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Justinian

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Federal Litigation Clinic is Slated for the Spring

By Nina L. Sturgeon

The spring 1985 semester will herald a welcome addition to the BLS clinical program. A new Federal Litigation Clinic, in the planning stages since last spring, will begin. Professor Minna Kotkin, a recent addition to the BLS faculty, will head the clinic. Professor Kotkin comes to BLS from her position as litigation director of New York Lawyers for the Public Interest, a small public interest firm, where she spent five years working primarily on federal litigation in the areas of health, mental health and developmental disabilities law. Previously, Professor Kotkin was employed by Proskauer, Rose, Goetz and Mendlesohn after her graduation from Rutgers (Camden) in 1975.

The impetus for the new clinic was twofold. First, it arose as a response to what the faculty saw as a major gap in the existing clinical program (i.e. since studies show that approximately 90 percent of cases are settled before trial, a clinic concentrating on building pre-trial skills was sorely needed). Second, it arose as a response by the Dean and faculty to the well publicized problems that federal courts are facing with their *pro se* docket. According to Professor Kotkin, "Judge Jack B. Weinstein has done a terrific job of organizing a *pro bono* effort for people who file complaints in the Eastern District, usually in *forma pauperis* cases. BLS felt it could add something to the efforts the courts had already begun to help the situation of lack of representation in the federal courts."

The clinic will concentrate on three major categories of cases which make up the *pro se* docket of the Eastern District: employment and housing discrimination; non-prisoner's 1983 actions; and Social Security disability benefits cases. Initially because of time and resource constraints, the clinic will concern itself with individual cases rather than class actions. Equally important, this delineation will better serve the needs of *pro se* plaintiffs. According to Professor Kotkin, "many lawyers in New York City are willing to take on a class action but it's much more difficult to find representation for the individual, 'nuts and bolts' enforcement type civil rights work". While eager to make a much needed contribution to the *pro se* docket, BLS must limit the contribution of its students to the court in order to maintain the educational quality of the clinic.

In addition to working on one or two actual cases, the required clinic seminar will include extensive videotaping and a simulated federal case. A team of four students will be responsible for preparing the case for each party, including client interviewing, counseling, litigation planning, complaint drafting, answer drafting, one or two motions, document discovery, deposition work, oral argument, negotiations and settlement drafting. The point of the simulation is to make up for what is lost in the reality of a case (i.e. it is possible that a case will not conclude in a year) and to insure that students are prepared to handle the

points of federal litigation practice. The team approach will be used in the actual cases as well. Professor Kotkin is eager to use this approach since it gives students a chance to bounce ideas off one another and also makes the process of lawyering less threatening to the novice.

Those interested in the clinic will be asked to submit a written application, a writing sample and have a brief interview with Professor Kotkin. There are no specific prerequisites but it is recommended that Trial Advocacy be taken concurrently with the clinic. Because there is so much in the federal litigation process that is not covered anywhere in the law school curriculum, Professor Kotkin will not devote much seminar time to trial skills. It is also recommended that Evidence and Federal Jurisdiction have been taken.

Professor Kotkin notes that involvement in the Federal Litigation clinic will entail much self-discipline. Already working students will, of necessity, need a well-defined work schedule (not what hours, but how many hours) if attempting to be part of the clinic simultaneously. Assuming that the cases will allow it, the clinic will be flexible as to when a student puts time in. However, Professor Kotkin expects each student to check in each day for messages, mail, etc. "It is important that the clinic students view the clinic office as their home-base. They'll spend as many hours as they can there (whether or not they're doing clinic work) so that they're there when motions papers are served or when the client calls. For me to take those calls, creates a real loss of experience for the student."

The clinic will have its offices in the new Boreum Place building. The administration has been very generous in its support.

Continued on p. 9

Lack of Interest in Fall Moot Court Contest Blamed on "Change in Reins"

By Maria Bloch

Housed on the third floor directly across from the elevators, the Moot Court Honor Society's office brims with almost constant activity. Although the entire academic year is busy for Society members, September and October prove to be the busiest months due to the Society's efforts to select the various oral advocacy teams under its auspices and future Society members.

The Fall Competition

Most recent on the Society's agenda was the beginning of the selection process for the Fall Intramural Appellate Advocacy Competition. Open to all second and third year students in good academic standing and organized by its coordinator, Rich Speirs, the Competition provides an opportunity for membership on the Moot Court Honor Society and a chance to qualify for a place on the prestigious National Team.

Researched and drafted by two third year Society members, Ken Zeilberger and Jeannette Diaz, the intramural prob-

lem involved the constitutionality of a state law that requires a moment of silence at the beginning of each school day. Approximately 90-100 students picked up the Competition packets, but only 20 students returned completed briefs. According to Society president, Joe Pickard, half of the interested students usually return packets.

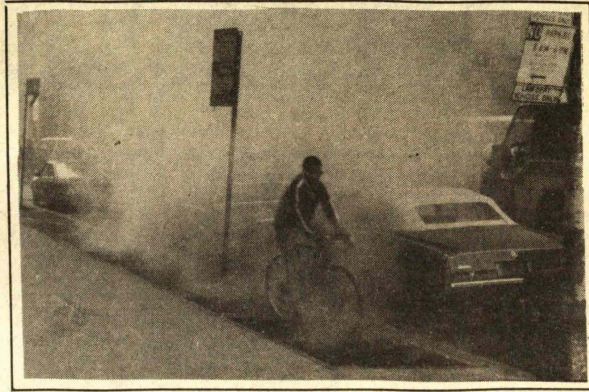
Pickard offered two explanations for this obvious drop in interest: lack of "eligible status" and timing. In past years, students who scored well in the First Year Competition were awarded "eligible status" which offered these students an added incentive to compete in the Fall Competition since they would be held to a less stringent standard than those competing without such status. Due to the "change in reins" last year of the First Year Competition from the Society to the writing department, no first year competitor was awarded any added points for a superb performance. Pickard said that the Executive Board would meet to discuss possible solutions to this problem which may

persist through future Fall Competitions. Another factor in the low return might be due to the fact that selection of the Intramural teams was announced prior to the commencement of the Fall Competition. Those students already selected as members of this year's Intramural Teams may have decided not to compete. The Society encourages participation of all its members and the student body in both competitions.

When asked if he thought the quality of the fall competition would suffer as a result of the lack of student interest, Pickard said that the Society "would not lower its selection standards." He "hoped that the most interested people submitted briefs" but then further acknowledged that "with a small participant pool, one tends to have some concern over whether or not one has got the best people."

Nevertheless, approximately 50% of the competing students will be selected.

Continued on p. 9



The MTA's answer to the St. George Health and Racquet Club. See Page 2.

SBA Goes High Tech

Students who do word-processing on the IBM computers located in the library, may bring their word-processing data disks to the SBA office in Room 302 to have their work printed on a PC and letter quality printer which have been obtained by the SBA for this purpose from the BLS Administration.

The SBA will employ students for two hours a day, Monday through Friday to provide this printing service. Please note that the system may only be operated by authorized SBA personnel.

Through a grant from the school, the SBA will provide instruction to students who are interested in learning how to use the IBM equipment and the "Word Perfect" word-processing system. The instruction will be provided on weekends. At the present time there will be no charge for the use of the SBA printer, but the following rules should be kept in mind:

1) The SBA only owns "Word Perfect" software. Thus, only documents created on "Word Perfect" software may be

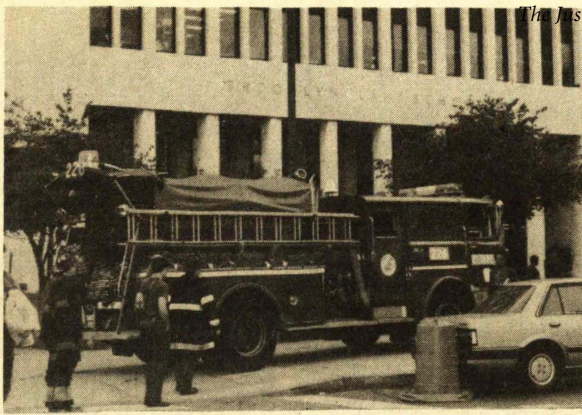
printed on the SBA equipment. Students who wish to print out documents created on other word-processing software may use the SBA computer to do so only if: (a) our operator is trained in the other system; (b) such students provide the necessary software and warrant that its use in conjunction with the SBA computer infringes no copyright; and (c) such students assume the risk of loss or damage to systems and data disks.

