

conscience

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October, 1980

Bring Back CPLR! Say Students And Alumni

LETTER FROM AN ALUMNUS

Dear Editor,

I am not normally a very energetic type, especially when it comes to writing a letter to the editor, but I have been so affected by the recent faculty stand on the New York Practice course that I have assigned myself this mission to bitch.

As an alumnus of this glorious prefab drab school, I have had the last four months to remove myself painlessly. My new perspective has freed me to reflect more objectively on the Hofstra Law School experience. I had a good time and I learned some law, but academically there were very few highlights for me. Twerski was great, Gans was terrific, but the best course I took at Hofstra was—guess what! That's right. Siegel's New York Practice course. Why? I could feel how important it was. It gave us the whole kit and kaboodle. And Siegel made it live, with his ability to illustrate the CPLR, his brilliant insight into the underpinnings of each rule we learned, and his charming anecdotes. He had a "never-say-die" attitude about understanding the law and he passed this on to his students. Often, I would have a question about the interplay of a couple of rules, and come to class, and I would find that he himself had the same question, and he answered it!

And compared to that fog known as Civil Procedure in year one, it was like the Yanks against the Mets, no contest. I finally understood personal, quasi-in-rem, the long arm statute, and how these concepts interact, and how they live in the New York Practice of law. And I realized how little I had known after my first year of Procedure (although I had an inkling as to my ignorance after taking the Civil Procedure exam in year one, regardless of my passing the dumb course with flying colors).

(Continued on page 6)

by Corey B. Bearak

Armed with the arguments and opinions of the students they represent, the Student Reps proposed that the faculty approve a CPLR course for credit at the October 2nd faculty meeting. The Student Reps were unsure of whether that proposal would pass. They were more optimistic about the chances for a CPLR course for no credit. According to Third year Rep Ken Mollins, each student rep (Eddie Geller, Sal Pontillo, Sal Russo, Brian T. Tananbaum and Mollins) strongly lobbied each faculty member to vote for a CPLR course. Prior to the meeting, Mollins was certain that the faculty would approve the course for no credit. The faculty, however, turned the proposal down. Professor Adamski, Agata, Bohrer, Diamond, Gans, Gregory, Kadane, Lane, Ordovery and Rabinowitz and Deans Regan and Resnick voted against offering a CPLR course for no credit. Professors Champlin and Posin voted affirmatively and Professor Wypyski abstained.

Six days later, the students met to decide what action, if any, to take in light of the faculty's decision. There the student reps gave their view: "We feel (that) there is no way that the faculty will, at this point, approve a CPLR course," Mollins stated. Several Students suggested that the lack of a CPLR course would hurt their job prospects. Students discussed various alternatives ranging from student activity money funding a course for no credit, to withholding tuition and a one-day student strike of classes. Other alternatives suggested contacting Law School alumni for political and financial help in getting a CPLR course at Hofstra, current students, pledging as future alumni, not to

donate money to Hofstra Law School, and petitions.

Sentiment for the course runs high among students. One student commented: "The CPLR course is indispensable. We fought for it for years; there is no reason for it (the faculty decision). They (the faculty) finally offered it with a good teacher and they make their judgment without waiting for the results of the Bar Exam." Another student offered a question: "Should the faculty have 100 percent control of law school curriculum?"

As an outgrowth of that meeting, the students have formed a committee composed of students Linda Ashley, Alan Blum, Debbie Friedman, Aaron Lebenger, Randi Pincus, Sal Pontillo, Sal Russo, Harriet Steinberg, and Alan Zelikovic to consider the above and other alternatives. The committee is currently distributing a petition "demanding the teaching of a New York Civil Practice Course on a permanent basis at Hofstra Law School, commencing in the spring semester for the academic year 1980-81" and believes "that this course is essential" because:

1. Hofstra Law School students and graduates are at a disadvantage in obtaining part- and full-time legal employment because of their lack of knowledge of New York Procedure.
2. Students at Hofstra Law School are at a distinct competitive disadvantage in preparing for the bar exam as New York procedure is taught at virtually all other New York law schools (national and otherwise).
3. The curriculum of this school should reflect and serve the reasonable needs and desires of its students.

MEETING TO DISCUSS N.Y. PROCEDURE COURSE

Wednesday, October 22

12:00 Noon

Room 308

All those interested in reinstating the N.Y. Procedure Course, please come. At this meeting we will determine our course of action. Your presence is crucial!

PRESIDENT CARTER HOLDS "TOWN HALL" AT HOFSTRA

by Suzy Mandel

President Jimmy Carter came to Hofstra, Thursday, October 16, 1980, hoping to bolster his chances for re-election. Unlike the overcrowded rally nearly four years ago, the President held a question and answer session with 12 of the over 3,000 constituents who by the draw of the lottery were able to see the American chief of state.

A restrained but somewhat cheerful crowd met the President at Hofstra's Physical Fitness Center. Mr. Carter greeted the crowd with "the most important thing is that we keep the Stanley Cup" on Long Island, and then talked of his efforts regarding the threat of pollutants and his concern about property taxes as they effect Long Island.

The President reviewed the economic import of Long Island—he said that Nassau and

Suffolk together comprised one of the ten most important communities in America. Seventy-five percent of the people who live here work here. He speculated that if Nassau and Suffolk comprised a state, their combined retail sales would be greater than half the states in the U.S.

Touching on the primary local concern, water pollution, Mr. Carter stated the water quality is "safe now," and that he is sending direct technical assistance to identify the sources of pollution. He also proposed a "Super Fund" bill to identify dangerous chemicals and get fees from an insurance fund to serve the chemical industries, to pay compensation to reverse contamination.

Mr. Carter reiterated his standard lines supporting national health insurance,

welfare reform, and aid to mass transit; he pointed to contrary Reagan positions on these matters.

The President criticized Mr. Reagan's income tax reform proposals, saying they will place an exorbitant burden on state and local governments. He noted that Nassau property taxes are already the highest in the nation, and if they have to pick up the "slag" the federal government now bears in such areas as welfare subsidies, property taxes will have to increase by as much as 50 percent.

Boos greeted Mr. Carter's less than heartening response in support of a united Jerusalem under Israeli rule, as well as an answer regarding the deteriorating state of the economy. Nevertheless, Mr. Carter always reacted with aplomb and confidence, each

time swaying the audience to his side through skillful maneuvering (at one point he was asked how to enter politics, to which he responded by whipping off his jacket, swaggering to the mike, and said, "Become a Democrat." Later, the President said there is a place for Republicans—"second place.")

Mr. Carter ended his speech ridiculing Mr. Reagan's SALT proposals. The Commander in Chief said we can't expect to ask for better nuclear superiority and expect the U.S.S.R. to agree.

He harped on the fact that Mr. Reagan has continuously proposed military responses to various world situations. The President charged Mr. Reagan has recommended our military presence in Ecuador, North Korea, Syria, Pakistan, and Angola among others; that Mr.

Reagan wanted to respond to Afghanistan by boycotting Cuba.

The following paraphrases the questions and gives the President's responses to each: Q: At present, the costs of education are quite high. What will happen if costs keep rising? Especially, how will it affect Blacks?

Mr. Carter: "The federal government should not interfere with running local school programs, but should contribute money to support education. Since being elected, I have increased by 73 percent the money allocated to local schools.

"Today, no one who is academically qualified is deprived of an education because his family is poor, or due to his economic circumstances."

(Continued on page 5)

STUDENT GROUPS

Democrats The Best Bet



Karen Burstein, Democratic candidate for Congress from the 5th District spoke to Hofstra Law Students on Wednesday, October 15, 1980 in the Moot Courtroom. The event was sponsored by B.A.L.S.A. and the Democratic Law Students Organization.

Now that Election Day is less than a month away, I felt that it would be appropriate to discuss some aspects of the political choices facing the electorate this fall. One factor that is somewhat unusual this year is the presence of a significant third-party candidate for the President's job. As the recent Carter-Mondale advertisements suggest, it is quite likely that Mr. Anderson will drain a highly disproportionate number of votes away from the Democratic ticket. Unfortunately (but necessarily) this increases the likelihood that Mr. Reagan will be our next President, very probably obtaining a bare plurality of the votes cast.

What is the motive of those who would vote for Mr. Anderson? Is it a decision to vote

for the best candidate of the three or an attempt to register a profound objection to the candidates of the traditional party machines? Whatever the motivation for such a choice, the effect will be that many progressive people in this country will be helping to place a figure resembling Orwell's Big Brother at the helm of this country. That prospect is not at all easy for me to digest.

Well, what of Mr. Carter's record? There are some good points, such as the number of women and minorities appointed to federal judgeships and other appointments in the federal government. The judicial ap-

pointments are more meaningful, as they are lifetime appointments, and thus the impact will be felt down the road. It's unfortunate that a vacancy has not been created on the Supreme Court during Mr. Carter's term. Mr. Carter's Camp David Summit was a historical breakthrough of major significance, although the accord's provisions are far from implemented. Furthermore, Mr. Carter's stance on human rights in the international sphere should be a source of pride for a people who have made such rights so important domestically.

Although the economic picture

has not been tremendously encouraging, it should be remembered that the price of petroleum has doubled since Mr. Carter took office. If America's industry captains were really on their toes, and thus legitimate in their present protestations about the state of the economy, it would not have taken Detroit so long to retool for the small car of the '80's. Productivity would not be falling to such as embarrassing an unforgivable low.



Liz Holtzman, one of the Democrats.

However, assigning fault is not a helpful pursuit. For this writer, the Democratic candidates, Carter, Holtzman, Burstein and Washington, are the people whose vision and values are more closely aligned with a safe and prosperous future.

Lacy C. Johnson
BALSA President

(This guy knows what he's talking about!—Ed.)

BALSA Plans Law Day

by Jerome Reid,
National B.A.L.S.A.
Press Secretary

B.A.L.S.A. (Black American Law Students Association, Inc.), is committed to the recruitment of more minority students into the legal profession because black lawyers comprise a disproportionate two percent of the lawyers in the United States. B.A.L.S.A. is seeking to answer the need for comprehensive recruitment, in order to increase the admission of blacks to law schools, by sponsoring "Law Day."

On "Law Day" recruiters from law schools are invited to speak with minority students interested in attending law school. Our efforts have helped to double the number of blacks enrolled in

accredited law schools. In 1969, there were 2,128 black law students in the U.S. By 1978, there were 5,304.

In the Northeast, B.A.L.S.A. has organized three Law Days for 1980. The New York Metropolitan area Law Day was held at New York Law School, 57 Worth Street, New York on October 12th.

The Boston Law Day will be hosted by New England School of Law, 154 Stuart Street, Boston, Mass. on October 18th from 9 A.M. to 6 P.M.

In upstate New York, Law Day will be held at Syracuse University School of Law at E.I. White Hall, on November 2nd, from 1 to 5 P.M.

For further information call (212) 280-4309, or 598-7542.

YEARBOOK COVER PLANNED

"Pocketpart," the Law School Yearbook announced that its cover will be rendered in watercolor by student Michael Shapiro. While the artist refused to divulge the content of the cover, a source close to Shapiro divulged that the entire graduating class will be drawn in the nude.

**Vote
Tues.,
Nov. 4**

Dem Law Students

The Democratic Law Students Organization had its first meeting on September 23rd. The meeting was well attended despite competition from the Trial Advocacy Club's performance of a mock suppression hearing.

Acting Club President, Charles Holster, opened the meeting with an explanation of why he and Robert Fischl decided to found the Club. They had become convinced that social change does not occur by individual efforts alone but by teamwork and that our two party political system necessitates our alignment with one team or the other. Fischl and others discussed their perceptions of the basic difference in philosophy between the Democratic and Republican parties. All present joined in a round-table discussion of what the long and short-term goals of the Club would be. The consensus was that the group would be an active, political rather than social club. Towards that end, the Club planned an on-campus voter registration drive. Future projects will be agreed upon by the membership and may include such things as lectures by leaders in government and within the party. Although the group will not be aligned with any outside organization, it will maintain communications with such groups as the N.Y. State Democratic Committee and will probably be involved from time to time in cooperative efforts. Essentially the group will be

autonomous. It hopes to make a positive contribution to the law school's environment and to its reputation in the community by providing students who wish to directly affect the quality of our government with a means by which to do so.

Preliminary plans had been made by Holster and Fischl for a debate on campus between Congressional candidates Karen Burstein (D) and Ray McGrath (R). Burstein committed herself to participating in the debate. McGrath, however, indicated that his schedule was "all booked up." The debate would have been jointly sponsored by the Democratic Law Students Association and the Republican Law Students Association.

A representative from Burstein campaign headquarters, Steve Rosenthal, present for our meeting, said that Burstein and McGrath had received invitations to debates from 21 different organizations and that McGrath had consented to none of them. Holster and Fischl were disappointed that McGrath did not accept the invitation. It had been extended to him by Jeff Kaplan, President of the Republican Law Students Association. The Democratic Law Students Association pledged, nevertheless, to cooperate in the planning of any such future debates as members believe that debates between candidates for elected office are essential if voters are to make an informed choice at the polls.

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Thank You - Your Student Reps

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3 C.L.A.C.

Student Members

In Library Lounge

Thursday,

October 23, 1980

— Student Reps

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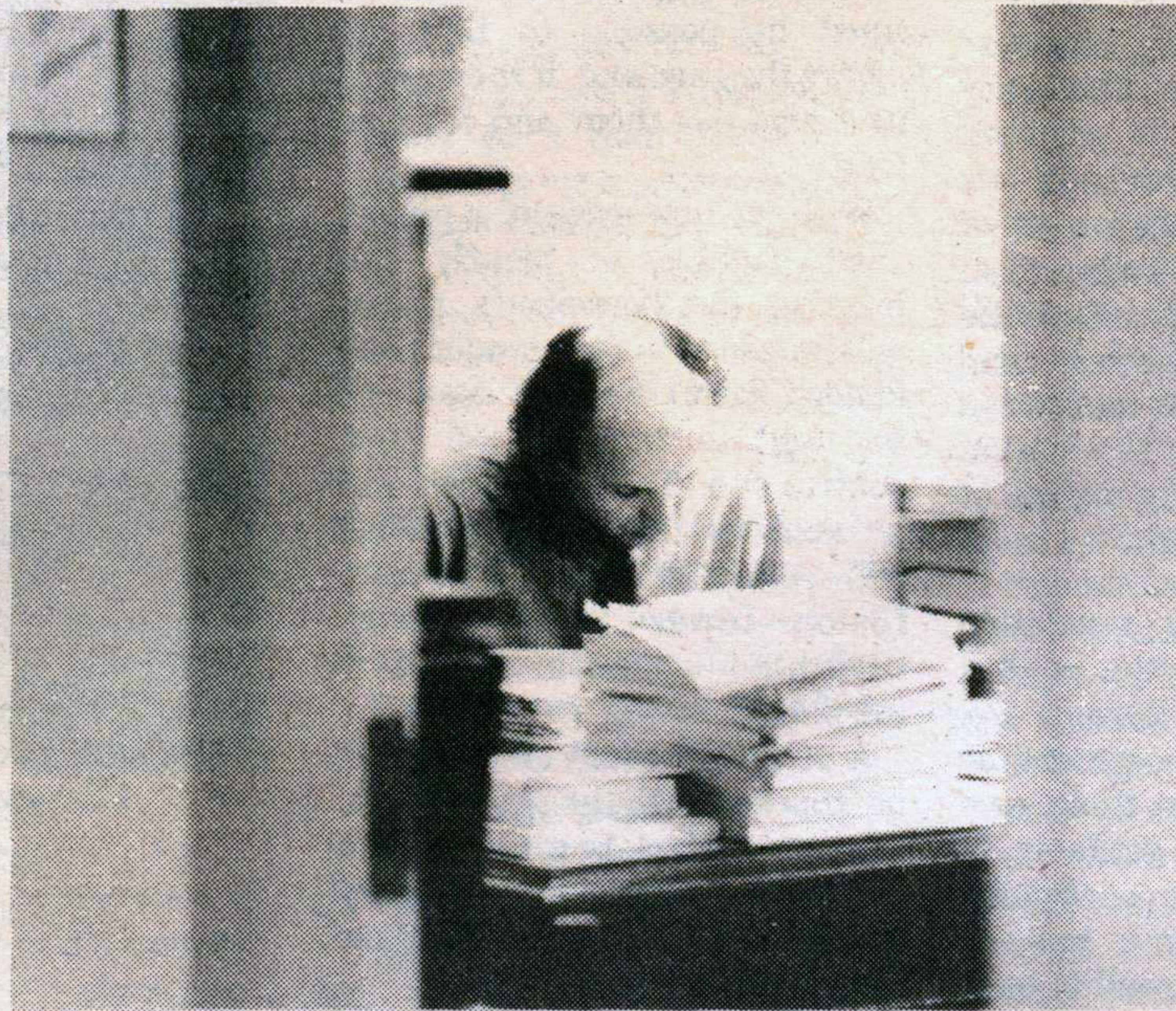
On Appeal:**Rubin Carter & John Artis**

by Alan Fischler

On September 9, the joint appeals of Rubin "Hurricane" Carter and John Artis were argued orally before the New Jersey Supreme Court by Professor Leon Friedman and associates Myron Beldock and Lewis Steel.

