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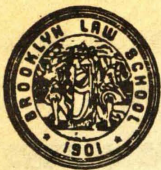
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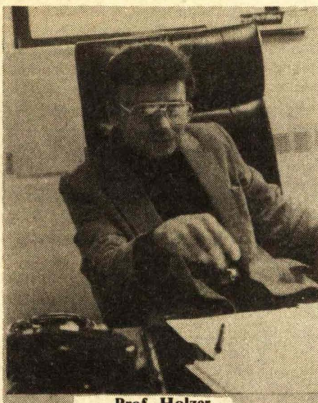
HOLZER DENIES CLINIC CHANGES

By Risa Gerson

Professor Henry Mark Holzer, in an interview with the *Justinian* expressed his confusion as to why someone with his "utter seriousness and commitment" would be attacked by the *Justinian*, especially without having been approached by someone first to get the facts. He was referring to the April 15, 1983 editorial "Clinical Caste System Limits Opportunities," which he asserts is inaccurate. He characterized the recent SBA resolution (see box) as "a resolution against a policy that doesn't exist."

Holzer maintained that he will not make substantive changes but will simply streamline the existing structure. "I would expect that I would have overall administrative responsibility. It will be my task to help the people running the clinics to run them the best they can," Holzer explained. Although Holzer will actively run the judicial clinic, he would not otherwise be working directly with the students. The other clinics will continue to be run by other professors. He stressed that, "Nothing will change. I will be a policy conduit from the Dean to the clinicians."

What may change is the scope of the clinics. Holzer plans to expand and enhance



Prof. Holzer

the clinical program. He informed the *Justinian* that the school has an opportunity to build the Elderly Clinic to a nationally prominent status. To that end, he is in the process of arranging an interview with Claude Pepper, a Congressman in the forefront of advocating the rights of older citizens. It is hoped that the clinic will receive enough

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COMMITTEE ASKS CUT IN COMMON LAW COURSE CREDITS

The Curriculum Committee has submitted its report and recommendations to the faculty. At the time of this writing, a vote scheduled to be taken on April 27 has not yet occurred.

The Committee found, in its report, that while the BLS curriculum may be out of step with the majority of law schools, that, in and of itself, is not a reason for change. The Committee pointed out, however, that refusal to consider such changes may result in BLS being left behind. One factor the Committee cited as a rationale for reevaluating the curriculum is the highly competitive job market. Its findings were based on responses from students and faculty as well as surveys of other law school curricula.

In evaluating the effect of Constitutional Law as a second rather than a first year requirement, the Committee determined that Constitutional Law is a necessary course for a student's understanding of public law. Constitutional Law is also of great help to first year students seeking employment in public law. Although not explicitly stating that Constitutional Law should be taught in the first year, the Committee implied that constitutional law is fundamentally a first year course.

The Committee suggested that the credit load in Civil Procedure be increased to five (5) credits. The Committee reasoned that not only does the course expose students to

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SEMI-FORMAL SCRAPPED

By Carol Milder

The semi-formal student-faculty dinner dance scheduled for May 1st was cancelled because less than twenty people signed up for it. Phil Russell, a candidate for LSD rep., who had volunteered to organize the semi-formal expressed disappointment and blamed the SBA's Executive Board for the semi-formal's failure.

"I think what really killed this party," stated Russell, "was the delay which resulted from waiting for the Executive Board to select a guest of honor and the Executive Board's ultimate failure to select a guest of honor. Because of this fiasco the invitations were sent out too late."

Russell also cited the lack of SBA funding as a secondary cause for the party's cancellation. Last year, with an SBA subsidy, tickets for the semi-formal were \$20. Published by Brooklyn Works 1983. Funding of this year, a \$2,000 allocation for a

semi-formal was scrapped. Although the SBA did agree to kick in \$400, admission for students this year would have been \$27.

In response to Russell's charges, Bobby Steinberg, SBA president and a member of the Executive Board claimed, "We didn't think it was necessary [to choose a guest of honor]." He asserted that the semi-formal was cancelled because there was neither student nor faculty interest. Furthermore, he claimed that students had expressed dissatisfaction with the place chosen—Prospect Hall—and the price.

Bruce Feffer, another member of the Executive Board admitted that the Board did not do anything to help Russell. Feffer agreed that there was no interest in the semi-formal and that the price was prohibitive. Meanwhile, Russell plans to try it again next year. "This year's experience will make next year's a definite success."

FULLERTON'S "THE MOST"

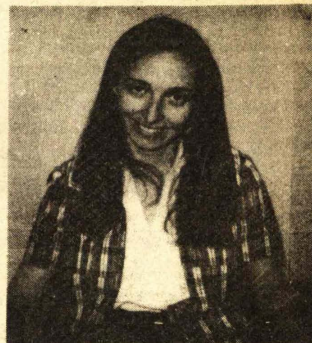
By Stephen Richards and Michael S. Schreiber

Professor Maryellen Fullerton, a tenure track but non-tenured teacher of Civil Procedure, Federal Jurisdiction and Immigration Law, has won the first annual *Justinian* Professor the Year Award. Fullerton's plurality of 23 votes out of a total of 288 cast narrowly edged out Bailey Kuklin and Richard Farrell, both of whom tied for second place with 21 votes each. Robert Hahl was third with 20 votes, followed closely by Professors Norman Poser and Leon Wein.

Commenting on her victory, Fullerton said: "I just can't believe it! I enjoy teaching, and teaching is very important to me. It's very important to me that other people—my students—enjoy it also."

Although the number of votes cast was relatively low, this was apparently due to the *Justinian*'s lack of organization rather than a lack of enthusiasm on the part of the student body. Several members of the *Justinian* were witness to ballot stuffing attempts as well as heated debates over the relative merits of different professors. The *Justinian* staff has been repeatedly accosted by individuals interested in learning the nightly tallies and final results.

Students who responded with written comments indicated that their primary criteria were teaching ability, enthusiasm, knowledge and concern for students. The following is a list of those professors who received votes as well as selected comments taken from the ballots. The first four professors on the list were the front runners, those that follow are in alphabetical order. Comments have been edited to eliminate redundancy.



Maryellen Fullerton

"Because she doesn't try to humiliate students ... she's consistently well-prepared and enthusiastic about the subject even in face of days when student apathy is rampant. I always have the impression that she is interested in what we have to say."

"Because she always uses 'she' as well as 'he' in hypos; because she relies on voluntary participation rather than Socratic method; because she makes civil procedure interesting as well as challenging."

"Excellent teacher and very conscientious."

"She works at being a scholar and being a professor."

"Has respect for student's intelligence."

"She's by far superior to any other professor in the school."

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Justinian

BROOKLYN LAW SCHOOL
250 Joralemon Street, Brooklyn, NY 11201
Telephone: (212) 780-7986

1982-83 Editorial Collective . . . Risa Gerson, Tom Gordon, Deborah Henkin, Carol Milder, Steve Richards, Warren Shaw.

1983-84 Editorial Collective . . . Bridget Asaro, Steven Eisenstein, Risa Gerson, David Howe, Adam Pollack, Michael S. Schreiber, Allan Young.

Staff . . . Ann Galen, Joan Gottesman, Anthony Paonita, Ethan Wolfe.

Photography . . . Allan Young.

Contributors . . . Jim Bertini, Karen C. Christensen, Pat Cox, Ron Kaplan, James Ostrowski, Maria Shelzi, Ellen D. Smolinsky.

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LETTERS:

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

HOLZER SLAMS SBA

Copies of the following letter were received by the Student Bar Association and the Justinian.

Ladies and Gentlemen:

I write as the author of the posted clinical notice to which you refer in your undated Resolution apparently passed on May 13, 1983 [sic].

Although several critical comments can be made about that Resolution—its assumptions, implications, reasoning, inadequate factual basis, etc.—for the record I shall make only two.

First, as I have taken pains to explain to all who were interested and polite enough to inquire, grades have always been and are but one of a variety of relevant considerations in clinical placements. They have never been, are not now, nor will ever be, for me, determinative.

Second, there is no prohibition on students attempting to arrange their own clinical placements. If you will reread (or read, as the case may be) my posted notice, you should understand that it neither says nor implies any such thing. To have concluded otherwise is to have ignored the notice's plain meaning.

We work very hard here to train students to be good lawyers. This episode shows once again that it is not an easy task and that for some we shall have to work harder.

Henry Mark Holzer

Tom Gordon responds:

Since Professor Holzer's regulation appears elsewhere in this issue, I do not feel it is necessary to respond directly to the points made in his letter. His own regulation serves as an adequate response. Instead, I feel compelled to address the fact that he failed to explain why, despite the existence of a Student-Faculty Clinical Committee, students were not consulted before the regulation was posted.

Where rules affecting the offering of educational programs undergo such a radical change, it is incumbent upon the faculty to at least consult the student body.

This is especially so where lines of communication supposedly exist.

The mean-spiritedness of his letter points out the lack of regard Professor Holzer has shown the student body in promulgating the new regulation. By failing to inform the student body of an impending change in clinical education, Professor Holzer has made a mockery of the student-faculty committee system.

FEFFER SUMS UP

Dear Collective:

Last year at about this time, Brooklyn Law School students were inundated with campaign leaflets; an SBA party was the scene of a frenzied debate; and rumors were spread about a "conspiracy" to take over the student newspaper and the SBA. For those in the thick of it, like myself, it was simultaneously comical and aggravating. For others, perhaps, it was nonsensical and bewildering.

One year later, it seems appropriate to look back and ask whether the struggle and debate has any meaning or relevance today. And what was it all about, anyway?

Whether simply a reflection of the socio-political atmosphere of the times, or the inevitable next step for a group of students who became fed up with the sterile alienation and apathy of typical law school life, some of us decided to get together and improve our condition. It was realized, perhaps not soon enough, that we pay to be here and therefore have the right to control the setting in which we learn our skills. We were not the first to feel like guinea pigs and nursery kids upon entering this institution, but we awoke in anger to the realization that it never had to be that way.

And when we decided to improve our newspaper, stir greater activism in student organizations, and do everything possible to make our education an active rather than passive process, we went ahead and did it.

The SBA, as an organization established to represent student interests and convey those interests to the administration, had for too long been communicating the interest of the administration to the students. We believed that through its authority to al-

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EDITORIALS

A LONG GOODBYE

The last editorial of the year is usually the occasion for some instant nostalgia. You know the sort of thing. Loving glances over three unforgettable years. Last strolls down memory lane. Vows never to forget. Cute references to the editor's personal friends, identified by initials. Those who like this sort of writing should see *Justinian*, Vol. XLI, No. 3, editorial courtesy of L.P.

Not this year, not in this *Justinian*.

The class of 1983 has very little to be nostalgic about.

