Do what? My brother wouldn't tell me. He said it's too complicated, and there wasn't enough time to explain. Just help me with these buttons and shut up, he said.

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# The Good, The Bad, and The Ugly

## Reviews

By Anthony Paonina

Welcome back! I hope you have all enjoyed the lengthy holiday we were given, and survived your finals. In case you're wondering, I'm not going to review the spaghetti western in the title, but sundry records and a movie I've come across since last time.

*Eating Raoul.* Go see it. We laughed all the way through. If you read the paper, you probably know the plot, which is good enough, but not everything. What struck me more were the details, like Doris the Dominatrix's domestic side, Raoul's apartment decor, and the droll delivery of it all. It only goes to show how gumption, hard work, and A Dream can make all you've ever wanted come true—and put a lot of perverts out of commission to boot! Is this what Ronnie want us all to do? Grade:93

The (English) Beat: *Special Beat Service*—Another great record from my favorite band. The title is a play on "Special Boat Service," which is the task force sent to the Malvinas/Falklands. This album is less political, more pure pop, and is real catchy. The Spartan Woman suggests End of the Party." Grade:95

Marvin Gaye: *Midnight Love*—Dr. Feel-good returns, and makes aural love. This is really atmospheric. Check out the "oohs" and "ooh baby's." Play it at midnight and listen with a friend. Ed. Collectivist TG thinks it's great, too and we agreed that it deserves a 95.

Musical Youth: *Youth of Today*—This includes "Pass the Dutchie." The Youth all look like about 12 years old, and are sort of a reggae Jackson Five. They write and play their own stuff, and it's bright and melodic. A good start.

Brigade Meinhof: *What Kind of File Is It?*—A German band from "100 m. away from the Wall." I can't understand the words, but it sounds like strange Eurodisco and the songs have titles like "Wir leben Geld" and "Arbeit Macht Unglücklich."

Grade: 80 for curiosity's sake  
Material: *One Down*—From Downtown Brooklyn of all places. Material is a somewhat mysterious "group" composed of two people and anyone they care to play with, which includes Artie Shepp, Oliver Lake, and Nona Hendrix. Great playing.

Grade:86  
Michael Jackson: *Thriller*—Not so much of a party record as *Off The Wall*, and there's a sense of unease. Pick hit: "Billie Jean." Michael also gets into some heavy metal (!) with guest star Eddie Van Halen (!!).

Grade:90  
Grace Jones: *Living My Life*—Tropical body music with the Jamaican rhythm duo Sly and Robbie. This is just the thing for mid-winter doldrums—if the landlord gives you enough heat, close your eyes and think of palm trees, warm water, ANYTHING BUT LAW SCHOOL IN FEBRUARY!!!! She still can't sing that well, but it really doesn't matter... Grade:89

# More Letters

Continued from p. 2

inevitable step toward improvement. I suggest, however, that much of the disagreements have been the result of a failure on the part of those who created the SBA constitution, years ago, to carefully delineate the powers and responsibilities of each member of the student government. The students have suffered greatly this year because of this. Hours of bickering could have been eliminated under a more precise constitution.

This year's SBA has wisely begun the task of revising the constitution. -Students with ideas for improvements in the constitution should submit them to the appropriate committee. Until the task is complete, however, I urge the members of the SBA to come prepared for future meetings not with procedural power plays and motions to reverse what was done at prior meetings, but with creative suggestions for how the SBA can become an effective advocate for student concerns.

The SBA is once again becoming isolated from the rest of the student body. Our bickering should be focused on proposals for improvements in the learning environment of the school, not on who is more or less likely to abuse the responsibilities of elected office.

Sincerely,  
Bruce Feffer  
SBA Treasurer

## Up Against The Wall

To The Collective:

After the letter to the editor in the last issue of the *Justinian*, it would seem that the L.A.W. should be made to face the W.A.L.L.

In the first place, it is still both grammatically and morally correct to say the "ideal man for the job" when referring to a group composed of all men. One does not have to accept the demands of self created linguistic experts or their preferred usages.

Secondly, the sexist-racist innuendo in the complaint that their (sic) must be something improper in a final list of five candidates that includes five white men, bespeaks a form of rampant reverse discri-

mination i.e. it is not the merits of the final contenders, but their sex, or race, or age that is most important (i.e. whatever is the fashion of the moment).

