conscience

Vol. 9, No. 3 Newspaper of the Hofstra School of Law © 1981 October 1981

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Vol. 9 No. 3 | Newspaper of the Hofstra School of Law © 1981 | October 1981

DEAN CANDIDATES REVEALED

Reporting by Robert Fischl

At least three candidates have been reviewed by the law school Dean Search Committee: William Lane Bruce, Sammuel W. Murphy and a candidate we refrain from naming because it could jeopardize his present employment.

William Lane Bruce, 57 years old, is currently Associate Dean and a Professor of Law at New York Law School. He was formerly Assistant Dean, Vice Dean, and Counselor to the Dean at Harvard Law School. He left Harvard in 1978. Professor Bruce is a member of the Rhode Island, Massachusetts, and United States Supreme Court bars. He was formerly associated with the law firm of Edwards and Angell in Rhode Island. He obtained an A.B. in 1948 and an L.L.B. in 1951 from Harvard. In addition to his legal activities, Professor Bruce held the office of Alderman in his hometown of Newton, Massachusetts between 1960 and 1966.

Samuel W. Murphy, Jr., 53 years old, is a partner with Donovan, Leisure, Newton & Irvine in New York City. Mr. Murphy has an A.B. from Wesleyan University (1948) and received his LL.B. from Harvard University in 1951. He is a Phi Beta Kappa member, as well as a member of the New York and U.S. Supreme Court bars. He was a member of the ABA Committee on Judicial Administration and is a fellow with the American College of Trial Lawyers.

The third candidate is Counsel and Vice President of a major corporation. He holds a B.A. and J.D. from Columbia University where he was an Editor of Law Review. He is a member of the New York bar. In addition, he has authorized articles on corporate law and has experience in the field of nuclear law. He has been active in local Long Island politics.

BEHIND THE SCENES

by Jody Fink and Howard Blechner

On September 17th, **CONSCIENCE** Business Manager Robert Fischl discovered the names of three dean candidates. Fischl placed a phone call to Senator Printing where **CONSCIENCE** editors were proofreading the final drafts of the September issue. An immediate decision had to be made on whether the names should be published. **CONSCIENCE** did not publish the names at that time because the information had not been confirmed.

The information received was then communicated to Editor-in-Chief Pete Aloe. His initial reaction, along with that of several other editors, was to publish a special news supplement disclosing all information including background and biographies on the candidates. The Editorial Board postponed this option in order to obtain more complete information and to further consider the delicate position the newspaper was now in.

The decision was then made by Editors Aloe and Fischl to contact Professor Agata, Chairman of the Law School Dean Search Committee. Agata offered no comment when approached with the names of the candidates and stated that all information in his possession regarding the status of the dean search was confidential.

CONSCIENCE contacted the search firm of Bently and Evans, the firm employed by the University to find a dean. The firm stated that they had promised confidentiality to each of the candidates and they were enraged to learn that **CONSCIENCE** had possession of the names. They threatened to bring suit if the names were published. However, they did confirm that the names were accurrate.

When approached by **CONSCIENCE** for comment, Hofstra University President James Shuart asserted that the University had also promised confidentiality. He refused to comment further until he could speak to George Dempster, Chairman of the Board of Trustees.

On Monday, September 21, **CON-**

(Continued on page 20)

Shuart Holds Press Conference

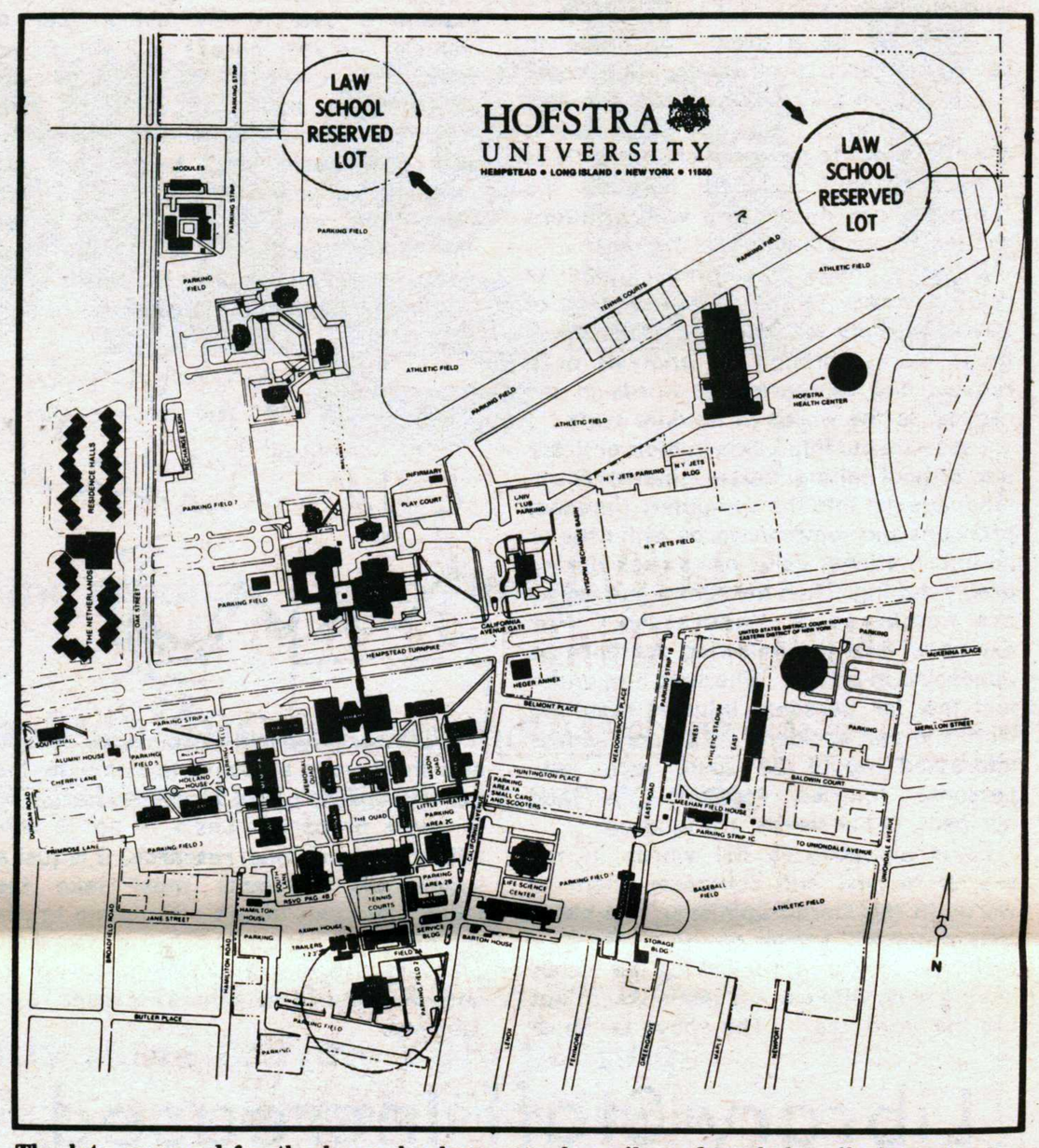
by Paula Coniglio

President Shuart held a press conference on Tuesday, October 6 at which the progress of the new dean search was discussed. The new dean selection process is still underway and contrary to what was previously believed, it has been revealed that there are more than three candidates under consideration.

When asked whether there is a cut-off date by which the search firm will stop considering new candidates or whether there is a deadline by which we can expect to have a new dean, President Shuart said that there was no such date. He further stated that it did not matter to him how long it takes as long as the best possible choice is ultimately made.

President Shuart has been made aware that some law students would like to know the names of the finalists under consideration before the ultimate choice for law school dean is announced by the Board of Trustees. In response to this position, President Shuart stated that the usual replacement procedure is that a search firm would supply the President with three names from which he would select one to forward to the Board for

(Continued on page 20)



The lots reserved for the law school are .85 of a mile and a whole mile from the law school.

LAW GETS RESERVED PARKING ON NORTH CAMPUS

by Peter Shafran and Dan Morrin

The University Parking Committee was presented with several student proposals to alleviate the Law School parking crunch. They adopted a solution of their own in a closed executive session following a meeting with Law School student representatives on October 6. The Committee's plan is to reserve spaces for law students in parking fields on the North Campus, and to provide regular shuttle service to the law school.

This idea was first proposed by Robert Crowle, Director of Public Safety, and chairperson of the committee. The hour-long meeting, chaired by Crowley, was attended by seven committee members including Prof. William Ginsberg and Student Government Secretary Jonathan Gorham. Among the students present were Michael Glassman, SGA President and Marcia Bakker, a second-year student. Glassman presented several alternative proposals to the committee which were later rejected in the closed session. His proposals, further articulated by Ginsberg, provided for southwest parking fields to be restricted to graduate students, faculty, and staff, and for the posting of signs restricting parking to the law school, the distribution of stickers for the law school and a brief transition period after which tickets would be issued to cars lacking a law school sticker. Other alternatives include towing instead of ticketing, and restricting entrance to one patrolled gate.

Ginsberg eloquently argued on behalf of the law school student's plight. He cited several factors including the higher age of many of the students, heavier books, and job and family commitments to justify a change in the existing parking scheme. "Although our (parking) policy is egalitarian we do make exceptions for faculty, staff and the handicapped," said Ginsberg.

Bakker, who demonstrated at the "park-in" protest several weeks ago, displayed the weight of a law student's books by dumping her books on the committee's desk. She strenuously argued that it is "getting close to the breaking point" in the law school parking lot, pointing to the increased friction with undergraduates created by the lack of adequate spaces.

Crowley's proposal will include adequate parking in one of the far north parking fields near the gym on the North Campus. The shuttle bus will park near the parking field twice an hour for ten minutes and will then proceed directly to the law school. The bus schedule is effective this week and buses will be parked in the North Campus parking field at ten minutes after and twenty minutes before each hour in the morning.

Crowley said that the committee would continue to explore other options, although he said, "I think the shuttle bus could work given half a chance."

A Lesson In Lexis

by Marcia Margules

On September 17th, approximately sixty second and third year law students attended a lecture on the use of Lexis given by Professor Wypyski. "Lexis represents the future of legal research," Professor Wypyski stated, "however, the student is encouraged to remember it is a computer and it cannot think." Lexis takes everything it is instructed to do literally. Lexis searches for the precise language in a judge's opinion. If the opinion is poorly written or words are misspelled, the computer may miss that information.

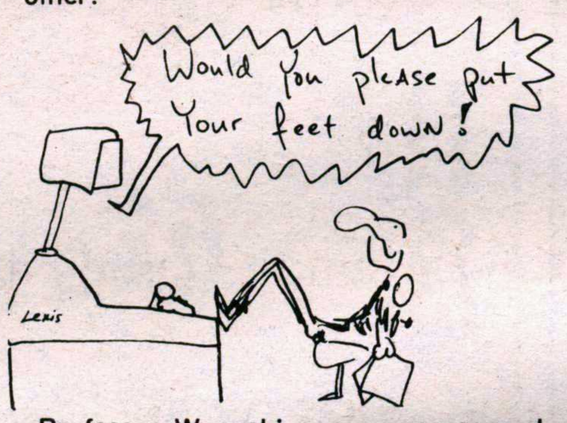
Lexis can be a great advantage in saving research time by locating cases within minutes. However, Lexis can also be frustrating at times and even useless when it comes to research chores such as "Shepardizing." That is because the computer can miss cases with citations written in non-standard form.

Despite these problems, Lexis is relatively easy to use. "The language of Lexis is simply the language of the law." Lexis works through an analysis of a request and compares the words in the request to the words in its data bank.

Cases are put into Lexis in their entirety and without editing, thus original errors in language get into the computer. Personal pronouns and common words with little or no informational value are struck during programming. Then the remaining works are numbered or "addressed." For example, take the following sentence as appearing in a case: "She sued him under tort law for personal injuries resulting from the car accident." The only words addressed would be sued, tort, law, personal, injuries, resulting, car and accident. Other words are ignored.

Lexis alphabetizes the words in the search request and compares them to words in the stored opinions. The cases that match will appear on the screen. For instance, if you were looking for cases having to do with car accidents you might use the word "car". The above sentence and case would then be retrieved. An address such as 107-2-35 might appear. This would mean that "car" is the 35th word in the 2nd segment in the 107th case in that file. The computer can list the cases with the word "car."

A search described above may be too broad, revealing thousands of irrelevant cases or it may be too narrow revealing no cases at all. A key to a successful search is understanding "connectors." There are four basic connectors: "or," "and," "w-seg," and "w-n." "**Or**" can be used to expand a search. By using "car **or** vehicle" as your phrase you will get not only cases involving car accidents but cases where the court used the word "vehicle." "**And**" is used to narrow the search to cases were both "car" and "vehicle" appear. "**W-seg**" is even more restrictive requiring both words within the same segment. "**W-n,**" the most restrictive of all, requires the words to fall within a certain number of words of each other.



Professor Wypyski encourages second and third year students to come to the library and use Lexis. However, he warns to come prepared. Lexis is not a substitute for traditional research, it is just a supplement. Students must take the lecture on Lexis before attempting to use it. The next lecture will be in late October. Students should use Lexis "knowing its capabilities, limitations, pluses and minuses."

Justice Thurgood Marshall Comes To Hofstra

by Bruce Sales

The law library is now graced with a commissioned acrylic portrait of Associate Justice Thurgood Marshall. The painting hangs in the main library on the wall abutting the periodical room. It is a gift from the Black American Law Students Association (BALSA) members of the class of 1980 with the aid of 1981 and 1982 BALSA members. Johnnie Story, president of BALSA, presented the gift to Acting Dean Regan in a well-attended ceremony on September 24.

According to Story, the portrait idea was conceived of by the 1980 BALSA members in recognition of Justice Marshall's legal achievements. These achievements extend far beyond his meritorious career as a jurist. While a practicing attorney he argued thirty-two cases before the Court and lost only three. Among the famous cases Marshall handled was **Brown v. Board of Education,** 374 U.S. 483, in which he was counsel for Brown.

Dean Regan called the BALSA donation a "thoughtful and profoundly important gift." He also praised Justice Marshall's career as an attorney and jurist stating that "Marshall stands as a role model for Hofstra Law School" and that his skills in litigation are a reminder that "trial skills (are an) essential part of legal education."

The portrait was painted by Ronald Brown, an artist from Hempstead with expertise in black art. Brown stated that his intent was to depict Marshall having a "stern but soft" facial expression commensurate with his dignified and learned position.

STUDENT GROUPS:
Tell Us What's Happening for Coverage.

Library Staff Increased

Shelley Fumberg—Reader's Service

Ms. Fumberg received an M.L.S. degree from CUNY, Queens in 1978 and a B.S. from SUC, New Paltz in 1975. She worked for Bower and Gardner as law librarian. While working for Bower and Gardner, Ms. Fumberg designed a library and developed a medical textbook collection. Ms. Fumberg worked at the firm of Delson and Gordon also as a law librarian. While working there she developed circulation procedures, instituted an inter-library loan policy, and did research for forty staff attorneys. Ms. Fumberg is now moving from a part-time position which she began in September 1978 to a full-time position as Reader Services—Circulation Librarian.

Nancy Bruce—Documents-Microfilm Librarian

Ms. Bruce received her M.L.S. in 1979 from Rutgers University. She worked in the Technical Library at Western Electric Co., Princeton, New Jersey; at Brentwood Public Library in Reader's Services, and at C.W. Post Center in the Periodicals Department. Ms. Bruce has been working in the law library at Hofstra part-time since April, 1980. Ms. Bruce is responsible for all the microfilm-microfiche collection.

CONSCIENCE Welcomes New Librarians

First Annual Tennis Tournament

by George Silver

A lot of you may have noticed that many law students have been dressing quite differently over the past two weeks. That is because Hofstra Law students can now have their day in court. It's not the Nassau Supreme Court in Mineola, but the tennis courts behind the law school. The Student Government Association is sponsoring a tennis tournament. The tournament consists of a men's doubles and a mixed doubles competition. In the men's tournament there are twenty-four teams scheduled to compete. For the mixed doubles tournament there are seventeen anxious teams. Among the players are such tennis pros as Larry Kessler and Linda Champlain. I mean tennis professors, excuse me!

The matches began on September 21st and will continue until we have our winners. The teams are competing for great prizes such as camera kits and tennis bags. The gifts were graciously donated by Keystone Camera Co., and Coast Manufacturing Co., respectively. Special thanks are also in order for Jim Dicker, whose great knowledge and patience has made this tennis tournament possible.

If you want to stay informed of the status of your friends, the results will be posted on the Student Government Board or on the wall near the Admissions Office.

Accreditation Standards Amended

At its annual meeting in August the American Bar Association House of Delegates amended the law school accreditation standards to allow religious schools to adopt admissions and hiring policies that "directly relate" to their religious affiliations. This move allows provisional accreditation of Oral Roberts University's two-year-old O.W. Coburn School of Law. (see **CONSCIENCE**, August 1981, p. 2).

Standard 211 of the ABA Standards for the Approval of Law Schools prohibited discrimination in hiring or admissions on the basis of race, color, religion, national origin or sex. The Standard was amended by the addition of the following disclaimer: "Nothing herein shall be construed to prevent a law school from having a religious affiliation and purpose and adopting policies of admission and employment that directly relate to such affiliation and purpose so long as notice of such policies has been provided to applicants, students, faculty and employees."

The amendment was very hotly debated and was criticized as the beginning of a new wave of discrimination in professional school admissions policies.

The House of Delegates also voted to amend Standard 302 (a) for the approval of law schools to include a requirement for instruction in "professional skills" and one "rigorous writing experience."

(Taken from the ABA Journal, September, 1981)

First Year Reps Bring Ideas To Student Government

by David Chidekel
and Peter Shafran

On September 24, **CONSCIENCE** held a forum with the first-year student government representatives. Tony Calvacca, Glenn Berger and Andrea Shapiro. The purpose of this meeting was to gather information concerning the representatives' backgrounds, and to determine their views and their roles as officers of the student government. During the interview, all three representatives focused on certain problems which they agreed threaten the law school's progress. Among the problems identified were the increasingly hostile and negative attitude of the University's administration, the lack of an independent and energetic law school dean, inadequate parking facilities, poor vending machine service.

Photo by Nick Gabriel

Tony Calvacca, Sec. B Rep.

Photo by Nick Gabriel

Andrea Shapiro, Sec. C Rep.

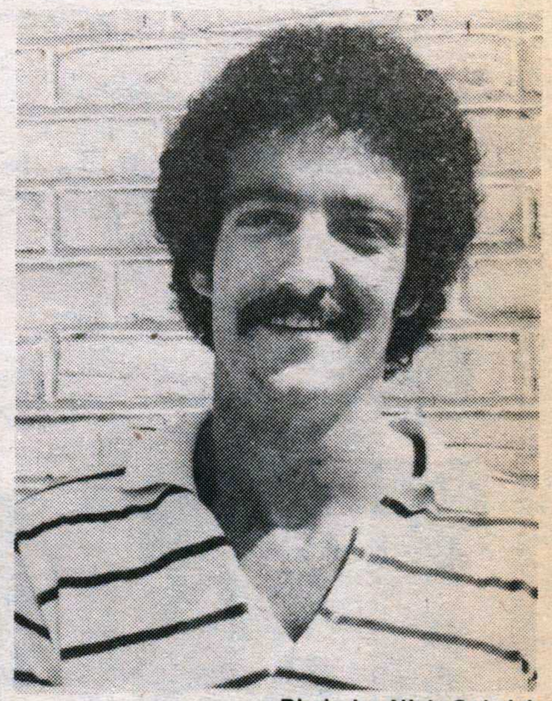


Photo by Nick Gabriel

Glen Gerger, Sec. C Rep.

