The Justinian

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The Justinian

The Justinian Named Best Law School Newspaper in U.S.A. Details p. 3

October 1985 Volume LV No. 1

THE JUSTINIAN

FOUNDED IN 1931 ▼ A FORUM FOR THE BROOKLYN LAW SCHOOL COMMUNITY

Legal Aid Chief Joins B.L.S. Faculty

By Jim Diamond

For more than twenty years William E. Hellerstein has been a nationally recognized indigent criminal de-fense attorney. Just a few short months ago his nomination to the federal bench was publicly rejected by the Regan Administration, which called him "too liberal." This semester he begins teaching full-time at BLS, and he's excited about it.

Having served as Chief of the Criminal Appeals Division of the Legal Aid Society since 1969, Hellerstein has been on the frontlines of the evolution of the rights of the accused and of criminal procedure.

In March of 1984 Senator Daniel P. Moynihan formally recommended Hellerstein to President Reagan to fill a vacancy on the United States District Court for the Southern District. Under a bi-partisan arrangement dating back to 1974, nominations were to be split between New York's two Senators. When the Senators were of different political parties, as they have been since 1977, three of every four slots would be filled by the Senator whose party occupied the White House. In all fairness, the Hellerstein nomination was Senator Moynihan's and Senator Alphonse D'Amato endorsed it.

The nomination, however, did not sail through the process with normal speed. According to the *New York Times*, when Hellerstein's name was submitted, the conservative and often outspoken New York lawyer Roy M. Cohn collected materials Hellerstein had written on legal issues during his long career and forwarded them to the White House. One such item reportedly was an article written in 1970 in which Hellerstein recommended non-custodial sentences for crimes like prostitution and possession of narcotics. In that article, Hellerstein wrote, "our attempts to enforce antiquated notions of morality, if not hypocrisy, result in a mockery of a fair system of justice."

The nomination languished for a year until April, 1985 when the White House announced that it would not elevate Hellerstein to the District Court, calling him, "too liberal."

Cohn is now busy defending Bar Association charges of violations of the Model Code of Professional Responsibility which could result in disbarment. Although he denies having interfered with the nominations process, Hellerstein says he's sure, "Mr. Cohn had a lot to do with it."

"Because I represented poor people," continues Hellerstein, "I was not suitable for the federal bench. This is the same sort of thing Cohn was known for during the McCarthy era—pure character assassination."

Cohn, who has never had any dealings with Hellerstein, was a deputy to Senator Joseph McCarthy during the 1950's when the Senator led a crusade to rid Washington of communists. When the national media focused on the Hellerstein nomination, Cohn told the *New York Times*, "What's behind Mr. Hellerstein's predicament are his views of what the law should be, which clash rather violently with just about everyone else's. Would you ask a Democratic president to appoint the chairman of the legal committee of The John Birch Society?"

Hellerstein's supporters argued that his views were not radical and that Cohn's intrusion tainted the traditionally non-political nature of such appointments. His nomination had been widely supported in the New York and Washington legal communities and the New York City Bar Association mounted an unsuccessful campaign to save it.

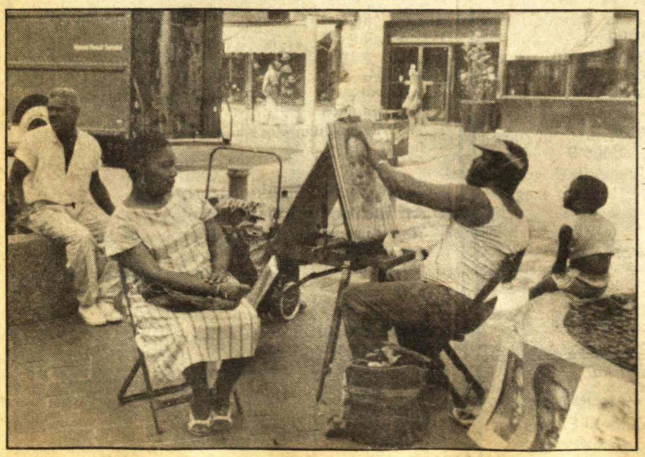
"Will Hellerstein is, by temperment and philosophy, a moderate man," said Leonard Garment, the Washington attorney who headed the judicial screening committee that reviewed the nomination. "To depict him as a radical reflects ignorance or malice or both."

Hellerstein has not allowed the set-back to embitter him. He explains, "I would be less than honest if I said I wasn't disappointed. As Senator Moynihan told me, I was unfortunate at running into a major dislocation point in American ideological history."

While he claims his political and philosophical views were nurtured early on in a "new-deal household," the launching of his career in the early 1960's coincided with the strong movement toward civil rights and the rights of the accused. Hellerstein graduated from Brooklyn Col-

continued on p. 15

William Hellerstein: Representing poor people made him unsuitable for the federal bench.



Welcome to Downtown Brooklyn. A street artist and his subject in the newly renovated Fulton shopping mall.

The Job Scene

Some Advice for The Big Job Hunt

By Dean David Trager

Most administrators and faculty members—both here and at other institutions— would grimace at the suggestion that law schools are merely trade schools, and rightfully so. On the other hand, I am not so naive as to believe that your appetite for learning is in any way fostered by the gnawing fear that you may starve when you get out of this academy. One the contrary, I recognize that it can be difficult to concentrate on the niceties of *federalism* and *renvoir* when you are worrying about what you will do when you graduate and about how you will repay those from whom you have borrowed vast quantities of money and time.

The purpose of this article is twofold. First, I want to give you some good news that should allay at least some of your employment fears. Second, I want to bring you up to date about the staff, resources, and programs of the Placement Office so that you can employ them to your greatest advantage. My aim is not to lull you into a false sense of security. Complacency is fatal to career planning. My aim is to help you to channel your energies most effectively.

First, the good news. A Placement Office Survey of the Class of 1984 (the most recent class for which statistics are available, since the study is conducted after summer bar exam results are published) indicated that within six months of graduation, more than 85% of BLS students were employed. For all law schools nationwide, the figure is believed to be 80%. According to this study, 54% of the class went to law firms. Of this 54%, ap-

continued on p. 15

NEWS UPDATE

Machines That Multiply

Do vending machines propagate as quickly as rabbits? Or does it just seem that way since a new company, CSS Vending, took control of the cafeteria's vending machines this fall. In addition to an expanded selection of soft drinks and snack foods, students now may purchase food to heat up in a microwave oven. A coin changer and a machine offering Kosher foods have also been installed.

Mail Call

The cubbyhole mailbox system currently used for students will be changed this month. Instead, students can look forward to retrieving their mail from alphabetically arranged manila folders located in the Student Lounge. According to Student Services Director Robin Siskin, the new system is modeled after one employed by Columbia University and will serve to reduce the amount of bookkeeping, maintain a cleaner student-mail area and discourage pamphleteers.

SBA On The Move

The Student Bar Association has moved across the street to One Boerum Place. Most of the administrative offices are also now located in that building, including Student Services, Admissions, Bursar, Financial Aid, Registrar, Alumni and Placement.

FLIK: The Latest In Law School Cuisine

FLIK Food Service Company, headed by Criss Smith, is managing the cafeteria this year. A greater selection of food are now available, including burgers, franks, an expanded salad bar, pasta bar, sandwiches and some hot meals. According to Student Services Director Robin Siskin, the new company features "a heightened quality and variety of foods, as well as an overall improvement in service". FLIK also catered the orientation buffet earlier this month and will be handling other catered events during the course of this year.

Need Help? Psychiatric Care Provided

Brooklyn Law School has arranged with Dr. Michael Schneck to provide an initial psychiatric consultation for students at no charge. Dr. Schneck is on the faculty of the Department of Psychiatry of the New York University School of Medicine and is Board Certified in Psychiatry. In addition, Dr. Schneck has had substantial experience working with law students and attorneys.

Students may contact Dr. Schneck directly and the utmost confidentiality will be maintained. When appropriate, referrals will be made and fees will be charged on a sliding scale basis. Dr. Schneck's office is located in the Faculty Practice Offices at the New York University Medical Center, 530 First Avenue (at 32nd Street) New York, NY 10016. Dr. Schneck also has an office located at 40 Clinton Street in Brooklyn Heights. His telephone number is (212) 340-7475.

JOURNALISTS . . . ARTISTS . . . PHOTOGRAPHERS
THE JUSTINIAN is looking for you!
Contribute to Brooklyn Law's Award Winning Newspaper.
Stop by Room 305 (third floor) or leave a message at 780-7986

THE JUSTINIAN
A FORUM FOR THE BROOKLYN LAW SCHOOL COMMUNITY

OCTOBER 1985

CONTENTS

FEATURES

DEPARTMENTS

QUOTE OF THE MONTH: The PLO cannot hide. The arms of Israel will reach them even in Tunisia.

Ovadier Safer
Israeli Ambassador to France
10/2/85 NY Times

The Fall Museum Schedule

Art and culture from across the globe are a subway ride away

Mimbres Pottery: Ancient Art of the American Southwest
More than 125 pieces provide a glimpse into the extinct pueblo culture of the Mimbres people, who lived between 900 and 1150 in what is now southwest New Mexico.
Metropolitan Museum of Art. Sept. 3, 1985 - Nov. 3, 1985.

Alfred Jensen
This exhibition includes some 50 painting by the Guatamala-born Jensen, whose abstract works are based on Goethe's color theories as well as on Pre-Columbian numerical systems and astrological theories.
The Guggenheim Museum. Sept. 10, 1985 - Nov. 3, 1985.

High Styles: Twentieth-Century American Design
Major survey of furniture, appliances and decorative objects inspired by Art Nouveau, the Arts and Crafts Movement, Art Deco, Streamline Moderne, Biomorphism and Pop.
The Whitney Museum. Sept. 19, 1985 - Feb. 16, 1986.

India!
Approximately 350 works spanning the 14th through 19th centuries.
The Metropolitan Museum of Art. Sept. 14, 1985 - Jan. 5, 1986.

Tiger Tiger Burning Bright: An Indian Wildlife Portfolio
More than 60 photographs of Indian wildlife and natural habitats.
The American Museum of Natural History. Oct. 1, 1985 - Jan. 12, 1986.

John Frederick Kensett: An American Master
This show surveys the work of the 19th-century artist who was a painter of the White Mountains, the Berkshires and the Adirondacks.
Metropolitan Museum of Art. Oct. 29, 1985 - Jan. 19, 1986.

THE OPENING STATEMENT:

News From the Student Bar Association

Welcome back. Since the summer gave most of you a welcome respite from BLS, you are probably not aware of the SBA's new location. The office has been moved to the annex building across the street (3rd floor, One Boerum Place). Although the summer is usually a time for the SBA to organize and get busy, the move did, unfortunately, cut into a lot of our meeting time. However, we did manage to allocate time to come up with some ideas and goals which we hope to accomplish in this coming year. The following are a few projects that we have discussed and initiated.