Artis and Carter were convicted in 1976 for the fatal shooting one summer night in 1966, of three persons in a Patterson, New Jersey bar. The case is on appeal to New Jersey's highest court after it overturned the earlier 1967 convictions due to prosecutorial misconduct, and ordered a retrial in which the state again achieved convictions.

In this appeal, defense attorneys, (Professor Friedman for both Carter and Artis) again alleged prosecutorial misconduct including withholding evidence, misrepresenting the state's theory of the case on discovery, and improperly changing its theory of the case since the original trial (this time to include a "racial revenge" theory not alleged in the first trial). The defense also put forth the charge that prosecutors leaked inaccurate results of a lie detector test which the state had performed on its lead witness Alfred Bello, which as released suggested that Bello was telling the truth in his 1967 testimony. Actually, a correct reading of the results showed otherwise. It is further contended that the prosecution utilized this and other tactics, not only to taint the jury but also to keep Bello from switching his story (as had been done various times previously) to one contrary to the state's case. The false reports were also used by the prosecution as a sort of a Damocles sword over the defense, effectively precluding cross-examination of Bello due to a court order that the lie detector results (as represented to the defense and the court) would be



Professor Friedman (file photo)

allowed into the record should the defense cross-examine. The defense sought also to show the effect of the government's having offered Bello amnesty in certain other matters in exchange for his testimony.

Defense attorneys claimed that Bello's testimony was so unreliable it should not have been allowed into the record. Without the testimony of this "star" witness, the state virtually agreed there would be no case against John Artis and Rubin Carter.

Another main thrust of the appeal, was the contention that the court, in allowing the prosecution's

"racial revenge" theory into the record with little to no supporting foundation, severely and improperly prejudiced the defendants and inflamed the jury.

Connections drawn by the prosecution from Carter and Artis to Eddie Rawls, stepson of the black bartender, Roy Holloway, slain earlier on the evening of the Lafayette Bar killings in Patterson, were depicted by the defense as tenuous at best. In short the prosecution failed to present, according to the defense, any specific conduct by the defendants prior to the killings which indicated any revenge motive, racial or otherwise.

The defense argued that the trial court had insufficient probative evidence upon which to allow the state's new racial revenge theory into the record in the 1976 trial. To admit such material to prove motive, without a greater not lesser degree of probative evidence, was to give credence to the idea that all blacks might be motivated to kill due to the murder of another black person. That proposition, the defense contended, is an untenable one in the law.

After observing the demeanor of the seven judges on the New Jersey high court for some five hours of oral argument, it appeared to this writer that at least two of the jurists (including Chief Justice Wilencz) were somewhat appalled by the theory presented by the government at trial. The bench was mildly hot allowing the defense and prosecution's arguments to fully unfold in the lengthy time allotted the case.

Decision by the court, has been reserved but is expected in the near future. Should the court affirm the Appellate Division by failing to reverse the convictions, there is a good possibility that defense attorneys shall petition for certiorari to the United States Supreme Court.

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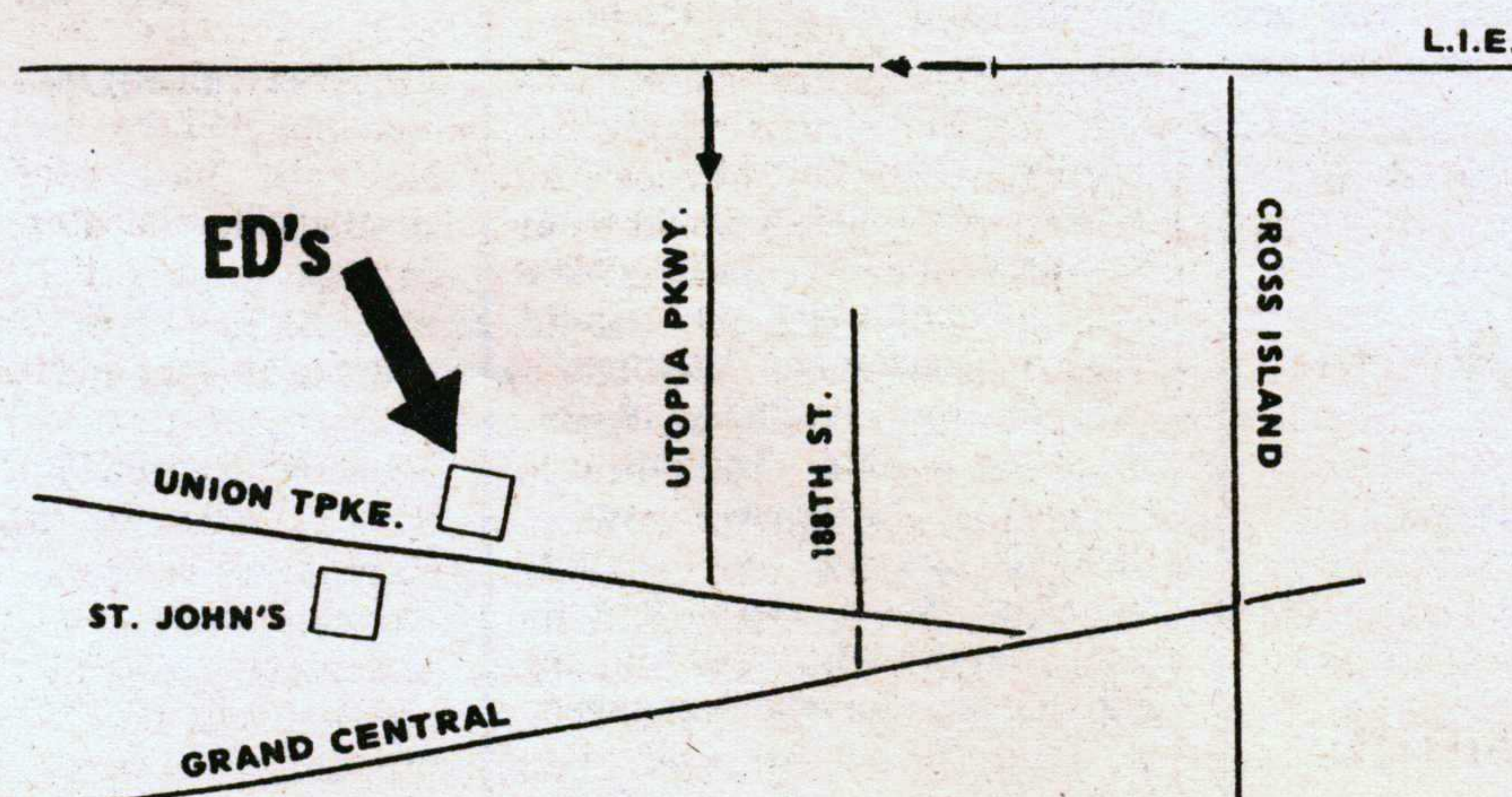
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Library Modernizes Circulation System

by Gerald E. Giannattasio,
Reference Librarian

The Law Library is instituting a new circulation system. For the first decade of our existence, students were issued a law library card which was surrendered when books were borrowed, either from the reserve collection or overnight. The card was clipped to a book control slip (long blue slip for reserved material and the shorter multi-colored slips for periodicals, advance sheets, and bound volumes). This slip was then filed. When the item was returned, the control slip was reinserted in the book, and the card returned to the borrower.

This system, ample when instituted, has become seriously outmoded. The larger student population and greater in-school circulation has made a

previously no-muss, no-fuss operation unwieldy. The very excellence and growing reputation of our school, its faculty and library, the quality of its students, and the authority of its law review have increased the number of local lawyers and judges who use the collection with permission, not to mention outsiders with varying claims of legitimacy who would wish to do so.

An increased user population has come in conjunction with a nation-wide shift in library use. Books are no longer viewed as objects of virtue in their own right but as mere artifacts of communication. The occasional theft and mutilation is but one feature of this new trend in book use. Another is a growing carelessness in book handling which increases wear and tear on an individual volume at a time

when its replacement costs soar daily.

The growing casual regard for library materials stands behind our new circulation system. The materials in a library must be available. To be available, it must be possible to find out where they are and, if they are in use, who has them and for how long.

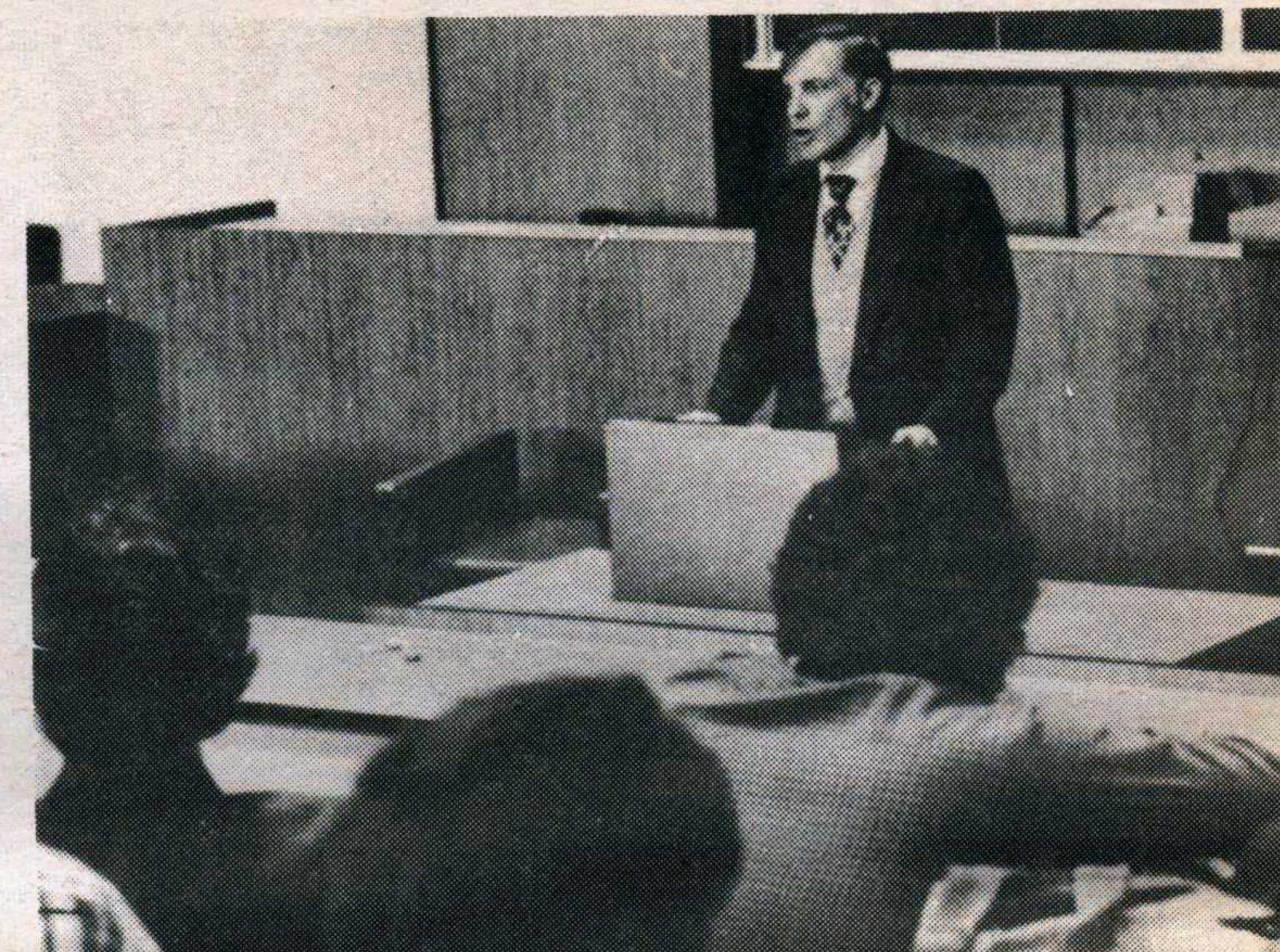
With the new system, a plastic card capable of clearly imprinting the borrower's name, will be issued to each student and faculty member. This card will be used to imprint the book control slip. The card itself will be kept by the borrower. This will result in much less confusion—fewer lost cards, illegible signatures, and misplaced books.

A strict schedule of fines will be imposed with the new system. Library materials must remain within the confines of the library and the lobby, except in the case of overnight loans.