The situation which we were thrust into our first year was lamentable, and it has not improved much since. Our first two years saw the near total disintegration of an independent, active community of students. In 1980, for example, Law Review failed to publish a single issue. In the same year a long suffering Moot Court Society was provoked into a bitter and "futile" strike. Last year, the *Justinian* managed to publish just three issues, spent its entire appropriation, and left us with an \$1100 debt. The SBA was noted neither for vigorous advocacy of student interests nor for the wise stewardship of student funds. We can now begin to see the fruits of a long, slow revival of student activity, achieved after much struggle. But the events which led to this debacle deserve the careful scrutiny of the incoming administration.

Part of the cause was undoubtedly the ever-worsening job situation, which forced many students to shun efforts to build a community in favor of the endless and wearying search for jobs. But the job situation is not entirely the product of an ever-worsening economy, an administration determined to cut back on legal services, and the growing proletarianization of the legal profession. The ever-declining number of BLS placements, particularly in such traditional preserves as the Brooklyn District Attorney's office also reflects the failure of BLS. That failure is partially due to the alienation of the "administration," (that is to say, the faculty), from the student body, from the alumni and from BLS itself. People who perceive themselves as resting on the bottom rung of the ladder of academic prestige are unlikely to feel kindly to those who share their position. An all too prevalent attitude was encapsulated by former Dean Glasser at the outset of his administration. Comparing BLS to Harvard and other top ten schools, he noted that the "top" students at BLS were just as good as those at Harvard. If this is Brooklyn's claim to fame, it is not surprising that the administration's usual attitude is one of callous indifference to any school activity with the exception of Law Review, and to any student with the exception of those who have achieved academic success.

Given the administration's attitude towards the students, it is not surprising that those who graduate are not eager to contribute further to the school. Most of us would just as soon see the back of this place. The current mood among the class of 1983 is composed of equal amounts of resignation, relief, and despair.

While this mood is understandable it is also to be regretted. The example of N.Y.U. shows that an improving school can benefit all those connected with it, even graduates who attended at a time prior to improvement. It is up to us, after we graduate to maintain the pressure and encourage further development at BLS. Let's make this a long goodbye.

Moreover, there are signs of new life. The recent proposals for changes in the curriculum represent a step in the right direction. The *Justinian* is pleased to note that the proposal includes the reinstitution of Constitutional Law in the first year and a de-emphasis of black-letter law, both changes called for in *Justinian* editorials and in open hearings which we originally suggested. It is to be expected that the proposal is a reasonable compromise between the changes proposed and the current curriculum. For that reason, it deserves full consideration and prompt action.

In closing, we are pleased to announce the installation of a new Editorial Collective. If you think we were a pack of yellow journalists, wait until you see them.

GREETINGS FROM THE NEW COLLECTIVE

The 1982/83 *Justinian* took on a character and format different from that of the year before. We applaud the former collective for their dedication in making the *Justinian* a readable, informative, albeit controversial, newspaper which well-served the needs of the BLS community. Our goal is to use the foundation laid by this year's collective and build upon it in the coming school year.

The *Justinian* is an open forum. Its contributing staff will be composed of the entire student body. However, we can effectively present the news of the student community only with your support and written contributions. Therefore, it is essential for the student organizations and the student body at large to submit articles and letters, not only expressing your collective opinions on issues but informing the greater community as to where and when meetings/lectures will be held.

We serve a community of law students, and the paper must, of necessity, be largely devoted to news and opinions of legal import. However, to confine ourselves to strictly legal issues would be to wrongly assume that our readers are one-dimensional.

The *Justinian* will always be receptive to the needs and opinions of its readers. This we promise! In return, we require the participation of the students, faculty, and administration. Without that, the *Justinian* would deteriorate into an empty forum devoid of any significance. . . .

Best of luck on finals! Success to those facing the bar! Enjoy your summer!

NATIONAL CONFERENCE ON WOMEN AND THE LAW MEETS

By Maria Shelzi

The 14th annual National Conference on Women and the Law was held in Washington, D.C., this past weekend, April 7-10. The purpose of the Women and the Law Conference is to focus national attention on questions concerning the current status of women within American political, economic and legal institutions. It is the only conference to address the law solely as it concerns women. The Conference also attempts to increase contacts and expand opportunities for all women, particularly women involved in law-related fields. The Legal Association of Women (L.A.W.) organized students to attend the Conference, and offered partial subsidies to help students meet expenses. About 25 Brooklyn Law students attended the Conference, including two men.

The Conference got underway Thursday evening with a coffeehouse and lasted through Sunday when the workshops ended at 12:30 p.m. On Friday evening a panel of three women delivered the keynote address.

Judith Heumann addressed the issue of disabled women's needs and the relation of disabled women to the women's movement. Ms. Heumann is a leader in the disability rights movement and the first disabled person in New York City to be awarded teaching credentials. Ms. Heumann chose to teach in the same Brooklyn public school that had refused to allow her to enroll some years earlier.

The second speaker, Julia Perez, spoke about the importance of recognizing and appreciating the differences between all people young or old and of all races. Ms. Perez is a long time community activist in the Boston area.

The third speaker, Elizabeth Holtzman, Brooklyn's District Attorney, addressed the issue of female voter participation as an essential way to let politicians know that women are unhappy with the current state of political affairs. Ms. Holtzman encouraged women to organize to vote in 1984 to "say no to Ronald Reagan."

The keynote address was followed by a

concert presenting Sweet Honey in the Rock and Toshi Reagon. According to Brooklyn Law student Judy Koper, the concert was "well attended, enthusiastic and energetic. [The performers] sang songs concerning women's issues, discrimination and homophobia."

The theme of this year's conference, "Unity and Empowerment," provided the focus for the more than 200 workshops offered beginning Friday morning. Broad topics covered by the workshops included issues such as: Employment, the Constitution, Physical Disability, Lesbianism, and Third World Women/Women of Color. There were over 400 panelists participating in the workshops. The panelists were public employees, elected officials, private and public sector attorneys, community organizers, judges, law professors and many other women who are concerned with issues about women and the law. Panel sizes ranged from one to eight members.

The two most widely attended workshops focused on pornography and feminist juris-

prudence. The pornography workshop was headed by eight panelists, including law professors, community activists and a politically active prostitute. The general view of panelists and audience was that pornography is a male institution and is exploitive of and harmful to women. The second workshop was entitled "Developing a Feminist Jurisprudence." The panelists attempted to define the terms "feminist" and "jurisprudence." They then discussed the present state of jurisprudence as a male defined and controlled institution.

The workshops ended early afternoon on Sunday. At that time participants were free to head home, tour Washington, or remain for Advocacy Day, to lobby Senators and Representatives on issues of concern to women.

There was an overall feeling of success at the conclusion of the convention. Organizers, panelists and participants were exhausted but excited. Karen Christensen, Brooklyn Law student, has described the Conference as "informative on both a conceptual and practical level. [The organizers] are asking people to be continuously aware of women's issues in a legal and, most importantly, socio-economic context." The most important impression. Ms. Christensen walked away with was the recognition of the client as a victim and an educator in the legal process. The first Women and the Law Conference was organized by New York University students in 1969. Fifty people attended that conference. The current organizers report that the attendance this year was 2,500 people. This year's conference was sponsored by a coalition of 7 area law schools: American, Antioch, Catholic, George Mason, George Washington, Georgetown, and Howard.

The Conference continues to be student run. The students responsible for running the conference in any given year have the power to make all policy and technical decisions regarding the structure, scope, and focus of the Conference. The student organizers annually create a National Steering Committee of lawyers, law students, legal workers, and women's community activists to serve as an advisory body to perform such tasks as developing the program and funding of the Conference and selecting panelists for Conference workshops.

Any law school, coalition of schools, or organizing body in the geographic region which has been designated for the next year's Conference is eligible to submit a bid. The school is selected by vote of the National Steering Committee following a presentation of bids. The country has been divided into four regions for the purpose of site selection. These regions are, roughly, northeast, southeast, midwest, and west. Next year's site will be out west. In 1985 the Conference will be held in New York's region, the northeast.

PANEL EXPLORES RAPE OF LEGAL SERVICES

by Karen C. Christensen

People's issues do not become politicians' issues until the majority of us have been affected, or rather, inflicted. The "middle class" is steadily rising against some of this administration's cutbacks. A lack of media interest in legal services perpetuates our lack of knowledge on this subject. Several workshops at the 14th National Conference on Women and the Law (April 7-11th, 1983, Wash., D.C.) explored the impact of classism, racism and sexism on access to legal services.

The media seldom publicizes the effects of a severely diminished legal services budget. A concern expressed throughout the conference was the contradiction between the administration's passive promotion of "home rule" and "community pride" and its all too active efforts to stimulate individualism.

Many participants expressed a fear that the administration will provide for rich white men while it leaves the majority to fend for themselves.

The Conference on Women and the Law was not attended by women seeking to gain power in order to practice reverse discrimination. On the contrary, it was the collective impression of a group of conferees that the majority of women and men attended for constructive purposes: to learn, to identify helpful human resources, and to form a cohesive group working toward common goals. Conferees represented Brooklyn Law School, other schools and private and public interest practices. The government paid little attention to the conference during the weekend but took greater notice of conferees who participated in "Advocacy Day," when participants discussed their concerns with congressional representatives and senators.

The problem, as some conference panelists see it, lies in the "power of the purse." Congress, at the behest of the administration, will continue to allocate money to anti-human projects and to divert money from the "truly needy."

Power of the Purse

A panelist in the workshop on "The Constitutional System" stated the power of the purse is effectively the power to grant or sever constitutional rights. The panelist argued that the legislature confronts the courts by narrowly circumscribing legislative jurisdiction. The courts have refused to scrutinize issues of entitlement or constitu-

tional right in order to avoid confrontation over the separation of powers. In *Harris v. U.S. McRae*, 448 U.S. (1980), the Supreme Court held that since the power to appropriate is reserved to Congress, infringements of constitutional rights through the denial of adequate public funding cannot be redressed by the courts.

Mr. Reagan's goals for the Office of Management and Budget (OMB) are: 1) to defend the public interest community; and 2) to draft regulations and legislation which limit or deny access. The Legal Services Corporation (LSC) has become a primary target because it represents the poor and defends the public interest. With its "skeletal" budget, LSC finds it essentially impossible to implement its mandate of providing legal services for the poor.

Organizations which receive federal funds may lose public funding if they engage in "political advocacy" as defined in an administration document entitled Circular A122. According to two panels, political advocacy includes publication or distribution of newsletters on political activity, as well as xeroxing articles which oppose cutbacks or other administration programs. One panelist stated that the penalty for xeroxing a "political" article is remittance of the cost in addition to the entire salary of the offending worker.

Panelists and conferees seriously question the constitutionality of the order, as well as its rationale. While the OMB contends that A122 is needed to "keep tabs" on federal money, the panelists maintain that the order is really designed to keep tabs on political activity protected by the Constitution.

Circular A122 does not apply to LSC. The Legal Services Act of 1974 §1010C provides, however, that LSC cannot use private donations in any way in which public funding cannot be used. This provision restricts service delivery by the LSC just as effectively as A122 restricts activities of other publicly funded organizations.