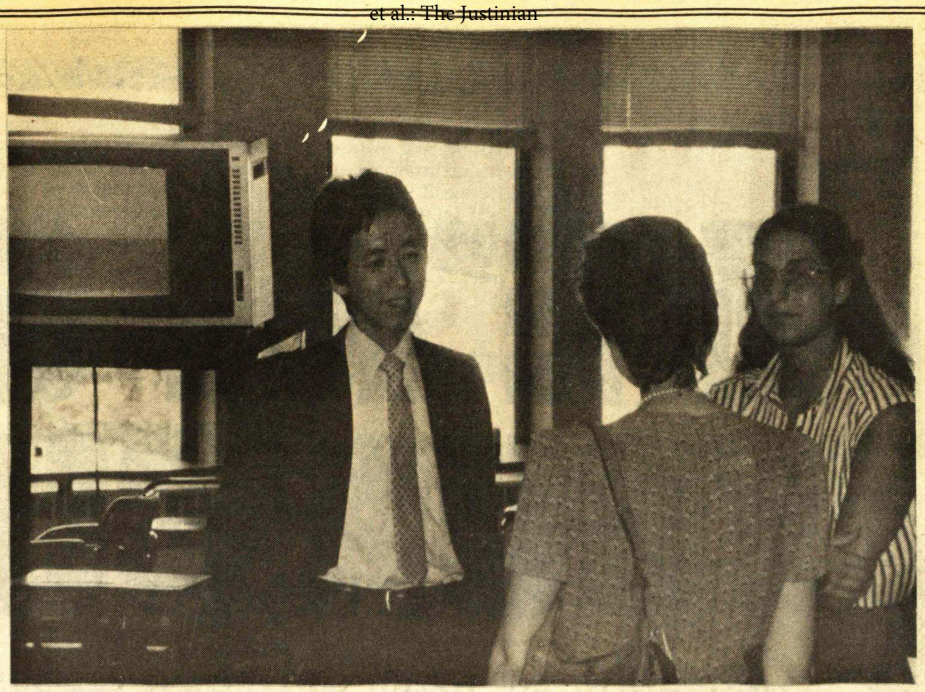
A student directory is planned. We should have something more definite after we have received your responses and consent regarding the publication of your addresses and phone numbers. We feel that closer ties among students will be created by compiling such a directory.

The SBA book co-op located in the SBA Office is now open. Most of the books are in fine condition and the collection is being updated, so you should be able to find books for the fall semester classes. Everyone is more than welcome to come in and browse.

One of our most important goals is creating accessibility between students and SBA. Since the SBA is an association created to serve student needs, it cannot properly function without student input. In order to facilitate greater communication, an SBA delegate will be in the office Monday through Friday, between 1-2PM and 5-6PM. Please feel free to come by and talk about any ideas of problems that you might have, and we will work together to resolve them.

In the near future we plan to put up an SBA bulletin board in the cafeteria. This bulletin board will be for the exclusive use of the SBA and student organizations to provide information on current school events. Another important feature—a suggestion box—will be installed so that you may offer your opinions and complaints freely and anonymously.

We hope you take advantage of your SBA; we look forward to shaping it to function better for you.



Fundamentalists Anonymous

Support System Now Exists For Folks Hooked On Religion

Brothers and sisters rejoice! There is salvation for those who want to be saved from being saved. If you or someone you know is addicted to religion, help is only a phone call away. Just dial 1-718-783-8873. Fundamentalists Anonymous can help you kick the habit. Yes boys and girls, Fundamentalists Anonymous will set you free.

There is an old law which states that "for every action, there is an equal and opposite reaction." The action here is fundamentalism. You know — "Brother, step right up, leave your doubts at the door, but please, don't forget your checkbook" — fundamentalism. The reaction is Fundamentalists Anonymous, a support group recently formed by Brooklyn attorney Richard Yao to aid people who want to leave their Fundamentalist churches but find it difficult to make the transition due to deep feelings of guilt that often accompany leaving a fundamentalist church.

Yao says that since he appeared with other members of his group on the "Phil Donahue Show" in May, the phone at Fundamentalists Anonymous headquarters has been ringing off the hook. "I grew up in this kind of background," he says. "When people break out of it, they experience years and years of anxiety."

What Yao describes as Fundamentalism sounds curiously like a religious cult. For example, Yao claims that Fundamenalist churches target people when they are young and impressionable, such as kids in their freshman year of college. However, he hesitates to call Fundamentalism a cult. "It's so much more potent," he says, "that to say it's a cult is to underestimate its power."

A graduate of Yale Divinity School and New York University School of Law, Yao is recruiting law students who would be interested in doing *Pro Bono* work for the organization. He expects that the organization will be involved in litigation as it expands and becomes more troublesome to the Fundamentalist Right. Anyone interested should call the hotline number or by writing to Fundamentalists Anonymous, P.O. Box 654, Wall Street Station, New York, N.Y. 10268.5

Justinian Takes Top ABA Awards

The Justinian, Brooklyn Law School's largest monthly newspaper, turned out to be the big winner in the 1984-85 Law School Newspaper Competition, sponsored by the Law Student Division of the American Bar Association.

The newspaper, recognized for its excellence as a law school publication that includes hard-hitting reporting and insightful political commentary, was selected as the country's best law school paper by a board of judges who carefully reviewed law school newspapers from throughout the country.

Actually, *The Justinian* has to share this honor with the *W & L Law News*, published by Washington and Lee University. *The Justinian* won the award for the larger law schools while the *W & L News* copped top honors among the smaller schools.

The Justinian also took top honors for best feature for law in the community. The winning feature consisted of articles written by His Honor, Mayor Edward I. Koch and State Senator Ralph Marino about whether to abolish the grand jury system. The feature was the brainchild of James Diamond, *Justinian* news editor and Research Associate in the Executive Staff of State Attorney General Robert Abrams.

Law Student Reps Meet in DC

Diane Conyers, ABA/LSD representative, and Marcie Serber, SBA designee, represented Brooklyn Law School at the recent American Bar Association Law Student Division Annual Meeting in Washington, D.C.. John Folcarelli, also a BLS student, attended the meeting in his capacity as governor of the Second Circuit and chairperson of the Bylaws and Resolutions Committee. This convention provides the only opportunity for the division to meet on a national basis.

The Law Student Division Assembly convened at the Washington meeting. Each of the 176 ABA approved law schools was entitled to two official voting delegates, usually the LSD representative and the SBA president. The majority of the schools had at least one representative present.

Diane Conyers served as one of two Second Circuit members of the Nominations and Elections Committee, which was responsible for certifying the candidates for Division Delegate to the American Bar Association. These delegates are the Division's spokespersons to the senior bar, and as such they each have a vote at the ABA's Annual Meeting. In addition, they are responsible for overseeing the liaisons to the other sections in the ABA. The committee also conducted round robin candidate speeches, oversaw the voting process, and counted the ballots. The assembly elected two delegates out of a field of eleven. They were John Stobierski of Suffolk University Law School, Boston, an incumbent, and Nana Asamoah, of Georgetown University Law Center, Washington, D.C..

The assembly also considered 32 proposed resolutions. Several were purely housekeeping measures which passed without much discussion. Others having to do with ABA Law School Accreditation Standards, Ex Officio members on the Board of Governors, and some politically "hot" issues generated a lot of debate. Anyone interested in reading the resolutions and in knowing how Diane Conyers voted on them should contact her through the ABA-LSD mailbox located in the SBA office.

The Law Student Division sponsored several workshops and substantive programs during the meeting as well. A workshop for LSD Reps introducing them to the Division's programs and membership benefits was held on Friday morning. Workshops were also conducted for LSD section and committee liaisons, Student Bar Association Presidents and Women's Law Caucus Representatives. Substantive programs included "Whither the Legal Services Corporation: How to Best Serve the Poor in the 1980's." "Concern for Dying", the "Bar Review Debate" and "Law Firm Automation: Sole Practitioner to Megafirm."

The results of the ABA-LSD Newspaper Competition were released at the meeting, with the *Justinian* winning its class for best overall newspaper and best feature article on law in the community.

BENEFITS OF ABA-LSD MEMBERSHIP

The ABA-LSD is the largest professional student organization in our country. Membership provides tangible benefits which include: subscriptions to *Student Lawyer*, the award-winning publication of the LSD, and *ABA Journal*, the most widely read publication in the legal profession; substantive law section memberships as low as 75% off the regular ABA membership rate; a low cost major medical plan available to students and their families; 30% discounts on the upcoming PMBR Multistate seminar; and Hertz discounts. Memership is a good deal. The cost is only $10.00 per year, plus section membership if you decide to join one. In addition, there are many opportunities to become involved in various programs sponsored by the division which provide practical experience. All students are encouraged to join. Applications are available at the SBA office. Evening division students can obtain applications by contacting Diane Conyers at (718) 284-1893 (eves.) and she will make arrangements to get an application to them. First year students received applications along with their orientation materials.

HISTORY

The following story first appeared in the March 29, 1977 Justinian, *a special issue marking the 75th Anniversary of Brooklyn Law School's founding. This is the first article of a new feature series which will appear periodically in* The Justinian. *The series will explore the roots of Brooklyn Law School through the reproduction of old articles. The editors hope this new feature will give all members of the law school community a greater understanding of the institution's rich history.*

VOL. XXXVII Tues. March 29, 1977 No. 7

It Started In A Basement . . .

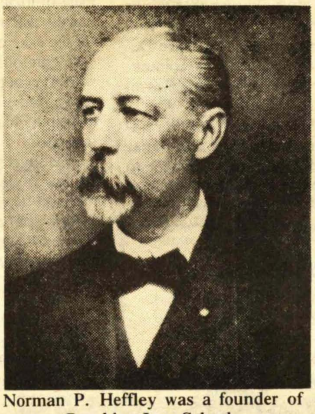
By MARCIA KNIGIN

Brooklyn Law School began in 1901 as a department of Heffley School of Business. Dean William Payson Richardson, the first Dean of BLS, met Norman P. Heffley, a New York businessman, at a convention in Providence, R.I. Richardson had written a textbook on commercial law, which had impressed Heffley, and when they met, Heffley asked Richardson if he would be interested in starting a law school in Brooklyn. Heffley said he had been considering the idea for a while and thought such a school would be highly successful since there were no other law schools in Brooklyn at the time.

Heffley became the President of the Board of Trustees and Richardson became the Dean.

In 1901 the first classes were held in the basement of the Heffley School building at 243 Ryerson Street. There were seven students in the first year class, one of whom was Francis X. Carmody, co-author of the Carmody-Wait treatise in New York Practice, who later became a member of the BLS faculty. The tuition was $80 a year, and a college degree was not a requirement for admission. Candidates were required to pursue a three-year course of study for admission to the Bar. The requirement could be fulfilled by attending classes or by work in a law office. College graduates needed only to fill a two-year requirement.

In 1902 the school became an autonomous institution for the first time. After disassociating with the Heffley School, Brooklyn Law School moved to the third floor of a brownstone at 187 Montague Street. The library was situated in a bedroom measuring only 96 square feet. Two classrooms were set up in larger front and rear bedrooms. A shingle hung from the window announcing to the community that Brooklyn Law School was located there.



Norman P. Heffley was a founder of Brooklyn Law School.

University Affiliation

By 1903 the first class was about to graduate. They were concerned about their fate in light of the fact that BLS had no degree-conferring power. Richardson searched the state for a university that would be willing to affiliate with a brand new law school. He learned that St. Lawrence University in Canton, N.Y., had had a law school, but it had been closed down. The Dean negotiated with St. Lawrence and entered into a contract of association between St. Lawrence and Brooklyn Law School which provided that Brooklyn Law School students would be granted degrees from St. Lawrence University.

In 1904 BLS again moved its headquarters to the Brooklyn Eagle Building on Washington and Johnson Streets, the present site of the Surrogate's Court. This building, one of the most famous in Brooklyn, has since been demolished. It housed BLS on the third, fourth and fifth floors for fifteen years. The remaining floors were occupied by others, including the Brooklyn Eagle newspaper.

In that year Richardson contacted a fellow alumnus from the University of Maryland law school, John Howard Easterday, to help teach the subjects BLS was to offer The two men sat down and wrote a horizontal list of the courses they felt should be taught. Richardson then tore the list in half and said to Easterday, "You teach these and I'll teach the rest." Unfortunately, neither Easterday nor Richardson felt equipped to teach New York Practice since they were both unfamiliar with New York Law. So they hired another faculty member to teach the course.

