conscience

Vol. 7, No. 2 | Newspaper of the Hofstra School of Law | October, 1979

THERE'S A PLACE FOR US

by Susan Mandel

To some, Dole is more than just another brand of pineapple. The fearful conjure up bleak pictures of being put on the dole, unemployed, unable to stave off bankruptcy proceedings on all those student loans valiantly mustered during college and law school.

For those of us at Hofstra, the fears are primarily for the future. Ominous signs lurk at every stairwell, warning of 30,000 law graduates in 1980, but only 15,000 jobs? Most of us blithely attempt to ignore these signs and others like it in order to prevent sinking all of our funds into marketing courses we perilously despise and probably resent. And now, to focus on the alternative:

The Placement Office

The small office is situated in the far reaches of the second floor, shrouded in mystery and burnished hopes. Staffed by Kathe Kennedy, Francine Rosenberg, Mrs. Godfrey and Pat Fischer, the home of on-campus recruiting and the progenitor of the job notice strips assiduously plug along. Plagued by lack of space, student distrust-disinterest and poor attendance at meetings, the office is attempting to build a core of contacts for on-campus recruiting, interviews and ultimately . . . **JOBS.** Mass mailings, publicity campaigns and other schtick are the means to those "glorious" ends.

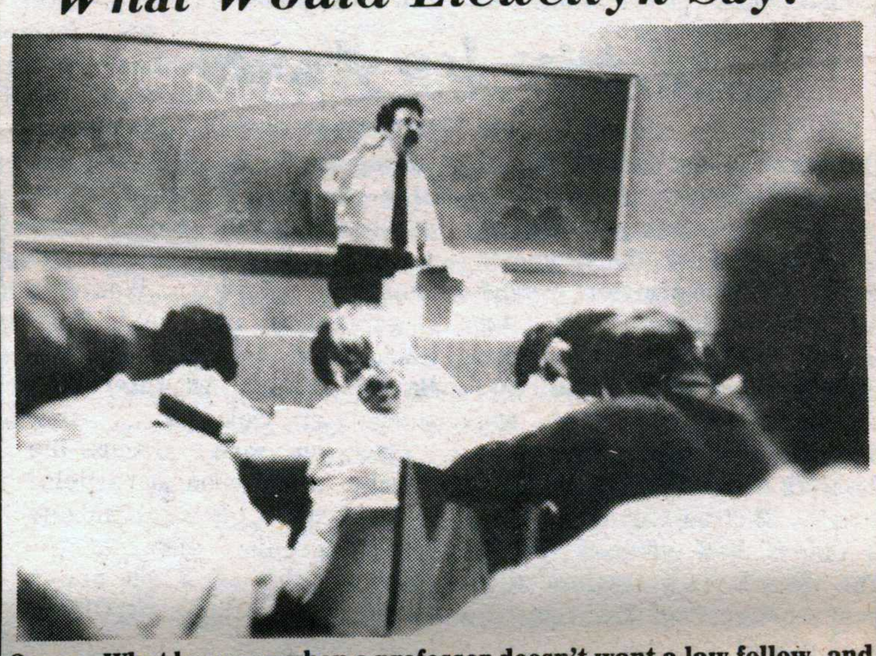
The paranoia and interview lust associated with employment frenzy and room 221 is an overreaction, according to Placement Director Kathe Kennedy. She cites a January 1979 survey, which showed that 85 percent of June 1978 graduates of Hofstra Law had secured law-related jobs. The present goal of the office is for 10 percent of the class of 1980 to have received job offers by December of 1979, and for 30 percent more to have received offers by graduation. She stressed that it is normal for students to seek employment for the six months following the bar exam.

The office places the highest possible value on networking—building and developing connections within the field. Part-time jobs, which, along with Federal offers, comprise 30-40 percent of the initial post graduation job opportunities for

(Continued on page 10)

LAW FELLOWS:

What Would Llewellyn Say?



Query: What happens when a professor doesn't want a law fellow, and the students do? Who should decide?

National Competition Comes To Hofstra

by Bob Rediger

Enthusiastic efforts by an involved administration, dedicated faculty members and a small but determined group of students from the Trial Advocacy Club, promise to demonstrate to the legal community that indeed, Hofstra offers a dynamic and high quality education well suited for the lawyer of the 1980's. In late January or early February, 1980, Hofstra will host the Northeast Regional of the National Trial Advocacy Competition. "Such a marvelous experience," stated Dean Regan, "will not only give an opportunity to those who specialize in trial advocacy to demonstrate their skills in competition, but also it is an opportunity for all of us at Hofstra to demonstrate to the legal world the good things that are going on here."

The competition itself will be conducted over a two day span and will involve approximately twelve law schools. Each school will be competing for "The Trial Lawyers Cup" award as well as for a $2,000 scholarship prize donated by the New York State Bar Association to the law school from New York which finishes highest in the Regionals. For the last two years, Syracuse Law School has won the competition but according to one of the co-coordinators of this years program, Mark Kalmanowitz, "we hope to change that this year."

If the words of the self-confident Kalmanowitz seem overstated, let me assure you that they are only reflective of the inordinate amount of enthusiasm which Hofstra's hosting of this competition has created. As one unidentified student explained, "Given the fact that this competition is only 6 years old and that Hofstra hasn't been around much longer than that, it says a lot for our school when we can host such a major event." Associate Dean Resnick echoed these sentiments when he stated, "Courses such as Pre-Trial Litigation, Appellate Litigation,

(Continued on page 4)

Parking Relief In Sight

by Glen Wolther

Between 150-200 new parking spaces will be created around the perimeter of the Law School, according to Dean Regan and Hofstra Professor Panzeca, primary architect on the project.

The new spots will represent a 60 percent increase in the number of parking spaces around the Law School; increasing the number of spaces from approximately 300 to over 450.

Regan said "I hope it's an end to this problem." But he noted however, that "there just aren't enough spaces on the south campus and there never will be."

Tentative blueprints drawn by Professor Panzeca and his 2 student assistants have already been approved by the University Administration. Final plans will be submitted to University officials by October 19. Shortly after approval by the administration, the University will take bids from contractors.

According to Panzeca, the university is "shooting to pour before Thanksgiving to avoid the frost." Some inconvenience will occur while the paving and roadwork are being done."

The present plan calls for a two-fold approach to increase the number of parking spots. The first part consists of redesigning the parking lot which is next to the Law School and parallel to California Ave. This lot would be divided into two lots — a multi-purpose lot and a small car lot. This approach was adopted after Panzeca surveyed the lots surrounding the school for an entire week and noticed that 30-40 percent of the cars in these lots are small. In creating a small car lot, 30 more spots will be made available. The spaces in this small car lot will be one foot longer and one foot wider than the spaces in other small car lots.

(Continued on page 10)

Nuclear Energy: Is It Worth The Risk?

by Alan B. Fischler

The October 6-7 attempted non-violent occupation of the Seabrook nuclear power plant in New Hampshire, marks what may be the beginning of a nationwide campaign in civil disobedience. Centered on the goals of shutting down the 70 nuclear reactors presently operating in the U.S., and scrapping the projected 92 more, a force of over 2000 activists (specifically trained for the non-violent action), moved in for the occupation of the Seabrook plant. Even though the attempt was thwarted by 500 state police and members of the national guard, that confrontation itself, and others like it, should prompt renewed attention to the issues for which many Americans will be making great sacrifices, perhaps for the safety of us all, in months to come.

Whether one is presently "pro-nuke" or "anti-nuke," one fact is undeniably clear—conflicting forces over the use of nuclear power for commercial purposes are growing steadily, and, at a formidable rate. Whether anti-nuclear forces are correct in claiming that absurd risks are being perpetuated by the nuclear industry (risks in which the government acquiesces), or that an estimated $450,000 a day pro-nuclear propaganda expenditure may be clouding the issue, it seems that the time has come to stop, reevaluate, and directly consult our risk-utility equation as to the use of nuclear power. Upon examination, this writer has concluded that our use of nuclear energy will, upon analysis, be found to fall squarely within the parameters of an unacceptable risk.

On the Benefit Side

The basic argument favoring the use of nuclear power generally reads as follows:

Nuclear power is currently providing 12 percent of the total energy consumption of the United States. With the projected construction and-or licensing of 90 or so additional reactors within the next five years, that figure would rise to 20 percent. The release of radioactive gas at Three Mile Island, the worst nuclear accident to date, has resulted, it is claimed, in no reported deaths. It is further contended that the effects of low level radiation have not proved damaging to health. The exposure of an average medical X-ray is 72 millirems of radiation, a typical example of radiation in low level form. Those within a 50 mile radius of the Three Mile Island plant were found to have experienced exposure levels (as measured by the N,R.C., the Nuclear Regulatory Commission) of no more than 1.5 millirems of radiation. Those within a one-third mile radius received a "maximum reading" of 3 millirems which is said to be not enough radiation to do any known damage. (Reports are unclear as to the precise length of time these exposures lasted.)

On the positive side, we must acknowledge that nuclear power is a source of energy presently available, which, if unavailable, would force our country into an even greater reliance on OPEC nations. Improvements are being made to both plant safety and back-up devices, as well as in evacuation procedures necessary in the event of a serious accident.

On the Cost Side

It is true that the effects of low level radiation are not yet truly known. What is known, however, is not particularly encouraging. High and low linear energy transfer radiation (LET), are the types of

(Continued on page 6)

STUDENT GROUPS

Law Review

This year's volume of the Law Review has begun to take shape. We will again have two symposia: corporate governance and efficiency as a legal concern. The efficiency symposium will be the most challenging project we have ever undertaken. Efficiency has always been a keystone of economic analysis of the law. The symposium will bring together the country's foremost law professors, economists and philosophers to examine the definition of efficiency, its philosophical justifications, its impact on legal reasoning and its jurisprudential implications. The authors include Guido Calabresi, Yale Law School; Jules Coleman, University of Wisconsin, Department of Philosophy; Ronald Dworkin, N.Y.U. School of Law, Oxford University, and Harvard Law School; .. George Fletcher, UCLA School of Law; Duncan Kennedy, Harvard Law School; Lewis Kornhauser, N.Y.U. School of Law; Frank Michelman, Harvard Law School; Richard Posner, University of Chicago Law School; George Priest, SUNY at Buffalo Law School; Mario Rizzo, N.Y.U., Dept. of Economics, Gordon Tullock, Virginia Polytechnical Institute, Department of Economics. The introduction for the corporate governance symposium will be written by Harold Williams, Chairman of the S.E.C. Other authors include Jan Deutsch, Yale Law School; J.A.C. Hetherington, Stanford Law School; Philip Loomis, Commissioner, S.E.C.; Robert Reich, Director, Office of Policy and Planning, F.T.C.; David Rockefeller, Chairman of the Board, Chase Manhattan Bank; Oliver E. Williamson, University of Pennsylvania Law School.

(Continued on page 6)

Phi Alpha Delta

Phi Alpha Delta is a national fraternity-sorority for law students and lawyers. Like most organizations, each chapter of P.A.D. is as active as tis members choose to be. In the Midwest P.A.D. chapters conduct social and professional activities such as mini-conventions and seminars. Elsewhere, the organization frequently plays an educational role in discussing current issues facing the legal community.

The Hofstra Law School chapter of P.A.D. has served the school community in a number of ways in past years. The student directory was a product of our chapter and professorial debates have been held to interest students in recent controversial cases in the law. Of course, all members of the Law School community are invited to future functions and events.

P.A.D. members are introduced to other active members from around the country and mutual interests and problems are discussed. Phi Alpha Delta may serve as one of several bridges which members of the legal community may cross to meet one another.

If you are interested in joining P.A.D., attend any of the upcoming meetings. We are always looking for new members interested in developing programs relevant to today's legal profession.

Hofstra Law Women

The Hofstra Law Women's Organization is a small group of women and men who want to explore the legal implications of issues raised by the women's movement. The principal project for this semester is the publication of the second volume of the journal, **Women and Law.** New members are enthusiastically invited to join in the work of soliciting and editing articles. Through the cooperation of Allan Dinkoff, editor-in-chief of **The Hofstra Law Review,** this year's members of the Women's Organization can gain needed editing skills by attending the cite-checking workshops developed for the Law Review staff. Regular meetings of the Hofstra Law Women's Organization are held Wednesdays at 1:00 p.m. in the Barton House. All interested students are welcome.

Those who wish to discuss the possible submission of articles for publication, please attend one of our regular meetings, or contact us through a note in our mailbox in the Admissions Office.

AGORA

by Terry Markin

A discussion with Ramsey Clark, a slide-show taken this past summer of Soviet dissidents, and an explanation of the relevance of LSAT scores by testing expert Dr. Lorraine Novinski are a few of the many events being planned by Agora for the law school during the next few months.

Agora was founded last year by a group of first-year students who were concerned about the law school trend of turning socially-concerned college students into individuals solely concerned with their personal income. This group is attempting to reverse the law school policy of persuading students to put off their socially-concerned activities for three years while they solely study law, since by their third year students often find that they have lost track of recent trends in their chosen interest and so may reluctantly choose a career in a traditional law firm.

Agora is composed of students from all sides of the political-economic-social spectrum: it doesn't matter whether its members are John Birchers or Maoists. Its sole interest is to provide an open forum of contemporary social, political and economic issues to stimulate continuing student interest in these issues. Members are then able to remain up to date on current aspects of their chosen interest and are thus more likely to obtain a job in that field upon graduation.

Agora maintains this interest by having weekly forums on different issues of social interest. Most members arrange for a forum in a field that particularly interests them. Some topics which have been covered include prisoners' rights, nuclear energy, international human rights, affirmative action, mental health rights, and alternative legal practices.

Agora is now planning a series of forums focusing on what many students view as an apparent trend of Hofstra Law away from a program encouraging legal service for communities least able to protect themselves toward that of a more conventional law school. The first forum of this series was a general discussion of what the goals of Hofstra Law School should be and how students can help shape a policy of school involvement in social issues. Due to the admissions committee's increasing reliance on L.S.A.T. scores as a determination of admission, the second forum will feature testing expert Dr. Lorraine Novinski. At the third session a group of Hofstra Law School's original students will discuss the difference in the school's present policies from the school's goals when it was initially founded. The last forum will be a discussion by faculty members concerning how they think the school should evolve in the future.

In addition, Agora is planning several other forums, such as a presentation by an expert on the violence in Northern Ireland, a discussion on the federal government's new requirements for medicaid benefits, and a two-part series on occupational safety.

Agora is always looking for new ideas. Since the group was founded and run by first year students last year, present members are now very interested in getting the input of students from the new first year class. If you're interested please come to a meeting, which is advertised on the bulletin board in the lobby, or call (516) 333-7929.

MONTHLY BUSINESS

by Chuck Faillace

This column is devoted to business concepts. Many persons at this school have had no business courses whatsoever and are afraid of the field. My objectives are to dispel the fears, inform, and generally de-mystify specific areas of business. I hope to make topics interesting and relevant; any reader suggestions are heartily welcomed. Future topics may include stocks and bonds, underwriting and the role of the investment banker, and the international monetary fund: what is it?

THE FEDERAL RESERVE SYSTEM

Have you ever cursed your bank for not clearing a check you deposited thereby leaving you penniless and dependent on peanut butter for food? Have you ever noticed the name of a city on your money and wondered why? Or have you ever heard a politician vow to "fight the war on inflation" and wondered how? The Federal Reserve System holds the answer to all these questions.

The Fed (as the system is known) provides many services to both government and member banks. Its broad governmental responsibility includes monitoring monetary policy. This entails regulating the physical money supply, issuing money (actually called Federal Reserve Notes, look at the bills), holding U.S. Treasury deposits and regulating banks' ability to lend money. The mechanics of all this is discussed later, but the importance of these duties cannot be overemphasized. Monetary policy decisions affect inflation rates, unemployment, U.S. balance of payment positions and the stability of the dollar relative to other world currencies.

Member banks receive many services for their participation. The Fed collects and clears checks, ships or transfers physical currency as individual bank needs dictate, holds bank reserves and extends emergency credit if needed. The Federal Deposit Insurance Corporation (a branch of the Fed) insures deposits at all commercial banks for up to $40,000 and with the exception of credit extension, these services are free of charge.

The Fed is a network of twelve regional banks located in New York, Chicago, San Francisco, Philadelphia, Boston, Cleveland, St. Louis, Kansas City, Dallas, Atlanta, Richmond, and Minneapolis. Created in 1913 by Congress under the Federal Reserve Act, these central banks were to have a stabilizing influence on an industry pockmarked by failures. Initial capital was provided by the commercial banks that comprise its membership. Note that savings banks are **not** members. (Commercial and savings banks differ in the functions they perform. Savings banks are oriented towards individual needs, whereas commercial banks are aimed at the business community. An easily distinguishable feature is that only commercial banks offer checking accounts; savings banks, until the recent introduction of the NOW account, were prohibited by law from offering any sort of checking account). Since commercial banks provided the initial money, they are nominally the owners and shareholders. They receive small fixed dividends (6 percent) from the profits the Fed earns. However, since the Fed holds a special legal position, profits above this level go entirely to the federal government. The primary responsibility is to Congress, not the shareholders; any conflict between making a profit and the public interest is always resolved in the public interest. Furthermore, the Fed need not cooperate with the President, though it usually does.

The Fed is coordinated by a seven person Board of Governors, appointed by the President and confirmed by Congress. There is also a twelve person Federal Open Market Committee which is composed of the Board of Governors plus five of the twelve district bank presidents. This group of private citizens is arguably the most powerful group in the nation. Ties between these people and the government are so close that although they don't receive federal paychecks, they are not quite private citizens either.

Not every commercial bank is a Fed member. Today there are more than 13,000 commercial banks, but only one-third are automatically Fed members. These are the national banks, the remainder being under state charters. Many of the larger state banks are also members, so that although less than one-half of the total number are members, they account for more than four-fifths of the total deposits. In recent days there has been some talk of banks leaving the Fed and developing their own system, but whether this will occur remains to be seen.

It is important to recognize that the money supply (the actual number of dollars in circulation) is finite and as such is controllable. Inflation, defined as too much money chasing too few goods, is quickly fuelled by letting the money supply rise. A major source of money is bank loans; the more they loan, the more money there is available. In theory, when the cost of borrowing rises (interest rates) the volume of borrowing decreases which decreases money supply. In practical terms, this means that if the local business person wants to borrow to expand, a high rate of interest may be prohibitive. The masons, electricians, plumbers, etc., who would have been hired are not, the supplies they would have utilized remain unused and the new stock and sales people are no longer needed. Thus on a national scale, rising interest rates effectively stop the expansion of business and jobs.

A major control of the Fed's monetary policy is the reserve requirement. By law, member banks are required to keep one-sixth of their total deposits in a non-earning reserve account with the Fed. Several objectives are fulfilled by this policy: member **banks** are limited in the amount they can invest or loan (they simply have less money to play with), and a buffer against imprudent investments is created which has a stabilizing effect. Further, reserves provide a basis for members to settle accounts with the Fed without the need to resort to manual payments. (Reserve accounts are either decreased or increased, no cash changes hands). As an aside, it is interesting to note that only about 25 percent of a bank's total deposits is in cash, in the vaults. The remainder is invested in Treasury notes, loans, and in the reserve account.

