

# The Justinian

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## The Justinian

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## A CHAT WITH THE DEAN

By Adam Pollock  
and David Howe

Newly appointed Dean David Trager graduated from Harvard Law School in 1963. Thereafter he served as a clerk for the New York Court of Appeals. Before teaching at BLS, he pursued a career in public service; most notable was his tenure as United States Attorney for the Eastern District of New York. Dean Trager is a Republican, with a wife, children, a car and a home in Brooklyn.

The following are segments of an interview between two members of the editorial collective and Dean Trager, on July 26, 1983.

There has been of late a renewed call both to lawyers and to law schools to reappraise their values in society. As well, numerous critics have voiced concern that the legal profession's propensity for litigation has fostered an adversarial, rather than a problem-solving atmosphere. The ABA Code of Ethics is a case in point, as it raised the issue as to whom the attorney ultimately owes a duty: the client or society.

In our discussions, Dean Trager, in response to the critic's claims, views the legal system as the "Glue that keeps society together" rather than as an instrument which serves to break it apart. It is the "major contribution which America has made, especially in the area of human rights and peaceful change in our society."

When questioned as to whether negotiation and arbitration could achieve the same result, the dean expressed some reservations. Although he places value in the use of arbitration and negotiation in the resolution of disputes, the "system must first build an incentive for its use." However, "neither negotiation or arbitration could have brought about the decision in *Brown vs. Board of Education*; It is in the context of litigation—the defining of rights which created a climate for *Brown*."

*Does Brooklyn Law School contribute to the fostering and refinement of this climate?*

"Yes, it develops a species of litigators with a recognition of others' rights."

*Is the traditional legal education out of step with this quickening change in societal values?*

"What counts is quality and standards not a changing curriculum which develops a student's aspirations or goals."

Dean Trager intends to make BLS the best regional law school in the New York City area. It should not be understood that we will be number one, rather than number three after N.Y.U. and Columbia. For instance, "this year we offered the greatest number of elective courses, such as legal history, urban law and the bill drafting seminar, some of which were either never offered or not given in a long time."

The clinical program "now has more placements (centers at which students participate) than ever before. The clinical program has changed to the point where placements are coming to us and now we have to determine if these placements are suitable for our candidates." There are plans to expand the clinical offerings to include the Governor's Counsel's Office, Carol Bellamy's Office, the Borough and City Counsel Offices.

As our readers may recall, last year's controversy centered on Professor Holzer when he requested that students wishing to enroll in the clinical program submit their grades and a resume. Dean Trager responded that it always was (and continues to be) the placement centers, not the school, which request this information.

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eight and 10 percent of our student population



Dean David Trager

is composed of minority students. Dean Trager intends to raise that number to 10 to 15 percent. As far as Dean Trager knows, no minority applicant who was accepted had been unable to attend due to financial reasons. BLS has always put together a financial aid package acceptable to the applicant.

Dean Trager was very excited about future plans for BLS. The most dramatic is the upcoming purchase of the Republic National Bank building on the corner of Fulton & Adams streets. This will increase BLS's physical space by fifty percent. The new addition will be connected by a walkway over Adams Street and will house student services and organizations, a lounge, a new cafeteria and locker rooms. It will also allow for increased faculty offices and additional seminar rooms.

Such an expansion, aside from solving the present severe space problems at BLS, would also contribute to the development of the downtown Brooklyn area.

The expansion would also allow for the further growth and improvement of the law school library, making it the third largest in New York City (number three again). Plans are under way to establish a computer lab at BLS, with assistance from Brooklyn Poly-Tech.

Another recent addition at BLS is the Summer Stipend Program. "This new program should produce long-term dividends." The school will be paying the faculty to do research during the summer, which "will both enhance the reputation of the law school and provide for a better informed and skilled faculty." Hopefully the dividends will pay off for the students as well since it is their investment capital.

Another anticipated development is a continuing legal education program taught by and for alumni. This is consistent with Dean Trager's development of the Alumni Association. Tentatively, the first program will be on the use of computers in the legal profession. This program will be formulated with assistance from Brooklyn Poly-Tech. The high start-up costs for these programs will come from student tuition. However, a fee will be charged for participants and it is anticipated that the program will soon thereafter be self-supporting and even generate funds back into the law school. The long-term effect is to heighten alumni support for BLS.

Rebuilding alumni support for the law school is a priority with the dean. In a hypothetical situation Dean Trager spoke of "those instances where sons and daughters of alumni who are borderline cases in regards to admittance...Consideration should go to those candidates whose

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## KERMAN CANNED; DILLER DUMPED

By Allan Young

In an unexpected summer move, the new Trager administration fired Lewis H. Kerman, Assistant Dean for Administration and Student Services, and Marvin Diller, Director of the Alumni Office. Dean Kerman's position was immediately filled by Robin H. Siskin, a Cardozo '82 graduate and member of the New York Bar who, until Kerman's dismissal had served in a secretarial capacity on the ninth floor.

While Siskin retains many of the functions that Kerman held as ombudsman, advisor to student organizations, and overseer of such daily matters as classroom schedules, lockers, photocopying, and housing, some duties have been assigned to other offices; Registrar Jennie Elia, for instance, will schedule all exams, and academic counseling will fall under the aegis of Dean George Johnson.

Ironically, Kerman was notified of his termination on the anniversary of his third year at Brooklyn Law School and one day before the official installation of David Trager as dean. According to Kerman, he returned from a short vacation on June 30 faced with work which had accumulated during that time. Seeking advice on one particular problem, Kerman approached Dean Johnson who suggested that "Dave wants to be in on this." Johnson told Kerman that the school could no longer justify his presence in the budget due to administrative reorganization. Trager broke in to suggest that a "settlement" could be worked out. Although astonished by the news, Kerman left the office without discussion. "I would never go begging for a job, especially that one," he said later in a telephone interview.

Upon his return to Trager's office with his proposal for a severance settlement, Kerman expressed his desire to be out in three weeks. "Make it by Friday," was Trager's answer, an apparent reference to July 8. Kerman spent part of that time contacting old students who "might need letters of recommendation or even general advice" in the future. In a July 5 memorandum mailed to all of his legal writing students, Kerman's bewilderment was still apparent. "For reasons somewhat unclear to me," the letter began, "Brooklyn Law School has terminated my affiliation..."

Both Trager and Johnson have refused to comment on the dismissals. Marvin Diller, reached by phone, said of his own discharge, "I'd rather not discuss it."