2) A limit of twenty pages per printing request will be maintained.

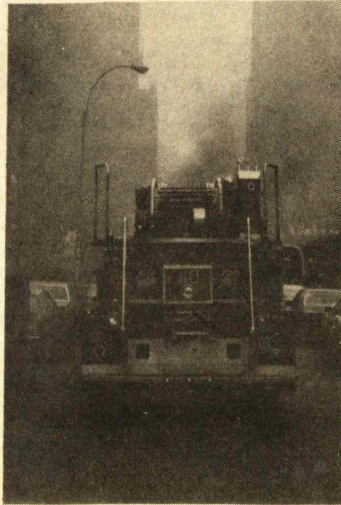
3) It is strongly recommended that students make a back-up data disk before leaving any data disk with the SBA.

4) Students should use good quality double sided/double density floppy disks, available at any computer supply store.

Please note that since this service is being offered on an experimental basis, operating procedures are subject to change. Students will be informed of all such changes by notice posted in the SBA office.



Subway Fire. Fire trucks surrounded the Borough Hall subway station when one of the recent rash of subway fires broke out on a no. 5 train. A number of passengers suffered from smoke inhalation. Officials were thankful that the fire had not broken out in the tunnel between Brooklyn and Manhattan where a "major tragedy" could have occurred.



Members Hope To Develop Network for Future

By Glenn Katz

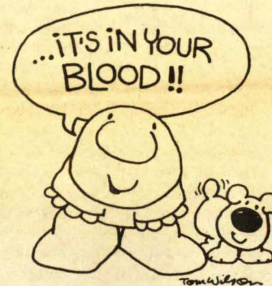
At 1:00 p.m. on Monday, October 22, approximately 25 students attended the first meeting of the Brooklyn Law School Real Estate Law Society. The newly formed organization is dedicated primarily to expanding the student body's knowledge of the Real Estate field as it relates to the legal profession through speeches, lectures, and debates. In addition, the group hopes to form a "network" amongst themselves and the alumni that will enable all to profit through both the free exchange of knowledge and increased personal and business opportunities.

A questionnaire was handed out at the meeting to determine which fields of endeavor each member was most interested in; which methods the membership felt would be best suited to accomplish the Society's stated goals; whether dues should be paid and if so, how much; and whether the students felt that the administration offered enough real estate related courses.

The results of the questionnaire were enlightening. The membership almost unanimously agreed that the three real estate related courses presently offered by the school—Real Estate Practice, Land Use, and Land Finance—were inadequate to prepare them as practitioners in the real estate field. Discussions have already been held with several sympathetic faculty members who have pledged their support for an expansion of the curriculum to include more real estate courses. As the greatest amount of interest was expressed in Coop and Condominium Conversions and Real Estate Development, these are the most likely topics for addition to the curriculum, depending upon future demand and the availability of faculty to teach them.

If you were unable to attend the first meeting and would like more information on how you can get involved, call Glenn Katz at (718) 624-0892 or leave a note with your name and telephone number in box number 165.

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BAR REVIEW**

Student Bar Association Passes New Budget

By Jonathan Hudis

On Wednesday, October 17, at 7:00 p.m. the Student Bar Association held its monthly meeting in room 500. The major topics discussed at the meeting were: approval of the S.B.A. constitution, the current status of the student-faculty committees, the annual Halloween Party, and most important, approval of the S.B.A. budget for 1984-85.

The most heatedly debated subject during the evening was, of course, the budget. Twenty-four groups requested approximately \$56,000 from S.B.A. Unfortunately, S.B.A. only had \$30,000 dollars to spend. A budget committee, chaired by S.B.A. treasurer Orren Weisberg, spent many long hours trying to figure out a fair and equitable solution to fund the various groups requests with what moneys were available.

Because many of the groups did not think their share of the budget was fair and equitable, they asked, and were granted the right to express their views on the budget. It was later passed by the S.B.A. collective body on a vote of 12-3-4. Among those who spoke were: the Legal Association of Women, the National Lawyers Guild, the Real Estate Law Society, the Justinian, the New York

Lawyers Basketball league, the New York Lawyers Volleyball League, and the Lesbian/Gay Society.

Members of the Lesbian/Gay Society particularly objected to the procedures used by the Budget Committee in arriving at their allocation proposals to be voted on by the S.B.A. House of Delegates. Members of the budget committee and other S.B.A. delegates responded by saying that the budgetary process was a democratic and carefully planned process which was open to the entire school, and that all groups had ample opportunity to express their grievances.

The budget has yet to be ratified by the student body in a general referendum. It should be noted that for the first time the current S.B.A. budget was approved by a Certified Public Accountant.

Passage of the S.B.A. constitution, along with all of its proposed amendments, was another major topic discussed during the meeting. Unfortunately, the necessity of passing the budget within the confines of the three hour meeting caused the House of Delegates to table ratification of all the proposed amendments until next meeting.

In the Day Vice President's report, Michael Schreiber discussed the Student Aid Society—an emergency loan service

for those students in dire need of funds on a limited basis. Schreiber also mentioned ten openings which the Student/Faculty Hiring Committee is Seeking to fill with any students that are interested. Inquiries should be directed to the committee's chair, Professor Comerford.

In other committee news, the Student/Faculty Cafeteria Committee has acquired two new student members, Jordan Sklar and William Elbogen. Students who will serve on the Nominations Committee were also chosen. The Hiring Committee is also looking for one student to fill a vacancy on that committee. Members among the S.B.A. House of Delegates were chosen for the Elections Committee among its third year day and fourth year evening members.

Of considerable concern was the current status of the Curriculum Committee. Chaired by Professor Margaret Berger, the committee's current project is the discussion of changes in the curriculum for the first year, especially changes in the Legal Process Class. The committee thus far has made no definite proposals. Two students from S.B.A. will be monitoring that committee to ensure that the committee hears the views of the B.L.S. students. Anyone interested in commenting about the value of the Legal Process Class

should send their comments to Professor Berger.

During the meeting, President Bernard Graham touched on a very important point. It seems that S.B.A. has come "under fire" as being an ineffectual group in representing the student body to the faculty and administration. His response, an affirmative exception to the accusation stated that the S.B.A. is bringing student concerns to the faculty through student/faculty committee meetings, and discussions with the Dean. While he agreed that S.B.A. was an ineffectual group in the past, he and the rest of the S.B.A. body are working to change that.

In the near future, the S.B.A. office will be acquiring a computer-wordprocessor. For two hours per day, students will be able to hand in floppy disks with their reports on them, and for a small fee have the information on their disks transferred onto paper. There are three computers in the library on which students can type their reports, briefs, and memos. S.B.A. will be selling blank floppy disks for this purpose.

Susan Lewis mentioned that S.B.A. will also be selling Statue of Liberty T-shirts soon. One dollar from the proceeds of every shirt sold will be donated to the Statue of Liberty Beautification Fund.

Battered Women Faced with Social Stigma and Callous Legal System

Susan Merrill

NBC's recent presentation of "The Burning Bed" drew national attention to the issue of battered women. Brooklyn Law School's attention was drawn to this and similar issues last week at a panel discussion entitled "Violence in the Family", sponsored by the Center for Elimination of Violence in the Family, Inc.

Four panelists spoke to a mixed audience of men and women lawyers, law students, and social workers about a variety of topics surrounding what is commonly referred to as the "Battered women's syndrome."

Who is a Battered Woman?

Nancy Schaefer, a representative from the Coalition for Abused Women, a Nassau County organization, began the discussion by describing a typical battered woman the progressive stages of awareness and development she undergoes prior to seeking relief. Schaefer told the group that a battered woman could be almost any woman. "She's young; she's old; she's the president of a corporation; she's the cashier at McDonalds." By technical definition, a battered woman is a woman who has been abused three times or more.