Through the reserve account, banks pay for the currency they receive, pay for the checks drawn on them, and receive credit for deposits. These last two transcations include the process of clearing a check. For example, suppose Aunt Mildred in California sends you a check for $100 which you

(Continued on page 6)

On Becoming A Judge...

by Corey B. Bearak

As prospective lawyers, many of us aspire to the bench. While the Supreme Court is reachable by a select few, lower courts in the states provide an opportunity for many members of the bar to become judges.

A judgeship, whether in our nation's highest court or a lower state or municipal court, is prestigious. The titles "judge" and "your honor" follow you after you retire or step down. Retired justices often command sizable offers to join name law firms.

How do you become a judge? Federal judges are Presidential appointees confirmed by the Senate. Judges on the state and local level gain office by election or by appointment by an elected official. New York City's Mayor Edward I. Koch appoints Family and Criminal court judges, often on the recommendation of his (Democratic) Party's County Leaders. The proposed appointees are screened by a Mayoral Commission.

If you are not known by the Mayor, the Party Leaders or their friends and acquaintances, what path, then, is available? In New York City, Civil and State Supreme Court Judgeships are elective (in Nassau, District Court is comparable to New York City Civil Court). Without Party (organization) support, seeking election as a judge is difficult, as the following story of a race for a Civil Court judgeship in New York shows.

Last summer, Carmine J. Perrotta sought election to a Civil Court seat in the Fourth Municipal Court District in Queens. The District covered most of Southcentral and Southeastern Queens. Perrotta, an experienced trial and appellate attorney, was former General Counsel to the Patrolmen's Benevolent Association. A Democrat, Perrotta sought his party's nomination.

To obtain the nomination of his party, Perrotta had to win the endorsement of the Regular Party organization at a caucus of party leaders. The Board of Directors of his club, the Queens Park Democratic Association, voted unanimously on March 29, 1979 that Board member and Democratic District Leader Herbert L. Kahn submit Perrotta's name for consideration by the County Chairman's special Judicial screening committee. The Queens Park Democratic Association, Inc. is one of two official Democratic organizations in Part B of the 23rd Assembly District. A club is deemed an "organization" if one of its members — usually designated the Executive member — is elected Democratic District Leader in a primary held biannually.

The Leader, here Herb Kahn, should have asked the "recommended member" of his club, here Perrotta, for a resume to submit to the County Democratic Party Chairman's Judicial committee for screening. For some reason Kahn never sought Perrotta's resume and never made any recommendation that Perrotta merited a Civil Court Judgeship.

Even if it is too late to be screened by the County, a District Leader like Herb Kahn can still submit nominations at a caucus of District Leaders held in the late spring. Kahn could have provided copies of Perrotta's resume for his fellow Leaders and nominated Perrotta from the floor. More often than not, these caucuses are pro-forma ratifications of the choices of the party leadership, but a gutsy Leader can mount a challenge from the floor with sufficient support from other District Leaders. Herb Kahn never nominated Perrotta at the party caucus and another man received the endorsement of the Regular Democratic Party organization in Queens County.

With the District Leaders obligated to distribute nominating petitions for the party designees, a special Board meeting of the Queens Park Democratic Association was called on June 14, 1979. Kahn confronted a hostile Board, upset at his failure to recommend and nominate Perrotta. The Board refused to distribute the petitions. After much discussion, Kahn asked Perrotta if he would run, even if it meant challenging his own Party's choice. Kahn said he would support Perrotta and urged him to run.

Carmine Perrotta announced his Civil Court candidacy that evening. Kahn offered to manage Perrotta's campaign. The Board of the Queens Park club voted unanimously to endorse Perrotta, as well as two other judicial candidates designated by the county and eight delegates to a nominating convention for State Supreme Court held September 20 at Antun's in Queens Village. Petitions for Organization candidates not in conflict with Perrotta were held up until his nominating petitions were ready.

Fifteen hundred valid signatures on a candidate's nominating petitions are required for the local Civil Court seat that Perrotta sought; a countrywide candidate needed 5,000 signatures. As a rule of thumb, two signatures are required for every good one. Perrotta collected over 3,000 signatures, 98 percent of them valid; an amazing show of strength for an insurgent candidate.

There are many ways to collect petition signatures; for example, one can solicit in shopping centers and at subway stops where many people come and go. The best way, however, is to go door to door with a list of eligible (in this case Democratic) voters, bought for $7 from the local Board of Elections. This way the signature, if properly taken, has to be valid. All information has to be correct; corrections must be initialed. For example, the subscribing witness who gathers the signatures must properly fill out the bottom of each sheet. If improperly completed, an entire sheet of valid signatures can be invalidated. The petition procedure, of course, is drawn up by the hierarchy of the two major political parties in New York and insures success in knocking independent candidates off the ballot. Proceedings before the Board of Elections and, if necessary, State Supreme Court, tend to be time-consuming and costly.

Challenging petitions is also a hard task which consumes much time. Each petition is checked for its validity with the Board of Elections roster for the correctness of the name, signature, address, date, Election District and Assembly District. The subscribing witness is similarly scrutinized. It is important when filing the petitions with the Board of Elections for certification to put the better sheets first to create a favorable trend. If the opponent sees one good sheet after another, s-he is bound to give up the challenge sooner than if questionable signatures are found.

This time-consuming process has its fruits. Stephen Berger, former New York City Emergency Financial Control Board Director and now MTA Board member, was knocked off the ballot for State Comptroller by his opponent, New York City Comptroller Harrison J. Goldin with the aid of election lawyer extraordinaire (and MTA Chairman) Harold Fisher of Brooklyn. Goldin was free to concentrate his resources on the November 1978 election (which he was favored to win by all the polls, but

(Continued on page 10)

Full Selection Of Review Books Available

ED'S BOOK EXCHANGE

176-27 UNION TPKE.

FLUSHING

(212) 969-7173/7174

UPS Delivery Service

A complete line . . .

Textbooks

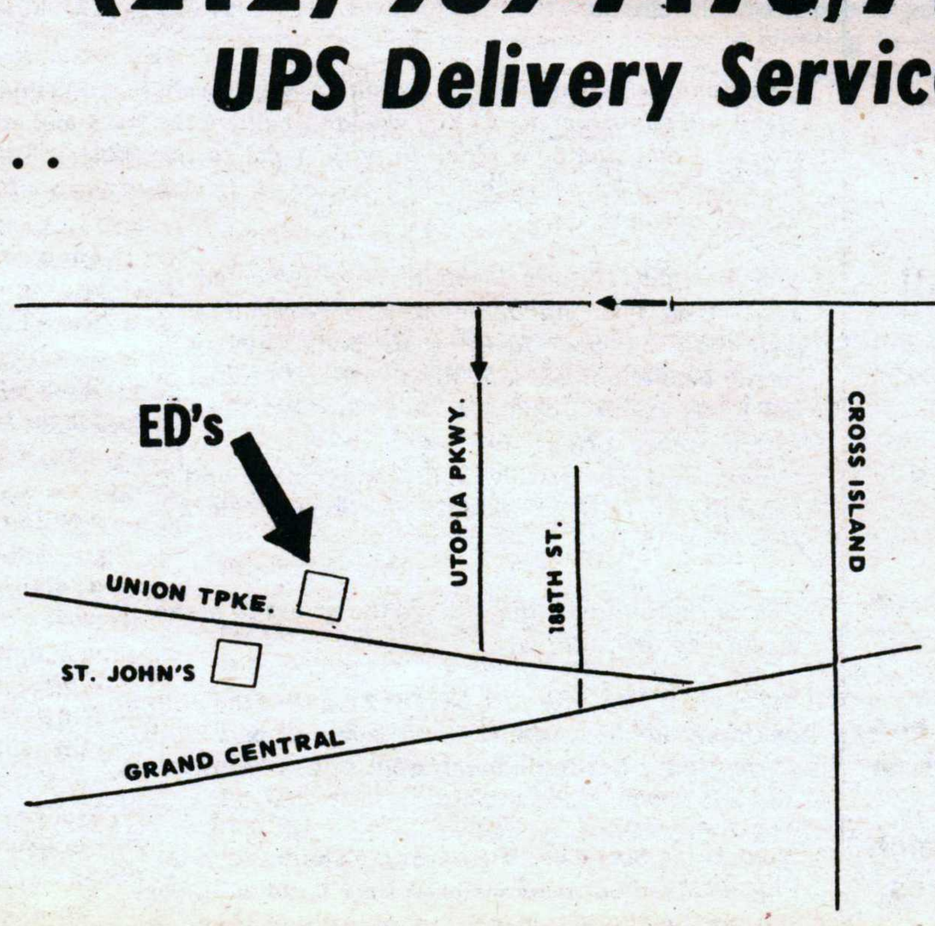
Casebooks

Outlines

Briefs

Hornbooks

Used Books



Gilberts

← HOFSTRA

Legalines

Smith's Review

Marino Materials

Nutshell Series

". . . Worth The Ride"

Trial Advocacy Competition...

(Continued from page 1)

Although Hofstra's potential team seems to be off to a promising start, there are still a few loose strings that need to be secured before the actual competition gets underway. In the words of Debra Wallerstein, another co-coordinator of the program, "Student support for the competition is crucial," but she added, "I believe that a good number of students will be willing to give of themselves for this event." Students are needed to argue in the competition, portray witnesses at the trials, act as hosts and hostesses to out of town students and administer the mechanics of the competition. Noteworthy is the statement of a source close to the Trial Advocacy Club who was quoted as saying, "Most likely, witnesses will be paid for the services they render to this program."

Probably six students will be chosen to argue on Hofstra's team.

Any one who is interested in trying out for Hofstra's Team and has taken Evidence should leave a note addressed to "Northeast Regionals" on the Club Bulletin Board on the first floor of the law school under "Trial Advocacy" or leave a message for Mark Kalmanowitz at the Tower A desk. All students who are interested in being witnesses, hosts or administrators should follow the same procedure.

Another issue which should be resolved by press time is exactly where the Regionals will take place. At last report, Kalmanowitz was "95 per cent sure we can get the Mineola Court House for the competition but should something arise, the Hofstra campus is a viable alternative." Kalmanowitz expressed a strong preference for the Courthouse, however, because, "it adds a certain amount of realism and professionalism to the competition." As an example of the type of atmosphere he would like to see recreated, Kalmanowitz recalled the Brooklyn competition which was held in the Federal Courthouse for the Eastern District of New York and was staffed by actual bailiffs and court stenographers.

Finally, there is also a need for judges and attorneys who would be willing to serve as judges for the competition. Students should speak to family members and friends with such legal background to see if they would be interested in judging the competition. As another member of the Trial Advocacy Club maintained, however, "If NITA is any indication, the response from the Bar will be overwhelmingly good."

NITA and other clinical courses ... and now bringing the Northeast Regionals (to Hofstra) focuses attention on Hofstra for the teaching of trial advocacy." He also added that, "It's the kind of recognition we should get and deserve; I just think it's great." Placement Director Kathe Kennedy added, "I'd like to see as many hiring partners and judges as possible come to the event to give Hofstra the exposure it needs; I'm always enthusiastic about any programs that involve people from outside the law school."

Included in the group of faculty members assisting the Trial Advocacy Club to prepare for the competition are Professors Kessler and Ordover. As Professor Kessler stated, "(Professor) Ordover and I will be assisting in setting up the process to select Hofstra's Team, constructing guidelines to train the team and maintaining enthusiasm for the program." Professor Ordover concurred with these remarks and added that, "while we won't be administering the program, we will assist the students in any way they ask us to help."

Members of the Trial Advocacy Club attribute much of their enthusiasm for the upcoming competition to the fact that such distinguished faculty are offering their services. They note particularly the faculty's involvement with the Thomas C. Clark Center for Advocacy and Professor Ordover's role as Chairman of that Center at Hofstra, and as the Northeast Regional Director of NITA.

After Hours

by Daphne Gronich

"... And Justice For All" is a movie which will appeal principally to the legal community in its rather cynical portrayal of a "sometimes sleazy, sometimes crazy" establishment. While the movie is not necessarily Academy Award material, it is well-written and well-directed by Norman Jewison and, it has a fine cast, even though, at times, certain scenes and dialogues do not quite ring true.

In presenting the spectrum of judges, D.A.'s, and defense attorneys, and the way in which each person copes with his responsibilities and priorities, we realize that nothing is ever black or white. There is good and evil in everyone, and it is how and where one or the other wins out that is important.

It really doesn't matter if Judge Rayford (portrayed by Jack Warden) defies life in various ways, by eating lunch on the fourth floor ledge outside his office and by flying helicopters with barely enough gas to get back to the heliport. What is important is that he is able to be rational and humane in his dealings with others, especially in the courtroom. Better a judge with suicidal tendences than one such as Judge Fleming (John Forsythe) who, in his refusal to re-open a case, keeps a young man in prison for a faulty tail-light, knowing that he is innocent, simply because the evidence that proves that he was the victim of a mistaken identity in a prison stabbing has become available three days late. What makes this injustice even more absurd is seeing the judge — the seeming epitome of law and order, and rationality — arrested on rape and aggravated assault charges.

Al Pacino is very convincing in his portrayal of Arthur Kirkland, a dedicated, young criminal defense attorney who believes in justice and can't accept the fact that it is not always enough to vindicate the innocent, because justice is often a game of Russian roulette.

It is said of Kirkland that "he's a guy who's trying to practice his profession honestly and responsibly, without getting disbarred, which is itself crazy." His view of justice, instilled in him by the loving grandfather (Lee Strasberg), who raised him and put him through law school, is at odds with that of those around him. Guilty people get off on technicalities, and innocent people (or those who should really be put on probation) find themselves locked up.

Life isn't easy for Kirkland. He wavers back and forth between wanting to be his own master, and risking incurring the wrath of the legal establishment which might then seek to have him disbarred, and 'playing along,' so that he can best serve his clients, from within that same legal establishment.

The movie opens with a scene showing Kirkland sitting in jail on contempt charges, together with the rest of the evening's arrests — drunks, thwarted robbers — and follows his attempts to cope with the system and get a fair deal for his clients. These include the case of mistaken identity (Thomas Waites), a transvestite (Robert Chrishian) arrested for being an accomplice in an attempted hold-up, and a numbers runner who tries to eat the evidence — the numbers stubs — when they are left unattended during a court recess.

We see how his partners handle similar situations. Warren Fresnell (Larry Bryggman) thinks nothing of charging a colleague $7000 for "advice," or of going into court unprepared, thus causing his client to lose a chance at probation. Jay Porter (Jeffrey Tambor), the second partner, goes berserk after being informed that an ex-client whom he had gotten off a previous murder charge on a technicality, had "done it again," this time killing two children.

The film, principally shot on location in Baltimore in an actual courthouse, with real judges, bailiffs, and lawyers portraying themselves, shows the living law: the filthy jails, the impersonal hearings and the quicky, deal-ridden trials. What we see is very different from that which we learn in law school. Yet, all the ethical dilemmas — the fight to win each case, and the attempt to do so in spite of the political machine and the conservative legal establishment — seem realistic.

"... And Justice For All" should be seen because it presents questions which need to be considered by all. Pacino et al are acting in a win or lose game, in which most lawyers and law students will eventually play a part. The determination of which characters we will resemble, depends on each individual's purpose in entering the law, what he-she wants to get out of it, and how he-she scales right and wrong in attempting to reach a personal depiction of justice. If the shoe fits ...

Impressions

A Chat With John

by Kenneth Mollins

Hey, John, what's doing? Oh, nothing much, I went to the ball game last night. You wouldn't believe the trouble I had finding a place to park. I got to the park early and I searched and I searched. It was like an ocean of cars.

You're right, I guess I should have expected it. That's true. Poor management not only results in a poor team but poor facilities as well. Anyway, I finally beat out an old lady for a spot and I hiked to the ticket booth. John, you won't believe they've raised ticket prices 10.5 percent without even telling us. A poor team, bad management and a boost in ticket prices. How do they expect to draw fans?

You're right, maybe they raised the prices to make up for the low interest?

John, wait, I've only just begun! I went to the club on the second floor to eat and the selection was nil. I purchased a hard sandwich and an orange drink and sat down.

You wanna bet? Things got worse! The table in the club bounded up and down each time I took a bite of my sandwich. My drink spilled as my stomach turned. After lunch I went up to section 308 to find my seat.

You guessed it, the seat was bent and slanted down. I looked around and saw that the seats up front were all taken and lots of people around me were also sitting in broken seats.

I don't know, maybe they cut back on maintenance. Anyway, it always gets cold up in section 308 and I wasn't dressed for it so I left and came home early.

What's that John? A new man on top; he's fighting for the team; his supervisors are the ones to blame; give him a chance?

You're right, John. We should support the new guy. He's on our side. We should work with him to build a team. Maybe he could do more if the fans work with him. Maybe together we can knock down the wall that's keeping our team down in the standings. Maybe together we can strive to build a strong team, maintain the stadium and build a reputation that will draw fans instead of repel them.

You're right, John, but if the guys who look down on the new guy, the ones in the front office, the ones who make the ultimate decisions — if they don't help the team, the fans and the new guy, then we will lose fans, money and the potential for a World Series crown.

THE COMMITTEE IN OPPOSITION TO THE APPEARANCE OF ROY COHN

wishes it to be known that not all members of the Hofstra Law Community welcome Roy Cohn to the Law School for the following reasons:

— his service as Counsel to Senator Joseph McCarthy, whose battle against the "Red Peril" oppressed and destroyed many Americans;
— his unconscionable frame-up of Ethel and Julius Rosenberg which resulted in their execution;
— his career and reputation today, which glamorize and are built upon his past crimes.

Political Advertisement by the Committee in Opposition to the Appearance of Roy Cohn

Consumer Affairs: *A Helpful Bureaucracy?*

by Robert A. Rosenbloom

It has always been my belief that Consumer Affairs is at least a current residence, if not the birthplace, of red tape. But, according to Mrs. Lois Schmidt, the media director for Nassau County's office of Consumer Affairs, my dissatisfactions with the bureau's efforts place me in a minority. Mrs. Schmidt told me that eighty percent of her complaining consumers were satisfied with the Office, and it's my guess that Consumer Affairs' personnel react to my complaints in the same way as Starkist reacts to Charlie the Tuna; good complaints are not founded in ultra-fine legal points.

However, even at this point, I'm not persuaded that Consumer Affairs does more than negotiate compromises. If you're out $500 on an auto warranty, my impression is that Consumer Affairs will retrieve $100 or $150 tops, and if all your documentation is clear and convincing, maybe $300. Although Mrs. Schmidt says that my perspective is based on my contact with New York City's Office of Consumer Affairs and not Nassau County's, I still feel that the practical philosophical guideline is pretty much the same: something is better than nothing especially where it hardly pays to hire an attorney.