Kerman, however, was more willing to talk about the incident. It was no secret, he noted, that he had been looking for another job within the past year because of his displeasure with the \$30,000 salary at BLS. Although offered several jobs during the school year, he declined them because of his obligations to BLS, he said. Kerman, at age 30, is holder of both M.B.A. and J.D. degrees from Rutgers University. "Who else would be happy with that kind of salary seven, eight years out of law school?" he commented. "I understand that the rock-bottom salary for assistant professors is \$30,000 and they work a nine-month year. I was serving as a dean and a writing instructor, and worked a twelve-month year."

Kerman suggested that there was more to his termination than "administrative reorganization." An important factor, he said, was due to personal friction between him and Professors Henry Mark Holzer and Margaret Berger, both of whom have recently been given influential new administrative duties and new offices.

One encounter is illustrative of the ill-which erupted into what Kerman terms a

"violent confrontation" with Holzer: a student of Holzer's who received a 50 because of absence, sought counseling from Kerman who agreed to talk to Prof. Holzer to explain what Kerman felt the professor might consider a valid reason for the student's absence. Holzer reacted by circulating a memo within the administration and faculty accusing Kerman of meddling and demanding his appearance before the Scholastic Standing Committee as a witness to testify about his relationship with students who come to him with grievances.

Similarly, tension exploded into confrontation when Prof. Berger, according to Kerman, wanted to rearrange a student's exam schedule without consultation with Kerman's office and on another occasion "barged into" his office during a private meeting because of a problem with the photocopying of some material she wanted.

Kerman admits that his feelings about the reasons behind his dismissal are speculative, but notes that they explain a theory more plausible than "administrative reorganiza-

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Lewis H. Kerman

## SPIRALING TUITION

"I don't feel uncomfortable about the tuition increase...if you want a quality education, you can't buy it cheap."

This is Dean Trager's position on the recent tuition increase. Furthermore, the Dean feels that the present BLS tuition is not out of line with comparable law schools.

The Dean admitted that the practice in the last few years of not notifying students of tuition increases until late summer was a legitimate student complaint and posed a hardship. He promised in the future that notification would be sent by June.

As far as increases in the future, Dean Trager vowed "I'll never get out of line with the other law schools."

On a more optimistic note, Dean Trager pointed out that BLS's non-affiliation with a university is not a drawback in the light of recent economic changes in higher educational institutions, that BLS students are getting more for their money than if the law school were university-affiliated.

The Justinian plans to further investigate the procedures whereby tuition is determined as the issue is of major concern to the student body at large. This area, as is the case with many administrative procedures at BLS is shrouded in mystery.



# Justinian

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## EDITORIALS

### NATIONALISM V. REGIONALISM

In his address to the in-coming class, Dean Trager raised several issues which deserve careful attention within the law school community. Among these is the place of black letter law in legal education. Dean Trager stated that "both the craft and the art of law must be mastered by aspiring lawyers." With this we wholeheartedly agree. Brooklyn Law School has long been labeled by some members of the legal community as a regional school, one that produces lawyers trained mainly in the substantive law of New York. In recent years Brooklyn Law School has attempted to shift its curriculum to a more national, theoretical focus. This may be an improvement, but is it enough? Offering such courses as jurisprudence and legal history is a step in the right direction. But there must be a fundamental change in the way the so-called "core" courses are taught in this school. Courses such as torts and property may be taught as explanations of New York statutes or they may be something more. They may involve the student in a consideration of some of the most important aspects of societal interaction. If Brooklyn is to improve its stature in the legal community, it must include more of the latter. Courses should not be taught entirely on a theoretical basis, but a better mix would go far in improving the quality of education at Brooklyn Law School.

Yet while the quality of the school is improved by moving away from a regional outlook, the administration must not shift its focus from the student community it has traditionally served. Although the prestige of the school will surely be enhanced if a larger percentage of the students are culled from ivy leave colleges, BLS should not ignore its history of being a steppingstone for working class and minority students who would otherwise not have a chance to enter the legal profession. The existence of the evening division is an important asset of the school. It serves a local, regional community. We commend the administration's intent to raise minority student enrollment to 10 to 14 percent and hope that while the school becomes national in status, it will continue to serve the community.

### CHILD CARE AT BLS

Professor Gary Minda and several students have been working on a proposal to establish a day care center at Brooklyn Law School. The need for such a center was identified through a survey conducted last spring during the S.B.A. elections.

Now that the purchase of the Republic National Bank building seems a reality, concrete plans for including a day care center in the new facilities can be thought of as an essential and integral part of the school, and its new image. If Brooklyn Law School is to attract a more elite and more aware student body, the administration must accept the fact that sex roles are changing, as is the structure of the American family, and that in order to be a leader in innovation, the school must be responsive to change.

Day care is not merely a convenience for young mothers who would otherwise make alternate arrangements for caring for their children. The concept of an on-site day care center is a political concept; it is an acceptance of the fact that parents often work, that the bulk of the student body is not going to settle down into a "typical American family" with the husband as the sole provider.

If women and men are going to have truly equal status, many of the small facts of life are going to have to change. One is that it will not be expected that women who have full time jobs should also be burdened with the second job of cleaning, cooking and taking care of the children. Let's not kid ourselves. The men aren't going to stay home to take care of the kids while their wives are out working. Society will have to assume part of the burden, and the restructuring of the workplace is probably the best place to start. Creating a day care center at Brooklyn Law School will both ease burdens of parents with young children, as well as send out a message to the community about the importance of equalizing the disparity between the sex roles.

If Brooklyn were to offer on-site day care, it would not be the leader among law schools: https://www.brooklynlaw.edu/center/justinian/vol13/sep83/childcare.html a handful of other law schools currently offer such a service; we have a chance to be among the leaders in an important area. Being second only to Harvard is, after all, not such a bad aim.

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## GUEST EDITORIAL THE DOWNING OF FLIGHT 007

The Soviet Union has alleged that the entire responsibility for the tragedy involving the downing of a Korean Airlines Boeing 747 on September 1st rests wholly with the leaders of the United States. On the contrary, the incident which claimed the lives of 269 passengers and crew members dramatically highlights a departure on the part of the USSR from norms of international behavior and human decency. Such norms have become binding customary international law by virtue of the fact that they are observed by nearly every nation.

The decision to attack the Korean airliner was purportedly made at a local command level and thus not by the military or political leadership in Moscow. This raises questions and fears regarding the Soviet air defense system. Refusing to address those fears, Col. Gen. Semyon F. Romanov, chief of the main headquarters staff of the Russian air-defense forces, issued a statement claiming that the Korean airliner had violated international rules of civil aviation including the Chicago Convention on International Civil Aviation. Both the United States and the Soviet Union are signatories to this convention which provides, in article 44, that one of its purposes is to ensure "the safe and orderly growth of civil aviation throughout the world" and meet "the needs of the peoples of the world for safe, regular, efficient and economical air transport." Notwithstanding a possible technical violation of the convention on the part of the Korean airliner, the USSR has violated the underlying spirit of the treaty. It has been learned, from the transcript of the Soviet pilot's radio communications, that only minutes before the Korean plane went down, the pilot of the commercial plane was flashing navigation lights. This is an international signal which indicates that an aircraft will obey the directions of nearby military jets.

