HOFSTRA UNIVERSITY SCHOOL OF LAW

CONSCIENCE

The Hofstra University School of Law Newspaper

Volume 1, Number 1 | "Asking you to ask yourselves . . ." | October 26, 1973

Monroe H. Freedman

Dean's Message

For a new Dean to talk about the strengths and future of the Law School after being here only two months is premature, if not presumptuous. I want to emphasize at the outset, therefore, that the views that I express below are preliminary and tentative. Moreover, I fully recognize that the future direction of the Law School will be determined more by the Faculty and student body than by the Dean. On the other hand, I also feel strongly that the Law School community is entitled to know what my own thinking is, if only to enable it to be forewarned and to take appropriate precautionary measures.

Hofstra Law School is already strong in the three basic areas that are most important to a law school—students, faculty, and library.

A review of our admissions indicates that we have achieved high academic quality in our student body. There are serious deficiencies, however, in enrollment of minority and women students. We do, of course, compare favorably with most law schools in those areas. Nevertheless, it is obvious that greater efforts have to be made. The impact of historic racism and sexism on the composition of the legal profession are such that none of us should be content with simply keeping up to standard. It is the standard itself that must be changed. We will therefore be putting special emphasis on recruitment of minority and women students.

In addition, our recruitment efforts generally must be expanded substantially. Up to now we have been able to take advantage of peak numbers of people of law-school age, heightened interest in law as a profession, and a general shortage of law school facilities. All of these conditions are likely to change in the near future. In order to maintain the high quality of student body that we now enjoy, therefore, we must begin a program of recruitment that will continue to attract the best college graduates in a far more competitive situation.

Our faculty, on any standard, is one of the finest in the country. It is characterized by academic excellence, exceptional breadth of practical experience, and—most important—unsurpassed classroom teaching ability. Similarly, the quality of the George Morton Levy Law Library is extremely high, particularly in view of the record time in which it reached and exceeded ABA and AALS requirements. More than that, it is both a functional and a pleasant place to work.

Both our library and our faculty must be expanded, however, to meet the needs of our increasing student body. This cannot be accomplished without additional funds. And that, in turn, means that we must make strenuous efforts to raise money through contributions, particularly from those who are sufficiently farsighted to recognize the need for a law school of quality in Nassau County. In addition, along with everything else in the economy, tuition will almost certainly have to be increased significantly.

One of our most important areas for development is curriculum. Serious consideration should be given to preparing new materials for a thoroughly restructured first-year program of law study. We should increase the depth in our corporate, commercial, and tax courses, and expand the number and variety of other electives in the second and third years. Inter-disciplinary courses and programs should also be developed. A comprehensive moot court program should be given careful consideration. In addition, we should build on the strength of our exceptionally fine clinical program, both by expanding it and by integrating the clinical work into the classroom curriculum.

Obviously, this ambitious program won't be achieved quickly. Indeed, it will not be achieved at all, unless the entire law school community is behind it, and unless students, faculty, alumni, and friends are all willing to play an active role in bringing it about.

I look forward to your reactions, your ideas, and your help.

Most June '73 Grads are Placed; Outlook for '74 is "Cautious"

BY JIM FREESWICK, '76

The Hofstra Law School Placement Office won't be able to find jobs for every graduate in the Class of '74, according to Sandy Miller, director of the Placement Office.

"There isn't a placement office in the country that places everyone," warned Miller. "A large responsibility still remains with the individual to send out resumes and knock on doors."

Miller, who assumed his position in June, spent the summer making contacts with the larger law firms and government agencies which are presently conducting on-campus interviews with the Class of '74.

When job openings become known, Miller informs the Class of '73 as well as the Class of '74. Of the 61 graduates in the Class of '73, 50 have found jobs, said Miller.

When the on-campus recruiting ends in November many students will find themselves without a job offer, Miller noted. But he added, "I'm hopeful that numerous other places will become known to me as potential hirers beyond those that have been here this fall."

Miller said it is not his responsibility to match students with jobs. "That would entail a tremendous value judgment about the individual.

"My responsibility is to find where the potential job openings are and make them known to students at large so they can decide for themselves if they have the interest and the credentials to apply."

"I hope students will not assume they will get placed by virtue of the Placement Office. This office is much more relevant to some people than others.

"People who want to go into smaller firms can do a better job on their own than I can. I encourage them to use their own resources," said Miller.

Miller said that in addition to finding jobs for students in the traditional law firm, government and clerkship positions, the Placement Office will also seek and create job openings in areas outside these traditional settings.

One of Miller's major goals is to find and create what he terms "alternative" kinds of jobs for "those students who find traditional work settings incompatible with their interests and lifestyle."

Among the "alternative" kinds of jobs suggested by Miller include teaching positions in high schools and colleges, school administrative positions; university ombudsmen positions; law communes, administrative or legal positions in probation departments, training schools, mental hospitals and drug abuse programs.

Other areas include positions with community groups involved with activities in the areas of housing, consumerism, education, crime control, jail and prison reform; graduate studies in law, criminology, social and clinical psychiatry; research positions with planning and development agencies, foundations, institutions, universities; and positions in the mass media.

"It should be emphasized that job alternatives does not mean jobs that don't involve the practice of law or the use of legal training. It means jobs that require lawyers and legal skills, but in work settings that have not traditionally been offered lawyers," Miller asserted.

