

conscience

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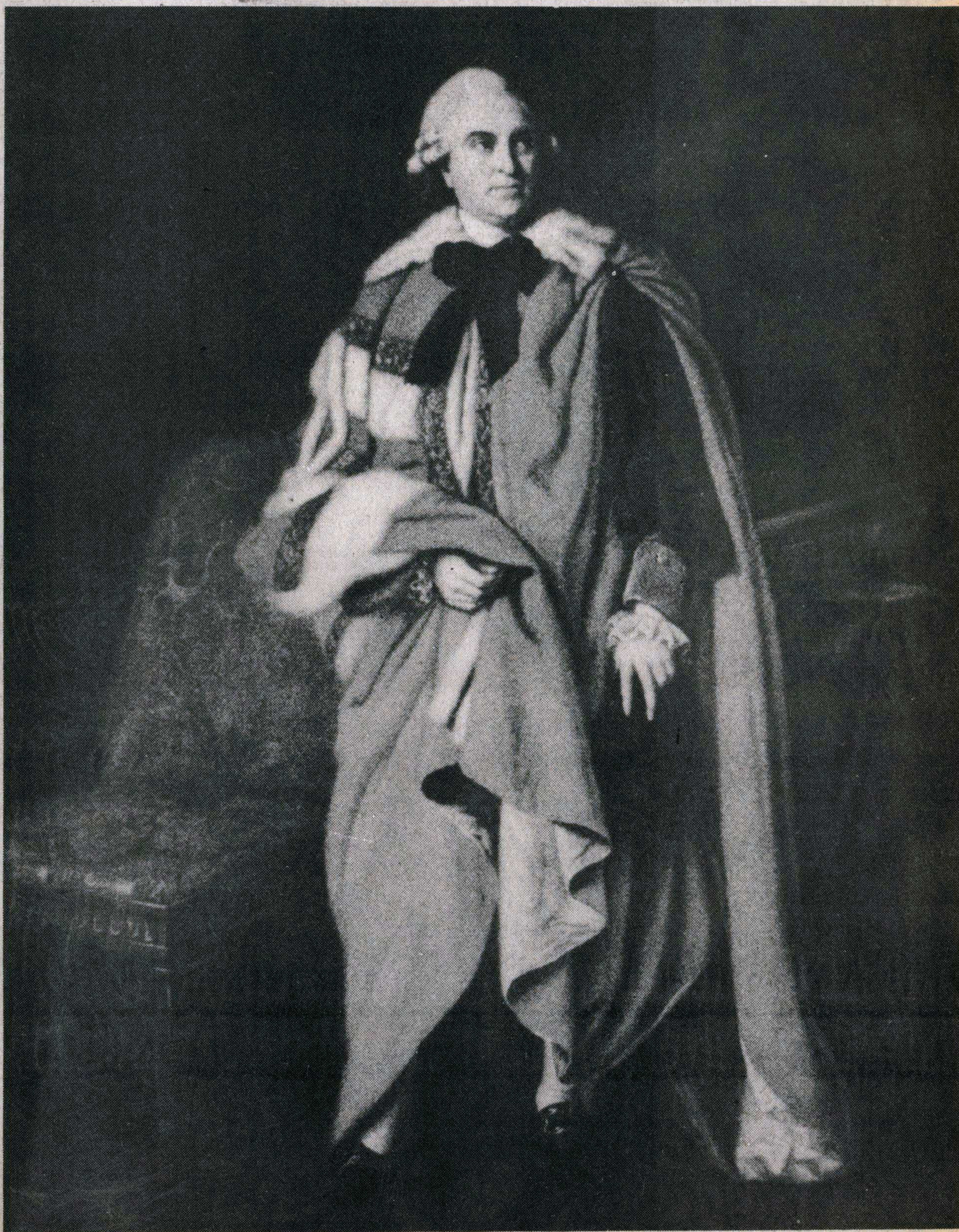


Photo by Laurie March

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February 1982

GRADUATE AID THREATENED

Loan Cut-Off May Hit Current Students

by Joe Cassidy

President Reagan's proposed budget for fiscal year 1983, which begins October 1, would make graduate students ineligible for guaranteed student loans. The budget was submitted to Congress on February 8th, and can only take effect if Congress approves it. The elimination of these loans would affect law students, medical students and graduate students in business, arts, and science schools.

Under the guaranteed student loan program, which was established in 1965, the Federal Government insures long-term, low-interest loans to students. Graduate students are permitted to borrow up to \$5,000 per academic year, to a maximum of \$25,000. Students obtaining loans since 1981 are required to pay a 9 percent interest rate. Prior to 1981, the interest rate was only 7 percent. The Federal Government pays the interest on the loan while the student is in school. Upon graduation, a student must begin to repay the loan.

James W. Moore, director of post-secondary financial aid programs at the

Department of Education, confirmed that his department had recommended cutting all graduate guaranteed student loans as a "cost-saving measure."

Moore said that some of the students made ineligible for guaranteed student loans could qualify for another program, known as "auxiliary loans to assist students." However, the interest rate for these loans is currently 14 percent a year and the interest would have to be paid by the student while he/she is in school. In addition, these auxiliary loans, which were authorized by Congress last year, are not yet available in all states.

According to data compiled by the Council of Graduate Schools in the United States, during the 1979-80 academic year, 67 percent of law students, 72 percent of medical students, 62 percent of business school students and 28 percent of students at graduate schools of arts and sciences were receiving federally guaranteed loans.

The most immediate effect of President Reagan's proposed cutting of graduate

(Continued on page 2)

Students Question Grade Privacy

by Jordan Fox

Randy Arthur could not have been more surprised when students congratulated him on his criminal law grade. His surprise, however, had nothing to do with his performance on the test.

"I was congratulated on my grade before I knew what it was," said Arthur, explaining that somehow students had figured out his exam number. "I've been pleased with my grades so far, but I know there'll be others I'm not pleased with and I will prefer that other people not know about them."

Student concern over the privacy of their grades is widespread here at the Law School and the reaction has ranged from amusement to anger.

Much of the criticism has focused on the way in which the exam numbers are distributed. According to Charlotte Hoffer, Assistant to the Dean, students receive their numbers on a random basis, although she admits that there is an "alphabetical trend" in the distribution. Hoffer insists, however, that the system is sufficiently juggled to render any effort to definitively match students with their numbers futile. Hoffer claims that no matter what method the school uses, there'll always be those who attempt to decode the "system."

Professor Lawrence Kessler has, in the past, been one of those to try. "It might

have been possible at one point, but not any more," says Kessler, who claims to have failed in his efforts. "Now they really mix them up."

Students, however, don't share this confidence in the system. "I can't tell you precisely who's who, but I can come awfully close," said one first year student who asked not to be identified. "I've pretty much got it all figured out." With the aid of a class list, a few of his friends' numbers and a couple of minutes at the grade board, this student says he has a

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File Photo
Charlotte Hoffer, Law School Registrar

NEW DEAN REPORTS PROGRESS;

Gives First Months Interview

After one month in the Dean's chair, Dean Schmertz believes that progress on his goal of making Hofstra Law a school with "a well-earned national stature" has begun.

Administrative Changes

The Dean's first task was to change the way the Law School's administration was organized. Dean Schmertz has delegated power to Vice Dean Rabinowitz, who will deal with internal administrative matters and academic policy. The Dean emphasized, however, that although Vice Dean Rabinowitz will have primary responsibility in these areas, he will retain final responsibility.

Dean Schmertz has also submitted a budget for the 1982-3 school year. One area targeted for increased support is the library. The budget calls for more books and the purchase of additional microfilm equipment. In the long run, the Dean hopes to obtain funds to add a new wing to the library. This would alleviate the space problem, which the Dean believes is responsible for many of the library's problems. Dean Schmertz would also like to have more money to hire additional people to reshelve books.

The Dean is preparing additional requests for items "we ought to have now, but which we must have in the near

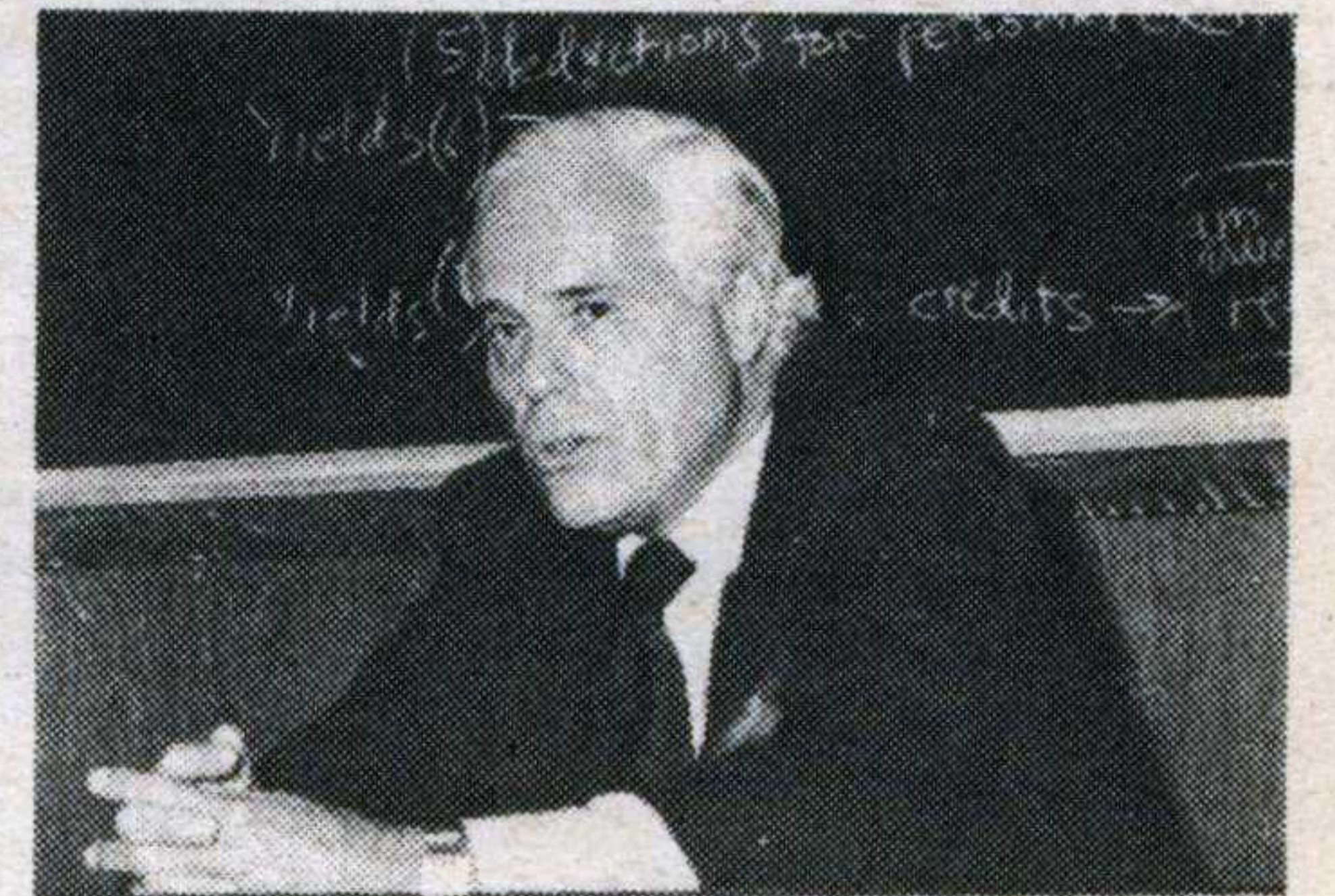


Photo by Nick Gabriele
Dean Eric Schmertz

future." This list includes increasing the number of faculty, improving the school's physical requirements, enlarging the school's placement services and accelerating student recruitment and public relations campaigns.

The Dean recently announced the formation of a committee on academic excellence. The committee will be chaired by Vice Dean Rabinowitz and will be composed totally of Law School faculty. The committee will be asked to determine "what we would like to see the Law School look like in the decade ahead."

Another group Dean Schmertz wants to set up is the Dean's Advisory Council. The Council will be composed of prominent

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SGA Blooms In Spring

by Peter Shafran

Last August, Hofstra Law School Student Government Association (SGA) appeared anxious to overcome the legacy of poor SGA leadership. While campaigning last spring, President Michael Glassman vowed to "end the conspiracy of silence" which he believed lay at the heart of SGA's failure to communicate with the student body. His campaign called for regular class announcements, circulation of an SGA newsletter, and more effective use of the bulletin boards. Many claim that even while operating under its first written constitution, SGA has failed to

effectuate these goals, failed to work as a cohesive unit, and has remained unable to motivate the student body.

In an interview last week, Glassman reiterated his goals for SGA. Although admitting that SGA failed to accomplish all these goals, Glassman claimed that certain projects have been successfully completed and that currently several projects are underway.