Another Move

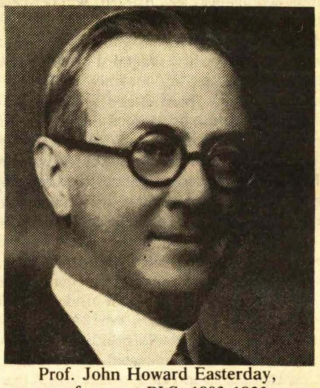
In 1928 the school again moved, this time to 375 Pearl Street. This was the first building built specifically for Brooklyn Law School. The building still stands on Pearl Street between Willoughby Street and Myrtle Avenue and presently houses the Brooklyn Friends School. The building when owned by BLS was called Richardson Hall, named after the Dean. The library was considered large at the time with 50,000 volumes of reference books. (Our present library has over 120,000 volumes.)

When the United States entered World War II in 1941, the school was practically decimated. There was a time during that period when there were only 30 students and three full time professors in the entire school, contrasted with a student body of over 1,500 before the war began.

The *Justinian* was first published in 1931. Law Review began the following year. The first volume was dedicated to Benjamin Cardozo, then Chief Judge of the New York State Court of Appeals. By fall semester Dean Jerome Prince and Professor Milton Gershenson, then students at BLS, were both on the Review.

In 1943 St. Lawrence was besieged by financial difficulty and decided to sell the law school. Justice William Carswell, then a member of the Board of Trustees of BLS, violently opposed this action. He negotiated a separation between BLS and St. Lawrence. Although Carswell saved the school, this separation left BLS with virtually no funds. In 1945 Dean William Payson Richardson died, and Carswell, still a sitting judge of the Appellate Division was appointed Dean. Jerome Prince, now Dean Emeritus, was appointed Vice Dean and later Associate Dean, and virtually ran the school while Carswell attended to his duties in the Appellate Division. Prince set up a refresher course for veterans to attract business from those returning from the war. Prince and one other professor taught all the courses for virtually no salary, and funds collected in tuition served to get the institution through the financial crisis.

Since its inception, Heffley and Richardson owned the school as a proprietorship. Soon after its separation from St. Lawrence, BLS became a non-profit institution. Professor Richard J. Maloney became the school's counsel when he drafted the agreement for the purchase of the BLS stock from Richardson's wife and Heffley's two sisters.



Prof. John Howard Easterday, professor at BLS, 1903-1933

In 1948 BLS won the National Moot Court Championship by defeating Harvard in the final round. The team, which was the only one to win the championship for BLS, was led by Leonard Garment, former White House Special Consultant during the Nixon administration. In 1953 Dean Carswell died, and Dean Prince assumed the position as Dean.

When the site of the old Supreme Court Building on Joralemon and Boerum Streets went up for auction, Prince was authorized to bid up to ¾ of a million dollars on behalf of the school. This site, which houses our present building, was also the site of a burial ground for victims of yellow fever in 1803.

In 1969 the building was completed and dedicated in time for the fall semester. It was designed by the designers of Shea Stadium. The building is really three in one, in that there are separate electricity, heat and air conditioning controls for the executive offices, the library and the classrooms.

In 1971 Dean Prince retired as Dean and was named Dean Emerittus. Raymond Lisle, a former United States State Department official and professor at BLS, was appointed in his place, and he remains in that position today. Dean Lisle has tendered his resignation, effective later this year. The search for the new Dean, led by Jerome Prince, has already begun. The final choice is expected soon, and early indications point to Judge I. Leo Glasser of the Family Court being named to the deanship.

Lisle was effective in bringing the law school onto the national scene by gaining accreditation by the American Association of Law Schools in 1973. Until that time it was the policy of the AALS to limit accreditation to law schools associated with universities. BLS broke this precedent, and thereafter other unaffiliated law schools gained accreditation. During Lisle's years as Dean the curriculum was also drastically changed from one principally of required courses to one primarily of electives.

BLS: 75 Years

Justinian

JUSTINIAN extends its appreciation to the Local History Department at St. Francis College and the Brooklyn Public Library for their assistance in the preparation of this issue.

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NORMAN P. HEFFLEY was a founder of Brooklyn Law School. He was born in Berlin, Pa. in 1854 and worked for Standard Oil Co. from 1878-1889 until he assumed charge of Pratt Institute. The Heffley School, which started BLS in 1901, itself began as the commerce department of Pratt Institute. In 1886 Heffley disassociated from Pratt and set up his own school, which still exists as a secretarial school on Montague Street in Brooklyn.

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(Continued on Page 4)

In Defense of Quotas

By Charles Krauthammer

As recently as three years ago Nathan Glazer noted with dismay the inability, or unwillingness, of the most conservative American administration in 50 years to do anything about the growing entrenchment, in law and in practice, of racial quotas. It seemed that officially sanctioned race consciousness was becoming irrevocably woven into American life.

Glazer's pessimism was premature. In the last two years a revolution has been brewing on the issue of affirmative action. It is marked not by the pronouncements of Clarence Pendleton, or the change in composition and ideology of the United States Commission on Civil Rights. This is for show.

It is marked by a series of court rulings and administration actions that, step by step, will define affirmative action out of existence.

How far this process has gone was dramatized by the leak of a draft executive order that would outlaw in federal government contracting not only quotas and statistical measures but any "preference . . . on the basis of race, color, religion, sex or national origin . . . with respect to any aspect of employment." Although this appeared as a bolt from a blue August sky, it was, in fact, the culmination of a process that has been building over the last several years. It amounts to a counterrevolution in stages on the issue of race-conscious social policy.

The first major breach in the edifice was the Supreme Court's Memphis firefighters decision of June 1984. The City of Memphis had been under a court-ordered consent decree to increase the number of blacks in the fire department. When layoffs came in 1981, a U.S. District court ruled that last-hired blacks could not be the first fired, as the seniority system dictated. Three whites were laid off instead. The Supreme Court reversed that decision. It ruled that in a clash between a bona fide seniority system and affirmative action, seniority prevails.

You cannot fire by race. But can you promote? Can you hire? The next, more tentative, step in the counterrevolution occurred this past spring in the District of Columbia. A suit originally filed in the waning days of the Carter administration had resulted in mandated preferential hiring and promotions for minorities in the city's fire department. In March, the district's fire chief ordered that five black firefighters be promoted over whites who had scored higher than they had.

The union immediately filed suit to block the promotions. And the Justice Department joined the suit on the union's side. The judge in the case then rendered a Solomonic decision prohibiting race consciousness in promotion, but permitting it in hiring.

The case is under appeal and no one knows how it will come out. The reason is that no one knows how to interpret Memphis. Did this ruling apply only to layoffs? Or did it apply also to hiring and/or promotions, the other crucial career choke points? You can read Memphis either way, and everyone is waiting for the court to say.

Everyone, that is, except William Bradford Reynolds, head of the Justice Department's Civil Rights Division, and leading *contra*. Reynolds is a conservative in a hurry. Invoking Memphis as his authority, he ordered 51 jurisdictions from New York to Los An geles to cleanse existing consent decrees (which mandated goals and quotas in hiring) of any hint of group or racial preference. Not only would preference be outlawed from now on, but existing decrees would have to be revised to reflect the new dispensation.

Is race-conscious affirmative action worth saving?

There are three arguments in its favor. The first, marshaled principally against Reynolds' revisionist consent decree, is profoundly conservative. It says that things are working out well, whatever the merits; let well enough alone. The NAACP charges that the Justice Department would "disturb the acquiescence of the community in the new systems established after much travail and effort under the consent decrees."

The irony here, of course, is that the NAACP is relatively new to the cause of "settledness." Not always has it argued that justice should be deferred so as not to "disturb the acquiescence of the community" in existing social arrangements. That was the segregationists' case.

The second argument for affirmative action, the familiar argument, is that while color-blindness may be a value, remedying centuries of discrimination through (temporary) race consciousness is a higher value.

Does the right of the disadvantaged to redress (through preferential treatment) override the right of individuals to equal treatment? Memphis and the District of Columbia firefighters decisions begin to parse the issue. The logic of these decisions is that in layoffs and promotions the aggrieved whites have, by dint of service, acquired individual claims that outweigh the historical claims of blacks.

It is not clear how to adjudicate the competing claims, that of a historically oppressed community for redress, and of the blameless individual for equal treatment.

Is this discrimination by class? Certainly. It is not admitted to be so, and it is certainly not the primary effect. Yet in the face of overriding national priority — saving the currency for example — we adopt policies that disproportionately injure a recognized class of blameless individuals.

(Similarly, the draft discriminates by age, the placement of toxic waste dumps by geography, etc. We continually ask one group or another to bear special burdens for the sake of the community as a whole.)

If controlling inflation is a social goal urgent and worthy enough to warrant disproportionate injury to a recognized class of blameless individuals, is not the goal of helping blacks rapidly gain the mainstream of American life?

This suggests a third, and to my mind most convincing, the line of defense for affirmative action. It admits that the issue is not decidable on the grounds of justice. It argues instead a more humble question of policy: that the rapid integration of blacks into American life is an overriding national goal, and that affirmative action is the means to that goal.

To be sure, affirmative action has myriad effects. They even include such subtle negative psychological effects on blacks as the "rumors of inferiority." The calculation is complex. But it is hard to credit the argument that on balance affirmative action actually harms blacks. Usually advanced by opponents of affirmative action, this argument is about as ingenuous as Jerry Falwell's support of the Botha regime out of concern for South African blacks. One needs a willing suspension of disbelief to maintain that a policy whose essence is to favor blacks hurts them.

The Reagan counterrevolutionaries want to end the breach of justice that is affirmative action. A breach it is, and must be admitted to be. It is not clear, however, that correcting this breach is any more morally compelling than redressing the historic injustice done to blacks. In the absence of a compelling moral case, then, the Regan counterrevolution would retard a valuable social goal: rapid black advancement and integration. Justice would perhaps score a narrow, ambiguous victory. American society would suffer a wide and deepening loss.

(Charles Krauthammer is a senior editor of The New Republic.)

The First Amendment

Founding Intentions

By Rosemarie Zagarri

History is at the center of the current debate over the proper relationship between church and state under the First Amendment.

Both advocates and opponents of government support for religion charge the other side with tendentious readings of history. Each side accuses the other of being unfaithful to the intentions of the Founding Fathers. Yet, for the most part, neither side has examined the key historical document: Virginia's 1785 Statute for Religious Liberty. This year is its bicentennial.

The most sophisticated case made today for prayer in public schools is that the Founding Fathers never intended to establish an absolute wall between church and state. The framers only intended, as Justice William H. Rehnquist put it in a recent Supreme Court dissent, "to prohibit the designation of any church as a 'national' one (and) to stop the federal government from asserting a preference for one religious denomination or sect over others."

President Reagan, Education Secretary William Bennett and columnists George Will and James J. Kilpatrick have joined Rehnquist in insisting that the framers did not intend for the government to favor "irreligion" or atheism over religion. They contend that the government can and should take action, such as permitting school prayer, that encourages a general belief in God.

The Virginia Statute was the model for the religious clause of the First Amendment. Thomas Jefferson wrote the measure in 1779 to end Virginia's religious tests for public office and the collection of taxes for the Anglican Church. Powerful Anglicans in the Virginia House of Burgesses blocked approval of the bill for several years. But James Madison launched a massive petition drive that led to its passage in October 1785.

There is no doubt that Madison had the Virginia law in mind four years later when he distilled his thought on religious liberty into 10 words in the First Amendment to the new U.S. Constitution.

Both sides of the current debate might claim an important passage in the preamble to the statute to support their case. It states: "The impious presumption of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavouring to impose them on others, hathe established and maintained false religions over the greatest part of the world, and through all time."

Supporters of school prayer would argue that Jefferson, in this passage, framed his argument in religious terms. By declaring that the imposition of one's own "modes of thinking" was "impious," he demonstrated that his aim was to encourage reverence for God. He sought to limit "dominion" of the few so that the "faith of others" was not thwarted.

Far from saying that the government had to be neutral on religion, Jefferson was saying (it might be argued) that government merely had to be neutral among religious sects.

But did Jefferson think religion so important that the state should take a hand in fostering it?

