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THE JUSTINIAN

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

Foreign Trained Lawyers

Many Rewards, Many Adjustments

by Lance J. Gotko

None of us would be willing to go through law school twice. Yet in our midst there is a small, select group doing just that. These persons, forsaking established legal careers in their native lands, have come here — to the United States, to New York, to BLS — with the goal of improving their lot while continuing in the profession for which they were trained. These persons are enrolled in BLS's Foreign Trained Lawyers Program.

Rule 520.5 of the Rules of the New York Court of Appeals for Admission of Attorneys allows foreign lawyers to take the New York bar exam after completing 24 credits of study at an accredited American law school. The Foreign Trained Lawyers Program provides a vehicle for fulfilling this requirement, yet succeeds in doing much more.

MORE THAN BAR REVIEW

Believing that the Program should be more than just a "bar preparation" course, BLS has put much thought and effort into making the Program an educational and assimilating experience. For instance, the course of study is prescribed, not elective, and consists of Contracts, Torts, Property, Civil Procedure, Legal Profession, and Legal Profession, and Legal Writing.

Because English is a second language for most of the Program's enrollees, they must take four credits of Legal Writing rather than the usual two (making the Program's total credit requirements 26 rather

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O'Rourke Campaign Starved for Attention

by Judie Steinhardt

Governor Cuomo has been the subject of numerous favorable news articles in recent months on what he stands for and the type of person he is. His opponent in the November election, Andrew O'Rourke, Westchester County Executive, however, has remained somewhat of a mystery. Although the governor refuses to debate Mr. O'Rourke, the major substantive differences between the candidates are clear.

DEATH AND TAXES

According to Aloise Buckley, O'Rourke's deputy press secretary, there are three major issues on which O'Rourke and Cuomo differ; the death penalty, taxes and New York's drug problem.

On the death penalty issue, Cuomo is adamantly opposed to its use, viewing it as an ineffective deterrent and opposing it on personal grounds.

O'Rourke, however, favors the death penalty under certain circumstances. He believes the death penalty should be invoked in two types of cases in particular—first, where a drug dealer has caused the death of another by overdose. O'Rourke considers this crime to be "premeditated murder" that should be punishable by death. Second, O'Rourke believes the shooting of a police officer should be met with capital punishment.

The second issue, taxes, is a point on which the candidates take opposing viewpoints. Although the Governor claims he has cut our taxes, O'Rourke explains that this is not the case. Although actual state taxes have been cut, state spending has skyrocketed. O'Rourke's office claims that state government spending has gone up 200%, so that New Yorkers pay \$1.57 for every 1.00 other people pay.

In this respect, O'Rourke views such tax cuts at largely meaningless. O'Rourke

favors a position whereby the state would take a greater leadership role in the State's economy. He advocates the creation of an Economic Growth Commission (EGC) to actively coordinate economic development within the state, resulting in a more efficient allocation of state dollars. He cites the lack of coordination in economic development as one of reasons why 50%

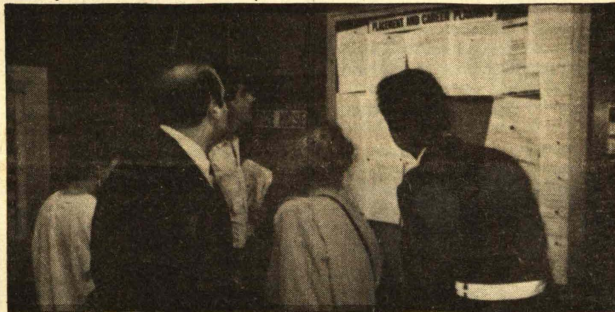
of the firms that leave New York go to New Jersey. Better management of the State's economic resources would help stem this tide.

O'Rourke also favors the use of economic enterprise zones, a proposal that has received a lukewarm reception under Cuomo.

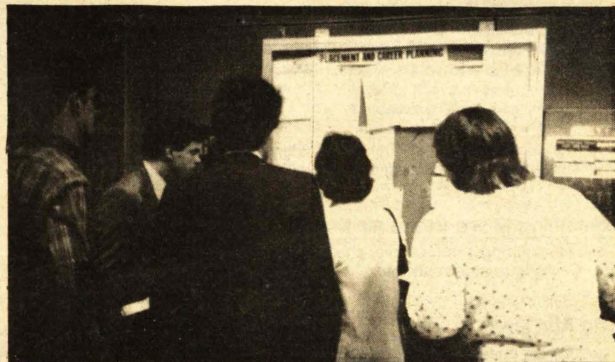
DRUG ISSUE

The third issue, the growing drug problem is an issue which both candidates approach very differently. Although both candidates realize something must be done to

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FALL SWEEPSTAKES' TENSION apparent in the faces and postures of BLS students gathered at the job board last month. Stakes are high, winners few.



but stated that steps had been taken to make sure that the charges would be examined carefully, and that the matter had been referred to an outside agency for further review.

Ms. Plasznar has been a frequent guest lecturer in Professor Ronayne's first year Criminal Law class.

Judge

Brooklyn District Attorney Elizabeth Holtzman announced on October 2, the indictment of State Supreme Court Justice Jerome S. Cohen on seven counts of bribe receiving in connection with children's trust

funds deposited with the HYFIN Credit Union. The indictment alleges that Justice Cohen, a BLS graduate, abused his judicial power by placing the trust fund deposits with HYFIN in exchange for waiver of interest payments he owed on six loans.

Between 1979 and 1985, the defendant received six loans from HYFIN totaling over \$150,000. The indictment alleges that between 1980 and 1985, while on the bench, Justice Cohen ordered the placement of approximately \$250,000 in children's trust fund monies with the

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Official Misconduct Cited in Brooklyn

by Robert Roth

Prosecutor

A Kings County Assistant District Attorney, Kathy Plasznar, has been accused of official misconduct involving suppression of evidence in the highly publicized Robert McLaughlin murder trial.

Staff attorney for the New York chapter of the New York Civil Liberties Union, Richard Emery, said five accusations of misconduct were submitted to a judicial grievance committee against Assistant District Attorney Kathy Plasznar, a BLS graduate. The ACLU alleged in the complaint that Ms. Plasznar had "engaged in dramatic instances of suppression of evidence helpful to the defense."

The substance of the complaint alleges that Ms. Plasznar withheld a description by an eyewitness of a murder and robbery suspect that differed from the defense attorneys' description in the 1980 murder

trial of Robert McLaughlin, of Brooklyn. Mr. McLaughlin was later convicted in the case.

After having served six years of his fifteen year sentence, Mr. McLaughlin was released in July of this year. In setting aside Mr. McLaughlin's conviction acting Justice Anne G. Feldman of State Supreme Court in Brooklyn determined that Mr. McLaughlin had been wrongfully convicted on the basis of a false identification by a witness.

Aside from allegations surrounding the McLaughlin trial, Mr. Emery stated that additional questions of impropriety had been raised involving a 1981 murder conviction in which Ms. Plasznar was also accused on failing to turn over to defense attorneys a description of a murder suspect that was different than the actual description of the defendant.

Brooklyn District Attorney's office spokesman Ned Steele, characterized the charges as "implausible and meritless,"

BLS News Update

Lawyer's Guild Events

On Saturday, November 8th, the NLG, DSA and LSCRRRC will sponsor a forum: "Student Activism: Past, Present & Future, the 1960's-1980's" to be held at Columbia Law School.

A Native American Symposium and LSCRRRC fundraiser is going to take place at CUNY graduate Law Center from October 24th to 26th. Registration is \$10.00 for students.

Product Liability Symposium

A product liability symposium on the subject of Design Defect Litigation is being held at The Association of the Bar of the City of New York, 42 West 44th Street, on November 21, 1986 from 8:30 a.m.-4:30 p.m.

Professor Aaron D. Twerski, a professor of law at Brooklyn Law School, is chairing this event.

The cost of the symposium is \$185 per person. Students, however, may attend the lecture for free; or if they wish to attend the luncheon, pay a \$15 fee. Any student who wishes to attend, should contact Professor Koven before November 7, 1986.

Credit Card Info

This year, 83 percent of all college graduates joined the 90 million credit card holders in the United States. To educate consumers on how to select and use these cards, the United States Office of Consumer Affairs and the American Institute of Certified Public Accountants (AICPA) have published a new brochure, "Choosing a Credit Card. These 25 Tips May Save You Money."

The brochure suggests that consumers look for hidden credit card costs and shop for the best finance charge before acquiring credit cards.

Credit card fraud may reach \$1.13 billion by 1990. To avoid credit card fraud, keep a running list of credit card numbers and issuer's phone numbers in case of loss or theft.

Before acquiring a credit card, be aware of finance charges that will be imposed if the balance is not paid in full.

These and many other useful tips, plus a glossary of credit card terms, are included in the brochure.

Any student wishing a free copy of this useful brochure may write to: "Choosing a Credit Card," Consumer Information Center, Pueblo, CO 81009.

The AICPA is the national professional organization of CPAs with more than 240,000 members.

Annual Luncheon

The annual Brooklyn Law School Alumni Association luncheon is set to take place Sunday, December 7, 1986 at the Plaza Hotel from noon to 4 p.m. There is a fee of \$40 per person.

The honorees for this event are Leon E. Borden, '26, Lucie Schumer Jurow, '30, and Michael M. Platzman, '30.

Please R.S.V.P. by November 10, 1986.

Dean's Day

Dean David Trager and Rose L. Hoffer, president of the BLS Alumni Association, will co-sponsor the first annual Dean's Day at Brooklyn Law School on Saturday, November 1, 1986.

The purpose of this program is to give alumni and alumnae an opportunity to attend "classes" given by members of the BLS faculty, to renew old acquaintances and forge new ones.

After "class", there will be a cocktail reception and luncheon with Dean Trager speaking his thoughts on the state's criminal justice system.

There is a \$30.00 registration fee for this event.

Labor Law Films

As part of his Labor Law class, Professor Minda is showing films on a weekly basis. The films, touching on labor law and the workplace, are shown Monday and Thursday evenings from 6-8 pm.

Week of November 3 *Grapes of Wrath*
Week of November 10 *Reds*

Other films will be announced. Look for bulletins in the lobby for the place of showing.

NOVEMBER CONTENTS

FEATURES

O'Rourke Candidacy: Outcome Debatable

As the November election draws near, Gubernatorial Candidate Andrew O'Rourke airs his views on the Cuomo Administration's policies and sets forth his campaign's main objectives. Page 1

Spotlight on Journal of International Law

Hardly the "also ran" in terms of the school's journals, the Journal editors present their views on the function of the Journal and its role in the BLS community. Page 5

Have Visa Will Litigate

Even after the cultural adjustments are made, the introduction to the common law presents its own additional headaches for BLS's foreign-trained lawyers. Page 1

Sparer Scholarship Recipients Speak

Brooklyn Law's Public Interest Fellows describe the opportunities available through BLS's Sparer Fellowship. Page 14

New Boys In Town

The Justinian profiles Professors Stempel and Twerski as they embark on their teaching careers at BLS. Page 3

Something More in the Air than the Autumn Leaves

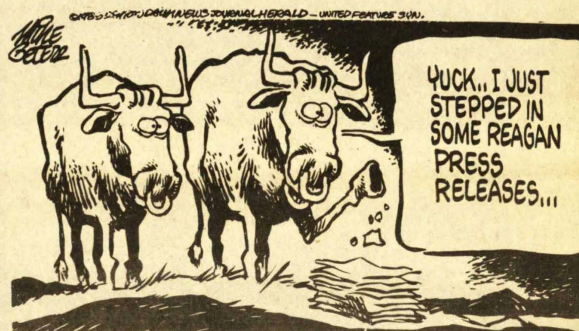
Our inquiring photographer checks out the dating game at BLS. Cautious answers abound. Page 7

Grin And Bear It

Winning essays in cafeteria contest grapple with the topic of "The Law School Grind." Indeed food for thought. Page 6

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Don't Forget



Errata

The banner headline across the top of the first issue, regrettably, contained a typographic error missed by the production staff in the final read before printing. The headline should have read "Lasciate Ogni Speranza Voi Ch' Entrate," which, roughly translated, means "Abandon all hope ye who enter here." Forgive us these literary pretensions.

The names of two BLS students entering judicial clerkships upon graduation were misspelled. The names, appearing on Page Two under the headline "Judicial Clerkships," should have read Tim Parlin (not Duvlin) and David Woll (not Wohl).

In an editorial entitled "Drowning in Reagan's Judiciary," Daniel Manion, a recent appointment to the 7th Circuit Court of Appeals, was criticized for being "tied to the work of the John Birch Society." That statement was inaccurate; it was his father who worked closely with the organization.

SBA REPORTS

by Bill Ferro

Now that we have all settled into our classes, I thought it would be an appropriate time to update you on the Student Bar Association activities. Yes, we do have a new office. We are located in room 304 of this very building, 250 Joralemon. Yes, we do have office hours. The office will be open between 11 to 1 and 5 to 6 every day (other hours will vary).

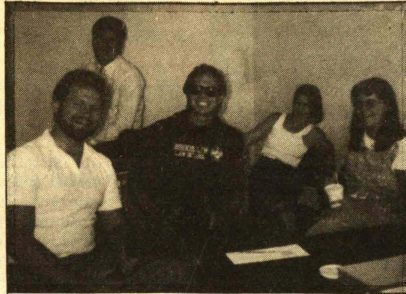
After posting numerous signs regarding delegate elections for upper class students we received the minimum number of nominees. Rather than pleading with the student body for more nominees, we tossed out the traditional election process and appointed those who showed a sincere interest in becoming involved.

We hope to project a new look this year. In the past the SBA has been tied down by rules and red tape and has failed to get much accomplished. This year, by attempting to do away with traditional student government rhetoric and making strides at Brooklyn Law School, we hope to have more students get involved.

The key to achieving the above success lies within the first year student. We have recently held elections for seven first year delegate positions. It is important that these students as well as all other students seeking involvement become the active voices for their classmates. The gripes and opinions of these first year students are of valuable importance to the SBA.

Ideas that need to be implemented often take more than one year to accomplish. Because of the transient nature of the SBA, these ideas have sometimes been thwarted by the BLS administration with the knowledge

that after the third year, students have graduated. Their ideas graduate with them. It is the SBA's plan to pass the torch to the first year students to see that within the next two years all of our ideas are implemented and continued.



CHEESE, says SBA's new Executive Board. Bob Elliot, William Ferro, Fredy Kaplan, Virginia Pettinelli and Mary Abbene.

The executive board of the SBA has some new ideas that we plan to institute this year. The first being first year student counseling. This is a program where upper-class students will assist first year students in coping with adjustment of law school and the preparation for finals. We already have a few eager volunteers and hope that

more of the student body will be willing to lend a few hours of time to other students.

The SBA was amazed that the BLS administration failed to provide the necessary advisement for fall registration to second year students. In light of this, the SBA will be holding an advisement day in November to help second year students choose their classes for the Spring semester.

At the request of the administration, the SBA will now be conducting evaluations of courses and professors at BLS. These evaluations will be tallied and available in the SBA office and the library, and should prove helpful in the future for choosing courses and teachers.

Another program the Executive Board hopes to see get off the ground this year is the Alumni/SBA liaison program. This program will bring the students of BLS in greater contact with alumni. Through programming, communication and a pairing system we hope that this program can bring increased job opportunities to our students.