SGA's achievements last semester included sponsoring a tennis tournament, the administration of a New York CPLR course, and the quick and efficient manner in which SGA allocated their funds. This semester, Glassman hopes to sponsor a Law-Grad party, the all-campus FebFest, a Law Revue, and dinner discussions with faculty members.

As liaison with the administration, Glassman asserted that SGA made an effort to resolve the parking problem, and added that we now have a permanent member on the University parking committee. When questioned about the lack of Law School student representation on the University Student Senate, Glassman responded that "if we want to be heard, we know how to be heard over there. More importantly, our job as liaison should be between the law students and the administrations of both the law school and the University and not the Student Senate."

Financial matters are of major concern to Glassman. However, when referring to

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Photo by Nick Gabriele
Michael Glassman, SGA President

Student Loans Discontinued...

(Continued from page 1)

guaranteed student loans would be that many Hofstra law students could not afford tuition for the upcoming fall semester. Professor Regan, currently administering the financial aid program at Hofstra Law School, estimates that 50 to 70 percent of all Hofstra Law students receive guaranteed student loans. He said that most of these people could not afford to pay the full cost of tuition by drawing on personal cash reserves. Professor Regan also said that there is no way in which Hofstra University could attempt to fill the gap that the proposed cuts would create. Assuming that 500 to 600 law students receive the maximum allowable loan of \$5,000, Hofstra would have to provide 2.5 to 3.0 million dollars by the start of the fall semester in order to let the current enrollment trends continue. This is not very likely to happen considering the financial situation of the school.

Dean Schmertz also denounced the proposed cuts. "I am categorically opposed to these cuts," the Dean said in a recent **CONSCIENCE** interview. "Education is the backbone of what is needed in a democratic system. If we start impeding access to higher education, the democratic process will be jeopardized," explained the Dean. Dean Schmertz also expressed alarm that such cuts could close law schools to all but the "economic elite."

The Dean also expressed concern on the effect an aid cutback or elimination might have on current students. The Administration is going to intensify its efforts to seek more scholarships for students. Towards this end, the Dean plans to set up a small committee. The Dean also urges all students to write to their elected representatives.

The following are the addresses of area Congressmen and Senators.

Senator Patrick Moynihan (D-NY), Russell Senate Office Bldg., Room 442,

Washington, D.C. 20510.

Senator Alfonse D'Amato (R-NY), Russell Senate Office Bldg., Room 321, Washington, D.C. 20510.

Congressman William Carney (R-NY), 1113 Longworth House Office Building, Washington, D.C. 20515. (202) 225-3826. 1st District. Small part of Huntington, Smithtown, Brookhaven and further East.

Congressman Thomas J. Downey (D-NY), 303 Cannon House Office Building, Washington, D.C. 20515. (202) 225-3335. 2nd District. Babylon, Islip, part of Dix Hills, Eastern parts of Hauppauge, Ronkonkoma.

Congressman John LeBoutillier (R-NY), 417 Cannon House Office Building, Washington, D.C. 20515. (202) 225-5956. 6th District. North Shore of Queens and Nassau, beings Westbury, runs west to city line, runs into Queens to Flushing and includes most of Town of North Hempstead.

Congressman Raymond McGrath (R-NY), 506 Cannon House Office Building, Washington, D.C. 20515. (202) 225-5516. 5th District. Atlantic Beach, Long Beach, Five Towns, North Woodmere, Valley Stream & North Valley Stream, Lynbrook, Rockville Centre, Malverne, Roosevelt, Lakeview, Elmont, South & West Hempstead, Uniondale, Hempstead, Franklin Square, Garden City, Garden City South, Stewart Manor, Floral Park, South New Hyde Park, Salisbury area of Westbury & Nassau part of Bellerose.

Congressman Norman F. Lent (R-NY), 2228 Rayburn House Office Building, Washington, D.C. 20515. (202) 225-7896. 4th District. Brookville & Old Brookville, Greenvale, Old Westbury, Muttontown, Jericho, New Castle, Hicksville, Levittown, Wantagh, North Bellmore & Merrick, Seaford, Freeport, Point Lookout, Lido Beach, Island Park, Baldwin & Bar Harbor, Oceanside, Bellmore & Merrick, East Rockaway.

HOFSTRA COMPETES IN TRIAL COMPETITION

by Deb Ezbitski

On February 4th and 5th, Hofstra's Trial Team competed in the Regional Tournament for the 1982 National Mock Trial Competition. The tournament was hosted by Syracuse School of Law and was held at the Onondaga County Courthouse, and the Syracuse County Courthouse. Hofstra sent two three-person teams: Ernie Marrero, Deborah Ezbitski, and Patrice Perez; and Myrka Gonzalez, Jane Rubinowitz and Patrick Brea.

The tournament consisted of two preliminary trials, followed by single-elimination trials beginning with quarter-finals. The competitors tried both sides of a contested will case. They were judged on their ability to ask proper questions, handling of exhibits and documents, knowledge of trial rules and procedure,

the Federal Rules of Evidence, persuasiveness, and general legal skills. The top two teams will travel to Houston to compete in the Nationals. Last year Hofstra's team of Ben Rubinowitz and Ernie Marrero won the Regionals and represented Hofstra in Houston. Both Syracuse teams placed first and second this year.

Hofstra's team of Gonzalez, Rubinowitz, and Brea won both preliminary trials and advanced to the quarter-final round where they lost to Brooklyn.

Also competing were teams from Albany Law School, State University of New York at Buffalo, Cornell, New York Law, St. John's and Pace.

The tournament is sponsored by the American Bar Association and the Texas Young Lawyer's Association.

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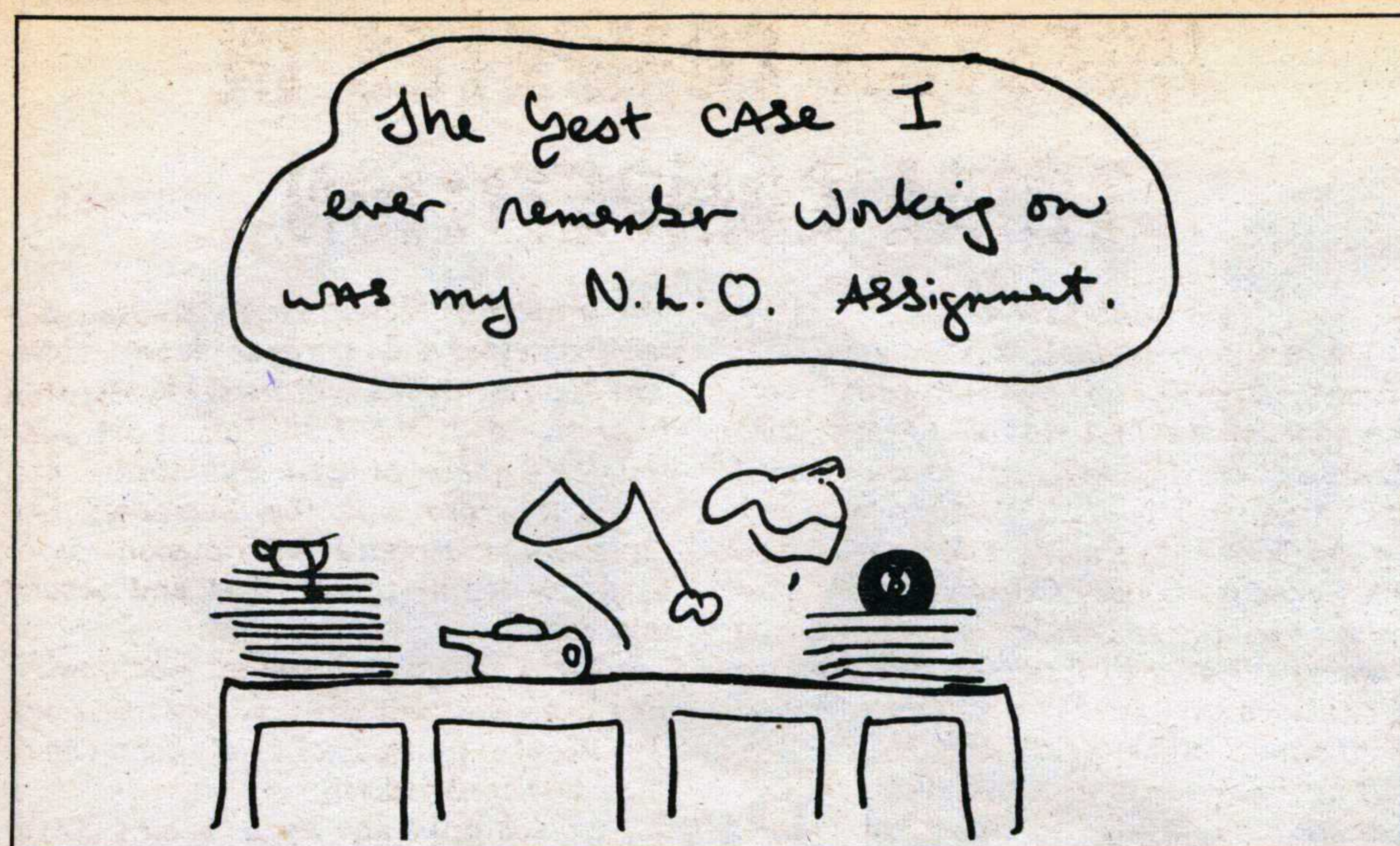
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Balsa Hofstra Law Day Highlights

On Saturday, February 20, 1982, Balsa of Hofstra Law School, will sponsor its annual Law Day. The purpose of the program is to encourage and facilitate minority enrollment in the Law School. The program will begin at 9:00 a.m. and will end at 6:00 p.m.

Many activities will take place on that day. Judge Bruce M. Wright (dubbed by others as "turn 'em loose Bruce") will address participants. Professor Gregory will speak on a Moot Court problem involving the Voting Rights Act of 1964. A financial aid workshop, a mock classroom and a career panel will also be presented.

Representatives from various law schools will be present to disseminate information on admissions and financial aid. All members of the faculty are invited to participate and the general law school population is invited to attend. There is no charge for admission and refreshments will be served.

Seminar On Terminally III

Concern for Dying, an educational council founded in 1967, sponsors a student program for those in the health care and legal professions interested in developing interdisciplinary communication and skills for dealing with the needs of the terminally ill and their families.

The third annual Leadership Training Weekend will take place Friday, April 6 through Monday April 19, at Stony Point Conference Center, in Stony Point, New York. This four day conference is designed as an intensive experience for a limited number of students who meet in a retreat setting. The format includes lectures, small group discussions, legal and legislative review, AV presentations, planning sessions and ample time for relaxed discussion and recreation.

If you are interested in becoming an active participant in this program, and wish to receive more information concerning the Leadership Training Weekend, write to:

Bianca Katris
Concern for Dying
250 West 57th Street
New York, N.Y. 10107
212-246-6962

Many free events—films, lectures, exhibits, dramatic presentations, an art show and concerts and dance programs—have been scheduled this month at Hofstra University and at a number of museums and public libraries on Long Island as part of the celebration of Black History month.

In addition to the events at Hofstra, special programs will be held at the Black History Museum and at the Fine Arts Museum of Long Island, both in Hempstead, and at the public libraries in Roosevelt, Westbury, Uniondale, Port Washington, Hempstead, Lakeview, Freeport and Great Neck.

Highlights of the activities at Hofstra include a Book Exhibition and an Art Exhibit.

"Afro-American in Books: Pages From History" will be on display until February 19 at the Filderman Gallery on the ninth floor of the Hofstra Library.

On Hofstra's South Campus, the Calkins Gallery is featuring an art exhibition—"In Celebration" which is presented by the Long Island Black Artists Association. A mixed media show, it will be open through February 18. It includes the work of 15 artists.

A screening of the film "They Made Afro-American History" will be shown at 3 and 7 p.m. on February 22 and 23 in Hofstra's Student Center Theatre on the North Campus in Hempstead. Discussions on Martin Luther King, Jr., Adam Clayton Powell, Jr., Malcolm X, and Paul Robeson will follow the film.

A complete calendar listing of these and other events may be obtained by calling 516-560-3647 or 560-3333.

Skier's Delight

Cross country skiing enthusiasts are invited to a series of free skiing clinics being held during February. The clinics will cover basic skills, selection and care and use of equipment.

The schedule is as follows: 10:00 a.m. February 28, Bethpage State Park.

Admission is by reservation only at Caumsett and Nissequogue River State Parks. You may call Caumsett, at 516-423-1770 or Nissequogue River, at 516-265-1054.

All clinics are scheduled for 10:00 a.m. Sundays and will be held regardless of weather conditions.

This program is co-sponsored by Northville Industries and Eastern Mountain Sports Inc. in cooperation with the Long Island State Park and Recreation Commission.

