

conscience

Vol. 9, No. 2

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September 1981



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PARKING PROBLEM SPARKS PROTEST

by Arthur Kravitz

Thursday, September 10 at 8:30 a.m., Marsha Bakker parked her Dodge station wagon on the connecting road to the back parking lot and placed a poster of protest on the windshield. Five minutes later four Security men began writing tickets. This was Bakker's one woman protest against the inadequate parking behind the law school. Declaring "If they want to tow it they can do it over my body," Bakker was determined, if alone. Said one observing student, "There's no way you're going to get law students to do something illegal in unison." However, Marsha Bakker's protest was not in vain, and she and six other students were invited to a meeting later that morning with Robert Crowley, Director of Public Safety, to discuss possible alternatives to the long trek many students make daily from the south side of Front Street.

Most of those at the meeting referred to themselves as the older students contingent. They complained that because of the unusual hours law students keep at school and the heavier than usual load of books they must carry each day, something had to be done to restrict the parking lots filled by undergraduates. Crowley's position at the outset of the meeting was that he had met with a representative of the law students last year, but there had since been no communication with the school about the situation. Crowley thought that the problem lay in part with the faculty and staff of the law

school who use the student lot instead of their own reserved lot, and the undergraduates who park in the back lot for the 8:00 a.m. classes. He precluded the possibility of restricting the lots to law students only.

Among the numerous

proposals made at the meeting was Bakker's own that the lots around the law school be restricted to graduate students, faculty and staff. In addition, it was proposed that the back parking lot be closed off from

(Continued on page 20)

Student Reps Go to Town: Activity Budgets Debated

by Dan Morrin

The funding of student organizations for the coming year was the primary topic of the Student Government Association's "Town Hall" meeting on September 9th.

Pledging a "more open and responsive" student government this year, SGA President Michael Glassman raised several issues for discussion and "feedback" from the approximately forty law students in attendance.

No consensus emerged from club and organization members as to whether their groups should receive funding from the SGA on a function by function or lump sum basis. Glassman expressed a preference for the latter, citing "logistical problems" if the SGA has to dole out budgeted monies throughout the year.

The SGA chief also vowed that club allocations would be firmed up "before September is out" by open Appropriations Committee hearings. Glassman and other SGA officers remarked that specialized committees would be the most efficient way of han-

dling many issues before the SGA this year. They called for increased student participation. Among related matters to be decided in the future are which student groups (including the SGA itself) will receive funding and the amount of money each will be allotted.

Other points touched upon during the hour-long meeting were the dean search (and the associate dean opening due to Professor Resnick ending his appointed term), the parking situation, CPLR, and the Commercial Paper imbroglio.

(Continued on page 2)

SHUART SPEAKS

Reveals Dean Search Progress

by Paula Coniglio

At the first press conference of the fall semester held on September 8, University President Dr. James Shuart discussed many important issues concerning the law school. In reference to the progress being made in the dean search, Dr. Shuart said that the search firm hired to assist in the selection process has provided the trustee committee with three major candidates, but he was not at liberty to say who they are. Only two of the candidates have been seen by the Law School Dean Search Committee. Professor Burton Agata, Chairman of the Committee, could not say anything more about the two candidates already seen (for reasons of confidentiality), but did say that the third candidate will be seen by them "very shortly."

When asked what sources the new dean could come from, President Shuart left the field wide open, stating that he/she could come from the world of legal academia, a major law firm, the judiciary, government, or private industry.

At the press conference, Shuart also discussed the University's housing concerns. The University's lease on the Hofstra Apartments at 590 Hempstead Tpke. (which presently houses many law students and undergraduates alike), expires in June of 1982. Shuart says it's still "too early to say" whether that lease will be renewed. This would depend on how well the newly purchased Twin Oaks Apartment house and the new dorm complex, The Netherlands, are able to meet student housing demands.

(Continued on page 16)

Student Loans Cut

by Bruce H. Jurist

As of October 1, 1981 the availability of funds to students through the Guaranteed Student Loan Program will be severely curtailed. As of that date the Program, which had provided money to any enrolled student, will limit funding in accordance with a "needs" test. The test will be based on the combined gross income of a student's parents. If this gross income figure does not exceed \$30,000, the student will be assured of receiving his/her loan, as per the procedures the Program followed in the past. However, if the gross income figure does exceed the \$30,000 cutoff point, the student will be required to file an additional form showing extenuating circumstances and pointing towards "true need." Students whose gross income figure exceeded the \$30,000 cutoff point are very unlikely to receive any loan money. The "needs"

guidelines are not effective until October 1, and all loan applications processed before that date fall within the Program's prior rules.

(Continued on page 23)

Recruitment Begins Job Scramble

Hugh R. Christenson and Francine I. Rozenberg of the Law School Placement Office held a meeting on Wednesday, September 2 in Room 308 concerning the On Campus Recruitment Program.

The program is one of the services available to Hofstra students through the Placement Office. Students were required to submit their resumes to the Placement Office by 5 p.m.,

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Students
Forced
into Trailers

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Apartments:
An Interview

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Briefs

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Hofstra Law Women's Center Discusses Careers and Rules

by Jan Lori Goldman
& Margaret D. Krantz

The goals and frustrations of many women law students at Hofstra have congealed into a viable women's center. Representing an array of ages and lifestyles, dozens of women have been meeting weekly to discuss their concerns and develop strategies for achieving their personal and collective goals.

The group's first meeting on Aug. 28th was organized by law students Betty Rugg, Debbie Staley, and Fran Tesoriere. Their aims include providing Hofstra women with a "refueling place" which will provide women with support from other women, an arena in which to investigate career options, and a mechanism by which second and third year students can help first year students "learn the ropes."

At the first meeting, group member Ginny Parker

recounted her experience last year when looking for the entity listed in the law school catalog as "Hofstra Law Women". She approached the administration of the school and was directed to the student government with the comment that if it appeared in the catalog, there must be such an organization. When she went to the student government people, she was told there was a MALE student who was the organization.

The Women's Center is concerned with topics ranging from the difficulty of balancing time between study and family to women's emerging role in the legal field. Topics for each meeting are posted throughout the school prior to each meeting and group membership is open.

The Women's Center is alive at Hofstra and it is thriving on the age-old notion that "sisterhood is powerful".



Alan Resnick Resigns as Associate Dean

As of August 31st, Professor Resnick no longer held the position of Associate Dean of Hofstra Law School. According to Dean Regan, Professor Resnick gave six months' notice that he would not opt to have his two year appointment renewed. Dean Regan stated that the decision was entirely up to Professor Resnick and that several people are now under consideration for the position. Dean Regan abstained from giving any names of possible candidates. Professor Resnick told CONSCIENCE that he enjoyed the dynamics of teaching more than working as an administrator and that he was eager to devote himself to teaching on a full-time basis.

Book Review: Sanford Katz's 'Child Snatching'

Child Snatching: The Legal Response to the Abduction of Children, analyzes the problem of parental kidnapping of children in the United States during separation and after divorce and examines the legal remedies available to parents.

Written by Sanford N. Katz, professor at Boston College Law School and published by the American Bar Association Section on Family Law, the book examines in detail the Uniform Child Custody Jurisdiction Act. Cases decided under the Act are analyzed, interpreted, and compared with one another. Because the Act itself is fairly new, most interpretations are quite recent. The overview of the Act includes a discussion of its background, purposes, due process requirements, and procedural aspects as well as its weaknesses in placing a great amount of discretion with the trial judge in a custody case, providing no direct remedies, and failing to require interstate cooperation.

The book includes tables of jurisdictions and relevant criminal statutes, as well as an extensive bibliography.

Money Market Mutual Funds: Savings for the Eighties

by Stephen Mendelsohn

Students and other small investors are finally beginning to reap the financial benefits of today's unprecedented interest rates. Money market mutual funds have allowed these investors to receive returns on their investment exceeding the rate of inflation by 5-6 percentage points. For investors with as little as \$1000, money market funds will pay rates of 15-17 percent. When rates such as these are readily obtainable, it seems foolish to receive the minute figure of 5.5 percent paid by most savings banks.

Money market mutual funds are not the secret of Wall Street, and you do not need special expertise to put them to use. Mutual funds are technically open-ended investment companies authorized and regulated by the SEC. Investors own shares in a fund, the fund pools this money and invests in common stock, bonds, or money market instruments. Shares are not traded between investors but are redeemed by selling them back to the fund. The fund is obligated by law to repurchase all outstanding shares of the fund at each share's net asset value. This figure is obtained by dividing the assets of the fund by the number of outstanding shares. New shares are constantly created in an open-ended fashion through additional purchases.

Money market mutual funds operate differently from other mutual funds. Investors are assured that their investment will never diminish through changes in share prices. Prices or net asset values of the funds do not fluctuate but remain at \$1 per share. However, the dividends or interest rates paid by the fund fluctuate daily as the value of the fund's investments change. Future earnings may be higher or lower than past fund performance but principal or past earnings cannot be lost. To illustrate this, let us look at the investment of \$1000 or 100 shares and the interest earned at

a rate of 17 percent over the period of one year. The second year principal may never be diminished below \$1,170. The potential earnings for the second year will always be positive, but there is no certainty that they will be greater than \$170.

The procedure for investment in these funds is very simple. There is no need to use a broker since shares may be purchased directly through the transfer agent of a fund. There are no purchase charges, commissions, monthly service fees or redemption fees. The addresses of various funds and their agents may be obtained from a publication entitled Donohue's Money Funds or from advertisements in the financial section of Friday's *New York Times*. The fund's rates for the week are also published on Friday. After reading a fund's prospectus, the next step is the mailing of the initial investment along with the fund's application form. The fund will mail you a statement detailing your purchase. A stock certificate is not issued, shares are held in "book" form. The fund will also mail you quarterly or monthly statements along with a year-end statement for federal and state taxes.

The majority of funds require a minimum of \$1000 as an initial investment and as a minimum balance. Subsequent purchases of shares may be as low as \$100 for many funds. Unlike certificates of deposit, money funds carry no minimum or maximum time limitation. Redemptions are even easier to effectuate than purchases, as most funds allow redemption by telephone. The investor also has the option of receiving her dividends monthly or having them automatically reinvested in the purchase of additional shares. Most funds will provide check writing services; however, these checks will have to be in

(Continued on page 18)

Recruitment...

(Continued from page 1)

September 2, in order to be considered for the interviews which begin on September 21.

There are thirty seven private law firms, public interest groups, government bodies, and federal agencies participating in this year's program. Hofstra students will have the opportunity to be interviewed by such diverse interests as The Legal Aid Society of Nassau County and the Big Eight accounting firm of Deloitte, Haskins and Sells. Despite the great range of opportunities offered by these interviewers, the majority are private firms. Mr. Christenson attributed this fact to the recent cutback in federal spending. Mr. Christenson was unable to quantitatively discuss the past success of this specific program because it is statistically linked to the other services that the Placement Office offers. Approximately 20 percent of Hofstra students participate in the On-Campus Recruitment Program while approximately 95 percent utilize the Placement Office in some other capacity.

C.W. Post Conference Set to Explore Criminal System

The New York State Criminal Justice system will be the topic of a conference at C.W. Post Center in Greenvale on Saturday, October 3rd. The conference, *Reflections and Visions*, will examine the criminal justice system in the ten years since the Attica riot and look toward anticipated changes in the years ahead.

A panel will discuss the pros and cons of a \$500 million prison construction bond issue which will be on the November ballot. Seminars will be held on racism, economic influences of crime and corrections, and the influence of the media on family, violence and delinquency.

The keynote speaker is Mario M. Cuomo, Lieutenant Governor of New York State. The conference is being sponsored by the Nassau Coalition for Safety and Justice, The Nassau County Criminal Justice Coordinating Council and the Department of Criminal Justice, C.W. Post Center of Long Island University.

The registration fee is \$5 if paid in advance, \$6 at the door. Lunch is available for an additional \$7. The conference will be held in Hillwood Commons on the Post campus from 9:30 a.m. to 3 p.m. For reservations and information, call 516-741-5210.

Identify
the
following:



- misplaced transmission fluid
- the new dean?
- something I wouldn't give my dog
- a death threat
- an occupational hazard
- something to give to Mikey, cause he'll drink anything
- what do you think?

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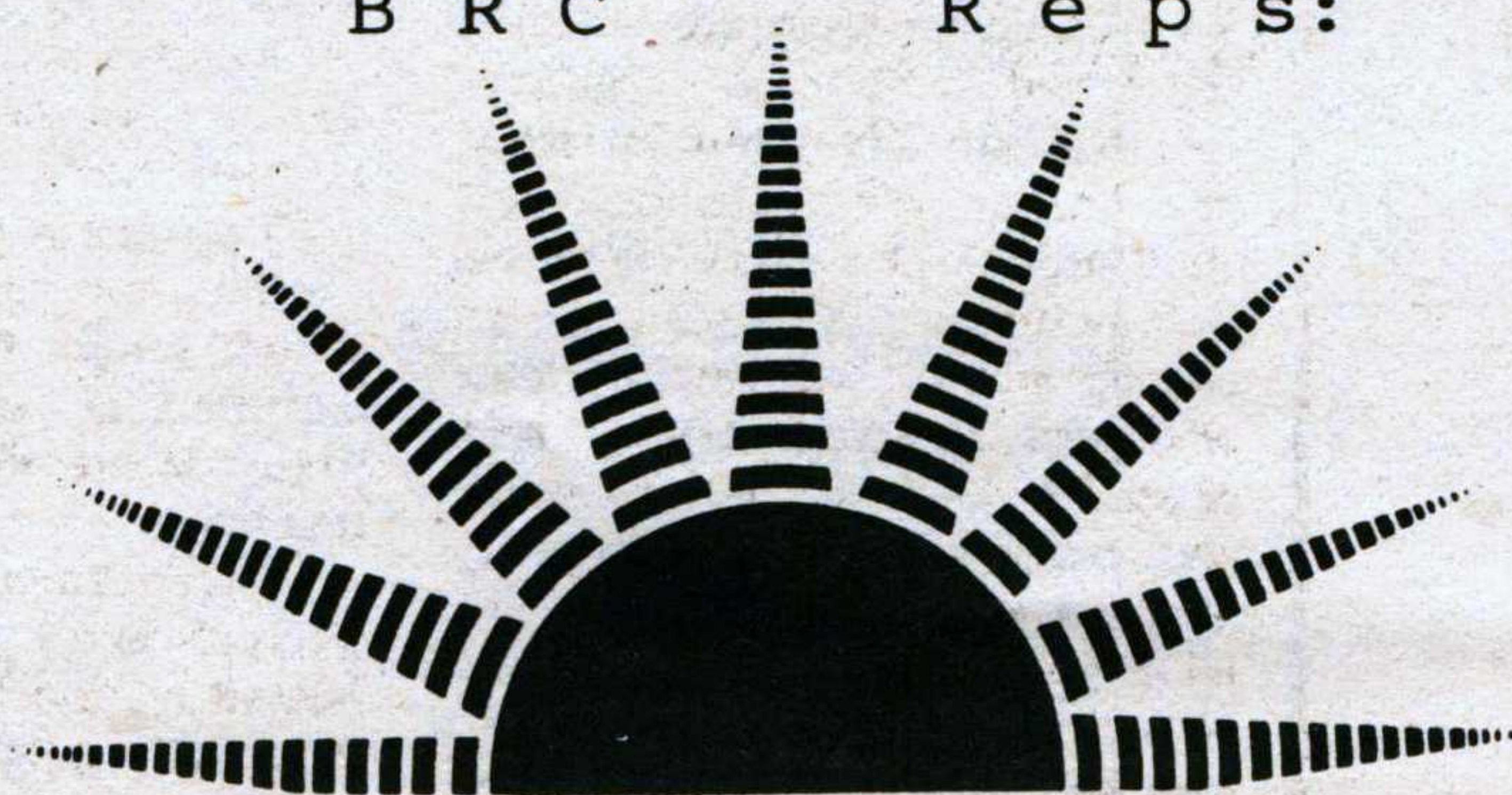
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Arnold Keith
Dave Dean



BEST OF BOTH WORLDS

Dave Goldberg
Laura Miller
Miriam Silver
George Kezios
Chris Rojas
Bill Rebolini

Law School Opens Trailer Park

Home Sweet Mobile Home

by Jody Fink

Three trailers located to the north of the library entrance became the new headquarters for several student organizations on August 26th. The International Property Journal, Pocket Part, Student Government, BALSA, and CONSCIENCE were moved into the trailers because of a space crunch that has long been felt in the law school.

At the time of the move, IPIJ was the only organization still in the law school, located in the rear of the library's first floor. The law school needed library space for other organizations (i.e., Tax Clinic) and members of IPIJ had been expressing their discontent with their office space. IPIJ members felt their office was insufficient because of ventilation problems as well as space restrictions. The members of IPIJ could not leave their door open because their voices bothered library users; they could not shut the door because there was no air circulating. They also needed at least one more office to accommodate staff.

The other organizations were housed in Barton House located across from the law school on California Ave. They had been moved there from the basement of the law school in 1978 when space was needed for the newly founded first year writing program and NLO clinic. Barton House was recently sold to the Long Island Athletic Association as part of the University sale of the Old Westbury campus.

Phillip Panzeca, University Director of Space, visited Barton House in April 1981 and informed CONSCIENCE members that a move was in the works. At that time, there was speculation that Roosevelt Hall would be the new location. However, the University decided against these quarters because there was no access for handicapped students. The trailers have ramps for easy access by wheelchairs but according to Pete Aloe, Editor-in-Chief of CONSCIENCE, "A wheelchair cannot fit in any one of the offices or hallways in the trailer; the University just couldn't find any other space for us and so are choosing to ignore this problem."

In late July, John Story, President of BALSA, notified the other organizations of the move which was marked to be completed the week of August 17th. Organization leaders were unhappy about the situation and began negotiations with Dean Regan and Phillip Panzeca.

On August 20, Dean Regan sent a memo to the organization leaders informing them that the move would take place on Wed., August 26th. Trailer No. 2 was designated for IPIJ and BALSA. Walls were moved at IPIJ's request so that there would be room for the furniture that was donated by an IPIJ member. Trailer No. 3 was originally split between CONSCIENCE, Pocket Part, the Moot Court Board and Student Government. The Moot Court Board has since been moved to IPIJ's old office and Student Government is still looking for sufficient space.

The organizations are now settled into the trailers but feel there is still much to be done to make them habitable. Outside phone lines have not yet been installed although promised by the Administration. There are leaks in all the trailers and floors are in need of carpeting. The organizations are worried about safety during nighttime use when members must walk to Weller Hall to use the bathroom. University officials have assured the groups of escorts by the University security.

The trailers have brought a sense of community to student organizations. Most feel that when all the repairs are complete the new headquarters will be satisfactory except for space limitations.

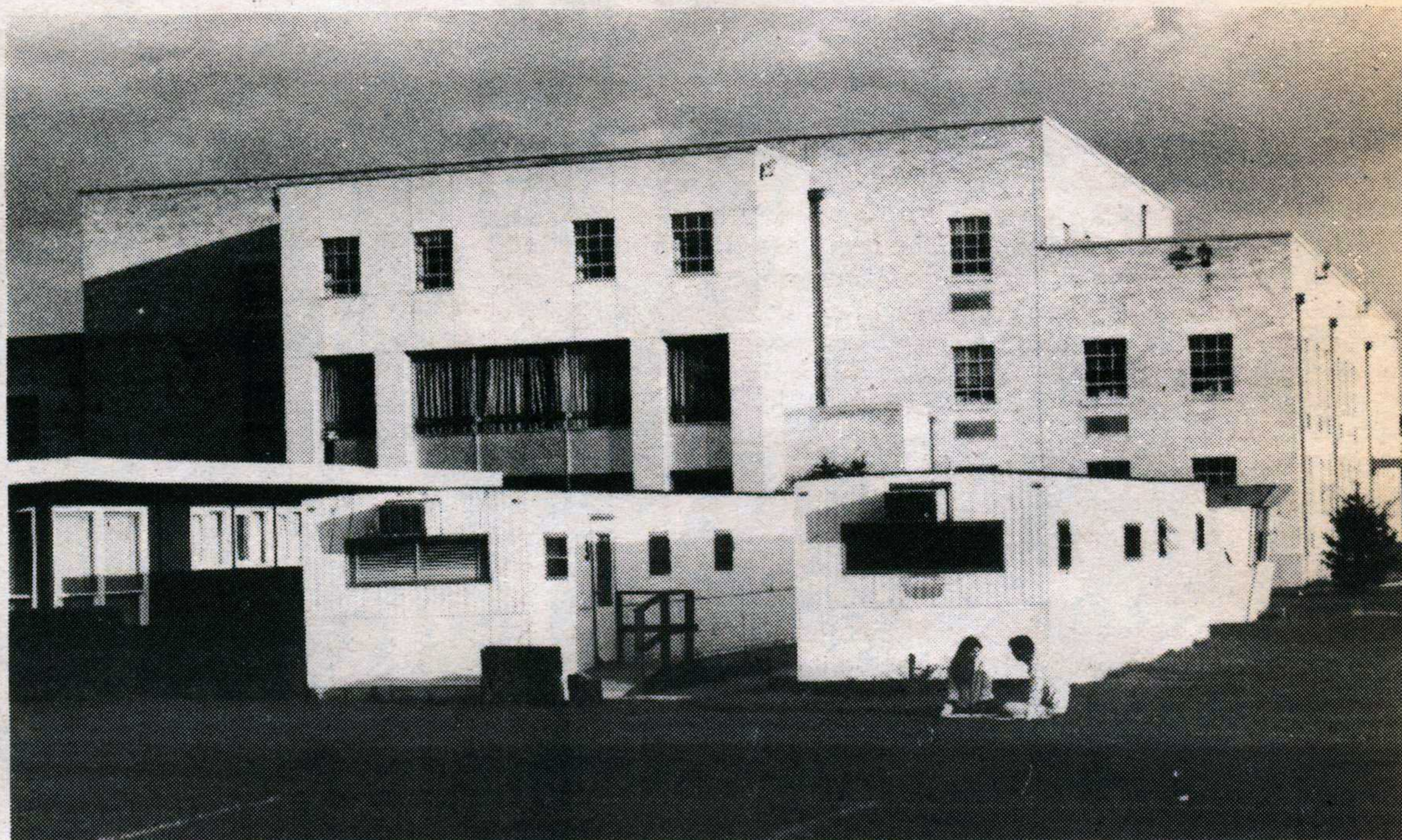


Photo by Nick Gabrielo

Keeping with tradition, the University provides the Law School with more temporary space.

THE BIG MOVE

by Nick & Nora Charles

6:35 AM

I woke up and my head felt like a dumbbell had been placed on it the night before. I could tell it was going to be one of those days.

6:40 AM

I woke up again. This time I rolled out of bed. I jumped into the shower to be revived. Hell, it worked in the Lifebuoy commercials. I dashed out of the shower, threw on some clothes and made for the car. I had an

appointment. An appointment which I wished I had missed.

7:00 AM

I made it to Barton House in one piece. I wish I could say the same for the poor bastard I sideswiped at Fairview Blvd.

Well, I was there—but where in the hell was everyone else? Being troubleshooter for a revered muckraking newspaper like CONSCIENCE is no free boatride along the Nile, ya know.

7:30 AM

I saw a car approaching, finally. Thank God the brawn had arrived because I had a notion it was going to be a bitch of a move. After chewing out THE FINK for what seemed to be a satisfying period, I realized THE BOSS was still missing. It was going to be one of those days.

