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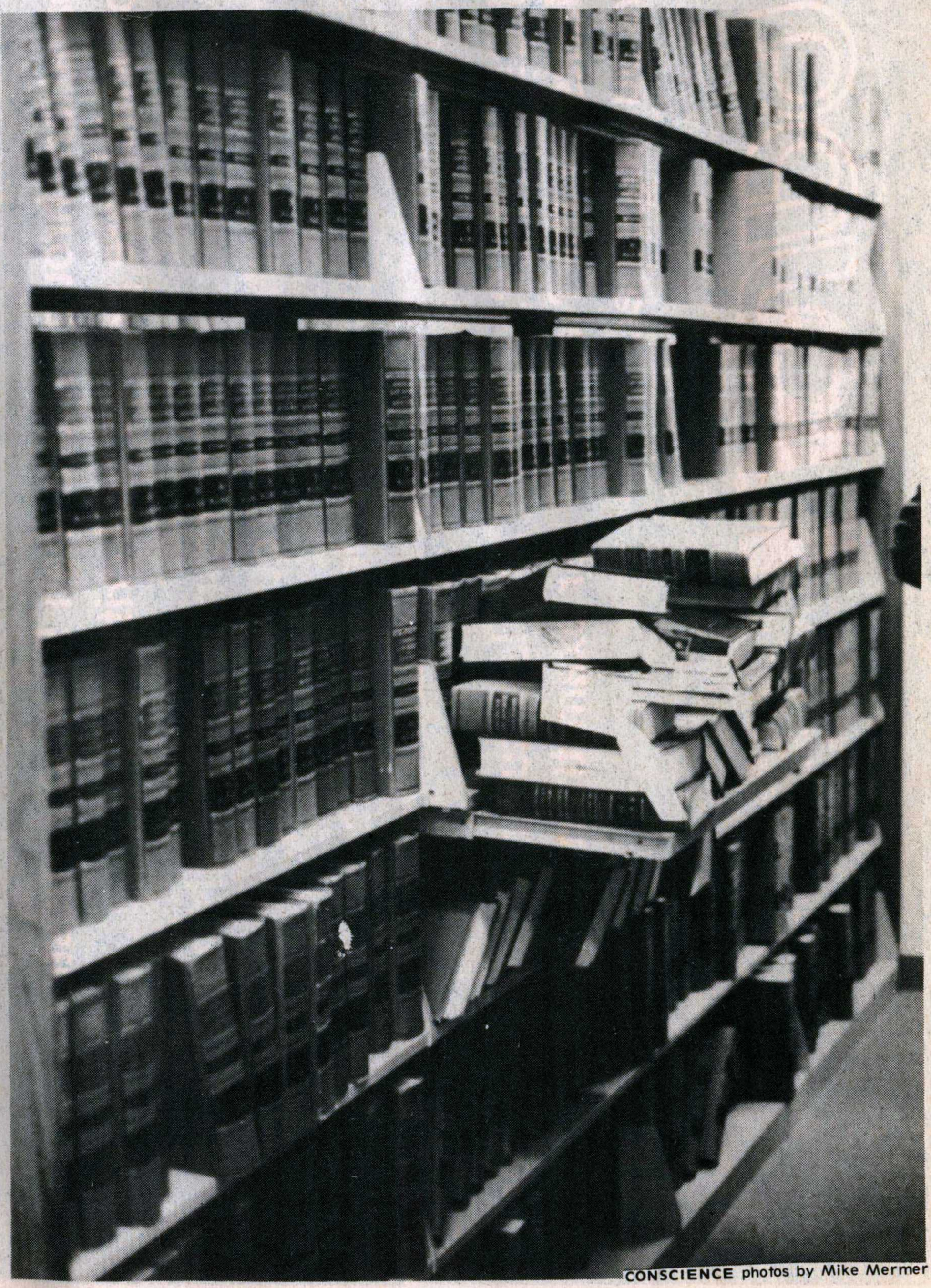
April 1979, Volume 6, Number 5



CONSCIENCE photos by Mike Mermer

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CURRENTS

Trial Techniques

by Lou Evans

For the second time, Hofstra Law School conducted a 3-credit course in Trial Techniques over the January intersession. One hundred twenty students spent two intensive weeks learning courtroom advocacy.

This year's program took on a new dimension with the addition of a bench trial following the first week. The course culminated in a jury trial, as it did last year. According to Prof. Abraham Ordover, who coordinates the January program, the bench trial was a great benefit to the students. "The experience of the bench trial made the students better prepared for their jury trials and much more composed in the courtroom situation," Ordover said. The bench trial will be incorporated into the National Institute for Trial Advocacy Northeastern Regional course, which will be offered to practicing attorneys this summer at Hofstra.

Ordover indicated his belief that the course had an overall beneficial effect on the participants. "You could see their level of confidence increasing," he said. In addition, Ordover said, the clurse emphasizes decision-making and the ability to work under time pressure.

The teaching team and the judges seemed to enjoy themselves. The judges were particularly pleased by the fact that the jury deliberations were open, giving them a unique opportunity to see a jury reach its decision.

Student reaction to the Trial Techniques course has been overwhelmingly favorable. A number of students indicated that the course had boosted their self-confidence. One student called it "my most valuable experience in law school, so far."

CONSCIENCE photos by Mike Mermer

A change machine was installed in the library lounge in early January. The machine replaces the old "system" where change was obtained at the library desk. Why the change? (pardon the pun) "It was too burdensome and time consuming for the people behind the library desk to give change," said the Wyp. The problem? The machine seems to reject a lot of the dollar bills placed into it. So much for progress.

Summer Jobs?

by Christopher Antone

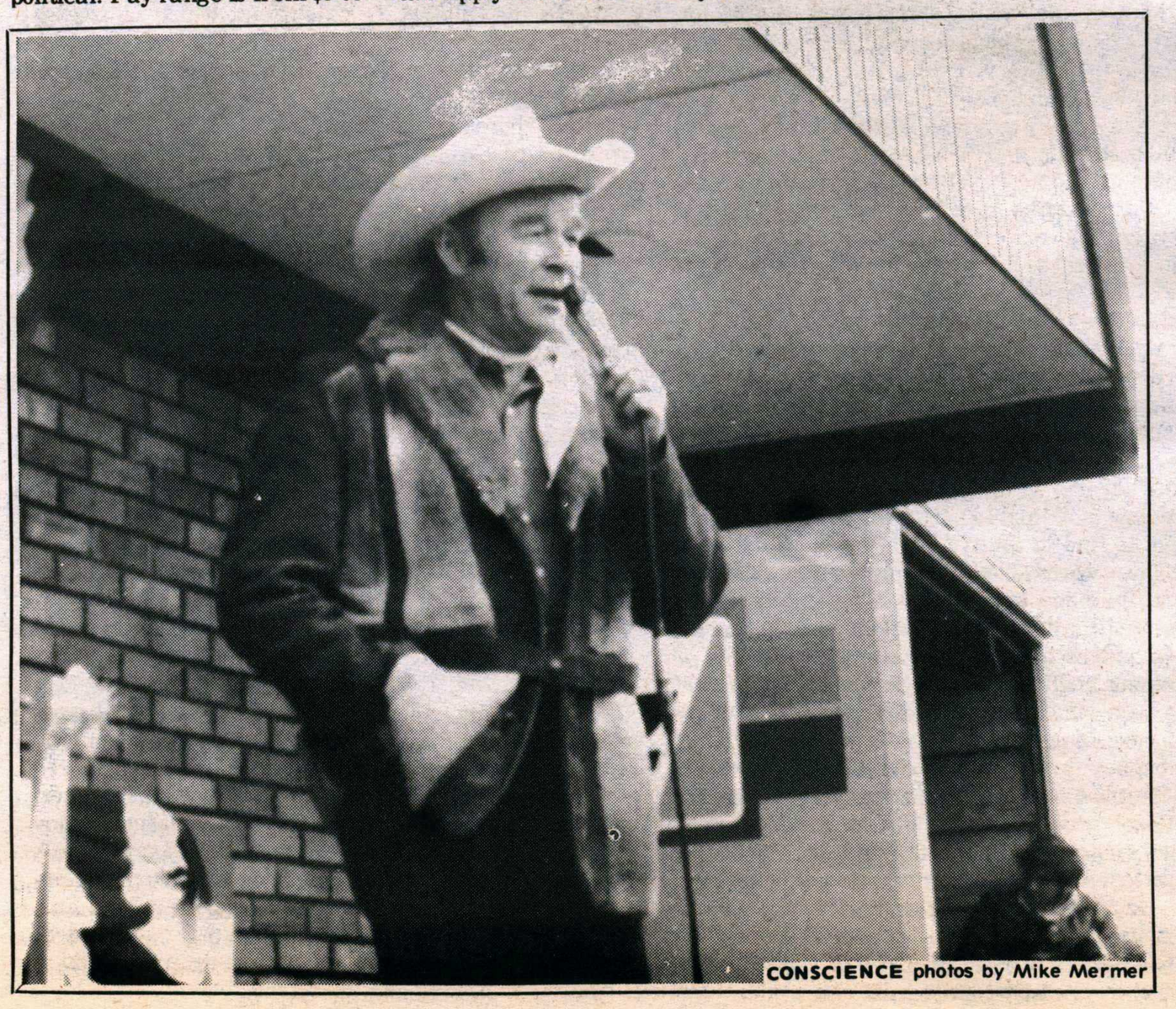
If you are interested in finding employment as a legal intern this summer, the Federal Summer Work-Study Program may help you get a job. Adriene Sachs, administrator of the Hofstra University Federal Work Study Program, reports that approximately 100 Hofstra law students were placed in law-related agencies last year. Students worked in agencies throughout the country; from the Nassau County District Attorney Office to the Atlanta Urban Corps. All agencies qualifying for work-study funding must be non-profit, non-religious, and non-political. Pay range is from $3 to $4 an hour, and all positions are full-time.