Feb Fest

by David Chidekel

On February 19, Hofstra's MBA Association is sponsoring an all-campus social event entitled FebFest. The Fest features dancing, a professional light show, free beer and munchies, and an option to purchase mixed drinks. Tickets are priced at \$2.00 in advance and \$4.00 at the door. While FebFest is open to all Hofstra students, only 500 tickets are available. In an "effort of good will" the MBA Association has reserved 50 advance sale tickets for law students, which may be purchased from members of the student government.

During a February 5 meeting between SGA representatives and Scott McLeod, MBA Association President, a dispute arose concerning the law school's role in the FebFest. The MBA Association wanted SGA to contribute money, but was unwilling to allow SGA to share in any potential profits. SGA president, Michael Glassman, offered to help organize the FebFest, but refused to use SGA funds to "net the MBA Association a windfall profit at the law school students' expense."

It was finally agreed that the MBA Association would allow SGA to sell a specified number of lower priced tickets at the law school, and that SGA would consider co-sponsoring a party (with the other graduate organizations) to celebrate St. Patrick's Day. Glassman scheduled an open SGA meeting later this month to discuss this issue.

Wanted Student Senators

The SGA hopes to increase the number of social and professional events at the Law School this semester. However, to organize some of these events, we need your help. We invite all students to join us as STUDENT SENATORS. In exchange for the prestige and glamour of this lofty position, all we ask is that you help the SGA organize one or more of its events planned for this semester: Law-Grad Party, Dinner w-Faculty Nights, Speakers Series and other programs. If you want to help us, please attend the SGA's meeting on Wednesday, February 17th at noon.

In a related matter (to social events), the SGA has held meetings with representatives of the MBA Association regarding parties. We have obtained, and will be selling, tickets to the Friday, February 19th "Febfest" in the Hofstra Student Center's Multi-Purpose Room. This party is co-sponsored by organizations representing various undergraduate and graduate divisions of H.U. In addition, the SGA and MBA Association has tentatively planned a Law-Grad Party for mid-March. Watch for announcements!

White To Speak

The Hofstra Law Review announced that on Friday, February 26, at 11:00 a.m., in Room 308 of the Law School, G. Edward White will deliver the second lecture in the recently established Hofstra Law Review Lecture Series.

Professor White, who has been acclaimed as one of the foremost figures in the field of American legal history, will speak on the resurgence of interest in the jurisprudence of Justice Oliver Wendell Holmes. The Review is currently preparing for spring publication of Professor White's most recent article, *The Integrity of Holmes' Jurisprudence*, in which he compares Holmes' theory of judging in public and private law settings. This effort has been inspired partly by the Review's celebration this year of the centenary of publication of Holmes' highly influential book, *The Common Law* (1881).

Currently Professor of Law at the University of Virginia School of Law, G. Edward White holds a doctorate in American Studies from Yale and a J.D. from Harvard. He served as clerk to Chief Justice Earl Warren, and he is the author of numerous articles and several well-received books, including *The American Judicial Tradition* (1976), *Patterns of American Legal Thought* (1978), and *Tort Law in America: An Intellectual History* (1980). Stanford Professor Marc Franklin has described *Tort Law in America* as "an exciting chronicle of the development of an intriguing and currently important area of the law."

In an article written more than ten years ago, Professor White traced the "changing image" of Justice Holmes "in the eyes of American intellectuals through the years." He concluded that the 1960's marked the "nadir of Holmes' image":

Critics seemed unwilling to undertake charitable interpretations of any of his characteristics: his Brahminism was considered snobishness, diffidence (sic), and insensitivity; his ideological presuppositions were thought to exhibit both a shocking indifference to humanitarian values and a complacent insularity about the inevitability of progress. The great reputation in which Holmes had been held in earlier years seemed to critics of the 1960s to be a glaring example of the distasteful set of values that had dominated American civilization in their immediate past.

White, *The Rise and Fall of Justice Holmes*, 39 U. Chi. L. Rev. 51 (1971).

Since writing these words, however, Professor White has noticed a revival of interest in and appreciation for Justice Holmes' jurisprudence. His lecture thus holds promise not only of teaching us about Holmes historiography but also of providing a mirror of our own recent intellectual and critical proclivities.

The Hofstra Law Review Lecture Series was inaugurated in 1981 in order to enrich the intellectual life of the Law School by bringing to campus distinguished scholars who are using the Review as a forum for their work. Last year's highly successful talk on the first amendment by Duke University Law Professor William Van Alstyne began what the editors believe will soon become a valued Hofstra tradition. The Review is proud that G. Edward White will contribute this year's lecture, and it hopes the community will provide him a receptive audience.

Monroe Freedman

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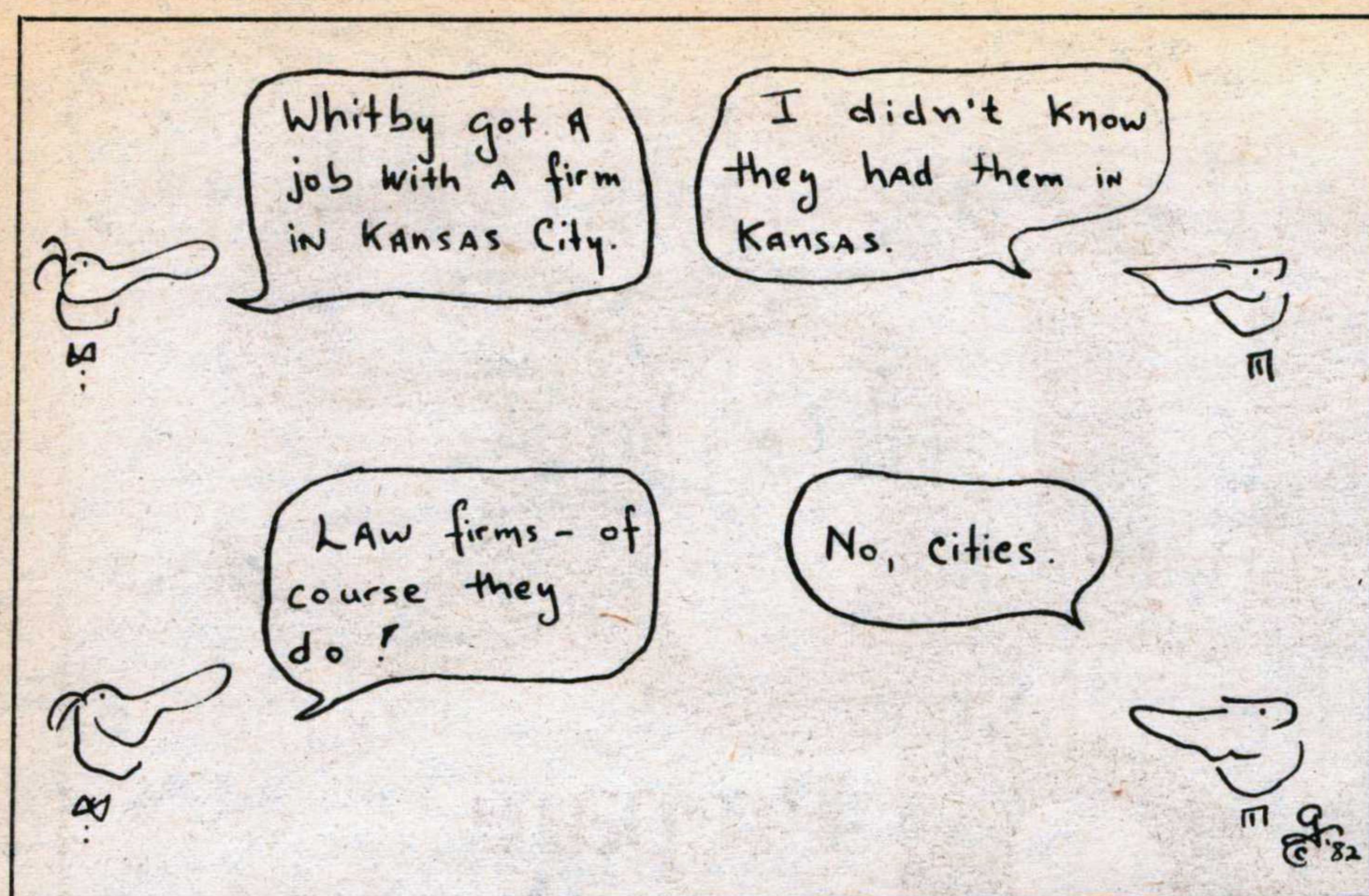
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Careers Panel Focuses On Small Practice

by David N. Bodek

On February 3 and 10, the Young Lawyers Section of the New York State Bar Association and the Law School Placement Office co-sponsored a legal careers symposium during Dean's hour. The program's goal was to inform students about legal careers in both the private and public sectors.

On February 3, the program began with opening comments by Lynn Olinger, the Hofstra Law School representative to the Law Student Executive Committee of the Young Lawyers Section of the New York State Bar Association. The three speakers presented at the first session of the symposium spoke about practicing law in a small firm or as a sole practitioner.

The featured speaker was Michael M. Premisler, Chairman of the Young Lawyers Section of the New York State Bar Association and the hiring partner in the Mineola law firm of Bernstein, Hurley, Premisler and Shank.

Premisler said that small firms hire when the need arises. He stated that a student's class rank and grades are important to a local firm, but more important is what he called "the ego of the person." According to Premisler, small firms look for individuals who, because of their ego, want to be out ahead of others. Resumes that show participation in college activities and local organizations are favored.

Premisler stated that an applicant's practical skills are very important. He strongly recommended the N.I.T.A. and N.L.O. programs and suggested that students "get out into the legal world now as much as time will allow," even if without pay, so as to get "invaluable hands-on experience."

Premisler suggested that those graduates who have been admitted to the New York Bar but who find themselves without employment, should register with both the Criminal and Family courts to represent indigent clients under article 18(b) of the County Law. He suggested this as a good opportunity to meet lawyers and to become affiliated with a law office. When asked how first year students should go about seeking summer employment, Mr. Premisler replied that they should seek positions as camp counselors.

Another speaker, Charles McEvily, a graduate of Hofstra Law School, advised students to decide where they want to be five to ten years from now and to choose their classes accordingly. He also suggested that students analyze their financial goals and their goals of public service. Mr. McEvily said that lawyers who want to make a lot of money should "get off Long Island and go to New York" to work for a firm that buys "your body and mind for forty thousand dollars." He said that those who accept positions with

large firms trade hours for dollars. Mr. McEvily said that public service is more rewarding than private practice but is financially less rewarding and may hinder later private practice.

McEvily cautioned students that being in private practice is very demanding and is "like seeking a job every day," because the private practitioner is screened by every prospective client and must seek new clients regularly. Mr. McEvily further advised those who wish to go into private practice to cultivate non-lawyer friends because, he said, if all of your friends are lawyers your practice will

Dean's Progress...

(Continued from page 1)

attorneys, labor leaders, and judges from around the nation. The Dean hopes that the Council will "help us in the placement area." Dean Schmertz noted that many major law firms do not come to Hofstra to recruit. He would like to increase the number of firms that come on campus. He hopes to do this through communication with friends of his at the large firms.

Alumni Relations

The alumni is another resource the Dean feels has not been used effectively. Dean Schmertz is disappointed by the lack of close ties between the alumni and the Law School. The fault, says the Dean, is

SGA's Glassman Plans Spring '82 Activities Goals

(Continued from page 1)

projects such as a possible investigation into the University's "rake-off" of the Law School tuition, he explained that SGA doesn't have the people nor the resources to do that kind of investigation.

Although Glassman admits that SGA has had organizational problems, he assures the student body that SGA is currently working on such problems as improving the quantity and-or quality of the copy, snack and change machines, and setting up a sandwich counter in the second floor lounge. In addition, SGA will be co-sponsoring a forum with Dean Schmertz, during Dean's hour on a regular basis.

While Glassman's thoughts about his administration remain optimistic, he noted that unfortunately "things that seemed to be strange in my first year, became regularized expectations by my third year."

For example, after three years the heating system is still unconscionable. As for parking, he hopes for his favorite spot on Bedford Ave.

Hofstra Law Students Attend Public Interest Symposium

by Marcia Margules

On February 4th and 5th, twenty Hofstra law students skipped classes, grabbed their resumes, and donned their interview best to attend the 1982 Public Interest and Public Service Legal Career Symposium. The symposium was sponsored by the New York University School of Law Placement Office and was held at its Greenberg Law Club Lounge. Law students from Brooklyn, Cardozo, Columbia, Fordham, Pace, New York, St. John's, Rutgers and Seton Hall also attended the symposium.

Over 80 public interest groups from

across the country were represented at the event; among them were the American Civil Liberties Union, the Legal Aid Society and the Department of Consumer Affairs. Students were able to attend lectures on the public interest field, informal group meetings and individual interviews.