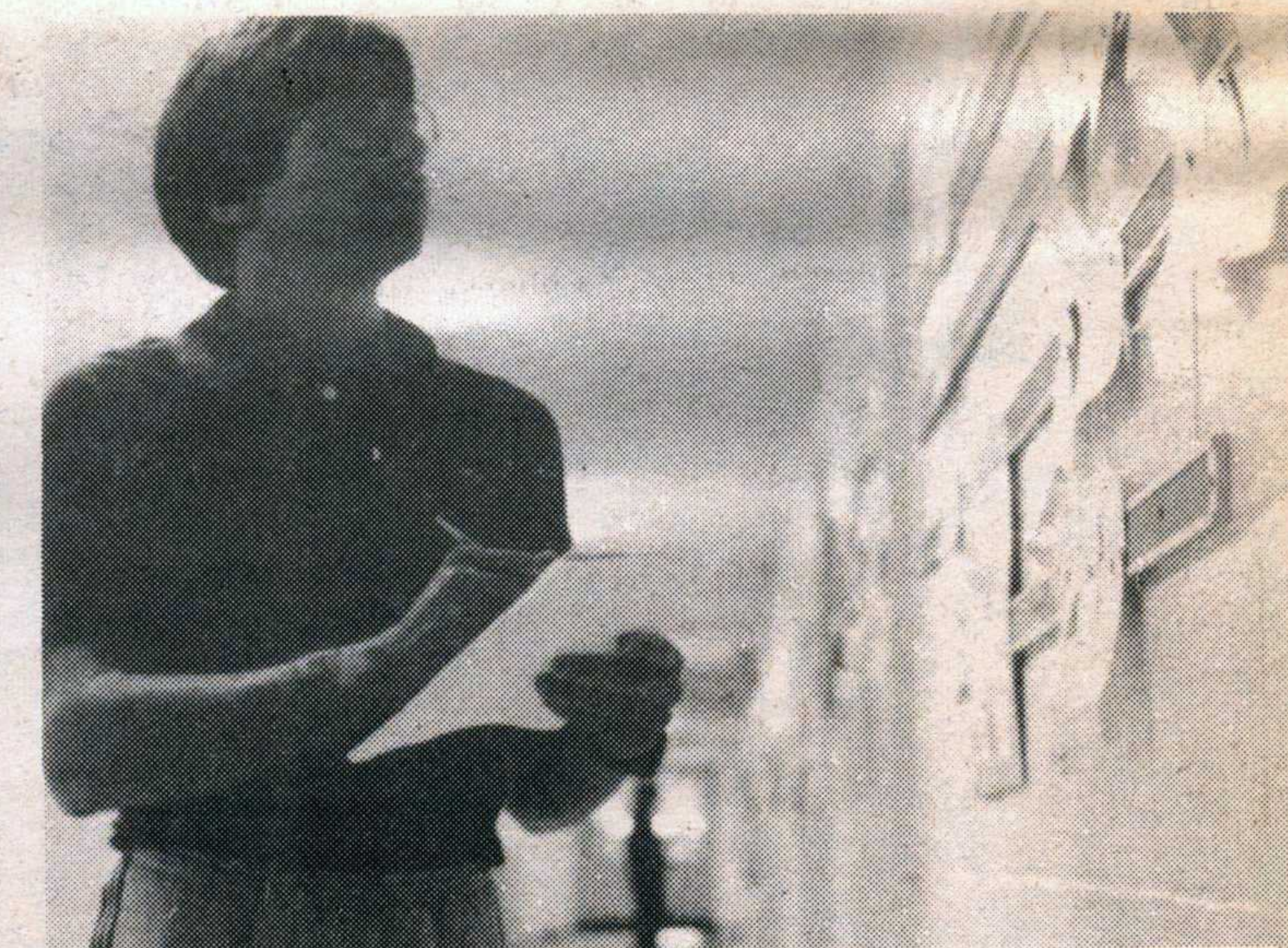
We hope that all members of our community will join in making the transition to our new system an easy one.



Library theft-protection devices. Photo by Laurie March



Prof. Ordovery addresses students at Dean's Hour. Photo by Laurie March.



Student checking placement board.

A CHANGE IN TECHNIQUES

by Robert G. Bogle
and Rosemary A. Mondello

Each January the National Institute for Trial Advocacy (NITA) offers an intensive two week program in Trial Techniques at Hofstra School of Law. The program, run by Professor Abraham P. Ordovery, offers a limited number of Hofstra students the opportunity to try a case from voir dire through summation. Through the years, requests for admission to the program have increased. "The program has become a victim of its own popularity," stated Law School Dean John J. Regan, and "We are at a point where we have too many applicants and not enough seats." As a result, only 17 of the approximately 130 seats were allotted to second year students last year.

On October 1, 1980, Hofstra Law Students were informed that the admissions policy had been changed. Admission to the program will be limited to approximately 120 students, 80 to be selected from the third year class and 40 to be selected from the second year class. Third-year students can no longer be assured of admission to Trial

Techniques—a factor that some third year students had relied upon in drawing up their schedules. Professor Ordovery did not dispute the fact that some third-year students may be hurt by the policy change, as the total number of applicants to Trial Techniques is expected to far exceed the 120 seats this year. As a result, even abolishing the 40 seat quota for second year students would not assure a seat to every third-year applicant. Although extra seats may seem all important to the third year student who will now graduate without Trial Techniques, there are other considerations.

According to Professor Ordovery, the NLO Program and the pending plan for a Certificate in litigation will effectively make Trial Techniques a second year requirement for some students. Although the NLO will only accept 20 students for next fall, Professor Ordovery maintained the greater number of 40 second year seats must be reserved in order for the Certificate Program in Litigation to succeed. "It was a very difficult decision, but it has become an absolute necessity to give second-year students who are entering clinical practice ex-

posure to Trial Techniques," said Dean Regan. He added that the break with the old system had to come sooner or later. "This is not a numbers game," stated Professor Ordovery, "it's policy."

There are no solutions for the ousted third year student at this time. According to Professor Ordovery, increasing the student faculty ratio would destroy the high quality that makes this program so unique. "If it isn't high quality," stated Professor Ordovery, "I don't want any part of it." Presently, Hofstra's program is the largest in the United States, exceeding every NITA regional. Hofstra hosts both the NITA Northeast Regional, limited to attorneys, and its own Trial Techniques course. The list of instructors and available facilities necessary to accommodate both programs is exhausted.

"Professor Ordovery and I explored every alternative," said Dean Regan, "and we reached the conclusion that this was the only possible route we could go." Regan added that, "it would be impossible to run the program over the summer, due to the fact that we are short on available classroom space because of the summer session and also because we would be competing for instructors who usually teach Trial Techniques in other locations during the summer."

As for the possibility of instituting a Trial Techniques Program "stretched out" through the fall or spring semester, Regan stated that it would be difficult (and unfair) to ask an instructor who is engaged in Trial Techniques both for Hofstra students and for NITA to also instruct a third program. According to Professor Ordovery, an additional course would be in direct competition with NITA for the same instructors, and, Hofstra would lose.

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Carter...

(Continued from page 1)

Q: On behalf of the ROTC, Mr. Leone welcomed the President.

He expressed his concern over the state of military preparedness of the country. (The President asked for the name of the questioner. Mr. Carter then noted his service as Lieutenant in the Navy, and that he was now Commander in Chief, and that the ROTC experience should not hurt Mr. Leone's future employment.)

Mr. Carter: "The country is in a better state of readiness than before. The country is in a better state of readiness than the U.S.S.R. In the seven years preceding my presidency, defense budget allocations decreased while it has increased each year of my presidency. Because of the enormous military, political and economic strength of our country, our adversaries have not threatened us. The smaller nations now distrust the U.S.S.R. because of the Afghanistan invasion. The moslem nations have condemned the Soviet Union for the invasion. Afghanistan was a mistake that the U.S.S.R. will not repeat. The Afghanistan freedom fighters have fought harder than anyone thought they could."

The Draft

"We'll stick with a voluntary recruitment program for America. Barring some real threat recognized by the Congress and the American people, there will not be a draft of young people. An amount equal to five percent of G.N.P. is allocated to defense, which is not excessive. I believe the best weapon is one that's never fired. The best soldier is one who never lays down his life or sheds blood in battle. It is important for our adversaries to know that if they attack the U.S.A., they will be committing suicide."

Q: Concern was expressed over Japanese preeminence in the Steel industry.

Mr. Carter: "I have instituted a trigger-price mechanism that presents the dumping of

foreign steel below production costs in the U.S. I have implemented some programs, including the investment tax credit program, which will pay income tax deductions in cash, to ensure the steel, and other industries modernize. We need cooperation between business and government on pollution—the administration has agreed to phase air pollution standards over years for an agreement that they'd clear up old pollution items. I just visited the most productive steel plant in the country—in New Jersey. It sells half of the 10,000 plus feet of steel it produces to the Nationalist Chinese at a cost lower than Japan—only a few hundred miles away. Every year we earn \$5.5 billion (in foreign exchange) from American patents."

On Energy

All the Arabs together have 6 percent of the world's energy reserves. America alone has 24 percent of the world's energy reserves—and the best farm land on earth."

Q: "Will you sign a bill supporting spinal cord research at N.Y.U.?"

Mr. Carter: "If I made a commitment to support that bill, God knows what would be in that bill buy the time it reaches me. I'll have someone call you or I'll call you myself after I see the bill. Give your telephone number to one of my aides and I will call you and get back to you."

Q: "Will you continue to aid small cities?"

Mr. Carter: "Thank you."

Recognizes War Hero

"Anthony Cassimento, a hero is here today. Please stand up. Anyone who earns the Congressional Medal of Honor deserves all our recognition."

Q: "What advice do you give to someone interested in politics?"

Mr. Carter: "Become a Democrat. Social Security, Minimum Wage, and Medicare were all Democratic ideas that were not supported by the Republicans. My first job was at the then minimum wage of 40c per hour. Keep your ideals! Health insurance ought to be a nationwide commitment. I am con-

cerned with unemployment compensation so parents can feed their children. Reagan opposes that. I'm anti-discrimination, and pro-military strength to prevent war. At this point, only women do not have an equal chance legally in the U.S. They only earn 59 percent for every \$1 a man earns. You can't deprive a person of their rights—whether it's the state or federal government—simply on account of one's sex."

"Get a good education. How old are you?"

A: "Thirteen."

Mr. Carter: "Amy is going to be thirteen on Sunday and I'm very proud of her."

"There is a place for Republicans in our society—second place!"

On the Hostages in Iran

Q: "What is the next step in the hostage situation?"

Mr. Carter: "We've tried to negotiate for the release of the hostages in every possible way. We have met with their families. Until recently, there was no one in the Iranian government to speak to. Now the Iranian people have convened a parliament and we have hopes. The Iranian Prime Minister is coming to the United Nations today. We do know pretty sure than most of the hostages are safe and not abused. We even have contacts with three of them sporadically. We're communicating with three of them now and then, not with the other 49 though. We do know they are alive and well now."

Q: "I voted for you in 1976 and since then the cost of gas has doubled, inflation is terrible, unemployment is terrible; If you did the opposite of all your promises last time, why should I trust you? Actually this is my son's Robert's question."

Mr. Carter: "Did you vote for me in '76 Robert?"

Robert: "It was the greatest mistake of my life!"

Q: (continued)—"Really I think you're a good President and I love your mother Lillian."

Mr. Carter: "We don't have a policy that takes us from under the thumb of the Arabs. They set the price not us."

This year, we'll produce more American coal than any year in history; we can't load it as fast as we produce it. Today, we're importing one-third less oil than a year ago. As for unemployment, we've added 8½ million in new jobs during the last four years, hundreds of thousands of them in New York State. We've been through much worse times in the U.S., the Depression, World War II, the Korean Conflict, Vietnam, Civil Rights; with unity we can, as a nation, solve any problem."

Q: "What will you do to prevent growing factionalism, regionalism, racism, etc. in our country? How will you fight it?"

Mr. Carter: "America is a heterogeneous nation and it derives strength from that. I am advised by people of the same culture and religion when problems arise with a particular group. Legally, only women are discriminated against. Still, in this country, we ought not to forget we still have immigrants coming here. Each wave of immigrants experienced discrimination because the groups that came before wanted to keep a good thing for themselves. Unless your parents were from England, they didn't speak English either. The differences among us are a source of strength. I hope you will never be discriminated against by those who think they are better or richer than you."

Q: "What measure will you (implement) to prevent Americans from dealing with South Africa?"

Mr. Carter: "The President has no authority to prevent Americans from investing where they wish. South Africa's attitudes and acts are obnoxious. When I came to office, we had no relations with Nigeria. Since during my term our relations with Nigeria have improved. Rhodesia has changed into Zimbabwe. Prime Minister Mugabe came to my office to thank me for my assistance. "I am now working with four other countries on Bolivia, so the Bolivians can choose their own political system."

Q: "Will you sign this petition committing yourself to a unified Jerusalem? You promised in your last election you'd move the American Embassy in Israel to Jerusalem. Won't you sign that Jerusalem is the capital of Israel?"

Mr. Carter: "No I can't agree to sign on that issue. I have agreed, and signed at Camp David that Jerusalem should forever remain undivided, with access free for all people of all religions to pray, and that the ultimate status of Jerusalem would have to be negotiated with Israel."

Q: "Will you, if elected give a Supreme Court Judiciary position to a Black?"

Mr. Carter: "I have appointed twice as many Blacks to the federal District Courts and Courts of Appeals as any other presidents combined over the last 200 years and I've only just begun. I have appointed these judges without lowering the standards of the judiciary. I have not had any Supreme Court vacancies during my term., but I will use the same sort of criteria there that I used at the lower level. My advice to you is to go to law school and prepare yourself to be capable of the judiciary."

Q: "I want your assurance that we are militarily strong. The New York POST says Russia will attack Poland in October or November because Reagan will be tougher than you."

Mr. Carter: "We are the strongest nation on earth. Like I said before, military spending is on the rise since I took office. When I first came to office, I opposed the B-1 Bomber—it would have been susceptible to Soviet fixed ground attacks. Instead, I developed a light cruise missile which is cheap and can be affixed to planes and be practically invulnerable to ground missile attack. I also support the ICBM. I hope you do too."

(A heckler from the audience: "I don't!")

Mr. Carter: "The MX missile—an intercontinental ballistics missile system with a smaller number of missiles which are movable from place to place—is a good idea, practically unattackable."

Another Student Rip Off

by Bob Rediger

Students utilizing the Law School's Recruitment Program in their search for jobs should save themselves the time and expense of attaching any type of cover letter to the resumes they submit to the Placement Office. The Placement Office adheres to a routine policy of ripping off any cover letters attached to resumes before sending those resumes out to prospective employers.

In an interview with CONSCIENCE, Director of Placement, Hugh Christenson, and Assistant Director of Placement Francine Rosenberg, were asked how they justified the decision to remove cover letters from resumes. Mr. Christenson responded that "employers don't want to look at cover letters and we're only doing what they want. We're not doing anything different in our campus recruitment

program," he added, "than schools such as N.Y.U., Columbia, Fordham and Cardozo." Ms. Rosenberg stressed that the Law School is providing its students with "a service" which is in effect only one method students should use when job hunting. The brochure entitled "The Cover Letter" which the Placement Office supplies to students stated that a cover letter can make the difference between receiving a job offer or a rejection; however, when asked to comment on this, Mr. Christenson refused stating that "the question is not relevant to the work of the Placement Office." Ms. Rosenberg, however, said that "maybe in some circumstances the cover letter would make a difference but the removal of a cover letter cannot hurt a student in the end because the potential employer will get all the information he needs from

the resume."

Asked whether they thought the policy of removing cover letters from resumes favored students with the words "Law Review" on their resumes, and who then put resumes in every firm's folder, over an average student who writes an individualized letter to a firm stressing his or her desire to begin an employment relationship with that particular firm, both Mr. Christenson and Ms. Rosenberg concluded that neither would the former student be favored nor the latter student disadvantaged. One of the reasons for removing the cover letters, according to Ms. Rosenberg, is to give all students an equal chance. "Sending out a folder to a firm in which some resumes have cover letters attached," she continued, "gives those students who attach cover letters an unfair advantage over those who did not."

Clarifying the remarks of his assistant, Mr. Christenson stressed that "what the prospective employer considers important in regard to hiring is his (the employer's) decision and all the information that is relevant to him is contained in the resume."

In conclusion, Ms. Rosenberg stated that "a line has to be drawn somewhere because some students attach transcripts, poems and articles they've written, and recommendations from prestigious people."

Ms. Rosenberg found no reason to draw a distinction between a cover letter to a resume and transcripts, poems, articles, and recommendations. On a final note, however, she did suggest that "when the resume comes from you (as opposed to the Placement Office), you should send out your own cover letter."