Stages of Development

Schaefer outlined the stages a battered woman typically goes through in a violent situation. At first, a woman usually denies that she is being abused because her vision of herself does not coincide with her image of a battered woman. Often times, the abuse starts gradually: a push, a slap, and finally, a punch. Until the abuse becomes extremely violent, however, a woman usually rationalizes her mistreatment.

Once the abuse becomes more violent (and more violent usually means obviously violent—a black eye, a broken rib, a swollen lip), however, the woman acknowledges that she is the victim of abuse but she blames herself for the attacks. Her guilt and shame is fostered by other family members who blame the woman for

provoking the man to violence.

Eventually, the battered woman reaches out for help. Usually though, the woman does not reach this stage until she literally fears for her life or for the safety of her children. Unfortunately, however, the help she seeks is ineffective and the woman becomes ambivalent to her situation. She wants the abuse to end, but she cannot escape from it. She often has no place to go, no place to bring her children.

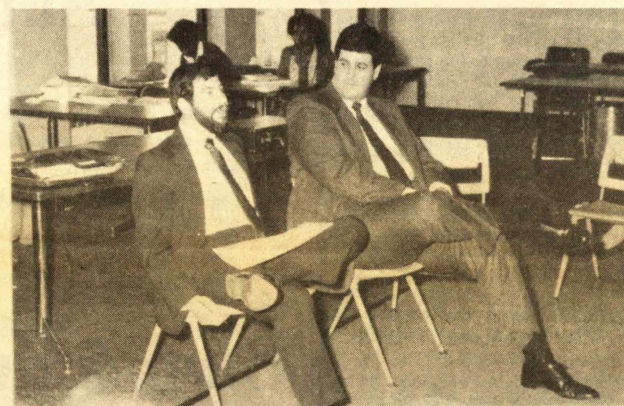
Schaefer told her listeners that the Coalition offers shelter and counseling for battered women in the Nassau County community (there are similar centers in the Metropolitan area). She also recommended marriage counseling, but noted that counseling is often ineffective unless the husband is ready to acknowledge his responsibility for the abuse. "There is not much help available for the abuser," said Schaefer, "but that is the direction to move in if the abuse is to stop."

Legal Remedies

Marcy Barren, a matrimonial attorney in Manhattan, then gave a detailed outline of the problems a battered woman may encounter in the legal system and the remedies available to her. Depending on her situation (married, single, separated, divorced), a woman may seek legal action through three forums: family court, criminal court, or state supreme court. The court may award a complaining victim an order of protection, a court order restricting the husband's behavior as it relates to his wife, his children and/or his activities within his home. Barren pointed out, however, that the order "is only a piece of paper; it only works if the police enforce it."

Burden of Proof

Once in court, the burden of proof is on the woman. If in family court, the woman must show with "competent, material, and relevant evidence" that she is the victim of abuse. The burden is heavy and the woman usually must obtain doc-



Lawrence Sucharow and Robert P. Bramnik lecturing to students in the third floor lounge.

Prof. and Alumni Lock Horns at Corporate Securities Lecture

By Scott D. Pollock

On October 11 in the student lounge, the Distinguished Alumni Lecture Series continued its tradition of bringing Graduates of Brooklyn Law School back to discuss their legal practices. The well-attended program featured two alumni who practice in the field of securities law: Mr. Lawrence Sucharow (BLS 1973) of Goodkind, Wechsler, Labaton & Rudoff, a New York law firm which primarily represents shareholders and others claiming to have been harmed by breaches of fiduciary duties on the part of corporate officials; and Mr. Robert P. Bramnik (BLS 1973) of Arvey, Hodes, Costello & Burman, a Chicago firm which represents corporations and securities firms.

Mr. Bramnik began by speaking of the securities law area as "a growing, even an exploding field" which offers many opportunities to witness new developments and significant changes in the law. According to Mr. Bramnik, securities firms have recently begun to venture into the insurance, banking, and money market areas, while banks have begun to diversify their services to include investment services. These developments challenge cur-

rent law which forbids both investment houses and banks from engaging in each others activities.

Mr. Sucharow also spoke of securities law as a developing area, but one in which new trends are increasingly threatening the rights of shareholders to have a voice in corporate affairs. According to Mr. Sucharow, the high costs involved in white collar litigation, the business judgment rule which shields corporate directors from judicial inquiry, and the reluctance of many judges to award large attorneys fees has caused his firm to consider changing its practice of initiating class actions against corporations. Once a successful weapon in the plaintiff's arsenal, the class action suit is becoming more difficult and risky to litigate. Judges have said, "I don't want to be the one to make millionaires out of lawyers," and consequently may award fees of less than the attorneys' hourly rates, said Sucharow.

Seated closely together and surrounded by a semicircle of students and professors from BLS, the speakers traded anecdotes and took questions from the audience.

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"Building Bridges, Not Walls" Theme of Women and the Law Conference

By Christina Clarke

Over 3,000 people are expected to attend this year's sixteenth National Conference on Women and the Law. The Conference is the only national Conference organized specifically to address legal issues vitally important to women. Each year the Conference is sponsored by law schools in a different region of the country. Last year's Conference was held in Los Angeles where over 2000 people attended. This year's Conference is being organized by a coalition of women, most of whom are students from New York area law schools.

The theme of this year's Women and the Law Conference is "Building Bridges, Not Walls." Conference organizers have stressed that building bridges between women lawyers and the feminist community is necessary to achieve the goal of women's equality. Instead of perpetuating the traditional elitist mystique of "The Law" and acting as translators of the law upon whom "lay people" depend, feminist lawyers must use their knowledge in cooperation with the efforts of others to effect broad-based change through the law.

An important step in transcending walls is recognizing that both women in traditional legal jobs and those in progressive community organizations have a role as advocates of Women's Rights. It is the aim of this year's Conference to bring as many groups together as possible to work together toward solving the problems of those denied access to the legal system, from those desiring to enter male-dominated legal careers to those who feel totally abandoned by it.

The Conference will be held at the Penta Hotel from March 21 through March 24, 1985. BLS Professor Elizabeth Schneider, who had been active in past conferences as a panelist and participant, is currently serving on the New York Board for the Conference, and is also a scheduled panelist again this year.

The conference will include over 170 workshops covering a broad spectrum of substantive legal issues, including: economic independence of women; the impact of the legal system on Third World Women/ Women of Color, younger women, older women, poor women, women with disabilities, and lesbians; sex discrimination in family law, housing, education, health and employment; issues in the Arts; environmental issues; and women in international movements.

Previous conferences have been successful. As one BLS student said in reference to last year's conference in Los Angeles, "It was the most informative and inspiring conference I have ever attended, and I've been to many different conferences. I felt so isolated as a woman studying law, so far from the people whose lives were affected by it or whose occupation, though not a legal one, necessitated working with and interpreting it. The Conference changed that for me. Law is no more just reading cases and discussing them with detachment, either in class or on an exam. I cannot forget that law has an effect on people; they can thrive or suffer painfully under it."

BLS women were encouraged to reach out to different groups in Brooklyn and other communities. It was decided at the meeting that BLS Conference organizing will be done both during the week and on the weekends, so that BLS part-time and evening division students may have more opportunity to participate. Since they frequently have many contacts from their work and experiences outside of law school, BLS evening and part-time students can be especially helpful in the area of outreach and publicity.

For further information concerning the work to be done and the meeting times call (718) 724-6954

Two Dozen Books Stolen From BLS Placement Office

By Allan Young

Wondering why you can't find a current directory of corporate counsel at Placement? Looking in vain for a how-to on resumes? Tearing your hair out for a guide to practicing law in New York? Well, take a close look at your colleague slinking surreptitiously out of One Boerum Place with the rather heavy-looking briefcase.

