

The Justinian

Volume 1994
Issue 2 *May*

Article 1

1994

The Justinian

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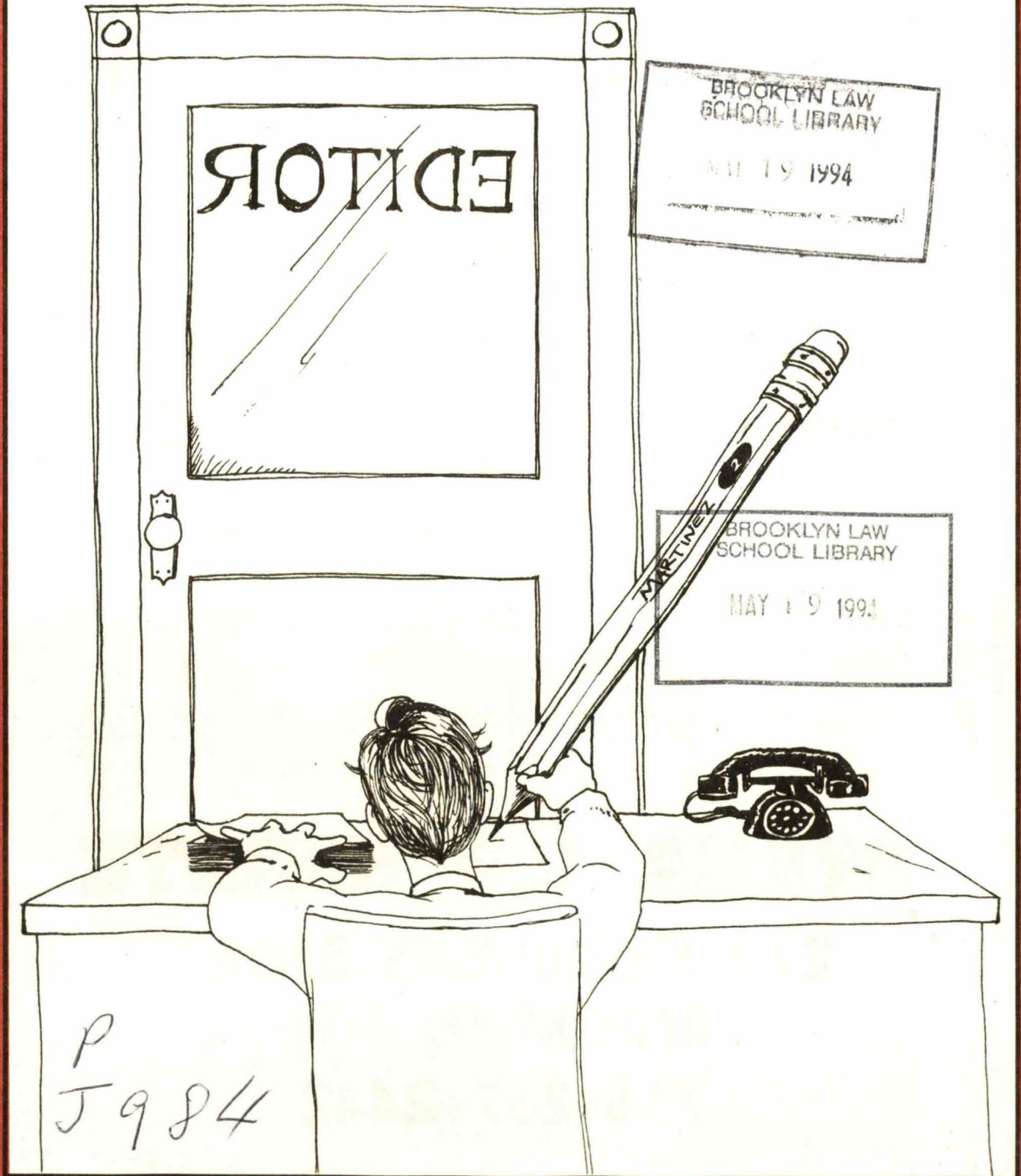
(1994) "The Justinian," *The Justinian*: Vol. 1994 : Iss. 2 , Article 1.
Available at: <https://brooklynworks.brooklaw.edu/justinian/vol1994/iss2/1>

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The Justinian

Founded in 1931 • A Forum for the Brooklyn Law School Community

May 1994 • Volume 63 • Number 4



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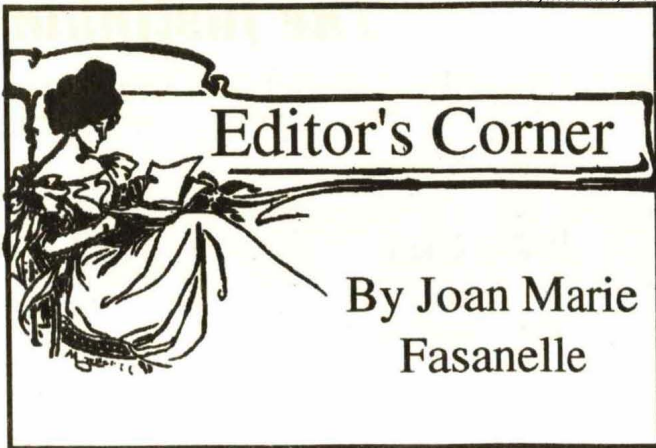
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The Justinian is generally published two-three times a semester. Advertising inquiries may be directed to Nell J. Uy at (718) 780 - 7986. The Justinian is funded by the Brooklyn Law School Student Bar Association and through advertising revenues.

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eralizations expressed by Mr. Goldfarb concerning the personal views of *The Justinian* editorial staff.

I, along with Mr. Goldfarb, recognize and realize that anti-Semitism is "out there," alive and well. And though I may not feel its effects personally, that does not mean that it does not trouble me. Mr. Goldfarb is not the only enlightened individual in the BLS community, nor does he have a monopoly on discriminating and hateful life experiences. Mr. Goldfarb may not know me personally, but those who do I am confident would attest to the fact that I abhor individuals who single others out, discriminate against, or fear and hate others simply because of their race, ethnic background, religion, or sexual identity. I myself have submitted articles to **this very paper** addressing these very issues. As a member of the staff Mr. Goldfarb addressed, I am offended and incensed at his accusation that his article was edited or changed because its content did not agree with the personal views of the staff. To be precise, Mr. Goldfarb stated: "My words were removed and replaced by the editor(s) because those doing the editing knew precisely what I was talking about, and the thought of others reading my description and coming to the same conclusion made them even more uncomfortable than they already felt."

Mr. Goldfarb, you could not be more far off the mark if you tried. I have never been, nor am I afraid of "rocking the boat." Moreover, I have never met my writing or editorial responsibilities at *The Justinian* with the sense that difficult or disturbing issues and realities were better left untouched by *The Justinian*. *The Justinian* is a forum for free speech, not an organization espousing selective viewpoints. Any article, on any topic or viewpoint, submitted to this staff for publication, has never been denied access or edited to portray **any viewpoint besides that of the author**.

In addition, through my years at BLS I have become more attuned and sensitive to the many obstacles met daily by Jewish people. I have become more aware of these problems through the efforts of organizations such as JLSA and through the strong and lasting friendships I have developed with individuals I met at BLS, who happen to be

This being my last *Editor's Corner*, I had planned a very different agenda for it (something congratulating my fellow third years, an opportunity to say goodbye and thank you to all the wonderful people at BLS I leave behind, and to wish the best of luck - because they will **need it** - to next year's *Justinian* staff). However, because of some recent events there are more distressing issues I would like to address.

First, I would like to respond to Mr. Goldfarb's article, "Reality Check." I must inform Mr. Goldfarb that I am all too aware of what "the space between the covers of *The Justinian* was designed for." I have been an active member of *The Justinian* for over two years and I am familiar with what the intended purpose of *The Justinian* is - it is and has always been a forum for the BLS community, students and faculty alike. This year's staff, along with those in the past, has always recognized this purpose and has had the highest respect for and the utmost concern for promoting "free speech." I can only speak for myself and the current staff, when I say that we have never used *The Justinian* as a forum to "insert" our own personal opinions "into what other people have written." Rather, as editors, we have each made editorial determinations which have reflected our desire to have an article meet a certain objective literary standard. I can not speak specifically to the editing of Mr. Goldfarb's article, since I did not make the editorial determinations concerning it. I will leave those determinations to be addressed by my colleagues (in later article(s) in this issue), however, I would like to address the **broad**, accusatory gen-

Jewish. *The Justinian* welcomes articles such as Mr. Goldfarb's and recognizes the importance of using *The Justinian* as the forum to address such issues and reach the BLS community. Furthermore, this will remain the commitment of next year's staff.