In order to accomplish the goals of this administration, OMB has introduced a bill which repeals attorney's fees statutes. This bill, if passed, will preclude the award of "private attorney general" fees sought by lawyers who enforce the constitutional or statutory rights of large classes of people. If these attorneys cannot collect fees, who will represent the people who desperately require legal services? One panelist noted unhappily that the level of public support

for legal services has not been encouraging. Nor is there a great deal of public support for entitlement programs under Title XX.

The Congress rejected proposal to fund LSC through Block Grants, a no-strings-attached method of funding. Programs can be lost to state and local governments through block grants. Congress maintained the Fiscal Year 1981 level and funded LSC at an effective decrease of 25% for Fiscal Year 1982. The panel on access to Legal Services informed us that rural areas have been greatly affected by this loss of funding. According to Nassau/Suffolk Legal Services, as of Fall 1981, there was only one LSC attorney for every 5,000 eligible persons. A far larger number of people are not eligible for LSC assistance but cannot afford other legal services.

Eligibility for LSC assistance requires an income within 125% of the official poverty level, currently at \$9,000.00 for a family of four. An LSC attorney/panelist suggested that the restrictions on service delivery produce a "Reverse Robin Hood effect." This administration consistently allocates "more money to fewer people."

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MORE LETTERS

Continued from page 2

locate a substantial amount of the students' money, the SBA could be an effective agency to promote student activities and support student organizations.

So we tried to elect candidates to the Executive Board of the SBA (and later on, Delegates to the SBA), who would advocate spending priorities that would benefit the greatest number of students and put at least some degree of control over student life back in the hands of the students.

We set out to create a newspaper that would be current and educational and thought provoking. It too, we felt, had to advocate and reflect the interests of the students (in contrast to prior years when the newspaper was essentially a bulletin board for the administration).

And finally, we committed ourselves to building our student organizations, and establishing links between them. It is through these organizations that students educate themselves and each other on topics not in the curriculum, and in a relaxed, respectful setting. In these organizations, skills and personal relationships are developed that will last long after graduation.

In each of these areas we, and therefore the students as a whole, have achieved initial success. Several student organizations have doubled in membership, and the newspaper has clearly shown its superiority, in quantity and quality, over its predecessor. The SBA has been the most difficult and frustrating forum for change, but despite the struggle (and maybe because of it), student interests have generally prevailed over special interests.

In a school which, in one year, has gone from sullen malaise to a burst of activism, any suggestion that we return to the old

days must be vocally and bitterly opposed.

The struggle, of course, is not over. And, perhaps, in a strange society such as BLS, where a third of its members disappear every year, the struggle may never end. In this school there is much remaining to be done. The issues range from copy machines to job placement. From sexist professors to self-centered students. There is alienation and intimidation. And there is resistance from an administration which often seems increasingly regulatory (the Holzer clinical program being only the most recent example).

The agenda and priorities may change from year to year but the central theme must be preserved: if the students want a quality education in an atmosphere that doesn't stifle creative thought; if they want to learn what it is really like to use legal skills to help people; and if they want to be treated with dignity and respect—not only because they are paying for these things but because they have a right to them—then the students must develop respect for themselves and a healthy defiance toward authority. They must realize who they are, why they are here, and, once they have done all this, they must organize!

In struggle,

Bruce Feffer

P.S. Thanks TG for your commitment and friendship. My comrade forever.

JUSTINIAN BLASTED

To the Collective:

A quiet, casually dissatisfying Friday afternoon of shuffling papers at the law school was happily and unexpectedly temporarily interrupted last week by a cover story in that day's N.Y. Times. Derek C. Bok, president of Harvard University, in his annual report to the Board of Overseers of Harvard College, was quoted in part as

The Justinian, Vol. 1983 [1983], Iss. 3, Art. 2 follows in the second to last paragraph of his address:

"Everyone must agree that law schools train their students more for conflict than for the gentler acts of reconciliation and accommodation. This emphasis is likely to serve the profession poorly."

Much can be said about this statement, taken at face value, particularly in regard to the huge issue of the degree of efficacy, achieved and achievable, by our adversarial system of—justice. My experiences at the law school, however, particularly in this last year, led me in a different direction as I read these words.

I thought about all the people, students and professors, with whom I've come in contact, who've taken that ball sometimes called competition and just fucking run with it. They do this because they want to. Because they like it. Because it suits them. Because they have this need to win, and to beat, to their glorification and to your expense. This sort of unhealthy competition is sometimes also called power, or the need to control other people, again, thereby placing themselves above you.

I thought about the professor who takes it upon himself to take attendance for his adult students and fail them when they've missed too many classes, who also insists that his adult students come to class with his flatulent homework assignments completed or else have the full weight of his petty philosophy brought down upon their heads, like in a medieval court. A first year professor who used the Socratic method more like an embarrassing whip than a teaching device, smiling all the time, and the headless students who laughed along with him as long as the whip wasn't cracking on them. Or, to bring the discussion outside of the law school, the time this past summer I watched a case important to the firm I was working for argued before three judges in Federal appeals court. Two of the three judges treated each of the attorneys who come before them, for no good reason

I could ascertain, with such over-riding ridicule, contempt, and condescension that if you'd seen it in a movie like *The Verdict* you'd just laugh and say there's Hollywood, at it again.

I also thought of this year's editorial collective at the *Justinian*. How little things occurred, like titles being changed on articles submitted with phone numbers left for just that purpose not dialed before hand. Or larger things, like articles from regular contributors not being printed, following word they would be, without notice; editors passing contributors in otherwise empty hallways, without comment. And worse, but of even less general interest perhaps. It's unfortunate that when power is shared, individual responsibility for the use of that power may end up not only scattered, but nicely shielded.

What these groups of people, made up of professors, judges and students, have in common, is that they *choose* to use the system in this way. The fact that the system often does work in this way becomes a way of justifying their own pig behavior. I refuse to listen to the common argument that says, Hey, chickie, that's the way it is in the real world out there, and you better get used to it. You can be a part of it and perpetuate it, or take responsibility for yourself, refuse to, and thereby refuse to perpetuate it. I don't think anyone should pay too much attention to people who call them chickie, anyway.

This is how Mr. Bok concluded that partially quoted paragraph:

"Over the next generation, I predict, society's greatest opportunities will lie in tapping human inclination toward collaboration and compromise rather than stirring our proclivities for competition and rivalry."

What a great comment to read from the president of probably our most influential and well-respected university, any day.

Evan Gordon

Continued on page 5

CLOSED OUT!!

The New York City Evening Session (LIVE LECTURES) of the Pieper New York Multistate-Bar Review Course has been **CLOSED OUT** as we have reached our full enrollment at that location.

There are still some openings available for **TAPE** lectures in Hempstead, Long Island; Westchester, Albany, Buffalo, Syracuse, New York; and Washington, D.C.

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STILL ANOTHER LETTER

Continued from page 4

TRASH

To the Collective:

As students, our three or four year passage through Brooklyn Law School is affected by many things, some important and some not so important. The quality of the teaching and the library are clearly important. The quality of the building appearance and maintenance are clearly not so important. However, I feel the latter should not be ignored.

Every classroom and a few of the hallways are equipped with waste containers that can hold only a few breaks worth of styrofoam cups and paper. During the course of the day, cups and other trash spill all over the floor. In the hallways, the large ash trays are covered with refuse that has no other nearby container. The paper towels in the bathrooms overflow the waste containers onto the floors.

The purchase of sufficient numbers of appropriately sized refuse containers would clear up this mess. I am certain that the custodial staff would save time emptying trash containers rather than picking up the mess from the floor. This saving should offset the cost of the containers.

While we are looking at our building, for the last twenty months some of the faucets in the basement men's room have been broken. I have seen hot water streaming out of one of these faucets continuously for days on end. Has anyone considered the cost of the hot water wasted versus the cost of repairing the faucets?

Tracy A. Marlow

By Allan Young

It was a year of exhilaration and heartbreak, puzzlement and discovery; new ground had been broken and at times the walls caved in. We arrived in August, fresh recruits in a burgeoning legal army. The odds, we had been told by family and statistics, were against us:

"America's 600,000 attorneys have created the lowest lawyer-client ratio in the world."

"You'll only get a job if you're in the top 10 percent, make Law Review, and have 15 years trial experience."

"What!? You want to be a lawyer? Let me tell you about this crook of a lawyer I know..."

Discouragement abounded, yet we came in droves, expressing a collective disgust for the overemphasis on grades, but harboring the secret belief that they made all the difference in the world. We put the N.Y.U. and Columbia rejections behind us, admitted that we had been kicked out of better places, and with genuine zeal dug into *The Buffalo Creek Disaster* hoping that law school would actually be this entertaining for three years.

"Half of you," one Torts professor noted, "will be in the bottom 50 percent of the class." A harsh observation.

In those first few weeks, each two-hour class was pure theater, complete with characters and plot, exposition and development—ten-minute intermission—denouement and...no applause? It would have been appropriate at times, but we were saving it for the end.

et al.: The Justinian

UP FROM BUFFALO CREEK

It seems like a lifetime ago that we were unable to read two consecutive sentences in a case without retreating to the succor of *Black's* or *Ballentine's* which sat at our elbows like jealous guardians of knowledge luring us into the labyrinth of definitions defining definitions... And how could the truth be illuminated without that crucial educational tool, the yellow highlighter?

"Professor, how should we write our briefs?"

"What's the difference between the holding and the principle?"

"What are these numbers and abbreviations in parentheses?"

"It'll take forever to read these cases!"

"Friday night? Sure, but I'll have to leave early; I have studying to do."

We had spent long summer nights back in July and August discussing with our mates the changes that law school would bring.

"Let's promise that law school will never interfere with us."

For some of us it never did; many others knuckled under to the new demands and changing perspectives, allowing old relationships to molder while seeking new ones here. We developed a respect and fondness for each other even as we competed, and our hearts went out to the person called upon to recite as the universal silent prayer was offered, "Thank God it wasn't me."

Coping

We were struck by the diversity of viewpoint and personality among our professors: from the hardened trial court veteran to the academician whose feet were firmly planted in the clouds. How they impressed us in September! We knew that taking a stand was useless; no matter how well-prepared or sincere we were, the professor could cut us down with his arsenal of allocation, slicing our arguments into shreds of uncertainty. But we learned...and we gained the confidence, at least, to engage the experts in prolonged debate, to hold out against the compelling argument, to gain our footing on the "slippery slope," to ask questions that revealed a new feeling for this thing called law.

"You came to law school to learn the law, people? This is the law!"

We soon discovered, to our frustration, that the law is not carved in granite but

molded in clay.

"Most legal principles always work...except sometimes."

You could bet it would be the "sometimes" that we'd be tested on. And then the tests came. Fourteen hours of writing would measure fourteen weeks of learning. The exam post-mortem in the elevator following each test made those the longest rides in the world. Awaiting grades became an exercise in controlled panic.