Gina Spataro of the Placement Office reports that some of the most popular job search reference materials have been disappearing from the office at an alarming rate. In the last four weeks, the following tomes, some with the approximate dimensions of cinder blocks, have been pilfered from Placement:

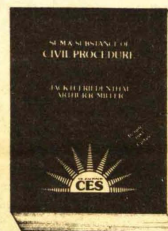
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2. Capitol Jobs—An Insider's Guide to Finding a Job in Congress
3. Directory of Law Teachers
4. How to Interview for that Job and Get It
5. How to Turn an Interview into a Job
6. Interview for Success
7. Interviewing: Principles & Practices
8. Emerging Careers: New Occupations for the Year 2000 & Beyond
9. How to Choose, Change, Advance Your Career
10. How to Make it through Law School (A Guide for Minority & Disadvantaged Students)
11. Managing Stress—A Business Person's Guide
12. Career in International Affairs School of Foreign Service—Georgetown U.
13. The Million Dollar Lawyer
14. 1984 National Directory of Prosecuting Attorneys
15. Opportunities in Law Careers
16. Slaying the Law School Dragon (A Primer of How to Survive & Combat Law School Intimidation)
17. The Resume Workbook Guide to Writing a Job Winning Resume
18. Resume Writing—A Comprehensive How-to-do-it Guide
19. To Be a Trial Lawyer
20. Directory of Legal Employers
21. From Law Student to Lawyer—A Career Planning Manual
22. Get That Job—How to Succeed in a Job Search
23. Resumes That Get Jobs—How to Write Your Best Resume
24. Law & Business Directory of Corporate Counsel, 1984-85

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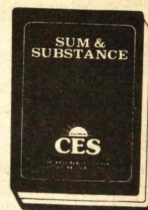
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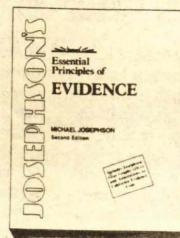
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Women's Rights Clinic Offers Challenge to Students

By Donna Riccobono

The Women's Rights Clinic is unique because it was implemented by a group of BLS women who proposed the program to the Administration, then followed through the hiring process by sending letters to alumni and conducting the interviews themselves.

The group chose Carol Lefcourt, a graduate of BLS, to lead the clinic. Professor Lefcourt (who was one of two women in her 1960's graduate class) is acting counsel for the Division for Women in the Office of the Governor.

In the program, twelve to fifteen hours each week are spent working at various placements throughout New York City, which include judge clerkships, private practice and public interest organizations. The three credit course also offers a weekly two hour seminar devoted to discussion on topics as diverse as successful strategies in interviewing clients and drafting complaints, the history of Suffrage, current Domestic Relations Law, and analysis of law as a tool for social reform.

Fieldwork That Effects Change

"The clinic has afforded me a wonderful sense of accomplishment early on in my career. I'm effectuating change," said Bonnie Bernstein, a second year day student who is assisting a staff attorney in the New York City Division on Human Rights. "I'm giving practical insight as to what research is like in the real world as opposed to what first year writing classes teach us."

The City's Division on Human Rights responds to Administrative Orders prohibiting discrimination relating to age, sex, race and national origin in areas including housing and employment. Student involvement includes interviewing litigants, contacts with opposing counsel, attending staff meetings, acting as a liaison between clients and staff attorneys, research tasks and administrative duties. Ms. Bernstein's most recent research task has related to backpay retaliation actions and whether an underlying discrimination complaint must have merit for a retaliation complaint to succeed.

The fieldwork is seen as a useful "stepping stone" to a job after graduation. "I'm in a program with New York University and Columbia law students so although BLS is lower in the academic hierarchy, I feel I'm receiving equal access to quality legal positions," said Ms. Bernstein.

Separation of Church and State

"While the American Civil Liberties Union doesn't have a long history of hiring BLS students, this fieldwork gives us a chance to develop contacts and gives their organization a feel for what BLS students are capable of doing" added Amelia Grygier, a second year student who is working on the Reproductive Rights Project at the ACLU National Office. One of the attorneys she assists is a recent BLS graduate who had completed a student internship at ACLU. Ms. Grygier is currently researching the constitutional issue surrounding the separation of church and state due to the Establishment Clause. She reflects that this job has enabled her to develop practical organizational skills since she's working on one "massive

case with volumes and volumes of documents".

The Reproductive Rights Project is challenging a Health and Human Services Administrative Order called the Adolescent Family Life Act which was passed several years ago but was recently revised to include a requirement that in order to receive funding through a government grant, a group must establish ties with a church. Moreover, the revised version provides that no grant money will be distributed to any group which promotes the use of abortion.

Another student placement is the Division for Women in the Office of the Governor. The Division for Women is an advocacy group involved in promoting women's rights and articulating women's issues. The group is in contact with politically powerful and influential women throughout the state, compiles state records on the women's groups in existence and has an extensive outreach program. Letters received from women in need of help are forwarded from Governor Cuomo's office to this Division, which performs whatever research is necessary, then contacts the women to align them with the organizations who are best equipped to assist them.

Child Support Amendment Expanded

Saliann Scarpulla, a second year day student, is working as an intern for Carol Lefcourt in the Division for Women. At this time, the organization is primarily concerned with setting state priorities for the 1985 Legislative Session. Ms. Scarpulla and two other student interns are researching the federal Child Support Amendment of 1984 to determine what changes are necessary to make New York comply with the federal act and then broaden its scope. Accordingly, the interns are reviewing progressive legislation in other states to make New York's law more responsive to the expressed needs of its families.

In the past, the State more stringently enforced child support obligations that affected families on welfare. The scope of the 1984 Amendment is much broader, and adheres to a strict application of child support laws for all families.

The clinic has served to dispell some students' previous notions that simplistic solutions exist to problems facing society. Unforeseen and complex consequences arise out of apparently progressive legislation which declares people to be equal. The reality is that people are not equal and frequently these laws work to the detriment of those they are actually trying to help. For example, while a person may be ideologically opposed to alimony because it perpetuates paternalism and an unequal status between spouses, a no fault divorce law involving only a maintenance scheme has other problematic consequences. Women generally continue to have a lower job worth in financial terms, even for comparable work, and therefore the result of such laws is often antithetical to the goals of the women's movement.

Difficult issues such as this one have caused a major rift in the feminist legal community. Both perspectives pose serious problems as well as advantages and the vicious circle that results left one student to comment "you end up chasing your tail between a rock and a hard place." But with that anger and frustration is a heightened awareness of the complexity in developing effective social legislation and the challenge before us.

"It's unfortunate the program doesn't attract more people", commented another student. "The internship made me realize that every issue is a women's issue because every issue is a people's issue".

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Editorial:

Garbage Out, Garbage In

Even Oscar Madison would be revolted! If you had walked into the cafeteria any time this year after 4 p.m., you must have been struck by the landscape of garbage. Garbage! Piled high on table tops like the Sanitation Department's mountains at Canarsie. Garbage! Belching out of engorged trash bins that sit like fetid Buddhas surveying the putrescent overflow at their feet, falling to the floor like leaves in the autumn. Garbage! In the form of stagnant brown canals trickling from their overturned styrofoam sources, across Formica plateaus to their final oozing end, never to be united with the powerful flow of the slop-sink faucet.

The increase in this term in cafeteria trash is not a result of increased patronage, but arises instead from a contract dispute between BLS and Food Concepts, Inc. [FCI], the cafeteria concessionaire. The subject of the dispute is section 10 of the contract which outlines the responsibilities and rights of the parties. Section 10(A)(2) reads:

FCI will assume responsibility for the cleanliness of the serving line, the food preparation area, the trays and for busing the tables and chairs during cafeteria hours.

Section 10(B)(1) reads:

The Law School will provide janitorial services for all floors, tables, and chairs, garbage receptacles and liners, and extermination services during non-cafeteria hours.

Until recently, BLS custodians regularly provided janitorial services during cafeteria hours. Now, BLS wants FCI to bus the tables, empty the large trash bins and load the bagged trash onto the freight elevators. FCI claims that nothing in the current contract requires it to handle trash containers. As a result, the bins are filled during the lunch hours and remain full until the BLS custodial crew comes on at night. With no place to dump trash, patrons are forced to leave discarded debris on tables, chairs, and the floor.

There must be a lesson in this situation. There is the irony of an auto mechanic who drives his car without all the parts, a doctor who neglects his health, or the lawyer who, when writing his own contracts, is sloppy. The opposite view shows the administration attempting to gain concessions (no pun intended) from FCI and using student discontent as a bargaining chip. Either way, there is no excuse for a Law School to be negligent in providing for the maintenance of its own physical plant.