Secondly, and moving to a different topic, I would like to discuss an issue I have tried to refrain from publicly addressing over this past school year, but can no longer ignore. It has been the **undying and relentless** mission of Mr. Adam Stillman to keep all and **any** problems surrounding *The Justinian* at the forefront of everyone's attention here at BLS. I have refrained from addressing this issue publicly primarily for two reasons. First, I did not want to make excuses for recognized weaknesses in production of *The Justinian* (some partly my own fault). Second, and perhaps more importantly, because there was much more underlying this tension between Mr. Stillman and *The Justinian* than anyone was aware of, and I felt it was better left that way. I do not mean to ignore Mr. Stillman's accomplishments concerning *The SBA Docket*. *The Docket* has been a wonderful source of information for the BLS community. And *The Justinian* has never recognized it as a rival - or to refer more specifically to Mr. Stillman's comments in the last *Docket*, as a type of replacement or "de facto paper." (The "more" publications at an academic institution the "merrier"). But what I can not understand or commend Mr. Stillman for is the fact that he obsessed over pointing out every weakness he perceived *The Justinian* had and continued to single it out in almost all of the eight issues of *The Docket*. Nell Uy, the Editor-in-Chief of *The Justinian*, addressed many of Mr. Stillman's concerns and offered explanations, but that was not enough. Mr. Stillman still could not let it go, he continued to press on with his campaign. All of the time, effort, and creative energy he expended could have been channeled into solving the many problems he perceived.

Though Mr. Stillman recognized that there was a problem with student apathy, he recommended that *The Justinian* should have "acted to remove it" or tried to "motivate others to contribute." *The Justinian* did try this approach, we made

changes with the staff and recruited new members who were interested in writing for the paper and becoming involved with its publication. Mr. Stillman may have felt this effort was too late, but we were hoping that the editors chosen last year would have taken a more hands-on approach as the year progressed. Furthermore, a staff member who had contributed a great deal in the past decided to abandon his responsibilities. Moreover, whenever any issue was to be published, notices were posted asking for contributions. And contrary to Mr. Stillman's assertions, the notices were as visible and numerous as any other student organization's posted notices. The response to these notices was dismal, but we tried to put together issues with the material we had (because if we did not publish we heard the criticism that not enough issues were being printed, we were damned if we did and damned if we didn't). I personally have submitted an article to all but one issue of *The Justinian* over the past two years I have been involved with it. Everyone may not have always liked or appreciated what I wrote about, but I always chose issues or concerns which were relevant to the BLS community or the legal community at large.

Mr. Stillman stated in the last *Docket* that even when he had a shortage of contributions, "he never had any problem finding issues on which he wanted to express his opinion." In response to this statement, that is exactly what *The Justinian* did; there was always an article or letter by one or more of the editors in each issue. Moreover, if Mr. Stillman had so many issues he wanted to express an opinion on, his creative ideas would have been more than welcomed at *The Justinian*. He could have been a regular contributor or staff writer, but other than some editorials which he submitted, he never expressed such an interest. This brings me to my next point.

I am well aware of why Mr. Stillman did not want to write for *The Justinian*, and in my opinion it had nothing to do with the decisions or actions of this year's staff. I believe the Mr. Stillman could not accept the decisions last year's *Justinian* staff made concerning this year's staff. In hindsight I recognize that those decisions may not all have been the wisest or made with the best

intentions, but they **were made**. This year's staff should not have been made to suffer for the "sins of the past staff." Mr. Stillman could not let any of this go. This is most clearly evinced by his decision to write this year about his distaste for last year's staff publication of *The Unjustinian*, a publication which was the work of just one member of last year's staff, and which in no part was the work of **any member** of this year's staff. It is further evinced by his need to list "last Year's Justinian" in his last *Docket* article entitled "The Year in Conclusion". The article **focuses on this year's conclusion**, yet he felt the need to refer to **last year's Justinian** and the fact that they were, in his estimation, "so bad." I wish that Mr. Stillman could have let this animosity remain where it belonged, in the past. Instead, Mr. Stillman could have worked with, not against, this year's staff, in solving some problems. However, there is much to be learned

from Mr. Stillman's criticism and I hope it will aid next year's *Justinian* staff in their endeavor.

Well, on this note, maybe I should turn to less troubling issues. I would like to take this opportunity to say thank you to Nell. You have been a great partner and source of comfort through difficult times. I would like to say this has been an overall wonderful experience, but that would be less than truthful. It has been a learning experience though, and in that way I have benefitted greatly. I do wish the best of luck to next year's staff. They are a great bunch of people and they deserve the BLS community's cooperation and support. I hope next year sees "brighter" days for *The Justinian*; I am hopeful it will. Good Luck and Congratulations to the graduating class of 1994 and thank you to all the members of the BLS faculty and administration who have helped us reach this point.

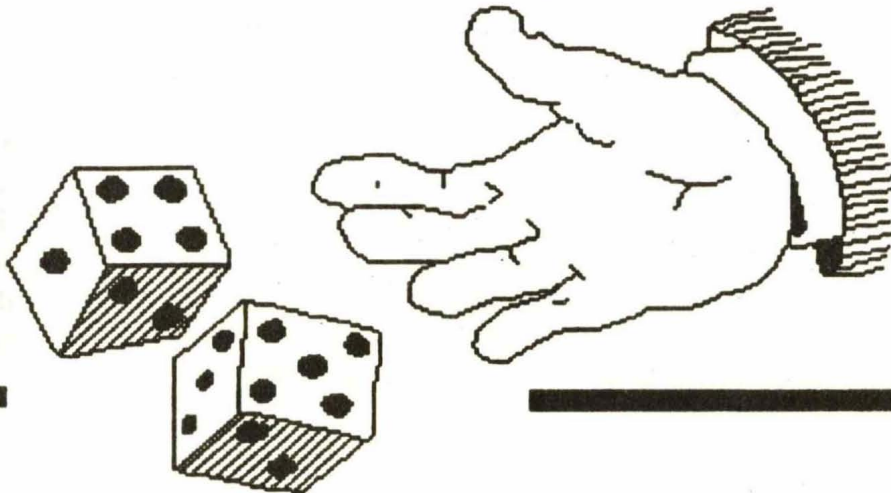


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Reality Check

By
Jason Goldfarb

Please note that this article has been printed in its original un-edited form.

Some things are apparently too hot to handle.

In the last issue of this newspaper, I chose to tackle a subject that most people would sooner disregard than face up to. Without my knowledge or my permission, some of my words were selectively edited out, and others were re-arranged and re-written, leaving words that I can not, and will not, take credit for. Undoubtedly, I struck a very sensitive nerve in a very big way. I am almost glad things worked out this way because I no longer have to tell you that Anti-Semitism is always out there and usually just underneath the surface.

I don't for a moment accuse any of the editorial staff of this newspaper for engaging in such behavior. I give them the benefit of the doubt that what was done, was done innocently and in the interest of saving precious space and time. But why multiple pictures of Springfest, and copies of student group budgets that have been in effect since the beginning of the school year, were given more billing is a question that begs an obvious answer. My gut instinct tells me those responsible for this gross violation were too afraid to rock the boat, too afraid of upsetting "politically correct" sensibilities, and most of all probably afraid of upsetting themselves. Apparently, they were not afraid of upsetting any one else. What seems even stranger to me is that in previous issues, the Justinian has not been averse to dealing with subjects that were bound to stir up controversy, nor has it been afraid to publish some constructive self criticism. Why on this subject they chose to deviate from that legally responsible path only serves to prove another point I had hoped to make clear. Anti-Semitism is a subject that most people would like to ignore and to pretend does not exist. It is now just as clear to me that many people would just as easily prefer to ignore where Anti-Semitism often comes from.