By spring, we had managed to cope with our grades by admitting that law professors can't count up to 100. We had learned to take academic shortcuts, knew which classes could *not* be missed, and discovered how to use the library without asking for help. Despite an increased workload, we found time to enjoy non-legal diversions and may even have caught a movie or two.

Looking Back

Time and memory have a way of conspiring to make the past seem pleasurable. The terror of Moot Court has already faded, yet the experience remains vivid as one that was almost fun. As the first year ends, we recall words uttered nine months ago:

"The next three years will fly."

Looking back, it will seem like only weeks."

June will ring an end to the camaraderie that was unique to each first year section. Upperclass programming will fragment the units, and, promise as we might to retain old friendships, new demands on our time will predominate. We face spring finals not with winter's dread but with the determination of runners who must do better in the second heat.

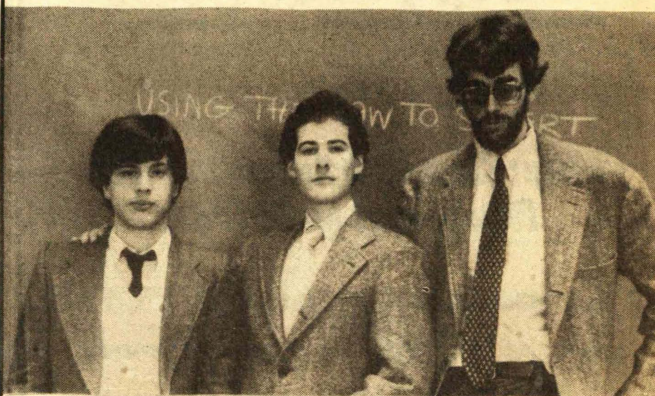
It won't be final exams that culminate our first year; the tests are anti-climactic. It will be the last moments of the last class. There's something about good-byes that unlocks buried emotions. The professors, like fine actors working an audience, will sense when the moment is right for accolade. With words of praise and encouragement for us, a final snap of the notebook, and a dramatic exit from the lecture room, they will turn their backs on applause—proud all year, yet humble at the end.

And we will stay behind a few more moments applauding our thanks, our relief, our own pride that we've come this far.

September will start the cycle again, but it will never be like the first year.

A PAID POLITICAL ADVERTISEMENT

We got our jobs through the clinical program.



...and our grades aren't exactly law review material, if you catch our drift! Guess what? No one even ASKED about our grades—it's considered tacky in all the better places. They took our word for it when we told our interviewers about courses we've taken.

If it weren't for our clinical work, we would probably be unemployed. And we're grateful that, for once in this place, we didn't have to be concerned with one of the more distasteful aspects of legal education.

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...HOLZER DEFENDS SELF

Continued from page 1

funding to allow it to enlarge its scope beyond New York. This would include hiring new lawyers and taking on significant test cases. Holzer stated, "it is my goal to make clinics as good a learning experience for students and as worthwhile for the public interest as possible. The criteria for each placement has to be quality. We can't just put students out there just to put them out there. It's no secret that all placements are not red hot. We can't afford that. It's a waste of resources; a waste of students' time."

Commenting upon the policy that all placements must be cleared through him, Holzer declared that he would "place any student anywhere as long as it's a legitimate learning experience." The reason for requiring students to clear placements through the school is to avoid placing students in worthless and unproductive jobs for a semester. The biggest problem, maintained Holzer, is when a student comes in and says, "I've been accepted by Judge X." Holzer asked "What am I to do when it's presented as a *fait accompli* and I know the student will be wasting valuable time and tuition money?" Another problem Holzer cited is sending students to inappropriate placements. For example, a student with poor writing skills sent to a placement with heavy writing requirements would be devastated.

Concerning the relevance of grades and class standing in placing students, Holzer commented that grades were relevant in two respects. First, certain placements require grades before they will consider students; second, Holzer maintained that by receiving students' grades he can better evaluate the "whole person." "Grades," while rele-

vant," stressed Holzer, "are only one factor." The other facts he will consider are academic or outside interests, undergraduate, and graduate major areas of study, past job experience, and future plans. With this information, Holzer can "hand tailor, customize" a placement to an individual student. When asked if he would exclude people from clinics if they declined to submit their grades Holzer replied, "No, but it will make it difficult to evaluate the whole person."

Concerning complaints from those with whom students had been placed, Holzer, who ran the judicial clinic from 1973-79 stated that "on several occasions inquiry was made as to why a particular placement was made. It was very rare." When asked if the inquiries were made because the student was unable to complete the work, Holzer stated that they weren't. Typically, they were minor problems such as why a student who smoked was placed in a position that requested a nonsmoker.

Holzer asserted that the clinical program has room for more individualization, and that he is committed to making placements as perfect as possible. He conceded that there is substance to the fear that those on Law Review and in the top ten percent of the class would always receive privileges. He stated, "I understand that fear and to some extent it is true." However, he explained that there is room in the clinical program for all students regardless of rank because the scope of the program is large enough to include all interested students.

Does upgrading the clinical program mean requiring higher grades? "Absolutely not," responded Holzer.

Natural Resources

The Natural Resources Law Society will be holding a general organizational meeting for next year, on Tuesday, May 3 between 1 and 2 p.m. in the third floor lounge. A lunch will be served. All those interested are welcome to attend.

ALUMNI GIFT

The alumni have donated \$6,000 to graduating BLS students for a senior party. The party will be held on June 12 from 9 p.m. until midnight. At press time, the price and place were unknown.

Judy Shouse, an SBA delegate will be organizing the party. The Circle Line and the Sheraton Center are some of the places under consideration. There may be a \$5 or \$10 admission charge.

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THE REGULATION...

For the 1983-84 academic year there will be four clinical offerings, with a variety of placements available:

1. Civil Clinic
2. Criminal Clinic
3. Elderly Clinic
4. Judicial Clinic (including ALJs)

Applications must be submitted no later than 5:00 p.m. on Friday, April 22, 1983, and must consist of:

1. An up-to-date resume, containing your last class standing and average.
2. A copy of your last transcript of grades (including what other clinics have been taken and/or what other non-course (e.g., law review, moot court, etc.) credit has been and/or is expected to be received.
3. A law school writing sample.

To the extent that applications have already been submitted for the Fall clinics, they need only be augmented with the requisite information per the above.

Applications should be submitted to, and information may be obtained from Professor Holzer for the Civil and Judicial Clinics, Professor Caplow for the Criminal Clinic (leave applications with Professor Lee), and Professor Schultze for the Elderly Clinic.

Each clinic will include a mandatory two-hour weekly in-house seminar. The registration material will give the day and hour.

No student may register directly for a clinic. Registration should be completed normally without a clinic, but an indication should be given that a clinic application is pending. When a student is accepted or not, the clinic's director will inform the registrar, who will inform the student.

Once a student has applied for and been accepted in a clinic, he or she will not be allowed to drop that clinic except for very compelling reasons. This will apply with equal force to those placements which require a two semester commitment.

Please note that there are certain course requirements for certain placements. The professor in charge has the information.

Please note that no private arrangements for clinical placements will be honored. Students having their own contacts must not approach the potential placement. They must first inform the professor in charge, who will then decide how to proceed.

—Professor H.M. Holzer

...AND THE RESOLUTION

WHEREAS

WHEREAS

WHEREAS

WHEREAS

BE IT RESOLVED

The Student Bar Association is committed to the principle that every student at BLS should have equal access to Clinical Education as it is an integral part of our legal education; and there is a new requirement that prospective clinical students must submit resumes which include class rank and grade point averages; and this mandate will have a chilling effect on students not in the top of their class and will effectively prevent such students from participating in the clinics; and the further proviso which prohibits students from arranging placements on their own will only serve to limit the access BLS students have to the legal community; by the House of Delegates of the SBNA, as the duly elected representatives of the student body of Brooklyn Law School, that:

- 1) it strongly opposes the implementation of this new mandate;
- 2) it condemns the inexcusable failure of the Administration to seek student input before its adoption;
- 3) it calls upon the Administration to immediately revoke this unjust policy.

BAR EXAMS AREN'T LAW SCHOOL EXAMS

Knowing how to analyze complicated essays, confusedly combining several fields of law, and writing coherent, logical and consistent answers thereto, can make the crucial difference in passing the Bar Exam. Why not get the feel of 16 very difficult Bar Exam questions before the July 1983 Bar Exams? Thousands of students for the past 40 years, have been convinced that the approach-analysis-and style techniques and methods they learned at THE KASS PROBLEM ANALYSIS CLINICS were essential to their success on the Bar Exam.

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LIBERTARIAN LACERATES LEFTIST ECONOMIC FALLACIES

By James Ostrowski

Last Friday, while viewing the film, "America—from Hitler to M-X" (shown at BLS, 4—15—83), I had occasion to reflect on one of the most pernicious fallacies pervading left-wing political thinking. This fallacy is the belief that persons involved in free market economic activity, in sharp contrast to other types of human activity, have an inherent inclination to do bad things to others simply to accomplish their goals, the most important of which is to make a monetary profit. This belief has had such a mesmerizing effect on leftists that they are willing to endure, and sometimes even justify, virtually any abomination by the state rather than consider the only alternative to statism, a society based entirely on voluntary relationships, including economic ones.

In response to the leftist position, I would like to suggest and briefly justify the following propositions: 1) There is no fundamental distinction between profit-seeking behavior and other forms of goal-seeking behavior; 2) In all human pursuits, there is a temptation to do bad things to others, in order to reduce the costs to one's self; and, 3) The best way to reduce this type of exploitation is to eliminate the state, or at the very least, strip its powers to a bare minimum, since the state is the most efficient means ever invented for imposing costs on other persons.

Proposition One: All human action involves the pursuit of certain ends by certain means. But what is the ultimate end of all human action? Aristotle demonstrated that happiness is this ultimate goal: "that for whose sake everything else is done." If happiness is the ultimate goal of all human action, is the pursuit of economic profit an exception to this proposition? Obviously not: individuals and firms desire to make a profit so that they can spend the money earned to purchase goods and services, the consumption of which brings them emotional satisfaction, or happiness.

Thus, as far as ends are concerned, free market behavior is fundamentally indistinguishable from all other human behavior. But don't the means used by profit-seekers differ from the means used in other activities? No. Profits are made by producing goods and services, and then persuading others to purchase them at a price greater than the cost of production. In dealing with other persons, human beings have two fundamental alternatives, persuasion or coercion. Thus, while profit-seeking action does differ from actions based on coercion, it does not differ fundamentally from all other activities based on voluntarism and persuasion.