The benefits of the program are two-fold. First, students obtain significant work experience in a law-related field. Secondly, there are many positions available, because the federal government pays 80 per cent of the legal intern's salary. Thus, agencies are given an incentive to hire more legal interns at a very low cost. For example, ten Hofstra law students worked for the Nassau County Legal Aid Society last year. One student was offered a permanent job upon graduation.

Unfortunately, not everyone can apply for a work study internship. Work-study, which is a form of financial aid, is only available to students who qualify for work study grants.

Two meetings were held for Hofstra law students interested in applying for the work-study internship program. Contact Adriene Sachs and Kathleen Kennedy, director of placement, if you are interested in the program.

Good Luck This Summer



CONSCIENCE photos by Mike Mermer

HONOR CODE

If a Hofstra Law student is charged with committing a felony in downtown Hempstead, should s-he be subject to disciplinary action by the Law School? If the person sitting next to you at your toughest final is scanning the text, and it's not an open book exam, what should you do? And what should be done about that person who ripped out just the pages you need from the **Northeast Reporter?**

These are just a few of the issues faced by a student-faculty committee which has spent almost two years preparing a Code of Student Conduct for the Law School. The committee, chaired by Professor Champlin, and consisting of Professors Diamond, Posen, Resnick, and Ginsberg, and students Russell Burman and Richard Socarides, was formed not only with the purpose of codifying a code of conduct, but also with the hope that uniform procedures for handling accusations of cheating and other infractions could be devised. Some of the general areas covered include exam procedures, plagiarism, library infractions, and moot court violations.

"The Code was a long time in preparation," Socarides said, "but that's because everyone was receptive to everyone else's ideas. There weren't the usual faculty-student splits. We all worked very well together. But there were some issues on which we strongly disagreed. And we took the time to discuss them."

One of those "hot" issues was exactly what position the Law School should take concerning student conduct outside the school. **There were several** viewpoints on this, including a belief that no action at all should be taken, and a middle position that a crime committed on campus by a law student should not be ignored by the Law School, but that activities outside the University community are not the school's concern.

"On the several issues on which there was conflict," Socarides said, "we've included all the proposals in our draft. When the draft is presented to the faculty and student representatives this month, they will be able to decide which to adopt."

Another area of conflict concerned the composition of the hearing committee. Proposals included: (1) that the committee should be equally weighted with faculty and student voting members; (2) that it should have student members who serve in an advisory capacity only; or, (3) that it should have student members, unless the accused requests they be excluded. These alternatives have also been included in the draft, and have to be decided on.

"One thing that should be emphasized," Socarides said, "is that there are many safeguards built into the procedure. First of all, there has to be a complaint. And then there is a procedure for administrative dismissal of the accusation before it gets to the hearing stage."

When asked if he thought the Code was a positive step, Socarides replied, "There seems to be a feeling that abuse of facilities and exam privileges is on the rise. It's not alarming right now, so perhaps this is a good time for us to take stock and

(Continued on Page 7)

N.I.T.A. At Hofstra

This summer the National Institute for Trial Advocacy will hold its fifth annual program at Hofstra. For the last four years the program for the Northeast region has been held at Cornell University. Professor Abraham Ordover, the program's co-director, cited cost and convenience as the main reasons for the move.

The student body and faculty come from throughout the nation; however, a substantial part is from the New York metropolitan area. Those students will be able to live at home, rather than dorming, which should cut overhead. Hofstra's air-conditioning is another feature that prompted the move since Cornell's lack of air-conditioning made it very uncomfortable to work there in the summer.

The purpose of the program is to teach trial techniques. It is open to attorneys of any age from any part of the country. Most of the enrollees are people who have been practicing a short time and wish to become more proficient because of lack of experience. Hofstra's winter trial techniques program is modelled after the summer program. The summer work is highly intensive, with students working from nine until 8:30 p.m. five days a week, and then doing their research in the evening.

Professor Ordover feels the best way to learn trial technique is to practice it. He is amazed at how many lawyers are unprepared or incompetent in a trial situation. They do not seem to realize that brilliance in the courtroom is a product of intense, painstaking research. While the program is teaching the techniques to be used at trial, and taking the mystery out of the courtroom, it is also indirectly teaching the importance of researching, a skill most of us thought we learned in law school.

CONSCIENCE photos by Mike Mermer

Moot Court

This year's Moot Court program appears to be quite different from past years. A number of changes have been effected in hopes of making the programs more realistic and more rewarding.

The most drastic of these changes is that this year's participants will receive a letter grade, rather than the Pass-Fail grading of past years. In addition, there are no partnerships anymore. The students work individually.

First-year students are no longer faced with restrictions as to whom they can talk to about their cases. Discussions with professors and outside attorneys are now permissable.

Moot Court Board Chairman Scott Salimando said that these changes are intended to enhance the realism of the Moot Court experience. "Lawyers don't generally work in teams of two, with specifically defined roles for each," he said. "On the other hand, lawyers will consult with whomever they need to."

Another new factor this year is the presence of three NLO instructors. The instructors will be grading the course and will give extensive advice on the content and style of the briefs. The instructors hope to implement a somewhat formalized system of going over the briefs.

Meanwhile, the role of the 2nd-year Moot Court advisors has been cut down. Now that the hypotheticals have been written, the advisors are essentially limited to advising on research and formation of arguments.

The 6-member Moot Court Board administers the program, acts to settle whatever problems or disputes may arise and contacts outside attorneys to serve as judges.

Oral arguments are scheduled for a 3-week period between March 19 and April 5. Prior to the formal arguments, the students will participate in two rehearsals, called "mootings." The first mooting will be before the advisor; the second before an NLO instructor. The mootings and the final argument will be followed immediately by critiques. "Hopefully," says Salimando, "each student will be able to receive immediate and extensive feedback from a variety of sources."

While it's still too early to tell how the changes will work, one problem from the past has surfaced again: the problem of books missing from the Library shelves.

National Competition

The National Moot Court Competition is an inter-law school appellate moot court competition sponsored by the American College of Trial Lawyers and the Young Lawyers Committee of the Association of the Bar of the City of New York. The first round of the competition will be held in November of this year. Locally twelve law schools, including Hofstra, will participate. Last year's Hofstra team, Bayle Weiner, Jeffrey Sultanik and Grace Bernstein, under the direction of Professor Susan Bryant, made it into the semi-final rounds of the competition.

The Jessup Competition is similar in nature to the National Moot Court Competition. The Jessup program is also an inter-law-school appellate moot court competition involving the submission of briefs and oral argument in an area of international law. Professors Eric Lane and Richard Neumann administer this competition.

Following the receipt of the problem packets on February 16, students participate in either of the two programs, having three weeks to submit a short brief to support their respective positions. Selection for the teams are based primarily upon the student's oral advocacy skills and the student's brief. Three students and one alternate are chosen for each team.

The problem for the Thirtieth National Moot Court Competition will be made available to all schools in September. The team will then brief the hypothetical problem. In preparation for the oral argument portion of the competition, various professors in the school will critique the individual team participant's practice oral arguments. Last year, Professors Kadane, Agata, Champlin, Friedman, Ordover, McEvily, Bryant, Kessler and Diamond, participated in the program. After practicing their oral arguments, the individual team members will not only benefit from the criticisms of the professors but also be the recipient of the professors' appellate advocacy tips. The Regional Rounds of the National Moot Court Competition will be in November; the Final Rounds in January, 1980. Students receive two credits for participating in the program. The Jessup Competition Team will undergo similar preparation for the Spring, 1980 competition.

CONSCIENCE photos by Mike Mermer

Schedule Disatisfaction...

Many first year students have expressed dissatisfaction with their schedules this year. The schedule allows all the students in the first year to get out of classes by two o'clock every day of the week, except one. The main complaint is that the afternoon class breaks up a large block of study time, and students have requested that it be switched to a morning.