On the other hand, I must give credit where it is due. Besides a quick response to my immediate protests and an apology from some of the staff members, the vast majority of what I wrote was left as intact and untouched as it should have been. However, whether the Justinian will publicly apologize to me and to the student body for this inexcusable violation of our right to free speech

still remains to be seen. I hope that the Justinian will choose to use this opportunity to apologize to all of us because it would go a long way toward restoring their reputation and credibility. You should also be aware, that if there is any response from the Justinian within these pages they will have had an opportunity to read what I have written here way before they probably began to formulate a response of their own, which is similar to letting your adversarial opponent know all of your arguments ahead of time. If that is to be an unavoidable characteristic of this publication, so be it. I am still looking forward to what they have to publicly say for themselves.

I suppose that a thank you is also in order on my part due to the fact that for this issue the editors have allowed this piece to be published unscathed, but I will not do that. I don't want to seem ungrateful, it's just that this is what the Justinian should be doing anyway. I should also note that I have been assured that if any content changes have to be made to Justinian articles in the future, a better effort will be made to reach the necessary parties to discuss any alterations. Although I commend the editors for their promise of a better effort in this regard, a better effort is simply not enough. There shouldn't be any content changes unless those changes are absolutely necessary **and** done with the express permission of the author. The responsible, mature, professional, and legal way to respond to something written in a newspaper that you do not approve of, is by way of a written response in your own newspaper. That is what the space between the covers of the Justinian was designed for. The Justinian was not designed so the staff could insert their own personal opinions and/or words into what other people have written.

When I was in college I edited and ran a newspaper, and I can certainly sympathize with the pressure editors face as a deadline approaches. However, we never, ever edited the content of an article without first speaking to the author, no matter how pressed we were for "time". We knew that playing around with an authors' First Amendment rights would be a mistake we could not afford to make, and the Justinian cannot afford to make a

“mistake” of the magnitude that occurred here either. Why? Besides the fact that it’s illegal, if you go back to the slippery slope argument you first heard about in your Legal Process class you’ll get the idea. If the Justinian does not correct this problem right now it will be in for a rude awakening. If the First Amendment rights of those who take the time and effort to contribute toward this paper are not carefully guarded, no one will bother to submit anything. It doesn’t take a genius to figure out what can happen to a newspaper when it no longer has anything of substance between its covers.

Simply from reading prior issues of this paper it is clear that the Justinian has allowed students at Brooklyn Law School to have a forum where free speech is religiously upheld. However, it is obvious to me now, after reading my edited article and speaking to the Justinian staff, that I was not extended the same courtesy, due to the simple fact that without my knowledge some of my words were intentionally devoured by the delete key and replaced with others. And that is truly a shame. Not only because I wanted people to read what I wrote, but because we are expected to be zealous in ensuring that we practice what we preach here in this legal institution. Free speech is not something that we only deal with within the confines of a classroom. Free speech is one of those little things that truly separates this country from the rest of the world, and what should distinguish a law school from other places of higher education. Unless we truly practice what we learn here, even when people say things that make us feel uncomfortable, we are bound to find ourselves living in a vacuum void of free expression and thought, besides the fact that we would be behaving like a bunch hypocrites. Free speech is an area which we must traverse with the utmost of care, because even simple abuses and “unintentional mistakes,” no matter how minor they may seem, can result in a violation of our basic Constitutional right to freedom of speech.

Every single person can probably come up with more than a few examples of things they have read and heard that make them feel uneasy, and it’s only human to selectively pay attention to those things we like to hear and to try to filter out the rest. The problem arises when we actively try to control what everyone else is exposed to based upon our own opinions and beliefs.

My article was not edited due to the fact that it did not meet the editorial standards of the Justinian. Rather, in my opinion, it was edited because some of the content did not meet the editorial standards and personal views of those doing the editing. If what I wrote made the editors so uncomfortable, I can rest easy knowing that had it been

printed properly in the first place, everyone else reading it would have probably had a similar reaction.

The two and half short paragraphs that met their fate with the delete key have forever lost their intended effect now that the rest of the article has been printed. Although damage has clearly been done for giving me credit for something which I did not write, greater damage has been done to our concept of free speech. However, the editors of my article did me a bigger favor than they could have possibly imagined. By deleting and re-writing what they did, they proved a significant point in way far superior than I could have hoped to accomplish myself. The realities of Anti-Semitism make people extremely uncomfortable.

Since by now you should be sufficiently curious as to what was *so terribly controversial* that necessitated this selective editing process, I will be more than glad to share it with you. I never wrote the third paragraph and the beginning of the fourth paragraph as they appeared in my article in the April 1994 issue of the Justinian, and the following is what was submitted, should have been printed, and what you should have read: “We were going to be spending the weekend in a hotel, and decided that the vast quantities of food that we would be served over the weekend would simply not be enough to satisfy our young adolescent stomachs. A stop off at a local supermarket to procure some *real food* was definitely in order. One of my classmates who lived in the neighborhood pointed us in the proper direction, and then disappeared to take care of some errands for his family.

Even to this day I am always awed at the sight of such massive structures, and for the most part, our own do not compare in size or ostentation. This particular brick and stained glass edifice was no exception. Normally, we would have passed by such a place without giving it much of a second thought, but this time we weren’t so sure. School dismissal time was rowdy enough from our own experiences, and this place appeared to be quite typical. A short debate ensued over the merits of walking in this particular direction, but we did not know our way around the neighborhood and none of us wanted to get lost. We proceeded onward, hoping, *praying*, we could pass by like the proverbial needle in haystack.

We were simply too easy to spot, and by sheer numbers we didn’t stand a chance. A mob soon began to follow us...”

If you don’t get it by now, the offending institution and the apparently offending description was of a private Catholic school, and maybe that should help to explain things. We were not

"quickly noticed by the locals," because we were wearing our yarmulkes. That was the editor's own naive and probably self hating interpretation. We were hunted down because we were Jewish, and the mob chasing us was a mob of teenage school kids that had just been dismissed from that private Catholic school.

The way my article was rewritten demonstrates clearly that not only were the editors afraid of facing up to reality, they also knew exactly what I was talking about. Whoever made those changes also missed an important point which I believe was made very clear. Anti-semites do not care whether a Jew is religious or assimilated. They only care that you are a Jew. Get one thing straight. Contrary to what *the editor* wrote, that attack had nothing to do with the fact that we were proudly wearing yarmulkes on our heads. It had everything to do with the fact that we were Jewish. If you still can not appreciate that subtlety, not only do I suggest you re-read what I wrote, you can also rest uneasily knowing that you have lots of similarly misguided and delusional company.

There is another thing which I want to make absolutely clear so that there is no misunderstanding or confusion regarding this particular piece of information. While it is unfair, unreasonable, and unintelligent, to make gross generalizations about different groups of racial, religious, and ethnic people, by no means do I purport to make any scathing generalizations about members of the Catholic faith. I know too many good Catholics, some of whom I consider to be good friends, to ever do anything of the sort. It's just that it's important for people to realize that there are good and bad apples in every bunch, and in this episode of my life I ran into a very bad bunch of apples. If anyone has been offended by facing up to the fact that every group of people has its rotten apples, then it's about time you woke up and I make no apologies for this wake up call either.

Out of respect to the Justinian editorial staff I will take the argument that these two short paragraphs were left out simply due to "time constraints and a lack of clarity" at face value. They were apparently fearful, that you as a reader, would be so utterly confused that you would not understand what I was talking about, and as result the "confusing" words, or rather paragraphs, were simply removed and replaced with others. That was not, and should not, ever be a judgement for the editors of this publication to make.

My guess is that the editors read the entire article from beginning to end, as editors should always do before making any changes, and by the time they were a little more than halfway through, they realized exactly what I had gotten them into.