Proposition Two: The pursuit of certain goals by certain means implies that they are not omnipotent:

There is in the world something that offers resistance to the realization of [human] desires. Any attempt to remove by mere fiat what annoys [a person] and to substitute a state of affairs that suits him better for a state of affairs that suits him less is vain. [If a person] wants to succeed he must proceed according to [means] that are adjusted to the structure of something about which perception provides him with some information. [Ludwig von Mises, *The Ultimate Foundations of Economic Science* 6 (1962)].

The concept of costs is implied by the necessity to use means to achieve goals. That is, the use of means involves effort, both mental and physical, and the need for effort implies delay in achieving the goal sought. Hence, only actions involving these types of cost. But what precisely is a cost?

Cost is essentially emotional dissatisfaction and/or physical pain. Emotional and physical pain are motivating factors for a person who feels them; they are an incentive for the person to act differently in order to avoid them [See, Nathaniel Branden, *The Psychology of Self-Esteem* 73-78 (1969)]. For this reason, human beings have a tendency to seek to impose the costs of their goal-seeking behavior onto other persons. Since costs are present in all human action, there is in all human action a tendency to impose costs on others.

A long time ago, people discovered that if everyone tried to impose costs on everyone else all the time, life would be "nasty, brutish, and short." For example, if stealing instead of work became the predominant means of making a living, the amount of work done would quickly dwindle, and massive starvation would ensue. Morality is the means which human beings invented in order to reduce or eliminate the imposition of costs. The ideal function of legal morality is to prevent cost imposition by force, while social morality (e.g., manners and courtesy) should restrain cost impositions which do not involve force.

The basic rationale of morality contains two elements: 1) don't impose costs on others, and, 2) everyone will be better off in the long-term. But even though reason can establish that adherence to morality is in everyone's long-term interest, there are two reasons which explain why there is a strong temptation to be immoral: 1) No person can directly experience another's costs, but he can experience his own. This leads to the temptation to give priority to avoiding costs to oneself over avoiding costs to others; 2) No person can directly experience his own future costs, but he can, of course, experience his own present costs. This leads to a temptation to give priority to one's short-term interests over one's long-term interests. Each of these reasons reinforces the other, and their combined effect ensures that knowledge of the benefits of morality will not totally eliminate cost imposition.

Proposition Three: What, beyond morality, can be done to reduce cost imposition? I remind the reader that persuasion and

coercion are the two fundamental means that human beings have for dealing with one another. Since these are the only means we have of dealing with each other, we must choose one or the other as the preferred means.

Given that cost imposition will occur whether persuasion or coercion is adopted as the model for human affairs, we can ask, which of these means facilitates cost imposition to a greater extent than the other? It is virtually self-evident that coercion (I speak here of the organized, centralized coercion of the state) is a substantially more efficient means than persuasion of imposing costs for three reasons: 1) If the consent of the victim is needed, only the "weak and the gullible" will tend to be exploited. When a person gives his informed consent to bear someone else's costs (e.g., a parent putting his son through law school), this proves that the person's subjective benefit from the transaction exceeds his monetary cost, and thus this type of arrangement is not a cost imposition at all; 2) Generally, cost imposition in voluntary relationships must rely on fraud and deception. This means that the cost imposition possibility is inherently limited by the ability to deceive the victim in the first place; 3) Finally, even if the fraud is originally successful, there is always the risk that the deception will be discovered in the future. In contrast, none of these limitations is present when the cost imposer has the organized coercion of law at his disposal: he need not obtain the victim's consent; therefore, he need not attempt to deceive the victim; thus, there is no subsequent risk of getting caught. The cost imposition was lawful from the start.

Since the organized coercion of the state is much more efficient than persuasion in imposing costs, it should be a primary human goal to limit, as far as possible, the use of state coercion as a means of dealing with social problems. To limit state power is to deprive cost imposers of their most efficient weapon. Libertarianism is the political theory which exceeds all other theories in opposing the use of state coercion. While some libertarians hold that the state should do nothing except protect persons from co-

ercion by others, more radical libertarians view the state itself as the great engine of coercion and exploitation. As French journalist Henri Lepage notes,

"militants of the new Libertarian movement... argue for no government at all. They take the implications of market economics to the limit. They denounce the incoherence of socialist and Marxist doctrines that preach the liberation of mankind while entrusting this liberation to the most authoritarian and regressive instrument that exists: the state. When society changes political systems, they contend, it exchanges one set of exploiters for another. Whether the government is capitalist and bourgeois, socialist and bureaucratic, decentralized, or self-administering, the results are no different save in the dimensions of repression. Although anarcho-capitalists share with leftists a number of violent criticisms of current society (for example, denunciation of the 'military-industrial complex', which they say governs the United States and led their country into the 'imperialist' Vietnam War), they criticize the blindness of leftists who condemn any form of capitalism. The iniquities of modern society arise not from markets but from distortion of markets. Society, assert libertarians, suffers not from unrestricted markets but from unrestricted government. We must privatize public services, suppress bureaucratic monopolies, and introduce competition and choice wherever possible. In the same way, we must eliminate subsidies, protective tariffs, and corporate privileges that improve the welfare of a class of bureaucrats and technocrats while reducing the welfare of other individuals, especially the poorest and least influential." [Tomorrow, Capitalism 158 (1978)].

[For a comprehensive defense of libertarianism, see, Murray N. Rothbard, *For a New Liberty* (rev. ed. 1978), available at Laissez-Faire Books on Mercer St. near Bleeker].

TWO BLS STUDENTS ELECTED TO NYSBA/LSD

Two Brooklyn Law School students were elected to executive positions in the Law Students Division of the New York State Bar Association at its annual meeting on April 21. James J. Bertini, a second year day student, was elected Chairman, and Michael A. Carlucci, a second year evening student was elected Treasurer. Christine J. Kicinski, a second year evening student, will be Brooklyn Law School's representative to the Law Students Division.

The annual meeting of the Law Students Division was held in conjunction with various NYSBA section meetings and the House of Delegates annual meeting at the New York Hilton Hotel on April 21 and 22. Dean Prince was a guest speaker at the Young Lawyers Section meeting and he discussed the hearsay rule under the proposed code of evidence for New York State.

The winners of the writing competition sponsored by the Law Student Division last winter were also announced at the Young Lawyers Section meeting. The first place winner, a New York Law School student, received \$250 and will have his essay on the Right to Privacy vs. Freedom of the Press in the Courtroom published in the NEW YORK STATE BAR JOURNAL.

In addition to sponsoring the writing competition, the Law Students Division is engaged in several other projects. The most ambitious project is the development of a temporary employment referral service, whereby an employer who needs a law student for a few hours or a few days of work can call an operator who will have a list of students available for part-time work. The Law Students Division is also responsible for sponsoring a panel presentation in each school in which various practitioners talk about their careers. BLS hosted such a presentation on April 27 at which six alumni spoke about their jobs.

Although a representative body of law students was first organized by the Bar in 1979-80, formal recognition was not granted to the Law Students Division until late in 1982. At that time, the Executive Committee of the Law Students Division consisted of representatives from nearly every law school in New York State. Today, only Cornell Law School is not represented on the Executive Committee.

Any New York State law student is eligible for membership in the Law Student Division. Annual dues are \$5 and membership includes:

- * Six issues per year of the STATE BAR NEWS, the official newspaper of the NYSBA.

- * Eight issues per year of the NEW YORK LAW DIGEST, a newsletter of the latest statutory and case law developments in all areas of New York State.

- * Six issues per year of the STATE BAR JOURNAL, a magazine of substantive and technical articles on timely legal topics.

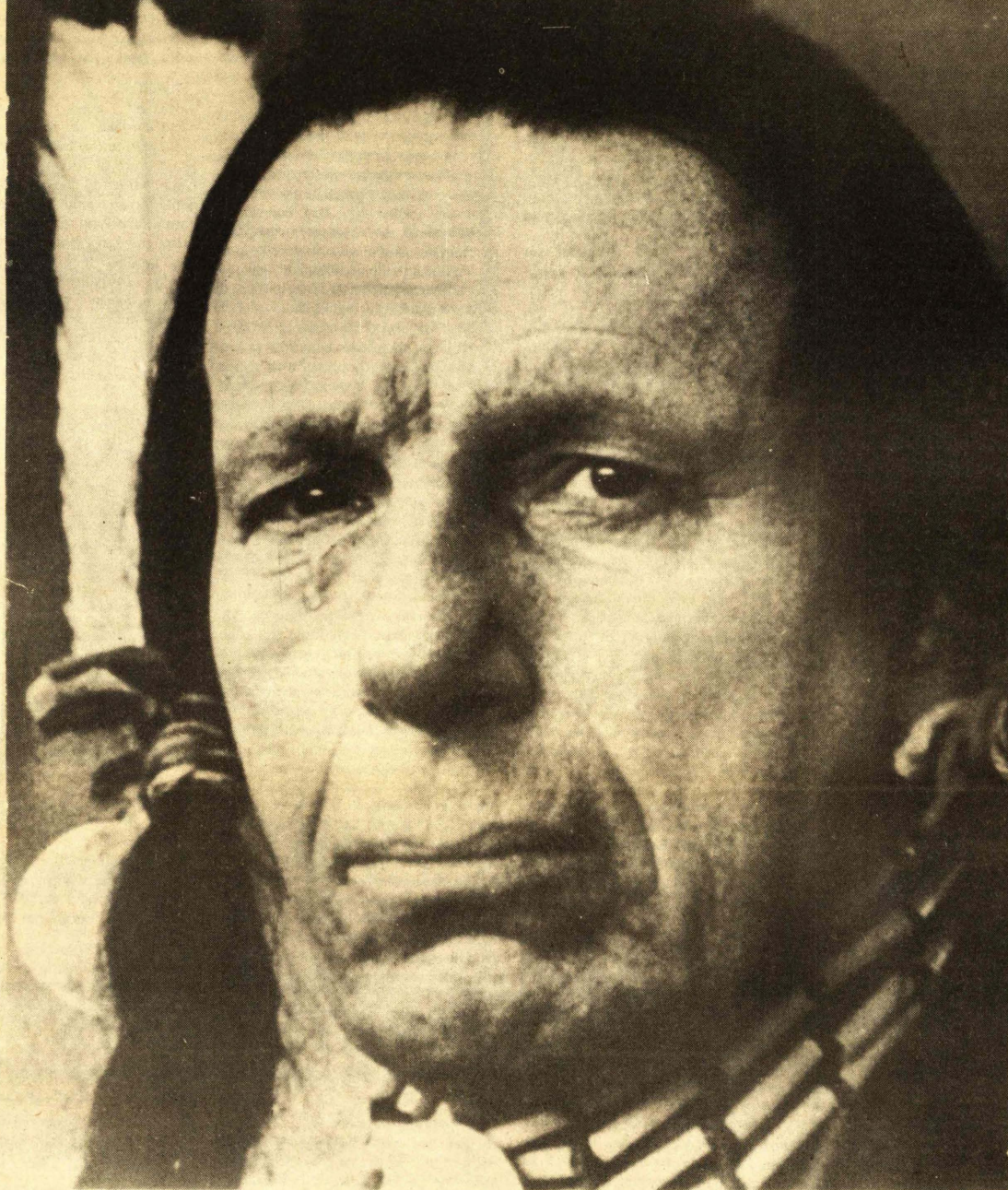
- * Guaranteed renewable, convertible term life insurance available up to a maximum of \$300,000 at the same low rates that regular members pay.