At this point, only the United States and Canada have employed retaliatory sanctions. Canada has banned Aeroflot, the Soviet airline, from landing within the Canadian border for sixty days. The United States has reaffirmed its ban of Aeroflot, which has been in effect since martial law was declared in Poland. Though the International Federation of Air Line Pilots Associations has called for similar bans, other western nations see little practical effect to be gained from such measures and are reluctant to impose them for fear of harming trade relations with the Soviet bloc.

It is likely that President Reagan will proceed through diplomatic channels to seek reparations from the Soviet Union. Such a claim would be represented in the form of a diplomatic note and would pass from the Department of State to its equivalent in the USSR. Under international law, if the citizen of one sovereign is injured by the acts of another sovereign, and those acts are in violation of international principles, customary law allows for redress. The President, as the spokesman of this sovereign, and as its constitutional representative, has wide latitude in the area of foreign affairs and therefore is empowered to represent this claim on behalf of the United States and its citizens. It is hoped that such an action will serve not only to punish the Soviet Union for its wrongdoing, but also to help prevent such a disregard of human life from reoccurring. Certainly, this needless loss of lives serves as a poignant reminder of the international strides that must be taken in the area of human rights.

Helen Ostenberg

Editor-in-Chief

Journal of International Law

## LETTERS:

### To the Collective:

A fellow student informed me last week that Brooklyn's tuition will be increased for the 1983-84 academic year. I verified this with a call to the Bursar's office.

As a 29 year old, emancipated, full time student, I am hereby registering my grave dissatisfaction with the way Brooklyn is going about raising tuition. The school has sent out a number of mailings recently regarding fall registration. No mention was made of a tuition increase. Since the school is obviously aware of its intention to increase fees, why not give the students some warning before we receive our bills the first week in August? It is entirely possible that many students, myself included, would have planned their summers differently

(e.g. worked more hours for another, cut down on expenses, etc.) to pay the increase. Many of us are self-sufficient, and are struggling to pay tuition, meet our rent, and feed ourselves. Since Financial Aid recently informed me that they have rejected my request for funds, I am particularly distressed by the need to come up with money in excess of what I had been expecting.

I am not questioning the need to increase tuition, only the mode of doing so. It is unconscionable to spring this on us when you have known about the increase so early in the summer.

Linda Maryanov

### DOMUS MOVES IN

By Michael S. Schreiber

The Brooklyn Law School Office of Student Services has begun publishing DOMUS, a weekly newsletter to inform students of current housing demands and availability.

DOMUS, from the latin word for dwelling, is the brainchild of the new Director of Student Services, Robin Siskin. DOMUS according to Siskin was "long overdue." There has been a definite need at BLS for the administration to coordinate and assist the search for housing of a large percentage of the student body. DOMUS is filling this need.

According to Siskin, the first issue, published on August 8th, has received an "overwhelming" response from both the students and the administration. "People have been finding apartments through DOMUS," Siskin asserts. She also points out that there are almost twice as many apartments available as are wanted.

Siskin plans to publish DOMUS every Monday throughout the year. Students wishing to advertise in the newsletter are requested to fill out the DOMUS worksheet which is available on the basement, fourth and ninth floors, as well as directly from the Office of Student Services, and return it to Siskin's office.

All advertisements are run for one month and then dropped unless the Student Services office is notified otherwise. Siskin says her office attempts to contact all advertisers on the Thursday or Friday prior to publication to insure that ads are still current.

In addition to the student ads which are free of charge, Siskin intends to run ads from local realtors in the near future. Unlike students, realtors will be charged a small fee for advertising in DOMUS. Siskin expects that when this advertising begins the newsletter will pay for itself.



## LSD MEETS

By Phil Russell

Brooklyn Law students were well represented at this summer's annual meeting of the Law Student Division of the American Bar Association (ABA/LSD) in Atlanta.

The ABA/LSD is an organization comprised of approximately 30 percent of the nation's law students who have paid the annual \$8.00 membership fee. The Division participates in virtually every activity of the ABA, sits on almost every ABA committee and subcommittee, and formulates its own policies and structure throughout its assembly. The ABA/LSD assembly is made up of Student Bar Presidents and LSD representatives from each member school.

The Division is divided into fifteen regional "Circuits." Each circuit selects a Governor, who sits on the national Board of Governors, elects national officers, and works with the Division's central office in Chicago to organize meetings and events and promote the organization. Third-year BLS student Eric Remensperger is the Governor of the Second Circuit, which includes all law schools within New York State.

SBA President Mary Malet, Eric Remensperger, and Phil Russell, LSD representative, attended the national meeting. The Assembly considered approximately 100 proposed resolutions, most of which concerned changes in organizational rules, times of elections, etc. Two resolutions proposed by Brooklyn Law School were considered. The first, endorsing a bill pending in the House of Representatives, called upon President Reagan to obtain Congressional approval for the growing U.S. military involvement in El Salvador, was soundly defeated after a lengthy and emotional debate. The second, expressing outrage at the Federal Prison system's *de facto* prohibition on visits with inmates by law students working for defense attorneys, was passed by a 95 percent majority. The second proposal will be considered by the ABA at its next meeting. The Division is awaiting a response from the Department of Justice.

## ABA ADOPTS NEW MODEL CODE OF ETHICS

By Steven Eisenstein

On August 2, the American Bar Association adopted a new model code of legal ethics, thus ending a six year debate. The model code consists of some fifty rules on subjects ranging from the attorney/client privilege to conflicts of interests. The new code differs from its 1969 predecessor in several important respects. It requires an upfront disclosure of legal fees to clients. It also contains provisions allowing advertising by lawyers, making the code consistent with recent Supreme Court decisions.

Perhaps the most important of the model code's provisions however, and certainly the one that has attracted the most attention in the media, is the rule against disclosure of client's confidences. This rule would require attorneys to keep their client's secrets even if the client has been engaged in a crime or fraud. It was this provision that held up adoption of the model code until now. At the February meeting in New Orleans, a bitter debate arose over the adoption of this provision. It required a compromise in the commentary accompanying the rule to convince many delegates to finally vote for approval.

