

conscience

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May, 1981

STUDENTS ELECT NEW GOV'T.

by Pete Aloe and Corey Bearak

In an election held April 8 and 9, Hofstra law students picked new student government leaders. Fifteen candidates vied for the eight open positions. The election was the first held under the new constitution adopted in March.

Michael Glassman, former Phi Alpha Delta Law Fraternity Justice, was elected to the student government presidency with 207 votes. First-year student Eric Nodiff was second with 60 votes. Robert Fischl was third with 44 votes, and Arthur Kravitz was fourth with 30 votes.

Jonathan Gorham was elected student government secretary over Lynn Olinger by a vote of 188-123. Gorham is currently the first-year rep from section B. Kathy Locketti was elected treasurer, defeating Ray Smolenski by a 256 to 70 vote margin. Locketti is a first-year student from section C. George Silver was elected as second-year rep over Deborah Ezbitzki by an 88-67 vote margin in a re-match because the original vote for the office was deadlocked. Tom

O'Connell was unopposed in his bid to become the third-year rep.

Students also chose three Commissioners to run next year's elections. The students picked were John Ferreira (163 votes), William Hagan (164 votes), and Larry Paskowitz (173 votes), edging out Dave Paul who received 137 votes.

This election saw the use of multiple posters and signs, and the most use of Campaign Tickets in the history of Hofstra Law Student Government elections. Indeed, all the successful candidates had run on one ticket.

In accordance with the new Constitution, Michael Glassman as President-elect has resigned from his position as Justice of P.A.D. He notified P.A.D. Vice-Justice Gus Alimaras of his resignation in a letter dated April 8, 1981.

Of five student representatives eligible to run in the election, only two so opted. Second-year representative Sal Pontillo chose to remain as President of the Hofstra Chapter of the Republican Law Students

Association, noting he would have to resign if re-elected under the new constitution. Second-year rep Eddie Geller also declined to run. He was recently selected Copy Editor of CONSCIENCE by the Editor-in-Chief-elect. (As an editor, he is ineligible for elective office). First-year representative Cesar Callan also declined to seek re-election.

The new election rules required all candidates to submit campaign expenditure statements. The Glassman ticket spent \$16.12.

The elections were run by an election committee appointed by the student representatives under the provisions of the newly adopted constitution: Second-year reps. Eddie Geller (chair) and Sal Pontillo; and CONSCIENCE Executive Editor and constitution co-author Pete Aloe. The three approved a set of election rules written by Mr. Aloe. Geller thanked Corey Bearak, Al Bochner, Jeremy Metz, Bob Schaufeld, and Linda Ashley for their assistance in running the elections.

Law School Dean Search Committee

Dean John J. Regan announced the appointment of the Law School's Dean Search Committee at the last meeting of the Faculty, Thursday, April 2, 1981. The committee will be comprised of eight members: five faculty, two students and one alumnus. Faculty members selected are Professors M. Patricia Adamski, Burton Agata, Malachy Mahon, Stuart Rabinowitz and Associate Dean Alan Resnick. Student Representatives were requested to submit nominees by April 23, 1981. Sal Russo's illness, however, pushed back interviewing for the student slots by at least one week but the Reps selected Peggy DeStefano '82 and Wayne White '83 with Anita Lokos as the alternate. The alumni selection is unknown at this time.

New Editor Elected

CONSCIENCE Editor-in-Chief Corey B. Bearak announced the unanimous election of Pete Aloe as Editor-in-Chief for 1981-1982. Mr. Aloe will name the other members of the Editorial Board.

STUDENTS PROTEST WORK STUDY CUTS

by Mildred Michalczyk

Recent Federal Budget cuts have cost New York State approximately \$22 million in funding. Hofstra University's financial aid budget has been cut by approximately 30 percent. Federal Work-Study funds (FWS), traditionally a part of the financial aid package, were also cut. Previously, 40 percent of all university financial aid expenditures went to FWS. Because of the 30 percent budget cut, only 20 percent of university funding will go toward FWS. What this means is that there are less FWS funds available for each student.

On April 22, 1981 there was a meeting in the law school regarding the future of the off-campus FWS program for the 1981-82 academic year. The meeting was conducted by Mary Ellen Joyce, FWS Coordinator, Peter Fischbein, Financial Aid Officer, and Dr. Hammer, Exec. Dean of Student Services. Since many law students use the off-campus FWS program in order to gain professional experience while at the same time earning money to finance their education, the curtailment of the program is of particular importance to the law school. Traditionally, a student might do an internship for a District Attorney or work for a non-religious, non-

profit, or non-political organization and get paid for it. The organization funds 20 percent of the salary; FWS funds 80 percent.

The topic of the meeting was the cancellation of the Summer 1981 off-campus FWS program. In a memorandum distributed to all students who were present, the university announced its decision to cut out all Summer 1981 FWS funding. Instead, all funds available for the off-campus program would be used for the Fall and Spring Academic Year program. In other words, students receiving a grant of, for example, \$1200, could not apply this grant toward summer employment. This money would have to be used during the academic year. The three university administrators felt that cancellation of summer funds was necessary because there were insufficient funds available for both a summer and academic year program. They said that the academic year program in lieu of the summer program would allow the university to maintain a better relationship with agencies which provide FWS employment. The summer funds were so limited that, if there was a summer off-campus FWS program available, students

would each receive a grant of only about \$320. Since students would probably be earning \$4.00 per hour, and most likely working on a full-time basis, funds would run out extremely quickly, thereby not enabling Hofstra to maintain a continuing favorable community relationship.

Many students, understandably upset, began to ask various questions, including for example, whether other universities were also curtailing FWS. In response they were informed that Hofstra had a very extensive FWS program. Hofstra had formerly allocated 40 percent of its financial aid funds toward FWS while St. John's and Fordham Law School had only allocated 20 percent of their funds to FWS all along. In addition, if other universities had not curtailed FWS, then they had made cuts in other financial aid areas such as NDSL.