Thirdly, to impugn the integrity of Dean Prince and his obviously able and distinguished Search Committee because the organization's demands or expectations were not catered to displays the kind of disproportionate and vengeful tirade found more often in the accusations of witch hunters than in the presumably more reasoned and fair arguments to be found in the operations of real justice.

Sincerely,  
E. Blair

## Needs A Friend

To The Collective:

I am presently incarcerated and would appreciate your printing my ad in your school's newspaper in your convenience. Thanking you in advance!

Incarcerated inmate seeking correspondence with a woman who would be interested in corresponding with him. Since being confined, I've graduated from college here in prison, wherein, I received my Bachelor Degree and upon my re-entrance to society this year, I endeavor to enroll in Graduate School.

At the present time, I'm working as an Inmate Educational Counselor in this facility, assisting other inmates with their educational goals and also tutoring them in various academical courses.

I'm 5'8", Black, 145 lbs, multi-lingual and have a warm sense of humor, plus a very pleasing personality. My interests are varied. Will answer all letters and race is unimportant.

I'm closing for now, but will be looking forward to hearing from you when it's convenient for you to write. Have a Happy Day!

Sincerely,  
Ernest R. Crawford  
150 Harris Road  
Bedford Hills, New York 10507

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## Savoy Seeks Change For Legal Education

By Prof. Paul Savoy

"Always later, later, later ('when I retire') for life and living, for what sings in me in the beginning and later fizzles to a whimper. Pie-in-the-sky-laughed out of the hereafter and accepted here on earth as making sense.

"Can't we ever live now?"

—Barry Stevens

There has been an incredible volume of literature published in the last twenty years about law school education. The overwhelming concern, however, is with curriculum, methodology and case-books. We rarely hear anything about teaching. I am not talking about that bag of tricks called classroom "techniques" — any fool can learn them in time — but about teaching as that "complex and perilous relationship between a teacher and his student" — as an honest meeting between man and man. There is not much meeting or sharing or enjoying in our law schools. There's not time for it. We're so busy planning for the future — for the future careers of students, for our own future careers as teachers, for the destiny of the law school — that we have no time to live in the now.

When I first came to teaching two years ago, I had it in mind to emulate the style of some of my own teachers whose verbal art had made them so deadly, so omnipotent in the classroom. But, I find that pedagogical *mimesis* — teaching as an imitation of teaching — does not work very well for me. The only time that anything really happens in my classes is when I start being the person I really am — with feelings, doubts, expectations, fears — and not the incarnation of some professional or academic role. Lawyers and law students, though, are especially resistant to efforts to get them in touch with their feelings. Of all the admonitions of the

Greek philosopher, the one which we self-styled Socratics most persistently and flagrantly ignore is: Know thyself. Between law teacher and law student there is a silent conspiracy to preserve what Alan Watts calls "the taboo against knowing who you are."

Teachers and students must meet face to face, but that will never happen until we remove our academic masks and put an end to those degradation ceremonies we politely call the "Socratic method." At a time when law students throughout the country are expressing profound dissatisfaction with the second and third years in the house that Langdell built, we might take notice of John Holt's dictum regarding education in our elementary schools which applies with equal force to our law schools: students outplayed or overplayed at the world game will after a while simply stop playing it.

### The "Socratic Method" and Other Games

One problem with the "Socratic method" as it is usually practiced is the failure at some point to make explicit for students the nature of the strategies we use to defeat them or the process by which they defeat themselves. We expose students to intellectual battle without ever providing them with an arsenal of skills, and that seems a little unfair, especially when we stay up half the night writing and rehearsing the script for the military drama we stage the next day. Or else, if we are more experienced in the art, we take a few more risks with a little less preparation, but we still expect a student to learn the skill ritualistically — by subjecting him to the initiation rites of public humiliation, sarcasm and ridicule.