Miller said the Placement Office will also seek to find alternative summer jobs for first and second year students and jobs outside the immediate vicinity of the law school.

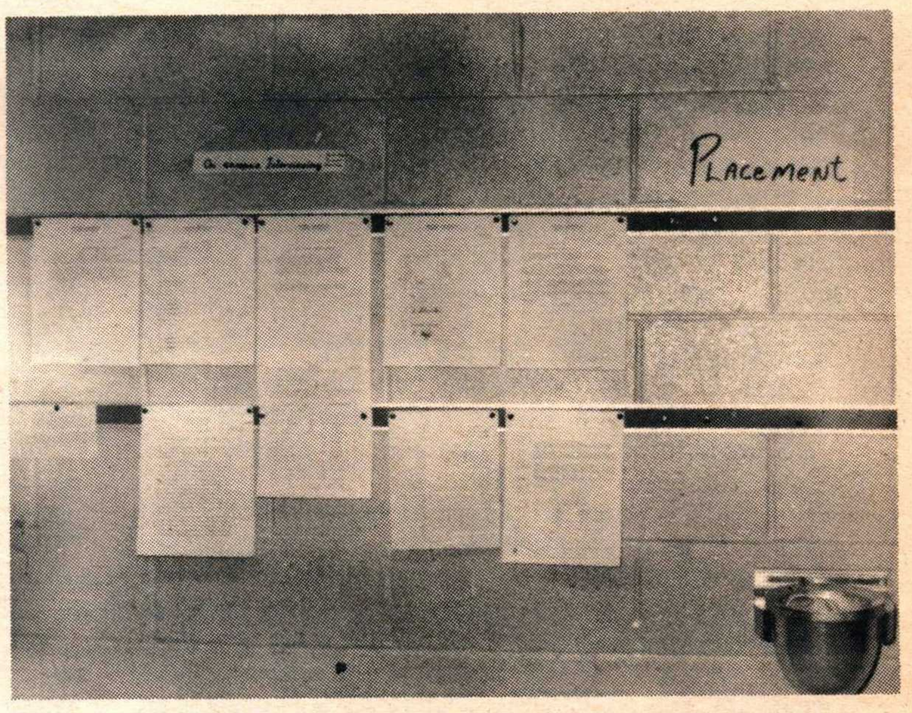
Concern for the first and second year law student is often lacking in traditional placement offices, said Miller. In addition most placement offices seek jobs within the geographical area of the law school when attractive job opportunities are available in other parts of the country, he said.

Miller, who graduated from Lehigh University in 1966 and Stanford University Law School in 1969, exemplifies the lawyer who finds "alternative" kinds of jobs.

Upon law school graduation Miller spent two years with the Office of Economic Opportunity working in legal service programs in Rhode Island and California.

Following that job Miller performed a non-profit tax-exempt cultural organization which ran a film theatre for non-commercial independent producers.

Immediately prior to assuming his present position he did research for the South 40 Corporation, a federally-funded organization which runs training programs for prisoners and ex-prisoners.



The Placement Wall . . . who would think that so many lives depend on the notices posted here? (Paverman photo)

ANNOUNCEMENTS

1. The first meeting of the Law School Alumni Association will take place on November 8, 1973 at 8:00 P.M. in the University Club. All members of the class of 1973 are invited to attend.
2. The Dean's forum will be held on Tuesday, October 30, at 4 P.M. in the Playhouse.
3. There will be a faculty meeting today. You are invited **not** to attend.
4. A meeting of all Conscience staff members will be held on Monday, October 29 at 4 P.M. in the student lounge. All others who want to join the staff are also invited.
5. Students to Impeach Nixon (S.I.N.) will hold its first meeting this afternoon at 3:15 P.M. in the student lounge. If you would like to join this group, but cannot make the meeting, please leave your name in the Conscience mailbox inside Karen Eisenberg's office.

CONSCIENCE
The Hofstra University School of Law Newspaper

Volume 1, Number 1
October 26, 1973
"Asking You to Ask Yourselves"
Senior Editor—Norman Elliott Kent
Associate Editor—Lester Paverman

Editor's Orial

Students of law should be particularly outraged by the recent course of events again staining the most corrupt administration in the history of the republic. It would be foolish to say we have lost integrity where it never really existed. Those who for so long flourished upon a repressive righteousness have themselves been the worst pollutants of law and truth.

Impeachment, indictment, and incarceration is the polite course. It is the proper course. It will require a resolve many of us do not know, and a perseverence inertia has made us unaccustomed to. But it is no longer extravagant to assert the constitution is slipping away.

To sit back and accept is to give in and endure. The legal profession, more than any other group of citizens, has an obligation not to remain silent. The time is past when obedience can segregate you from public risk. The time has come to throw out the charlatan who calls himself President.

Against the background of executive defiance to federal court rulings, the debut of Conscience seems inappropriate. A school of law newspaper has an obligation to address itself to critical issues of law. But I have no magician to transform our copy overnight. With your support, though, we can see to it that Conscience becomes a forum for legal thought. Publication of a first issue may mark an interesting milestone. but it is only the beginning step of a difficult enterprise.