Other students also questioned the way in which Hofstra allocates its expenditures. There are approximately 6000 undergraduates and 1000 graduate students. The anticipated FWS budget is \$500,000. The university, without comparing the needs of the undergraduates to the graduate students, simply allocates the funds based upon a 6 to 1 ratio. Since

most of the undergraduates use the on-campus FWS program, \$425,000 goes toward the on-campus program and \$75,000 toward the off-campus program. The summer off-campus program was cancelled because only an estimated \$40,000 would be available for the total summer program. Based upon last year's estimates, approximately 125 students would be participating, leaving \$320 for each student. The amount was considered insufficient for a summer off-campus program.

Some students expressed concern that by allocating six times more to the on-campus program, the university cared more about its own administrative problems than those of the students. It was more concerned with cheap labor than with the future of the law school.

The 1980-81 work study grant totalled \$640,000. Of that amount, \$400,000 was allocated to the on-campus program and \$240,000 was allocated to the off-campus program. Rather than proportionately reduce each program, the University increased the on-campus funds by \$25,000 and reduced the off-campus money by \$165,000, less than one-third of last year's

(Continued on page 6)

Student Groups BALSA Attends National Convention

by Arnold P. Keith, Jr.,
BALSA Vice President

The National Black American Law Student Association (BALSA), held a convention in Houston, Texas, March 18 to 22nd. Representing Hofstra were Lacy C. Johnson, Arnold P. Keith, Jr., Hugh W. Campbell, Jerome Reide and Johnnie Story.

The convention was held at the Hyatt Regency Hotel in Houston. Almost all of the law schools in the country sent BALSA representatives.

In an effort to minimize costs, the Hofstra delegation drove to Houston. The thirty-hour journey was, in itself, quite interesting.

Among the many convention activities were workshops, films, "plenary" sessions, BALSA business, resolutions, regional caucuses and the election of National BALSA candidates for the 1981-82 year. The keynote speaker at the convention banquet was Congressman Harold Ford of Tennessee. W.A. Borders, President of the National Bar Association, Judge Mary Ellen Hicks of Dallas, Texas, Laughlin McDonald, Director of the American Civil Liberties Union, Atlanta, Georgia, Denise Carty-Bennia, Associate Professor of Law Northeastern University School of Law, legal advisor to National BALSA, and many other notable guests participated at the convention.

BALSA would also like to an-



Photo by Arnold Keith
Lacy Johnson addressing the convention. Jerome Reide is standing on the far left.

nounce that our 5th annual awards banquet will be held Saturday, May 23, 1981 in the multi-purpose room on North Campus. All are invited. Cocktails will be served from 6:30 to 7:45 p.m. After the formalities, there will be dancing until 2 a.m.

The keynote speaker will be Denise Carty-Bennia, Associate Professor at Northeastern University School of Law and legal advisor to National BALSA.

Our awards banquet is the culmination of an extremely active year for the BALSA chapter. Recognition will be given to students, faculty members and administrative personnel for their most appreciated help. Among the for-

malities at the awards banquet will be the unveiling of a portrait of Thurgood Marshall donated to the Law School by the BALSA class of 1980. Several 1980 BALSA alumni will be present.

The newly elected BALSA officers for 1981-82 are Johnnie Story, President, Margaret Johnson, Vice-President, Marguerite Grays, Secretary, and Daphne McKensie, Treasurer. Congratulations and good luck to them.

Tickets for the awards banquet will be \$15 per person or \$25 for couples. Hope to see you there.

For tickets or further information contact Lacy C. Johnson.

R.L.S.A. In Review

by Jeffrey Hirsh,
Republican Law Students

This past year has been one of rapid development for the Hofstra Law School chapter of the Republican Law Students Association of New York. This two-year-old organization has expanded to a point where it now numbers over thirty members. Through its programs, R.L.S.A. has moved a step closer to the realization of its goals for the law school and the university at large.

To establish contacts with the Long Island legal community, the chapter has been assembling a Board of Advisers, composed of prominent alumni, attorneys, politicians, and other community leaders. In addition, the chapter sponsored a presentation by Douglas Hynes, Councilman Town of Oyster Bay and Senior partner in the firm of Hynes and Rosenberg. Mr. Hynes discussed his legal and political experiences and answered students' questions. Following the program there was a wine and cheese reception, at which Mr. Hynes had an opportunity to meet with individual law students. R.L.S.A. provided a

forum for an important viewpoint on the controversial issue of subway crime, by sponsoring William McKechnie, President of the New York City Transit P.B.A. Mr. McKechnie spoke in response to a representative of the Guardian Angels, presented by the Democratic Law Students Association.

As a part of Hofstra, the chapter has sought to publicize the university. This has been achieved through extensive coverage of its programs in local newspapers and the Daily News (L.I. Section). Also, chapter president Sal Pontillo drew attention to the University in an interview on WBAU Radio. This year a link was forged and a new bridge built connecting the law school community and the rest of the campus. An undergraduate branch of R.L.S.A. was formed, providing a sense of progression and continuity for the Hofstra Law School chapter.

The Association has helped ease members' passage through the law school, by holding weekly meetings, where students discussed topics of importance both to themselves and to the law school community. The chapter

co-sponsored (with D.L.S.A.) a spring party which provided many students with a welcome break from their weekday routine.

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Charge LILCO With Blind Greed

by Rob Fischl

On April 22, the Democratic Law Students Association sponsored a presentation by Marge Harrison of Long Island Citizens in Action (LICA) on "LILCO and your electric bill."

Ms. Harrison related that involvement in this field of consumer protection began during the first Arab oil embargo while she was a student at Columbia University. There, Ms. Harrison researched the relationship between the Public Service Commission and the utility companies.

When Ms. Harrison moved to Long Island, her interest and involvement in the field was heightened by her being forced, in common with other Long Island residents, to pay the ever-increasing rates of LILCO.

Ms. Harrison explained that LICA is composed of unions, environmental groups, women's groups and citizens seeking other methods of looking at contemporary problems. One of the Coalition's aims, Ms. Harrison said, was to work for municipal control of LILCO.