The Socratic method, as it is usually administered in the classroom, consists largely of a set of

"games," the most popular of which is "Corner," a strategy that bears a striking resemblance to the ancient ploys of Zen masters. The objective in each case is to drive the student into a corner by refuting any position he takes. In being presented with a *zōan* (a Zen question) or a Socratic question, the student is cast on the horns of a dilemma: he is made to feel that there is some answer he must find, but in seeking it out, he begins to despair of finding it because everything he says is rejected as wrong. The feelings experienced by a student exposed to this double-binding have been described as follows:

"By careful questioning the dialectician finds out what . . . [the student's] opinion is, and then challenges the student to propose and defend it. Naturally, the defense fails, and to the degree that the student is emotionally dependent upon his opinion, he begins to feel insecure, not just intellectually but psychologically and even physically. He therefore looks about him for some other premise to which he can hold, but as he takes up such alternatives the dialectician disposes of them one after another. At this point the student begins to feel a kind of vertigo because it seems that he has no basis from which to think and act. . . . Left to himself in this predicament, he might well go out of his mind."

### "One Up?"

A variation of the game of "Corner" is "One-up":

Student: "Do you think that custodial interrogation in the absence of counsel is a violation of the dignity of the individual?"

Teacher: "What do you mean by 'dignity'?"

The student wants to know where his teacher stands on the issue of providing people with lawyers. The teacher evades the question by changing the subject to philosophy. The student can never win. The teacher is always one-up. If the student presses the question, he loses because he has

"failed" to define his terms. If he switches to philosophy, his inquiry has been derailed. Nor can he comment about what the teacher is doing for, in the classroom, metacommunication is tantamount to insubordination.

### "Chamber of Horrors"

Then there is the familiar "chamber of horrors" gambit — the logical paradigm of which is the *reductio ad absurdum* argument — or what I prefer to call the game of "Now I've Got You, You Son-Of-A-Bitch." By the time a law student reaches his second year, he knows the game and either stops playing it, plays along cynically, or initiates the counter-game of "Wooden Leg" ("What can you expect of a 'dumb' student like me") or a variation of "Gee, You're Wonderful, Professor." Another popular pastime of professors that often passes for Socratic dialogue is the game of "Guess What I'm Thinking"; the student counter-game is "Mind-reading I, II, or III," depending on the number of previous courses the student has had with the professor. When frustration reaches the boiling point in the third year and breaks out in the form of criticism or rebellion, the faculty game becomes "But Look How Hard I'm Trying."

## Trashing

Continued from page 1

In response to this pifflage and the "trashing" of several shelves in the basement of the Library last October, Kerman has instituted two procedures designed to reduce the chance of outsiders entering the building. After 7 pm and on weekends:

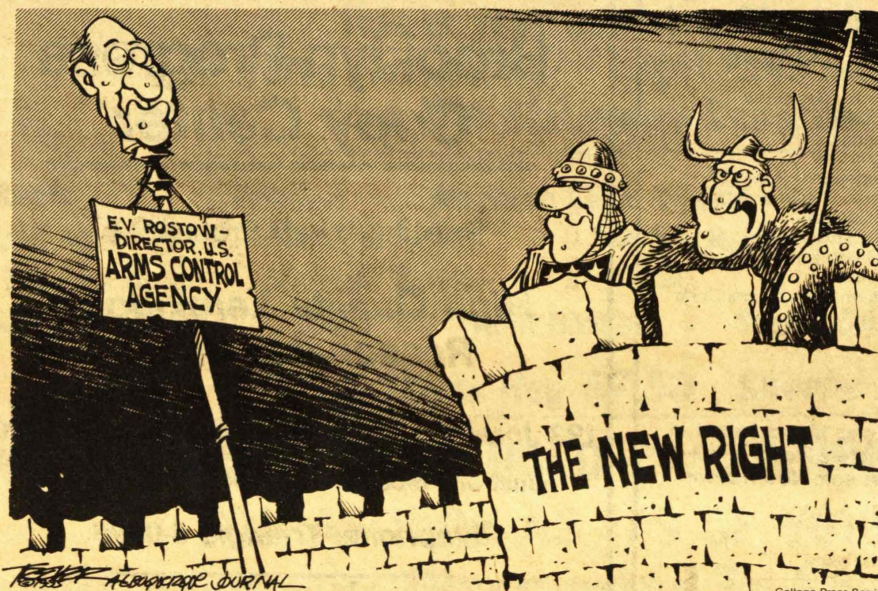
—Everyone must sign in at the front desk.

—"Movie theater" ropes are stretched across the width of the lobby to funnel those entering past the front desk to "force eye contact" with the security guard.

Kerman admitted that these procedures are more a psychological deterrent than an actual barrier to would-be intruders, but he pointed out that "so far it seems to be working." Kerman explained that the appearance created by restrictive ropes and a guarded checkpoint is especially effective on weekends and at night when BLS is one of the only lighted and occupied buildings in the area and is a magnet for neighborhood drifters.