The Hofstra School of Law has made great strides in only four years. As more and more student groups are born, we rapidly become more of what a law school should be. Conscience can be a communicative tool for those organizations now existing and a formative power for those now developing. I think too, the very existence of a newspaper can help create a communal force within our school.

Certainly, Conscience will permit us to enhance the reputation of Hofstra Law School. Each edition will be sent to all our alumni, members of the Nassau County and New York City bar, pre-law advisors in undergraduate schools, and every law school in the nation. Actually, it will look bad for us if Conscience does not look good.

With this introductory issue, vision has become reality. Existence, though, is not efficacy. So again I ask for your support, and invite your participation as Conscience begins its journey, "Asking You to Ask Yourselves . . . "

—Norman

Decanal Dittys

Sexual Liberation in a Property Law Course

Dean Judith Younger

I am a property teacher. Of course I teach other courses but property is where my heart lies. Nevertheless, students have been telling me for years that this, my favorite subject, is out of fashion.

For confirmation of this view one need only look at the property practitioner. Never a guest on the Jack Paar Show, though his colleagues in other branches of the law are frequently invited. No Perry Mason or Owen Marshall to advertise his exploits for they are singularly lacking in drama. He rarely goes to court, and when he does, the will contest, zoning board hearing or condemnation proceeding marks the limit of his performance. He has no indigent clients and is, therefore, unconcerned with the law of the glamorous poor. He represents bourgeois. He helps the rich preserve, increase, and pass their property on to their children. To these ends, he draws wills, files deeds, negotiates leases, and plans estates. He is stooped from poring over fiduciary accounts. Reliable but unromantic, he is in his own person the incarnation of the status quo.

The property teacher has even less appeal for today's student, who takes the course only because it is required. As far as he can see, it is devoid of public issues. The teacher's presentation does nothing to dispel this belief. Hours of class time are spent on the executory interest, the recording system and covenants running with the land; the student wants to hear about conspiracies, indictments and jail. The teacher dwells on the English Doctrine of Ancient Lights. The student is worrying about legalization of the use of marijuana. The teacher writes and assigns long articles on topics of interest to him, e.g., Younger, Apportioning Receipts From Wasting and Unproductive Assets, 40 N.Y.U.L. Rev. 1118 (1965), ignoring more compelling issues of the day.

It is no wonder that students find property dated. But is it? I certainly thought so, as I say, until 4 p.m. on February 14, 1972. I was sitting in the Faculty Lounge dutifully reading advance sheets when the following headnote caught my eye:

Landlord and Tenant: Key 276,278.9 (2)

> Acts of sexual intercourse between unmarried consenting adults involving neither public disorder nor prostitution are not 'immoral' . . . and do not constitute bases for eviction.

Intrigued, I read on. An unmarried lady, it seemed, had engaged in orderly noncompensated acts of sexual intercourse with a boyfriend. Her landlord sought to evict her. A judge had just held her conduct was not immoral and therefore not grounds for eviction. (Edwards v. Roe, 68 Misc. 2d 278, 327 N.Y.S. 2d 307 (N.Y.C. Civ. Ct. 1971.) "That's it!" I shouted elatedly. That's the way to spice up the property curriculum. SEX, SEX, and more SEX. Since then we have talked about nothing else in Property class. We find sex in everything. Take Pierson v. Post, 3 Caines 175 (N.Y. 1805), for instance, the famous case of the newly slain fox. Instead of asking the usual question—who owns the fox, the man who first found, started and chased it, or the man who killed it and carried off the carcass?—I ask: what deep, dark stirrings of the blood are symbolized by the killing of the fox? This evokes a discussion of lesbianism, heterosexual love, and the craft of D.H. Lawrence. The class is crowded with boyfriends, girlfriends, wives and husbands of students. The same technique livens up our discussion of finders. Remember the Carpet Rag Committee which collects rags and parcels them out to women who are paid to weave them into rugs? Remember the lucky weaver, a Mrs. Zech, who finds $2100 in her bundle of rags and turns it over to the Committee? Remember the Committee's refusal to give it back? (Zech v. Accola, 253 Wis. 80, 33 N.W. 2d 232 (1948).) Instead of dwelling on the rights of Mrs. Zech as a finder we discuss her dependent role in marriage, the job opportunities available to her and the pay she commands for her services. The eight pages of material on dower and curtesy in the casebook I use is, of course, a natural. I now expand it to 800. In class we have lengthy discussions of the equal protection clause and its impact on marital property regimes.

Judith T. Younger

I am not the only one to discover this new approach. Others have found it useful in other courses. (See Professor McNeil's Review of Panel on Women and The Law, Dicta, November 17, 1972.) Since I began to use it even property practice has perked up. I was sitting in my office a few weeks ago trying to incorporate some of the "Joys of Sex" into the law of fixtures when the telephone rang.

"Hello, Judith," said Professor E——. "I have a problem for you."

"Ugh," I thought, "He wants a will."

"No," he said, reading my mind, "not a free will—not this time anyway. Would you be interested in working on a property problem for —— College?" He mentioned a small but distinguished southern institution. "They need an expert in the New York law of property and I immediately thought of you."

"Well, thanks" said I, with mixed feelings. (How would he like to be considered an expert in such an unfashionable subject?)

"Swell," said E——, "I don't know much about it, just call so and so at such and such a number—he'll give you the facts."