LILCO, far from being a public service corporation, is, according to Ms. Harrison, a private corporation exploiting public need for private greed. Ms. Harrison explained how LILCO is mandated by law to make a profit sufficiently reasonable to attract investment.

That law is responsible for much of LILCO's abuse of the system through rate hikes. Because rates are computed to cover all operating costs and a fuel adjustment charge, it is to LILCO's advantage to have increasing costs. This is why LILCO continues to expand in spite of the fact that Long Island's energy needs have increased only one percent per year since 1973. LILCO currently runs at 30 percent over-capacity when electricity is at peak usage.

The system used for computing its rates is currently being challenged by the New York Consumer Protection Board and

New York State Attorney General Bob Abrams on the grounds that the fuel adjustment rate violates the Fourteenth Amendment as a taking of property without due process. The Public Service Commission has allowed LILCO to increase rates on the fuel adjustment charge without any supervision whatsoever.

The rate system is also responsible, Ms. Harrison said, for the Shoreham project which has been strongly opposed by the community. Nuclear power plants, she explained, are the most capital intensive projects. Shoreham was originally supposed to have cost 261 million dollars. It is now expected to cost 2.6 billion dollars. There are other methods for generating power which LILCO has not considered that are much cheaper, such as buying Canadian hydro-electric power.

Ms. Harrison then went on to detail a process for municipal control of electric companies and the successful use of this process by various municipalities. The program was originally enacted by the New York legislature in the 1930's under the leadership of Governor Lehman.

Among municipalities in New York that have taken advantage of this program are Freeport, Rockville Centre and Greenport. Rates for these communities are much lower than those of the surrounding communities served by LILCO. Ms. Harrison cited the development of plans in Suffolk County to attempt a takeover of that county's electrical needs. The process, she explained, called for: 1) a feasibility study, 2) a public referendum and, if approved, 3) the actual purchase by the floating of bonds.

In conclusion she urged the assembled law students to join the coalition, and to research the various legal questions that the coalition deals with in lobbying the PSC and working for a public takeover of LILCO.

Faculty Requires Final Grades Turned In On Time

At their April 2, 1981 meeting, the faculty unanimously adopted a rule requiring faculty members to turn in grades four weeks after the date of an exam. The rule permits, however, the Dean to waive the rule in "appropriate cases." In addition, the faculty authorized the Dean to impose "meaningful sanctions" on any faculty member who is

late in submitting final grades.

EARLIER SPRING BREAK

The faculty also approved a motion by Professor Linda Champlin moving future spring breaks to "approximately the middle of the semester." The faculty felt a break at mid-semester would be more useful than the current break, which is close to the end of the semester.

Former President Gerald R. Ford is to receive an honorary degree at Hofstra University on May 6th. If you want a ticket, some are available at the Student Center Service Desk.

The Bulletin Strip

What a yearbook . . . kudos to Daphne, et al, at Pocket Part. Three cheers for David Kadane, selected as the honored faculty member by the graduates.

Congratulations to William R. Ginsberg on his selection as president of the Catskill Center for Conservation and Development.

Senator Henry Jackson will address the assembled inaugurating the Edward F. Carlough Distinguished Professorship Hofstra University School of Law. Our own Eric Schmertz will be the first awardee, to be bestowed Friday, May 15, 1981 in the Moot Court Room.

Fare thee well to Posin, Twerski, Kadane, Mahon upon their decisions to go on leave next fall. I thought we're the ones graduating but . . .

The CONSCIENCE picnic is May 26th at Eisenhower Park, 10:30 A.M.

. . . On behalf of the newspaper staff and myself, good luck on finals, and in general.

Suzy Mandel

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ALUMNI SURVEYED ON EMPLOYMENT

by Tapper Bragg

(Tapper Bragg is an alumnus of Hofstra Law School and editor of Res Ipsa Loquitur, H.L.S. Alumni Publication)

A survey recently conducted by the Placement Office of the Hofstra Law School reveals that approximately 83 percent of the 254 members of the Class of 1980 have secured employment in a variety of firms, corporations, and organizations. The survey, to which 89 percent of the class responded, contains information on January, May, and August graduates.

Private sector employment appears to be favored by this group of recent alumni. Fifty-four percent have joined law firms, including fourteen of the major New York City firms. Various corporations and business concerns employ another 12 percent, mostly in law-related jobs.

Government positions, on the Federal, state, and local levels, account for 18 percent of the class. The majority of people in this category work for local government. Among the agencies represented are the Departments of Energy and Justice, Federal Communications Commission, Internal Revenue Service, Securities and Exchange Commission, New York State Assembly, Office of the New York Attorney General, Law Department of the City of New York, Nassau County Attorney's Office, Nassau County Office of Employee Relations, and the District Attorney's offices in several counties within and without New York State.

Judicial clerkships attracted 5 percent of the class, with individuals assigned to Federal, state, and municipal courts. Another 5 percent of the employed respondents hold public service-oriented positions with such organizations as the Legal Aid Society, National Urban League, People for People, and Puerto Rican Legal Defense and Education Fund.

Three percent of the graduates surveyed are employed in academic capacities while another 3 percent did not specify the nature of their employment. There are no significant differences in the employment patterns of men and women.

The vast majority of Hofstra Law graduates have chosen to remain in the Northeast with 79 percent of the most recent alumni working in New York State. Members of the Class of 1980, however, are currently pursuing their profession in eight states, the District of Columbia, and Canada.

Commenting on the increasing popularity of private sector employment, Director of Law Placement Hugh R. Christenson noted, "The economic situation now is dramatically different from what it was. Those individuals who may have thought about legal services three or four years ago, from a purely economic point of view, can't make that decision now."

Proposed Federal cutbacks, suggested Assistant Placement Director Francine Rozenberg, may reduce the number of public service jobs available, thus making private sector jobs even more attractive.

On-Campus Recruiting

In order to improve opportunities for students, the Placement Office has developed an on-campus recruiting effort. According to Mr. Christenson, each spring, firms, public interest groups, and government agencies are invited to participate in this program. The Office attempts to create referral relationships with organizations declining to send representatives to the Law School. Small and medium-size firms in the New York metropolitan area which are potential part-time and summer employers of first- and second-year students are also contacted by mail.