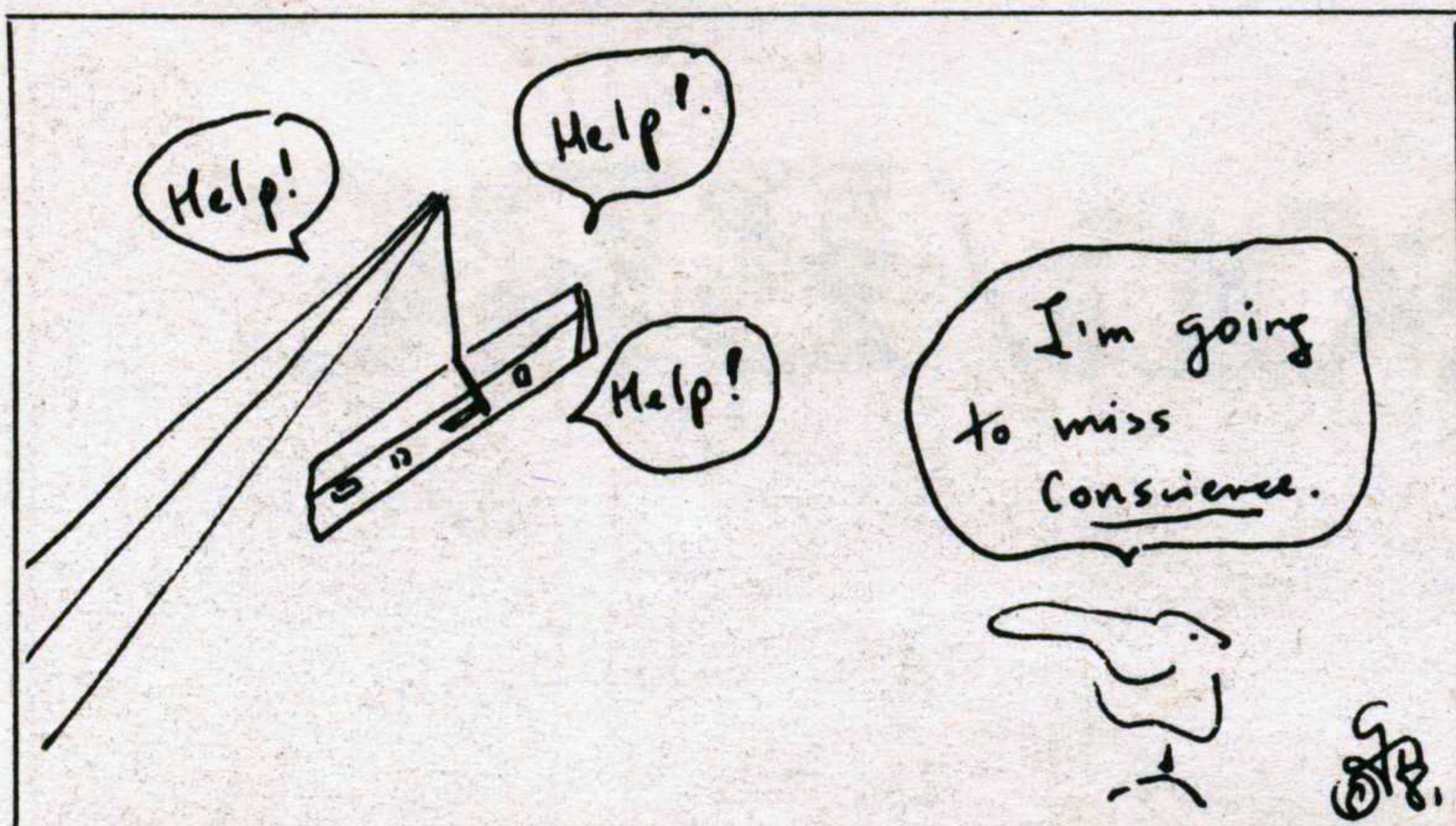
7:45 AM

Jesus Christ, no friggen keys to the office. THE FINK and I went

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The Big Move...

(Continued from page 4)

to visit our local gumshoe. Finally I get to a blower and gave THE BOSS a toot. He was fast asleep. Some BOSS. Some world.

7:50 AM

THE BOSS burst through the door looking like Columbo's raincoat on Thursday Night's Mystery Movie. There had to be at most five strands of hair on his head that were going in the same direction. Christ, I thought, he almost looked as bad as I felt.

8:25 AM

The Plant Foreman popped his head in to check about the move—I wish I had bit it off—his men were 45 minutes late already.

8:30 AM

It was time to make a decision. We looked to THE BOSS for leadership. "Fast Coffee" were the only words we could make out. THE FINK and I jumped into the car and headed for McDonald's. We ordered three breakfast specials to go and then the ax fell. No free coffee. THE BOSS wasn't gonna like this. No getting around it, it was one of those days.

8:45 AM

We came back from McDonald's. Unfortunately, stomach cramps followed us. The movers pulled in. Finally, The fun was about to begin.

9:00 AM

One could say that there was nothing particularly unusual about the movers, but then some people think Franco Harris is a wet noodle. The first one that came in had a build somewhere in between Mr. Universe and the Empire State Building. The second one followed. I shook his hand. It was a hand that I could have sat in, if I had the inclination.

9:05 AM

The move had begun. One by one the boxes were being carried out. Jesus, at this rate it would be June before we finished the job. I asked the guys if they could lift maybe two at a time using the palm of their hands instead of their pinkies.

10:00 AM

All the boxes were loaded. I

wish I had been also. The next phase of the move I knew was going to stick in my craw. I was right. The movers began to load our furniture onto their truck. Our desks weren't too big, if we had been moving into St. Patrick's Cathedral. After failing to ram the desks through the doorways, I could make out the faint whimper of defeat from Hercules. Using their brains as well as their brawn, Hercules and Superman tipped off the desk legs barehanded. Hell, it was a good thing these guys didn't do obstetrics.

10:45 AM

The truck knocked over two elm trees, Weller Hall, and the Playhouse but it reached its destination—THE TRAILER. The sight of THE TRAILER was just too much for these guys to handle. They lapsed into a laughing fit that lasted half an hour.

10:50 AM

Holding their stomachs and wiping the tears from their eyes, they decided to inspect THE TRAILER. THE BOSS, THE FINK and I stayed out so they could fit inside. We say by THE TRAILER, the bugs were biting but, hell, it goes with the territory. The guys could hardly look at us as they stepped outside; they only pointed to the truck and then to THE TRAILER shaking their heads.

11:00 AM

The moosemen slowly began to unload the stuff. First the cabinet. Then a few chairs. Finally, a few choice glances at the women's field hockey team. Then they repeated the sequence. It's too bad we had to move our furniture instead of the field hockey team.

11:05 AM

THE FINK took off to class. It wasn't like her to run scared, but I guess she had just seen too much.

11:10 AM

Don Smolenski arrived at last. He had wanted to give the movers a one-way trip to a meat packing plant, but since we were trying to go legit, we talked him out of it.

12:00 NOON

It was time to take a well-deserved break. THE BOSS and I went to throw a sandwich and some coffee down while the DON saw the job got done.

3:00 PM

I returned with THE FINK and THE BOSS to THE TRAILER. We all stood frozen in disbelief. The furniture had been packed in like Leon Friedman's Con. Law class. I thought I would never see THE BOSS cry. I was wrong.

3:30 PM

THE BOSS had regained his composure. He had formulated a plan of action. He would go talk to THE MAN in charge to try and work things out civilly. He took along THE ENFORCER.

3:35 PM

THE BOSS and THE ENFORCER entered THE MAN's office. THE BOSS talked, THE MAN listened and THE ENFORCER waited. THE MAN said he would work things out. Perhaps a visit to THE TRAILER was in order. He could go to that end of campus for THE BOSS—sure, that he could do.

4:00 PM

We heard a rap at the door. THE MAN walked in and silence stilled the room. He was a small man with a sardonic smile spread across his face. "I see the move is completed," he said. THE ENFORCER stood up. "Although not quite the way it should be," THE MAN quickly added. He helped us finish off the move. Got down on his hands and knees. THE BOSS can sure talk.

5:00 PM

We were done. There had been no serious casualties aside from a finger or a toe, but hell, ya got more than one anyway. After perusing our new HQ, THE BOSS knew the time had come. He shook everyone's hand individually and then strolled off into the early evening Hempstead mist. I didn't quite know what to make of it. I mean, I had seen that ending in a few Bogart flicks, but it wasn't right somehow. Besides, he had forgotten that I had his keys. I followed him into the mist. It had certainly been one of those days.

Faculty Lounge

There I was explaining to the class about the relationship of social cost and elasticity to judicial notice when I discovered I'd forgotten—

How to do long division!



The schedule for Faculty Meetings for the fall 1981 semester is as follows:

Thursday, September 10, 1981

Thursday, October 15, 1981

Thursday, November 5, 1981

Monday, December 7, 1981

Meetings will begin at 3:15 p.m. in the Faculty Lounge. The meetings are open.

Faculty Moonlighting In the Profession

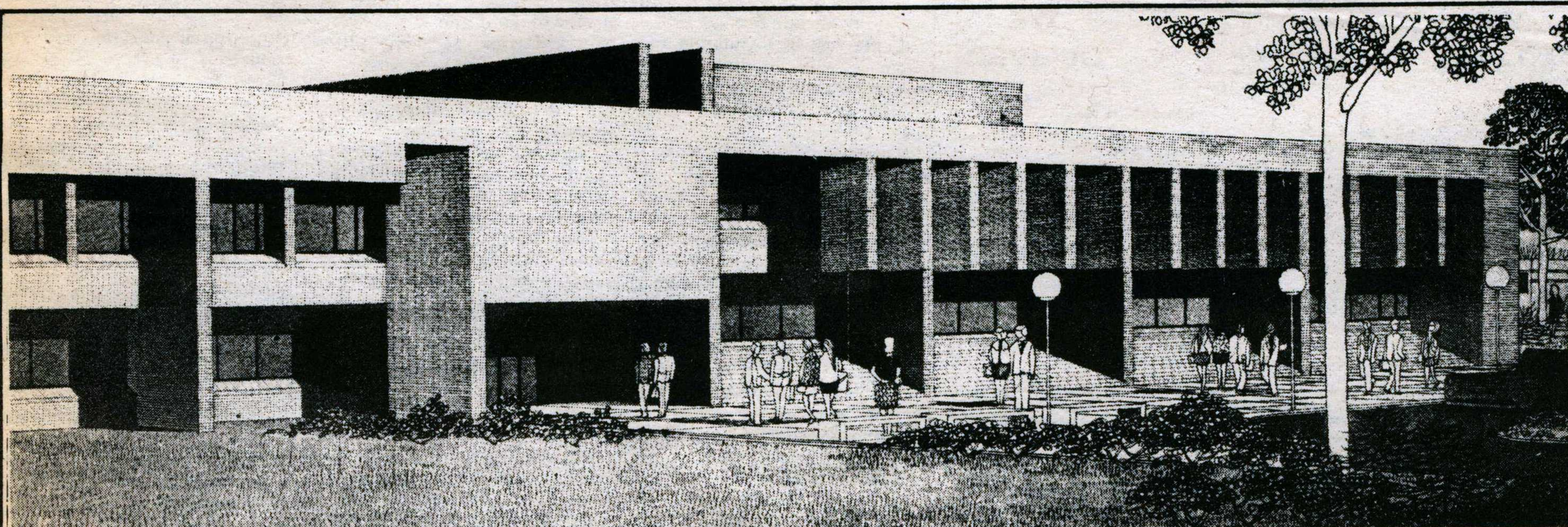
JOHN REGAN

One of the goals of this newspaper is to open up the communication lines among faculty, administration and students. The faculty plays an important role in developing the reputation and spirit of a law school. As authors of books and articles, members of committees, and counsel in precedent-setting pro bono cases, professors here are constantly building the overall prestige of the law school. Many of these outside activities go virtually unnoticed by most law students. **CONSCIENCE** would like to make students aware of what our faculty is doing outside of the classroom to help instill more pride in our institution. To accomplish this goal **CONSCIENCE** will publish a monthly column on the professional activities of our faculty. Below is the first installment.

Dean Regan's area of expertise is the legal rights of the elderly. He is currently a consultant to the United States Senate Special Committee on Aging and a member of the American Bar Association's Commission on Legal Problems of the Elderly, where he is chairman of a subcommittee which drafts proposals for legislation and standards relating to nursing homes and other long-term care facilities. This membership was cited in the July, 1981 edition of the ABA Journal (Vol. 67, pp. 928-29).

Dean Regan has written an article for the Hastings Law Journal's symposium on law and the elderly, which will be released in the next few weeks. The article critiques state legislation governing protective

(Continued on page 22)



What happened?!

This is an artist's rendering of what Hofstra Law School was supposed to look like. Taken from the school's founding brochure, entitled, *Of Human Wisdom*, published in 1969, the new structure was to have been on an eight-acre site on Hofstra's North Campus, near the

dorms. The ultra-modern facade is a far cry from today's building which some say resembles a prison. Well, it just goes to show you — you need more than students and professors to run a railroad. You need money ... and lots of it.

The STACHE



U.S. Open

Sounds Greek to Me

by Anthony Colleluori

Court action, Stache style . . .

It's that wonderful time of year for sports: baseball hitting the stretch run, football being played for keeps and basketball and ice hockey gearing up for training camp. But outshining them all for two weeks is the United States Tennis Open. Whether it is held at Newport, Rhode Island, Philadelphia, Boston, Forest Hills or Flushing Meadow, Queens, the Open has been going strong for one hundred years. Stare decisis anyone?

Ending the summer without the Open would be like George Steinbrenner getting along with his manager. Intolerable! Unthinkable!

It is true that fans have been known to foam at the mouth at the mere mention of possible match-ups: Connors-Borg, Evert Lloyd-Navratilova, Gerulaitis-Lendl, Austin-Jaeger, and the one that transcends the entire sports world, Borg-McEnroe. However, not all the action goes on between the white lines of the playing courts.

The quickest runs and best approach shots have been observed in the locker rooms and players' lounge. The Stache speaks of the multitude of agents and lawyers seeking to sign up new players. An observer can easily spot these individuals. They are the ones salivating when Andrea Leand enters the immediate area after upsetting Andrea Jaeger. They place visions of big bucks and superstar status in Leand's eyes if she will just sign on the dotted line, foresake collegiate tennis at Princeton, and turn over her private life to public inspection—as anyone who has looked at the Tort Law of Defamation well knows. As quickly as one young phenom is signed, another hits the scene. Kathy Rinaldi is old news at fourteen. She turned professional two months ago.

Tracy Austin, child prodigy and former world's number one player, has a future date in court. She is being sued by ex-coach Robert Landsdorp for money allegedly owed him for endorsements included in his personal services contract. Needless to say Landsdorp no longer works with Austin. He has been replaced by four veteran Marty Riessen. But don't cry for Landsdorp, he's been seen at the practice sessions of Brian Teacher and Eliot Teltscher, both ranked among the top fifteen men.

Everyone knows that Billie Jean King is involved in a "galimony" suit. She is being sued for support and property by her former "secretary." But who knows about the legal woes of Bill Tilden, perhaps the greatest player of all time. Toward the end of his playing career in the 1920's, "Big Bill" always seemed to have teenage doubles partners. However, it seems that not all of their strokes were confined to the tennis courts! Some irate parents eventually pressed criminal charges, and Tilden spent part of his later years as a guest of the government, all expenses paid.

Don't let all this give you a distorted view of the professional tennis circuits. Who's going to approach top thirty player Fritz Buehning and question his 6'5" 210 lb. frame about his personal life? No one in his right mens rea.

Returning to Billie Jean King, she has spent some time in the legal courts. She and a promotor of women's professional tennis brought suit against the USLTA (HELDMAN and KING v. UNITED STATES LAWN TENNIS ASSOCIATION) in the early 1970's. The action attempted to wrest control of women's tennis from the USLTA and bring greater freedom and prize money to the female tennis player. King hopes for a better result in her present legal battle although women's tennis today is run by the players' own association which, incidentally, King helped found and nurse through its infancy.

On the male side of the net, a fight is brewing for control of their game. Pitted against the firmly entrenched Association of Tennis Professionals (ATP) and Volvo Grand Prix (VGP) is Lamar Hunt's World Championship Tennis (WCT). Hunt feels that approximately 100 Grand Prix tournaments with \$14,000,000 in prize money isn't enough for the poor tennis player. For the 1982 season WCT is going head to head with VGP events. (For the past decade, WCT has been part of the Grand Prix circuit.) Hunt will be offering mega-bucks in prize money, free airline tickets and bonuses such as oil wells, gold, paintings and cars. Probable winners are likely to include the top players and opposing legal counsel.

The bitterest tennis battle lurks near the surface. Who can wait until some poor official, publicly humiliated by John McEnroe during the course of a televised match, decides to take on McEnroe in the courtroom? Standing room only guaranteed! The Stache would just love to see the transcript of that trial!

Game, set, match. The Stache

In today's pre-fab, fast-food life, it's nice to find a place where freshness is still the "in" thing. **Pappas Restaurant**, 700 Willis Avenue, Williston Park, is such a place. Originally located in Sheepshead Bay, Pappas is a two-generation tradition of the Poole family. The tradition runs high at Pappas. The fish is still brought in fresh every day directly from the Fulton Fish Market in Manhattan, and the prices are still moderate. Best of all, Pappas is the type of place where you can still bring your family.

Pappas' specialty is seafood and lobsters. They have some of the best around. I especially recommend their 1½ pound lobster at \$14.95, which is among the sweetest tasting I have enjoyed. This lobster is as good as any, if not better than most of those served at the famous Boston eateries, Jimmy's or Pier 4.

Pappas has a large selection of broiled fish, perfect for the dieter. But beware, the bread-crumbs coating used on the broiled fish must be added in the calorie count. I recommend the sea trout and the Boston scrod, both \$6.45 served with potato and choice of salad and vegetable. The sea scallops at \$9.95 are six huge scallops, enough to satisfy the heartiest of eaters. But my special favorite is the red snapper. Light and delectable, it is well worth its \$13.95 price.

Another consistently good dish is the linguini with white clam sauce at \$6.25, or as a side order for \$2.25. The Surf 'n' Turf, featuring lobster tail and filet mignon at \$15.95 is perfect for those tortured by decisions. Finally, I highly recommend Pappas' Greek salad which is made with feta cheese and Pappas' special creamy dressing.

For \$2.45 added to any of the prices previously mentioned, a complete dinner is served, including Pappas' warm french bread, choice of six appetizers including clam chowder, a dessert and beverage. Desserts are baked daily.

If you're looking for good food with a family atmosphere, I suggest Pappas Restaurant, open weekdays and Sunday until 10 p.m. and Friday and Saturday until 11 p.m. There is also a luncheon menu, where the prices are lower but the portions remain the same. Take the Long Island Expressway to exit 37 and head South on Willis Avenue. You can't miss the place. It is dressed as an old fishing boat. Traveling south, it will be on your left. Bon appetit!

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Munching Madly with M

by Miriam Breier

At the risk of inundating my audience with oriental food, I must review my favorite Chinese restaurant, Hunan Gourmet East.

My romance with Hunan began many years ago when my brother, Michael, a connoisseur of Chinese food, announced excitedly that he had discovered a terrific restaurant in Merrick. A few nights later, the happy Breier siblings piled into Mike's car and, with pangs of hungry anticipation, arrived at our intended destination. Although I do not remember what culinary delights tempted our tastebuds on that evening, the fact remains that we Breiers have been regulars ever since that evening of gustatorial hedonism.

Hunan Gourmet offers a wide variety of Chinese cuisine—Hunan, Szechuan, Mandarin, and Cantonese. In my numerous visits there, I have sampled all four styles and have been consistently delighted. (See last month's column for that same exact sentence. Remember only the best restaurants on Long

Island make it into this column, so repetition of descriptive phrases is bound to occur.)

Since there is such an extensive menu it would be impossible to describe all the unique and not-so-unique dishes I have sampled. Suffice to say that any one of the specialties will please the most discerning palate. Soups and appetizers are available in abundance; and talk about the Chinese noodles! They are fresh, big, crisp, not greasy, and very munchable.

I also love the pina coladas served in those mock-coconut glasses. They are a real sweet treat!

Hunan has a full bar where customers can comfortably wait while a table is readied for them. (On weekends and especially Sunday nights Hunan gets very busy). The atmosphere is casual and friendly.

Eat there and enjoy! You can find Hunan at 2035 Merrick Road, Merrick, N.Y. No reservations, but phone ahead for special orders at 516-378-2323.

M's Rating: 4 out of a possible 4 wontons.

First Movie in September

by Stephen Kaufman

This month my editors asked me to see **First Monday in October**, presumably on the premise that the movie might have some special relevance to the law school experience. It doesn't! (But, my editors have been wrong before).

First Monday is a movie about the Supreme Court, but it could have been entitled **An Unmarried Woman Goes to Washington**. Jill Clayburgh plays Ruth Loomis, a conservative Circuit Court Judge who is unexpectedly tapped to fill a vacancy on the Big Bench. And even if you haven't read **The Brethren**, when the Chief Justice (Barnard Hughes) refers to Justice Snow (Walter Matthau) as the "Great Dissenter," you're liable to figure out who he's really supposed to be.

The plot is predictable enough—girl meets boy in an atmosphere of mutual disdain, which is later magically transformed into a relationship of mutual respect and admiration. The transformation comes about

as a result of two court cases. One is a First Amendment pornography case. The other involves a multinational corporation accused of squelching a technological breakthrough. But the courtroom battles are peripheral to the real question here—will Matthau and Clayburgh ever stop bickering long enough to have lunch? No, Virginia, it's too easy—you'll have to spend the \$4.50 yourself.

The film itself is visually unimpressive (as might be expected of a work adapted from the stage) so don't look for any imposing shots of the Court or the rest of the bureaucropolis. The continual tug of war between Justices Loomis and Snow is cute and witty, if you're willing to overlook the gaping loopholes in the Court's methodology. (Snow decides the cases on the facts—whether they appear in the record or not; Loomis has memorized the citation for every opinion she ever wrote). James Stephens (Hart in TV's "Paper Chase" series) is on hand as Snow's law clerk, just in case you forgot that Matthau

isn't playing Oscar Madison.

In all, it's not a bad diversion for a Sunday afternoon. You won't learn anything about the law, but the exam on this one is open book anyway. (Query: According to the Judiciary Act of 1789, on what day does the term of the Supreme Court begin? Hint: The first Tuesday in November is Election Day.) If you're smart, you'll hire the film's writer to manage your investments. Not only did this guy predict the first female appointee to the Supreme Court, but notice the similarity between the "Omnitek" case in the movie and a lawsuit filed last week against Johnson and Johnson accusing that company of "burying" an electronic painkilling device. Scary, isn't it?

First Monday in October gets a 6 on the SBDS (Standard Bo Derek Scale) and the Maurice Woodruff Award for Outstanding Clairvoyance in a Mediocre Motion Picture. If you've got \$4.50 left over at the end of the week and nothing better to do, take a chance.

On The Couch

Confessions of a Law Student's Father

Hi, Doc. Yeah, this is my first visit. Sit on the couch? Sure, no problem. You're going to write on that yellow pad while I talk, is that it, doc? O.K. where do you want me to start? At the beginning you say? Yeah, I'm comfortable.

It all began one Sunday morning when the wife and I were sitting in the kitchen finishing breakfast. Our daughter was still sleeping even though it was close to noon. My daughter had just graduated from an upstate New York college where she majored in Political Science. Now what can you do with Political Science except maybe teach or something. It's like being a History major, know what I mean, doc?

So the wife is reading the Sunday papers when she says, "Why not Law School?" I thought she was kidding. After four years of college, now she's talking about law school. But, to make a long story short, in a couple of weeks she made sure that her daughter had applied to five law schools. Naturally, with each application you had to send some money. Some racket. I see you're smiling, doc.

Anyway, a law school on the Island, called Hofstra, accepts her application. Now this isn't Yale or Harvard, but it's not Blackstone's Home Study Law Course, either. Know what I mean? So the kid is ready to start law school, in the middle of August, no less. Can I have some water, doc?