Without going into details of each program, students can expect to see the following this school year:

SBA: LET'S BITCH SURVEY; a book fair and reincarnation of the book co-op; intramural football, basketball and softball; increased input into the everyday events of BLS.

It is easy to say that we are going to do all of these things, but very difficult to do alone. The SBA's impact on BLS is virtually limitless, but we need you, the student, to become involved.

Alone our weaknesses are easily exploited, but together our strength cannot be ignored.



MORE THAN HALLOWEEN PARTIES
this year's SBA promises an active agenda.

New Boys on the Block

Professor Stempel

by Jonathan Hudis

Perhaps one of the most unassuming members of the BLS faculty is newly-hired Professor Jeffrey Stempel. His shy midwestern demeanor is most refreshing in a school filled with professors aggressively vying to be the next pedagogical wonders of the century. This outward appearance, however, is somewhat deceiving. After just a few minutes of conversation, anyone can surely see that Prof. Stempel is not a book to be judged by his cover.

Stempel received his J.D. from Yale Law School in 1981. Subsequently, he was a law clerk for Judge Raymond Broderick in the Eastern District of Pennsylvania. For the next three years, Stempel practiced law in the metropolitan Minneapolis area. During that time, he taught as a part-time adjunct instructor at the University of Minnesota.

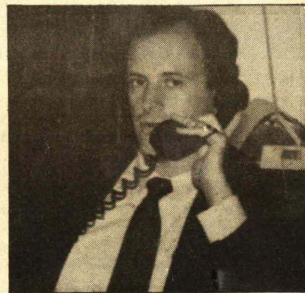
As a relative newcomer to this school and the teaching profession, Stempel has chosen Civil Procedure as his first endeavor. He is, however, not all new to the subject of Civil Procedure. Most recently, Stempel has co-authored two books on the subject: *Motion Practice and Fundamentals of Trial Litigation*. The former is a treatise written for the beginning practitioner. The latter is a textbook designed for law school instruction. The subject matter of both of these works cover pre-trial procedure, pleadings, motion practice, and the like.

UNTRADITIONAL APPROACH
Stempel's approach to the instruction of Civil Procedure is not conducted in the traditional manner to which most of us are accustomed. The traditional approach consists of a two semester course broken down by subject matter. The first semester normally concentrates on jurisdiction, venue, and the *Erie* question. The second semester then continues with in-court

pleading and motion practice.

"I prefer a more chronological approach," said Stempel. "I feel it is simply

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PROFESSOR STEMPEL, former law clerk and Yale grad, confers with Arthur Miller regarding a particularly thorny Civil Procedure question. Only kidding.

Professor Twerski

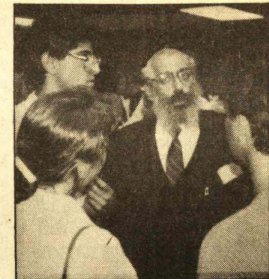
Upon first glance, he might be mistaken for a misplaced Williamsburg resident or a neighborhood Rabbi striding the halls of Brooklyn Law School. His deep baritone voice commands the ear of anyone nearby. These are the unmistakable trademarks of Professor Aaron D. Twerski, an instructor of Torts, Product Liability and Conflicts of Law. Deeply committed to students, education and excellence in the classroom, he is a fine addition to the ranks of the BLS faculty.

ROOTS

Twerski's legal career spans over twenty years. Descended from a well-known rabbinical family, his educational background includes degrees in Philosophy, Talmudic and Rabbinical studies. In 1965, he received his Juris Doctor from Marquette University School of Law. Since then, he has taught law to students at some of the finest scholastic institutions in this country: Harvard, Cor-

nell, Michigan, and Boston University to name a few. Until recently, he was a Professor of Law at Hofstra University.

Professor Twerski's career by no means ends in the classroom. He is a member of several legal and judaic scholastic bodies. He has lectured extensively on Tort-re-



PROFESSOR TWERSKI, conflicts of law and product liability mavan, mesmerizes students inside of class as well as outside.

lated and religious issues. His articles on conflicts of law, products liability, and general tort law have appeared in law reviews and legal journals all over the country. He is currently working on a products liability text.

FRIENDSHIP

Dean Trager and Professor Twerski have been friends for many years. It was at the Dean's urging that Professor Twerski decided to join the BLS faculty. The deciding factor, however, was family related.

Professor Twerski has a family of nine children, many of whom attend yeshivas in the Brooklyn area. When his family decided to move to Brooklyn, the commute to Hofstra's Long Island campus became too much for him. Last spring, he taught one class at BLS. He met the faculty, read many of their published works, and generally was impressed by the positive, upbeat atmosphere of the school.

"I get the feeling people here are excited about what they are doing," said Twerski. "The camaraderie, and flowing intellectual juices among the faculty makes

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Legal Activist Kinoy Speaks

by Gregg Peterman

One of the most revealing things about the lecture delivered to Brooklyn Law School students by Arthur Kinoy was his opening "sisters and brothers..." With a passion and conviction rare in law school, constitutional law instructor and advocate Arthur Kinoy of Rutgers Law School warned his audience that the nation is witnessing a great constitutional crisis being propounded by the very persons who are empowered to uphold the constitution's dictates.

Kinoy, speaking at the invitation of BLS's chapter of the National Lawyer's Guild, stated that the basic precepts of our constitution are under attack from Attorney General Meese, Assistant Attorney General Reynolds and others within the current administration. The current campaign undertaken by the Attorney General is unique in that it seeks to overturn some of the most well established constitutional interpretations that have gone unchallenged by even the most conservative jurists and scholars.

Specifically, Kinoy cited recent speeches, and positions taken in various briefs as evidence of this unprecedented assault. For instance, Attorney General Meese submits that judicial decisions should be derived from what the justices read as the "original intent" of the framers of the constitution. Kinoy responds by arguing that as a bright line rule, two hundred years of constitutional history would go down the developmental drain.

These constitutional protections have been culled from the broad dictates of the language. Kinoy warned that to simply stop here and say, let's go back to specific eighteenth century ideas, would be the end of constitutional law as we know it.

For instance, when the constitution was drafted, blacks were considered only 3/4 of a person. If women were considered anything more than mere chattel or housekeepers, they certainly did not have any substantive rights in comparison to those they enjoy today. Perhaps this is just the state of affairs Mr. Meese envisions, suggested Kinoy.

Another example of the covert subversion of the constitution is Meese's call for a return to the ruling in *Barron v. Balti-*



INTENSITY and passion were the hallmarks of Arthur Kinoy's speech to BLS students. Criticizing the Reagan administration, he implored law students to "immerse themselves in the agonies of the times."

more (1836), where the Supreme Court held that none of the first ten amendments had any application to the states. Furthermore, Kinoy cited recent statements and briefs by William Bradford Reynolds.

Regarding Reynolds's legal positions taken in court papers in a number of recent discrimination cases, the administration has urged that a doctrine of "victim specificity" should control the question of relief in cases of employment discrimination. If an individual claims he or she is entitled to an affirmative action remedy, he or she must prove they were an actual victim of discrimination, and not simply a member of a minority group that has been systematically discriminated against by the employer.

This, Kinoy asserts, would destroy all of the great achievements of the civil rights movement and the resulting Court decisions. In addition, in practice, this would demand that each and every victim of discrimination would have to come before the court to gain relief instead of granting relief to a group of victims that the employer has been charged with discriminating against.

The Supreme Court rejected Reynolds's reasoning in cases last term.

Kinoy warned that it is lawyers' duty to protect against interpretational aberrations. "Don't be fooled into thinking that because they are propagated by the government that they are legitimate alternatives," suggested Kinoy. Kinoy quoted a southern governor as saying that when "fascism comes to America it will come draped in an American flag."

Perhaps the most valuable aspect of Kinoy's lecture (he did lecture us!) was his call to all law students to get involved in the "excitement of law." His passion for the law and for the constitution was palpable. Those of us who "aspire to greatness in the profession," he implored, must immerse ourselves "in the agonies of the times."

International Advocates The Jessup Team

by Risa Messing

Some first year students may already have puzzled over the phrase "The Jessup Team" or the words "Philip C. Jessup International Law Moot Court Competition." It is likely, however, that even those first year students interested in international law don't have a clear idea of what the team and the competition is.

This year's Jessup Team members, team captain, Valerie Fitch, Enoch Brady, Carmencita Gutierrez, Andrea Lowenthal, and Doug Patton, explain that the competition is a moot court exercise for students of international law. Law school students from around the world research an international law problem, write memorials (the international law equivalent of briefs) and argue before panels of judges. BLS team members are preparing a memorial for this year's problem relating to an international dispute involving the pollution of transboundary aquifers and issues concerning the sharing of international river waters.

The five team members, all second year

students, which includes law schools from New York, New Jersey and Pennsylvania. Last year's team won the Eastern Regionals and went on to compete in the National finals in Washington, D.C.

There are ten other regional competitions in other parts of the country and the winning law school teams for all the eleven regions compete with each other in the National Competition held each spring in Washington D.C. The winning Jessup team from the U.S. then participates in the international competition comprising over thirty countries.

The consensus of this year's team is that being on the Jessup Team is both a rewarding experience and a lot of hard work. Researching an international law problem differs substantially from researching issues involving domestic law. There is, for example, no such thing as stare decisis in international law.

FIRST YEAR CHALLENGE

Because of the more difficult research



AWAITING THE CHALLENGE
of this year's Phillip C. Jessup International Law Competition are (from left) Enoch Brady, Andrea Lowenthal, Carmencita Gutierrez, Captain Valerie Fitch and Doug Patton.

students, describe the competition as a challenging experience requiring a lot of work. The members also point out that participation yields an opportunity to discover whether they will excel in international law or trial practice. They also say that it is an experience that builds confidence.

GETTING THERE FROM HERE

Every first year student is required, in their second semester, to participate in Moot Court as part of the legal writing program. Students, however, have an option of either choosing a domestic law or an international law problem. Both groups of students research, write and argue their brief (or memorial) in front of a panel of judges. This is where the two moot court classes part ways.

If the student chooses the international problem, they have an opportunity to become a member of the Jessup Team. About thirty students are chosen from the mandatory initial round to compete in a second round. For the second round of oral argument, students are paired up with one another, each side presenting their memorial.

Following this, about twelve students are selected to compete in the third round. From this round, five students are chosen as the Jessup International Law Moot court team members by the previous years team members.

REGIONAL WINNERS

Beginning in the second year, the team prepares for the Eastern Regional Competi-

tion, which includes law schools from New York, New Jersey and Pennsylvania. Last year's team won the Eastern Regionals and went on to compete in the National finals in Washington, D.C.

Several of this year's members stressed the skills gained from the Jessup team experience will help no matter what area of law a student chooses to pursue professionally. One member said her experience as part of the team has helped her decide she would like to go into trial work upon graduation. Several members had mentioned that prior to becoming members of the team, they had extensive public speaking experience. To be successful in the Jessup International Moot Court competition one must be able to think on one's feet, according to the team.

As far as how the Jessup team experience looks to potential employers, one student indicated that employers are generally interested in Moot Court experience.

If someone has an interest in international law or international affairs, the members are unanimous in recommending the international moot court problem, but they also warn not to underestimate the time commitment involved should one be selected.

*Albert Ciccarelli
Hair*

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International Journal Profile Travel to Exotic Lands Meet Interesting People

by Matthew Flamm

At first glance, there does not seem to be a great deal of difference between the Journal of International Law and its big sister, the Brooklyn Law Review. They are both scholarly publications which impart similar skills to their members. Membership in either publication is weighted equally in employer's eyes.

So what's the distinction? One is that while the Law Review must compete with literally scores of other Reviews for notoriety and distinction, the Journal of International Law "is very highly thought of" in the much smaller community of international law journals, states Kenneth Schiff, the hard-working managing editor of the Journal.

THE BIG DIFFERENCE

Schiff puts it bluntly: There is a "false perception that, in the outside world, attorneys and practitioners consider Law Reviews to be more prestigious than international publications." "In fact," Schiff states, "our Journal is much more prestigious than many Law Reviews."

Jane Weisbecker, the Journal's ebullient Editor-in-Chief, while avoiding a direct comparison with Law Review, believes that the Journal is "well respected . . . Journal membership is as helpful as Law Review membership in opening doors to prestigious firms."

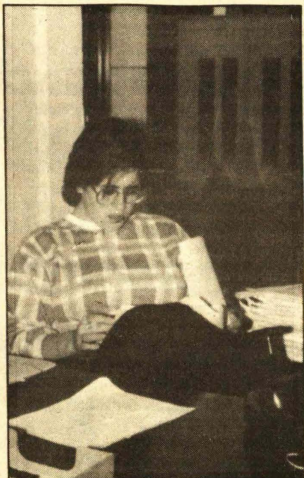
The International Journal "concentrates primarily on international law rather than domestic law" which is left to the Law Review, continues Weisbecker, a third year student originally from North Carolina. The editors expressed the hope that students interested in the study and practice of international law "would like to write for us."

INTERNATIONAL FLAVOR

The Journal publishes articles on the "most current, interesting topics in international law," states Weisbecker. Public and private law issues, human rights, terrorism, nuclear disarmament, government secrecy, international refugees have found a place in the Journal.

In each issue, of which there are two annually, articles by two or three outside authors appear. "Every issue," states Schiff, "contains student pieces."

The editors report that five student pieces are slated to appear in the upcoming issue. "Our members are assigned such varied topics," continues Schiff, "that one of our two issues is devoted to a general study of international law." Students pieces in the next issue include expositions on chemical and biological warfare and the upheaval in the United Nation's Educational, Scientific and Cultural Organization (UNESCO).



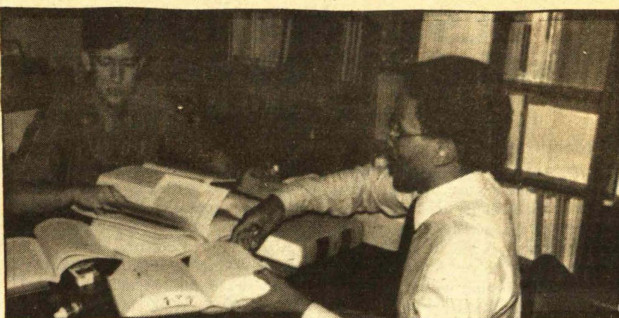
EDITOR-IN-CHIEF WEISBECKER
finds an editor's work is never done.

WALL STREET PERSPECTIVE

Because much of international law can center on business transactions conducted by multinational corporations and foreign governments, articles in the Journal frequently deal with international business issues. "There are a lot of people with a growing interest in international law because of the increasing international flavor of business," observes Editor-in-Chief Weisbecker.

This international business orientation is reflected in the Journal's annual Symposium, which draws the "top people in the field," according to Weisbecker. Usually focusing on such international business issues as securities, banking or inter-

national arbitration, the symposium is designed to "hit Wall Street," exclaims Weisbecker. This year's Symposium will center on "Gray Market Goods."



NEW MEMBERS discover the joy of source checking

ship as often nothing less than "a full time job."

Responsibilities include source and cite checks, proof reading and four hours of office hours weekly. The managing editor demands from the second year members that the Journal be "their primary obligation."

SELECTION CRITERIA

Second year members develop, research and write an original note or case comment. By the second year's end, members must have a publishable piece of writing.

"We are trying to get tougher with deadlines," comments Weisbecker. "We are behind approximately nine months in publication and are therefore trying to encourage second year members to finish their papers by February."