I probably surprised them and caught them off guard in the same way as I had hoped to do with the rest of you. If you were perceptive enough, there were plenty of hints thrown in until the halfway point to give you a good idea of where I was heading. But my article was not primarily written for those who would have been able to figure things out before getting through the first two paragraphs. It was written for those of you who had probably never seen the handwriting on the wall. The "lack of clarity" in that respect, and my decision not to tell you outright that we were passing by a private Catholic school, or that you were reading about Jews and Anti-Semitism, was purely intentional. At that point in my article I also wanted you to understand that baseless, unprovoked hatred can come from anywhere, and that it doesn't always go after who you would normally believe to be conspicuous targets. I wanted you to come to those conclusions on your own, but the editors did not think you would be capable of such intellectual gymnastics. I am truly disturbed by the fact that by selectively eliminating and re-writing my words, the editors were able to insert their own biased opinion(s) into what I had painstakingly written. I am confident that what I wrote was anything but confusing. Perhaps my words were a little cryptic, but they were certainly not confusing enough to warrant removal and replacement without my consent.

Have any of your professors ever removed or failed to cover a judicial opinion or statute from a casebook because they thought you did not have the intelligence to understand it? Of course not. They give you the benefit of the doubt. In fact, your professors go a step further, and expect you to understand those things simply because you've demonstrated your ability to think and analyze by nature of the fact that you've made it to law school. To be a truly successful publication, the Justinian ought to have similar expectations of its readers.

I must admit that I did not want you to figure out what you were reading until it was too late. Although it was a somewhat underhanded action on my part, I felt it was the only way to force people into reading something they would otherwise ignore, and if anyone feels they got duped in that regard I apologize. However, when one considers the subject matter and particularly what was deleted and changed, completely leaving aside the issue of the First Amendment violation, it simply looks...scandalous, and no matter what the Justinian staff may say to defend themselves, there is, quite bluntly, no excuse for their behavior. Of course, the rest of you are more than free to draw your own conclusions.

Despite arguments to the contrary, even

with some of the other non-essential material that graced the pages of the April issue, there was more than enough room on those three pages to print the article in its entirety and the way in which I intended it to be written. The rest of my article was untouched, even down to some obvious typographical errors which should have, and would have been corrected, had it actually been "edited." I personally find it hard to believe that the editing that was done was necessary because the staff was out of time. The Justinian has "a policy of not changing the content of articles submitted for publication" to start with, I handed the article in on time, and it isn't terribly difficult to grab a document off a computer disk and to place it into the Justinian's format.

As far as I am concerned, those paragraphs were not removed because they were confusing and unclear, or because the Justinian was under

et al.: The Justinian

pressure to meet their deadline. My words were removed and replaced by the editor(s) because those doing the editing knew precisely what I was talking about, and the thought of others reading my description and coming to the same conclusion made them even more uncomfortable than they already felt. The only lack of clarity that the editors came across when reading those eliminated paragraphs was the confusion they felt from their own sense of shame, fear, and ignorance. You should not kid yourselves into thinking otherwise, and you should never let other people control your thoughts and what you read from this "free speech" publication that belongs to the entire student body of Brooklyn Law School.

(Please note that a separate article by Mr. Goldfarb on an unrelated topic appears later in this issue.)

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The Unmitigated Gall

By

John A. Baxter

The following is a response to Jason Goldfarb's typically long-winded and petulant assault on the integrity and motives of *The Justinian* editors who worked on his article. Please bear in mind that any levity of tone in no way reflects on the seriousness with which our entire staff regards Mr. Goldfarb's experiences and anti-Semitism in general.

Instead of accepting our apologies and our explanation of what happened and devoting the space we offered him in this issue to retelling his story, Mr. Goldfarb has very childishly tried to create a raging First Amendment crisis where none exists. He is apparently convinced that his clever, tactical approach to editorializing ("I must admit that I did not want you to figure out what you were reading until it was too late.") is not the problem here, but rather that the material struck a vaguely fascistic nerve somewhere deep in the psyches of two—count 'em, two—editors, who proceeded to suppress the sensitive information contained therein. Well, Jason, here's the reality check: Your little stylistic experiment backfired. The good news is you may have a future in surrealist poetry.

Truth compels me—and the First Amendment permits me—to state unequivocally that "Drive-By-Bravado" was and remains an editor's nightmare. Were it not for its important subject matter and, frankly, the scarcity of submissions in any form, the piece would certainly have been either rejected outright or returned to its author for a major overhaul. However, we decided to print it with a few last-minute revisions that were intended to render a confused piece of writing a little less so. Consider, for example, that Mr. Goldfarb's roundabout description of a swastika as "an infamous hate symbol" was actually edited down from the even more roundabout "an infamous piece of

European art work"—I mean, he might just as easily have been discussing Manet's "Olympia."

As it is, even the edited version is replete with glaring errors of construction that bear witness to the hopeless challenge that confronted the editors (e.g., "Except for the one little detail that they failed to overlook," "Anti-Semitism happens to people you know and can just as easily happen itself upon you without any warning," etc.).

I now refer the reader to the second paragraph of Mr. Goldfarb's follow-up piece in which he demonstrates with no editorial assistance why he ought to hire a ghostwriter for any future forays up the slippery slope of self-expression. With uncharacteristic magnanimity, Mr. Goldfarb declares, "I give them the benefit of the doubt that what was done, was done innocently and in the interest of saving precious time and space." Then, after indulging in a brief fantasia on what he would or would not select for publication were *he* an editor of *The Justinian*, he goes on to opine, in the same paragraph, that, "...those responsible for this gross violation were too afraid to rock the boat, too afraid of upsetting 'politically correct' sensibilities, and most of all probably afraid of upsetting themselves." Well, make up your mind, Jason, was it "done innocently" to save space (never our contention) or was it done to avoid "upsetting 'politically correct' sensibilities?"

Moving down the page, it becomes apparent that Mr. Goldfarb fancies himself at the head of an indignant mob of outraged students, ready to lay siege to *The Justinian* office and demand a public apology. As it turns out, I have heard nothing from our readership on the subject but complaints about the confusion engendered by Mr. Goldfarb's writing style. Furthermore, *The Justinian* categorically denies any wrongdoing and, hence, no apologies to Mr. Goldfarb (other

than the ones he originally received as a courtesy) or to his imagined legions of sympathizers will be forthcoming.

Next, we come to a paragraph in which Mr. Goldfarb instructs us, with all the nebulosity of expression he can muster, that "The responsible, mature, professional, and legal way to respond to something written in a newspaper that you do not approve of, is by way of a written response in your own newspaper." To begin with, the only thing we didn't "approve of" in Mr. Goldfarb's article was its sloppy construction. Secondly, no laws were ever remotely in danger of being broken by us in editing the piece—careful, now, Jason. Finally, though it is technically inappropriate to talk of professionalism in the context of a not-for-profit, student publication, I can only say that if Mr. Goldfarb had the slightest idea of what goes on in the "professional" publishing world, he would know that many thousands of more salvageable articles than his own are tossed mercilessly in the garbage every day.

Skiping reluctantly over Mr. Goldfarb's astonishing revelation that he edited and ran a college newspaper, we come to the paragraph in which the author very thoughtfully reprints in its entirety the passage at issue as it was originally submitted to us. The crux of Mr. Goldfarb's argument seems to be that his description of a "brick and stained glass edifice" ought to have translated easily in the reader's mind into "private Catholic school." Needless to say, it did not. Then, Mr. Goldfarb rips into our generic replacement for his Linear A paragraph, stating that, "We were not 'quickly noticed by the locals' because we were wearing our yarmulkes. That was the editor's own naive and probably self-hating interpretation. We were hunted down because we were Jewish...." Well, I'm afraid the distinction escapes me—does Mr. Goldfarb suppose we meant that he and his friends were attacked for wearing cloth circles on their heads and not for what those cloth circles represented?

So, despite Mr. Goldfarb's rash conclusions, his article was edited, not censored. Censorship can exist only where there is an intent to silence a political or ideological viewpoint. The relevant passages of Mr. Goldfarb's article were simply deemed by the editors concerned to be so cryptic as to defy comprehension. Had the author come right out and said, "private Catholic school," we would not have been left to hazard an 11th hour guess as to what he was talking about. And, having

no idea that we were dulling the author's intended thrust by doing so, we made the changes because we honestly feared we would otherwise lose any potential readers on the first page.