On January 31, Dean Regan held an open forum where he received a petition for a schedule change from Section A, and fielded questions about scheduling (as well as other matters). He cited three reasons why the schedule would remain as it was. The first is for purely practical reasons. Often a class can't be moved because there is no room available to teach it, or the teacher teaching it has another class in its proposed new slot, or one directly before or after it, setting up an educationally unsound situation.

The second reason is that ABA accreditation rules require students at a full-time law school to be full-time students. One of the criteria for judging this is the schedule. If it allows the students to get out early every day, and theoretically take a full-time job, or one in which they could work more than fifteen hours a week, it would endanger the school's accreditation.

The final reason was one of educational policy. Dean Regan believes a schedule of spread out classes in which the students can absorb the material in smaller amounts on a less intensified basis is more educationally effective than one large intense double block of classes. He is aware that Section A has a double torts class, but he feels that that does not justify giving other classes a double class. Dean Regan realized some people might disagree with his views. However, as the Dean, he had the responsibility of making the decision, and had to make it as he best saw fit. He added that he didn't feel one afternoon class a week was a tremendous burden, and that in the *real world* study time doesn't come in nice, prepackaged blocks.

Some of the students felt dissatisfaction with the explanation, especially since many students work more than fifteen hours a week anyway. However, Section B representative Nancy Tegtmeier expressed satisfaction that the Dean had given his answers openly, and that he'd held out the possibility of student participation in schedule making in the future.

conscience INTERVIEW

Nassau District Attorney Denis Dillon

by Robert L. Hodge, Jr. & Thomas J. Mattingly

Slightly more than two years ago, District Attorney Denis Dillon decided to seek reelection. His first administration had been just that — an administration of many first His achievements included:

—The first Democratic District Attorney in Nassau County in over 60 years.

—Nassau's first professional, non-political D.A.'s office.

—Nassau's first Major Offense Bureau.

—Nassau's first official Corruption Bureau.

—The first major D.A.'s office in the area to eliminate pleas bargaining after indictment.

—The elimination of unfair pre-trial publicity to defendants.

Denis Dillon won reelection, running with Democratic-Liberal-Conservative endorsements. CONSCIENCE interviewed the D.A. January 19.

Q: When you first took office in January of 1975, you had many goals. Among them, you intended to transform your office into a highly competent, professional unit completely free from political influence and patronage; to make the office more responsive in meeting the threat posed to the safety of our community by violent crime, and to increase public confidence in and respect for the office of District Attorney. Were you successful?

A: Yes! Right now, there is no political patronage in the office. I established that as a policy soon after I became District Attorney. This policy has enabled us to hire high quality assistant district attorneys, which has helped us become much more effective in the way we process cases through the system. In 1975, we formed a Major Offense Bureau to prosecute violent crimes. Until then, records indicated that of the 3,000 indictments filed every year, approximately 50 percent of those cases were either dismissed, or resulted in acquittals. We also found that of the people who committed serious violent crimes, over 30 percent of them never had to spend even a day in prison. The overall conviction rate was a low 75 percent. Now, we average 500 to 600 more felony convictions a year with the same number of felony arrests. We have had a conviction rate over the last several years of about 90 percent. Twice as many people who are accused of felonies are going to jail at the end of the case. Where the cases used to take about nine months to be processed through the system. the median time now is about 69 days. The major offense bureau, that handles the most serious crimes, has a 96 percent conviction rate, and the average sentence is ten years.

Q: One of your major philosophies is to mitigate the likelihood of pre-trial publicity prejudicial to the rights of those accused of committing crimes. Among the steps taken were those forbidding public announcements of investigations being conducted by the office, and discontinuing the practice of holding press conferences to announce indictments.

A: Right! We do not hold press conferences to announce any indictments. We do not announce any investigations, but we will confirm the existence of an investigation if some member of the news media should ask us about it. We would never go on television in connection with an arrest or an indictment. Parenthetically, that's an idea I got, or at least I was persuaded not to do that after reading Monroe Freedman's book on legal ethics.

Q: There was some publicity with the Ringer case, but it did not seem to come from your office.

A: During the investigations, there were stories. The press actually had good contacts in the racing industry. They were giving out information. In fact, I first heard about the crime from the news media. We moved very quickly on it. I knew that the FBI would jump in on that case, and we actually beat them to it. One case that bothered me very much was the Dr. Friedgood case where there were very lurid stories prior to the indictment, and I did my best to check out the source of those stories. I'm convinced the source was not in this office, but I think that the source was in government.

Q: Do you think your policy on publicity has hurt your public image?

A: I don't think so. The public is aware that we are doing a good job. The last public opinion poll indicated that. I think in the area of organized crime investigations that they may feel that we are not doing much because the impression of activity in that area usually comes from identifying the defendants arrested as a soldier in a crime family. Since we do not do that, we don't get the publicity on some of our arrests.

Q: You did have a press critic saying that you were soft on organized crime.

A: There was one story one time; but, I do not think anyone takes that very seriously anymore.

There is the theory that Nassau is the bedroom of organized crime. Most of their activities are supposed to be going on in the city and elsewhere, and they just happen to live in Nassau.

We have a number of so-called organizes crime figures living here; but, I think that you'd find the same thing

CONSCIENCE photos by Mike Mermer

in Westchester and Rockland counties. I looked at the people we have actually identified as being connected with organized crime out here, and it was a much smaller figure than I had estimated.

Q: More in Westchester?

A: Well, I don't know how many they have; but, I think that in any suburban county you're going to find them. If they are doing well in crime, they are probably not going to live in the city.

Q: They can afford the property tax!

You pioneered a unique plea bargaining system. How does it operate, and how is it different from the norm?

A: The people who have studied the criminal justice system tell us that its ability to deter criminal acts comes from the swiftness of prosecution and the certainty of punishment following prosecution. We try to move along those lines. In order to bring that about, at the one point we thought we were able, I declared a policy of not taking a plea to a reduced charge once an indictment was filed. That meant a defendant or defense attorney who wanted to get a reduced charge in a criminal case would have to take that charge within two months of the arrest, as that was the time it usually took to get the case screened, evaluated and processed into the grand jury. This has resulted in our obtaining swift determinations because we are very parsimonious in determining what lesser pleas we take. We do not drop the charge very much. We still leave the judge all the flexibility in the world to give the sentence that he probably would have given in the beginning. We often take a position on sentencing. On the record, if we feel that a defendant should go to prison, we say it. The result? As we indicated before, we are moving the cases faster, we are obtaining a higher percentage of convictions, and more people are going to prison. It has worked well. We have managed to drop the backlog of felony cases in the county court from approximately 2,000 to about 400 now.

Q: The death of Flornece Busacca caused something of a first for your office.

A: Yes. We successfully prosecuted a murder case without a body. I had forgotten about that case. Barry Grennan handled that case, and he is now the chief of the Major Offense Bureau.

Q: As District Attorney of Nassau County, what do you feel, on a broad basis, is the area of major concern?

A: In law enforcement, I suppose, our main problem involves crimes against property. We have a very high burglary rate here in this county. It's not higher than other similar places, but it is higher than it should be. Last year, it was the one area of crime, where records are kept, that showed an increase. Everything else dropped, although the rate of increase slowed down last year. I think all of us in law enforcement have to turn that picture around, so far as burglaries are concerned. We try to be very strict in terms of taking reduced pleas of guilty in house burglaries. However, over 40 percent of the people who commit those crimes in this county are under the age of 16, and they never come into this office. It is also a particularly difficult type of crime for the police to investigate. The burglars are usually gone by the time the police are called to the scene.

Probably the best thing to do is to see what we can do to increase the deterrent effect down in juvenile court. We should identify those juveniles who are likely to engage in that type of activity, and rehabilitate them.

Q: Are you getting good cooperation from the police department?

A: Yes, we get good cooperation.

Q: What do you think of the new juvenile crime laws?

A: I think the new laws are designed more for the city where there is a real problem of violent crime among teenagers. We do not have that out here. Less than 3 percent of all our crimes are violent crimes. It really does not have much bearing in Nassau.

Q: County Executive Purcell and the Board of Supervisors are currently wrangling over the budget. Has your office been affected by this?

A: Actually, it is strange, but the fighting over the budget this year has helped us produce a more efficient criminal justice system, insofar as the county court system is concerned. I had indicated back in 1976 that the taxpayer could be saved a good deal of money because we actually had 3 or 4 more county court judges than were required. The case load had increased tremendously between 1966 and 1976, and the answer to that increase was not developing more efficient ways of moving the cases, but had been merely to add more judges. It was costing $250,000 annually to keep a county court judge on the bench for a year. That translated into $750,000 to $1 million that I thought could be saved. Subsequently, the state took over the payment of the judges. This year, when I talked with the Supervisors, they asked me if there were areas where we could effect savings. Our budget request had already been cut by about $250,000 by the County Executive, and I thought I could live with this. Additionally, I suggested that we could probably delete 6 positions for assistant district attorneys from our staff, if I were guaranteed that three county court judges could be sent to the Supreme Court and kept there for a year to handle the backlog. With the support of the Board of Supervisors, I was able to get that agreement from Justice Widlitz. That meant a savings of an additional $150,000.