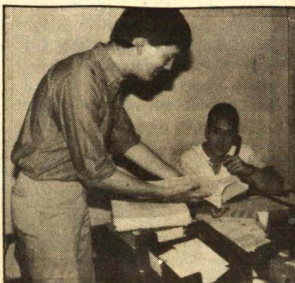
NO FREE RIDE

The editors are serious about getting the Journal back on schedule. States Schiff, "We are firmly committed to catching up. If I can leave the Journal only one issue behind, I feel I will have done my job."

The seriousness with which the editors treat their mission is reflected in their attitude toward unproductive members. They have instituted a new, systematic

Weisbecker agrees. "We have a lot of people with very high grades, very good writers."

When reading the approximately 170 entries in last spring's competition, the editors agreed that analytical skills and writing style were certainly "a big part" of the selection criteria. Technical "Blue Book" form was also important.



ASSISTANCE on an ongoing piece is sought from the Journal's Managing Editor Kenneth Schiff.

review of second year members. Weisbecker determinedly states that she and the Executive Board "will seek the resignation from those people who have been delinquent in their responsibilities throughout the first semester."

The executive board dismissed three third year members from the Journal's ranks at the beginning of the school year. "We knocked the dead weight off," opines Weisbecker.

"We are trying to be tougher on our members," concludes Weisbecker.

THE PAY OFF

The Journal experience vastly improves a member's substantive and technical writing skills, states the editors. "Law firms want decent writers," observes Weisbecker. Membership also improves research skills, especially in the arcane area of international law research, which is more difficult than domestic research. "You become a great detective," concludes Weisbecker.

A student need not be "interested in international law in order to make this a valuable experience," states Schiff. For employers, the distinction between participation in Journal or Law Review is becoming unimportant and an increasing number of students compete exclusively for the Journal, according to Weisbecker.

The editors also observed that second year members share the camaraderie of the Journal and go through a period of great personal growth.

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Another quality the editor's looked for in selecting members was "editability," which practically translates to such simple things to topic sentences, logical organization and readable prose.

Each competition submission was read by three members. Approximately ten percent of the papers were "knocked out on the first read," said the editors. The Journal drew up a list of forty papers and selected its members concurrent with Law Review. Each accepted member's paper was read by both the Managing Editor and the Editor-in-Chief.

The last competition resulted in the selection of a "good cross-selection of students," state the editors, who maintain that no qualified students were excluded from membership. "We chose the people that we found were the best writers in the crowd," stated Weisbecker.

SECOND YEAR MEMBERS

The twenty-six second year members culled from the entries round out the Journal's membership at approximately fifty. The new members work up to forty hours. Editor Schiff describes Journal member-

The Law School Grind: Food for Thought

BLS's Food Service Sponsored an Essay Contest Winning Entries for Day and Evening Divisions are Printed Here for Your Edification

by Marc Gottlieb

Everyone knows that law school means long hours, intense reading sessions and a sacrifice of family and friends for at least one year and as many as three or four. But what exactly is meant by "the law school grind"? We've all heard that expression and I think we've all been a little intimidated by it before we began our studies. Should we have been? Does it mean cuddling up with one's tort casebook? Is it writing endless briefs that seem to flow from one to the next? Perhaps it's cramming for that one test at the end of the semester that will determine where each of us will fall in our class ranking. It took me some time to see it but "the law school grind" is none of these things.

We are all trained to see the underlying meanings in court opinions. To read between the lines. But if we are truly to define what the law school grind actually means, and we should, all we have to do is — read. We all know what a law school is. The remaining definition in questions then is "the grind." Hold onto your cups because this means nothing more than — coffee. That's right, coffee! It seems so obvious now, doesn't it?

Coffee truly is food for thought. Without it where would we law students be? For that matter, where would our entire judicial system be? Can you imagine the chaos that would ensue in a world devoid of these sacred beans? What's the very first thing most of us do when we drag ourselves from our beds each morning? Um . . . beside that? That's right! We drink our java. It's the gas in our tanks. The switch in our motors. How many of us would even get to law school without it? Imagine sitting in your contracts class talking about remedies without that added spark. I love contracts as much as the next guy but there are times when the eyelids defy logic. The fabric of our entire economy could be undermined if the people who are entrusted to write and defend our simplest agreements are shy of the ability to do just that because they were in a delta state during their 8:30 Monday morning class.

More law is learned in the school cafeteria than any other place when students gather to toss ideas back and forth. What do they meet over? COFFEE! Someone knew what they were saying when the phrase "thirst for knowledge" was coined. I'll bet you a pound of Swiss almond mocha it was over a cup of coffee. This is just the tip of the Andes. A good lawyer knows the importance of this

import. What does an attorney ask his or her client while waiting for a verdict? "Do you want to appeal?" Sometimes. "Can you afford to appeal?" More likely. "Can I get you a cup of coffee?" Most definitely! I can't count the number of times I've seen fellow students entering the school in the A.M. looking like zombies. When I ask them how it's going, I receive the same reply; "ask me after I've had my morning coffee." What does this tell us? For one thing, it tells us that there will most likely be an afternoon coffee as well. How many times can you think of one stops for as often? A friend of mine used to work in the District Attorney's office and he would always tell me something was brewing. Now I know what he meant.

The more adept have always known what the rest of us are just finding out. Coffee has been and always will be the backbone of justice. There's a conspiracy to keep this fact well hidden. Pandemonium would erupt if the common folk really knew. That's why key words have double meanings in legalese. Words such as "the supreme court." A house of justice you say? Perhaps to those outside the fraternity. What the members of the bar are really saying is "the supreme quart," meaning the rarest coffee beans in the world. When a lawyer tells his colleagues with a wink that his client is "appealing" from the "trial court", he means the "the trial quart is appealing." In other words, he's given the official approval that the coffee has arrived and passes muster, without giving away the secret to clerks and legal secretaries.

It's important for law students to learn the foundations of our legal system. And in a way, one could say that this process is a grind. Of course your professors will snicker quietly to each other knowing that what you said is the farthest thing from the truth. And no one is denying the importance of the hard work required to become a lawyer. But know now that equally as important as *res judicata* and *stare decisis* is *nes cafe*. Literally translated, it means "the coffee is ready". Now that we all know the importance of the "legal grind", we, too, can snicker at society as they drink their coffee and waste the potential they possess. We know where the real power in the legal system is and how to obtain it. I'm sure you'll agree, it's a real eye opener.

by Judith Gould

The French Army, Napoleon said, travelled on its stomach. And much the same could be said for Brooklyn Law students. Without proper nourishment, the battle is lost: the brain numbs, the mind wanders and facts flee. All that hard-fought preparation is for naught if it translates into, "Um, I read that case, I just can't remember anything about it."

The brain is a muscle, and like all muscles, needs regular care and feeding to function at its best. Fortunately, at Brooklyn, one need not gnaw at crusts of stale bread or drink melted snow, wondering where the next meal will come from. Eating is a joy as well as a necessity, and whether we eat to win or eat to keep our stomachs from rumbling during Trial Advocacy, help is no farther away than an elevator ride to the basement cafeteria, where less than five dollars converts into generous amounts of tasty, healthy and quick nourishment.

Eating, to be truly satisfying, ought to be more than a gustatory experience. A meal, even a snack, should delight our eyes, noses and hearts and uplift our spirits, as well as tempt our mouths. Between wolfing down three quarter-pounders and a large Coke with the gang at MacDonald's and savoring filet mignon

on white linen and heavy china with someone special in a dimly lit night spot, there's the culinary middle ground of the BLS cafeteria, where it's eminently possible to enjoy the camaraderie of fellow students, a friendly debate with professors, or a private moment with a friend over a comforting dinner of spaghetti and meatballs, a delicious salad and muffin or a simple cup of freshly brewed coffee.

Law school is a grind. No joke. Even more so for night students who put in regular eight-hour days and then sit in class three to four long evenings a week, before finally packing it in for the long commute home to let their families and friends know they're still alive. Including doing the laundry, visiting the dry cleaner, cashing checks at the bank and mailing letters at the post office, this doesn't leave much time for anything else. Like seeing movies, visiting museums, spending a day in the country, reading for pleasure, listening to music, lying in the sun, playing with a child or entering a contest. All the more reason to take whatever opportunity presents itself, however humble, however familiar, however close to home, to treat ourselves well with a respite from the grind at the BLS Cafeteria.

Recipe of the Month



by The Culinary Co., Inc.

Stir-fry is an inexpensive and fun way to entertain friends for dinner at the last minute. Simply pick up a plate of assorted oriental vegetables from our salad bar - add a chicken breast or other choice of meat or seafood, add rice or pasta noodles, and fresh fruit and you have a complete meal. Fast, fun and inexpensive!

STIR-FRIED VEGETABLES WITH CHICKEN (for two)

Ingredients:

3 tables sesame or peanut oil	Water chestnuts (sliced)
1 whole chicken breast, boned skinned and sliced	Bean sprouts
(put in freezer for 20 min. to make slicing easier)	Snow pea pods
or 1 1/2 cups shrimp, pork or beef - cooked or uncooked	Broccoli flowerets
1 plate of your choice (approximate one lb. - \$2.89):	Scallions (sliced)
Baby corns	2 tablespoons soy sauce
Carrot slices	2 tablespoons cold water
	2 tablespoons cornstarch
	Hot chili or szechuan oil (optional)
	Toasted sesame seeds or unsalted peanuts (garnish)

COOKING METHOD

Heat oil in a wok or skillet to medium high heat. Add the chicken and stir until cooked. Remove the chicken to a covered plate and keep warm. Add the vegetables to the skillet and stir fry for approximately three minutes or until desired tenderness. Vegetables should still be crisp. While

vegetables are frying, mix together the soy sauce, cold water and corn starch. Add this mixture to the vegetables and stir well. Add the cooked chicken and stir the mixture until the chicken is heated. Season with szechuan oil if a thrill is desired. Garnish with sesame seeds or peanuts. Serve piping hot.

REWARD

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OFF THE RECORD

A Column Designed to Dispel Common First Year Misconceptions.

by Robert Roth

MCKINNEY'S IS NOT A BAR ON COURT STREET.
THE CPLR IS NOT A NEW LIFESAVING TECHNIQUE.
POCKET PARTS ARE NOT SPECIAL ADAPTATIONS USED BY
EXHIBITIONISTS.
SHEPARD'S IS NOT A WHO'S WHO IN THE WOOL BUSINESS.
PROSSER & KEETON WERE NOT A COMEDY TEAM FROM THE
EARLY '20S.
BLACK'S LAW DICTIONARY IS NOT A PUBLICATION OF THE
NAACP.
EMANUELS HAS NOTHING TO DO WITH THE OLD TESTAMENT.

SUI GENERIS IS NOT A FAMOUS TENNESSEE HOG CALL.
STARE DECISIS IS NOT AN INTRODUCTORY COURSE IN
ASTRONOMY.
BLACKSTONE WAS NOT KNOWN FOR HIS MAGIC ACTS.
THE TORT REFORM BILL WAS NOT SPONSORED BY THE
NATIONAL ASSOCIATION OF BAKERS.
INFOTRAC IS NOT A TOP FORTIES RADIO SHOW.
CON-LAW IS NOT A COURSE DESIGNED TO
REHABILITATE EX-OFFENDERS.
ESTATE PLANNING DOES NOT COVER UNION NEGOTIATIONS
WITH THE LANDSCAPERS OR MENU PREPARATION.
LEARNED HAND WAS NOT A FIRST COUSIN OF THING.



Our Inquiring Photographer asks: Would You Date Another Brooklyn Law Student?



Bobby Bollenson '89
Only if she helped me study.



Mike Schwartz '87
Now I would, but in my first year I wouldn't date anyone in my section just in case something happened.



Gail Cagney '88
I would and I do. But he graduated 15 years ago.



Austin Jacobson '89
Sure. They are one of the few people who know the hell we're going through.



Ray Enright '87
No. I'm saving myself for someone special. The one who'll say "yes!"



Darla Stuckey '88
Male or female? That's just a joke. I would only do it if my husband could go with us.



Sheila Gowan '89, Terry Brennan '89
Sure!



Olivia Cassin '88
NEVER!



Laurel Bedig '87
Of course. Are you available?



Brendan Guastella '88
By all means. Except I'm married.



Nancy Bertolino '88
I would. But they're not brave enough to ask!



Lee Knife '88
I would. But I'm too afraid to ask.



Mike McDonough '87
There are only five women in this school I would go out with. The rest? Forget about it. And I wouldn't hang out with them in the school anyway. They talk too much in this f-----g school.



Gregg Koebel '88
I would not. Because when you finally break up it's a bad scene. Law school romances are notoriously stormy and end up with all parties involved cheesed.



James Frechter '88
She's gotta be well versed in Hegel, Nietzsche and Homer . . . and have beaten me in oral argument . . . but who's got time to date anyway.



Howie Essner '89
Perhaps. Provided she was discrete and no one else found out about it . . . especially my girlfriend.



Frank Colella '89
If I were unattached I would. It's a tough choice. Hmmm. Loyalty versus fooling around . . . I don't know. Law school and girls . . . you can't fool around with more than one at a time.



Jane Weisbecker '87
Yes. But my boyfriend would break my legs . . . but if I did, he'd have to be in the bottom 90% of the class!

PERSPECTIVES

What good can 40,000 new lawyers do?

by Alan Dershowitz

As 40,000 new law students began classes last month, the question is again being raised: What does the future hold for the American legal profession?

We are already the most over-lawyered country in history. There are nearly 700,000 practicing lawyers in a population of 237 million — a ratio of one for every 339 citizens. At the current rate of growth, we may have a million lawyers before the end of the century.

Despite these numbers, most people who need an attorney can't get one. In that sense, we have too few lawyers — or at least too few who are willing to represent those clients who cannot pay megabuck fees. The vast majority of private lawyers' time is devoted to helping a small minority of wealthy people preserve or enhance their wealth. Working-class Americans — not to mention the poor — simply can't afford the three-figure hourly fees that many lawyers now charge. And so these citizens often fail to take advantage of their rights. The upshot is that they lose material benefits to which they are entitled — and worse.

The most striking example of the failure of the bar to service public needs can be seen on the death rows of several of our states. It may be hard to believe, but nearly one-third of the more than 1,600 inmates currently awaiting execution do not have access to one of our 700,000 practicing lawyers.

Each of them did, of course, have a lawyer — not always one of the highest quality — during the trial itself and on the first appeal. But many states refuse to pay for a lawyer to continue representing the condemned

inmate after this. And many death penalty cases are won only afterward — on writs of habeas corpus or on review by the Supreme Court. Without the assistance of a lawyer, the death-row inmate has no real access to the courts as he confronts the law's most extreme penalty. This is a scandal; it is as if all the medical doctors in America were performing elective cosmetic surgery while the emergency wards of our hospitals had no doctors.

Now we are seeing many of our most talented young lawyers getting out of law altogether. Realizing that the practice of corporate law is just another business, they are looking to the bottom line, which says that there is more money to be made in investment banking.

But what about the real lawyers — the Clarence Darrow and Ralph Nader types who care about the quality of justice, the protection of consumers, the defense of underdogs? There is a great need — and indeed market — for more lawyers of this kind. They may never make the millions of dollars to which bankers and corporate lawyers aspire. But they can do good — and also do pretty well at the same time.