In support of this purely editorial action, we remind our readers of our oft-stated principle of expecting all submissions to *The Justinian* to be in publishable form. "Publishable" refers not only to spelling, punctuation and grammar, but to overall comprehensibility as well. However, Mr. Goldfarb sees things differently: "The rest of my article was untouched, even down to some obvious typographical errors which should have, and would have been corrected, had it actually been 'edited.'" (Sorry, Jason, but dangling modifiers, mixed metaphors, sentence fragments, and malapropisms are not "typographical errors.") Also, although no such manifesto or charter exists, Mr. Goldfarb quotes some unnamed person as having said that *The Justinian* has "a policy of not changing the content of articles submitted for publication." And, though in practice it has always been and will always remain so, *The Justinian* has never been defined anywhere but in Mr. Goldfarb's article as a "'free speech' publication that belongs to the entire student body of Brooklyn Law School." True, it is a "forum" for the school community, but it is not a bathroom wall, and the fact is that no article will ever be turned down or altered on the basis of political content.

Therefore, while *The Justinian* remains an open forum, a minimum standard of intelligibility must nevertheless be met. Student contributions to a school publication reflect on the quality of the student body as a whole, and there is nothing elitist or censorial about adhering to what is really a very liberal quality-control standard.

In closing, I must add that the real mistake we made as editors on Mr. Goldfarb's article was attempting to put a Band-Aid on a piece of writing that, subject matter aside, was moribund before it was half completed. I fear that Mr. Goldfarb is laboring under the misapprehension that, because he is discussing a sensitive topic, the normal standards of our publication—not to mention the rules of the English language—may be safely ignored. So obsessed is he with conjuring up First Amendment violations that he seems to have forgotten that the way in which a message is delivered is far less important than that the message is received by its intended audience.

Paranoia

A Response to Jason Goldfarb

By
Douglas Shulman

Before addressing Jason Goldfarb, I want it to be clear that *The Justinian* is open to all opinions and ideas. We encourage students to submit articles that state their opinion. Life would be boring if all I wanted to hear were my own thoughts and ideas. I may not agree with the beliefs of a submission, but it is your right to state your views. And this is a right that you must never give up.

Recently, I assisted in editing Mr. Goldfarb's poorly written and incomprehensible piece titled "Drive-By-Bravado." Apparently, Mr. Goldfarb was attempting to tell readers a story about his encounter with anti-Semitism. His original, un-edited story was a meager attempt at communicating his views.

Mr. Goldfarb, in an uncalled for attack, has aggressively questioned my motives for editing his article. My answer is simple. The article was unintelligible and it needed to be clarified. Contrary to Mr. Goldfarb's belief, I did not doubt the intelligence of my classmates. I know Brooklyn Law Students are more than capable in their ability to read and decipher vague, complex material. However, Mr. Goldfarb's inane method of description was simply too much for any reader to take. I did not fear that our readers lacked the ability to understand the article, but instead I did not want the standards of the paper to fall to such a mediocre level.

Just as an example, Mr. Goldfarb refers to a swastika as an "infamous piece of European Artwork" in the original version of his story. What person considers a horrendous symbol of hatred to be artwork? Certainly not myself, or my co-editors. Our decision was to change the description to an "infamous hate symbol." I believe our

description captures the true meaning of the swastika, as opposed to Mr. Goldfarb's attempt at being creative in the wrong places.

Furthermore, Mr. Goldfarb is dangerously defensive and self-righteous in his views. He has attacked the editorial board as being somewhat anti-Semitic because of the editing of his article. His paranoia is comparable to the McCarthy Era. Myself and another editor sat in the Justinian office reading over Mr. Goldfarb's article. Other editors in the office heard our comments. They ranged from "what the hell is he trying to say?" to "this is so convoluted." We were not in our conscious or subconscious minds dreaming up ways to attack Mr. Goldfarb, or cover up the topic of anti-Semitism. We were utterly dumbfounded how a person could take such an important issue of anti-Semitism and somehow miscommunicate it to a reader. Spielberg in *Schindler's List* did a brilliant job in reminding us of the horrors of the Holocaust. Mr. Goldfarb, to steal a Senator's expression, is no Steven Spielberg.

And I believe Mr. Goldfarb is a dangerous man as he wields the potent term of anti-Semitism so loosely. He throws the expression out without any regard. His faulty logic seems to be: They edited my article, so therefore they have anti-Semitic motives. My response to Mr. Goldfarb is how dare you judge people so ignorantly. You do not know me or my co-editor, but you feel the need to label us. You should know that labeling people so quickly is what leads to horrendous results. Did you even attempt to speak to me about the article? No, you did not. You were simply too eager to label me and use me as a scapegoat to spew out your views. It is too bad that you were too lazy to speak

with me, for I truly believe anti-Semitism must be battled and that the Holocaust must never be forgotten. Mr. Goldfarb, did you know that I lost an entire wing of my family to the Holocaust? Did you know that a main reason why I chose to attend Brandeis University was the strong Jewish community? No, you never bothered to ask me. You quickly chose to label me a "self-hating" Jew. Think before you act, Mr. Goldfarb.

Mr. Goldfarb is stepping down from the Jewish Law Students Association and for this I am thankful. The Jewish community needs a leader that attempts to further the goals of Judaism. At Brandeis, the leader of our Jewish organization,

Hillel, focused on bringing about harmony in the community. Mr. Goldfarb has done some positive things for the Jewish community at Brooklyn Law and for this he deserves to be commended, but this latest attack is simply self-serving. It is a man attempting to attack people who are on his side. I am sorry Mr. Goldfarb is so angry.

That is all I have to say about Mr. Goldfarb's foolish attack on *The Justinian*. Let it be known that I did not, and will not, apologize to Mr. Goldfarb for editing his article. He may, however, feel the need to apologize to the editorial staff for his ignorant accusations.

KARATE

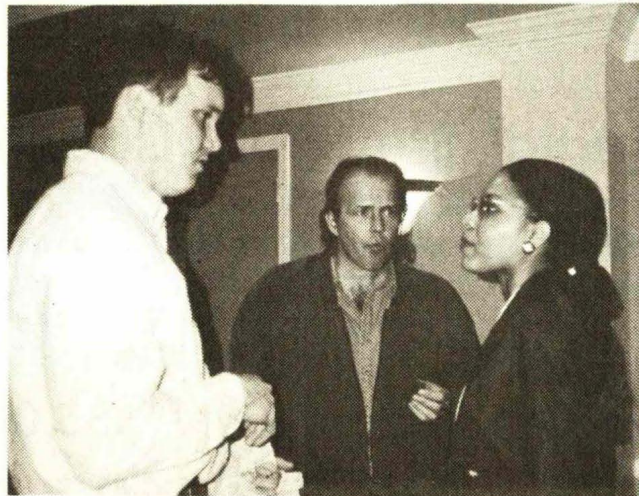
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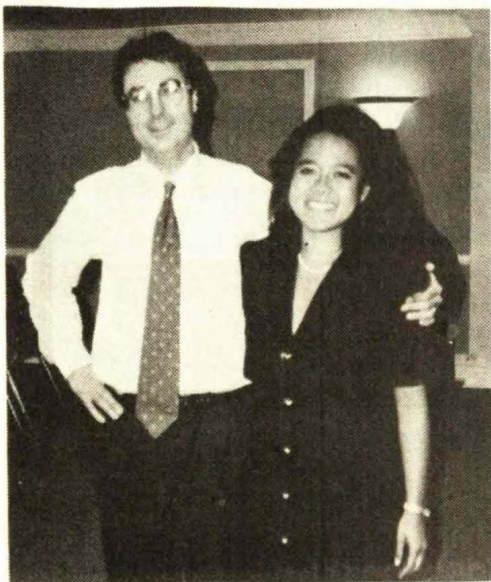
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Brooklyn, NY
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The Moot Court Honor Society Evening Division



Reception for New Members



*The Moot Court Honor Society - Evening Division
would like thank the following Judges and Attorneys
for judging the last phase of the Moot Court Competition:*

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R. Archibald
K. Ashman
C. J. Baptiste
A. Berger
M. Berk
J. Bienstock-Cohen
K. Bigelow
N. Bonilla
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R. Brackley
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MOOT COURT HONOR SOCIETY
BROOKLYN LAW SCHOOL
ONE BOERUM PLACE
BROOKLYN, NEW YORK 11201

AREA CODE 718
780-7970

08 May 1994

Dear Members:

I would like to take this opportunity to greet and congratulate our new members:

Loren Ratner
John Fitzgerald
Laura LoBianco
Judith Happe
John Ramsen
Jennifer Johnson
Muriel Richards
Gasper Roberts
Jeffrey Gold

Nicole Soffin
Alan Griffiths
Narrissa Morris
Halana Fine
Gerard Schiller
Roger Parker
Rada Panic
Jonathan Kaye
Kenneth Grossman

Michelle Hannan

This year's first year competition, second round at the Appellate Division was particularly challenging.