Viewpoint/ AN ARGUMENT FOR THE DRAFT

by Roy H. Landy

The current presidential campaign is more noteworthy for the number of critical issues undiscussed than it is for those tackled. Both candidates have studiously—indeed, desperately—avoided mentioning a position on any matter of import which might conceivably offend even the most diffident voter. As the atmospheric temperature has risen with irrelevant charges of racism, “meanness” and other forms of twaddle, true national concerns have been swept beneath the rhetorical rug.

Symptomatic of the generally trivial tenor of the debate is the failure of any major candidate to address our obvious need for reinstitution of the draft. While the national defense issue is hotly contested in terms of dollars and high technology, no one has bothered to make a serious statement about the most critical component of any military establishment: manpower. The Volunteer Army (VOLAR) is not working and our defense capabilities—both nuclear and conventional—have suffered accordingly. Wishful thinking may well obscure this painful reality but it most assuredly will not make it disappear.

The genesis of VOLAR is to be found in the conjunction of two factors which are basically unrelated to military preparedness: Opposition to U.S. participation in the Vietnam War and the overwhelming political ambitions of Richard M. Nixon. Many of those who opposed the war as conscientious objectors or on political grounds confused their feelings about national policy with an inherent dislike of the military establishment. At some point it was forgotten that it was not the draft which was being protested, but the use to which draftees were being put. The act of refusing induction was a direct rejection of U.S. foreign policy, not of the selective service system by which it was implemented.

Unfortunately, hordes of the self-interested boarded the anti-draft bandwagon. Where the moral opponents of the war had refused induction and welcomed prosecution, this second generation avoided induction through a plethora of unheroic devices. To the original dissenters, induction refusal was a political statement, but to many of those who followed it was only a way of getting out of the Army.

Former President Nixon—never one to let a political



Photo by Ted Sklar

opportunity lie fallow for long—correctly perceived the true nature of the protest movement in its latter stages, and consequently, introduced the VOLAR concept. As is the wont of political personalities, he promised a credulous population a Panglossian world which featured no draft and an adequate national defense, failing throughout to explain that the two tenets of his program were mutually exclusive. The nation, seeking respite from the political cataclysm of the Sixties, enthusiastically accepted the Nixon proposal without serious examination. From this mixture of corrupted idealism and political prestidigitation emerged the Volunteer Army.

Even if one disregards VOLAR's dubious parentage, there are reasons aplenty for rejecting its continued existence. Despite its euphemistic name, VOLAR is fundamentally a mercenary army. The essentially crass nature of the enterprise is evidenced by the tremendous jump in per soldier costs since the draft was phased out. In effect, the Armed Forces has become an employer like any other and subject to the vagaries of the market place. Recruitment success varies directly with unemployment. The Pentagon has become the employer of last resort in times of economic dislocation. Consequently, disproportionate numbers of the underprivileged and unskilled find their way into uniform. Like all mercenary armies in history, ours feeds upon society's pariah

classes.

The inequity of this situation is exacerbated by the existence of a racially distinct economic underclass. Racial and economic factors coincide to give VOLAR a distinctly dark complexion. The Pentagon periodically releases figures which show that the percentage of minorities in the Armed Forces exceeds the percentage of the population as a whole by only a small amount, but those figures don't offer a breakdown by rank. Minorities comprise a truly disproportionate number of the true mercenary group—the enlisted men and low-level NCO's. There is something distinctly unlovely about a democracy which maintains a mercenary armed force whose existence is predicated upon the continuation of political and economic inequality.

A military draft is the only realistic alternative to VOLAR. It would increase the general educational level of the soldiery, permit the allocation of scarce funds to the professionals and help to flesh out our pitifully depleted reserve and National Guard units. Universal Military Training (UMT) for both males and females would solve our current manpower problems and build a competent reserve which could be quickly activated in time of crisis.

Some opponents of the draft claim that reinstitution would be an invitation to foreign adventurism by an aggressive executive. This is, of course, pure nonsense. It is difficult to see how the jingoistic inclinations of a president would be much enhanced by a citizen army. On the other hand, our VOLAR force strength of 1.6 million would seem equally capable of sufficient creating of considerable mischief, without recourse to a draft.

It appears that the largest single group in opposition to the draft is composed of those who feel that military service would impose a handicap on them, that is, it might be inconvenient. Although, seemingly frivolous, this reporter is convinced that this objection is so commonplace that it poses the single greatest obstacle to the adoption of a rational and fair military manpower system. One need not resort to exhortations on patriotism, citizenship and duty in order to find this rationale deficient. The idea of national service is not so outre that it need yield to the maunderings of pampered and overprivileged or their distressed mothers.

Alumni News

(Continued from page 1)

And the most important thing is—I had a course which taught me in 13 weeks what the Bar Review course tried to teach in four days. I never would have been able to learn CPLR in such depth in four days. And I would certainly have flunked the bar exam. (I may have flunked anyway, but at least now I stand a chance.)

The CPLR reared its beautiful head (thanks to Seigel, the CPLR is beautiful) in a very pervasive manner throughout the New York portion of the Bar Exam. You'll drown without it. Easily 50 percent of the exam involved knowing the CPLR.

And now that I am in the real world, CPLR is 90 percent of the daily lives of attorneys that I see every day and I see a lot of attorneys every day. The only law you really have to know is CPLR. It's unbelievable!

Another thing, who does the faculty think they are, Champlin, Rabinowitz, Diamond, and Ordovery, to decide whether this course is to be offered? The students must have the right to choose whether to take this course. Even Harvard offers a New York Practice course. What is this, some sort of adolescent power play? Our students' legal education will suffer a horrible blow if Champlin, Rabinowitz, Diamond, and Ordovery are allowed to run the show. Last year Champlin never sat in on the course and Rabinowitz, I can't remember seeing him there at all. Ordovery did come a couple of times and stayed awhile, and Diamond came once and left after 5 minutes. And these are the people who evaluate this course? Someone should evaluate them!

So get with it! Fight for the CPLR course now! Or else my advice to you is to buy that green hornbook of Siegel's and read it from cover to cover, and pray.

Peace and love with honor,
Michael Kusenitsky
Class of 1980

CONSCIENCE welcomes your viewpoint on issues affecting the law school. All articles must be typed and triple spaced and include your name and phone number. They may be dropped off in our admissions office mailbox in care of Viewpoint.

Letters to the Editor

To the Editor:

As an alumnus of Hofstra University School of Law, I care deeply about its future direction. I was disturbed and quite frankly angered at the faculty committee recommendation to drop New York Practice. The seemingly honest and sincere motives, on closer scrutiny, are far from virtuous.

The committee members attempted to extol the course, each one saying in essence: "We were impressed with Professor Siegel but..." This was nothing short of backstabbing. The committee would have served a more useful purpose and, at the same time, avoided insulting the intelligence of its student body, if it had just been candid.

The primary motive of the committee seems to have been to prevent a course which they would like to characterize as a bar review course from finding its way into the same hallowed halls as administrative law, international law seminar, not to mention family law (to name a few courses which come up to the "intellectual demanding" standard of our "esteemed" faculty committee sitting in its ivory tower).

Perhaps a look at the substance of the bar exam is in order. The exam is a compilation of different questions prepared by practicing attorneys. They choose what they believe to be important and relevant issues in a practical, real world context, perhaps questions they face in their day-to-day practice. Professor Siegel's course, which admittedly

was too limited in credit hours to do the course justice (since I believe that we should make New York Practice a six credit course), enabled me to enter the first day of the Bar Exam and feel at ease with 25 percent of the material upon which we were tested. I hope that this faculty committee can sleep well knowing that their decision will inevitably lead to students failing the bar exam.

Clearly, the mere fact that a course prepares you for the New York State Bar Exam, should not lead to its elimination. If that were the case, we might as well eliminate half the courses and topics offered at this school (i.e., the rule against perpetuities in Wills). The belief that offering N.Y. Practice to our student body will diminish the admirable endeavors of our faculty is clearly unfounded, as is evident by the fact that a majority of the metropolitan area law schools do teach New York Practice, their reputations not being diminished. Furthermore, while the concept of achieving national status has merit, the truth is that around 90 percent of all graduates of this law school will practice in New York State. In the course of my duties as a law clerk, I have found the course to be most helpful. I concede that the course, in its limited number of credit hours, did not provide me with answers to all my questions, but it did provide me with enough knowledge to direct me to the sources and the laws that I needed. Is not that the goal of any law school course?

I read the three reasons given for the elimination of this course very carefully: 1) The course fails to focus on those complex procedural issues which are not adequately dealt with in our first year civil procedure course; 2) that, based on the time allotted for the course, it was impossible to deal with the many issues in great depth; and 3) that the intellectual and preparational demands made upon students did not justify the granting of academic credit. Individually or combined, these arguments have no merit or validity. New York Practice covered, in its entirety, areas completely foreign to my first year Civil Procedure class. If the faculty committee's fear is duplication and redundancy of material (which is a misconception), we might as well eliminate Federal Courts, which was merely an intensified repeat performance of civil procedure (It also happened to be one of my favorite and most satisfying courses). I agree with the faculty committee's second argument and, in response, suggest that we expand the course to six credits rather than eliminating it altogether.

Perhaps the most ludicrous argument that this committee makes is the final one. If we were to eliminate all the courses which fail to meet the committee's standard of intellectual and preparational demands, the four professors on the faculty committee might be out of jobs. I had the pleasure of having three of the four professors on the faculty

(Continued on page 7)

EDITORIAL

EXERCISE YOUR RIGHT TO VOTE

Many imagine politics to be the art of getting elected and, once elected, staying in office; but there is more to politics than simply running for office. Politics describes the processes whereby people, individuals and groups, interact to provide for the needs of society.

Everything we do is affected by politics: garbage collection, snow removal, drinkable water, available electricity, driving age. All are factors influenced by decisions made at one or more of the many levels of government.

To insure that our political system functions properly, our citizenry must become involved. The greater the popular involvement, the broader the power base, and the less influential special interest groups will be.

Because of this, we should run for office, encourage and work for honest and capable candidates, and communicate our views to elected and unelected officials by letter, telegram, telephone call and, if necessary, peaceful demonstration.

The best way to insure that our political system is capable of solving its problems is for each citizen (of voting age) to participate; to cast her-his ballot at each and every general, primary, school board and special election.

All citizens regardless of race, religion, color or sex who are 18 years or older are eligible to vote. Encourage your parents, friends, and others of age to exercise their right to vote.

Popular participation in our political system is ultimately measured by voting turnout. Election turnouts rarely exceed 65 percent and primary turnouts rarely surpass 40 percent. Only 46 percent of those eligible to vote—registered and unregistered—voted in 1976. In the 1978 off-year Congressional elections, only 35 percent of those eligible to vote nationwide actually voted.

In relation to other western democracies, America's voting record is poor. Some might say that those who do not register and do not vote do not care. Others retort that registration and voting procedures are too difficult. Yet, the ratio of registered voters to those that vote was 80 percent in 1976, so it would appear that if one is registered to vote, it is likely that she-he will vote.

To make the political process best respond to popular needs, voting must be encouraged so that these needs are registered. Making it easier to vote facilitates popular participation in the process.

The first step in easing voting is to encourage registration. Voter registration is often held during periods where voter interest is minimal. Voter interest does not peak until Election Day. Quite often, perspective voters meander to the polls in November and are surprised to discover that they cannot vote; they did not register by legislatively imposed deadlines.

Instant registration at the polling place is the best way to provide potential voters access to the polls. This would require state or federal legislation.

In the meantime, current registration regulations could be eased, the time and hours of registration could be extended, and new facilities could be provided. In addition, Election Day could be made

conscience

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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 (tripe space) and include name and phone number. Submissions may be dropped off in our admissions office mailbox.

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a national holiday so that everyone could easily go to the polls without worrying about running to the local polling place early in the morning before work or just before closing, after coming home late in the evening.

DO NOT FORGET TO VOTE ON TUESDAY, NOVEMBER 4.

Letters to the Editor

(Continued from page 6)

committee while a student at Hofstra Law, and as a whole, I believed that they were proficient at their jobs. Concurrently with my class schedule, I was employed as a law clerk—which cut into the hours I could attend, study and prepare for their courses; yet, in the limited time I did have, I managed to do quite well in their courses. If anything, New York Practice demanded more of my study time than did a certain four credit survey course in commercial transactions, which I took the same term. I really don't know whether to laugh or cry at the professors when they question the intellectual demands of New York Practice. Did your courses ever really challenge our intellect? You flatter yourselves if you believe so. **LAW SCHOOL IS A CHALLENGE OF ENDURANCE AND NOTHING MORE.**

The committee complimented Professor Siegel on his outstanding credentials and went on to say that if he could not achieve the faculty's goals, no one could. I

submit that if the professors of this school and their courses were put to the same standards, they couldn't cut the mustard either.

The committee left open the possibility of offering New York Practice on a non-credit basis. Why don't they offer the course at 3 a.m. on Saturdays every leap year? It must be obvious to the committee that students in their third year with outside work commitments and who are searching for permanent employment while juggling an already demanding workload are unlikely to be able to take advantage of this "non-credit" course.

I accuse the administration and faculty of gross deception in their attempts to drop New York Practice. Their motivation is not based on sincere ideological beliefs, but rather on misguided and irrational beliefs as to the potential of this course. It is a shame that we will be losing an educator of Professor Siegel's caliber. He might be an innocent victim of this misdeed, but losing

a professor of his stature is, to me, as great a disappointment as losing the course itself.

Josh Bienstock
Class of 1980

Ordovery Responds On Trial Techniques

To the Editor:

I read with interest your editorial concerning the Trial Techniques Program. I am pleased that CONSCIENCE agrees that the establishment of a certificate program in litigation "will enhance the law school's status as a center for trial and pre-trial practice. . ."

The gravamen of the CONSCIENCE complaint seems to be in two parts:

(1) some students planning to graduate in January would be caught short by 3 credits if they are denied admission to the course; and

(2) the program should be phased in over three or four years so as to disadvantage the

fewest students.

The first matter assumes that I am so hard of heart that I would not hear the pleas of the wretched; that I would somehow imprison the downtrodden for another term of six months. In fact, some time ago, instructions were given to the Registrar to see to it that any January graduate caught short by the change in policy be admitted to the program.

As to the second matter, CONSCIENCE is simply wrong. The phase in it suggests will not lead to disadvantaging fewer students, only to disadvantaging fewer students in one place—the present third-year class.

The plea for a phased change of policy is a plea for inaction. I am sympathetic to the plight of those disadvantaged by the new admissions criteria and will do all I can to staff the program for the maximum possible enrollment consistent with maintaining quality. Moreover,

while it is understandable that the people who feel burdened by new policies would prefer to burden someone else, it is rarely wise policy to do so.

The facts are that the cumulative effect of the former policy of maintaining absolute priority for third-year students has created the unpleasant reality that this year, we are unable to accommodate the current graduating class.

The changes in policy were suggested to improve the law school's program in litigation. The certificate program, soon to be presented to the Curriculum Committee, is designed to benefit those students most interested in litigation, while leaving room in courses like Trial Techniques for the many students with more general interests.

In our view, a successful program requires the maintenance of NLO as a strong

(Continued on page 13)

Poetry Corner

Life After Law School

by Bob Schaufeld

*This journey's been long: the end is now nearing.
A new life is waiting, outside of these walls.
A strange, different world with real situations,
The story-book cases to be left behind.
Today I look back for hints of the future,
Old times were happy before this last maze.
I tried to stay whole but pressure was trying.
Some say that I've hardened; I know that I've changed.
Please let me go back to times that were carefree.
The present is tense, I need a reprieve.
Why play all their games? I am my own master.
I'll go my own way and endure all their jeers.
More good times will come as soon as I've left here.
I'm ready to live, let's go out and play.*

Drinking Like A Lawyer

by William A. Mandelbaum
D.W.I.