Well, we hardly ever saw much of her when she started law school. Most of the time she was at the law library. Most of her dinners were eaten at Roy Rogers. The wife didn't like this idea, but what could she do? It was her idea in the first place. Do you agree with me?

Well, doc, then the fun really began. Night after night, she'd be in her room studying. I didn't care about the electric bill, but the poor kid was staying up 'til two and three in the morning. And I forgot to mention the prices of those law books. You could buy a set of encyclopedias for less. But that's neither here nor there. Someone has to make a buck, right?

Anyhow, one night I'll never forget. My daughter had a paper to do for Moot Court. She researched the subject for weeks. Then it had to be typed and six copies had to be made. The typing began the night before the deadline. It was tough to sleep while listening to the electric typewriter in the living room. But at five the next morning, it was done. Finally! I volunteered to have the six copies made at my place of employment and returned home for the 9 a.m. deadline.

Naturally, the Xerox machines, all five of them, were out of order that morning. Murphy's Law was in force. Anyway, I had to find a machine that was working. I did and everything was O.K. Of course, I was on Valium for the next three days.

My problem, doc, is this. Now that my daughter is starting her second year at Hofstra Law School, will the family be able to stand the wear and tear on their nerves, like the first year? This means more money for books, tuition and all that goes with it. I'll be eating MY dinners at Roy Rogers' restaurant; that is, if the wife can find the discount coupons in the papers.

Doc, do you think that it's worth it? Do you think we can go through this for another two years? What's the matter? Please, please stop crying, doc. Here, have a Kleenex!

Profiles in Law: Professors Kessler & Thomas

by Cindy Orbach

Contrary to popular first year student belief, the law professor species is not separate from the rest of mankind. At one time, these same "terrors of the lectern" sat on the opposite side of the divide. In this column we will try to delve into the minds of these awe-inspiring pedagogues. Instead of the typical interviews which glean the type of information that can be read in the Hofstra Law catalogue, we will try to shed new light onto those interviewed.

This month we profile two professors. One is an old timer at Hofstra Law School (in a ten year old law school, seven years as a professor makes one an old timer); the other a newcomer to these hallowed halls.

Laurence Kessler

Laurence Kessler, professor of Torts, Evidence, and Criminal Procedure, feels that the education given at Hofstra Law is comparable to any other law school in the country. While we at Hofstra do not have the budget that Harvard has, the faculty here is more accessible to the students than those at Harvard.

Kessler feels the Socratic dialogue is a useful method of education. In large classes, with the attention level reduced, the question-answer sequence livens things up and is an effective way to get the intended point across.

Prof. Kessler found his undergraduate work at Columbia College to be more rigorous than law school. He states that he has never grown up, so "always thought like a lawyer." He feels that lawyers are basically

parasites and provide little to society.

Prof. Kessler is a runner (10-20 miles a week) tennis and motorcycle enthusiast. His advice to law students? "Read the casebook; it seems to be a dying art."

Douglas Thomas

Professor Douglas Thomas, a graduate of Columbia Law, comes to Hofstra Law from West Virginia University where he taught Securities Regulation, Business Organizations and Torts. In his few short weeks here, he has high praise for the attitude of the students.

Professor Thomas' goal is to develop a course in corporate trial advocacy. He feels that we need more lawyers with corporate training litigation. Thomas deplores the current practice of most corporate attorneys who motion a case to death instead of trying it in the courtroom. One could argue that it would be inefficient to try a case that could be settled, but Thomas believes an ethical question is raised as to whether the attorneys pursuing these cases overcharge and waste their client's assets.

Thomas views legal education as the tool to teach students how to analyze the law through theory. He believes that it is the job of the legal profession to teach future attorneys to put knowledge into practice. Although a devout clinician, Thomas believes that law school funds should be used solely for theoretical studies and the legal profession should be responsible

for subsidizing clinical programs.

Prof. Thomas employs a form of the Socratic method in his classes; he even uses it "at the risk of student riot," in his upper class courses.

We at **CONSCIENCE** would like to welcome Prof. Thomas to Hofstra Law. Before he began his teaching career, Prof. Thomas was an avid skier. His other interests include motorcycling and woodworking.



Photo by Dominick Piccininni
Prof. Laurence Kessler



Photo by Jeremy Metz
Prof. Douglas Thomas

Wanted: Pocket Part Editors

EDITORS ARE NEEDED for the 1982 "Pocket Part"—Hofstra Law's yearbook. Interested individuals are invited to submit their names for consideration as soon as possible. (Past yearbook experience is helpful, but not necessary.)

Please leave your name and phone number in the yearbook mailbox in the Admissions Office or contact Robert Fischl.

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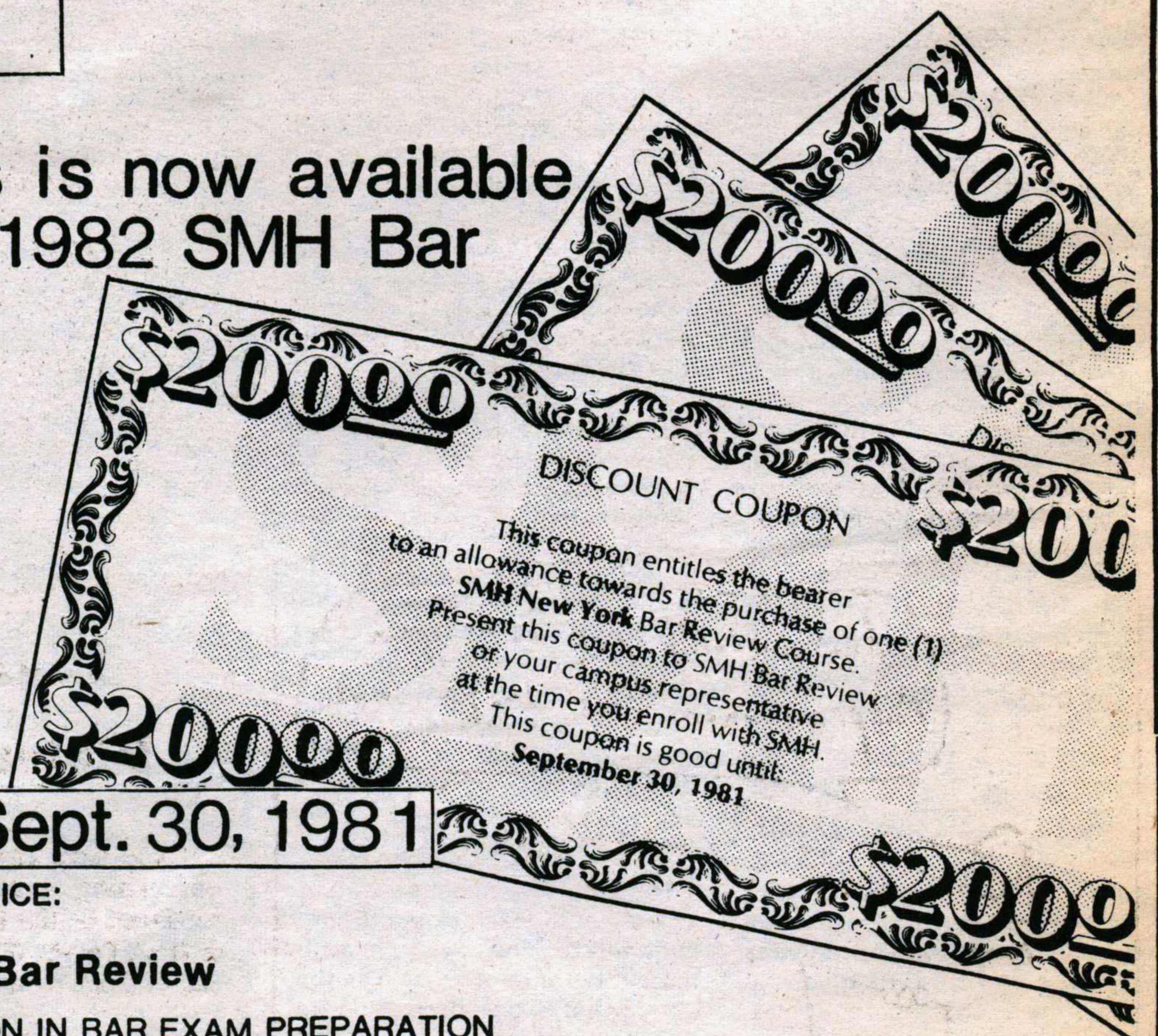
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An Interview

Apartment Head William Rebolini Discusses Policy and Conditions

Mr. Rebolini is the Director of the University Apartments. He is also a second year law student at Hofstra and a member of the International Property Investment Journal. The interview below took place on Sept. 2, 1981.

by Marcia Margules

Conscience: What are your duties as building director?

Mr. Rebolini: To sum it up, I'm responsible for the operation, administration, programming and counseling at the University Apartments. I will specifically state it does not include maintenance.

Conscience: Students start their complaints with their Resident Assistant, then they proceed on to the Assistant Building Director, and they eventually get to you. What happens then?

Mr. Rebolini: Hopefully I can handle the problem, but I can't handle them all because I don't have the authority. I would go to my superior Carolyn Smith, Director of Residential Life, and ask her advice. Although that is not part of my job description, I still feel an obligation to make sure maintenance is being done. This building reflects Hofstra's image.

Conscience: Maintenance is a big problem at the apartments. How do you see it?

Mr. Rebolini: There are two ways to look at it. People come here from their homes and they're accustomed to a certain standard of living. When they come here they expect it to be just like their homes. I cannot be. We try to make it the best living situation we can, but there are always problems that will crop up. No building can be 100 percent perfect, but we can work on improving it. Because of the many students all moving in at once, things can backlog, and a priority system has to be set up. Right now refrigerators, ovens, stoves, and leaking pipes are priorities.

Conscience: Who is in charge of maintenance?

Mr. Rebolini: Rana Management is responsible for the operation of the building. We lease the building from Rana and in turn Hofstra is a tenant under

the lease and the students are sub-tenants.

Conscience: Can you explain the relationship between Rana and the University?

Mr. Rebolini: Rana is responsible, in essence, for any normal wear and tear. Anything above and beyond that Hofstra is responsible for as a tenant. Rana is responsible for normal upkeep of the building but that doesn't include student negligence or abuse.

Conscience: On what basis are the breakage deposits withheld?

Mr. Rebolini: Initially, every student has a \$50 breakage deposit tacked on to their housing bill. Periodically, there are checks of the common area and apartments. The students are then billed for any damage that can't be attributed to normal wear and tear. We have a lot of vandalism in the building, on the higher graduate floors as well as the lower undergraduate floors. Most of our damage is on the lower floors. This is because on the upper floors we have a more mature student. Generally everyone pays for common area damage.

Conscience: Is it possible that people on the 6th floor are paying for undergraduates' damage?

Mr. Rebolini: I don't know. I really don't know. People might not be aware of it, but it is in their agreement, and in their check-in and check-out form, they are agreeing to an assessment of community damage. The whole reason behind that is we do have a community here. We want people to act as responsible adults should. Peer pressure will force students who may act wild from doing so.

Conscience: Why aren't residents given keys to the building's entrance? Why has there been a change in policy since last year?

Mr. Rebolini: The policy has changed to the benefit of the residents. The purpose is not to hassle the residents, although people are always griping about it. I feel that people are coming around to understand that this is our home; we want to enjoy our home, and we don't want intruders. We don't want to worry about who comes into our

building. One of our basic needs is safety and protection, and this is a way to insure that. We know we have much tighter control over who's in the building, but no system is perfect. It is not to keep people's guests out. Any community would have a police force but that would be ridiculous for us because we don't want to live in a police state. As it stands, if someone has a guest in the building, and he signs them in and he follows the proper procedures and that guest damages something, those residents who signed that guest in will be responsible for their guest's actions.

Conscience: Speaking solely about residents, why wasn't everyone given keys instead of being proofed every time he entered?

Mr. Rebolini: Ideally it's nice to think this is my home, I have a key to open the door, I can come in, but people abused that by giving those keys to their friends.

Immediately if you are a Security Aide and someone uses a key, you assumed he was a resident. The aide would let him slide through because the key implied that he belonged here.

Conscience: Why don't the elevators have inspection certificates?

Mr. Rebolini: According to Frank Bruno, Manager of Rana, the elevators are inspected and are safe. The inspection stickers are in their office in Smithtown. They don't put them in the elevators because we found that's when they disappear. By keeping them on file they are in a safe place and we will be happy to show them.

Conscience: Why can't students paint any portion of their apartments?

Mr. Rebolini: Because as a tenant of Rana, Hofstra University has to keep the building in a presentable form. Any colors or painting which is not in good taste we will be billed

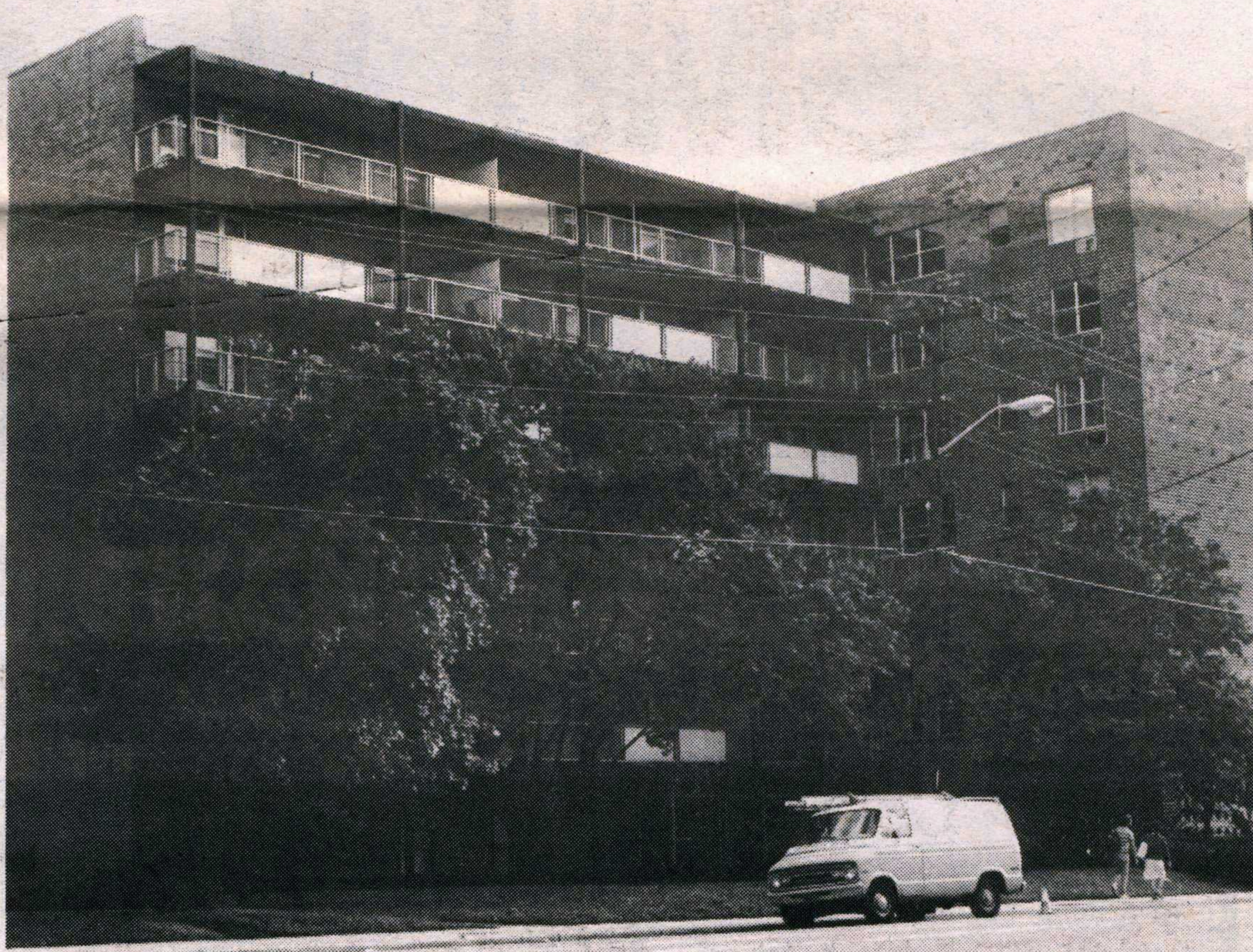
for, and in turn the students will be responsible. To avoid that problem we had many apartments painted this summer a flat white color. We discourage painting because not everyone has good taste, and not everyone is a good painter, so unfortunately, we have to apply this policy to everyone equally. In the long run this helps in what the students pay.

Conscience: Why weren't all the apartments painted?

Mr. Rebolini: There simply wasn't enough money available. Those apartments that needed it the most were painted. Little holes or big hole marks in parts that have arisen over the years may be covered by spackle marks, yet not painted over. At least they got the damage. Seventy-five to 80 percent of the apartments were painted. Half of the apartments where law students live were painted.

Conscience: Hypothetically, if

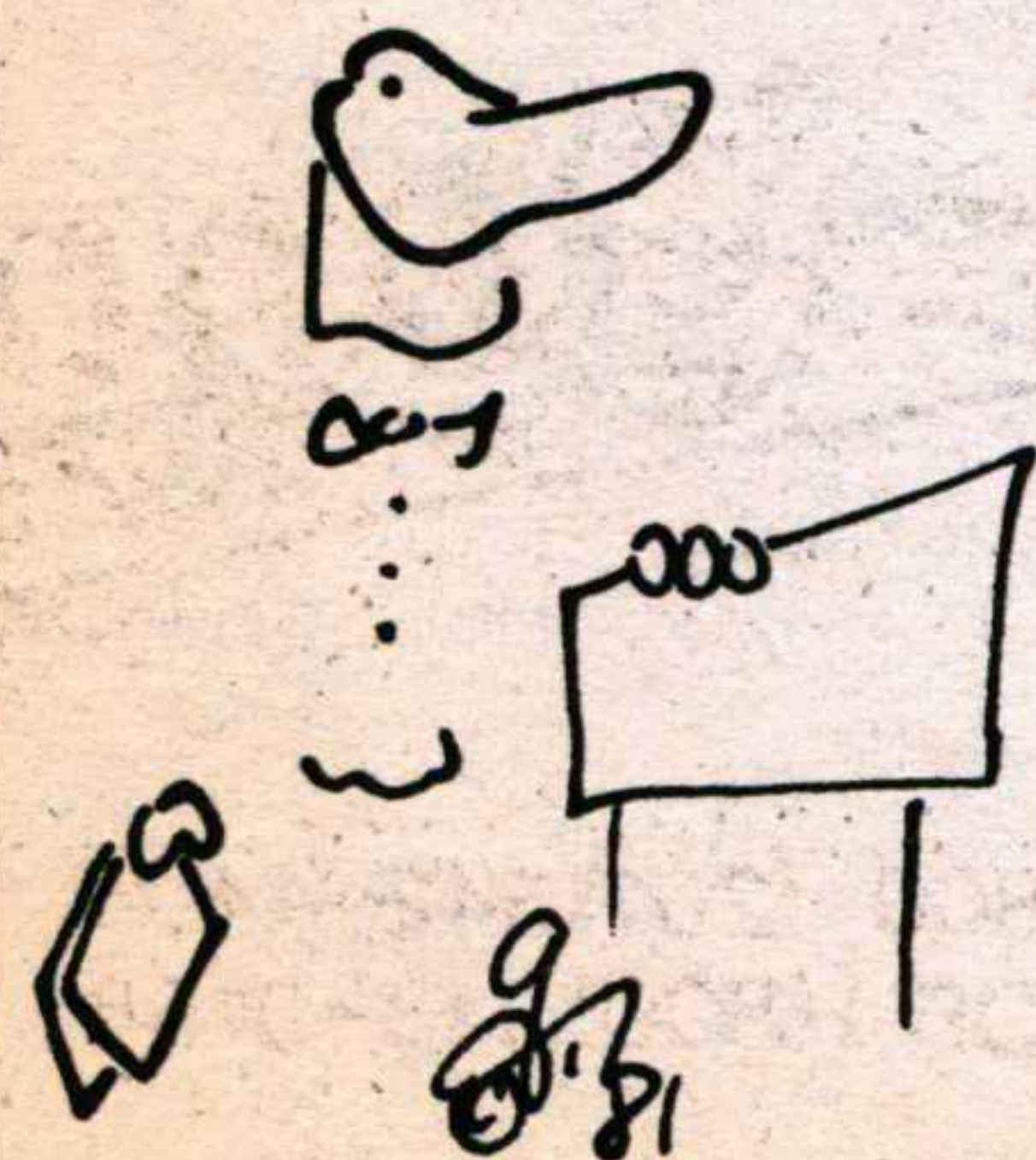
(Continued on page 17)



Hofstra University apartments.

Photo by Laurie March

Use SMALL words - you
Mispronounce the large ones.



Legal Dialogue

If you have any comments concerning an article published by the Law Review or IPLJ, CONSCIENCE would like to print them.

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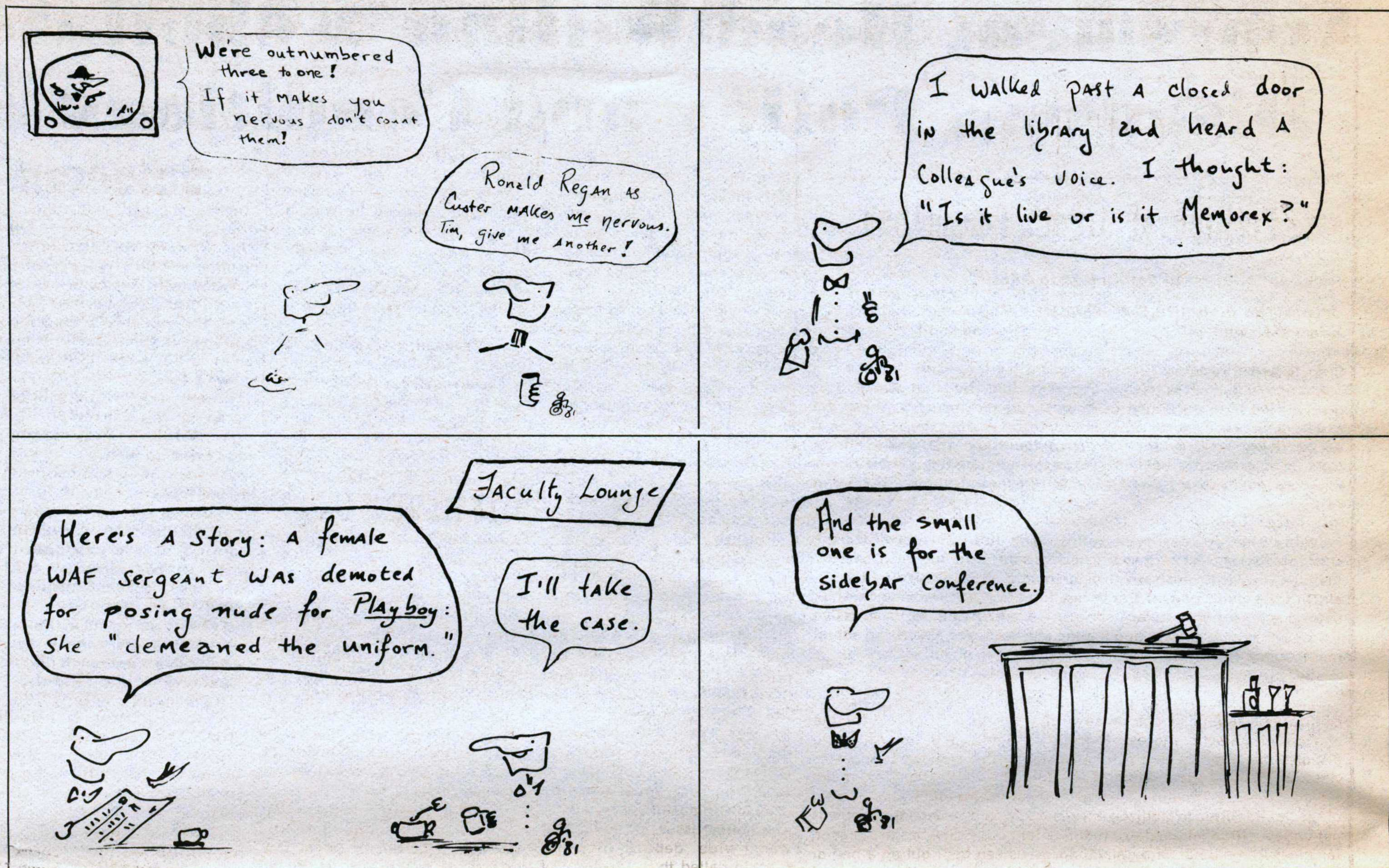
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EDITORIAL SECTION

Columns

Petition of Argoth Consortium

by Gerard E. Giannattasio

Interspecies Protective Code Reporter K459.347j
(Footnotes omitted)

Charris Ard, Presiding Justice:

The current controversy surrounding the status of Earth was precipitated by the Petition of Argoth Consortium concerning the moons of Saturn. Argoth proposes mining of surface deposits of rare earths under Interspecies Protective Code 872.111A which allows such an operation in certain circumstances, namely status below mandate level and posting of a non-interference bond by the mining entity.