The address of the New York State Bar Association is One Elk Street, Albany, New York 12207.

SEMI-FORMAL REFUNDS

Because of inadequate interest, the SBA has been forced to cancel this year's semi-formal, which had been scheduled for May 1. All persons who signed up for the semi-formal may pick up refunds in the SBA Office, Room 403.

Keep America Beautiful



**In the fight against pollution,
we still have so far to go.**

The American Indian spoke this prayer:

"Oh great spirit, make my heart respect all you have made."

You can help restore that spirit by becoming a community volunteer. For further information, and the name of the Keep America Beautiful group nearest you, write:

Keep America Beautiful, Inc., 99 Park Avenue, NYC 10016.

People start pollution. People can stop it.

America: From Hitler to MX

By Anthony Paonita

Two films were shown at BLS in conjunction with Jobs With Peace week: *The Selling of the Pentagon* and *America: From Hitler to MX*.

The Selling of the Pentagon is a CBS documentary made in the early seventies during the Nixon-Kissinger phase of the Vietnam war. The government was not exactly pleased at the prospect of it being broadcast, and for good reason. "Selling" concerns itself with the public relations efforts of the armed services. These efforts take various forms, from stunt air shows to special tours for the American corporate and academic elite. The tour members were almost exclusively male. They were given baseball caps (astronaut style) with the camp insignia, and were transported about in a conveyance that looked like a mobile parade reviewing stand. War games were held for the guests' benefit, and the army trotted out all the heavy artillery. For a special treat, the boys were allowed to fire some real weapons. All came away from the experience with a heightened awareness of the necessity of military prowess.

The Department of Defense was in the film business for some time, and made scores of movies intended for church and civic groups. Most dramatized the Communist Menace. Lots of "bleeding maps" were featured, showing the red leeching into virgin blue areas on the globe. One particularly ludicrous example of the genre was excerpted at some length. It depicted a Communist takeover of a small American town. Naturally enough, the Commies were grim uniformed automatons, and the whole affair resembled *The Invasion of the Body-snatchers*. The hero's daughter at one point becomes one of "Them" and dedicates herself to "the glorious vanguard of the people's revolutionary movement." After seeing this, who wouldn't vote for the next arms increase?

America: From Hitler to MX is a documentary made last year, and has been shown at several venues throughout the New York area. Stylistically, it takes the form of interviews of retired generals, German peace movement activists, unionists, and neighbors of bomb manufacturing plants, etc., interspersed with clips of cruise missiles and the like on test. It sounds as if it would be pretty dry and boring, but that isn't the case. The curious title refers to the analysis developed in the film. The American arms buildup has deep institutional roots. Before and during WWII, American

industrial interests were hedging their bets and supporting both sides. German subsidiaries of General Motors, Ford, and ITT, among others, provided goods and services for the Nazi war effort. These activities were known to American officials, who were unwilling or unable to do anything about it (a book has just come out on the subject—*Trading with the Enemy*, by Charles Higham). Many of the interviewees noted that these companies' factories were strangely spared from the bombardment of enemy industrial installations.

The symbiotic relationship between industry and government continues to this day, accompanied by periodic Red scares to convince and persuade the skeptical. What emerges from all of this is that the United States has been the instigator all along in every stage of the arms race, and its motive has not been entirely a sincere desire to free the peoples from the yoke of communism. One of the most eloquent moments was watching the cruise missile on test. Picture a cylinder ten inches in diameter, and about eight feet long. Now picture it going past your living room window. When it reaches its target, Brooklyn is incinerated. You won't have to take finals.

I saw the Costa-Gavras film *Missing* on video a week ago, and it somehow fit in with the above-described documentaries. The State Department voiced strenuous objections to the movie, and the New York Times trotted out Flora Lewis to do a hatchet job on the front page of the Sunday Arts and Leisure section. She thought it preposterous that the United States had any direct involvement in the coup. In any event, I was trying to decide which form, documentary or narrative, was more effective in conveying a political message. Documentaries such as *America: From Hitler to MX* play mostly to the converted. The Selling of the Pentagon had a more captive audience, the average television viewer. It's unlikely that the former would find its way to the television screen under today's conditions. *Missing*, however, whether one agrees with its politics or not, is gripping drama that involves the audience on an emotional level AND makes a political point. Manipulative? Sure—but in view of the Government's access to manipulative tools and its ultimate ability to end it all, it's best to come at them with whatever method proves effective, for our very survival.

April, 1983 • JUSTINIAN • 9 NOW YOU SEE HIM...

A Lawmerrick

Anonymously submitted by Ron Kaplan

There once was a man who would be Dean,

His motives were a bit obscene,
Though the job he'd begrudge,
Soon enough he'd be judge,
BLS is just filler between.

DELANCEY STREET

Streetlamps shut themselves in perfect time
With the changing of the prostitute guard
On the crumbling doorstep of Surchow's
Surgical Supply.
A profiled figure swings a wooden stick
As pigeons circle overhead
And has-beens squirt diluted Windex
Toward commuting vehicles headed up town.

Ratner's is known for its blintzes, you know,
Reb Grotzky once lived over there to the left.

Elderly women, toting their histories
Shuffle from corner to corner
Collecting odd shoes;
Relishing the special sauce remains
On polyurethane McDonald's boxes.
Steel haired officers direct the ceaseless stream
Of carpools first off the bridge,
Then on through Chinatown
Where ethnic solidarity is kept secure
By frequent visits to the
Peking Duck House.

No one eats at Ratner's anymore.

Ellen Diane Smolinsky

... Legal Services

Continued from page 3

In 1982, Congress funded LSC through a continuing resolution and imposed restrictions on service delivery. (1) LSC cannot represent clients in federal or state legislative forums. (2) LSC may not represent "aliens"—even permanent aliens with legal admission in any proceedings, not only deportation. The measure prohibits access to legal services on the basis of status. The Supreme Court has prohibited status-based adjudications in adult criminal proceedings as violative of due process. (3) State and local bar associations appoint members of boards which govern local LSC offices. The majority of these boards must consist of attorneys. The panel on Legal Services suggests that although this measure was intended as a restriction it has worked favorably for some LSC offices.

The ABA in Washington, D.C., for example has assisted the LSC. Many local bar associations, however, are anti-LSC. They are opposed to the organization's mandate and goals. This measure also creates potential liability of bar associations for LSC conduct, according to the panel, and therefore may inhibit bar associations from acting in the best interests of the organizations and its clients.

The proposed McDonald amendment (#3480) to the Legal Services Act would deny representation by LSC to homosexuals in any civil proceeding. The panelists and conferees questioned the constitutionality of this proposal. Panelists emphasized the necessity for legislation which would protect homosexuals from such discrimination and also for legislation protecting heterosexuals and homosexuals from employment discrimination.

Fortunately, the McDonald amendment has not been passed. The Panel on Legal Services urged conferees to support a reauthorization bill for the Legal Services Act (1974) which, in effect, has died. Although LSC remains bound by provisions of the Act (authorization of 1980), including §1010C, the continuing resolutions have imposed the above restrictions which a total revitalization of the original Act would obviate.

In addition, Congress has allocated 10% of the LSC budget to local bar associations for the purported purpose of involving private attorneys in pro bono litigation for the "poor." One panelist discussed how the bar association in Washington used its 10% to create a "Private Bar Involvement Unit" which recruits new and recently retired attorneys for co-counseling in "poverty law."

The unit conducts two-day seminars in four areas of law: 1) consumer protection, 2) family and domestic relations, 3) land-

lord/tenant and 4) public benefits/entitlement programs. The Involvement Unit also assigns co-counsel to each recruit to assist in the administrative and judicial processes because the new lawyers lack experience in these areas. The Unit estimates that 400 lawyers will litigate 800 pro bono cases. The Unit makes constructive use of valuable federal funding.

The Private Bar Involvement Unit mailed invitations to each of the 24,000 local and 38,000 national barmembers of the D.C. Bar Association. The Unit received 300 responses, but since less than 5% of the members are actually available in D.C., the response was termed "pretty good." The panel also suggested that private attorneys establish "combination of client trust funds" which support legal services with approval by the clients. This method of support has been implemented to some extent in Idaho, Florida, and California.

The Massachusetts court system tacks a surcharge of \$5.00 to court fees which helps support funding of state LSC offices.

One of the more favorable impressions left by the conference was the recognition of clients as victims of the legal process, educators, and human resources. Many panels consisted of lawyers, paralegals, other professionals and clients. The panel on Legal Services requested three conferees to comment on LSC and access in South Carolina. These three women worked in the Department of Social Services (DSS) and would ordinarily be able to refer their clients to LSC if legal problems arose. The Division of Welfare Fraud, however, currently commences criminal proceedings against recipients whom it suspects of fraud. Since LSC cannot provide representation in criminal proceedings, this action serves to cutoff the recipients access to LSC. The recipients are entitled to administrative review as a matter of due process before DSS can recoup any part or all of the benefits.

All affected organizations and groups must build coalitions to enlighten our representatives. As one panelist phrased it, the struggle is between "social responsibility and individualism."

Private Bar Associations, even those with good intentions and constructive programs, cannot replace the Legal Services Corporation and other public interest clinics. The LSC cannot provide effective services and fulfill its goals without adequate and sufficient funding.

One LSC office in New York City seeks a theory to support a constitutional right to counsel for indigent defendants in eviction proceedings. This is a step toward social responsibility—which this administration seeks to quash through "the power of the purse."

**VOTE EARLY
VOTE OFTEN
SBA ELECTIONS**

May 2 and 3

Published by BrooklynWorks, 1983

STUDENT FARE

by Joan Gottesman

This is the last issue before summer is upon us, and I'd like to leave you with a few random recipes for good eating without effort. To get yourself in the proper frame of mind, try some

Pina (or anything else) Coladas

Pour ½ of 46-oz. can of pineapple juice, ½ small can of cream of coconut, some crushed pineapple or 1 pint strawberries or mango slices or other fruit in a blender and blend. Add as much rum as you can take, and ice cubes, or pour over crushed ice.

★ ★ ★

Soup is a light summer snack that adds a festive touch because most people don't make a soup course for themselves, so to the people you may have invited, it signifies special effort. Here are two; the first has a strong flavor, the second is milder.

Soup with Sherry

1 can Campbell's consommé
1 can Campbell's tomato soup
2 cans Campbell's green pea soup
1 Campbell's can filled with water
small can crabmeat, about three ozs.
½ cup sherry

Put all in a pot, adding sherry last. Bring just to boiling point and serve.