Irish Whiskey is my favorite sparkling water. In fact it was through Irish Whiskey that I first came to the realization that sobriety is the vice of life. It was while drinking, that I learned of the legal benefits of alcohol. It was then that I started drinking like a lawyer.

Now some may say that indulgence in alcohol leads to auto accidents, marital discord, violence and death. Nonsense, say I, on the contrary: alcohol leads to personal injury cases, divorce cases, criminal cases and estate work. It is an entire practice in a bottle. One need go to any bar and do the following to see what I mean.

Sit down next to some people and buy them all a drink. Talk to them and let them know you are a lawyer. Ask the remaining ones who will still sit near you if they are driving home. To the ones who respond in the affirmative, buy them drinks all night, and don't forget to give them your card. The investment of a few drinks will be amply returned when you are pleading one of your newly-found clients to a driving while impaired. See, "In vino veritas," and fees too.

Booze and the Bar go hand in hand. It is a tradition. Was it not Johnny Walker Black who gave us Black's Law Dictionary. (Now in its FIFTH edition, ha, ha). Was not Bailey's Irish Cream named after F. Lee Bailey? It wasn't? Oh.

In any event, you can find any attorney who knows the CPLR, (except those graduating from Hofstra where the CPLR has been declared immoral, illegal and likely to produce better passing rates on the Bar Exam). But show me an attorney who knows his VSOP and I'll show you a few choice photographs of Happy Rockefeller, post-op. Show me an attorney who can hold his hooch and I'll show you a picture which clearly demonstrates how Learned Hand got his name.

Now, to become a drinking man's lawyer takes hard work and lots of dedication. You have to know when to hold, know where to throw up, know when to walk away. . . hmm, sounds like a Kenny Rogers song. Anyway, if you think law and liquor don't mix, try stirring it some more.

I don't like telling tales out of school, but there was once a lawyer who liked to keep his assets liquid. He spent all his money on the Uncola and Whiskey. Unfortunately he spent too much and was forced into filing a Chapter Seven & Seven.

The study of law is most demanding. The study of law and alcohol is even more so. You come in here with a skull full of mush and those of you who survive leave drinking like a lawyer. Or is it the other way around?

In closing, I would like to say anthropagia.

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THE QUERYING

by Bob

What are your responses to the faculty's decisions not to
to give all third students preference when



STEVEN M. KAFKA

At a time when Hofstra Law Students are struggling to break a 65 percent first time pass rate for the New York Bar, I find the faculty decision of not offering a N.Y.C.P.L.R. course for credit ludicrous. Why offer a curriculum at all? This school would not suffer a blow to its reputation as a National Law School, by offering to its students a decent N.Y. civil practice course; in fact it could only help Hofstra's reputation as a fine school.

I am bitterly disappointed with the failure to grant third year students preference when registering for trial techniques, as well. I, like many of my fellow students, deliberately postponed my enrollment in this course. It would be quite ironic to deny a third year student a position in this course, especially those, like I, who have volunteered to be a witness for the course for two years!



SHERRI LYNN HUGHES

It appears that the administration has taken a firm stand on the N.Y.C.P.L.R. issue without giving adequate consideration to the needs of the students or their opinions. If the administration is truly worried about maintaining academic excellence in its course offerings, then it should seriously think about revamping the N.Y.C.P.L.R. curriculum.

The policy of this January's Trial Techniques program, as outlined in Professor Ordovery's recent memo, does not give absolute preference to third year students. Rather, second as well as third year students will have an opportunity to participate in the program if they meet the stipulated requirements. The policy is both sound and equitable for all.



DON LEISTMAN

Since NITA has a limited enrollment, it is only fair and practical to give third year students preference.

As to N.Y. CPLR the faculty is obviously cognizant of the tight N.Y. job market. Why offer N.Y. law when most of the students will be working elsewhere? I am privy to information that next semester a combined Alaska CPLR-Environmental Law course will be offered, emphasizing use of injunctions to protect caribou preserves, and how to obtain service of process at Point Barrow employing tamed Kodiak bears as marshalls. This will fulfill our goal of becoming a truly "national" law school.

HALLOWEEN

Ghost, Goblins, Warlocks, Wit

Come One, Come All to a Costume Party Given By Vinnie G
at 36 Beech Street, Point Lookout at 9:00

Hernias And The Law

by Meryl Cohen

At Hofstra Law School we have 452 parking spaces and 668 students. This has created a certain problem which is clear to many of us in our early morning romps as we hunt about Hempstead and Uniondale in search of the elusive parking space. What can be done about this problem?

Recently, petitions have been passed among students calling for the establishment of the law school lot as a parking facility for the exclusive use of law students. Dean Regan has said that such an idea creates numerous administrative problems. There would be a need to patrol the area to enforce such a rule which might prove difficult and costly. Such a move might also result in protest from other graduate students at the university since other departments have made similar requests in the past without being accommodated.

Robert Crowley, the University Security Operations manager, has also voiced concerns similar to those of Dean Regan. Mr. Crowley explained that the possibility of building a multiple level parking structure had been considered by the University at one time. But the cost of such a venture proved economically infeasible.

Dean Regan became a bit philosophical about this problem as he remembered his own law student days when he carried his casebooks via subway from Brooklyn to Columbia. Perhaps the struggle involved in juggling 15-20 pounds of books and papers daily is a part of the lawyer's rites of passage. Has anyone checked to see if hernias are a trade hazard among lawyers?

PHOTOGRAPHER

Rediger

er a New York C.P.L.R. course for credit next semester or
gistering for trial techniques this January?



RANDI PINCUS

The students strong demand for the CPLR course should be the determining factor. We need to be equipped with this essential practical knowledge when we enter the job market and should not have to self-teach it or learn it through a bar review course. With all the tuition we pay we deserve and must demand more power in the decision-making that affects us. The recent decision, made without student input, not to give third year students preference for Trial Techniques, when so many relied on it, is another example of student powerlessness.



CURT ARNEL

Since most Hofstra graduates are planning to practice in New York and therefore must pass the N.Y. Bar Exam, it is ridiculous to sabotage their chances of passing the Bar by not offering a CPLR course. Hofstra's reputation is not improved by its low pass rate on the Bar.

Every student should have an opportunity to take a course as practical and as popular as Trial Techniques. Hofstra has a responsibility to expand the program to accommodate all who wish to participate. Third year students were led to believe that they would have preference this year since that was the system used last year. Third year students should be given preference this year and next year the program should be corrected to accommodate all those who are interested.



ANDREA ROSEFF

I feel that the faculty's decision not to offer a CPLR course is totally unresponsive to the needs of the students in their preparation and anxieties with regard to the bar exam. I believe it is a law school's responsibility to help its students successfully pass the bar exam so that they may ultimately be prepared to practice law. I feel that the decision to discontinue the CPLR course should have been reserved until next year after the results of the July bar exam were reported. As a result the success of the course could be more thoroughly evaluated.

The decision not to give third year students preference when registering for Trial Techniques is totally unfair because of the late date at which this decision was rendered. Many third year students constructed their present semester's schedule bearing in mind that they would be taking this three credit course in January.

N PARTY

hes and other law students

eradi, Marc Grinker, Aaron Lebenger and T-Bone Tanenbaum

O, Friday, October 31. Everyone Welcome

On The Lighter Side...

Future Interest Club Meets

by A. Sibyl

The Hofstra Law School Future Interests Club held its first meeting of the year on September 31, 1980 in the Moot Court Room. The topic of the meeting was "Lives in Being." The club met with Josef K. and Herr. Aschenbach, each of whom described himself as a "life in being." Josef K., however, admitted with some modesty that he is a measuring life. While Aschenbach insisted that failure to attain that status had no effect upon the quality of his daily existence, the general sense of the Club, after heated debate between Aschenbach and K., was that while being a measuring life did not benefit one materially, it added a certain ineffable spiritual dimension to one's daily professional work. Beginning attorneys, it was agreed, would do well to bear this in mind.

By a great stroke of unexpected good fortune for the Club, both guests were pushed out of the windows in the faculty lounge at the wine and cheese party which followed the meeting. The students and their guests were thus able to observe the ultimate vesting which took place on the demise of Josef K. and its absence in the case of Aschenbach. The students gave the guests a warm round of applause for their stimulating presentation.

The next meeting of the Club will be on February 30th in the Moot Court Room, at which time a Fee Tail Male and a Fee Tail Female will debate the virtues of the Strict Settlement. All interested members of the law school community are invited to attend.

CHEF'S BLEND

by Chef Glen

This past month has been a very busy one for me, Chef Glen. I have been touring the country, promoting my new line of kitchenware. So far, I am pleased to report that the consumer's response to these items has been tremendous. In the first month alone, sales grossed well over one million dollars. To say the least, I, Chef Glen am happy with the way my devoted public has helped to increase my income.

In addition to my promotional work, I have also been on the lecture circuit. I have been speaking at universities and colleges around the country as well as talking to many civic groups. Contrary to what many believe, people really want to know how to prepare foods properly. No longer is the student or housewife interested in throwing a meal together; rather, he or she really wants to prepare a good but simple dinner.

As a result of this change in people's attitude, I decided to start talking to my public about cooking. My fee is not too expensive and I certainly give you your money's worth.



If you are interested in having me, Chef Glen, speak to your group, please contact my agent B.G. He will handle all the arrangements and details.

Now, for those of you who wish to know the most frequently asked question, it is "Chef Glen, how do you do it?"

Here's how:

SPAGHETTI SAUCE AND MEATBALLS A LA CHEF GLEN

Sauce:

1 35 oz. can of Italian style tomatoes
1 12 oz. can of tomato paste
1 12 oz. can of tomato sauce
2 cups of water
1 basil leaf
1½ cups grated parmesan cheese

salt
pepper
garlic pepper
oregano
sugar

Meatballs:

3 lbs. chopped meat
3 eggs
salt
pepper
garlic salt

1. Combine all the sauce ingredients in pot making sure to cut up the tomatoes.

2. Spice to liking.

3. Cover and simmer for at least 3 hours.

4. Combine all the ingredients for the meatballs and spice to liking.

6. Put meatballs in sauce and allow them to cook for 1 hour.

7. Serve sauce and meatballs.

Will serve 6 people easily.
Good luck!

CLIP AND SAVE

Next CONSCIENCE

Deadline: Wednesday

November 12, 1980

ANNOUNCEMENTS

Compiled By Suzy Mandel

The annual Trial Techniques course offered during the mid-winter break for three course credits will again be offered to some law students this January. Only 80 third-year students will be permitted to register for the course, despite the unfairness which such a limited number will entail for others. Apparently the program directors are trying to avoid drawing the verbal fire to which they were subjected last year due to inequitable selection processes. This year forty spots were reserved for second-year students who have completed Evidence at a cost of \$228. Present third-year students, who were excluded from participation last year, are deeply distressed and disappointed in the school, faculty, and especially Prof. Abraham Ordovery. This is despite Ordovery's announcement that class size may be increased if qualified instructors can be found.

RECEPTION FOR LAW PARENTS

A reception and open house program will be held for parents and spouses of first-year and transfer students at Hofstra University's School of Law on Sunday, October 19 from 2 to 5 p.m.

The program, to be held at the School in Hempstead, is sponsored by the Hofstra University School of Law Parents Committee.

Included in the event will be a tour of the School, its library, moot courtroom, and other special facilities, talks by Dean John J. Regan and Hofstra President Dr. James M. Shuart, a trial techniques demonstration, and discussions about the law school's clinical programs and placement services. The parents and spouses will also be introduced to members of the law faculty.

Co-chairpersons of the Hofstra University School of Law Parents Committee are Mrs. Joan Morell of Garden City, and Mrs. Phyllis Pinkofsky of Freeport.

Hofstra's School of Law is observing its tenth anniversary this year. It has an enrollment of 735 students. The School is nationally-recognized for its clinical programs and its curriculum.

LOOKING TO THE FUTURE

The Hofstra Law Alumni Association is having a cocktail party on Tuesday, November 18th, at the Cornell Club, 155 East 50th St., N.Y., from 6:30-8:30 p.m. All new members will be awarded a gift package which will include a copy of the Alumni Directory, the latest Bulletin, CONSCIENCE, and an Association Membership Card.

SOFTBALL FIELDS

Scheduling of the softball fields at Jones Beach State Park for the 1981 season will be handled by lottery on Tuesday, October 21 at 7:30 p.m. in the conference room at Long Island State Park and Recreation Commission Headquarters, North Babylon.

All modified, slow-pitch and fast-pitch softball leagues interested in using these fields for regular season play must send a representative to this lottery session. Application forms, which must be presented by league representatives at the October 21 meeting, may be obtained at the Permit Office, LISPRC Headquarters or by sending a stamped, self-addressed envelope to: Jones Beach Ballfields, P.O. Box 247, Babylon, New York 11702. Applications will also be available at the lottery meeting.

Commission Headquarters are located on Belmont Avenue, north of Southern State Parkway (Exit 37 North). Those attending the October 21 meeting must enter the building via the Park Police entrance.

For additional information, call (516) 669-1000, Extension 246.

WHAT IS THAT?

Evil Lurks, a sculpture by Alan Finkel, is presently adorning the field outside Hofstra Law. It will remain at the site from October 12-December 31. Come gape!