The answer Jefferson proceeded to give in the rest of the Virginia Statute seems clear; the government could not prefer one religion over another, or even prefer religion over irreligion. The law stated "that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief."

The state, Jefferson took care to emphasize, was forbidden from imposing not just a specific "belief" but "any" general "religious opinions." This sweeping formulation clearly was meant to protect non-belief in God, not just belief in the religion of one's choice. The government, in Jefferson's view, should express no preference "whatsoever."

Jefferson recognized that a government could do no less than guarantee complete freedom of conscience. If the rights of believers were to be safe, the rights of non-believers had to be protected as well.

"Our civil rights," Jefferson said in the statute, "have no dependence on our religious opinions, any more than our opinions in physics or geometry." The government had no more business fostering any kind of religious opinion than it had promoting Newtonian physics or Euclidean geometry.

It is true that some other Americans at the time envisioned the United States as a godly, Christian republic. But they also envisioned it as a republic where slavery was legal and women had no right to vote.

Although few signers of the Declaration of Independence believed that the statement "all men are created equal" applied to blacks and women, no one today would deny that it does. The principle of religious freedom was broader than the particular circumstances that generated it.

In any case, it was Jefferson who wrote the Virginia Statute and Madison who wrote the First Amendment. It is their intentions that deserve the closest scrutiny.

Jefferson, who believed in God, issued no religious proclamations during his presidency and in 1818 opposed establishing a professorship in divinity at the University of Virginia. Madison's energetic support for the Virginia Statute tells us even more about the intended meaning of the First Amendment.

(Continued on page 10)

OP ED

AXFORD: THE LAW SCHOOL EXPERIENCE

Your Self Esteem And Your Money, Please

By Robert Axford

"As to your general conduct and prospects, all I have time to say is that if you do as everyone does and think as everyone thinks, you will get on very well with your neighbors, but you will suffer from their illnesses and stupidities."

—G.B. Shaw [in a talk to the students of the Sixth Form over B.B.C. radio, 1937]

Ah, stupidities. Law school is an exercise in group stupidity, but more on that later. First, I would like to welcome all those new students here at BLS, where seldom is heard an encouraging word and the minds are clouded all day.

To those who have transferred here from elsewhere, I can only say things must be tough all over. To the first-year types, I offer this advice: remember that the tortoise wins the race; that the rabbit has more fun; that the rabbit's fun is limited.

Some believe that law school is a test of one's intelligence. I disagree; it plays much more like a test of one's sense of self. If one gets beaten by the LAW SCHOOL EXPERIENCE, it is usually because of unscheduled ego deconstruction. A typical experience goes something like this: disorientation, followed by perceived failure (and there are so many different things one can fail at in law school), followed by drastic loss of self-esteem. Like when you lose a lover, only less sexual.

Of course, that is the idea. Law school is designed to first destroy the student's emotional and intellectual stability by putting the student under unusual stress. Once the student is thoroughly confused, manipulation becomes easy. Students then accept the proffered reality without questioning the means (the teaching methods) or the ends (the legal theories).

In many ways, law school is like joining a cult or signing up for E.S.T. Those who enlist are often searching for a better way, thus highly susceptible. There is an entrenched hierarchy (administration, professors, students, in that order). Law school teaches its disciples new truths once the previous belief system has been expunged. (For example, almost all first-year students enter school believing there *is* a right and wrong.) And the new dogma is well-thought-out, self contained, irrefutable sophistry. (There is not right or wrong, only clients with more or less money.)

Not that law school has to be debilitating. If one can separate oneself from THE GAME, law school can indeed be educational, if only in a sociological sense. Of course, the majority of learning will occur outside the classroom but that is to be expected. The stuff in the classroom tends to be more group indoctrination than enlightenment, which is always individual.

Digressing somewhat, it's sobering to consider that tuition has gone up 21% in the last two years. This while inflation has been under 4% in each of the last two years. The increase seems unconscionable to this captive. But, now I remember; BLS is attempting to accumulate a reputation as one of the elite institutions in the area. The gentrification theory of law school administration.

All of which brings me neatly to my final point: that BLS is an institution which has as its fundamental purpose the accumulation of wealth. Not that BLS is alone in academia in this respect. It is just crucial to keep that in mind while you matriculate here.

However, instead of treating us like consumers (which is all a student is), there is a pretense that law school is about instilling in its students ethics as well as a specialized knowledge. Also implicit is the assumption that the proprietors know what's best for the customer—a concept that outside of academia would be thought of as absurd. Moreover, it would seem the only ethics derivable from such a capital-minded institution like BLS is the ethics of the buck. This could explain the reputation lawyers labor under in our society. So the next time you notice someone preaching from the mount about what's best for the student, just ask yourself the musical question: who's zooming who? ■

Reizenstein

The "Virtues" of Legal Aid

By Philip Reizenstein

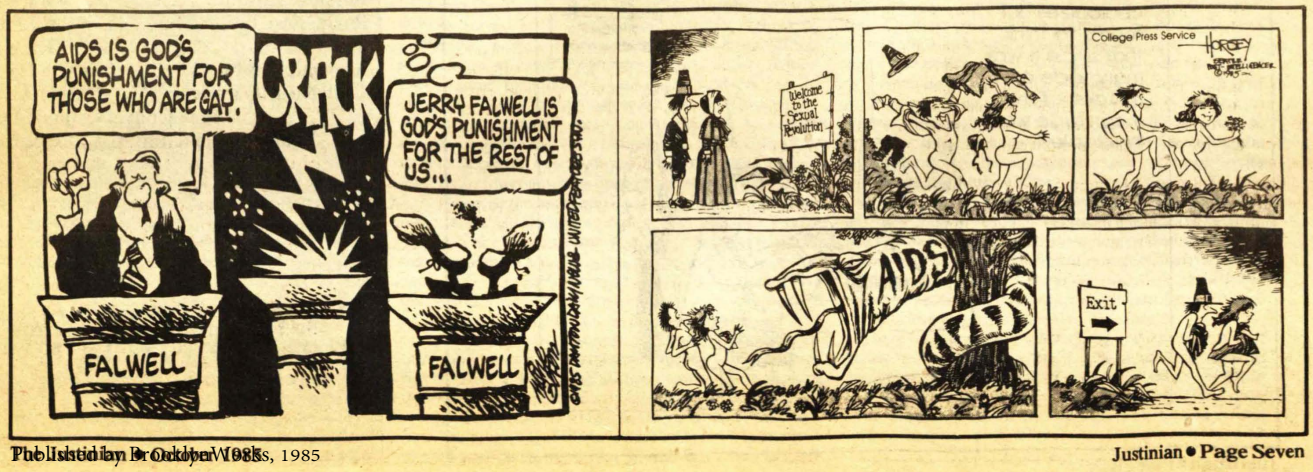
For those of you considering careers in criminal law, I have good news: The generous people of New York State are ready to hire you. With a decent resume and a couple of impressive interview performances you can step right up a begin a promising career as an Assistant District Attorney or a Legal Aid Attorney. What's that you say? You would rather join a private criminal law firm? Well in that case, maybe you had better consider a career in tax, or real estate, or anything but criminal law, because private criminal law firms are quickly becoming extinct. Why is this happening? Because the State is obtaining a monopoly in the field of criminal law. You can work for the D.A.'s office or for Legal Aid. Contact one of the rare private criminal firms, and you'll find that they only hire ex-D.A.'s or ex-Legal Aid attorneys. And if you inquire further, you'll find out that a large percentage of these private attorneys are "18-B" attorneys—private attorneys who are paid by the state to represent defendants who can't be represented by Legal Aid. So there you have it; in criminal law you can work for the state, or you can work for the state, or you can merely get paid by the state. Some choice!

I have a friend, let's call him Arnie, who's a member of that rare breed-the private criminal defense lawyer. Arnie never worked for the state; he got into the business way before the era of free lawyers. Arnie is one of the best criminal lawyers in New York. Arnie *used* to be one of the busiest. What makes Arnie pertinent to this article is that he represents the other side of the *virtue* of Legal Aid.

Virtue as defined by Websters New Collegiate Dictionary means "Conformity to a standard of right: Morality." To what standard have we conformed by creating Legal Aid? The standard of NEED. People are entitled to free legal representation because they NEED it. The Supreme Court has said so. For those of you naive enough to believe that only those people who can't afford an attorney qualify for Legal Aid, I suggest that you go down to criminal court and see what a sweet deal defendants like smoke shop operators or car theft ring members have. These defendants, who make anywhere from a couple of hundred to a couple of thousand a week, know that their crimes aren't serious enough to merit jail time. The threat of being arrested is merely an inconvenience, costing them a little time and maybe a slight fine. The Legal representation is provided free: They NEED it. By what morality has Legal Aid been created to conform to the standard of NEED? By the morality of SACRIFICE. Those who honor the standard of NEED see no problem in sacrificing the ability of Arnie to earn a living.

In the 1960's Arnie use to handle nearly twice as many cases as he does now. That was before the state became Arnie's chief competitor. Now, if a client of Arnie's is arrested, Arnie has twenty four hours to put in a notice of appearance. If Arnie fails to meet this deadline, his client is automatically assigned a Legal Aid attorney. Some of Arnie's clients decide to keep the Legal Aid attorney assigned to them. And why not? The Legal Aid attorneys are competent; they practice criminal law every day. And if the case is a routine one a defendant can save himself the legal fees with little risk. Why pay for something if you can get something almost as good for free? It is this sad situation that costs Arnie thousands of dollars every month. Money, as a value earned and used to fulfill a NEED, is becoming obsolete. To get something today, you merely have to NEED it. "From each according to his ability, to each according to his NEED ." This is rapidly becoming the adopted philosophy by our "evil capitalistic society". Who cares about money? Who cares about production and earnings? It's NEED, NEED, NEED, that counts. All you have to do is NEED it and you get it. Who pays to fulfill your NEED? Don't worry, someone will.

Arnie pays the bill. Arnie pays the bills for his wife's three cancer operations. Arnie pays the bills to support his daughter who is suffering from a severe neuromuscular disease for which there is no cure. And Arnie pays the bill for the "Virtue" of Legal Aid. In some way, we all pay a portion of Legal Aid's cost, but Arnie has paid the highest cost—his ability to earn a living. Arnie can't make it on what he earns in criminal court. Not with the costs involved in running a private practice, and not with the financial needs of his family. To survive, Arnie must practice other types of law because he knows that he can't compete. Arnie can't pay the bills. Arnie can't compete. And I can't get a job in criminal law without working for the state. The "Virtues" of legal Aid. ■



EDITORIALS

Come On BLS, Let's Get It Together

Last year, our student leaders grew frustrated by an apathetic student body and an administration that didn't encourage real student input. Overall, their efforts to influence BLS policies were less than successful.

Attempts to revise the exam schedule have been thwarted to date. We therefore still enjoy nearly a month to study for our fall exams (losing a few small holidays such as Christmas and New Year's) but only about three days to study in the spring. Attempts to implement a *fair* grading policy were more productive but seemed to backfire. Several professors who were notably "easy graders" have since professed to adhere to the new system and provide lower numerical scores. The "tough graders", by comparison, have generaly tended to be more resolute in their determination not to be influenced by "voluntary grading curves". Aparently, students are being admonished that their efforts to influence policies directly affecting them are ill conceived, insignificant or completely mismanaged.

This year can be different. While struggling to improve ourselves in law school, it's easy to lose sight of the value in progress made by others. Together we can accomplish many things during our brief tenure at this school. BLS recently purchased computer equipment for students, but until now, has failed to implement an extensive program to facilitate its use. We should push ahead to develop such a program since our knowledge and understanding of computers, their application to the law and their extraordinary potential, is critical in today's high-tech society.