Letters

To the Collective:

I am writing in response of a letter written in this column in a previous issue. Robin Siskin is the Director of Student Affairs and June Seddo is secretary to the director. Their office is responsible for the lockers, advises student groups, oversees xerox, cafeteria, audiovisual, catering, bulletin boards, day care, maintains information on scholarships, fellowships, summer study, LLM programs, began DOMUS, The INDEX (weekly calendar of events), began new ID cards and assists handicapped students.

In the beginning of this semester I went to put a lock on my assigned locker but someone had beat me to it. I went to the Student Affairs office (room 301) and told Jane someone put this lock on my locker. She told me many stu-

dents were having problems concerning lockers. Apparently Robin Siskin had inherited a poor, if any, system of locker assignment and record keeping. I as well as many other students were without lockers and Robin Siskin had no way of determining which lockers were occupied and which were not.

A new beginning was called for and Robin Siskin with the help of her secretary Jane put a new plan into effect. Admittedly, the plan called for the minor inconvenience of a few, but from now on we all have a locker and a proper record keeping system has been established to the benefit of all who will follow us.

Thank you Student Affairs for your prompt and considerate action in remedying once and for all the locker problem.

D. Hanna

To the Collective:

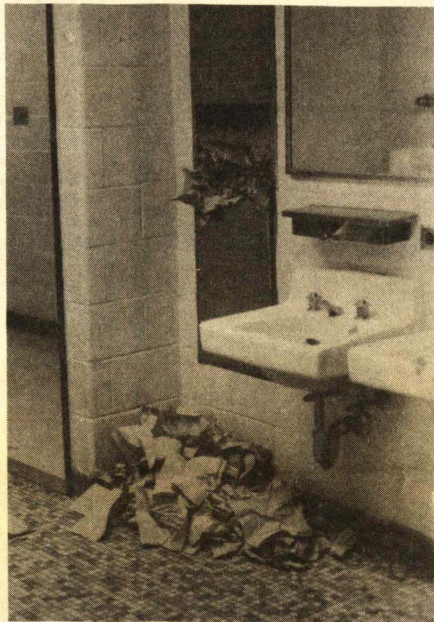
Hi my name is Craig. I'm serving time at Arizona State Prison for possession of cocaine. And I would like someone to write to. I'm young and I like sun, watersports rock&roll music and fastcars. So if you think you would like to correspond. Write me and check me out.

Craig McCann
P.O. Box B 50732 East
Florence, AZ 85232

For me, constitutionality has never turned on whose ox was gored.

—Raoul Berger
*Lawyering vs. Philosophizing:
Facts or Fancies,
9 U. Dayton L. Rev.
171, 172 n. 9 (1984)*

Garbage Piles.
Familiar scenes in the dining hall and men's locker room. More graphic pictures were omitted.



B.L.S. and B.A.T.H.S.

Dear Dean Trager,

The Middle Ages had the Bubonic Plague. More recently mankind has become susceptible to small pox, polio and A.I.D.S. Even the Vietnam War has left its veterans with a bona fide health hazard thanks to Agent Orange. In all of these cases, an ounce of prevention might have gone a long way to avoid the consequences of these deadly diseases. Therefore, I implore Dean Trager and the BLS Administration to prevent B.A.T.H.S. (Bathroom All-consuming Toxic Health Syndrome).

Who knows what health problems may develop from the slipshod, and disgusting maintenance of the bathrooms. Urinals which do not flush, floods on the floor which rival the Buffalo Creek Disaster, and mountains of burlap tissues piled under the overflowing trash receptacle are the good points. The bathroom's lesser qualities, too rich to put in print, are a wonder to perceive on a Monday morning prior to a nine o'clock class. It is not pleasant. It is not pleasant at all.

To solve this situation, I propose the following to the powers that be. First, install more garbage cans in the bathroom. Garbage cans are a recently developed phenomena not uncommon to other progressive institutions of higher education.

Second, hire someone to keep the bathrooms clean. Now if the administration wants, we could employ one person per bathroom to maintain cleanliness, shine shoes and sell hair tonic. Perhaps, Dean Trager does not want to go to this extreme degree, but even one person with a mop would do. Third, bring in a plumber to fix the faulty flushing facilities.

If these proposals go unheeded and the problem continues, the as yet unknown symptoms of B.A.T.H.S. will begin to effect the student body. If any person, within five to ten years of graduating from BLS, suddenly develops unexplained sores, back problems, hair fallout, an unusual buildup of ear wax or any odd health hazard, get in touch with this writer and I will include you as a plaintiff in a class action suit against BLS.

In conclusion, I implore Dean Trager and the BLS Administration to do something about the sorry state of the bathrooms. With all our plans of expansion and building bridges in the sky, could we not allocate funds to flush out this problem. While the administration may overlook the disgusting shape of our bathrooms, even they must have trouble over smelling them.

Brian Paul Walsh '86

From the SBA:

Executive Board Takes New Direction

In a recent article, "An Anarchist Among Parliamentarians," *Justinian*, Oct. 10, 1984, p. 3, the SBA was characterized as powerless. The author said that the student body has no role in the decision making process. This is not news.

What is new, and a refreshing change, is that students are voicing their concerns. When the SBA gets no feedback it has less incentive to act. When students want to know what their elected representatives are doing, the SBA has an obligation to respond. We hope that this dialogue will continue.

For too long students have been saying "all the SBA does is throw parties." To be perfectly honest, we are embarrassed by that reputation.

This year the SBA has begun the process of rebuilding its credibility, but the task is not easy. Before we outline the steps which are taken, let us explain the reasons for the SBA's present state.

There are a number of reasons why the SBA has not been effective in the decision making process at BLS. First, previous administrations were irresponsible and ineffective. Second, the student body has been apathetic. Third, the faculty has not been interested in students' input in the policy making process.

In the past the SBA failed to take advantage of its opportunities to have an impact in the administrative decisions at BLS. However SBA meetings were ridiculous, and little was accomplished. Political fighting, unrelated to student needs, wasted time that could have been better spent addressing issues such as curriculum, tuition, and the academic calendar.

Further, the SBA lost control of its

students representatives on the student/faculty committees. Policy developments went unnoticed and our credibility suffered accordingly.

Perhaps as a reaction to the SBA's impotence, the student body became apathetic and derisive.

The faculty, despite their receptiveness to students on an academic level, have been less than interested in having students contribute to important policy decisions that affect the nature and quality of student life at BLS. These decisions require student participation and the SBA plans to participate more directly in them.

We know that the SBA has not acted as an effective organization in the past, but we are convinced that we can reverse this downward slide. It is early in the year, but there are, already, indications that we are headed in the right direction.

Since the beginning of the summer the Executive Board has met more times than in all of last year.

The SBA budget was submitted to the Administration in August, and as a result we received our funding earlier than ever before, and we were able to allocate money sooner. Due to the quality of the Treasurer's presentation, the Administration increased our budget by \$4,000.00.

Over the summer we developed a proposal to provide computer services to the student body. We met with Professor Gerber and hammered out the details. The negotiating was lengthy, but we dealt responsibly. As a result the Administration is buying a computer and a printer that will be operated by the SBA. The SBA will be organizing instructional groups on weekends and within a few weeks, students will be able to do memos, resumes and cover letters at a nominal

charge, without leaving the building.

Last May the new SBA President approached the Administration with our concerns about the Placement Office. As a result, we played a role in selecting the Assistant Dean for Placement and are now involved in the selection of the Placement Director.

The new Day Vice President has begun to take control of the operations of our representatives on the student/faculty committees. Vacancies on these committees are being filled and the representatives will be held accountable for their actions. Written reports will be submitted concerning the activities of each committee. Our intention is to convey policy developments to the student body, and to solicit student responses.