Mr. Christenson and Ms. Rozenberg are
(Continued on page 6)

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A Message To The Graduates

by Woody Allen

More than any other time in history, mankind faces a crossroads. One path leads to despair and utter hopelessness. The other, to total extinction. Let us pray we have the wisdom to choose correctly. I speak by the way, not with any sense of futility, but with a panicky conviction of the absolute meaninglessness of existence which could easily be misinterpreted as pessimism. It is not. It is merely a healthy concern for the predicament of modern man. (Modern man is here defined as any person born after Nietzsche's edict that "God is dead," but before the hit recording "I Wanna Hold Your Hand.") This "predicament" can be stated one of two ways, though certain linguistic philosophers prefer to reduce it to a mathematical equation where it can be easily solved and even carried around in the wallet.

Put in its simplest form, the problem is: How is it possible to find meaning in a finite world given my waist and shirt size? This is a very difficult question when we realize that science has failed us. True, it has conquered many diseases, broken the genetic code, and even placed human beings on the moon, and yet when a man of 80 is left in a room with two 18-year-old cocktail waitresses nothing happens. Because the real problems never change. After all, can the human soul be glimpsed through a microscope? Maybe—but you'd definitely need one of those very good ones with two eye-pieces. We know that the most advanced computer in the world does not have a brain as sophisticated as that of an ant. True, we could say that of many of our relatives but we only have to put up with them at weddings or special occasions. Science is something we depend on all the time. If I develop a pain in the chest I must take an X-ray. But what if the radiation from the X-ray causes me deeper problems? Before I know it, I'm going in for surgery. Naturally, while they're giving me oxygen an intern decides to light up a cigarette. The next thing you know I'm rocketing over the World Trade Center in bed clothes. Is this science? True, science has taught us how to pasteurize cheese. And true, this can be fun in mixed company—but what of the H-bomb? Have you ever seen what happens when one of those things falls off a desk accidentally? And where is science when one ponders the eternal riddles? How did the cosmos originate? How long has it been around? Did matter

begin with an explosion or by the word of God? And if by the latter, could He not have begun it just two weeks earlier to take advantage of some of the warmer weather? Exactly what do we mean when we say, man is mortal? Obviously it's not a compliment!

Religion too has unfortunately let us down. Miguel de Unamuno writes blithely of the "eternal persistence of consciousness," but this is no easy feat. Particularly when reading Thackeray. I often think how comfortable life must have been for early man because he believed in a powerful, benevolent Creator who looked after all things. Imagine his disappointment when he saw his wife putting on weight. Contemporary man, of course, has no such peace of mind. He finds himself in the midst of a crisis of faith. He is what we fashionably call "alienated." He has seen the ravages of war, he has known natural catastrophes, he has been to single bars. My good friend Jacques Monod spoke out often of the randomness of the cosmos. He believed everything in existence occurred by pure chance with the possible exception of his breakfast, which he felt certain was made by his housekeeper. Naturally, belief in a divine intelligence inspires tranquility. But this does not free us from our human responsibilities. Am I my brother's keeper? Yes, Interestingly, in my case I share that honor with the Prospect Park Zoo. Feeling godless then, what we have done is made technology God. And yet can technology really be the answer when a brand new Buick, driven by my close associate, Nat Persky, winds up in the window of Chicken Delight causing hundreds of customers to scatter? My toaster has never once worked properly in four years. I follow the instructions and push two slices of bread down in the slots and seconds later they rifle upward. Once they broke the nose of a woman I loved very dearly. Are we counting on nuts and bolts and electricity to solve our problems? Yes, the telephone is a good thing—and the refrigerator—and the air conditioner. But not every air conditioner. Not my sister Henny's, for instance. Hers makes a loud noise and still doesn't cool. When the man comes over to fix it, it gets worse. Either that or he tells her she needs a new one. When she complains, he says not to bother him. This man is truly alienated. Not only is he alienated but he can't stop smiling.

The trouble is, our leaders have not adequately prepared us for a mechanized society. Unfortunately our politicians are either incompetent or corrupt. Sometimes both on the same day. The Government is unresponsive to the needs of the little man. Under five-seven, it is impossible to get your Congressman on the phone. I am not denying that democracy is still the finest form of government. In a democracy at least, civil liberties are upheld. No citizen can be wantonly tortured, imprisoned or made to sit through certain Broadway shows. And yet this is a far cry from what goes on in the Soviet Union. Under their form of totalitarianism a person merely caught whistling is sentenced to 30 years in a labor camp. If, after 15 years, he still will not stop whistling they shoot him. Along with this brutal fascism we find its handmaiden, terrorism. At no other time in history has man been so afraid to cut into his veal chop for fear that it will explode. Violence breeds more violence and it is predicted that by 1990 kidnapping will be the dominant mode of social interaction. Overpopulation will exacerbate problems to the breaking point. Figures tell us there are already more people on earth than we need to move even the heaviest piano. If we do not call a halt to breeding, by the year 2000 there will be no room to serve dinner unless one is willing to set the table on the heads of strangers. Then they must not move for an hour while we eat. Of course energy, will be in short supply and each car owner will be allowed only enough gasoline to back up a few inches.

Instead of facing these challenges we turn instead to distractions, like drugs and sex. We live in far too permissive a society. Never before has pornography been this rampant. And those films are lit so badly! We are a people who lack defined goals. We have never learned to love. We lack leaders and coherent programs. We are adrift, alone in the cosmos wreaking monstrous violence on one another out of frustration and pain. Fortunately, we have not lost our sense of proportion. Summing up, it is clear the future holds great opportunities. It also holds pitfalls. The trick will be to avoid the pitfalls, seize the opportunities and get back home by six o'clock.

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OPINION

by Pete Aloe, CONSCIENCE Executive Editor

Writing like a lawyer and making lawyer-like sounds, are two different things, assert materials some Hofstra law professors have prepared for first-year students. Good legal writing, they claim, is like all good writing: clear, precise and concise. Tortfeathers!