Since bond has been posted, this court need only consider the cultural level of Earth. The status alleged by Argoth and opposed by the Interspecies Protective Advocate is that of Culture Remedial IV, placing the civilization of Earth two full stages below membership. Since placement only as far as the next step, to Culture Progressive IV, would void Argoth's application, readiness of Earth for actual membership is not in issue.

Culture Remedial status is a catchall categorization for civilizations failing in one or several ways to develop acceptable analogs of galactic mores. Argoth contends, and the Advocate disputes that Earth's continued inclusion in this somewhat hopeless class is justified. The demand by galactic civilization for maintenance of at least minimal standards of cultural maturity on the part of species admitted to civilized intercourse would be unconscionable if not united with a laissez-faire judgmental policy. Species are placed for measurement not on a galactic procrustean bed, but on a bed of their own design. A culture of the most savage habits and cruel outlook can never be graded beyond Culture Emergent I. There are many closed systems where species howl and brawl in eternal Bronze Ages of heroic proportion. They enjoy the protection of an enlightened galactic conscience. It is only when a species takes the first faltering steps toward maturity and a morally awake state that Culture Progressive IV is awarded. Should a species retreat again to barbarism and savagery, it is reclassified as Culture Emergent and protection continues unabated. Even vast technological advances on the part of a Culture Emergent species will not disenfranchise it, although quarantine within one or more systems may be instituted for the general good. It is only when Culture Remedial status is reluctantly assigned that a species may lose some of its civil rights, including, as in the case before this court, the right to reservation of the natural resources of its home system to its future use.

The Advocate assigned to defend the interests of the inhabitants of Earth proposes that his client has shown sufficient progress to warrant a stay of action on the Argoth Petition pending a full dress reclassification hearing. Evidence before this court ably demonstrates not only technological advance, but a preoccupation with ethical exploration on the part of Earth's dominant species. The Advocate cites increased peaceful cooperation among the three recognized subspecies of his client as well as his client's increasing concern for the ecology of Earth and its endangered species.

Argoth submits paleontological evidence concerning the extinction of near-relative ecologically competitive species by the present dominant species. Argoth further submits evidence of treatment accorded physically defective, mentally retarded or otherwise differentiated infants of the dominant species in even the most technologically advanced areas of Earth. When such infants survive to adulthood, Argoth submits evidence of their treatment—a treatment marked by stigma and denial.

The Advocate quite misses the point of the Interspecies Protective Code's culture classification. Guilt does not attach for competition among subspecies or for extinction, be it witting or not of co-native animal and plant species. Even Argoth misconceives the issue with its submission of flint spear points and antique skulls. Culture Remedial status is meant to single out a species whose excessive harshness with itself through biological continence blocks cultural growth. The dominant species of Earth has shown by its treatment of its own differentiated offspring that it has reached a regressive state of development which promises virtual stagnation. The Petition of Argoth Consortium to mine the moons of Saturn is allowed.

So ordered.

Gerard E. Giannattasio is Reference Librarian of the Hofstra School of Law.



Legal Observer

Much hoopla has accompanied the concepts of evolution. The development of evolutionary theory from Charles Lyell and Charles Darwin to Steven Jay Gould and Lynn Margulis has proved to be one of the most lively intellectual debates the world has witnessed. Current debates do not seriously challenge the supremacy of Darwin's Theory of Natural Selection as an overriding principle in evolutionary theory. The hottest issue in the current world-wide debate of what Darwin called that "mystery of mysteries" centers on the nature of evolutionary change.

Is change a gradual continuum (the "modern synthesis theory") or does biological change occur abruptly in isolated species (the "punctuated equilibrium" theory)? Since law school, and perhaps the legal profession in general, specializes in circuitous approaches to problems, this opening paragraph is a circuitous way to approach some pressing questions.

Is a zebra a black animal with white stripes or a white animal with black stripes? Answering that a zebra is a black and white animal is no solution. Until the last few decades most zoologists would have agreed that the zebra is a white animal with black stripes. Their opinion was in contrast to most African concepts of the zebra as a black animal with white stripes. Why zoologists maintained such an opinion was unclear since there was no significant paleontological basis for their opinion. However, two plausible hypotheses present themselves as an explanation. First, given the ethnocentricity that existed (exists?) in science the idea of a black animal with white stripes seemed wholly implausible. Second, the underside of a zebra is white indicating that the animal's white pigment is its primary color. Recently, zoologists using paleontological studies have reversed their opinion. Tracing the descent of the zebra backwards using fossils and conjecture, a consensus has emerged that the zebra's ancestors were darkly pigmented animals. Thus the dark skinned zebra has evolved

white stripes.

This type of almost metaphysical debate has its place. But such deliberations should never be allowed to overshadow the fundamental concepts of evolution and how these concepts serve to integrate many biological theories. Regrettably, in evolution, as in law school, such intellectual masturbation often obscures the larger perspective.

Is the Hofstra University School of Law intellectually stifling because it is a law school or is the law school intellectually stifling because of Hofstra University? This is a vexing problem. I think it is fair to say, without the advantage of paleontological studies, that law schools do not encourage broad and fundamental intellectual inquiry and debate. Rather, narrow technical points are rehearsed using bizarre forms of intellectual inquiry. This unfortunate state of affairs is aggravated by Hofstra's intellectual climate which, like outer space, is a vacuum, and by its physical plant which, like LeDifference and other buildings of the Le Corbusier school, is ugly.

The solution to this query is that Hofstra is a black and white animal.

Is there a reason why no member of the biological kingdom has evolved a wheel for use in locomotion?

Bruce Sales is a member of the Class of 1983, a staff writer for CONSCIENCE and a former park ranger.

Wiser than Solomon

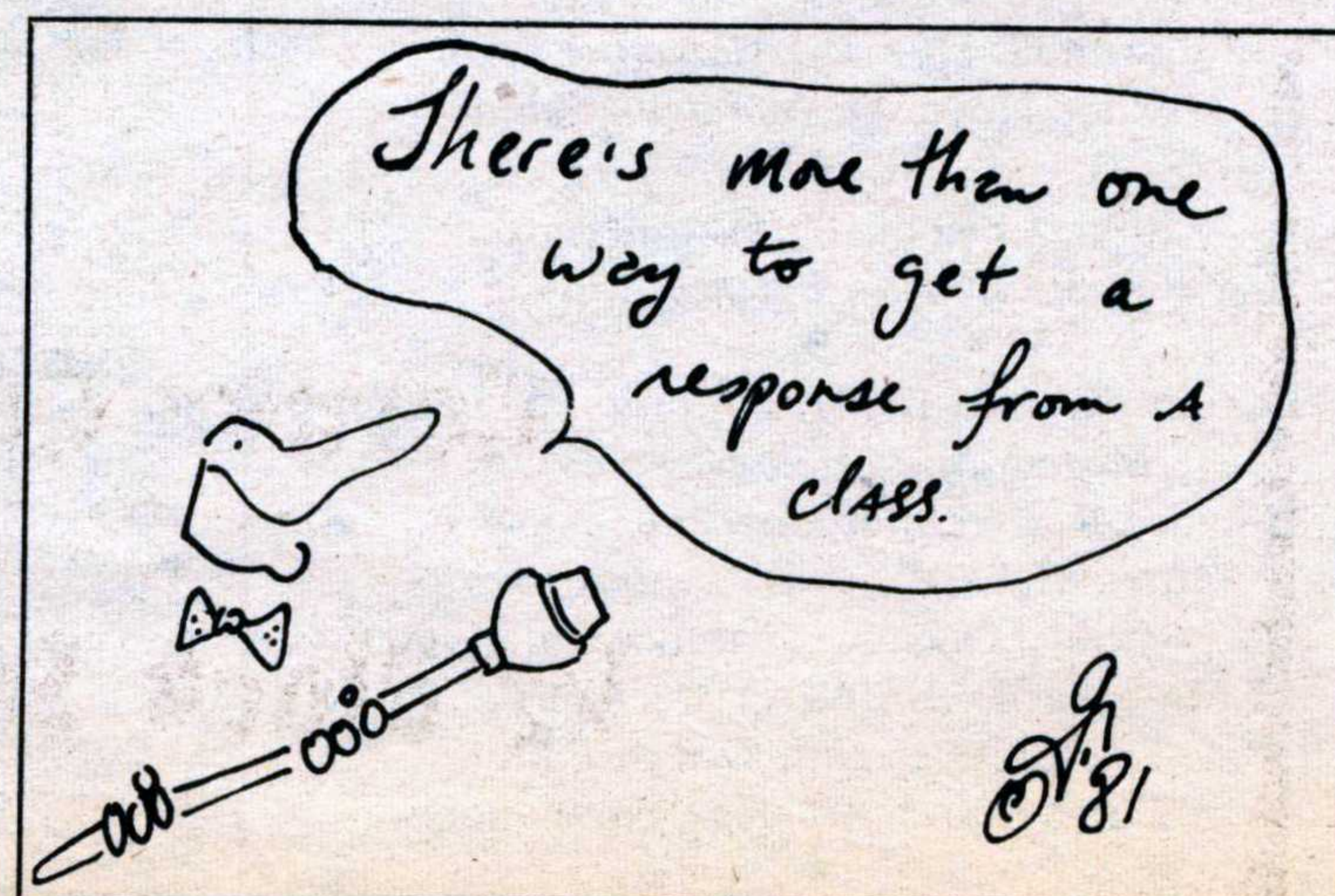
The problem of improving the quality of Hofstra Law School is particularly vexing to those of us concerned with the future of this institution. Though Mr. Solomon should be applauded for bringing the issue to the surface, (CONSCIENCE, August 24), his approach is overly simplistic in calling for the raising of admission standards. This problem requires more extensive analysis and resists a simple solution.

Though we are a very young school, (the class of 1983 will be the 10th anniversary graduating class), there has been a commitment towards a quality legal education based on certain ideals—a philosophy regarding the way in which Hofstra Law students are presented with their legal education. Some great strengths at Hofstra are the clinical programs including NLO, CLAC, Advocacy for the Elderly, and the Tax Clinic. Another strength is the dedication and diversity of the faculty.

However, Hofstra Law is at a crossroad; we have reached a point where the future credibility of this school is challenged. We face serious problems now, and the chosen course will determine our future status in the hierarchy of institutions of legal education in this country. We have lost some prestigious faculty, our search for a new dean has taken far too long and is still incomplete, our placement services are highly inadequate, our library facility must be vastly improved, and above all, student apathy to the critical questions affecting the Law School's viability is far too widespread. These problems are compounded by a short-sited and uncooperative University administration against whom we must fight for every nickel.

It is apparent that many things must be done to improve the quality of Hofstra Law School. However, a sharp rise in admission standards is simply not one of them. Any improvement at the Law School must come from within. The standards must be raised for the students

(Continued on page 14)



Editorials

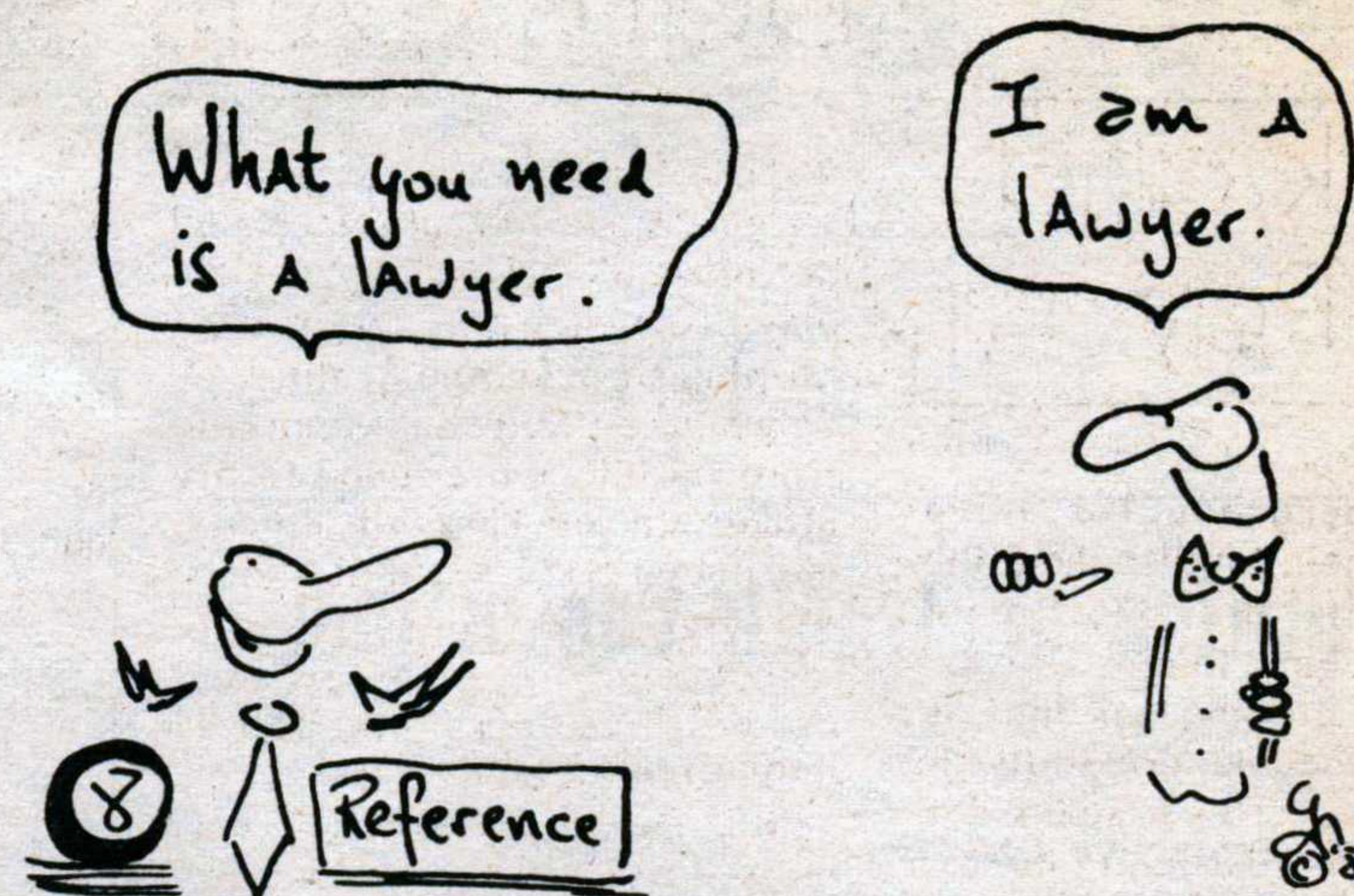
A New Beginning

Last year, Hofstra Law School suffered from insufficient and ineffective student leadership. Spirit and self-respect were slowly drained from our law school due to a failure to collectively discuss and solve the problems that constantly face our community. Student government, which should lead student activism, failed to make a significant contribution last year.

This year, student government must be more productive and effective. This is the first year that student government is operating under a written constitution. This year's leaders are qualified and have a healthy working relationship among themselves. They need to restore respect to student government. To accomplish this they must offer students services for their annual twenty dollar student activity fee, and they must offer credible proposals to solve the many problems facing Hofstra Law School.

1. Student government should work to make the student voice heard in major decisions affecting them. So far we have heard nothing concerning the dean search.
2. Last year Hofstra received an ABA accreditation report. We have yet to hear what problems the ABA found and any viable solutions to these problems.
3. Student government should sponsor school-wide events. Last year student government failed to sponsor a single school-wide event. As a result, many students, particularly first-year students, spent the better part of the year without a real opportunity to get to know their colleagues. Regular school-wide gatherings could boost the current sagging spirit.
4. Student government should also form an Invitational Speakers Forum. Most law schools sponsor prominent speakers. At Hofstra, the job of inviting speakers to the school has fallen to other organizations. An Invitational Speakers Forum could be instrumental in bringing good speakers to Hofstra. Unlike student organizations, an Invitational Speakers Forum would not be distracted by other responsibilities since it would have no special area of interest. It could invite speakers of general interest to the students. Furthermore, an Invitational Speakers Forum, financially responsible for all speaker arrangements, would probably be more cost effective.
5. The parking problem has grown steadily worse as the number of students admitted to the law school has risen. This year, with three hundred first-year students, the parking situation is intolerable. At eleven a.m., a commuter cannot even find an illegal parking space within five blocks of school. Student government should suggest to the administration solutions such as staggering class schedules or limiting the law school lots to law school community members. A major cause of the parking problem has simply been poor planning.
6. Student government should investigate the law school's current condition of filth. Part of the problem is getting students to be neater. Another problem is getting decent janitorial services. A cursory inspection of any bathroom, hallway, or classroom will show that they have not been sufficiently scrubbed. What must visiting employers think of a law school that is kept in such poor condition? We pay dearly for janitorial services; we have a right to a clean law school.
7. Many of the problems in the library could be alleviated if the school would offer Xerox services to students. For a fee, a student could have any library material Xeroxed. This would eliminate the lines at Xerox machines, the need to use the frequently broken change machine, the urge to tear out pages from law books, and the need to store law books in some secret corner for days. Other universities already offer Xerox services. The law school already offers Xerox services to professors, student organizations and two law reviews; there is no good reason why such service cannot be extended to the students. The school should at least acquire a sufficient number of working Xerox machines to eliminate the lines.
8. Another needless problem plaguing Hofstra Law is the frequent breakdown of the change machine. There should be at least one more machine installed, preferably in the upstairs lounge where change is needed for vending machines (which are also a source of aggravation due to their constant mechanical failure).

These are just a few of the areas desperately requiring student government attention. In order to tackle these problems, student government must make an active effort to get as many students as possible working in these various areas. Alone, the seven elected student government officials can do little. But if they can recruit students to work in each area, student government can spearhead a drive to make Hofstra a better place to go to law school.



Democracy Undermined

The New York primary should upset those who believe in democracy. In Nassau County, Denis Dillon, the incumbent District Attorney, with the endorsement of both major party machines, sewed up the Republican and Democratic nominations for another term. In New York City Mayor Koch seeks to secure dual nominations in the same manner. The election was over before the voters got to the polls. Come November, these politicians will be re-elected without facing a challenger, much in the same way that party leaders are elected in Soviet Block nations.

The politicians make excuses for short circuiting the political processes. For example, Koch claims that running as a "fusion candidate" will enable him to get more money out of Albany and Washington. This is probably not the case. It is more likely that Mayor Koch's fusion candidacy will cut against the city's chance for greater funding from state and federal sources. Democratic and Republican party bureaucrats might view Koch as an uncommitted party member and therefore lobby less enthusiastically for New York City.

The real reason for fusion candidacies is that the Republicans and Democrats can each have a share of the patronage jobs after the election. These are the same patronage jobs that raise the cost of government and thus our taxes. This whole mess shows how fundamentally dishonest politics has become.

Fusion candidacies tend to create the very apathy that politicians like Koch complain about. Fusion politics also avoids the political debates that are designed to allow voters to shape their own government. When incumbents are assured of re-election, they pay less heed to the critical problems facing government.

Koch and Dillon, by accepting nominations on both tickets, send the voters a clear message: the election is a facade. We do not question the competency of either candidate. But as "fusion" candidates, they are unworthy of the votes they debase.

Behind Closed Doors

At his September 8th news conference, Hofstra President James Stuart revealed that the dean search had been narrowed down to three candidates. However, the identity of the three candidates is confidential. Apparently, the choice of a new dean will be made behind closed doors.

Last spring, the University administration promised that the law school community would have input into the final dean selection. We urge them to keep their promise and reveal the names of the candidates so that the community can have a real role in choosing Hofstra Law's new leader.

Each one of us is indelibly stamped with the name Hofstra. Our futures rest upon Hofstra's reputation, and Hofstra's reputation rests upon the leadership and prestige of our new dean. A decision as crucial as this should not be presented as a fait accompli.

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conscience

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The editorial board is committed to bringing Hofstra Law a competent, informative, lively newspaper of professional quality. We encourage everyone to write letters and articles. All submissions should be typed, triple spaced, with name, phone number and year of graduation. Submissions may be dropped off in our box in the library.

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Letters

Park and Pay

To The Editor:

The undergraduates have resumed their studies and the law students are once more without parking in the University's only parking lot that is within reasonable proximity to the law school. This problem can be resolved by restricting the use of the parking lot behind the Law School to law students and members of the Law School faculty.

Every morning a member of the student security patrol stands at the entrance to the administration parking lot on California Avenue near Weller Hall. A parking lot restricted to Law School faculty and students can be accomplished in a similar fashion.

If the law students and faculty who wish to use the lot were to contribute five to ten dollars a year, we would be able to have law school parking permits printed and hire a member of the student security patrol to stand at the entrance of the parking lot from eight or eight-thirty each morning until noon.

If implemented, this proposal would assure that there would be parking available to the law students each morning and we would also be creating more on-campus work-study positions for those undergraduates that seek them.

David Bodek
Class of 1983

Chemical Reaction

To The Editor:

Lanny Bryer, in his article **Park and Ride** (CONSCIENCE Vol. 9, No. 1), offers a "constructive solution" to the lamentable parking facilities with which the law school must deal. Unfortunately, his solution is literally constructive. He suggests carving away a portion of the "beautiful green beach alongside the law school" to create more parking spaces. One of the tragedies of our urban environment is the conviction that all open fields need be put to a "useful purpose." The failure of Bryer and similar asphalt lovers to appreciate the inherent beauty of a blade of grass is most disturbing.

The "green beach" to be paved is the only open field left on South Campus. It should be left unspoiled so students can either ruminate about the amazingly complex photochemical reactions that occur in a blade of grass or just watch the grass bend in the wind. If additional parking spaces must be created let us lobby the administration to build a parking deck rather than obliterate one of the most simple and beautiful species of the plant kingdom. As Malvina Reynolds wrote, "God bless the grass, it grows through cement."

Bruce Sales
Class of 1983

Butt Out

To The Editor:

Help! I can't breathe! I could not think of a more appropriate way of opening this letter after gasping through one of the Law School's stifling halls enroute from the Student Lounge to my office. Considering all the ex-smokers I have encountered on the staff, the runners easily identifiable by their proudly-earned T-shirts, the tennis players, not to mention our new health-conscious society, I was disappointed when I realized that people can smoke in the Law School in any hall they want to, at any time they "feel the urge." They do so regardless of the poor ventilation, the Surgeon General, asthma, lung cancer, chronic bronchitis and coronary heart disease.