As the administration actively works to create a "national" image for our institution, we should meanwhile encourage and ensure that its best efforts will be used to also promote expertise in those areas of the law whose greatest challenges lie right here in New York City. Clearly, it is easiest to increase our stature in those fields of law which are prominent in our immediate surroundings, and from which we have an immediate and exhaustive pool of resources to draw.

Finally the use of school resources, based largely upon tuition money, is properly an area of student concern, yet we currently have little, if any, input into this aspect of the administrative decision-making process. Our library has declined to order textbooks this year. This means, for example, that those students who enrolled in Con Law last semester and Civil Liberties this fall will have to pay forty dollars for another Gunther(!) rather than merely reading the new cases on reserve in the library. In addition, our food service could be subsidized to some extent with out tuition funds. Instead, it's often cheaper to buy a sandwich in the neighborhood than to eat in our own cafeteria. Inflation rested at less than nine percent last year but notwithstanding this fact, our tuition increased at more than twice that rate. As students, we want to know — and we have a right to know — Where Is Our Money Going?

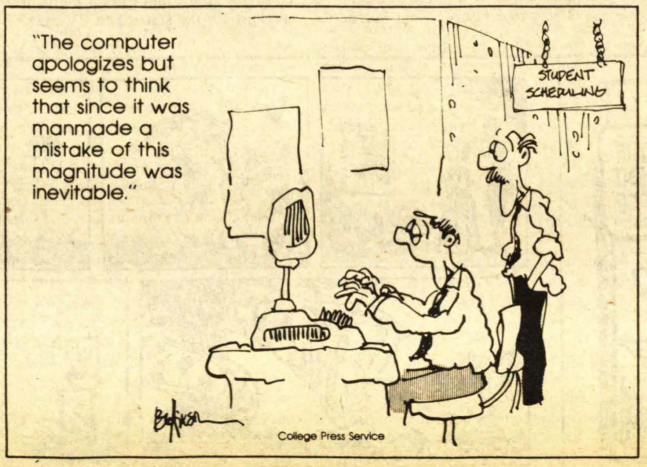
* * *

As a commuter school, BLS is confronted with formidable barriers to communication among the various groups comprising the school community. One solution is to create more amicable surroundings, including for instance, a patio space outdoors, a less institutional dining area, a comfortable lounge and yes, even perhaps a "bar" of sorts, with the option to serve alcohol, coffee or non-processed vegetable juice left for future debate. These alternatives in decor will offer more than superficial comfort. They will make BLS more livable. Perhaps one day a student's main objective upon arriving at the law school won't merely be to see how quickly he or she can leave because BLS will be a place where discussion and social gatherings have become more commonplace, where students and members of the faculty and administration convene informally and get to know each other. To the extent this is a pipe-dream of a pastoral campus and not the reality of an urban law school, more immediate solutions are also available.

To tap our own resources more fully, *The Justinian* would like to start a column written each month by a different BLS professor, informing us of his or her latest research endeavors, pet interests or musings on topics of common concern. Students would thus be afforded an opportunity to discover the specialties of their professors as well as offering inspiration to some to study furthher or even practice in a particular area of the law.

The Justinian is a natural forum for discussion of student issues. Voice your opinions. For students to be effective, we must present thoughtful and focused suggestions for consideration; nebulous complaints serve no purpose beyond an expression of frustration and futility. We need to extract from our individualized rumblings the common core of issues which need to be addressed. Our SBA can do more than distribute money and throw beer parties. If we exhibit organization, maturity and resolve, the administration may finally be willing to listen to our concerns.

Certainly all of us are after a degree and this school is a means of achieving that goal. But we end up spending much of our lives here for three to four years. Let's make it a place we can live with.



OP ED

Marialisa Calta

Gender Bias In

A judge in Texas, referring to a woman lawyer in his court, asked the jury: "Can you believe this pretty little thing is an assistant attorney general?" A judge in Wisconsin remarked that a 5-year old girl who had been sexually molested was "an unusually promisicuous young lady." A judge in Washington was censured for making sexual advances to female court personnel, and for firing several female employees who complained about his advances.

These are examples of "gender bias"—the predisposition to treat a person according to sex stereotypes. And studies are showing that the nation's courtrooms are not immune. Justice, it appears, is not always sufficiently blind—at least not where women in the courtroom are concerned.

Rhode Island has become the third state (after New Jersey and New York) to begin a study of "gender bias" in the courtroom. Empaneled last fall by Supreme Court Justice Joseph H. Bevilacqua and headed by Superior Court Judge Corinne P. Grande, the Committee on Women in the Courts is charged with identifying gender bias in the legal system and recommending ways to eliminate it. "We know it exists," said Grande, "we just don't know to what extent."

A recent landmark study in New Jersey—the first of its kind nationwide—looked at gender bias as applied to areas of law such a sentencing, personal injury damage awards, juvenile justice, domestic violence, divorce, and child custody. They found that women were "disadvantaged" in almost every area.

The New Jersey study was recently presented to the Rhode Island committee by New Jersey Superior Court Judge Marilyn Loftus, who headed the pioneering group, and New York lawyer Lynn Hecht Schafran, a consultant to both the New Jersey and Rhode Island committees.

Loftus recalled the initial responses to questionnaires sent to New Jersey lawyers on the subject of gender bias: "Don't you girls have anything better to do?" wrote one male lawyer, while another responded "Awfully bossy aren't you, honey . . . sweetie . . . dearie . . . I mean, your honor." One lawyer, answering a question about whether he had ever heard a colleague or judge make inappropriate comments about the appearance of his

THE JUSTINIAN
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The Courts

female coleagues, wrote that women attorneys are "all dogs anyway."

But Loftus and her task force persevered, issuing a report in 1983 on gender bias in the court. The results have incuded the organization of seminars for judges on the subject, and proposed changes in laws, law enforcement and the admnistration of the court.

The Rhode Island Committee on Women in the Courts got its impetus from the work in New Jersey, and from a poll of lawyers taken two years ago by the Committee on Sex Discrimination of the Rhode Island Bar Association.

The respondents—79 men and 65 women—indicated, in the words of a committee report, that "there are some areas of concern, particularly with regard to courtroom demeanor by opposing counsel and judges."

Instances of discrimination in the courthouse by judges, court personnel and opposing counsel included "unwanted attention, demeaning comments of a sexual nature, studiously ignoring a female attorney, and refusing to negotiate becasue (the lawyer) was female."

In a significant number of these instances the respondent believed that the discriminatory conduct had a prejudicial effect on the interest of the female attorney's client, the report stated.

Adele L. Morse, a Providence lawyer who headed the Bar committee, recalled that one female lawyer reported that a judge joked that the only way he could tell female lawyers apart was by the size of their breasts. Another female attorney reported a case of sexual harassment by a judge. As all reports were anonymous, neither the lawyers or judges involved could be identified.

The Rhode Island committee is investigating not only the treatment of women lawyers, but of female defendants, plaintiffs, witnesses, jurors, and court personnel.

The New Jersey committee found, for example, that homemakers generally received lower personal injury damage awards than working women or working men because juries failed to recognize the economic value of thieir labor. One of the recommendations of the committee was the instructions to jurors in such cases direct them to recognize the economic value of a career in the home. Also, working women generally received lower personal injury damage awards than working men.

Child care and alimony awards were found to be inadequate and enforcement of such orders was found to be weak. The committee recommended greater attention be paid to the enforcement of such court orders. It also recommended that judges be further educated about the economic status of women in society.

And 86 percent of the female attorneys polled in New Jersey said male peers made hostile remarks or demeaning jokes, while two-third said that judges did. Also, half of the women said that male colleagues received more court appointments for lucrative guardianships, receiverships and condemnations.

One administrative change recommended is that all court proceedings be conducted using "gender neutral" language, for example addressing lawyers as "counselors", rather than "gentlemen."

In some cases, the study concluded, women receive preferential treatment by the courts. For example, women often receive higher personal injury damages awards if the injury involved is a disfiguring one, because jurors seem to put a higher value on a woman's appearance than on a man's.

And sentencing for adult female offenders is generally lighter than for males. But a study of juvenile offenders showed that young females were treated more harshly—jailed for longer periods—than males.

Schafran, the New York lawyer who is helping the Rhode Island committee, stressed that most stereotypes about women and divorce—such as the idea that "women take men to the cleaners" in alimony settlements—are false.

—Marialisa Calta

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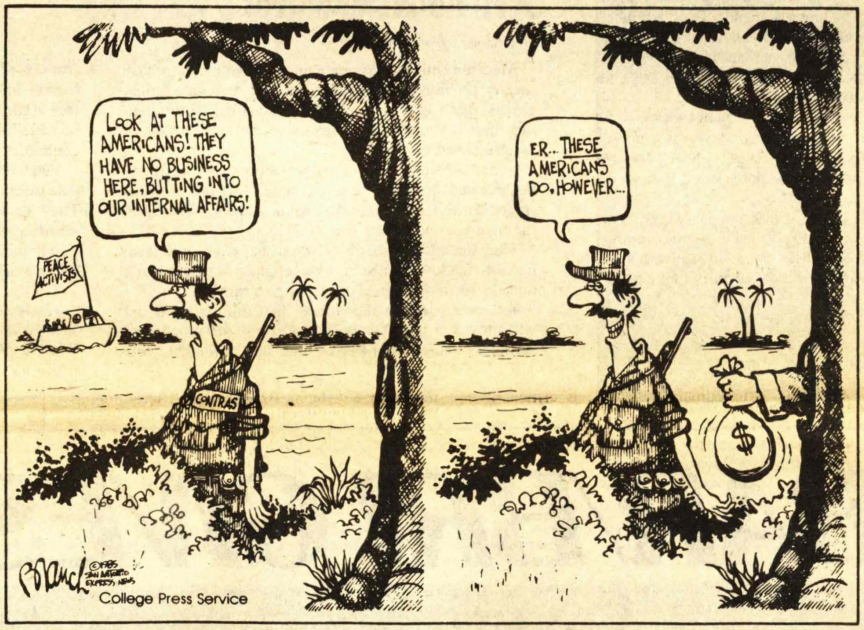


By Alan Derschowitz

A Bad Time For Human Rights

This has been a bad time for human rights around the world.

—In South Africa, whatever semblance of civil libeties that racist regime generally tolerates has been suspended, and hundreds of protesters—mostly black—have been arrested, killed or seriously injured.

—In the Soviet Union, where there are few civil libeties to suspend, the human rights coalition is dying a slow death.

The Helsinki Monitors is a private group established to observe and report on Soviet compliance with its human rights obligations under the Helsinki Accords of 1975. Of the Helsinki Monitors' original 20 members, 18 are now in Gulag prisons, in exile or dead. A sense of hopelessness has descended over the remnants of the human rights struggle. As Professor Naum Meiman, one of the two surviving members of the original monitors, recently put it: "After my years of working for the rights of others, I feel I have earned the right to plead for help for my own case." He currently is seeking support for his quest to allow his wife, who can't be treated for her cancer in the Soviet Union, to seek treatment abroad.

On this 10th anniversary of the Helsinki Accords, Anatoly Shchransky, Yuri Orloff and Andrei Sakharov have little to celebrate in their desolate labor camps and internal exiles. The United States has received little in return for signing the Helsinki Accords in 1975.

—The People's Republic of China still gets away with the most massive violations of human rights without a peep from the international community. Forced abortions, massive arrests of dissidents, a rash of executions with no pretense of due process—these are among the worst abuses. But for some incomprehensible reason, there is no little talk of sanctions or other international pressures to ease the repression.

—There is no improvement among the large list of recidivist countries with long records of human rights violations: Iran, the Philippines, El Salvador, Nicaragua, Libya, Syria, Iraq, Saudi Arabia, Paraguay, etc.

—The World Conference of the Decade for Woman, held last month in Nairobi, Kenya, made a mockery of human rights (and especially of women's rights) by politicizing nearly every issue into left-right international rhetoric. Many of the countries represented at that conference—some by male delegates and "advisers"—discriminate openly against women in both public and private life. No wonder these countries sought to deflect the real issues of woman's human rights into a ridiculous debate about the roles played by Israeli Zionism and American imperialism in oppressing women.