This commentary states that, when a client's conduct becomes objectionable, rather than reveal the client's confidences, the attorney should withdraw from representation of the client. The commentary allows the attorney to notify interested parties of "The fact of the withdrawal" and to "also withdraw or disaffirm any opinion" which the attorney had made to or on behalf of the client. According to Professor Geoffrey Hazard of Yale Law School, this would send "a signal that something is seriously wrong." However, Professor Margaret Berner of BLS expresses doubts that this commentary will ameliorate the effects of this rule. "There is always a danger when the commentary contains provisions not found in the rule itself" says Professor Berger. She sees this rule as yet another aspect of the constantly expanding attorney/client privilege, an expansion characterized by such recent decisions as *Upjohn v. United States*. The end result of this rule, according to Professor Berger, will be increased protection for corporations which will be able to silence their attorneys in relation to illegal corporate activities.

Indeed, this rule has been condemned by a variety of people. Robert Meserve, the chairman of the ABA ethics commission, publicly deplored the code's provisions of confidentiality. Gerald Richman, representing the Florida Bar, stated "we think that the association made a grievous error in that regard." Frank Rosiny of the New York State Bar Association states that the rule "clearly violates the constitutional rights of persons accused of crimes." Closer to home, Dean Trager, in his orientation address to the entering class, stated that "any group who chooses to live by such a standard has abandoned the right to be called a profession."

Whatever the controversy surrounding the model code, it will have no effect unless approved by the individual states. Its future in New York remains in doubt. Mr. Rosiny has stated New York's opposition to adoption of the code. In June, New York's seventeen member ethics committee voted to oppose the then proposed model code. It would appear unlikely that New York's ethics code will change in the near future.

The Division was addressed by Dean Rusk, former Secretary of State under the Kennedy and Johnson administrations. Professor Rusk discussed the need for increased American involvement in Central America's political struggles, and cautioned the Assembly against any sympathetic notions concerning the Soviet-inspired subversion which threatens the continent. The former Secretary also advised us to temper our criticism of right-wing dictatorships in the region with the realization that these military regimes can lead the region to democracy and development. The Professor's comments were enthusiastically received.

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## TRAGER INTERVIEW

Continued from page 1

parents have been consistent contributors to BLS." Dean Trager sees nothing wrong in reciprocating with alumni who have been friends to BLS.

In terms of law school organization, the dean informed us that:

For complaints and questions in regard to student services, students should see the SBA.

For curriculum, program development, and use of the new (Republic National Bank) facility, students should see Professor Margaret Berger.

For clinical program and information on

the continuing legal education program, students and alumni should see Professor Henry Holtzer.

For alumni-development, placement, and long-range planning, students should see Dean Trager himself.

For the day to day operation of the law school, students should see Dean Johnson.

As our readers know, during the summer Dean Lewis Kerman (student services), and Marvin Dillar (alumni association) were fired. Dean Trager had no comment on any of these subjects. (We direct our readers to the "Kerman Fired" story in this issue.)

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# NEW KIDS ON THE BLOCK

By Bridget Asaro

The week's end...

In they came—nervous, confused, giddy—searching for room assignments. It was orientation night at Brooklyn Law School, and the 1-Ls filed into the towering white marble building, carrying with them horrific thoughts of what first year would bring.

Orientation began with the usual informal chitchat between soon-to-be classmates and a counselor. Then, everyone was herded off to the Federal Courthouse where the administration, faculty, and SBA president gave some informative, and some boring, speeches.

The night's finale was staged in the cafeteria, where cookies, coffee and tea were served. The crowd munched, mingled, and talked. The 1-Ls exchanged small talk, a bit less confused, but still half apprehensive and excited. The next day would be the first official day of "law school," and visions of Professor Kingsfield danced through their heads.

After a while, the crowd began to thin as the 1-Ls left the towering white marble building to go home and settle down to a long restless night.

"I think (orientation) is invaluable. It's important for people to have an opportunity to have the school present itself and to go through an orientation with other people before appearing in class," said Orientation Counselor Martin Minsky. "As a second year student, I can say with confidence that the introduction that people get this week in legal writing and legal methods allows for an easier integration in the substantive law areas."

Jeff Houlihan, a first year student in section three, said he was "really impressed" with orientation because, among other things, it gave him an idea of the types of questions professors ask in class. "I believe that if I had started off immediately without an orientation program, I would've been up the proverbial creek," he said.

However, not all of the first year students were as enthusiastic about orientation: "There wasn't much to it," said Carlos Ortiz of section three. "Except for the fact that we all knew each other the first day," shrugged Saliann Scarpulla.

Thursday, the third and final day of the first week of law school, was halfway over. It was finally lunchtime, and the cafeteria was filled with 1-Ls. This time they munched on sandwiches and salads, sipping soda or coffee from paper cups. The Cafe Orientation had since been transformed back into the plain old cafeteria, and coffee and tea that had been served in china cups a few nights ago was now offered, self-service, in styrofoam cups. Reality was slowly setting in.

"I don't think I'll really have much of an idea (of what law school is really like) until next week," said Lori Puleo of section three. "The work load is not bad right now," said Rosemarie Arnold of section two, "however, we only have one course right now and next week we have seven."

There's not as much pressure as I thought there was going to be," said John Killen of section three. "But," he added, "I think that's because of Professor Minda."

Clyde Otis of section one was surprised to discover that BLS is "really informal." "I thought it would be more cut throat," he said. "But you get a sense of cohesiveness in the first year class...it's not what I expected."

Due to the administration's attempt to improve the student/faculty ratio, the class of 1986 is smaller than last year's class, according to Dean of Admissions, Henry W. Haverstick, III. Of the 253 first year students enrolled (68 fewer than last year), three dropped out by the end of the first week. This year's class has the highest median GPA in the history of BLS, as well as the highest median LSAT score since 1975. The reason for the rise in scores, said Dean Haverstick, is that the admissions committee was targeted for a much smaller class this year, and was "much more selective this year in terms of the quantitative factors, (namely) GPA and LSAT scores," he said. Also, there is a two percent increase in female enrollment over last year, while minority enrollment remains about the same.

## NEW MEMBERS OF JOURNAL AND REVIEW

The newest members of the Brooklyn Journal of International Law and the Brooklyn Law Review were selected four weeks after a twelve-day writing competition open to all first-year students. The competition ended June 21. Competitors were given the opportunity to write a case comment based on *Illinois Migrant Council v. Pilliod*, 531 F. Supp. 1011 (1982), a federal district court case dealing with search and seizure of suspected undocumented aliens. The entrants were required to state a preference for membership on either publication in the single competition.

The new members of the International Law Journal are: Bruce Afran, Sarah Barish, Michael Danziger, Helene Marie Danzilo, John D'Ercole, Michael Feigin, Mary-Lynne

Hoffmeyer, Richard Goldstein, Ellen Greiper, Susan Kaiser, Melissa Matteo, James Meade, Eric Ordway, William Phillips, Elissa Setecase, Maria Shelzi, Jan Sigmon, Sarah Thomas—Gonzalez, Rhonda Yacker-Carmen, Allan Young.