Prior to the symposium, NYU students were given an early opportunity to sign up for interviews. Then on the day of the symposium non-NYU students could sign up for the remaining interview slots on a first come, first serve basis. These slots ranged in number from 1 to 10 depending solely on the organization's discretion. Seventy percent of the interviews went to the NYU students.

Within the informal group discussions with representatives, the major topic was summer salaries. All of the organizations made it clear that due to budget curbs students should seek work-study or other outside funding in order to be considered for summer employment. One spokesperson for a prominent civil rights group, after expressing a disdain for volunteers, said that a few second and first year students would be given "token payments." The payments will amount to \$10 per week for a full-time 10 week commitment.

Hofstra students who attended the symposium came away with mixed reactions. Valita Kreiss, a second year student, said, "I didn't like the fact that students had to be eligible for LSCRR or work-study to be considered for most jobs." Another second year student, Marge Greenberg, said, "I thought it was helpful but I resented the practice of pre-scheduling interviews for NYU students only, while the few vacant time slots were scrambled for by the rest of the non-NYU students." Jordan Fox, a first year student, said, "The symposium was a cross between a flea market and a singles bar. Everyone was depressed about the limited amount of funding and jobs available."

Hugh Christenson, Director of Placement of Hofstra Law School, attended the symposium and served as a moderator in a panel discussion of "Criminal Law in the Public Sector."

IPIJ Send Two Issues To Printer

The Board of the International Property Investment Journal announced that it has submitted issues one and two to the printers. Issue one includes an update by Neil Underberg on the Foreign Investment in Real Property Tax Act. Other articles examine such topics as the United Kingdom's Value Added Tax and recent OCC and FHLBB regulations in the area of mortgage financing. Issue two, a symposium on the Law of the Sea, features a colloquy between Professor L.F.E. Goldie of Syracuse, Allen James of the State Department, and Mpazi Sinjela of Zambia and the UN's Office of General Counsel. Other authors include Professors Dennis Arrow, Houston Lay, and John Logue. The Board of Editor's anticipates issue one's final publication in April, and is currently negotiating with the publishers for the contemporaneous release of issue two. A third issue, which will include a number of student pieces, as well as articles by authors from various countries outside of the U.S., will be forwarded to the printers in April, with publication expected in September.

suffer. Those wishing to go into private practice were warned not to do so immediately, but first to get experience with a firm specializing in an area in which they wish to practice.

All three speakers placed a lot of emphasis upon using connections to get jobs. Mr. Premisler said that the best way to get a job is by recommendation.

It was suggested that those students who wish to gain legal experience and develop contacts in the legal community should contact the Nassau County Bar Association for information on its volunteer summer internship programs.

not with the alumni. He feels that the school has not done the things we should to maintain alumni loyalty. He plans to reach out to the alumni to let them know that their relationship with the Law School need not end when they graduate. He intends to let them know that they are welcome to come back to sit in on classes, use the library, and attend special school functions. Dean Schmertz also plans to mail **CONSCIENCE** to all alumni. In return, the Dean hopes the alumni can help the school with placement, projecting the school's image, and providing resources as they "grow and prosper."

The Dean is also planning a Law School sponsored lecture series. He would like to see distinguished speakers come speak to students, faculty and alumni at least three times a year.

Dean Schmertz is seeking more endowed professorships and chairs. He announced the newly established Max Schmertz Professorship. The new Professorship has been endowed in the name of Dean Schmertz' father. A member of the current faculty will be named to the position, but the area of specialization has yet to be decided.

The Dean believes that endowed chairs and Professorships help the school gain attention, expertise, and badly needed resources. The Dean also feels that such positions help attract scholars and keep good people on the faculty.

Dean Schmertz wants to increase Law School fund-raising. The money the Law School raises, said the Dean, goes to the University endowment. The income from the principal in the endowment provided by the Law School will be credited for Law School use.

Finally, the Dean told **CONSCIENCE** that he was responding to student requests on commencement. The Dean plans to recruit a commencement speaker with national prominence. He also plans to have a "bag pipe band" instead of the music previously provided. The revamped commencement will be part of the Dean's plan to restore enthusiasm in the Law School.

Grades...

(Continued from page 1)

good chance at locating any student's number he needs.

Student Government Association President Michael Glassman says that the system used by the administration is "decodable."

Arthur, who claims to be a victim of the "alphabetical trend," says he was "surprised and disappointed" at how easily students determined his exam number. "I feel like there's no privacy whatsoever. They might as well put our names up there."

Hoffer says that in the spring, when each student receives a new exam number, greater care will be taken to ensure a more random distribution. One year, according to Hoffer, student names were placed in a box and selected one by one and given numbers. This process took too long so Hoffer says that the administration is considering using a University computer to scramble the names and numbers.

While all students interviewed favored the computer scramble, some expressed deeper concern over the general policy of posting the grades. Donna Booth, a third year student, who says that students in her class are as concerned as first year students about the privacy of their grades, stated that smaller classes present a problem which can't be solved by random numbers. "You could look at all the classes a student is in and figure it (his number) out," she stated.

Margaret Jansch, a first year student, suggests that Hofstra "should do what most other schools do—get the grades in on time and send a report card." Jansch added that a grade distribution chart could be posted to satisfy any curiosity of class performance.

Students blasted the exam practice where students are required to sign out by writing their name and number in a booklet. Most students were disturbed that their numbers were readily visible to those students signing out after them.

"If I wanted someone else's number, I'd wait till he was done and then hand in my test," said one second year student. "If you have a really good memory, you could get fifteen numbers." This student and others interviewed suggested that index cards be used to increase the privacy of the numbers. Hoffer agreed that this would be an alternative but said that any

student willing to memorize exam numbers would find a way to determine student numbers even with index cards.

A number of students asserted that an exam number of another student could easily be obtained because students' identifications are not checked when a student requests his number. Although no student knew of any instance of this nature, the potential abuse, one student said, contributed to the "environment of suspicion" surrounding the privacy of grades.

Faculty access to student grades also came into question among a few students here. While all exams are graded anonymously, the faculty is permitted to match the grades and names after the grades have been submitted to the Registrar. At that time, each professor has the option of tacking on class participation points and resubmitting the grades, according to Hoffer. The only professor for first year classes to take advantage of this, according to Hoffer, is Monroe Freedman.

Some students complained that professors should not know which student got what grade before the extra points are added and that, as SGA President Glassman suggested, the system "could be abused." One student in Freedman's class who refused to be identified said, "It's silly. If he (Freedman) wanted to raise someone's grade, he'd do it one way or another."

Stuart Rabinowitz, Vice Dean, said he saw nothing inconsistent with this practice of an anonymous grading system and that student suspicions were "unwarranted."

While many student critics faulted administrative practices as contributing to the alleged lack of grade confidentiality, many students cited the overall student attitude about grades as the greatest enemy of privacy.

"Half the class traces down numbers. I think students here are very petty. It's disgusting," said Robert DeCol, a first year student.

Susan Bahn, another first year student, said the "incredible anxiety and competition" encourages students to take advantage of the imperfect system.

And Arthur, his grade confidentiality temporarily shattered, said the students' "perverse interest" in other students' grades results from the "basic insecurity about ourselves and what we are doing here. We get so little feedback."

THE GRADING GAME

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"Bus. Org. Showdown"

co-starring: The class of 1982 & The class of 1983

Thomas This Week's Results Adamski

class size: 84 Aggregate %			class size: 155 Aggregate %	
0	0%	A	5.8%	5.8
2.3	2.3%	A-	13.5%	19.3
9.2	6.9%	B+	17.4%	36.7
26.5	17.3%	B	18.7%	55.4
54.1	27.6%	B-	23.9%	79.3
85.1	31.0%	C+	12.9%	92.2
94.3	9.2%	C	5.8%	98.0
≈ 97	2.7%	C-	≈ 2.0%	≈ 100