For the first time in BLS history, the last phase of the Moot Court competition was judged entirely by admitted attorneys, including many sitting judges from the Civil and Supreme Courts.

The Evening Division has been striving to excel and create an atmosphere of achievement and excellence in the area of advocacy and litigation skills. I believe with this new level of professionalism and scholastic quality, the Evening Division has entered a new era.

I congratulate all members for a job well done and a special thank you to Professor Bentele for her outstanding advice and counsel and Dean Wexler for her support. We have much to look forward to in the next year and all our competitions at BLS and other schools.

Sincerely,



NATHANIEL KIERNAN
President

Peter Erwin, 1st VP
Jonathan Michaels, 2nd VP
Maria Fasulo, Sec

Closing Remarks

By
Jason Goldfarb

The year is now coming to an end, and my time spent here is coming to a close as well. I do not want to end on a sour note, so I would like to take this opportunity to do as I had originally planned, and reflect on the accomplishments of the Jewish Law Students Association since I became President. Before I go any further, I would also like to thank the multitudes of students who gave so much of their precious time to help to organize and arrange our various projects and events. Since there are so many of you I won't mention any names for fear of leaving people out. You all know who you are.

Brooklyn Law School has undergone a number of fundamental changes, chief among them is that a very large number of students have chosen to make Brooklyn Heights and the surrounding neighborhoods their home as well as a place to go to school. As such, the job of JLSA became much more important with such a large Jewish populace studying and living within walking distance of Brooklyn Law School.

To that end we actively pursued a policy of making the Jewish students at Brooklyn Law School more cognizant of their rich Jewish heritage, and were also an essential source of information for activities in the local Jewish community. In addition to local Reform and Conservative synagogues, a growing and very active, modern Orthodox synagogue has also taken root in Brooklyn Heights, resulting in a further influx of Jewish students to the area.

Our organization was originally created with the primary purpose of catering to the specific needs of the Jewish student body, and in keeping with that purpose we were responsible for a series of events and activities designed to increase Jewish awareness. We began this year with a capacity crowd High Holiday lecture given by Professor Aaron Twerski, and also brought in a high ranking member of the Israeli Consulate who addressed the students on the historically significant September 1993 agreement between the Israeli government and the PLO. We sponsored parties celebrating Chanukah and Purim, and provided information throughout the year about Jewish holidays, the Sabbath, Jewish Law, local Synagogues, and the

availability of Kosher food and other Jewish related services in the neighborhood. We made an active effort to give students access to public megillah readings, a community Succah and Passover Seders, passed out Chanukah Menorahs and candles so students could participate in the holiday, and through our extremely successful "Turn Friday Night into Shabbos" programs we gave students a taste of what the Sabbath and being Jewish was all about. A speaker came to lecture on Israeli law and the Tel Aviv University Law School summer program in Israel, and on behalf of JLSA and the student body, I led a fight to try to prevent the administration from scheduling an important criminal procedure class on the Sabbath.

Our most significant and important accomplishment has been that we have been instrumental in educating our fellow students, Jewish and non-Jewish alike. I am most proud of the fact that there are a lot of people walking the halls of Brooklyn Law School today that are more aware of who they are and what it means to be Jewish than when they first walked into school, and that is due mostly to our efforts. Other student organizations have become more sensitive to our needs as well, and that can be attested to by the fact that we have been included in, and participated in, the activities of other student organizations. The simple fact alone that other student organizations have made an active effort to serve kosher food at their events is another example of the positive effect we have had on the entire student body.

My successor has not been appointed as of yet, and I can only hope that whoever he or she is, that person will ensure that the Jewish Law Students Association at Brooklyn Law School will remain an important, easily accessible and highly visible, student source for Jewish education and awareness. Sufficient momentum has been built up to accomplish even more in the future and I hope and pray that my efforts will not go to waste.

It has been my honor to have served the entire student body of Brooklyn Law School as the President of the Jewish Law Students Association, and the most impassioned and sincere thing I can say in closing this chapter of my life is - Thank you.

How Much are You in Debt?

By
Julie Kay

Portions of this article were taken from "Brooklyn Law School Loan Assistance Repayment Program Information for the Classes of 1993 and 1994."

By the time most of us graduate from law school we are in debt beyond our wildest nightmares. Almost all BLS students graduate with a law degree and with a millstone of debt around their necks from paying for that degree. This debt is particularly burdensome for students who choose public interest law careers where starting salaries are often half that offered by for-profit firms. Often students literally cannot afford to work in public interest law simply because of their accumulated debt.

In response to the growing concern that debt accumulation for educational loans has resulted in law students' career choices being dictated by debt obligations, BLS has followed the lead of many law schools nationwide offering a Loan Assistance Repayment Program (LARP). Some of you reading this article may never have heard of the program. In fact, many students have expressed to BLSPI that they were surprised to learn that BLS even has such a program.

The program is designed to provide loans to eligible graduates who take low-paying public-interest jobs and have substantial educational debt. Public interest jobs are defined as law-related employment with an organization which has as one of its primary purposes the rendering of legal services to or on behalf of persons or organizations which could not otherwise obtain these services. In general, the intention behind LARP is that no participant should be required to spend more than 15% of his or her annual gross income for repayment of educational indebtedness. If a graduate stays in a low-paying public interest job for a

period of years, it is intended that a portion of the LARP loans may be forgiven.

Since its creation in 1990, LARP has been able to help a very limited number of students (approximately six). LARP has severely restricted this number through its strict eligibility requirements. To be eligible for LARP, a participating student's starting salary cannot go above the cap set by LARP. For 1993 the salary cap was set at \$30,900—the starting attorney salary offered by Legal Services. Since Legal Aid and the vast majority of public interest law organizations offer salaries slightly higher than this amount, many students who choose public interest careers (other than Legal Services) were considered ineligible.

Even under the LARP, the percentage of gross income that a student must pay toward loan repayment (15%) is still too high. Other law schools with similar loan forgiveness programs only require students to pay a half to a third of this percentage amount. Furthermore, this percentage amount is not fixed, and students currently within the program have expressed a fear that if the percentage increases they will be unable to continue their public interest jobs.

Brooklyn Law School attracts many students who are enthusiastic and dedicated to public interest law careers. A combination of factors at BLS — such as the Sparer Public Interest Law Fellowship Program, BLSPI, and a faculty commitment to public interest law— attract students to the school and help to enhance the law school's national reputation. Ironically, many students who come to law school to pursue a public interest career find themselves forced out of this field because of the debt incurred while getting a law degree. BLS should foster and continue its commitment to public interest law by supporting

graduates through a LARP program which has eligibility requirements and income caps that provide genuine assistance to a wide range of students.

BLSPI Committee on Loan Assistance has additional information on LARP for all interested

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students. BLSPI is continuing to advocate for the expansion of LARP and welcomes any student participants. Please leave your name, address and telephone number in the BLSPI mailbox (in the SBA office) if you are interested in the Committee's activities.

FULL TIME WORKERS NEEDED FOR NEW YORK POLITICAL CAMPAIGN

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FYI :

Gunga Dean

By
Douglas Shulman

If you are like me, you know very little about the Deans of Brooklyn Law School. At most you may know their names. So when my editor-in-chief suggested a story on the Deans and their responsibilities, I had no idea where to go. I was told that the ninth floor was the home of Acting Dean Wexler, and soon I was on my way up to the top floor of our new building.