The good they can do is virtually unlimited. There are frontiers of the law that have barely been explored, and that certainly need all the legal talent they can attract. These include: the rights of the homeless, the handicapped and the illiterate; international human rights of dissidents; consumer and employee rights in relation to large corporations; access to medical care by the aged and infirm; and the rights of victims and witnesses.

But few lawyers seem to be thinking in these terms today. The lure of the big buck is too strong. How much

more civilized it seems to sip cognac in the penthouse of a skyscraper discussing a merger, than to drink coffee out of paper cups in the basement of a rundown tenement planning a rent strike. How much more pleasant it must be to sit across the conference table from a corporate president than across the bars from a mugger.

But the legal profession has the responsibility to help those who most need it, not only those who can best afford it. "How much justice can you afford?" reads the sign atop many a lawyer's desk.

When I begin teaching my first-year criminal-law class, I hurl a challenge at the entering students. I remind them of the statistics that show that nearly all of them will end up representing the super-rich, and I dare them to defy the odds by devoting at least some of their professional lives to representing the needy. I shock them by predicting that more of them may end up criminal defendants than criminal lawyers. Many of them respond by sincerely insisting that they will work for the down-trodden. But every year the trend continues: More and more of our best and brightest sail off into the corporate horizon, leaving behind their roots and responsibilities.

Maybe this year will be different. Maybe more of the 40,000 new law students will understand that there is more to the noble profession of law than helping the super-rich get even richer. Maybe the organized bar will finally get around to recognizing its responsibility to the vast majority of our citizens. Maybe.

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MeesePorn Report Righteous or Wrong?

by James C. Locantoro

The Meese Commission report, which critics decry as the heralding in of Big Brother, has arrived. Supporters of the report, however, hail it as a return to moral consciousness. The Reagan administration and the Supreme Court have begun an unprecedented review of individual rights ranging from what we can read to how consenting adults can and cannot engage in sex.

THE PORN REPORT

After one year and \$500,000 of taxpayers money, the Meese Commission's report on pornography has claimed a link between pornography and sexual violence against women. Complaining that obscenity laws often go unenforced the Commission urges a new "war" against offenders.

The Report is one of the most controversial commission studies during the Reagan administration's six years in power. Opponents argue that a number of the members of the Commission had preconceived notions of the dangers of pornography even before the Commission's studies were made. The critics also contend that the statistical data used has been brought into question by both opponents and proponents of pornography.

Two of the Commission's members, Judith Becker, Director of the Sexual Behavior Clinic at New York Psychiatric Institute, and Ellen Levine, Editor of Woman's Day, have questioned the Commission's evidence linking pornography and violence. In an eighteen page rebuttal to the Commission report, these members question the panels' "efforts to tease the current data into proof of a causal link," and claimed that this link "simply cannot be accepted."

THE FINDINGS

The Commission's findings are essentially threefold. They found a causal link between violent pornography and aggressive behavior towards women. They also determined that non-violent "soft-core" pornography degrades women. Finally, the Commission states that sexually violent pornography "leads to a greater acceptance of the rape myth in its broader sense — that women enjoy being physically hurt in a sexual context."

There is an additional finding which seems to confirm opponents' fears that the Commission had preconceived notions on how the report should come out. The finding is that sexually explicit material that is *neither violent or*

degrading to women is not harmless. This finding is made despite the fact that no evidence is cited by the Commission to prove the theory.

The Commission, after making its findings, suggests basically five recommendations to this "blight on society." The FCC should restrict pornographic cable television shows and "Dial a Porn" phone services. Second, the Commission calls for new federal laws making it easier to seize assets of persons involved in the pornography trade. Third, peep-show booths should not be equipped with doors. That way, reasoned the Commission, sexual activity could be curbed since those in the booths would be embarrassed. Fourth, federal laws should be enacted leveling unfair labor practice penalties against producers who pay performers in pornographic films. Finally, the Commission strongly recommends that knowing possession of child pornography be made a federal crime.

In addition to its recommendations, the Commission also includes thirty seven pages of suggestions on how local citizenry could battle porn on their own. These recommendations range from a court watch program where lay citizens would tell prosecutors and judges their opinions of the "investigation, prosecution and disposition of cases" to how to monitor the lyrics of rock bands for signs of rape, homosexuality, bestiality, bondage, etc.

A WITNESS, A LETTER

Opponents' fears that the Commission was trying to fit a round block in a square whole may not be entirely without credibility. One of the "expert witnesses" before the Commission was Larry Madigan, 38. Madigan told the Commission that he was a typically normal healthy body until he found a deck of pornographic playing cards at age 12. This discovery led him to a life of solitary masturbation, bestiality and drug addiction.

The Commission, not content to just report on pornography, "unwittingly" struck a blow for the "righteous". In a move that opponents claim "stank of McCarthyism," the Commission sent letters to several large store chains requesting that they respond to accusations that they were peddlers of porn for carrying the likes of Playboy and Penthouse.

These stories were told in no uncertain terms that refusal to answer the "request" would be interpreted in the report as acquiescence. Some stores, such as 7-Eleven, replied in the only way they believed safe; they removed the publications in question from the shelves.

Although a Federal District court demanded the Commission's letter be rescinded, Playboy and Penthouse claim the damage was already done. The rumor on Wall Street is that Playboy publications may not survive the Commission's attack and that Penthouse lost millions in sales due to its cut in sales outlets.

The Local Impact

It seems the only people the Meese Commission is saving from the evils of pornography these days may be members of the Moral Majority, otherwise the Report's effect is nil.

These are the reports from two hot Brooklyn Law School hangouts, the Cinart Theatre and Pandora's Books, both located on Court Street. The proprietor of the Cinart, an X-rated theater, not surprisingly has never even heard of the Meese Commission and he doubted if any of his patrons had either. As if to prove him correct, several people, none of whom had heard of the report, paid the \$6 admission price and entered the theater.

The admission price allows one to see a variety of ugly, disgusting, low budget skin flicks. They also sell videos just in case you're interested.

Pandora's Books, an X-rated book and video shop, is also suffering few ill effects from the Meese Report. "This business (pornography) is like a roller coaster," a Pandora employee told me. "Sometimes it'll skyrocket up and then other times, ya know, it'll fall. Right now we're goin' up."

Martin Meaney

PATTERN

On another front the Supreme Court was accused of attacking the sexual freedom of United States' citizens. In *Bowers v. Hardwick*, 54 U.S.L.W. 4919, the Court upheld a lower court decision allowing prosecution of persons for engaging in homosexual conduct.

In the 5-4 decision, Justice White, writing for the majority stated that "Proscriptions against the conduct [homosexuality] have ancient roots". Opponents of this ruling are quick to point out that slavery had ancient roots too but we were sensible enough to abolish that.

Justice Blackmun quoting the late Justice Brandeis stated that "In a variety of circumstances we have recognized that a necessary corollary of giving individuals freedom to choose how to conduct their lives is acceptance of the fact that different individuals will make different choices". The Justice then declared "depriving individuals of the right to choose for themselves how to conduct their intimate relationships poses a far greater threat to the values most deeply rooted in our nation's history than tolerance of non-conformity could ever do."

Whether these reports and decisions will become a battle cry for those who wish to "cleanse" our society of the "evil" of pornography as opponents believe or merely return to "moral consciousness" as proponents suggest remains to be seen.

Tenant's Woes Why Toni Doesn't Live Here Anymore

"Freedom ain't nuthin' but a word"

—Gil Scott-Heron

by Scott M. Sommer

Courts don't hesitate to evict people from their homes. However, get a severe case of the "willies" when someone should be returned to their rightful and legal home. Tony (all names are fictitious) had been wearing the same clothing since September 3rd, the day the City Marshal showed up at her door to put her and her two young children into the street.

Toni never knew that she was being sued for non-payment of rent in Housing Court. Toni never received the 72-hour notice of eviction that the City Marshal should have placed on her door and mailed to her. All that Toni knew was that her belongings were moved into the basement of her building and that she, her five year old daughter and eleven month old baby girl were now homeless.

Toni's welfare worker told her that she would pay any back rent owed to the landlord only if he would again accept Toni as a tenant (Landlords are allowed to refuse to rent to someone because they are a recipient of public assistance). This sounds like a good cover for racial discrimination (i.e., refusing to rent to people on the grounds that you do not want tenants who are welfare recipients). In reality it's a pretty crazy reason to refuse to rent to

someone, since welfare recipients oftentimes have their rent checks sent directly to the landlord or have them issued in the form of two party checks made out to both the tenant and the landlord.

Faced with the choice of journeying through the homeless cycle (where kids live in overcrowded firetrap welfare hotels such as the *Brooklyn Arms*, just a short walk from Brooklyn Law School), or fighting to regain possession of her apartment, Toni knew that in order for her family to survive, she had no choice. She decided to fight.

Toni went to her local legal services office seeking help. There she met up with some people who are not very different from us and who have attended institutions such as the one we now find ourselves immersed in. They gave her a *pro se* order to show cause. She was instructed to have it signed by a judge and to serve it on her landlord.

The court signed the *pro se* order. In so doing, the court prohibited her landlord from reletting the apartment Toni and her kids once called home. The landlord was not too pleased to receive this order to show cause. He was very abusive when Toni's boyfriend, Mickey gave it to him.

Legal services decided to take Toni's case. They appeared with her and her two kids on the return date of her order to show cause. The landlord did not feel that it was important and decided not to show up.

While the judge reluctantly entered a default judgement against the landlord, he refused to sign an order immediately restoring Toni and her kids to possession of her apartment. The judge, a Brooklyn Law alumnae, stated that you cannot take away property from someone without due process. Ah, due process. Due process was not a major concern of the same court when it entered a default judgment against Toni and her kids and authorized her eviction.

The judge thought it very logical that property can be taken away from a tenant when he or she does not appear in court because of failure to be served with a summons and complaint. The judge concluded, however, that property should not be taken away from a landlord despite personal service of an order demanding a court appearance, concluded the judge. The judge said that he would settle an order upon notice. Date of settlement: September 15, 1986 — **TWELVE DAYS OF HOMELESSNESS.**

The landlord chose not to appear before the judge on

settlement day. Furthermore, the landlord was abusive to the judge when he gave the landlord the courtesy of calling to ask him to come down to his chambers for one last chance to preserve the original judgment against the tenant. The judge signed the order restoring the tenant to possession of her apartment; a rare event for this judge.

One of the staff members from Toni's legal services office decided to personally take the order and immediately serve the landlord with it. The landlord greeted the legal services worker with a whack across the face, breaking his glasses, cutting his nose and swelling his eye. Do you think that this woman will ever get her apartment back?

As of this publication, it has been more than a month since Toni and her kids were evicted from their apartment. More than a week has been spent in court, including Toni's twenty-second birthday, trying to get the court to enforce its own order and hold the landlord in contempt. To heap injury upon injury upon insult, the landlord claims he has relet Tom's home notwithstanding the court ordered bar on reletting.

Toni's five year old, Lucy, has been forced to live with her grandmother in Williamsburg and attend a school she would normally not be enrolled in. Toni and her eleven month old daughter have been bouncing from friend to friend. Only Blanche DuBois knows how much longer Toni can rely on the kindness of strangers.

Why bother writing this story? Are there not thousands of people getting bounced around the system daily? Isn't that the reason we go to law school, to prevent people from having to get bounced around the system? I don't know, you tell me.

It seems that sometimes this whole education is leading up to exercises in futility, the ultimate in intellectual masturbation. Who can get that last piece of paper with the seal of the court in their favor. Should we view ourselves as lawyers or as guerilla warriors? I don't think that Toni will care as long as someone gets her back her home.

Scott M. Sommer, a fourth year evening student, can regularly be heard hosting "Housing Notebook," broadcast each Saturday evening at 7:30 on WBAI, 99.5 FM.

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EDITORIALS

Question Authority

Perhaps Professor Henry Mark Holzer's real motivation, in skewing the standings of the entire second year class was to have the stalls of the students' bathrooms graced with more graffiti about him than any other subject. More likely, however, is that he honestly feels that his students grades are fairly reflective of their collectively abysmal performance on his examination; that he is at the frontline of the battle against BLS grade inflation; that he imparted to them not only a novel and enlightening approach to constitutional analysis, but an important object lesson in the unfairness of life and the unaccountability of those who, like the Supreme Court, make final decisions affecting the lives of many.

Holzer's former students, however, deserve more than that which he has given. They are, in fact, demanding more: more accountability, more of an explanation, more of response by the administration. After all, it's their ox that got gored.

Every student in this school should support the efforts of Professor Holzer's former students to have their collective grievances addressed. Meaningfully. Together. By the Dean. Not one by one behind the closed door of Professor Holzer's office.

The Dean should also recirculate the Vanderbilt Law Review essay by Monroe Freedman of Hofstra that had earlier been passed around to the faculty. The essay, "The Professional Responsibility of the Law Professor: Three Neglected Questions," is required reading for every student and faculty member. It appears at page 275 of volume 39. The JUSTINIAN particularly calls Professor Holzer's and his former students' attention to pages 282-86, entitled "Due Process in Grading."

Library Expansion Complete

Although off schedule by more than a month, the long-awaited newly renovated and expanded library basement facilities were finally unveiled early this month. The expanded facilities represent but one of the Trager administration's tangible accomplishments in its continuing commitment to the improving the quality of education at BLS.

The expansion, giving BLS students some much-needed library breathing space, was accomplished by annexing a portion of the bookstore and a basement level storage area. The praiseworthy improvements include three conference rooms, a copy center, and additional study tables and carrels. To maximize the use of the increased floor space, moveable stacks were installed to hold the various State Reporters and reference materials. This project undoubtedly will overcome some of the noise and congestion problems encountered in previous years.

All is not perfect, however. At least not yet. Basement lavatories? Sorry, try the second floor. Water fountain? Sorry, no drinking allowed in the library (ha!). Even with these minor shortcomings, students should take full advantage of this new found "lebensraum."

We don't want your stamp of approval

The Dean is good at looking at the Big Picture: building acquisitions and library improvements, cash flow, school reputation. He forgets, however, to pay attention to the small, human details that make law school life livable. Like signing the diplomas we students sweat, cry and bleed for.

Yes, the diploma that costs students thousands of hours of our lives and tens of thousands of our dollars gets the Dean's stamp. That's right. A stamp. Not a signature. A stamp.

One could make the argument that signing several hundred diplomas yearly might be an unbearable drain on the Dean's time. One could. We are certain the Dean can find two hours of time to personally sign a document for which we kill ourselves.

It is a such little thing, so easily overlooked by a man concentrating on the big picture. This is the second year the Dean has been publicly criticised for his lack of sensitivity to such a simple detail. Come on, Dean Trager, its no big deal: sign the diplomas!



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THE JUSTINIAN

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Fear and in the Lar

I believe there are more instances of the abridgement of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpation.

—James Madison, speech,
Virginia Convention,
June 16, 1788

by Robert Axford

As my release date from this institution draws thoughts of freedom come to mind. Also, I've considerable time in jails recently. When you get to what's what, freedom is where it's at, as they say '70s. But, like love, freedom means different things to different people. Too often, one man's freedom has enslaved another man — not to mention women and children, who, historically, have been about as free as domestic pets.

The myth that is America says we are the Land of the Free. We are defenders of the Free World and supporters of Freedom Fighters. We promote free enterprise, free market-place. Today, there is much talk about need for a drug-free workplace. We believe in freedom of speech and of assembly, at least in theory. We're small islands and occupy far-away nations and spend trillions of dollars on suicidal weapons all in attempt to protect our perceived freedom. Rhetorically speaking we are freedom junkies.