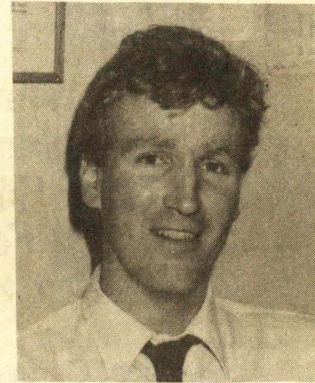
The SBA also plans to tackle the faculty evaluation process. If a professor conducts a class irresponsibly, we all have a right to know, and we can let students know which classes are not worthwhile. Last year's faculty evaluations are being hand processed by this year's SBA.

These developments are hardly earth shaking, but they are significant. They are an indication that gains can be made when we act in a professional manner.

The SBA would like to expand its role in the school, to address issues which concern all of us.

The SBA has begun working with the Alumni Office and the student organizations to reach into the Alumni and build networks among BLS graduates.

The SBA is not interested in wasting its time. There are concessions which we can obtain from the Administration and we will work towards obtaining them. Our approach this year will be to take good ideas, work hard and make our presence in the school more productive.



Bernie Graham, president of the SBA.

If we behave responsibly and intelligently we should be able to restore credibility to our organization. After all, we are attending a law school, and if we cannot do more with our student government than throw parties it is a sad reflection on all of us.

The SBA will not promise remarkable improvements in the near future. We can promise that we will do the work necessary to rebuild, and our efforts may result in gains next year or soon after.

One important development has already occurred. Students input has begun and it is welcome. We intend to return the gesture and keep you informed in the *Justinian*. It is important that students and faculty not think that the SBA is hopeless. Students need a voice in this school, and it should be the SBA.

This article was written jointly by the SBA Executive Board.

We Don't Really Have a Choice

By Robert Axford

The psycho-historians say we are in a war phase. A psycho-historian is one who examines historical events by applying principles of psychoanalysis to a society's motivational dynamics. After the first two debates, war seems to be a bipartisan consensus. Walter Mondale warns of a "quarantine" of Nicaragua. Reagan loathes the Marxist-Leninist-Stalinist-Soviet-Cuban-Nicaraguan-Axis, a.k.a., "the commies". Bush, the ex-C.I.A. chief, is suspicious of any nation left of Japan. And Geraldine Ferraro says, why sure, she'd push the button if the Ruskies were to get too frisky with our national interests. Peace? Nah, that's another decade. This is the 80s.

We don't really have a choice. Never really do: Humphrey-Nixon-Goldwater, Carter-Ford, Carter-Reagan. American journalists like to deride the Soviet one-party system. We, the freedom-loving pluralists that we are, have two parties. If "their" system is totalitarian, then our system must be half-totalitarian. Maybe we get the weekends off. And whenever your city/state's team wins a major sporting event.

My leftist friends tell me I must vote for the Democrats. That the other guy is so heinous even a Mondale is an improvement. We have no other option, they say. I am reminded of the Supreme Court that will overturn *Roe v. Wade*. Of even more severe cuts in social services to pay off the national debt. Of the clear probability that Reagan will invade Nicaragua, probably in February '85 when the Soviet MIGs are due in Managua. Daniel Ortega has said that they'd prefer to die on their feet than live on their knees. They are revolu-

tionaries. Their attitude, while confrontational, is understandable.

The case is clear: Reagan must go. Agreed. But what is this Mondale said about quarantining Nicaragua should the Sandinists accept the Soviet fighters? That these planes are 25 years old—and not what you'd call state of the art—seems beside the point to both candidates. That the new Israeli fighters can fly circles around those clumsy MIGs is not considered. Now, I realize Mondale does not want to look like a "wimp". But, if elected, he'll probably not want to act like a wimp either, which is the quandary.

Watch out for those MIGs', folks. They might turn into the next Grenadan airport, which so threatened our national security last year. You remember, the airport with the runway long enough—can't fool us!—to land Soviet long-range bombers. However, now that Grenada has been "liberated", it was appropriate for us to finish that airport. I heard it's going to be called the Ronald Reagan International Airport. Say amen somebody.

It's the nationalism. Psycho-historians believe that before a major group trauma (war, depression), a form of nationalism resurfaces. Nazism was an example. Franco's fascism, Italy's brown shirts. The "holy war" between Iran and Iraq. It resembles a group trance of sorts. What triggers this chauvinism? Often, it is a reaction to a liberalizing of society. In our case, the 80s is a reaction to the politically and sexually open late 60s and early 70s—a time when feminism was vibrant, along with gay pride, individualism, egalitarianism, and alternative, often non-authoritarian lifestyles. Psychoanalytically speaking, our Id was guiding us.

But, since our mass psyche is immature and quite psychotic (the recent estimation that one out of five Americans suffers from a manifest psychological disorder is an understatement, I contend), we react to the liberation by repressing our natural Id-based instincts. Our super-ego (or "parent" for you transactional analysis folk) resumed control. Enter the moral majority. The return of "pro-family" (read authoritarian) values. A desire for law and order. The re-examination of the abortion issue—resolved in the liberal 70s—is more evidence. The sudden reappearance of reports of child molestation is also curious. The *Incidents* of child molestation and abuse have not increased; rather, the story, examples of our perversity, have simply been moved to the front page. This reinforces our group perception that the 60s and 70s were a time of moral turpitude and that there exists a need for more repressive controls. We have seen the enemy and it is us.

Now what we are looking for is a place to deposit our self-directed hostility. We typically do this through sacrifices and scapegoats. In a way, we have already begun. Our sacrificial virgins are many: soldiers (in Lebanon and Grenada and soon Central America); the homeless; the elderly; the urban youth; young women (soon to be victims of home-styled abortions); and babies (the infant mortality rate has climbed steadily—especially in poor neighborhoods—in the Reagan years to the point where we, the most advanced country in the world, are ranked 16th in the world). The scapegoats are the Nicaraguans and a group I'll call liberals (including feminists, Blacks, un-

ions, illegal aliens, Jesse Jackson, punks. Socialists, the fourth amendment, gays, and nonwealthy college students).

Ronald Reagan's part in all this is obvious. He is our stern patriarch. He hurts some of us, but, like a demanding father, he does it for our own good. That Reagan is an ignorant man (the first president to own more horses than books) is unimportant to the American psyche. He is as much our own fabrication as he is his own man. In California, as Governor, he signed one of the most liberal abortion bills of the time. Now, he seems destined to reverse *Roe v. Wade*. After the first debate, Reagan was shown to be the aging actor he is, whose grasp of the complexities of his office is tentative at best. But he's called the Great Communicator. That Americans are dying needlessly and suffering significantly appears inconsequential. What matters only is our group ritual, our bloodletting.

So what is the answer? Besides organizing for massive group therapy, I don't know. I'll vote, I suppose. Still, a part of me agrees with the don't-vote-it-only encourages them sentiment. To be sure, I don't want to encourage either candidate. I want to discourage them, their foreign policy, their pandering to our base neuroses.

Meanwhile, back at the ranch, here we go again.

Mr. Axford conducts his psycho-historical studies while masquerading as a second year student at Brooklyn Law School.

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Civic Group Honors BLS Student

Donna Riccobono

The Puerto Rican Pioneers Association, a Brooklyn based civic group organized in 1961, has chosen BLS student Nelson Aponte to receive their *Young Hispanic of the Year* award. Mr. Aponte is a second year evening student who has worked in Hispanic politics for years and has helped organize voter registration drives responsible for signing up as many as four hundred new voters in a single effort. A native resident of Brooklyn, Mr. Aponte has also participated in creating public service programs for local Spanish speaking radio stations and has assisted in various church sponsored activities.

The founding members of the Puerto Rican Pioneers association originally planned to organize the people who had arrived from Puerto Rico at the Atlantic Avenue docks to settle in Brooklyn during the 1930s and 1940s, hence the group's name. The ethnic character of Atlantic Avenue and the surrounding vicinity used to be predominantly Hispanic but has

since changed to reflect an influx of Arabic speaking people. Regardless of this demographic shift, the Puerto Rican Pioneers Association continues to honor a few selected individuals each year during a parade that travels down Atlantic Avenue, with its point of origin the historically significant Atlantic Avenue docks.