Although it cannot regulate prices, and perhaps this is the authority I'm looking for in a consumer agency, the Office of Consumer Affairs is empowered to license home improvement contractors and revoke these same licenses when there's no effort to cure a breach of warranty or a nonfulfillment of services contracted for. Often, either the contractors leave the job for a better offer or fail to show up altogether. In 1978, Consumer Affairs licensed 5601 home improvement outfits, suspended seven licenses and denied seven applications for licenses. The licensing program, the annual Consumer Affairs Report reads, has reducsd home improvement complaints dramatically.

By law, Consumer Affairs has a police power to inspect and test scales, gas pumps and oil meters to prevent shortweights and to insure that the average user of home heating oil is not, therefore, billed for the Nassau Coliseum's energy demands. The office clearly has priorities in this area of regulation. For excessive lead content in unleaded gasoline sold in Nassau County, sixteen gas stations paid fines totaling $38,000, an average of $2375 a fine. For 200 violations of the twelve inch price sign requirement for gas pumps, $4200 were paid in fines, a $21 average. Consumer Affairs is permitted by law to add on to a fine the cost of investigation.

If a meter is not reading properly, the Consumer Affairs investigator will paste a condemned sticker on it and fine the business owner to the extent that the violation is a first, second, third offense etc. If fraud is involved, Consumer Affairs will refer the file to the District Attorney's office.

Also, as you might expect, Consumer Affairs inspects for last sale dates and responds to complaints that items advertised on sale are not in stock. The business owner, before paying a fine, has the chance to explain why an item might not be on the shelves. Mrs. Schmidt noted for example, that after a fire in which all the residents of a house perished there had been a run on fire alarms. Since that event was not anticipated by a store advertising a sale on fire alarms, it proved to be sufficient justification for the store owner's lack of supply.

The Office of Consumer Affairs also participates broadly in consumer education programs. It sends out speakers to numerous community groups and has worked with the county's Department of Senior Citizen Affairs in presenting educational programs to senior citizen clubs.

To sum up briefly, I never found the bureaucracy I was looking for. If anyone you know, including yourself, feels that they have been cheated in some way in the marketplace, the Office of Consumer Affairs at 160 Old Country Rd. in Mineola is a good place to begin asserting your rights. You can send a letter or telephone 535-3100. Xerox all original documents and note all the relevant information: make and model numbers, date of purchase, where purchased and promises made.

Poetry Corner

THIRD YEAR FUN?
by Elizabeth Pratt '80

My third year of law school had finally arrived
Through two tiring years I had survived,
3rd year, no trauma, my own selected classes.
Getting a seat without battling masses.
Secure with these feelings through classes I'd sit,
When all of a sudden, job-hunting hit.

Time-consuming, trying and quite frustrating,
Competing with students to get a top rating.
Some law firms who'll hire only THOSE candidates,
Make others feel law careers just aren't their fate.

I'd not forget pressure I felt all first year.
"Law" thinking, and reading and exams bringing fear.
I knew I'd overcome the stress; I had hope.
I'd become prepared for the field with which I'd soon cope.

Second year certainly wasn't a snap.
I got lots of work thrown right in my lap.
Bus. Org., Evidence, Wills, Con. Law and Tax.
It was hard work but there was still time to relax.

But this year the fun of the class work is past.
Applications, resumes first, schoolwork comes last.
The frustration, aggravation may pay off in the end
But for now I must finish, I have resumes to send.

* * *

A smart young professor of law
Told students, "The mind has a flaw.
When I stage a killing,
You'll find it so thrilling
That you won't be sure what you saw."

A shocking event came to pass.
A real killer came into class!
The professor hadn't planned it.
He lunged at the bandit
Who wriggled away on his asp.

by Debra Murray

HOFSTRA: Where's That?

by Daphne Gronich

Having just completed my first year of law school, I admit to having felt rather pleased when I secured a legal internship in Washington, D.C. During that time, I found it extremely disconcerting to find myself constantly subjected to the query: "Hofstra? Where's that?" Depending on the identity of the questioner, and his-her hometown and interests, my list of stock answers included: "(1) It's outside New York City; (2) It's on Long Island; (3) It's in Hempstead; (4) It's near the Nassau Coliseum; (5) It's near Roosevelt Field; (6) It's Near Roosevelt Raceway . . . "

Since I had planned to send resumes to some of the people who had never heard of Hofstra, I began to think twice about my employment-seeking tactics and how to overcome the handicap of Hofstra's anonymity outside of New York. The various sectors of the Hofstra Law community must make a concerted effort to ensure that our school receives the recognition it deserves in order to insure that future generations of Hofstra Law students will be spared the "Hofstra? Where's that?" syndrome.

The only way Hofstra Law will ever find itself on the list of "respectable" law schools is if all those connected with the law school give the Hofstra name credit. Hofstra deserves mention when articles are published, outside lectures are given or whenever those connected with the school find themselves in a "legal framework," say at an A.B.A. conference or a cocktail party. All members of the Hofstra community have a stake in this law school, and each of us must do his-her share to enhance its reputation whenever the occasion arises. We may not be Columbia (to some people's regret) but we *are* elbowing our way into the same club, and we don't even need to worry about providing escorts for walks through Morningside Park.

I saw a clear example of "opportunity missed" this summer, when I came across an issue of another school's law review which included a lecture given at that school by a Hofstra Law professor. The personal information at the bottom of the article's title page gave the educational credentials of the speaker, the name of the law firm for which he was a senior litigating partner, and the name of another work he had written. Why was there no mention of the fact that this person was also a professor at Hofstra Law School? Most of the other articles in that issue referred to the schools or institutions with which their authors were affiliated. Was this professor trying to disassociate himself from the school and the students who provide a certain portion of his income? The mention of the Hofstra affiliation could only have benefited the school, and if the words "Professor of Law at Hofstra University" had been added to the personal information accompanying the article, it is hard to believe that this professor's reputation would have been adversely affected. Many of our professors do make it a point to mention their affiliation with Hofstra when they publish articles or treatises. I wish that this one had followed their lead.

The administration has been similarly lax. For example, I was one of four students who sponsored a get-together of Hofstra students and alumni working in the Washington, D.C. area this summer. With the exception of Kathe Kennedy, the administration offered no help, support, or finance to a venture which could only benefit the Hofstra community as a whole. Nearly every one of the alumni who came to our gathering wanted to know why no one had tried to organize such a gathering before. It was difficult to find an appropriate response.

Another question remains: "Why haven't more alumni been contacted?" Reunions such as the one this summer are both enjoyable and constructive. Even in this one encounter certain people offered to serve as contacts for prospective job-hunters and needed only to know if someone was interested in their particular area of the law. An officially-sponsored Hofstra function could have afforded the Placement Office and the administration important leads.

I believe that our alumni should be contacted more frequently and invited to participate in law school events. It would be interesting to hear some of them speak about how they got where they are, and what their jobs entail. Hofstra alumni *have* found some very good jobs. We should treat them as "plants," and tap them for information on a frequent basis. If our alumni do not think that the Hofstra community is interested in their welfare, or in keeping abreast of their accomplishments, they may not care to contribute time, money or contacts, all of which we need to get Hofstra Law into the limelight.

I consider law school an investment for the future. I would like to think that my degree will appreciate in value as the school, its alumni, and its faculty seek higher standards of excellence and scholarship. Favorable publicity and an orchestrated public relations campaign supported by the entire Hofstra Law community should be a priority, especially as the school embarks on the self-examination phase of the re-accreditation process.

Hofstra students, in particular, may realize the importance of this question. It is unfortunate that Hofstra students receive letters stating the following:

> . . . As with most law firms of our size, *we recruit* permanent associates in part from our summer associate program and, *in part from the several law schools we visit each autumn. The time demands involved in our recruiting activities only permit us to interview an occasional, additional applicant . . .*

Implicit in the letter is that our school is not prestigious enough to rate the time or effort it takes an associate of a Wall Street law firm to recruit here.

You, the faculty, administration, and alumni lured us here with your "Hofstra is a great place to study law" catalogue. It's time for the students who *have* come here to be shown why they were correct in choosing Hofstra over other law schools. Helping Hofstra achieve national recognition is one way we can all contribute and benefit from our affiliation with this law school. The whole process is as easy as maintaining close contacts with our alumni, having a visible and vocal administration which touts the great educational and professional programs sponsored at Hofstra, and sticking to the policy that all members of the faculty and student body, not just a select few, should give credit to the law school they represent whenever they publish, lecture or find work in another forum. Contacts made by students in their summer and part-time employment should be shared to help others secure positions in the same places, especially when the internships or summer associate positions are governed by a "one summer only" policy.

If we can't maintain a sense of pride in our school, then the defeatists among us who would have us believe that we will never find jobs after law school because of the name of the institution will be proven correct. If we don't rate ourselves highly, how can anyone else?

Nuclear Energy: Do We Need It?...

(Continued from page 1)

ionizing radiation involved in nuclear energy, (expressed in measurements of "rads" (radiation absorbed dose) or "rems" (roentgen equivalent man); a "millirem" is the equivalent of 1-1000 of a rem, and so on.) Since all living tissue contains radioactive carbon, and all bone contains radioactive potassium, ionizing radiation, which has the capacity to knock loose electrons from within molecules, can be extremely damaging to the body. Doses of radiation can be incorporated into the body for a lifetime. The effect of high LET radiation on molecules susceptible to generic defects and the genesis of cancer has been analogized to a "bulldozer tearing through a field of sprouting corn."

Scientists have said that persons should be subjected to no more than 170 millirems of radiation annually. Federal standards for radiation levels to which nuclear plant workers may be exposed is set at 3000 millirems or 3 rems per calendar quarter by the Nuclear Regulatory Commission. Luis F. Garcia, responsible for reviewing federal radiation guidelines for the Environmental Protection Agency, thinks the N.R.C. standard is set too high. The Navy sets its standards of maximum radiation exposure of workers at 4 rems a year, contrasted to the 12 rems yearly allowed by the N.R.C.

Low Level Radiation Can Be Dangerous

Robert R. Hattern, an attorney, is presently pressing for the back payment of denied compensation claims for two Navy co-workers in Virginia, both suspected of having developed "acute lymphatic leukemia" due to excessive exposure to radiation. One co-worker, the late Stephen Somerville, died at age 27. The other, Olvin Ferusen, was given three months to live after having been exposed to a total of 18 rems of radiation over the span of his career. Hattern states, that it is probable that people react differently to radiation exposure. Tests made in Britain in 1955, prompted by alarming rates of leukemia there, turned up findings of low level radiation as a possible cause for the excessively high incidence of that disease. Additionally, of the 14,300 persons tested who had been treated with deeply penetrating X-rays for arthritis of the spine, an abnormally high percentage were found to have contracted cancer. Disproportionately high cancer rates were also found in a study done at Oxford by Dr. Alice Stewart who tested 15,298 persons subjected to pre-natal pelvic X-rays.

Error and Abuse

Turning from the dangers of ionizing radiation, "when things are going right," we are inevitably compelled to look toward potential abuses, and to the question of what happens when things go wrong.

Abuses—It is common in the nuclear power industry to hire transient unskilled workers by paying for high, short-term exposure to radion with high wages. These jobs usually require only a few minutes of work, such as turning a bolt or performing some similar function. The transient workers are commonly referred to as *"generator jumpers," "sponges,"* or just *"jumpers."* A mid-July edition of the *New York Times* reported a story of one such transient, a 25-year-old part-time musician, Mike Manto, who finds the need for folk-guitarists to be occasional at best. Work at a reactor plant temporarily relieves his unemployment by paying up to $75 for three minutes of work in which he is bombarded with 500-600 millirems of radiation. A fellow transient, having a little more difficulty in completing his task, spends 5-6 minutes in the high level area, experiencing an approximated 1000 millirems or one rem of radiation in that short time. Betty Melville, who studied the transient worker situation and the training they get, states that they are often given an unrealistic impression that exposure and risks are less than they really are. Ms. Melville asks, "Is this informed consent?"

Radiation is No Game

Karen Silkwood's estate was awarded 10 million dollars by a Federal jury in a suit against the Kerr-McGee Corporation. In the negligence action, the jury found the corporation to be somehow responsible for Karen's untimely death, which occurred sometime after she had acquired documentary proof of radiation hazards at the nuclear workplace, but shortly before she was able to deliver the documents to a newspaper reporter as planned.

More Problems

Pregnant women in the areas surrounding Three Mile Island were almost evacuated when the reactor began releasing 1,200 millirems per hour of radiation. (For some unknown reason, cells are more susceptible to damage by radiation when they are in the process of splitting as during pregnancy.) Although the evacuation was not made, later, an additional "puff" of 3000 millirems per hour of radiation was also released — an occurrence which was "overlooked" by the N.R.C. until a short time after its initial reports were filed, and it appears, after the decision not to evacuate was made.

Yet what did occur and what staggering possibilities could occur, although both serious in terms of human life, are worlds apart in terms of the true degree of danger involved. As uranium "fissions" in a nuclear reactor, it yields 200 or more different isotopes, which may be inhaled, pass into the earth and rivers, or travel up the food chain to be ingested by humans. One isotope is plutonium, which will lodge in lungs, bones, or gonads. One millionth of a gram is considered by many scientists to be carcinogenic. Potentially then, as pointed out by physician and activist Helen Caldicott in a July 1979 issue of *Ms.* magazine, one pound of plutonium isotope could kill every person on earth. A one thousand megawatt nuclear plant such as at Three Mile Island, produces 500 pounds of plutonium yearly. Thus, the proportions of danger with which we are dealing are astouding. Caldicott was further noted as stating that plutonium, which contaminates most of the radioactive waste produced by a nuclear plant, cannot be stored longer than 10 years through current technology. Within that time it will eat through the most durable of containments, seeping into the earth, water, and air.

(Continued on page 14)

Monthly Business...

(Continued from page 2)

dutifully deposit in your checking account in New York. The New York bank doesn't want the $100 cash, it wants credit in its reserve account. Accordingly, it sends the check to the Federal Reserve Bank in New York which, in turn, sends it to the Federal Reserve Bank in San Francisco, which sends it to Aunt Mildred's bank. They charge her account and also their reserve account at San Francisco. San Francisco then credits New York which credits your bank. At this point the cash is available to you, so the jar of peanut butter can rest till next time. These transactions are done by telegraphic order and computers. In 1971, on an average business day, close to $60 billion in checks was cleared through the system.

Reserve requirements are set by the Board of Governors within certain maximum-minimum limits. These requirements are in the form of a percentage of total deposits and are not the same for all banks, but rather depend on size and location. Changing the reserve requirement is possible, but seldom done, due to the wide repercussions within the business community. The Fed also has facilities to lend to member banks should their reserve fall below the legal minimum. The rate of interest charged is called "the discount rate." These loans are secured by the member bank's holdings of Treasury notes. The discount rate is also within the Board's discretion. With a lower discount rate, banks are more willing to lend amounts near their credit limit, making loans easier to get.

At their own initiative, the Open Market Committee may buy or sell government securities in the open market. If they decide reserves need to increase (which allows banks to lend more money), they will buy, for example, $100 million in securities paid for by check. (The Fed's wealth comes from a gold stock.) The seller deposits the check in a bank, which sends it to the Federal Reserve Bank that credits the seller's bank, increasing their reserves. Conversely, if lessened reserves are the objective, then sales of Fed-held securities are made with the opposite effect. Purchases and sales are held every day. This ability to control reserves is by far the most potent weapon the Fed has because of the huge impact made within a short period of time. The power of these Committee members is undeniable. (Incidentally, the interest rates on the securities bought and sold daily is tied directly to the new Money Market Certificates available now at commercial banks.)

The decision to restrict or expand the monetary supply is based on an analysis of general trends in the economy through various indices. If the Fed wishes to act restrictively it will feed banks fewer reserves than they need to meet the credit demand through open market operations and discount changes. If demand stays high, the cost of borrowing (interest rates) will rise, making borrowing more difficult. This is what is meant by "tight money." Largely, this reflects an attitude and tends to spread to other lending institutions. Tightness is contingent on demand levels dropping at the prospect of increased costs, something that has been questioned in recent days. The bottom-line effectiveness of the system has thus been drawn into question.

When the Fed seeks to ease money (making it more available) it will increase reserves through the same mechanisms. The reduction in interest rates makes business expansion easier because it is less expensive. Certain industries are more sensitive to rate changes than others, which explains why residential construction starts and public utilities are important and closely watched.

The major criticism of the Fed concept is the problem of time lag. Recognizing changes is required before corrective action can be taken. It is very difficult to judge where the economy is going as the Fed makes a move. Therefore, judgments are based, to a large degree, on past problems, which are not necessarily indicative of future problems.

A second criticism is that the system takes pressure off the Federal government to carefully monitor revenues and spending. Secure in the knowledge that mechanisms exist to cope with short-comings it may have created, the Federal government can be somewhat lax. Further, laxity is not a desirable characteristic in an already sluggish government. Despite these criticisms, no one has proposed a better and more workable system, so that notwithstanding these flaws, the Fed seems here to stay.

Lest the reader think this is all a lot of theoretical mumbo-jumbo, I urge the reader to peruse at least one **Wall Street Journal** on any given day. There will most likely be at least one article dealing with these issues. In fact, on the front page of **Newsday** (October 7, 1979), Paul Volcker, the Chairman of the Fed, has just announced another rise in the discount rate. The paper cites this as "an aggressive move against inflation" and states that "increases in the discount rate are aimed at curbing the rapid rise in the money supply, hyperactive borrowing and excessive speculation in the financial and commodity markets, particularly gold." It was the investment community's expectation of this announcement that precipitated the sudden and sharp drop in gold prices on the world markets within the last several days.

ANSWERS TO SAND BOX PUZZLE P. 15

1. Sand box
2. Long underwear
3. Split level
4. Highchair
5. Mind over matter
6. G.I. overseas
7. Man overboard
8. Cross roads
9. 3 degrees below 0
10. Paradise
11. He's beside himself
12. Space program
13. I understand
14. Down town
15. Neon lights
16. Touchdown
17. Glance backwards
18. See through blouse
19. Reading between the lines
20. Tricycle
21. Circles under the eyes
22. 6 feet underground
23. Life after death
24. Just between you and me.

Law Review...

(Continued from page 2)

Issue two will contain articles by Professor Agata on the recent Shenefield Antitrust Report, Professor Louis Lusky of Columbia University School of Law on **Gannett v. DePasquale** and methods of constitutional decisionmaking and Bernard Schwartz of N.Y.U. School of Law on the Burger Court's impact on administrative law. In issue four, Judge Henry Friendly is reviewing the second edition of Kenneth Culp Davis' administrative law treatise, Professor Joel Gora of Brooklyn Law School is examining whether truth is an absolute defense for the press in defamation actions and Professor Alan Dershowitz of Harvard Law School is contributing an article on bail. In addition, issue four will contain responses to the efficiency symposium. Professor Rand Rosenblatt of Rutgers, whose article on government neglect of health care policy formation and the role of courts in changing patterns of agency decisionmaking appeared in 88 Yale L.J. 243, will be submitting an article in late fall. Professor Victor Brudney of Harvard Law School will publish the major piece on which he is now working in either this year or next year's volume. Richard R. West, Dean of the **Amos Tuck School of Business** Administration, Dartmouth College, is writing an article on Ginnie Maes for either this year or next year's volume. Franklin Zimring of the University of Chicago Law School has promised that **Hofstra Law Review** will be given the results of a two year project on which he has just begun work.