I found an office area on the ninth floor that I had not known existed for most of my first year. This new area is home to Acting Dean Wexler and the four Associate Deans- Associate Dean Gora, Associate Dean Gerber, Associate Dean Berger, and Associate Dean Koven. This area is quietly located a long hallway walk from the elevator- just make a left when you get off, then pass through the a main doorway, make a right, and walk down the corridor. This may sound somewhat complicated, but it is very easy to find. Anyway, this area does exist, and nestled in this isolated corner of the new building are the Deans who serve the Brooklyn Law community.

Acting Dean Wexler oversees all aspects of the law school. Her main goal is to ensure that our legal education is maintained at a high level. Dean Wexler is involved in developing our curriculum and faculty and also interacts with the four associate Deans. She also directs students to the proper associate dean when they may be better able to offer assistance. Dean Wexler can be reached at 780-7900. An appointment can be made with her assistant Mary Lee Bedford, who is extremely helpful to students and was very generous with her time in helping me put together this article.

Associate Dean Gora takes care of all matters governing our courses. He works with the Registrar in many areas, including arranging exam schedules- which I think was set up mercifully for

first years this semester. Thank God for the study days between finals! Also, if you are not thrilled with life here at Brooklyn Law, Associate Dean Gora will hear your complaints. He deals with all matters preventing proper pursuit of studies, such as illness, and anything else that affects your life here. However, I do not think complaining about the work load, no matter how much it seems to be cruel and unusual punishment, will elicit much sympathy. But if you have something serious on your mind about law school, Associate Dean Gora is on the ninth floor and can be reached at 780-7926. His hours are 9-5 and appointments should be made with his secretary.

Associate Dean Gerber is involved in the law school's development. Recently he worked with Dean Trager, and now with Acting Dean Wexler, on overseeing the construction of our new building. He was largely responsible for raising the much needed funds for the new building. Associate Dean Gerber represented the School to the builders in planning, production and the follow up phases of construction. If you have any questions, Associate Dean Gerber is on the ninth floor and can be reached at 780-7923. His hours are 9-5 and an appointment can be made with his secretary.

Associate Dean Berger deals with progressive ideas in law education. She researches what is effective, and what no longer is working in our curriculum. Together with the Long Range Planning Committee, she makes recommendations for the school's present curriculum. If you have any questions for Associate Dean Berger, she also is on the ninth floor and can be reached at 780-7941.

Associate Dean Koven is in charge of Alumni Affairs. She oversees all functions of the Alumni Office and makes sure our Alumni are

informed of the School's activities and developments. She works closely with the Alumni Office and organizes events such as Dean's Day and also helps bring back alumni through reunions and luncheons. Associate Dean Koven is on the ninth floor and can be reached at 780-7987.

Now you finally know what mysterious

happenings occur on the ninth floor and what the people in charge are doing while we study. The Deans are usually busy and working hard, but if you make an effort they will find time to meet with you. They are there for you and I suggest that you head up to the ninth floor if you have any questions that need to be answered.

JOURNAL OF LAW AND POLICY

Brooklyn Law School
250 Joralemon Street
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(718) 780-7588

APPLY FOR MEMBERSHIP

Applications for membership on the *Journal of Law and Policy* are now available at the elevators on the first floor of the old building at 250 Joralemon Street.

Offers for membership will be based on an index number comprised of the following factors: (1) Legal Writing Grades I and II (30% factor); Grade Point Average (40% factor); (3) the quality of a graded law school writing sample which is re-graded by the *Journal* (20% factor); and (4) work and writing experience (10% factor). Offers will be made to the 25 applicants with the highest index numbers. Applications must be submitted to the *Journal* office in Room 212, 1 Boreum Place, by June 15, 1994.

Students interested in *Journal* membership are strongly advised to seek membership on the *Brooklyn Law Review* and the *Brooklyn Journal of International Law* in addition to applying to the *Journal of Law and Policy*.

JOURNAL OF LAW AND POLICY

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AUTOMATIC REGRADING OF BAR EXAM DENIES RIGHT TO APPEAL SAYS N.Y. STATE BAR ASSOC. REPORT

ALBANY -- According to a report issued by The New York State Bar Association's (NYBSA) Committee on Legal Education and Admission to the Bar, the recently enacted policy of automatic regrading of the bar exam instituted by the state Board of Law Examiners (BLE) is flawed because it denies the right to appeal and doesn't allow for outside scrutiny of the answers.

"It's misleading to refer to regrading as a revision of the 'appeals process.' Although the BLE characterizes the new system as 'automatic appeal procedures,' the BLE has, in fact, eliminated the long-standing appeals process, and replaced it with automatic regrading," said J. Kirkland Grant of Huntington, committee chair and a professor at Touro School of Law.

Under the BLE directive, which took effect with the February bar exam, each exam for admission to the bar that receives a grade between 650-669 (660 is a passing score) is automatically rescored by another grader. The first and second marks are then averaged for a final score; thereby eliminating any further appeals procedure by an applicant for admission to the bar.

The BLE amended rule also provides for release of exam questions and information on the answer, and no longer requires appeals review only in Albany. Both were recommendations of a 1992 committee report (Report and Recommendations on the Appeals Process). Under the old system, there was no release of questions or answers; and applicants were required to come to Albany to review their exams and the answers the BLE required.

BAR EXAM. First Add

Historically, as many as 20% of all New York bar exam appeals have been successful. This review is eliminated under the new rule.

"If the person who first graded the exam was incorrect in his or her understanding of the law or interpretation of the answer, then that misjudgement would affect one-half of the applicant's grade, even after the second grading," said Grant.

Because the new system automatically averages the first and second grade, applicants who pass on an initial grading may fail after the regrading.

In addition, the committee report contends that regrading relies on an "in-house" process without oversight or scrutiny, increasing secrecy and fostering cynicism concerning the manner in which the bar grades its applicants.

In a letter to the BLE and Chief Judge Judith S. Kaye, the committee expressed its serious concern with the changes and pledged its willingness to work with the BLE to ensure a constructive approach to reforming the bar admission process.

The committee has prepared legislation to correct these deficiencies in the appeals process.

NOTE: A copy of the committee report is available from the NYSBA Office of Administrative Liaison, 1 Elk Street, Albany, N.Y. 12207.

Admissions Against Interest

By

M. Eric Austin Wolf, Class of '95

Recently, a recommendation was made by the Association of the Bar of the City of New York's Committee on Legal Education to make admission to the bar more practical. Among the suggestions made were to eliminate the MBE and substitute performance testing, including 100 hours training in legal skills, complaint drafting, will drafting, and opinion letter drafting. Inasmuch as these standards generally match the training I received in one semester of paralegal school, almost any practicing paralegal would be overqualified for the Bar. However, in keeping with the spirit of turning higher education into a trade school, please permit me to suggest some truly practical educational alternatives and reforms, so that BLS students will be properly prepared for the practice of law.

1. **Real Life Legal Drafting:** Students would be taught how to use WordPerfect to copy computerized forms of boilerplate motions. Then, with a few modifications (such as changing the name of the client and adding a few relevant facts), students would thus receive real-life training in drafting legal documents the same way that most lawyers experience.
2. **Real Life Trial Practice:** Students would be required to memorize the names, birthdays and idiosyncrasies of every law clerk in the federal, state and local courts. Extra credit would be given for remembering the clerk's children's and wife's names.
3. **Creative Billing:** Students would be required to fill out time sheets for all their classes and learn how to properly pad a bill. In the first class, students would learn that a practicing attorney should always call in an associate for every phone call he makes so that two attorneys can bill for the time of one call. During the semester, students would learn that 15 minutes extra can be billed by each associate for discussing what the call was about. Advanced students would learn how to bill for wrong numbers ("Attempted to reach client").

4. **Laundry:** You'll never have time for this once you graduate, so students would be encouraged to complete 10 years worth of laundry in advance.

5. **Sleep Deprivation:** Students would learn how to go for four consecutive days without sleep, while rewriting a brief (whether it needs it or not).

6. **Partner, Client and Judge Butt-Kissing:** Students would learn that there are, in fact, different strokes for different folks.

7. **Advanced Definitions:** Law Students (hereinafter severally and collectively referred to herein as "Law Students") would learn the skill (the "Skill") of turning normal sentences (the "Prior Normal Sentence") into cleverly crafted legal jargon (hereinafter, "Obfuscating Gibberish").