Becoming an ex-smoker takes determination, willpower, and a desire to improve one's health and disposition, taste and smell, sleeping habits, and aerobic capacity. After finally quitting smoking for several months, I experienced a blinding revelation: I could not believe that I had smelled that obnoxious! Immediately after realizing this fact about myself, I discovered the quote, "Smokers don't go to hell, they just smell like it!" Thus, another ardent reformer of the evils of smoking was born. Now folks, I do not want to give up any of these newly acquired benefits! It took a while to conquer this habit. To quit smoking forever is one of the hardest psychological battles to win. Many handfuls of hair have been ripped out, many pounds have been gained, many tempers have been lost, but all for a good cause.

Running is a sport I recently took up to correct the weight-gaining stage that ex-smokers sometimes experience. But why should I bother when I am constantly inhaling the worst part of a cigarette—the smoke emitting from a neglected cigarette sitting in an ashtray, from a crowded bar, from a "no smoking" car on the L.I.R.R.—in short, from the smoke one inhales from the lit end of a cigarette.

So you see, the only way an ex-smoker can win is if he makes a stink. Most of the time this does not work. I hold nothing against people who smoke, just the smoke itself. I would like to see something done about the "junk" we are subject to inhaling in the halls of the Law School.

Unsigned

A Plea

To The Editor:

There were five or six sea gulls picking contentedly at the remains of a discarded bag of potato chips. Suddenly a gull much larger than the others appeared, flapping its wings and squawking in admonition. The smaller birds, duly warned, backed away.

On viewing this, one of the other first year law students with me at the beach that day started talking about "assault" and

"appropriation of community property." I protested most vociferously, commenting that the natural beauty of God's handiwork ought to be enjoyed for its own sake, without trying to fit it neatly into this or that casebook.

The point is this: I see far too many of my fellow first year law students putting blinders on, becoming oblivious to the wealth of experience that lies beyond our little corner of the world. While I have nothing but admiration for the qualities of dedication and tenacity, I think it would be a major error to confine all our waking hours exclusively to the study of law.

We must never forget that law arises from and seeks to serve the values of human experience. To be good attorneys requires that we strive to become whole individuals as well as proficient practitioners. Law did not create the human condition; rather, the reverse is true, and we must seek cultural and personal growth in conjunction with our legal education. Normality, Freud wrote, is the ability to work and to love, a point I hope we all remember.

Nick Otis
Class of 1984

The War Rages On

Sept. 9, 1981

To The Editor:

We, the members of People Insulted by Generalizations (P.I.G.s), would like to respond to the vicious, largely uncalled-for broadside directed against the male students of Hofstra Law by a coven of angry females calling themselves "W.A.R." While we might have been willing to accept with serious consideration some of the issues raised, the women of W.A.R. were content to sink to the very depths to which they accuse Hofstra men of descending, resorting to sweeping generalizations, stereotypic characterizations and downright lies. To quote the late, great Mayor Richard Daley: "They have vilified us; they have crucified us. Yes, they have even criticized us." Of course, we could respond in kind; however, in the interest of keeping with our policy against generalizing, we steadfastly refuse to believe that the majority of women at Hofstra Law, whom we greatly respect and admire, would care to be associated with such drivel.

John Ferreira
Pres., P.I.G.s
Our motto: "Make love, not W.A.R."

Missing in Action

To The Editor:

Many Law Students and Faculty Members experience the frustration and aggravation of coming to the Reserve Desk of the Law Library, looking for that one issue of a law review which contains an article essential to their research, only

to be told "I'm sorry, it's out. No, we can't tell when it will be back."

The problem is caused by faculty members, law review people and students who take these single issues out and do not return them, sometimes holding them for months on end or never returning them at all.

This problem not only causes headaches for people using the library for research purposes, but also becomes quite expensive. For instance, a single part of the **Harvard Law Review** costs the library about \$3.00 on subscription, while it cost us \$7.00 to replace a part when it disappears.

An additional problem that arises when the law reviews are kept out for extended periods or are lost is that the reviews cannot be bound in a timely fashion and made available on the open stacks.

With these problems in mind and with a new semester beginning, I would like to take this opportunity to ask the members of the Law School community to charge out and use the reserve periodicals for only as long as they are needed, and return them to us as promptly as possible.

Debbie Goldstein
Acquisitions Librarian
School of Law Library
August 14, 1981
X3601

CONSCIENCE welcomes letters from readers. All letters should be typed double space with at least 1½ margins on all sides. CONSCIENCE reserves the right to edit or condense any letter. Next deadline for letters is October 6.

Talking Dirty To the Dean

Dear Dean Regan:

If it is unheard of to address a law school dean on the topic of school and restroom cleanliness, then please excuse my effrontery as an indication of the desperate conditions at the law school.

Unlike the apparent hopelessness of correcting other more intractable conditions in this building—the cooling-ventilation system, inadequate library lighting and inadequate parking space—the dirt problem has an easy and age-old solution: soap and water. It is a fact that the tile walls in the first floor women's restroom have been untouched by housekeeping hands in over a year, and the 1980 grime is there to prove it. I won't go so far as to make this claim about the floor because it is obvious that some attempt has been made to push the dirt into the corners with a dirty mop. To add to the discomfort, the soap, tissue and towel containers are

frequently empty, and little timely effort is made to remedy the situation.

I would like to think that Hofstra is a quality law school, and I would like others to think so too. However, any respect which new students, faculty or visitors may feel could be quickly undermined by the sight of dirty, unkempt restrooms, and common areas. While it is true that a clean building must be a cooperative effort, it is only logical to assume that the first floor student lounge will never be clean if not a single ashtray is provided for the students' use.

Lest you think that I am obsessed with dirt and grime at the expense of more cerebral material, I must add that it is precisely because I spend so many hours in pursuit of knowledge in this dirty building that I am forced to seek your assistance in helping us to Clean Up Hofstra Law School.

Thank you for your attention to this matter.

Linda L. Kreicher
Hofstra Law '83
August 31, 1981

He-Man Hecklers

Dear W.A.R.,

We the men of the He-Man Woman Haters Club are a group of law school men who are fed up with the attitudes of career women (presumably yourselves) who have confused ambition with malice, assertiveness with belligerence and achievement with truculence. Having offered the hand of friendship and finding it used to slap our faces often enough, for once, we would like to get a few things off our chests.

We are sick and tired of law school women:

1. Declaring before each and every exam: "I just want to go home and make babies."
2. Blaming men for their own failures.
3. Wanting love but hating their lovers.
4. Believing all men are in a conspiracy to deflower all women.
5. Thinking men in law school are not worth speaking to.
6. Wearing the tightest possible jeans, complaining when we stare, and staring right back.
7. Looking for rich lawyers.
8. Looking for rich older lawyers.
9. Flashing their engagement rings from rich older lawyers.
10. Soliciting compliments on clothes.
11. Soliciting compliments on hair.
12. Soliciting compliments on weight loss.
13. Soliciting compliments on make up.
14. Failing to realize we're all in this asylum together.

Law School women are entirely too:

1. Competitive
2. Arrogant
3. Condescending
4. Vain
5. Cold
6. Bitchy
7. Self-centered
8. Narrowminded

Love and Kisses,
The He-Man

Woman Haters Club

P.S. I'll show you my stereotype, if you'll show me yours.

Wiser than Solomon...

(Continued from page 11)

already here. We should expand upon our strengths; continue our commitment to the clinical programs and strengthen them, offering more diverse opportunities to a wider range of students. One suggestion is to make one semester participation in a clinical program of the student's choice mandatory. Give all students a taste of legal practice and an opportunity to participate in the community.

Though the Law School employs a fine faculty, there should be a continuing quest for improvement. Legal scholars in all fields of practice should be encouraged and actively recruited to participate at Hofstra. Ways of improving the library and placement services must be studied, and programs implemented to effect this improvement. The quality of the Law School publications must continue to expand and improve.

There is nothing that enhances the credibility of a Law School like a highly respected and often quoted Law Review. We have a fine Law Review staff, and their untiring efforts will prove invaluable in producing a scholarly journal that will be uplifting to our reputation.

The IPIJ is a potential catalyst to international recognition for Hofstra Law. While only in its infancy the future of this journal is bounded only by the dreams and efforts of its founders and its staff. Like Hofstra itself, the IPIJ can be anything that we believe it can be, and the result limited only by our degree of commitment.

CONSCIENCE is also an important vehicle for the improvement and success of the Law School. The voice and mode of introspection of the school must incorporate the participation of a greater number of the student body. It must serve to strip away the apathy and lack of consciousness that permeates Hofstra Law students. We have plenty of things to fight for, **CONSCIENCE** can only help.

Finally, the Law School must acquire some leadership, as we have become the proverbial "ship without a wheel." The dean situation has become a farce, and it appears that the thing we need most, a dean that will fight for the Law School, will not be soon forthcoming. Selection of an energetic and innovative dean could be the single most significant step towards insuring a bright future for this school. Yet it appears that the University administration wishes only to keep the Law School "in its place" lest the reputation of this segment of the University surpass the mediocrity that pervades the rest.

It is this reputation, one of quality emanating from within, which will attract outstanding students of a truly national scope, not an arbitrary raising of admission standards.

Howard K. Blechner is a member of the Class of 1983 and Associate News Editor of **CONSCIENCE**.

Outside Line

Summer Vacation: 3rd Year Law Student Style

by Saul Morgenstern

Tuesday: 28 July 1981

6:45 AM

The radio clicks on, stirring me from my half-sleep. It's time. Trying not to think about the reason for being awake at this ungodly hour, I shower, shave and slowly join the world of the living—sort of. In about two hours I will be taking the New York State Bar Examination. I am scared to death.

7:45 AM

Ridiculously early, I set out for the subway. Any idiot can tell you that it doesn't take an hour to travel from midtown Manhattan to the New York Law School, which is somewhere near Foley Square. Who cares? I am not going to be late for this one—neurotic maybe, but not late.

I have nothing in my stomach because I'm too nervous to eat. If I have to use the men's room during the exam I will have to kiss one whole essay goodbye. I feel thoroughly ill. I will never make it to five pm Wednesday.

Downtown, I meet two former classmates. It is perversely reassuring that they also sense our impending demise and are as nervous as I am.

8:45 AM—First Session, NY Day

After some confusion, I am at my seat. I unload my number two pencils (four) and my pen. I am ready—maybe.

9:00 AM

Question One: "A is on the Board of Directors of D Inc. which manufactures golf clubs . . ." Hallelujah! I might be able to answer this one. Encouraged, I read the rest. Essay number one turns out to be essay numbers 1A, 1B, and 1C. That is, it is really three totally separate questions, covering legally distinct issues, linked only by the identities of the parties. In the course of the day I will find that all six of the questions are like this. Some are even more complicated than this one. On the whole, I would rather be in Philadelphia.

10:00 AM

My watch tells me I should be on question two. Why am I still on question one? I move on, leaving the last part sketchy. The fifteen minutes lost on the first essay will have to be compensated for during the multiple choice questions later on in the morning. That turns out to be a good plan. It is just as ridiculous to make twenty-five guesses in thirty minutes as it is in fifty.

12:15 PM

Lunch break. Three of us walk over to St. Andrews Plaza for lunch. We agree not to discuss the exam. "How about all that Corporations stuff on that first essay?" So much for agreements among law students.

Barely able to eat, we try to talk about other things. Someone joins us and mentions that she thought the morning was surprisingly easy. I am thinking of ways to strangle her.

1:15—Second Session

More of the same. This time the questions seem even more complex. It seems as if the examiners decided to kick harder in the afternoon when they knew we would be down.

The person sharing my table is writing his essays in pencil. That would be O.K. if he wouldn't spend as much time erasing as he does his writing. I wish he would stop shaking the damn table. He looks so tense that I am afraid he will have a nervous breakdown if I tell him to cut it out. Besides, I have more important matters to consider. I have to decide which bridge to jump off tonight.

3:30 PM

The proctors are bored. They decide to have a little chat. Thirty faces stare up at them with murderous eyes. They shut up.

Evening

The New York Day is over. We are halfway through. A quiet dinner on the east side with some friends. No studying. A little wine. I can't believe I have to go back there tomorrow.

Wednesday: 29 July 1981

3:30 AM

I awake with a start. Damn. Only the wife and son could collect on the wrongful death action in question four, and I said the daughter could too. Maybe I can go back to Massachusetts and return to teaching fifth grade.

9:00 AM—Multistate Exam

This should be better. All I have to do here is color in the little dots on the answer sheet. The only problem is, when I read the questions I find that none of the answers given are correct.

The Multistate Bar Exam is the strangest test I have ever seen. As I read the fact patterns, I nod my head in anticipation. Recognizing the issues, I expect to see a certain question at the bottom and to know the correct answer. The question, however, never comes. Instead, the Bar Examiners ask about the rights of parties who have no rights. They want to know the best constitutional argument against a statute that no self-respecting court in this country would strike. Or they want to know the best defense of an indefensible position. What are the rights of parties to a contract that would not even exist in Professor Freedman's classroom?

Slowly it dawns on me. I'm being tested to represent a nation of losers.

Noon—Lunch Break

Appetites seem better today. We try to agree on what the most absurd question of the morning was. It's hard to do since so many were ridiculous.

In the exam room waiting to start, I announce that in three hours we will be done until February. The woman sitting two tables away is not amused. If looks could kill I would not have to take the second half of this test.

1:30 PM—Afternoon Session

More of the same. Somehow it seems as though every other question is about UCC § 2-207. I know there are supposed to be thirty evidence questions in here—where are they? I did well in Evidence.

4:30 PM

On the way home I throw out my pencils. If I need them in the winter I will have to get smarter ones.

6:30 PM

A group of us meet at Friday's, a bar uptown. After a few beers we are able to laugh at the experience. Most of us are convinced that we have failed. Come November most will have passed, and we know it. Expecting failure protects each of us from a truly harsh letdown (if it actually arrives) in that letter from Albany in November.

Friday: 31 July 1981—Point Lookout

Three of us lie on the beach and go through the exam from beginning to end. Surprisingly, it reassures us. At least we spotted the same issues in most cases. As much as I hated going over exams in law school, I am glad to do it today.

Postscript

Although it has only been a month since the exam, it feels as though years have passed. Looking for an apartment, building a wardrobe for work, even going to the beach, have all taken a front seat. Both the exam, which is behind me, and the results, which will arrive in the future, seem more remote than poor Hadley's damages. Yet, it is there in my mind.

Once a day, at random times, the bar exam crawls out of its little hole and plagues me. The cold fear of failure smiles up at me as it kicks me in the stomach before it scurries back into its hiding place. I suspect it will be with me until I open that letter from Albany.

Opening that letter is likely to be the most difficult thing I have done since entering law school. In the face of all of this, one wonders if there isn't a better way.

Saul Morgenstern, a member of the Class of '81, is an Associate with a New York law firm. "Outside Line" is his way of refusing to leave the first floor lounge.

Comments from the Back Row

by Arthur H. Kravitz

I have a few questions to start the year with.

1. With Dean Regan serving out his last days, Associate Dean Resnick already occupying Abe Ordovery's old office, and Sherry Friedman pregnant, can Charlotte Hoffer run this school all by herself?
2. Can Larry Kessler fill Abraham Ordovery's shoes?
3. Will the school let him try?
4. Is Commercial Paper really necessary?
5. Will Mike Glassman keep his promises?
6. What did he promise?
7. Does it matter?
8. Will Aaron Twerski come home in the spring?
9. Who will be the Dean?
10. How long will he stay?
11. How do we know he won't be as ineffective as the former deans in convincing the University Board of Trustees to support the law school instead of draining it?
12. Will Arthur Kravitz get a job?

Stay tuned for answers to these and other questions.

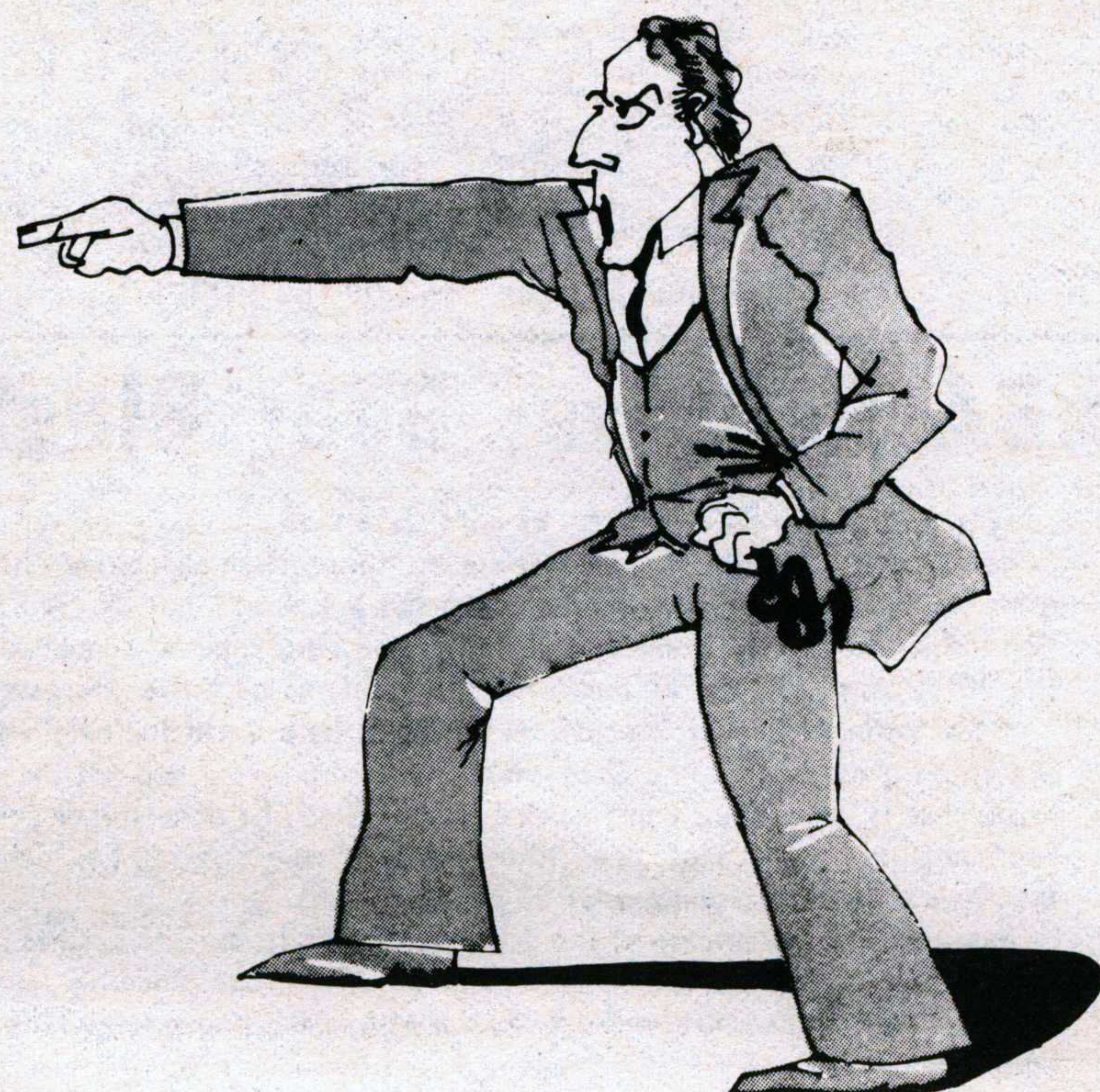
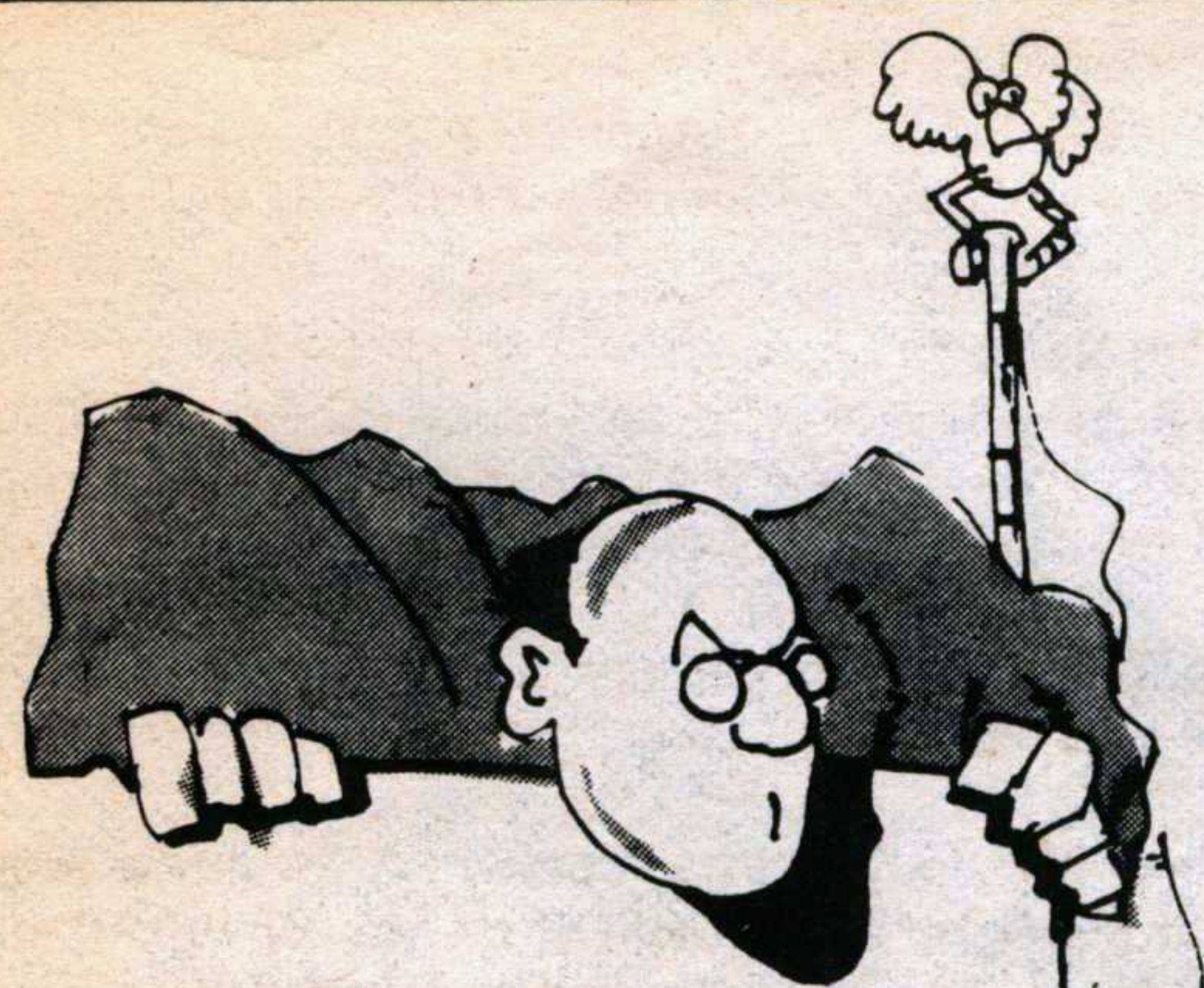
The groundswell of student support for a spring term offering in commercial paper went nowhere this week. Dean Regan decided that since the flood of students who were supposed to descend on his office the second week turned out to be a trickle, it was not worth adding insult to contract termination.

But was that the real reason? How many times has the administration made unilateral decisions claiming that no one came forward to object? In the case of commercial paper, this argument is dubious at best and suggests that Dean Regan, unable or unwilling to find or hire someone to teach it, took the easy way out, turned down the students and blamed the class for the decision.