Q: Speaking of judicial economy, at Hofstra this past Tuesday, State Court of Appeals Justice Sol Wachtler called for a complete reorganization of the state court system to eliminate some of the multiple levels of jurisdiction and reduce confusion among citizens. I presume you basically agree.

A: We have done something along those lines. Not just me alone, but our office working in cooperation with the courts. Judge Henderson Morrison and Justice Paul Widlitz (Administrative Judges of the County and Supreme Courts, respectively), assisted with the development. We found it is more efficient to assign a county court judge to a felony arrest as soon as possible, and not wait until the indictment is filed. Therefore, while the case is still in the district court system, there is a county court judge assigned to it.

This is why we are able to get so many pleas to felonies

(Continued on Page 7)

Kathe Kennedy, *New Placement Director*

by Robert L. Hodge Jr.

Hofstra Law School has finally filled its most painful void, a full time director of placement. Ms. Kathleen Kennedy comes to Hofstra with a long list of credentials, including administrative experience at Barnard College, Columbia University. She views her task here as being a two fold operation divided between the functions of resources and job development. "My job," said the director, "is partly acting as a resource to the students for their job searches by assisting them with interview techniques, resume writing and related matters. This includes counseling and workshops for first, second and third year students."

An integral part of the resource function is to have a well organized office of placement to accommodate the students and help them find the information they need to prepare them for interviews. This would include working on the career library.

Ms. Kennedy described the second major portion of her job as job development, and being a public relations person for the law school. "This involves going to cocktail parties, going to bar association meetings, going out to lunches with many people, knocking on doors and introducing myself to get people to associate me with Hofstra Law School. I want to keep reminding them that we have a law school with fantastic people that they can utilize as an employer. The placement director is always an agent for the school. If you go to a wedding, and there is someone there who is a judge, or a law firm partner, you have important ramifications."

The School of Law
Hofstra University
Hempstead, New York 11550
takes pleasure in announcing
the appointment of
KATHLEEN KENNEDY
(Mrs. Henry A. Martuscello)
Director of Placement

formerly with Barnard College
Columbia University

(516) 560-3661

"The job development phase of this is just starting now. We have sent out announcements of my appointment, and we have contacted all of the major New York City firms, and firms here on Long Island. We have made over 500 such contacts so far. This will help me contact people that I should be in touch with," said Ms. Kennedy. "I am drafting a letter, with faculty input, requesting an interview. I will go to these firms, introducing them to Hofstra, helping them to understand what we are all about, giving them a copy of our law review, leaving them a bulletin; this is all part of the initial contact that is beneficial."

Lists of previous contacts and potential employers are still in the placement files. However, the new director found the lists to be outdated in some cases, and incomplète in others. She continued, "I am in the process of updating them. We have completed a New York City list; not every firm possible, but the key firms. I will make a special effort to go to firms that have not employed Hofstra graduates."

"Of course, we can't forget the alumni. They are our most valuable resource. We will be contacting all of the alumni to see if they are willing to be prospects for us for leads. I will respond to them by a personal letter. Everyone who writes to me gets a personal letter back, by the way. Everyone who has sent in suggestions received a letter. Those graduates who are still unemployed received a letter, telling them what they should be doing now, and how we can help them still."

CONSCIENCE photos by Mike Mermer

Ms. Kennedy has decided to make several changes in the placement office, including color coding the job classifications posted in order to make it easier to comprehend and use, and keeping these job listings confidential. She also plans to conduct surveys, with both the present third year class and all of the alumni.

On April 28, 53 of the most important women attorneys in the New York area are coming to Hofstra Law School. The Placement Office and Law Women's Organization are sponsoring an all day conference entitled, SUCCESSFUL WOMEN ATTORNEYS: HOW THEY GOT WHERE THEY ARE TODAY, and it is the first major conference sponsored by the Law School.

The aim is to provide law students and entry level practitioners with career information which can only be gained through working in the field. The conference will bring together women attorneys from a variety of areas to share their career experiences and specific information about the positions they have held. Registration is limited to 200 persons.

Members of the Law School community who wish to attend may register on Wednesday, April 18. Volunteers will be in the Law School lobby to accept completed registration forms and checks. The cost of the conference is $15 which includes breakfast, lunch at the University Club, and a cocktail party at day's end as well as all conference materials. The conference is self-funding; there have been no budget allocations for it.

1979 PRELIMINARY MULTISTATE BAR EXAMINATION SEMINAR — NEW YORK AREA

(Dates and Locations)

June 22, 23, 24 Buffalo, at Sheraton Inn-Buffalo East, 2040 Walden Ave.
July 6, 7, 8 New York City, at Statler Hilton, 7th Ave. & 33rd St.
July 16, 17, 18 Hempstead, L.I., at Holiday Inn, 80 Clinton St.

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Percentage of students, who attended our June/July 1978 Preliminary Multistate Bar Examination Seminars, successfully passing their respective State bar examinations:*

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Arkansas: 92%
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Colorado: 88%
Connecticut: 90%
Delaware: 72%
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Georgia: 78%
Illinois: 86%
Kentucky: 82%
Maryland: 80%
Massachusetts: 85%
Michigan: 86%
Mississippi: 94%
Missouri: 92%
Nevada: 86%
New Jersey: 71%
New Mexico: 100%
North Carolina: 100%
Ohio: 85%
Oklahoma: 100%
Oregon: 94%
Pennsylvania: 100%
Tennessee: 88%
Texas: 95%
Virginia: 88%
Wisconsin: 100%
Wyoming: 83%

* Statistics are based on all students releasing their respective state bar exam results to Multistate Legal Studies, Inc.

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QUERYING PHOTOGRAPHER

QUERY: Should couples who separate after living together be entitled to "palimony"?

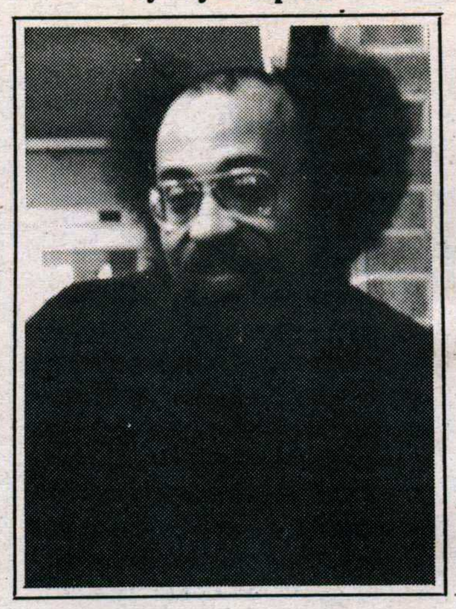
by Joyce Lipton

AMY SKLAR '80

I think they should be entitled to it, providing that there was some kind of agreement beforehand. Part of the arrangements a couple moving in with each other should make, should include a type of agreement as to how they will live together, and in the event they split up, how they should divide the property. The problem with making such a contract though, is that then the situation becomes very much like a marriage, which is what the couple probably wanted to avoid in the first place.

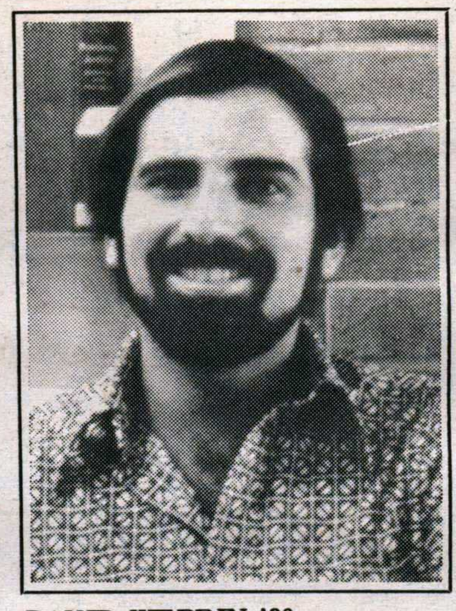
KENNETH MOLLINS '81

There should be consideration by a court to grant palimony where one of the partners in a serious marital-type relationship has depended upon acts or promises of the other to his-her detriment, for example giving up a career on the assumption of support, or failing to continue one's education in order to care for the other. Palimony should be made available from the partner who has acted to cause such beliefs, when he or she divorces him-herself from the relationship.



DAVID BYTHEWOOD '81

No, neither one should get alimony. Women are becoming and should be allowed to become more independent. Their equality should be total. Then, when we have a situation such as marriage, meaning two people coming together for their common benefit and enjoyment, whether or not they go through statutory requirements, there would be no necessity for one's supporting the other in the event of the dissolution of that marriage. Obviously, we haven't yet reached the point where we have full equality sexually, ethnically or racially. Under present conditions, sometimes one of the parties to the marriage may not be capable of sustaining themselves without a lot of difficulty. In those cases, monetary remuneration would be necessary to place that party in a position of self-support.