Although one of the most prominent signs in the lobby reads: STUDENTS MUST SHOW I.D. CARDS, Kerman, reluctant to enforce this requirement during weekday hours, stated, "Why inconvenience the great bulk of students or turn this into a police state if most of the problems occur during evenings and weekends? However, if things get worse, I don't see any recourse but to go to the next step—requiring the showing of ID cards at all times."

While Joe Hughes, the "Good Morning" man at the BLS front desk for 28 years, has reported no trouble during the day, Glenn Claiborne, on duty from 3 PM to midnight has met with a good deal of unpleasantness. A local resident who regularly wanders into the lobby recently smashed a front glass window. In addition, Claiborne has been astonished by the reactions of some law students who resent being asked to sign in and show ID cards after 7 PM. "People have rotten attitudes," he concluded.



"CAUGHT THE SONUVAGUN TRYING TO CONTROL ARMS..."

College Press Service



# Student Fare: Lo Cal Living

By Joan Gottesman

If you are like me, between the holidays and finals you blimped out and are ready to consider a serious diet.

Chicken is a favorite diet food because it is inexpensive and easy to prepare. The simplest way to prepare plain chicken is to take some chicken breasts, skin them, and put them into a heavy-bottomed covered pan and cook them over medium heat for 10 to 15 minutes. You don't need any fat or liquid, and the chicken itself may even yield up a little broth. When cooked, the chicken is ready to be diced into salad, or it can be added to a dish such as chicken cacciatore. To make this, cut some Italian green and red peppers crosswise into thin rings, and slice an onion or two into rings as well. Put these into a small pot with a small amount of oil—try to use maybe one teaspoon, and stir them over medium heat until wilted. Add some tomato sauce, thinned a little with the juice from a small can of mushrooms. Discard the rest of the mushroom juice, add the mushrooms, some black pepper, a touch of oregano. Add the chicken, heat through, and eat.

Here is another way to cook the cut-up pieces of a chicken. Combine in a pot

- 1 small diced onion
- 1 clove garlic, chopped
- 1 cup water
- salt, pepper
- 2 tbs. tomato puree or paste
- 3 tbs. cooking sherry
- 1 bayleaf

Immerse the chicken pieces in this mixture and simmer gently until done, stirring occasionally so the chicken cooks evenly.

Fish is great simply broiled for a few minutes and sprinkled with lemon juice. If you're not used to the taste of fish you can jazz it up in the following manner. Arrange

the fish filets in a broiling pan. Spread a light layer of mustard over the filets. Sprinkle them with a little pepper, fresh chopped parsley, lemon juice, and broil until the fish has lost its translucent look and the flesh is firm. Taste a corner and cook until you reach your preferred state of doneness.

Filets of mild white fish such as flounder or sole can be given a holiday air by rolling them up around mixtures of fresh herbs such as parsley and dill, or bundles of thinly julienned vegetables, and poaching the rolls in a mixture of white wine and water. Peeled small whole potatoes can be placed alongside the fish rolls to cook in the same liquid.

Steamed vegetables can make a satisfying hot meal when topped with some cheese that is melted under the broiler. A mixture of vegetables is more eye-appealing and appetizing than just one or two. Put the slowest cooking stuff in first, cut in bite-size chunks, then after about ten minutes, add the medium cooking stuff, and when all these are almost done, add the fast cooking stuff for a few last minutes. If you have no steamer, just use a pot with a close-fitting lid. Fill about one fourth of the pot with water and bring it to a boil. Throw in, for example, chunks of Hubbard squash, carrots and stringbeans. Periodically, open the lid and prick them with a fork. When they start to lose their hardness, add broccoli. When everything is just about done, add very thinly sliced rings of onion, and if you like, tomato and mushrooms. As soon as the onions are wilted, remove the pot from the heat. Carefully drain the vegetables, keeping your fingers and face away from the steam that will waft upwards, and then mound the vegetables on a broiling pan. Distribute some thin slices of Jarlsberg

et al.: The Justinian

cheese over the top and put the pan under the broiler until the cheese is melted. A small amount of cheese covers a lot of vegetables, and you can fill up on few calories and be healthy besides.