loss due to rounding

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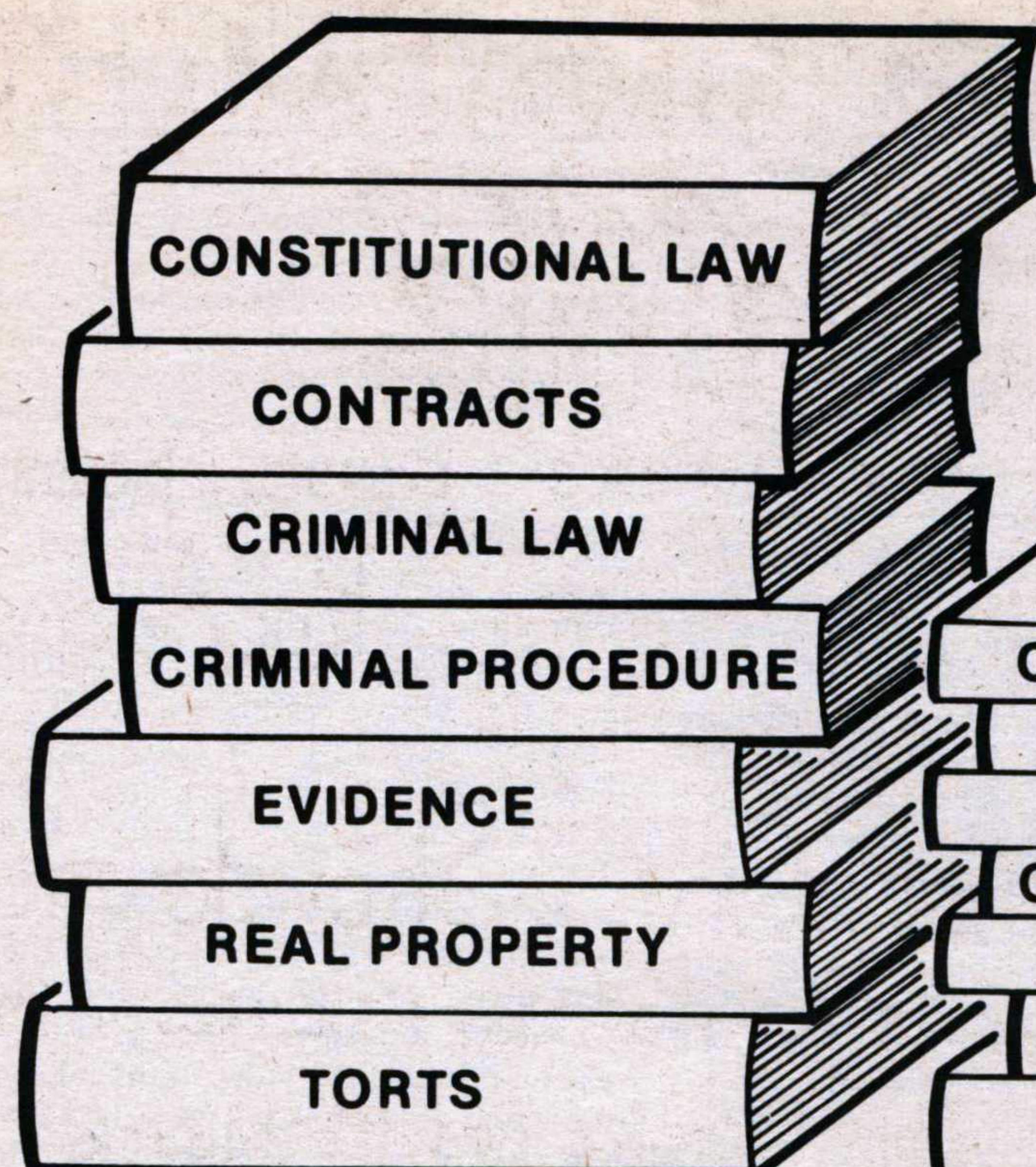
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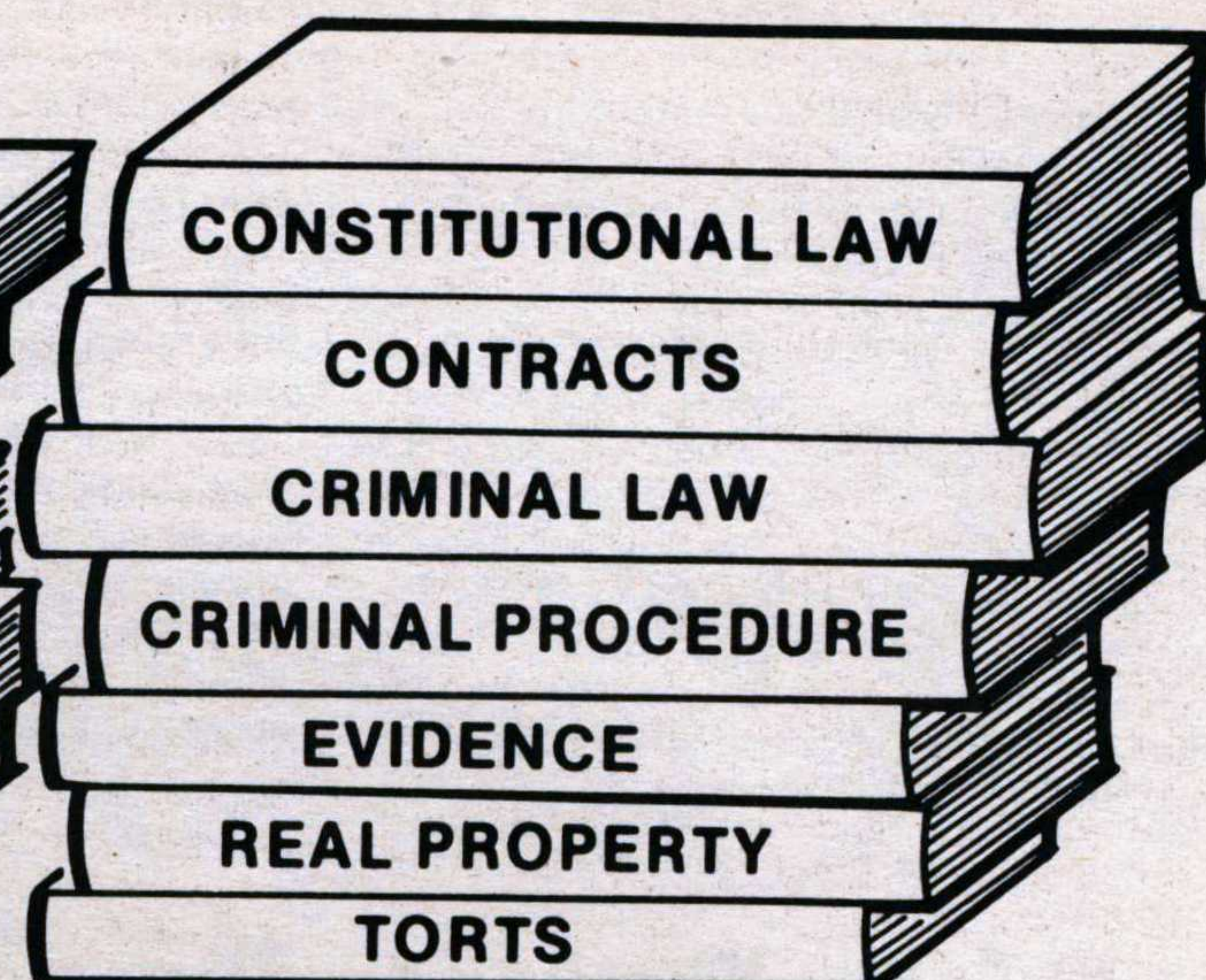
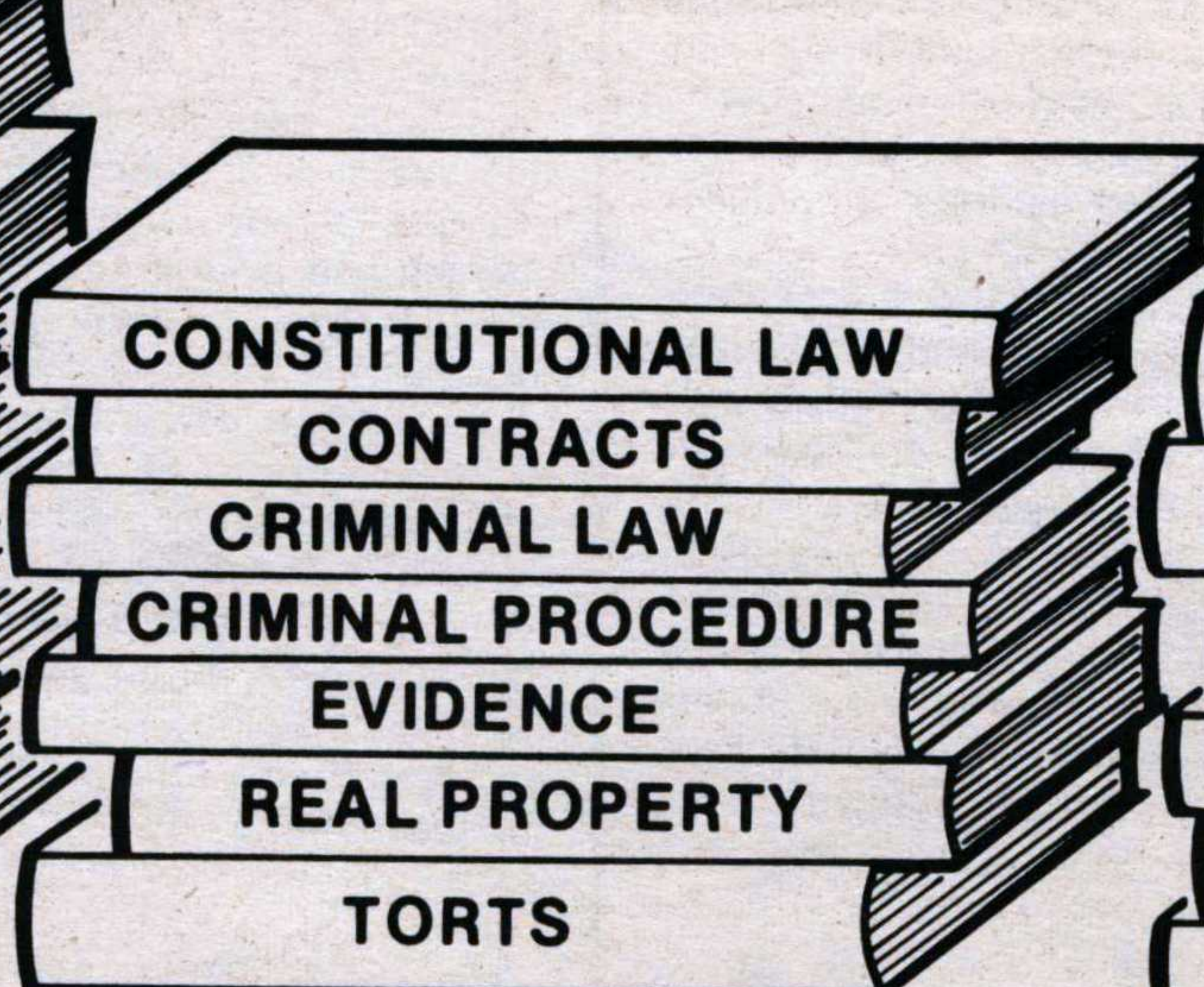
HOFSTRA LAW DAY
February 20, 1982

EVENTS SCHEDULED:

9:00 - 10:00	REGISTRATION and REFRESHMENTS	2nd Fl. Lounge
9:00	LAW SCHOOL TABLES WILL BE SET UP FOR GENERAL QUESTION AND ANSWER PERIOD UNTIL THE END OF THE PROGRAM	2nd Fl. Lounge
10:00 - 10:15	WELCOME AND INTRODUCTION BY DEAN SCHMERTZ	Rm. 308
10:15 - 11:00	GENERAL ADMISSIONS INSTRUCTION	Rm. 204
11:00 - 11:30	FINANCIAL AID WORKSHOP	Rm. 204
11:30 - 1:00	MOOT COURT LECTURE AND TRIAL	Rm. 308
1:00 - 2:00	LUNCH	
2:00 - 3:00	GUEST SPEAKER - JUDGE BRUCE WRIGHT - CURRENT NY CIVIL COURT JUDGE - FORMERLY NY CRIMINAL COURT JUDGE	Rm. 308
2:00 - 2:30	Address to Prospective Students	Rm. 308
2:30 - 3:00	Address to Law Students, Faculty & General Public	
3:00 - 3:15	WINE	2nd Fl. Lounge
3:15 - 4:00	MOCK CLASSROOM	Rm. 308
4:00 - 4:15	GENERAL QUESTIONS AND ANSWERS TO BE ANSWERED BY A LAW SCHOOL PROFESSOR	Rm. 308
4:15 - 5:30	SPEAKERS AND PANEL DISCUSSION ON LEGAL CAREERS	Rm. 308
5:30 - 6:00	WINE AND CHEESE LAW SCHOOL TABLES	2nd Fl. Lounge



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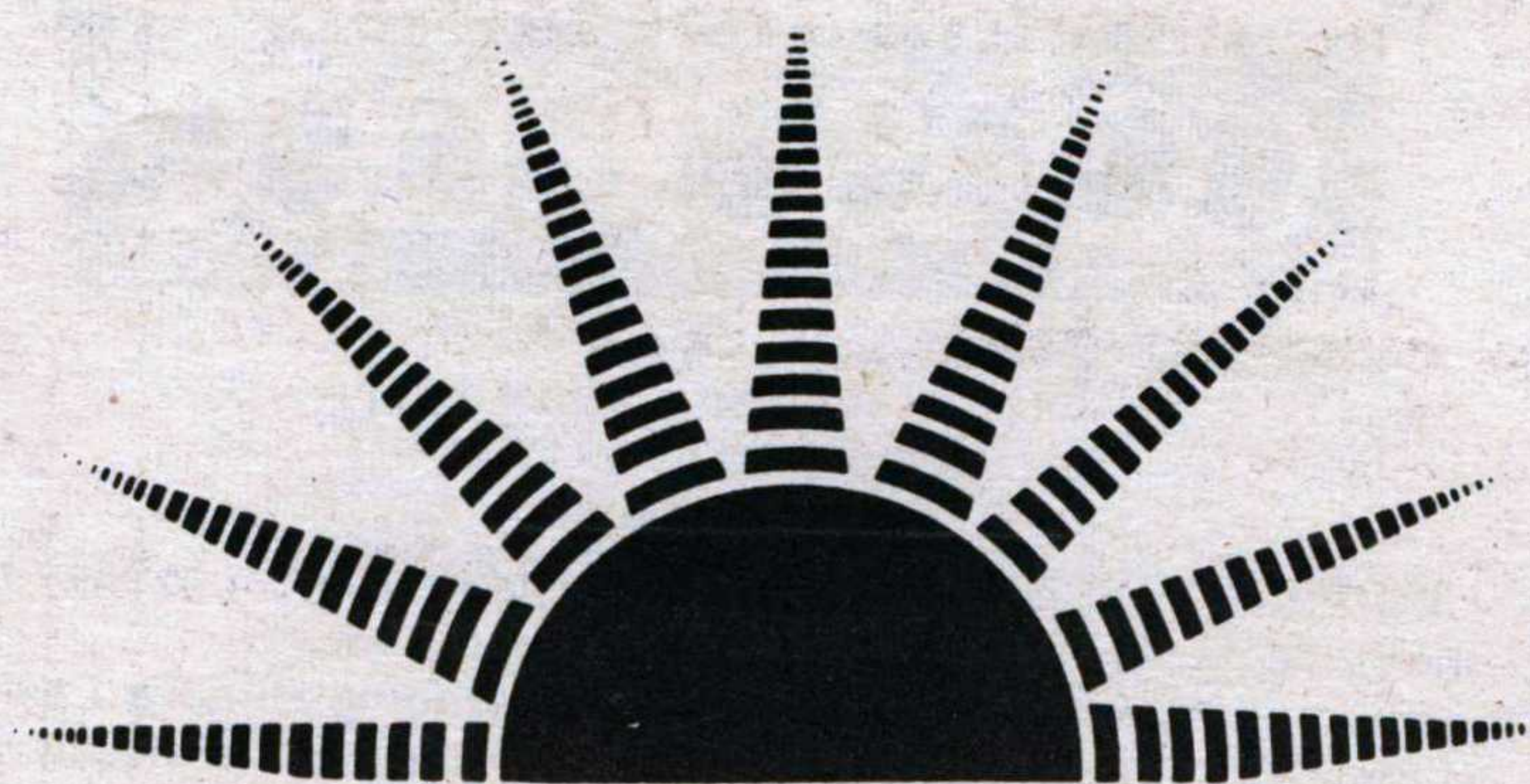
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BEST OF BOTH WORLDS

Editorials

Cuts That Hurt

The grim reality that faces Hofstra law students is that many of us may not be back next year if President Reagan's proposed budget is passed. Budget cuts threaten to wipe out the Federal Guaranteed Student Loan program for graduate students. These loans are heavily relied upon by Hofstra students. The loss suffered at our Law School could be as much as three million dollars. These cuts threaten not only our school, but the legal profession as well.

Tomorrow's professionals may not come from diverse educational and economic backgrounds. Instead, they will come from wealthy families who can afford to foot the bill. In order to meet the ever-rising costs of education and maintain full enrollment, graduate schools will be forced to lower their admissions standards to allow in students who can pay tuition. The net effect will be to eliminate many highly qualified people from the law and other professions.

No one should be lulled into believing these cuts will not be drastic. No one should assume that they have no chance of passing. The Reagan budget-cutters have a remarkable record of forcing their handiwork through Congress. We must demand that our elected representatives stop these proposals, before these proposals stop many of us.