Any good lawyer knows legal writing is ambiguous, cluttered and confusing as hell. As one law professor likes to say, "The trick is to hide the ball!" Hadley v. Baxendale, the UCC, the rule against perpetuities, the Bluebook, Lord Hailsham of St. Fuddlebone—all the said aforementioned testify to the lawyers' golden rule: "If you can't dazzle them with brilliance, baffle them with bullshit." Murphy's Law 2nd.

Some try to justify legal writing by claiming that it keeps stupid people from practicing law. But if that's the case, poor legal writing is worthless. Others claim that most legal authors really don't understand what they are writing about. Plausible, but such critics fail to give the legal profession due credit.

The awful state of legal prose is essential for the legal profession, because lawyers work increases in direct proportion to the confusion lawyers create. Legal documents are confusing so that lawyers can draft them. If legal documents could be clearly written, non-lawyers would be tempted to write them. Think of the fees our profession could lose. Worse yet, if legal documents were clear, some clever clients might read them without the aid of a lawyer at sixty to two hundred dollars per hour. Horrible—half our profession would starve. Just think of all the cases that couldn't be litigated if statutes, contracts, wills and deeds were written clearly—all those lost fees—unthinkable.

Writing Like A Lawyer

Legal writing simply cannot become clear without sending lawyers to the poor house. With the current glut of lawyers on the market, the lawyer's task is not writing better, but finding new ways to confound his-her fellow man.

If you are unsure how to write jibberish that only a fellow lawyer can read, Freedman's casebook on contracts is an excellent place to learn. Freedman's book is a monument to bad writing and an excellent source of the rules of bad writing:

- (1) Keep sentences long, verbs and modifiers away from the nouns they modify. Keep related ideas apart.
- (2) Write in the passive voice; use the verb "to be" and "to have" as much as possible.
- (3) Use unheard-of legal terms as much as possible.
- (4) Load every sentence with exceptions and qualifications.
- (5) Keep the structure disorganized. Disorganization keeps the reader off balance. Don't use paragraphs.
- (6) Strive to be as abstract as possible. Abstraction makes even mundane ideas seem philosophic.
- (7) Use negatives often.
- (8) Never let the reader know the identity of the parties. Use terms like "aforementioned party of the first part," and "said plaintiff in error below."
- (9) Stretch the writing out; that makes the writing look important. Say the same thing over and over in different ways.
- (10) Omit essential words.
- (11) Rewrite anything understandable.

These are just some of the many rules to bamboozle. It's profitable and it's fun. So don't just sit there trying to figure out what I said, go out there and confuse someone.

MAILBOX

To the Editor:

Many students like myself feel concerned at the absence over the coming semester of some of our finest professors. The list includes Profs. Kadane, Mahon, Ordovery, Posin, and Twerski.

It was my understanding on entering the School of Law that "Hofstra's greatest asset is its faculty." Indeed, following a comparison with other institutions to which I had successfully applied, it was this perspective that heavily influenced my eventual decision.

Are we to assume that the "strength" of Hofstra Law is beginning to ebb...?

Eddie Geller
Student Rep. Class of '82

**Next CONSCIENCE
Deadline:
Saturday
August 1, 1981**

EDITORIALS

The Press Earns Its Freedom Everyday

The events of the past two months, culminating in the decision against the "National Enquirer" and the Pulitzer Prize "hoax," have focused national attention on the integrity and responsibility of reporters in particular, and the news media in general. What is proper journalistic practice? Should limits be placed on newsgatherers to avoid such results in the first instant? While editors and reporters have expressed various views on how to gather and present news and opinion, responsible journalists agree that, if anything is a sin among reporters, it is a sin to lie or mislead.

But to deter such deceptions by an irresponsible few would require curbs that could chill truthful reporting and critical editorializing.

Our Founding Fathers recognized the importance of a free and unencumbered press to a representative democracy or to any nation. The news media not only checks abuses by government and other social institutions, but historically has done so most effectively. Short of libel considerations, society must minimize, if not eliminate, restraints on the press.

But so unrestrained, the press must act most responsibly. Anything less undermines media credibility. "Accuracy and credibility are the bottom line," stated many a press executive.

Despite the transgressions of a tabloid such as the "National Enquirer" and the "overzealous" desire to break a story that consumed Janet Cooke and her editors at the "Washington Post," the news media remains generally credible. If the integrity of the press pervaded other institutions, considerably more "good" news would result.

Perhaps, these transgressions—and there are many—are encouraged by the existence of a public market for sensational "news." Editors and reporters must be sensitive to these dangers. Prejudices encourage such transgressions—despite their incredibility—because of a tendency among many groups and individuals to accept their own views, however unsubstantiated, as the gospel truth. For those who believe celebrities excessively imbibe, and for those who are "certain" that poor, disadvantaged minority youngsters are more susceptible to drug addiction than others, the less responsible among us—I hesitate to call them journalists—fabricate stories that impinge on the credibility of the entire news media.

The vast majority of the readers, listeners, and viewers who can differentiate between "scandal and gossip" and objective news reporting, nevertheless enjoy reading the junk!

Even objective journalists differ among themselves in approaching this difficult issue. Cognizant of contrasting views, editors and

reporters introspectively discuss the merits of differing approaches—a process of self-evaluation.

The press, unlike other institutions, has nothing to gain by hiding its rotten apples. The responsible press, in fact, exposes less-than-credible reporting as this in itself is news. The news accounts and commentaries of both the Burnett-"Enquirer" case and the "hoax" evidence the news media's interest in protecting its integrity and weeding out the less responsible.

The importance of a free press to a free society is underscored by the call by the Soviet Union and others for a "New World Information Order" through the UNESCO-appointed International Commission for the Study of Communications Problems sanctioning state-controlled news-information dissemination. State-controlled news media, as they exist in most one-party and authoritarian regimes, enable government to monopolize the flow of information to the public. Government in these states remains totally unchecked.