DAVID WEPRIN '80

A woman or a man who lives with someone for a number of years and assumes most of the obligations of a marriage without the formal ceremony should be entitled to some protection by the more stable party upon dissolution of that relationship. The extent of this protection should vary with the extensiveness of the obligations of the prior relationship.

GRAZYNA MILLER '80

My feeling is yes, because the difference shouldn't lie in whether or not you have a piece of paper. On the other hand, since there might be many fraudulent claims that would arise out of this type of situation, and getting a marriage license isn't such a difficult thing to do, if you want to protect yourself, you should get one.

conscience

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CONSCIENCE is published on a monthly basis from August to May by the students of Hofstra University's School of Law, Hempstead, New York 11550.

The editorial board is committed to bringing Hofstra Law a competent, informative, lively newspaper which adheres to professional standards. Accordingly, we'll strive to meet the responsibility that derives from first amendment guarantees.

All of you—students, faculty and staff—are encouraged to make editorial suggestions, submit articles for consideration and, of course, write letters to the editor. Regarding submissions: please type (triple space) and include name and phone number. Submissions may be dropped off in our admissions office mailbox.

CONSCIENCE is distributed free of charge to members of the law school community. Funding comes from advertising revenue and the student activity fee. Subscriptions for all others: $5 per year.

MAILBOX

Dear Editor:

I leave the Law School with regret but with enormous pride due to the outpouring of sympathy from the students.

I was so amazed when I returned from a brief vacation to find that 317 students had signed a petition protesting my forced retirement and had brought the matter up at the faculty meeting.

I want to thank you for the fine article about me in the CONSCIENCE. I have circulated it from Florida to California and in between. My son and daughter were duly impressed.

I especially want to thank all students who signed the petition and expressed their sentiments to me personally and all those students, faculty and staff who came to my party. I tried to thank people personally but I am sure I missed many.

This is my first "Letter to the Editor." I expect it is the beginning of many firsts for me. I shall miss the Law School and will be checking on what's happening.

Sincerely,
Helen Wensley

To: Editors of the CONSCIENCE:
Re: Abuses in the student admissions committee

I'm sure most of us have received the parental advice of "It doesn't matter how much you know. It only matters who you know." Being a pseudo-idealistic liberal, I felt that if I worked hard I would succeed. However, my subconscious did realize that this cliche was probably true. But, I tended to postpone my realization of that fact until I got out into the big cruel world of business.

However, recently I had a disheartening meeting with reality. It has come to my attention that some members of the student admission committee have taken the names of prospective candidates for admission from their fellow Hofstra colleagues so that they can receive special consideration. It is a shame that the members of this committee have finally decided to listen to their parents.

I do not advocate the abandoning of this committee but maybe the goals and policies should be re-evaluated. During the building years of this institution, it seems that standards should be maintained at a respectable level, instead of sinking to a level solely to satisfy the committee members' egos. Maybe a better system than a lottery for choosing the members should be initiated.

A concerned law student

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A Humorous Look At Soviet Television

by Lou Evans and Henry Rones

A few years ago, some political analysts were telling us that the United States and the Soviet Union were gradually becoming similar in their political and social outlooks. Well, time has proven that these analysts were not too far from the mark. And nowhere is this trend more evident than in the world of television.

Over the last few years, the Soviets have developed a new type of TV programming. Although Communist ideology is still very much in evidence, Russian TV now exhibits some startling new characteristics, reminiscent of American media techniques.

Here are a few example of popular Soviet TV series:

"The KGB"—The adventures of Dmitri Andreyevich Popikov, veteran agent provocateur, with fifteen years on the force. Dmitri must pose as Old Father Kishka, the street sweeper, for should his real identity become known to the thousands of dissidents, his life would not be worth a plug rubel. Already, many such dissidents have viciously and sadistically hurled their bodies in front of Dmitri's discharging service revolver. Many others have attempted to discredit Dmitri by leaping out of the 15th story window of the KGB office while undergoing interrogation.

Dmitri is assisted by a brash, young, rookie agent, Alexei Grushenkovich Sakharov. Alexei reassures potential "stoolskys" with such comments as: "And you could take that to the bank . . . if such bourgeois institutions had not been destroyed by our beloved fathers in the great and holy struggle against capitalist imperialism (or imperialist capitalism)."

"Kapital Idea"—A game show. Contestants are chosen at random from among those with unfilled production quotas. Contestants are quizzed on the writings of Marx and Lenin. ("I'll take 'Withering Away of the State' for 20, Gregor.") The loser gets an all-expense-paid, 24-year trip, for himself and his loved ones, to the scenic Gulag Archipelago. The winner gets to go home. Period.

"As the Workers of the World Unite"—A soap opera, revolving around a devoted young couple, Yuri and Sonia, and their efforts to find an apartment in crowded downtown Moscow. They hope to solve their dilemma by informing on Sonia's Trotskyite Uncle Vanya, and moving into his apartment. Meanwhile, Yuri's selfish, hoarding Supervisor, Wiesenthal, is caught worshipping a picture of Kerensky, and his apartment, filled with stacks of Western currencies, hangs in the balance. Sonia's sister, Natasha, is made pregnant by a dissident sailor, and her apartment hangs in the balance. Will Yuri and Sonia gain their life's dream?

"People's Court"—A show about Mikhail Chigorin, dedicated People's Prosecutor. Mikhail works 20, sometimes 30, sometimes 40 hours a day in the interests of the people. But it is not all work. Mikhail still has time to play a damn good game of chess, preferably with his beloved friends: Russian railwaymen. Mikhail is truly a man of the people. He eats the black bread and the onions of the working classes. In one episode, Mikhail prosecutes Uncle Vanya and his co-felon, Wiesenthal the Hoarder, for illegal exchange of Western currencies. Chief prosecution witness is Old Father Kishka, the street sweeper. Wiesenthal breaks down on the stand and confesses, after repeatedly striking himself about the head and the shoulders in a fit of remorse. Uncle Vanya, chagrined, jumps from the 15th story window of the KGB office.

As if all this were not enough, it seems that Madison Avenue has reared its ugly head in Red Square. Yes, the Soviets have turned to advertising! Here is a sample of some of the more prominent ads now running on Soviet television.

"The insult that made a man out of Maxim"

(Scene: a factory. MAXIM is disinterestedly assembling a tractor. THE SUPERVISOR enters.)

SUPERVISOR: Maxim, your production is down two points from last year.

MAXIM: (throwing down his wrench) Oh, yeah? Well, you can keep this stinking job, Comrade Supervisor. I will be going to Minsk, where I will be securing a good-paying job, and an apartment. I will be working as a Party functionary.

SUPERVISOR: (in disbelief) You??? You will be working as a Party functionary? But, you have no training! No experience!

MAXIM: That's what you think! I have just completed the Marxist-Leninist correspondence course. I have learned the Labor Theory of Value at home! In my spare time! I am now prepared to take on the duties of a Party Secretary. So, buzz off, Comrade Supervisor. I'm on my way to big responsibilities. And big rubels!

ANNOUNCER: (voice-over) Take a tip from Maxim. Send for your free introductory course pamphlet. No obligation. Don't delay. Do it today. (Sotto voce) Offer void where prohibited by State.

A record offer:

(Scene: A studio. A bearded man in glasses, cap, and Soviet Army uniform, holding up a record album.)

Voice Over: a speech in Russian, followed by wild applause.

MAN: Remember our beloved Lenin's speech at Finland Station in April, 1917? And how about this one? (Another voice-over, with another speech in Russian) Yes! That was Lenin addressing the throngs in Red Square in 1919. And now—for the first time—you can get the Recorded Speeches of Our Beloved Lenin. If you tried to buy these records in a store (and they're not available in any store) it would cost you thousands of rubels. But now, the Recorded Speeches of Our Beloved Lenin are available to you for just 9.95 for the records, 10.95 for the tapes, exclusively from Propaganda House. Hello, I'm Leon Trotsky. I was killed in Mexico in 1940, but I had to come back to tell you about this fabulous offer. But, wait! There's more! If you act now, we will send you the soundtracks from Eisenstein's greatest films! And we'll even send you selected testimony from the 1937 Purge Trials! Call now! Our operators on duty 24; 34; 44 hours a day!

Insurance

ANNOUNCER: People's Insurance wants to know. If you're purged, young man, will your family be taken care of? Would they have to give up their little summer dacha on the Black Sea? Would your children have to take low-paying jobs as manual laborers? Perhaps even as street sweepers? Don't let this happen to your family! For only 15 rubels a month, People's Insurance will protect your family from economic deprivation caused by your purge; being declared a non-person; disappearing in the night; and other acts of the State. Your wife can present your Non-Person Card at our nearest office and the benefits will start immediately. No delay for trial! That's People's Insurance. Because, you never know . . .