Dirt Drive Declared

The time has come for members of this community to take affirmative steps to insure the comfort and cleanliness of the building.

Surely, there are things we cannot and will not do, and our efforts cannot substitute for more effective maintenance and janitorial services. Bathrooms must be regularly scrubbed; floors must be mopped; trash should be removed daily. There must be increased pressure levied against the Administration to obtain these basic services. But, there are certain things we must begin to do for ourselves.

Dean Schmertz recognized this fact, and stated in his meeting with students on January 20: "Students and faculty have not been as tidy as they should." He stressed the importance of "self-help" in maintaining the building. We agree.

We are all a part of the problem. We must become more aware of the conditions around us.

The awareness must be generated through peer involvement. We all know that the garbage exists. Each of us contributes to it. We must recognize that we can do something about it. We must talk openly of the problem and realize that it is our problem.

Next, we must overcome inertia and all do our part, individually and collectively, to clean up after ourselves. Every day. Every class. Every lunch. Every cigarette. We each must throw our garbage away. The filthy condition of the law school is no excuse. If we don't take the responsibility, no one else will.

Gentle peer pressure is essential. If someone is creating a mess, it is the individual responsibility of everyone in this community to attempt to "heighten the violator's awareness"—albeit gently.

The goal is a more pleasant, attractive, safe and healthy Law School environment, a Law School we can take pride in; a goal certainly within reach.

Planning For The Future

We welcome Dean Schmertz' creation of a new committee on academic excellence. This committee should be able to provide the Law School with the planning that has been so sorely lacking. The aspirations many have for this school will remain only idle dreams unless the Law School community starts making the concrete plans necessary to achieve these hopes.

We are troubled, however, by the fact that only faculty will be on this committee. Students and alumni are also important parts of this community. Last November, when President Shuart called on all departments of the University to begin long-range planning, he asked that students and alumni be included in the discussions. There was much wisdom behind this edict. Only if the aspirations of all members of our community are considered, can a committee on excellence produce the goals necessary to unify our community and carry us to a "well earned national stature."

Letters

Burlesque Blasted

To the Editor:

It was with despondency that I read the article entitled "Male Burlesque" written by Jody Fink in the January issue of *Conscience*. Her description of the strip show at a local nightclub was a clear example of how, due to the pervasive alienation of a capitalist society, human relations are debased and the person becomes the ultimate commodity.

The women patrons attended for the express purpose of enjoying the practically nude body of a total stranger. As if to add to this perverse scene, a monetary exchange took place. A dancer "rewarded" a woman with a kiss of intimacy for the money she had just placed so close to his body. By the time the show had ended, the women knew each curve of the dancer's body, but they didn't even know his name.

Ms. Fink prides herself as "being liberated." She states that "(M)en have rarely been treated as sex objects;" it is clear that she feels this ought not be the case any longer. It is not "being liberated" to merely trade places with your oppressor in the name of progress. You are no more liberated than those you oppress.

This discussion brings up a fundamental question that needs to be asked: what can be done for a society that encourages its people to become sexual commodities?

Barbara Lynaugh
Class of '84

Regan Redeemed

To the Editor:

We are writing to respond to your caricature of former Dean Regan printed in the last issue of *Conscience*. This illustration depicts the Dean carrying an American Express card.

We were disappointed in *Conscience's* lack of taste and sensitivity in this comment on Professor Regan's departure as Dean. Although there may have been a diversity of opinion concerning his decisions as Dean, this characterization was tactless and undeserved. Dean Regan approached his job with commitment and care. Such mockery shows no recognition of this and instead seeks only cheap laughs. Valid criticisms should be constructively expressed and not reduced to a childish attack on the man's personality. This cartoon comments less on our departing Dean than on the maturity and professionalism of some students.

Sincerely,
Laura Cicere
Barbara Barron
George Patsis
Class of 1984

Incompetence Inspected

To the Editor:

How many times have you gone to the Physical Fitness Center (PFC) with the intention of working out in the weight room or playing ball in the gym only to find upon arrival that the facility is not available for student use? This is not an uncommon occurrence at Hofstra as there is a lack of communication between the Recreation Department and the student body and a lack of cohesiveness between the Athletic, Physical Education and Recreation Departments of the University.

Theoretically, the PFC is open to all students with a validated Hofstra I.D. between the hours of 9 a.m.-4 p.m. and 7:30 p.m.-11 p.m. on weekdays, 9 a.m.-5 p.m. on Saturdays and 1 p.m.-11 p.m. on Sundays. These hours are subject to sudden change because both Varsity Athletics and Physical Education classes are given priority to use the facility whenever requested. The gym is also closed to students between the hours of 4 p.m. and 7:30 p.m. on weekdays due to varsity practice sessions. Beginning February 9 and running through March 25, open recreation hours will be further restricted as there will be intramural basketball on Monday, Tuesday and Wednesday nights between the hours of 7 p.m.-10 p.m. Only one court will be available for open basketball on those nights provided nothing else is scheduled.

The lack of cohesiveness amongst the various departments using the PFC stems from the failure to advise each other of their scheduling needs. This results in each department acting independently, causing confusion, restricting recreation time and most importantly causing students who think the facility is open to waste their time by going there only to find it is closed. Recently a policy has been implemented in which the Physical Education Staff signs up for the Gym in advance and indicates whether they object to the gym being open for recreation during their classes.

Communication problems between the Student Body and the Recreation Department are the outgrowth of this lack of cohesiveness. These will be only rectified when either a new facility is built specifically for recreational purposes (highly unlikely) or the departments using the present facility begin to work together in scheduling the use of the gym.

Until that time comes, an information sheet containing the tentative recreation schedule for the week is available in the Recreation Office and up to the minute information is available by calling x3383. If you are thinking about making the trip to the PFC and you don't want to be disappointed, frustrated or enraged, call beforehand to see whether the facilities are open and available. Hopefully, you'll get the right information.

Michael Lerner
Class of 1983

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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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COMMUNITY FORUM

Outside Line

Rites Of Passage: The Waiting Game

by Saul Morgenstern

New York City—This space has already been used once to question the methods by which attorneys are licensed to practice in New York State. (See Summer Vacation: 3rd Year Law Student Style, **CONSCIENCE**, Sept. 1981, at page 14.) The target of that piece was the Bar Examination itself, the validity of which is still to be doubted. The rest of the process is no less questionable, and its patent unfairness deserves discussion.

Many of the "candidates for admission" believed that the examination itself would be the mountain of mountains, the successful conquest of which would qualify them for admission. This is not in fact the case.

Passing the Bar Exam earns the candidate the privilege of applying for admission to practice. On paper, this means that there are three steps left. The application and supporting affidavits must be filed, the candidate must be interviewed and, if all goes well, the candidate is sworn in. Until that time the candidate may not (with certain exceptions for Assistant District Attorneys and Legal Aid Lawyers) practice law.

While the process seems simple, it is not. It is also excruciatingly slow. There are a few reasons why.

The first reason is probably sheer volume. With more than four thousand candidates for admission, the Committees on Character and Fitness for the four judicial departments have their hands full. It would be physically impossible for them to read that many applications and interview that many people in a short time.

Secondly, the application and supporting papers are cumbersome, and of questionable relevance. Indeed, one might consider certain of the questions invasive and insulting. Consider that, to apply, the candidate must provide every temporary and permanent address at which he or she has resided since the age of eighteen, the name and address of every employer since the age of eighteen, an affirmation from every legal employer the candidate has worked for and two affidavits of good moral character. Moreover, a candidate must divulge whether or not he or she is indebted to anyone and if he or she was ever the subject of a juvenile proceeding, even if the record was expunged. Pause for a moment and ask yourself why.

Of course, the professed reason for this is to guarantee the intellectual and moral fitness of each candidate. This is no doubt a noble goal. There are serious questions, however, about whether the means chosen bear a rational relationship to the ends. (As an aside, one could argue that the end itself is without justification, but that is enough to support its own piece.) Consider, for example,

—what moral attributes make one fit to practice law?

—does the questionnaire address itself to these attributes?

—if the organized bar is truly serious about this undertaking, shouldn't candidates be examined before they have spent awesome amounts of money on a legal education?

These are questions that should be addressed, the system as presently designed may be deemed satisfactory in light of the answers found. It also may not. If it doesn't, it should be changed.

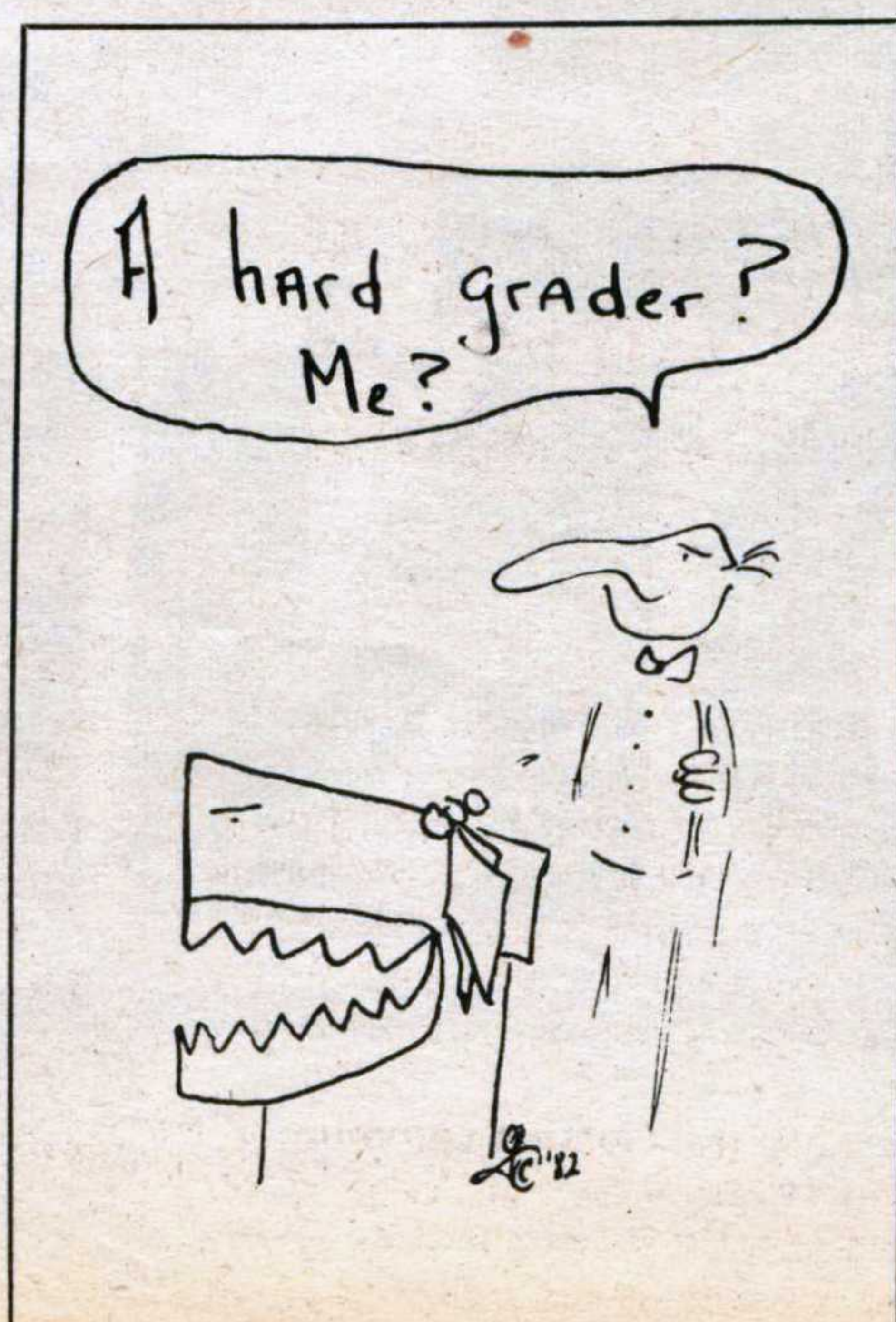
The third question raises what, to my mind, is the most glaring fault in the system—the unconscionable delay. Large numbers of those who sat for the examination last July—seven months ago—have not been admitted yet. For some that is not a problem. Those of us who work for large firms can continue to do support work and draw paychecks. Those who work for the various District Attorneys' offices or for Legal Aid can work pursuant to special rules. Those who wish to practice on their own, however, cannot. Those who wish to work in small firms are unable to do all that the firms would like them to, a disability which sometimes hampers their ability to work. This is patently unfair.

This difficulty can be remedied by moving the fitness element ahead so that candidates can be certified before the end of their first year of law school. At the very latest they should be certified before the exam results are released.

Another possibility would be to conditionally admit candidates upon their graduation from an accredited law school, subject to subsequent success on the exam. That way, the delays in grading, certification and admission would not deprive new lawyers of their ability to get on with their lives.