"O.K.," I said, "I'll do it." I asked E—— to repeat the number and promptly made the call. Thus I embarked on an adventure that confirmed my growing feeling that property is not passe.

It turned out that the college was worried about a "work of art"—a large Tiffany window, depicting the Tree of Life. The Tiffany of the window was, of course, Louis Comfort Tiffany, whose lamps, vases and windows have been enjoying a revival that has sent prices for them sky-high. No sooner had the College purchased the window from a New York dealer, shipped its treasure home, uncrated, dusted, and catalogued it, than a rival claimant appeared. Mrs. Claimant, as we'll call her, began a replevin action to recover the window.

"A little historical background," said the College's local lawyers, would help me understand Mrs. Claimant's claim. Thus I learned that Louis Comfort Tiffany had owned a beautiful estate called Laurelton Hall in Nassau County. On it, he ran a "unique nonacademic" school for art students. The session was short, from May through the summer. The curriculum (take heed, Curriculum Committee) was "based on Tiffany's laissez-faire principles of art by absorption. The students were the guests of the (Tiffany) Foundation and had access to Laurelton Hall's bowling alleys and tennis courts whenever they wished. The stables had been converted into a studio-dormitory and the gatehouse into an art gallery." (Koch, Rebel in Glass, p.153.)

When Tiffany died, the Laurelton Hall estate was sold by his foundation in small parcels. One of the purchasers was our Mrs. Claimant. On her parcel stood an old workshop; here, she claimed, the controversial window hung at the time of her purchase, fastened to the wall over an ordinary window. It apparently remained there through a number of subsequent transactions. Mrs. Claimant transferred the realty to a corporation in which she and her husband were the principal stockholders. The corporation carried on its decorating business from the premises until it ran afoul of the zoning laws, mortgaged all its fixtures to a commercial finance company, and went bankrupt. The trustee in bankruptcy sold the premises to the art dealer who eventually sold the window to the College.

Despite the flocks of lawyers employed at each stage, none of the deeds or mortgages made specific mention of the window. Mrs. Claimant thus had no documents to support her title. She argued, however, that she acquired the window from the Tiffany Foundation by abandonment or adverse possession; that the window, though affixed to the wall of the workshop, remained her personal property, and was not included when she transferred the realty to the corporation. Since it was not the property of the corporation, it could not have been covered by the chattel mortgage or sold by the trustee in bankruptcy.

What the College wanted to know, of course, was whether Mrs. Claimant was right. This depended on the New York law of adverse possession, fixtures, and abandonment. How could E—— think I was an expert in these morbid doctrines? In fact I knew nothing about them. I rushed to the library. Like students everywhere, I find research pleasanter than thought. I called for the oldest texts in print. The librarian offered me the newest casebook in the field, Berger, **Land Ownership and Use**, Little, Brown, (1968). There were 8 pages on abandonment, 23 on adverse possession, 9 on fixtures, but 114 on "realization of planning goals." No use to me!

So far the problem seemed to turn on the character of the window: was it personalty, realty, or a fixture? A "fixture," I discovered, "is a thing which, although originally a movable chattel, is by reason of its annexation to, or association in use with land, regarded as a part of the land." Brown, **Personal Property** ss 137 (2d ed. 1955). In three days, I had read every fixture case in New York.

There were discussions on chandeliers, paintings, tapestries, pipes, stall showers and printing machines, but not of windows. The methods of annexation to the land were discussed in detail. I became an expert in glueing, nailing, the use of brads, boards, cement and screws—still no light on the window. Discouraged, I went home to finish "The Joys of Sex." Later, I complained to my ten-year-old daughter. "Try thinking, Mommy," she said. I did think for a while and hit on a theory. I went back to the library and found plenty of authority to support it.

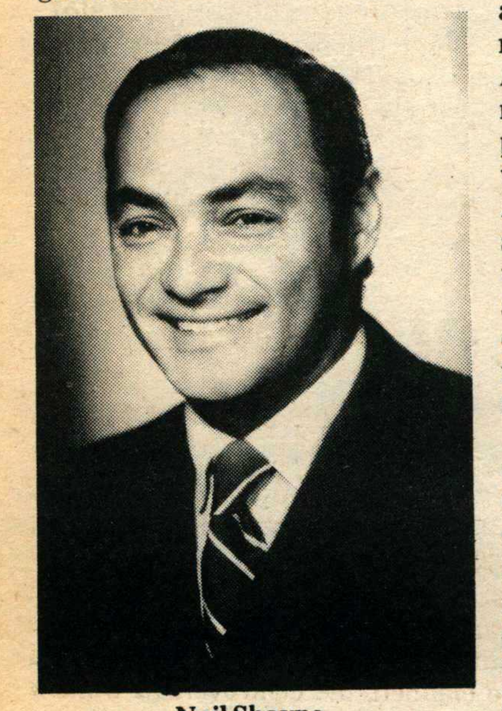
Thus ended my adventure in the hard law of property. The result was a lengthy opinion letter to the College, on the strength of which it has commenced a federal interpleader action raising such interesting issues as (1) Was the Civil War a "just" war? (2) Is a riparian owner entitled to a state court injunction preventing a member of the Cherokee tribe from spearing fish in a stream which originates on his reservation? (3) Are trailers subject to rent control?