The new members of the Law Review are: Meryl Bronson, Nancy Brownstein, Jim Eller, Amy Fier, Karen Keeble, Bond Koga, Robert Leonard, Charles Levine, Lawrence Levit, Jennifer Marre, Susan Marshall, Martin Minsky, Geoffrey Mort, Roberta Mueller, Betsey Nathan, Lisa Pearlstein, Amy K. Posner, Barry Rabinovich, Steven Scheinfeld, Alexander Schmidt, Harry Steinberg, Karen Wackerman, Wendy Weingart, Linda Wintner, Marcos Zalta, Shelley Zavlek.

## ANNOUNCEMENTS

A representative of the McGeorge School of Law will be at BLS on Friday, September 30 to explain the various programs to all interested students. Members of the Class of '84 are eligible to apply for the European Law Internship Program to begin after graduation, and members of the Classes of '85 and '86 may apply for summer '84 courses in Edinburgh, Salzburg and Budapest/Vienna. Sign up on the board just outside of the Placement Office, Room 302.

A representative of Howard University will speak to any members of the Classes of '84 and '85 on Monday, October 24 at BLS, regarding the Reginald Heber Smith Fellowship Program. Applications and information in Drawer No. 5, Placement Office. Sign up on board outside of Placement Office.

The entering class is the most geographically diverse class in the history of BLS, with 20 states and Puerto Rico represented. However diverse the first year class may be, many share a common thought: What will next week hold?

The Federal Communications Commission will conduct interviews for career and summer positions on September 28 and 29 at their regional offices. Classes of '84 and '85 may submit resumes to Placement Office no later than September 12.

### INFORMATION SESSION

The Immigration & Naturalization Service Division of the Department of Justice will conduct an information session on September 20th from 1-2 p.m. in Room 401.

3rd Year—Paid Position

2nd Year—Internship

Applications will be given out on said date. All may attend the session.

The Legal Association of Women (LAW) cordially invites all interested students to a wine and cheese reception in the 3rd Floor Lounge, Monday, September 19, 4-6 pm.

The National Lawyer Guild's first meeting will be on Thursday, September 15, 1983, at 4:00 P.M. in the Student Lounge. Wine & cheese will be served. There will be a discussion on "How to Survive Law School." All students are invited to attend.

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# MUSICAL OFFICES AT BLS

et al.: The Justinian

By Michael S. Schreiber

According to the administration, overcrowding has become a serious problem at Brooklyn Law School. The lack of office space is exacerbated by a similar lack of seminars, placement interviews, and extra-curricular activities. If the school is able to conclude the purchase of the Republic National Bank building early this fall, these problems will be resolved in the not too distant future. Meanwhile BLS is striving to cope with the room it has.

This summer a major redistribution of office space occurred. The administrative reorganization initiated by Dean Trager entailed the movement of several administrative offices. Several faculty offices, which are assigned according to seniority rights, were vacated by departing faculty members. These were quickly reoccupied by faculty in search of more accommodating offices. In addition to these moves, the third floor lounge was partitioned to create extra breathing space for several student organizations.

Administrative changes included the separation of the office of Alumni Services and Development into two offices, and an increase in Placement office staff. Placement thus required additional office space and was moved into room 302, which had previously been occupied by Alumni Services and Development. The old Placement office, room 301, is now occupied by Alumni Services, and the Office of Development was moved to the ninth floor.

A new office of Clinical Education was created as well. The only appropriate space for this office apparently was that occupied by the admissions office on the ninth floor. Admissions was therefore moved into the ninth floor boardroom.

In addition to the juggling of administrative offices, several faculty members moved their offices as well. Some of these moves were requested by the faculty who benefitted by them. Some were requested by the administration.

Faculty who requested room changes noted such bonuses as windows and additional space among their reasons for moving. Those who were moved for administrative reasons also appear satisfied. Professor Henry Holzer, the director of Clinical Education, said his new office on the ninth floor is larger and has a much nicer atmosphere than his old office. Instructor of Law Ursula Bentele said that moving several writing instructors to the eighth floor with other faculty is a good idea as it helps to eliminate any "perceived differences" which may exist.

It has been rumored that several faculty had found their offices moved without prior notification. Associate Professor Maryellen Fullerton said that the move of her office came at particularly inconvenient time, and Bentele said she was aware of the impending move though not the exact date. Aside from these observations, the rumors appear groundless. Dean Trager specifically denied that any faculty were moved without receiving prior notification.

Several student organizations also took up residence in new offices this summer. The Moot Court Honor Society, which had shared room 304 with the Justinian, moved to room 305, the previous home of the Journal of International Law. The Justinian moved into room 304A, a new office created by the partitioning of the student lounge. The Law Journal moved into the office vacated by the Justinian and Moot Court Honor Society.

Both Joshua Mallin, President of the Moot Court Honor Society, and Helen Ostberg, Editor-in-Chief of the International Law Journal, are pleased with their new offices. For both groups the move represented a major increase in working space. Mallin and Ostberg both point out the importance of this factor.

"We needed working space desperately," Ostberg said. Not only for an expanding library and for members to do research and writing, but for the privacy of the Editor-in-Chief as well. Due to the partition of the third

floor lounge, the Editor-in-Chief now has a small interior office in which to conduct journal business and to consult with staff members in private when required. "The windows are an added delight," said Ostberg, "but not our sole reason for moving."

Mallin also appreciates the roominess of the new office. Though he sees the lack of windows and the noise of the elevators to be minor disadvantages, he said "these are only aesthetics."

The Justinian is also pleased with the move. Though the newspaper has gained no additional space, it has gained privacy. Initial plans were for the Justinian to share office space with the Student Bar Association on the fourth floor, but Dean Trager said "It was important that all student organizations have their own facilities." For this reason, and for the need to create additional space for other offices, the third floor lounge was partitioned.

The move of the Justinian was not occasioned without losses however. During the move two desks, two typewriters, several chairs, a couch and numerous office supplies disappeared. One desk, a beautiful antique, was requisitioned and refinished for Professor Holzer's new office. Steve Richards, a former editor of the Justinian claims the desk was taken "as an act of revenge" for several critical articles and editorials printed at the end of the spring 1983 term. Holzer's response is simple and direct. "I never read them," he said, "I am in a new administrative office, I asked the custodial staff to find me a suitable desk."

Since then, the Justinian has received a new desk, chairs, and office supplies. Both of the missing typewriters have been located. The typewriters were mistakenly placed in the new Moot Court Honor Society office.