It followed the usual pattern of U.S.-sponsored international debates on human rights: When you can't agree on the real evils, condemn Israel and the United States; that's sure to get a majority! As one observer put it several years ago: "If Algeria were to introduce a resolution that the world's locust problem was caused by Zionism, it would carry by 120 to 35, with France abstaining."

—Even in the world's few remaining democratic nations, the mood is growing increasingly hostile to human rights. Here at home, the Justice Department is seeking to have the Supreme Court reverse its 1973 decision recognizing a woman's right to choose whether to terminate her pregnancy. In Israel, there's a clamor to institute capital punishment in response to Arab terrorism. In Great Britain, there are growing attempts to censor material perceived as favorable to the Irish Republican Army.

The big difference, of course, is that in these democratic countries, no unilateral edict will be delivered by some unseen power. The issues will be resolved only after submission to a series of checks and balances in which the people's multifarious voices will be heard and heeded. This isn't the case in many of the countries that make the most noise about U.S. repression.

In the end, governments—no matter how committed they say they are to human rights—can't be counted on to lead the battle for *everyone's* human rights. Governments are political, and human rights—when advocated by governments—generally will focus on to the rights of those people with whom the leaders agree in relation to governments with which they disagree. It's no surprise that the United States is more vocal in condemning the Nicaraguans than the Salvadorans, and that the opposite is true for the Soviet Union.

Private organizations like Amnesty International can be counted on to be more evenhanded in their condemnation of human rights violations wherever they occur. But because these organizations are non-governmental, their power and influence is severely limited—especially in regard to countries that really don't care about private condemnation without effective sanctions.

There is no quick fix for the worldwide tragedy of human repression. But there is one indisputable way to encourage toleration of international repression—and that is to remain silent. As Edmund Burke said, "The only thing necessary for the triumph of evil is for good men (and women) to do nothing." ■

Graduation Gripes:

It Ain't Worth The Paper It's Printed On

An Embittered Grad

Dear Dean Trager:

I guess, given the total lack of support services Brooklyn Law School offered anyone in less than the top 10% of the class, the mediocrity of many of the professors, and the almost total lack of concern for Evening School special problems and circumstances, that I shouldn't have been surprised on the day after my graduation by the shoddy printing of my diploma or by the fact that you didn't even have the decency to personally sign a document I killed myself for four hard and debilitating years to earn.

But then I guess a Law School Dean has so many more pressing matters than personally affixing his signature to diplomas (although somehow Paul Windels, President of the Board of Trustees and George Johnson, perhaps one of the most humane persons I've encountered at BLS, both found the time).

So keep plugging away at turning BLS into a national, corporate, prosecutorial law school, Dean Trager. Those goals fit nicely with your lack of personal concern for your students.

Meanwhile, I'll consider whether to waste my money framing the poorly printed document that is my diploma and, once framed, whether to turn it face to the wall.

Sincerely,
Bill Mantlo
JD, 1985

To Reshelve Or Not To Reshelve

To the Editors:

This is the scenario: It is a brutally hot day in the middle of July. A Brooklyn Law School student—whose identity will remain anonymous, but whom we shall call The Captain—enters the school's library in search of refuge from the unbearable heat *and* in search of the most recent five-year index of the American Maritime Cases. The Captain loosens his tie, says hello to Jim and Linda, and proceeds to the second mezzanine. He thinks to himself, "Okay, it's time to do some kickass research and impress the partners with my ingenuity and creativity." The Captain is motivated. His future might depend on the end-product of this day's research.

The Captain opens the door leading to the second mezzanine and then hangs a ralphie. The adrenaline is flowing. He's psyched. Key words are buzzing through his head: COGSA, package limitation, customary freight unit. The Captain hangs another ralphie which brings him into the aisle where the A.M.C.s are located. He is about to have an intellectual climax, so to speak. But wait! Something has gone wrong! "*The index I need is not here!*" Intellectual frustration. Disgust. Anxiety. The Captain sarcastically thinks aloud, "The partners are going to love it when I tell them that the book I needed was not on the BLS shelves. So much for working in that place next year."

Fortunately, this scenario had a happy ending. The Captain was able to obtain the "missing" index outside of BLS. He was able to get some intellectual gratification. But this will not always be the case. Another scenario might involve a different protagonist; perhaps an Admiral. The Admiral might not be as lucky as the lesser officer in our scenario. The Admiral might not be able to acquire the necessary research tools outside of BLS. His vessel might just sink. That is why it is so important for the students who attend BLS to be courteous and have some consideration for others. Competitiveness is one thing; uncaring selfishness is another.

I urge the BLS community to be a bit altruistic and please reshelve the library's materials when they are no longer being used. This applies to *everyone*. Remember: one day it might be *you* who is in the unfortunate position of The Admiral.

Next issue's letter: "Come on guys! Lift up the toilet seat!"

Sincerely,
Richard Garelick

Founding Intentions

Continued from page 6

Madison believed his amendment did much more than merely prohibit the establishment of a national church. He inveighed against presidential proclamations of religious feast days and even objected to the appointment of congressional chaplains.

"The establishment of the chaplainship to Congress," he declared in 1832, "is a palpable violation of equal rights, as well as of constitutional principles." This from the man who wrote the Bill of Rights.

Madison and Jefferson believed that each individual had the right to arrive at his own religious beliefs without outside coercion, especially from government.

Jefferson noted in the statute "that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and had nothing to fear from conflict." Jefferson went on to say that, "unless by human interposition disarmed of her natural weapons, free argument and debate," truth will triumph. "Errors," he added, cease "to be dangerous when it is permitted to contradict them."

Putative defenders of religion want the government to take sides in the "free argument and debate" over religion. They would, in Jefferson's words, "disarm" truth by asserting that belief in God was not open to question. Their "interposition" would resurrect a principle that Jefferson and Madison wanted to repudiate once and for all.

(Rosemarie Zagarri is assistant professor of American history at West Virginia University.) (Reprinted from The New Republic)

Obtaining Practical Skills

Take Advantage Of The ABA Student Programs

The Law Student Division of the American Bar Association sponsors several substantive programs which provide valuable experience to law students, and which, in several cases, provide a direct benefit to the community as well. There are currently several positions available for student coordinators for some of these programs at Brooklyn Law School. Program participants are needed as well. The Law Student Division provides most of the resource material needed to get things started. What is primarily needed on the student's part is interest and initiative.

LAW STUDENT VOLUNTEER SPEAKER PROJECT

In this program, law students go out into the community to speak to students, and church and civic organizations regarding law, education, public service, etc.. Prepared speeches are available from the LSD on some topics of general interest to the community such as "How to Select a Lawyer". This program provides an opportunity to practice communication and advocacy skills while providing a public service.

ADMINISTRATIVE LAW PROGRESS

This program is jointly sponsored by the ABA's National Conference of Administrative Law Judges and the Law Student Division. It is designed to promote a greater understanding and awareness of administrative law. It is a three pronged program which consists of a speakers bureau, law student clerk positions and participation in actual hearings.

NEGOTIATIONS COMPETITION

A new Negotiations competition will be held in November of this year. This competition joins the already well established National Appellate Advocacy and Client Counselling competitions already being offered by the LSD. The Division is very excited about this new addition.

Anyone who is interested in finding out more about these programs (as possible coordinator or program participant) and competitions should contact Diane Conyers, ABA/LSD Rep. through her mail box at the SBA office or by phone at (718) 284-1893 (eves.). First year students are encouraged to apply for these positions.

GUARDIAN AD LITEM

A brand new national program for the Law Student Division, Guardian ad Litems are usually citizens who volunteer to become part of a court program to represent the best interest of an assigned abused or neglected child who has become the subject of judicial proceedings. The Guardian ad Litem volunteer is a representative for the child before the court, social service agencies and the community. The school coordinator for this program would oversee the implementation of the program at BLS, promote involvement of law students in existing programs, solicit support from the faculty/administration regarding the program (i.e for course credit, seminar paper topics, etc.) and report to the circuit coordinator.

VOLUNTEER INCOME TAX ASSISTANCE

The VITA program is designed to provide free federal income tax return assistance at community locations. Volunteers assist people with simple tax returns, particularly lower income, elderly, nonenglish speaking and handicapped taxpayers.

Free training for this program is provided by the I.R.S. and focuses on the preparation of 1040EZ, 1040A and the basic 1040 tax returns.

This program provides students with an unusual opportunity to develop important practical and technical skills: interviewing a client; eliciting relevant information; recognizing, analyzing and researching various tax problems; and educating individuals who have little or no understanding of the tax law.

Federal Litigation Clinic A Success

Brooklyn Law School's Federal Litigation Program has entered its second full semester of operation with expanded clinical opportunities for second and third year students. The clinic's enrollment capacity has increased from nine to sixteen students. In addition, the Law School has hired a second faculty member, Professor Kathleen Sullivan, to work full time in the program.

Professor Sullivan comes to Brooklyn from Cornell Law School, where she taught lawyering skills and clinical courses. Prior to joining the Cornell faculty in 1982, Prof. Sullivan practiced for five years with legal services programs in Upstate New York. Prof. Sullivan joins Prof. Minna Kotkin, Director of the Federal Litigation Program.

Student response to the Federal Litigation Program has been enthusiastic. "It's fantastic!" says Consuelo Mallafre, a third year student who participated in the program this summer. Mallafre calls the program, "the most valuable course I took in law school. More than anything, I enjoyed the experience of being a real attorney and going through the attorney's daily activities. You have an opportunity to see what it's all about. You get an awful lot of client contact and contact with opposing attorneys. In the rest of law school, you learn theory, but there's a gap between theory and practice. This course fills that gap."

The Federal Litigation Program operates out of a fully equipped law office on the third floor of One Boerum Place. Working in litigation teams, students handle actions pending in the United States District Court for the Eastern District of New York. Students interview and counsel clients, draft pleadings and discovery requests, conduct depositions, negotiate with opposing counsel, argue motions, and appear on behalf of clients at hearings and trials.

Students also participate in a weekly seminar where they learn the litigation skills necessary to represent their clients competently. Interviewing, counseling, drafting, negotiation, case planning, investigation and discovery skills are taught through the simulation of a federal court action. Students receive two academic credits and four clinical credits each semester.

Last semester, the clinic handled three cases on behalf of individuals denied disability benefits by the Social Security Administration. In each case, the District Court reversed Social Security's decision denying benefits and ordered Social Securtiy to make additional findings as to whether the individual was entitled to benefits. In two of the cases, the court's decision was reached after students argued motions for judgment on the pleadings in District Court against Assistant United States Attorneys. Administrative hearings in these three actions are scheduled for early Fall. Also pending are employment discrimination actions against Chase Manhattan Bank and AT&T, and an action brought on behalf of the Malcolm X Day Care Center, concerning government funds for school lunch programs. ■

NIGHT OWLS

What We Did On Our Summer Vacations

By Estajo Koslow

A hearty welcome to all the new students that have decided to brave the rigors of law school by night (ok, or part-time day and night). The part-timers at Brooklyn Law School make up a diverse and very interesting community. Most of you will find part-time legal study to be a rich and rewarding experience (and truthfully, at times a royal pain). As new part-time students, you'll learn to adapt quickly to a fast paced schedule and find clever ways to use time efficiently. (Those hours between 2 a.m. and 7 a.m. aren't necessarily meant for sleep, and laundry must be done at some time.) All kidding aside part-timers even find time to kill time!

As all students know the beginning of school provides an opportunity to tell everyone how your summer vacation was spent. Evening law students are no different and well so many people are aching to know what we do.

For evening students summer vacation is an important time. In the summer evening students typically only work at one job in the day. Summer affords an opportunity to use the evenings to clean our homes, have children, marry and/or divorce spouses, and most importantly, stock up on much needed paper products to hold us over during the upcoming semester. (I find aluminum foil shortages to be a problem, particularly in November.)