With my fee I've bought a Lamborghini. What has all this got to do with sex? You don't know what a Lamborghini can do.

The Case for Para-Legals: "Can Only Help", says Atty.

by Neil Shayne

Within the past year a new field has blossomed in Law. The law assistant, or the para-legal, is making its mark on the legal profession. Programs at commercial schools and universities have mushroomed. There is hardly a State that is not contemplating a para-legal course of study in a university. Hofstra's neighbor, Adelphi University, presently offers a law assistant course for qualified college graduates.



Neil Shayne

The curriculum comprises 180 hours of extensive legal training for students. The students will receive courses in legal research and will take a specialty in corporations, estates and trust, litigation or real estate.

The University conducts a placement service at no cost to the student or the employer.

The American Bar Association has given impetus to the para-legal program by studying the need for legal assistants. The ABA found that routine assignments para-legals could perform include preparation of pleadings, legal research and organizations of the files.

The criticism of the para-legal movement is that graduating law students will not be able to find employment if the legal field is saturated with these people. The claim is that there is not sufficient legal business to justify a lawyer type person coming into an office. I disagree with this premise for two major reasons.

First, any non-lawyer in an office is producing work which ultimately will have to be disposed of by an attorney. The increase in para-professionals will result in an increase in responsibility by an attorney working with him. The law firm should be able to accept substantially more business when they are capable of having less important matters processed by lay personnel. The expenses and costs of a law office are rising so tremendously that many people are priced out of the legal market. The American Bar Association in a survey recommended enthusiastically the passage of a prepaid legal service plan, pointed out that middle America cannot afford legal services. With non-lawyers involved in the practice, the fees should be commensurate with the employees' earning capacity and the total legal fee should be substantially less.

Prepaid legal services is a new concept which is similar to Blue Cross and Blue Shield for medical services. President Nixon in September signed the Bill permitting unions to negotiate for prepaid legal services as a fringe benefit. Insurance Companies interested in prepaid legal services have surveys which reveal billions of dollars of legal income will be pumped into the lawyer's economy. The additional business will not be on a high rate per hour. Most local Bar Associations will probably recommend a minimum hourly fee. This business will be profitable and productive if lawyers work in association with para-professionls.

Any concept which leads to the increased efficiency of any profession should ultimately produce good for the entire profession.

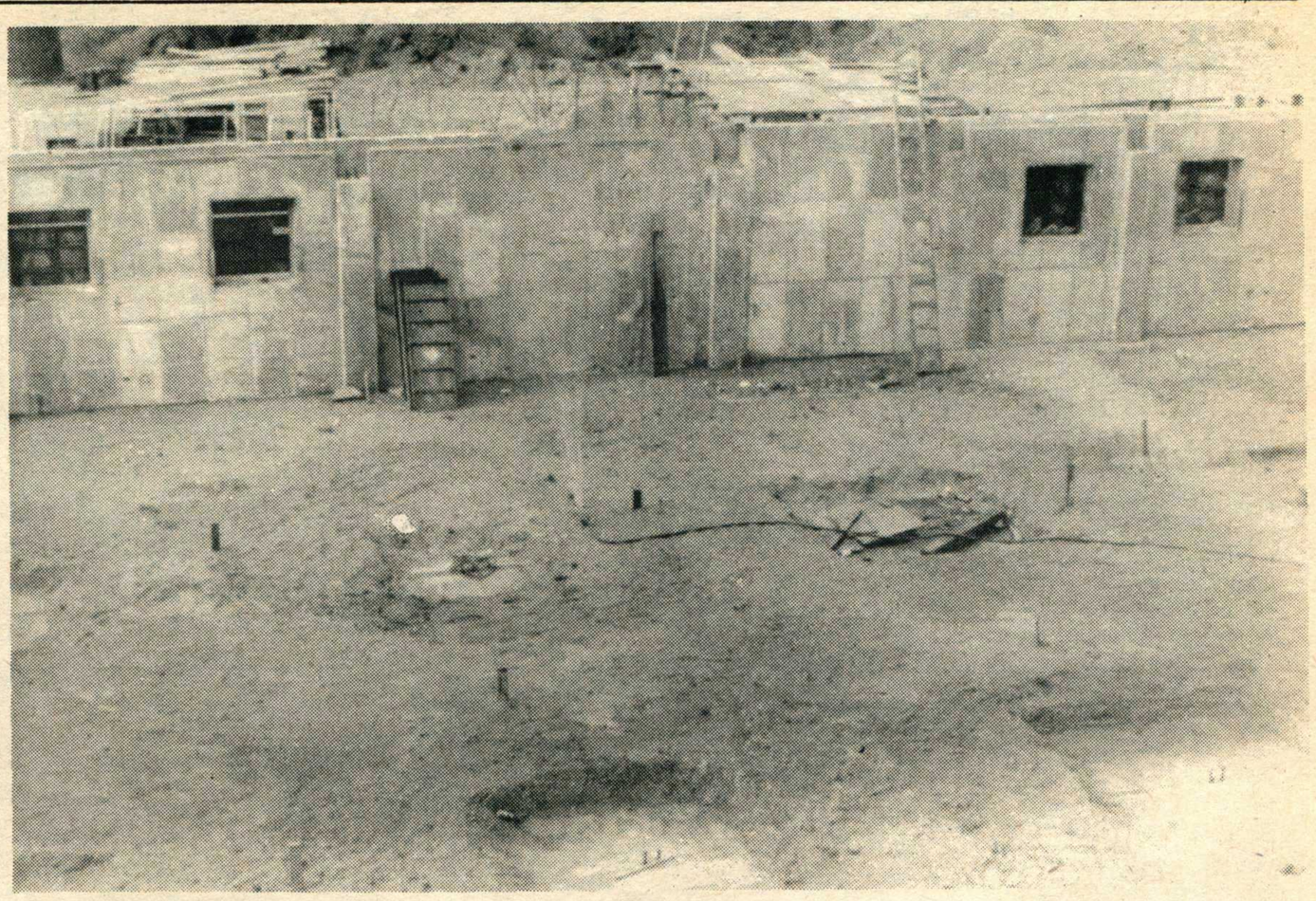
—Mr. Shayne is a member of the firm of SHAYNE, DACHS, WEISS, KOLBRENER, STANISCI & MOE LEVINE. He is author of a Bi-Monthly column for hte New York Law Journal on Legal Economics. He is on the faculty of the New York Law Journal and the Institute for Court Administration in addition to directing the para-legal program given at Adelphi University, Garden City, N.Y.