We are exploring the possibility of undertaking a student project for the following year or years. The project can take a variety of forms. Among the possibilities currently under consideration are a **Harvard Law Review,** "Developments in the Law" article, see, e.g., 91 Harv. L. Rev. 1427, an examination of one aspect of a complex statutory scheme, see e.g., 64 Cornell L. Rev. 30 (warranties under the U.C.C.), an empirical study that could either require outside funding and span a couple of years, see e.g., 76 Yale L.J. 1519 (examining impact of **Miranda** on police interrogation practices in New Haven), or be capable of completion within one year without separate funding, see, e.g., 52 N.Y.U. L. Rev. 810 (impact of Supreme Court obscenity rulings on lower court decisions).

Last spring the **Review** conducted a nationwide solicitation campaign for the Sentencing Symposium. We received over 1700 prepublication orders from around the country.

Rev. Jackson and the P.L.O.

by Roy Landy

In the days when ANIMAL HOUSE was a reality rather than a movie, fraternity "rush" was one of the most important annual events on the academic calendar. The stated object of the exercises was to acquire new members to replace those lost through graduation or through less laudatory administrative actions. Toward that end, each house naturally tried to present itself in the most complementary light.

Each house attempted to accent its strengths and deemphasize its liabilities — both physical and human — during the critical phases of the membership drive. Beer-stained walls were painted over, roaches were banished from the kitchen and the oil burner was coaxed into its annual two-week stint of operation. More importantly, the more reprehensible members of the brotherhood were banished to foreign parts lest any impressionable pledge get too accurate an idea of the true nature of the organization. Once the unwary were irretrievably committed and the treasury swollen with their dues, the unsavory types were reimported to participate in the initiation festivities.

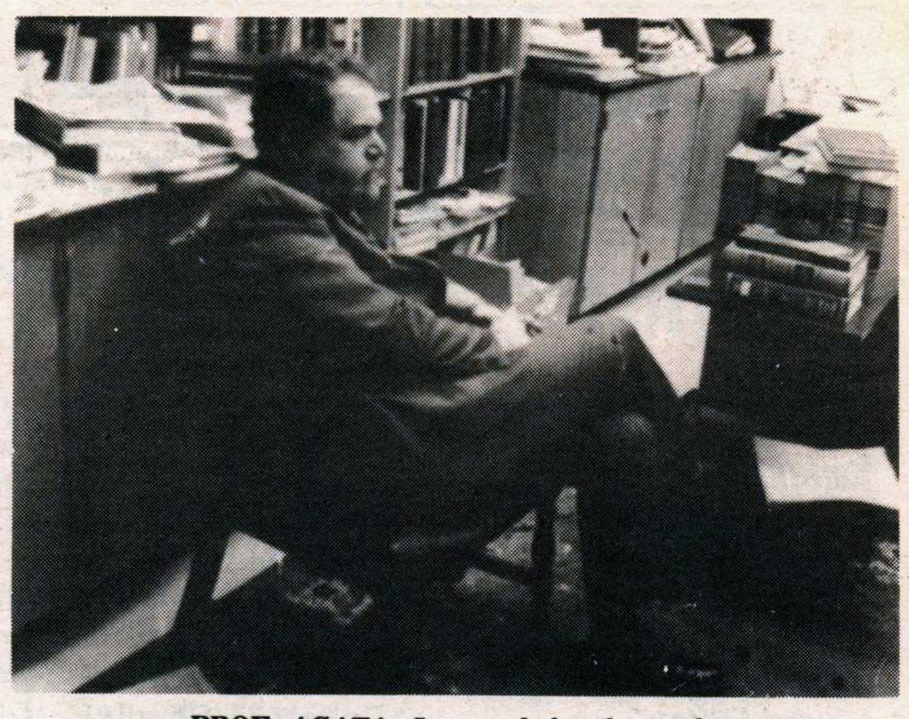
These memories of a misspent youth were brought to mind by the Reverand Jessie Jackson's recent sojourn in the Middle East. His behavior in meeting with the P.L.O. is strongly reminiscent of that exhibited by those uninitiated and uninformed undergraduates who so enthusiastically joined organizations about which they knew practically nothing.

Reverend Jackson's intinerary was extremely restricted. In the meeting with the P.L.O. executive council, he was not exposed to some of the more notable characters in positions of power in that organization. Obvious in their absence were the representatives of the Popular Front for the Liberation of Palestine (P.F.L.P.). This curious, — indeed, aberrant, — group has failed to endorse any of the peaceful initiatives made by less radical Palestinians or more moderate Arab states. Assaiqa, the powerful tool of Syrian President Assad, also appears to have been under-represented during the meetings.

One also wonders if, during the course of his odyssey, Reverend Jackson had the opportunity to visit Abu Daud, the architect of the Munich massacre in 1972. At last report, Abu Daud was the guest of Colonel Qaddafi in Libya where he shares quarters with the ever-charming Idi Amin. Unfortunately, Abu Daud represents a powerful faction within the P.L.O., and it is doubtful whether any statement made by Arafat would carry much weight in the face of the opposition represented by Abu Daud and Dr. George Habash of the P.F.L.P. Like Banquo's ghost, these individuals haunt every P.L.O. meeting, and any agreement reached without either their aquiescence or expulsion from the umbrella organization is doomed to ineffectiveness.

It is ironic to this writer that, in a location virtually peppered with religious and ethnic minorities, Reverend Jackson should see fit to expend all of his time only on the "Palestinian problem." He did not meet with his Maronite, Armenian, or Greek co-religionists during the trip, or investigate the religious persecution perpetrated upon them by occupying Palestinian forces. In the sanguinary cauldron called Lebanon, that oppression is probably the greatest human rights violation of all.

If Reverend Jackson wishes to ally himself with any organization in the Middle East, he ought not emulate those undergraduates of my youth who committed themselves irreversibly before meeting the fraternity's full membership. A person of Jackson's stature should not lend his reputation to any group unless he has made a thorough investigation of both the group purpose and the people involved. Fame carries with it responsibility; when fame is to be used in furtherance of political causes it is incumbent upon the person carrying that burden to take considered actions only after extensive research.



PROF. AGATA: In search for the truth.

Exit, Stage Right...

by Kenneth Mollins

On November 15, Hofstra Law students and faculty are invited to attend a show presented by a group of Hofstra Law students, appropriately entitled, "The Law Revue." The show will be sponsored by the student government and will consist of different skits in which the students will impersonate different members of the Hofstra Law School faculty. Can you imagine Leon Friedman as an old man arguing before the Supreme Court? How about Linda Champlin, Monroe Freedman and Larry Kessler as law students? These are some of the ideas being considered by the group of talented students putting the show together. The list of performers at the present time includes Salvatore Russo, Lou Evans, Milan Gregory, John Fausti, Wendy Wells and Sam Felberbaum. All of the professors who will be portrayed in the skits have consented to and appeared enthusiastic about the idea. The show will be presented in the Monroe Lecture Hall, across the street from the Law School. At the present time the show is scheduled to begin about 8 P.M. and end about two hours later.

Professor Wypeski says that the last show of this kind was put on quite a few years ago. He remembers it well because in that performance he was portrayed by former Hofstra Professor McEvily. At the present time, organizers of the show are trying to bring back McEvily for an encore.

After the show, snacks and drinks will be served in the student lounge. The show promises to be interesting, humorous and fun to all who attend.

ADVERTISEMENT

BAR EXAMS AREN'T LIKE LAW SCHOOL EXAMS

Knowing how to write answers the war Bar Examiners want to see them written can make the crucial difference. Why not get the feel of 16 Bar Exam questions now, before the June pressure.

Hundreds of students from Hofstra University School of Law have been convinced that what they learned at THE KASS PROBLEM ANALYSIS CLINICS was essential to their success in the Bar Exam.

Why not ATTEND THE FIRST CLINIC — ABSOLUTELY FREE — on Jan. 13, 1980 and see for yourself.

Six Sundays, starting Jan. 13th, 1-4 P.M., in the Sheraton City Squire Hotel, 7th Ave. at 52nd St., N.Y.C.

Fee: $95.

Seniors can attend our Jan., 1980 and June, 1980 series on graduation, upon payment of only one fee.

A TOTAL OF 16 DIFFERENT, VERY DIFFICULT ESSAYS WILL BE COVERED IN EACH SERIES.

For further information, contact agent Mrs. Isa Kantor or KASS PROBLEM ANALYSIS CLINICS, 27 William Street, N.Y.C. (WH 3-2690).

PROF. DAN WEINER conducts seminar on rights of the artist.

Subscribe To Conscience. $5 Yearly

Commentary

by Michael Bachner

The Supreme Court will soon render a decision vital to the area of constitutional criminal procedure. The Court has granted certiorari to the case of **People v. Payton**, 45 N.Y. 2d. 300, which the N.Y. Court of Appeals affirmed a lower court's holding which permitted state police officers, relying only on probable cause that a felony had been committed, to secure a warrantless arrest in a private domain, under non-exigent circumstances. If the Supreme Court forges ahead and confronts the Fourth Amendment problems raised in **Dayton**, it will be the first time that the constitutionality of such arrests has been considered.

The Court has previously held in **U.S. v. Watson**, 423 U.S. 411 (1976), that the Fourth Amendment permits an officer to secure a warrantless arrest in a public place even though s-he had adequate opportunity to procure a warrant after probable cause was established. Although the Court was quick to assert that its decision in no way reflected the constitutional propriety of effecting warrantless arrests in private under non-exigent circumstances, numerous state courts have at least partially relied upon **Watson** in allowing such arrests. The state's rationale is that the intrusive nature of an arrest in public is greater than "the minimal intrusion of the elements of privacy of the home which results from entry on the premises for making an arrest." **Payton** at 310. Consequently, it would not be inconsistent with the reasoning in **Watson** to expand public warrantless arrests under non-exigent circumstances to the private domain.

In addition, state courts rely upon the seemingly historical acceptance in the English Common Law of warrantless entries to secure felony arrests. (2 Hale, Historia Placitorum Coronae, History of Pleas of Crown (1st Amer ed, 1847) p. 92.) To further support their argument, the state suggests the fact that numerous jurisdictions have enacted statutes allowing warrantless entries into homes for purposes of arrest, (American Law Institute, Model Code of Pre-Arraignment Procedure, Section 120.6 (1975), demonstrating governmental uniformity in the area.

Perhaps the most significant obstacle for the government to handle in authorizing these arrests, is distinguishing a search from an arrest. The heart of the problem is that the Fourth Amendment speaks coterminously to both "searches and seizures," and since an arrest is the seizure of a person, **Terry v. Ohio**, 392 U.S. 1, it would seem consistent with this constitutional provision to mandate equal protection to those being subjected to an arrest as well as those subjected to a search. Succinctly, if an officer is required to obtain a search warrant if adequate opportunity exists (lest the wrath of the exclusionary rule fall upon him-her), it would be logical for an arrest to be afforded similar protections. Governmental claims that a search is more intrusive to the person's privacy than an arrest, and therefore requires more stringent prophylactic measures, is an agrument which requires much re-thinking. After all, we no longer live in a society which gives preference to property over personal interests.

Indeed, the framers of the Constitution mandated that in order to protect the individual from arbitrary governmental intrusions, a magistrate "dissassociated from the competitive enterprise of ferreting out crime," **Johnson v. U.S.**, 333 U.S. 10, should be the one to determine probable cause through the issuance of a warrant.

Whatever the Court decides, it must keep in mind the seriousness of curtailing the individual's expectation of privacy, **Katz v. U.S.**, 389 U.S. 317, in a society where crime is on the upswing and public opinion appears to be against "constitutional technicalities." As Justice Stewart stated in **Coolidge v. New Hampshire**, 403 U.S. 443, "If we were to agree . . . that the police may, whenever they have probable cause, make a warrantless entry for the purpose of making an arrest, then by the same logic, any search or seizure could be carried out without a warrant, and we would simply have to read the Fourth Amendment out of the Constitution."

NEW ASSISTANT DEAN SHERRY FRIEDMAN: to act as administrative liaison for all student organizations. (Photo by Lorraine Cusick)

conscience

Editor-in-Chief	Alan B. Fischler
Contributing Editor	Scott Glick
Copy Editors	Linda Ashley, Daphne Gronich
News Editor	Susan Mandel
Photography Editor	Lorraine Cusick
Layout Editor	Robert M. Shaufeld
Business Manager	Debra Murray

STAFF:

Michael Bachner, Corey Bearak, Jon Bogack, Lane Carlough, Steven Certilman, Chuck Faillace, Roy Landy, Kenneth Mollins, Saul Morgenstern, Bob Rediger, Robert Rosenberg, Sal Russo, Sidney Ruthenberg, Michael Shapiro, Debbie Sherman, Glen Wolther

Next General Staff Meeting:
October 24, 3 P.M., Barton House

OPINION

Many people have asked, in all seriousness, whether there is life after Law School. The answer is based on whether you believe that there should be life during Law School. If you voluntarily shut your life off for three years, there is no hope for a rebirth after graduation.

An educational experience can and should go beyond the library and classrooms. A school is made up of people, and what you learn from social interaction is as important — if not more important — than what you learn from the regular curriculum.

During the early seventies, apathy was the word which was repeatedly used to describe student attitudes towards any type of involvement. Apathy is no longer the word used to incite action, but people in schools have changed very little since then. There are a multitude of issues and organizations that need support. If you get involved in anything, either related to or outside the confines of the Law School, you can derive a great deal of satisfaction and, as an added bonus, you can give your mind a break from law.

by ROBERT M. SCHAUFELD

Viewpoint

by Thomas N. Angell, '81

Hofstra Law School is approaching the end of its first decade. With or without our knowledge Hofstra Law seems to be heading into teenage rebellion. There is a visible erosion of the very principles upon which the Law School was founded, just as the ideals of youth often fade as a result of the pressures of adult life.

Every year that Hofstra Law grows older, it is being forced into the traditional mold of pre-existing law schools. A prevalent misconception seems to be that the closer we come to giving the appearance of an Ivy League Law School, the better law school we will be.

America has enough lawyers who will defend the established order and look out for those with high-stakes in the present economic and social fabric of society. What America needs are activist attorneys who will not settle for what is, but will struggle for what is right.

I came to Hofstra Law School because I was under the impression that Hofstra had a different approach with a special sensitivity to the legal needs of all individuals, not just to big business and big money. What I found was disappointing. I admit I am an idealist, but must people surrender their idealism before entering the gates of the legal profession?

I don't place the blame on any one individual or group of individual's shoulders, but I am asking that all members of the Hofstra Law community look to the goals and purposes by which this school was founded and compare those aims with our present direction.

My concern is specifically founded on the following aspects of the school.

Admission Process: As a member of the Students' Admissions Committee I am aware of the large number of candidates among which Hofstra chooses. I have yet to find a correlation between an applicable L.S.A.T. score and a commitment to bringing about a just and humane world through legal processes.

Over two-thirds of all those admitted are accepted primarily on the basis of their undergraduate grades and L.S.A.T. scores. Only thirty plus individuals were accepted through the students' admissions committee which considered social commitment as the primary criteria for acceptance. More applicants were not accepted through the students' admissions committee because of the overly burdensome bureaucratic procedure and time pressure under which the committee operates.

It is unreasonable to view the present admissions process as an adequate manner for selecting students who would benefit most from what Hofstra originally set out to do—mainly, to train an attorney to be aware of, sensitive to, and active in the social problems of today and the coming years.

Faculty Selection: Although I believe Hofstra has an excellent faculty given its present goals, I think it is necessary to be aware of the pitfalls possible in the future. As with prospective students, primary emphasis in hiring should not be placed on the potential faculty member's paper qualifications which look impressive in the rear of future catalogs, but rather on what unique contributions each potential faculty member may add to Hofstra's view of a socially relevant legal education.

If Hofstra is identified as a school for social-legal activists, it will attract professors who will have a stake in the school and its ideals, rather than professors who are just waiting for the opportunity to climb the next rung of the academic ladder.

Furthermore, it is imperative that all members of the Hofstra faculty have a commitment to the betterment of society through the training of socially-concerned lawyers. Hofstra Law will have really made it when its professors boast of the number of its graduates who have fought legal battles against race discrimination, for decent housing and medical care, for equal education, etc. That is, Hofstra will be able to be proud when it is widely acknowledged for the calibre of socially-concerned people it turns out rather than the number of first year students with L.S.A.T. scores in the 700's.

Curriculum: The recent addition to the curriculum of Legal Problems of the Elderly Seminar and Legal Clinic is encouraging. Hofstra needs many more similar courses. The content of every course taught at Hofstra needs to be carefully scrutinized to see that it not only explains the thought of the past but also the potential for beneficial change in the future.

Each course should focus on the way in which that particular area of the law affects the majority of people in this country. It would be more useful, for example, to know the contract law which affects the average consumer than the contract law which affects General Motors.

It is often said that Law School teaches students how to think like lawyers. It would be even more beneficial if law school would sharpen student sensitivity to the real problems of people and then supplied these future attorneys with the legal tools to effectuate the necessary changes.

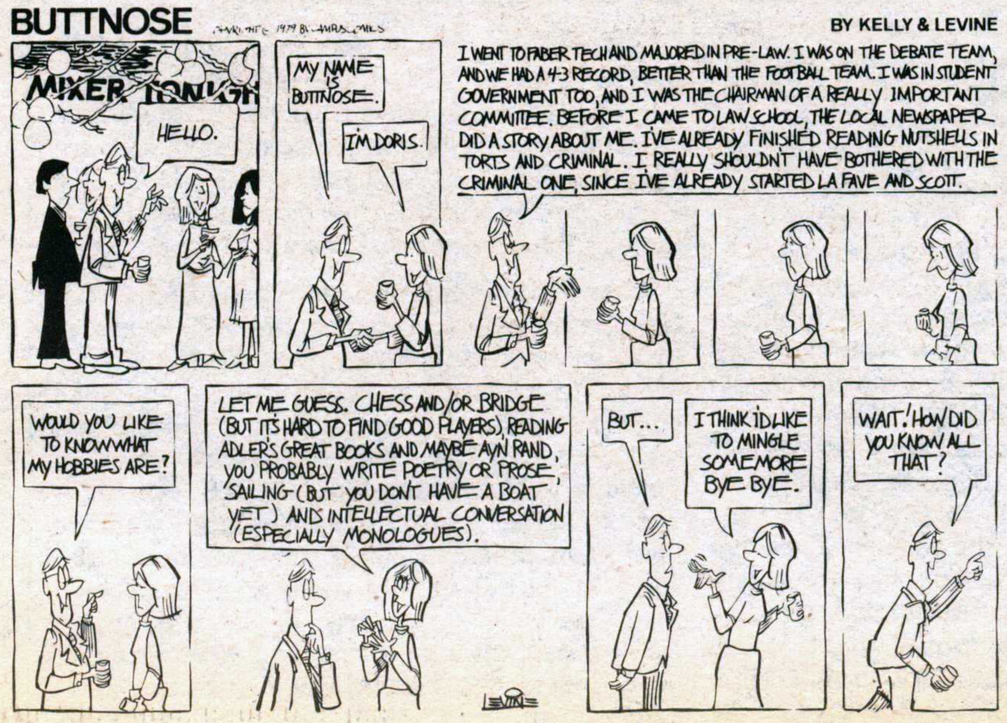
The Socratic method, it is claimed, is the best weapon in the arsenal of professors to sharpen the wits of students. I disagree. Such a method cannot be justified in a school which values individual integrity. It seems difficult for some law school professors to realize that all their students have completed four years of college. Most students have an intimate familiarity with basic learning tools. What we need is to learn a new vocabulary, process, and substantive rules. I challenge anyone to prove that a law student is better able to think rationally when he-she gets out of law school than when s-he enters law school. And furthermore, if such a change has taken place, that the Socratic method was responsible for it.