Even traditional Western democracies lack United States-style media freedom. In France, for example, a "scandal" involving a gift of diamonds to President Valéry Giscard d'Estaing received little coverage. The comparatively free French press has no fundamental First Amendment grant of press independence. Consequently, the French press lacks the power of its American counterparts to influence events. Very often, the French papers are party organs—opinions are not sifted from fact in the manner practiced by American journalists. State-owned, French television and radio journalists are, at best, reluctant to bite the hand that feeds them.

Reporters must carefully scrutinize the apparent facts and accept nothing on its face. Indeed, editors have a greater responsibility to ensure that reporters write fair and accurate news accounts: editors should question their reporters (just as reporters must skeptically deal with sources and unverified information) and validate the credibility of news sources, especially among the lesser experienced.

The press polices itself rather well. Routinely, newspapers print and television and radio broadcast letters to the editor and retractions. One television news executive related how errors are corrected during the next regularly scheduled broadcast of the program in which the error was made, to ensure reaching those who were misinformed. "The Washington Post," after all, immediately broke the story detailing their own shortcomings. Our free and responsible press guarantees the continued existence of our representative democracy. To take steps to avoid such deceptions would prevent future reporters from engaging in the investigative journalism that broke Watergate and other major news stories.

Discrimination Preserves Strife, Not Neighborhoods

Our nation's high court has erred gravely in its determination that a city (Memphis, Tennessee) can rightfully close a street causing residents to pass around, rather than directly through, an all-white neighborhood to reach one that is predominantly black.

In *Memphis v. Green*, the 6-3 Supreme Court majority upheld the city's action finding no illegality without proof of Memphis' "intent" to discriminate. In his opinion announced Monday, April 20, 1981, Justice John Paul Stevens, writing for the majority, conceded that the action benefited whites, while causing "inconvenience" to blacks who are forced to drive around the white "enclave." He alluded to a city's legitimate interest in "protecting the safety and tranquility of a residential neighborhood." Dissenting, Justice Thurgood Marshall stated that neither "the Constitution (n)or Federal law permits a city to carve out racial enclaves." The Sixth Circuit Court of Appeals had earlier ruled Memphis' act in violation of the 13th Amendment and the Civil Rights Act of 1866 (now 42 USC §1982).

Too often, public officials and others concerned about preserving neighborhoods act in a manner calculated to avoid discrimination. Nevertheless, discrimination results. Possibly in an effort to avoid reaching the question of intent, the Supreme Court held the record below insufficient to constitute discrimination. The Appeals court had found no need to determine this question because the pattern of discrimination in *Green* was "stark" and constituted a "badge of

slavery" violative of the plaintiff's rights under the 13th Amendment and a proper subject for 1982 relief. "The erection of a physical barrier between an historically all-white neighborhood and a predominantly black neighborhood" served as "an unmistakable warning to black people to stay out." The community that has benefited from the street closing is white; the community burdened black. A barrier erected at the point of separation of these two neighborhoods limits contact between them. Rather than a response to any uniform planning effort directed to preserve the residential character of neighborhoods throughout the city, the Appeals court found this street closing "a unique step to protect one neighborhood from outside influences which the residents considered to be 'undesirable.'" In addition, the District Court had determined that while property values in the all-white community would appreciate, property values in the black neighborhoods would depreciate. The high court, discounting any impact on the lives and economic interests of the blacks, found that the street closing had not risen to the level of a statutory or Constitutional violation. (Whether discriminatory intent is necessary in an 1982 action has not yet been determined.)

Concern for one's neighborhood is laudable. To blockade the environs abutting the community, to live separate and apart, leads to distrust and strife. Would Memphis have blocked the street if the adjacent neighborhood was white?

FINAL EXAM SCHEDULE

MONDAY May 11

9 AM		
Con Law A		
A-K	205	
L-Z	206	

8:30 AM		
Con Law B		
A-L	230	
M-Z	238	
Estate Plng.	204	

1 PM		
Civ. Pro.		
A	230	
B	238	
C	308	

TUESDAY May 12

9 AM		
Federal Cts.	230	

8:30 AM		
Comm'l. Trans.		
A-L	308	
M-Z	238	

9 AM		
Sec. Trans.	230	
Bus. Org.	206	

1 PM		
Property		
A	230	
B	238	
C	308	

THURSDAY May 14

9 AM		
Debtor/Cred.	230	
Adv. Crim. Pro.	206	

FRIDAY May 15

9 AM		
Wills, T&E		
A-M	308	
N-Z	238	
Crim. Pro.	230	
Unfair Tr. Pr.	206	

1:30 PM		
Ad. Law		
A	230	
B	238	
C	308	

MONDAY May 18

9 AM		
Lab. Law Surv.	230	
Pub. Sect. Lab.	204	

TUESDAY May 19

9 AM		
Family Law	308	
Real Est.	206	

1 PM		
Torts		
A	230	
B	238	
C	308	

WEDNESDAY May 20

9 AM		
Law & Medicine	206	

THURSDAY May 21

9 AM		
Evidence	230	
Environ. Law	206	
Adv. Corp. Tax	204	

FRIDAY May 22

9 AM		
Ind. Inc. Tax	204	
Coll. Barg.	206	
Labor Arb.	238	
Corp. Tax	230	

1 PM		
Contracts		
A	230	
B	238	
C	308	

SMOKING ROOM*

205
*Except Monday, May 11
when smokers can use
the rear of their exam
rooms.

NOTE:

Every exam will have a
proctor, according to
Assoc. Dean Resnick and
Registrar Charlotte
Hoffer.

Alumni Surveyed...

(Continued from page 3)

developing direct personal contacts with metropolitan area firms. "The major firms are the only ones willing to come to the campus," the Assistant Director stated, "since only they are able to predict a year in advance what their hiring needs will be."

The on-campus recruitment program is proving to be a success as indicated by a 64 percent increase in private sector placement over the prior year. Another major development, reported by Ms. Rozenberg, is the beginning of the placement of non-Law Review members with major firms. There has been a 140 percent increase in law firm participation.

"A large part of the success of the placement effort is attributed to the students," she observed. "If a law firm hires a Hofstra student for the first time and that student does well, they are much more receptive to our students the next year." The only screening of applicants which the Placement Office does it to ask employers to specify any criteria which they have established.

