# EDITORIAL . . .

For better or worse, the school has reached its interactive critical mass this year. The politicization of the student body has been an inevitable concomitant of growth. The fundamental complaint of students running for representative positions is a dissatisfaction with the power structure of the school, including the relatively small group of students that have held absolute decision-making powers.

The dissatisfaction has been most acute in situations relating to unprecedented innovations. There has been disgust with the Moot Court Board method of selection, and it appears well-stated in an article on page 5.

The delay in the student rep elections is attributable to the previous lack of any formalized or publicized procedures.

The Law Review competiton has each time weathered a barrage of criticism as to its timing, fairness and openness. But at least we can say of the law review that its editorial board has gone far beyond the minimum in publicizing its procedures and practices.

This clearly has not been so with the past student representatives. Because while many did such a fine job, too often they forgot their responsibilities included communicating to the student body just what it is they were doing. It is a sad commentary that only one of last year's representatives, Brian Asserson, ever wrote an article for CONSCIENCE explaining or justifying the budgets they approved, the trips they took, or committees they served upon. We reiterate that it is painful to criticize because in their capacities they served so well, as many faculty members will attest to.

There is indeed a vague awareness that there are students reps to the faculty on faculty committees, and of a budget for student activities, but exactly where does one acquire this information? To the extent that CONSCIENCE has failed in not communicating these things, we apologize. But we insist that it is the task of each operational committee to keep us advised. We have no secret eyes peering through their closed doors. We are law students first, and reporters second.

There is continued wonderment over administrative decisions as well.

Why are the two seminar rooms opposite the Courtroom, with their plush chairs and carpeted quiet, locked twenty-four hours a day? And why is it that only faculty persons have been given the key? And how many more sherry parties will it take before the faculty gets to know each other?

And if that room were intended to be exclusively for faculty's private use, why is it that the building's blueprints call it a lounge and seminar room as well as a faculty conference room? We want an answer today!

A petition concerning Professor Sybil Landau's present contract status raised valid questions as to whether students had been adequately consulted in a decision that effectively terminated her contract.

Students confronted by the demands of law school but concerned about the school's initiatives should not be required to research the socio-politico structure of the school in order to find out what's going on. There is a better way than looking for tidbits of information on bulletin boards strewn with extraneous notes. The underlying problem is not the elitism of a few, but the outright confusion of so many. The 'processes of information flow' has not expanded as rapidly as the student body.

Dustin Hoffman's poolside advisor was wrong. The word is "communication," not "plastics." We need more of it here.

There will be a Dean's Forum November 8. At least be there.


'IT'S OUR BIRTHDAY'

**Inside: The Biggest, The Boldest, And The Best Issue Ever!**

# CONSCIENCE

The Hofstra University School of Law Newspaper

**Volume 2, Number 3** | **"Asking you to ask yourselves . . ."** | **October 30, 1974**


## Landscape Blossoms; Ordover is Bushed

**By Jim Freeswick**

**With Lightning by his side, *Professor Abe Ordover last* Sunday broke ground for the law school's newly formed Beautification Committee.**

*Accompanying the professor* and his cuddly canine were committee persons Joan Axinn, Payson Coleman, Steven Porter, Will Nix, and Marvin Gutter. Also

**Lightning**
*Hofstra's new look*

in attendance were Professor Ordover's wife and the committee chairperson, Environmental Law Professor William Ginsberg.

The group planted shrubbery directly outside the school's California Avenue entrance. In no time at all, Lightning watered the bushes. The shrubbery has been donated to the law school by second year student Beverly Bell's father.

According to Will Nix, the group is determined to "de-institutionalize" the schools. "We are very underdeveloped visually at present. Our objective is to eliminate the starkness of the building thereby making the school a more attractive and pleasant place to study and spend time," said Nix.

Towards that end Joan Axinn announced that there will be a planting party at the Law School this Sunday. Axinn urges everyone to "bring (your) bulbs and evergreens."

The group has already commissioned John Bordis, a professional planner, to draw a plan for improving the exterior environment of the school. One important goal is to do something about two green air conditioning units which stand outside the entrance like an eyesore. "They will be surrounded with bushes," said Gutter. Lightning wagged his tail with the words.

Nix said the committee hopes to obtain funds for its various projects from the student activity fee fund as well as from private donations by students and individuals outside the University. The committee will accept donations in the form of trees, bushes and artwork.

According to Nix, the committee plans to hold art shows in the student lounge and will place indoor plants and sculptures in the hallways and prints and paintings on the walls.

"I know two student photographers who have expressed a willingness to have an art show. Also, students from the Fine Arts Dept. of the undergraduate school are making sample sketches of graphics and murals which might be painted directly on the walls and in the stairwells of the school.

"There is an interest in seeing these things happen. They would help make the school less institutional and less cold in appearance. It will be a good step towards improving the general atmosphere," said Nix.

In the Courtroom

## D.A. Debate Set For Friday; Candidates Face Cross-Exam

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**D.A. Cahn and Candidate Denis Dillon share amenities in a TV debate.**

**On Friday, November 1, at 2 p.m., Incumbent Nassau County District Attorney William Cahn and Challengers Democrat Denis Dillon and Conservative Francis A'Hearn will debate the issues in the Court Room at Hofstra Law. This is the second and final debate between the candidates for the Office of Nassau D.A.**

**The eleventh hour debate will include ten minute opening remarks from each candidate, followed by a fifteen minute cross-examination period where each candidate will question the other two for a five-minute period. The Debate will conclude with a fifteen-minute rebuttal round with each candidate allowed five minutes.**

**At the end of the debate, questions will be received from the members of the press and the public.**

# CONSCIENCE

The Hofstra University School of Law Newspaper

**Volume 2, Number 3**
**October 30, 1974**
*"Asking You to Ask Yourselves"*

*American Bar Association Law Student Division,*
*Class A Category 1st Prize, Best Law School Newspaper,*

**Norman Elliott Kent**
*Editor-in-Chief*

| | |
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**It is expected that the Editor-in-Chief and the members of the CONSCIENCE staff will meet the responsibility that derives from the right of freedom of the press.**

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## *Editor's Oriel*

### JUSTICE BARSHAY WRONGED

**In the last issue of CONSCIENCE there appeared on page 1 an interview with Judge Sol Wachtler.**

**One part of the article read as follows:**

Contending that criticism of judges is "a healthy democratic experience," the Judge was not disturbed over Jack Newfield's latest enunciation of the ten worst judges in New York, which appeared only last week in the Village Voice.

Wachtler did indicate he thought these articles could be "particularly deceptive," and noted that graphically depicting the amount of time a judge serves on the bench is not necessarily useful: "You don't find out how much time he spends in in-camera sessions, researching points of law, or resolving disputes between litigating attorneys." Wachtler went out of his way to praise Judge Hy Barshay (criticized by Newfield), as one of the ten finest criminal court judges in the state. He (Barshay) has written some outstanding opinions."

**This paragraph, as written, unintentionally lends inference to the suggestion that Justice Barshay was considered by Newfield as one of the ten worst judges. In fact, that is not the case.**

**We apologize for this error. The reference to Justice Barshay in Newfield's article was only with regard to the amount of time certain judges spent on the bench during one particular five-day period in July. It is hardly an accurate gauge. It does not include the time Justice Barshay has spent trying some of the most difficult and complex cases in New York, including many well-publicized murder trials which require enormous amounts of time and effort.**

### AND A POLICY RENEWED

**In the last issue there also appeared one stinging letter to the editor by Bob Saperstein.**

**Dean Twerski has answered some of these charges in his column in this issue, but CONSCIENCE clearly erred in not giving the administration an opportunity to answer earlier.**

**When a paper appears only once every three weeks, or in this case, once a month, allegations can remain unanswered too long. Therefore, when something that is critical of a party will be published in an upcoming issue, notice will be given to the appropriate parties, and they will have the opportunity to respond in the same issue. This is simply a renewal of a policy we maintained last year. We think it will enhance the vitality of the paper, with the pros and cons of issues debated on the same page, rather than in separate issues.**

**You should therefore not submit polemical copy at the last moment, since we will reserve the right not to print it if there is no time for a fair response.**

**Accordingly, the Moot Court Board was invited to respond to Ronald Carman's article, but they declined to do so.**

●

**In the last issue as well, Professor Ordover was erroneously referred to as an Associate Professor. Good Abraham P. is in fact a full professor.**

# Letters to the Editor

## Another Call for a Student Bar Association

Dear Editor,

In light of certain occurrences during these past months, it appears both evident and necessary to establish a Student Bar Association that can assert substantial influence upon the decision making processes of the law school administration. We cannot expect that an individual representing himself or herself to Dean Twerski and voicing a frustration in response to a school decision will have any positive effect. Only by students uniting to form a strong single voice that will channel suggestions and complaints directed to the faculty, can we attempt to have any impact at all on decisions before they are announced. The administration must be alerted to the fact that students no longer desire to hide behind the cloak of "apathy" but are prepared to work for substantive improvements.

We are faced with an either-or proposition—either we accept and defer to the procedure by which the faculty renders decisions or we take the initiative to combine as a single entity to participate in and determine law school policies.

A student government comprised of concerned persons can effectively challenge several of the faculty proposals. We will be recognized by the professors because this government will be speaking for a majority of the students and not just a handful. Yet the purpose of a Student Bar Association is not to oppose and antagonize the faculty, but for both factions to cooperate in order to meet the needs of the law school community.

Darrel Gavrin

As most students have observed, law school procedures and selections tend to be arbitrary and capricious, instituted to satisfy the particular needs of a specific situation. There is uncertainty as to how an issue will be resolved as these procedures are modified without students being notified.

We are confronted with an ever widening gap in student-faculty relations. Isn't it time that the student strive to reform the ways of the law school? The creation of one central governing body—the Student Bar Association—can be the solution.

Darrell Gavrin

## Speakers Committee Thanks F. Lee Bailey

Dear Editor:

The Hofstra Law Speakers Committee and the students of Trial Practice wish to thank F. Lee Bailey for finding time to address the school recently.

Mr. Bailey was conducting a difficult attempted murder and kidnapping trial at County Court in Mineola. We approached him and asked him if he could find time in his busy schedule to appear at the law school. He agreed to speak during the court luncheon recess and we had our school chauffeured BMW waiting at the County Court House. The reason for the late arrival of Mr. Bailey at Hofstra was due to the unexpected developments at the trial as he explained during his talk. As soon as the Court recessed he was whisked to Hofstra and took the podium without having lunch.

He was greeted by an overflow crowd which had virtually brought the entire school to a halt, as the Moot Court was filled and more people stood in the hall unable to enter the room.

F. Lee Bailey has a strong commitment to working for increasing the trial skills of future lawyers and we were pleased to hear his views on the art of cross-examination and such an in-depth explanation on his trial tactics.

We hope to be able to invite Mr. Bailey back sometime in the future and we promised him that next time we would have a better lunch for him than the turkey sandwich and Coke which he ate in the car on the way back to the Court House.

Once again we thank him for making this one of the most successful programs we have had at Hofstra Law School.

*Thank you,*
Abraham P. Ordover
David A. Diamond
Gary Wishik
Mark Schnapp
Steve Schlesinger
Mike Benjamin

## LSD Gives Women Projects Special Consideration

Dear Editor:

The annual Fall meeting of the Board of Governors of the A.B.A. Law Student Division was held in New Orleans, Louisiana. At that meeting the Board of Governors mandated that at least ten percent (10 percent) of all Law School Services Funds should go to women projects. Needless to say that this is a first in the brief history of the Division. The mandate recognizes women groups within the Division as a special type of minority and thereby due particular consideration.

The establishment of this category does not have a detrimental effect upon the other concerns within the Division. It merely increases the possibility of grants to a law school from two (2) to three (3). This also is a first in the Division's history.

Further, the new category is hoped to stimulate additional circuit-wide projects. Circuit wide projects have been encouraged in the past and will be continued to do so.

Sincerely,
Perry Crutchfield, Jr.
Second Vice President
Law Student Division

**Ed. note: Because Hofstra Law does not have 20 percent membership in the ABA-LSD (at least 30 new members are required), it cannot receive funding for student service programs.**

## A Gay Law Students Group - Maybe

Dear Editor,

I would like to form a Gay Law Students Group at Hofstra Law School, but am hesitant to do so because of the obvious repercussions. Gay people are still the most persecuted of minorities. And no one in the organized bar is exactly welcoming us with open hands.

I could use your help in determining whether there are enough students here to form a functional group. I would like to preserve my own anonymity for awhile in law school even though I was one of the founders of gay liberation at my undergraduate school. It is very rewarding to again have people relate to me as a human being instead of a homosexual.

As a first year student, I just don't know many people in the school. If anyone is interested in being part of this group, can you have them leave a sealed letter in the CONSCIENCE mailbox with a heading of GLSG (Gay Law Students Group), and after a few weeks I'll ask a member of the editorial board for the letters, and subsequently contact the interested parties.

I'm sorry I decided to go about it this way, but before anybody comes out in a law school, we ought to see if there is any purpose in it. I'm not interested in forming just a social club, but an active society which will fight the legal system that represses us.

Thank you,
Name withheld upon request

**Ed. Note: CONSCIENCE will cooperate in whatever ways it can, and our mailbox will be open for the writer's request.**

Instead of anger
Let me feel
Compassion.

Instead of rage
Let me show
Concern.

Instead of hate
Let me seek
Change

For, if
To a warning, wonderful world
Each of us will bring

Compassion
Concern
Change
Then perhaps there will be

Love.

# Reflections on Kissing off Law School

## *The Drama of an N.Y.U. Law Student*

By BOB DAVIS

*It was a hazy early morning dream. In the dream I was a guest at a wedding reception held in an old white house in the country. There were several dining rooms filled with tables. The guests milled about and stopped to talk to friends. Slowly they made their way to their seats. Seated at my table was my friend Alan who had recently moved to upstate New York and another friend I did not recognize. We were increasingly uncomfortable at the reception. The people were too old and well dressed for us and the conversation was too chatty and genteel.*

*A guest entered after everyone else had sat down. With some amazement I recognized her as Jacqueline Kennedy Onassis. She wore a long, pastel, shaded dress covered on top by a sheer veiled material. I wanted to speak to her but I felt shy and looked away. When she approached my table, however, Alan greeted her as an old friend and they talked for several minutes. Before she excused herself to find her table, I managed to say a few words to her.*

*Before the reception ended I left and walked upstairs. Not wanting to sleep, I sat on the banister of the stairway leading to the bedrooms and I stared out an open window. The commotion from the party acted as a backdrop and I heard dancing, talking and the clinking of glasses. Filtering through the window, the night air was cool and clear. Moonlight slid down the stairway. After awhile I heard someone coming up the stairs. It was Mrs. Onassis and she stopped to talk. Her voice had that slightly bored Park Avenue inflection of the rich but she smiled and we talked as friends. She asked me how I enjoyed the party and what I planned to do afterwards. I answered politely but noncommitally. After a few minutes the conversation ended and she wished me good night and continued up the stairs. I watched her slowly mount the steps and enter her room alone. As the door closed behind her I turned again to the moonlight.*

---

The alarm clock rang and I awoke, tired from only two or three hours of sleep.

The day before had been difficult. I had decided to withdraw from Law School and all night images and illusions flashed through my mind, commenting on my choice. I sat there afraid.

With one decision my life had lost its reason and structure. I was starting over. I was not cheered by any cosmic thought that I was being born again. The future lay before me as empty as an open road.

It was almost as if I had been born to be a professional. It was what my parents expected of me and how my friends related to me. I was Bob Davis, Lawyer, Professor, Engineer—for as long as I could remember. No one was surprised when I told them I was going to NYU Law School and in fact the decision seemed natural to me also.

At first I had enrolled in Columbia University's graduate school. I had returned from a senior year abroad in Israel intent on becoming a political theorist. New York, however, brought problems.

I had no money to finance graduate school and the thought of borrowing $20,000 to obtain a Ph.D. frightened me. There was a good chance I would not even be able to find work as a professor after graduate school. I did not want to be $20,000 in debt and be without the job I sought.

In the end these arguments about practicality prevailed and I withdrew a week before school began. I took a year off and applied to Law School.

Law School seemed a good choice. I had always been interested in social problems and the law seemed a good way to approach public affairs. It was also much easier to earn a good living with a law degree than with a Ph.D. in political science.

Law school or graduate school though, that was my only choice. My mind was structured in a little corner of the universe where one's life is only a question of which school to attend next. I was secure in the notion that life proceeded by blocks of one year corresponding to the school year. One decided one's life by choosing which school to attend that year.

In my case it was Syracuse one year, Queens College another and Tel Aviv the next. This was life.

Variety was change within that narrow spectrum of school life; variety was changing schools. Even my year off after college was merely a financial and social preparation for the next round of school, this time law school. I lived my life as an adjunct of school.

Law school is school life at its fruition. On one level it is the training ground for the social managers of the future, their transition period between school and life afterwards.

*Law could be an income and a task for me and perhaps a duty but never a love. And I watched the students that answered and I saw how much they enjoyed the course and how much they thought the law was challenging and exciting, and I could see them being pushed to greater and deeper understandings by the problems posed by the professor and the law and I knew they could never be me.*

Look around a good law school and you can see the people who, from a lucrative and detached position, will soon be making society move.

On another level law school is the temple and strength of school life. Law School is the focus of the early years in school that eventually lead to admission to the profession and the lessons of law school are reflected in the later acts of each of its graduates.

Law school teaches power, how to use it, how to shape it to conform to one's needs. With every decision, every molding of power to fit a situation the law graduate uses his training and attests to its validity.

Law school teaches a complete mode of thought. As well as teaching how to approach a problem, law school suggests how a solution can be found. The law then becomes a closed system as questions and answers are seen in the context of the law. By this process law school is transformed into life itself.

With every social action, every use of power to reach a solution, the law graduate relies on his past training to guide his present acts.