Tony Calvacca is the student government's representative for Section B. He is from Suffolk County, and is living at the University Apartments. An involved student, Tony graduated with honors as a political science major from SUNY-Stony brook in May, 1981. He was a member of the National Political Science Honor Society, Phi-Sigma Alpha, the Campus Environmental Safety Committee, and a volunteer for the school's Legal Aid Society. In addition to his position as representative, Tony is presently the liaison between the student government and law students serving on faculty committees. In this capacity he will make progress reports on these committees and relay this information to the student body.

Tony believes that as a first-year representative, his duty is to conscientiously promote student participation in law school activities, and to regularly keep his section informed on important issues. His major concern is the need for strong student support demonstrating the student body's extreme dissatisfaction with the lack of available parking near the law school. Tony asserts that "if parking can't be totally restricted to law and graduate students, at least the administration can restrict it during certain hours of the day." Tony is also troubled by the fact that the law school does not offer an elective New York Practice course as part of its regular curriculum. He claims that the students should have the right to decide if this course should be offered. However, Tony is basically optimistic, stating that his section is eager to bring forth ideas and voice complaints

Glenn Berger, the student representative for Section A, was raised in White Plains and now lives at the University Apartments. A graduate of the class of 1979, Glenn majored in English at Skidmore College, after briefly attending Indiana University to study journalism. He has had prior experience serving on student governments and was the editor of **Skidmore News,** his school's newspaper. Glenn is currently chairman of the student government's Speaker Committee, where he will coordinate efforts to recruit informative and interesting speakers. He believes that the student body should have substantial input in selecting which speakers will be invited to speak at the law school.

Glenn feels that his role as a student government representative is to keep informed of all student government activities, and be readily available to answer questions from the students in his section. Glenn is appalled by the school's inadequate ventilation system, which he describes as producing "arctic to tropic temperatures." Although he acknowledges that adjustments are being made throughout the building, he argues that there are no adjustments being made where they are most needed—in the library. Glenn also believes that there is a need for new vending and xerox machines, and that the purchase of a new change machine is warranted.

He asks that students approach him to voice concerns on any of these issues.

Andrea Shapiro is from Queens, and graduated from Queens College with a B.A. in political science. At Queens, Andrea was elected president of the student government. In fact, she was the first woman president in twenty-seven years. Andrea also chaired a student corporation that handled various campus services. She was also actively involved in promoting higher education, serving on an advisory committee of the Senate and the Assembly, appearing on cable T.V., and speaking in front of the N.Y.S. Boards of Regents and Trustees. Andrea is presently in charge of the student government's grievance committee.

Andrea views herself as "the voice of the students." She vows to maintain a constant communication with the students in her section. She will initiate student participation informing her section of student government activities and relating the students' suggestions to the student government. Andrea believes that the students "should not forget that they have rights which they've paid for." Her major complaint is that the food vending situation in the law school is atrocious. She calls for more nutritious selection of food in the machines, and a coffee machine that will "make coffee that tastes like coffee." Andrea asserts that "students should have a say in what they eat and drink." Andrea's most innovative idea is that the law school should provide a xerox center where students could give materials to be xeroxed to a staff constantly on duty. This service would be more efficient, alleviate long xeroxing lines, and would ensure the availability of a service person. Andrea, who has had prior experience with a similar service at Queens, volunteered to get bids from different companies. Andrea also sees a need for student representatives during the summer session, which she claims the constitution does not stipulate.

Work with your student representatives. Don't let apathy stifle the dynamism of our law school. Take advantage of the fact that these student representatives will speak up for your rights. If there is something bothering you, let Tony, Glenn or Andrea know.

Dean Search: A History

by Arthur Kravitz

The current conflicts in the search for a dean to replace John Regan are by no means new. Rather, it began several years ago while Monroe Freedman still held the post. Monroe Freedman's resignation was prompted by broken promises by the Board of Trustees and newly appointed President Shuart concerning faculty raises and the law school's share of fund-raising and tuition proceeds.

Freedman was concerned with Shuart's desire to use the law school as a way to relieve Hofstra University's fiscal crisis at the expense of the law school. He said at the time: "There are some people on the Board of Trustees, including the President who have no conception of quality—for that we must count on ourselves." (**CONSCIENCE** April 22, 1977.) Shuart, at the time, denied that he had interfered with the day to day operations of the school and, in turn, blamed the faculty for any discontent that might have arisen.

Freedman, in an interview in May, 1978, explained that his resignation came at a point "at which they (the administration) decided to impose their views of law

(Continued on page 7)

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On Thursday, October 1, 1981, the Unsloppy Copy Shops will inaugurate the next step in the legal job search. We have compiled, selected, and input the names and addresses of thousands of law firms, corporations, and government agencies categorized by size, legal specialization and location. To send your personalized letter to any of these lists, all you need do is bring us your letter and tell us which list(s) you would like to mail to. We will do the rest--at a cost of as low as 55 to 75 cents per letter, depending on the means of reproduction you choose. The following lists will be available immediately:

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Firms of **15 to 29 Partners** - N.Y.C.
Firms of **7 to 14 Partners** - N.Y.C.
Firms of **4 to 6 Partners** - N.Y.C.
Admiralty & Maritime Law Firms - N.Y.C.
Antitrust Law Firms - N.Y.C.
Bankruptcy and Reorganization Firms - N.Y.C.
Constitutional Law Firms - N.Y.C.
Copyright Patents & Trademarks Firms - N.Y.C.
Corporate Law Firms - N.Y.C. - Grouped by size
Criminal Law Firms - N.Y.C.
Family Law Firms - N.Y.C.
Immigration & Naturalization Law Firms - N.Y.C.
Insurance Law Firms - N.Y.C.
Litigation Firms - N.Y.C. - Grouped by size
Negligence Law Firms - N.Y.C.
Real Estate Law Firms - N.Y.C.
Tax Law Firms - N.Y.C.
Trusts & Estates Law Firms - N.Y.C.

Dean Search Dialogue

"...procedures outlined in my report...dated March 11, 1981 will continue to be followed..."

To: Mr. Paul H. Aloe, Editor-in-Chief, **CONSCIENCE**
From: James M. Shuart, President Hofstra University

The other day I discussed with you and Robert Fischl the appropriateness of the **CONSCIENCE** publishing the names of persons being considered as applicants for the post of Dean of the Law School. As I believe you know, each candidate submitted an application with the understanding that the process would be confidential. This understanding was designed to encourage individuals to apply for the post who might not otherwise, since it was acknowledged by the Law School faculty, the Trustees and myself that other search procedures proved to be less than fully effective.

While I recognize that the editors of the **CONSCIENCE** did not enter into such an agreement, it would seem to me that publication of the names of those candidates who have been considered thus far could be detrimental to the candidates and the school. Indeed, it could even have a detrimental effect on the placement of students like yourselves in internships and full-time appointments upon graduation. If it appears that the President, the Trustees and the Law School committee make a commitment of confidentiality to candidates while student members of our community find themselves to be under no obligation to respect that commitment, it could be quite damaging to the institution's reputation in the legal community.

Your publication is called **CONSCIENCE** and I suggest that it is precisely that concept with which you must deal in deciding whether to reveal the names of the candidates. The benefits, as I see them, at best represent a "scoop" for the **CONSCIENCE.** On the other hand, it may mean a prolonged search for a dean, possible embarrassment to candidates and certainly an embarrassment to the Law School and the University. Such embarrassment cannot possibly have positive consequences for your student colleagues.

The procedures outlined in my Report to the Hofstra Community on the Search for a Dean for the School of Law, dated March 11, 1981, will continue to be followed as agreed by the President, the Board of Trustees and the Law School committee. In terms of student involvement, please note that the Law School committee includes two student representatives and one alumnus. We will continue to follow this procedure. In the interim, and as you know, Dr. John J. Regan has graciously agreed to continue to fill the Office of Dean. In my opinion, the chances of finding a strong candidate for Dean is best served by the procedures which have been established.

Conscience Received This Letter On September 21, 1981

"publication of names...would be counterproductive to the best interests of our law school."

To: Mr. Paul H. Aloe, Editor-in-Chief
CONSCIENCE
From: James M. Shuart, President Hofstra University

In response to the letter of Sept. 24, 1981, from the **CONSCIENCE** Editorial Board, this is to inform you that the procedures established by the Board of Trustees for selecting a new dean for the Law School will continue without change. Your apparent awareness of the names of some of the candidates for the deanship does not alter the soundness of the approach, which has been adhered to by both the Trustee Search Committee and the Law School Committee.

A copy of my published statement of March 11, 1981, setting forth the procedures to be followed, is enclosed for your reference. Please note that paragraph (3) on page 2 indicates that there is Law School community participation through representation, which includes faculty, student and alumni involvement, was established by the Law School community and subsequently accepted by the Board of Trustees.

As I indicated in my letter to you dated Sept. 21, 1981, I believe that publication of names of some of the candidates during the selection process would be counterproductive to the best interests of our Law School.

Letter Received September 30, 1981

"The method...adopted shows total disregard for the law school's role in its own affairs."

To: J. Shuart, President Hofstra Univ.
From: **CONSCIENCE** Editorial Board
Re: Names of Dean Search Finalists

As you know, **CONSCIENCE** has learned through independent investigation the names of three finalists for the position of Law School Dean. These candidates have been confirmed by the search firm of Bently and Evans. In accordance with proper journalistic standards, we consulted with you. In a letter dated Sept. 21, 1981, you requested that we withhold the names of the finalists.

It is the rare exception that newspapers withhold information from the public. The function of a newspaper is to investigate and inform. Unless the damage to the community overwhelmingly outweighs the community's need to know, a newspaper has no right to withhold information.

Six months ago, the current dean search procedure was thrust upon the law school. The community was not consulted prior to the adoption of a procedure that would limit the school's role to advice from a small and select committee. In your March 11th memorandum to the law school, you rejected the faculty's proposal for an in-house search firm. Your substitute was imposed by fiat. No comment on this "non-traditional approach" was ever sought from the law school community. The method by which the current procedure was adopted shows total disregard for the law school's role in its own affairs.

The community has a right to participate in the final decanal selection. Hofstra's reputation will rest upon the leadership of our new dean. Without the support of the community, the new dean will be unable to lead the school. Failure to select a dean with strong support from the law school will cripple the school's potential.

We will not dispute the need for confidentiality at the beginning of the selection. However, confidentiality breeds public distrust once the selection process has been focused on a few finalists. The candidates selected should be of sufficient caliber that they are secure in their present employment. The honor of being chosen as a finalist for the position of Hofstra Law School Dean can only enhance their reputation.

Last Spring, you stated publicly that the law school would have a role in the final selection. You said that the finalist could meet the community. You promised that you would listen to the community's response. But once the final candidate has been proposed, community participation would merely be a rubberstamp. It is unrealistic to expect open discussion on a person who almost certainly will become dean. Only if the names of several finalists are released can the community have a meaningful voice.

We believe that effective community input can only be achieved by the following:

1. That the names of the three finalists will be released to the Law School Community at least 30 school days prior to the final decision.
2. That a public forum be held for the Law School Community in order to allow faculty, students, and alumni to ask questions of each finalist.
3. That written comments from the Community be delivered to the trustees who will make the final decision.

The editorial board unanimously agrees that unless we receive written assurance that this kind of community input is forthcoming, our responsibility is to publish all relevant dean search information in our next issue, including the names of the finalists. Under the current conditions, we would be denying our community the little input it should have if we were to withhold any information.

We need your written response before October 1.

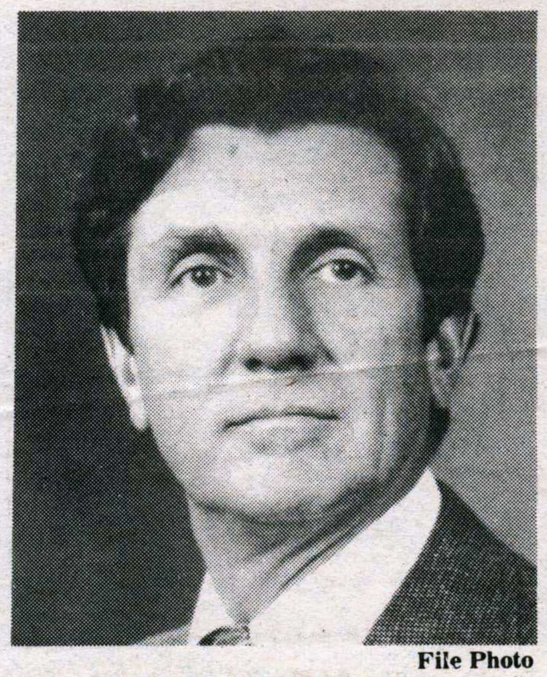
Letter Delivered September 24, 1981

The Curriculum Committee is now in the process of reviewing both the Research and Writing program and the Moot Court program. Student criticism, opinion, suggestions for alternatives, and even praise for the present programs are urgently solicited. Comments should be made in writing to Professor Diamond, Room 215. Names of students will be kept confidential. Please submit comments as soon as possible.

The Deans of Hofstra Law

Pocketpart Photo

MALACHY T. MAHON
Dean 1970-1973



File Photo

MONROE FREEDMAN
Dean 1973-1978

File Photo

AARON TWERSKI
Acting Dean 1977-1978

Nick Gabriele

JOHN REGAN
Dean 1978-?

President Shuart's Statement of March 11, 1981

Following widespread discussions with individual Law School Faculty members, Law students, Trustees and other appropriate persons, I met with the full Board of Trustees on Feb. 26, 1981, to review alternative approaches to finding a replacement for Dean John J. Regan. My report included the following summary of perceptions of the Law School Community.

The Law School Community strongly believes that the Law School continues to have great potential for national stature, but seems to have reached a plateau at this stage in its development. In the search for a new Dean, candidates must have the credentials for genuine professional respect, both on and off campus, and a proven ability to lead. Specific objectives for the School should include improved faculty development activities, new instructional program development and increased emphasis on quality through student recruitment.

The Law School Community was opposed to the usual search procedure because, in its view, past efforts had not been effective in generating a sufficient number of qualified candidates and were too time consuming. It was recommended instead that the University should simply appoint a current member of the faculty as Dean. In this way, the Law School could begin immediately to move from the present developmental plateau, via great harmony and mutual support, to a period of new growth. In theory, the faculty member appointed would be proven in terms of scholarly leadership and student relations.

The faculty expressed little support for finding "star" candidates with national reputations throughout all dimensions of the legal profession, particularly with the leading law firms of the nation and members of the judiciary. Improved placement of graduates and the need for more *effective fund raising* were not emphasized in faculty conversations. The students, however, saw placement of graduates as a very important need.

The basic sentiment was that the members of the Law School Community were "tired" of the difficulties encountered over the past several years and that the University should opt for the short-line method described above to resolve the situation.

As a result of these conversations and parallel discussions with the Provost and other individuals, as well as my consideration of the needs of the Law School and the University, I informed the Board of Trustees that I saw three basic alternatives:

(1) The Board could accept the premises of the faculty and others that a full-scale decanal search would be inefficient and ineffective. As such, a direct and immediate selection of an individual might be justified. The Trustees could accept the nomination of the faculty or they could select someone else, using the same premises, but with different conclusions.

(2) The usual search approach could be used in an attempt to ensure a thorough and far-reaching effort to maximize finding the best possible candidates. The rationale for this alternative makes sense, but, as pointed out above, this process has been severely criticized within the Law School. Nevertheless, the approach **can** work well if there is strong direction and a willingness both to invest the time required and to accept the potential for delay in the appointment.

(3) A non-traditional approach could be designed to overcome the shortcomings of both of these alternatives. Its form would include the use of a professional recruitment firm with strength in the legal field to search for outstanding candidates. The criteria for selection would be stipulated in advance. The firm's recommendations would be submitted to a search committee comprised of Trustees. The process would also include a committee from within the Law School which could both nominate candidates for consideration by the professional search firm as well as react to the Trustee Search Committee's recommendations before the President and the full Board make their decision. Both faculty and student input would be preserved, while the advantages of high efficiency and greater access to highly qualified candidates would be achieved. The process would permit individuals who are in highly placed and sensitive positions with opportunities to explore the possibility of candidacy without compromising their personal relationships. It would also afford the same opportunity for members of the Law School Faculty.

The Board of Trustees, after deliberation, decided to follow the third alternative. The Chairman of the Board and the President were asked to survey professional recruitment firms and to select one which would be appropriate for the search for a new Dean of the Law School. Several such firms were asked to make presentations which included assessment of their possible effectiveness in assisting the University in achieving its goal of having well-qualified serious applicants for the post of Dean. Each of these search firms was recommended to the University through the good offices of several highly prestigious New York City law firms. These presentations led to the conclusion that it should be possible to elicit serious candidates for the post of Dean among partners of highly prestigious law firms, present or former members of the judiciary with national reputations, and leading scholars who have demonstrated organizational and leadership ability. There was also a consensus that if the process was started promptly, it might be possible to complete such a search within several months.

After a review of all relevant factors, it was decided that the firm of Bentley & Evans Inc. would be retained for this purpose. At the direction of the Board and working with Dean Regan, I am presenting Bentley & Evans Inc. with sufficient information about the Law School's past history, present status and future aspirations so that they may proceed. I have asked Dean Regan to recommend a committee to represent the Law School Community to function as I have described earlier. In the meantime, continuity and sound planning for renewed development are most important. To assure this, I have asked Dean Regan if he would be good enough to continue in the post while the search proceeds. He has most graciously accepted this responsibility.

Chairman George G. Dempster has selected members of the Board of Trustees to serve on the Trustee Search Committee. This Committee will be composed of the following members:

George G. Dempster, Chairman.
Emil V. Cianciulli, Vice Chairman.
Mimi W. Coleman, Vice Chairman.
Harry E. Ekblom
Allan Gittleson
Lawrence Herbert
Thomas H. O'Brien
Frank G. Zarb
Walter H. Miller
James M. Shuart, President (Secretary of the Committee).

The Committee from within the Law School Community is invited to submit names of candidates through my office. They will have the opportunity to review any and all candidates recommended by the Trustee Search Committee before the President and the full Board make their decision.

In my opinion, the Board's decision is sound. I believe that it will meet the needs of the Hofstra University School of Law. I look forward to working within the Law School Community and the Board of Trustees in completing this task as soon as possible. I am sure that by working together as we go forward, we will be successful in appointing a Dean who is totally appropriate for the needs of the School.

James M. Shuart
President

James M. Shuart is President of Hofstra University and NOT a member of Law Review.

Dean Search History

(Continued from page 4)

school administration on the law school despite the contrary views of myself as dean and of the faculty and the student body generally."

Aaron Twerski was then named acting dean and a search committee was formed. The procedure for selection of the new dean was that a search committee consisting of ten faculty members, three to four students, an alumnus and a University faculty member would make recommendations to the provost, president and the Board of Trustees. University Provost Yukor stated that no one would be selected except those on the list made by the search committee.

By August of 1978 the committee had apparently recommended three candidates to Shuart: Regan, Justin Feldman, a New York corporate attorney, and former secretary to the Carter Administration cabinet Kane Frank. Throughout the spring of 1978 discussions and interviews were held with the committee and the law school community at large. At one point a makeshift ballot box was set up in the student lounge, through which the students could voice a preference.

The process seemed to work well. The candidates were selected and screened by the search committee which sent the names of the finalists to the president and the Board of Trustees, who then selected the new dean from the names submitted. Regan was reported to be number two of the three candidates submitted.