ART

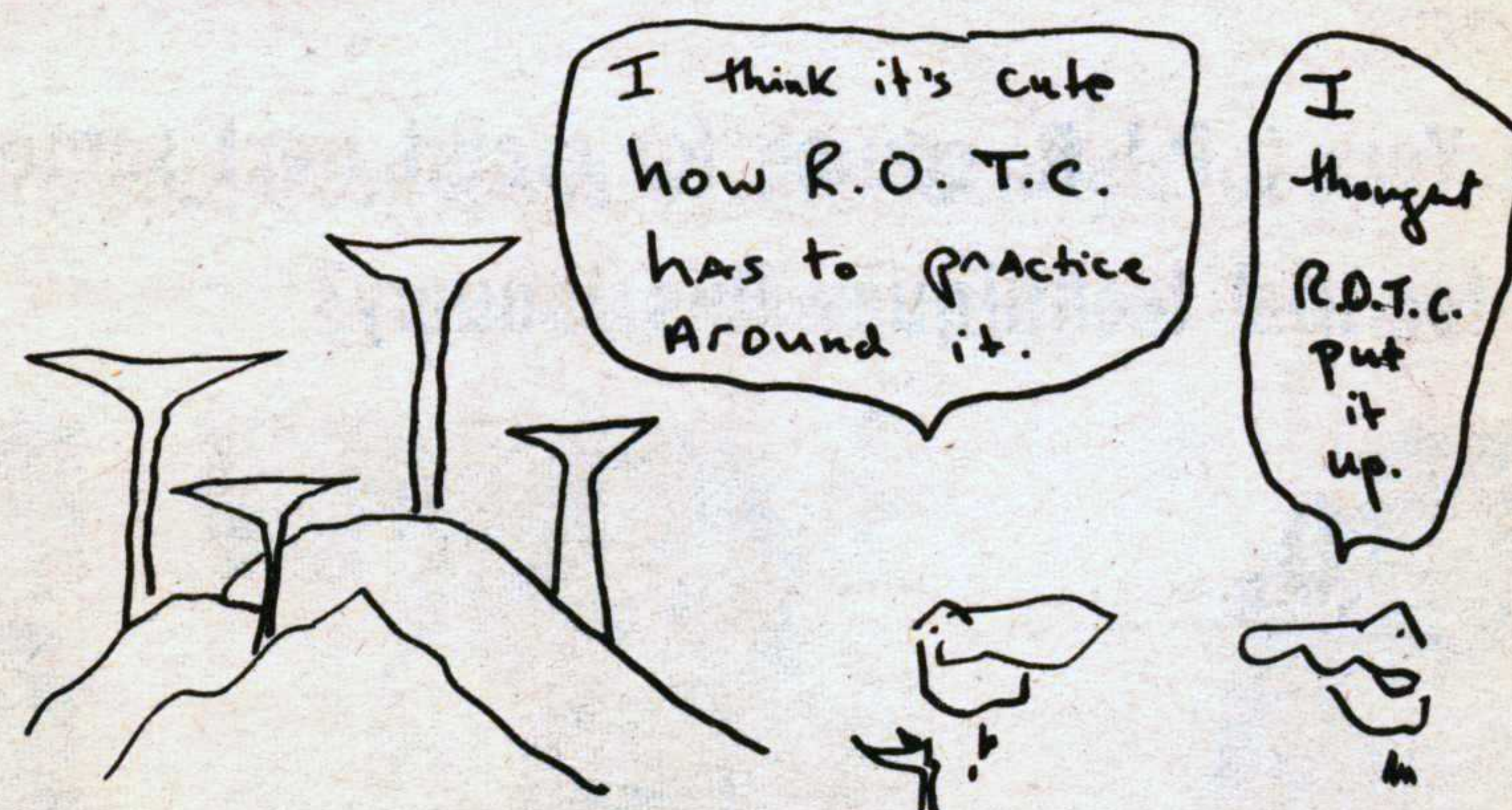
It's time once again for all treasure hunters to dig into their attics and storerooms in search of valuable antiques to be appraised at Hofstra University's Art, Antique and Collectible Exchange. The fourth season of this popular appraisal service began October 5 and continues each Sunday through December 7 from 1 to 3 p.m. in the Monroe Lecture Hall, California Avenue, Hempstead.

Paintings, prints, porcelain, glass and other antiques and collectibles (no books, jewelry or tapestries) can be brought to the Exchange for a verbal appraisal at \$3 per item.

Patrons may also leave their items for a written appraisal, or even choose to put their items up for sale at an auction, which is scheduled for December 7. Prices at these auctions are considerably lower than one would find at a typical antique gallery or New York auction house. A printed list of all works to be auctioned, with reserve price, will be available the day of the auction.

All fees collected go to support the operation of the Exchange, which is staffed by students enrolled in the art appraisal program of Hofstra's Art History Department, under the supervision of faculty and professional appraisers. Hofstra offers the only degree granting appraisal program (both B.A. and M.A. degrees) in the country accredited by the American Society of Appraisers.

For further information about the Exchange or the Art Appraisal program, write or call Dr. Robert Myron, Chairman, Department of Art History, Axinn House, Hofstra University, Hempstead, New York 11550, telephone (516) 560-3528-9.



DRAFT TEACH-IN

On Thursday, October 23, 1980, Queens College in Flushing, N.Y. will be the scene of a Draft Teach-in. The two-part program will be held in the Student Union Building.

The first discussion, scheduled for noon, features David Dellinger, one of the Chicago 7, author-professor Michael Harrington, and activist Grace Paley in a discussion on the new militarism, nuclear power and nuclear weaponry, and the economics of the draft.

The second part of the program, set for 8:00 p.m., will feature a panel including Denise Levertov and Meridel LeSeyer, blacklisted during the McCarthy era, who will discuss their personal views of Selective Service registration. Admission is free.

HELP THE RETARDED

Help, join, or sponsor the AHRC Walk-A-Jog-A-Thon to help the Nassau Association for the Help of Retarded Children. It will take place on Sunday, October 26th, 10 a.m. to 4 p.m. at four Long Island Parks. For more information, to receive sponsor sheets or to submit contributions, send checks or money orders to AHRC Walk-A-Jog-A-Thon, 189 Wheatley Road, Brookville, N.Y. 11545.

FREE T-SHIRTS:

To all who register before November 1 for the November 15th 5-mile race. A one mile fun run is also scheduled. The event will take place in Eisenhower Park, East Meadow. The pre-registration for the five mile run is \$4.00; post-registration on the day of the race, from 11:00 a.m. to 12:15 p.m. will cost \$5.00. Mail checks to Polaris District, Nassau County Council, BSA, Shelter Rock Road, Roslyn, New York 11576, along with the following official entry form:

Official Entry Form

In consideration of the acceptance of this entry, I hereby waive and release all claims for damage or injury I may have against the Nassau County Council, Boy Scouts of America, and its employees, the Nassau County Department of

Parks and Recreation, and all sponsors and promoters in conjunction with this "Run for Scouting" held on November 15, 1980. I attest and verify that I am physically fit and have trained sufficiently for this race.

Signature of runner
or parent, if under 18

Name: _____

Address: _____

Male: _____

Female: _____

Age: _____

Category: _____

12 & under ()

13-19 ()

20-29 ()

30-39 ()

40-49 ()

50 & over ()

Circle T-Shirt Size:

Adult S M L XL

Youth S M L XL

Official use only:

Number _____

Fee _____

N.Y. EVIDENCE SYMPOSIUM

Brooklyn Law School is sponsoring a day-long Symposium on New York's Proposed Code of Evidence on Saturday, November 15th at 9:00 AM. All students and faculty members are invited to attend and admission to the Symposium is free.

Brooklyn Law School is located at 250 Joralemon Street, Brooklyn, New York.

For additional information call: (212) 780-7968.



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Record Keeping In Your Law Practice

by Stephen R. Wasserman, C.P.A.

Imagine the following scenario: It's Sunday, April 12, 1984. More than a year had passed since you completed your apprenticeship in Law, which consisted of Law School and several years of legal work. Your salary increases were not keeping pace with inflation and taxes, as the dollars you earned bought less and less each year. You realized that the enthusiasm with which you were going to change the world when you were in high school and undergraduate school, had waned. So rather than going out and reforming the entire social and economic order, the time had come for you to practice law on your own.

Although you were scared when you left the security of a weekly paycheck for the American Dream, it had worked out pretty well after all. You opened your office and pretty soon, either through newspaper advertising or referrals by relatives and friends, clients were coming to see you at a fairly regular pace. You had, in fact, during your first year in practice, done pretty well. You ate regularly, paid off student loans, and brought home a little something special for your spouse in recognition of his/her patience and support during the past few years.

You're relaxing at home on this particular Sunday, enjoying a rare day off. Suddenly, you realize, that your Federal and State personal income tax returns are due in three days. You think, "Well, that's no problem. Every year for the past ten years I have completed my own tax forms and took the standard deduction. I'll just do the same thing this year. I have until midnight on the fifteenth." As you reach for the envelope in which you usually file all of your tax papers, the awful truth hits you. "I don't have a W-2 form for this year. I didn't work for anybody this year. I was on my own. I know I made money. I ate. I paid the rent. I bought three-piece suits and wing-tipped shoes. I just haven't the slightest idea of how much money I made. I took Individual Income Tax in Law School, but the exam was multiple-choice and the 1040 is a fill-in." Panic sets in.

Check Book Method

How, then, to avoid this dilemma? A relatively simple record and bookkeeping system will enable you to maintain the proper records quickly and efficiently so that your day of reckoning will be as event-free as possible. Simplicity is the watchword in this case, so that when you are practicing law on your own, rushing to meet court deadlines and filing dates for your clients, the last thing that will require your attention will be your own financial record-keeping.

For the completely uninitiated, taxable income equals gross income, less business expenses, thus, the simplest form of record-keeping consists of opening a checking account and scrupulously depositing all money that you receive in fees, then paying all legal and other business expenses from that checking account. This method's advantage is its effortless nature. Its disadvantage is that it requires some concerted effort at year's end to summarize your year's financial activity and to distinguish deposits which are income from deposits which are made out of your own funds. Additionally, your bank statement would most likely be inconclusive evidence that you had in fact deposited all of your income into the account. However, this method entails no financial record-keeping at all other than a bank book, so a bank account scrupulously utilized would enable you to reconstruct your income and expenses at year's end and is a lot better than no records at all.

Ledger Book Method

One of the most reliable methods of keeping track of your income and expenses is frighteningly simple, and almost poetic in its elegance. The key element in its

operation is, however, the lawyer her-himself. Consistency in use and application is of the utmost import. One thin ledger book will suffice, with ruled columns on each side of the book's leaves. The left hand page will be used to record cash receipts and other income, while the right hand page will be used to record money paid out.

On the left hand page, the date that the money or other property was received is recorded, along with the client's name and the amount of money received in column number 1. In column number 2, if the money is for legal services rendered, a similar amount is entered. If the money was received for any other purpose, a notation should be made, and the appropriate amount must be entered in column 3, rather than column 2.

At the end of the month, the total in column 1 should correspond to the total amount of credits on your bank statement. The amount in column 2 is your income for the month, while the amount in column 3 represents non-income items. The sum of columns 2 and 3 should equal column 1. Voila!

On the right hand page, there will be five or six columns for figures, along with a wide space for payees' names.

For each check that you write, enter the check number, the date, the payee's name, and then the cash amount in column 1. You may have several checks in a given month in a certain category and may wish to dedicate a column for expenses of that type only. For example, column 2 may just be for office supplies, column 3 for Xerox expense, and column for lawbooks. Column 6 is then used for all other amounts, with column 5 being used for a verbal explanation of the amount in column 6. At the end of the month the total in column 1 should equal the sum of the column totals in 2, 3, 4, and 6, which should equal the total charges on your bank statement. (Don't forget the bank charge.) Once again, Voila!

April 12th is then a snap! Just add your twelve month's income, and summarize your twelve month's expenses for transfer to the 1040's Schedule C and you are nearly home free. Of course, it's not always this easy. Some of your income may not have been in cash, or there may be timing problems, or certain receipts may not be income and some of your disbursements may not be deductible at all, or must be pro-rated over a number of years. If you are not sure, you can find out. After all, you're a lawyer.

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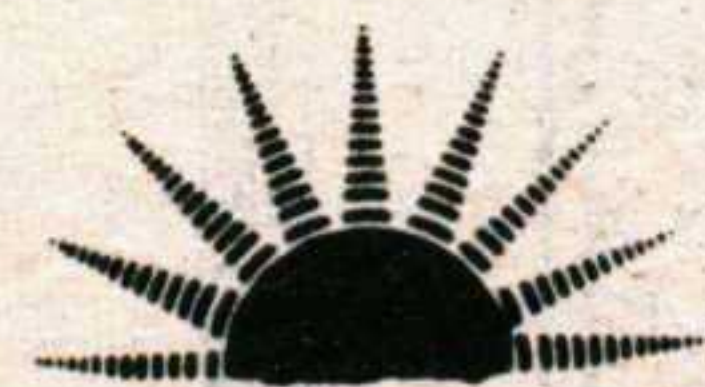
N.Y. CPLR REVIEW

BEST OF BOTH WORLDS

The Marino Bar Review Course, with over thirty years of unequalled success preparing students for the New York Bar Exam, and the Josephson Bar Review Center (BRC), the nation's most innovative legal educator and most successful national bar reviewer, have joined forces to develop an extraordinary bar review program integrating the best features of both institutions. The result — a course perfectly designed to assure that you pass the new New York Multistate Bar Exam.

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Nancy Santiago



Marino-Josephson/BRC

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Pancho Gomez And Other

Taco Lovers Every Wednesday

Night Down In Point Lookout.

Ordover's Response

(Continued from page 7)

program in the third-year. The simulation courses like Trial Techniques, Pre-trial Litigation and others would best be taken in second-year, before students handle actual cases for live clients. Thus, some provision for second-year students in Trial Techniques had to be made.

The proposed certificate program will also contain heavy third-year requirements in clinical courses; for a major research component and for a comprehensive examination.

To place the entire program in a student's third-year of law school would be an undue burden on the student and likely would result in an unhealthy academic concentration. Our judgment was that the material would better be taken over a two year period. The policy of absolute priority to third-year students advances no public policy goal of the law school, other than to satisfy the parochial interests of those students. Academic programs must be based on more than that.

The timing of the change is neither unfair nor inadvertent. The need for present implementation must be seen in context. The law school has been

moving in the direction of a concentration in litigation for interested students for at least four years. The time is ripe to take steps that bring us closer to full implementation of a certificate program. We are also mindful of the impending move of the U.S. District Courthouse to the Hofstra campus, which impels us to maximize the opportunities for learning that this resource allows.

In addition to the undergraduate program, serious consideration of a graduate program in litigation should now be undertaken. Such a program requires a strong undergraduate law program, including the maintenance of strong clinical offerings.

We have attempted to meet the needs of the largest number. The Trial Techniques Program was originally designed for about 80 students. Last year, we accepted 132 students, stretching our resources to the limit. We will continue to strive to offer the best program for the largest number of students.

—Professor Abraham P. Ordover

EDITOR'S NOTE: A graduate program in litigation would be more than welcome.

Who Knows What Evil Lurks At The Law School Ball Field

by Ron Frier

Monday morning, October 6th, bleary eyed students began arriving in the Law School parking lot. As students trudged across the path to the library entrance, eyes opened wide. Smack in the middle of the ballfield stands a pile of dirt with smokestacks stuck in it.

"What could it be?" was the question sounded in the hallways of the Law School. Some thought it was a fraternity prank and others thought it was the new CIA headquarters. Orson Welles, who just happened to be visiting for the day, believed that War of the Worlds had finally become reality. "No more Paul Masson and Perrier for me," he stated. "Now I can narrate the real event."

The evil blob is really slag, a hard coal-like substance used for sand blasting, said its creator Alan Finkel (no relation to our own Wendy). It was dumped here Saturday, October 4th, and formed into an outdoor sculpture replete with black wooden columns to add the finishing touches of artistic beauty. The work is part of a three-month exhibit called Southside Sculpture Project which is located on five sites throughout the campus. At noon on October 22nd, the artists will discuss their works with interested students on the ninth floor of the undergraduate library.

The name of the work stationed outside the Law School is "Who Knows What Evil Lurks..." The setting for the work is a large open field representing neutral space. The slag was purposely formed like no other recognizable

structure so it would take on a ruin-like quality signifying past events.

Not all agree with the artist's concept, however. Said one student, "If we can't park on it, it's totally worthless." Said another, "Where are we supposed to put center field now?" In defense of the sculpture, an official of the school stated, "It serves as a great inspiration for

our course policy. You see... the real evil represented is the CPLR course. Both the course and the pile take up space without adding anything of value. It does have another message, though. It reminds one of a volcano. So we decided to add a course on Volcano Law in response to the needs of the one student who lives on the edge of Mount St. Helens. You understand, Hofstra is a NATIONAL law school."

Congratulations Mike & Suzy

CONSCIENCE Sports

Softball Some Didn't Get Away

by Tibinsky Schwartenfieber

Eleven gallant softball enthusiasts from our beloved law school ventured up to Beantown this last weekend to participate in Boston University Law School's Second Annual Invitational Softball Tournament. Our team had high hopes that it would bring back a trophy to "beautiful" Hempstead (If you believe this one, I have a bridge to sell real cheap). However, such was not the case. We dropped our first game in the rain, hail and mud to Albany Law School 12-7. In our second game, we brought joy to our fans (all four of them) as we defeated Boston University Law School Alumni 15-13. However, we were knocked out of the tournament by New York Law School, losing 10-4 (At least we did better than the Yankees—sorry, Eric).