Other schools have a less direct impact on one's present life. Law school is directly concerned with teaching the practical solution to problems; it has a direct reach into the future. One is never a master of the law's complete system of thought but only an actor within it.

And now the future seemed just a haze because I threw that law school structure away, and I threw it away I realized, not out of rage but out of frustration and boredom.

It had been a difficult week. I was a second year student and was pressed by school assignments. My time to complete them was limited because of my job. I was a process server for legal services and spent 20 hours a week chasing down judges, attorneys and marshalls. At night I was exhausted. My grandmother was also visiting from Florida. I had not seen her in two years and I had to find time to visit her. In the weeks before my decision, as I went to sleep the accumulated pressures seemed too great.

In the first week of Law School I had almost quit but I was not certain enough of my decision to act (even now it is difficult to picture myself out of school although I withdrew several days ago).

I called my father up and he gave me the practical arguments for law school; how I could get a good paying and interesting job after law school, how I would only find boring jobs without it and how boring work would lead me to hate my life.

Later I realized I called him because I wanted to hear these arguments and be persuaded not to withdraw.

The term had now advanced a month, I was working at a law-related job and I was signing up for interviews for summer work with large law firms in various cities.

My assignments were up to date. Then one day I stumbled into Prof. S. Stephen Rosenfeld's administrative law class late.

The discussion centered on who had standing, that is, who had a sufficiently concrete interest, to challenge the decisions of an administrative agency.

Instead of listening to the discussion I watched the teacher, a man in his early thirties with longish blond hair. He seemed out of place as a law school professor.

Instead of the well-tailored suits and raging self-confidence one generally finds in law professors, his suit was unkempt and he dared to make fun of himself. I liked him. Watching him lead the discussion, I saw how animated he was and how much he desired to communicate with his students, and I could see that he really thought that teaching the law was fascinating I remembered I had talked to him once and he told me that the practice of the law was an art; and I realized how much I liked him but how I could never be like him, how I could never find the machinations and workings of the law any more than interesting, and how I could never want to immerse myself in the law and spend hours at it in dedication.

Law could be an income and a task for me and perhaps a duty but never a love. And I watched the students that answered and I saw how much they enjoyed the course and how much they thought the law was challenging and exciting, and I could see them being pushed to greater and deeper understandings by the problems posed by the professor and the law and I knew they could never be me.

I also remembered a time when education was a challenge to me but how in law school I was bored and could not pay attention and dreamed only of my release, and I knew I was fooling myself.

I felt faint and my vision blurred and the words in the classroom were only sounds and background hummings. I was on the outside, on the edge of the classroom looking in and I had to leave.

I grabbed my coat and left in the middle of class.

In a few hours I withdrew.

What will I do now? An ever present question without any real answer.

My friend Alan is opening a restaurant upstate and initially I will go and help him. I can work and live there and write, and perhaps complete that large book that has been forming in my mind for five years.

But if I were to be true to any of the ideals I had set for myself in the past, if I were to follow what was inside me, what perhaps could make me great and what at the very least I could love, I had to leave law school.

---

*It is cold inside my apartment now.*

*The October daylight is strong and bright but I am thinking of the nighttime and moonlight.*

*I am sitting on the banister again, thinking of that lady of wealth and power lying alone upstairs and how friendly she was but how aloof and cool.*

*She is on the edge of my world now and I am sitting alone facing the nighttime.*

---

Courtesy of NYU Law School "Commentator."

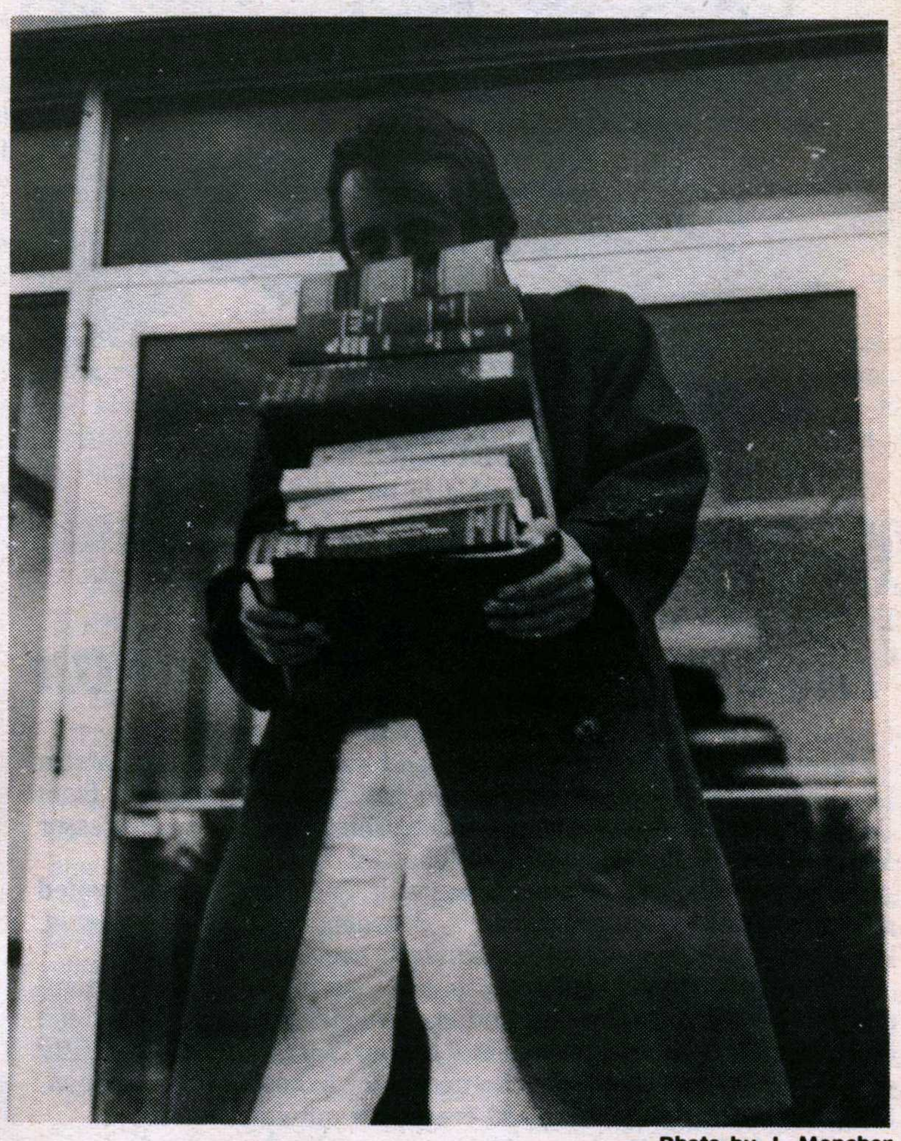


Photo by J. Mencher

**For Bob Davis of NYU Law, the books were just too heavy. In the above photo, an unnamed Hofstra Law student leaves the library for an evening of R and R.**

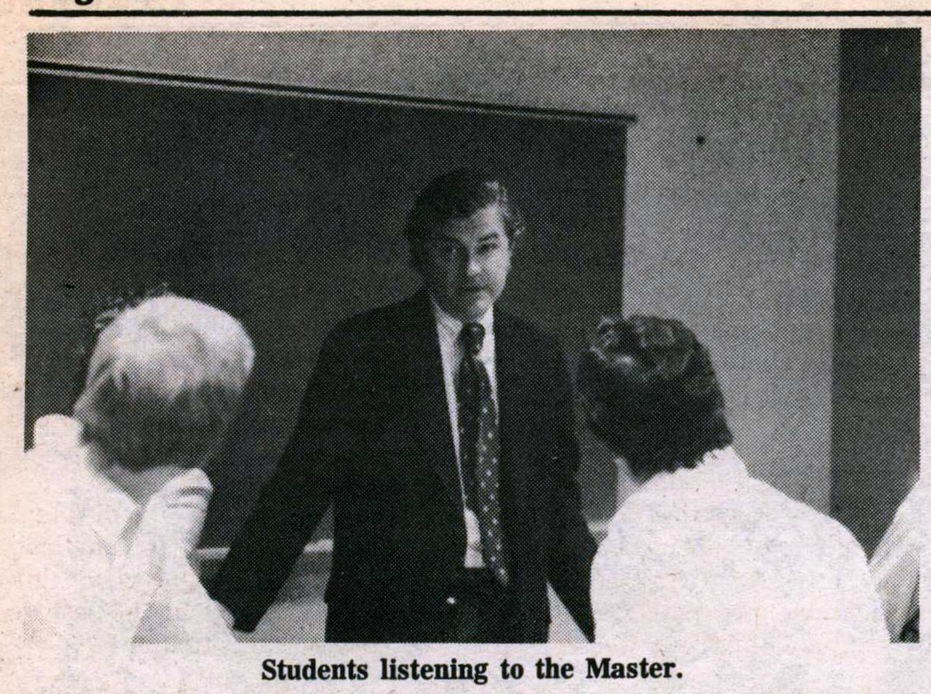
# HELP!

## The Hofstra School of Law

## *Community Legal Education Project*

**TEACH IN A HIGH SCHOOL TODAY**

**Leave your name and number with Dean Benjamin, Norman Kent, or Charles Robert. We need your help now. Even if you have spoken with us before, do it again, please!**



Students listening to the Master.

## Faculty Profile

# 'Mellow Malachy' Mahon

By Roger Kaplan

Malachy Mahon, "founding father and guiding light" for Hofstra Law School for its first four years, has recently returned from University of Texas in Austin. On returning to Hofstra, Professor Mahon hopes to devote himself to teaching.

While at the University of Texas last year, Professor Mahon devoted most of his time to, as he puts it, " . . learning contracts . . . That is, learning to teach contracts." Something he had never done before.

Prof. Mahon says he was happy to get away for a year after completing the task of organizing and implementing a program for the establishment of the first law school in New York State in about fifty years. He felt, "getting away was necessary to enable the new dean, Dean Freedman, to develop and create his administration."

Back at Hofstra, Professor Mahon has, aside from the fact of a larger physical plant and more students, detected no appreciable difference in the atmosphere of the Law School. He now looks forward to pursuing his professional duties and is, "Delighted to be rid of (his) administrative responsibilities."

Reflecting on the experience of creating a Law School from its inception, Mahon says, that when first approached, "it was a fascinating idea . . . I did have doubts though at certain times during the organizational period . . . but all in all, it was the second best job I've ever had." The best being, with no hesitation on his part, his clerkship for one year with Supreme Court Justice Clark.

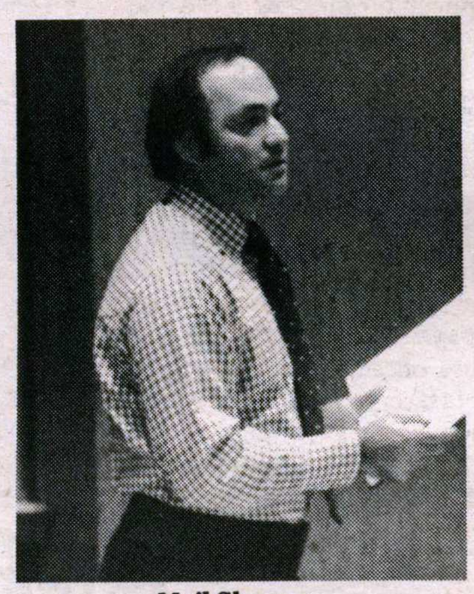
Since leaving Mr. Justice Clark in 1961 Professor Mahon has been associated with a New York Law firm. He spent six years on the faculty of Fordham Law School, prior to his arrival on the scene at Hofstra. He has also been very active throughout these years in the criminal law reform field by serving on various New York State and Bar Association committees to that end.

As for the future, Professor Mahon sees no change in his plans to remain at Hofstra and simply be a "good teacher." Which in his opinion, is as much of a full time job as anyone could want.

## Lawyers In Residence - I

# Shayne Talks at School

**Attorney Neil Shayne, speaking to the students at Hofstra University Law School, has initiated the 1974-75 "Lawyers in Residence" program.**



Neil Shayne
*again tomorrow*

Mr. Shayne of Shayne, Dachs, Weiss, Kolbrener, Stanisci and Moe Levine, spoke on the "Financial Problems of Young Attorneys." He stressed the need for law students to know about the practical demands society will place on them. "Too often," Mr. Shayne said, "students will enter practice without having any idea of what a lawyer is and what is expected of him."

Prof. Burton Agata, a member of the Program Committee, described the project as an "on sight practicum in law." "Hofstra by bringing in prominent members of the bar, hopes to close the students' experience gap," Professor Agata said.

The program, one of the few ongoing concerted efforts of its kind in the nation, is slated for rapid expansion this year.

Thus far, the Program's Chairman, the Hon. Edwin Freedman of Freeport, has announced the future participation of attorney James M. Pedowitz, Chief Counsel and 1st Vice President of Title Guarantee and Frank E. Yannelli of Bracken and Sutter, Mineola, N.Y.

The "Lawyers in Residence" Committee under the chairmanship of Judge Edwin Freedman, consists of The Hon. Charles E. Lapp Jr., of Cedarhurst, Attorney Frank Yannelli; Hofstra Law Professors Burton C. Agata and David Kadane.

The Program will move directly to "unite law students and members of the bar in confronting pressing legal issues," commented Judge Freedman. Society can no longer afford bewildered young attorneys trying to grapple with these problems on their own.

## Richard Clark:

# Common Cause Prods Congress

By J. Mencher

"Watergate isn't over, it's just beginning." So spoke Richard Clark, legislative staff-lobbyist for Common Cause, the D.C. based consumer-peoples lobby, in citing a figure of $14.7 million collected so far by special interests to buy their views in this election year—more than double the contributions made in 1972.

Scoring the failure of the government to provide for anything above the bare needs of people, Mr. Clark recalled how, while working on welfare reform in Washington in 1967, many people rallied to the cause following a statement by Senator Long of Louisiana calling welfare mothers "brood mares." Subsequently as a member of the Senate Finance Committee, Long strongly opposed the reform measures.

Clark, coming out of school with a graduate sociology degree, said "I found I could really rap . . . but I realized it doesn't mean a damn thing unless I understood the political system." He joined Common Cause when it was founded in 1970 in the wake of the National Urban Coalition's failure to operate independently of the same special interests that had spawned the problems precipitating urban violence in the sixties.

Mr. Clark pointed to legislative procedure and the executive branch as being responsible for the failure to move. He advocates an end to seniority, "a custom that rewards senility and longevity;" an end to closed sessions of Congress that keep the structure from opening up; and extensive campaign reforms to combat the fact that over 90 percent of political financing comes from less than 1 percent of the population.

Richard Clark
*Common Cause*

Clark noted that the Campaign Reform Bill of 1974 fails to provide for public financing of Congressional races due to "special interests of the Congress" and "insufficient outcry from the public at large because it was an esoteric sounding issue."

When Sen. Tunney (R-Cal.) failed to co-sponsor some legislation favorable to broadcasters, their organization threatened to eliminate their backing of Tunney. "Do you know who introduced that bill from the floor? Senator Tunney. That's power . . . that's what makes this country," Clark said.

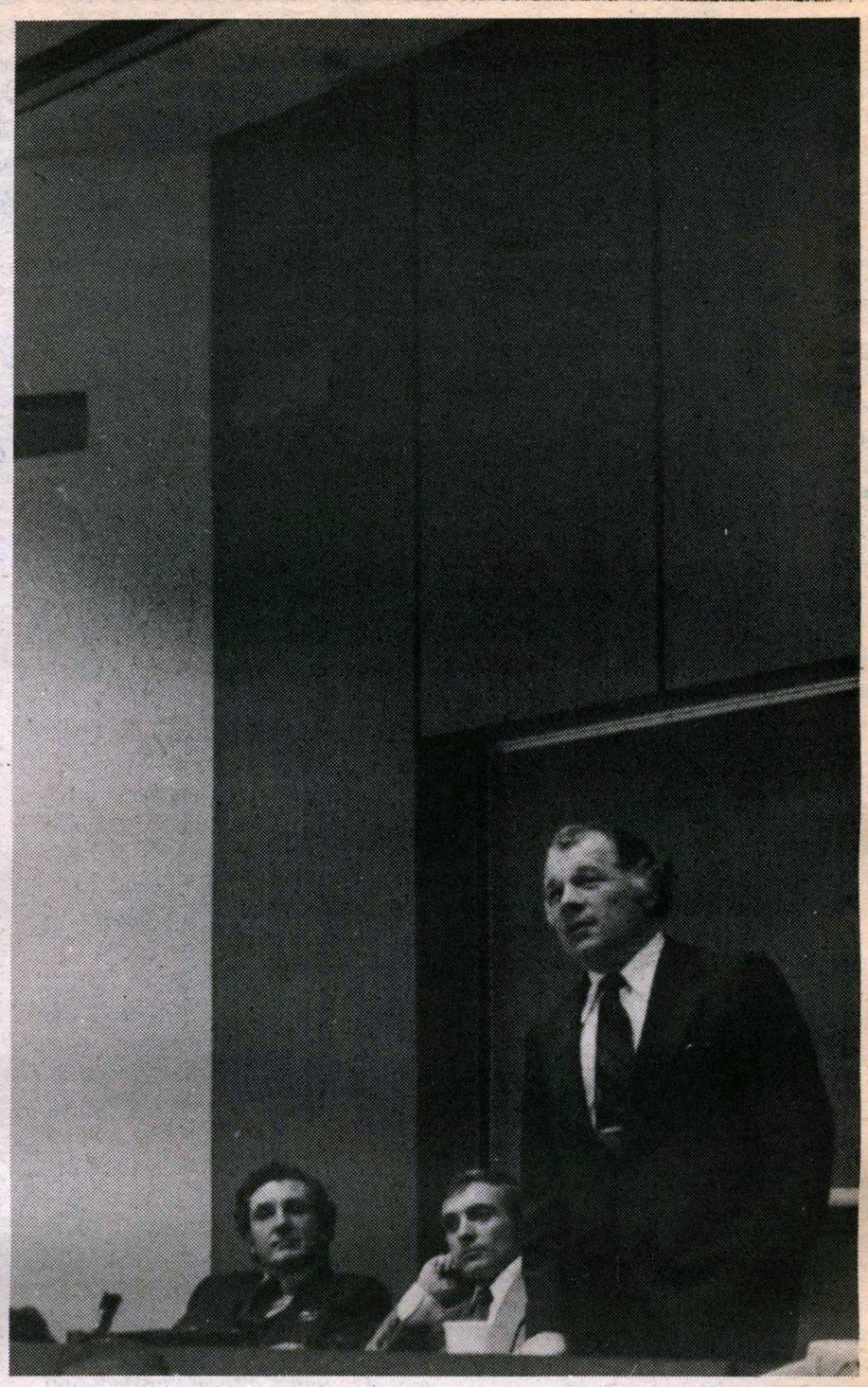


Photo by Neil Weinrib

Dean Monroe Freedman (l.), and Professor Abraham Ordover look on as F. Lee Bailey addresses an overflow courtroom crowd a fortnight ago.