For many it is a chance to come home from work and simply do nothing, though few will admit it. I did hear that one evening law student and his family were going to recreate, and celebrate all of the important holidays and events he had missed during the past year. Such family devotion warms the heart. Others, fortunate enough to have video cassette recording equipment , spend the summer enjoying the previous year's news events, as well as the year in sports. Summer is also an excellent time to celebrate Christmas and New Year's since the fall semester final exam schedule insures that students will not be conscious of these two holidays until sometime in February.

During the summer, some evening students report they experience depression or anxiety. This is not uncommon and can be attributed to a serious reduction in things to complain about, and a free moment to realize this. While school is in session evening students may fantasize about what other more interesting activites they could be participating in, such as eating dinner while sitting down at a table, sleeping in a reclining position (although some evening students do manage this during class, often unbeknownst to either the professor or fellow students)—but once the summer arrives and these fantasies materialize, it just isn't the same.

Alas, the summer is over and the void in our nights will once again be filled. Part-timers will bid their families and friends farewell and perhaps, schedule visits for sometime in November.

For your information, I have compiled some News Updates geared specifically to Night Students:

'Bon Appetit à la carte', a coffee cart that is, will be stationed on the fifth floor during breaks in evening classes. The new coffee cart service will feature such delectable edibles as coffee, danish and sandwiches. BUT BEWARE—the cafeteria stops serving hot foods at 6 PM and closes at 7 PM.

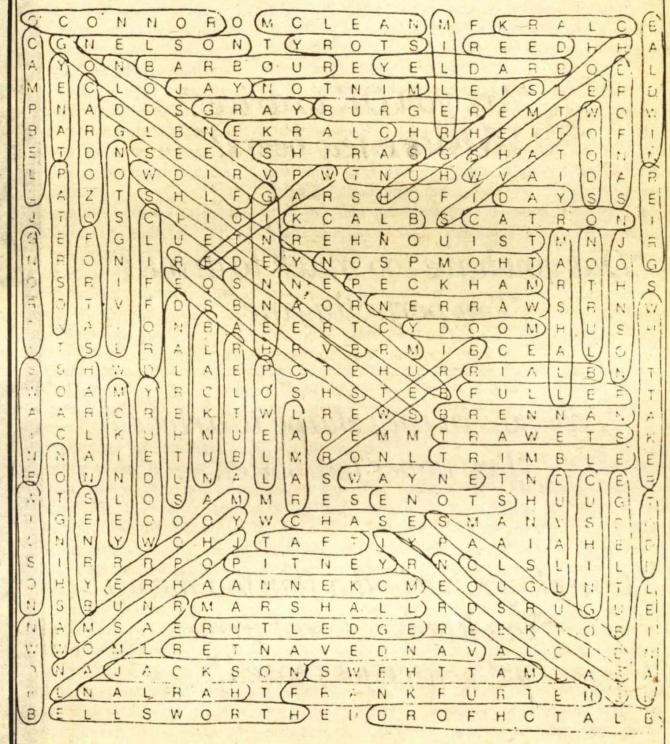
The library hours this semester (for those few who haven't ventured in there yet) will be Monday-Friday, 9 AM til 12 midnight; Saturday 9 AM til 6 PM and Sunday 9 AM til 11 PM.

The Bursar's Office, now located at One Boerum Place, stays open til 6 PM on Tuesdays. So, leave work promptly and run to the subway. . . good luck!

The Placement Office is working hard to serve *all* BLS students, day and night. The office (also at One Boerum Place) is open until 6:30 PM on Tuesdays. You can also get job description information over the phone if you have the job code number. Better yet, the Placement Office has placed copies of the job books (full-time, part-time, summer, post-grad) on reserve in the library for use by all students and alumni. The staff at the Placement Office are very helpful and are more than willing to arrange convenient times to serve evening students. Take them up on this offer.

Word Search: Supreme Court Justices

Solution To Puzzle



Answer to puzzle question:
Two: Harlans and Lamars

Six Types of Law Students

Continued from page 16

Career Goals
"A one million dollar settlement on my first case, heh, heh."
"I'm a win-win kinda gal/guy."

4. The Student Newspaper Editor

- Never recovered from introduction to Socratic method.
- Campaigns for advanced "Jurisprudence and Philosophy" curriculum.
- Denim, copious hair, Berkeley in late '70s.
- Never acknowledged Michael Jackson, Ronald Reagan or personal computers.
- Despite lead article on Amnesty International, last six issues devoted 37 pages to review of foreign films.
- Is 272 out of 273 in class.

Career Goals
"To be more centered and work for Gibson, Dunn & Crutcher." Will eventually get LL.M. and teach law.

5. The "Right Stuff" Law Student

- Tall, gorgeous, worked as model as often as could while instructing tennis at "the club."
- Europe, Asia, Africa all summers since six years old. Nine languages, pilot's license.
- Sacred undergrad school. Large firm interviewer hears a brass ensemble at mention of same.
- Uncle is Senator; Aunt is Federal Circuit Judge; Sister-in-Law appears in Broadway shows; seven cousins are name partners in firms.
- Has a repertoire that includes law review, moot court, eleven book awards, the annual "Whitcomb Langlefeld Sutterstead" award, British Law Student Society President, SBA, cover of student calendar.

Career Goals
"I don't know what I want; I seem to lack confidence I can do it. Maybe I'll take a year off before I take the bar."

6. The Evening Law Student

- Easily identifiable, since wears business suit while still in first year.
- Diet: Unknown, but usually holding Twinkie and Tab in hall.
- After class, over beer, persists in talking about, "Cut the theory," instead of students or professors who are "Cute." Will become belligerent instead of jubilant if class is cancelled.
- Comes to placement counseling meeting with a neat page of questions. Writes a personal thank you note afterward for advice and information.
- Never hears about fall interviews until Thanksgiving.
- Social life: Mother's Day dinner and New Year's Eve.

Career Goals
"To become a partner in an eight-person business litigation firm with a starting salary of $33,000, preferably on MacArthur Boulevard in Newport Beach. To remarry eventually." ■

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BLS Hires Hellerstein

Continued from page 1

lege in 1959 and from Harvard Law School in 1962. He became a staff attorney with the United States Commission on Civil Rights during the Kennedy Administration and in 1963 joined the firm of Brennan, London and Buttonweiser as an associate. He worked there under the guidance of Ephraim London, a prominent first amendment advocate. The firm was involved in several of the key censorship cases of the sixties, including that of comedian Lenny Bruce.

In 1964 he was hired as a staff attorney with the Legal Aid Society, the organization where he remained until joining the BLS faculty this fall. In 1969 he was named Chief of the Criminal Appeals Division, and throughout the 1970's he argued many influential cases in the federal courts, including, as he puts it, "a five-for-five" success record before the United States Supreme Court. In that court he argued *Baldwin v. N.Y.*, where he worked for the right to trial in misdemeanor cases; *U.S. v. Bass*, a case of construction of the Federal Gun Control Act; and *Menna v. N.Y.*, regarding the effect of guilty pleas on double jeopardy claims. In two cases decided in 1980, *Payton v. N.Y.* and *Riddig v. N.Y.*, he advocated that an arrest warrant should be required prior to a person's arrest in his or her home. This far-reaching decision struck down contrary statutes in twenty-seven states. In another prominent case, Hellerstein was the chief counsel on behalf of the Attica State Prison inmates in the case arising from the 1972 inmate uprising.

After two decades of representing indigent criminal defendants, Hellerstein was looking for a change. "It's important that I enjoy what I'm doing," he says. When nominated for the judgeship he naturally began looking forward to a new challenge and did not "arrest the process" when he was turned down. "When the Dean spoke to me about the possibility of teaching law," he continues, "I said to myself, *that* would be a new challenge. I watched the school over the years, talked to a number of recent graduates and got a sense that there is a lot going on here, with a heavy focus on the public interest."

Hellerstein is anxious to expand his horizons, but makes it clear that his heart lies in the public interest field, if not at Legal Aid itself. "I really hope to make a contribution to the school, to provide a dialogue and hopefully inspire some students to think about a career in the public interest. I had a great deal of fun at Legal Aid—there is a lot of fun in representing people who don't have a lot of money."

Hellerstein will teach evidence and constitutional law, as well as the advanced constitutional law seminar, a class he taught at the New York University School of Law for six years. While he still looks forward to the challenge of a future federal judgeship under another presidential administration, he says, "I intend to spread out, get into new material, do some writing, and as Mahalia Jackson said, 'live life the way I sing about it in my songs.'"

He may have been too liberal for Ronald Reagan, but from the looks of things, that judgement may have been in the best interests of Brooklyn Law School; for his reception from the students and faculty here is likely to make him feel rather at home. ■

Job Tips From Dean Trager

Continued from page 1

proximately 18% are employed as associates in large law firms (50 or more); 31% are employed in mid-sized law firms; 49% are employed in firms of 2-10 lawyers and 2% are self-employed. 15% are employed in government or public interest law offices, and 6% are clerking for judges or are teaching. 5% hold legal jobs in business and industry and 6% hold non-legal jobs.

The figure for Wall Street firms is particularly illuminating if you consider that only 10 years ago, less than 2% of the class was hired into large firms. The dramatic increase in the number hired and the similarly dramatic increase in the number of large firms which interview on campus is one measure of the growing stature of the School, and you, its students. Having made that point, I now hasten to make some others.

First, it is important to acknowledge that although students who are in the top 10-15% of the class or who have Law Review or Journal status are routinely recruited and hired by the largest firms, students who rank in the "bottom" 85-90% are not. This is not to say that such students have not been placed at large firms. Persistent students, frequently with the aid of vigorous networking by members of the administration and faculty, have landed such jobs. However, the large firms do not yet hire as deeply into the Brooklyn class as they do into the classes of Ivy League schools.

Second, it is important to point out that although we would like every student who desires to join a large law firm to have that option, it is not our goal that every student should have that desire. Brooklyn Law School has a long tradition of placing students in government and public interest law offices and in small and mid-sized law firms. I would like to see this tradition continued. I am not about to minimize either the quality of training or the level of remuneration that large firms offer to young associates. However, at least in my view, government and public interest law offices, as well as many smaller private offices, offer benefits that simply cannot be found elsewhere:

• *Excellent Hands-On Training*. These offices usually cannot staff a matter as deeply as a large firm can. As a result, young asociates do not devote their first years exclusively to library research. Typically, they are second-seating senior attorneys at depositions, trials, and negotiation sessions from day one. Within months, they are conducting depositions, settlement negotiations, and trials on their own. (Even as late as the third or fourth year, it is a rare large firm associate who had conducted a deposition or tried a case.)

• *Client Contact*. To many young associates in large firms, it must appear as if their client is the partner to whom they are addressing research memos. In a way that is true. In smaller offices, both public and private, young lawyers are more apt to deal directly with the clients they represent (and the lawyers and parties they oppose).

• *Psychic Income*. The sheer enjoyment of working on behalf of the public interest for a cause you respect, or of representing a client whom you know as a person, is a main attraction.

Of course, the best indication that work in these areas can be highly fulfilling is the inescapable fact that most young attorneys who begin their careers at large law firms eventually find their way into smaller offices or the offices of government. Some do this in fulfillment of a carefully designed career program: after completing a brief "residency" at a large firm, they move on to the kind of practice they always intended to have. Others do this when they find their hopes will not be fulfilled: after eight years, they do not make the partner cut. Others do this when they find that work in government, public interest, or smaller private offices is more consistent with their beliefs and values.

" . . . most lawyers happily wind up where most Brooklyn graduates begin."

Thus, it is with some irony that I note that most lawyers happily wind up where most Brooklyn graduates begin.

Sounds Nice, Dean. But How Do I Get One of Those Jobs?