Leek and Potato Soup

3 or 4 cups potatoes, peeled and sliced or diced
3 cups thinly sliced leeks or yellow onions
2 qts. water
1 tbs. salt

Put all in large pot and simmer 40-50 minutes partly covered. Mash or put through food mill or processor. Set aside uncovered until just before serving. To serve, reheat, then stir in 2-3 tbs. softened butter, and sprinkle with minced parsley or chives.

★ ★ ★

A delicious, hearty salad can be made from potatoes, ham, cheese, and asparagus, in a vinaigrette dressing. This can be served warm or cold on a bed of lettuce leaves.

Potato Salad

Wash some potatoes well, but do not peel.

Slice into ½ inch thick slices and drop into boiling water to cover. (Russet potatoes taste fantastic but any kind will do.) Lower flame and cook potatoes until tender when pierced with fork. Drain and put in large bowl.

Add lightly steamed asparagus spears, cut in short pieces.

Add small cubes of ham, and cubes of Swiss cheese.

Toss in mixture of salt, pepper, vinegar, oil, and a teaspoon or two of mustard (Deli kind or Dijon)

★ ★ ★

This dish is fun to bring to a potluck dinner or to serve at home.

Cold Sesame Noodles

Sorry, folks, but you're a bit on your own for this one as far as proportions go. Start with small amounts and add a little more of one or another ingredient to taste. It should make a sauce which is quite thick and not really wet, so it coats the noodles without leaving a puddle in the bottom of the dish.

Chop up real fine 2 or three garlic cloves, and about three scallions, bulb and green stem. Also chop a little of some of the bottled, cooked Italian red peppers. Add some soy sauce, the strong-tasting sesame oil (not Hain brand type), and some chunky peanut butter. Mix this until well-blended. Add a dash of hot pepper oil or some hot pepper flakes. There should be a pronounced peanut-sesame flavor. Cook up about a pound and a half of spaghetti, drain and run under cold water. Drain again and toss with sauce.

★ ★ ★ *The Justinian*, Vol. 1983 [1983], Iss. 3, Art. 2

If all this is making you feel fat, here is a low-calorie mini meal that will help you feel less deprived while others munch around you. It smells good while cooking, warms you up inside, and is so fast to make you get instant gratification.

Guiltless Mushrooms

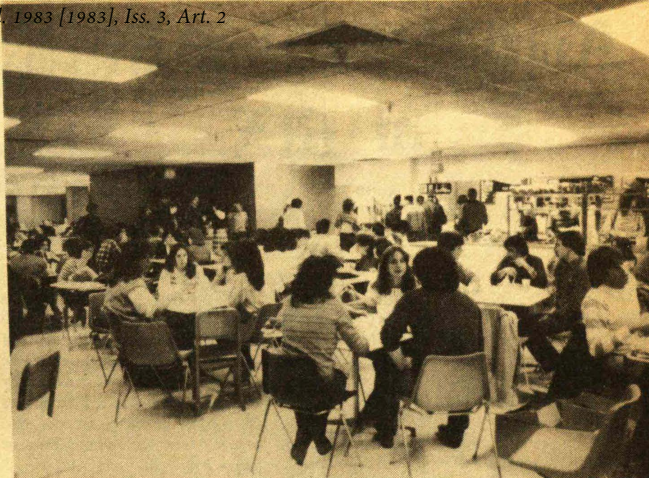
Empty a small can of button mushrooms and their liquid into a small pot. Shake in a few shakes of garlic powder and oregano. Heat to boiling point and eat like soup.

★ ★ ★

I would like to wish you all a wonderful summer, and, in closing this column for this year, I'd like to dedicate this last recipe to all those law students who, like myself, have found themselves cutting off their wooly locks, stuffing themselves into suits, polishing their shoes, trying to look sober and reliable.

Camp Chow

Lightly oil a large skillet. Slice some hot dogs and brown them in the skillet. Push the hot dog slices to the side, and melt some Velveeta or American cheese in the pot. Add a can or two of baked beans, stirring and scraping with a spatula so everything blends together. Add a little bit of ketchup, a spoon or two of Gulden's mustard,



THE BLS CAFETERIA: NOT RECOMMENDED

and some maple syrup. Scrape and stir to shovel it in like they used to on the old blend. Put some of this on a tin plate, with cowboy movies. Try to forget you're supposed to become a partner in a corporate or low stool, put your elbows on your law firm. Pretend you already passed the knees, grab your fork in your first, and Bar. Good luck!



Marino-Josephson/BRC

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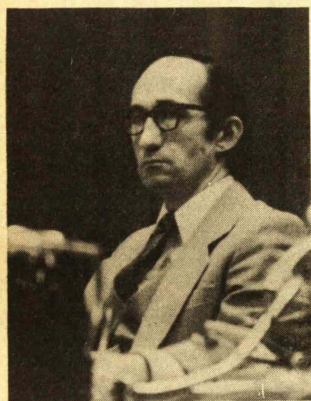
John Audick, Esq.
Eastern Regional Director
Josephson BRC and
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P.S. This offer is of limited duration, so act now!

KUDOS FOR PROFS

et al.: The Justinian

Continued from page 1



Richard Farrell

"Always passes the basket ball on a two-on-one fast break."

"Witty, bright, knows his stuff. Keeps his class interested and is interested in his students when class is over."

"Entertaining, articulate, and no bull-shit."

"He is very concerned with the needs of his students."

"Excellent teaching ability."

"Participation in all school activities, all around good guy."

"Amazing knowledge in his fields."

Bailey Kuklin

"He's informed, entertaining, and cares about the development of his students. He's the greatest!"

"A thought-provoking, excellent instructor, a very much student oriented instructor and administrator; a very good and caring all around human being."

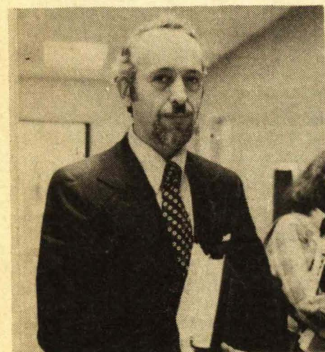
"Knows his subject-matter cold. Able to convey subject-matter with clarity, patience, and humor."

"Is sincere about his 'open door policy' and is always helpful. I have the utmost respect for him as a professor and a person."

"Witty, inventive, challenging, makes you use your full potential. You learn what the law is and not black-letter law."

"He's the brightest and the most entertaining plus he's got sex appeal."

"The rest are no better than average."



Robert Hahl

"He is the most intellectually challenging teacher at Brooklyn Law School—and has the best sense of humor!"

"Speak to him out of class and you'll see a man with true emotions and a love for life."

"Doesn't treat anything as cut and dry."

"Extreme intelligence."

"I'm loving him."

"Best-organized, prepared, informative, as well as making me think and question rather than spoon-feeding me information."

"Putman."

Richard Allan: "Because aside from being competent he is accessible to students."

Ursula Bentele: "Cares about the student."

Margaret Berger: "Brilliant, depth of knowledge, promotes good class discussion."

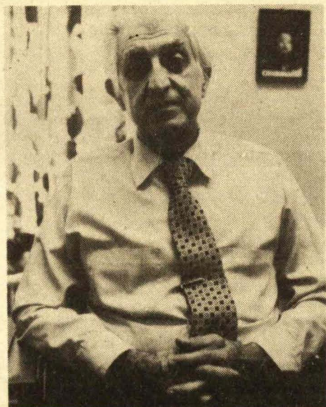
Barbara Brudno: "Outstanding personal interest and preparedness."

"Why not?"

Rhonda Copelon: "Incredibly impressive brain and command of subject-matter. She really gives up her self and her time. Can speak (fascinatingly) for hours without notes. Her extreme dedication and enthusiasm are contagious. She really fires you up."

Joseph Crea: "Anybody who makes corporations interesting deserves this a ward."

"Because the man has gone off his rocker and is giving 90s like crazy."



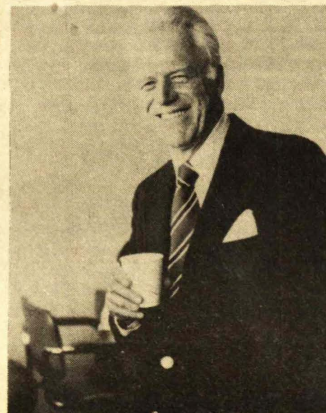
Albert DeMeo: "A rare breed, stimulating but not intimidating."



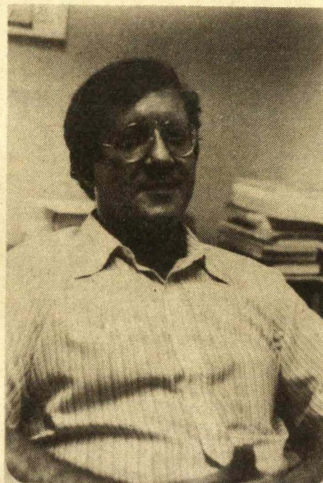
Marsha Garrison: "She conducted juvenile justice in a very interesting and informative manner."

Michael Gerber: "Gave me a job."

"Provides moral support and humor."



Gerard Gilbride: "Gets his work done, presents and explains well and is very accessible to students."



Joel Gora: "He interests the students in ideas, removes the fear of participation, and stimulates the students to achieve. He is never acrimonious, spiteful, petty, or intimidating."

"Most professional."

"Intelligent, lucid, sweet, cute and on top of all that, extremely responsive to student problems. One of the most committed people ever."

Martin Hauptman: "Dedicated."

Susan Herman: "Most literate; most professional; most respected by intellectuals; best looking, nicest smile."

"Energetic and enthusiastic approach to legal education; helpful with students."

Henry Mark Holzer: "Makes you work hard and love it. He convinces you the subject is very important. He always covers what he assigns."

Karen Hutson: "Only professor I felt was well-prepared and cared."

Samuel Hoffman: "Devastating good looks; kind demeanor; good drinking buddy."

"Keeps the school name in the papers; knows whereof he speaks."

"He is the law."

"He's a doll."

Samuel Kaynard: "For his moustache."

Lewis Kerman: "His wardrobe and his haircut."

Jerome Leitner: "Vibrant, brilliant, funny, dedicated, caring."

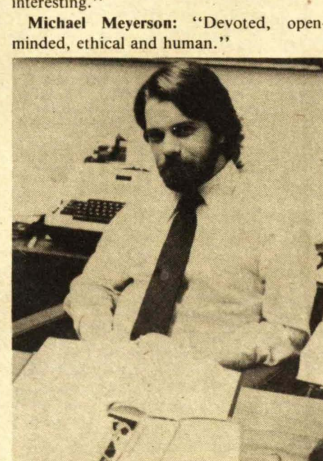
"Very articulate and superb communicator of ideas and concepts. The man commands respect and deserves it."

"Most theatrical."

Henry Lerner: "I am thanks to him."

"Made trademarks comprehensible and interesting."