Most importantly, if Hofstra is going to be true to its claim of being a law school committed to fundamental change in the existing social structure, and as such, different than any other now existing law school, it is going to have to develop a curriculum which better mirrors these values. It is counter-productive to pin Hofstra's commitment to creative reconstruction of the existing social-political-economic structure on its clinical program. This, in and of itself, cannot do the job. While the clinical program should not be castigated, I do not know of a single law school which does not have a clinical program.

Would it not be great if each year the Law School chose to file a suit, or participate in a suit, regarding some pressing social need in the N.Y. metropolitan area, perhaps to seek an injunction to stop the development of the Shoreham Nuclear Power Plant or a desegration suit to integrate the Hempstead-Garden City School Districts.

One further point. Making the students into people with a flair for justice as well as competent lawyers must be a goal of every course taught.

What I call for is difficult to achieve. But, in life we have a choice. We can settle for what is and make our life's goal one of an insatiable drive for material success or we can decide that we are on this earth to make a difference—and seek to better the country for all its inhabitants. If we choose the latter, there is no better time to start than now.



CONSCIENCE is published on a monthly basis from September 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.

EDITORIALS

Rake-off: Revisited

Last year, in its October issue, **CONSCIENCE** reported the siphoning of Law School revenues by the University to the extent of over $1,200,000 or 38 percent of its total tuition, fees, contributions and other receipts. The American Bar Association's "rule of thumb" is that no more than 20 percent of a law school's revenues should go to the parent university. It was also reported that certain law schools, such as Harvard and Boston U., turned over considerably less than that to their universities. Other schools were engaged in struggles over excessive siphoning, such as the University of San Francisco where students sued their university for not maintaining ABA standards as promised in the catalog, and Gonzaga University where students had to put $109,000 into escrow before the University reduced its "indirect expense" bite from 50 to 20 percent.

The issues involved can get very complex, especially when determining the proper cost allocations between the university and the law school on matters of maintenance, security, and central administration overhead expenses. Recently, **CONSCIENCE** solicited the administrators of both the law school and the university, for further insight, and facts and figures so that our students can digest and consider the factors prior to any additional criticism in what has become known as the "rake-off" issue. As a result of such inquiries, one thing has become clear: university administrators consider the issue solely one of "management concern." As for Dean Regan, at present he isn't talking.

While the Dean had tentatively agreed to discuss the matter, he requested a delay of a week or so until after a meeting with University Associate Provost Dr. Berliner. The Dean now refuses to provide **CONSCIENCE** with information on the subject, that is, until the completion of negotiations with the university. Such negotiations, he says, are expected to take quite some time. University Treasurer Brocelli, after providing us with an off-the-cuff (not off-the-record) statement that the law school actually expends more than it takes in, refused to give any financial information for publication. He further stated that the university does not have any financial statement per se. We expect later qualification.

So far as this initial quest goes, University President Shuart assures us that the university budget is no secret. Responding to a request for a more specific rendering of revenue and cost allocation figures, and for an explanation of Treasurer Brocelli's guarded posture, Dr. Shuart emphasized the need for "thinking in context." We are thus to understand that an open and objective airing of the present cost allocations, or, to put it simply, informing students as to the use made of their tuition money, would not be "thinking in context." We are also asked to acknowledge the fact that although our student body has for some time had serious concerns regarding the university's treatment of the law school (often involving the lack of adequate expenditures), university administrators, as well as the Dean, do not consider it a proper subject for student input.

Talk of student action has begun to circulate throughout the law school. The issues coming under direct attack, however, are not disagreement over the cost allocation figures per se; indeed, that information has been successfully kept from the student body. They are issues which may have directly resulted from an inequitable relationship between the university and the law school. Inadequate facilities, lagging maintenance, the parking problem, and a general comparison of the physical plant with that of other law schools, have all led to frustration experienced by those paying one of the higher tuition rates in the country. We have the right to know; and we deserve to be given the appropriate fiscal information upon request. Considering the obvious and necessary improvements which should be made at the law school, previously reported figures indicating university siphoning should now be explained and accounted for. Otherwise, we may be compelled to go the way of USF and Gonzaga in affirmatively demanding our rightful share of the pie.

On Student Representatives...

We, as a law school student body, should take note of the fact that while we presently elect representatives to serve us in a variety of ways, we have, to date, neither a constitution nor any substantive by-laws by which to govern their conduct. If we have not yet learned the importance of a government of "laws and not men," and if we are willing, at this stage, to be represented in any situation by ad hoc decision-making of others, with no particular standards, perhaps we should stop to ask ourselves whether we are correct in perpetuating the existence of a centralized body of representatives. Various instances can be cited in which information about vital functions historically performed by the student representatives have been derived from the personal knowledge of present student representatives, and not from any cohesive set of established rules. We are represented in various ways by those we elect. Budgets are appropriated and student organizations are financially overseen by the representatives. But who are to govern the governors? And to what standards must they conform?

Take for example the working relationships students have developed with faculty members through their membership on committees, relating to the various concerns of the school. By what process are committee members chosen? Do representatives pick committee members, or have there been open elections? If there have been open elections in the past, who is responsible for proper student notification or policing? Not only do we not know the definitive answers to these questions, but, for the most part, there is nothing written by which the representatives' actions should be guided. We should demand more.

We defer to the student representatives themselves to begin the task of forming a government that is truly representative. To this end, a constitution and a comprehensive set of by-laws must be written. This process should rightfully be one more publicized than swiftly accomplished, more democratic than based on simple individual effort. **CONSCIENCE** shall serve in this effort, by assisting the student voice in being heard.

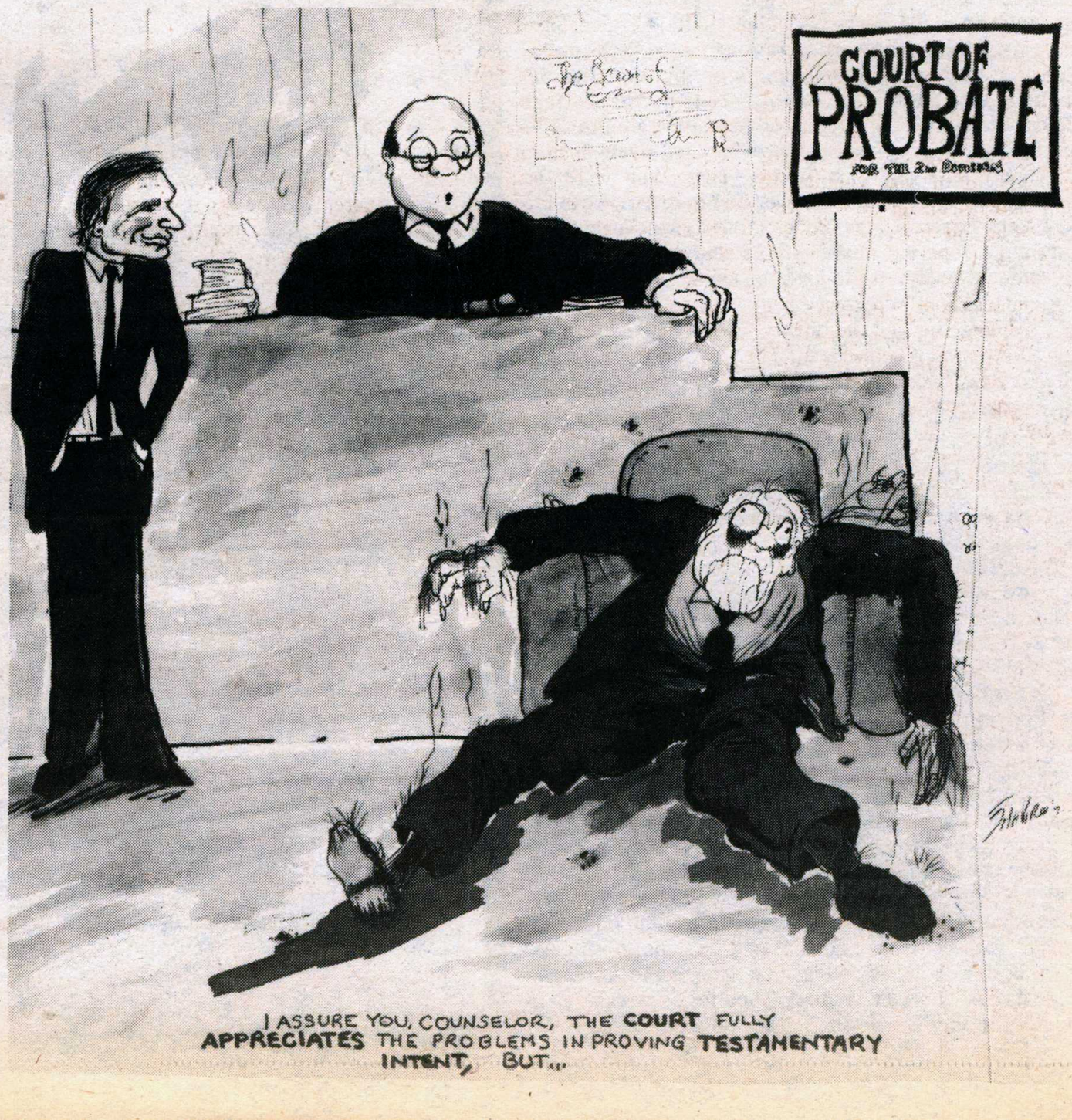
Letter To The Editor

I think that it is deplorable that Mr. Roy Cohn has been chosen by the Trial Advocacy Club to speak on this campus. During the 1950's when Mr. Cohn was chief counsel for U.S. Senator Joseph McCarthy, this country suffered a political holocaust. If you dissented in this country people like Mr. Cohn would label you a communist, or a traitor, or un-American. This was an infamous period and Mr. Cohn occupied a notorious place in it for placing his legal skills at the disposal of Senator McCarthy.

Fortunately, Mr. Cohn and Sen. McCarthy were stopped in their mistaken efforts by the patriotic sacrifices of men and women who risked ruining their careers, massive public humiliation and even prison to resist an evil equivalent to Watergate.

Certainly Mr. Cohn has a right to speak. Just as certainly, all of us have a right not to be present. Mr. Cohn has been distinguished by the invitation to speak. It is now too late to reverse that decision. However, no further showing of respect need be demonstrated by students, faculty and staff. Mr. Cohn should not be allowed to think, as ex-President Nixon probably still does, that Americans will forget what he did. A boycott would serve the purpose of reminding Mr. Cohn that Americans still remember. It was McCarthyism that threatened this country's liberties and not the helpless victims which men like Mr. Cohn, during the McCarthy witch-hunt served up for public burnings.

John Bogack



Judgeships...

(Continued from page 3)

decisively lost).

With the petition phase passed successfully, Perrotta could now concentrate on getting his vote out for the September 11 Democratic Primary. The strategy was simple. There were no big races to attract a large voter turnout. A low voter turnout was expected. Perrotta's campaign team anticipated 3,500 votes were enough to win. By concentrating on the over 3,000 voters who signed his petition, Perrotta could win without Party backing.

While he lacked organizational support, Perrotta had the support of the Queens Park Democratic Association, one of two official Democratic Party organizations in his own Part B of the 23rd Assembly District. Many members, and the President, Mary D. Civello, of the other official club, the Queens Village-Bellerose Women's Regular Democratic Club, supported Perrotta's campaign. Ms. Civello and Queens Park Vice President Julius Weber co-chaired Perrotta's Citizen's Committee. Additionally several members of the Queens Village-Bellerose (Men's) Democratic Club helped Perrotta.

Shortly after Perrotta announced his candidacy, there was pressure on him to withdraw. Perrotta refused. Herb Kahn, after first urging Perrotta to run and offering to manage the campaign, withdrew his support and tried to get Carmine out of the race. Kahn apparently felt pressure from the Party organization and tried to get the Queens Park Board of Directors to withdraw its endorsement of Perrotta. A July 20 Board meeting ended with most members, refusing to withdraw the Perrotta endorsement, walking out.

Perrotta filed his petitions on Thursday, July 26, 1979, the same day of the Queens Park General Membership meeting. Kahn's attempt to pack the club in a move to get reconsideration of membership endorsement of Perrotta failed. (The membership voted on June 28, 1979 to affirm the decision of its Board of Directors and to endorse Perrotta for Civil Court Judge.) Under the guise of helping Carmine, Kahn also had collected completed Perrotta petitions from Queens Park members and refused to turn the petitions over to Perrotta. Kahn also threatened the security of Perrotta supporters' jobs, which some held at the Board of Elections. Board of Election jobs for Primary, Election and Registration Days were handed out by the District Leader. Kahn decided to replace Perrotta supporters but had difficulty finding capable replacements. Such actions are possibly campaign law violations and surely, a local bar association should find such conduct by an attorney like Kahn unethical.

Despite Kahn's obstructive tactics, Perrotta campaigned strongly. Mailings were sent to a list of Democrats most likely to vote (found by checking Board of Elections rolls) and to signers of the petitions. The witnesses were directed to contact the people whose signatures they had collected and get them to the polls. Perrotta spoke to Democratic clubs, as well as to civic, religious and fraternal groups. Perrotta street-campaigned on the weekends. Additionally, he advertised in local media and released newsworthy copy to the press. Perrotta was rated "well-qualified" by the Judicial committee of the Queens Bar Association. The Citizens Union "preferred" his opponent because Perrotta is 64 and the mandatory retirement age for Civil Court Justice is 70. A Civil Court term is ten years. Waiver of the retirement requirement, however, is pro-forma. Both the **New York Times** and the Citizens Union chose to overlook Perrotta's superior qualifications and made their endorsements solely on the basis of age.

On Primary day, the voting was light as anticipated. Perrotta lost the election 56.9 to 43.1 percent. A seven percent swing in the vote would have given Perrotta victory. Perrotta received 3,091 votes and his opponent, 4,031. A breakdown of the results showed Perrotta winning 2½ to 1 in his own Part B of the 23rd A.D. and winning the District 2 to 1 overall. Perrotta also won in the 22nd (Rosedale) and 31st (Richmond Hill) Districts. While Perrotta spent under $5,000, his opponent spent five times that amount.

Though Perrotta lost the election, it was a great victo\y in more ways than one. **Newsday's** New York State Political Editor, Dick Zander, wrote that Perrotta had a 100 to 1 chance of election. Perrotta cut those odds to better than 4 to 3.

Leader Herb Kahn absolutely misunderstood the reason for Perrotta's challenge. Kahn was supported in his opposition to Perrotta by a small group of self-seeking, self-interested individuals, some of whom had submitted resumes for jobs to the County and feared that by opposing the Party, their applications would be denied. Some of those people formed citizens committees and actively campaigned for the defeat of Perrotta.

As the case in point of Carmine Perrotta's run for civil court shows, becoming a judge is often an endeavor fraught with political, personal and financial obstacles. Winning an election for a judgeship, thus, necessitates the same degree of organization and political expertise as is required in any successful run for political office.

The price of parking has increased steadily with the price of gold. (Photo by Steven Certilman)

Parking...

(Continued from page 1)

"The larger dimensions will make the lot safer," said Panzeca. He noted that the small car lot would be built adjacent to the Law School in order to induce small car drivers to use the lot. If the regular lot remained, and a new small car lot were built further away from the Law School, then small car drivers would continue to park in the regular lot because of its proximity to the Law School.

The second part of the plan consists of building new spaces along the perimeter of the grass field adjacent to the Law School. Another lot would be built at the far corner of the field.

The key constraints on the new spaces are nature, security and cost. Panzeca and Dean Reagan stressed that the university wants to keep the lawn near the Law School. Said Panzeca, "The University does not want to give it up." Security for these lots will be handled by 1) having lots which will have clear views so that students will be able to see danger from a distance, and 2) lighting in these lots. Additional lighting will also be placed in existing parking lots such as by the tennis courts. The cost problem will be solved by taking public bids. University officials feel that the cost for the new spots, will be no more than $100,000. In fact, it is likely that it will cost less than that.

In addition to creating the new parking spaces, the University intends to repair the South entranceway to the Law School lot by removing the bump which causes so many cars to bottom out.

Placement...

(Continued from page 1)

Hofstra alumni are strongly encouraged. Private interviews are available to all students, "when they are ready to deal with the issues involved" rather than on an assigned, scheduled, basis, which some students might prefer. Student complaints that the long back-up on waiting time for interviews with the placement personnel hinders accessibility was countered by the assertion by Mrs. Kennedy that, "A high percentage of no-shows has greatly contributed to the problem." The addition of Francine Rosenberg to the workforce should partially alleviate the problem in the future, predicted the director.

The idea that tension may exist between the posture of the dean's office that students at a full-time law school should study full-time, and the stated policy of the Placement office which advises students to go out and work, was dismissed by Ms. Kennedy. She sees no conflict between the aims of an office which has advertised 110 student full-time jobs in the past year and the administration's policy, in addition to the 134 alumni positions leading to judicial clerkships, appellate law secretary positions and attorney jobs.

One goal of the placement office is to reach first year students. The color-coded resource library of employment aids located in room 221 is underutilized because of lack of space and lack of student knowledge.

In order to overcome the relative paucity of on-campus interviews compared to older schools, due in part to the lack of alumni in hiring positions, many measures have been undertaken, one of which is the Women Attorney's Conference, was most innovative. This wide-scale career conference was successfully organized and well received. As the placement office continues its efforts and students take full advantage of this and other valuable resources, "being on the dole" may be but a memory of fears past.

CONFIDENT? YOU BET!

The feedback we have had from students who took our course for the first Multistate/New York Bar Exam has been so positive and enthusiastic that we know we are going to have even more successful programs for our 1980 courses.

Joe Marino, Mike Josephson and a group of hand-picked lecturers are ready to give you the best preparation available for the New York Bar Exam – the most intensive and valuable practice on the integrated New York essays *and* the most insightful and helpful approach to the Multistate objective questions.

If you can decide to join us before November 1, you can save a substantial amount of money and get a whole bunch of special benefits. If you enroll early you will:

1. Save $110 on the course price.
2. Save an additional $80 by getting our exclusive Programmed Learning System supplement at no charge.
3. Save an additional $40 by getting our exclusive Multistate Clinic at no charge.
4. Save an additional $90 by being able to attend our early-bird New York Practice course by Arthur R. Miller at no charge.
5. Obtain a set of New York and Multistate outlines for use in school or for an early start (minimum $150 deposit required).