Consortium

"We have entered into a consortium arrangement with six other New York and New Jersey law schools," the Director stated. "The emphasis of the consortium will be to attract out-of-state firms and public interest groups that are going to be recruiting in Manhattan to interview our students for out-of-state positions." In addition to Hofstra, the institutions participating in the consortium are Brooklyn Law, New York Law, Pace, Seton Hall, and Rutgers.

"Our goal," Mr. Christenson commented, "is to increase the number of opportunities for law students. We want these to be opportunities that are not limited to the top quarter of the class. As we get more and more of our graduates placed in major and minor firms, the growth of our reputation as a national law school will help us attain that goal."

Alumni Services

The Placement Office makes its services available to Hofstra Law alumni as well as to current students. A bi-monthly newsletter listing job openings is sent to any alumni who requests to be on the mailing list.

"Alumni can avail themselves of most of the same services that we give to second- and third-year students, including counseling, resume preparation, and the writing of cover letters," Mr. Christenson pointed out. Due to employer requirements, on-campus interviewing is limited to current students only. All other services, however, remain open to alumni throughout life.

Hofstra Law alumni may also be of assistance to the Placement Office. Ms. Rozenberg suggests that graduates who learn of openings should inform the office of their availability so that they may be included among the Placement listings. Alumni, she pointed out, can, in addition, be resource persons, serving on career planning panels and providing information on their experiences with various types of jobs.

According to Mr. Christenson, a more formal relationship between the Law School Alumni Association and his unit may soon be developed.

Code Of Student Conduct

For the benefit of Hofstra Law Students, and
at Dean Resnick's request, Conscience has printed
the following excerpts from the code.

It will be a violation of the Code of Student Conduct knowingly to aid, abet or commit any of the acts set forth below:

A. Examinations:

1. To give, obtain or receive any unauthorized information concerning the content of an examination prior to the examination.

2. To communicate with anyone, inside or outside the examination room, in any manner during the examination except the Dean in charge of examinations, the person administering the examination or any faculty member.

3. To have in the examination room, or to consult outside the examination room during the course of the exam, any

unauthorized material.

4. To commence an examination before the stipulated time or to continue working on an exam after the announced conclusion of the examination period without proper authorization.

5. To remove bluebooks or examination questions from the examination room except when necessary for the purpose of "signing out."

6. To fail to submit all bluebooks and examination questions by the end of the examination. Examination questions may be retained by the student if the faculty member giving the examination has given permission to retain them.

Good Luck On Your Exams

Work Study Cuts...

(Continued from page 1)

apportionment. Dr. Hammer responded by saying that the purpose of FWS is to provide money to students who demonstrate need. That purpose must be seen as superior to the secondary goal of allowing law students to gain needed legal experience.

Regarding the total cancellation of FWS summer funds because only \$320 would be available, students remarked that they would rather have the \$320 grant to pay for carfare and other expenses and volunteer the rest of their time than to receive nothing at all. The approximate \$320 figure was determined by dividing the \$40,000 available for the summer, by the ap-

proximately 125 students who participate in the summer program.

The three university administrators claimed that this was not a viable alternative because it would be difficult to implement. Each student would have to make a special contract with his or her agency regarding how much time he or she would volunteer and how many hours he or she would work. Dr. Hammer felt that the quality of volunteered work would not be as good as that paid for.

Students expressed discontent about the decision since it had come after many students had secured summer positions conditioned upon their receiving FWS funding. The administrators countered

that they had not found out about the budget cuts until March 16, 1981. Students also claimed that the cuts in the off-campus summer program were discriminating against law students in that many law students cannot work during the academic year due to heavy course loads or involvement in NLO or the externship program.

Students questioned why they should not have the option of choosing either to work during the academic year or the summer. Initially the administrators rebuffed this by saying that it was too complicated administratively. However, they later responded that an option-type plan might be considered. Recognizing law students'

need for summer off-campus work study, Mrs. Joyce, in a memorandum dated April 27, wrote Dean Regan that 30 law students will receive \$1000 off-campus work study grants that can be used any time after July 1st. Students will be notified of their grants after June 15th.

Mrs. Joyce, Mr. Fishbein, and Dr. Hammer reiterated that the university is appealing its allocation, and if more funding becomes available to the school, more funds will become available to students. FWS awards to each student will be made as soon as information from the financial aid office becomes available.

"LATER"

*"In every day that passes us by
I can't help but feeling that you and I
We won't get to see another day together
Looks like bad weather . . ."*

When I was elected Editor-in-Chief of CONSCIENCE, just over a year ago, I did not really know—of course, I thought I did—what would happen. I found my experience as Editor both exciting and rewarding. Though I am glad to be moving on, I know I will miss publishing a newspaper, and particularly, the opportunity to express my views in this non-partisan setting. (I use non-partisan rather than non-political because every act and every decision is political.) Indeed, there were many more issues on which I wanted to editorialize but there is only so much time and I intend to graduate. For this opportunity to contribute, I remain grateful.

*"It's been a long time coming
And I'll have to carry on.
It's been a long time coming,
but now you're gone . . ."*

I feel proud to have participated in CONSCIENCE's growth as a socially-conscious and progressive publication. Over the past two academic years, CONSCIENCE has featured stories on: the rights of the handicapped, the risks associated with nuclear energy use, getting elected a judge, the Weber case, Native Americans' rights, women and the law, the tragic plight of the Cambodians, the need for a military draft, the Rubin "Hurricane" Carter-John Artis trials, spot-checks by New York State Police officers, and the effects of the New York Court of Appeals-ordered reassessment of property.

The graduating class of 1981 has significantly contributed to CONSCIENCE. The 1979-80 CONSCIENCE staff was composed of members of the Class of 1981. Under the editorship of Alan Fischler, CONSCIENCE won two A.B.A. Law Student Division awards for the best "feature article on law in the community": an article by Alan Fischler detailing the fall 1979 strike by legal services workers in New York; and for the best "editorial cartoon on an internal law school affair," artist Mike Shapiro's depiction of last year's law faculty strike.