Of course, some who were conditionally admitted would not pass the exam on the first try. Since the validity of the exam as an indicator of competence is questionable, this shouldn't matter. There are, no doubt, those who disagree, and they rule the day. Until they are convinced that change is in order, the system we have will continue along at its slow, unfair, pace.

Saul Morgenstern is a member of the class of 1981 and an associate with a New York law firm who still doesn't believe in the Bar Exam.



The Legal Observer

by Bruce Sales

As regular readers of Legal Observer are aware, this column is usually devoted to the correlation of scientific topics to law school or the legal profession. Recently, I have been receiving a lot of guff from fellow students and my colleagues on the **CONSCIENCE** editorial board regarding this dynamic and fascinating concept for a law school newspaper column. These intellectual highbrows assert that science has no place in the **CONSCIENCE** and that my explanations of scientific issues are so obtuse that they are useless. Owing to my desire to placate, however temporarily, this small but vocal minority, this month's topic will employ an analytical method dear to the hearts of law students and their professors.

Let us distinguish the terms "yonder," "piece" and "spell." Imagine you're somewhere in rural America and ask, "Where is the Eby farm?" The person answering may respond in one of three ways: "It's down the road yonder," "It's down the road a piece" or "It's down the road a spell." Deep analysis and, as Professor Ginsberg says, "Cutting the bologna real thin," reveals that each response addresses a different issue depending on the interpretation given this vague interrogatory.

"It's down the road yonder" is the most vague of all the responses. The phrase refers to the general direction of the Eby

farm as the crow flies. Thus the respondent may point in a direction in which there are no thoroughfares. Unless you are in an airplane, the lack of specificity inherent in this phrase makes it very unlikely you will ever find the Eby farm.

"It's down the road a piece" is a more reasonable response. It implies that you are headed in the correct direction and it provides a measure of distance. Clearly, "down the road a piece" is not far but, surely, it is far from close.

"It's down the road a spell" encompasses "It's down the road a piece," but adds a unit of time. How much time is a spell? Quite a bit.

Isn't this fun? Just like law school, this analysis requires the finest hair splitting possible. It is the same as deciphering those terms of wonderful clarity that so often appear in our law such as detrimental reliance, substantially similar or sufficiently ambiguous. (The above should demonstrate the ease of making such distinctions without the use of an Emanuel or other product from the devil's brew.)

Pondering such pithy topics as this really sends the blood surging through my veins. By God, I love the law. By God, next month back to science.

Bruce Sales is a member of the class of 1983. On study breaks he takes walks down yonder.



On Line

At the time I did not think making one copy of a five page memorandum was a particularly onerous task. I should have known better. At Hofstra nothing is easy.

I expectantly dashed into the side Xerox room inside the library. Both machines were inoperative with the key operator scrambling all over them in a fury. "They'll be down for at least an hour," he informed me. I rushed out to the machine in the lounge to be greeted by what reminded me of a soup line in the '30's.

"Who's on line?" I demanded.

"It looks like the entire Moot Court Program," retorted the woman behind me.

"Tell me it's not true."

"Yep, some bimbo in front is copying every Law Review article beginning with the letter 'T.' I, myself, already have missed a week of classes."

"No!"

"And you see the guy behind her?"

"Uh, huh."

"He was supposed to graduate last semester."

"How could the administration let things deteriorate so far?"

"Well, do you know anything about the state of the American automobile industry?"

"Poor planning," I offered.

"You've got it," she replied affirmatively.

"It's more than that, though," a voice from the end of the line interjected.

"Financial burden?" we suggested.

"Nope—they can afford it."

"Special problems?"

"No—they could find room for more machines."

"Well, what then?"

"How many faculty members and administrators do you see on line?"

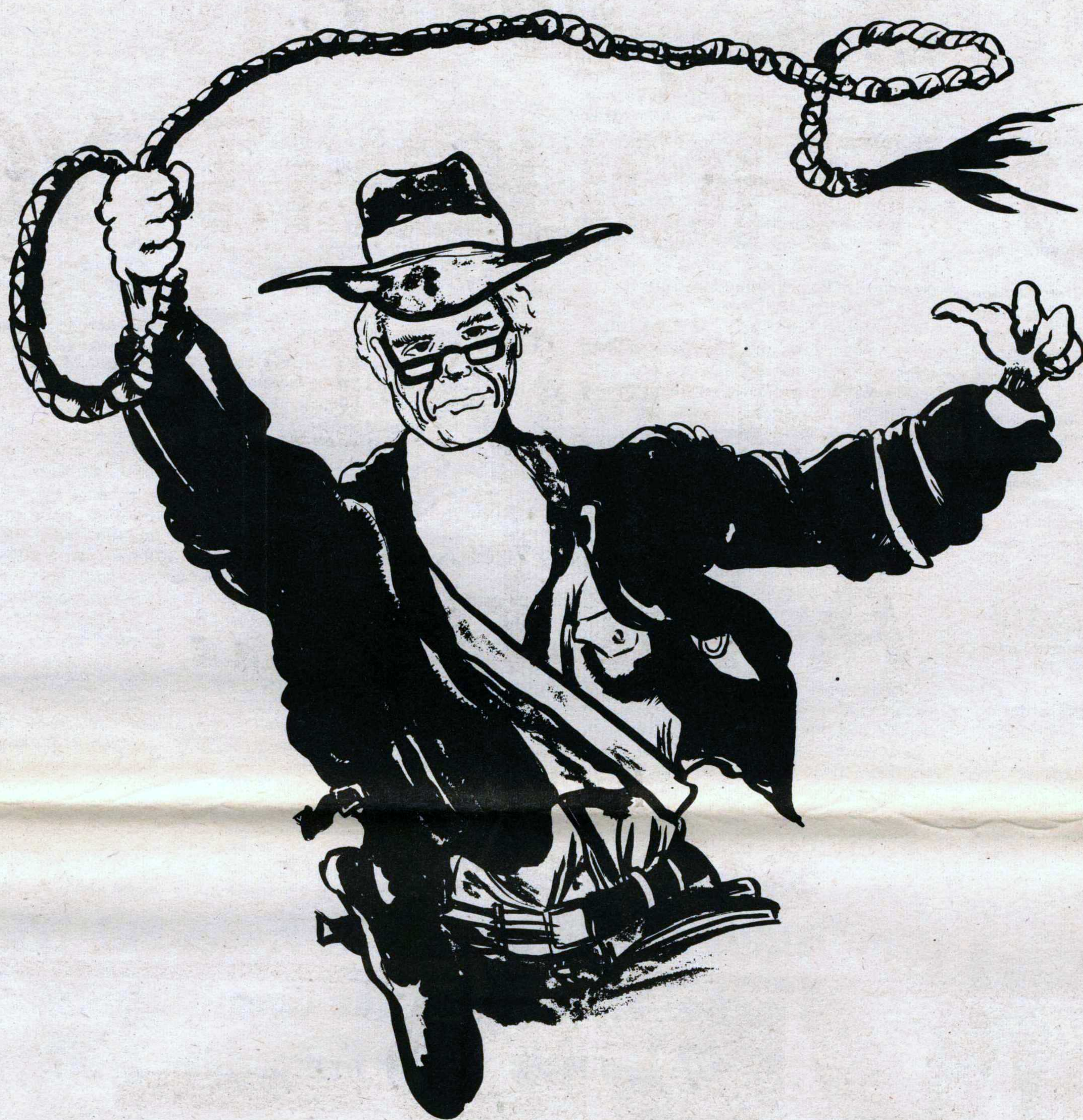
**JUST WHEN
YOU THOUGHT YOU
NEEDED
A HERO...**

Eric J.

Schmertz

is

**RIVER—
DALE
JONES**



MAKERS

of the

NATIONAL REPUTATION

Student Profile:

Father Alan J. Placa

by Steve Wallace

PERMANENT RESIDENCE:

Cure of Ars Rectory, Merrick, New York

AGE: 37

PRIOR EDUCATION: Bachelor of Arts, Manhattan; Master of Divinity, Immaculate Conception Seminary; Master of Arts, Manhattan; Ph.D., Fordham

EMPLOYMENT: Roman Catholic Priest

This information is some of the data which one of our second year law students had to provide when filling out his application for admission to Hofstra School of Law. His name is Reverend Alan J. Placa and he is a diocesan priest. The question arises, "What prompted Alan to go to law school?"

Alan is a member of our student body because a law degree will assist him in his job as a director of Catholic Charities for the Diocese of Rockville Centre. This organization is the largest non-governmental social services agency on Long Island with thirty-two offices throughout Nassau and Suffolk. Alan is one of four directors (only two of whom are priests) who oversee four hundred full-time and eight hundred part-time employees. His operational responsibilities are divided into four areas.

1. The administration of four community residences for retarded adults.
2. The operation of the Catholic Youth Organization (CYO) which provides sporting and cultural activities in 128 parish units throughout Nassau and Suffolk.
3. Statistical system.
4. Legal research for Catholic Charities.

Alan's law degree will assist him in analyzing statistical data and researching Church-State matters. The statistical system involves studying and analyzing

the demography of Nassau and Suffolk counties. After an examination of this data, Placa attempts to discover the social services that are needed throughout Long Island and then fulfill these needs. This is accomplished by thorough legal research. First, Alan examines the current status of public social policy. This involves finding programs that are available on the federal, state and local levels as well as discovering if funding opportunities exist at each level for the implementation of a program. The second phase of legal research that Alan does attempts to prod the social conscience. After analyzing the data that he has accumulated and establishing a list of governmental programs that are available, he searches a little further and attempts to answer the question, "What types of social programs should the government be providing for the people of Long Island?" As Alan pointed out, "Catholic Charities provides non-sectarian services and programs ranging from a lunch for the elderly to a performance by a professional ballet troupe during the Christmas season for those residents on the eastern end of Long Island who are unable to get into the city."

How did Father Placa end up at Hofstra Law? "I was accepted at several law schools, one of which was Harvard. I told the Bishop that I was admitted to Harvard Law and he congratulated me but added, 'Alan, don't you think that it's going to be a rather long commute from Merrick to Cambridge everyday?' So I came to Hofstra."

Unlike most law students, Alan must juggle full-time employment, full-time school and his priestly responsibilities. His day usually begins at 5 A.M. and does not end until 10 P.M. During that time he must say daily Mass, attend meetings and class, and study. At night he may have an

appointment to counsel a person with a problem or a couple who is planning marriage. He finds his schedule to be difficult and admits that his grades have fallen a little this year. However, as Alan stated, "Good grades are more for personal satisfaction than a necessity to find a good job. After all, I have a job. I will not be competing in the job market when I graduate."

Alan, however, will have an opportunity to work in a law firm. He has accepted a summer associate's position with the New York City firm of Patterson, Belknap, Webb & Tyler. He said, "It will be the only opportunity that I will have to gain practical experience and I am looking forward to it." The firm is of particular interest to Alan since it does have a department which handles Church-State matters. The two primary concerns of the department involve tax matters and constitutional aspects of Church-State relations.

Alan has continuously been a student since the age of 4½ as can be attested to by the numerous letters following his name. He has also been an educator, having taught on the high school, undergraduate and graduate levels. Therefore, his views of Hofstra Law reflect his past experiences as both a student and a teacher.

Alan is very impressed with the quality of the faculty. He believes that Professor Malachy Mahon is representative of the high calibre of faculty present at Hofstra, and that the "love of the law" is evident in each professor's style of teaching. He has also been converted to the Socratic method. He stated, "I have a professional admiration for Hofstra's professors in using the Socratic method so well." Alan compares the analytical skills of an attorney which are developed by the Socratic method with the skills used by a theologian and finds them very similar.