Upon the resignation of Dean Regan in September, 1980, the search began anew. Rejecting the faculty's recommendation that Aaron Twerski once again be named dean, President Shuart developed procedures for the selection of the new dean which all but excluded the law school community from the selection process. Shuart hired a professional recruitment firm which would screen candidates and submit the names directly to the president and the board. A search committee from the law school would be permitted to review the candidates before the president and board make a final selection.

This selection process marks a radical departure from past practice and reflects what Shuart says was weariness on the part of the faculty to engage in the process. However, given the current state of law school-University relations, most insiders feel that Shuart's goal in this process will be to select a dean who is more in tune with his own views on the administration of a law school.

The actual role of the law school community in the selection of a new dean may in fact support these arguments. While the search committee may recommend candidates and review the so-called finalists, it is in fact three steps removed from the decision. Any recommendation that it makes goes to Shuart, then to the trustee search committee, then back to Shuart, and finally to the full board. This myriad of procedures is guaranteed to minimize the influence of the law school community on the final decision.

Legal Briefs — Legal Briefs

by Howard Blechner

NEW REQUIREMENT FOR N.Y. BAR ADMISSION—ETHICS TEST

Beginning next July, applicants for admission to the New York Bar will be faced with the requirement of passing the Multi-State Professional Responsibility Examination (MPRE). This exam, which can be taken beginning in the second year of law school, must be passed within two years of taking the regular bar exam. Its purpose is to assure that prospective lawyers are familiar with the Code of Professional Responsibility.

The two hour, machine graded exam consists of 50 multiple choice questions and is administered by the National Conference of Bar Examiners in March, August and November of each year. The fee for the exam is $15.

PATENTS

In 1980, Congress passed a law which allows universities, other non-profit organizations and small businesses to own patents on inventions and discoveries stemming from federally funded research. Previously, the government had owned the patent rights. Congress believed that universities would do a better entrepreneurial job than the government in exploiting patent development. However, the Office of Management and Budget (OMB), in implementing the law, has announced regulations requiring a university to inform the government three months in advance of publishing research which may be patentable. The OMB claims that many foreign governments view publication as disclosure. As a result such a disclosure may preclude the United States Government from making a patent claim should a university choose not to make a claim. The three month period would provide the government with time to make a decision on a patent application. This regulation has come under heavy criticism (213 **Science** 1234).

Among the fears of university administrators and scientists is the dilemma of choosing between protection of patent rights and prompt publication of research results. University patent attorneys disagree with the government's contention that publication could preclude rights to patentability.

The OMB regulations also allow the government to "march in" and assume ownership of a patent. This could occur if the government feels a patent is not being exploited and could be for the public benefit were it exploited. Some lawyers allege this "march-in" right inhibits corporations from investing in university research for fear of losing control over patentability. However, the right has existed in previous regulations and has rarely been exercised.

WACHTLER TO REMAIN ON BENCH

New York Court of Appeals Judge Sol Wachtler has announced plans to remain on the bench ending speculation that he would enter the N.Y. Republican Gubernatorial Primary next year. Wachtler, a resident of Manhasset, stated at a press conference that he "loves being a judge and part of the Court of Appeals," and that he was very proud of the contributions the Court makes to "stability, civility, fairness and goodness in society."

LANDLORD-TENANT RETALIATORY EVICTION WAIVED

A welfare recipient and her nine children have been evicted from their Freeport apartment following the decision of District Court Judge Joseph Goldstein not to allow the tenant to plead the affirmative defense of retaliatory eviction.

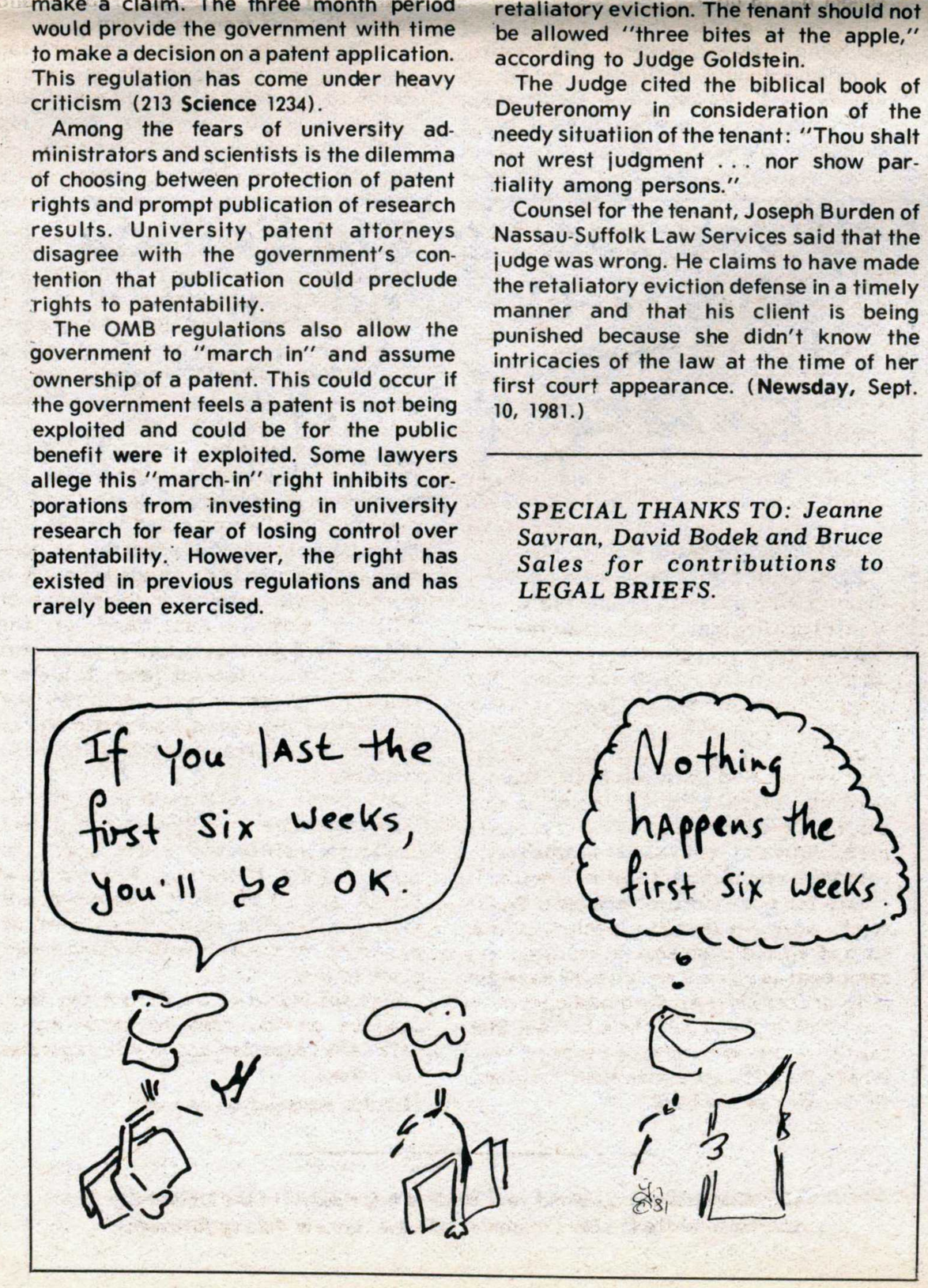
After complaining to a village agency about unspecified housing code violations, the tenants, Muriel Smith and her nine children, found themselves faced with termination of their month to month tenancy. An agreement was reached in court between tenant and landlord in May that called for the tenant to vacate at the end of June. An alleged default occurred and the landlord accelerated the eviction proceedings. The tenant obtained an order to show cause staying the eviction. Through this point the tenant never raised the retaliatory eviction defense.

Upon the second order to show cause—the third court appearance by the tenant—the retaliatory eviction defense was raised and a trial sought. Judge Goldstein held, in what is believed to be a matter of first impression, that the retaliatory eviction defense can be, and was, knowingly waived. While the warranty of habitability cannot be waived by lease provision, the statutes are silent on retaliatory eviction. The tenant should not be allowed "three bites at the apple," according to Judge Goldstein.

The Judge cited the biblical book of Deuteronomy in consideration of the needy situatiion of the tenant: "Thou shalt not wrest judgment . . . nor show partiality among persons."

Counsel for the tenant, Joseph Burden of Nassau-Suffolk Law Services said that the judge was wrong. He claims to have made the retaliatory eviction defense in a timely manner and that his client is being punished because she didn't know the intricacies of the law at the time of her first court appearance. (**Newsday**, Sept. 10, 1981.)

SPECIAL THANKS TO: Jeanne Savran, David Bodek and Bruce Sales for contributions to LEGAL BRIEFS.



FACULTY PROFILE:

Alan Resnick

by Cindy Orbach

This month's profile is of former Associate Dean Alan Resnick. Prof. Resnick was Assoc. Dean until this past August. The obvious question in everyone's mind is why he left that post. Resnick explained that when the job was first offered, he had agreed to serve a two year term. He was unsure whether a longer commitment would be consistent with his career goals. After his contract expired, he decided to resume teaching full-time and devote more hours to his writing and work as an arbitrator.

Resnick believes that the goal of a law school education should be to teach the art of lawyering. But what is the art of lawyering? According to Resnick, it is the ability to think a problem through analytically and carefully and not just "shoot from the hip" with a definite answer. A good lawyer realizes that there is a wide range of possible answers to one legal question. Lawyers must perfect the art of persuasion. But more importantly, lawyers must have an appreciation for what the legal system is all about. They must realize that law is not a strict body of rules, but is always changing. Lawyers must be creative and flexible enough to not only flow with those changes but create them as well.

When asked about the Socratic teaching method, Resnick stated that he believes it is very important to get the basic analytical training in the first year. Once a student enters the second and third years, there is more emphasis on explaining certain concepts. In these years a lecture style is more appropriate. By the time students complete the first year they realize that there are no easy answers to legal issues. The use of hypotheticals is then used to highlight particular issues.

Prof. Resnick believes that Hofstra Law is a good law school with a fine teaching faculty. He feels that students can get a good legal education here if they are willing to put in the required work. Resnick has seen the faculty grow into a more diverse group during his eight years here. He stated that the faculty at Hofstra is much more accessible than at other law schools. He urges students to take advantage of this difference.

Resnick received his J.D. at Georgetown and his L.L.M. from Harvard. He came to Hofstra Law directly from Harvard where he was a graduate fellow. Prior to attending Harvard he practiced law full-time for one year. While studying for his L.L.M., he taught part-time at Boston University Law School. He enjoyed it so much that he decided to become a legal educator.

Prof. Resnick enjoys playing tennis (as all his first year contracts students know). His other interests include theater, swimming and going to sporting events with his two sons. He is an Islander fan with season tickets to prove it.

Dressed To Kill

by The Brooks Brothers

A conservative wave has swept over our law school. Second year students, who only a few short weeks ago looked like Alice Cooper now look like David Stockman clones. You might have noticed this sea of navy blue and corporate grey flowing in and out of interview rooms. But not all of the fish know how to swim in the conservative sea. In short, these aspiring "legal eagles" have not fully picked up the attorney style; there is a certain "je ne sais quoi" that screams "I am a LAWYER."

We are reminded of the story of one Law Review editor who arrived in the office of one hot shot partner of a prestigious law firm only to be told that the chance of a Hofstra student being hired was exceedingly slim. He looked down at his quaking shoes only to discover that he was wearing one sock blue and one sock brown. Casually, he placed his feet on the partner's desk and inquired, "I like diversity in socks, don't you?" After noting some glaring errors on the part of our future colleagues, we think it's time for a few pointers.

Hair must not touch the ears at all and, that's for women. Although the interview look is a structured one, you do have the opportunity to choose between four variations.

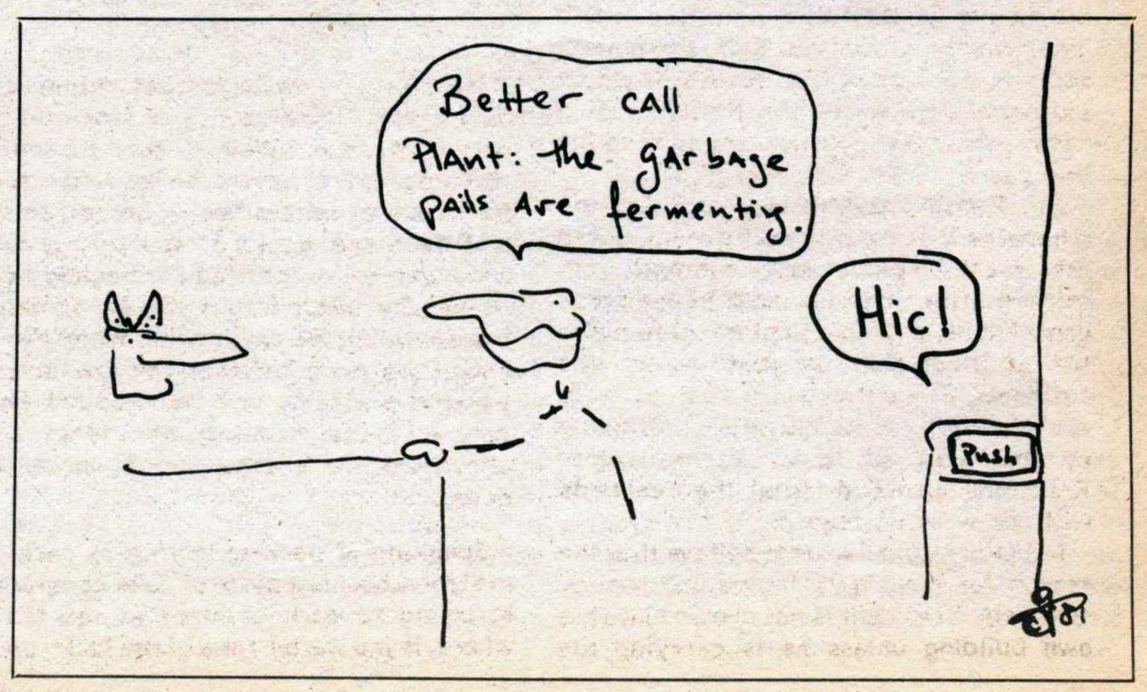
1. The Republican Look—dark navy blue 100 percent wool suit, teamed with a starched white shirt of cardboard consistency. (If you can breathe it's too loose.) Tie for the man must have unintelligible little prints. The women must wear a jabot collar with an unintelligible little print. Men must wear black wingtipped shoes, shined so severely the night before that you could see yourself in them. The women must wear unsensible pumps, a.k.a. "cruel shoes."

2. The Hanover Trust Look—Never ever wear navy; we're talking very grey. Not a hint of color. The Hanover Trust look was invented long before color T.V. A gold pocket watch must be prominently displayed on the vest that must be worn. If your grandfather wasn't considerate enough to die and leave you one, they can be rented at Tiffany's. (We're cruel, but so is Wall Street). The white shirt must be able to walk in by itself; we're talking lots of starch. The shirt never changes, it just gets stiffer. The tie should also be grey, with little black dollar signs, so they know that you heart's in the right place.

3. The Madison Avenue Look—For the suit, any of the aforementioned colors with pin stripes will do—black is also cool. The stiff white shirt this time must have a monogram; if you don't have a middle initial, make one up. Shoes should be patent leather, matched to suit.

4. Preppie Look—If you know what it is, let's face it, your father knows the hiring partner and you can walk in there in jeans and still get the job.

Good luck and good dressing!



LIVING AT U.A.: A Resident's View

by Alan Kaminsky

As one of only a dozen or so 2nd year law students living in the University Apartments, I had the envious task of "soothing the nerves" of many new first year students as they moved into the apartments in preparation for the first day of law school.

"Is it really as bad as they say? Are all those stories I hear true?" they asked. "Oh, yes," I calmly answered. "It's all true. There will be many a night when you can't sleep, and many a day when you just want to pack it all in and leave. You're in for a very long year."

"You mean law school is really that rough?" they asked.

"Law school? Hell, no," I said. "Law school isn't like that at all. I was talking about living in the University Apartments!"

And now, a full month into the semester and with most of the first year jitters safely behind them, these future lawyers, as well as scores of graduate and undergraduate students, are beginning to realize the true to life nightmare of living at the University Apartments.

I have been a discontented U.A. resident ever since the day I moved in, only to discover that in addition to having four people stuffed into a one-man apartment, I would also have dozens of cockroaches and other assorted insect variations to keep me company. I also soon realized that hot water was a precious commodity, that it would be months before my apartment would be painted or the gaping holes in the walls would be repaired, and that the dozen or so glaring fire and health and safety violations would go uncorrected the entire year! Not to mention the fact that the specific apartment Hofstra so graciously assigned to me had *been* declared "condemned" by the owners of the building.

But my rage at the conditions we have been forced to live in has long since subsided and the purpose of this article is not to rehash my thrilling escapades of last year; rather, what prompted me to write was the absolutely farcical and absurd interview given by Mr. William Rebolini, head of the U.A., which appeared in the last issue of **CONSCIENCE.** How Rebolini was able to keep a straight face with those answers he gave is beyond me.

Apparently, Rebolini's views of the living conditiions are distorted by the fact that he is living rent-free in a huge one-man furnished apartment and is drawing a salary from the University (albeit a miniscule one), whereas we poor students are paying upwards of $600 per month per apartment—Rebolini says this is cheap—and we are living in totally unsatisfactory and unhealthy conditions.

I concede that the aesthetic problems with the building are not Rebolini's fault, although his presence does nothing to improve them, and it would be unfair to blame him for the filthy, nauseating, and other lovely adjectives that adequately describe 590 Fulton Ave. Rather, I would like to take issue with the administrative performance Rebolini has turned in so far this year.

Mr. Rebolini and his staff of R.A.s and other fine U.A. employees have instituted the most foolish and moronic administrative policies and procedures conceivable, as if in a joint effort to make life as miserable as possible for the residents. The net effect is that not only are the living conditions pitiful, but many of the staff of U.A., acting under Rebolini's direction, treat the residents with virtually no respect.

Rebolini would like us to believe that the reason for his highly touted I.D. policy (whereby a resident is not allowed into his **own** building unless he is carrying his Hofstra I.D.) is for "our own safety." More believable, I feel, is that we are being required to shlep around our I.D.s because the University decided this would be an easy way for them to save a couple of hundred dollars by not having to make up door keys for everybody. The most ridiculous aspect of this whole policy is that the I.D. checkers (hereinafter referred to as Rebolini's rousers), insist on checking your I.D. even though they know who you are. And, in the event that you forget to bring your I.D. with you, you promptly receive a "demerit."

Come on now, Bill, how old are we? What are you going to do next, make me bring a letter from my parents?

In line with his philosophy of treating the residents like children, Mr. Rebolini has given us lots of games to play at the apartments. In addition to making us play "One-Two-Three, Show Me Your I.D.," Rebolini makes us play another game called "Mystery Fire Alarm." The way you play this game is to wake up one Sunday morning only to discover that there had been a fire alarm the night before which (apparently because there was no system of informing the residents of the impending danger), you and about half your lucky building mates slept through. (If it had been a real fire and I'd have died, then I'd be really furious.)

Ex post facto (since this is the law school paper, I thought I'd throw in a little legal jargon every now and then), Rebolini has since decided that it would probably be a good idea to use the intercom system and inform each apartment of a possible fire. Smart thinking Bill, you're really on the ball.

My favorite game that we are forced to play in the apartments is called "Where's Mr. Bill?" The way you play this game is, as soon as an emergency arises, you go on a massive search to try to pinpoint where Bill Rebolini is. Apparently, Rebolini sees fit to limit his office hours to one hour a day and, if you have class or something else to do during that hour, finding Bill is about as difficult as answering a Civ. Pro. exam question; there are hundreds of directions you can go in.