Mike Glassman presided over the first town meeting of the new term. And what was the big issue of the day? The dean search? No. Glassman had to be told at the meeting what was going on with that Student-faculty relations? No. Guess again. It's appropriations. Watching the various clubs vie for the \$15,000 in cash prizes is turning into one of the uglier spectator sports around. Watch for P.A.D. and the political clubs to take it on the chin this year. There is already a move afoot to change the constitution to make the student government the sole sponsor of outside speakers. The inevitable result of this will be the removal from the budget process of all those organizations who use the invitation of outside speakers to justify their existence.

All this assumes that the budget process will eventually get off the ground. Don't hold your breath. Glassman promises the end of the month but no one has any idea how it will even work. Mike's going to the town meeting and asking the students for their ideas indicates that not even he knows how to do it. Time to get on the stick. Student leaders are there to make decisions, whether good, bad, or indifferent. So make some. Time marches on.

Arthur H. Kravitz is a member of the class of 1982.



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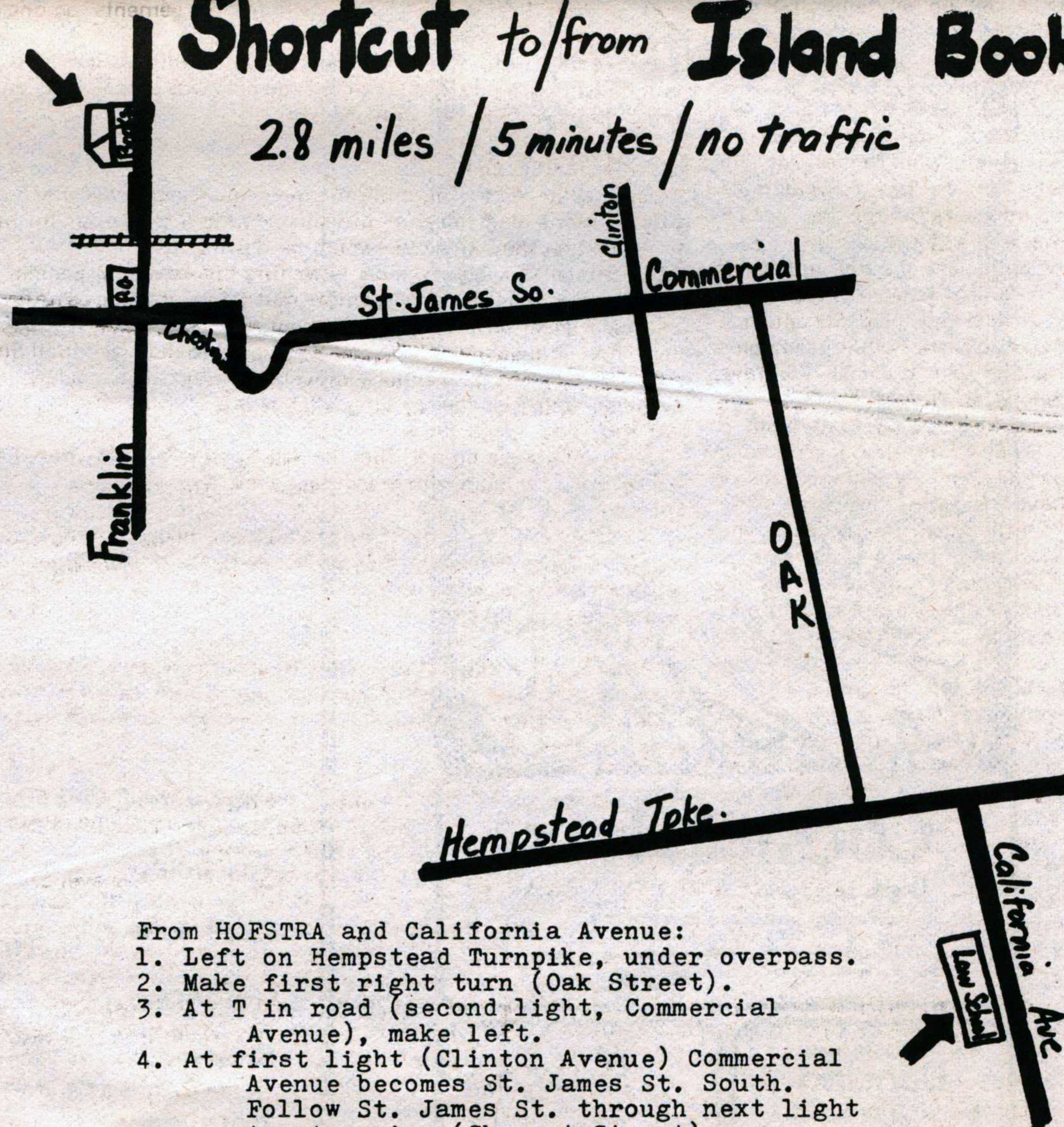
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 5. Make right at Chesnut Street, under trestle and follow road around to light (Franklin Avenue).
 6. Make right on Franklin Avenue (post office). LIRR tracks are 30 yards ahead. ISLAND BOOKS is five stores past tracks on left. PARK BEHIND STORE.

Shuart Still Speaking

(Continued from page 1)

Twin Oaks, which is located on Fulton Avenue, was purchased by the University for \$2.2 million. President Shuart said the apartment house will be used exclusively for Hofstra housing which includes students and faculty; no apartments will be leased to the general public. The Netherlands, which is a \$10 million dorm complex located on the corner of Oak Street and Hempstead Turnpike, will

consist of twelve buildings when it is completed. The South Court of The Netherlands houses 275 people, while the North Court (which will house 325 people) is scheduled for completion next year.

Dr. Shuart also used the press conference to express concern about the heating and air conditioning problems that presently exist at the law school. He said the problem had them baffled so they hired a

professional engineering firm which is presently studying the problem.

The final point discussed was the progress being made at the Federal Eastern District Court building on Uniondale Avenue. The building had to undergo extensive renovations to convert it from the former Internal Revenue Service building into a courthouse. The renovations should be completed in time for a dedication date at the end of October or early November.



Hofstra University President James Shuart holds twice-monthly media conferences for all Hofstra-sponsored publications.

ABA Reports: Beer Blast at Last

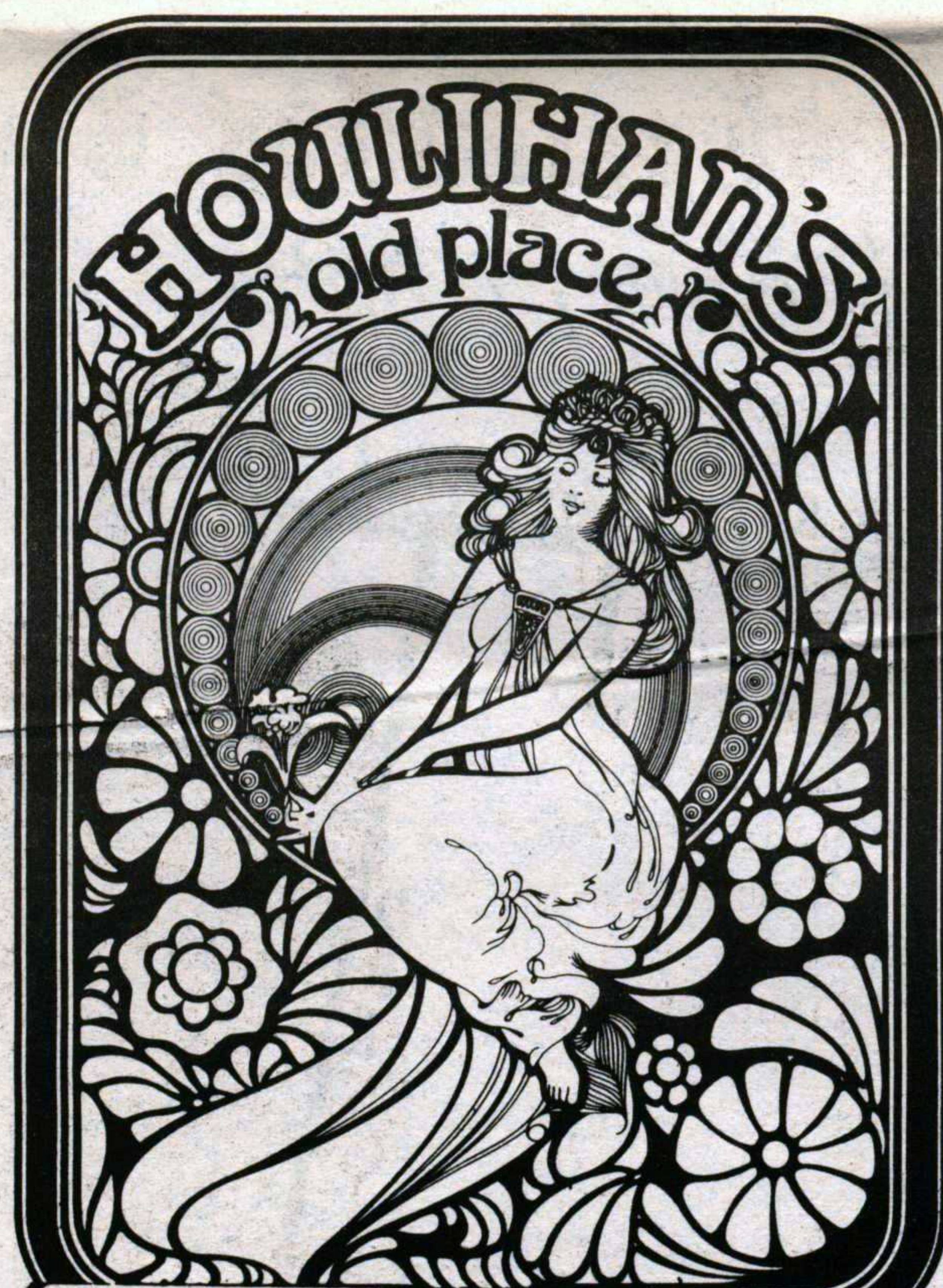
by Erica Lieberman

Before anything else, I'd like to clear up the problem concerning the health insurance program. I've been informed by the head honchos in Chicago that they will be sending me application forms for the health policy on September 16. That means I should be receiving them around the 20th, at which point I'll make them available to all those interested.

A few notes of further interest: like tuition, the price of the health plan has gone up, BUT, it's still a good deal for the price. Now the good news: if you get the policy in by the end of September (I know there's not much time but it can be done!) your coverage will begin as of September 1st. After September 30th, however, coverage will begin the first day of the next month. I hope that answers a lot of your questions.

Now that I've taken care of the dry business, on to the wet business. It's a pleasure to announce that the Second Annual ABA Beer Blast will take place on September 18, 1981. The bash, which is sponsored completely by the ABA/LSJ, is open to all those who believe that only beer is above the law.

The 18th falls conveniently on a Friday so no one has an excuse for not showing. Those of you who plead innocence due to studying, well, we have ways of making you drink. Try to think of it as a Back-to-College adventure rather than a momentary interlude between classes and studying! So, keep your eyes peeled for posters specifying more details. 'Til then, happy highlighting!



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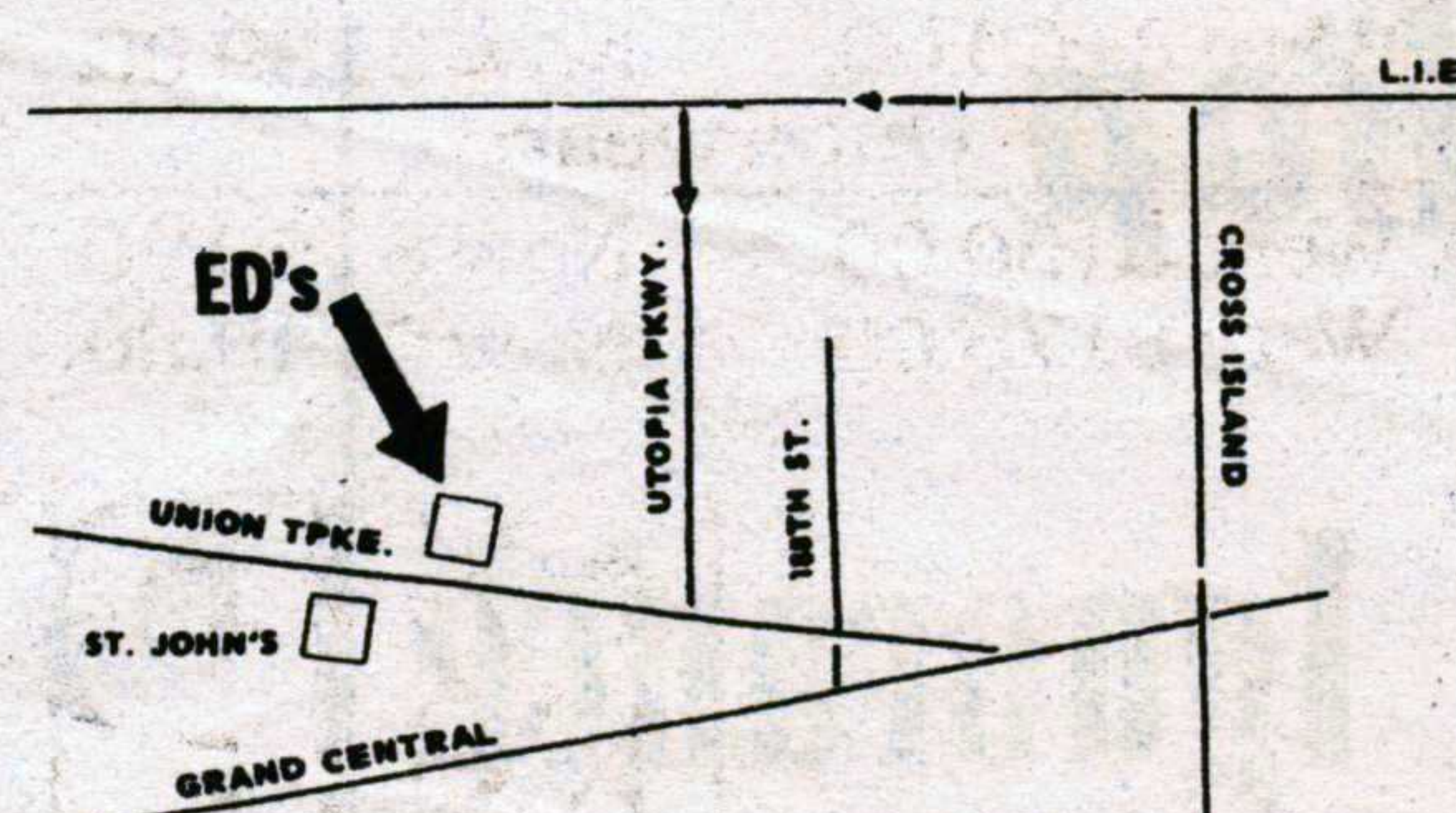
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Rebolini: Apartment Policies and Conditions

(Continued from page 9)

someone painted his apartment or a portion of his apartment with flat white paint, and it was neatly done, would he get charged for that?

Mr. Rebolini: I don't know.

Conscience: Why wasn't there any hot water for the first year law students during the first week of classes?

Mr. Rebolini: The first year law students shouldn't be concerned that we are out to get them. The management closed down the boiler system for the summer and started it six days before the first year law students moved in. I lived here without any hot water. I moved in before anyone else did and I took cold showers. Unfortunately, sediment collected in the tanks during the summer and when turned on, worked sporadically. People were not avoiding the problem. They were working on it every day. Boiler companies were changed by Rana to get a better response. Once the problem was found they had to do something that had never been done. They dug up a few portions of the parking lot, and they had to remove the sludge that had collected over the years in the tank.

Conscience: Why wasn't the furnace checked out earlier?

Mr. Rebolini: I couldn't tell you. I suspect that no one expected this problem in advance, and there was no need to throw on the furnace early since no one

was living here except me. It would be a ridiculous expense to turn on the furnace just for me.

Conscience: Is the furnace's capacity large enough to meet this building's needs?

Mr. Rebolini: Something to be understood is that this apartment house was built with the thought that families would be living here, and there would be certain varied times when people would be taking showers, washing dishes, etc. Peaks would be at a lower level. Peaks here are different. They are a higher level when everyone has to go to classes and when everyone comes back to have dinner. The system really wasn't designed for that and when everyone is calling for hot water at once it becomes warm water.

Conscience: Are we correct in saying that when there are peak times the law students on the 5th and 6th floors are more apt to get only cold water?

Mr. Rebolini: No, because there are different water lines for each floor.

Conscience: How often are the common areas cleaned?

Mr. Rebolini: Every day the floors are washed and waxed and the trash is emptied.

Conscience: How many residents live in the building?

Mr. Rebolini: Approximately 360 residents. I would say that all of the 6th floor is law and graduate students, and the majority on the 5th floor are law students. I figure we have about

50-75 law students in the building. The majority are first year law students, but it was great to see that we have 10-15 returning 2nd year law students. I guess they liked the people, the building, the convenience, or the price enough

to come back.

Conscience: How do you think students can help improve the building?

Mr. Rebolini: The best way to do that is to look at the building as a community with each

resident a member. Doing that, we can realize everyone has rights, and everyone has responsibilities. If we treat each other with respect, then we will have a more cohesive unit and a very happy place in which to live.



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Were \$295.00.	Now \$269.90.

Besides all these sale items, you can find anything else you want to wear at Raphael. From shoes to accessories to any sort of better men's wear. And we have tailors on the premises, so whatever you buy will fit just right.

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Sour Grapes

by Howard K. Blechner

Summer was too short. Classes started too soon. The library is too hot. The undergrads on campus don't give us enough respect. Everyone but me went to the Bahamas on vacation. The whole damn section made Law Review. The rest of the world made IPIJ. The library is too cold.

The vending machine in the lounge owes me \$123.65 from last year. I registered for Criminal Procedure this semester. The food in the lounge is terrible. It's too long a walk to the deli. The food at the deli is terrible. The classrooms are too hot. The seats are too uncomfortable. The professors talk too much. The

classrooms are too cold. The books are too expensive. I was bumped from two of my classes, but that's okay. I'm now registered for Law and Psychiatry and Legal History. I started looking for a summer job around the end of May. No one hires first year law students. All the good professors left. All the rotten ones are teaching my courses. The tuition is too high. The new first year students take up all the parking spaces. The undergrads take the rest of the parking spaces. All the pretty women are married, are not interested, or both. The rest are on Law Review or IPIJ. I guess it could be worse. I could be a first year law student...

Howard K. Blechner

Money Market...

(Continued from page 2)

amounts exceeding \$500. Shareholders of course possess full voting rights under the by-laws of each fund.

There are some disadvantages to money funds. The investments are not federally insured, but the risk of a fund failure is very low. Money funds invest in \$1 million or large certificates of deposit, high grade commercial paper, and short-term government debt instruments. The rate of maturity of these instruments varies between 1 day and 90 days, allowing the fund to remain somewhat liquid. Problems of liquidity have arisen in a number of smaller funds. Sharp drops in the prime rate may cause investors to cash in their funds and move into

common stock. The fund may thus find itself unable to pay redemptions.

Savings and thrift institutions have lobbied hard to lower fund interest rates. Various attempts in Congress to impose reserve requirements have failed. Congressional leaders have assured the funds of a long and unfettered future.

The economic climate of the nation also paints a rosy future for the funds. Current investment strategy is to stay away from the long-term debt and equity markets. The Fed's policy of record interest rates and tight money seems destined to remain.

Small investors may find relief from the ravages of inflation in the form of highly lucrative money market mutual funds.

THE QUERYING

by Jeremy

What is your reaction to the way the Reagan



BRUCE SALES (2nd yr.)

"I'm in sympathy with the strike because the only recourse for a worker in a capitalist society is to withhold his labor. In terms of breaking the law, the law deprived the working man of his only remedy and is therefore unjust."



LEAH CAMPBELL (3rd yr.)

"No doubt the Controllers have violated the law, however the strike, although it appears to be a unilateral act, is truly the result of the government's inability to seriously consider and implement the collective bargaining process. The Administration's hard line in firing 12,000 PATCO members is a tremendous setback for labor-management relations amounting to union busting, and is a tragedy for all those who have lost their jobs."



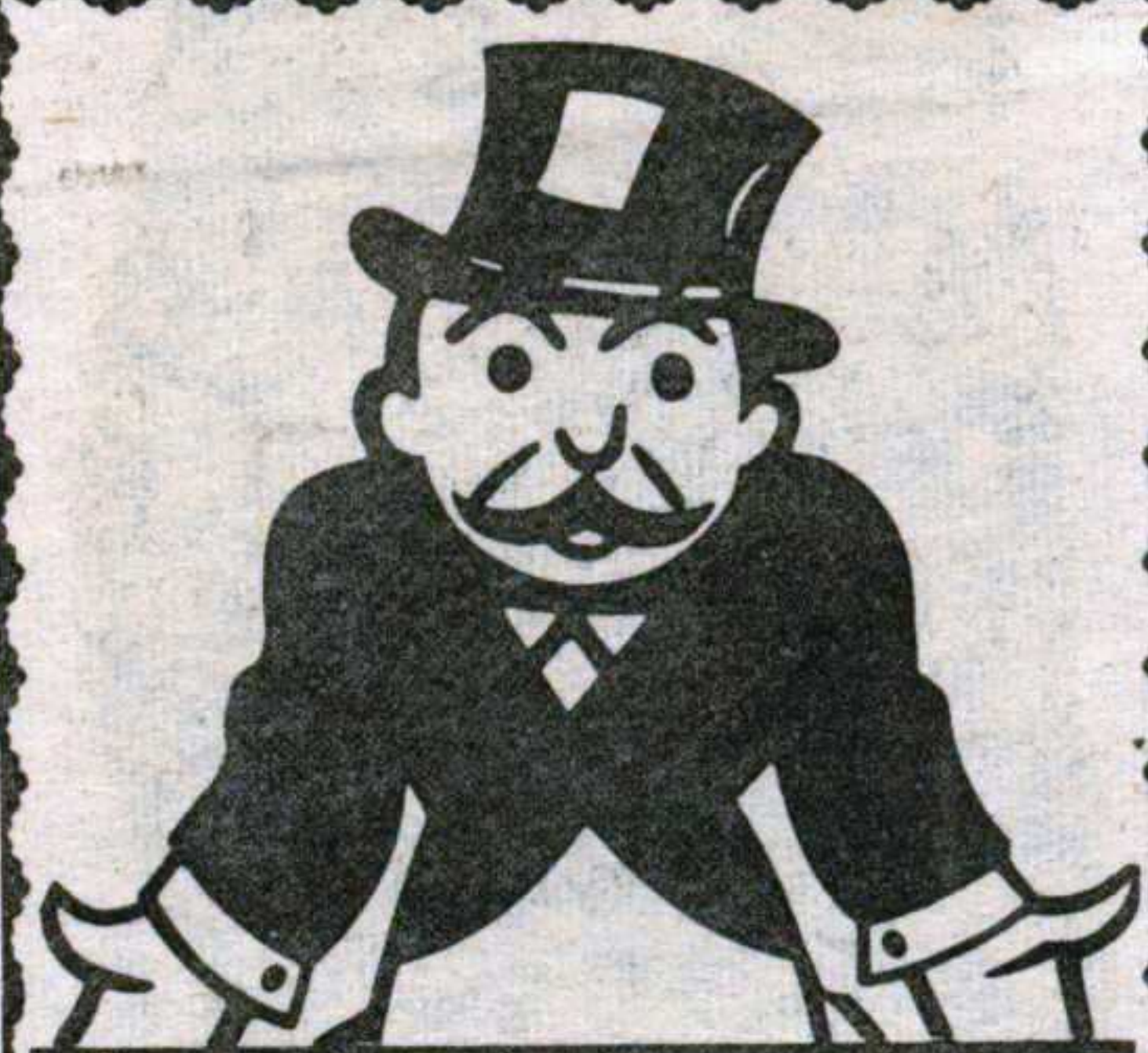
LARRY PASKOWITZ (2nd yr.)