Course price until 11/1 $325.

Marino-Josephson/BRC

71 BROADWAY, 17th FLOOR, NEW YORK, NY 10006, 212/344-6180

Marino-Josephson/BRC Representatives at your school:

HOFSTRA

Cary Goldinger
Jan Goldman
Maurice Kassimir
Randy Levine
David Rothfeld
Amy Sklar
Charles Walker

Weber: The Real Deal

by Jerome Reide

The acts of discrimination at Kaiser-Gramercy consisted of preferential hiring of whites, systematic exclusion of blacks from entry into jobs at the plant in general, and denial to blacks of promotion, generally, and in the skilled crafts, specifically. Less than 2 percent of the 290 skilled crafts workers at the plant were black in 1974. There were only five black skilled crafts workers in Kaiser-Gramercy manifesting the industry-wide discrimination against black people in the building trades industry.

Kaiser **admitted** their liability to private and-or government agencies by the minute presence of black skilled crafts workers at Gramercy which is evidentially probative and sufficiently indicative of discrimination manifesting the adverse impact of their employment practices with its racially suspect impact on blacks (prohibited by Title VII and subject to governmental sanctions under Executive Order 11246). As such, the record encompassed an evidentially significant admission in evidence. Thus, the question, was there in fact past discrimination at Kaiser-Gramercy, could be reasonably supported in the record by the statistical indications as well as the following factors related to employment at the plant.

By setting a five year experience requirement for the journeyman positions at Gramercy and by contracting with the Steelworkers Union, Kaiser knew it had a discriminating functional-oligarchy in the skilled crafts required by Kaiser in 15 plants including Gramercy; Kaiser in fact contributed to the Steelworkers Union's hegemony in the bi-racial skilled crafts workers market. Equity would not allow either Kaiser or Gramercy to escape liability for past and present *discrimination* or to profit from unconstitutional wrongdoing.

Analagous to corporate knowledge, the Supreme Court, as the judicial component of the United States government, could not deny knowledge of what was in the records of the O.F.C.C., to wit: the hard evidence of minority under-representation in the skilled crafts because of the Steelworkers Union's discriminatory practices.

Blacks at the 15 Kaiser plants, including Gramercy, had not been allowed to prepare for skilled crafts jobs because of the steelworkers grip on the building trades industry. Cognizant of that fact, Kaiser set experience requirements that were virtually impossible for blacks to meet. Blacks did not have free access to the steelworkers' union which was where Kaiser-Gramercy filled the vast majority of its skilled crafts jobs.

The Kaiser-Gramercy O.J.T. Program was inadequate to bring the percentage of black skilled crafts workers up to a reasonable percentage that reflected the black percentage of the work force.

The agreement attempted to reach this goal by selecting applicants on a 1 to 1 racial ratio.

The agreement did not discriminate against whites. It sought to regulate the existing bi-racial craftsman market in Gramercy and 14 other Kaiser plants until the equitable goal stated above is attained and blacks enjoy their "rightful place" in the labor market.

The agreement established a racial criteria for O.J.T. applicants. Such criteria was permissable when it had been established that Kaiser-Gramercy's past practices discriminated against blacks as previously illustrated here.

Kaiser and the Steelworkers Union were trying to rectify past systematic exclusion of blacks from the skilled crafts in 15 Kaiser plants including Gramercy. There was no absence of proof. There was an admission by a Kaiser official that there was a small black presence in its skilled crafts jobs at Gramercy; experience standards blacks could almost never have met because of industry wide discrimination, and the Steelworkers Union's oligarchy over that industry.

Kaiser acted with knowledge to a reasonable certainty that blacks would be virtually locked out of the skilled crafts, by contracting with the Steelworkers Union to the exclusion of other unions.

The agreement was to escape liability for past discrimination and to avoid future liability for the lack of blacks in the skilled crafts. Complying with the equitable maxim of "he who seeks equity, must do equity," petitioners should have been allowed to compensate victims at the 15 Kaiser plants for disparate treatment and impact of and on blacks. Using the holding of **Teamsters v. United States** 413 U.S. 324 (1977) as a guide in construing Title VII, there was no evidence showing post-act racial and ethnic imbalance favoring blacks in the preferred skilled workers crafts.

Equal means equal. One equals one. The agreement fashioned a one to one employment opportunity in the Kaiser O.J.T. Programs. Admitting blacks with less seniority was a form of retroactive compensatory seniority to balance the inequitable percentage of black skilled crafts workers.

This approach applied equally on a one to one basis as an enlightened industry wide remedy.

The Kaiser-Gramercy black employees who advanced were victims of industry wide discrimination (that neither the original O.J.T. Program or the present agreement could have remedied overnight).

Equity compelled the court to recreate the relationships and conditions that the employees would have possessed but for the Steelworkers Union discrimination and Kaiser's inherently discriminatory experience requirements and almost exclusive hiring of skilled crafts workers from the Steelworkers Union.

Brian Weber was not a minority member, a woman or a member of any other suspect group Congress intended to protect in Title VII. Congress intended to "eliminate discrimination in employment." It recognized the existence of pervasive discrimination against blacks in the labor market and in other primary American political-economic institutions.

Manifestation of this discrimination in 15 Kaiser plants has been admitted. The reason there were more whites with sufficient seniority to qualify for the Gramercy O.J.T. Program than there were blacks was because of the systematic exclusion of blacks from the Steelworkers Union in addition to educational disparities that flow from a bi-racial school system.

Post-reconstruction blacks have been relegated to the margins of the economy and kept in place as an industrial reserve army while Germans, Ukranians, Jews, Cubans and the refugees of the world have been allowed into the labor market. There was a "traffic jam" situation where whites were allowed to enter the skilled crafts market while blacks had been systematically excluded from that market.

Just as a traffic cop attempts to regulate the traffic flow onto the highways, Kaiser and the Steelworkers Union were equitably regulating the flow of blacks and whites into the skilled crafts in an equal ratio.

Thus the establishment of the one to one system was an appropriate remedial response to the then, and now, existing bi-racial skilled crafts workers market at Kaiser-Gramercy and 14 other plants.

The employers discriminatory hiring practices inherent in the five-year experience requirement was a standard Kaiser knew was impossible for blacks to meet because of the discriminatory nature of the Steelworkers Union and Kaiser's exclusive contractual relationship with the Union.

Kaiser was guilty of hiring and promotion discrimination as delineated above. The agreement favors victims of discrimination and was justifiable because the black employees at Kaiser-Gramercy were discriminated against and are entitled to "preferential treatment." One-to-one is not "preferential," it is merely equal.

Having established Kaiser-Gramercy's contribution to the bi-racial skilled crafts workers market through its complicity with the segregationist policy and practices of the Steelworkers Union, its "Catch-22" 5-year experience requirements, the bi-racial condition which existed was clearly the natural, foreseeable and intended consequence of the Kaiser employment policies.

The Executive Order does not conflict with any explicit Congressional prohibition or implicit Congressional intent.

Kaiser and the Steelworkers Union offered sufficient testimony to establish the verisimilitude of a discriminating "wheel conspiracy." The Courts refused to attach probative weight to petitioners avowed denials in view of the factually sufficient evidence which raised a presumption of discrimination. "Equity delights to do justice and that not by halves." Therefore, Kaiser and the Steelworkers Union could be Constitutionally liable for past discrimination at Kaiser-Gramercy, notwithstanding their denials of liability.

If the Court had held that there was no actual discriminating praxis and that Weber was the victim of "reverse discrimination," whole relief for Weber would include expansion of the O.J.T. Program at Kaiser-Gramercy to include more participants and not a negation of the plan. There is a strong probability that the Nixon-dominated Supreme Court will eventually strike down ratios completely. If they do and thereby construe Executive Order No. 11246 as discriminatory, they will create a precedent for recognizing de jure segregation in the policies of an administrative agency.

This would also provide a material incentive and reinforcement of racist hiring practices, and a flood of holdings following **Weber will have a chilling effect on blacks** in the labor market. The Supreme Court would be the proximate cause of adverse discriminatory treatment of blacks in the labor market. However, equity principles are sufficiently flexibility and authoritative to contest the holding itself and limit any attempts to apply it elsewhere.

The "equal protection" argument for whites might be extended by the court construing quotas as a denial of equal protection. However, equal protection includes cognizance of the legacy of unequal protection and de jure segregation (with respect to Black American citizens specifically and particularly). Further, citizens must be allowed to compete on the skilled crafts market on a person-to-person basis. With an imposed one-to-one ratio there is a method for insuring equality and at the same time remedying past inequities at Kaiser-Gramercy.

The evidence in the record satisfied the equitable standard of proof of discrimination in hiring and promotion at Kaiser-Gramercy, entitling blacks to a one-to-one admissions policy in the O.J.T. until the equitable goal of **relative** statistical parity is achieved.

Post Decision Addendum

The Supreme Court's majority opinion upheld voluntary Affirmative Action Programs by employers without legal proof of past discrimination.

The Burger and Rheinquist Dissents adamantly construe one-to-one as preferential. Their argument was without substance because mathematically, equitably and legally, one equals one.

In this case both justices acted as advocates of fascism, if we define it as the direct dictatorship of the most reactionary segments of finance capital. It is in the interest of these segments to keep black and white workers separated. Shifting the blame for unemployment and delays in promotions onto blacks, and condemning those who give blacks "preferential" treatment, divert animosity that would otherwise be directed at the fundamental inequality built into the base of the American economy, to wit: social production and private appropriation.

Viewed from that vantage point, the dissents appear to be an attempt to orchestrate a Congressional repeal of Title VII entirely or an Amendment that would nullify its remedial potential. Why else would retrograde Rheinquist dig up all the heated arguments and quotes of Dixiecrats like Ervin and Cotton, juxtaposing them against Humphrey and Kuchel the year before a presidential election?

No doubt each Presidential candidate will have to answer the question: should blacks be given "**preferential**" treatment over whites? The decision shall no doubt galvanize many latent and borderline racists into activist racism. Rheinquist knows the literal and legal meaning of **Equal** and **preferential** — most voters don't:

WEBSTER'S DICTIONARY

1—equal—adj. (ME, fr. L. aequalis, fr. aequus level, equal) 1a (1)—: of the same measure, quantity, amount, or number as another (2): identical in mathematic value or logical denotation: EQUIVALENT b: like in quality, nature or status c: like for each member of a group class, or society (provide - employment opportunities) 2: regarding or affecting all objects in the same way: IMPARTIAL 3: free from extremes: as a: tranquil of mind or mood b: not showing variation in appearance, structure or proportion 4a: capable of meeting the requirements of a situation or a task b: SUITABLE (bored with work not - to his abilities) syn. see same ant. unequal.

2—equal—n. 1: one that is equal (insists that women can be absolute -s with men - Anne Bernays) 2: an equal quantity.

3—equal-vt. equaled or equalled; equaling or equalling 1: archaic: EQUALIZE 2: to be equal to; esp: to be identical in value to 3: to make or produce something equal to syn. see MATCH.

———

equitable—adj 1: having or exhibiting equity: dealing fairly and equally with all concerned 2: existing or valid in equity as distinguished from law syn see fair ant. inequitable - equitability n. - equitableness n.- equitably adv.

———

1—legal—adj. (ME, fr MF, fr L legalis, fr leg-, lex law) 1: of or relating to law 2a: deriving authority from or founded on law: de jure b: having a formal status derived from law often without a basis in actual fact: TITULAR (a corporation is a - but not a real person) c: established by law; esp: STATUTORY 3: conforming to or permitted by law or established rules 4: recognized or made effective by a court of law as distinguished from a court of equity 5: of, relating to, or having the characteristics of the profession of law or of one of its members 6: created by the constructions of the law (a - fiction) syn. see LAWFUL ant. illegal - legally adv.

2—legal—n: one that conforms to rules or the law

———

prefer - vt preferred; preferring (ME preferren, fr. MF preferer, fr. L praeferre to put before, prefer, fr. prae t ferre to carry - more at BEAR) 1: archaic: to promote or advance to a rank or position 2: to choose or esteem above another (-s sports to reading) 3: to give (a creditor) priority 4: archaic: to put or set forward or before someone: RECOMMEND 5: to bring or lay against someone (won't - charges) 6: to bring forward or lay before one for consideration - pre-fer-rer n.

preference — n (F preference, fr. ML praeferentia, fr. L praeferent - praeferens, prp. of praeferre) 1a: the act of preferring: the state of being

(Continued on page 15)

ANNOUNCEMENTS

Compiled by Suzy Mandel

Spot Check

A planning committee is being formed for the ABA reinspection of the Law School. Although it's in its preliminary stages, students who are interested in working on the self-study should contact their student representatives. The Dean has made the faculty appointments and he is in the process of working with the planning committee on the selection of alumni and members of the bar.

Who Turned On The Lights?

According to Professor Wypiski, the flourescent lighting in the lower level of the library has greatly improved, thanks to Physical Plant. "They've apparently been working overtime and the work is progressing nicely." The Wyp is confident that the maintenance will continue and that "hopefully the place will be perfect."

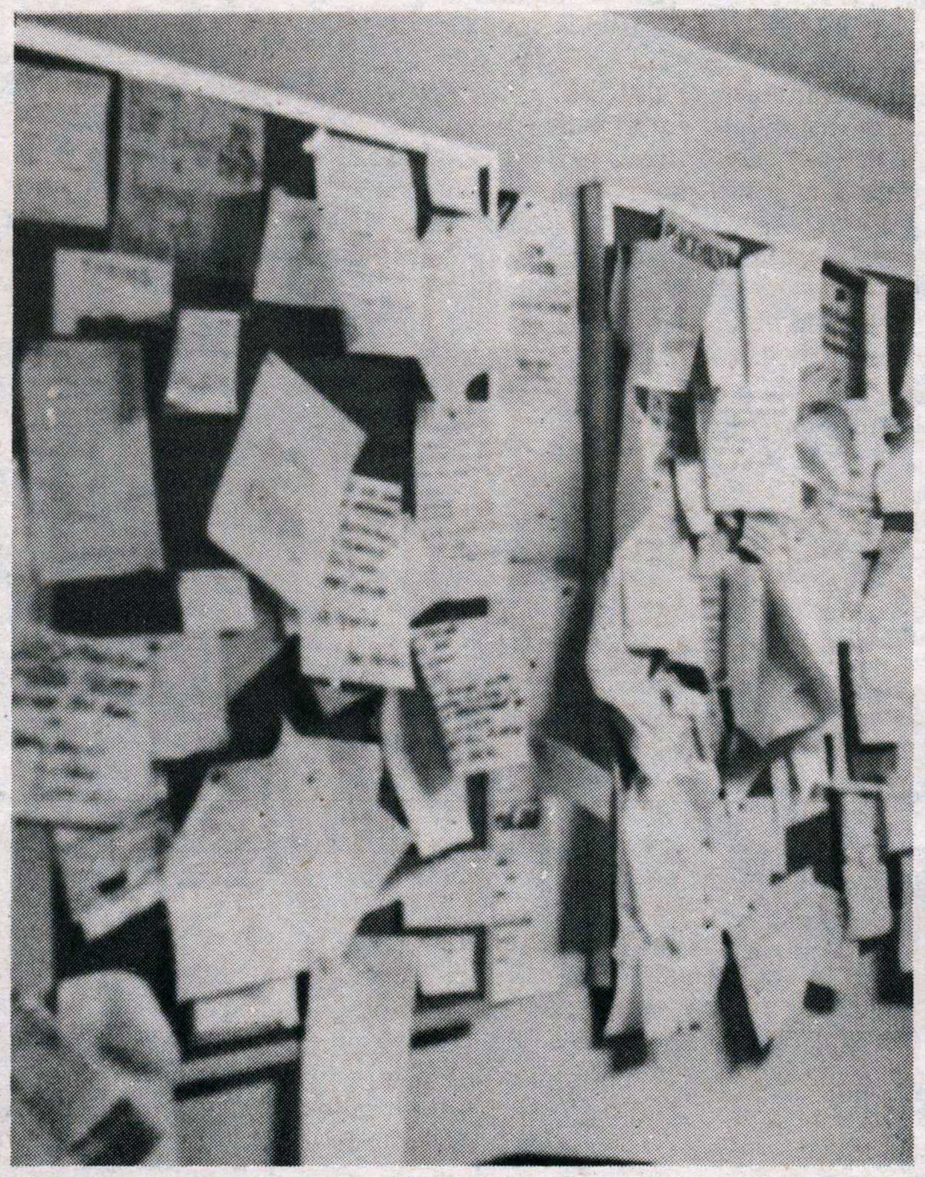
What's Floating At Hofstra

By the 17th century, an art style developed in Japan known as Ukiyo-e, or "Floating World." It reflected the tastes of patrons of the Red Light district of Edo, modern day Tokyo.

From October 10 through 31, Hofstra University's Emily Lowe Gallery will present an exhibit entitled "The Art of Japan: Women of the 'Floating World'" at the Hempstead campus. Many of the prints to be displayed are part of the permanent collection of Hofstra University, while some have been loaned from museums and private collections in New York City and on Long Island.

Although done in both paintings and prints, it was the woodblock print that demonstrated the best of the Ukiyo-e style. Women played an important role in the artistic oeuvre.

Hours for the exhibit, which is free, are Tuesday and Wednesday, 10 a.m. to 9 p.m.; Thursday and Friday, 10 a.m. to 5 p.m.; and Saturday and Sunday, 1 to 5 p.m. The Gallery is closed on Mondays.



FOOD FOR THOUGHT

A brown bag lunch, a hungry mind and a thirst to learn more about books and art are all that you need to partake of Hofstra's University's **Brown Bag Series**, being served at noon on three Wednesdays (October 24, November 14 and December 12) in the Emily Lowe Gallery.

The public is invited to bring a lunch and exchange views at the free, informal talks conducted by Professors of Art History and Humanities, Sam Toperoff and Yonia Fain. "We hope the comfortable atmosphere of the Gallery will provide for an easy exchange of ideas and some food for thought for those who cannot live by bread alone," said Kevin E. Consey, Director of the Gallery.

The topics are:

October 24: "**Apocalypse Now: Visions of Hell**," focusing on "The Painted Bird" by Jerzy Kosinski, and Hieronymus Bosch's painting, "The Garden of Earthly Delights."

November 14: "Tell It Like It Was," exploring early 20th century realists, the novelist Stephen Crane ("Maggie, Girl of the Streets") and the Group of Eight, known as the Ash Can Painters.

December 12: "Man and the Sea" pairing Joseph Conrad's "Typhoon" with J. W. Tuerner's painting "Rain, Steam and Speed."

PUT A DASH IN YOUR LIFE

Long Island State Park and Recreation Commission's General Manager, John G. Sheridan, has announced the Second Annual Sunken Meadow 15,000 Meter Run, co-sponsored by the Bank of New York, to take place Sunday, October 21 at Sunken Meadow State Park in Kings Park.