But this is not meant to be a knock on Bill Rebolini, rather it is a knock on the University for hiring a part-time building director for a building with more than its share of full-time problems. In the same manner it sought to save some money by not giving us keys, the University apparently felt that it could once again cut back its budget (Ronald Reagan would be mighty proud) at the students' expense by hiring a student, rather than an experienced building manager to run the building.

Mr. Rebolini deserves a lot of credit: he is a second year student in good standing, a criminal law fellow, and a member of the International Property Investment Journal. Very nice . . . but where does he get the time to run a building with over two hundred students and triple the amount of pending problems?

Rebolini acknowledges that "things get backlogged," and he has to work on "a priority system." Well, I know of several apartments that have been waiting weeks for essential necessities to be corrected, and there are dozens of apartments that have yet to be painted. Ironically, the University discourages these students from painting the apartments themselves, and it's a good bet that the law school parking problems will be resolved long before these housing problems are alleviated . . . in other words, probably never.

Speaking of parking, trying to park at the law school is a piece of cake compared to trying to park at night at the U.A., where, if you weren't one of the lucky ones to be able to fork over an additional $60 for a reserved parking space, you must resign yourself to the fact that you must expose your car to the elements that cruise the neighborhood at night. I am personally aware of three cars that have been broken into, two necklaces that have been ripped off people's necks, and one girl who was assaulted because these unfortunate residents had to walk several blocks to the apartment from where they had to park their cars. **This** is the real security problem at the apartments, not the fact that somebody forgot to carry his I.D. Maybe Rebolini should institute some sort of an escort service to prevent last year's problems from occurring again, instead of the foolish policies now in practice! But then, why break tradition and do anything sensible?

Mr. Rebolini is correct in one of his statements when he said that "the building reflects Hofstra's image." It certainly does, and this is probably why 90 percent of last year's residents are no longer residing in the apartments, and why the courageous remaining few will undoubtedly follow suit, as soon as the chance to escape arises. I have yet to find one student who actually enjoys living at U.A. I know of several students who go so far as to commute over an hour each way to avoid a one-year sentence at U.A. The pity of it all is that the powers that be at Hofstra don't seem to realize that there is more to running a school than just providing students with teachers and classrooms. In all honesty, I would have to think twice before recommending Hofstra to potential students, because even though I am very pleased with the law school itself, these other factors, i.e., atrocious living conditioins and a "who cares" attitude on the part of the administration, mitigate against what the school has to offer.

I tried to explain this to the Dean of Students (Dean Giardini) and several other prominent and allegedly concerned University figures at a meeting held last year to discuss the various and numerous problems, but the impression I got from these bigwigs was as long as we kept paying our rent, tuition, and the rest of the fees they hit us with, that was all they cared about. Unfortunately, these people fail to see beyond the dollar signs in their eyes, and they have yet to realize that a law school, and-or a college education does not end in the classroom.

It's too bad, because it takes more than just good professors and good students to make a good law school. It takes a good "atmosphere," something that is undeniably missing here at Hofstra and which is something, I feel, that will prevent Hofstra from attaining the status many of us would like to see it attain.

But with all the complaints heard every year about student apathy this and student apathy that, I think in all fairness it should be realized that when you wake up in the morning and have to watch that you don't step on any eight-legged critters on your way to taking a most likely cold shower, it's hard to "feel good" about your school. And when you return from a hard day of studying and have to ride around for a half hour to find a place to park, and then when you get hassled upon entering your own place of residence, it makes for even more resentment. Worst of all, when the person expected to take care of all the problems is really in the same boat as you are and doesn't have the time, or possibly even the qualifications to run a building, you can't help but feel that the University is putting one over on you. What's that old expression about laughing all the way to the bank?

Obviously, poor planning on behalf of the University is to blame for many of the current conditions and problems. But it's more than just poor planning, it's a failure of the administration to commit itself to what's best for the students.

Clearly, the U.A. and the law school itself were not designed to hold as many people as they do now. Hofstra itself will acknowledge this. Before leasing the U.A. from Rana management, Hofstra classified what are now 4-man apartments as 1-man apartments! But no, that was not good enough for Hofstra. Why collect only one set of rents and tuitions when you can just as easily get four? So what if the students are miserable? So what if the facilities are totally inadequate? So what if there is nowhere to park? So what if there are a substantial number of safety, health and fire violations? So what if the elevators often don't work, rooms go unpainted, roaches are left to feast in our rooms, and demands for repairs go unanswered?

The University's priorities are all too clear . . . make as much money as you can and the hell with the students. Believe me when I tell you that I am the first one to stand up for the fact that everybody has a right to make a dollar, but you have to draw the line somewhere.

But what good would all my kivetching be if I didn't at least propose a few solutions? Of course I realize that the University will probably get a good laugh out of all of this, but here goes anyway:

1) Spend some money and hire a dependable firm to immediately make the necessary repairs in the apartments.

2) Spend some money and somehow or other do something about the horrendous parking situations both at the law school and at the apartments.

3) Let the residents at the apartments make their own necessary repairs and deduct the cost from their rent.

4) Come to your senses: there are too many students cramped into the apartments, and if there are no other available places to house everybody, then stop accepting so many students. (In addition, this will also solve the problem of many students being closed out of classes they desire.)

5) Change the University Administrators' and directors' attitudes and start caring about the students.

6) Put photos of the University Apartments in the official University catalogs to objectively attract (and-or warn) potential students and their concerned parents.*

7) Have the decency to return all of our $50 security deposits, because we left the building in better shape than we found it!

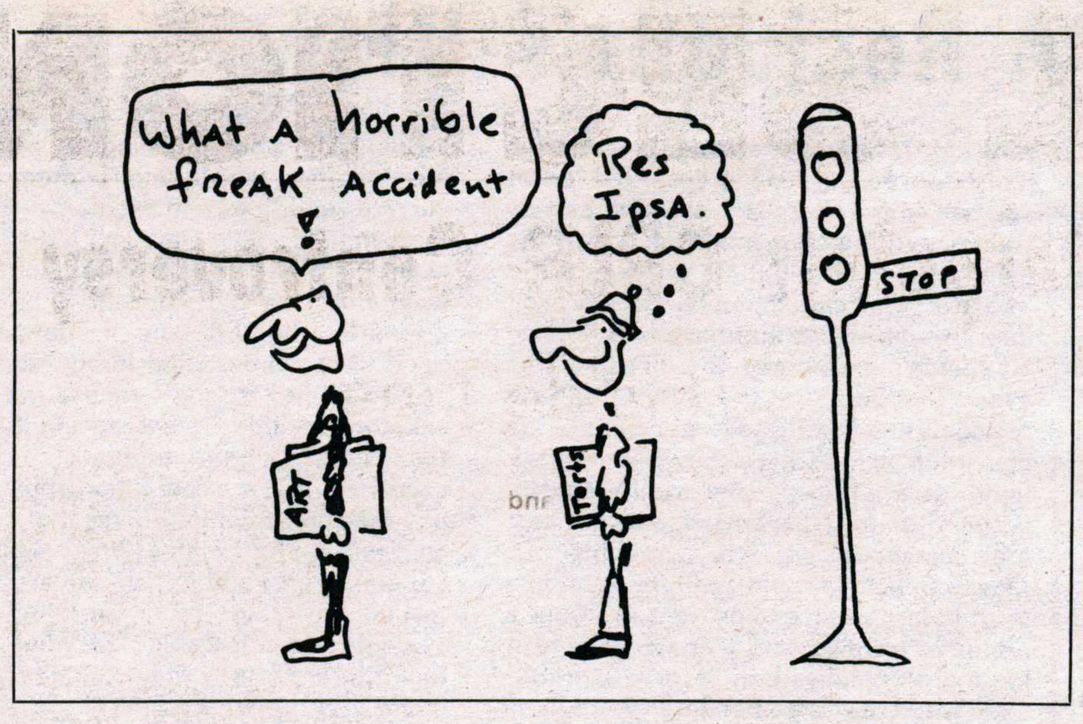
8) My immediate proposed solution, and this is based solely on the fact that he does not have the time to do an adequate job, is to call for the removal or resignation of William Rebolini as head of the University Apartments and replace him with an experienced and full-time building manager who will actively take affirmative steps to help correct many of the problems currently confronting U.A. residents.

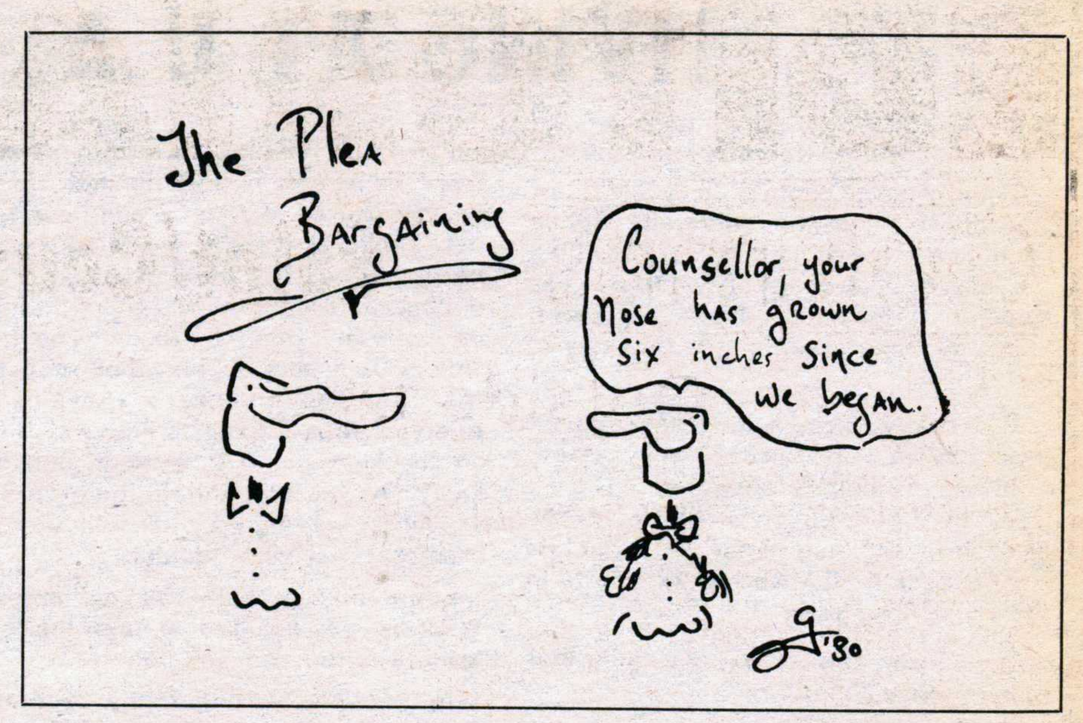
Although I am well aware that all this may cost more in the short run, I feel confident that several years down the road, Hofstra University, Hofstra Law School, and all the Hofstra students will reap the benefits many times over of providing the students with a respectable place to live.

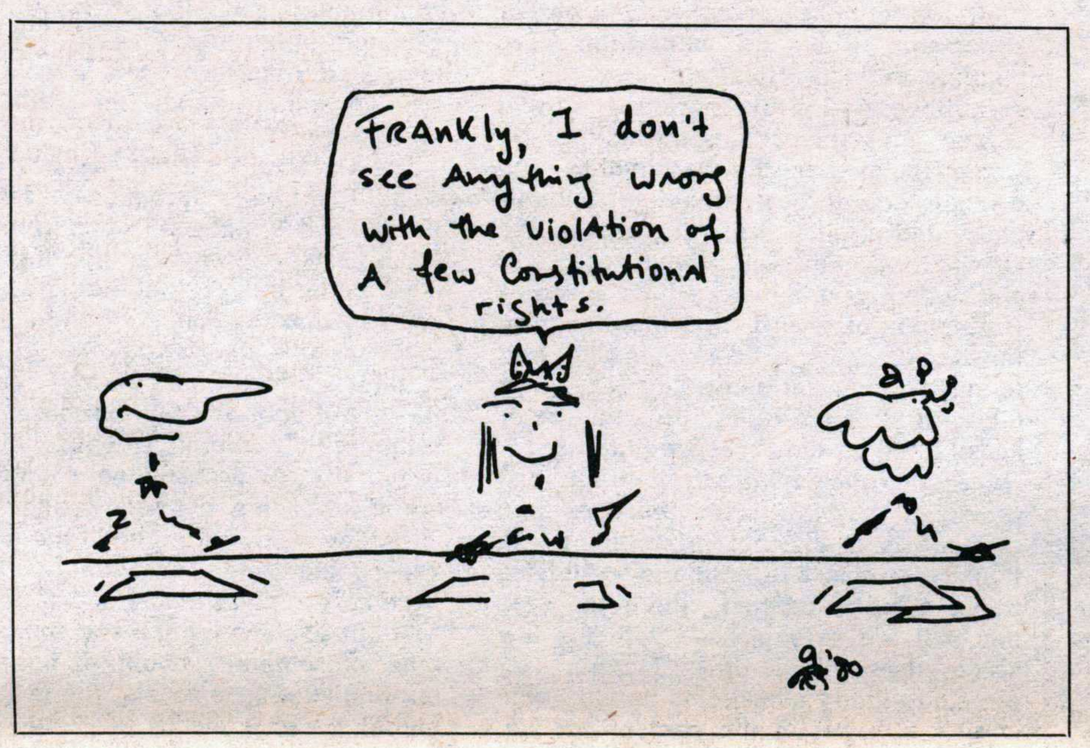
Perhaps Hofstra Law School can then continue on the road to becoming a nationally respected and highly regarded law school.

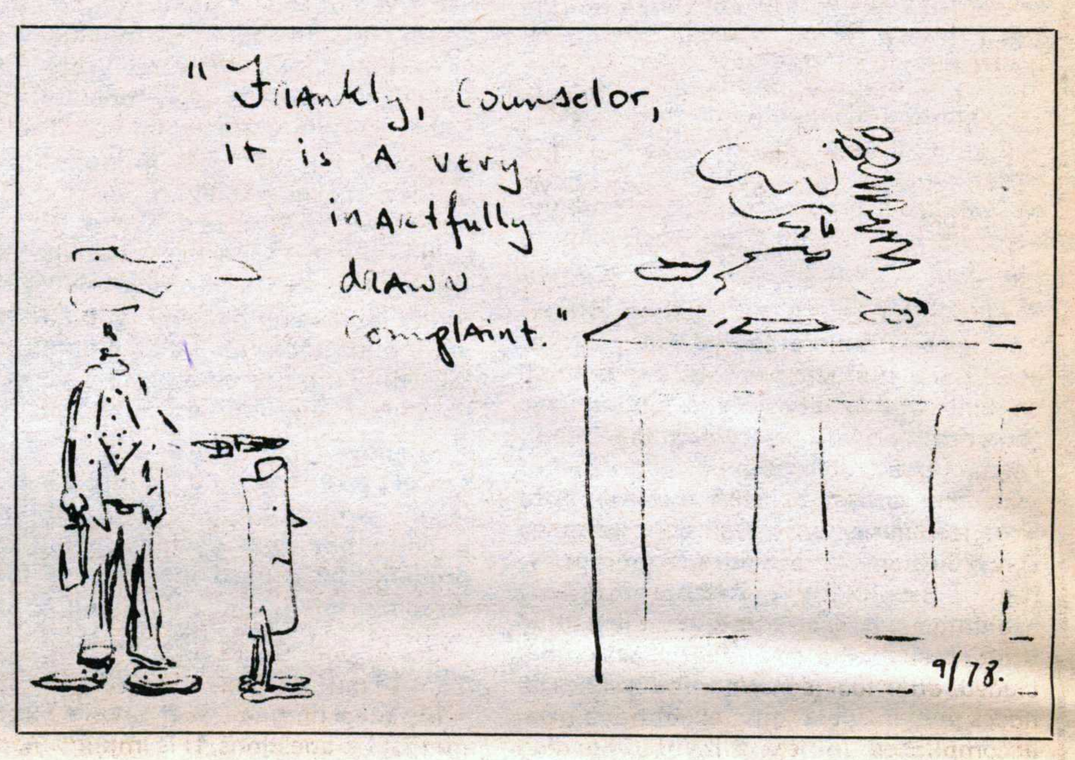
*Photos supplied on request.

Alan Kaminsky is a second year student imprisoned in the University Apartments. He is also a member of Law Review during furloughs.









EDITORIAL SECTION

Columns

Point/Counterpoint: CPLR Controversy

Outside Line

by Saul Morgenstern

The annual Hofstra Law controversy has begun again. It will no doubt grow more heated as the year wears on, develop into a name calling match and, once again, accomplish nothing positive. The controversy? The newest round of the battle over the CPLR.

For the uninitiated, CPLR stands for Civil Practice Law and Rules. These are the rules of practice governing civil controversies in the New York Courts. They are New York's answer to the Federal Rules of Procedure so to speak. Both the federal rules and the CPRL govern the same thing—Civil Procedure.

The annual controversy referred to above is the fight over whether there should be an upper level course in New York Civil Practice at Hofstra. For the most part, students say yes, faculty say no. Since the faculty is invested with the responsibility for curriculum, the course has only been given once.

In the spring of 1980, a New York Practice course was taught by Professor David D. Siegel, a recognized expert in the field. By many credible student evaluations, it was an egregious waste of time. Many who took the course concluded, after fourteen Wednesdays at four hours per, that the same could have been accomplished in less time by reading Professor Seigel's excellent hornbook. . . that is, unless one learns better by having the hornbook read aloud. There was no give and take, no questioning to speak of, and no discussion of the finer points of New York Practice. It was, simply put, an extended bar review lecture.

In the spring of 1981, the law school declined to subsidize a repeat performance. Concerned students created their own course. John Pieper was hired to lecture on the subject on Monday evenings. No credit was given, and many attended. While Mr. Pieper's lecture style is less than scintillating, he is extremely effective. Few people came away from his course not knowing the CPLR well enough for the July Bar exam. However, it is equally likely that few people walked out of his or any other summer Bar Review course without knowing the CPLR well enough to pass the Bar, had it been on the exam.

The point offered here is that a course in New York Practice is unnecessary for a variety of reasons. It is further recommended that the course is a waste of time and money. Since Hofstra cannot afford to waste its resources, it would be a breach of its duty to the students and the school for the faculty to approve any expenditures for a course in New York Practice.

Why It's Unnecessary

While the CPLR and the Federal Rules are different in many ways, their differences are essentially technical. The systems differ in the number of days one has to answer, or in the methods for commencing an action. The basic concepts of procedure, (Subject Matter and Personal Jurisdiction, Multi-Party Practice, Res Judicata, Collateral Estoppel, etc.) are universal. They apply to the federal system, New York, Minnesota and probably even California (although foreign countries tend to be different). These concepts are taught in first year Civil Procedure. If you study the rules there you would understand every word when your bar lecturer tells you about civil practice in the state of your choice.

There is, though, another reason why a CPLR course is unnecessary. It will not accomplish what its proponents expect it to.

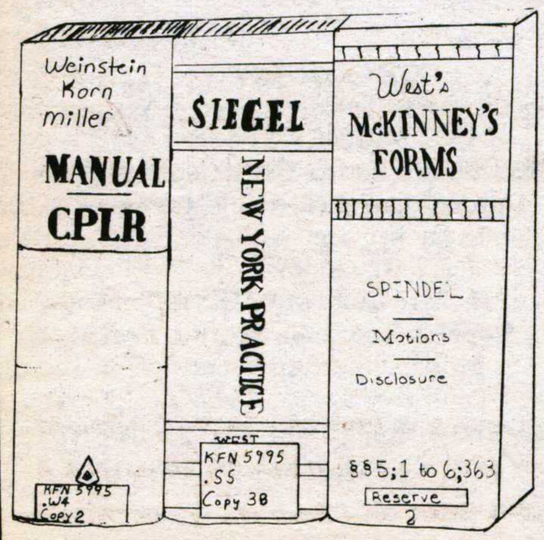
The major concern behind the desire for the course is the Bar exam. Yet, even when the CPLR is a major part of the exam, as it was **not** this past July, it appears in one to one and one-half essays. That's out of six essays, fifty N.Y. multiple choice and two hundred multistate questions. It is important, but it is not the beginning and the end.