# ABA-LSD Conference: "Ethics & Student Survival"

*By Robin Livingston*

**On a recent Saturday the Law School Division of the American Bar Association held their first conference of the school year. The topic of discussion was "How to Survive In Law School," and it proved to be most successful—especially for first year students. The program offered an introduction and a basic overview of law school and the legal profession in general.**

The speaker at the conference was Mr. Whitney North Seymore Jr., President of the American Bar Association of New York. The focus of his speech was on the general ethics involved in the practice of law and on the importance of becoming involved with a political party, or a political candidate of your choice. As he greatly emphasized, and as many of us already know, it's not always what you know, but who you know (especially when it comes to getting a job).

The next speaker was State Supreme Court Justice Alfred Afcione, speaking on the significant changes that have occurred in the past ten to fifteen years (i.e., abortion, narcotics, etc . . . ), and the changes that we, as future lawyers and possibly members of the court, can look towards in the future.

A dynamic professor from the University of Connecticut Law School, Neil Scanlon, was the next speaker on the program. For anyone who feels that they still have not been able to formulate a decisive and exact form for briefs, Professor Scanlon suggested one that is, as far as I can see, the most complete. It is divided into two parts and the steps are as follows:

**Part I**

1—What are the facts of the case?

2—What is the disposition of the lower court?

3—Was there error(s) in the lower court?

4—What was the ruling of the appellate court with respect to the lower court error?

5—What was the reason for the appellate court decision?

6—What is the holding—narrow or broad?

7—What is the rule or doctrine that has been applied or developed?

**Part II**

8—What does it add to the previous cases studied?

9—Does it appeal to you as a logical development from previous cases?

10—Is this case distinguishable to others?

11—What is the precedent value to hypothetical cases posed by the professor?

12—What is the significance of this case to a lawyer acting as a counselor to a person in a similar position—how could you avoid the same problems?

13—What is the significance of this case to a lawyer acting as advocate to a client after the trouble develops?

The final speaker gave the audience a brief discussion on the role of women in law. The speaker was Ms. Sheila Birnbaum, professor of law at Fordham University Law School, and President of the Women's Bar Association of New York. As the statistics have been showing, many openings for women have come about over the past few years, and many more are expected to become available in the future.

## — BRIEFS BRIEFS BRIEFS —

### Attorney Speaks Here Tomorrow

**Noted Attorneys Neil Shayne, Peter Affatato and Lester Boyer will address the public and members of the legal community on Thursday, October 31 at 4:30 p.m. in the Courtroom at Hofstra Law School.**

The attorneys will discuss the issue of "The Trial Lawyers' View of the Administration of Justice." Judicial Selection, Court Reform, Bail Reform and Plea Bargaining will be among the subjects discussed.

Mr. Shayne is a senior partner of Shayne, Dachs, Weiss, Kolbrener, Stanisci and Moe Levine of Mineola. He is a member of the faculty of the Institute of Court Management; a member of the New York State Trial Lawyers and of the Practising Law Institute.

Mr. Peter Affatato is a trial attorney of more than twenty-five years experience. Mr. Affatato is a member of the Board of Directors of the Nassau County Bar Association and the Vice President of the Nassau-Suffolk Trial Lawyers Association.

Mr. Lester Boyer, with more than twenty-five years experience in the legal profession, is currently president of the Nassau-Suffolk Trial Lawyers Association and associated with the firm of Benjamin Purvin in Lake Success, N.Y.

This will be the final lecture in a series of three, dealing with the "Administration of Justice" at Hofstra.

### Commencement Speaker Sought

**This week there will be a sign-up sheet posted near the office soliciting suggestions for a Commencement Speaker at this year's graduation exercise. The members of the Class of 1975 are asked to indicate their preference and to inform John Nickelsberg if they have any special connections which would facilitate inviting the person they are suggesting. Letters will also be distributed to the faculty seeking their suggestions for a speaker.**

### Faculty Committees Formed

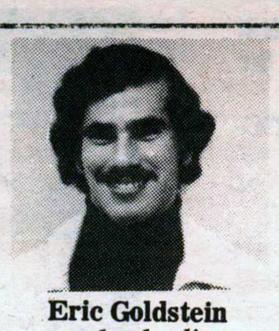
**Faculty Appointments** - .Agata, Gregory, Mahon, Twerski, Posin
**Clerkship** - Mahon, Friedman, Hillman, Kessler, King, Miller
**Faculty-Student Liaison** - .Filler, Posin, Diamond, Resnick
**Ethnic Minority Group** - Okpaku, Ordover, Diamond, Hirschson
**Moot Court** - .Soloff, Hillman Rabinowitz
**Academic Standards** - Ordover, Filler, Resnick, Okpaku, Kessler, Friedman, Diamond
**Dedication** - .Twerski, Mahon, Kadane, Wypyski, Ordover
**Curriculum**, .King, Gregory, Ginsberg, Hirschson, Rabinowitz, Soloff, Kadane, Okpaku
**Governance** - .Gregory, Ordover, Rabinowitz, Hirschson, Posin, Resnick, Agata
**Admissions** - .Freedman, Twerski, Benjamin
**Building Committee** - .Freedman, Wypyski
**Art and Related Aesthetics** - .Ginsberg

### Xerox Charge Next Spring

**Having already printed some 700,000 xerox copies of legal materials for over 35 different courses, Assistant Dean David Benjamin announced today that a nominal tuition surcharge will be imposed this spring "to cover the escalating costs of paper reproduction." The charge, which is estimated to be between $10 and $15, will be retroactive to this Fall.**

**A more detailed explanation of the charge will be published in the November issue of Conscience.**

## Yearbook News



**Eric Goldstein**
*yearbook editor*

*Are you one of those persons who never wins anything? Do you avoid contests, lotteries and even job interviews because you feel there is just no chance? If so, today may be your lucky day.*

*Although financial details are yet to be finalized, a law school yearbook for the class of '75 will be published this spring. As of yet, however, the geniuses on the yearbook staff have been unable to come up with a satisfactory name for their publication. To their credit, the editors have decided to sponsor the 1975 "Name the Yearbook Contest." Someone in the Hofstra Law School community may have already won a free lunch at the University Club for simply coming up with an acceptable name for the new Hofstra Law School yearbook.*

*Here are the contest rules:*

*1]Write your suggestion on a sheet of paper and do not forget to enclose your own name and phone number.*

*2]Mark the envelope with the notation "Name the Yearbook Contest" and put it in the Conscience mailbox next to the Dean's office.*

*3]All entries must be received by Friday, November 8, 1974.*

*4]Decision of the judges shall be final. [What did you expect?]*

*Eric A. Goldstein, who announced the contest last week before a crowd of two in the second floor bathroom, also requested that any artists or photographers interested in working on the yearbook please leave their names and phone numbers on the signup sheet on the yearbook bulletin board located next to the law review space.*

**YEARBOOK PHOTOS WILL BE TAKEN THIS THURSDAY AND FRIDAY. SEE SIGNS FOR ROOM NUMBER.**

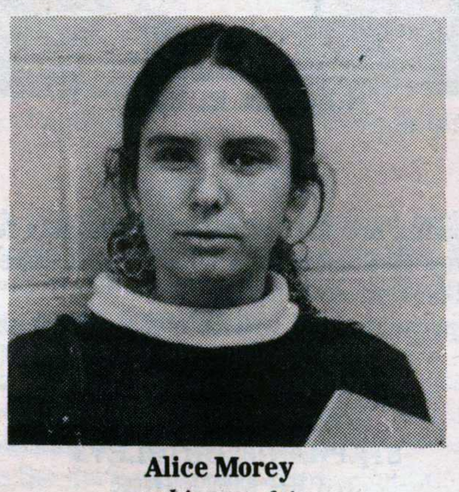
# DISSENSION RACKS MOOT COURT PROGRAM

By Richard Seltzer

**In the late afternoon of October 21, the Moot Court Program had its first organizational meeting. The newly selected members were told that their work would encompass three main areas: (1) selecting hypotheticals to be argued by the freshmen, (2) helping the freshmen prepare their briefs, and (3) acting as judges during the arguments.**

Earlier in the same day, the third year students who were responsible for the selection process were asked to justify their methods at a special meeting attended by disgruntled students. Students who were not accepted in the program demanded to know how the selection process was determined.

Members of the selection committee, Alice Morey, Beth



**Alice Morey**
*nothing unfair*

Goldmacher, Mitch Spivak, Tom Dugan, and Lance Lieberman explained their position. "Time was a crucial factor and under this pressure, the only option was to choose the least arbitrary selection method," explained Ms. Goldmacher. Tom Dugan added: "Normally a procedure like this takes a year and a half, but we had to do it in three weeks."

"Interviewing each applicant individually was rejected as too time-consuming and too susceptible to personality factors," said Ms. Goldmacher.

Many of the students at the meeting preferred selection by lottery, which the selection committee had rejected as "too arbitrary" with "no element of determining qualifications." Selection solely by grades had also been rejected by the committee as "unfair."

The method that was used by the selection committee was a combination of faculty recommendations and grades. The names of applicants to the program were shown to faculty members for their reaction. Those students who had received two or more recommendations were automatically accepted. For those students who had one or no recommendations, grades were then included in the criteria for acceptance.

This method was also criticized for various reasons. Darrell Gavrin, candidate for ABA-LSD rep., pointed out that "the recommendation aspect of the plan was extremely unfair for those students who had developed a relationship with professors Younger, Onejeme, Landau and Garcia-Rivera, who have left Hofstra." An articulate young man in the back of the room, Ron Carman, voiced his concern that by using faculty recommendations, the Moot Court Program would have more than its share of "ass-kissers." Ms. Goldmacher replied that this was a minor problem because the faculty knows when "ass-kissing" is occurring.

The meeting, very emotional, left most students very dissatisfied. Alan Swiedler commented, "There should have been a more equitable selection procedure with student input beforehand." But the committee did not change their minds and no new selection process was initiated.

Ms. Morey's final comment was, "We didn't do anything blatantly unfair, illegal, or immoral. We simply did the best we could with the situation."

# Judges Debate Judicial Selection

**Three present and former New York State Supreme Court Judges speaking at the Hofstra Law School's Judicial Administration Program Thursday sharply divided over the issue of judicial selection.**

The Hon. Bernard Meyer, former Supreme Court Judge from Mineola, advanced his formula for judicial selection by appointment. "I want to see the judiciary removed from politics," said Mr. Meyer, "we need a consistently high calibre of judges across the board." Mr. Meyer envisioned a select committee comprised of "prominent individuals from all sectors of society; labor, government and deans of law school." Mr. Meyer's program which he termed a modified Missouri approach would mandate that the appointing authority choose, "one of three nominees submitted by the committee for appointment." Mr. Meyer has advocated this approach to judicial selection since his candidacy for the Constitutional Convention in 1966.

The entire concept of judicial appointment was soundly assailed by State Supreme Court Judge Francis X. Altimari, who called it "selection by the snobbery." Judge Altimari maintained that "the people have the right to choose their judges." He insisted, "Politics is politics, whether men are in smoke filled rooms or wearing six buttoned suits sitting on 'select committees'." Judge Altimari added that he was "the son of a bricklayer and only with public election of judges could a son of a bricklayer become a judge."

Judge Altimari concluded his rebuttal to judicial appointment by urging the audience "not to surrender," your rights to a selective few.

While essentially in accord with maintaining the direct election of judiciary, Judge Joseph A. Suozzi wanted additional screening of candidates. "Judges need not be intellectuals," Judge Suozzi asserted, "but, they must be decent individuals." He maintained that no studies have indicated that direct appointment of the judiciary would result in, "less stupid, more efficient or more decent men than by direct election." The Judge said what was needed was a "system to incorporate a non-partisan committee of prominent legal and non-legal citizens to study a candidate's qualifications. After candidates had successfully passed the screening "the political parties would then be free to nominate whomever they chose."

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Before the lines of debate were drawn on the judicial selection issue all three jurists were in substantial agreement on the need for procedures to expedite case disposition.

Judge Suozzi likened the problem of the overcrowded courts to a "toll booth with a backlog of cars that stretched for miles." "We need a system to monitor the judge's efficiency;" said Judge Suozzi," and increased judicial control over court calendars and improved managerial techniques in the courts.

Judge Altimari said that the plea bargaining system is "not inappropriate, nor evil but is in fact an essential, integral part of the system." Without plea bargaining Judge Altimari said only one in one hundred criminal actions could be disposed of. He did however, advocate the use of checks on the plea bargaining system to avoid abuses like "knives and forks, it's not inherently a bad thing but it must be used correctly and sustain scrutiny."

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**The next major presentation slated for the Judicial Administration Program at Hofstra will be the appearance on Thursday, October 31, of attorneys Neil Shayne, Peter Affatato and Lester Boyer. The lawyers will address themselves to the "Trial Lawyers view of the Administration of Justice."**

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**Student American Medical Association**
***Downstate Medical Mixer***
**Friday, Nov., 22, 1974**
**Date:** 8 p.m.-1 a.m.
**Time:** Downstate Student Center
**Place:** 811 New York Avenue
Brooklyn, N.Y.
(between N.Y. Ave. & Lennox Rd.
**Ages: 19-30**
**Drinks free with $3 cover**
**Live Band**
**For directions call 270-1461**

# Rep. Candidates State Views

**JOAN AXINN**

Hi, I'm Joan Axinn. I've been involved with Hofstra almost all of my adult life, having graduated from Hofstra College over 20 years ago. I would be honored to be your Representative at Large. I believe I can serve both the second and third year classes very well as the roving representative.

This is a new office, and I envision its possibilities in a global way; as an opportunity to be your liaison with the administration both here in the law school and in the university.

Last year someone wrote in **The Conscience**, "Joan Axinn is the girl who gets things done." I do more than promise to represent you. Anyone can say that. What I pledge is that **I will continue to get things done.** For example, we needed a sandwich machine—we got it. Some of us needed special handicap parking spaces—we got it. Now we need to beautify our grounds: trees, ground cover, sitting areas. I know I can help us get that too. And there will be other things, not just of a physical nature. We need, for example, a viable ethics committee.

Yes, I think a Student Bar Association is a good idea. It is part of our training and will help establish legal values, codes, and experiences that will benefit us after we graduate. Yes, I believe we should have an influence in regard to our legal education. I have great respect for our faculty and do not intend to interfere with their experience and judgment. But there are times when the voice of the student is important and constructive.

Well, these are some of my thoughts. I know I will do an excellent job for you, and I hope you elect me as your Representative at Large. Thank you.

**JIM CORITSIDIS**

Dear Friends,

Last year at this time, as you may recall, elections for class representative were held. Due to the haste with which the elections were held and our unfamiliarity with the candidates and the school, I believe that the interests of the Class of 1976 were not adequately represented. In view of certain movements afoot in the school (e.g. the inclusion of classroom participation in determining final grades), I am sure that you agree with me.

This term, I am a candidate for second year class representative. If elected to that position, I intend to devote as much time as it takes to further our mutual interests. I will see to it that student participation is a vital factor in any major decisions that the Administration makes.

Moreover, if elected, I intend to represent your interests rather than my own. It will be my policy to talk to as many of you as possible in order to gauge your desires and reactions, your wants and needs. In short, I will do what the name of the job implies: I will represent you.

Also, I definitely would support or initiate a movement for a voluntary student fee instead of our present compulsory fee.

Dan Brent

Neal Hendel

**DAN BRENT**

Competent representation requires constant insistence upon decision making which is open to student inspection and participation.

I view the role of student representative as an advocate of student consensus not only at meetings, but also in day-to-day personal diplomacy through reasoned and articulate presentations to which the faculty will relate. Those of you who have attended faculty meetings can verify my ability to communicate with the faculty in a manner to which they are receptive.

I believe student representatives have a responsibility to acquaint their constituency with the salient issues before they are crystalized into administrative actions and faculty decisions.

Historically, student participation has been less than truly reflective of the spectrum of student opinion. I propose that the student representatives establish open hearings at which students can voice their views directly on such issues as the formation of a Student Bar Association. Such legislative hearings will enhance the representatives' legitimacy and efficacy in swaying faculty votes to meet the needs of students.

With your vote, I am confident I can lobby effectively and expand the opportunities for students to work closely with faculty and administration in fashioning both a legal education relevant to our development as young lawyers and a more pleasant and efficient environment in which to pursue our studies.

As the old adage says, "If you want the job done right, do it yourself." Therefore, I am doing just that.