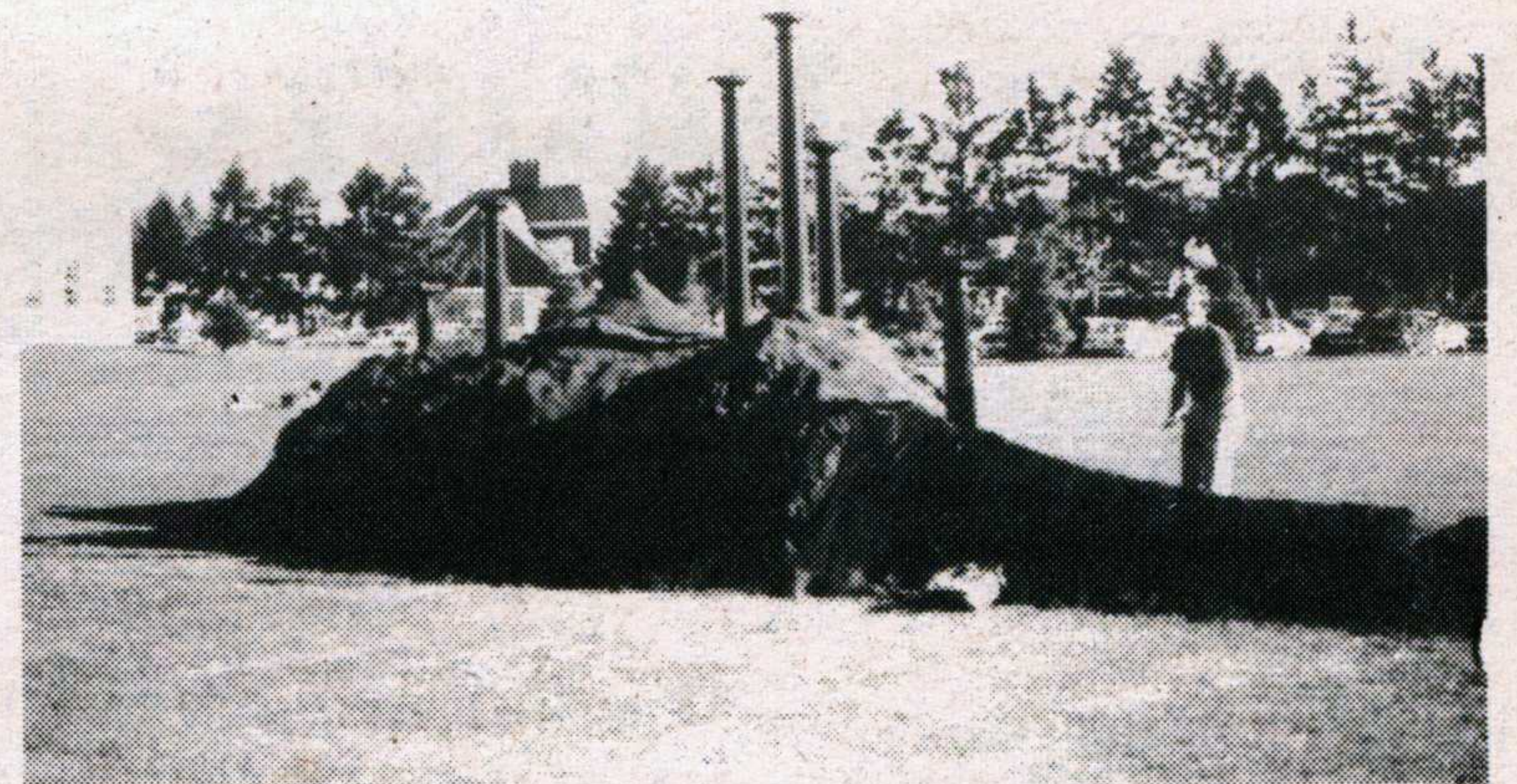
But don't fret, Hofstra softball fans, as Hofstra Law will be hosting a Spring Softball Tournament.

Thanks to all the participants: Gregg Weiss, Phil Rogers, Babe Ruth, Bill McCandless, John Papa, Richard Burke, Tom McConnell, Lonnie—, Nap Lajoie, Scott Gordon, and co-captains Corey Bearak and Brian "T-Bone" Tanenbaum.

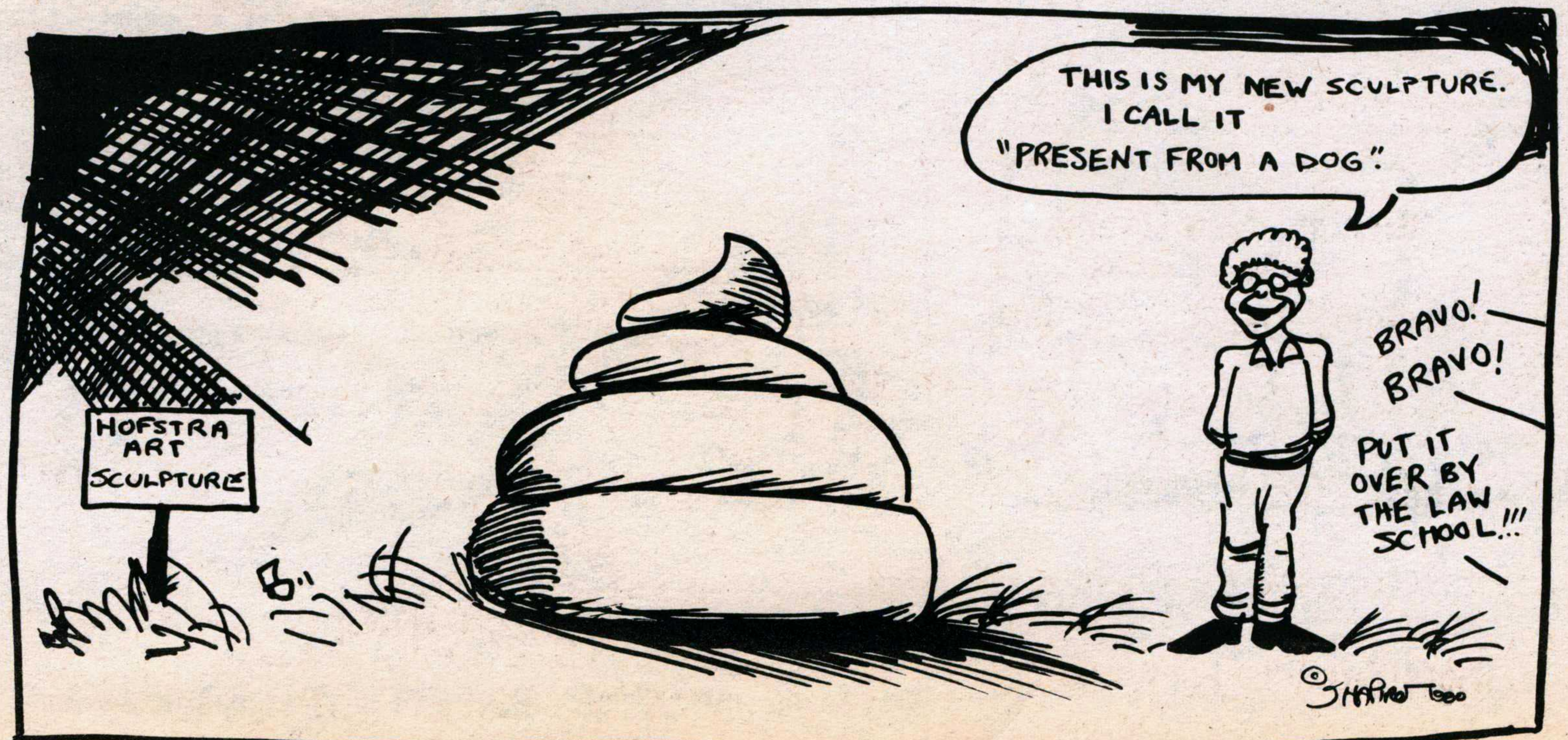
The first annual law school fishing trip took place Saturday, October 4th despite its official cancellation. Seven hardy students met at the Viking Pier at Montauk Point, laden with Dramamine and other provisions. At 7:00 P.M. the quest for Blue fish began. The waters were rough and the wind steady, but those adventurous young men stood strong against adversity and reaped the benefit of their toils. They caught 37 fish whose aggregate weight was 500 pounds. In addition, one of the fish caught won second place in the "catch pool" for the evening. Sometime after 1:00 A.M., they wearily started their voyage home.



Two brave fishermen



Photos by Bob Schaufeld.

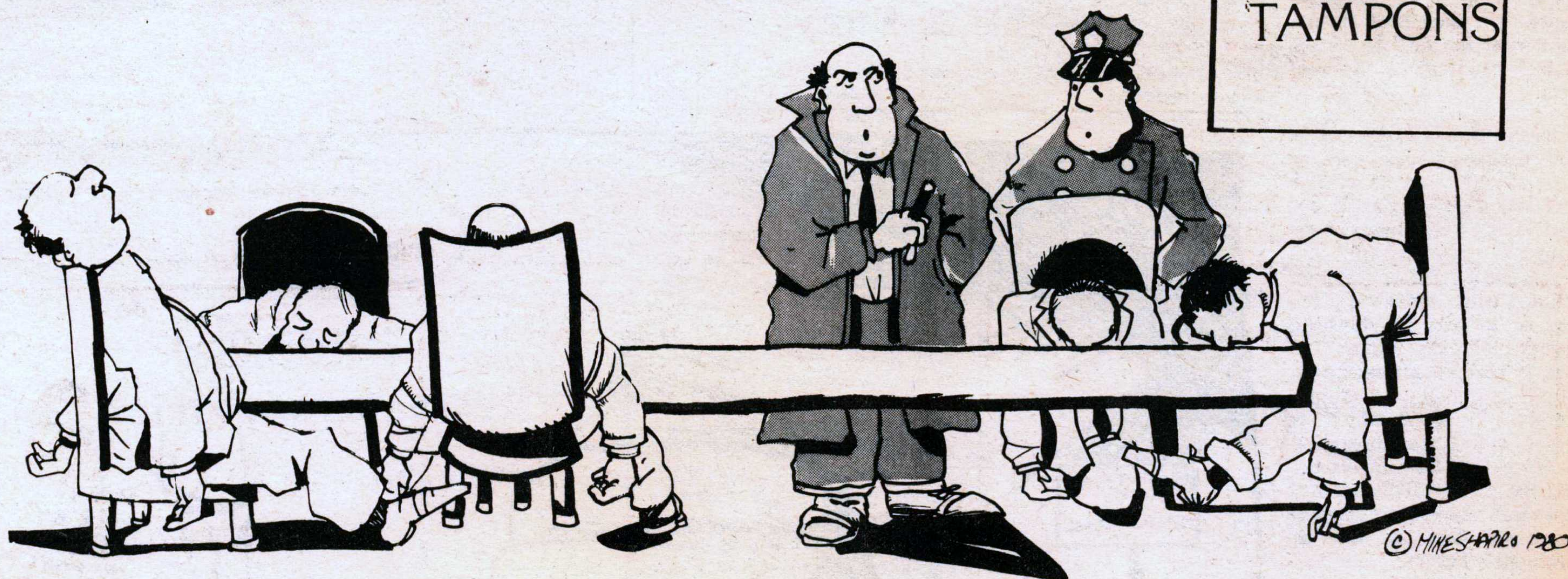


SHAPIRO

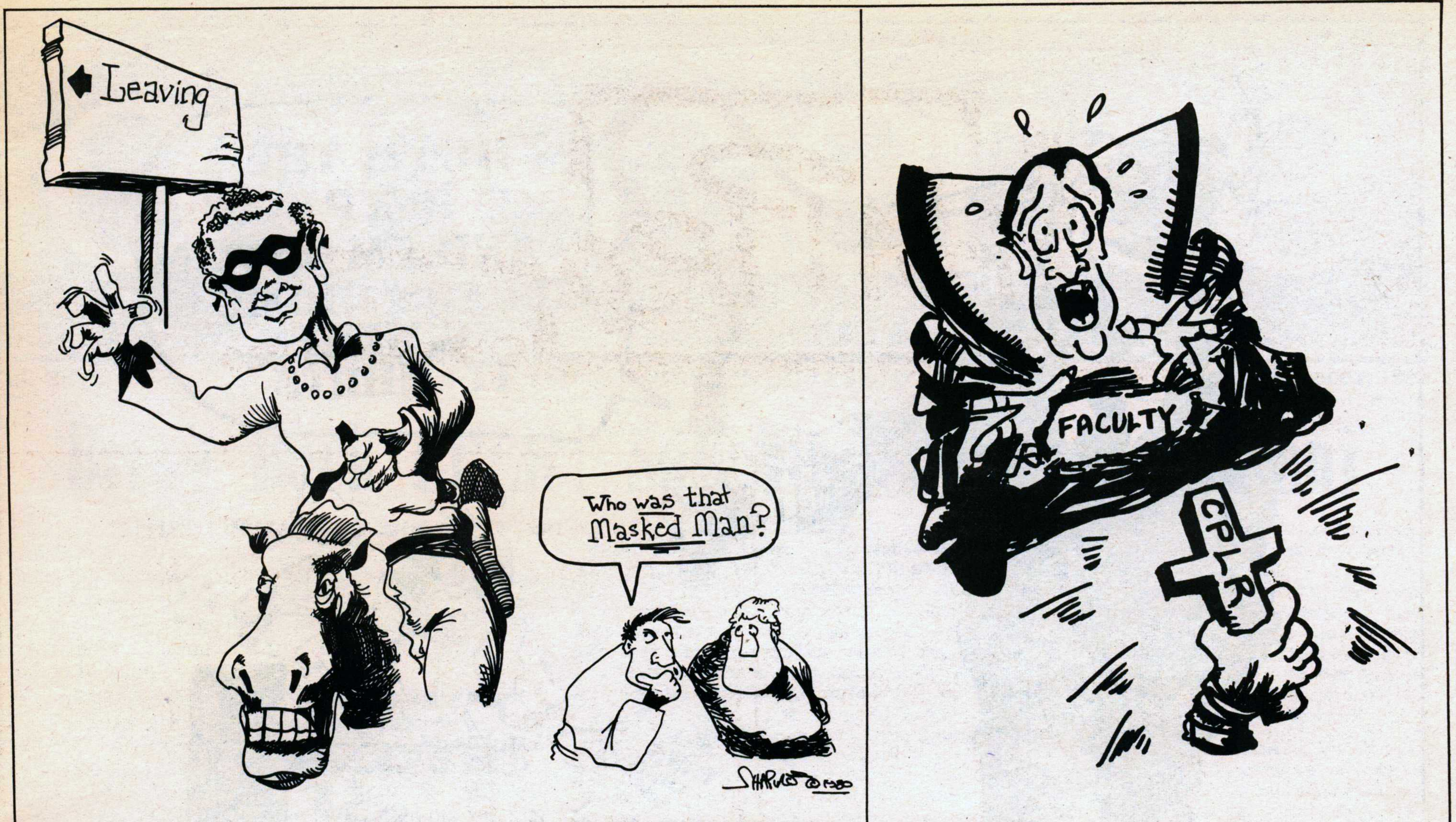
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PROCTOR & GAMBLE