A CPLR course will not radically alter the pass rate of Hofstra graduates. Only completely redesigning the law school curriculum to teach New York law from day one will accomplish that. That the faculty should not do. The school was not designed to be local in focus and should not become that way now. This, however, is another debate altogether.

A CPLR course will not do what its proponents want it to do—raise the pass percentage of Hofstra graduates on the New York exam. It will do some things; it will teach detail rather than thought, technicalities rather than analysis. It is, in short, an anti-intellectual exercise.

For your $5,000 a year the law school owes you well prepared professors teaching courses that stimulate you to higher levels of analysis and understanding. Unfortunately, it does not always succeed and certain courses must be removed from the list of offerings. CPLR is one that should be left off.

Saul Morgenstern, a member of the class of 1981, is an Associate with a New York law firm. "Outside Line" is his way of refusing to leave the first floor lounge.



Inside Line

by Jamie Palumbo

CPLR stands for Civil Practice Law and Rules. Since these rules govern every aspect of a civil action, those planning on taking the New York bar exam or bringing a civil action in this state must develop a thorough knowledge of the CPLR. But Hofstra Law School does not offer this crucial course.

History of the Problem

The CPLR controversy is almost as old as the law school itself. In 1976, students attempted to organize a tuition strike in an effort to get CPLR. Momentum for CPLR continued to build until 1978 when 450 students signed a petition calling for CPLR. In response to this outcry, the faculty decided to offer an experimental CPLR course for credit in the spring of 1980. But the faculty cancelled the course after one semester.

Student reaction to the cancellation of CPLR was strong. Petitions were circulated, protests were held, but the faculty would not yield. Last year, students hired an outside instructor so they could receive the legal training Hofstra refused to provide.

What is now needed is a careful examination of the issues and arguments surrounding the CPLR problem. A comparative procedure course may be able to satisfy all parties.

This course should use the socratic method. It should focus on New York procedure with an eye to the procedural variations of other states, or perhaps the federal rules. A writing assignment or some form of student presentation must be included. Policy choices behind the procedural variations should be emphasized. Students should also be taught some of the complex strategies a litigator needs to manipulate the various rules.

With this solution in mind, I examine the faculty arguments against a CPLR course.

The Bar Review Argument

This argument begins with the premise that students really want a bar review course. Worse yet, students would not want to learn this material through the traiditonal "socratic method," but would prefer to be "spoon fed" material. The conclusion follows that Hofstra Law School is not a bar review company; therefore this type of course would be inappropriate at Hofstra.

The bar review argument fails because it is grounded on a false premise. Instead, begin with the premise that Students are interested in CPLR due to its immense important to their future legal careers. Furthermore, students would welcome a comprehensive course taught through the "socratic method" and made as "intellectually challenging" as possible (Query: if a professor chooses to stand before a class and "spoon fed" material is that the fault of the students or the professor?)

Granted, a bar review course is not appropriate to Hofstra. However, the faculty can satisfy their bar review objection by designing a challenging comparative course which avoids the pitfalls they object to.

According to this argument, the first year of civil procedure provides the student with all the concepts necessary to master CPLR. The argument proceeds that the well disciplined student, armed with a good hornbook, should have little difficulty with the intracacies of the CPLR. Assuming arguendo, that this position is valid, we are quickly led to a reductio ad absurdum: Why not eliminate all substantive courses beyond the first year? For example, the first year of property gives the student the ability to learn wills, trusts and estates. The first year of torts gives the student the ability to learn products liability. Why does Hofstra offer these courses?

The Other Sources Argument

This argument asserts that there is no need for a CPLR course at Hofstra since for a normal cost, students can take a new non-credit CPLR course from an outside source. The fact that students have had to resort to outside sources further illustrates the necessity for a CPLR course. Furthermore, these outside sources are inadequate. To begin with, they cram too much material into too little classroom time. More importantly, however, they epitomize everything a legal education should not be. (i.e. an intellectual spoon-feeding bar review).

The faculty has taken the anomalous position that, on the one hand a bar review, spoon-feeding type course is inconsistent with the quality legal education Hofstra seeks to offer. Yet the practical result of their refusal to offer CPLR is to force students to accept this inferior form of legal education.

If the faculty were to accept the challenge of designing a dynamic comparative course, students would no longer have to subject themselves to this objectionable, second rate form of legal education.

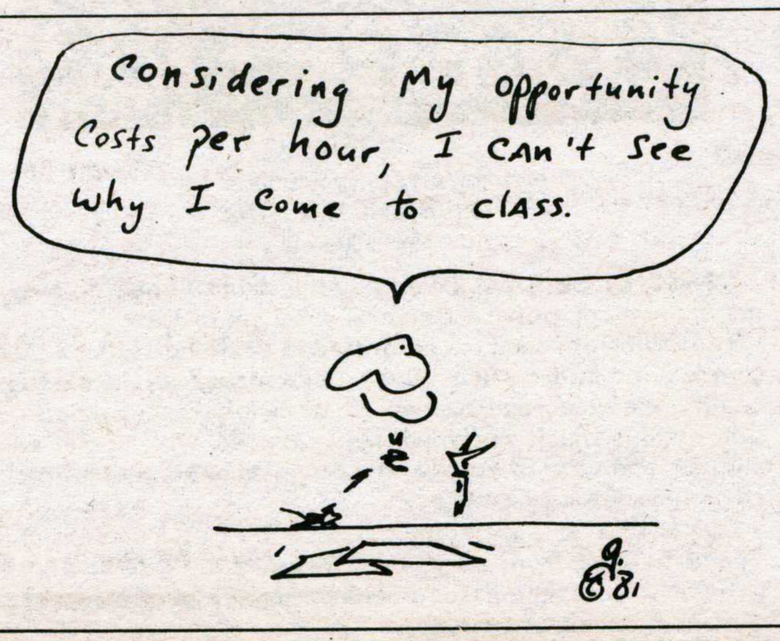
The national law school argument asserts that offering a New York CPLR course is not in keeping with Hofstra's goal of becoming a national law school. However, a course in comparative procedure, which comtemplates the procedural variations of several states, would seem to be consistent with the national thrust of Hofstra Law School.

Conclusion

I believe that a solution to the CPLR problem can be achieved. Many of the faculty objections can be satisfied through the careful design of a dynamic comparative course. A faculty of the caliber of Hofstra's is certainly capable of developing such a course.

Ignoring this problem will not make it disappear. The time has come for the faculty to accept the challenge and make a good faith effort toward achieving a permanent solution to the CPLR problem.

Jamie Palumbo is a member of the class of 1983 and LAW REVIEW.



EDITORIALS

Death of a President

On October 6, 1981 in the early afternoon, Egyptian President Anwar el-Sadat was assassinated in Cairo. With him died the fist viable hope of peace for Israel and the Middle East in many years. It may take generations before the ramifications of Sadat's death will be fully understood.

Anwar Sadat had an interesting career. He was a journalist in his early years, as well as a soldier in the Egyptian army. He was a member of President Nassar's government, a belligerent regime that fought a war against Israel in 1967. After the death of Nassar in 1970, Sadat assumed the office of President. In 1973, Egypt went to war again with Israel. In the next four or five years, Sadat's foreign policy began to shift. He had already broken relations with the Soviet Union in 1972. He began to look to the United States for more aid. Sadat slowly became committed to a peace in the Middle East. In 1975, he cleared the Suez Canal for international use. Then Sadat recognized the Israeli government and invited Prime Minister Begin to come to Egypt and begin a peace process that led to Camp David and beyond.

Anwar Sadat did not live a flawless life, but he was a statesman. Sadat was a man of tremendous vision and charisma; a diplomat in the true sense of the word. His relations with the United States and the State of Israel amply illustrate his rare powers of diplomacy. The tremendous respect Sadat had earned within his own country and the rest of the world enabled him to successfully conduct Egyptian foreign policy with many nations. His outstanding diplomatic skills were duly recognized by Time Magazine when he was named Man of the Year and by the Noble Committee in Sweden when he was awarded the Noble Peace Prize with Menachem Begin.

No one can safely predict future events in the Middle East. It is impossible to overstate the volatile situation in that region of the world. Sadat's death can only exacerbate the already unstable and tenuous relations between the Middle Eastern countries. United States foreign policy will most assuredly be affected by his death. Senator Orin Hatch (R-Utah) already announced a switch in his position on the sale of the AWACs to Saudi Arabia stating that it was now a time to fully support President Reagan. President Sadat was also a very strong lobby supporting the sale of the planes to the neighboring Saudi nation. His absence may dramatically alter the outcome of this widely disputed issue in the United States.

The passing of Anwar Sadat, however, marks more than the loss of an unusually gifted statesman. It is the greatest blow in modern time to significant headway made towards a lasting peace in a region that may now never know peace.

Parking Problem Pondered Poorly

The parking facilities provided by the University are disgraceful. After years of inadequate planning, the situation has become intolerable. A number of law school community members demanded a solution: they proposed alternatives including closing the parking lots around the law school to all but law students, graduate students, faculty and staff.

On October 6, the University Parking Committee met to consider these proposals. The two representatives from the law school, Jonathan Gorham and Professor Ginsberg argued eloquently for the law school proposals. They were ignored. Director of Public Safety Robert Crowley proposed instead that spaces on the north side of campus be set aside for the law school. The committee then closed its meeting and threw out our reporters. It then adopted Crowley's proposals, with Gorham and Ginsberg the only dissenters. The committee's procedure was shameful, its solution far from adequate and rather silly.

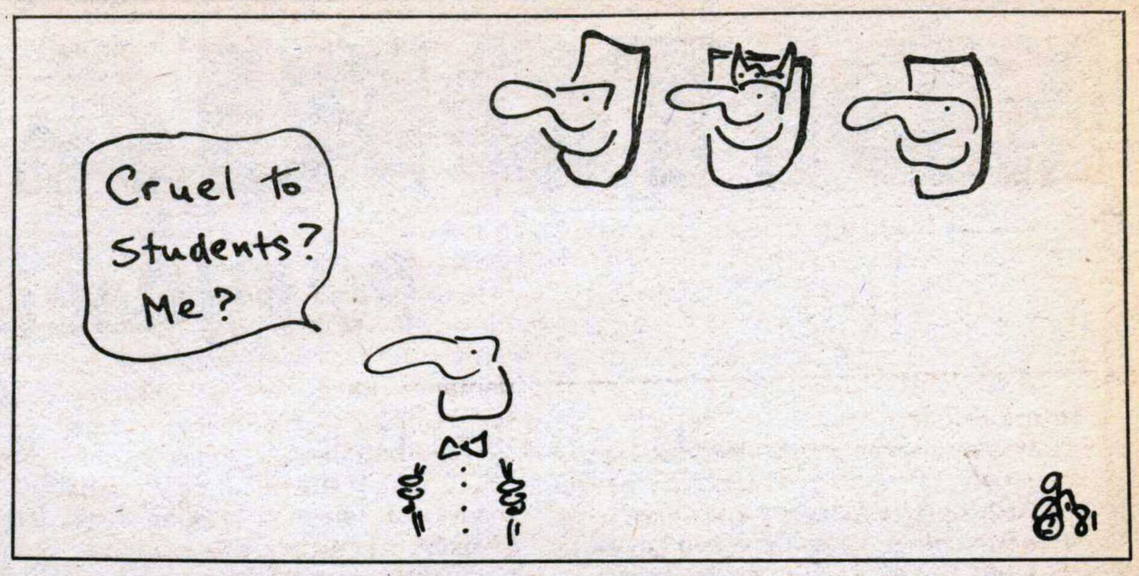
There is absolutely no excuse for a university committee to meet in closed session on a matter such as parking. There is no need for confidentiality in parking policy deliberations. If members of the University Parking Committee do not have the courage to speak frankly in an open meeting, they have no business sitting on such a committee.

Their "solution" is ludicrous. Supposedly it preserves the policy of first come, first serve parking. But it does no such thing. Their plan keeps the law school lots open to undergraduates, yet excludes undergrads from a section of campus heavily used by undergrads but rarely used by law students.

Nor will it remedy the problem. Law students will still be forced to park far from the law school and lug heavy books. It will take too much time for students arriving on campus to find a space and get to class on time. Students will still park on Front Street rather than park on the far side of the university towers. Those parking in the afternoon will be forced to walk the entire distance because the shuttle bus reverses its course and runs from the law school to the north campus and then directly to Hempstead.

Furthermore, it could be dangerous. Late at night, students may be forced to walk to their cars. The shuttle bus does not run when the library closes.

The parking problem is far from over.



Dean Search Stifled

We spent the better part of the past month pondering whether to publish the names of the dean search candidates we had discovered. Some newspapers would have published without hesitation. But we were faced with a sensitive situation. We had no desire to embarrass any candidate. Yet, it became increasingly apparent that President Shuart was going to insist on keeping the dean search process secret to the very end, thus denying the law community at large any voice in the selection of a new leader.

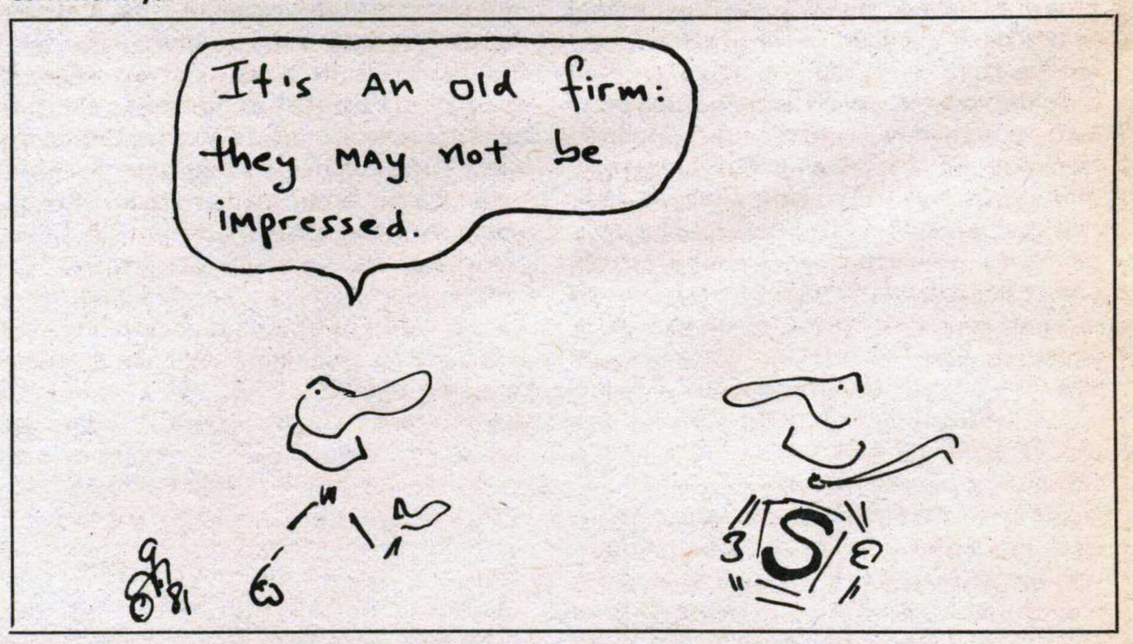
The problem goes deeper than just the selection of a new dean. It must be viewed against the backdrop of division between our law school and the University. The rift became apparent when Monroe Freedman resigned as Dean in 1977, publicly stating that the administration was trying to wrest away control of the law school and drain it of its funds. The problem continued in January 1980 when the faculty staged a day and a half walkout, purportedly over lack of control of the law school.

The current dean search process is the most recent battle in a continuing war. President Shuart's memo of March 11th was imposed without consultation with faculty and students. Reasoning that they "expressed little support for finding star candidates," and suggesting that the faculty was unwilling to give the time necessary to search out a dean, Dr. Shuart imposed a new plan that relinquishes law school control of the search for the new dean.

In the traditional dean search process, a committee from the law school community searches out dean candidates, selects finalists and presents finalists to the community for feedback. The committee then offers their final preferences to the Board of Trustees for the final decision. Dr. Shuart's plan uses an executive head-hunting firm to control the search process and send candidates back to the trustees. The trustees send their preferences to a law school committee for their comments. That committee is prohibited from discussing the matter with fellow community members. What happens after that is uncertain. When specifically asked, Dr. Shuart said that there were no plans for the law school community to review the finalists before the trustees make the final decision.

The law school catalogue boasts a commitment to making Hofstra a school of national excellence. The University is stifling that growth. This school can only achieve its aspirations if everyone works together harmoniously, supports each other's goals, and respects each other's roles. James Shuart should run the University and not the law school. The trustees should be making the final decision and not controlling the search. Every member of the law school must have an opportunity to comment on the individuals proposed to lead our law school into the future.

We urge President Shuart to reverse his decision and reveal the names of all those individuals who will become finalists, and finally, to listen to the comments from this community.



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

Labor Losing

To the Editor:

Labor movement critics see the Reagan Administration's recent handling of the air controllers' strike and the conservative trend as their opportunity to promote an expanding assault on the rights of workers and trade unions. The largest of this group of organizations is the National Right To Work Committee (RTW), and its affiliate, the National Right To Work Legal Defense Foundation. Labor leaders claim their opponents deceive the public by proclaiming themselves the protector of individual employees' rights. Labor claims that the RTW Committee uses highly paid advertising professionals to produce literature explaining the abuses that result from what the RTW committee has carefully termed "compulsory unionism."

RTW's primary attack focuses on the right of the union to negotiate a union security clause in the collective bargaining agreement. RTW's advertisements portray seemingly helpless workers as unfortunate victims of union or agency shop contract clauses. These advertisements inform the public that in a union shop workers must join the union as an employment condition, and that in an agency shop the worker must pay the equivalent of union dues as a condition of employment.

RTW critics argue that the newsletters and newspaper ads attacking the concept of union security clause never mention the inherent legal responsibilities: responsibilities the union accepts when it represents employees in a collective bargaining.

A brief background in the development of union security is helpful in understanding this issue and RTW's campaign to gain public support for its program. The passage of the Wagner Act in 1935 demonstrated government support for the right of workers to organize and bargain collectively with their employer over terms and conditions of employment. In developing a system for labor relations and collective bargaining, Congress established the concept of exclusive representation. This meant that the union that successfully wins voluntary recognition from the employer or a majority vote in a Labor Board certification election becomes the exclusive representative for all employees in the bargaining unit.

The law requires the union to process all grievances and defend employees disciplined by the employer. The union's responsibility extends to all employees, regardless of their past or present support for the union. The employee has the legal right to sue the union for breach of the duty of fair representation if it fails to perform its representation function in a fair and responsible manner.

Today only the so-called Right To Work states prevent union and management from freely negotiating a contract providing a union or agency shop. These provisions are not automatically included in collective bargaining agreements; in many situations the employees' determination to build a strong effective organization has caused them to strike in an attempt to win union security in their contract.

The Right To Work Committee and others who possess a similar viewpoint continually complain about union security clauses making membership dues mandatory. Many labor leaders maintain that the law providing for exclusive representation makes the idea of all bargaining unit members contributing to the cost of the representation function a fair practice.