Joan Axinn

Bob Douglas

**The following are the names of Candidates for Third Year Student Representative as they will appear on the October 31-November 1 ballot.**

**Two Representatives will be elected from the Third Year.**

**KENT MOSTON**
**STEVE SILBIGER**
**NORMAN E. KENT**

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**The following are the names of candidates for Second Year Student Representative as they will appear on the October 31-November 1 ballot.**

**TWO Representatives will be elected from the Second Year.**

**JEFF LEBOWITZ**
**TIBI SCHWARTZ**
**STEPHANIE ORTOLEVA**
**JULES MENCHER**
**SUSAN BRYAN**
**SCOTT KLEIN**
**DEMETRIOS CORITSIDIS**
**GARY WISHIK**
**LYNNE KRAMER**
**LEONARD PUGATCH**
**DAN BRENT**
**JOHN KANAREK**
**NEAL HENDEL**

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**The following are the names of Candidates for Student Representative at Large as they will appear on the October 31-November 1 ballot.**

**ONE Representative at Large will be elected from the combined Second and Third Year classes.**

**BOB DOUGLAS**
**BOB SAPERSTEIN**
**JOAN AXINN**
**JIM KHANI**

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**The following are the names of Candidates for First Year Student Representative as they will appear on the October 31-November 1 ballot.**

**ONE Representative will be elected from each SECTION.**

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**SECTION A**
**MICHAEL MASANOFF**
**STEVEN HAFT**
**SHEILA ROSSI**
**JOSE ROSADO**
**GARY PERKINS**
**DANIEL WEINER**
**CAI COLE**
**MONICA HILTON**
**SUE AVIRGAN**
**RICHARD FEIRSTEIN**
**MARK BIRNBAUM**
**MILES REINER**

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**SECTION B**
**JOSH KLAPPER**
**IRA SITZER**
**KEITH KAVENAGH**
**DORIA SALETSKY**
**JUAN CAMPOS**
**EDWARD LIEBERMAN**
**ELLIOTT PLEENER**

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**SECTION C**
**SARAH SPENO**
**STEPHEN MENDEL**
**MARILYN SINGER**
**STUART GOLDSTEIN**
**CARLOS ALONSO**
**BILL EZERSKY**

**BOB DOUGLAS**

Hofstra Law School has accomplished a great deal during the few years of its existence, but it still has certain areas that require concentrated effort. It is to these areas that I wish to comment:

(1) The allocation of student activity funds must be revamped to establish standards that will insure the optimal use of the money available. I served for four years at Cornell on the Student Finance Commission which disbursed $120,000 annually to student groups; therefore, I will propose and advocate an equitable and efficient procedure to safeguard the interests of the student body and each student organization.

(2) The problems associated with the running of the student election and the selection of Moot Court advisors are indicative of a lack of adequate planning. Election procedures should have been established initially. Interviews should have been held for Moot Court. Accordingly, future situations must be approached with thought rather than haste to avoid similar hassles.

(3) A Student Bar Association should be organized if the student body so wishes.

We have a right to be proud of the quality of our education at Hofstra. To the extent that there are problems that require continued effort, foresight must replace laxity. I ask for your support to help achieve this end.

**SCOTT KLEIN**

I will represent to the best of my ability. Any further pronouncement as to supposed mystical powers would be ludicrous. I stand on the image that is conjured by the placement of my name as a candidate.

Be that what it may.

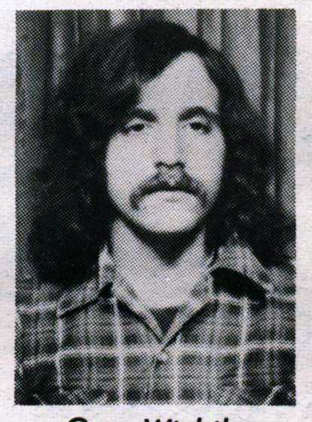
**GARY WISHIK**

The issue is self-determination. We have to start doing things for ourselves if we want to see to it that we don't get screwed. It is about time that we stop hearing the excuse that we are a "new" school and so one more time things will be handled in an "arbitrary" manner. We must exercise control of our resources and use them for our benefit instead of letting the administration do it, or not have it done at all. For example, last year over $400 of our student activity money was lost to us when it was not spent by the end of the year. We were not told we had this money by our representatives. Think of all the things that could have been done around here with $400.

We need a student government and an ethics board to investigate and take care of our own resources and problems. If this had been done before we would have a way to voice our grievances and suggestions instead of having to run around the building each time and get up a petition. The administration and faculty will work with us, but when our views differ on a matter, we should not always have to defer to them.

People have been saying that the law school doesn't feel the same this year, that something is different.

We should make it pleasant around here again.



Gary Wishik

Lynne Kramer

**LYNNE KRAMER**

Having left my house the other morning at 7:53 A.M. I felt secure in the knowledge that I would be among the chosen that day. I ran 4 yellow lights, 2 reds, and when that SOB in the left lane rode at 47 MPH (in a 45 zone which means he could have at least done 50), I bore down on him as though I'd just eaten a box of prunes and was wearing a snowsuit. When I reached Hempstead Turnpike to find there had been an accident, I became hysterical. "How could they have done this to me?" I thought, as the drivers looked forlornly at their mangled vehicles. After that 2½ minute delay, I arrived at my destination at 8:32½ A.M., just as the last parking space was being taken. Had I had a Honda, I wouldn't have hated that car taking up 1½ spaces, but as it was, I practiced my 3-point turn, headed toward the elementary school and wished I could've joined a class for rest hour.

As you may have gathered, I'd like to do something as soon as possible to alleviate the parking problem, which seems to be the major concern voiced lately. As far as a platform goes, I find my voicing one a meaningless exercise, for I believe the job to be a representative post and therefore will represent you in whatever concerns you have. I believe in listening to the constituency, in referenda, and as those who know me will attest to, I am not shy, so you can rest assured I will make your wishes heard.

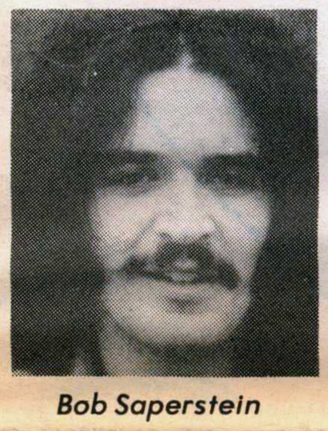
**JEFF LEBOWITZ**

The effectiveness of a representative derives from the perception he has of his relationship and corresponding obligations to the people he represents. If the representative believes his role is one of merely informing students of issues pending before the faculty and then eliciting their views in regard to them, his effectiveness is severely limited. Concerns of group or individual students must be made known to the faculty through the medium of a representative. Proposals that either come before the faculty committee should, to a much greater extent, be student formulated.

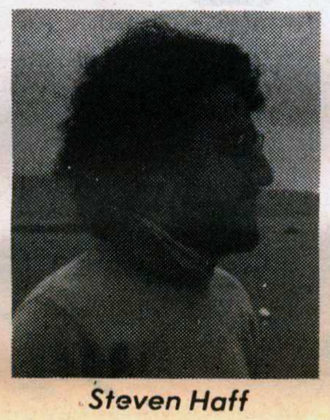
However, even were we to assume the existence of such greater student input into academic matters, that input would be significantly negated under the present apportionment system. Current student representation is mere tokenism in light of the overwhelming number of faculty members. This system fosters the belief that all knowledge pertaining to academic matters rises and sets within the faculty. The reality of the situation dictates that we be afforded the opportunity to realistically influence the substance of the policies that we must live with. In keeping with this necessary belief, a small group of us have already submitted a concrete proposal to the governance committee that would increase student representation to one-third of the total membership of the faculty meetings.

Apart from pure academic decisions that have been normally categorized as within the province of faculty expertise, a deep need exists for us to organize our own independent government so as to attend to problems that pertain purely to students and which students should have the burden of resolving.

More specifically, the existence of such an independent body would aid in the creation of an atmosphere that is common to the more established law schools. Speakers, forums, debates, movies and related events are needed to give the law student an opportunity to expand his or her legal experience beyond that which is afforded through books and classes.



Bob Saperstein



Steven Haff

**BOB SAPERSTEIN**

"Of course, there are student representatives on many of our committees, but nobody really expects them to tell us what to teach or how to teach it, and even if they try, we outnumber them . . ." This quote, by an upfront law professor in California, certainly sums it up here at Hofstra.

Legal education is a failure! Only a handful of courses prepare us to practice law in the real world. Fewer still offer us any opportunity for real growth, either personal or professional. The rest present a futile struggle to fight boredom. The lack of dimension and innovation yawns out at us daily.

Legal education could be meaningful and exciting. It's not. I think many of our faculty who care about teaching sense this malaise, but are unsure of direction, being products (or prisoners) of this system.

As students, it is our responsibility to reform law school. If we cannot change our immediate, relatively friendly environment, what will we be able to do on the outside?

We must demand greater participation in the decision making process. Then we must demonstrate our dedication by actively pursuing educational reform. In regards to this, all students who care must be prepared to work. Merely electing myself, or any other candidate, thinking that one person alone will affect substantial change, is ridiculous. We all must be willing to put some time and energy into making a law school that is responsive to our needs as human beings.

It is only through our collective strength and purpose that we can accomplish anything. One, or two, or six voices do not represent the answer. The answer lies with us, the student body. Our willingness to attend faculty meetings, to propose viable alternatives, and to effectively demand their implementation, are the real issues.

**STUART GOLDSTEIN**

A Student Rep. must take his or her job seriously. If elected, not only will I sit in at faculty meetings and vote, but I will also try to initiate new ideas to make this school more dynamic than it already is.

One problem that I'm concerned about is the theft of books and pages of books from our library. If elected I'll try to make some specific proposals to alleviate this problem.

The possibility of setting up a Student Bar Association intrigues me. If this organization is handled properly, it can be an important source of guest speakers, and national acclaim for Hofstra. It can also help to make the first year law student more comfortable in his or her new surroundings.

As Student Rep., it will be necessary for me to know how you feel about different issues. To accomplish this, I'll make sure that I circulate among all of you, as to ascertain what your views are on various matters, and to let you know how things stand.

I believe that the students at Hofstra should be given every opportunity to shape their futures. Therefore, as a Representative I'll push for more adequate student representation on policy making committees.

In the short time that I've been here I've developed a great admiration for this school. By using the experience that I gained as a Representative and Committee Chairman in college, I believe that I will make valuable contributions at the Student-Faculty committee meetings to improve this school. I hope that you will give me the chance to do so. On election day, remember my name Stuart Goldstein!

Stuart Goldstein

Doria Saletsky

**STEVEN HAFT**

A month ago Russell Baker compared voting without understanding the issues to firing a shotgun blindfolded, and the notion that everybody ought to do so as a civic duty is extremely nervous-making.

I've been here for five weeks. I know little more about this office than the catalog description—that "elected student representatives have voting membership at faculty meetings." If voting blind is ridiculous, then running in the dark must be sublime. But, along with the other candidates, I feel perfectly sensible doing it.

I want to sit on the Faculty Committee because, however little we hear about it, it's important. Law school faculties generally wield great power. If their influence is felt at older established law schools, their impact can be enormous at a young, organic place like Hofstra. Curriculum, admissions policy, grading, appointments, examinations, development, and discipline all come within their purview. The coming three years and my career are too important to me to leave these matters to others.

Law, it's been said, "sharpens the mind by narrowing it." That's not my idea of the law or my future—the opposite, in fact. The lead message in the catalog promised the "active participation of students" in shaping the definition of the Law at Hofstra. "Active participation" can mean many things and such a question of inference, as Humpty Dumpty said to Alice, is more than "whether you can make words mean so many different things." It is a question of "which is to be master." To me "active participation" means being deeply involved. I would like to be involved in determining my future at Hofstra as a Student Representative on the Faculty Committee.

**JOSHUA KLAPPER**

Although I have only been at Hofstra a relatively short time, I have seen, heard and learned many things, some to my displeasure.

Recently, I was the only member of Section B to attend the first faculty meeting, that was open to the whole student body. This apathy on the part of the students is not totally unfounded.

At present, the students only have about ¼ of the voting power in these meetings. This is our school and we are responsible adults. Issues dealing with our future and our lives are often decided by the faculty. This is wrong. I feel there should be much greater representation of the student body at these meetings. The wishes of the students should be adhered to on a much greater scale. We students should have a definite say in the running of "our" school and "our" legal education. I will fight for this wholeheartedly.

I would like to see the establishment of a Student Bar Association. I feel this would provide an excellent experience for all of the students in the Law School. We could have our own government, run our own programs, have guest speakers that you have requested on subjects that are of interest to you.

The first year in law school is a trying time for all students. Most do not have the time to get "involved." I pledge to listen to "your" wants and "your" desires, and to get involved.

You need someone who is willing to diligently serve "you" and work for "you." I would greatly honor that opportunity.

**DORIA SALETSKY**

One of the issues Conscience suggested that candidates for student representative discuss is whether or not they are in favor of a student bar association. Over the past few days I have attempted to find out precisely what a student bar association is and what its advantages and disadvantages are. I have asked several second and third year students but no one really seems to know. The lack of awareness on the part of students concerning this issue highlights what I think the primary function of a student representative is, namely, to inform you, the student body, of the issues, so that feedback and suggestions can be obtained. Only in this way can the student representative literally represent, through her-his vote, the feelings of the students. No student should have to go through the process I went through to obtain information concerning an issue, the resolution of which may directly affect her-him.

As student representative, I would bring the issues to the students for their consideration and opinions, and I would vote in accordance with those views. My method of informing you of what has taken place at a meeting and what the issues are would be to take several minutes before class to acquaint you with the facts, prior to and following council meetings. After all, if you don't know the facts, you can't decide the case!

Joshua Klapper

W. Keith Kavenagh

**W. KEITH KAVENAGH**

If, as a candidate to be student representative of the first year students of Section B, I were to say that I would do my best to represent you fully and fairly to your greatest possible advantage, it would be like standing and singing the national anthem at a patriotic ceremony. Everyone does it. But—few know all the words and even fewer can reach the screeching high notes. Only those who remember the words and are in good voice will carry the tune well. In like manner, only those who understand the mental set of the faculty, the subtleties of administrative logic, and the diverse aspirations of students can best serve the interests of fellow students.

To carry the analogy into reality, I believe I can bring to the office of student representative my former experiences as a faculty member and administrator in such a way as to "carry the tune well" and be both productive and profitable for the students I represent as well as the student body at large.

It goes without saying that I will approach the task of representing students' viewpoints as a student; I can do no less. But, it is a two-way street: to represent you fully I would have to know from you your particular points of view, desires, and requests. Therefore, although I cannot at this early stage offer any specific proposal or concrete program, I can promise to keep you informed and work for you IF you inform me. If you do not, then the representation will become at best a nullity, at worst a farce.

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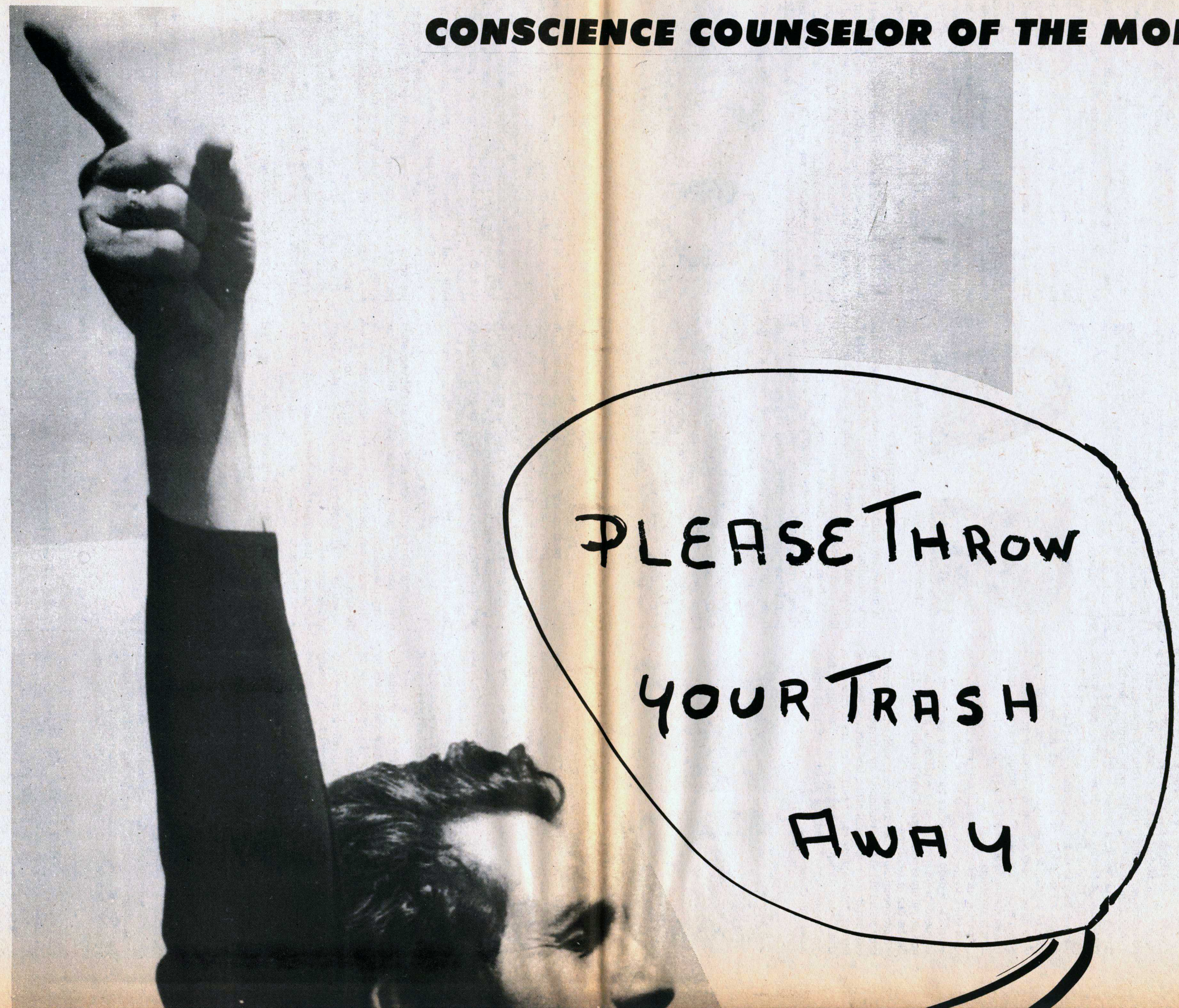
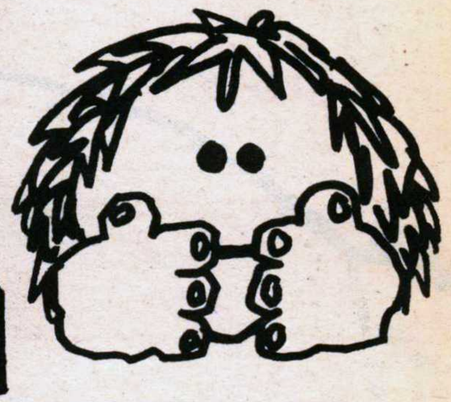
# CONSCIENCE COUNSELOR OF THE MONTH



*Monroe H. Freedman*
*Dean, Hofstra School of Law*

# LIBRARY IS SPELT S·I·L·E·N·C·E



Opinion

## 'Know Thy Neighbor'

By Don Lorelli

To help you adjust to the new experience of law school, the following guide has been prepared for your benefit.