There are a few things to keep on hand for emergencies. On every diet there are times when you become beset by an intolerable case of the munchies, and thin diet fare will just not do the trick. If you can stomach the combination (actually it is very mellow and baby-food-like) brown rice, cottage cheese and broccoli is extremely satisfying. It is chewy and soothing at the same time, takes a while to wolf down, makes your stomach feel like it's had a really hearty meal, and a very little goes a long way. Fill about two thirds of a coffee mug with brown rice, layer another third of the mug with cottage cheese, top it off with cooked broccoli. Spoon it slowly into your mouth and chew meditatively. You will find that this combination effectively short circuits the urge to binge while making you feel like a pampered baby. Even cold, this stuff is okay. So keep a small supply in the refrigerator.

In closing, let me remind you that we often eat to comfort ourselves and to discharge tension and aggression through the act of chewing. For this reason, apples are a dieter's friend. They are hard, and you get to gnash your teeth on them. They take more time to eat than cake or cookies, yet are somewhat sweet. And they are portable. Go to a good fruit market and choose really large Roman Beauties, Cortlands, or Yellow Delicious. These varieties are very firm and can be found in large sizes. Carry them with you, and have a refreshing treat for about 90 calories instead of the donuts or ice cream you usually reach for.

Good luck, and hoping the next column finds us both a little svelter!

## Heartland

By Evan Gordon

*I heard a person speaking the other day  
From the Heartland  
A beautiful actress more beautiful  
than her hair or skin  
About her wishes for her newborn child  
To live her life in a state of grace.  
She spoke words like joy  
very carefully  
Almost religiously  
Saying them slowly  
With all respect.*

*I heard somebody talking a few weeks ago  
One of the disenfranchised  
About how she couldn't wait.  
In twenty-four hours she would be  
On a plane to the state of Florida.  
She couldn't believe it, she said.  
She wasn't even trying.*

### TICKETS

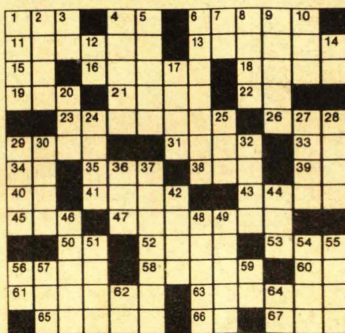
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**PUMP BOYS AND DINETTES**, thru Feb. 27, 1983  
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- ACROSS
- 1 Greek letter
  - 4 New Eng. State
  - 6 Item of property
  - 11 Victor
  - 13 Purple flower
  - 15 Teutonic deity
  - 16 Worship
  - 18 Splendid
  - 19 Corded fabric
  - 21 Hebrew month
  - 22 Near
  - 23 Slackens
  - 26 Shade tree
  - 29 Inlets
  - 31 Abound
  - 33 Faroe whirlwind
  - 34 Hebrew month
  - 35 Equality
  - 38 River in Scotland
  - 39 Conjunction
  - 40 Chi. 's State
  - 41 Period of time
  - 43 Coin
  - 45 Permit
  - 47 Besmirched
  - 50 Printer's measure
  - 52 Boy attendant
  - 53 Paddle
  - 56 Slave
  - 58 Rugged mountain crest
  - 60 Symbol for xenon
  - 61 Thief
  - 63 Munch
  - 65 Handle
  - 66 Bye!
  - 67 Lamprey

- DOWN
- 1 Pitcher
  - 2 Weary
  - 3 Article
  - 4 Hero's reward
  - 5 Wear away
  - 6 Avoided
  - 7 Yes, in Madrid
  - 8 Couch
  - 9 Choice part
  - 10 Number
  - 12 USA, Can., etc.
  - 14 Tellurium symbol
  - 17 Rage
  - 20 Snop
  - 24 Discover
  - 25 Diocese
  - 27 Weaving machine
  - 28 Simple
  - 29 Security
  - 30 Competent
  - 32 Ancient Persian
  - 36 Roman bronze
  - 37 Bulwark
  - 42 Hind part
  - 44 Wedding words
  - 46 Singing voice
  - 48 Spy
  - 49 Nerve net-works
  - 51 Apportion wheels
  - 54 Spindle for
  - 55 Dance
  - 56 City train
  - 57 Drunkard
  - 59 Erbium symbol
  - 62 Diphthong
  - 64 Exist

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