Several other moves were contemplated over the summer, though they were not implemented. Though all of the moves which were made resulted in benefits to the affected office, it should be noted that most student organizations still lack permanent office space, faculty offices are still scattered all over

## The Virtue of Selfishness

OR  
Some Are More Equal Than Others  
A Lawmerrick  
By Ron Kaplan

There once was an office that was really swank,  
But now, where there was, there is only a blank.

A desk and a chair  
Are no longer there  
Both requisitioned by one named Hank.

## Attention: STUDENT GROUPS

All student organizations are invited to contribute to the *Justinian*. Please inform us of upcoming forums, meetings and other events. If we know about it we'll write about it. The deadline for the next issue is September 25.

## PERSONALS & CLASSIFIEDS

The *Justinian* will print classified ads submitted by members of the Brooklyn Law School Community. There will be a charge of \$1.00 per 25 words with a maximum of 50 words per ad. Ads may be submitted for the next issue by September 25, 1983.

the school and the third floor lounge, small as it was, has become even smaller.

The purchase of the Republic National Bank building, if it becomes a reality, will be a welcome relief to the entire BLS community. "There is no question about that," said Associate Dean George Johnson. "The purchase of Republic National Bank, and Dean Trager's planned renovation of it and our own building, will resolve all of our space problems, and result in a beautiful and commanding presence."

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# DEAN TRACER'S SPEECH

This is an important occasion for all of us. By my calculation, you have been law students for about 60 minutes, and I have been a law school dean for about 60 days. Tonight you are hearing your first speech by your law school dean, and I am giving my first speech as your dean. That being the case, I wanted to convey a special message tonight. In preparation for tonight's program, I leafed through the pages of the Brooklyn Law School catalogue and several others. As I did, something occurred to me.

In every law school bulletin that I have ever read—including the Brooklyn Law School Bulletin—law schools are routinely described as professional schools and lawyering is routinely described as a profession. But in no law school bulletin that I have ever seen have the words "profession" or "professional" been defined. Since all of you have accepted our invitation to study at this professional school, and since you are thus about to join the legal profession, I'd like to spend a few moments considering the meaning of those words.

As you already may expect, the word "professional" is something more than the nickname your parents will start using—along about the time of semester break—when they reintroduce you to friends and relatives you haven't seen for a while, as in, "This is Eric or Erica—the professional."

The meaning runs a little deeper than that. In the Middle Ages—about 1200 A.D.—the word profession referred to the public vows made by a person entering a religious order. By the time of the Renaissance, however, the word had come to mean an occupation which one *professed* to be skilled in and to follow.

Originally the term was applied to the three so-called learned occupations—divinity, medicine, and law—because these were the occupations that had adopted the institutional mechanisms that tradition required of a profession.

The first of these mechanisms is some form of technical training accompanied by some method of validating both the competency of the trainees and the adequacy of the training. It is because of this requirement that you are in law school in the first place. And, it is because of this requirement that you will be subjected to examinations from time to time while you are in school and on at least one occasion after you graduate. Moreover, to insure that the training you receive is adequate, two organizations, the American Bar Association and the Association of American Law Schools, regularly examine this and every other law school to insure that its faculty, library, course offerings, and physical facilities conform to certain standards.

The second requirement of a profession is that its trainees master both the cultural tradition and the basic skills necessary for the practice of the profession. How to accommodate both goals remains a source of controversy within the legal community. Until modern times a would-be lawyer was required to clerk for a number of years in a law office. Although this kind of apprenticeship seemed to be a satisfactory way of teaching rules and basic skills, apprenticeship failed to transmit the rich intellectual and philosophical heritage of the law. Not surprisingly, law schools, which were instituted to make up for this intellectual shortfall, have been assailed for sacrificing the practical for the impractical and for turning out lawyers who are incapable of putting into practice the principles they learned in the classroom. The point of all this—and the second requirement of a profession makes it quite clear—is that both the *craft* and the *art* of law must be mastered by aspiring lawyers. That is why at this school, in addition to taking traditional courses such as torts and contracts, you will take a course called Legal Process, a course developed to teach you about the various processes by which law is made. For the same reason, even professors who teach traditional courses will give you some rules and make you grope for others. And that is why, at this school, in addition to offering upper level courses such as trial advocacy and legal history and jurisprudence. And that is

why, at this school, we offer one of the nation's most comprehensive clinical law programs.

The third requirement of a profession is that it have some institutional means of insuring that all this training will be put to socially responsible uses. This requirement is the most critical of all, because in conferring professional status on lawyers and thereby granting them a monopoly over the practice of law, society was not merely offering lawyers a *quid pro quo* for training and supervising themselves. Society was acknowledging that by training themselves properly and vowing to act in the public interest, lawyers pledged themselves to provide something to which society aspired but which society could not achieve on its own: *Justice*. And by accepting the elite status of professionals, lawyers professed to accept these standards and to honor the public trust. Lawyers accepted the task of developing and maintaining a legal order based not on what the values of their clients or even society are, but on what those values *ought* to be.

Having said all this, I'd now like to perform an experiment. Close your eyes and think of the word lawyer...and think what other words come to mind. Lawyer. Lawmaker. Shyster. Ambulance chaser. Judge. Politico. Money. Greedy. Rich. Advocate. Watergate. Statesman. Mouthpiece. Hired gun.

Strange, isn't it, that when the word lawyer is spoken, it conjures two opposing images. On the one hand, you visualize the hired gun. The hard-nosed litigator; the aggressive and possibly corrupt dealmaker; the kind of lawyer that society loves to hate. On the other hand you visualize the public servant, the policy-maker, the justice seeker. The kind of lawyer we all *professed* we would become in our law school application essays. It may not surprise you to know that about 100 years after the word profession was introduced, the word took on a secondary, ironic meaning, suggesting a claim that was not supported by fact—as in "so he professes..."

Both such images can co-exist because not every individual who is trained as a legal professional remains a legal professional. At some point, because of felt need or greed, or because they lose their capacity to feel, some lawyers' values become so closely allied with their clients that the lawyers become the alter egos instead of the super egos of their clients. Such lawyers are not professionals, they are hired guns.

In ancient Athens, the values of lawyers were not perceived as higher than or different from the values of the general public. Greek society therefore neither asked its lawyers to act in the public interest nor conferred any special status on them. Anyone who understood the existing political machinery and knew how to get things done could be a lawyer. In ancient Athens there was no legal profession.