Of course, rhetoric is easy. Everyone is for freedom just as everyone is for truth and justice. Conduct is

CORRESPONDENCE

Holzer does it again . . .

He did warn us. He did walk into class the second day and tell us that two years before he had failed half his class and there wasn't "a damn thing" we could do about it. As if that wasn't bad enough, there also wasn't "a damn thing the Dean could do, the Appellate Division, or even the Supreme Court!"

Some people chuckled. Other shook. Most of us felt something in between. Nevertheless, we took his threat seriously and began working very hard.

As the semester wore on we learned that this was no ordinary Constitutional law class. And don't think we started with *Marbury v. Madison*, for you can't start there, as that isn't where it begins (so he said). To understand con law you must understand what is underlying every political system, and that is ethics. In the United States we have an "altruist, collectivist, statist" ethical base and that is why the Supreme Court continually stomps on individual rights. The individual's rights must be sacrificed for the needs of the many (Holzer's observation).

Sounds complex and philosophical? It is. And after agonizing over pages and pages of reading every night to be prepared for every class (minus two points off your final grade if you're unprepared), we were repeatedly told — never mind that the Court says it is using Test X to reach Result Y — what is really going on here? Forget the tests, "who did what to whom?" Every case the class discussed came down to the same one line — X had a need, so Y had to fill it.

I know what you're thinking. Wow! The final for a course taught like that must have been very intense; the ability to dissect the abstract, philosophical,

complex mode of what the Supreme Court is continually doing to individual rights.

Guess again. True/False. Yes, our intense four credit course of a great intellectual level came down to 50 true/false questions (and 50% essay-1/3 asking his view of a hypothetical case).

And what true/false questions they were. "Extremely" reflective of that same course I just described. For example, true or false, "Justice Douglas held in such and such a case. . . ." Gee! He got me there. And I know I'll be a better lawyer for having gone to look it up after the exam. Another one, the ninth amendment says, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." If you thought it was true, take a closer look. That isn't the ninth amendment dummy, it's the tenth. Oooh! Pretty tricky! (If you're laughing don't feel bad — most of the lawyers I spoke to laughed over that one).

So what's the bottom line? We were taught Constitutional law from a philosophical, abstract viewpoint, and then given a true/false test (in part).

But that was only part of the problem. I don't know the exact percentages (Holzer didn't post grades), but a strong majority of students in this section got a grade in the 60's or 70's. (Rumor has it there were less than 10 grades above an 80%). If you're thinking that we must have had a dumb section, don't. For most people it was their only such grade. In all other classes they had 80's and 90's. And many of the students here on academic scholarships were in our section. For most, the grade in Holzer's class was not nearly reflective of their average grade (mine was 14 points lower than my next lowest grade). In a four credit course, this is extremely significant.

The result? Our rankings dropped, our averages dropped, our resumes were weakened. Some lost scholarships and some lost job offers, others just lost

Loathing and of the Free

*"In America, freedom is a commodity
that is bought and sold like pork bellies."*

counts. Thus, we are not free in any consequential sense. In America, almost nothing is free. For most of us, our dictators are bill collectors and our thought police our corporate employers. We are new-age wage slaves — living hand to mouth, one hospital visit away from destitution, one rent check away from eviction, one mistake away from incarceration.

In America, freedom is a commodity. It is bought and sold like pork bellies. The few wealthy folks can purchase relative freedom and the poor are prisoners of a system that rewards its supporters and crushes its detractors. Noam Chomsky notes that in the U.S.S.R. the dissidents are sent to Siberia and in the U.S.A. they become cab drivers. The Francis Farmer story is hardly unique. And just think: Wild Bill Rehnquist has recently been appointed as the high priest of individual liberty. Praise the lord and pass the shackles.

Of course, many of you will refute my characterization of our society while at the same time utter sentiments about my getting out if I don't like it here. You argue that we have political freedom here, free elections. Right. We have one party with two branch offices: the Corporate Party (White Team) and Corporate Party (Blue Team). One party consists of those millionaires who believe there should be no welfare and the other party consists of those millionaires who believe some negligible welfare is necessary to keep the masses from revolting. It is the soft shoe — the hard sell — an ideological shell game. Remember Ronald Reagan was once a Democrat and what's the difference between Bill Bradley and Bob Dole except

a few accounting preferences. (See latest tax bill.)

So much for political freedom. Well, at least we have our personal freedom. Right. As long as one's notion of personal freedom includes going to work, pissing in a bottle, coming home and not engaging in illegal sex or consumption or reading illegal materials. Unlike abortion, sex and drugs are not a sufficiently personal enough decision to preclude state interference. If this logic escapes you, it probably means you were never meant to sit on the Supreme Court.

Madison's admonishment is a reality today. While millions of Americans remain homeless and hungry, our present government's main concerns seem to be drug-testing, stopping pornography and tax cuts for the wealthy. Drugs have replaced communists as the "enemy from within." Our way of life is being threatened, we are told, by the millions of dollars in corporate profits that are allegedly lost due to drugged-out workers. (Forget the trillions of dollars in tax money we waste filling the coffers of corrupt and not-so-corrupt military contractors.) But fear not. Our intrepid leader and his cardboard cut-out of a wife are leading the crusade against the demon drugs. Hallelujah! I have seen the Lord and His urine is clean!

Adult, consensual sexual relations are similarly outside the scope of freedoms for which we seem so willing to fight, kill and die. (No doubt sexual freedom is a rather unseemly cause to risk bodily injury over.) That more people have died purportedly fighting for some notion of freedom and/or preventing others some attaining theirs than will ever die from drugs and sexually transmitted

diseases is apparently irrelevant.

In America, freedom has ever increasingly come to mean capitalism/imperialism. We worship the buck like some societies worship god. Those in power sell us their version of freedom like it's an automobile. (This may explain why the only recent victory for civil liberties has been a return to the 65 mph speed limit.) Whether it's liberty Weekend or Hands Across America, the message is clear: be free, buy Chevrolet; end hunger, drink Coke.

My point is that the government doesn't want us doing mind-altering drugs lest it take us away from our intended opiate: television. We are indeed a drugged society, manipulated by video charlatans and a television government. Disillusionment is our downer, delusions our high. We are not a content society and these are not happy times. Drug addiction is but one minor manifestation. Instant annihilation of our species is a phone call away, not a very sobering thought. Our environment is steadily dying. With a trillion dollar debt, an addiction to high-tech military hardware, and a starving, angry, overpopulated world staring us down like a knife-carrying junkie, it is not surprising that some of us drop out.

However, many more of us will be zoned out on Wheel of Fortune than on crack. If you ask me, and nobody did, we criminalize the wrong drugs and the wrong conduct. As well, we seem more than willing to sacrifice our freedoms in useless attempts to defeat enemies that don't exist. The results are in: the ratings show Americans prefer slow death by ignorance. Just call it the Bill of Former Rights.

motivation.

At first we (most of the class) were going to do something. But time went by and people lost the fire and the anger cooled. I guess that's why Holzer disappeared for four weeks immediately following the mailing of grades. You see, he has experience with this. He's done it before.

This was more than just doing poorly in a class. Most people did more work for this course than for any other that semester. And it is understandable if some people don't do well. But when the significant number of students in a section, in good standing, do so poorly, something is wrong somewhere.

I think it is outrageous that students work hard all year and one person can come along and nonchalantly change the rankings, averages and professional futures of so many. And get away with it. Repeatedly.

Maybe someday he will realize that he isn't gaining power or respect through his charade. But for those of you who are taking courses with him now, or get blessed with him as second semester firsts year students, take heart. He shouldn't be pulling this again for another couple of years.

Nadine Klansky

... While the Administration Watches.

He told us that not the Dean, not the Supreme Court, not even God could change the grade he would give us. Obviously he was absolutely correct. The Administration has sat idly by and once again let Holzer subject his constitutional law students to undeservedly low grades.

I say undeserved because, as a witness and a victim, I can attest to the madness that took place by last year's section one attempt to finish and understand his cumbersome assignments. No one dared walk into Holzer's class without reading every page for fear of his threat of subtracting one point off of our final grade for each time unprepared (Thank God that only happened once because none of us could have afforded to lose anymore points!). We all worked as a team to make sure that we all read everything available because we were advised by upperclassmen that if Holzer liked us as a class he wouldn't "screw us."

So we worked, and studied, and worked more. His lectures were entertaining and

stimulating. He taught us Holzerian law with an emphasis on the constitution. We all learned it. We all know it today. He screwed us anyway.

On the last day of class a student raised her hand and asked if he could tell us anything about the final. His response was, "Yes, there will be one. If you did the work you will have no problem." Nothing more was said as to format or subject matter. We all left the room thinking that he enjoyed teaching our class and respected us as individuals. I thought the exam would be fair.

Well, I did the work and I had a big problem. The test itself had very little to do with the class that Holzer taught. His fifty true-false and three part, two page (black, non-ball point pen only) essay test was the most difficult test I've ever taken. I received the lowest grade I've ever gotten in my life.

I respected Holzer and enjoyed his class. I never missed a lecture and I read every word that he ever assigned. It's hard for me to understand why such an intelligent man would hurt his students the way he did.

We all are aware that the curve is optional. Sections two and three must be very pleased that Holzer opted not to use it, since it is basically their names that are

now filling the current interview slots.

It interests me to know why the administration has not done anything in regard to this situation. They owe us more of a show of concern since this was a mandatory first year course of which we had no choice but to be subjected to Holzer. Holzer's grades have caused many doors to close on our futures since most of the jobs and scholarships are based solely on grades. I have paid the same tuition that those in sections two and three have paid and I believe that I should have been guaranteed an education in Constitutional Law and a fair final exam.

The Administration had notice of Holzer's egocentric behavior. He has played this game before. At the very least, the Administration should not allow Holzer to teach first year courses since students are not allowed to select their professors. Let the brave, and in my opinion, the crazy, fill his upper class courses — and if those classes don't fill, use our money for something more useful than a sadist's salary.

Name Withheld by Request

The JUSTINIAN welcomes Letters to the Editors. Generally, all letters received are published and all letters are subject to editing. Typed, double-spaced letters are preferred.

Justinian: Illiterate Yahoos

I confess to some difficulty in writing temperately at the moment. Having returned to Brooklyn Law School on the first day of classes to discover that some of my Student Bar Association's money has already been appropriated for "student publications," I now learn that at least one of those publications — the *Justinian* — has somehow been usurped by illiterates.

Industrious illiterates, too; they have wasted no time or effort defacing the newspaper's first issue, even misspelling its first printed word — "laciare" for "lasciate" in the *Divina Commedia's* famous inscription for the gates of Hell. In fact, with the instinctive presumption of illiterates, they have compounded their offense by leaving the misspelled line untranslated — presumably hoping that readers would be too overawed in the presence of Italian to look closely at the words. That this snobbery resulted from ineptitude is confirmed by the perpetrators' failure to punctuate between

the quotation and its attribution.

Just in case the top line of page one was too obscure a place for our usurpers to advertise their incompetence, they have plied their trade in headlines throughout the paper. "Roy Cohn Dies After Being Disbarred" is either a *suggestio falsi* or wishful thinking; the Appellate Division does not kill with its displeasure. "WHO TO BELIEVE," however, is simply wrong, and "QUOTE OF THE MONTH FOR SEPTEMBER ISSUE" is at best peculiar, since the statement quoted was written in June. "I Worry..." was, I think, supposed to have an ellipsis in it

somewhere; the third dot was doubtless sacrificed for a column of text beginning with the words "at-the-barrel-of-a-gun leniency," a strange phrase in itself. "Goetz Goes to Trial" suggests any number of Gidget movies but is a patent abuse of English idiom, according to which, as far as I know, a person always goes on trial, not to trial. Perhaps there is an empty-headedness even beyond illiteracy at work here: the same article sports an enclosed drawing of a revolver with a one-word caption reading — you guessed it — "revolver." (cont. next page)

Illiterates

from previous page

Things are not much better underneath the headlines. Someone on page eleven urges that "making good money for bad (read immoral) work is a one-way ticket to emotional and spiritual palookaville." Most writers, knowing better than to emend their own words in print, write "immoral" when they mean "immoral" and "bad" when they mean "bad," and do not leave readers guessing as to whether or when they are to be taken seriously. But writers who write "palookaville"? The question, alas, answers itself.

Bad (read incoherent) writers have insinuated themselves into the very heart of the newspaper. One interloper, for instance, has defaced the editorial page with a polemic against President Reagan's judicial appointments and their "ideological purity" — contrasted with "judicial competence" — though, forsooth, said interloper hisses that the President has appointed only one Federal judge with black skin, leaving it to paladins of other sorts of ideological purity to divine the reprehensibility therein. He (or she) similarly fulminates that thirty-six of the President's judicial appointees have been millionaires (as if the fact were of relevance to the ideology of anyone but the author!) and suggests that William Rehnquist "seeks to roll back individual rights to the days of *Plessy v. Ferguson*." I do not know which offends me more: the paper's word of the ritualistic pejoratives, or the author's blundering efforts to swing it through something other than thin air.

What makes all this intolerable is that the same newspaper contains an unctuously self-congratulatory editorial naming the *Justinian* "among America's premiere law school newspapers." This may be true — as an involuntary dependent on the newspaper I rather hope it is — but that only makes its subversion by incompetents a larger disaster. A journal that can print the exhortation "Good luck, good skill and enjoy this time of your life" and the prediction "Second

years, too, should enjoy the coming year" and then — on the same page! — write that "[w]e take our role as BLS's community forum seriously" is desperately in need of having its real contributors freed from wherever they lie bound and gagged and its pages cleansed of what is surely the work of usurping yahoos.

May this come about swiftly and irrevocably.

Michael Leshner

P.S.: Please contact me if you intend to print this letter. If possible, I would like to see the final version before it appears.

Although offended by Mr. Leshner's pointedly articulate yet petty criticisms, the JUSTINIAN welcomes him to our editorial staff. He should however, consider injecting himself into the editorial process earlier.

Only one of Mr. Leshner's criticisms, the comments regarding the editorial entitled "Drowning in Reagan's Judiciary," pick on something other than typographic errors and idiosyncratic or humorous writing styles. Mr. Leshner misses the point regarding the JUSTINIAN's criticism of Reagan's systematic ideological stacking of the nation's judiciary.

Our criticism is neither "ritualistic" nor aimed at "thin air." Since 1985, for example, 40% of the 29 appellate nominees forwarded by the administration have received the ABA's lowest passing rating, a "D." In contrast, only 3 of former President Carter's 56 appellate appointees received this rating. Furthermore, in our multi-racial society, an educated individual like Mr. Leshner need hardly have to "divine the reprehensibility" of but one black first term district court appointee in the sea of Reagan's 120 wealthy white district court faces. Finally, when (ouch!) Chief Justice Rehnquist was a clerk for Justice Jackson, he prepared a memo advocating the correctness of *Plessy v. Ferguson*.

Call us liberal New Yorker's, usurping, incompetent, illiterate yahoos or what have you. We are disturbed by Reagan's ideological litmus test for his judicial appointees. It is not politics as usual and it palpably threatens to warp our nation's jurisprudence for the remainder of our legal careers. See Lacovara, *The Wrong Way to Pick Judges*, N.Y. Times 10/3/86 p. A31; See generally Goldman, *Reorganizing the Judiciary: The First Term Appointments*, 68 *Judicature* 313 (April-May 1985), ed.