According to Mr. Aponte, the current emphasis of the Puerto Rican Pioneers, is to maintain a "keen focus on three basic issues: education, housing and employment". The Association promotes the efforts of civic minded Puerto Rican New Yorkers and Hispanic Americans and seeks to become more sophisticated and effective in the political, economic and social process in New York. Mr. Aponte voiced particular concern that we must not lose sight of the fact that by improving the quality of life for Hispanics in our city in the long run all New Yorkers will benefit. He insisted in this regard, "by working with all the ethnic, religious, and civic groups of our city we can together

maximize our fullest potential."

He added that "major gains" for Hispanic Americans were occurring every day through the electoral and political process however it will take the continuous efforts of groups such as the Puerto Rican Pioneers before the more concrete benefits trickle down to the average Hispanic family.

Also honored by the Association this year was Justice Gilbert Ramirez, a BLS alumnus of the evening division who is currently a New York State Supreme Court judge; Emma Soto, bank manager for Banco de Ponce and a member of the Mayor's Women's Rights Commission and Lucy Morales, a City Hall employee who has been active in a variety of community groups and civic activities.



Professor Gerald Frug lecturing on the ideology of bureaucracy in American Law. See article in next issue.

Alumni Lecture

Continued from p. 3

Mr. Sucharow responded that he sees new types of tricks all the time and that indeed, he gets sick nearly every day. Mr. Bramnick did not answer the question.

Mr. Bramnick did become animated near the end of the program when he pointed to the number of frivolous lawsuits which are brought to gain large settlements against what he referred to as, "poor and innocent companies." This remark provided the only real confrontation between the two alumni, as Mr. Sucharow countered that "rule 11 of the Federal Rules of Civil Procedure provides for judges to impose sanctions against parties who bring groundless lawsuits." Mr. Bramnick offered a rejoinder to the effect that, in his opinion, sanctions were not used often enough.

At this point, SBA president Bernie Graham stepped in to announce that the audience could continue to question the alumni informally and that wine and cheese were still available on the table.

After the formal lectures were concluded, the two speakers had words of encouragement for students of Brooklyn Law School. Mr. Bramnick stated that, while at the beginning of his career he had to

overcome "ivy league prejudice", after he "got beyond the front door" he found that BLS had given him a better preparation than any of his contemporaries had received from their schools. "BLS gave me practical exposure to an esoteric field that the school is not known for. No one who went into the securities field from BLS didn't make it", he said.

Mr. Sucharow concurred with these sentiments and added that "BLS students are their own worst enemies, since it is they who are willing to continue the jokes about their school. This has to change."

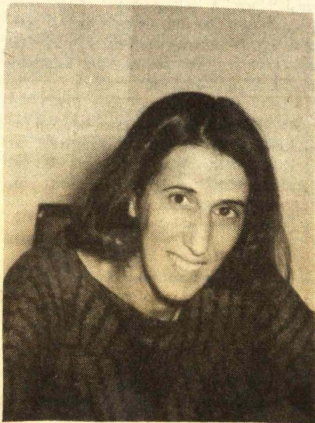
Although the atmosphere was congenial, at times it was evident that the two alumni stood in an adversarial posture. After Mr. Bramnick remarked that the business judgment rule was, after all, part of the American free-enterprise system, Professor Joseph Crea injected the first moment of excitement when he asked the speakers "You call this the American system?" Referring to corporate takeovers and the sweet deals which are made to leave officials of the target company protected under "golden parachutes", Professor Crea asked, "Doesn't it make you sick? doesn't it make you incredibly sick?"

Federal Litigation Clinic

Continued from p. 1

port of this clinic. There has been no disagreement with Dean Trager as far as the physical set-up of the program. The clinics "on-campus law office" will include everything that a regular law office would need for this type of litigation: a secretary, word processor, client waiting area, law-student offices, lawyer offices and work-space. The clinic may have its own computerized library system as well.

The clinic will be offered for six credits (two academic and four clinical). Eight to ten second and third year students will be accepted for the spring semester. Professor Kotkin hopes that the second year students will continue on in their third year as "senior partners" in the cases they'll be handling. Applications are available in the seventh-floor secretaries office. Professor Kotkin asks that interested students schedule an interview with her as soon as possible, so that she will be able to notify accepted students early in the spring registration period (in November).



Professor Kotkin.

Lack of Interest in Fall Moot Court Contest

Continued from p. 1

for Society membership based on preliminary round scores and grades previously awarded to the briefs. This percentage is flexible however; the Society may select as few as five or all twenty candidates. New members will become responsible for running further competition and handling the many administrative details of coordinating the various teams throughout the year.

The Selection Process

Of the twenty students now competing, the sixteen students with the highest scores after the preliminary rounds will advance to the quarter-finals. Both the preliminary and quarter-final rounds will be judged by Society members and BLS alumni. The eight students with the highest scores after the quarter-finals will advance to the semi-final rounds where the competitors will be judged by state court judges. The winners when advance to the final rounds where the student advocates will be judged by federal court judges. Although the specific judges have not yet been selected, Pickard is confident that there will be an "impressive pool of judges."

The National Team

The National Team will be comprised

of the four second year students with the highest combined scores from the quarter, semi, and final rounds. Members of the National Team will compete in their third year against teams from other law schools in competitions sponsored by the Young Lawyers Committee of the Association of the Bar of the City of New York and the American College of Trial Lawyers. Representing BLS on the National Team this year are third year students Pat Conti, Liz Orfan, and Dava Silva, who will be arguing a Constitutional Law brief concerning an immigration problem.

The Intermural Competitions

Earlier this academic year, the Society selected the 1984-85 Intermural Moot Court Teams. Selection for membership was based on a writing sample, first year grades, and previous appellate advocacy experience. Selection was not based on the results of the First Year Competition, although in close cases, first year competition scores were looked at as an indicator of oral advocacy potential. Since each intermural competition is hosted by a different law school, the new team members will have the opportunity to argue their specific briefs in such far away places as Philadelphia, Ohio, and Virginia.

The new intermural team members

do not officially become part of the Moot Court Honor Society until a satisfactory brief is submitted and argued later this year at the various competitions.

The Jessup Team

Beginning this fall, the Jessup team will be coordinated by the Moot Court Honor Society. Since its beginning as an intermural team, Jessup has always been organized under the auspices of the *Journal of International Law*. The team has always been selected through the spring First Year Competition rounds based on argument of an international legal problem. In the future, however, the Jessup team will be selected through the same interviewing process used to select the other intermural teams.

Jim Glasser, Vice President of the Moot Court Honor Society, said that he did not think this type of selection process would detract from the calibre of the Jessup team members since the only students who will be eligible for membership on—Jessup would be those who had argued the international problem during the First Year Competition. Glasser's viewpoint, however, is not shared by present Jessup team member, Paul Verner. Verner felt that the Jessup team had fared so well in past intermural competitions.

Recently, the Jessup Team won first prize in the National competition because of selection of team members based on the scores awarded to competitions during the First Year Competition. Glasser said that this fear was unwarranted since there was a possibility that the scores of students who argued the international problem in the First Year Competition would be significant in the selection of future Jessup Team members.

Glasser said that the turnover of Jessup to the Society "will only serve to enhance the Jessup Team." Glasser said that the Society is better equipped to handle an outside competition team and pointed to the Society's successful coordination of the eleven other intermural teams. Glasser said that the Society will provide the Jessup Team with an extensive support structure which will include an outside coordinator in the field of international law who will aid the team and a student coordinator who will organize the team and coordinate practice schedules and practice rounds.

Acknowledging the overlap of *Journal* and Jessup team members (three of the five students on Jessup are also members of the *Journal*), Glasser said that the Society was "anxious to work hand in hand with the *Journal*" to benefit the reputation of Jessup and BLS.

Battered Women

Continued from p. 3

tor's reports, police reports, and photographs in order to meet it.

If in criminal court (this forum is the only one available to non-married women without children), the woman bears an even greater burden of proof and she must show visible and severe injuries.

The state supreme court will issue orders of protection as well. Technically, this forum is to be used in these matters for the purpose of divorce, but in many situations, the court's jurisdiction is as broad as that of family court. One advantage to supreme court is that, if granted, an order of protection from supreme court lasts forever; orders granted from family court last only a year.