You may wear anything you desire to class. However, by Christmas of your first year; your classmates will, by and large, disgard their blue jeans for clean and pressed slacks. Some ties may be sported about this time, but you will not be expected to wear a tie faithfully until the latter part of your second year. Thanksgiving and Christmas vacation periods are ideal times to begin wearing your hair in a shorter fashion. If anyone notices the new hairstyle, just mention that your hair was beginning to get in your eyes—or that it was a pain to constantly wash it. No one will believe these excuses, but luckily for you, no one will express verbal doubts. The smoking of pipes and cigars are generally reserved for third year students. (However, a few impatient lower classmen are breaking this rule. Members of the Honor Court are expected to examine this problem in the fall.)

There are many types of students at UB Law, the three most easily identifiable being the following:

"C.J.S. Lawyer"—This student's knowledge is limited to what he can find in Corpus Jurus Secundum. He is totally lacking in any knowledge of world, cultural or political events. Do not attempt to try talking about the trial of the Chicago Seven, Watergate or the Governor of Maryland. He never heard of such and will fall flat on his face when attempting to bluff his way through a conversation. In college he could be identified as the student who would always ask: "Do we have to know that for the test?"

**"Little Boy Blue"**—This type of student loves to bring up a point he learned in one class to another, as if he alone found and possesses the knowledge. He can be heard to remark "Isn't it true that . . . ?" and then attempt to reveal his self-professed wisdom which was really acquired the previous week in Torts class. Because of the inter-relatedness of most law classes, "little boy blue" has a virtual mountain of information to point out and say "isn't it true that . . . ?" Classmates being mostly a tolerant lot, will not tell him to clean up.

The **"Concerned student"** is my personal favorite. He is the most easily recognizable. Example: "Concerned" has figured that his name will be called on Friday in Property class. Hence, he starts going to the library and cuts all classes during the week to read every cite and case in the chapter. In addition, he has spent hours reading the Maryland Encyclopedia. Now it's Friday. He senses his name is about to be called. He assumes the standard position. Up straight, left leg crossed over right thigh, pencil in hand, arm extended forward 45 degrees. Look intelligent. The moment has arrived. He reads a definition from his notes. Correct! Now he can goof off for another two weeks—But he's not completely finished. A lawyer must make his name known. This necessitates going up after class to reinforce his name. He asks a question garnered by reading ahead. The Prof. then remarks "We'll come to that."

If students are not called on in class, "Concerned" is prepared to ask questions—regardless of whether or not he knows the answer. Ask him bluntly about such, and "Concerned" will remark that the important thing is the asking of a question, for "that's the way the school game is played." He is not noted for his principles.

In Torts he might ask what is the majority position on a certain issue. If the prof doesn't know, our "Concerned" student will ostentatiously remark: "Well, Prosser says it's X on page 443." The prof will not ask him why the hell he asked the question if he knew the answer. "Concerned" will also occasionally ask: "If everything is different, would it still be the same?" He can also be heard to complain vociferously in the last two weeks of the semester when the class is behind in its work.

There are other types, including numerous individuals, but I will leave them for your pleasure to discover. The best of luck to you all in your law school career.

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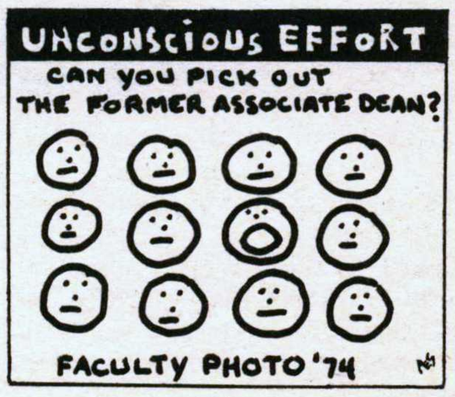
*Don Lorelli is a third year student at the U. of Baltimore School of Law.*




Opinion

## Moot Court A "Sham"

By Ronald Carman

The sham perpetrated on students interested in becoming Moot Court Advisors sadly typifies the modus operandi employed at the Hofstra Law School.

At a meeting on October 21, concerned rejected applicants were informed on the method of selection which had been utilized. The students were told that the primary basis of selection was "Faculty Recommendation."

I have to wonder about the effectiveness of such a process. How first year professors know enough about each of the 207 members of the second year class to form the basis of this important selection process defies credulity.

When the "Advisors" to the Moot Court Board were asked why there had not been an open meeting to determine the selection policy and standards, the students were told, "it would have been a hell of a mess." This reply clearly placated the interested student; after all, input from all 63 students was not needed by the six chosen people—rule of the majority would have been anathematic to what "we" law students have come to expect. A decision by six without consulting the affected 63 is clearly in the spirit of democracy.

Let me reiterate that this is not an isolated instance in the policy making at "our" law school. Last year, then first year students were informed that there would be only one writing competition for Law Review, and it would take place at the conclusion of exams. This was the policy, despite the fact that some of us had to go home, and some of us were dictated by the realities of economics that we had to start working right away. The "poor working clods be damned," the competition must be held. Undoubtedly, some quality people were precluded from entering the writing competition by their middle class status. The justification was clear: one writing competition was more expedient. Students who had counted on a second competition were left out, and could only ponder, "Is this any way to run a law review competition?" Obviously, the decision makers decided in the affirmative. Let common sense dictate your answer.

I can only hope that my somewhat ascerbic and sardonic comments bring to your attention some of the shortcomings in some of the goings on in "our" law school. If I have been successful, perhaps future students won't get fooled again. The harm to prospective advisors can not be reversed, but let's hope that in the future, before students make decisions on other students, those affected will have a voice in the selection process.

*World*

## L.I. Culture Galore

By Gary Wishik

So far this paper has only had articles on law and as a result of that, it won an award. That's fine, but a newspaper should also serve other functions to the community. It should be a forum for ideas on all subjects and it should be a place to exchange all kinds of information. After all, there are other (hopefully) aspects to our lives.

Many of us find ourselves stranded here in Hempstead and we have to make the best of it. It is not a college town, and Hofstra as a University does not have a killer social scene. But there are some redeeming aspects to being stuck inside of Hempstead.

**MOVIES**

For instance, about three miles away from school is the Uniondale MINI CINEMA, where, for about $1.50 you can see a double feature specially selected to provide an alternative experience to the standard commercial releases. They run an ongoing conema festival with everything from Bogart flicks to "classics," both foreign and good old U.S.A. weird. On weekends, they run midnight features. Check the movie listing in Newsday.

*Oh yes, not many people know* it, but Hofstra runs a weekend movie series of its own in the Theatre in the Student Union. Check at the information desk for times and schedule.

**MUSIC**

In addition to the University Orchestra and recitals run in the Playhouse, Hofstra Concerts runs a full concert program of major rock acts as well as intermitent coffee houses in the Rathskeller. Upcoming groups include Dave Mason, the return of Donovan, Larry Coryell and the return of Steppenwolf. (Please note that since we pay our activity fee to the law school and not to the general undergraduate fund, we are not given student discounts on the tickets. Perhaps something could be worked out with them.)

Not far away in Roslyn is My

(Continued on Page 11)

## More Letters to the Editors

Dear Editor:

The "Watergate" political crimes continue; with your support, so will the Political Rights Defense Fund suit against these abuses.

President Ford's pardon of Richard Nixon proves that the official cover-up will go on if not challenged. The PRDF suit provides that challenge. The pardon has no effect on civil suits such as the PRDF case. There will be no PRDF pardon for Nixon or for anyone else who violates the civil liberties of the American people.

Ford's pledge that his administration will conduct no "illegal" harassment provides no protection for our rights. The government continues to disrupt and surveil dissidents.

For example, on Sept. 6, 1974, FBI Director Clarence Kelley called FBI wiretaps of political opponents "legal" and "justified." President Ford recently displayed his disregard for civil liberties when he claimed the "right" to disrupt foreign governments as in the overthrow of Allende in Chile. In the Wounded Knee case, U.S. District Judge Fred Nichol recently dismissed charges on the grounds of "gross government misconduct."

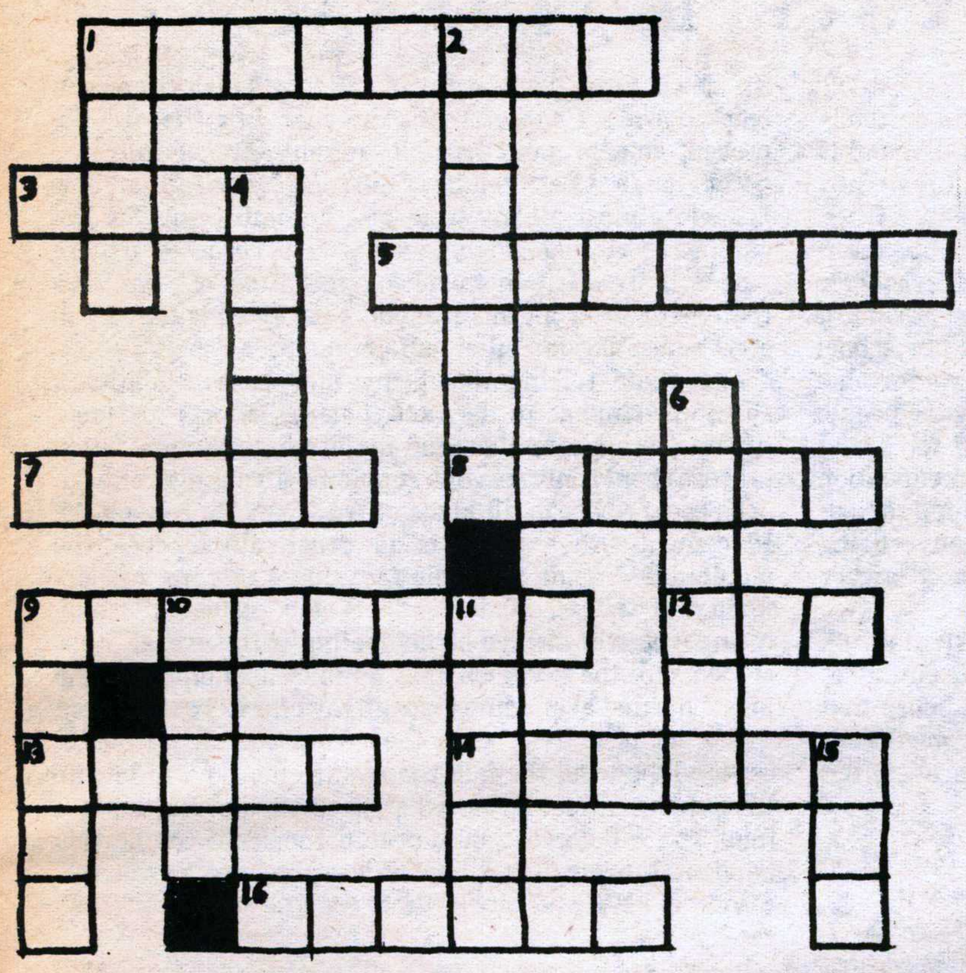
To help stop government crimes against civil liberties, we plan to intensify PRDF's legal efforts. This month, attorney Leonard Boudin will go to court to force the revelation of still-secret documents on disruption and domestic surveillance. This will be a significant contribution toward stopping the government's secret-police-type operations.

We need your help to get underway this fall. If you haven't yet done so, we hope you can contribute generously now. We appreciate the past support of CONSCIENCE, and now hope that some more of Hofstra's law students will work with us.

Please send your contributions to:
**PRDF, P.O. Box 649, Cooper Station,**
**New York, NY 10003**

Sincerely,
Syd Stapleton
National Secretary

# A Law Crossword



**ACROSS**

1. Don't on my property.
3. Put this in writing
5. Order from on high
7. Opposite of innocence
8. What your objection should be
9. "I do." "I do, too."
12. Latin thing
13. Where it's at
14. If all else fails
16. There are laws against these

**DOWN**

1. A civil wrong
2. Battery's partner
4. Should be fair
6. Could be final or interlocutory
9. This law also called Roman law
10. Supreme Court's magic number
11. Sometimes it's jumped
15. What it's all about

**Puzzle by Marilyn Levine**

## Hofstra Law TV Show on Ch. 21

**YOU AND THE LAW:**

Thirteen-part series highlighting the many and varied aspects of the law in language for the layman. Produced by Channel 21 *(WLIW-TV) in cooperation with the Hofstra School of Law and* the Nassau Bar Association under a grant from Franklin National Bank.

**The series began Oct. 6. It is up to program 4.**

4. MEDICAL MALPRACTICE—TIME FOR A CHANGE—Josephine Y. King, Prof., Hofstra School of Law; Carl Banno, Medical Jurisprudence Comm., Nassau Bar Assn.
5. FAMILY COURT AND YOUTH—Eric Koster, Hofstra School of Law; Judge Marilyn R. Friedenberg, Family Court.
6. LAW SCHOOLS AND THE LAWYER—Saul A. Miller, Placement Officer, Hofstra School of Law; Nathan Zablow, Chrmn., Continuing Ed. Comm., Nassau Bar Assn.
7. PRODUCT LIABILITY—Aaron D. Twerski, Assoc. Dean, Hofstra School of Law; Sydney Asher, Food and Drug Admin.; William Gaeghan, Nassau Bar Assn.
8. EVIDENCE AND COURT PROCEDURES—Abraham Ordover, Assoc. Prof., Hofstra School of Law; Edward J. Hart, VP, Nassau Bar Assn.
9. DRUG ABUSE—THE N.Y. LAW—Burton C. Agata, Hofstra School of Law; John Sutter, Nassau Bar Assn.
10. REAL ESTATE TAXES: WHAT'S A FAIR SHARE?—John Santemma and Jerome Medowar, Nassau Bar Assn.
11. SOCIAL IMPLICATIONS OF FEDERAL TAX REFORM—Terry Smolev, Prof., Hofstra School of Law; William Sinnreich, Nassau Bar Assn.
12. ART OF ADVOCACY—Abraham Ordover, Assoc. Prof., Hofstra School of Law; Stanley Gilbert, Nassau Bar Assn.
13. LEGAL ETHICS AND LAWYERS' LICENSE—Marina Angel, Prof., Hofstra School of Law; C. Ellis Schiffmacher, Nassau Bar Assn.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# NORML Attacks Eastland Report

**The National Organization for the Reform of Marijuana Laws (NORML) has challenged the recently released Report of the Senate Subcommittee on Internal Security. In the Report's introductory remarks, the Subcommittee's Chairman, James O. Eastland, claimed the use of marijuana represents "a trend towards national disaster."**

The Mississippi Democrat said if the current rate of marijuana use continued, Americans might find themselves "saddled with a large population of semi-zombies."

NORML Director Keith Stroup called the Eastland Report "the most amazing piece of self-serving fiction and distortions to come out of the Congress since the McCarthy hearings in the early 1950's. The Subcommittee Report in no way represents a consensus of scientific opinion, either government or private. The Report is an embarrassment to those seriously interested in the problems of drug use and abuse in our society, and a disservice to those who are objectively attempting to determine the possible harmful effects of marijuana."

"Propaganda of the proportions of the Eastland Report can only have tragic and brutal consequences," Stroup continued. "Unfortunately, some of the law enforcement community may respond to the Report by increasing arrests of marijuana smokers. The plain truth," Stroup concluded, "is that the criminal law has not worked and will not work where marijuana is concerned. The result can only be harmful and costly to both society and the individual."

In challenging the Report, NORML made the following observations:

—Senator Eastland flatly refused to permit anyone to testify unless they shared his views about marijuana's potential for harm, and the resulting six days of hearings were an admitted one-sided presentation. The Senator says in the Report's introductory statement, "We make no apology

therefore, for the one-sided nature of our hearings—they were deliberately planned this way." (p. V)

—Much of the testimony attempted to connect the use of marijuana with Communism and "the new left." Senator Eastland apparently wanted to depict marijuana as a devious Communist plot in order to justify jurisdiction for the Internal Security Subcommittee, itself an anachronism of the McCarthy era.

—Senator Eastland showed overwhelming concern about exaggerated marijuana claims, but de-emphasized the clearly demonstrated serious harm from alcohol and tobacco. " . . . The dangers of cannabis (marijuana) are much closer to the dangers of heroin, in scope and quality, than they are to the admitted but far more limited dangers of coffee or tobacco—or, for that matter, alcohol." (p. XVI) From the Senator's statement, his concern for public health apparently stops at the doorstep of the powerful tobacco and liquor lobbies.