"Whether or not we like the law making such strikes illegal, it is the law and has to be obeyed. President Reagan had no alternative but to take the action he did since he is ultimately charged with enforcing Federal law. Perhaps the best solution to this problem would be to provide for binding arbitration, but with the situation as it is, this is no longer a viable alternative."

Election Results

Election for first year representatives were held on September 9th. Eleven candidates ran for three positions in Student Government.

The winners were Glenn Berger—Section A, Anthony Calvacca—Section B and Andrea Shapiro—Section C. A total of 164 votes were cast.



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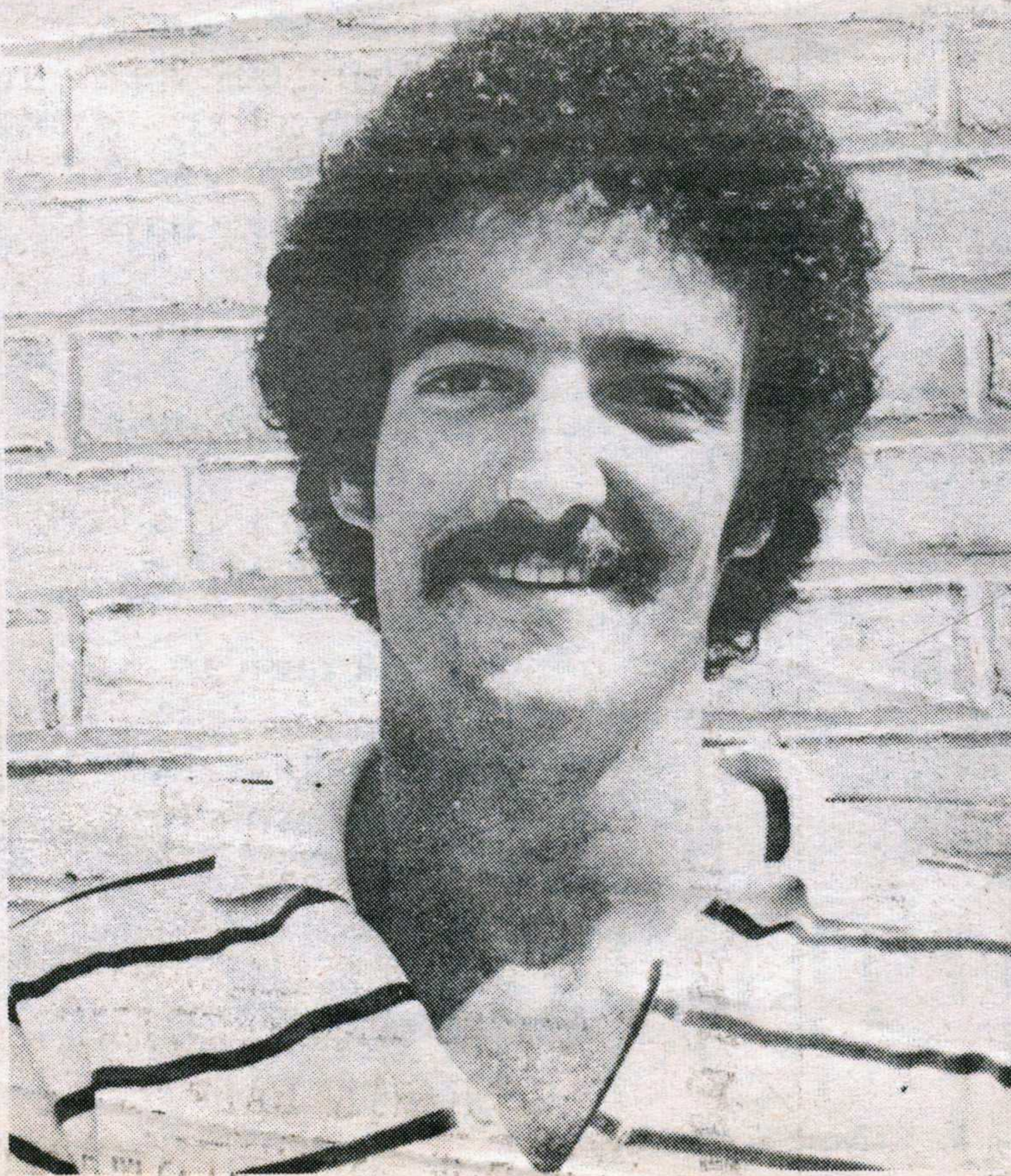
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Glen Berger—Newly elected Section A Rep. No statement available. Photo and statement from Anthony Calvacca, Section B Rep., unavailable.



Andrea Shapiro—Statement of First Year Rep—Section C
As Section C's liaison I will do whatever I can to communicate your problems and concerns to the appropriate parties in an effort to help solve them. I can only do this if I receive your continued support. Thank you for electing me and if you have any problems or questions please feel free to contact me.

PHOTOGRAPHER

Metz

Administration handled the PATCO Strike?



STEVE APTHEKER (2nd yr.)
 "It seems obvious that Reagan was going to pick on some union. It's equally obvious that it wasn't going to be a 600,000 member union like the Postal Workers. Therefore, when the controllers walked off their jobs, they risked losing them. Considering they make \$35,000 a year for 42 hours a week, they wouldn't get too much sympathy from the public. If they think their job is so pressure-filled, let them go through the first year of law school."



DAVE FELDMAN (3rd yr.)
 "PATCO was totally justified in calling a nationwide strike, there being no binding arbitration or impasse panel to deal effectively with major problems concerning air traffic controller employment. Although PATCO did violate the letter of the law by striking, federal employees will continue to be denied those rights now guaranteed their counterparts at the state and local levels of government unless bold action continues to be forthcoming. The President's response was legal and yet myopic."



CINDY ORBACH (2nd yr.)
 "The PATCO union members signed an agreement when they took their jobs. That agreement precludes them by law from striking or else suffer the consequences. No one asked them to take their jobs gratis; they are well-paid and receive benefits that would make many a worker envious. As a famous man once said 'If the heat's too hot, get out of the kitchen.' PATCO was too confident in thinking that no one else could cook."

Bar Rep Elections Sept 23rd Date Set

Elections for New York Bar Association Representative and American Bar Association Representative will be held Wednesday, September 23. All students may seek these positions. Please leave petitions containing ten (10) signatures of Hofstra Law Students in the SG mailbox in the Main Office.

Student Organizations

Conscience Will Print Small
 Ads For Law School
 Related Activities.

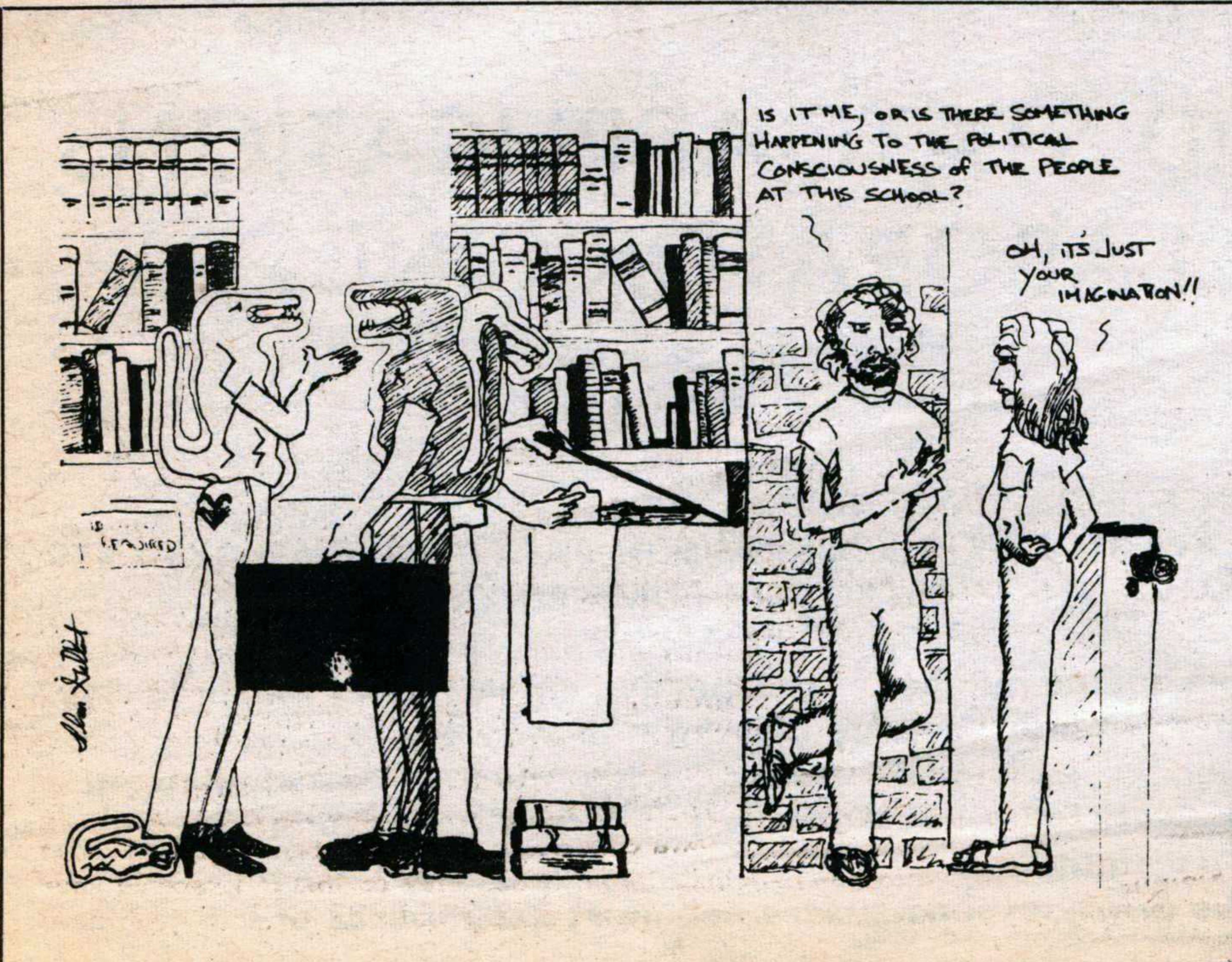
Student GOP to Present Alumni Speaker

The Hofstra Chapter of the Republican Law Students Association of New York is proud to present Mr. Frank Schallace, Esq.
 Mr. Schallace is a Hofstra Alumnus and Law Assistant to the Justices of the State Supreme Court at Mineola. Discussion will center on Mr. Schallace's experience as a Law Assistant as well as

Hofstra Internships and Externships, both on Long Island and in Albany.
 All are welcome to attend this meeting Wednesdays September 16 from 12 to 1 (Dean's Hour) in Room 230.
 Looking forward to seeing you there!
 Sal Pontillo
 President

CONSCIENCE Announces The First Annual Cover Photo Contest

You may submit prints, negatives or undeveloped film. All entries will be judged by Photo Editor Laurie March. All photos become the property of CONSCIENCE. WIN 5 copies of CONSCIENCE to send to your mother. Entries must be submitted by October 6th.



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Legal Briefs • Legal Briefs • Legal Briefs

EDITORS' NOTE: While many of us are caught up in the whirlwind called law school, it is unfortunate that so few of us journey outside our case books to see what is presently happening in a profession that in a few short years (or months) will be our own. It is the purpose of this column to provide insight into some of the interesting questions and issues confronting the legal community on a local, state-wide, and national level. The scope of the column will be unlimited, dealing with varied areas of legal practice. We hope the issues presented will stir students' interests and stimulate debate. It must be stressed that this column is no substitute for the *New York Times*, *Law Journal*, *U.S. Law Week*, and others. They are an invaluable tool to legal awareness and education.

by Howard Blechner

The Supreme Court of the United States is on the verge of acquiring a totally new look. President Reagan has appointed (subject to Senate approval) Sandra O'Connor to replace the retiring Potter Stewart as a Justice of the United States Supreme Court. This "First Lady of the American Judiciary" will presumably join her associates in facing a plethora of cases and issues as they begin the October term.

Among the cases docketed for the term, a defendant charges a federal prosecutor with "vindictive prosecutorial action." It seems that this defendant, charged with a misdemeanor offense, elected a jury trial. Thereafter the defendant was indicted and tried on the felony offense of forcible assault on a federal officer, a charge stemming from the same conduct as the misdemeanor.

Due process requires freedom from vindictiveness; once the defendant has exercised his jury trial right, the bringing of more serious charges is forbidden unless it can be shown they could not have been brought earlier. (*U.S. v. Goodwin* 637 F.2d 250, Docketed for Sup. Ct. 80-2195, 50 LW 3053.)

Adoptees' rights to disclosure is at issue before the Supreme Court in a case challenging the constitutionality of section 114 of the New York Domestic Relations Law. The current law uniformly denies access to sealed adoption records except upon court order based on good cause shown by the applicant. There is the further requirement of notice to the adoptive parents and to such additional persons as the court directs. (*McKinney*, Article 7 New York Dom Rel section 214, p. 332-333, 1977). The adoptee claims that section 114 is an unconstitutional infringement upon the due process protection from invasion of her rights to privacy and personal autonomy. (*In re Linda F.M.*, N.Y. Ct. App. 49 LW 2563.) The Court's ruling will significantly affect the rights of adoptees, many of whom have long been fighting for access to records of their past.

The Supreme Court will also hear the case of a state court judge being sued, under a bizarre set of facts, for using his judicial office as an offensive weapon to vindicate personal objectives. The plaintiff claims that he was improperly held in contempt of court when he refused to be "sworn in" in judge's chambers. Facts reveal that the plaintiff was looking for his ex-wife (the secretary of another judge within the court building) to drop off a child support payment. The judge saw him, wished to immediately re-open his child support case that was previously before the court, and gave chase along with court personnel after the plaintiff who sought escape. The chase continued outside the courthouse, into the street and into another building, where the plaintiff was harassed and eventually sworn in by the judge. The judge in this case claims immunity from civil liability under 42 USC 1983 (*Mericle v. Harper* 638 F.2d 848).

The New York Court of Appeals, the highest tribunal in our state, has returned from its summer session and faces some interesting issues.

An attempt by a Monroe County attorney to attract new clients through a mass mailing to real estate brokers is being challenged by the Judicial Grievance Committee of the 9th District. The Appellate Division found lawyer Alan I. Greene guilty of solicitation in violation of the Judiciary Law and Code of Professional Responsibility. Mr. Greene contends that his right to distribute the flyers is covered by the First Amendment. The Grievance Committee, supported by the lower court's decisions, claims that solicitation is not the same as advertising and therefore may be regulated. (*Grievance Committee, Ninth Judicial District v. Greene*, No. 422.)

In *People v. Kates* (No. 444) a Monroe County defendant was indicted on charges of criminally negligent homicide in driving while intoxicated. He moved to suppress the results of a blood test taken without his consent while undergoing emergency hospital treatment.

The defendant won his suppression motion in County Court but lost an appeal by the prosecution before the Appellate Division 4th Department. The issue for the Court of Appeals revolves around the implied consent statute in the Vehicle and Traffic Law, section 1194. The statute provides that a person operating a motor vehicle is deemed to have given his consent to a chemical test when a police officer had reasonable grounds for believing that such person was operating the vehicle in an intoxicated condition. However, if such person is placed under arrest and requested to submit to such a chemical test, he may refuse and the test shall not be given.

Attorney's Fees

Public Interest attorneys who represented a plaintiff in a sex bias case received three times the award they won for the client-plaintiff. The facts of the case reveal that in 1976 a lobby attendant in a commercial building at 717 Third Avenue was forced to wear a new, sexually provocative uniform to celebrate the bicentennial. She left the job that she had since 1973 after two days in the new uniform. Judge Ward (U.S. Dist. Ct., S.D.N.Y.) found that it could be reasonably expected that she would be subject to sexual harassment if she wore the uniform, and he awarded her approximately \$30,000 in back pay and benefits. The attorneys who represented the plaintiff, from Federal EEOC, the National Employment Law Project, and Queens Legal Services Corp. will receive over \$95,000 in fees and costs.

Landlord-Tenant

A New York Court has taken a step towards increasing the effect of implied warranties in commercial lettings.

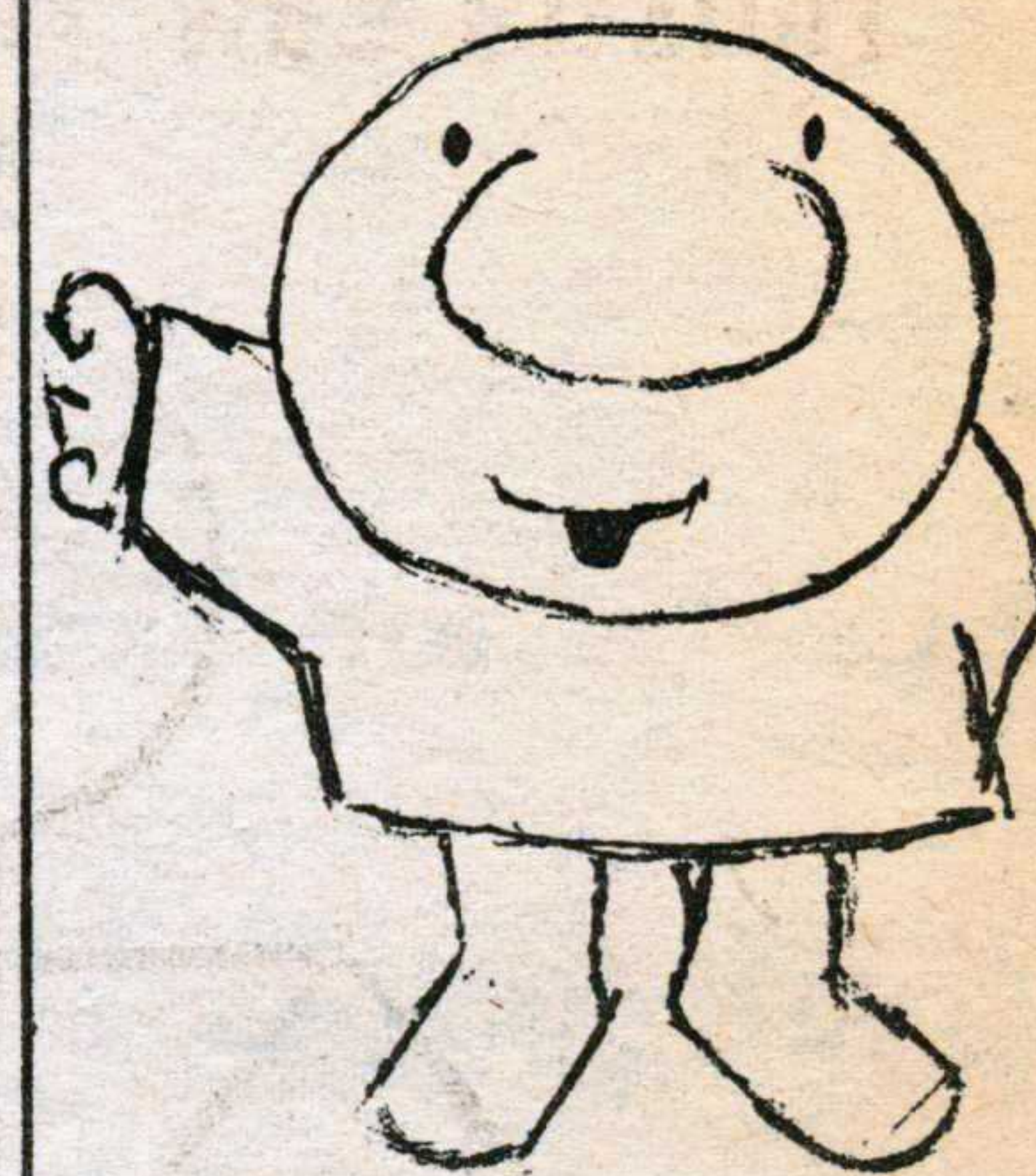
A tenant involved in a summary proceeding involving commercial premises interposed a counterclaim based on the alleged breach of the implied warranty of fitness for use. The Court (N.Y. City. Civ. Ct.), allowed the counterclaim despite a clause in the lease waiving counterclaims in a summary proceeding.

The Court relied on *Park West Management Corp. v. Mitchell*, 47 N.Y. 2d 316, and stated that as society and the economy become more urban, the needs and expectations of tenants have changed and a tenant has a right to expect more than the delivery of possession; a tenant is entitled to "the services which render the premises suitable for the purpose for which they are leased."

Specifically in regard to a commercial tenant, the Court cites *Rests v. Cooper*, 53 N.J. 444, 259 A.2d 268 (Sup. Ct. of N.J., 1969) which states that the lessee does not have as much knowledge of the condition of the premises as the lessor. "A prospective lessee, such as a small businessman, cannot be expected to know if the plumbing or wiring systems are adequate or conform to local codes. Nor should he be expected to hire experts to advise him."

The Court reasoned that following *Park West* and *Rests*, despite the absence of statute, the tenant is entitled to his "rent money's worth" in services and maintenance. There ought to be, and is, an implied warranty of fitness for commercial purposes, according to the Court. Further, the Court held that in the event of breach, the tenant should be entitled to pecuniary relief by way of abatement, and that a counterclaim may be brought despite lease provisions waiving such a right. (*40 Associates Ubc, v. Katz*, Civ. Ct., N.Y. Cty., N.Y. L.J., August 21, 1981, p. 14, c.3 Nason, J.)

Contributions to this column are welcome and may be left in the CONSCIENCE mailbox at the library desk.



I'd like to
announce that
I'm ready, willing
and available
to fill the
position of
Dean of
Hofstra Law.

Parking Protest

(Continued from page 1)

8:00-8:45 each morning in order to restrict its use by undergraduates who park there for early classes and that shuttlebus service be extended from the north campus parking areas to the law school.

Crowley appeared open but non-committal to these proposals preferring to leave the matter in the hands of the Parking Committee and University President Shuart. However, he promised the group that a Parking Committee meeting would be held by the week of September 21 to consider the ideas.