Vodka

(Scene: Tractors rolling over a wheat field. A whistle blows. A sweaty man gets off a tractor. He and his comrades walk to a nearby tavern. A babushka-headed waitress serves them.)

ANNOUNCER: You've been out in the hot sun all day, building the Worker's State. And when the whistle blows, you want to settle down with the best vodka you can find. People's Vodka. You don't go around much in life, and you've gotta grab for all the kasha you can. People's Vodka. The only name in vodka since November, 1917.

Dillon Interview...

(Continued from Page 4)

before the indictment ever comes down. In effect, this is combining the district and county courts, so far as felonies are concerned, and it works very efficiently.

Q: The following quote is attributed to you, concerning your office's investigation of the Nassau County Republican Committee: "There was evidence of ongoing practices that were unethical or immoral, but not illegal." Furthermore, in connection with these practices, you were " . . . amazed at the gullibility and high rate of tolerance exhibited by the average taxpayer in Nassau."

A: I think this is true anytime you are doing investigations into political corruption. Jack Newfield wrote a book entitled, "The Abuse of Power," and one of the chapters in the book dealt with what he called legal grafting, and he indicated what I consider to be highly immoral acts committed by some people in public office that just cannot be reached by the justice system through the existing statutes. We found that out here. In some instances, we did bring criminal cases where we could. The investigation into the solicitation of kickbacks by some of the commissioners here was prosecuted.

Q: What happened with these cases?

A: I think there were five commissioners. One died, one was acquitted, and the remaining three convicted. One plea that was taken was overturned at the Appellate Division. But, that case is now in front of the Court of Appeals, and I think we stand a good chance of reversing that. It is a difficult area. We also had problems getting the cases to trial. There was one case which was on the calendar for over three years. The disgraceful thing about it was that that commissioner had told everyone that he was not going to go to trial until after the elections of 1977. Despite the fact that I had made public comments about the failure to bring the case, that was exactly what eventually happened.

Q: Who was to blame for the failure to bring it timely? If the blame could be placed anywhere?

A: I felt that it was in the best interests of everyone involved in the criminal justice system and the prosecution of that case to bring it early. I think that when these cases are not brought to trial, the judge is at fault.

Q: Have you investigated the possibility of some type of corruption in that particular case with respect to the delay?

A: I did not develop any indications that there was corruption.

Q: You arranged a student intern program with Hofstra Law School to allow third year students to work in your office. How is this program progressing?

A: It works very well. The students work with the county court assistant district attorney helping prepare felony cases for trial. They also spend some time in the court watching the cases. It is good training for them, and it is very helpful to our office.

In general, I am very happy with the people I get from Hofstra Law School. I think it has developed into a very fine law school. They should be very proud of the people they turn out. They have had some excellent people come through here, both through the student intern program, and those coming on staff. So, whatever they are doing, they are doing right!

Q: Do you have any present plans for 1981?

A: No.

Q: Thank you, Mr. Dillon.

Shah...

(Continued from page 1)

base is corroborated by the fact that the 10 percent increase in peasant holdings involved transfers of the most uncultivable territories. The authors add, "1 percent of the population now owns 80 percent of the private wealth."

The opinion makers have spared no efforts to cast the Shi'ite religious leaders as ferocious woman-haters and advance this as a prime source of hostility to the shah who, belatedly anyway, posed as an emancipator of women. But as Dorman and Omeed point out, "Not even the most conservative religious tracts and pamphlets cite lifting of the veil, giving the vote, or granting women the right to attend universities as reason for opposition to modernization. In general, the press has overlooked the fact that Shia has incorporated socially progressive tenents into its theory for centuries . . ."

In short, the media has failed to produce any concrete evidence that any of the elements within the opposition movement, religious or secular, want to obstruct "progress," let alone to turn back the clock. On the contrary, it has concocted its case against the opposition with phony issues, innuendo and by playing on the subtle belief of many Americans that non-Western cultures are inferior and must be extirpated before real progress can ensue. As Dorman and Omeed conclude, "It is not difficult to discredit resistance to oppression, at least for Americans, if it can be made to appear resistant to progress."

Whatever the denouement in Iran, the American media has perpetrated a crass injustice against its people by disparaging their efforts to abolish an intolerable despotism. Closer to home, though, is the question of what price the American public will pay for the lack of any responsible discussion of an historic event that will certainly affect our fortunes for years to come.

Honor Code...

(Continued from page 1)

decide exactly how we want to regulate our conduct."

Professor Champlin, the committee's chairperson, said that the draft of the code is still in rough form, but that as soon as it is ready, she hopes it can be distributed to everyone in the Law School.

Report From Democratic National Convention

The shadows of 1978 are still lingering on and in the world of politics, the Mid-term Democratic National Conference in Memphis, Tennessee is a rapidly fading shadow. Those disposed to kindness refer to it as the awakening of President Carter, while hardliners call the Conference the start of Senator Kennedy's 1980 presidential campaign.

Here in the state of Hofstra, third year student Jeff Bloom, free of the pressures of mid-year exams, spent December 9, 10 and 11 rubbing elbows with his political elders.

"The convention was a combination of speeches and workshops. President Carter addressed the crowds Friday night, the workshops were held on Saturday, and Sunday started with a speech by Vice President Mondale, and finished with the voting on resolutions and a memorial service to Martin Luther King."

"The raison d'etre for the convention," said Bloom, "was to provide the opportunity to sit down and debate issues. There was the question of whether it would be merely a celebration of 1976, or time for real, open debate about national issues. President Carter's opening address Friday night centered on the single most important issue, the BUDGET.

In essence, the President, inter alia, promised to cut $3 billion from social services, and boost the defense spending well past the inflationary hike. The convention was desperate to hear a speech espousing Democratic Party Principles; but, with the single exception of ERA support, heard nothing that they were capable of giving anything more than polite, thin applause. When one realizes that this was a Democratic President speaking to a Democratic convention, a message becomes clear," notes Bloom.

A second message came the next day during the workshops. Panelists spoke first at these workshops, and the delegates were invited to raise questions or make statements. In the various workshops, delegate after delegate came to the podium, severely criticizing wage and price controls, cuts in the social program, and similar themes. "The most significant event took place in the national health workshop, which included speaker Senator Edward Kennedy. Normally, 200-300 individuals attended workshops; this particular workshop drew about 2,500 delegates. I saw people literally hanging from the rafters," comments Bloom, "I heard a speech that was incredibly moving. While speaking about health policies, Sen. Kennedy was also speaking Democratic and social policy, and was definitely critical of Carter's budget. Three or four times the speech was broken by standing ovations, one of which lasted at least 5 minutes. Clearly, there was a pointed message to the President."

Bloom had his own resolution to offer, a reaffirmation of the 1976 party platform plank that said that the country should recognize Jerusalem as the capitol of Israel, and that our American Embassy should be moved from Tel Aviv to Jerusalem. "It was obvious," reflects Bloom, "that the Administration would not allow it to reach the floor." Instead of facing defeat, Bloom brought his resolution to the New York delegation, where it was passed unanimously.

Since the convention, the Administration has restored the $3 billion in social cuts, and promised to hold the defense budget steady. But, Bloom feels that the sense of betrayal he and other delegates felt at the convention is spreading to many more groups, such as Democratic workers, the poor and minorities, American cities, women and senior citizens. The convention message, and Bloom's closing remark is: "Come home, Jimmy Carter. Come home to the principles of the Democratic Party!"

Editor's note: This interview was conducted in January.

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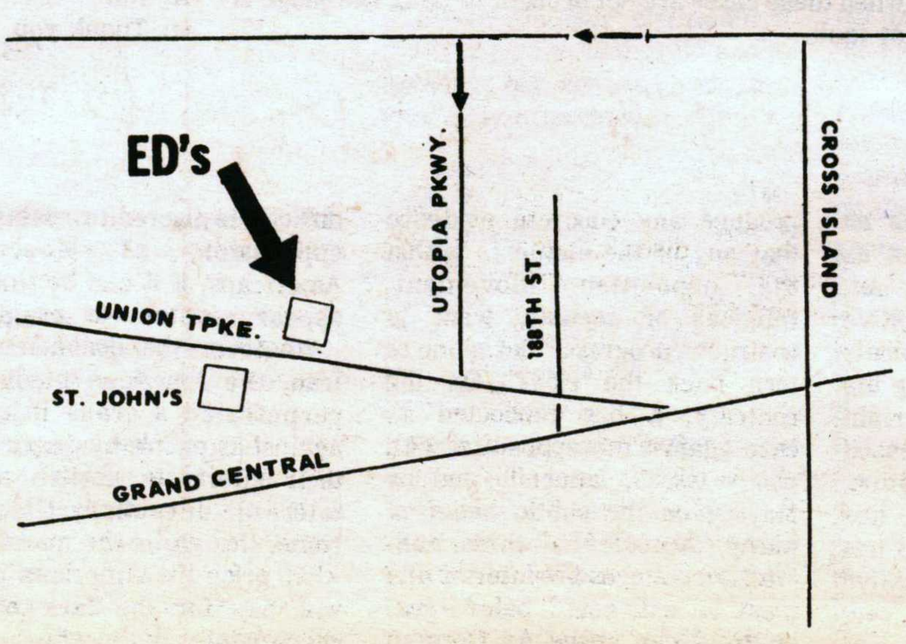

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Computer Services

(Continued from page 1)

those involving automobile dealers can be done in a matter of seconds on Lexis. Normally, this process would entail hours of reading to eliminate irrelevant cases.