Brandeis On Law:

"Decency, security, and liberty alike demand that government officials shall be subject to the same rules of conduct that are commands to the citizen . . . In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy." Louis Brandeis, dissenting, Olmstead v. U.S., 277 U.S. 438, 48 S. Ct. 564, 72 L. Ed. 944 (1928)

Conscience Needs Minds

Jim, Barry, Michele, Les and Norm cannot stand alone. Conscience seeks people to fill a staff box. Managing editor, features editor, alumni editor, sports editor, reporters, writers, reviewers, photographers, and particularly a business manager willing to brave the cruel world in soliciting advertising revenues. Cover the scintillating glitter of law school life. Earn no pay, get no credit, and buy no grapes. Stop in and learn about our fabulous beyond-the-fringe benefits. Come to the meeting at 4, Monday, in the student lounge.



The Law School Lot: You are looking at our expanded library, student lounge, extra offices, and 200 seat moot court room. (Paverman photo)

Law Library Growing, School Expanding, Says Wypyski, Law Librarian

by Barry Rubin, '76

For Hofstra University Law Librarian Eugene M. Wypyski, the ultimate aim of the law library is to remain responsive to the needs of the Hofstra law community. Responsiveness has veen the key whether in services, facilities or book availability. "Libraries are examined for quality and function," commented Professor Wypyski. "From what I hear we've got nearly everybody satisfied."

Starting from scratch nearly four years ago, the Hofstra George Morton Levy Law Library has grown to over 80,000 volumes. Prof. Wypyski indicates that many outsiders are amazed at the size and quality of the library. "In our first year of operation we started with 60,000 volumes, far exceeding what we had anticipated. A number of gifts and books helped us to turn the corner," added Prof. Wypyski.

Involved in the law first as an attorney and later as law librarian at Fordham University, Prof. Wypyski was also involved in law book publishing, leading him to comment: "I've been on both sides of law books."

In addition to his duties in the library, Prof. Wypyski is chairman of the law school's building committee. Thus, one could guess that a substantial portion of the 1.7 million dollar addition will be devoted to library stacks and study areas.

"From a capacity standpoint we'll move to 150,000 volumes and 460 seats from our present 80,000 volumes and 275 seats," said Prof. Wypyski. Similar to the layout of the present Roosevelt Annex law building, the addition will have library space on its first two levels with classes, office space and a lounge on the third level. Another important feature of the addition will be a 200-seat moot court room on a specially constructed fourth level.

In keeping with the theme of library responsiveness, Prof. Wypyski indicates that the addition will contain extra comforts for the law community. "The library and support offices will be fully carpeted and there will be an area at the front of the library as a lounge where light conversation will be permitted. There will also be smoking permitted in this lounge area. The remainder of the library will be a quiet area," explained Prof. Wypyski.

Eugene M. Wypyski

Even with the greatest of comforts, the contents of the law library remain of paramount interest. Within the past year the law library's collections have been enriched by the addition of the New York State Court of Appeals records and briefs and microfice records and briefs of the United States Supreme Court.

Overall, the library continues to build and grow. "We want to keep our high level of quality," remarked Prof. Wypyski. "Once the library ceases to grow it begins to die."

A key function of the law library has been to keep pace with curriculum changes. "If additional courses are added, we must have those books necessary to support these courses. We had a case of this in the International Law area last year," explained Prof. Wypyski.

Possibly, Prof. Wypyski's greatest asset in responsiveness to student needs remains in library hours and staffing. "We will shortly reach our ultimate aim of having a professional librarian on duty from 8 a.m. to 10 p.m. during the week and on Saturdays and Sundays," predicted Prof. Wypyski. Although the library staff was not at full strength for the start of the fall semester, Prof. Wypyski has interviewed several highly qualified individuals and expects to be at full strength shortly.

While the aim of the library continues to be responsiveness to the Hofstra law community, it is certain that the addition to the law building will go a long way toward giving the law school and the library the breathing room needed to sustain continued growth.