—The Senator summarized his fears about marijuana in the following paragraph:

"If the epidemic is not rolled back, our society may be largely taken over by a 'marijuana culture'—a culture motivated by a desire to escape from reality and by a consuming lust for self-gratification, and lacking any higher moral guidance. Such a society could not long endure." (p. XII)

This is in stark contrast to what the bi-partisan National Commission on Marijuana and Drug Abuse (Shafer Commission) had to say after an intensive two-year study of the effects of marijuana on society. Their conclusion:

"When the issue of marijuana use is placed in this context of society's larger concerns, marijuana does not emerge as a major issue or threat to the social order . . . The fundamental principles and values upon which the society rests are far too enduring to go up in the smoke of a marijuana cigarette." (p. 102, **Marijuana, A Signal of Misunderstanding**).

# Ginsberg Reviewed

Allen Ginsberg's candid and provocative views on subjects ranging from contemporary poets to the corruption surrounding much of the legislation on narcotics appear in a book which also abounds in rich and colorful anecdotes: **Allen Verbatim—Lectures on Poetry, Politics, Consciousness**, compiled and edited by Gordon Ball (McGraw-Hill, $6.95).

The book resulted from a series of "cross-country exchanges, talks, lectures, rhapsodies" of Allen Ginsberg with "fellow poets, students, scholars, saddhus." In most of them he speaks directly to the vast constituency of the young who see in him the embodiment of the escape from the "prison of conditioning."

In the area of contemporary American poetry, this volume provides valuable material on Ezra Pound, William Carlos Williams, Jack Kerouac, Charles Olson, Robert Duncan and many others, as well as Ginsberg's own theories on prosody and speech rhythms in poetry.

Another aspect of Ginsberg appears in the section of "Drug Traffic." Some chapter headings indicate the scope of his approach: "Addiction Politics 1922-1970;" "Crime In the Streets Caused by Addiction Politics;" "Narcotics Agents Peddling Drugs;" "CIA Involvement with Opium Traffic at Its Source."

An internationally celebrated personality, Allen Ginsberg is best known for such books as **Howl** and **Kaddish.**

## L.I. Culture

(Continued from Page 10)

Fathers Place, Long Island's most popular live club. They feature just about everyone coming around on the club circuit and it is a nice place to spend a evening. Prices vary according to the show and they serve alcohol. Look for the preview of the new edition of the National Lampoon **Lemmings** in the beginning of November.

And for a big night out in the city try the Bottom Line on Mercer in the village. It's the only club around with a concert hall stage and superb sound system. They serve food and liquor and nobody I know who's been there has had a bad time. More next time.

**ANSWERS**

1. Trespass, 3. writ, 5. mandamus, 7. guilt, 8. timely, 9. contract, 12. res, 13. venue, 14. appeal, 16. crimes.

**DOWN**

1. tort, 2. assault, 4. trial, 6. decree, 9. civil, 10. nine, 11. claim, 15. law.

# Placement in its Place

**By Sandy Miller, Director of Placement**

*Third year student frustrations are intense this time of year, and this article by Sandy Miller, Hofstra's Director of Placement, tries to address those concerns.*

**It's that time of year again when the craziness of job hunting reaches its peak—a craziness that is contagious and infects even placement directors. It seems that the anxiety, the paranoia, the running around have become institutionalized, and it recurs each year in the same way at the same time. Part of the recurring syndrome of fall recruiting is the feeling of non-participation experienced by many students not in the top of their class.**

I have spoken about this problem many times before—at placement meetings and with individual students, and I feel a bit self-conscious saying the same things once again. However, I've gotten the sense recently that what had been said before was either not heard or has since been forgotten. So . . . I'll go it again.

Yes, I think that the recruiting that goes on during the fall does to a very great extent speak only to the top academically ranked students. It's not by design. Rather, it's mostly a function of the hirers that do their recruiting in the fall of one year for summer and full time positions that commence almost a year afterwards. Since these hirers are the larger firms and government agencies (since they are really the only places able to commit themselves to jobs so far in advance) which pose as the most desirable and prestigious places to work and consequently attract the greatest number of applicants, they thereby become the most selective hirers. And selectivity tends to mean a focus on paper credentials. Remember, there are enough applicants with top grades so that prospective employers can choose from that pool just about any personality type they want. When the situation is defined by great numbers looking for a lesser number of jobs, numbers in the form of grades become an easy focus. How else does a place decide to hire three people from the six hundred students they've interviewed?

This state of affairs makes students who don't have top grades very hostile. And maybe that is a legitimate response—as long as that hostility doesn't get directed at the Placement Office. The Placement Office did not create the present situation. It's not responsible for the 100,000 plus law students now attending law schools across the country. It's not responsible for the almost 40,000 graduates each year. It's not responsible for the fact that eight law schools exist in the New York City metropolitan area alone (nor for the fact that four or five new law schools in this area will be starting in the next few years). And it is not responsible for competitive grading and ranking systems that make paper credentials paramount.

In fact, if the Placement Office had its way there would be a cut back in the number of law students and certainly no starting of new law schools. Sure there's a demand to go to law school, but it's partially a demand created by people who can't think of what else to do with their lives, and law school looms as an obvious and visible alternative. And even if people were all going to law school for the best reasons, there just ain't enough jobs to warrant it. It might be a better situation if people went to law school but didn't practice law (Brandeis University had at one time planned to start a law school specifically for people who would not practice. It would be a school for social scientists and policy-makers for whom a legal education would be valuable), but that's not going to happen so fast. In any event, I wish that the Madison Avenue advertising firm that is doing this super sell job on being a lawyer would cool it for awhile.

As for a competitive grading and ranking system—well, maybe as a first step before all law schools eliminate them altogether (it's like disarmament in the sense that everyone feels that it can heppen only if everyone does it at the same time), schools should keep grades but

*Remember, the fall is the beginning and not the end of the school year. Most hirers don't hire in advance, and do so only as the need arises. As was the case with the past graduating class, most students got their jobs in the spring, or even after graduation. You shouldn't think that your efforts have to be concentrated during the fall. You should be cognizant of the kinds of places that hire later in the year*

eliminate ranking. Under the present system, two students whose ranks differ by thirty places might have averages that differ by only a tenth of a percentage point. And if students weren't ranked, it might force employers to look at other indices of excellence and compatibility (faculty recommendations, writing samples, work experience). Also, it would tend to make interviewers more open-minded about particular students if they didn't know how a student ranked in class, and this would make interviewing a more legitimate process. But anyway, I think all this has probably spoken more to my own hostilities than to yours.

Remember, the fall is the beginning and not the end of the school year. Most hirers don't hire in advance, and do so only as the need arises. As was the case with the past graduating class, most students got their jobs in the spring, or even after graduation. You shouldn't think that your efforts have to be concentrated during the fall. You should be cognizant of the kinds of places that hire later in the year, and apply to those places at that time without being paranoid because they're not interviewing in the fall. State and city agencies that hire from a civil service exam are only now first starting to hire last June's graduates.

At the same time that you will be job hunting throughout the school year, the Placement Office will also attempt to track down job opportunities the year long (despite the present appearance that all activity is concentrated within the first two months of the school year). Right now I spend almost all my time just administering the on-campus recruiting and the sending out of resumes to those places that solicit them during this time of year. It's really only after all this frenetic activity ends that I can start searching for other job possibilities.

And while talking about my own responsibilities I should re-emphasize the fact that my efforts for identifying job opportunities and facilitating the application process should only serve to supplement your own efforts. Jobs come about in all kinds of ways, and to rely on the Placement Office alone is to drastically reduce the possibilities. Aside from the fact that I see my responsibility to tell all students about job openings, which means you will always be competing with several other students for the same job, only a miniscule number of the jobs that exist ever come through my office. To the extent that a lot of activity emanates from out of my office, especially during the fall, many students tend to let the Placement Office define what is available for them. I think you will do yourself a real disservice if you let this happen. I believe that my office provides a valuable resource, but if you rely on that resource alone, you could get burned.

In terms of last year's graduating class, there is no real correlation between grades and having a job. The only correlation there is between jobs and grades is in terms of the most highly competed for jobs (i.e. large New York City firms and the most sought after government agencies). Otherwise, the people with jobs include the entire spectrum of grades with no particular bunching around any part of the class in terms of class rankings. Legal aid societies, DA's offices, legal services programs, firms with particular specialties, and small firms all look beyond grades to work experience, personality and interest. There is just no need in the world for you to be defeatist just because your grades are not at the very top of the class and you're not one of the highly sought after people during the fall recruiting season.

**As a final thought, I just want to encourage students to take part-time jobs to the extent that their law school schedule enables them to do so. If your class standing in itself is not going to land you a job, you should know that part-time jobs lead to summer jobs which lead to full time positions. This is particularly true of small law firms. *Also, students in the past had volunteered at places, and* ultimately had been offered full time positions. Since many government and public interest places can only hire students who get funded through work-study, for those students not on work-study, *volunteering might be the* only entree.**

**Job offers come in strange packages sometimes. Interview as many people as you can and stimulate momentum. A job will come, and probably in a way that you could never have predicted.**


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SECTION DUES MUST ACCOMPANY APPLICATION

Photo by Carl Bejarano

Dean Twerski conducts a class in a new classroom.

# DEAN TWERSKI SPEAKS ON THE ISSUES

**From time to time I hope to use CONSCIENCE as a vehicle to communicate to you matters affecting our mutual concern. I have tried in the past several months to increase the amount of dialogue between this office and the student body so that you have the information to make judgments about matters which affect your well being.**

### Academic Standards

Let me start this column by describing in some detail the activities of the Academic Standards Committee during the past several months. When a student finds himself in academic trouble, the matter is usually brought to my attention by our Recorder, Mrs. Hoffer. I usually write to the student and explain the nature of the academic problem, and simultaneously refer the matter to the Academic Standards Committee for action.

The Governance Committee, this past year, has set forth a procedure to be followed by the Academic Standards Committee and we have scrupulously followed the instructions of the Governance Committee for academic problems which arose during the past semester. The procedure is as follows: The Committee will usually review the academic problem and make a tentative recommendation. I then write and inform the student of the tentative recommendation of the committee and inquire whether the recommendation is acceptable to the student. If the recommendation is found acceptable the matter comes to rest. However, if the student is dissatisfied with the recommendation of the Committee, the student may petition the Committee for a personal appearance. After such an appearance the Committee makes its recommendation to the Dean. The Dean then indicates to the Committee his agreement or disagreement with the Committee's recommendation.

Following this dialogue a final recommendation by the Academic Standards Committee is made, and the student is informed of the final determination. Then, should the student still be dissatisfied there is a right of final appeal to the Dean. So much for the procedure.

Now, the brass tacks. This past semester students who failed to attain a 2.0 average in either their first or second year were generally not conditionally advanced into the second or third year. With some exceptions, the Committee's decision has been that either a repeat of the entire year or at least one semester was the minimum requirement.

I would like to mention one matter that the Academic Standards Committee has taken into consideration. Where a student has failed to make the 2.0 cutoff and has also taken one or more Pass-Fail grades, in deciding whether to conditionally advance a student into the next year the Committee has looked behind the Pass-Fail grade. The reasoning behind this action is quite understandable. Assuming that a student has performed poorly, but there is some doubt as to whether conditional advancement is appropriate, there is logic in looking behind the Pass-Fail grade to attempt to gauge whether or not that student's academic performance throughout the school year was at least close to minimum competence.

It seems to me appropriate to make the observation that the Academic Standards Committee has begun to cut back on conditional advancement where the record is truly marginal. There is a real belief that it does not serve the best interests of the students and that the Law School has a responsibility to assure itself that a student has an adequate foundation before being passed on to his second or third year.

### First Year Pictures

Some question has been raised in recent weeks as to the reason for printing up pictures of the freshman class. Indeed, there has been some speculation as to possible nefarious motives that lead to this action. A suggestion was made that this was a dehumanizing act against the student body. The very opposite is the truth! With the size of the Law School increasing and the danger of a sense of impersonality becoming pervasive, we all felt that at the very least we owed ourselves an attempt to put together names and faces so that we could come to know you all as individuals. Hopefully the association of name and face will prove to be a convenient way of learning who all of you are.

### Class Participation

Some question has also been raised with regard to the procedure undertaken by some instructors to place emphasis on participation within the classroom. This past summer several professors indicated to me their desire to take classroom participation into account by either raising or lowering a grade one-half grade (e.g., C+ to B- or reversed). I inquired and learned that this option had been available to professors at the Law School almost from the very outset of its existence.

Apparently, only a few instructors did avail themselves of this option, but in light of the outstanding policy I simply indicated to all the professors that this was a matter well within the discretion of each individual instructor. The only provisos were: (1) that prior to final examinations the professor would submit to the office a list of students whose grades he or she decided were worthy of raising or lowering, and (2) that the professor announce to the class at the outset his intentions with regard to either raising or lowering grades because of classroom participation.

Although this policy had some common law history within the Law School, I must say in all honesty that even without the policy I believe that this option lies well within the discretion of every individual professor. There has been much discussion over the years on the overemphasis placed on one one-shot examination. Many professors have sought some method of supplementing their evaluation of students' performances. This attempt by professors to broaden their grading base and to insure adequate preparation is, in my opinion, a professorial perogative with no need for prior formal approval by either the administration or the faculty as a whole.

So much for the first column. One final note: At the freshman orientation I had the opportunity to invite the freshman class to feel free at any time to come in and discuss both individual and law school problems with me. The invitation was made sincerely, and with the real hope that you would take it up. I now repeat that invitation here, and include in its scope the entirety of the law school body. Only if we stay in close touch will we be able to retain the atmosphere of camaraderie which has been the hallmark of the Law School since its founding five years ago.

## The Lighter Side

# *"Who's afraid of Jeanne Dixon???"*

by Mitch Gilbert

It was only a few months ago that one could not attend a social gathering without being asked what astrological sign he or she was born under. Indeed, it was not at all uncommon for people to pay upwards of $50 to have their astrological charts drawn up. Tarot card advisors and palm readers enjoyed a social status usually reserved for political candidates and ex-convicts. Even my mother used to read tea leaves (until my father bought her a novel). However, things have changed drastically in the past several months.

Astrologists, palm readers, tarot advisors, clairvoyants, soothsayers and other omnicient persons are no longer in vogue . . . and for good reason. Because of the current crisis we now face, and because of the general consensus that it will get worse before it gets better, people have no desire to see into the future. After all, if you can get depressed by reading the **Woman's Home Journal**, who needs an astrologer?

With inflation constantly rising, unemployment getting worse every day, and threats of another war in the Middle East, a thought occurred to me. . . . these are really pretty good times. Indeed, I predict we will soon be looking back wistfully at 1974, longing for "those good ol' days." To illustrate just what I mean, I have compiled a series of news items . . . items which you may look forward to reading about in the not-too-distant future.

1—**New York City Mayor Abraham Beame** left for Washington this morning to gather congressional support for his plan to save the $2.65 fare. Mayor Beame hinted that if Federal funds were not forthcoming, subway and bus riders would be forced to go to New Jersey to ride the PATH trains to work. The Mayor also said that he had received assurances from the White House that he would not receive mere token support.

2. **Monroe Freedman, the controversial dean of Hofstra Law School** spoke at a meeting of the New York State Bar Association last night. Dean Freedman's speech centered around what he termed the "lawyer's obligation" to commit arson, rape and sodomy if it serves the best interests of his or her client.

3. **The consumer price index rose 70 percent last month,** the smallest increase in the preceding two-year period. The Council of Economic Advisors viewed this as an encouraging sign in President Ford's fight against inflation, stating that they "can see the light at the end of the tunnel."

4. **The U.N. Security Council voted today to censure** the State of Israel for celebrating Yom Kippur, charging that such action was a threat to world peace. The five member-countries comprising the powerful Security Council are: Iran, Iraq, Kuwait, Saudia Arabia, and Venezuela.

5. **Dick Cavett and the American Broadcasting Company** have agreed to the terms of a new eight-year contract. Sources close to Cavett say that he is pleased with the new agreement, which reportedly assures the star of headlining one show every four years.

6. **South Korea's President Park** has reportedly accomplished his goal of quashing dissent amongst the Korean citizenry. The last seven South Korean citizens were sentenced to life imprisonment and placed behind bars yesterday afternoon.

7. **The Soviet Union has threatened to stop wheat shipments** to the United States unless New York City agrees to ease its emmigration restrictions on its Jewish population. The Soviet news agency, Tass, said that uhless New York City eased its restriction soon, it would cause the United States "gansa tsuris" in its economic dealings with the Soviet Union.

8. **The Surgeon-General has determined** that firearms are dangerous to your health, and has asked Congress to require this warning on all guns and advertisments.

10. **New York City's Department of Air Resources** has described todays air pollution level as "highly unsatisfactory." This is the best rating that New York City's air has achieved in over a month. This accomplishment is supported by the fact that only 23 percent have died in the past 30 days due to normal breathing.

10. **JGE, the appliance, furniture nd jewelry conglomerate,** has announced plans to take over ITT over the next several weeks. Harold Geneen, Chief Executive Office of ITT, who is neither a policeman, a fireman, a school teacher, nor a member of any union at all, will be forced to step down, according to reliable sources. In the words of Jerry Rosenberg, founder and chairman of the Board of JGE, "That's the story!"

# 3rd Year Relevance?

By Joel Scheer

If one had to answer, "What comes closest to "pure fiction?" I would suggest that an appropriate response would be, "Attendance in class and the attaining of knowledge is the primary concern of third year students." It appears that a great many students preoccupy themselves in the pursuit of finding a job where they can ease learning law from textbooks and begin the actual practice of law.

Hence, much time is properly spent in writing letters, going to interviews, and getting depressed. In order to place the final year in proper perspective, I offer the following suggestions.

### A Major Grading Change

The entire final year should be graded pass-fail. For most purposes employers are looking, or have the opportunity to look, only at what the student has academically accomplished over the first two years. Since the major argument for grades always appeared to be that they helped distinguish members of the class during job competition, the grades, in the final year, are much less meaningful. Those few who wish to gobble up knowledge and thereby take advantage of those inflated tuition rates, should not need a grade incentive. While a pass-fail system might act as a disincentive on others, it will encourage them to spend more time seeking a job, and also make it easier to take on part time jobs where practical experience can be gained.