Michael Meyerson: "Devoted, open-minded, ethical and human."



Gary Minda: "He is the most (and possibly only) concerned with making law school a human and humane experience, and with treating students as people."

Fabian Palomino: "His best semester

yet."

"He best illustrates a major reason one should go to Brooklyn Law School: To get a better job someplace else."

"Minimal work, respectable grades, too bad he's gone, also a nice Italian boy."

"He has helped BLS students get jobs in government, plus he's a nice guy."

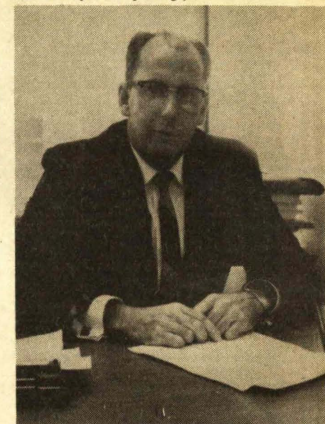
Norman Poser: "Runs a very informative, enjoyable class, and manages to relate Gilbert and Sullivan to corporate matters."

"Aside from being a brilliant man, he's the most inspirational and interesting professor I've ever come across. He's made my three years at BLS very worthwhile."

Jerome Prince: "What can you say about greatness."

"I like his picture in the Moot Court Room."

Kathy Roberts: "Absolutely superb, very gifted, great motivator, uses criticism constructively and sparingly."



John Ronayne: "Excellent instructor, best I've had since I've been in Brooklyn Law School."

"Toughie."

"He's a no-nonsense kind of guy."

Deborah Schenk: "She's the only professor in the school who exercises any creativity in her teaching methods. In other words, she teaches law from a practical (non-Socratic) point of view and she's approachable."

Gary Schultze: "His leadership and direction in heading the clinical program is to be admired and rewarded."

Paul Sherman: "Teaches the widest range of courses; one of the best lecturers in this school; he also gave up his time to advise and coach the International Moot Court Team in spite of the fact he is incredibly busy with his forthcoming book and the clerkship committee."

Jeffrey Slonim: "Good people."

"Fair (albeit harsh) grader. Taught me a lot about legal writing."

Leon Wein: "It's mein."

"Great."

"Humorous."

"Very animated, knows his subjects

cold."

Philip Young: "The clearest professor in the school; Also Adam Pollack's favorite."

"For being what he is."

Barry Zaretsky: "He makes a very difficult and potentially very boring topic (Sales) come alive. He's clear, precise, articulate, and funny."

Professors who received votes without comments include: Milton Gershenson, Joseph Masterson, John Meehan, Susan Pouncey, and Marilyn Walter.

Other entries included: Professor Galbraith (?) ("Who always welcomes the human side"), Stephen Emmanuel, and one student, speaking for several who we met at the ballot box, voted for "No One." "Because the pedagogy inherent in the law seems more attuned to narrowing minds than freeing them. I can't in good faith vote for anyone regardless of my personal likes and dislikes."

Professor Fullerton will receive a plaque from the *Justinian* at an open reception in the student lounge from 4-6 on Wednesday, May 4th.

Statements of SBA Candidates Curriculum

President:
Mary Malet

Vice President:
Mitch Greebel

Once the two of us decided to run together on a ticket for positions in the upcoming SBA election, it was time to establish our purpose in doing so. After reviewing this past SBA administration record and its persistent communication problems and adding to that the appointment of a new Dean, it was quite obvious that whoever was elected would more than have their work cut out for them.

Clearly the number one priority for the average BLS student is the ability to find and secure a job upon graduation. Though we have a "placement office" here at BLS, no one would say it could not be better. It would be our desire and major concern to improve this greatly. We would like to see a full-time individual working in the field trying at least to make contacts. Though there are a few law schools nearby with better reputations and therefore more contacts, it is simply unrealistic to think that BLS has even begun to tap the vast Alumni resources in the New York area. It is our opinion that much work must be done in this area in order for us to justify turning out some 400 lawyers per year.

The positions of SBA President and Vice President will require time, energy and more importantly, a sense of responsibility and duty to the school itself. Whether it be Budget Committee or running an intramural sports activity, we have assumed such responsibility in the past and feel very confident about doing so in the future.

However, it is not our intention to do everything on our own. Learning from past mistakes tells us that it is imperative that the Officers themselves work together not only with the SBA delegates but with anyone who has any interest whatsoever in anything that affects us as BLS students.

We are not making any promises about what we will accomplish in the final analysis, yet we are promising that we will work with all our energies and strength toward our shared goals.

LSD Rep:
Philip Russell

The LSD representative's position has tremendous potential. Brooklyn Law Students don't realize this because we've traditionally elected mediocre people to this position. But from speaking this Spring with LSD reps from other New York area schools, from attending LSD meetings in this area, and from my involvement in SBA activities, I've become acutely aware of the enormous potential for money, prestige, career opportunities and educational benefits which the ABA/LSD has to offer its active member schools.

A vocal, active, and gregarious representative can bring exciting LSD programming to a variety of existing BLS student activities. S/He can bring in funding from a variety of sources, and can ensure the placement of eligible BLS students in a host of career oriented liaison and advisory posts within the national organization. S/He can help to develop a strong working relationship with the national organization. S/He can help to develop a strong working relationship with the national organization. S/He can help to develop a strong working relationship with the national organization.

President:
Mary Zaslofsky

My name is **Mary Zaslofsky**, and I'm running for SBA President with Anette Bonelli for Vice-President. Valerie Bailey for Evening Vice-President, Lisa Heide Gordon for Secretary, and Lance Dandridge for Treasurer.

Our priorities include insuring that clinical placements are made available to all students who want them, rescheduling exams so that they won't conflict with holidays or third year bar review courses, expanding the placement office's evening hours and services (instituting an alumni/student job match-up program), and establishing a student/faculty day care facility.

As an active participant in student activities including the Citywide Careers day held at Brooklyn Law in February, 1983, I would be a strong advocate for more career-oriented activities.

Sec'y:
Lisa Heide Gordon

With the onset of a new administration the Student Bar Association finds itself at a crossroad. At this juncture it is incumbent upon the elected representatives of the student body to make our collective priorities known. We must be involved in creating and effectuating those school policies which are so crucial to our legal education and our opportunities in the legal profession. We must work closely with the Deans and the faculty to ensure that the needs of all students are met.

I am running for secretary of the S.B.A. because I am committed to accomplishing this goal. I endorse the candidacies of Mary Zaslofsky for President; Anette Bonelli and Valerie Bailey for day and evening Vice-President respectively; and Lance Dandridge for Treasurer; because they too share the same perception of the role of student government at this school. My colleagues and I advocate the securing of a strong commitment on the part of the administration to:

1) aggressively pursue the goals of Affirmative Action especially the hiring of minorities and women for tenure track faculty positions;

2) provide the opportunity for a clinical placement to every student regardless of class rank;

3) change the present semester schedule to allow for finals before Christmas and to end spring finals before the bar courses begin;

4) aggressively work to improve the services of the placement office by holding a job fair, and to improve ties with alumni;

5) provide more school services for evening students including expanded hours for the placement office and cafeteria.

In my past year's experience as an S.B.A. delegate, I learned that a smooth functioning S.B.A. is crucial to achieving the aforementioned goals. I propose that the S.B.A. committees be streamlined. New committees must be formed which will respond to the immediate needs of students. Ineffective committees should be dissolved. Furthermore, the duties of each executive position must be clearly delineated. Ultimately, the S.B.A. constitution must be studied and revised to more efficiently provide for these changes.

V.P.:
Annette Bonelli

I am running for the position of vice-president of the SBA with Mary Zaslofsky, Lisa Heide Gordon, Lance Dandridge and Valerie Bailey. My goals are to make the SBA more responsive to the students' needs. In addition to continuing the traditionally successful SBA parties, I will encourage the institution of a day care center, the availability of the services of the Placement Office during evening hours for evening students, and the re-scheduling of fall semester exams so that the study and exam period is not unbearably long. One of the major issues that I strongly support is increasing the accessibility of the clinical program to every student. For example, grades should not be required on the application for clinics, although the student may elect to submit his or her grades. Many factors, such as past experience and extracurricular activities, help determine a student's ability to perform well in a clinic. These factors may be overlooked if the administrator finds it more efficient to eliminate applicants below a certain class rank. BLS prides itself on its clinical program and many students have chosen to attend this school because of the clinics. A clinic should be as available as any other course.

My participation in student groups during this past year will be an asset to me as vice-president of the SBA. As a member of LAW, I organized a program on employment discrimination and attended a conference in Washington, D.C., on Women and the Law. I am also a member of the Critical Legal Studies Group, which is considering plans for a day care center. I realize the importance and relevance to law studies, of student groups, and will advocate budgeting more money to student groups.

Vote for student interests. Vote for **Anette Bonelli**.

DAY CARE POLL

During this year's SBA Elections, students will be asked their views on the issue of having day care available at Brooklyn Law School. The SBA will distribute a questionnaire which will solicit student views of whether day care should be offered to children of BLS students and, if so, how and when such day care should be offered.

Continued from page 1

solving litigation problems but because it is intertwined with substantive first year courses, less time can be devoted to legal procedure in those courses.

The Committee then decided that since the legal writing/legal process courses were only introduced in 1980, any changes at this time would be premature. In addition no recommendations were made concerning the Clinical Programs, though an evaluation is anticipated from Dean Trager.

The only changes suggested in regard to the upperclass curriculum was in offering a choice between a one semester four (4) credit course in Evidence and a two semester six (6) credit course, as is presently offered.

The Committee noted the sharp distinction between the current approaches of the various Evidence professors: While some Evidence classes are wholly New York Evidence Law oriented, others are Federal/general in their approach. The proposed (4) credit Evidence class would continue the general approach while the (6) credit Evidence class would teach New York Evidence.

The Committee felt itself pressed for time and therefore reserved any judgment on other proposed changes for the second, third, and fourth year courses.

The Committee has recommended the following:

1) That Constitutional Law be a (5) credit course, with the incorporation of the material taught in Civil Liberties (2 credit elective) and that a new course be offered entitled "Advanced Problems in Constitutional Law,"

2) that Civil Procedure be a (5) credit course,

3) that Criminal Law remain a (3) credit course,

4) that Contracts, Torts, and Property each become (5) credit courses,

5) that Evidence be offered as a (6) credit course and as a (4) credit course and that an "Advanced Evidence Elective" be offered.

A quick assessment of the Committee's recommendations:

1) In reducing some of the substantive content of first year courses students will now be hard pressed to take an increased number of electives for such things as landlord-tenant law, products liability, and article 2 of the U.C.C.;

2) It is imperative that the Curriculum Committee continues to meet and address the necessary changes in the second, third and fourth year courses and especially the Legal Writing/Legal Process courses;

3) The Committee has begun a difficult task and is to be commended for and encouraged to continue its diligence, responsiveness, and its open-minded approach.

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