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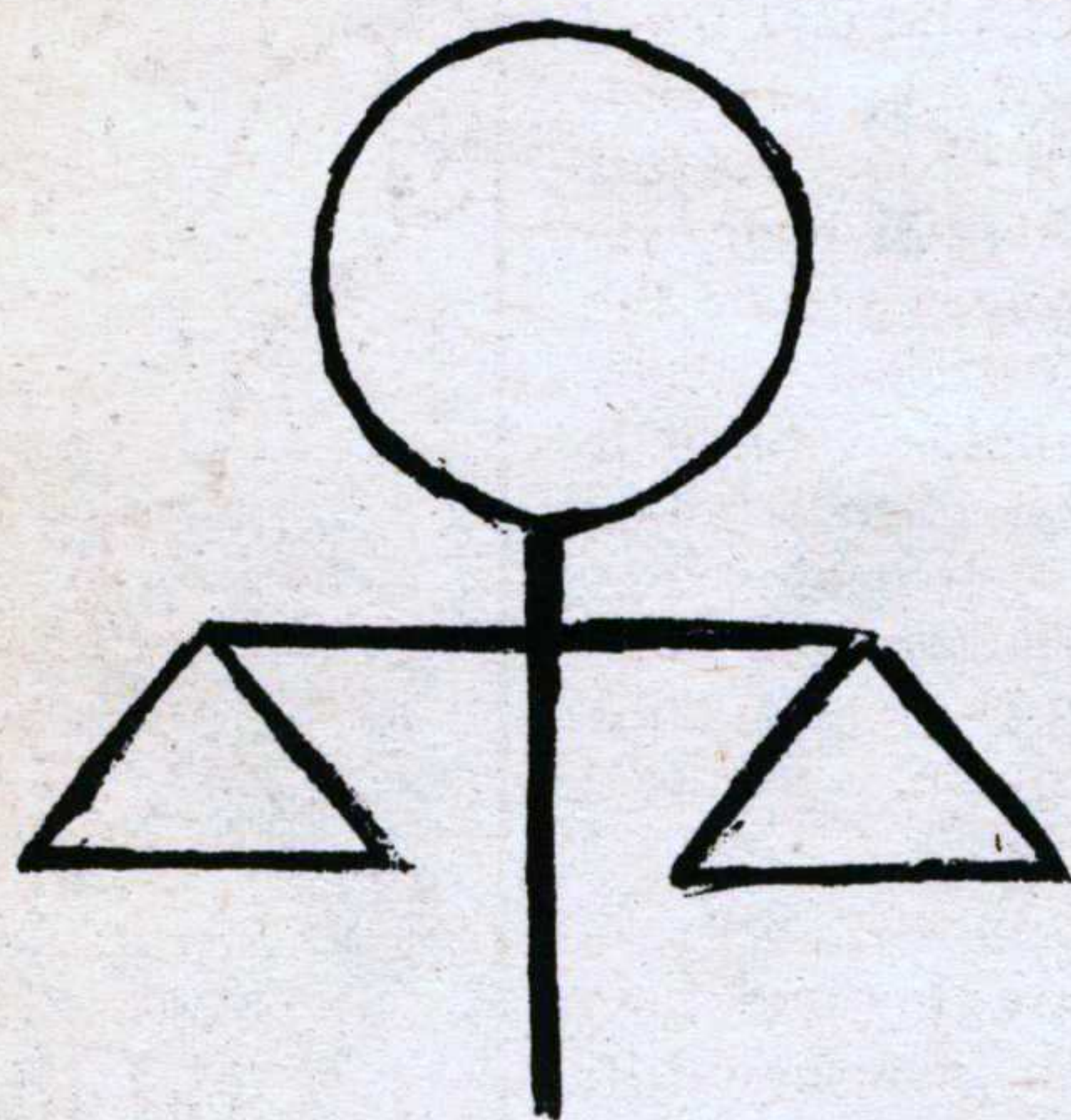
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Hofstra Law Women's Center



The Hofstra Law School Women's Center provides an opportunity for women to join together in order to gain support from one another. Right now we function as an open conversation-discussion group where the goal is to learn from one another. Since a feeling of separateness is common to women law students, our center acts as a catalyst to break barriers and gain cohesion. We also share insights and skills with one another in order to ease the way through law school.

Since exam writing is a major concern to all, and an especially horrendous demon to first-year students, the Women's Center will plunge into a program to sharpen exam writing skills. During October, the Women's Center will hold informal exam writing sessions. We intend to stress the thinking patterns which underlie well-organized exam answers. Exam problems will appear in this column in the next issue of **CONSCIENCE**. Your written answers to those problems acts as your admission ticket to the writing sessions. All writers are welcome.

This monthly column will contain announcements from the Women's Center, news items, and writings from women who want to share thoughts relevant to women or the law. Contributions will be printed anonymously to encourage participation.

Our hope is that the Women's Center will contribute in its own unique way to everyone's law school experience.

Next CONSCIENCE

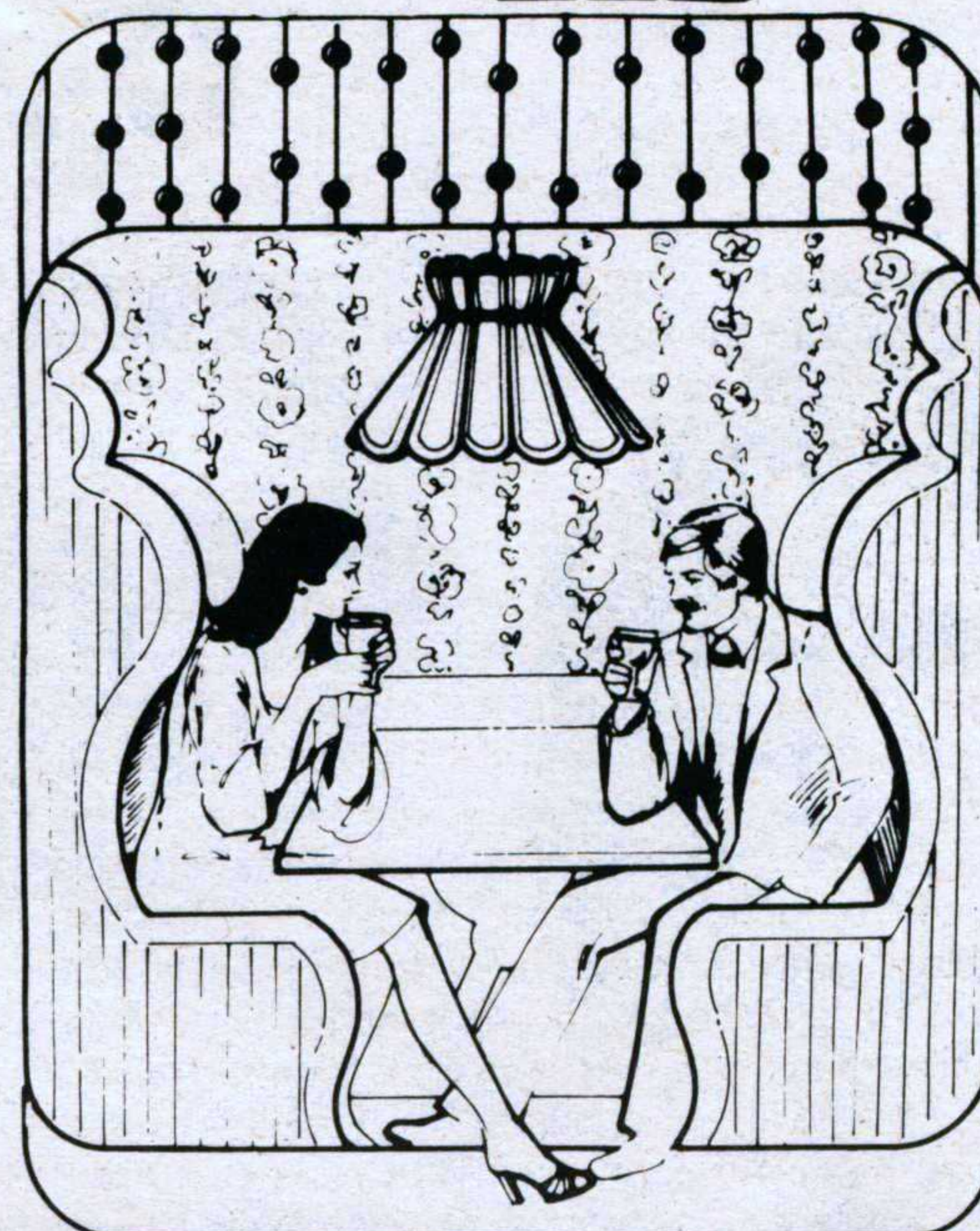
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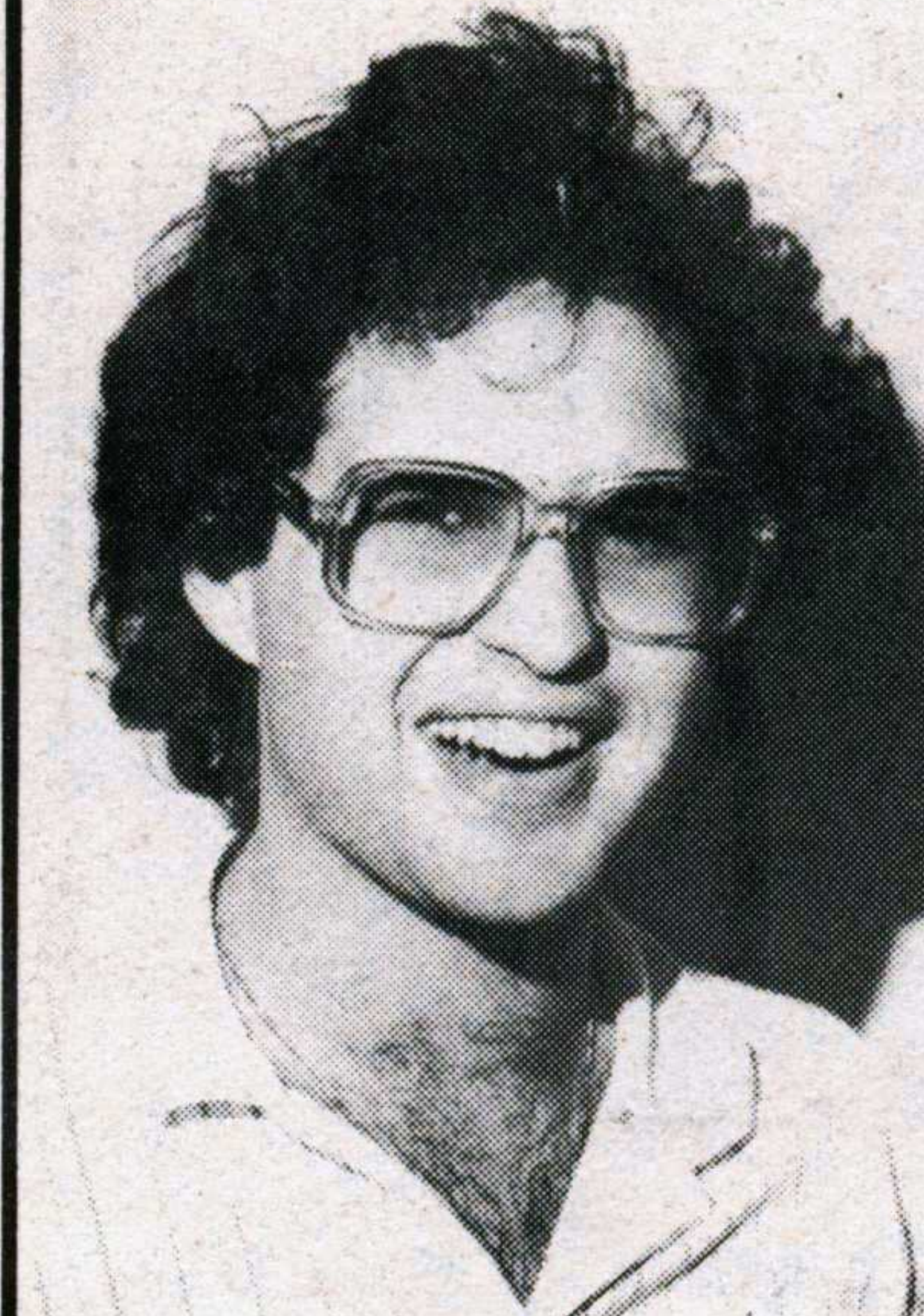
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Student Government Association Opens Fall Season

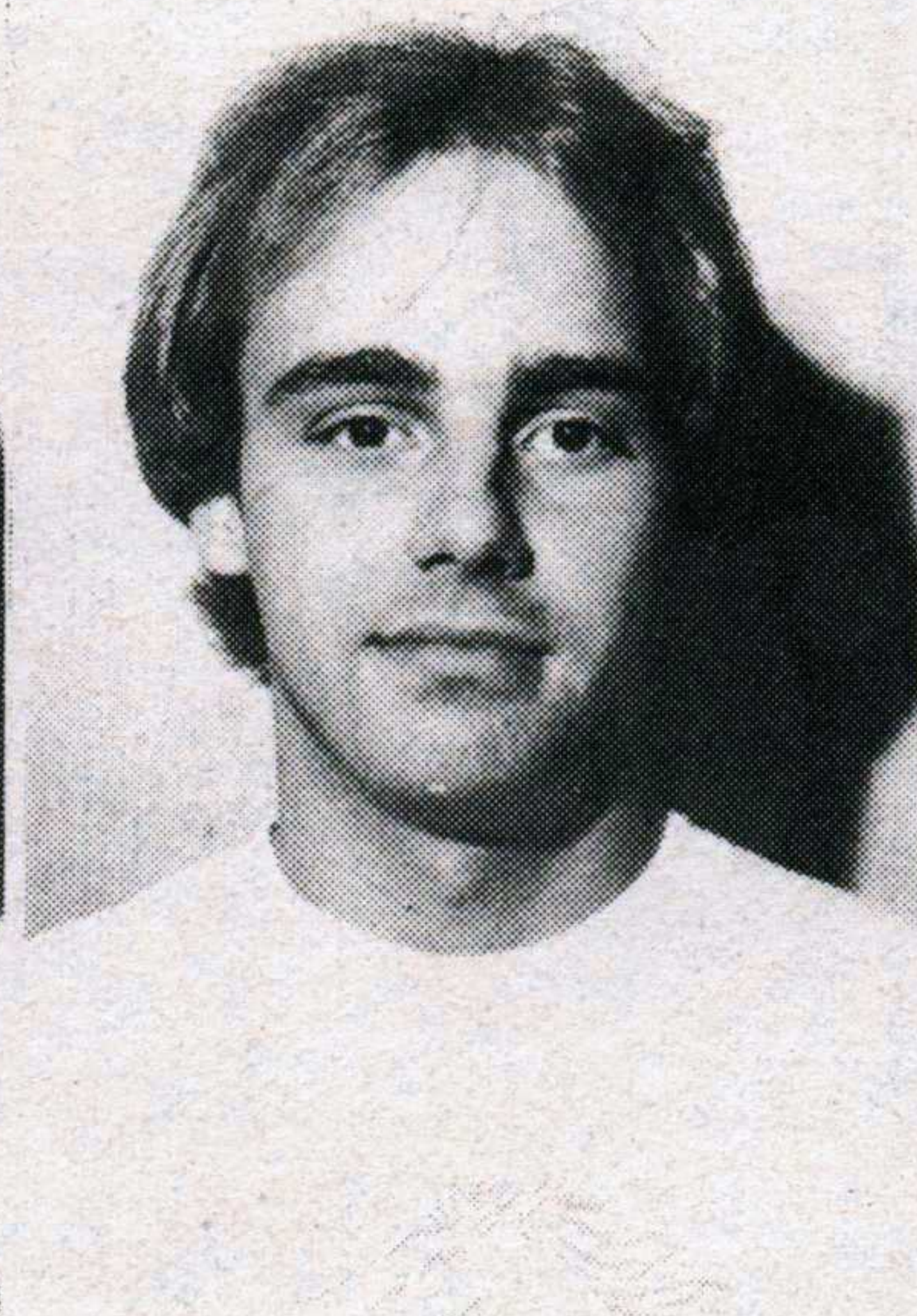


Mike Glassman

by Debbi Ezbitski

The Student Government of Hofstra Law held its first meeting of the year August 26, 1981 in the student lounge. Attending were Michael Glassman, President; Kathy Locketti, Treasurer; John Gorham, Secretary; Tom O'Connell, third-year representative; and George Silver, second-year representative.

The meeting began with a tour of the Student Government's new quarters in Trailer No. 3. The group agreed that the trailer was



Jon Gorham

totally unacceptable as Student Government space, and was "disgraceful," "disgusting" and resembled a prison. Later in the meeting, Tom O'Connell returned to the trailer to speak with Phillip Panzeca, the Director of University Space, about the condition of the trailer and the availability of other space. He was told there was no other space available on campus for Student Government use.

The use and appropriation procedure of Student Government money was discussed; it



Kathy Locketti

was decided that Student Government would hold an open meeting on September 9th at noon to solicit the opinions of the student body. Michael Glassman stated that the goal of Student Government is to serve the interests of the majority of the student body, and that an open meeting was one way to identify the student's priorities in terms of their activity fee. That fee is now \$10 per semester. Specific procedures for applying for Student Government money will be drafted by Kathy Locketti and



Tom O'Connell

approved by the Board in the near future.

In order to more effectively serve the students, Glassman suggested that the Board set up specific committees to cover such areas as Student Life, Faculty Relations, Student Government Policy and Procedure, and Appropriations. These committees will consist of interested students appointed by Board members who will also chair the proceedings. Glassman stated that he welcomes all suggestions from students on the



George Silver

types of committees to be created, and inquiries from those who would like to serve.

Glassman also proposed, and the Board accepted, a "Student Advisor" program to help first-year students acclimate to law school life. Organized similar to a "Big Brother-Sister Program," second and third-year students will be asked to "adopt" a small group of first-year students. A get-together to "break the ice" and to begin the program is scheduled for September 16th at noon.

Faculty Moonlighting...

(Continued from page 5)

services for the elderly and examines how such legislation deprives the elderly of their rights. He is also working on chapters in two books about the care of the elderly. One chapter explores the legal concerns of cancer patients and will be printed in a textbook entitled "Supportive Care of Cancer Patients." The book is sponsored by the National Cancer Institute. The second chapter concerns the legal aspects of the Abuse and Maltreatment of the Elderly for a book of the same name.

BURTON C. AGATA

Professor Agata is Special Counsel to the New York State Senate Minority for criminal law legislation and a member of the American Bar Association—Anti-Trust Section's committee which is studying the New York State anti-trust law, and is Special Counsel to the Appeals Board of the New York City Office of Collective Bargaining.

In June, Professor Agata won an important decision from the New York Court of Appeals in the case of *People v. Yut Wai Tom*. He also has several other criminal cases pending in that Court.

Professor Agata is a Co-director of the Advance Practice Institute at Hofstra, and was a Co-director of the National Institute for Trial Advocacy's Northeast Regional Program. He is also Chairman of the Law School's Dean Search Committee.

DAVID K. KADANE

Professor Kadane is currently representing the NAACP and several individual plaintiffs in a suit against the Town of North Hempstead. The suit concerns the Town's restrictions on multiple dwelling construction. Kadane contends that the Town is unfair to the poor, elderly, young married and single persons, and all other people who cannot afford to purchase a home or property. He is also working on a similar suit against the Town of Oyster Bay and ten North Shore villages.

Professor Kadane helped organize Housing Opportunities Made Equal (HOME), a group whose goal is to help those who are being discriminated against in their search for a home. Other members of this group include the NAACP, the St. Vincent DePaul Society, the American Jewish Committee, a Baptist organization, a Methodist organization, and the Long Island branch of the New York Civil Liberties Union.

He has also organized a group of concerned citizens and organizations to aid those in Nassau County who will be affected by the drastic cut-back in food stamp aid to the County. The group's main function is to maximize the existing resources and to compensate for the nutritional gap created by the cut-back with various educational efforts. The group's goal is to prevent serious malnutrition in Nassau County. Professor Kadane appeared at

proceedings before the New York State Public Utilities Commission concerning changes made in rate-making, accounting practices of the utilities and the financing of New York utilities in the next fifteen years. He also appeared at hearings concerned with changes made to encourage New York utilities to convert from oil-burning to coal-burning equipment.

With the aid of his son Joseph P. Kadane, who is the head of the Statistics Department at Carnegie-Mellon University, Professor Kadane is preparing a case-book on statistics for lawyers.

Professor Kadane is working on three articles for future publication. One concerns the financial plight of savings and loan associations and savings banks, another deals with the fairness in corporate restructuring and corporate condemnations, and a third concerns the court's practice of "balancing competing considerations" and what that practice really means.

ALAN N. RESNICK

The New York State Bar Journal, in June of 1981, published an article written by Professor Resnick entitled "A House May Not Be a Home—Liquidation Under the Bankruptcy Act." This article was co-authored with Wendy Finkel, a 1981 Hofstra Law graduate. A previous article on involuntary bankruptcy petition (published in 1980) was recently

cited by a Bankruptcy Court in Texas.

Professor Resnick is currently working on the first annual supplement to his *Bankruptcy Law Manual*, a volume published in 1980 and now in its third printing. He also co-authored with Benjamin Weintraub a column in the quarterly UCC Law Journal titled "From the Bankruptcy Courts."

The State of Maine has recently enacted a statute on debtor's exemptions which Professor Resnick recommended in an article published in the Rutgers Law Review in 1978 entitled "Prudent Planning or Fraudulent Transfer? The use of non-exempt assets to purchase or improve exempt property on the eve of bankruptcy." (31:615-54 Dec. 1978).

Professor Resnick also serves as an arbitrator in commercial disputes in New York for the American Arbitration Association.

BERNARD E. JACOB

Professor Jacob is a member of the National Real Estate Institute, a group sponsored by the University of California at San Diego. The Institute reviews problems and opportunities in real estate and real estate taxation law. He is also a member of the Nassau Housing Development Corporation, which sponsors housing to meet the County's unmet needs. Professor Jacob is currently working on an article entitled "Land in Exceptional Packages."

Professor Jacob is Chairman of the Faculty Committee of the International Property Investment Journal. He is also a Ph.D. Candidate in Philosophy at the New School for Social Research. Aristotle will be the subject of Professor Jacob's thesis.

ROBERT BOHRER

Professor Bohrer's work will soon be published in the Indiana Law Journal. His article is entitled "Bakke, Weber, and Fullilove: Benign Discrimination and Congressional Power to Enforce the Fourteenth Amendment."

Professor Bohrer is also working on an article dealing with emotional distress claims resulting from the risks of new technologies.

PROFESSORS:

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Breaking the Code or More Games to Play

by Richard James Burke

This is the first in what we hope will be a continuing feature here in **CONSCIENCE**. Keep the paper with you at all times. Then, when you're bored (like during two hour breaks or Dean's hour) you'll have something to restimulate your intellect. We hope you enjoy this column and would love to hear your ideas for future columns.

CRYPTOQUOTES

Below are five messages, all consisting of memorable, pithy sayings, which have been translated into simple code alphabets. Letter substitutions remain consistent throughout any one cipher, but change from one cipher to the next. Clues are provided at the bottom of the page to provide assistance if you need it. Answers will appear in the next issue.

1. IWNJAS KWTR JAJWD TYMJW HTWSJW TK YMJ JFWYM, KWJJTR TK YMTZLMY FSI YMJ WNMV TK UWNAFYJ OZILRJSY NS RFYYJWX TK HTSXHJSHJ INWJHY YMJNW HTZWXJ YT YMNX MFUUD HTZSYWD FX YMJNW QFXY FXDQZR. XFRZJQ FIFRX.

2. GSV DLIOW RH EVIB WRUUVIVMG MLD. ULI NZM SLOWH RM SRH NLIGZO SZMWH GSV KLDVI GL ZYLORHS ZOO ULINH LU SFNZM KLEVIGB ZMW ZOO ULINH LU SFNZM ORUV. ZMW BVG GSV HZNV IVELOFGRLMZ IB YVORVUH ULI DSRXS LFI ULIVYVZIH ULFTSG ZIV HGROO ZG RHHEV ZILFMW GSV TOLYV. QLSM U. PVMMVWB.

3. H LMT VKWMHT TKHWQKV VKDUKLW TFV MPPKLWHFT PFV M JFXXVTGKTW CQHLQ QMD NKKT GFXHTJ PVFG CVFTJ WF CVFTJ HT FVOKV WF OKPKTO HWD HGGFVM. SHWB. GFQMTOMD I. JMTOQH.

4. TC TX DLADL VLZP CGJC CLOPZJCTLD TX XELUPD LI, JX TI TC APZP QN CGP TDRYOSPDHP LI LDP HOJXX LI EPLEOP CGJC JDLCPZ PDFLNPR CGP PMPZHTXP LI TDGPZPDC ZTSGCX. SPLZSP AJXGTDSCLD.

5. Word divisions in this cipher have been concealed by arbitrarily putting the letters into groups of five, although the letters are still in proper order. Punctuation has been omitted to increase the challenge.

CDBPC XHPQD KTIWT APLPC SCDBP CXHQT ADLXI CDGSD LTPHZ PCNBP CHETG BXHHX DCLWT CLTGT FJXGT WX-BID DQTNX IIWTD SDGTG DDHTK TAI

CLUES

- 1 "The" is a common three letter word, recognized by its slight difference from such longer words as "They," "Their," "This," "That," or "Then."
- 2 To discover one is to discover two.
- 3 "I" and "A" are the usual one letter words. Which is which is determined by placement in other words and by frequency.
- 4 One coded word is an anagram for its plain text counterpart.
- 5 The speaker always rode his opponents roughly.



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Loans

(Continued from page 1)

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