Anti-AIDS Not Anti-Gay

To the Editor:

I take strong objection to The Justinian commentary on the Justice Department's interpretation of a Federal Statute not to include AIDS in the list of handicaps protected by Sec 504 of the Rehabilitation Act. (Aids victims Immune from Handicap Law Protection, 9/86, p.9)

The author seems to be confusing two issues. She makes the assumption that anyone who is against listing AIDS as a handicap is necessarily anti-gay. That may be true for some people; however, to make that generalization is particularly insulting to individuals such as me, who consider themselves to be staunch civil libertarians. I too am concerned about the bible wielding right and their persistent attempts to chisel away at our liberties, but I don't act like a horse with blinders on preventing me from seeing a very real and deadly health situation.

The only fact about AIDS is that it kills. All else is speculation and theory. It is believed that the hibernation period could be as long as ten years, but who really knows? We have only known about the disease for a few years. It is believed that transmission of the disease can only occur through intimate sexual contact or by intravenous infection. But with such a long hibernation period, who really knows?

I am the last to advocate isolation for AIDS victims or carriers. However, I don't think that I should be forced to employ someone who has a deadly disease which the degree and method of contagiousness is not 100% known.

To claim that the result of the Justice Department's decision will keep individuals from identifying and taking the necessary precautions to avoid the disease is pure foolishness. Anyone can walk into a hospital or health center and take a confidential test. Also, I seriously doubt that any individuals preparing for sexual activity will consider the Justice Department's decision before deciding whether or not to use a condom.

Wake up Ms. Steinhardt, there is no debate, scientists don't have to prove whether the disease is in fact contagious. It is. What is the subject of the debate is how. If you are concerned about public

reaction in middle America or the bible belt, don't bother, it really hasn't changed.

No matter how hard you try, being infected with a deadly virus can in no way compare with being black or oriental, Jewish or Muslim, blind or paralyzed in a wheelchair.

Two years ago a very close friend of mine died of AIDS. I know the pain, I understand your passion. However, it is unfair to brand anyone who is legitimately concerned about exposure to one's self or one's family as anti-gay. Even for rational individuals, the concern is real.

Laurence Guttman

Ms. Steinhardt Responds:

I am sorry to see that what was a very straight-forward article on the Justice Department's AIDS decision was so sorely misconstrued by you, Mr. Guttman. Let me clarify some of the issues you distort.

First, it is not my position that anyone against listing AIDS as a handicap is anti-gay. My point is that the Justice Department's opinion serves to feed people's already existing fears and prejudices towards homosexuals. Second, I certainly never advocated forcing employers to hire people who have AIDS. I criticized the Justice Department's opinion, however, for permitting employers to fire AIDS victims or carriers already in their employ for fear of contagion. Third, as far as the ridiculousness of my claim that people will be reluctant to take precautions to avoid the disease, I only hope you are right. I was just reading a little deeper into the average human psyche: a person may not be so quick to be tested for AIDS if they know they might be fired if the test comes out positive, even if the likelihood of their employer finding out is slim. Lastly, I know the subject of the debate is *how* AIDS is spread, not whether or not it is contagious. I was simply suggesting that absent proof that it is spread by other means than intimate sexual contact we should not allow individuals to be deprived of their homes, jobs, and education on the assumption that it is.

I have not branded those differing with my opinion as anti-gay. I simply believe that AIDS is a disease our society must learn to reckon with, and hopefully find a cure for; I fail to see how discriminating against AIDS victims and carriers will do anything to further these goals.

Law Review: The Statistics

The Summer, 1986 issue of *Jurimetrics* contains an article by Richard A. Mann wherein Professor Mann attempts to rank law reviews according to how frequently the reviews are cited by scholars and courts. Professor Mann's methodology is probably not of interest to your readers, but several of his results mention the Brooklyn Law Review and other local journals.

The articles published in the 1978-79 issues of Brooklyn Law Review were cited in 37 journal articles listed in Shepard's Law Review Citations through Shepard's January 1984 issue. The Review was one of three journals cited that often, and each shared a rank of 50. Ranked No. 1 was Harvard Law Review. NYU ranked 8, Hofstra 15, Syracuse and Buffalo each ranked 25, and New York Law School came in 55th. Fordham was among five journals ranked 87.

The same sampling of articles was cited in judicial opinions. Brooklyn Law Review articles were cited four times, placing it among eleven journals ranked 87. Yale was ranked No. 1, cited 70 times. Columbia was 2, Hofstra Law Review was among five journals ranked 18, Syracuse was 23, Fordham and NYU were among seven journals ranked 52, and New York Law School was among seven ranked 63. Cornell, Rutgers and Dickinson Law Reviews were among ten ranked 70. St. John's was one of seven ranked 80.

The data were then analyzed differently to eliminate the effect that longer issues with more pages would have on the result. When this was done with respect to journal

citations Columbia ranked 2, Hofstra ranked 9, NYU 10, Cornell was one of two ranked 11, Buffalo ranked 20, Syracuse 32, and New York Law School was one of two ranked 53. Brooklyn Law Review was among four ranked 71. Rutgers was among four ranked 103, Fordham among four ranked 107, St. Johns among three ranked 111, and Rutgers Law Journal among six ranked 129.

With respect to judicial citations the second method resulted in Columbia being ranked 3. Other results included: Hofstra Law Review, one of two journals ranked 18; Syracuse, one of seven ranked 24; Fordham, one of eight ranked 53; New York Law School and NYU, each among fourteen ranked 61; Rutgers, Cornell and St. John's, each among fourteen ranked 75; Rutgers Law Journal and Brooklyn Law Review, each among seventeen ranked 101.

The author compiled a list of combined journal and judicial citations using the second method. Brooklyn does not appear in the abbreviated table, but Columbia ranked 1, Hofstra 9, Syracuse 21, NYU 31, and Cornell 43. Several other tables, including a federal court citation and a Supreme Court citation table, list some local journals, but not Brooklyn.

Because the study depended on Shepard's for raw data, and because the Brooklyn Journal of International Law is not tracked by Shepard's, none of the study's tables list the Brooklyn Journal of International Law.

Timothy K. Gibbons

I Worry . . .

I'm better now. No, really. See, they've given me these shock treatments and they tell me that, with the proper medication, I should be a productive member of society by the time I graduate. Gee. Of course, I don't remember being sick (as the treatments have wiped out all pre-law school memories), but they tell me I was sick and they must be right 'cause they're such nice people. But ya' know, I still worry. Yeah, I worry. For instance. . . . I worry that all of us who have suffered at the hands of *The Buffalo Creek Disaster* are going to suffer survivors' syndrome nightmares in which Gerald Stern, surfing atop a huge, approaching wave of black coal water, comes at us, screaming, "Why don't you do public service work?!"

. . . I worry about those people who, thinking that public service work is the moral repository of our profession, consign the rest of us to vocational hell with a sad shake of their heads: (Imagine! Being a respected practitioner of a profession and getting paid for it! Why, the very idea!)

. . . I worry about what lurks on the second floor.

. . . I worry that the cafeteria and the library could get any more stifflingly hot.

. . . I worry about anyone who votes for Pat Robertson for anything.

. . . I worry that Boro Hall will ever — ever-be finished. Oh God, please don't ever let them complete the restoration. The anticipation is the only thing that keeps me going.

. . . I worry that next year's loan applications are going to require CAT scans of our parents' genitalia.

. . . I worry about Michael Leshner [sic].

. . . I worry about anyone who believes that law school gets easier after the first year. Hah! I'd like to serve papers on the cockroach who gave me that piece of advice.

. . . I worry about the new copy machines. Let's keep our fingers crossed.

. . . I worry about First Years who don't savor their first year friends — go and make your hay while the sun doth shine, 'cause next year you're not going to have time for them and vice versa.

Well I'm through for now . . . they're coming in to administer my daily treatment. 'Til next time, I am,

As always,

Your friend,

PARANOIA

What am I supposed to do now? Oh yeah. Bite down on the rubber plate and

Time is running out!

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September

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9	10	11	12	13
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28	29	30				

October

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
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November

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
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2	3	4	5	6	7	8
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STEMPEL from page 3

an easier method for students to learn the concepts." This method, by no means novel, is a different look at "the new and strange procedural aspects of our federal court system."

"Everyone has a conception of what a contract or a tort is. Learning Federal Procedure for the first time can be a difficult experience." Stempel's method tries to present the material as logically as possible.

When asked whether the difference in his teaching methods would be a hindrance later on, he believed that "students under any professor get the same basic experience. While I might spend less time on jurisdiction, and more on in-court procedure, the old friends' (i.e. the standard cases) have to be re-read in the advanced courses." Stempel believes that his course is merely a foundation for future courses.

Stempel genuinely seems to be comfortable here at BLS. "I really enjoy the students and the atmosphere of the school. I wish, though, that the student-faculty ratio were smaller. Nevertheless, I enjoy the fact that students here have so many different opinions and aren't afraid to express them."

Stempel was asked how he handles students who take up too much class time, being troubled with difficult concepts. His response was professorially typical. "There exists a tension between covering an adequate amount of material and making sure the class has learned the basic concepts. Discerning the crucial from the less crucial is a difficult task."

Stempel said he would love to spend as much time with each student as possible. "But there comes a time when the greatest good for the greatest number dictates that

I move on. However, I am more than happy to see students after class."

As a professor teaching first-year students, Stempel expressed his views on the use of commercial outlines and other outside material. "Anything a student finds useful can be beneficial. But some outside materials are better than others." Stempel was most concerned that students would learn the superficial, without going into adequate depth.

"Students are best served by learning the rules, interrelating an elaborate structure with our system of law. This is best



achieved through a hornbook with a more cerebral approach. There are no absolutes, no hard and fast rules." Stempel finds commercial outlines to be deceptive in this regard.

As a final note, Stempel expressed his view on professors who interject their opinions into class discussions. "Opinions are fine as long as they're well reasoned. Fairness to another viewpoint must be considered." Stempel does not believe in the indoctrination of a particular philosophy. "The key is an honest and fair presentation of perspectives. Students are sharp enough to know the difference between opinion and hard facts."

TWERSKI from page 3

this a very pleasant place to work."

Professor Twerski is also pleased by the fact that every professor has a word processor at his or her disposal. "I am happy that the administration recognizes how much time these machines save and how much productivity one gets out of them."

IMPRESSION OF STUDENTS

As to his view of students, "it is too

early to tell, but what I have seen thus far has been good. Class participation has been excellent." Professor Twerski was also impressed with many of the written exams he has seen. "The better part of this school could hold its own with students anywhere." Coming from Twerski, with his background, this is quite a compliment.

"For the past several years," continued Twerski, "this school has grown in reputation. Everyone perceives, at the very high end, the extraordinary students of Brooklyn Law. What I have seen is that this school has developed a much stronger middle."

The serious problem, Twerski observed, was at the very bottom of the class. "Marginal students are hard to screen out, and this is true in all but a very few select law schools." Nevertheless, the student body here is on par with that of even the finest of law schools."

TEACHING METHOD

Professor Twerski's teaching methods are conceptually oriented. "I structure my courses so that coverage of every single piece of material is not absolutely essential. The core concepts run as a thread throughout, dressed in different clothing. I let students do the dressing and undressing. Individual cases are secondary."

What is additionally unique about Professor Twerski is his approach to classroom discussion. When he or she steps into the classroom, "the teacher also becomes the student. The place becomes an extraordinary laboratory to test ideas. That the professor has a monopoly on brains is a foolish notion. As the Talmud says, 'I learn from all my teachers and all my students.'"

After twenty years of teaching, Twerski still cannot believe he is getting paid to do what he loves so much. But while he loves teaching students, there is still one thing he loathes.

"Every January and every May there comes times when I have to check into a hotel because I will not subject my family to the grout that I can become. But when I read those exams which are very good, that is when the task becomes enjoyable."



BLS's Sparer Fellowship Public Interest Opportunities

by Lee Knife

The Edward V. Sparer Public Interest Law Fellowship Program is a new program at Brooklyn Law School to facilitate student careers in public interest law. The program, now in its second year, provides stipends of up to \$2000 for students who wish to do summer work in public interest fields but cannot afford to do so. A program explaining the Sparer Fellowship Program will be held in November at which last summer's Sparer Fellows will talk about their experiences.

Edward Sparer, a 1957 graduate of Brooklyn Law School, died in 1983. He was a nationally recognized litigator and teacher in the areas of poverty and health law. He was a Professor of Law and Social Welfare at the University of Pennsylvania Law School.

The Fellowship Program was established by members of his class, his colleagues, his friends and other Brooklyn Law School graduates, in honor of Mr. Sparer and his work.

HOW THE FELLOWSHIP WORKS

Brooklyn Law School Professor Elizabeth M. Schneider chairs the Fellowship Committee which also includes Professors Susan Herman, Jeffrey Stempel, Kathleen Sullivan, Minna Kotkin and others. Michael Sparer, the late Edward Sparer's son, and New York Law School Professor Sylvia Law have served as the Program's advisors.

Additionally, a student support committee for the Program formed last year and has worked closely with the Fellowship Committee. Students interested in involvement in the student support commit-

tee should look to the bulletin boards for information.

Prospective fellows are asked to fill out an application that includes an essay on why they are interested in the Sparer Fellowship program. The application also asks about prior public interest work that the applicant may have been involved in. A demonstrated interest, not necessarily actual experience, in public interest work is a very important criteria in the selection process.

Applications for Summer 1987 Sparer Fellowships will be due at the end of January 1987. Applications will be available at the end of this semester from Professor Schneider in Room 821.

Last year, the first year of the Fellowship program, three fellows were chosen from the first year class. Denise Hinzpeter worked for New York Legal Aid for ten weeks on the problems of homeless families in New York City. Claudia Werman worked for Community Legal Services in Philadelphia. Clare O'Neill was scheduled to work with the NAACP Legal Defense and Education Fund.

THE EXPERIENCES

Ms. Hinzpeter had worked as a paralegal for The Legal Aid Society on behalf of homeless families for two years before coming to Brooklyn Law School. Naturally, she was interested in continuing that type of work.

"I chose to work at Legal Aid again," commented Ms. Hinzpeter. "If you become a Fellow, you choose something that you would like to do. The committee, of course, has to approve it and there is also a file of places that are interested in having Fellows work for them."

Claudia said, "I had spent some time when I got back from Nicaragua informing people about what was going on there, and they asked me if I would be willing to do the same type of thing." She continued, "I think if you are given a fellowship or an internship, which I think is a gift, you have a responsibility to promote the program and what it stands for. It's a reciprocal responsibility."

In contrast to her previous experience at Legal Aid, which entailed a lot of client contact, this past summer Ms. Hinzpeter worked primarily on briefs and pleadings that dealt with the interpretation and application of new state regulations governing the shelter system for homeless families.

In addition, Ms. Hinzpeter drafted Article 78 Proceedings and memoranda of law against the City of New York. The City Department of Social Services, said Hinzpeter, needed to be forced to comply with State Administrative hearing decisions so that homeless families would get the relief that had been granted them.

The last part of Ms. Hinzpeter's summer was spent trying to get the Roberto Clemente shelter for the homeless closed due to numerous health and building code violations.

Claudia Werman's public interest background focused on community planning. In addition to political and community work, Claudia was involved in a work study internship in Nicaragua for the Presbyterian Peace Making Center in Raleigh, North Carolina. Like Ms. Hinzpeter, Ms. Werman feels that her prior activity in public interest fields helped her to be selected for the fellowship program.