By the same token, today, if we as lawyers stop serving the public interest and simply facilitate the will of our clients, although we may achieve an elite lifestyle for our clients and ourselves, we are no longer performing the elite role that society assigned us, and we are no longer entitled to any special status. The hired gun asks whom should I kill to serve my client's interest. The professional asks how can I serve my client's interest and still serve justice. You do not need a law school education to answer the first question. You should not undertake a law school education—or profess to be a lawyer—unless you are willing to search for the answer to the second.

The search, by the way, will not always be easy. In law, as in life, answers are seldom self-revealing and even those who are charged with searching for answers may make mistakes. When the mistakes are made by members of a profession, the results are unfortunate. When the mistakes are made by the leaders of a profession, they are lamentable. Only a few weeks ago, the American Bar Association adopted a new model code of ethics that would prohibit lawyers from disclosing continuing fraudulent activities by their clients. Thus, his client is selling worthless securities

would not be able to inform either potential victims or law enforcement authorities. One argument in favor of this provision is that a lawyer will only be in a position to dissuade a client from continuing illegal activity if the client confesses such activity to the lawyer, and that the client will confess only if assured of confidentiality.

Although such reasoning may have some surface appeal, a careful analysis will, I think, disclose its weaknesses, and naivete. Your first night of law school is not the proper occasion for me to go into all the reasons why the argument is fallacious. More relevant to the point I wish to make tonight is that I strongly believe that the true impetus for this rule is the desire of some of the most influential members of the legal profession, in an age of burgeoning white collar crime, to avoid having to make the difficult and costly choice between serving their "respectable" paying clients and serving the public.

I strongly believe that if this standard is adopted, the people will perceive it as yet another example of the inability of lawyers to regulate themselves. Then, as they did in the case of lawyer advertising, the people, through the courts or the legislatures will intervene, and our profession's long history of self-regulation, as well as our reputation, will suffer still another blow.

Whether the new code will be adopted by the various State Bar Associations is unclear. What is clear to me, however, is that any group who chooses to live by such a standard has abandoned the right to be called a profession.

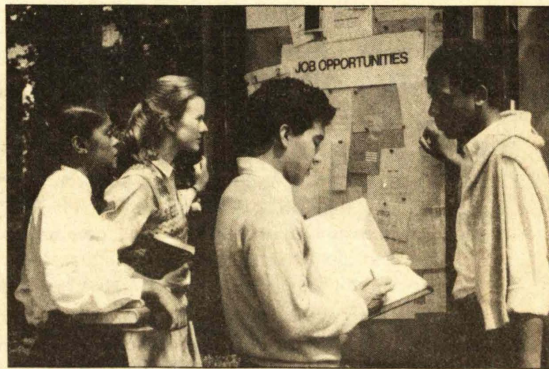
I know that many of you, motivated by an impulse to serve the public, will put your special skills and abilities to work for community law offices or in the offices of the government. Indeed, many of you have chosen to attend this law school because of its special reputation as a training ground for litigators and public law professionals. Brooklyn Law School graduates fill many important positions in the offices of the U.S. Attorney, the State Attorney General,

the City Corporation Counsel, the District Attorneys, and throughout the court system. I sincerely hope that many of you will choose this career path, for—speaking from personal experience—I can promise you that a career in public law can be the most rewarding of legal careers. Yet, at the same time, I caution you. A career in public service neither deprives you of the right nor relieves you of the obligation to make difficult, personal and moral choices about how society's interests are best served. The role of the public lawyer is paradoxical. He or she must serve the public without becoming servile. When a lawyer bends to political pressure and unquestionably acquiesces to majority will or whim, he or she is reduced to the role of the hired gun. It makes little difference that the client is the public. The majority may rule, but it is not always right. In 1933, well over half the German population voted into office an anti-democratic, totalitarian, racist and imperialistic regime. The majority of German lawyers abdicated their professional obligation to serve justice and the legal system collapsed. Soon, personal guilt had nothing whatsoever to do with who suffered punishment.

Nor are those who serve so-called public interest law offices immune from such failures of professionalism. A lawyer who works for a public interest organization which has outlived its mandate and usefulness and exists primarily to perpetuate itself is no less a hired gun—and in my view no less corrupt—than any of the individuals I've just described.

In this connection, I'd like to read to you from a letter, dated November 23, 1958, from a third-year Brooklyn Law school student to then Dean Prince. The writer was editor of the Law Review, captain of the moot court team, and a fine student. Dean Prince had invited the student to lunch—presumably to discuss his career plans. The letter, written in response to that invitation, is poignant in several respects. It is a sad commentary about a political climate that

*Continued on page 7*



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## MORE SPEECH

Continued from page 6

made its writing necessary. It is also a striking depiction of the author's personal agony—an agony not too different from that which might be suffered by lawyers when they realize that their clients—the causes they have been dedicatedly serving—have corruptly used them. Finally, the letter evidences the personal integrity of the author, who risked damaging his own future, rather than place the dean in a compromising position.

Dear Dean Prince,

I am highly honored by your offer to have me to lunch this Tuesday. Particularly kind is your purpose—that is, to discuss my future as a lawyer, and perhaps lend your assistance to me. However, I cannot in good faith meet with you without first clearly informing you of certain matters. So informed, it would be quite reasonable for you to decide not to talk with me at all. Certainly it will be obvious that I have not merited your help.

The crux of the situation is this—for several years, terminating only a couple of months prior to my law school application, I held membership in the Communist Party. Permit me to be perfectly explicit about this. I was not a "fringe" type of member; I was not some sort of dilettante in Marxist philosophy. I was what the communists call "devoted." The Communist Party was my life and my dream. That this dream has finally been shattered (for me), that today my revulsion at this anti-human fraud (and at myself for having participated) fills my days—does not change the facts of my recent past. I am not a person the school can look to with pride. Rather, I am a potential source of serious embarrassment.

In writing of this subject, I do not wish to pose some sort of garbage about my rights to my own political views, my "right to dissent." It is the hallmark of democracy that I have a right to such views; but it was and is the horror of the communist position that we would have destroyed the right to dissent for others. Just as the Soviets have consistently destroyed the very lives of anyone who "deviates."

Nor do I wish to assume any postures about my past being a matter of politics and not morality. I came to the Communist Party out of a concern with what I felt were grave moral issues. But the process of becoming a "good" communist is the process of merging ideals and ethics into the Party. Eventually the Party replaces the moral goals; the Party becomes the goals. Real issues are important only in so far as they further the party. Where they hinder the Party—they can be dispensed with. Truth itself is judged in light of the Party. After a while it is easy for a communist to lie about his views from time to time. A "little" lying helps the party's tactical position, after all.

Of course, there is more to this morality business than some attempted analysis of the process by which one loses touch with one's original motives. I recall a beautiful sonnet by John Donne which we communists used to delight in quoting to others. It starts—"No man is an island, entire of itself." Any man's death diminishes us all. We are, one another, involved in mankind. Donne concluded, "therefore never send to know for whom the bell tolls; it tolls for thee."