Finally, the question must be raised as to the goal RTW hopes to accomplish by its campaign against the union shop and trade unions. Organized labor strongly believes the elimination of the union shop clause naturally weakens the union's bargaining position since it will be unable to face the employer with a claim that the demands have the full support of all bargaining unit members.

The elimination of the union shop also requires that the union continually spend money signing up members at shops already organized. The economic result from this expenditure is that resources which might have been used to organize other shops must be diverted to sustaining a membership majority in shops presently under collective bargaining.

The loss of bargaining power in those shops already organized, and the diminished resources available for new organizing drives, lowers wage levels because the union's ability to increase the percentage of organized workers is effectively limited. Lower wage levels will generally increase the profits for these employers. Despite their expressed desire to help emancipate workers from the evils of compulsory unionism, the effects of the RTW committee philosophy shows a correlation between their program and the ability of industry to more effectively resist the economic demands of its workers.

Alan Liebowitz
Class of 1983

Olinger on Legal Education

SOME LEGAL EDUCATION I COULD DO WITHOUT

To the Editor:

I was so impressed with the most recent edition of **CONSCIENCE** that I am prompted to contribute my share.

With alarming frequency the sexual habits of attorneys are being proclaimed. Parked at the courthouse was the attorney whose bumper sticker informed that **Lawyers Do It In Their Briefs.** Along less comfortable lines are in the **Lawyers (who) Do It In Suits.** Leaving the courthouse was the adventurous counsel **(Lawyers Will Try Anything)** witht he promiscuous counsel **(Lawyers Will Try It Any Way)** Mineola's County Seat accommodates both the pompous—**Lawyers Make A Case Out of It,** and the concilliatory—**Lawyers Do It Without Objection.**

All this unsolicited legal education has left me but one conclusion: **Some Lawyers Don't Do It At All.** They just make a lot of motions.

Lynn S. Olinger
Class of 1983

Bathroom Ballot

To the Editor:

There have been speculations regarding the nominations for Dean of Hofstra Law School in a stall of one of our restroom facilities. I would like to share them with the law school community.

1. James Dean
2. Dean Martin
3. Jan and Dean
4. Dizzy Dean
5. Dino (Flintstones' pet)
6. Dean Jones
7. Dean Sausage
8. Dean Wormer
9. John Dean
10. Dean of beers
11. Dependable Dean
12. Dean Atchinson
13. Dean Witter
14. Dean Shuart
15 Dean Rusk

Poet on the Pot
Class of ?

Solomon Still Sovereign

To the Editor:

Last month, your news editor, Howard Blechner, wrote a column responding to my August letter. Mr. Blechner contends that raising admission standards is not needed at Hofstra.

I disagree. The current admissions standards are a disgrace. Each year this Law School receives more and more applications. But rather than being more selective with the applicants, the school admits more and more first year students. I am told that this years first year class is a record breaking three hundred students.

We all feel the effects of this policy. Parking becomes increasingly difficult each year. The library becomes more and more crowded. Books are frequently off the shelves. The effects are felt in upper class sections as well. Classes such as Evidence, Wills and Business Organizations have become zoos, often with over a hundred students packed into one classroom. Unfortunately, many of these sardines find that there is no place for them in the legal world once they graduate.

Hofstra should follow the model of several high quality ivy league law schools that keep their classes small, most noteably Yale and The University of Pennsylvania. These schools have used the increasing competition for law school admissions to be even more selective in who they admit. That policy has increased the quality of their students and therefore increased the prestige of those schools. Hofstra should follow the lead of Yale and use the increasing competition to improve its reputation. With the coming demographic decline, we must act now while we still have the opportunity.

Hofstra's admissions failures do not end with its standards. It also needs to actively recruit students from across the nation. This school promises its applicants that it is a national law school, yet very few students here are not from the metropolitan area and the overwhelming majority come from Nassau County or Queens. Other law schools, such as N.Y.U. send recruiters to all major colleges and universities throughout the country. But Hofstra, still a very young school, sends no recruiters to schools outside of New York. It's no wonder non-New Yorkers rarely apply—few of them have heard of Hofstra. Until Hofstra begins such a program, it will never realize the promise of being a national law school.

We, the current students, must demand that Hofstra's admissions practices be dramatically improved. These practices are a crucial factor in determining the quality of the students that follow us. The quality of the students that follow us will determine the prestige of Hofstra Law School. Years after we graduate, many things we now consider important such as grades, law review, I.P.I.J., moot court, will become unimportant. But the respect the legal community affords Hofstra will remain with us for the rest of our lives. Our future depends on a more active student recruitment program and a tightening of admissions.

Sincerely,
Ben Solomon

Government Gossip

To The Editor:

As part of our program to keep the student body informed on Student Government's activities, here is an update of some of our accomplishments and goals this semester:

1) The first annual SGA Tennis Tournament has been a "smashing" success. Despite the fact that my team was edged out in the first round I am glad to see so many students get in the "swing" of things. Tournament directors George Silver and James Dicker deserve congratulations for a job well done for the SGA and the law school morale.

2) For the second consecutive year, SGA is sponsoring a spring semester CPLR course taught by Mr. Pieper of bar review fame. Please contact Tom O'Connell for further registration details.

3) On Wednesday, October 14th at noon in Room 308, SGA and BALSA are co-sponsoring a Town Hall meeting with Hofstra University President James Shuart. This is part of SGA's continuing effort to improve Hofstra Law through improved communication.

4) The SGA is making a sustained effort to end those little annoyances that frustrate our enjoyment of the law school environment. The Student Grievance Committee, ably chaired by Section C rep Andrea Shapiro, is investigating alternatives to the current selection of food and change machines. If anyone would like to contribute their personal angst to this committee, please leave your name and phone number in the SGA mailbox in the first floor office.

5) The beat goes on for SGA on other fronts. For further details, read the forthcoming SGA newsletter. If you want to join an SGA committee, please leave a note in our mailbox. We welcome all suggestions!

Michael Glassman
President SGA

Never Mind

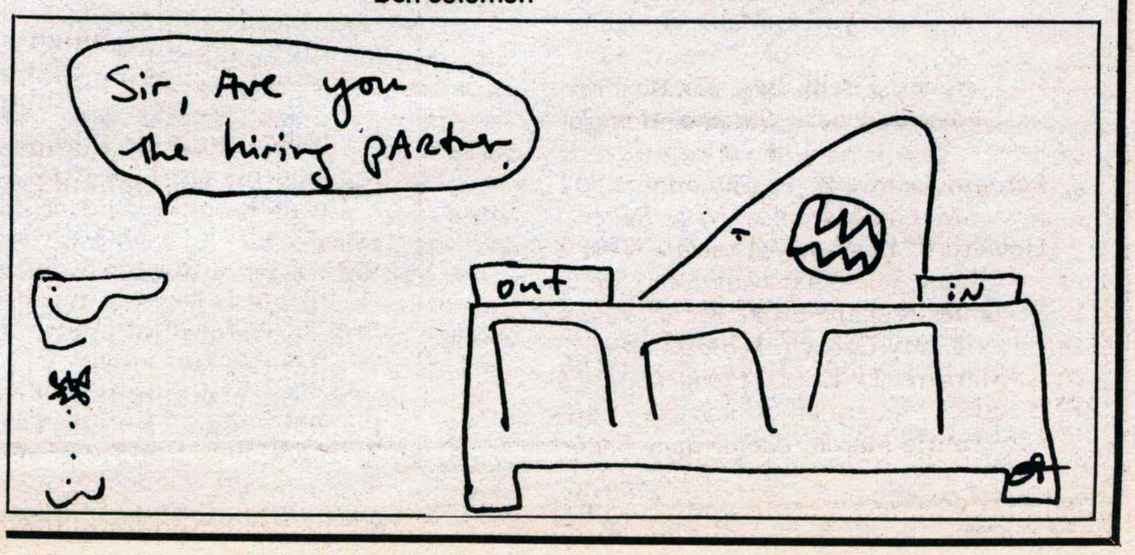
To the Editor:

What's all this fuss I read about the barking problem at Hofstra Law School? Those students can bark anywhere they want. Have you ever been in the Law School Library Lounge and heard them bark? Have you ever heard Linda Champlin bark Constitutional Law? Barking is guaranteed by the First Amendment.

I read some people wanted to bark on the grass. What is the difference where you bark; on the grass, on the asphalt, on the john, who cares? Personally, I like to bark at a full moon. So why don't people stop barking about barking?

Emily Litella

Editor's Note: That's parking with a "p" not barking! Parking!



COLUMNS

Comments From the Back Row

by Arthur Kravitz

As the dean search grinds along to no apparent conclusion, rumors are flying. The reason for this may be that no one in the law school, including the faculty, knows just what is going on. It has now been over a year since Dean Regan resigned and we are no closer to selecting a new dean than we were at the start. Or, if we are closer, no one is saying so. Candidates have been screened by the search firm, the trustees, the president and the search committee. Presumably once a candidate has reached this stage of the process, secrecy should no longer be necessary.

President Shuart appears to have designed the selection process with a minimum amount of law school input. This would seem to ensure that his own ideas about the way a law school should be run will be put into practice.

Any new dean will find himself in the middle of serious long standing conflicts. These include the University rake-off of law school tuition (last reported to be 38 percent compared to the ABA recommended 20 percent level), the apparent refusal of the University to invest in a good law school, and difficulties involving faculty contracts. Any new dean would make his positions clear. This law school cannot survive a fence straddler or a yes-man to Shuart.

The Labor Law Journal goes to the curriculum committee this week amid fears among some faculty members that if approved and published it will undermine the I.P.I.J. If that is the reason it is rejected or postponed then those in the faculty who vote against it are doing this school a great disservice. Considering the great labor issues of the day, from the air traffic controllers to the coal miners, the Labor Law Journal has the potential to explore and analyze these issues in a scholarly setting that will be well received.

Second, the Labor Law Journal would compliment an already strong labor law program which now has an endowed chair and a sequence of four courses. If ever there was an opportunity for Hofstra to achieve an excellent reputation in a field, it is now. The courses would provide a knowledgeable pool of students and staff independent of the I.P.I.J. who for once would be committed to working for a journal because of interest in the topic. So what is the faculty afraid of? Approve the thing so we can get an issue out before May. If Dave Feldman says he can do it, give him a shot. Hofstra has everything to gain and nothing to lose.

Arthur Kravitz is a member of the class of 1982.

Social Worker Worried

by Betty Cambridge

The students at Hofstra Law School come from very interesting and diverse backgrounds. A significant percentage of us are older and come from other professions. Reportedly law schools have quite a number of ex-teachers and social workers (I suspect there will be a wave of applications from Air Traffic Controllers soon.)

Hopefully, former social workers such as myself or any other former professional will take pen in hand and commit some thoughts to paper for the next edition of **CONSCIENCE.** It would be very interesting to share our reactions to law school and the legal profession.

In my case, it wasn't a lack of employment opportunities that prompted me to apply to law school. I was a good social worker advocate for the elderly and I was employed. I decided I wanted to help my clients deal with the legal system as well as Medicaid, Social Security, Department of Social Services, etc.

For those of you that have little respect for social workers let me inform you that it is very difficult to be a good social work advocate because once you get good at obtaining an entitlement for your client, Medicaid or Department of Social Services change the eligibility criteria. This is one of the ways the system prevents people from getting all they are due. The Department of Social Services is the worst offender. They even change their telephone extensions every few months to further aggravate social workers.

I must admit, however, that after all my sacrifice in deciding to come to law school I am somewhat ambivalent about being associated with the legal profession.

In my mind, social workers are the good guys. We help people. Lawyers merely charge fees and battle for power. I frequently try to rationalize my decision to change jobs. I tell myself that upon graduation from law school I'll be more adept at legal advocacy and that is all. I will still be a social worker. I resist the idea of being called a lawyer.

As a social worker I am keenly aware that stereotypes are inaccurate and harmful. The problem is I have yet to meet an attorney that dispels the myth. lawyers don't seem to be interested in people but in legal ideas and concepts. professors teach the skillful manipulation of legal ideas and concepts.

Another stereotype disturbs me. Law is associated with money and social work with poverty. When I announced to my parents that I was going to Graduate School for Social Work, they were vaguely pleased. My mother felt it was one step above being a housewife. When I told my parents I was planning to go to law school, they immediately began bickering over where they would install their indoor heated swimming pool. Not a bad idea, but my parents live in Harlem!

What an awful dilemma. I'm being trained for a profession that I have a serious problem identifying with. My friends and relatives are waiting for me to graduate and make big bucks so they can all cash in. I can't talk to a social worker to resolve the problem because they will think I am a traitor. I can't talk to an attorney about it because I can't afford the fee!

Betty Cambridge is a member of the class of 1983.

Hofstra Goes To Prison

by Steven Aptheker

I started out the first two weeks of this semester on reserve duty with the United States Army. I was stationed at the military prison in Fort Leavenworth, Kansas. I felt depressed and uncomfortable working behind a forty foot stone wall, just like the depressed and uncomfortable feeling of a Hofstra law student in his or her first two weeks. I started to ponder: how different was Hofstra Law from Leavenworth Prison?

Population:

Leavenworth Prison has approximately 1400 inmates. It's crowded but each inmate has his or her own cell.

Hofstra Law has approximately 800 students. It's crowded but each student does not have his or her own parking space.

Average Sentence:

The average sentence of an inmate at Leavenworth prison is 18 months. About 30 percent of the prisoners end back in Leavenworth after release.

The average sentence of a student at Hofstra Law is 2½ years. No one ever comes back (except for Saul Morgenstern).

Compensation-Costs:

An inmate at Leavenworth is paid $4.00 per day for each day of hard labor. He or she also gets three meals per day, two prison uniforms and free medical care.

At Hofstra a student is charged approximately $5000 per year. He or she also receives free wine and cheese at a party welcoming first year students.

Rewards-Punishments:

The penalties for misbehavior are severe at Leavenworth Prison. If an inmate breaks a rule he is sent down to the "hole" for up to six months. He only gets out for thirty minutes of exercise each day.

At Hofstra the penalties for doing well are severe. If a student finishes the first year in the top 10-15 percent of the class, he or she is likely to make Law Review. Those students are sent down in the "hole" for up to two years. They are not let out for exercise.

Early Release-Parole:

Leavenworth Prison has a program called the Local Parole Unit. Certain inmates are allowed to live outside the wall but still under guard. They work in the community and earn between $3.35 and $10.00 per hour.

Hofstra Law has both intern and extern programs prior to a student's graduation. They earn nothing.

Job Opportunities After Relaase:

Approximately 70 percent of Leavenworth inmates have jobs upon release. Some inmates who acquire a skill earn up to $15 per hour upon release.

Approximately 60 percent of Hofstra Law students have jobs at the time they graduate. Some students will earn up to $45,000 per year. Unfortunately, when you break that down to an hourly rate it works out to about $10 per hour (with time and a half for overtime).

Conclusion:

On balance I have to give the edge to Hofstra. It might be harder to get into, but it's a heck of a lot easier to get out of.

Steven Aptheker is a member of the class of 1983 eligible for early release in August of 1982.

I'm in the Army, Now?

by Lanny Bryer

It was not a particularly interesting day before 1:00 P.M. I may have read a few cases, had something to eat, but it was not until the mailman made his afternoon drop did I realize my life might well be taking a sharp and certain turn to the right.

I had not heard from any firms or organizations at this time, possibly because I had not sent out my cover letters and resumes yet. You could imagine my surprise when I picked up a smart-looking envelope with U.S. Army printed in bold across the top. I opened it. Uncle Sam and his good buddies at the Pentagon wished to know if I was interested in working for them this summer, and if I was, to write and tell them so. You could say I took the information calmly; however, I would obviously be lying. After three friends smothered my shock tremors with a few army horse blankets, I regained control.

I turned and tossed all night long reliving scenes from **The Sands of Iwo Jima, From Hell and Back** and **Sergeant York.** I awoke, however, to a different mood. I weighed all the facts. The job was only for a summer—no future commitments. Not bad pay either for a flunky second year student. It would look sharp on a resume. Hey, maybe I should send this sucker out.

Hold on. Look at the other side of the dogtag, Buckeroo. Remember the 60s! Remember Kent State! Yo do not want to shoot any commie, freak, radicals—especially because you are one of them.

This decision needed some advice. I reached for the phone. I gave my sister and brother-in-law a call. As far as I was concerned they embodied the soul of S.D.S. and they were wise to the quickest routes to Canada. They could help. I knew it. When I told my sister the news, she quietly fainted. She called back an hour later to tell me she wanted her No Nukes T-shirt back pronto.

I next thought of my Dad. He had been there at Verdun, at Metz, at the Rhine River in 1944. He would know what to do. He did prove helpful in a way—he did not mince words. "Son," he said, "The only good army is a dead army." Thanks Dad.

It was obvious the decision was left to me. After weighing a greater preponderance of the evidence, I summoned all the courage Audey Murphy, Gary Cooper and John Wayne had given me over the years. I sent the letter out for more information. If any of you need to reach me this summer, I'll most likely be Shepardizing on The Western Front in the deepest foxhole I can find.

Lanny Bryer is a member of the class of 1983 and a Soldier of Fortune.

Salesian Science

by Bruce Sales

PV equals nRT. The perfect gas equation. The pressure (P) of the sample multiplied by the volume (V) of the sample equals the number of moles (n) of the sample times the gas constant (R) multiplied by the temperature (T) of the sample in degrees Kelvin (degrees Celsius plus 273).

This equation allows chemists to predict the behavior of gases exposed to specific environmental parameters. For instance, if a chemist wanted to know the temperature at which a specific, defined amount of gas at a given pressure increases its volume two-fold (2V) he may do so by rearranging the formula as follows: T equals P(2V) over nR. The equation can also be written to express Avogadro's Law that equal numbers of molecules are contained in equal volumes of all dilute gases under the same conditions. The expression of Avogadro's Law is n equals PV over RT. It is important to remember that this equation does not apply to solids and liquids but only to gases. The volume of the former two phase states varies little with substantial differences in temperature and pressure. In fact, not even all gases adhere to the perfect gas law. Thus not all gases are perfect.

One thing law school is not is a perfect gas. As a matter of fact, it's hardly any laughs at all. Thus, there is a need to devise a formula similar to the pefect gas equation that would predict the behavior of law students in law school. Many brilliant minds have wrestled with this topic. Little fruit has been born from their labors. However, a new and as yet unproven hypothesis has been suggested. It is called the perfect ass law.

The perfect ass law is described by the formula E equals PS over nL. The specific student embarrassment and disgust quotient (E) equals the professor involved in teaching the class (P) multiplied by the frequency of Socratic method usage (S) divided by the number of students in the designated class (n) multiplied by the loophole constant (L). This relationship expresses the following concept: when Socratic method usage is high and n is low the opportunity for embarrassment and disgust is high.

What of P and L, I hear you cry. It is rare that P exceeds one except in classes with active law fellows in which P may be as high as 1.83. L, the loophole constant, can be anything necessary to make the calculation come out accurately. It is a fudge factor. Actually, it is the key factor for effective use of the formula, just as loopholes are the key factor for any attorney to make effective use of the law. It is through the skill and daring of a lawyer's use of L that the perfect ass law realizes its maximal utility.

Bruce Sales is a member of the class of 1983, does something or other for CONSCIENCE and thinks cows are man's best friend.

On October 21, 1981

from 12 noon to 1 o'clock pm in Room 308

LIBERAL LINE CANDIDATE FOR MANHATTAN BOROUGH PRESIDENT

DAVID DINKINS

will be speaking at Hofstra University School of Law

Mr. Dinkins graduated from Brooklyn Law School in 1956.