"They asked me about my community planning experience in the interview,"

TWO PART SUMMER

Ms. Werman's summer had two facets. The first part dealt with welfare recipients. "I had my own caseload. All the cases were women, all on some type of welfare either General Assistance or Aid to Families With Dependent Children and/or Foodstamps." "They had a variety of problems," she continued, "their money

was cut off, or the checks or foodstamps were stopped or reduced."

Claudia's job would begin by talking to the recipient and examining the notice that the caseworker had cited in the notice of cancellation or reduction. "I would research the welfare regulations, there is a stack of them, see if the regulation cited by the caseworker was applicable, and then see if we could negotiate and try to resolve the dispute without going through the administrative process."

Claudia explained, "We negotiated because there is an incredible amount of bureaucracy in the administrative process and these people don't have time. I mean if your foodstamps are cut off, you're hungry, your children are hungry, now."

The second "part" of Ms. Werman's summer was spent working on certain projects that the late Edward Sparer had worked on. She was involved in projects concerning maternal and child health care for low income women, infant mortality in Philadelphia, mandatory health care for welfare recipients, and the problems involved in the program and statutory protections for prenatal and maternity care.

All Sparer fellows are asked to write a report on their activities in the fellowship as part of the program. The reports are put on file with the committee.

Law students interested in the Sparer Fellowship Program should see Professor Elizabeth Schneider in room 821 and make sure to attend the fall informational program.

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Bill Schofield
Jonathan Hudis
Debra Babbitch
Robert Brown
Suzanne Corhan
Nancy DuBoise

Raymond Enright
Philip Goglas
Kenneth Ives
Michael Kanzer
Shahab Katirachi
David Kornfeld
Peter Lambros

Ruth Logan
Andy Margolin
Robert Meyers
Charles Ourslander
Brad Siegel
Bruce Weiser
Paul T. Vink

1988 Reps

Randy Scharf
Fredy Kaplan
Tom Abbondante
Mara Block
Melissa Fluss
Jeanne Gonzalez

Sheryl Scharf
Craig Lustig
Mike Nafolin
Judy Olivero
Anthony Rao
Michael Zuppone

O'Rourke

from page 1

curb the epidemic drug problem in New York, O'Rourke feels the Governor has not taken any steps to combat drugs.

Deputy Press Secretary Buckley claims Cuomo, during his campaign for Governor, said he would establish a drug enforcement agency the sole purpose of which would be to fight the growing drug problem. This he has failed to do.

O'Rourke also cites the Governor's failure to plan for the problems associated with increased cocaine use in terms of treatment facilities and drug education. Although it is not clear exactly what

THE NON-DEBATE

The candidates differ substantially on numerous issues in addition to the ones outlined in this article. Because of Governor Cuomo's refusal to debate his opponent, however, many voters will not be aware of Mr. O'Rourke's views when the final ballot is cast in two weeks.

A major bone of contention between the two candidates has been Cuomo's refusal to debate with O'Rourke. Cuomo's opponent has used the issue as a television commercial, complete with a cardboard cutout of the absent Cuomo.

According to Aloise Buckley, O'Rourke's deputy press secretary, Cuomo has refused to debate because



ACCORDING TO THE LATEST POLLS...

L.A.W. Addresses the Woman's Perspective

by Judith A. Norrish

The Legal Association of Women called its first meeting on September 24th and 25th. Thirty BLS students attended. Several projects were planned, including the formation of a committee to conduct discussion groups for first-year students.

At the meeting, students expressed the need for a forum to discuss the women's perspective in issues of the law, and their own law school experiences. One first year student asked why professors called on male students more often than woman students. Another wondered why many women seemed to shy away from active participation in the classroom. A third wanted to discuss the sexist implications of the tort law she was studying.

Since the classroom is not necessarily the place to discuss the sociology of law from women's perspective, members of L.A.W. will be scheduling several discussion groups where students can discuss their ideas and experiences. *First-Year Rap Sessions*, as this project is called, is chaired by Paula Simari, and Marydene Davis, who are third-year students. They will be assisted by eight first — and second-year students.

All students who are interested in participating are invited to attend. Look to the L.A.W. bulletin board for a schedule

of the meetings, located near the phone booth in the lobby.

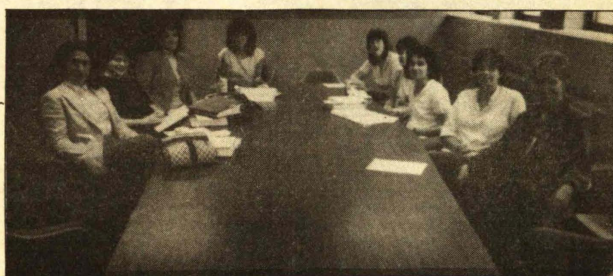
L.A.W. also has planned an array of events this year. A film series committee, chaired by Maria Sakalis, is selecting contemporary and vintage films for the enjoyment of BLS students who wish to take a break from the law school routine. The Association's distinguished speakers series is chaired by Judith A. Norrish and Helene Jaffe. L.A.W. plans to invite several accomplished women to present, according to Jaffe, "interesting and enlightening perspectives on women's legal issues."

Group tours of the courts have been planned by Sharon Boland. She hopes to introduce students to both the workings of the courts and to judges who are BLS graduates.

L.A.W. has two representatives on the Faculty Review Committee which interviews prospective faculty candidates. The Association's representatives are Alice Ruben and Helene Jaffe.

This year promises to be an exciting, productive year for L.A.W. If you would like to contact L.A.W., please leave a message in its mailbox-folder near the third floor lounge. The organizations invites all interested students to join L.A.W. It invites all students and faculty members to attend its functions.

THE WOMEN OF L.A.W. meet to discuss their legal agenda.



Hispanic Law Students' Association in Brief

The Hispanic Law Students' Association (HILSA) has identified assistance to first year students and career development to first year students and career development as its major goals for 1986-87. On October 1st, HILSA held a study guidance session to advise first year students on brief writing, outlining and other study methods. In support of that effort an "outline file" is being established for HILSA members. To encourage increased minority representation on Moot Court and Law Review, next Spring upper class members will coach first year members for their oral arguments and conduct a Law Review competition workshop.

HILSA's Career Development Program is illustrative of HILSA's strong commitment to helping its members plan for successful futures. In addition to maintaining close contact with hispanic alumni and establishing a mentor program through the Puerto Rican Legal Defense League, HILSA has established a "job file" which contains information of employment opportunities for hispanic students. The file is on reserve in the library. In addition to all of this, HILSA is planning several educational and social activities. All students are encouraged to become members and participate in the group's activities.



DEAN TRAGER has an easier time getting an audience with Governor Cuomo, it seems, than does Andrew O'Rourke. Cuomo and his opponent may finally meet in debate, as the Governor has dropped the last of his preconditions. Don't forget to vote.

O'Rourke would do about drugs if he were Governor, he feels he would make it more of a priority than Governor Cuomo has thought necessary.

In fact, O'Rourke plans to make drugs and education a major priority if elected Governor. His other major project would be the toughening of our criminal justice system. Under the O'Rourke-Kavanagh Plan, the candidate has advocated the appointment of additional Court of Claims judges and increases in the number of Criminal Court judges. The plan also makes for mandatory sentencing and offender-addict treatment programs. O'Rourke wants to make it more difficult for criminals to get back out on the streets. He favors sentences and the elimination of plea bargaining even for first time offenders.

O'Rourke has not fulfilled the "ridiculous conditions" that the incumbent has proposed. One of the conditions was that O'Rourke disclose a full ten years worth of past tax returns. Cuomo has also requested that O'Rourke, who is an attorney, release a list of his clients he has represented while in public.

Buckley explained that ordinarily the sponsors of the debate, not the candidates, set the debates conditions. She believes that Cuomo has refused debate because "he does not want to hurt himself in 1988." What ever his reasons, at the time of this writing, Cuomo continues to refuse to debate with O'Rourke. O'Rourke, however, has accepted over twenty-three debate invitations.

Misconduct from page 1

HYFIN Credit Union. The trust funds in question were damage awards from the settlement of negligence suits. In such settlement cases the presiding judge chooses the bank or financial institution that will hold the awarded money in trust until the child reaches eighteen years of age.

In her statement, District Attorney Holtzman charged the defendant with "abusing his power as a judge to enrich himself", and stated that "that the public has a right to expect that any judicial decision will be neutral and unaffected by considerations of personal gain".

The charge of bribe receiving in the second degree is a class D felony punishable by a maximum sentence of 2-1/3 to 7 years imprisonment and a fine of \$5,000 or double the gain from the commission of the crime.

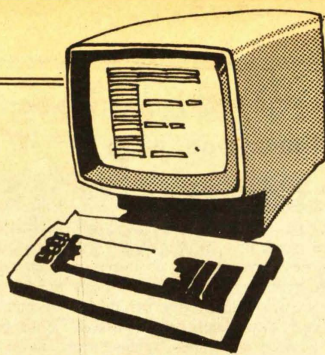
Cohen, a BLS graduate, was a Civil Court Judge from 1980 to 1983, became an acting Supreme Court Justice in 1984 and was elected a Supreme Court Justice in 1985.

Legal Association of Women in Brief

Members of the Legal Association of Women have varied interests and backgrounds. We join together in L.A.W. to sponsor projects which address the needs and interests of the law school community. This year our projects include: *Rap sessions for first-year students*, *Guest speakers series*, *Womens film series*, and *Networking with women's organizations in the legal community*. L.A.W. offers opportunities to build friendships, and to be active in projects (perhaps your own) which focus on women's perspective. Watch our bulletin board-near the phone booth in the lobby-for announcements for meetings and upcoming projects! We also have a file for communicating in the student mailbox-folders outside of the third-floor lounge.

Computer Corner

by James Locantro



Welcome to the computer corner. This new feature of the Justinian brings interesting facts about computers and computing to the Brooklyn Law School Community. Basically the Corner will be separated into four (4) categories:

- 1) Tip of the Month: interesting and time-saving hints to make your life with computers a little easier;
- 2) Common problems with WordPerfect 4.1 and their solutions;
- 3) Upcoming products of interest to the Brooklyn Law School community, and;
- 4) Answers to your questions about computer software.

Tip of the Month

Nosing around the International Journal and Justinian offices I noticed that most people start their wordprocessing by first putting in their DOS disk and then removing it and putting in their word processing disk. There is an easy method to do away with this cumbersome switching of disks. By adhering to the following steps you will be able to install a portion of your DOS disk on your WordPerfect program disk thereby allowing you to only have to install one disk to be able to start word processing.

- Step 1: Place DOS disk in drive A and turn on computer.
- Step 2: Place an unformatted disk in drive B
- Step 3: At the prompt ("A"), enter "Format B:/S" and press return
- Step 4: When computer asks "format another?" enter "N"
- Step 5: Remove DOS disk and place WordPerfect Disk in drive A
- Step 6: At the prompt ("A") enter "COPY A:*. *B:" and press return
- Step 7: At "Copy another?" enter "N" and remove WordPerfect disk. From now on you need only place the single, newly formatted disk in computer. The DOS disk is no longer needed when you want to wordprocess.

Common Problems

One of the most common problems with WordPerfect, and any other word processing software for that matter, is an irretrievable loss of information due to power loss or accidental erasing of a file. WordPerfect allows you to forget about those problems. By taking the following steps, WordPerfect will allow you to automatically back-up your documents at time periods of your choosing to the disk drive of your choice.

Auto Backup Procedure

- Step 1: Insert DOS disk in drive A and turn on the computer
- Step 2: At the prompt ("A"), remove DOS disk and insert WordPerfect Disk
- Step 3: At the prompt ("A"), enter "wp/s" and hit return
- Step 4: Select "4"
- Step 5: Select the number of minutes you wish to have between automatic backups
- Step 6: Enter which disk drive you want backup to go to ("A:" or "B:" or "C:")
- Step 7: Enter Y/N to determine whether you want the old file saved when you save the new file with new information added. This is in addition to the new updated document.
- Step 8: Hit "0" and enjoy wordprocessing with the knowledge that the pages of information you could lose has been diminished greatly.

New Products Corner

Rumor is that WordPerfect 4.1, produced by SSI Software will be introducing WordPerfect 4.2 sometime in November. It is believed to be geared towards the legal community. For approximately \$30 the company will replace version 4.1 with 4.2. Before dishing out the thirty bucks, however, you should know that rumors abound in the software industry that version 4.2 is just an interim product before SSI Software releases version 5.0 sometime in mid-1987.

Next Month

Next month we'll be reviewing Auto-Cite. This program is actually the Blue book on Disk and is supposedly Harvard's computerized answer to the Blue Book Blues. Also, send any questions about your computer or its software to the Justinian Office by November 1. If we don't know the answer you can be sure we'll find specialists who do.

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On a Budget Area Food Revues

by Lance Gotko

While the cafeteria offers good food at reasonable prices, sometimes one has got to get out of this building—know what I mean? The Justinian, then, offers this highly subjective, abbreviated version of some of the local feed bags. Keeping in mind the budgets and needs of students, price and substance have been emphasized over ambience and fashion. This list should get you started. There's more to come in future issues. Bon appetit.

HERO PALACE

417 Fulton

I love this place, and I'm not alone. But don't let the usually long line dissuade you—the people behind the counter move like a well-oiled machine. Breakfast is cheap, with an egg on a roll and a huge cup of coffee costing around \$1.40. Hot and cold heroes for lunch (on good bread) run \$2.00 and up. Mostly carry-out, though there's a few tables wedged against the wall.

NEW FULTON DELI SALAD GROCERY

348 Fulton

There's another one! and another! And another! Yes, it's the attack of the Korean Vegetable/Fruit/Salad Bar Markets! The good part about these places is (1) they generally have quality victuals and provisions; and (2) they're the result of combined and applied entrepreneurial talent within the Korean community. The bad part is that they're all the same (no, that's not *deja vu* you're experiencing). The multi-itemed salad bar (hot and cold) costs \$2.99/lb. Good place to get fruit salads. They also sell house plants. You know the rest.

LICHEE NUT

162 Montague (no, not the law office next door with the same address)

At lunch the specials are all \$3.75. You simply cannot go wrong at that price. Quarts and quarts of their won ton soup cured me of last winter's cold, so I am eternally indebted to Lichee Nut. Best buy around when your Chinese food jones is acting up (New Yorkers *do* need their more than occasional MSG fix). This place has quite a BLS following.

LAMSTON'S

(Luncheonette and Buffet Salad Bar)

44 Court

Well... it's cheap. The only items over \$3.00 are the Fried Chicken Platter (\$3.75) and the Cheeseburger Platter (\$3.25). The salad bar costs twenty cents an ounce. I once bought underwear here.

HEIGHTS PIZZA

On Clinton off Montague

As we intend to review the area's pizza parlors in a later issue, I have left them out of this compendium. But I'm told that Heights has a good vegetarian pizza by the slice. So, if you're a vegetarian, go veg'.

EVERYTHING YOGURT

Corner of Clinton & Montague

And everything expensive. Without too much trouble lunch can cost nearly \$7.00. A bevy of beauties I know, though, frequent the place and I hear no complaints about quality. The one time I was there I had no gripe—except for the price (a thimble's worth of tortellini salad cost \$3.00). Emblazoned on the awning outside is the last ten years' liet motif: "Quiche 'n Salad." "Nuff said.