Upstate Convention Calls For Environmental Push

by John Hacker '75

It is not one of the world's best-kept secrets that lawmakers are not apt to push for legislation favoring environmental considerations over economic interests without some sort of external stimulus. It is not politically sound to offend one's principal sources of funds.

Recently, many groups have sprung up which mobilize more or less large groups of citizens to apply just the kind of pressure needed to effect the enactment into law of programs espoused by the environmentalists. In New York State the most potent organization is the Environmental Planning Lobby, a coalition of many environmental groups. At their convention this past weekend, held in the Adirondacks, the EPL presented an enlightening exposition of many issues confronting environmentalists across the state.

The goal of the convention, and of the Lobby in general, was outlined by Chairman David Sive: "to forge a partnership of those who work with the earth and those who play with it . . . in order to create an effective fighting group in Albany."

To this end, workshops were held to discuss such topics as environmental rights, education, and land use. Time and again, the importance of impact legislation and citizens' suits was emphasized. Currently, a Bill requiring most private developers to conduct environmental studies before construction of their projects is before the state legislature. Unfortunately, the proposal has been taking a beating from those forces, like the State Association of Towns, who feel that private prerogatives and home rule would suffer if legislation were passed requiring impact studies.

Suggestions offered by the State Attorney General's office have not even made it out of committee. One legislative assistant said the time for this type of statutory standing is just not yet ripe. As expressed last year by Governor Rockefeller, the opposition to allowing citizens' suits in the field of environmental law appears to be the fear of a floodgate of frivolous litigation. On the other hand, the courts in New York as well as throughout the nation have been looking with increasingly more favor upon granting standing in such cases.

William Reilly, author of **The Uses of Land** reiterated "the importance of the moment" in seeking to achieve environmental goals. Reilly, who is a graduate of Harvard Law School, discussed components of a successful drive for more efficient and desirable land use. Then he attacked traditional zoning practices. "Unless zoning is done on a regional scale, and remains flexible and contemporary," Reilly asserted, "it is useless."

As a lobbying group, the immediate concerns of the EPL were the various environmental propositions and amendments appearing on the ballot this November. The most important of these, of course, is Proposition 1, the Transportation Bond Issue. After hearing a panel discussion on the matter, the consensus of opinion among EPL directors seemed to be against the Bond Issue. In an uncharacteristic split from the position of the Commissioner of the state's Department of Environmental Conservation, Henry Diamond, the principal contention of the EPL seemed to be with the lack of guidelines in the proposal for dispensing the $3.5 million. This places unwarranted reliance upon the discretion of the State Legislators.

The convention was attended by a wide spectrum of interests: from representatives of state agencies and the state legislature to environmental lobbyists and concerned local administrators. It provided a fine opportunity to learn more of the ways one can constructively complain about the state of the Earth these days. Unless dissatisfaction can be channeled into some purposive, positive activity, it tends to render its entertainer parasitic.

Lifer Mary Bell, 11

Book Review

MONSTER OR VICTIM?

In December 1968 two young girls, aged 11 and 13, stood before a criminal court in Newcastle, England, accused of strangling two small boys within a six-week period. The younger girl—far "cooler" and more in command than her co-defendant—was found guilty and sentenced to "detention for life." Step by step, the extraordinary murders, the events surrounding them, the alternately bizarre and nonchalant behavior of the two girls, their accusations against one another, and the social matrix of their lives are grippingly recreated in "The Case of Mary Bell" by Gitta Sereny (McGraw-Hill, $7.95).

During the nine-day trial it became apparent that very little about Mary Bell's background and personality was known to the police, lawyers, teachers, social workers and others involved in the case—although before the murders Mary had come repeatedly to the attention of the authorities and had been repeatedly dismissed.

Mary Bell's life in an institution as the only girl among 22 boys, her inner turmoil, her lurid sexual accusation against a teacher, and Ms. Sereny's painstaking reconstruction of Mary's family life keep the reader spellbound and complete the devastating story that begins with the mysterious death of a four-year-old boy.

Environmental Law Society: Growing Group

This fall the Environmental Law Society has become the largest student organization in the School of Law. Total membership of the Society is now 28. Two-thirds of the membership are from the class of 1976.

On October 9th, the Society adopted a constitution. The 1973-1974 officers were also selected. Mr. Charles E. Rogers, Jr. was elected to a second term as Chairman. The Secretary of the Society is Mr. Roger F. Kujawski ('76). Ms. Stephanie Ortoleva was elected Treasurer.

Plans are now being formulated to hold an "Environmental Litigation Clinic." The clinic will afford Hofstra Law students with an opportunity to hear and discuss with environmental lawyers various aspects of litigating an environmental case. A final date has not yet been determined but is tentatively scheduled for a Saturday in November.

In an attempt to overcome a "curriculum gap" due to the exclusion of environmental law from the law school's course offerings, the Environmental Law Society is considering a variety of programs for the 1973-1974 academic year. A major objective will be to inject environmental law into the present curriculum. E.L.S. intends, for example, to make the necessary arrangements so that interested first year students will be able to focus their spring research seminar on environmental questions. The Society will also begin this year to explore the question of developing an environmental seminar for second and third year students. Also under discussion is the sponsoring of an annual Environmental Law Forum featuring a prominent guest speaker.