Registration will be on a first-come, first-served basis at Sunken Meadow State Park or by mail through the Long Island State Park and Recreation Commission Headquarters, Box 247, Babylon, New York, 11702. The entry fee for pre-entries, delivered by October 15 or postmarked by October 12, is $3.50 and entitles participants to a free race T-shirt. The fee for post entries, submitted by October 16-21 or postmarked after October 12, is $4.00.

The 15,000 Meter (9.3 mile) Run will begin at 10 A.M. on the park road at the east end at parking field 3. The first three finishers in each of the following divisions will receive trophies: Women's (12-17), (18-34), (35 and over), Men's (12-14), (15-18), (19-30), (31-40), (41-59), (60 and over). This event will take place rain or shine.

Where's Arthur

Law Student Division members, SBA presidents, and all interested law students are invited to attend the annual fall Round Tagble of their circuit. The fall Round Tables provide an opportunity for law students to discuss on a regional basis SBA activities, program ideas, and information, and the Law Student Division. The following list provides the dates and location for each Round Table. Please feel free to contact your Circuit Governor (listed below) for further information.

FIRST CIRCUIT: October 27, Cambridge, MA

Adrienne Lynch, Boston College Law School, 885 Centre Street, Newton Centre, MA 02159

Phone: 617-969-0100, ext. 4293

SECOND CIRCUIT: October 6, Manhattan, New York, NY

Michelle S. Babbitt, 80-25 Parsons Blvd., B-5, Jamaica, NY 11432

Phone: 212-591-0921

THIRD CIRCUIT: October 20-21, Newark, NJ

Carolyn Hawkins, 10 Hill St., Newark, NJ 07102.

Phone: 201-624–0332

FOURTH CIRCUIT: Date pending. Chapel Hill, NC

Phil Brown, P.O. Box 80693, Univ. of South Carolina, Columbia, SC 29225.

Phone: 803-777-8721

SCREAN

Are you, or is anyone you know, interested in getting involved with the University Senate? SCREAN periodically is requested to nominate members of the faculty, student body, and staff to serve as at-large senators on the University Senate. How about it? If interested (even just to find out more), just contact the University Senate Office, 303B Weller Hall, 560-3561.

Call or just stop in — Have a good year!

Open House

On Sunday, October 7, 1979, an open house was held for parents and spouses of Hofstra Law students. According to Dean Regan, the program was aimed at orienting parents and spouses of Hofstra Law students to the Law School. The Trial Advocacy Club put on a direct examination and cross examination demonstration. Refreshments were served.

FILM SERIES AT HOFSTRA'S EMILY LOWE GALLERY

Nine movies, spanning the decades from the thirties to sixties and representing the cinema of several nations, and discussions on various aspects of film-making, will be featured in the "Second Sunday Film Series," presented by Hofstra University's Emily Lowe Gallery.

Double features will alternate with film and speaker programs, and film greats like Eric Von Stroheim, Laurence Olivier, Woody Allen and Stanley Kubrick will be represented. Films will be shown at 8 p.m. in the Monroe Lecture Hall on California Avenue in Hempstead. Admission is $2, or $1 for students with I.D.

The first program on October 14 will feature **The Spiral Staircase** (1946), followed by a discussion on "Aspects of the Gothic Film" by Ray Schnitzer, host of WNYC's Nightmare County of Gothic Terror.

Additional programs are:

November 11, 1979

Buster Keaton's **The General** (1925)

Woody Allen's **What's Up Tiger Lily?** (1966)

Smile, Cheese!

Yearbook Photos are being taken on Oct. 22-Oct. 26, from 9 AM to 5 PM. Please sign up on sheets located on the first floor bulletin board.

Sign-up sheets for Yearbook Photos, located near the Dean's office, were **torn down.** Please re-sign on new sheets located on the first floor bulletin board.

Gripes Welcomed

If you have found any of Hofstra's rules, procedures or idiosyncrasies to be unfair or faulty you should know about the Student Academic Affairs Committee of the University Senate which, yes, welcomes complaints.

The committee works with the Dean of Students Office with the power and responsibility to make policy power recommendations to University officers regarding student related activities and services. A call to the University Senate office at **560-3561** assures your complaint the attention it deserves.

Appointments with the placement director are presently backlogged. Says Ms. Kennedy: "A high percentage of no-shows has greatly contributed to the problem."

Student Organizations Budget Allocations

	AMOUNT REQUESTED	AMOUNT RECEIVED
Agora	$1,312.00	$1,000.00
BALSA	3,905.00	3,000.00
CONSCIENCE	9,672.00	8,500.00
Hofstra Law Women	3,650.00	700.00
Trial Advocacy Club	2,800.00	2,000.00
Phi Alpha Delta	200.00	100.00
Pocket Part Yearbook	2,680.00	2,680.00
Hofstra Lawyers Guild		No Allocation, budget deferred
Equal Justice Foundation		No Allocation, budget deferred
Totals:	**$24,219.00**	**$17,980.00**

Ramp Progress

Completion of construction work that has made three more buildings on the Hofstra University campus accessible to disabled students, was marked on Thursday, Sept. 27 in special ceremonies.

With completion of the installation of the elevators, ramps and other special facilities in the buildings — Memorial, Phillips, and Hauser Halls — the Hofstra campus is now 95 percent accessible to disabled students, according to Mrs. Mimi Coleman, Vice Chairman of the University's Board of Trustees and Special Assistant to the President for the Disabled.

"Hofstra," Mrs. Coleman said, "is now within sight of the goal it set in 1963 — total accessibility of all its buildings for handicapped students. We hope that our campus will serve as a model for other colleges and universities to emulate. We are achieving our goal thanks to the generosity of many individuals and private philanthropic foundations whose support supplemented the limited financial resources of the university. Completion of the work on the three buildings today was made possible by two grants — $150,000 from the Kresge Foundation and $40,000 from the Charles Hayden Foundation."

Dr. James M. Shuart, Hofstra's President, said that the University will seek additional funds in the near future to make three remaining buildings accessible to disabled students. Forty-one buildings on its 238-acre campus are now accessible.

"Hofstra began its program for the higher education of the disabled," said President Shuart, "more than a decade before the federal government ruled that it was mandatory for colleges and universities to accommodate the disabled. Our commitment has been a strong one and I am pleased to reaffirm our intention to work toward the day wnen our campus will be 100 percent accessible to the disabled.

To date, our program for the disabled has enrolled more than 1,200 young men and women with physical handicaps who otherwise might not have been able to pursue a university education. All of them had to meet the same academic requirements as our other students. Each had high motivation and an admirable determination to overcome obstacles."

In addition to elevators and ramps, Hofstra has added such physical aids to its buildings as wider doorways, and lowered telephones and water fountains. Special facilities have been added to the University's residence halls to enable disabled students to live on campus.

"We believe," President Shuart stated, "that disabled students who have the academic qualifications and the will to succeed, should have the opportunities that are available in higher education for the non-disabled. Not too long ago, that belief was considered a radical one. But our experience has verified that it is the right course to follow.

It is very heartening to see the evidence. I particularly recall a blind student who became the engineer of our campus radio station; another who, though blind, worked in our child care center and recently walked across the stage at Commencement with her seeing-eye dog; and a third student who went to Hofstra in a wheelchair for his B.A., and M.A. and is now Coordinator of the Nassau County Office for the Physically Disabled."

The Sept. 27 ceremonies, attended by students, faculty, and special guests, was held in front of Hauser Hall on Hofstra's South Campus.

Active Printers

100 Resumes Printed
Camera Ready—$3.50

234 Front Street
Hempstead, N.Y.
481-9710

DEAN DOINGS

by Kenneth Mollins

After two Dean's hours in as many weeks, Dean Regan has begun to take a strong stand on some of the issues that have been troubling students. In a fiery letter to James Fellman, the Executive Director of Operational Services, the Dean invited him to come before the students in an open forum and discuss the negative responses to the Dean's pleas to improve parking. The letter included the fact that law students pay the "highest tuition" and have "heavy books to carry an inordinate distance." The letter spoke of the University's unwillingness to deal with the parking problems at the Law School and with the lack of communication between the Law School and university communities. The tone of the letter was somber and did a good job of showing the irate feelings of the Dean and the frustrations of the students regarding the matter. When he contacted the Dean, Mr. Fellman indicated that he was upset at having received a letter from the Dean of the Law School with such intonations. Mr. Fellman did not wish to address the law students.

The Dean had also conferred with President Shuart regarding parking, and the day after the letter to Mr. Fellman was delivered, Shuart and Fellman did a walking tour of the parking lot outside of the law school. Following this tour, Dean Regan had lunch with Fellman so that the concerns of the students would not become history. As a result of that meeting, the Dean appeared optimistic that something was going to be done regarding the parking situation. Good news with respect to parking is now reported in this issue of CONSCIENCE by Glen Wolther, chairman of the parking committee.

Dean Reagan has also tried to open up the heavily congested lines of communication between himself and the students. He has met and conferred with the student representatives on many issues of concern to the students. The Dean has also filled the position of Assistant Dean that was vacated by Hillary Fuhrman - the new head of the tax clinic. The new Assistant Dean is Sherry J. Friedman who comes to Hofstra Law School from Pace University Graduate School of Business where she served as Admissions Counselor, Assistant to the Dean, Associate Director of Graduate Admissions and, most recently, as director of Graduate Admissions for the Westchester Campuses. Ms. Friedman has said that she and Dean Regan have formed a "Deans Team" which will work together to serve the interests of the law school community. Among some of the many concerns of the new Assistant Dean are all non-academic student problems, special events, public relations, student recruitment, fund raising and publications. In December she will become the new financial aid officer.

Assistant Dean Friedman is dedicated, concerned, energetic and available to assist students in problems that may arise. Her office is room 222, and she feels that she can function as a direct line to the Dean in matters that must be brought to his attention quickly.

Dean Regan feels that now that the student government is strong, his new assistant and associate deans are working with him, and that since his channels of communication to the students are open, he can continue to deal directly with the major problems of the students and not be tied down with lesser concerns.

Clean Writing

WASHINGTON, D.C. Sept. 27 — The American Bar Association's Standing Committee on Environmental Law today announced sponsorship of the 1980 Environmental Law Essay Contest for law students.

The winner will receive a $500 cash award and a certificate at the Ninth Annual Conference on the Environment.

The general subject area for the 1980 contest is "Opportunities for Enhancing Public Benefit from Private Land." The following topics indicate the types of papers the Committee would like to receive, but by no means should papers be limited to these topics:

1. Consensual public use agreements between private landowners and responsible non-governmental organizations.
2. The role of federal, state and local governments, in providing financial incentives or in-kind services (e.g., turnstiles, snow fencing, general upkeep, stream maintenance, etc.)
3. Third-party management of private leases for public use (e.g., Applachian Trail Conference, English Nature Conservancy).
4. Comparative analysis of international approaches.
5. Organizing and operating a neighborhood trust.
6. Community stewardship of unused urban property.
7. Protecting the cooperative landowners (e.g., limiting liability, preserving private rights from proscription, restricting the kind and times of access, etc.)
8. The use of leaseback arrangements, letters of agreement, or easements and restrictive and affirmative covenants to secure public enjoyment of private land.

Essays will be judged by a committee appointed by the chair of the ABA Standing Committee. Emphasis will be placed on originality, quality of research, and clarity of style.

The contest is open to all students enrolled in ABA accredited law schools. Entrants should type their name, school, home address and telephone number at the lower right hand corner of the cover sheet.

Two copies of the essay should be mailed to the ABA Environmental Law Essay Contest, 1800 M Street, N.W., Washington, D.C. 20036. These should be in the mail on or before February 1, 1980.

For further information please contact Kate Sullivan. Write ABA Environmental Essay Contest at the above address.

PIP
(Postal Instant Printing)
366 Fulton Avenue
Hempstead
489-6667
IBM Photocopies 6c
10 Per Cent Discount on All Printing for Students with ID.

Student Reps

by Sal Russo

On August 28, 1979 the 1979-80 Hofstra Law School Student Council met for the first time. Since that date its members have dedicated many hours to working on student matters. They have met for five Council meetings, two faculty meetings, and a private meeting with the Dean.

The Student Representatives are anxious to maintain an open line of communication between them and their constituency. Student Council meetings are open to the law school community, and are generally held on Tuesdays at 4:00 o'clock in room 227 of the Law School. Minutes of the meetings are posted for the students on the bulletin board on the main floor of the Law School. Students who wish to communicate with Student Council members may leave a message in the Student Council mailbox located in the Admission's Office on the main floor of the Law School. In addition, Student Council members are easily accessible to students during the school day. They invite students to discuss student matters with them. The members of the Student Council are:

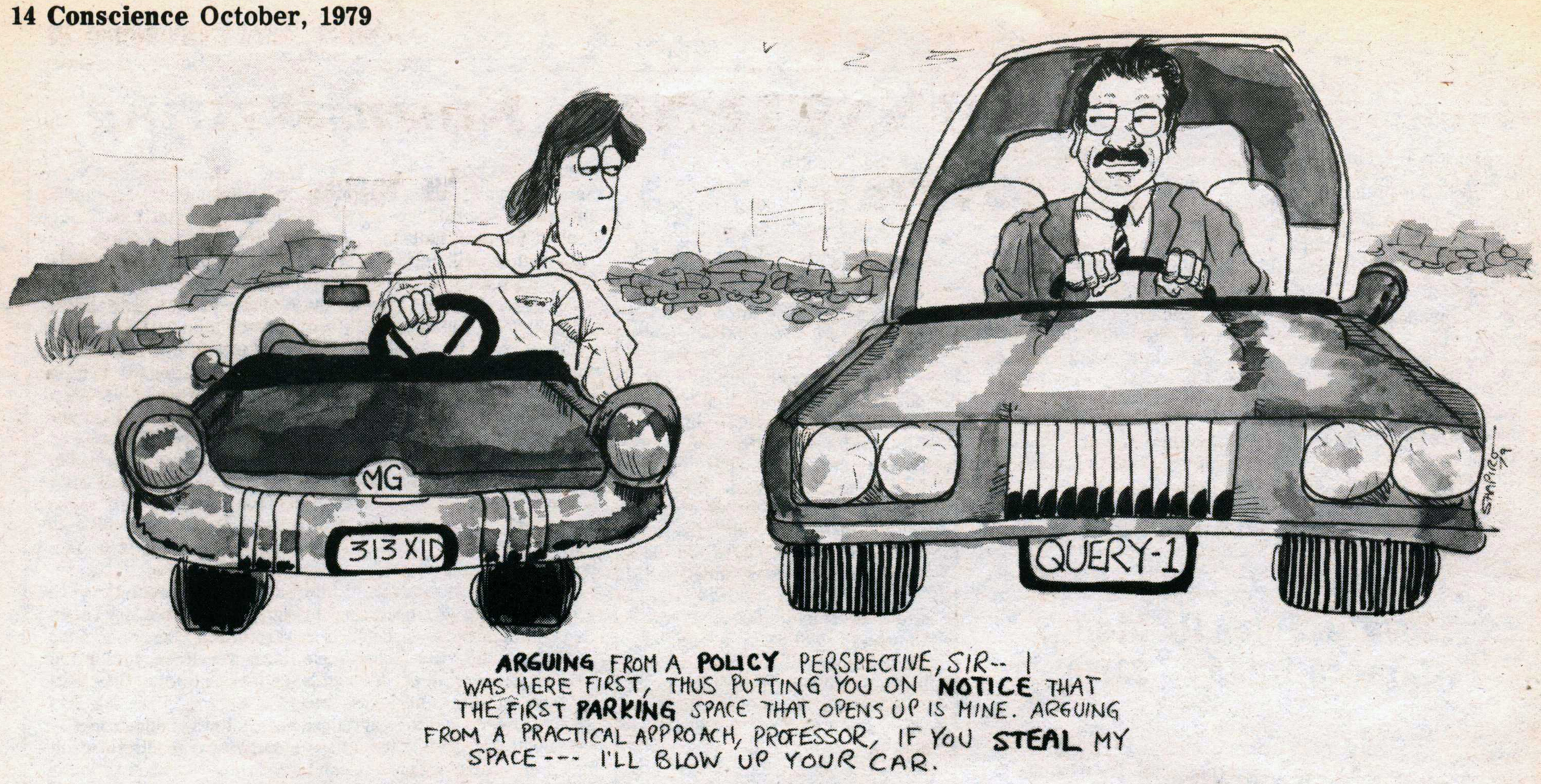
Third year representatives: Charles Walker, Debra Wallerstein. Second year representatives: Sal Russo, Nancy Tegtmeier. Representative-at-large: Allan Brenner.

Thus far, the Student Representatives have vigorously spoken out against the unannounced tuition increase, the dismal parking situation, and the discriminatory practices against the law students by the University.

Additionally, the Student Council has allocated the following sums to Student Organizations:

Agora	$1,000
Black American Law Students Assoc.	3,000
Conscience	8,500
Hofstra Law Women	700
Trial Advocacy Club	2,000
Phi Alpha Delta (PAD)	100
Pocket Part (yearbook)	2,680

Finally, a new institution has been established by the 1979-80 Student Council, the "Monthly Dean's Meeting." Each month Student Representatives will meet with the Dean to discuss relevant matters concerning the Law School.



Nuclear Energy; Opposition Grows...

(Continued from page 6)

New Meltdown Possibility

Three Mile Island has not been the only industry related nuclear accident. Mishaps seem to happen all the time. Yet the accident at the Three Mile plant was the worst to date, and provided many startling revelations about how things can unexpectedly go wrong. Example—Until the accident occured, nuclear engineers were unaware of, in fact, had never heard of, a "bubble" developing inside a reactor core. A "bubble" has the effect of forcing the coolant water down below the top of the intensively heating rods within the core. This is an occurrence most feared in the business because shortly after the water drops, the rods begin to overheat, causing them to *melt down.* At Three Mile Island eight million or so uranium pellets would have been released and fallen to the bottom of the reactor cavity, creating a heap of radioactive tonnage on the reactor floor. If the reactor core was further emptied of coolant water, this tonnage would fuse and perpetuate enormous temperatures. Ultimately the heap would sink through the reactor building foundation and into the ground—endangering all life in the area, for perhaps 500,000 years. At Three Mile Island, the rods within the reactor core began to melt down. Uranium pellets began dropping from the rods to the reactor floor. Coolant water (carrying the danger of radioactive contamination) was leaking out from the reactor. Engineers did not know how to deal with the "bubble" and feared an explosion which might crack the entire core. (One explosion actually did occur but was contained by the core walls.) Reading accounts of engineer confusion as to how best deal with the bubble reveal that a substantial element of *luck* was present in avoiding a tragic disaster in Harrisburg. Princeton nuclear experts have estimated that, had total meltdown occurred, up to 23,000 delayed cancer deaths and contamination of 1,400 square miles for approximately 40 years would have resulted. The irony in these figures, however, is that had the accident been with Unit 1, rather than Unit 2 in which it occurred, the damage figures would have been considerably higher — up to 60,000 delayed cancer deaths, contaminating a 5,300 square mile region of land. But *luckily,* since Unit 2 had been in operation *only three months* before the accident occurred, it had not built up within its core the intensity of radioactivity similar to its twin reactor, Unit 1 (in operation for a longer period of time).