BLARNEY ROSE

83 Court

Run don't walk. This place is gen-u-ine Brooklyn—but is not for the faint of heart. Those of you who mind dining among the proletariat need not apply. Irish and American flags preside over the bar where several cases of beer are daily consumed before (gasp!) 11:00 a.m. (you'd be "thirsty" too if you were up by five and working by six). Huge slabs of brisket, corned beef, and roast beef beckon from the steam table. No vinaigrette pasta and avocado salads here. But there are turkey legs, meatloaf, and rice pudding topped with cinnamon. The sandwiches run \$3.00 and are approximately 25-shaved-meat-layers-thick at the middle (get your sandwich on a roll and get there before they run out of 'em). Special to potato lovers: get a side of potatoes (again, get there early).

O'KEEFES

62 Court

Traditional bar fare. Neither the menu nor the prices will surprise you. You get your money's worth. At night they set out free food. You get what you pay for. This place is mandatory for first year students—it's BLS's answer to the Temple: Go after class one day, get ripped, discuss offer and acceptance. Special note to Bloody Mary lovers: ask the heavy set bartender to make you one of his specials. Upon entering class after drinking several of these (at a rather raucous end of the year luncheon) my professor exclaimed that it looked like I had been "ridden all night and put to bed wet." With that recommendation how could you go wrong?

MONTAGUE STREET SALOON

122 Montague

Again, another good eatery (and drinkery!). I recommend the burgers, the mussels, and the Philadelphia steak sandwich (although my friend the Philadelphia lawyer tells me that they are *not* the real article. I like them anyway). Pass on the nachos. Get there early for lunch if you have a class to catch. Happy hour is 4:30-7 p.m.

WOENER'S

151 Remsen

This place has been "Serving Boro Hall since 1939." Its longevity is warranted. The sign outside says "Home Cooking" and means it. The sandwiches are good. The specials are good. The soups are good. Good pickle. We're talking around \$5.00 plus. Special note to potato lovers: get a side of potatoes.

WILLIAM H. VANVLECK, INC.

116 Montague

A veritable orgy-in-progress of delicacies. Cheeses... meats... pickled things. Assemble your repast here, go to the water front, uncork your bottle (don't forget a corkscrew!) and enjoy! The people-watching on the promenade can be more interesting than the panoramic view of lower Manhattan. Tell Norman Mailer I said Hi.

Foreign Lawyers

continued from page 1

than the statutorily mandated 24). Regularly-scheduled sessions with BLS's resident writing specialist, Dr. Elizabeth Fajans, are mandatory. To prepare the students to begin their studies, an intensive eighteen hour seminar on the American legal system is held shortly before the school year. Additionally, a network of faculty advisors and student counselors; cross-cultural experiences; tours of the local courts; and international student events all serve to help these foreign students feel at home in their new home.

BLS has had a long tradition of helping foreign lawyers gain admittance to the New York State Bar. During the 1930's and 1940's, the law school assisted foreign lawyers who sought these shores as a refuge from Fascist regimes in Europe. Dean Trager sees the current program as a revival of that tradition.

COMMUNITY COMMITMENT

Emphasizing that the Foreign Trained Lawyers Program is one more facet in

However in the Fall of 1983, Professor Holzer approached Dean Trager with an idea: a curriculum more suited to the needs of the foreign-educated lawyer; intensive academic counseling in tandem with tutorial assistance; overlaid with rigorous admission standards. That idea turned out to be the genesis of the present program.

Dean Trager approved of the concept and appointed Professor Holzer to manage the project. Ever since then, the program has flourished under the direction of Professor Holzer with the avid support of Dean Trager.

ADDED FACET

Although these foreign lawyers receive the benefit of an American legal education, and leave here with the ability to take the bar, what they *bring* to BLS is more important. The Program's stringent admission requirements, coupled with the fact that BLS is one of only a handful of law schools which offer such a program, ensure that the enrollees are all of a high



ADJUSTING to strange Americans and their customs, future ABA-licensed attorneys from around the globe converge on BLS's third floor lounge.

BLS's dedication to the community, Dean Trager points to New York as a city's legal life (e.g. BLS alumnus Robert Kaufman, President of the City Bar Association). The Dean is pleased that the Program allows the law school to reach out to the city's ever-changing minority community while giving an opportunity to persons more grateful and appreciative than the average American law student.

Dean Haverstick stated that the law school began admitting foreign lawyer/students again in 1980. Because there was no formal program then, the students were on their own in a "swim or sink" situation.

"There were no special courses of study tailored to meet their unique needs," observed Haverstick. "There was no special support system to help guide and encourage them as they tried, in a second language, to learn the fundamentals of a legal system new to them."

caliber of ability and personal drive.

Their credentials are astounding. Personal drive is no small requirement to admission in the Program — these students *have* the drive and *use* it. States Professor Holzer, "I believe that what they are doing represents a substantial commitment on their part — not only financially, but personally and spiritually as well. These people are already lawyers. Yet, in order to make something of themselves in this country, they are willing to start all over — square one — and go back to school among students who, for the most part, are several years their junior."

Although the road is rough for these students, they are happy to be here and are extremely interested in this strange new animal called the common law. As one student commented, "It's difficult, very hard. But this is the best thing that's happened to me in years. I mean it."



ARTS & ENTERTAINMENT

Brooklyn Museum Exhibitions

The Brooklyn Museum, a borough treasure, is located at 200 Eastern Parkway in Brooklyn. It is an astoundingly wonderful place to momentarily forget "The Law." Easily accessible from the law school by way of the 2 or 3 train to Grand Army Plaza, the Museum's hours are: Mondays, Wednesday, Thursdays, Fridays 10-5; Saturdays 11-6, Sundays 1-6, Holidays 1-5. Closed Tuesdays. For more information: (718) 638-5000. Go, enjoy.

THE ALEX HILLMAN FAMILY FOUNDATION COLLECTION; FRENCH ART OF THE 19TH AND 20TH CENTURIES: Extended through December 1988
HIROSHIGE'S ONE HUNDRED FAMOUS VIEWS OF EDO: AUTUMN: September 17-November 3, 1986
MONUMENTAL DRAWING; WORKS BY 22 CONTEMPORARY AMERICANS: September 19-November 10, 1986
AMERICAN WORKS ON PAPER, 1918-1941: September 19-December 1, 1986
THE MACHINE AGE IN AMERICA, 1918-1941: October 17, 1986-February 16, 1987
MAGIC IN MINIATURE; ANCIENT EGYPTIAN SCARABS, SEALS AND AMULETS: November 7, 1986-June 29, 1987
THE ADVENT OF MODERNISM; POST-IMPRESSIONISM AND NORTH AMERICAN ART 1900-1918: November 26, 1986-January 19, 1987
THE AMERICAN EYE FOR STYLE: December 10, 1986-June 29, 1987
CLEVE GRAY: WORKS ON PAPER: December 15, 1986-February 23, 1987
CURATOR'S CHOICE: PEARLS AMONG THE GOLD, RUSSIAN WOMEN'S FESTIVE DRESS: March-June 1987
THE COLLECTOR'S EYE: THE ERICKSON COLLECTION: March-May 1987
DONNA DENNIS GRAND LOBBY INSTALLATION: March 18-June 15, 1987
MARY FRANK: PERSEPHONE STUDIES: End of March-mid-May 1987
BEVERLY PEPPER: SCULPTURE: June 5-August 24, 1987
WORKING IN BROOKLYN/PAINTING: June 12-September 7, 1987

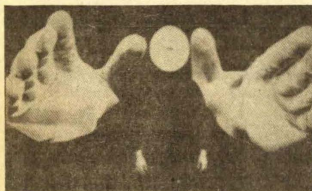
Mummenschanz Returns

MUMMENSCHANZ, the world renowned Swiss pantomime troupe, has returned to Broadway with an all new version of their magical mystical entertainment. When you need an escape from law school compression, this show just might be your ticket to fantasy.

MUMMENSCHANZ, which means "game of chance," is one of the most imaginative artistic collaborations in contemporary theatre. Its original creators Andres Bossard,

Florianna Frassetto and Bernie Schurch are celebrating their 15th year of extraordinary, acclaimed performances in which they present an amazing array of geometric shapes, plastic people and abstract forms that can envelop the stage.

MUMMENSCHANZ, is playing at the Helen Hayes Theatre, 240 West 44th Street. Performances are on Wednesday through Sunday. For Information call 944-9450 or CHARGIT at 944-9450.



MUMMENSCHANZ IS A FANTASTIC FLIGHT of fantasy and temporary freedom from the law school grind. Playing now at the Helen Hayes Theatre in Manhattan, performances run Wednesday through Sunday.

Monumental Drawings

The works of 22 contemporary American artists who use drawing as a primary medium will be featured in the Brooklyn Museum's second national drawing exhibition which opened September 19. *Monumental Drawing: Works by 22 Contemporary Americans*, an exhibition of approximately 65 large-scale works by both well-known and up-and-coming artists, will remain on view through November 10, 1986.

The drawings, conceived and executed as independent pieces, range in date from 1980 to 1986. While employing a variety of techniques and subject matter, they all use the large-scale format as one of their essential properties.

In addition to revealing a multiplicity of expressions and styles which reflect in large part the diversity of contemporary art today, *Monumental Drawing* also illustrates how the increasing popularity of drawing has influenced the physical and intellectual scale of recent works on paper. Since World War II, drawing has undergone changes that have been even more dramatic than those affecting painting and



GIGANTIC DRAWINGS like this are on view at the Brooklyn Museum through November tenth. Go there for the great escape.

sculpture. Once used primarily for preliminary sketches for works in other media, drawing has over the last few decades become a medium for independent, fully realized works that freely integrate properties historically associated with painting and sculpture.

The exhibition has been organized by Charlotta Kotik, Curator of Contemporary Art at the Brooklyn Museum. It has been made possible in part by the National Endowment for the Arts, a federal agency, and the New York State Council on the Arts.

Arsenic and Old Lace Packs the House

by Judith A. Norrish

Critics and theater-goers alike have been lamenting the scarcity of superb Broadway offerings. What a delight to discover "ARSENIC AND OLD LACE" at the 46th Street Theater. Although it is a revival of the original 1941 Broadway production, this comedy is fresh and charming, and (best of all) distinct from the 1944 movie classic of the same name.

The story takes place in Brooklyn. Jean Stapleton (a/k/a Edith Bunker) and Pol. Holliday are the innocent, Victorian Brewster sisters who spend their days tending to sick friends with homemade soup, serving homemade jam to distinguished callers, and breaking out their own brew of elderberry wine for lonely elderly men. Watch out for the elderberry wine, which is liberally spiked with arsenic and cyanide. The God-fearing Brewster sisters have claimed twelve victims of mercy-replete with funerals and hymns appropriate to each victim's religious persuasion.

The Brewster family also includes three nephews. Teddy, played by Michael John McGann, believes he is Teddy Roosevelt, and charges an imaginary San Juan Hill several times during the evening. Abe Vigoda plays Jonathan, a recent escapee from an asylum, who sports his latest facial surgery à la Boris Karloff. Mortimer, with Tony Roberts in this starring role, is a relatively sane theater critic.

Dr. Einstein, Jonathan's scalpel-wielding sidekick was wonderfully executed (no pun intended) by William Hickey. In any live production, there are always unpredictable rough spots, and Mr. Hickey, with wit and craftsmanship, carried these moments beautifully.

Marjorie Bradley Kellogg's authentic setting was lovely to behold. The expert lighting was by Pat Collins, and Brian



WHERE IS WOODY ALLEN when you need him, asks Tony Roberts as his fellow actors prepare to do evil deeds we law students wish only on the bursar

Murray directed. The opus, by Joseph Kesselring, was reworked for the 1941 production. In its present form "Arsenic and Old Lace" is humorous, biting satirical, and timely. See it for the laughs, for the staging and lighting, and for the T.V. stars . . . but watch out for the elderberry wine!

On the subject of Lace, Lace Productions, a non-profit women's theater group, has announced its Children's Theater schedule. The program, executed by Francine Mancini and Jessica Wilde, includes "THE GREAT PUMPKIN CONTEST," a play for children ages three to ten. It features a talking pumpkin and an assortment of witches of the wicked and good varieties. It will be staged at the Clam Broth House, near the PATH station in Hoboken, New Jersey. Performances will be Saturday and Sunday, October 25th, and 26th, and November 1st, and 2nd, at two-thirty p.m. Admission to each performance is three dollars; for five dollars, a kiddie lunch, served at one p.m. is included. For information, call: (201) 792-6761 or (212) 496-0251.

Piano Recital Series at Hebrew Arts School

Internationally acclaimed pianist Grant Johannesen will perform a three recital series devoted to works by 2 great Romantic composers of the German and French schools: Robert Schumann and Gabriel Faure. The recitals, which will be a presentation of the Hebrew Arts School, will be in the Merkin Concert Hall on three Wednesday evenings, October 29th, December 3rd, and January 28, 1987; performances will be at 8 PM.

Joining Mr. Johannesen for the October 29th recital will be the celebrated French pianist Gaby Casadesu who will make a rare appearance performing the *Suite for Piano Four Hands, Op. 56* (the "Dolly") by Faure.

Tickets for the entire series are \$24; single tickets are \$10; students and senior citizens are \$6, and TDF vouchers will be accepted. For tickets and further information, call the box office of Merkin Concert Hall at (212) 362-8719. This series is one of nine to be presented by the Hebrew Arts School during the 1986-87 season.

Known for his expansive and eclectic repertoire, Grant Johannesen has played with most of the important conductors of our time, including Solti, Maazel,

Leinsdorf, Ozawa, Kubelik, Steinberg and Szell. He made his New York orchestral debut under the baton of George Szell with the New York Philharmonic. The collaboration of Szell and Johannesen marked the beginning of a long and distinguished affiliation.

The catalog of Mr. Johannesen's recordings reveals the wide range of his musicianship. He has recorded works by Bach, Mozart, Beethoven, Schubert, Chopin and Schumann and displayed a special affinity for the French repertoire — he was the first artist to record the complete piano works of Faure — and is a staunch advocate of the works of American composers as well.

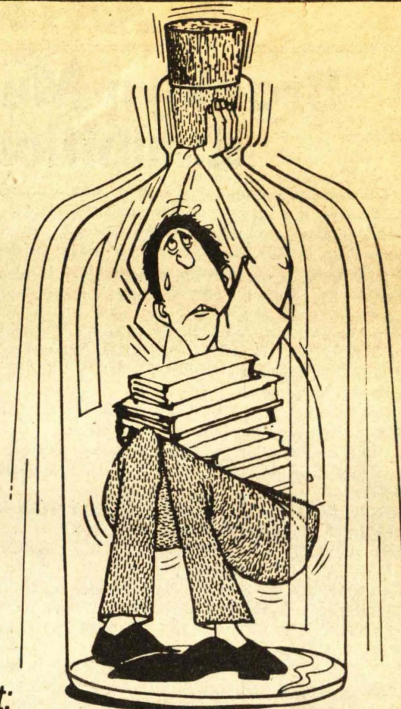
For his dedication to the French piano repertoire, the French government recently honored Mr. Johannesen by nominating him to the rank of Chevalier des Arts et Lettres.

For the December 3rd concert the assisting artists will be the violinist Ani Kavafian and the cellist Timothy Eddy in a performance of the *Trio, Op. 120* by Faure; the January 28th concert will have the American soprano Kaaren Krickson in a performance of Faure's *La Chanson d'Eve*.

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