Housing Discrimination

If the battered woman gathers enough courage and resources, she may attempt to leave her home but may encounter problems trying to find suitable housing. Marsha Olsen, an Assistant Attorney General explained that many landlords refuse to rent to a battered woman on the pretext that she is a financial risk to the landlord. In reality, however, the landlord fears that she will bring "trouble" to the building. The law prohibits a landlord from discriminating on the basis of race or sex, however, and a landlord must include alimony and child support payments as part of a woman's income when considering her application for a lease.

Self Defense

BLS Professor Liz Schneider spoke last about the problems a women encounters if she assaults or kills her attacker. Schneider began her presentation by discussing the sex bias surrounding the traditional notions of self-defense.

Self-defense is usually considered appropriate and acceptable when the counter-assault was reasonable under the circumstances. Schneider pointed out, however, that "stereotypes about women who kill and stereotypes about battered women in general make it impossible for a judge and jury to find she has behaved reasonably."

The basic standards behind self-defense, equal force and imminent danger, pose serious implications for a woman who attempts to defend herself against a physically stronger male attacker. Equal force, the notion that one may only respond to force with like force, prevents a woman from defending herself with a weapon when the man attacks with his fists. Although a counter-attack with a weapon may be the only real and effective way for a woman to stop an attack, the law does not take this into account.

The requirement of immediate danger also poses a problem for the woman who manages to successfully defend herself. If the woman responds to an attack when the threat to her person is no longer imminent, a jury or judge may find that her

counter-attack was unjustified.

Schneider pointed out that due to the efforts of the Women's Self Defense Project, judges and juries are becoming more sympathetic to the battered woman's cause.

For those interested in this critical issue of human rights, there will be a conference on Tuesday, November 13th at Two World Trade Center sponsored by The Council of New York Law Associates and the New York Women's Bar Association entitled "The Legal Rights of Battered Women." For more information regarding the conference, all (212) 219-1800.

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Announcements

SBA BLOOD DRIVE

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In the Third Floor Lounge

Fellowships, Prizes, Graduate Study

Did you know that Emory University School of Law will offer an LL.M. Program in Litigation beginning with the 1985-86 academic year? Or that the New York Senate sponsors a 1985-86 graduate/post graduate fellowship called the Senate Legislative Fellows Program? Information about LL.M. programs, fellowships, prizes, awards, summer study abroad, competitions, and various non-legal study programs is available from the Office of Student Services, Room 301. Notices of current programs can be found on the glassed-in bulletin boards on the third floor opposite the lounge.

Clinic Info

The Judicial Clinic and the Clerkship Committee bulletin boards are now located outside Dean Holzer's office, Room 901.

Babysitting

Students, faculty and staff interested in reciprocal babysitting arrangements should fill out the appropriate forms available in the Day Care Office, Room 302. Information about local day care facilities, activities for children and a lending library can also be found in the Day Care Office which is open Monday, Wednesday and Friday from 9:00 am—1:00 pm, and Tuesday and Thursday from 1:00 pm—7:00 pm.

Dr. Marion Volpe, a professor at John Jay College of Criminal Justice and noted expert in the alternative dispute resolution field has joined the BLS faculty as an adjunct professor of law to teach a course on dispute resolution in the spring semester.

The Moot Court Handbook

In the hope of maintaining interest in and fostering awareness of the Moot Court Honor Society, the Executive Board of the Society recently made available to prospective Society members a Moot Court Handbook. Compiled by the Executive Board, the Handbook Committee, the Staff of the Society, and with the assistance of faculty members, Stacey Caplow, Joan Koven and Henry Mark Holzer, the Handbook outlines the Moot Court Honor Society membership requirements and responsibilities.

The Handbook is professionally laid out and organized thanks in part to typist Hazel Staloff, and provides a good basis for an understanding of the workings of the Society and the possibilities for student membership.

The Handbook is presently available to anyone interested in the various competitions and will be available to the BLS community later in the 1984-85 academic year.

The Moot Court Honor Society is pleased to announce the 1984-85 Intermural Moot Court Teams. Congratulations to all!

ABA Appellate Advocacy
Andrew Axelrod
Joe Zepf

Team 1

Richard Schroeder
Mary Stephens

Team 2

Administrative Law
Susan Lambiasi
Jill Roisen
Geraldine Zidow

Ted Rothstein, D.D.S., Ph.D.



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Dr. Rothstein is Associated with Long Island College Hospital and Woodhull Hospital.

BACK-ROW BOB

Longbow Matras

IN RESPONSE TO YOUR HYPOTHETICAL, SIR! I DON'T THINK WE CAN PROPERLY GUAGE THE FRAMER'S INTENT NOR CAN WE BE SURE OF THE COMMON LAW OR HOW IT PERVADES THESE TYPES OF DECISIONS EVEN TODAY.

YOUR POINT IS WELL TAKEN, MR. NORVIS. WOULD YOU DO THE NEXT CASE FOR US, PLEASE?

I'M SORRY, SIR. I HAVEN'T READ THE MATERIAL.

NUTSHELL NORVIS STRIKES AGAIN!

Announcements

Announcements

Criminal Procedure

Sherry Jetter
Pam Kelly
Olga Prince

Entertainment/Communications Law

William Coury
Bridget Asaro
Janice Wieder

Federal Jurisdiction

Shari Bernstein
Scott Pollock
David Gottschalk

Labor Law

Robert Axford
Steve Brown

Nassau County Bar Association

Katherine Dembrowsky
Joseph Dunne
Paula Milazzo

Patent Law

Ed Sawchuk
Doreen Shulman

Securities Law

Nancy Brownstein
Craig Libson
Rich Speirs

Cindy Cooperman

John DeBellis

Warren Lazarow

Tax Law

Mitchell Haddad
Glenn Katz
Sandra Wulfken

Jeff Amster
Clay Harrow
Fred Ringel

Team 2

Jessup Team

Joseph Gamboi
David Murphy
David Niebauer
Saliann Scarpulla
Paul Verner

A public forum about the separation of church and state will be conducted by the Brooklyn chapter of the N.Y. Civil Liberties Union on Thursday, November 15. Speakers will talk briefly on different aspects of church/state relations and then will respond to questions from the audience.

The forum, which starts at 8 p.m., will be held at the meeting house of the Brooklyn Society for Ethical Culture, 53 Prospect Park West at 2nd Street.

Among the speakers, Francis Flaherty, an attorney who is a staff reporter for the *National Law Journal* and a contributor to the Roman Catholic journal *Commonweal*, will talk about the U.S. Supreme Court decision concerning the use of public property for religious displays. The Reverend Donald Morlan of the American Baptist Churches of Metropolitan New York will speak on "creationism." And M. Michael Grupp, leader of the Brooklyn Society for Ethical Culture, will speak on the proposed School Prayer Amendment to the U.S. Constitution and on the Equal Access Act, which allows religious clubs to meet in public schools.

The forum is part of a continuing series of open meetings sponsored by the Brooklyn civil liberties chapter on issues of public importance. For further information, call Janessa Nisley, at 212-566-1031 (office) or 718-857-7861 (home).

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to

**LYNNE GOODSTEIN
of the Alumni Office
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STUDENTS CAN MAKE A DIFFERENCE!

Students interested in sitting on student-faculty committees, such as the Hiring Committee, the Student-Faculty Relations Committee, and the Curriculum Committee should prepare a brief, typed resume and/or statement of interest to the SBA.

A sign up sheet will be posted on the SBA door for Thurs. 11/8/84 at 6pm and for Mon. 11/12/84 at 4pm. If you are interested, please

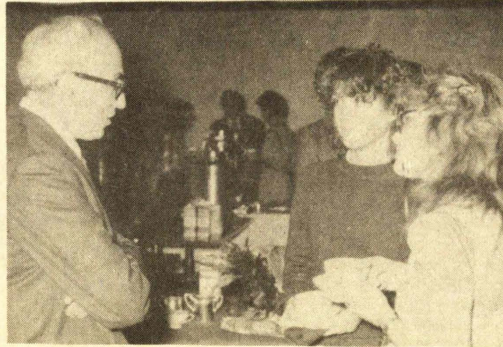
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