### Suggested Fall Courses

1. **Getting a Job—14 credits.** This course would provide the requisite class hours to satisfy the Court of Appeals, in addition to quite a bit of independent study. The course would begin the last week in August, and run for two solid weeks, 9 to 5. Reunions, lasting 3 hours, will be held every 3 weeks after the completion of basic training. The intensive classes will teach students how to write resumes and letters; where to buy suits; proper acting at interviews; and various other demeanor courses. Moot Interviews will be conducted and classroom discussions on what the participants did wrong will follow. Finally, all the potential jobs in the United States and Guam will be divied up among the class. To pass, you must secure one of these jobs. If you fail, you get to spend one more year at the school tuition-free. Note that this method can decrease competition among fellow classmates. The cost of such a program would not be prohibitive because of the mass production design.

# The Case For Prepaid Legal Services

By Neil T. Shayne

Fresh out of the Academy, the young recruit donned his naval uniform, boarded the ship quickly, went to his cabin and dashed off a letter to his mother:

"Dear Mother, I made it. I am a captain and will soon be taking out my first ship." The captain's mother was justifiably proud but wisely feared for her son's safety. She quickly replied, "Dear Son, to me you are a captain. To your father you are a captain. But to a captain are you a captain?"

**Question for Specialist**

The legal profession is today confronted with a similar situation. Faced with the advancing age of specialization many attorneys have become specialists by self-proclamation. Since no standards exist for determining the criteria for qualifications for specialization in a particular field of law one may become a specialist in that field by announcing such status as a fact. But in reality is one a specialist simply because one says so? To his wife he may be a specialist. But is he a specialist to a specialist?

A common complaint leveled against attorneys and one that brings the profession into most direpute is the one made by a client against an attorney that he lacked the expertise required to properly represent the client in a specialized area of law despite his representations to the contrary. It should be remembered that, unlike most professions, in the practice of law adversary proceedings are the rule and the work of an attorney is open to public view and scrutiny not only by his client but his adversaries.

What attorney has not been brought into contact with an opposing attorney who possesses no knowledge, experience or expertise in the matter he is handling? How many cases are lost or substantially weakened because of incompetence in marshalling and presenting evidence? How many thousands of dollars are wasted because of improper tax advice received from an attorney with limited or no knowledge of the Internal Revenue Code? How many testators' desires are thwarted by improperly and inarticulately drawn wills? How many innocent people have been incarcerated simply because they had an inadequate defense?

The legal profession is unique in that it is perhaps the most carefully regulated and supervised in professional responsibility and ethics. It is also unique in that no standards have been developed to insure that lawyers are kept abreast of developments in the law through continuing legal education, nor has any method been devised to encourage the attainment of specialized expertise through a system of specialty certification. A physician who wishes to specialize in orthopedic surgery must be qualified to do so by peer certification. An attorney who wishes to specialize in estate practice does so merely by telling Martindale-Hubbell that he is so qualified.

Attorneys who wish to specialize in any recognized field of law should be licensed in the specialty of their choice. A legitimate specialist should have little difficulty with an examination in his chosen field. The rewards are consistent with the effort. An attorney who devotes many years to a field of the law should have the opportunity to be recognized as a specialist in it.

The public is entitled to the best legal representation available. Our profession is afflicted with a few attorneys who claim to be specialists in any branch of law that a ready client may require. A few mad actors give rise to the poor image that has engulfed our profession. There is a great need to bring back the image that graced our profession not too many years ago. Permit some of us to be "legitimate specialists" so that when an attorney recommends a specialist he will have the assurance that the specialist he recommends is more than a self-proclaimed expert.

**The Barrister**

The English trial specialist, or

Neil Shayne

barrister, comes to mind when we contemplate the licensing specialists. We ask "Why are English trials concluded so quickly?" and "Why are our attorneys so impressed with the English litigation system?" The answers are in the astounding competence of the barrister.

England presently licenses only 2,913 barristers, many of whom devote themselves solely to the trial of one area. They appear in court day after day. Their clients are deeply impressed with their level of achievement. Small wonder that the English barrister's reputation is so high throughout the world.

Reasons which may have been advanced in the past in this country for the failure to adopt a system for legal specialization, if they were ever valid, are no longer valid today. The age of prepaid legal services is on the horizon and should serve as the catalyst for the immediate implementation of such a system. This must be done not only as a means of upgrading the public image of the legal profession but to enhance its earning capacity as well. At the turn of this century the income of attorneys and physicians, was approximately the same. While the income of the medical profession soared rapidly over the years that of the legal profession has not kept pace. What factors accounted for this drastic and disproportionate rise in income for the medical profession? Two major changes spring to mind—group health insurance and the "Age of Specialization."

**Health Insurance**

Although the medical profession fought against the concept of group insurance, contending that scheduled rates for medical services would destroy their practices, encourage quackery and reduce the quality of medical care, they could not stem its rise.

A great labor shortage occurred in the period following World War II and the combination of a need for healthy workers and price control gave rise to prepaid medical insurance. Union leaders were unable to bargain for higher wages and consequently searched for "fringe benefits." Prepaid health plans were a natural benefit. Even the employers could appreciate the advantage of a plan which would attract and keep labor. Antibiotics and other drugs to control disease were introduced. Specialties arose in medical practice and physicians performed surgery which a few years before bordered on wizardry. The cost of these services and medicines were high. Hospitals obtained highly technical and expensive life-saving equipment. The cost of a hospital room skyrocketed from $9 a day in 1946 to $40 in 1959.

In 1929, a group of Dallas school teachers entered into a plan with a Baylor Medical Center to obtain medical services on a prepaid basis. Teachers apparently still are visionaries. Various teachers' associations throughout the country are contracting for prepaid legal services.

In 1934, the American College of Surgeons set up requirements for a health program prior to approving the program. The surgeons required free choice or an open panel as a major requirement. The Blue Cross services began operation in the early 1930's. In 1937, Blue Cross had grown to one million subscribers and by 1957 they increased to fifty million!

Despite the protests of many segments of the medical profession, prepaid medical plans flourished and the median fees of doctors soared. Doctors who chose to specialize are probably among the highest income earners in our country.

*Lesson of "No-Fault"*

"No-Fault" legislation should have served as a lesson to the legal profession. There was a need for personal-injury reform. Consumer heads and politicians promptly found a method to promise the public reduced insurance premiums without increasing taxes.

Patients treated by a general practitioner will complain about a $15 charge but will accept a $50-$100 bill from a specialist. Even attorneys will balk at paying a doctor $150 to testify in court but will willingly pay $250-$350 for a "specialist." The public appreciates experts and appear willing to pay for their additional training.

Attorneys should be permitted to apply for specialty licenses. The catalyst for specializing should be prepaid legal services.

Prepaid legal services plans are plans whereby a group arranges for payment for legal services performed in behalf of its individual members pursuant to a pre-arranged agreement with the legal profession. They are similar to group medical plans, Unions, lodges, trade associations, large industrial corporations and other similar groups are all potential candidates for prepaid legal services. Funding for these plans is generally accomplished by minimal assessments payable from wages of group members.

**Objective of Plans**

The objective of prepaid legal services plans is to provide legal services economically for that segment of the population which does not qualify for legal aid and to whom the payment of legal expenses constitutes an extreme burden. In this aspect, it is similar in purpose to most types of insurance coverage, especially accident and health insurance. Through such plans many persons who might otherwise be unable to bear a high cost of legal services are enabled to consult with legal specialists and obtain advice which, in the end, might forestall involvement in extended and intricate legal controversies. Such services as contracts, wills, closings, matrimonial consultations and litigation are generally provided under these plans without additional charge to the individual. The individual may consult a lawyer of his choice and payment would be made to the attorney on a fee basis prescribed or approved by a local Bar association.

Prepaid legal services is here. The American Bar Association National Conference on prepaid legal services in April, 1972, produced speakers who uniformly approved of an open panel prepaid legal service. If a person needs a real estate "expert" he should be sure he is getting one.

The socio-economic pressures are demanding prepaid legal services. Rep. Frank Thompson Jr. of New Jersey has introduced a bill, H.R. 77, which would amend the Taft-Hartley law and permit employee contributions to jointly-administered trust funds established by labor organizations to defray costs of legal services.

Prepaid legal services will take the country by storm and the organized Bar must be prepared.

**Lesson of "No-Fault"**

"No-Fault" legislation should have served as a lesson to the legal profession. There was a need for personal-injury reform. Consumer heads and politicians promptly found a method to promise the public reduced insurance premiums without increasing taxes. Practically speaking, "no fault" may be a fraud but it certainly serves as a super political football.

Prepaid legal services will be the same Super Bowl. However, it is incumbent upon the legal profession to improve their image and upgrade the profession. The by-product will result in substantially higher fees and better representation of a client.

Economic studies reveal that the attorney can only bill 1,200 to 1,500 hours per year. Assuming a 50 percent overhead, the attorney must gross $40 per hour to earn $30,000 a year. Even attorneys who process contingency or flat-fee cases realize that law office economics dictate thinking in hours. Studies reveal that the most successful law firms earn substantial fees by "quietly" charging $75 per hour. We agree that clients will pay more per hour for a recognized specialist.

The "Age of Specialists" is here and the legal profession must meet it head on. The family lawyer, like the family doctor, unfortunately is a dying breed. Prepaid legal service is a perfect catalyst to force us to upgrade our profession and increase our incomes.

*Neil Shayne is a member of the firm of Shayne, Dachs, Weiss, Kolbrenner, Stanisci & Moe Levine. He is the author of a bi-monthly column in the N.Y. Law Journal. This article is reprinted from the Law Journal.*

# Hofstra Offering Programs for Continuing Business Education

Business and professional leaders on Long Island and the nearby "mainland" are becoming increasingly involved in a wide variety of programs offered by Hofstra University's School of Business this fall.

Sponsored by Hofstra's Center for Business Studies together with the University's Institute for Community Education, the fall schedule presents personalities and subject matter of interest to the top executive, insurance specialist, tax and estate planning expert, realtor and fund-raiser.

—The prestigious Hofstra-Cornell executive seminars, exclusively for corporate presidents and vice presidents, begin November 18 with appearances by Roy Ash, Director of the Federal Office of Management and Budget, Executive Office of the President and Frank Zarb, Associate Director.

—A special ten-week lecture seminar program in tax and estate planning, taught by Professor Bernard M. Eiber of New York Law School, began on Monday, October 7.

—The Nassau County Association of Insurance Agents has joined with Hofstra in offering a special seminar program on advanced business techniques for the insurance agent on Wednesdays, from October 23 through December 11.

—The basics of real estate, how to approach the market as a consumer or as a professional, will be offered Thursdays, beginning November 7. The course will be conducted by Dorothy Tyman, B.A., M.A., a builder, consultant, lecturer and author.

—"Fundraising, the Art of Motivating People," is the subject of a five session course beginning Wednesday, October 30 which will be geared to the needs of its participants. Discussion leader is John L. Coyle, vice president of the Hudson Institute, former assistant vice president for development, Hofstra University.

—The idea of management by objectives may be described as a most important business tool for the 1970s. A two day workshop on the subject, co-sponsored by the Hofstra University School of Business and Cornell University's New York State School of Industrial and Labor Relations, is scheduled for December 2 and 3.

—Hofstra University's School of Business and the Long Island Chapter of Chartered Life Underwriters (C.L.U.) will jointly sponsor a comprehensive course in pension planning, including the provisions and operation of the Pension Reform Act of 1974. The course "Advanced Pension Planning," will meet on Thursdays, starting November 21. Course leadership is shared by two experts in the field: David Lourie, president of Profit and Pension Planners, Inc., and Harry Blair, assistant tax counsel of Metropolitan Life.

# Judge Weinstein: 'Legal Opportunities'

*The following remarks were prepared by Judge Weinstein for presentation at a New York University School of Law Symposium on The Varieties of Legal Careers. The judge called it a speech on "how to get a job," and it should be particularly interesting for third year students.*

After World War II, not being able to decide whether I wanted to go to medical school or continue with my study of economics or work in physics and electronics, which I began to explore in the Navy, I decided that the best way to keep my options open and not have to make a hard decision was to go to law school. Lawyers work with people in all fields and in all walks of life. Almost any experience can help in some legal case. They remain the great generalists in modern life.

When I finished law school I could not decide what to do. So when I was asked if I would like to try teaching for a year as an associate, that seemed a good way to keep options open. I said, "Of course. Thank you." (If you are going to accept an offer, there's no point in showing or having any reservations. Assume it's the right decision and move on without regret for rejected alternatives.)

That year was followed by an offer from Judge Stanley Fuld to be his law clerk. This seemed to me to be a good way to avoid a decision. I said, "Of course. Thank you." What a great experience it was to work with a great judge and person. It has helped me every day.

A fine single-mid-town practitioner, Bill Rosenfeld, then asked me if I'd like an arrangement that would give me an office and pay me enough to keep my wife and child in food while I helped him with some of his cases and waited for Lady Luck to send me my own cases to provide us with the amenities. I said, "Of course. Thank you."

That was fun too, working with fine lawyers. I had time to do some volunteer work in anti-narcotics, to assist some state legislators, businessmen and defendants, and to work on bar association committees. But there was one rub; it looked like I might succeed as a practitioner and have to spend all my time making money.

Out of the blue, Young B. Smith, the dean of the Columbia Law School called and asked if I would like to teach. It seemed like a good way to prevent the world from closing in and so I said, "Of course. Thank you." That kept options opened since I was able to do a little pro bono practicing, some writing, some legislative work, and even some teaching. And what great colleagues and students I had the honor to work with. But then people began to say—mistakenly—that I was an expert in some of the courses that I was teaching; the world was closing in.

**"Of Course, Thank You"**

Unexpectedly, Gene Nickerson asked me if I wanted to be County Attorney of Nassau County. I said, "Of course. Thank you." Those were fascinating years. But when people began to address me as if I were an expert on municipal law, it was clearly time to move on.

So when Robert Kennedy and Tony Travia gave me the chance to work on the revision of the state constitution and other matters I said, "Of course. Thank you." That was fun too.

And then somebody from Robert Kennedy's office asked if I would like to be a federal judge. I had doubts because becoming a lifetime judge requires making some form of commitment. But then I reflected on how little I knew about federal law. Federal judges can be ignorant on a different legal and factual subject every day. So I said, "Of course. Thank you." And it has worked out well. In the last few months I've learned new things about medicine, and economics and physics, and psychology and even a little law.

I suppose there is a limit to this options-open approach to legal job hunting. The other day I saw my mother looking at me rather quizzically. I had the feeling that what was going through her mind was a question which she just couldn't quite bring herself to utter, going something like: "Well, son, isn't it about time you stopped with new legal adventures and finally decided to settle down, go to medical school, and become a doctor?"

So, you see, I am sympathetic with your position. Your parents, spouses and friends are all posing the silent question. "Well, what are you going to do now that you have finished law school and you have open to you all of the varieties of public and private practice and the alternatives in practice, in clerkships, in public planning, in business, in government, and the like?"

I would like to say that you ought to do what you would find most enjoyable. But that is hard advice to some of you who come burdened with heavy debts accrued from law school and college and with hostages to fortune in the way of families dependent upon you for support. If you need substantial income in the next few years, your best bet, of course, is to go into private practice at a law firm here, or elsewhere. The statistics show that, as a group, specialists in large firms make more than other lawyers. But, even when there are financial pressures, many of the public and quasi-public jobs do offer enough for a comfortable living.

**Lady Luck**

You are going to have to evaluate yourselves and your own desires and needs. Decide what you want most in the next few years and in the long run out of your legal career. Bear in mind that there is built into a life of law a certain flexibility to take advantage of what Lady Luck offers from time to time. You are not compelled to trod forever the path you first step on.

If it is possible, even if you eventually want to work in private practice, some experience that will broaden you and give you a distinctive background different from that of the run-of-the-mill practitioner is useful. I think that a clerkship or time spent in a good government agency or doing public interest work, such as in Legal Aid, is desirable.

Abram Chayes, in a recent speech to the New York University Law Review, pointed out that the placement process itself—even perhaps this seminar—has increased "the leverage of the major metropolitan law firms." They have the personnel and the means to send them out interviewing. And, because they have a regular demand, they are the only ones who can make offers in the early fall.

Some affirmative action is, as Professor Chayes suggests, perhaps required to meet this problem and the related problem of early applications to judges for clerkships. The law schools should affirmatively seek out non-firm opportunities and perhaps support the interviewing process in ways to balance the advantages that private firms now enjoy. This will be of particular importance in coming years when law schools will be turning out upwards of 50,000 graduates a year and when, the Bureau of Labor Statistics estimates, traditional legal jobs will be available at the rate of some 15,000 a year.

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**Public Service**

Of course, if you are going to spend forty years in a law firm, there are possibilities of public service during the course of your career. But I rather suspect that if you do not take advantage of those possibilities almost at once, you will tend not to take advantage of them later.

If you must go directly into practice or think that this is desirable, given your own view of life and your own needs, then it certainly seems useful for you to become active in a bar association at once, or to get involved in political or community matters, or the like. This will broaden your view of the law and life and will probably have practical advantages in the useful contacts you make.

It will help you fulfill a continuing, and what I consider to be an unshirkable, obligation of every law school graduate, to use some of his or her talents and skills to improve society. Whether you make a contribution through improvement of the administration of justice, or through legislation, or through thousands of avenues open to people in the law during the course of their careers, you must, in part, be motivated by more than mere self-interest—yours and your clients.

So far as particular choices of first jobs—whether it be public or private law—it seems to me that an important criterion is the kind of respect and possible affection that you can have for your colleagues. Your work during your first few years out of law school will mark you with lifelong attitudes towards ethics and work habits. It is, therefore, important to work with good people, if that is at all possible.