". . . One tax lawyer recently had a question about Section 422 regarding qualified stock options. He said that he requested Lexis to find all occurrences of the word 'tandem' within three words of 'option' and found the answer to his question within 30 seconds."

Similar speed and convenience are provided by the Westlaw system.

Indeed, in addition to litigation assistance, computer research systems potentially make the production of treatises, casebooks, restatements and other such compilations much easier. The day may even come when it would be possible to codify all American law using these computer systems, perhaps putting it in a Restatement-like format (or a series of uniform codes). Then, by applying a key-number-like index to the code, a new data base could be created a la Westlaw, providing access to all previous precedent to clarify any point of law in the code.

The Equity Problem

The use of such computerized systems poses significant problems for the legal profession because of the potential for unequal access to quality legal services. Under the common law judicial system, where precedent often means more than principles of equity or justice, the advantage of access to computer research could be devastating.

For instance, in a deadline-situation where both litigants have only a short time-frame in which to produce a case, the rich litigant with computer access can likely produce adequate precedent for a minority position to overwhelm his poorer opponent, even though the majority of the case law may be on the opponent's side. The poorer party thus loses, not on the law, but because of the structure of the system.

Thus, in the context of guaranteeing a fair trial, the use of the computer raises questions of due process, equal protection, effective assistance of counsel, equivalent discovery and professional responsibility.

Of course, the easiest way to solve the whole problem of inequality in computer access in both criminal and civil cases would be for the courts to seek and the legislatures to fund for public terminals in county law libraries, just as they now pay for the books and for counsel to indigents. Currently, only Kansas state and federal courts permit lawyers who represent indigents to utilize the public terminals at the courts' expense.

But there are other possible sources for indigents and their lawyers to fund computer research: the bar associations and the computer service companies themselves. Although the balance of this article discusses the legal and social responsibilities of these two groups to society as a whole, such responsibilities might also form the grounds for suits by any individual indigent or his lawyer able to prove damages due to lack of computer research access, and resultant loss of case or injury to legal business and reputation.

Furthermore, if the indigent or lawyer can prove state action on the part of the bar associations or the companies, he might be able to sue for civil rights violations, or for deprivation of fair trial on the grounds suggested above.

As of last spring there were only six so-called "public terminals" for Lexis in the United States, (where any member of the bar can use the computer for a fee) and only four Westlaw public terminals. In the vast majority of cities, terminals are only available to the private law firms or government agencies that have installed them themselves. This situation has effectively sealed off the great majority of the competing legal profession and their potential clients from use of the services because of the large initial costs, even if they could pay the hourly fees. And in addition, the high cost bars many even where there are public terminals.

The Rates

Lexis has four rate schedules. The cheapest (for law schools) for unlimited use is $660 per month, plus $350 for installation and $450 for training.

As of January, private subscribers, i.e., law firms, corporations, etc., have three options available under Lexis: Schedule Q requires no minimum use commitment; the hourly rate is $112 for research time ($48 for off-peak use). The hourly rate for Schedule A is $97 for research time ($48 for off-peak); Schedule A subscribers agree to use at least $1,000 of time each month. The hourly rate for Schedule B is $77 for research time ($48 off-peak); Schedule B subscribers agree to use at least $2,500 of time each month.

A surcharge of $195 an hour for search time applies to all three options. The equipment charge under all three schedules is $575 a month and installation and training charges total $2,600 under all three options.

The Westlaw system has a similar three-tiered commercial rate schedule. The first tier is a flat $500 a month plus $75 for every hour of usage. The second rate is $1,500 a month for 20 hours of use, plus $75 for every hour over the first 20. The third rate is $2,600 per-month for unlimited usage. For law schools subscribing to the West system after Sept. 1, 1978, the rate is $1,500 a month for 50 hours usage, and $75 for every additional hour.

According to Mead Data Central Vice President Henry Heilesen, the rates for public terminals are very similar to those quoted for the private installations. The research charge is $117 an hour, with a charge of $48 for off-peak time; there is also a surcharge for search time of $195 an hour. The equipment and installation charges are the same as shown for private subscribers.

West states its current rate for new public terminals is $1,000 a month paid by the sponsoring library, and $75 an hour billed to the individual user of the terminal; however, its older terminals in Boston and Los Angeles, where usage is heavy, were originally set up to be paid by the users themselves only, and West continues to bill only users there, $75 an hour. Miami is apparently the only other public terminal currently run by West.

While the Westlaw practice had been to bill the user directly, Lexis bills the sponsoring organization which in turn bills individual users.

As of a year ago, Lexis was installed in 48 law schools across the country. (This writer has no information on Westlaw in law schools.) What is troubling is that despite the sparsity of public terminals, Mead will not allow law school terminals to be used as public terminals for non-educational purposes, even if the users were willing to pay for their time.

A special "Law School Use Form" must be filled in by students and teachers before every use of the terminal, requiring details on the research and a certification signed by the user that his "use of Lexis in the research session described above was exclusively for the purposes stated above, was not related to representation of fee-paying clients by me or by anyone employing me, and was directly connected with my law school's educational program."

It has been six and one-half years since Mead signed its operating agreement with the New York State Bar Association that allowed it to start a library and begin selling terminals in that state. New York is the home of Mead's headquarters, and is perhaps the legal capital of the world. Columbia and New York University law schools both have installed Lexis terminals. But still New York does not have one single public terminal.

Part of the reason for the lack of public terminals may be the competition between Lexis and Westlaw. As the only two contenders in a lucrative but select market, they may be reluctant to risk losing profitable guaranteed contract fees from firms that would use public terminals if available, especially when they both must compete mightily with each other for any new customers to replace old ones.

Public Materials

Both Lexis as well as Westlaw have obligations to provide public terminals based on the public nature of the materials they use. Legal opinions are part of the public domain. Westlaw, as noted above, receives its materials (and its computer tapes, etc.) through special arrangements with the federal and state governments. Lexis obtained its access to federal materials through a public, charitable organization called the National Center for Automated Information Retrieval (NCAIR).

Lexis, in fact, was a "cooperative venture" between NCAIR and Mead Data Central. NCAIR's charter from the New York Board of Regents, on which its non-profit status depends, commits it to ensuring that "the law will be made readily, widely and economically available to the interested public," and it has publicly obligated itself to creating public terminals for use by indigents and anyone else so desiring.

Lexis made similar arrangements with state bar associations for access to their state court materials which—were it not for Westlaw—would have given it an exclusive monopoly on computer legal research in those states. The state bar associations are also non-profit, and therefore publicly-subsidized, organizations, which therefore have legal responsibilities not to discriminate but rather to act in the public interest, not to mention their responsibilities to the legal profession itself. Indeed, state action preventing discrimination was found in bar association activity in three Supreme Court cases in 1971, concerning bar admission questions.

Since Lexis has benefited from its legal relationships to these state bars (in the same way West benefited from its relationships with federal and state courts, etc.), it should bear the same responsibilities; expanded public terminals would seem to be a legal obligation for both Lexis and Westlaw.

Indeed, the leaders of the state bars themselves have fully committed themselves to public terminals. Said ABA President Justin A. Stanley in 1976:

"It has occurred to me that the computerized research development that is taking place may not become available to general practitioners who either practice alone or in a small office, unless the ABA can help make it so. I intend to do just that, if I can."

But while there has been a lot of talk by bar leaders about the need for public terminals, there hasn't been much action. The bar associations should consider sharing some of the costs of setting up public stations, and be willing to pressure local governments to perhaps subsidize the terminals. And they should push the companies to include in their data banks areas of interest to the general public and their lawyers—criminal, tort, consumer, landlord-tenant and welfare law.

Manufacturers' Responsibilities

Finally, one cannot help but ask the question, amid the pressures for public terminals, what have the manufacturers themselves done? For the most part I conclude the efforts have been limited to half-hearted experimentation in a few locations, a readiness to admit failure, and a proclivity to consign the whole problem to the status of requiring further investigation. As mentioned above, there are today only six public Lexis terminals throughout the country, and only three or four Westlaw ones.