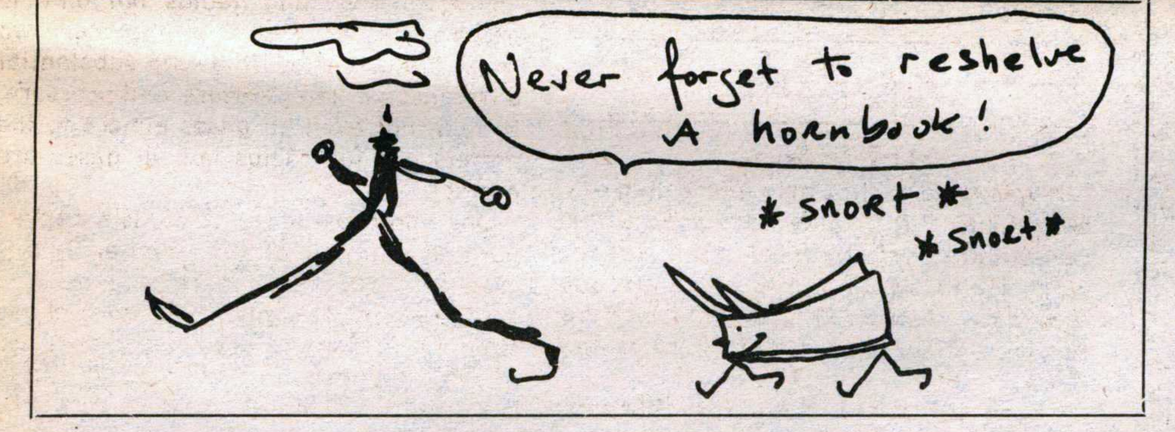
Presented by BALSA

He has held the following offices:

- District Leader
- Assemblyman
- President of New York City Board of Elections and at present,
- City Clerk

Mr. Dinkins will address:

- Political Platform for November Election
- Minority Unemployment
- Voting District Apportionment Issue in New York City
- Pres. Reagan's Budget Cuts
- Questions and Answers



Next Conscience Deadline

Nov. 3, 1981

Submissions Welcomed

Must Be Typed and Double Spaced

THE BIG MATCH

by Nick and Nora Charles

12:45 PM—I awoke with great apprehension. I knew within a few hours I would have to meet my match. I thought about turning over and going back to sleep but this image of Nora throwing me on the floor catapulted me into the shower.

1:00 PM—I met Nora at the Court. She was wearing a tailored suit and sensible pumps. I handed her her sneakers, a T-shirt and a pair of shorts. As she marched off to dress for battle, I eyed the area. I looked around for the director of the tournament. He was nowhere in sight. If I believed in an after-life, I would swear this guy was Snydly Whiplash reincarnated. He was the type of guy who would throw his own mother out into the snow and laugh while he was doing it. He was the reason Nora and I were playing in this match. You don't say no to the **Stache**—If you did, you could never walk down the street without looking behind you. They called him the **Stache** because his mustache reminded you of a giant whiskbroom. No one knows what evil lurks behind that **"Stache."**

1:30 PM—Our opponents were late. I wouldn't have minded if I didn't think it was a cheap psychological trick. I heard they were tough, real tough. Top ten on the East coast, but I didn't mind, all I had to lose was my pride.

2:00 PM—Our opponents arrived. I had heard the man was tall, but I didn't think I'd have to climb a ladder to look him in the eyes. And broad—this guy could sub for the entire defensive line of the N.Y. Giants. They called him the **Enforcer.** Need I say more? The woman looked sweet and innocent until I looked into her eyes—they were the cunning eyes of a tiger. They called her the **Enforceress.** We were in for trouble. I should have stayed in bed.

2:05 PM—The warm-up began. I tried my damndest to return one of his serves, but they came at me like lightning bolts. He broke three of my rackets—the bastard. He gently threw the ball in the air and then smashed it into the service box. Nora and I stood staring at each other, like we had just missed the last train out of Penn Station. We passed up our warm-up round.

2:15 PM—We were ready to begin the match. I looked to my left and saw the stands were full. It made Nora nervous, after all, it was the first Hofstra Invitational Law School Tournament she had played in. In fact, it was the first time she ever played tennis—that made me nervous, real nervous.

2:17 PM—I stalled as long as I could. The **Enforcer** said I had a choice—I could serve the ball, or I could die. I decided to serve. I smashed the ball as hard as I dared at my opponent's service box expecting an ace. I set myself up for a major disappointment. The ball barely made it to the net. It was going to be one of **those** matches.

2:20 PM—I knew my serve was going to be in trouble when I shot a glance over at the net. One could say the net was not particularly high, but then one would be declared legally blind. The height of the net was somewhere in between the towers of the World Trade Center and Mount Olympus. You would need to take an elevator just to adjust the tape.

2:25 PM—It was their turn to serve. I was reluctant to give them the ball. The **Enforcer** picked me off the ground by the collar of my Fila shirt. It was an expensive shirt—I gave him the ball.

2:35 PM—The **Enforcer** threw the ball up in the air and killed a bird. Then his racket caught the ball on its way down. The ball headed for Nora. I screamed for her to pick her racket up off the floor. She hit it back. The **Enforcer** was so shocked he missed the return. Now that we knew Nora could hit a ball, we figured we might have a chance—as long as they didn't notice she wasn't using the racket.

It suddenly dawned on me that the two people filling the stands were not the judges. Hell, we had more than a chance—we could cheat. The **Enforcer** served the ball again and I yelled fault. Nora started to argue with me that the ball was good, so I shoved my racket down her mouth.

3:15 PM—The match was still going on. Nora was moving like a cat to retrieve the balls—I wish she was that quick during a point. I looked behind me and noticed that the crowd in the stands were on their feet. When both of them turned to leave, I felt a sigh of relief. I wouldn't have to be too careful cheating any longer.

3:40 PM—We were winning. The **Enforceress'** smile never faded, but her returns were violent. It must have been my imagination but I could have sworn she was aiming for my head. The **Enforcer's** face was turning red, smoke seemed to be rising from his head. He tightened the grip on his racket and we had to take a break so he could get a new one with a steel enforced handle. You could say he was angry—kind of like a mad dog whose food has just been taken away. I decided cheating wasn't the moral or safe thing to do anymore.

4:00 PM—It was over. I could say that we won effortlessly but I'd be lying. I looked over at Nora and she was passed out on the ground. Our opponents were crying uncontrollably on their side of the court. I left Nora on the ground and headed over to shake hands with them—I figured I would make apologies for her. I approached the woman first. She slapped me hard across the face and then turned and stalked off the court. Some people just don't know how to lose! I reached the **Enforcer.** I was scared but I tried to hide it. I thought it was a good idea to underplay our victory. "Well," I said. "The workout was great—it's why I entered the tournament. Thanks for a great match." He didn't say much. Maybe a grunt. He held out his hand. I looked at it. It reminded me of a trash compactor. I weakly held out my hand and prayed. He calmly shook it and then walked off the court.

4:15 PM—After my heartbeat returned to a safe level, I picked Nora up and walked out of the gate. I turned back on the battleground and felt a slight thrill of victory. Nora then reminded me of our next match. I could have killed her for that. We turned and walked out into the early evening Hempstead mist, our minds now dwelling upon the Agony of Defeat.

Problems . . . Problems . . . Problems . . .

There has been increasing concern on the part of Hofstra Law School students about the deteriorated condition of our law school building. Kristin Turksel made a thorough inspection of the building recently.

BASEMENT

Hallway: Broken chairs near elevator; covers off 4 lights; covers hanging from various lights; boxes with books and garbage in them; clock missing; no heat in the Law Review wing; no electricity in wall outlets in some Law Review offices; glass broken in fire hydrant door in Law Review wing; assorted lights burned out.

Lockerroom: Trash on floor; lights burned out.

Women's Room: Trash can overflowing; soap containers empty for at least 2 weeks; floors, walls, sinks, and toilets are filthy; Tampax dispenser broken for 2 years; trash on floor; doors on stalls are improperly hung; toilets leak when flushed.

Men's Room: Trash can overflowing; trash in sink; 1 toilet clogged; trash on floor; toilets, sinks, walls and floors filthy; no paper towels.

FIRST FLOOR

Lounge: One light burned out, six lights have one tube burned out; change machine broken; 3 chairs missing one or more wheels; several chairs and couches have ripped upholstery; ceilings are stained from vent system; floors are filthy from trash (unswept) and dirt; windows are dirty; trash on furniture, etc., not picked up daily; lack of furniture—amount inadequate for size of student body.

Hallway: 2 covers missing off lights; several lights burned out; windows, floors dirty; ashtrays used as trash cans because there are not enough trash cans; ashtrays missing tops; walls near bulletin boards are filthy; hallways outside bathrooms is very dirty.

Women's Room: No paper towels; Tampax and Sanitary Napkin containers empty for 2 years; cover missing from light near door; floor and walls are very dirty—streaked with dirt.

Men's Room: Floor and walls are dirty; no door on first stall; one light out.

SECOND FLOOR

Room 238: Floors under desks and in corners are filthy; rugs need vacuuming; windows are dirty; some windows have broken locks; front wall is filthy; needs more chairs; desks have stains, dirt, and graffiti on them; fruit flies in garbage can; ceiling is grimy.

Room 230: Plastic stripping off desks; trash outside window on roof; window sill filthy; broken chair lying in back of room; floor under desks is filthy; ceiling by vents is grimy; trash cans smell; stains, dirt, and graffiti on desks.

Room 204 A-B: Separating door broken; one window won't shut because lock is broken; not enough chairs; walls need painting.

Room 250: One window lock broken so window won't close; walls dirty—need paint; radiator filthy.

Room 206: Walls are filthy; floors are filthy; front of room needs painting because of different colors from previous paint jobs; locks on 3 windows are broken so windows will not close—for at least 2 years; chairs in back don't fit because of their individual desks; radiator filthy.

Room 227: Window lock broken so window does not shut; window blind is mangled; floors are trashy; walls dirty.

Lounge: No ashtrays—cigarette butts all over; ceiling, pillars filthy; radiators are really dirty; curtains need cleaning; windows, window sills dirty; some chairs have ripped upholstery or are missing cushions.

Hallway: Ceiling water spotted, dirty, many tiles missing; light covers hanging down, 3 are missing; rubber "mop board" peeling off wall; water fountain dirty; wallpaper ripped off wall in places; graffiti on wall; wall ashtrays are missing (near Dean's office and clinic); floor tiles worn through near Placement office; ceiling tiles on floor; ashtrays overflowing with trash because there are not any trashcans in the halls; floors and walls—especially in the corners—are filthy; light in exit sign near Rm. 206 is out—as are others; room number for Rm. 216 is falling off.

Women's Room—East: Floors and walls are very dirty; area between outer and inner door is very dirty.

Men's Room—East: Litter on floor; sinks and toilets are dirty.

Women's Room—West: Light cover coming off; no napkin disposal containers in 2 stalls; floors and walls are grimy.

Men's Room—West: One toilet paper dispenser is off the wall; floor dirty; one toilet covered with toilet paper.

THIRD FLOOR

Hallway: Floor stained with coffee, etc.; ceiling grimy; ashtrays overflowing with trash because there are no trashcans in the halls; one ashtray missing top.

Room 308: Ceiling, floors, and carpeting are filthy; plastic strips are missing off desks; curtains don't open or close because the track is broken; one window lock is broken; lights are burned out on left side of room; middle "fabric painting" from set of three is missing.

Women's Room: Floors and walls slightly dirty; doors are not hung properly on stalls, so they don't close.

Men's Room: Litter on floor.

LIBRARY

Main Floor—Main Room: Paintings filthy; furniture upholstery ripped; paint peeling; 2 of 3 lights in Xerox room are out; exposed wiring in Xerox room; trash on floor in Xerox room; one broken lock on window; radiator vents missing or bent; water spots on ceiling; lights burned out; floor dirty.

Main Floor—South Room: Ceiling tiles missing; exit signs burned out; light covers hanging; dust and dirt on shelves; trash on floor; spots of different color paint on walls; lights burned out; broken window lock.

Main Floor—East Room: Water fountain filthy; ceiling tiles missing; numerous lights out; covers hanging and missing, piled on desk; exposed wiring hanging from light; floor tiles coming up from floor; trash all over floors and desks.

Basement—South: Trash in desks; trash cans overflowing; exit sign out; broken desk near stairway—for 3 months; floors dirty and unswept; water fountain broken for 2 years; broken window in SW corner; walls are dirty and need painting.

Basement—East: Blinds missing from windows, 2 draped over desks; 6 missing light covers; 8 covers hanging down.

Basement—West: Broken window—SW corner; 4 broken window locks; wiring hanging out of walls; trashcan overflowing for at least 2 days; water fountain filthy; floor and walls dirty.

Basement—Conference Room: Trash on floors and desks; desks are dirty; 2 lights burned out; one light cover missing; wire hanging out of wall.

Library Stairwells: Unvacuumed.

STAIRWELLS

N. West: 9 broken rubber treads; trash on stairs, landings; stairs and landings are entrenched with dirt; walls are grimy, dirt and water spots abound; poorly lit although all lights are working.

N. East: 5 broken rubber treads; stairs, landings, walls are **very** dirty—streaked with coffee, mud, etc.; poorly lit.

S. West: Light broken between ground and first floor; light broken on first floor; stairs, landings, walls slightly dirty.

S. East: Dirt on walls, stairs, and landings; paint peeling off walls.

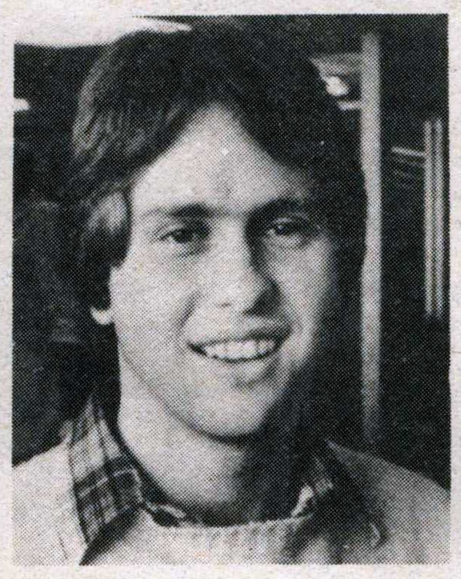
THE QUERYNG PHOTOGRAPHER

by Jeremy Metz

Should U.S. Foreign Policy Be Changed In Light Of Sadat's Assassination?

SARAH CALLAHAN
(3rd year)

The death of Sadat does not necessarily mean that there will be destabilization in the Middle East. Egypt has a relatively stable political history and with Sadat's death the constitutional process will probably be effective. Hosni Mubarak, the Vice President and likely successor. has been intimately involved with all negotiations dealing with the U.S. and the Middle East and it can be hoped that he will continue the Sadat policies. Given this, I think the U.S. should continue to give strong support to Egypt and avoid making any change in its Mid-East policy.



JEFF CHASSE
(3rd year)

If anything, I feel U.S. foreign policy towards maintaining peace in the Middle East should be reasserted and stressed to the new Egyptian president. Obviously, it would be a shame to allow the treaty Sadat and Begin worked out at Camp David to fall by the wayside. With regard to the sale of AWACs to Saudi Arabia, I think our government should reassess its position in light of the assassination and carefully measure the added risks to peace that such a sale would inevitably entail.

DAVE LIPPMAN
(2nd year)

U.S. foreign policy should be changed. The recent assassination of Sadat and the overthrow of the Shah of Iran further prove the point that there is a tremendous dichotomy between the ruling classes in these countries and the general populace. This leads to a precarious situation in which the government can be overthrown or disrupted at any time. Reagan should seriously reconsider his position on the sale of AWACs to the Saudis.

DEBBIE LENOWITZ
(2nd year)

I think that Sadat's assassination, along with the recent events in Iran, should be a warning to our government that future foreign relations should be linked more closely with the government as a whole rather than be dependent upon the good will of one man.

JAY FINKELSTEIN
(1st year)

Serious repercussions will almost certainly result from the death of Anwar Sadat, and subsequently U.S. foreign policy should change with respect to the Middle East. Specifically, the questionable sale of AWACs should be held up until it is determined what ramifications the waves of unrest will bring. Therefore I think the direction of U.S. foreign policy should be aimed at observation rather than intervention by the sale of dangerous weapons.

FACULTY MOONLIGHTING

by Deb Ezbitski

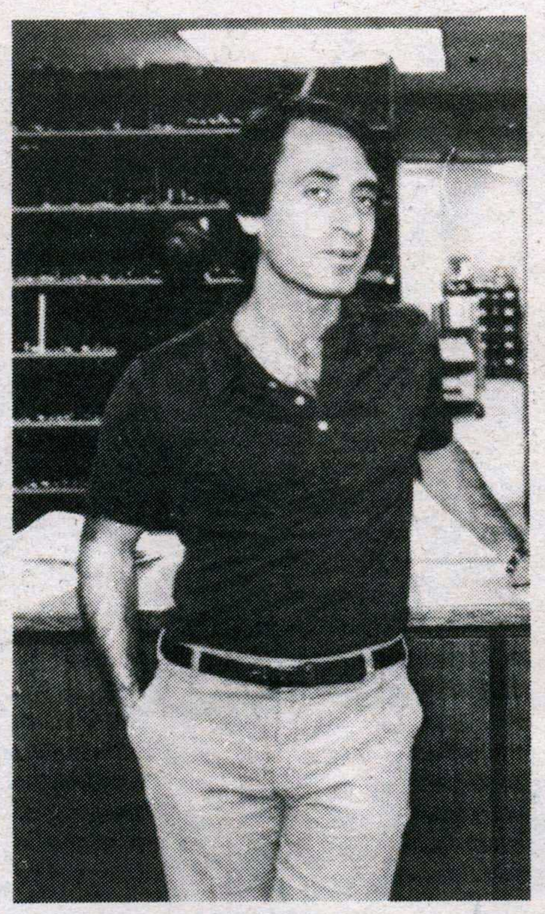
This month's column is rather short because some of the faculty members I spoke to were working on material for next month's column and others couldn't be tracked down. I spoke with a few faculty members; here is what they are up to.

ERIC LANE

Professor Lane is General Counsel to the New York State Democratic Senate Minority. He and his 15-member staff are responsible for monitoring the procedural, substantive, and political aspects of legislation introduced into the Senate. They help Senate members prepare legislation and they participate in legislative negotiations. Prof. Lane is also a gubernatorial appointee to the Metropolitan Transportation Authority Capital Review Board. The Board reviews the manner in which the MTA proposes to spend the $7 billion allocated to it for mass transit improvement. The Board's approval is necessary before the MTA acts.

Prof. Lane is currently writing an article in response to the Hofstra Law Review's **Symposium on the Future of Human Rights in the World Legal Order,** (Vol. 9, No. 2 Winter 1981). Several articles in the Symposium were critical of his view of the international protection of human rights. He is also writing an article on legislative ethics, which will be published in the Albany Law Journal.

Prof. Lane will be teaching a course on the principles of the legislative process in the Spring semester. The class will meet for two hours each Friday morning, as Prof. Lane will be in Albany during the rest of the week. The course will not be a seminar as it is listed in the catalogue.