8. **Loan Budgeting:** Students would learn how to live on \$5.00/week while paying off their student loans, bar fees, association fees, CLE fees, rent and insurance. Motto: You don't have to eat EVERY day.

Armed with this practical knowledge, the typical student would graduate knowing the difference between his (her) gluteus and his (their) radius, (its) fertilizer from (one's) shoe polish, thus completely dispensing with the need to learn all that useless legal history and legal theory. The graduating student (after taking the "Pieper Course on Drafting") would be fully prepared to go directly into a career of slave labor, with the same practical command of technical skills as is possessed by a typical unionized plumber (although probably not getting paid as much).

A Survey

By
Missy Richards

A survey of my classmates reveals the following widely practiced methods of preparing for final exams (this is not an endorsement):

a) Ten percent began studying for the Spring finals last August. When questioned how they knew exactly what courses would be given in the Spring that early on, they merely shrugged. These are the same students who know where and when every student club meeting is to be held months in advance, which hornbooks the professors will recommend and what the cafeteria's specials will be the following week. These students are obviously headed for a career with the CIA or a psychic hotline.

b) Fifty five percent said they started their outlines during the second week of classes, read the cases, attended class and took notes. While I thanked them for their time in responding to my survey, I found this answer to be slightly boring.

c) Five percent said they rolled out of bed on the morning of the exam, grabbed a pen, headed for the school and hoped for the best. The credibility and motives of these students is suspect, as four of the five percent were spotted in a study group a full three weeks before finals and one percent was seen hovering around the model test answer shortly before it disappeared from the library.

d) Thirteen percent said they re-brief the cases and sleep with the hornbook attached to their forehead, in the sincere belief that sheer osmosis will assist them. Oddly enough, everyone in this group had a GPA above 3.0.

e) Two percent literally could not be reached for comment, as they refused to remove the ear-phones (rumor has it they were listening to law tapes) and would not read the notes that I flashed before their eyes for fear it was a subpoena concerning the vanishing model answer (see "c").

f) An enterprising fifteen percent claimed that

they would be coerced to miss the finals entirely because, as fate would have it, they had to assist Mother Teresa with her charitable works on *exactly* the same days as the finals are scheduled to be given. (As with the students in "c", credibility is an issue.) They further intend to secure a note from Mother Teresa attesting to their good works and seek to be excused on that basis. These same students also see hope for the overruling of *Marbury v. Madison*.

Good luck with finals and have a great summer!

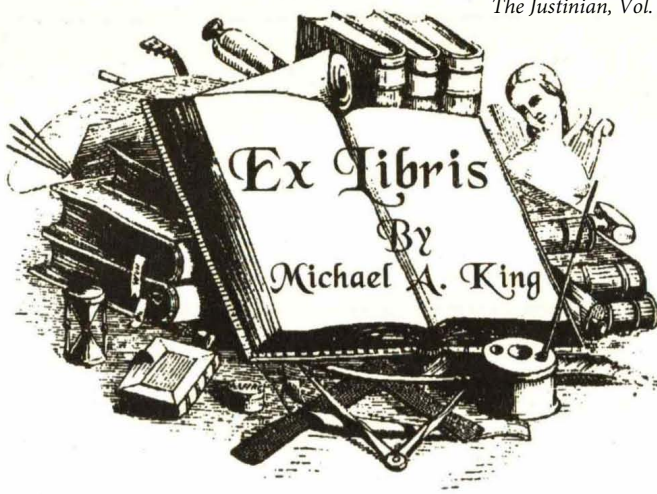
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Child Welfare And The Law
By Theodore J. Stein

As its title suggested, this book discusses the relationship between the growing concern for the well-being of children and the legal framework which exists to implement the policies which have evolved from this concern. Professor Stein, of SUNY at Albany, approaches this subject from the point of view of the child welfare worker. He

discusses the historical development of the family court and describes its present status.

Professor Stein examines the various U.S. Supreme Court decisions in this area and explains their impact on the Juvenile courts. He also explores the extensive federal legislation in this area and he describes its effect on the administration of the state courts.

An interesting question that Stein discusses is a dilemma that child welfare workers often face: who is the client? Is it the agency that pay the workers salary? Is it the parent? the child? Attorneys can also have to explore this issue. Stein believes legal ethics will force an attorney to make a choice but sees the issues as more difficult for child welfare workers. He counsels them to take a mediational approach.

This is a good book which should be very helpful to students who are interested in a career in child advocacy or family law. Professor Stein's style is very straight forward and he includes understandable explanations of the unfamiliar terminology.

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The Crossword

et al.: The Justinian

ACROSS

- 1 Bond holders, perhaps
6 C.P.A.
10 Java neighbor
14 Smokestack sight
15 Concert or theater follower
16 Five-star name
17 Author Havelock
18 Make a decision
19 Fad
20 Washington city
22 Author of many poems?
23 Rig
24 PC application
26 Toe preceptor
28 Tight position?
30 *Man* (Emilio Estevez movie)
31 Onetime basketball org.
32 Chimney-sweep's target
34 Go over the fine print

DOWN

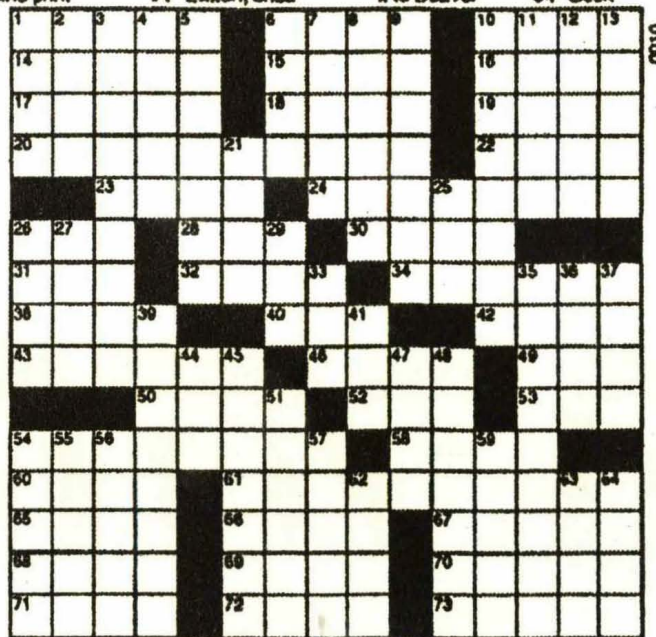
- 38 Cheesy magazine
40 Route
42 A unicycle has one
43 Emulates Rickey Henderson
46 California
49 Dam-constructing agcy.
50 Thousands of bucks
52 Office-seeker
53 Headed for the hills
54 Repeal
58 Exclamation of amusement
60 Answering-machine sound
61 German city
65 *Fugitive from a Chain Gang*
66 Actress Moran
67 Take for (deceive)
68 Slip a mickey to
69 Art
70 Curbside coin collector
71 Exxon, once

DOWN

- 72 Concordes
73 Change the Constitution
1 Eject
2 *_____* marcia (in march style)
3 All-out
4 Former boxing champ Griffith
5 Opening words?
6 City on the Jumna
7 *The Little Engine that*
8 Home of the '62 Mets?
9 Halloween benefactor
10 Pacific island
11 Start of a palindrome
12 Capital of Nigeria
13 Ryan or Dunne
21 George Carlin's radio station
25 King Kong's kin
26 Last call?
27 Verge on
29 Tony of *Leave It to Beaver*

DOWN

- 33 Fresca alternative, once
35 Return to the scene of the crime?
36 Menlo Park middle name
37 Dizzy or Daffy
39 American Samoa harbor
41 Pound sound
44 Relay-race component
45 Sunken-treasure sites
47 Yoko's man
48 "Sweet Home"
51 Gazes
54 Put up with
55 "Bad news" team
56 Harris' Uncle
57 Royal proclamation
59 *_____* pants (women's attire)
62 Space simian
63 Tree of knowledge location
64 Geek



SAFES ACCY BALI
PLUME GOER OMAH
ELLIS RULE RAGE
WALLAWALLA ANON
SEMI DATABASE
TAC END REPO
ABA SOOT HEALAD
PULP WAY AXLE
BYEALS BAJA YVA
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