In an interview with this writer on Feb. 10, 1978, Richard L. Grogan, Executive Director of NCAIR, contended that public terminals just haven't lived up to their expectations. He conceded that Lexis had closed a number of its public terminals because they just weren't profitable. As a result, he said, NCAIR had assigned an Omaha, Neb., lawyer to research the problem.

In an interview April 26, 1978, Henry Heilesen, a Mead vice president, recited Lexis' experience with the first public terminals in Ohio where Mead's legal computers began in 1969. At that time four public terminals were set up in cities around the state in space leased by Mead. Only one of those remains today.

According to Mr. Heilesen, the costs simply were not covered by the revenues—there wasn't enough demand for the terminals. Mead tried getting bar associations to provide space for public terminals, advertise its availability, and pay the costs of the technical assistants, Mr. Heilesen said, but that was met with little success, as were attempts to locate the public terminals in county law libraries, and providing telephone search services.

Mr. Heilesen claims the problem lies in the average lawyer's disinterest in overcoming the training requirements. Often lawyers will only seek to use the computer, he adds, when they have such a hard problem that there is no easy answer anyway. For these reasons, lawyers often get bad first impressions and do not return to try again. Also, small practitioners would rather not pay the costs of Lexis unless they must. Convenience of access is also important, Mr. Heilesen claims. Rather than public terminals, he thinks firms or government agencies should share terminals to increase access.

The Omaha lawyer assigned by NCAIR to study the public terminal problem, Fred M. Greguras of Kutak Rock & Huie, said last May that neither Lexis nor Westlaw had had much success with public terminals. He confirmed that Mead is reluctant to reduce the prices on its public terminals because it fears it will lose the business of its firm clients to the public terminals. He added that Mead also feels it must charge the sponsoring organizations enough to motivate them to seek customers. (Westlaw, which bills users directly, apparently has had no more success in attracting customers.)

Mr. Greguras agrees with Mr. Heilesen that shared terminals may be the answer. His research shows that private terminals simply are not economical for the average small firm. But he also suggests that Lexis should try to find local law libraries and bar associations willing to team up, so that the library would provide the space and the bar would share some costs and perform the most important job of promotion. He also sees the need for more involvement by the state bar computer groups, and he calls on Lexis and Westlaw to find ways to reduce the costs for public terminal sponsors.

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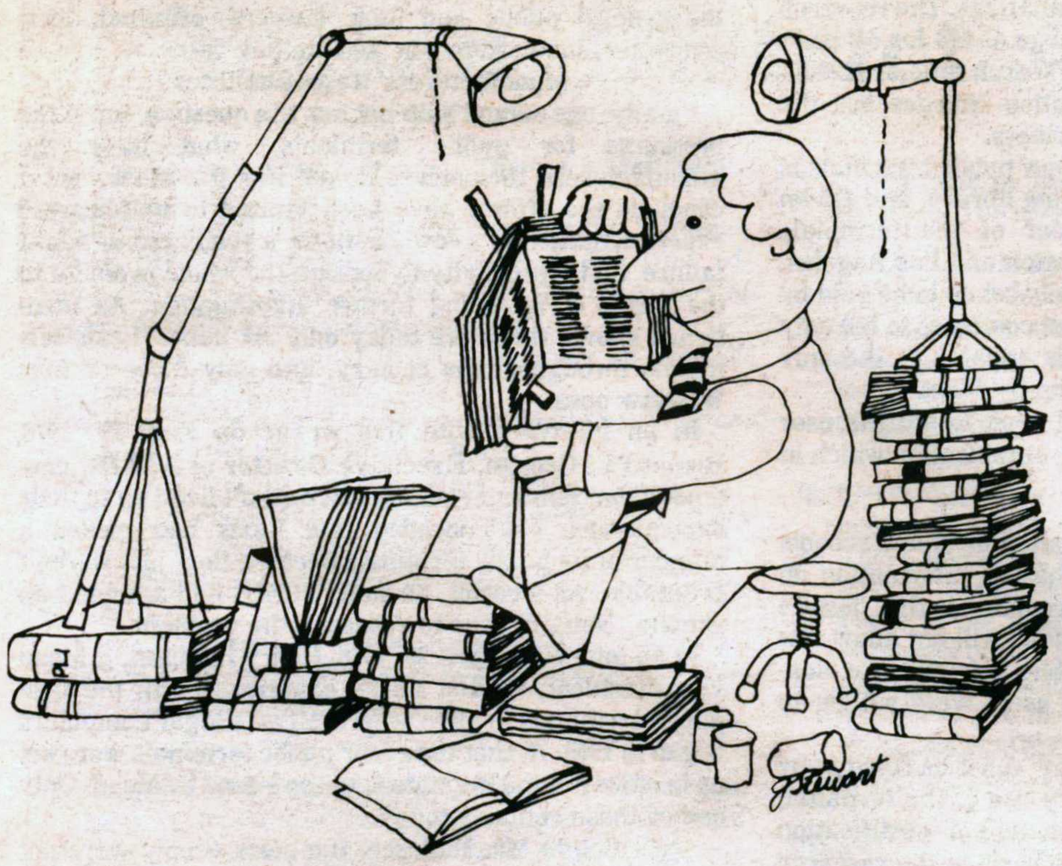

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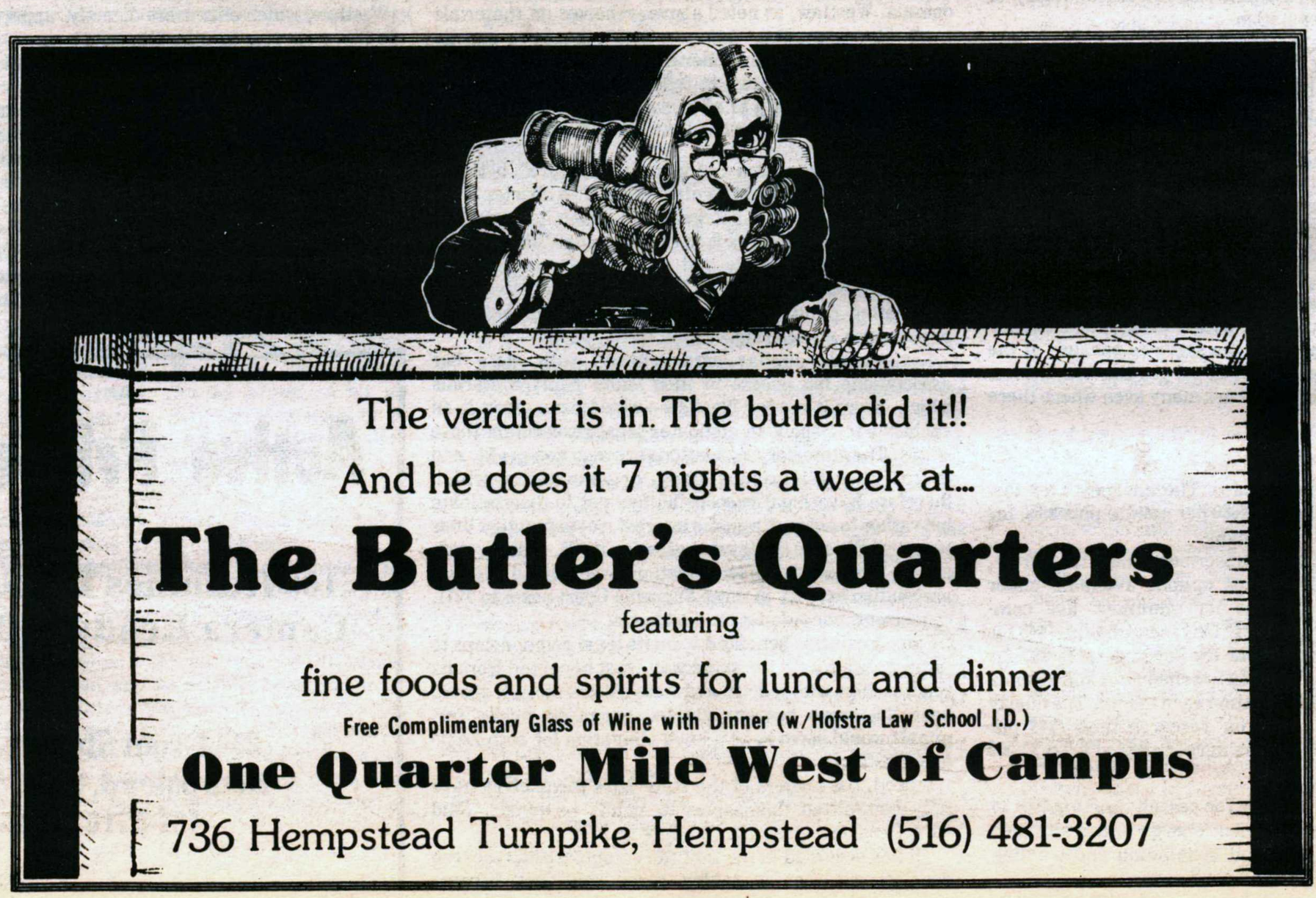

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