But the sonnet's thought applies to communists also. Too many, many, human lives were tortured, wrecked, and taken by the world communist movement while we stamped and sang the "Internationale" for me to now way to you Dean, or to the character committee, that my past concerns politics—not morality.

Whatever I might say today about the Communist Party is undoubtedly old hat to you. There is small point to my rambling on. There are things, however, which an ex-communist lives with, that were well to have known. How good and sensible life seemed when, with a religious passion, one thinks he and his group are ushering in the millennium—so that all our children may prosper and grow well under it. And how to face yourself when your realize what it is you have done to Brooklyn Law School, what can be done to make up in some way—for

what has taken place in the name of the New World.

When my doubts about the Communist Party first started, they were followed by a rush of more doubts—till finally, in but a month's time, years of fond belief were no more. For a while it seemed as if I could never think about anything of importance again. Could I once more chance being so terribly wrong? I know there are many who would say "No," just sort of retire. But I am a person, I am young, and I must live, I must think, and I must feel of some value on this earth.

My desire to be a lawyer is not unrelated to my revulsion from communist philosophy. I think an individual's—any individual's—life and rights are sacred. I want very much to participate in our system of law which is so largely devoted to each human being. I have tried to work hard in school and show how I might be of use in the legal profession. I badly want a chance to be a lawyer, but I can't beg about it. No one wants to hear me sweat and whine about my "problem." I don't ask for favors I know I don't deserve. I certainly can't violate my conscience by utilizing standard methods of proving how "clean" I am. I plain don't know what to say except forgive me please if I have hurt or embarrassed this school in any way. My intentions in going out for moot court, editor-in-chiefship, and so on, were to serve the school as well as myself—but I have seen before what lousy harm can result from good intentions. Anyhow, I thought I should write these things to you before imposing myself personally upon you in any way.

Respectfully,  
(signed) Edward V. Sparer

Edward Sparer did have lunch with Dean Prince and he became the Dean's research assistant. He was admitted to practice, and by the time of his death a few weeks ago, his career had come to embody the best values of the legal profession—in fact it defined the term professional. He was a pioneer in providing legal service to the poor and he was a professor of law and social welfare at the University of Pennsylvania Law School.

All of us, at one time or another in our professional lives, will have to make the kind of choices that faced Edward Sparer. I hope that we will all choose as well.

I know that I have raised more questions than I've answered tonight. But that's probably good preparation for what is to come in the weeks and months ahead. As you may already know, law school professors are notoriously more adept at asking questions than at answering them—at least until exam time. Then, they know all the answers. I also know that the urgency of what I've said there tonight will fade as the more routine pressures for first year envelop you. But I do hope that a few years from now—and in the years that follow—you will remember what was said here tonight. I hope that when ambition or personal need or greed recommend a choice that may be less than professional, you will keep one thought in mind:

We will make a living by what we get. But we make a life by what we give.

## JOURNAL

The Brooklyn Journal of International Law is a legal periodical which is published twice annually, and is comprised of scholarly works by students, faculty and members of the legal profession and academic community.

Entirely a student publication, the Journal regularly publishes timely articles, notes, comments, digests and book reviews on topics of private international law (business, trade, etc.), public international law (United Nations work, etc.) and comparative law.

Students who are members are provided with the opportunity to analyze current cases and topics involving international law and comment upon present and future trends of development in the field.

During the process of publication, students maintain frequent contact with the legal community. A refinement of legal researching and writing skills is considered to be only one of the many rewards gained through membership on the Journal.

et al.: The Justinian

## SBA

To: All members of the SBA  
From: The SBA Executive Board

Welcome back, or as in the case of First Year Students, welcome. We hope that your summer was enjoyable and that you're ready for the next school year. However, ready or not...

For the benefit of the new students, here is a short explanation of what the Student Bar Association is and does. The SBA is the student government of BLS. All students are members. Each year is represented in the Delegate Assembly by elected delegates; six persons for the Day Division and two for the Evening Division. The elections for delegates will be in the early fall and we encourage all students to cast an informed vote.

The SBA's functions and duties include policy formation, acting as a liaison between the administration, faculty and students, appointment of students to the various faculty committees, and the funding of student organizations and activities.

Over the summer, the Executive Board worked on "straightening out" our office, both physically and mentally. We feel secure in our abilities to work well together to achieve our goals. Our goals include organizing the book co-op, continuing those student functions which have been successful in the past and initiating new ones after receiving student input.

This summer, we obtained updated information and applications dealing with student health insurance, LSD/ABA membership, and other programs of interest to the students.

This year, we expect to serve the students not only by performing our required duties as the Executive Board of the SBA, but also by our accessibility, openness, and willingness to both listen to their ideas and to implement the appropriate changes that are required.

We wish to congratulate the First Year Students upon their admission to BLS and to wish them good luck, health and happiness.

Looking forward to a good year!

Mary E. Malet  
President SBA

## MOOT COURT

The Moot Court  
Honor Society

The Moot Court Honor Society is a student organization formed for the purpose of studying and practicing appellate advocacy. The Society aims to develop in each of its members the written and oral skills a litigator must possess. Membership in the society demonstrates a superior ability to write and plead a persuasive argument. While all members are required to undertake a minimum of judging and grading of briefs, no member is forced to sacrifice academic standing or outside work. Brooklyn's Moot Court Honor Society has an excellent record in national competitions. In order to maintain that tradition, the Society is interested in recruiting qualified students from this year's class.

### Admission to the Society

There are three ways of entering the Society: 1) by performing exceptionally well in the first year competition and passably in a second year competition; 2) by performing exceptionally in a second year competition; and 3) by participating in an outside competition in the second or third year.

## KERMAN FIRING

Continued from page 1

tion." Holzer responded to Kerman's speculation by stating, "Mr. Kerman has a much greater view of my influence at Brooklyn Law School than is actually the case, but he's entitled to his opinion."

"I always gave 150 percent," remarked Kerman. "I feel I gave so much, I couldn't give anymore. It (the dismissal) runs so counter to what I've done. I just want the students to know I didn't leave of my own accord. I did not jump ship and desert them."

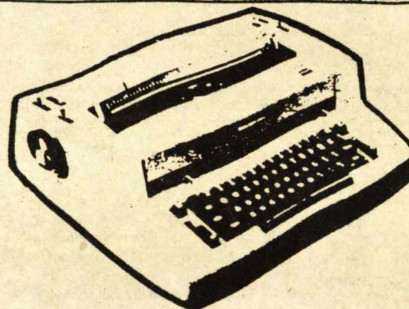
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