Additional information as to what the effects would have been had there been a total meltdown at Three Mile Island was given recently by Helen Caldicott reading a report of the E.P.A. to a group of Harrisburg residents:

"Out of a predicted 10 million people who would be exposed to radiation there would be 3,300 prompt fatalities; 45,000 cases of respiratory impairment and burning of the lungs; 240,000 cases of thyroid damage; 350,000 cases of temporary sterility in males; 40,000 to 100,000 cases of prolonged or permanent suppression of menstruation in women; 10,000 to 100,000 cases of acute radiation illness."

Caldicott is further quoted, stating: "As for babies in uterus: 100,000 of them would be exposed. All of them could develop cretinism. Fifteen years after the event, we could expect 270,000 cases of cancer and 28,800 thyroid tumors and 5,100 genetic diseases. That adds up to nearly one million so-called **health defects."**

The manufacturers of the Three Mile plant, Babock and Wilcox, are also creators of eight other operating reactors to date. At Thee Mile Island, 35 violations of federal standards were cited, some of them directly related to the accident, which was, contrary to some reports, far from completely human error. Emergency systems failed to function properly. Valves which were supposed to close at crucial times remained in open position, and various other malfunctions developed, possibly due to the extreme heat generated. The manufacturers, in their proposal, had previously "billed" the plant as having the fewest risks when compared to all other reactors in operation or under construction.

Meanwhile, the N.R.C., prior to the Harrisburg incident, ordered five nuclear plants to close down for insufficient analysis of the plant's ability to withstand earthquakes. An "incorrect feed" into the computers of designers Stone and Webster of Boston, had resulted in the use of piping in the plants **cooling system** which did not meet proper standards. Stone and Webster are also the architects and designers for the Shoreham power plant in Suffolk County. Reports have it that records of hundreds of deficiencies were uncovered at Shoreham, including problems from untested welds to missing pipe supports, and severed reinforcing bars. While projected costs for the Shoreham plant were initially an approximated $3,250,000, the costs now projected through 1981 for completion, are up to 1.5 billion dollars. With the continual discovery of defects, this figure is bound to rise. At the June 3 rally in Shoreham, one speaker who had seen a number of intra-office memoranda, analogized the building of the Shoreham plant to a construction project attempted by the Three Stooges.

Thus we turn to the question which **Ralph Nader asked over 200,000 persons at** the September 23 demonstration at Battery Park, New York City: Would you want a nuclear power plant in your neighborhood? Notwithstanding your answer to this question, most of us living in the metropolitan vicinity are within the scope of destruction of three sets of power plants; Indian Point in Westchester (presently operating), Jamesport in Nassau County (projected); and Shoreham in Suffolk County (projected). The actual damage capacity? Obviously great, further exacerbated by the fact that the only evacuation route is toward New York City. How many persons would be affected in the event of a serious mishap? Similar to the potential scope of damage had the Three Mile Island plant melted down, sometimes the answer simply depends on which way the wind happens to be blowing.

Continuing Nightmare

Fires as well as other "incidents" at nuclear plants have been occurring on a regular basis throughout the country, during the relatively short time in which "popularity" for their use has grown. A *Nation* magazine editorial recently recalled that a 1975 fire at the Browns Ferry plant in Alabama crippled its emergency systems, and a 1966 partial meltdown of the nuclear fuel core occurred at the Enrico Fermi plant near Detroit. The editorial appropriately described the pursuit of commercial uses of nuclear energy as *flirting with nuclear catastrophe.* Yet, the nuclear industry has built up momentum by which it seeks to construct twice as many power plants over the next five years as are presently in operation. We may have to face the stark reality that billions upon billions of dollars may not speak the truth as to safety; and that the capital forces of the nuclear industry may bring unconscionable risks and daily destruction to us, as well as future generations.

Many in this country are responding. An overwhelming cry, heard by organizations (perhaps by an entire movement), has been met with such callous resistance by our political leaders that renewed fervor opposing the two-party system is setting in. A Citizens Committee has been formed which is presently working towards the creation of a Citizens Party as an alternative to the Democratic and Republican parties. They seek to bring together massive numbers of presently dormant votes and at the same time, utilize the resources of capable and influential recording artists, activists, scientists and environmentalists. With the help of persons such as Ralph Nader, Jane Fonda, various activists and organizations (such as the Musicians United for a Safe Environment—M.U.S.E., and such notable performers as Jackson Browne, Bonnie Raitt, John Hall, Graham Nash, James Taylor, Bruce Springsteen, and others), anti-nuclear forces are beginning to generate large revenues and are turning out increasing numbers of sympathizers against nuclear energy, while simultaneously pressing for a political alternative. Anti-nuclear organizations have also sprung up wherever nuclear plants are found, while the movement continues to draw upon environmentalists, scientists, and various other types from all sectors of society. Other organizations involved in this movement include the Pacific Alliance, Friends of Earth, the Black Hills Alliance, the Clamshell Alliance, the Vanguard Foundation, the Nuclear Information Resource Service, Critical Mass, the Citizens Energy Project, the Coalition for Direct Action at Seabrook (a splinter group of the Clamshell Alliance which organized the Oct. 6 civil disobedience action), Sound-Hudson Against Atomic Development (the S.H.A.D. Alliance), and the Rocky Flats Action Group, to name a few.

In addition, a movement to repeal the Price-Anderson Act, which limits the liability of the nuclear power industry along with government idemnification in the event of an accident, is being organized from headquarters in New York and New Jersey under the names of the New York, and the New Jersey Campaign to Repeal Price-Anderson. The Markey Amendment, to be voted on in the next two weeks, calls for a moratorium on Nuclear Regulatory Commission spending insofar as its function is issuing operating permits to nuclear power plants. The amendment calls for hearings by which members of Congress can directly familiarize themselves with various aspects of nuclear power. Markey's office states that this is not a pro-nuke or anti-nuke bill, but one calling for safety, by which, through Congressional hearings, members of Congress will take the time to learn about different types of reactor plants and develop a working knowledge of the subject.

Locally, a Civil Disobedience Lock-Out is scheduled at the New York Stock Exchange for October 29, for which non-violence training is required. The action is being sponsored by the S.H.A.D. Alliance, N.Y.C. and the Clamshell Alliance, N.H., which endeavors to close down the market on the 50th anniversary of its crash. A "Legal Rally" is to be held on October 28 at 12 noon, in front of the World Trade Center in New York City, which is expected to include both speakers and entertainment.

Weber...

(Continued from page 11)

preferred b: the power or opportunity of choosing 2: one that is preferred 3: the act, fact, or principle of giving advantages to some over others 4: priority in the right to demand and receive satisfaction of an obligation syn. see CHOICE
preferential - adj - 1: showing preference (received - treatment) 2: employing or creating a preference in trade relations 3: designed to permit expression of preference among candidates (a - primary) 4: giving preference esp. in hiring to union members (a - shop) - preferentially - adv.

BLACK-S LAW DICTIONARY

equal - alike; uniform; on the same plane or level with respect to efficiency, worth, value, amount, or rights. **People v. Hoffman,** 116 Ill. 587, 5 NE 600, 56 Am. Rep. 793.

---

equitable - just; comformable to principles of justice and right. Just, fair and right, in consideration of the facts and circumstances of the individual case. Existing in equity; available or sustainable only in equity, or only upon the rules and principles of equity. As to "Fair and Equitable Value," see that title. As to equitable "Assets," "Construction," "Conversion," "Easement," "Ejectment," "Estate," "Garnishment," "Levy," "Mortgage," "Title," and "Waste." see those titles.

---

legal - *1.* conforming to the law; according to law; required or permitted by law; not forbidden or discountenanced by law; good and effectual in law. **Freeman v. Fowler Packing Co.,** 135 Kan. 378, 11 P. 2d 276, 277; **General Motors Acceptance Corp., v. Schwartz,** 118 NJL 25 190 A. 625, 627. 2: Proper or sufficient to be recognized by the law; cognizable in the courts; competent or adequate to fulfill the requirements of the law. 3: Cognizable in courts of law, as distinguished from courts of equity; construed or governed by the rules and principles of law, in contradistinction to rules of equity. 4: posited by the courts as the inference or imputation of the law as a matter of construction rather than established by actual proof; e.g. legal malice. See Lawful. 5: created by law. **De Vita v. Pianisani,** 137 Misc. 611, 217 NYS 438, 440.

---

prefer - to bring before: to prosecute; to try; to proceed with. Thus, preferring an indictment signifies prosecuting or trying an indictment. To give advantage, priority, or privilege; to select for payment as to prefer one creditor over others.

---

preference - the paying or securing to one or more of his creditors, by an insolvent debtor, the whole or a part of their claim to the exclusion of the rest. The act of an insolvent debtor who, in distributing his property or in assigning it for the benefit of his creditors, pays or secures to one or more creditors the full amount of their claims or a larger amount than they would be entitled to receive on a pro rata distribution. **Citizens' State Bank of Chautuagua v. Fist Nat. Bank of Sedan,** 98 Kan. 109, 157 P. 392, 394 L.R.A. 1917A. 696. **Jackson v. Coons,** 285 Ky. 145, 146 S.W. 2d 45, 47, 132 A.L.R. 1403. It imports the relation of existing creditors having equal equities at the time of the transfer whereby the rights of one are advanced over those of another. **Adams v. City Bank & Trust Co., of Macon, Ga.** CCa. GA., 115 F.2d 453, 454.

Each speculative argument and possible holding the judiciary could render has simply been transferred to the legislative arena. If we act immediately we can preempt the "preferential" construction of the argument. In addition to a concerted lobbying effort beginning now, a multimedia repudiation of the "preferential" construction of remedies designed to achieve relative statistical parity, would be our best insurance against winning this battle and losing the war.

CONSCIENCE *Sports*

Flames Flair

by Corey Bearak

Middle Linebacker Jeff Greenberg intercepted three passes and achieved two run backs for touchdowns, leading the Hofstra Law School Flames to a 20-0 victory against the Flying Enchiladas in the opening game of the Hofstra University Independent Intramural Flag Football League. The Enchiladas offense was pressured all game by the Flames' defensive line — alternating Corey Bearak, Richard Olicker, George Rebecchi, and Charles Walker who harried the opposition Quarterback into throwing five interceptions. Walker sacked the Passer four times as the Flames reached the Q.B. on every down. Safety Joe Brookings picked off one pass, and deflected several others; Alan Berkun intercepted one other pass. The Flames offense had only two first half series and failed to score after driving into Enchiladan territory. In their first series of the second half, the Flames offense clicked as QB Russ Coniglio rolled left and then passed to a wide open Peter Tipograf in the end zone. An additional score; a quarterback draw by Coniglio, was called back for illegal procedure (flag in the runner's jersey).

The Flames are rejuvenated this year by several new players. Standout Rookies include QB Coniglio, WR Peter "Reggie" Reucker, MLB-OG Greenberg and Lineman extraordinaire Rebecchi. Captain Corey Bearak and his assistant in charge of player development, Bob Schaufeld, recruited heavily among first and second year students. Captain Bearak thinks his team has the depth necessary to make a serious challenge for the championship. Returning vets include Bearak, Assistant Captain Joe Brookings, Ken Henrie, Peter Tipograf, who sat out last season with an injury and Charles Walker. This season, Bearak enjoys the luxury of three excellent passers — Brookings, Coniglio and Rebecchi, as well as an abundance of good receivers with newcomers Steve Certilman, Bruce Gurewitz and Alan Berkun playing effectively.

FLAMETHROWERS . . . Bearak played with Coniglio on two powerhouse Essex House Fraternity teams in the 1975 and 1976 Hofstra Intramurals. Reucker and Rebecchi played with Bearak in 1973 on a Floral Park based football team.

LATE SCORE: OCT. 18

Flames beat previously unbeaten Floor 5, 13-6. The win puts the Law School's only intramural entry in a first place tie with Floor 5 and Joint Effort, each with 3 wins and 1 loss.

No Names Burnt

by Corey Bearak

On the strength of Joe Brooking's passing and Russ Coniglio's pushing, the Law School Flames romped over the No-Names, 65-14 in a Hofstra Independent Intramural Flag Football League game. Brookings passed 9 times, completing 7, 5 for touchdowns; he also rushed for one score.

Coniglio rushed for over 180 yards and 2 TD's and returned an interception and a kickoff for 2 more scores.

It took three games for the Flames to generate an offense. They won their first game 20-0 on the strength of their defense, but lost the next game against Joint Effort 20-7 on kick and interception returns. The change to some offense in the Flames' attack was necessary. The ground game was emphasized, and as a result the opposing defense was forced to give up the pass in order to defend the run. The Flames have a good running attack but showed more passing their first two games. Joe Brookings, Assistant Captain and Wide Receiver, returned to Quarterback where he started all last season; QB Russ Coniglio has become a Running Back; and Charles Walker shifted from the Backfield to Tight End.

The new strategy proved successful. On the first play from scrimmage, Coniglio took a pitchout from Brookings and, freed by T-Bone Tannenbaum's block, scampered down the right sideline for the score. After holding the No-Names on their first offensive series, the Flames came back with the same play but Coniglio was caught inside the one yard line. Brookings sneaked across the goal for a touchdown. Coniglio picked off a No-Names pass and returned it for seven points. On the Flames next set of downs, Brookings passed to Peter Tipograf for six more points. After the No-Names scored on a misdirection run, Coniglio returned the ensuing kickoff for a TD. The half ended with Tipograf catching a square-out and slipping by two No-Names for the score.

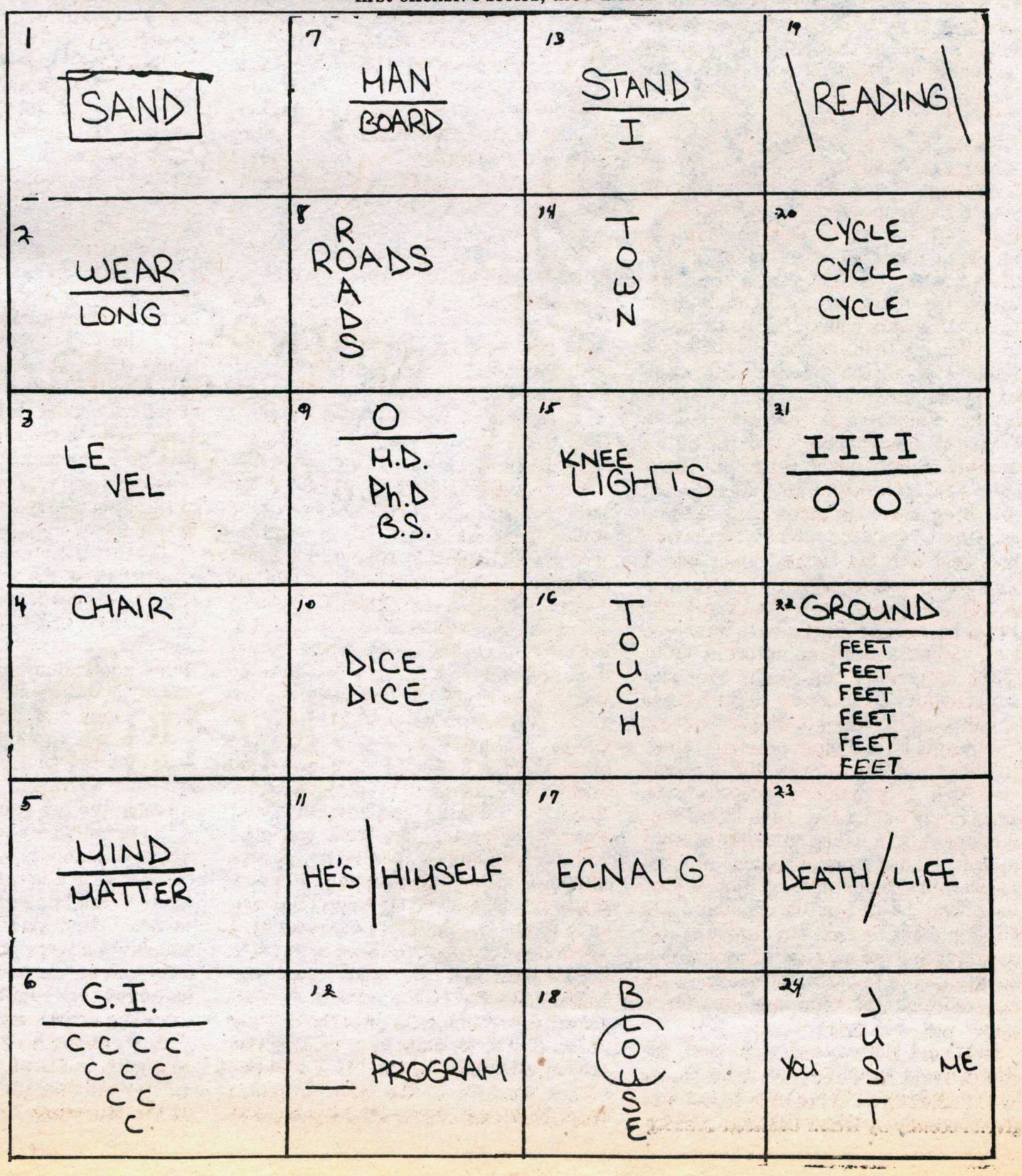
The Flames scored 4 times in the second half. Brookings threw twice to Harold Woods and once more to Tipograf for TD's. Coniglio rushed for the final Flames score. The Flames defense, though overshadowed by the offense, was true to form in holding the No-Names to 14 points and pressuring the opposing passer into three interceptions — one each by Brookings, Coniglio and Bruce Gurewitz. Charles Walker had 4 sacks, and Captain Corey Bearak added two more.

FLAMESTHROWERS . . . Veteran Ken Henrie, just off the disabled list, did not play due to the weather. George Rebecchi, Steven Certilman, Jerome Reide, Jeff Greenberg, and Peter Reucker also could not play, leaving the Flames with only 9 healthy players to fill seven positions. Lacy Johnson filled in admirably for Greenberg at Middle linebacker. The Flames play again on Thursday, October 25 at 3:45 p.m. Spectators are encouraged to attend both contests.

SAND BOX

by Kenneth Mollins

Try and determine a common word or phrase from the relationships of the words on the page. Sample answer: 1. Sand box. Answers - page 6.



Submission of Articles Welcomed by Conscience.

Next Deadline: November 5th.

EARLY ENROLLMENT DISCOUNT

SAVE $100.

When you register early for BAR/BRI's 1980 **New York** or **Massachusetts** Bar Review.
You get your materials—NOW
Your "early bird" lectures—NOW
And the nation's largest and most successful bar review course
and you save $100.00
off the current course price.

Representatives:
Don Citak
Merrie Frankel
Rona Klein
Robert Komitor
Stephie McEviley
Vic Rojas
Melinda Singer

REMEMBER:
The last day to save $100.00 off the price of your course is

October 25th

barbri

401 Seventh Avenue, Suite 62
New York, New York 10001
212/594-3696

29 Commonwealth Avenue
Boston, Massachusetts 02116
617/261-2430

© 1979 BAR BRI