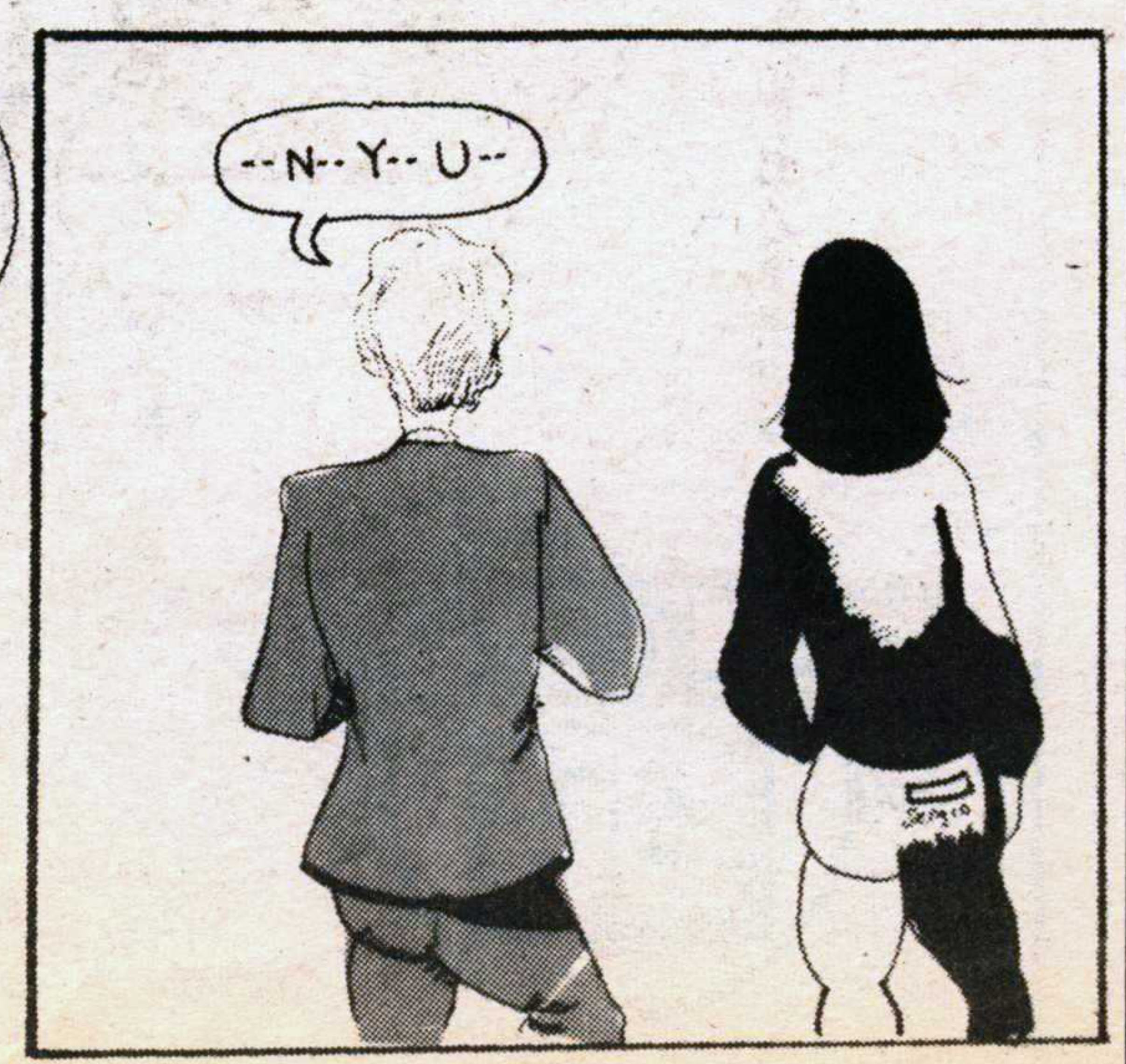
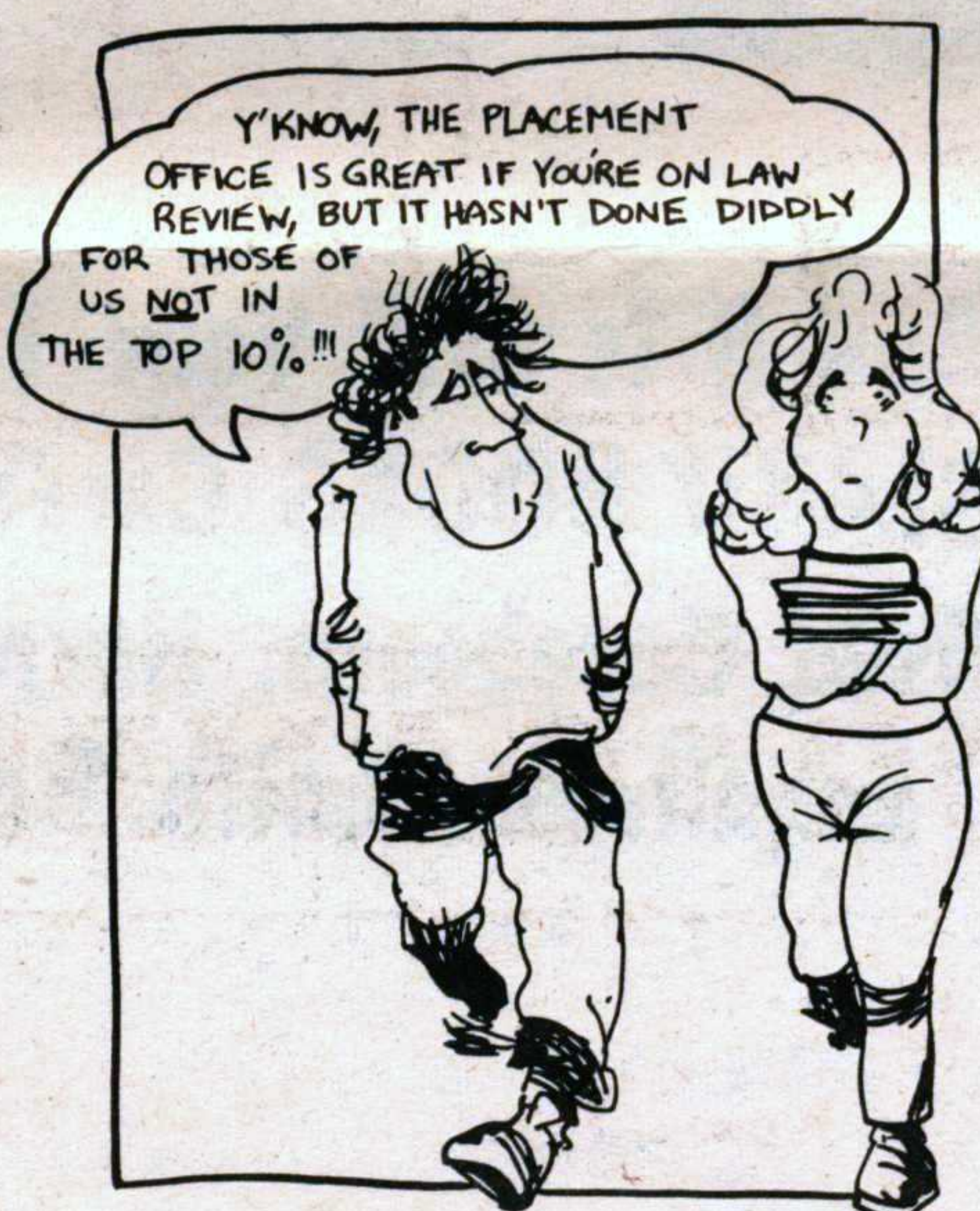
ALL DEAD SERGEANT. LOOKS LIKE A
CLEAR CASE OF TOXIC PROFIT SYNDROME!

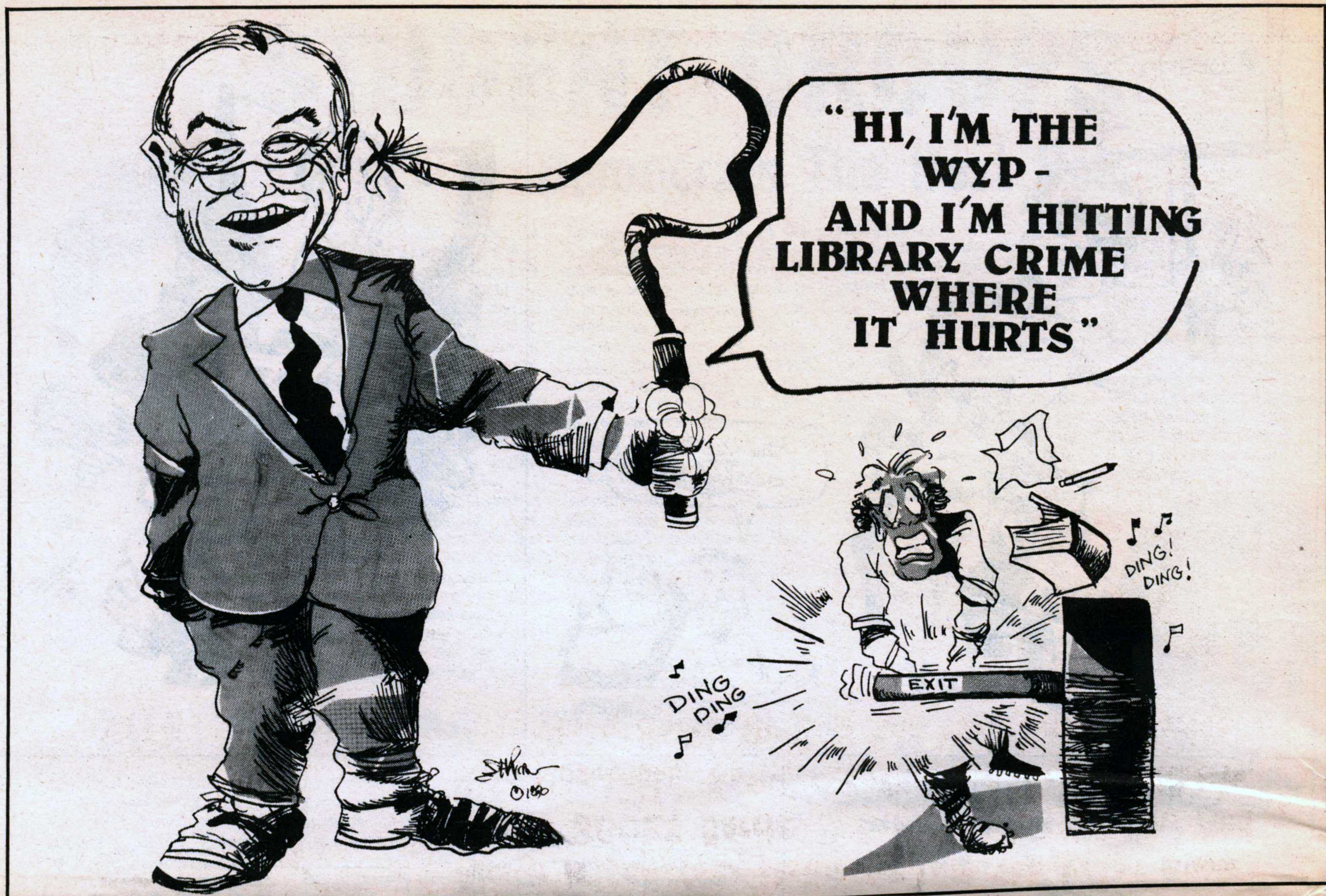


THE QUERYING PHOTOGRAPHER by Bob Rediger

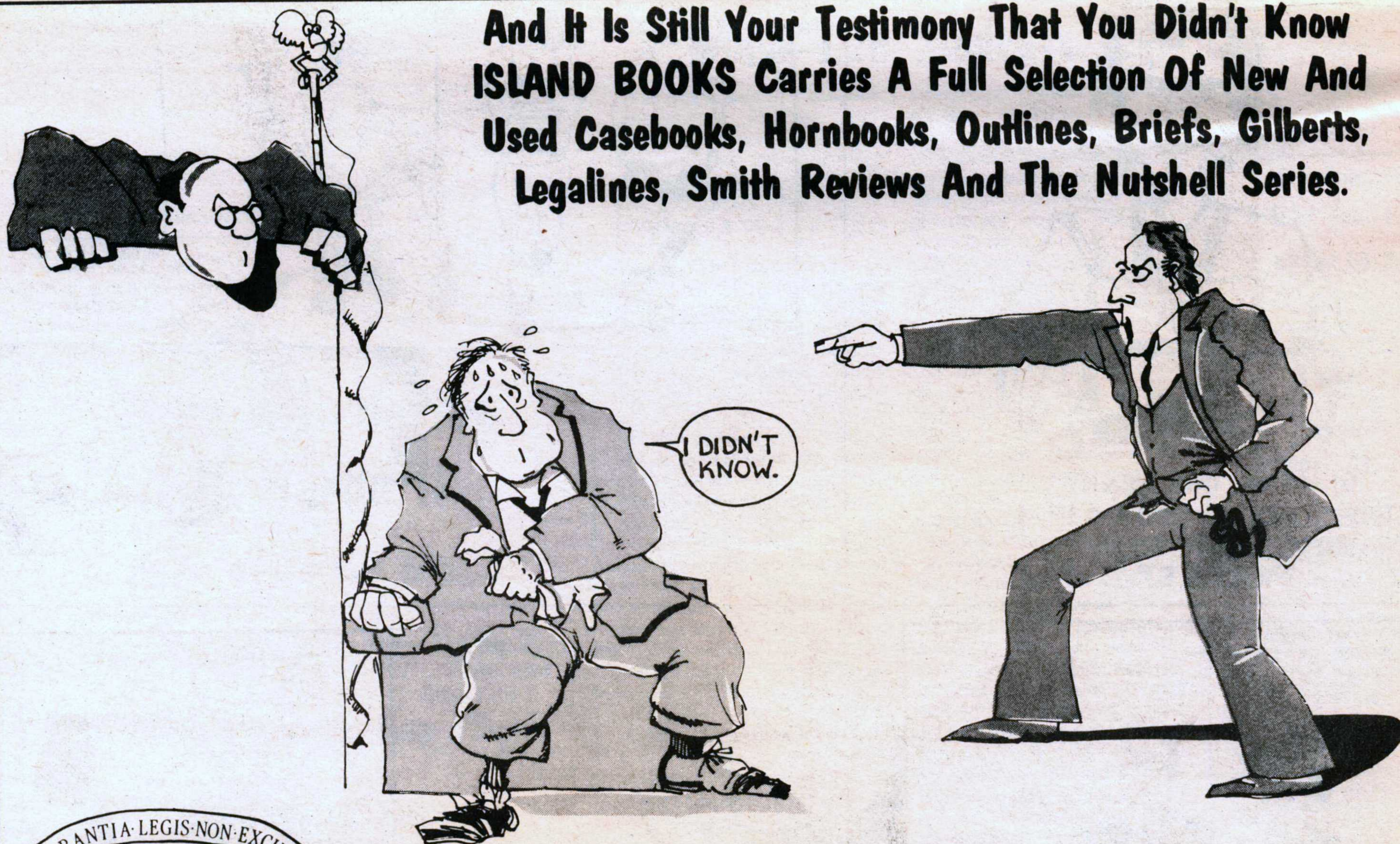


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"WHAT WOULD YOU DO IF I
RIPPED OFF YOUR
PANTIES?"





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