In any event, as I've already noted, you are not committed for life. If you are forced to choose as a first job something that is second or third best, the chances are that if you keep your eyes and ears open and your feet somewhat loose, you will be able to move into an area that you would prefer. You may well find that the second or third choice turns out to be the most fascinating of all possibilities.

**"Society Needs Us"**

The demands in our society for competent, hardworking and decent professionals remains enormous and will, I think, increase in the coming years. Perhaps even enough to absorb the huge number of graduates who will be coming out of the law schools beginning a few years from now. Society needs your aid. There are more and more problems waiting for you to help solve.

You are good. You have acquired fine legal skills. There is no need to doubt your self-worth. Anyone who embraces the opportunity to associate with you professionally will undoubtedly obtain full value for what he pays.

Don't be discouraged or frightened. Be of good cheer. There is a place for you in that real world out there, one where you can make a contribution to your own welfare and that of society generally.

Thirty years from now, in 2004, somebody will be called on to deliver the keynote address at the Annual N.Y.U.-Law Associates Symposium on the Varieties of Legal Careers. Why shouldn't it be you?

Good luck!

# 'More Kubbard'

(Continued from Page 16)

discount shoe store, across the street from a discount shopping center—just look for the neon red arrow and steer in. The walls of the dimly-lit interior feature a picture of a cow on one end, a horse on the other, and assorted steer horns, complete with cafeteria-style service. We highly recommend the steak sandwich with french fries, a veritable steal at $1.29. Salad, drink, and dessert are also available. Other good buys include the huge ½-pound hamburger (charcoal-broiled) with french fries for $1.89; sirloin steak for $2.39; and K.C. Choice Cut Steak for $3.89. For non-meat eaters, there's the Chef's Salad for $1.29 and the Flounder Dinner (the Long Island touch) for a penny short of two bills. For an extra 10 percent, you can take your grub out and mosey on down the trail to the Eisenhower prairie and dine alfresco with your horse. As sure as the sun sets in the West, **THE SIZZLER** rates 2.5 G's.

In one stop, where can you combine the sumptuous pleasures of Greece, Turkey, Lebanon, and Armenia? Where else can you enjoy Hoomus Bi Tahina with Pita ("mashed chick peas and sesame paste seasoned with garlic and lemon juice served with fresh vegetable salad in pita bread" for $1.10; dip—60 cents); Lah'mb'ajeen ("Armenian pizza featuring open face pita dough topped with ground lamb, onions, pine nuts, sweet peppers and tomatoes" at 60 cents a slice); and a grilled cheese sandwich ("with tomatoes and oregano in pita bread" for 80 cents)? **THE HOUSE OF SOUVLAKI** on Main Street, strategically located between N.L.O. and Law Services, offers the above and much more to both stand-up and sit-down diners in junior and regular portions. The yogurt cucumber salad (50 cents) and spinach pie (55 cents) were good and digestable. We recommend topping off the meal with homemade Baklava (55 cents) washed down with Turkish coffee (50 cents). For those who like to inquire before investing, **THE HOUSE** offers a free sample test treat. The spotless floors, intimate European dining facilities, and multi-national posters coupled with the red, white and blue pennants flying outside give **THE HOUSE** a good 2.2-G rating. Note: A lackluster, silk-screened Fruit-of-the-Loom "T" shirt is the most expensive item sold—$3.98.

You ring, we bring . . . home of the traveling pizza. **PLAYHOUSE PIZZA,** formerly Ruby Bella's, is located

Cutting it up at Souvlaki City.

on the Strip between Zoli's and Funky Times Ale House (formerly Ryan's). You can't miss it; from the outside it looks like the Big Top; on the inside its got a yellow tile floor, purple revolving stools, brown tables, and blinking red, blue and amber lights. It's no Ocean City (Maryland), but it does have 8 pin-ball machines and lots of pizza and ice cream. A regular, large pizza, which we found quite appetizing, goes for $3, while a Sicilian job with the works will cost you $7. The rest of the menu features the standard Italian fare of heroes ($1.30-$1.50); spaghetti ($1.00-$2.00); lasagne ($2.00); and manicotti ($2.00). For dessert, there are 9 flavors of ice cream and 8 types of Italian ices. No "T" shirts here but tack 50 cents onto your order and you get free (?) home delivery. If you come for those late-night munchies, you're bound to meet a lot of interesting and unusual individuals. Good pizza and unique atmosphere give **PLAYHOUSE** 1.75 G's.

**ARTHUR TREACHER'S** in West Hempstead is perfectly fitted for this nation's 200th anniversary. It allows your system to rebel against an established order—fish & chips ($1.39); shrimp & chips ($1.65); and just chips (65 cents). This food is tasty but too steeped in grease for the digestive tract to handle. We put the fish on a napkin but it fell through still ozzing, bounced off the bottle of malt vinegar, and slid off the table onto an Editor's pants. We're happy to report that there's a good cleaner next door. Final rating: Cleaner—3; **TREACHER'S** 1.25 G's.

# 'The Kubbard'
## fodder and grog

By Nadel & Williams

The Teamsters strike may have provided food for thought for Eric Schmertz's neophyte arbitrators, but it deprived everyone else of sustenance for the stomach. Not only did the push-button bandits on the second floor rapidly dissipate their loads, but the fabled cafeterias also began to dry up. Most students are willing to sacrifice, but hot dogs and beans for breakfast is certainly above and beyond the call of duty. Now more than ever, there is a need to venture outside the confines of campus. Realizing that at least three percent of our readers are more refined than a quick burger and shake and that the fledgling International Law Society is making its presence felt, we have gone **AROUND THE WORLD . . . ON HEMPSTEAD TURNPIKE** to tell you where you can get such delectable ditties as shawarma platter, foulle madammes, chicken yat gar mein, provolone doozie, and a show boat.

This time, our taste buds have led us to delicacies from six exotic lands . . . all within fifteen minutes of the law school. Keeping in mind the law student's demand for maximum quality at minimal price, we have rated the following noon, evening, and late night eateries on a scale from 3-G to 1-G.

Deep, lustrous hues of red velvet tapestry coupled with the omnipresence of the Golden Buddha lured us into the **NEW CHINA INN** on North Franklin Street in downtown Hempstead. Specializing in Mandarin and Cantonese cuisine with the traditional option of either dining in or taking out, we found their varied selection totally satisfying to the palate. Employing the former alternative, we enjoyed a leisurely meal in a comfortable atmosphere with excellent service. Although the Wor Shew Opp (braised duckling), Roast Pork with Chinese Vegetables, and Fantail Shrimp are all good, we feasted on Chicken Egg Drop Soup, Egg Roll, and Moo Goo Gai Pan, topped off with a fortune cookie. An average meal will set you back between 60 and 100 yen ($3 to $5). Of the four other Chinese restaurants in Hempstead, we found **HUNAN GOURMET** on bustling Main Street to be tops in Hunan and Szechuan cooking. For those who prefer more kick to your food and more zonk in your sauce, we recommend this restaurant's culinary specialties: Dried Sauteed String Beans with Minced Pork, General Chien's Chicken, and Kung Pao Beef. These entrees are served in a hot, spicy sauce. Since thresholds vary, the sauce can be altered—from very hot to third degree. Be adventurous, take the hot sauce. Relief is just around the corner where Captain Michael Livingston of Victory Engine Company No. 4, Hempstead Fire Department, is on 24-hour call. Prices at **HUNAN** are a slight bit higher than at **NEW CHINA INN.** Overall, the combined Chinese delegation receives a top rating of 2.8 G's.

European dining on Main Street.

**NATHAN'S FAMOUS** is representative of one of the great cultures this world has to offer—**BROOKLYN.** It may have lost the Senior Circuit's number on baseball team, but it still has the top dog in any league. Even at the Oceanside outlet (located on Long Beach Road), **NATHAN'S** ties to its illustrious past were in evidence. On the big stage overlooking the massive dining area, the Dodgers were beating the A's to the delight of the munching patrons. Those not interested in the national pastime wandered aimlessly about the cavernous eating area which seats several thousand, while still others had a more definite purpose in being there—the electronic game room which features everything from pin-ball to air hockey to shooting galleries. After losing three games of fusball to a 12-year old, we decided to spend some money on what made **NATHAN'S** famous. The hot dogs for half a buck and french fries for four dimes are still unbeatable. But for those of you looking for something more exotic, the Hot Dog King also features a 30 cent hamburger, a 30 cent draft beer, corn-on-the-cob, shrimp, and frogs legs (yes, frogs legs!). The best part about any of these gourmet delights is that the tax is included in the price. **NATHAN'S** gargantuan galley is a true melting pot, but people of all ages, shapes, sizes, interests, and attitudes can be uniformed by taking home the burnt orange **NATHAN'S** Hot Dog "T" Shirt for $2.75. Rating: 2.6 G's.

True Americana comes to Hempstead Turnpike in East Meadow—**THE SIZZLER.** Its ranch-style building is conveniently located between a discount gas station and a

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Pete Williams

# Bench Jockeys
## - the legal ballfields -

Lloyd Nadel

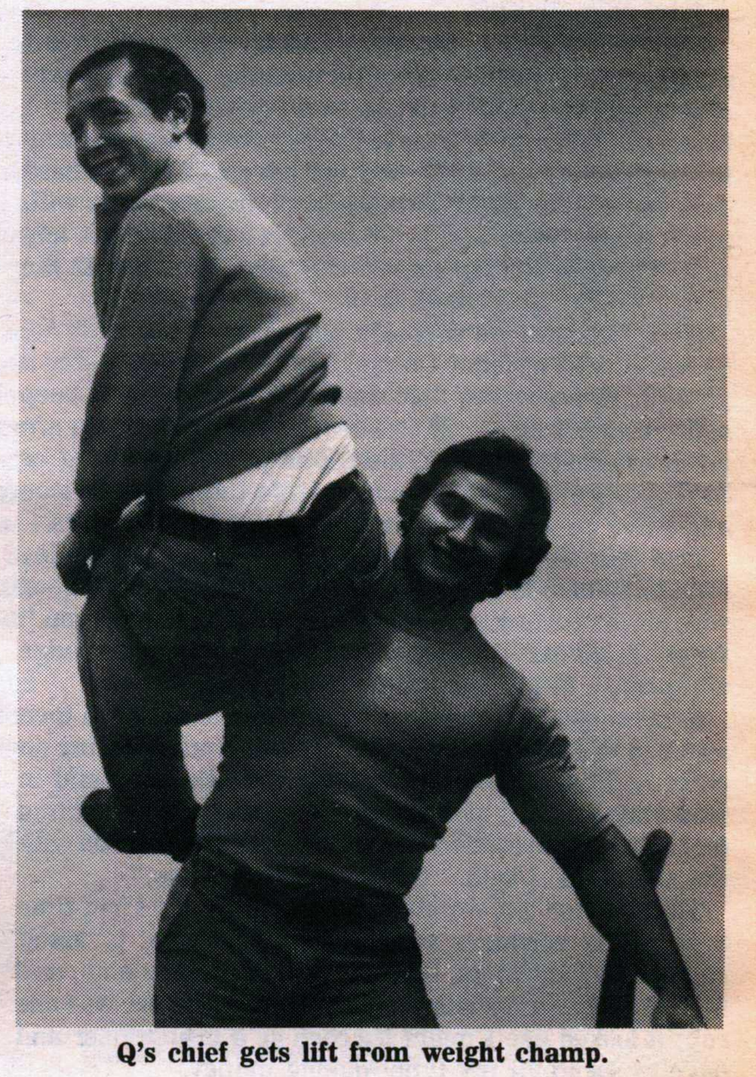
**GOALPOST GROPINS'.** One year ago, if you had queried the man on the street as to which football teams would be undefeated by the middle of October, the prudent observer would have confidently retorted the Miami Dolphins and Los Angeles Rams. Little did he know, the New England Patriots and St. Louis Cardinals would ascend to the lofty heights of the unbeaten and untied, sharing that spotlight with the Annex's two sizzling sextets—WEST PUBLISHING COMPANY and RAMRODS.

WEST PUBLISHING COMPANY. In a press release recently received by the editors, the club announced that in order to avoid anti-trust implications, the WEST PUBLISHING COMPANY FOOTBALL TEAM INC. will go under the nomenclature of the **J.D.'s.** Although the new team designation is still stymied in the quagmire of legal gobbly-gook, the club's runners have rarely been stalled or upended behind the line of scrimmage. The omnipresent and ever-dangerous **Steve Porter** has been known to make defensive behemoths quiver in their cleats. Employing the ploy of the powerful Porter potential of rampant runs to daylight, quarterback **Steve "Slinger" Kirsner** has frequently been able to isolate the **"Fly" (Mitch Adler)** alone and nesting behind a sleeping secondary for an easy six points. When the "Fly" is grounded, Kirsner can slip a short pitch to **Gary Seligson** for a first down. But the surprise of the season has been the hard-hitting work in the pits of free agent **Steve Schlesinger** which has led to many a haried quarterback's hurried pass. The Free Agent is joined on the line by **Ed "Too Tall" Robertson,** a second-year man out of Oneonta State. The loss of Mark Schnapp, who sustained severe facial disfigurations in the third game, has given the squad high hopes for a perfect record. Schnapp is optimistic of a speedy recovery as he continues his work in the cocaine field.

RAMRODS. Forty points a game . . . two shutouts . . . leading the league in pass interceptions . . . five straight wins . . . Will a growing injury list stifle the awesome firepower of the explosive Ramrod offense and "Big Name" defense? At last count, **M.L.B. Alan Stauber**—out with severe facial lacerations, R.B. **Charles "the Box" Connick**—pulled groin, and C.B. **Stan Levin**—out with leg cramps. And in this week's showdown the question ruminating throughout the locker rooms is' Can **Richie Shuleva's** knee withstand the anticipated constant pressure by **Too Tall Robertson** and **Free Agent Schlesinger?** (see Flash) Finally, will the club be torn apart by dissension? **Lenny Pugatsch** wants more passes thrown his way. General Manager **"Indian" Tom Dempsey** says the club's only weakness has been its inability to get the extra point and to alleviate this problem, he's planning to move rookie defensive mainstay **Levin** to wide receiver. Dempsey categorically denies all allegations of discord and discontent levelled at his team and stated for the press: "We're just a gang of guys who love to play the game."

HEAVY HEAVINS'. If you thought all fireplugs were yellow, **Tom Feinman** has proved you wrong. After all, he wears blue, green, red, purple, black, orange, pink, beige,

Ramrodders rolling on in fearless fashion.



Q's chief gets lift from weight champ.

chartreuse, and aqua, with such pictures as nymphs, horses, squirrels, sea gulls, peas, and log cabins. By the way, his other shirt is solid gray. But Tom goes bare-chested when he's lifting weights. In recent A.A.U. competitions, he's won several titles in the 165-pound weight division with such feats as bench pressing 410 pounds, squatting with 500, and dead lifting 575. The A.A.U. Bench Press Record is 415 pounds, leaving Feinman 5 pounds short. When asked when he plans to break the record, he retorted: *"As soon as Professor* Gregory gives me less work to do, I will be able to totally concentrate on lifting and get the record." Good luck, Tom.

### JOCKEY BRIEFS

BALSA has announced it will enter a basketball team in the intramural circuit this winter. **Ron Hollie,** star with the RAVENS for the past two years, will head up the new club.

Captain **Paul Jacobi** of the Q's is looking for a faculty member to coach that quintet this winter. Leading candidates are: A.P.O. ("good pacer in front of the bench"); J.D.G. ("definitely league's leading dresser"); M.T.M. ("great at chalk talk"); M.H.F. ("looks like Jerry West"); and S.R. ("tough nuggies").

**Dick Lee** has found three new bridge players in the new student lounge: Library personnel **Gloria Stevenson, Ellen Scherr,** and **Sharon Royce.**

Quote of the Month goes to **Steve Silbiger:** "What a great day for the proletariat; Dodgers win, Yankees lose." **Marty Frankel gets a close second. When asked by Professor King** in Conflicts class to spell "privilege," she responded: "N-I-X-O-N."

**The Phys. Ed. Building is open for general recreation from 12 noon to 5 p.m. and 7:30 to 11:30 p.m., Mon.-Fri.; 9 a.m. to 6 p.m. Sat.; and 1 to 11:30 p.m. Sun. For $3 a year, you can rent a locker and full phys ed uniform. Take advantage, that's where your $20 University fee is going.**

In addition to the School's facilities, the Town of Hempstead and County of Nassau operate numerous recreational facilities throughout the area, including ice skating rinks, golf courses, tennis courts, etc. Any questions, ask us.

Congratulations to a pair of first year students—**Leo Schoffer** and **Jon Falk**—for correctly answering last issue's Jockey Interrogatory. The wearers of the 11 uniforms retired in the American League were the following: Yankees—No. 3—Ruth, No. 4—Gehrig, No. 5—DiMaggio, No. 7—Mantle, No. 8—Dickey and Berra, No. 16—Ford, No. 37—Stengel; Indians—No. 6—Boudreau, No. 19—Feller; Orioles—No. 20—Robinson; Red Sox—No. 9—Williams.

JOCKEY INTERROGATORY: Willis Reed just retired as Center of the New York Knicks. Name 5 starting Knick Centers before Reed came along in 1964.

**4-C FLASH: In last week's law school showdown, Richie Shuleva directed a 64-26 verdict for the RAMRODS over the J.D.'s, handing them their first loss. A half-time tie was converted into a RAMROD ROMP. Details forthcoming . . .**

## He Feel's Cavel

PEBBLE

*Like a turret of sand, convoluted by a crane,*
*I am a cog in a process of circular disorder.*

*As if I were a worm overwhelmed by a carp,*
*I feel as though my oxygen will soon be emptied.*

*As if I were a molecule so tiny as not to exist,*
*My personality surfaces through a violet medium,*

*Like a motionless sleep stirred by a madman,*
*I am awakened by another's whims.*

*And I am in the palm of fate when the hour of lucid sunset makes its face present.*

Bart Reiss