*"It's too late to turn back all the clocks in town
It's too late to take the 'X' from yesterday . . ."*

Not to gloat too long on CONSCIENCE's achievements, I extend my thanks and appreciation to all who helped make CONSCIENCE:

Al Fischler, who was successful in "pickin' up the pieces" of a nearly-defunct 1978-1979 paper and who freely gave helpful advice; Linda Ashley—who was "indispensable"—and Daphne Gronich, who put up with reading what everyone else wrote (if only law text authors could avail themselves of these two women) and, I don't know how, met their deadlines; Bob Schaufeld, who raised the additional revenues that enabled CONSCIENCE to publish more often and at greater length than we could on the small, but comparatively large Student Activity Fund allocation; Suzy Mandel, who sifted through the multitude of press releases that daily cluttered the CONSCIENCE mailbox and, with great wit, highlighted the more important ones in her "strip;" Ted Sklar, who coordinated the photographers, was always a help; Bob Rediger, who, despite my admonishments, successfully pictured his cronies in his column and, with Al Bochner, fought many a layout battle with their "chief;" and Glen Wolther, who shared his culinary delights and performed whatever was asked of him. Thanks also to Mike, Laurie, Cindy, Rich, Eddie, Jeremy and Ron and everyone else. Finally, thank you to Pete Aloe, who as my successor I wish the greatest, because I no longer need worry about the paper's future.

Let me indulge in some personal thank you's: to my family, to Professors Orlofsky and Lane, to CJP, JW, VPD, and JSM, and to MMC and MA for pushing this soon-to-be former editor to limits that made the combination of law school, publishing a newspaper and earning a living part-time seem easier by comparison.

"Consequently to you I can say . . ."

Good luck, best wishes and success to all my fellow graduates, as well as those that remain behind, and . . .

"Goodbye! So long!"

— Corey

conscience

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

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

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

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

ANNOUNCEMENT

Starting next August, CONSCIENCE will publish a classified section where students can advertise apartments and textbooks. Classifieds cost \$1 for fifteen words.

You can obtain a classified by sending \$1 and your ad to:
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Deadline for August 15th issue is August 1.

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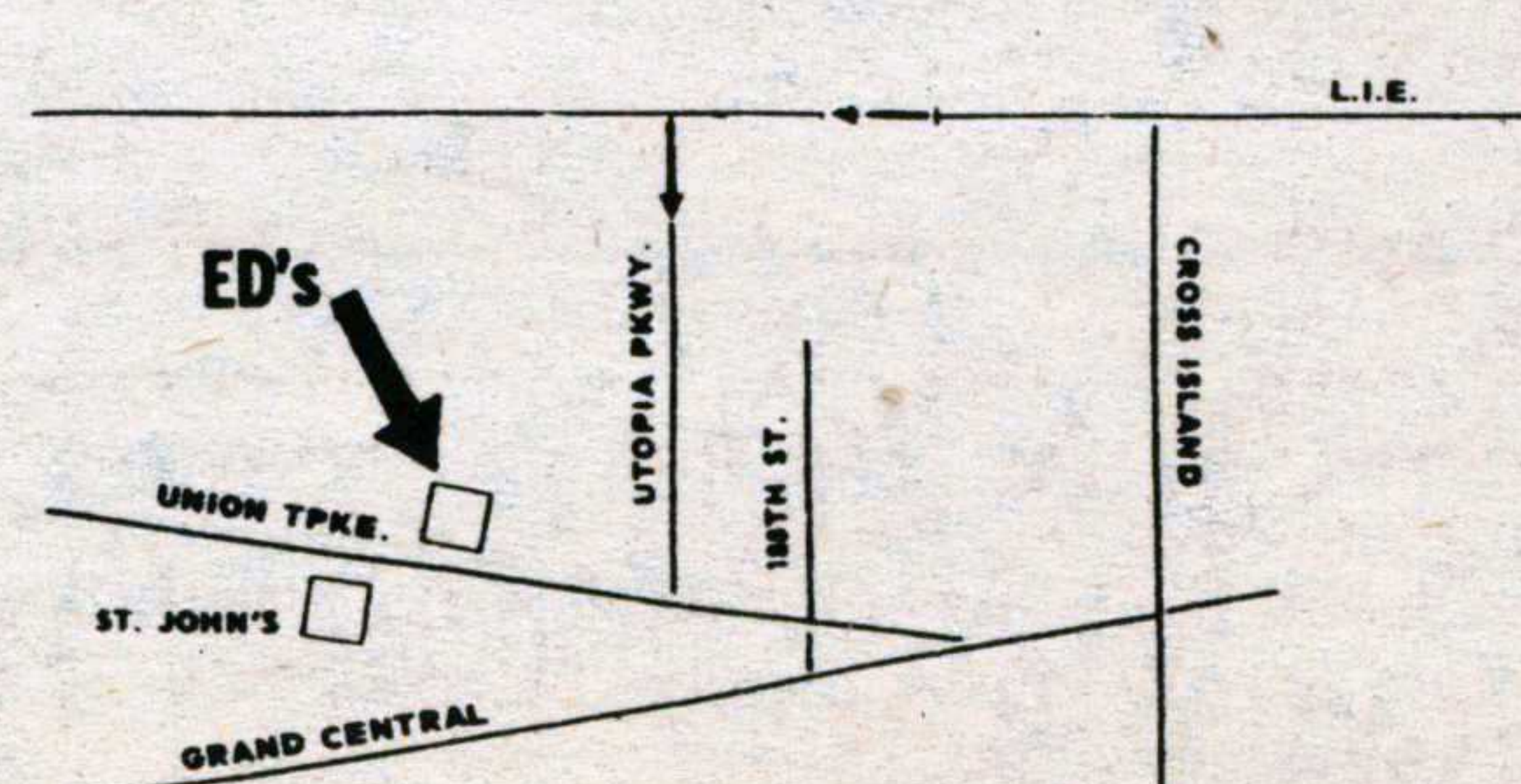
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