As I said earlier, my purpose is not to lull you. The market *is* tight. Most of you have chosen to live and work in what is the tightest lawyer market of them all. You compete for good jobs not only with students from other New York City schools, but with students from top schools all over the country. Thus, at the same time that I have been working on developing broader recognition for the School, I have also been working on ways to turn our local presence into a placement advantage,

I have increased the staff and resources of the Placement Office and instructed it to do more than simply administer the on-campus interviewing program. I have asked both Grace Glasser (BLS '53), our new Director of Placement, and Carolyn LeBel (BLS '83), Assistant to the Dean for Placement, to devote a major portion of their time to networking among alumni to identify job opportunities for our graduates. This effort is critical. There are more than 10,000 BLS graduates now in practice. Many thousands of them hold positions of influence and are in a position to hire young lawyers. Our aim is make them think of their law school and its students first. It is in recognition of the fact that building this placement network is a demanding, time-consuming task that I have enlarged the professional staff of the Placement Office.

Second, as many of you already know, I have launched a program for the purpose of drawing alumni—who for too long have been ignored by the School and who, in turn, have ignored it—back into their law school's orbit. Over the past two years, I have met with graduates at meetings and receptions here and in other cities in order to bring them up to date about the School and the progress it has made. Rather than put the arm on them for money, I have put the arm on them for jobs, and many of them have come through. Next month, all alumni will receive the first issue of News from Brooklyn Law School, a newsletter that will keep alumni current and involved in the affairs of the School. They will also be receiving the first issue of Brooklyn Law School's JOB NET, a new career-oriented newsletter that will gather and disseminate information about jobs for our graduates.

We recently completed designing, and expect to have operational within a year, a computer system for identifying graduates by class, area of practice, and location. This program will make it possible for us to put, for example, a student who want to practice labor law in Manhattan, or entertainment law in Los Angeles, in touch with a graduate who may be in a position to hire him or her.

The physical facilities of the Placement Office have also been improved and expanded. In addition to new interviewing rooms, we now have video equipment in place for rehearsal interviews, a telephone for students to use so they can respond quickly to job listings, and an extensive library.

There are some steps that I would urge you to take to use these resources most effectively:

1. Get Some Assistance Before You Begin Looking in Earnest. Grace Glasser and Carolyn LeBel are available to review your resumes and cover letters, to discuss job search strategies and to lead you through mock interview sessions. This kind of help is invaluable. I urge you to make an appointment to meet with one of them before you have your resumes printed and before you met head to head with your first interviewer.

2. Take Advantage of the Placement Office Programs and Workshops. The Placement Office will be offering a series of Skills Workshops on such topics as interviewing tehniques and resume writing beginning in the fall semester. The first program, on interviewing, will be held on Thursday, September 5, from 5-6 p.m. in the third floor conference room at the One Boerum Place building. It will be repeated on Friday, Septemer 6, from 4-5 p.m.

3. Give Copies of Your Resume to Ms. LeBel to Keep On File. If, for example, a potential employer tells Carolyn Le Bel that he or she would like to hire a student who has had clinical litigation experience and an interest in government benfits law, she has to be able to put him in touch with such students promptly. There may be precious little time to hunt for interested and qualified students. Therefore, I urge you to meet with Ms. LeBel, tell her where your interests lie, give her copies of your resume and make certain that she knows where you can be reached.

4. When You Go on An Interview, Tell the Placement Office How It Went. When you respond to a Placement Office listing, and attend an interview, let the office know how the interview went. In appropriate cases, a follow-up phone call from the Office can result in a job offer. At a minimum, it may disclose why you may not have received an offer and how to get one the next time.

5. Attend the Dean's Distinguished Alumni Lecture Series. Throughout the year, the Placement Office will be hosting a series of informal lecture programs featuring graduates who practice in many areas. The purpose of the series is to help you learn from successful alumni where practice opportunities are and how to take advantage of them.

6. If You Haven't Made Law Review or Journal, Compensate! Being on a publication certainly makes it easier to land the job of your choice, but it is not the only way. I strongly recommend that any student who has not been selected for Review or Journal consider doing a serious piece of writing on a topic of your choice, perhaps in connection with a seminar class or an independent study program or a national moot court competition. Not only will many successful research and writing projects satisfy your upperclass writing requirement, they will arm you with both the research and writing skills—and the solid evidence of them—that many employers desire. Some students even have had their work published—earning a reputation in advance of graduation. Last, but not least of all, our clinical programs have served as an entrance into the profession for many of our graduates. I urge you to take advantage of them as well.

I know that job hunting can be hectic, unnerving, and sometimes even depressing. But, the more you know about the process—about how and where to look for a job, about how to interview, about how to aim for a career that's right for you—the less daunting the process will seem and the more successful your efforts are likely to be. Before you start the process, I urge you to visit the Office of Placement and Career Planning. It is there to serve all of you. ■

THE JUSTINIAN
A FORUM FOR THE BROOKLYN LAW SCHOOL COMMUNITY

Joan Profant

The Six Types of Law Student

As a placement administrator planning management of services, and as a career counselor, it has been helpful to learn about the characteristics of the law student population. What follows is a placement-eye-view of law students, which contains more genuine affection and respect than might be apparent on the surface.

1. The Editor of the Law Review

- Won 1st grade prizes for best speller and best writer of the month. Received ice cream sandwich as award. Ate in front of hungry classmates after Friday lunch as teacher beamed.
- Won third grade prizes for multiplication tables and science fair exhibit on "Dinosaur Extinction Theories." Received pencil sharpener in shape of a triceratops. Sharpened pencils as 31 classmates sneered. Teacher beamed.

Ad nauseum until Fall of second year of law school.

- Diet: Ice cream sandwiches, vitamins.
- Plays chess, reads *Games* magazine.
- First-born, federal jurisdiction interests in junior high.
- Mannerly, mail order catalogue clothes, timeless.
- Dates sensible and acceptable people.
- Feels momentary rush of rightness in the universe at smell of library shelves on Sunday afternoon. Will sustain this glow until elderly "Of Counsel."

Career Goals

"To be clerk to a Supreme Court Justice, and then to reconcile continued living at a lower plane in real world of mighty salaries, irascible clients and inept junior associates."

2. The Law Student on a Budget

- Sleeps in class or on floor outside door if too tired to get to back row in time to close eyes.
- Has 14 part-time jobs in 10 locations.
- Studies on bus going to jobs.
- Drinks 54 cups of placement staff coffee as stops in to chat each morning.
- Loan payments extend to the year 2050.
- BAR/BRI rep on campus.
- Diet: Vending machine candy, brown bag peanut butter.
- Dates only a few days after finals and only those who will go dutch to matineee film.

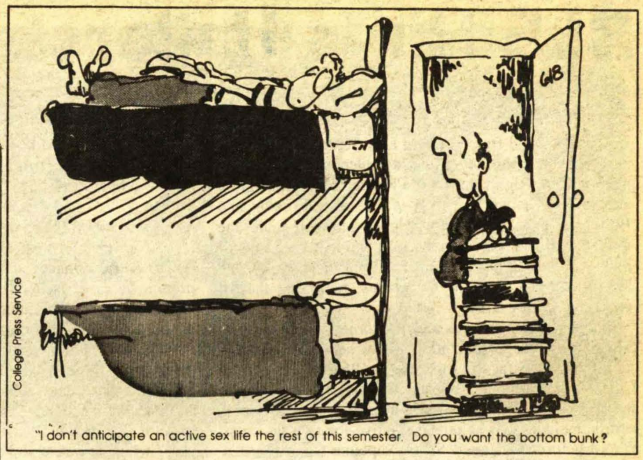
Career Goals

"Not to be pathetic anymore."

3. Moot Court Champ

- Purchases cowboy set with silver holsters for all interviews.
- Unobtrusively carries six-foot trophy at all times in backpack.
- Wears red polo T-shirt with animal motif where heart organ usually positioned.
- Diet: Red meat, caffeine.
- As first year student, shoves Placement Director to corner of elevator and says, "Move it, Babe." In Fall of second year, writes letter to Dean commending expert management of placement services. Brings entire staff a tin of Almond Roca candy.
- Took Trial Ad I, II, III, IV and V.

continued from page 13



Word Search: Supreme Court Justices

Solution To Puzzle on Page 13

O	C	O	N	N	O	R	O	M	C	L	E	A	N	M	F	K	R	A	L	C	B
C	G	N	E	L	S	O	N	T	Y	R	O	T	S	I	R	E	E	D	H	H	A
A	Y	O	N	B	A	R	B	O	U	R	E	Y	E	L	D	A	R	B	O	D	L
M	E	C	L	O	J	A	Y	N	O	T	N	I	M	L	E	I	S	L	E	R	D
P	N	A	D	D	S	G	R	A	Y	B	U	R	G	E	R	E	M	T	W	O	W
B	A	R	G	L	B	N	E	K	R	A	L	C	H	R	H	E	I	D	O	F	I
E	T	D	N	S	E	E	I	S	H	I	R	A	S	G	S	H	A	T	O	N	N
L	P	O	O	W	D	I	R	V	P	W	T	N	U	H	W	V	A	I	D	A	R
L	A	Z	T	S	H	L	F	G	A	R	S	H	O	F	I	D	A	Y	S	S	E
J	T	O	S	C	I	I	O	I	K	C	A	L	B	S	C	A	T	R	O	N	I
G	E	F	G	L	U	E	T	N	R	E	H	N	Q	U	I	S	T	M	N	J	R
N	R	O	N	I	R	E	D	E	Y	N	O	S	P	M	O	H	T	A	O	O	G
O	S	R	I	F	E	O	S	N	N	E	P	E	C	K	H	A	M	R	T	H	S
R	O	T	V	F	D	S	B	N	A	O	R	N	E	R	R	A	W	S	R	N	W
T	N	A	I	O	N	B	A	E	E	R	T	C	Y	D	O	O	M	H	U	S	H
S	T	S	L	R	A	L	R	H	R	V	B	R	M	I	B	C	E	A	L	O	I
S	S	H	W	D	L	A	E	P	C	T	E	H	U	R	R	I	A	L	B	N	T
W	O	A	M	Y	R	C	L	O	S	H	S	T	E	B	F	U	L	L	E	R	T
A	A	R	C	R	E	K	T	W	L	R	E	W	S	B	R	E	N	N	A	N	A
Y	C	L	K	U	H	M	U	E	A	O	E	M	M	T	R	A	W	E	T	S	K
N	N	A	I	B	T	U	B	L	M	R	O	N	L	T	R	I	M	B	L	E	E
E	O	N	N	D	U	N	A	L	A	S	W	A	Y	N	E	T	N	D	C	E	R
W	T	S	L	O	S	A	M	M	R	E	S	E	N	O	T	S	H	U	U	G	T
I	G	E	E	O	O	O	Y	W	C	H	A	S	E	S	M	A	N	V	S	D	O
L	N	N	Y	W	O	H	J	T	A	F	T	I	Y	P	A	A	I	A	H	E	D
S	I	R	R	R	P	O	P	I	T	N	E	Y	R	N	C	L	S	L	I	L	D
O	H	Y	E	R	H	A	A	N	N	E	K	C	M	E	O	U	G	L	N	T	L
N	S	B	U	N	R	M	A	R	S	H	A	L	L	R	D	S	R	U	G	U	E
N	A	M	S	A	E	R	U	T	L	E	D	G	E	R	E	E	K	T	O	R	I
W	W	O	M	L	R	E	T	N	A	V	E	D	N	A	V	A	L	C	I	D	N
O	N	A	J	A	C	K	S	O	N	S	W	E	H	T	T	A	M	L	A	S	A
R	L	N	A	L	R	A	H	T	F	R	A	N	K	F	U	R	T	E	R	J	D
B	E	L	L	S	W	O	R	T	H	E	D	D	R	O	F	H	C	T	A	L	B