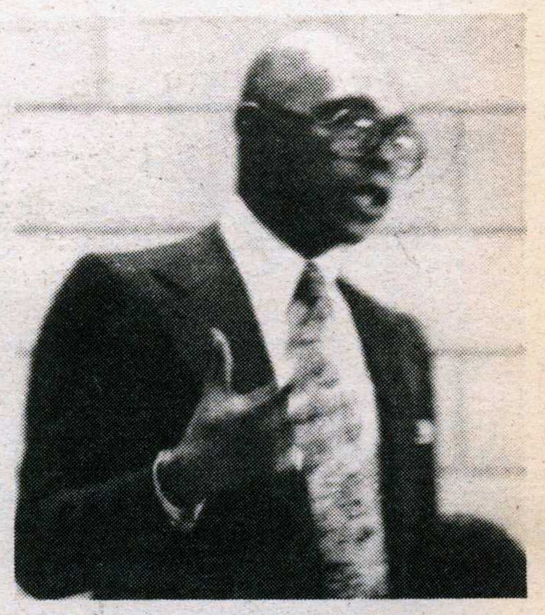
M. PATRICIA ADAMSKI

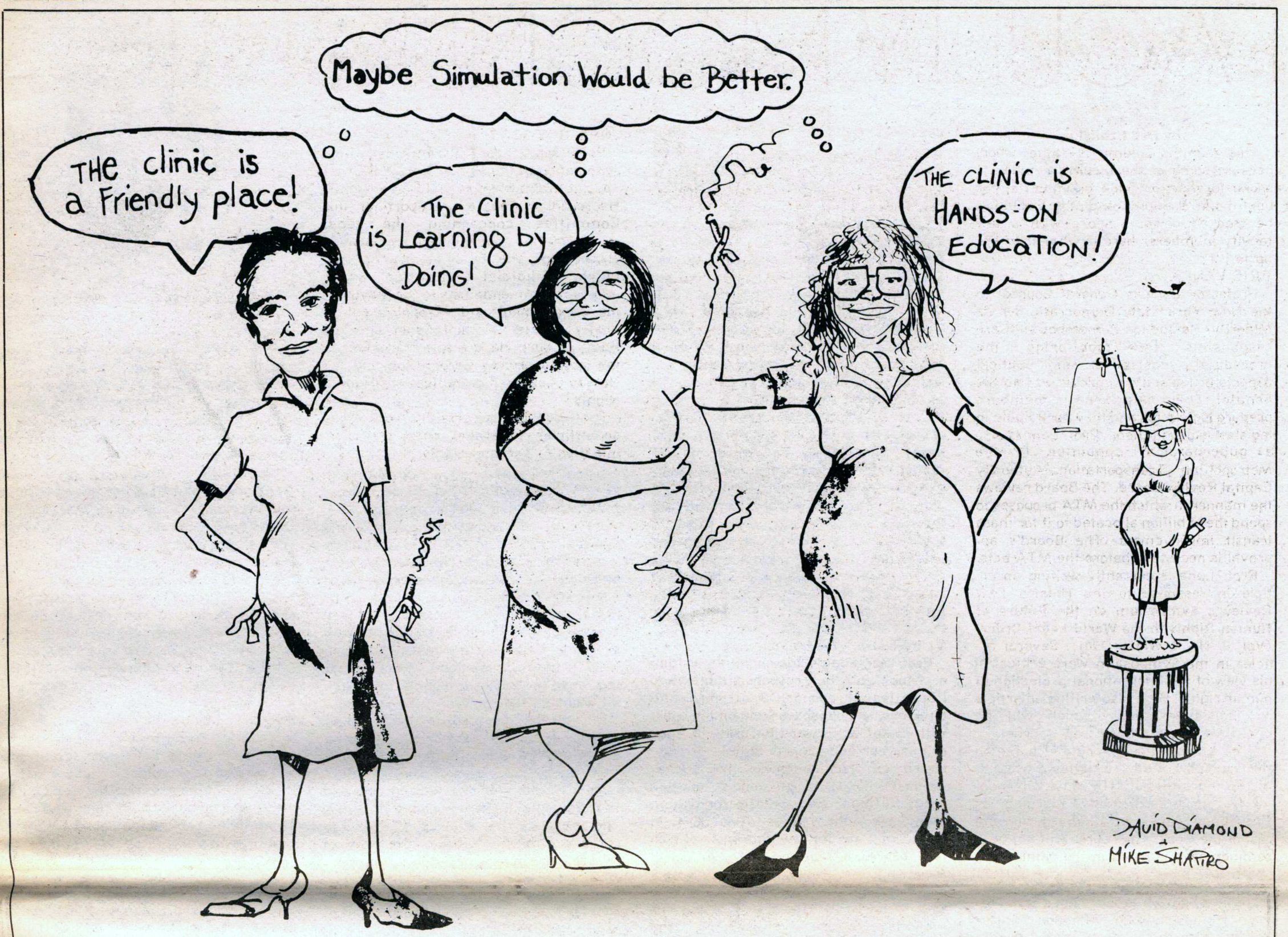
Professor Adamski is currently writing a book on the responsibilities and liabilities of corporate officers and directors. She began working on the book, with co-author Edward Brodsky, in April of this year and expects to have it completed for publication in 1983. Prof. Adamski published an article, entitled **Contribution and Settlement in Multiparty Actions Under Rule 10b-5.** in the Iowa Law Review this past March (Vol. 66, No. 3, March, 1981).

JOHN GREGORY

Professor Gregory is a member of the Association of the Bar of New York City Special Committee on Children's Rights. He recently prepared a report for this Committee concerning the legal representation of children in custody proceedings. He is a member of the Mayor's Judicial Committee, which makes recommendations to the Mayor on the appointment and reappointment of judges to the Criminal Court and the Family Court. He is also a consultant to the Legal Services Corporation and the Nassau County Committee on Human Rights.

Prof. Gregory is currently working on an article concerning permanent termination of parental rights.





The Three Pregnant Smoking Susans

Munching Madly With M

by Miriam Breier

I love seafood. I'm sure that by now you, my devoted readers, think I love all types of food; frankly, you're right. But seafood holds a special place in my heart. Especially lobster. I get a real charge out of ordering a giant (all right, 1½ pounds, and I usually wind up bringing home the claws) lobster and systematically dismantling and devouring it. My biggest thrill, though, is splattering my neighbors as I indulge. (Never order lobster fra diavlo when trying to impress a date unless he has a sense of humor and is wearing red). Lobster is a feast in itself and I firmly believe that dining on lobster with good friends or good more-than-friends is one of life's greatest pleasures.

Where you should all go to treat yourselves to this succulent dish is the Schooner Restaurant in Freeport. The Schooner is all the way at the end of the Nautical Mile, and it's right on the water. Not only do you get terrific food, but the view is just fabulous. You'll probably be overwhelmed by this strange desire to purchase a big boat. Hang in there and eat first because lobster at the Schooner is a meal you won't want to miss.

Being a Long Island girl always forced by her dates to order lobster, (i.e., "Mir, please order the lobster and have it stuffed or I will jump off the dock.") I have been eating stuffed lobster at The Schooner for about eight years now. "Stuffed with all those gross bread crumbs?" you ask. No! Stuffing at the Schooner consists of strips and chunks of lobster in a light white sauce piled onto the lobster from head to tail. Although it costs an additional $5 to have your lobster stuffed, have it stuffed—nothing has ever tasted so good!

Of course, the lobsters themselves are fresh and sweet since they come right from the docks where they're caught. I have also sampled other dishes at the Schooner which are all terrific and served in generous portions. The restaurant itself is big and pretty. Try to get a table by the window so you can watch all the doings on the water. The Schooner gets very crowded on the weekends so be prepared to wait at the bar and drink like fish (Ha ha.)

The Schooner Restaurant is located at 435 Woodcleft Ave., Freeport. Call for information at 378-7575. They are open 7 days a week and never take reservations. If you have a long wait though, just walk around on the Nautical Mile and enjoy yourselves.

M's rating— 4 out of 4 melted butter dishes (UUUU).

Note: For those who enjoy cooking their own lobsters, try Jordan's Lobster Farm in Island Park. Call 889-3314 for directions. It's close and everything you need for a lobstery orgy is available for the buying.

Press Conference...

(Continued from page 1)

approval. Shuart said that this time, because students were unhappy with the quality of previous deans, a Law School Dean Selection Committee composed of law school faculty, students and alumni was formed. The Law School Committee's role is to review and comment; but the ultimate decision rests with the Board and the President. Shuart said the names of the finalists will not be released unless the Board decides to do so. The usual procedure however, is that the Board will only release the names of their final choice for the next law school dean.

THE STACHE

Player v. Fan

There's a growing problem on the sporting fields today and it's a lot worse than jock itch. Bad enough the athletes are putting the hurt on each other. But this isn't sufficient. Now the players are taking on the fans and vice versa.

Some have said that baseball is a boring sport. Why else would the Supreme Court have to grant it anti-trust exemption? Well it livened up a bit during last month's second season stretch run.

Cesar Cedeno of the Houston Astros decided he had taken enough verbal abuse from Atlanta fans. Taunts of "killer" (Cedeno had been convicted of manslaughter after the 1973 shooting death of a girl in the Dominican Republican) brought Cedeno into the stands, where he scuffled with a heckler. Neither combatant was injured—typical result of a baseball melee. The fan was removed and booked for disorderly conduct. Cedeno was suspended briefly by the National League and fined $5,000. Chicken feed for a player with a healthy six figure income.

Less than three weeks later, Pete Rose and Reggie Smith "treated" us to a double header in one evening. Rose was in St. Louis as he and Philadelphia Phillie teammates were assaulted by a barrage of insults and beer. Rose, already restrained from entering the stands, decided to take some extra batting practice. It was the top of the dugout that drew Rose's attention, as he pounded on it to ward off the advancing hecklers. Two fans were handcuffed and arrested. Meanwhile, St. Louis police issued Rose a summons for disturbing the peace. Who said "Charley Hustle" was losing his legendary aggressiveness? Not the Stache.

Candlestick Park in San Francisco was the venue for Smith's outburst. He and a fan had been jawing each other throughout the first eight innings of the Dodger-Giant game. Smith finally walked over to the fan who was standing at the first row of seats and pulled him halfway over the railing. Other fans joined in the melee. Smith leveled one with a few right hand leads before Dodger teammates pulled him away. The result? Eight fans were removed from the park, as was Smith. Smith was fined $50. The Stache is sure he really missed the money, hope he was able to pay his rent this month . . .

Baseball isn't alone. Everyone knows the amount of violence on the ice during a hockey game. The Philadelphia Flyers (aka Broad Street Bullies) are well known for their hooliganism and for intimidating their opponents. Yet it was Terry O'Reilly of the Boston Bruins who led his teammates into the stands at Madison Square Garden two years ago. The Big Bad Bruins attacked a New York Ranger faithful with their sticks, fists and even went so far as to remove a man's shoe and pummel him with it. Miraculously no one was seriously injured. The fans who were arrested and released threatened legal action against the Bruins but nothing has materialized. The National Hockey League passed down fines and suspensions that amounted to slaps on the wrist. Insiders have commented that the Ranger fans gave the Bruins a tougher time than the Rangers themselves.

One of the most (in)famous football player-fan encounters took place during the mid-1970's when Baltimore Colt all-star linebacker Mike "The Animal" Curtis decked an inebriated fan who had ventured onto the field during a time out. The fan made the mistake of trying to obscond with the pigskin. He was so relieved at actually awakening with most of his body intact that no charges were filed. Curtis was applauded for a job well done. Is it any wonder that fans get out of hand at football games today?

Potentially one of the most violent encounters in American sports history was averted last month. The Springbok Rugby team from South Africa visited our shores for a series of promotional matches against American Squads. Security was tight and efforts to hold the matches under a veil of security proved relatively successful. No full scale riots were set off such as those that had accompanied the Springbok tour in New Zealand. All involved were fairly lucky this time.

The above examples barely scratch the surface of player-fan encounters. Where will it end? What can be done? Firstly, fans must be made to realize that the money they pay for tickets does not entitle them to abuse the athletic performers beyond the point that would be tolerated by the justice of our legal system. For their part, unless the leagues start policing their own (Read: stiffer fines, longer suspensions and automatic forfeiture of pay) the problem is going to get worse. Criminal and civil courts are primed to invade the bastion of the playing field. Unfortunately, the future looks bleak.

If the leagues fail to take the necessary action, can the crowd control precautions taken at soccer matches in Europe be far behind in being adapted in our various sports? Some European pitches (that's what they call a field over there) are surrounded by a moat. That's right a moat! No alligators though—yet! Others are ringed by police with clubs and dogs. Think that's bad? Some South American countries protect its athletes and teams with "policia" armed with machine guns. Lovely! The Stache believes *bazookas and tanks would be a nice added* touch. The Soviet Union must have some extras left over from the 1980 Olympics held in Moscow.

One of the more heartstopping incidents occurs a few times each year. Ex-stripper Morgana struts her well endowed body onto a playing field and plants a well-timed kiss on the lips of her targeted athlete. All violence should be in kind. The Stache volunteers to subject himself to this kind of attack. Don't worry Morgana, consent vitiates the tort.

Behind the Scenes...

(Continued from page 1)

SCIENCE received a letter from President Shuart. The letter stated that the potential dean candidates were promised confidentiality in the process, and that the University and candidates themselves might suffer great embarrassment upon revelation of the names. Shuart did admit that the **CONSCIENCE** was not a party to any agreement concerning confidentiality.

The Editorial Board of **CONSCIENCE** met to discuss and determine a course of action. The product of this meeting was a letter drafted unanimously by the Board to President Shuart. The letter, which was delivered on September 24th was to inform Shuart that the **CONSCIENCE** would publish the names unless the community was given a chance to participate in the selection process. In a letter dated September 30th, Shuart responded that the publication of the names would in no way affect the dean selection process; the community's involvement would continue to be limited to the selection committee.

The **CONSCIENCE** Editorial Board met again on October 1st to discuss their options—to print the names with biographies, to print only biographies, or not to print at all. The members agreed that any decision must be made by consensus. Their decision was to contact the candidates and proceed with publication unless they were given a compelling reason not to do so.

Kaufman's T.V. Korner

by Stephen Kaufman

Unless you've been in the Twilight Zone for the last couple of months, you know that there's a recession coming. Already feeling the pinch, I decided to save the $4.50 movie admission charge this month and watch a little TV instead. Besides, my editors haven't yet reimbursed me for the last movie reviewed in this space. Until they cough it up, I'll have to wait for an economic recovery.

Which brings me to this month's tube topic—game shows. You know, a hotshot young law student could win a lot of money on one of those things, so I'd suggest you clip this column. If Reaganomics doesn't work out, and you don't get that summer job with Cravath, Swaine, etc., here's what you'll need to know. (Stars following the show titles indicate my personal preferences.)

The Family Feud:(***-perpetually on every channel). Minimal intelligence necessary. Sample question: "Name

(Continued on page 21)

Boob Tube Reviews

(Continued from page 20)

something housewives do when their husbands go to work." (If you thought of "cheat" you're in agreement with 79 of the 100 people surveyed.) The catch here is that you must have four relatives with whom you are on a speaking basis to play. A contestant must also endure the abuse of the show's host, Richard Dawson, and sign a waiver promising not to sue for slander when the taping is over.

Blockbusters: (**–10:30 - Ch. 4). Bill Cullen hosts (he's the one who sat between Peggy Cass and Kitty Carlysle on **To Tell the Truth**). Moderate intelligence is necessary, but the rewards are high. Contestants have won as much as $70,000, and the best part is that it's all in cash. (Put that in your money market fund and sit on it!) Sample question: "What 'F' is the amendment that guarantees freedom of speech?" If you missed that one, you're going to be disappointed with your Constitutional Law grade.

The Price is Right:(**–11:00 - Ch. 2). No intelligence necessary, but try this if you spend a lot of time at Pathmark. Come closest to the retail price without going over and you could win a car, or even a microwave oven! Bob Barker hosts.

The Joker's Wild: (No stars - 4:30 - Ch. 2). Minimal intelligence required. This one is filmed right here in New York, so rush on down and apply. The only problem with the setup here is that it's possible to answer every question correctly and still lose. Jack Barry hosts, proving that even people on the wrong side of the IQ bell curve can have successful show business careers.

If I can find a rich friend next month, I think I'll borrow the $4.50 and go to the movies.

Movie Reviews

by Arthur H. Kravitz

BODY HEAT

Lawrence Kasdan, who wrote the screenplay for **Raiders of the Lost Ark,** has recreated another Hollywood classic in **Body Heat.** In his first solo effort, Kasdan has spun a taught, steamy tale of lust, intrigue, murder and betrayal on the Florida Gold Coast reminiscent of such classics as **Double Indemnity** and **The Postman Always Rings Twice.**

The plot is a familiar one; the beautiful ambitious wife of a wealthy mob figure seduces and recruits a young student (this time a small town malpracticing attorney) to do her dirty work. Soap opera veteran Kathleen Turner in her film debut has looks that would stop a 747 in mid-take-off and a voice and manner to match the way Lauren Bacall used to entice Bogey. With lines like "You're not too bright. I like that in a man," she does her number on William Hurt (**Altered States** and **Eyewitness**), as the something less than ethical attorney who doesn't need to think twice. The chemistry between the two is great.

While not what you would call Academy Award material, **Body Heat** is a slick, smooth film with enough twist and turns to keep you guessing till the end.

ARTHUR

Arthur is a delightful, hilarious movie starring Dudley Moore as a young, rich, drunk playboy who just can't quite grow up. John Gielgud is superb as his part butler, part nanny, and surrogate father and very nearly steals the show. Liza Minelli is badly miscast as Arthur's love interest.

The film is a showcase for the talents of Dudley Moore. He is a very funny man, and brings a great deal of feeling as well as humor to the role.

Women Start Network

by Jan Lori Goldman

Network, sponsored and staffed by the Hofstra Women's Law Center, is a group of women who donate their time to provide support and academic assistance to the law school community. The program is especially designed to give first year students the opportunity to approach second and third year students with questions concerning classroom material, as well as problems related to organizing their time.

A networker can also connect you with others who are more familiar with particular issues. Networkers can be found at a front table in the library and can be recognized by a Women's Center logo sign propped on the table. Network is open to all first year law students and its schedule is posted on the Women's Center bulletin board across from room 206.

The Women's Law Center has meetings Wednesday from 12-1 in room 204 and for those who find it more convenient, Thursdays from 3-4 in room 206.

ABA BLASTED

by Erica Lieberman

I would like to extend my thanks to all of you who attended the beer blast on Friday, Sept. 25. For those of you who joined the ABA, I extend a special thanks; to those who just came and drank, well, I just hope you had a good time. In fact, the whole purpose of increasing membership is to enlarge the amount of funding I'm allotted to hold such functions. Believe it or not, I do not receive any monetary compensation for my role as ABA rep. My job is to attend the regional and national conferences and, most importantly, to recruit new members. While the ABA might desire new members for obvious reasons, my only goal in recruitment is to increase my budget and, in turn, organize more school functions. I reiterate that this can only be accomplished by increased membership, so, JOIN UP NOW!

On to ABA news . . . The 1981 Fall Roundtable is being held on Oct. 25 at Pace University. What the hell is a Fall Roundtable? A Fall Roundtable is just another name for a meeting, but it sounds more provocative. Anyway, I will be attending this year's provocative Fall Roundtable at which time a bunch of ABA reps from the area will discuss various issues ranging from Environmental Law to Membership Drives (join, join, join!). Our decisions eventually will become intergrated into resolutions that are voted on at the National ABA Conference. Contrary to popular belief we really do work at these meetings. I will inform you of the results of this meeting in the next issue.

Lastly, for all those concerned, there is a stack of applications for the Health Plan on the front desk in the front office and at the library desk. I also placed an application in every mailbox in the 2nd floor lounge. Hope that helps.

Well, that wraps it up. Any questions, just drop me a line in my mailbox in the front office. Also, contact me for your membership packet. See you next issue. (Thanks for your support).

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Note: At the time this poster was printed, only New York, New Hampshire, and Connecticut had decided to require the MPRE . (Massachusetts will require MPRE for 1983).

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