Candid Conscience Our Roving Reporter

by Michael Vacarr

This week's interview is with Mr. Mitchell Gilbert, a second year student here at H.L.S. Mitch is well known around the school for the many probing questions he asks in class. He is also the author of the forthcoming book, "Humor and the Law, or the Nixon Supreme Court Decisions."

Question: Can you tell us of any future innovations in the law school curriculum?

Answer: I have been informed recently of the expansion of the International Law Division. As a matter of fact, in order to meet the need, Professor Wypyski just told me that he has ordered four german shepherds for the library.

Q: Dean Freedman has promised to recruit more minority groups to the law school. How do you feel that Hofstra will benefit from our Black and Chicano brothers?

A: Well, I don't know about our black and chicano brothers, but expansion will certainly be profitable to Dean Freedman's brother, who is a salesman for West Publishing Company.

Q: Our faculty has a national reputation for scholarly feats. Is there one accomplishment that stands out in your mind?

A: Yes, there is. I'll never forget the time former Dean Mahon recited the Uniform Commercial Code in Portugese while juggling three Federal Digests on a unicycle.

Q: Has any professor ever demonstrated the practical aspects of the law such as the filing of a complaint?

A: I don't know about a complaint, but there was the time Dean Younger drew her briefs in front of the entire class.

Q: About the reputation you have for asking questions; is there one in particular that you would like to share with our readers?

A: Well, there was the day I stood up in Constitutional Law and asked Professor Agata a question he had difficulty in answering. . . of course, not many people know who won the Cy Young Award in 1947.

Black American Law Student's Association is Active

by Michelle Y. Hodges

B.A.L.S.A., the Black American Law Students Association, is now in its sixth year and has some 3700 members (1972 figure). The organization serves to articulate and promote the needs and goals of Black American law students, locally and nationally; to foster and encourage an attitude of professional competence; to focus upon the relationship of the Black attorney and the American legal structure; and above all to serve as a vehicle to emphasize and facilitate commitment to our principle goal of channeling the present and developing skills and resources of members towards building a higher level of cultural, social, educational, political and economic consciousness and development.

The most important aspect of the philosophy behind BALSA is its' concern with bringing our legal training to effectively bear upon some of the critical problems, legal and non-legal, in the Black community, and to instill a greater awareness in the Black attorney and law student of the needs of his community. Additionally, BALSA functions to influence American law schools to use their influence and prestige to effectively generate changes within the legal system that are responsive to the needs of the Black community.

Membership is limited to those who are matriculated in any American law school and five members are generally necessary to constitute eligibility for charter membership. There are chapters at virtually every law school in this country with a Black population.

In fulfilling its goals, BALSA activities for the past year have included:

—formation of a triumverate with the American Indian Law Student Association and La Raza (Mexican-American Law Student Association). This group secured the right to substantially assist in all determinations regarding money allocated by the A.B.A. Law Student Division to any minority program.

—working with the National Bar Foundation in the Army Judge Advocate General Corps to recruit Black law students for their legal program.

—helping to coordinate the activities and planning of the National Council of Black Lawyers convention in Washington, D.C. BALSA is also presently engaged in working with NCBL's Prison Project.

—maintaining input into the Executive Board of the Council for Legal Education Opportunity (CLEO) to insure that the program continues to effectively serve the needs of minority law students.

—has served as a conduit for Black law graduates into the Reginald Heber Smith Community Fellowship Program. Due to OEO cutbacks, the program is presently in a state of limbo and BALSA is exerting every effort to keep the program in operation.

—participated in the ABA-sponsored panels concerning the establishment of the National Institute of Justice.

—has established a Placement Center which is located in Washington, D.C. and has been extremely instrumental in securing summer employment for students and permanent positions for graduates. The Center has been funded by the NAACP, INC. Fund in the amount of $12,000.

—has created a Research Institute which does work on a contract basis for persons or organizations that require briefs to be written, research to be done, etc.

—sponsored an extremely well attended national convention in Los Angeles, California where a number of important decisions regarding reorganization and expansion of BALSA sponsored activities. One of the best and most innovative ideas included the formulation of plans for unifying Black students in a host of professional schools i.e. medical, dental, business, etc.

—development of legal columns in community newspapers.

—participation in local radio public affairs programs.

—student run Legal Aid Clinics in the community.

—established itself as the student division of the National Bar Association.

—sponsored a Law Day at Brooklyn College. This program was coordinated by the Metropolitan Coordinating Committee of BALSA (MCC), which consists of representatives from Columbia, Fordham, N.Y.U., Hofstra, Rutgers, St. John's and New York Law Schools. The Law Day was quite successful and was attended by judges, lawyers, law professors, law students and community members. The Hofstra chapter of BALSA also sponsored its own Law Day earlier this year.

The first activity planned by the M.C.C. for the academic year 1973-74 is another Northeast Regional Law Day scheduled for Saturday, October 27th at Fordham University Law School. Over 400 people are expected in attendance and professionals from all walks of law, including Professor Sheila Okpaku from Hofstra, have been invited to participate in a panel discussion.

Michelle Y. Hodges, '75, is Treasurer of the B.A.L.S.A. chapter at Hofstra, Secretary, M.C.C., and N.E. Regional Secretary.