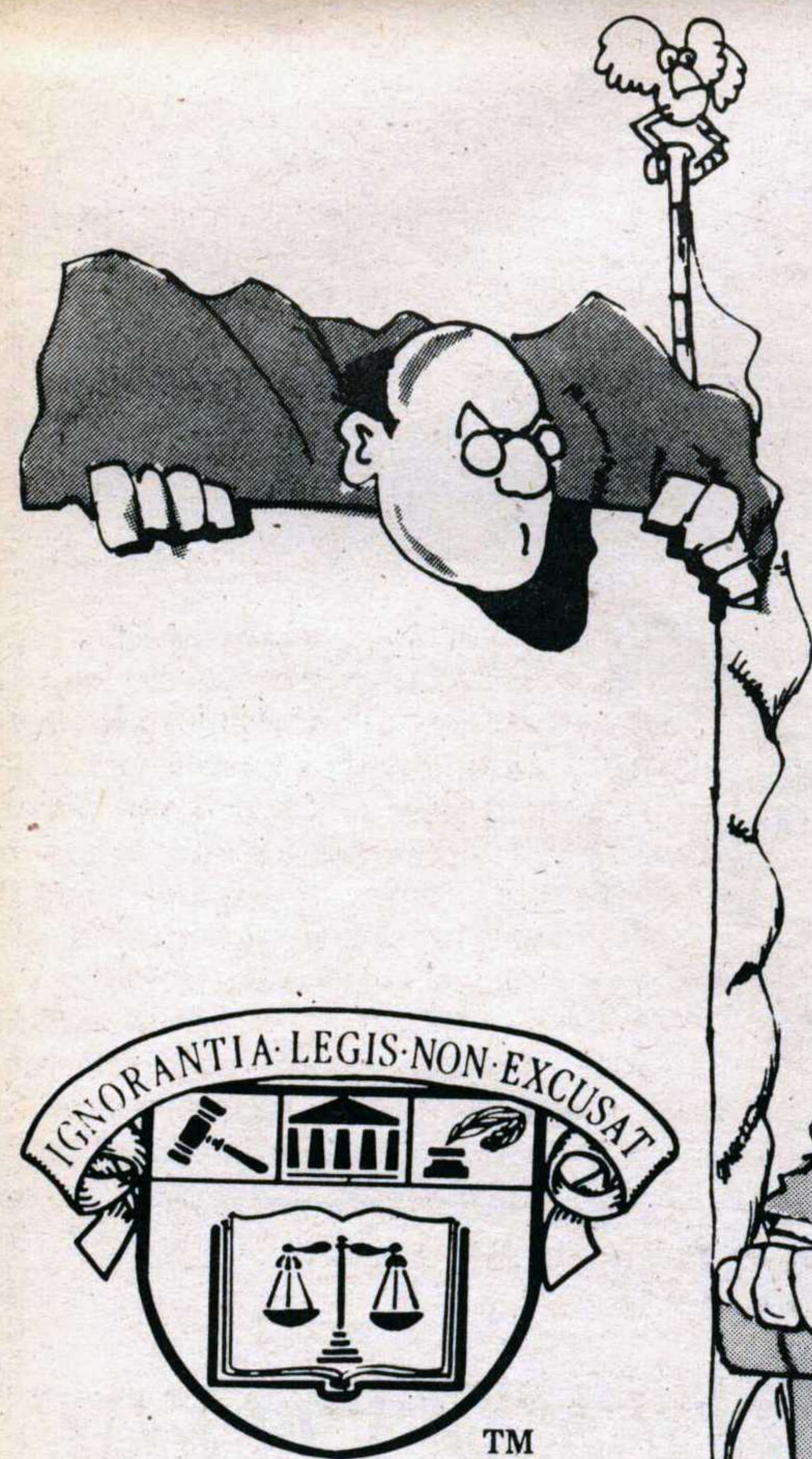
Not only do both utilize hypothetical questions but the goal of both methods is to pursue all the possible alternatives.

Placa also praises the quality of the student body at Hofstra. He senses that the young people are very serious about their studies, but are also interested in pursuing outside activities. Alan believes that the sampling of older people who have made their mark in other areas is quite unique and adds to the quality of the law community. He did admit that he was a trifle afraid of being an older person in law school but his fears quickly disappeared.

Examining Hofstra as a community, Alan is astonished at the spirit that it possesses. He is quite impressed with the civil liberty points of view that are present. As he stated, "There is a real commitment to social programs and causes which are quite noble."

Although Placa thinks very highly of the law school community, he is very disappointed with the physical layout of the building. He does not find that there is a quiet place in the school where people can sit and converse. Nor is the library conducive to studying. As a result, he often uses a friend's law library. Like most students, Alan's short list of grievances would not be complete without mention of the inadequate parking facilities. With such a busy schedule, he finds it quite difficult to be on time for class when he is forced to park such a long distance from the school.

What will become of Alan Placa when he graduates? "I will remain an administrator in Catholic Charities, but my legal education will facilitate my job enormously. The combination of my practical knowledge of social services, my professional knowledge of Catholic theology and my legal skills will provide me with the necessary tools to work more effectively and efficiently."



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Legal Briefs

By Jeanne Savran
and Larry Gross

JUSTICE IN THE JOHN

A New York court has refused to extend the Fourth Amendment protection against unlawful search and seizure to two men occupying the same stall in a public restroom. In *People v. Mercado*, a police informant alerted a police officer to two men in the stall of a public restroom. Hearing two male voices inside the stall, the officer entered the adjoining stall, stood on the toilet and peered over the wall. He then saw a glassine envelope containing a white powdery substance later found to be heroin. Justice Rose L. Rubin, Supreme Court, Queens County, held that since the stall's intended purpose was to be occupied by one person at a time, the defendant could not reasonably expect the same privacy due a person putting the stall to proper use. The search was therefore held to be constitutional.

"CREATION SCIENCE"

An Arkansas statute requiring that "Creation Science" be taught in the public schools has been held to violate the Establishment Clause of the First Amendment by the U.S. District Court for

the Eastern District of Arkansas. The unconstitutional statute required Arkansas public schools to give equal time to teaching Creation Science which includes the theory that the universe was created suddenly from nothing and that the earth was inundated by a worldwide flood. The Court refused to recognize Creation Science as science and found that the statutory requirement involving religion was violative of the Establishment Clause of the First Amendment to the Constitution, the Creation view is found only in the Book of Genesis. (50 LW 1105).

NO CHILD CUSTODY FOR LESBIAN LOVERS

The North Dakota Supreme Court held that a lesbian mother would not be allowed custody of her children when she is cohabitating with a female lover. The Court held that though both parents were "fit, willing and able" to assume custody, the "overriding factor" was the mother's homosexual relationship. The Court stressed not the homosexuality of the mother, but the cohabitation with her female lover, which the judge felt would have an adverse effect on the children. (50 LW 1109)

Section B Goes To The Game

On January 26 almost fifty members of the first year's section B crossed Hempstead Turnpike to see the Stanley Cup Champion Islanders destroy the Pittsburgh Penguins 9-2. Thanks to the invaluable efforts of Jeff Schlossberg, affectionately known as "the Schloss," or section B's own Julie (the Love Boat's social director), we were able to get discount tickets (group sales—no relation to Bruce Sales) for this amazing defeat. (We even had a Pittsburgh native with us, George Basara, to mock and ridicule.) After the game, many of the vibrant "B's" went to a local dancing-drinking establishment for an extended nightcap. The camaraderie exhibited that night will be long remembered by those in attendance. Some people have said that law students cannot wait to be away from their classmates after class—the "B's" have shown that the opposite is true.

Already in the works is a trip to a seacoast resort city in March. Details are available from "the Schloss" or most any "B."

ABA Update

ABA-LSD health insurance brochures for the March 1, 1982-August 31, 1982 period will be arriving shortly. As soon as they arrive, all ABA applications (including LSD membership) will be made available in the 1st floor lounge.

The ABA Law Student Division, Scribes, and the Conference on Personal Finance Law are co-sponsoring an annual Law Student Opinion Writing Contest. Those interested in trying out should leave a note in the ABA mailbox in the main office. Requirements include submission of an opinion letter of no more than 500 words plus a supporting memorandum of law. First prize is \$500.

Hofstra Graduate Elected Judge

by Jay Scheiner

In November 1981 a Hofstra Law School graduate was elected Judge of the Guilderland Town Court in Upstate New York. Kenneth Riddett, Class of 1976, was originally appointed to the bench after another judge moved on. Five months later he ran for the judgeship and won. Hugh Christiansen, Director of Placement, believes that Kenneth Riddett is the first Hofstra alumni to become a judge.

"Hofstra is a fine law school with a solid reputation," Judge Riddett said. "The N.L.O. program is the most outstanding thing about the Law School. It helped prepare me for my role as an attorney, giving me practical experience before I graduated."

The Judge believes that weighing the scales is more difficult in many ways than

being an advocate. "As a Judge you are responsible not only to the parties involved, but also to the public. I must always balance the rights of the community with those of the defendant. This is most difficult in criminal cases where my rulings will send a person to jail."

Judge Riddett is a very busy man, dividing his time among his private law practice in Albany; his work as Counsel to Senator John Flynn, Chairman of the New York Senate Committee; and now his work in the courtroom as Judge. When asked if he ever thought he would become a Judge, he replied, "I never thought I'd get this far in only five years after law school. I'm very happy with what I'm doing." What's next for Hofstra's first Judge? Perhaps in five more years we will be reading his decisions from the volumes of the Court of Appeals.

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Lei Of The Law

By Mike Lorusso

I'm sure James Michener isn't lying awake nights worrying that I will surpass his knowledge of the islands, but I have been somewhat "Hawaiianized" having attended the University of Hawaii and clerking this past summer in Honolulu.

Mark Twain described them as "the loveliest fleet of islands that lies anchored in any ocean." However, contrary to United Airlines, no one lives in grass huts; everyone doesn't surf; and not everyone knows the words to "Aloha Oe." Hula dancers are not at the beck and call of "foreign" visitors and justice is not dispensed by a kahuna, (Hawaiian priest), dressed in a loin cloth, nor even by Steve ("Book 'em Dano") McGarrett.

Conversely, "Paradise has not been completely turned into a parking lot," but has managed to blend the diverse customs of its inhabitants; Japanese, Chinese, Filipino, European, Samoan, Korean, Portuguese, Polynesian and even Hawaiian, to make Hawaii one of the most unique of the 50 states. (Being last, one has to try harder). This cultural hodgepodge and the distinct way of life on the islands has not been lost in the legal community.

The pace of the law office can be compared to the ocean caressing the lava rock; slow and gentle. Of course, as in any law firm, the daily routine of writing memos and briefs, preparing for trial and meeting court filing deadlines can turn the gentle waves into the Banzai Pipeline. When that occurs, you can always console yourself by taking a moment to view the blue Pacific, the fertile mountains, or even a double rainbow stretching from valley to valley. The saying "Lucky you live in Hawaii," which appears under the weather forecast in the newspaper (usually 85 degrees and sunny) comes true, and any task is no longer as burdensome.

Perhaps the casual attitude of the office is best reflected in the style of dress. Unless you are appearing in Court where a jacket and tie are required, sport clothes are the rule rather than the exception. Even if your wardrobe includes the cutest designer wear, rarely will Mr. Gucci or Mr. St. Laurent step out of the closet on a Friday, for it is more than TGIF, it is Aloha Friday. On that special day, an array of colors and patterns in cotton and silk fill the office, as the men wear aloha shirts and the women wear muumuus. To

help get a headstart on your weekend tan, you can eat lunch on the lawn of Lolani Palace, the only palace in the U.S. while listening to various bands play Hawaiian music (and I don't mean Don Ho singing "Pearly Bubbles").

On Saturday afternoon, if you aren't swimming, snorkling, sailing or even skiing (there is snow on the big island of Hawaii), or recovering from Waikiki's nightlife, you can participate in the coed softball lawyer's league. Most firms sponsor a team and besides having fun, it is a great way to make contacts in an informal setting. However, you must always be careful not to let the bat slip and hit the opposing catcher. He might just happen to be the Chief Justice of the Supreme Court of Hawaii.

If you prefer a less active weekend, you may want to spend time brushing up on your Pidgin (Pronounced like pigeon)—English, which will be useful when interviewing a client or addressing the jury, (but never the judge). Pidgin-English is the Chinese corruption of "Business-English" which involves a softening, thickening and slurring of the English language. For example: "What's the matter?" translates into "Whassamat-ta?"; "a waste of time" to "wastetime;" and "That kind," is "da kine." If you listen and practice long enough or lived there long enough, you will soon be considered a "Kamaaina"—one who is born in the islands or who lived there for a long time. You have achieved this level when you can translate with ease "walk slowly so that I can catch up with you" into the Pidgin English equivalent "go-stay-go," even with your mainland New York accent.

Now that you are dressing and speaking correctly, you might even choose to practice law. As a result of it being a relatively young state (Hawaii became a republic in 1898 and attained statehood in 1959), many areas of case law are not fully developed. This allows for innovation and experimentation. If you enjoy legal history, you have the opportunity to participate in a study sponsored by the State Judiciary, begun in 1979 entitled "The Social Role of the Courts During the Hawaiian Monarchy." It is not only a mouthful of words, but of culture and legal development of the Hawaiian Islands.

I would like to tell you more, and I'm not implying that I'm addicted to Hawaii, but I never go watch Magnum P.I.

No Rule Of Law For Janet

by Steve Green

"The weather was warming up for a change," I thought to myself as I drove up First Avenue one cold January afternoon. I took a hit from my pint of Dewars which I had nestled quietly in my glove compartment, and cursed the winter and my having to work a third straight shift for a dying newspaper. With Joplin singing "Me and Bobby Magge" on the radio I wondered what I got in Labor Law.

Suddenly, a figure slipped in the slush and almost fell under my front tire. Stopping the car, I ran over to the figure as she slowly picked herself up. She was young, no more than eighteen, with matted black hair, a badly split lip, and a runny nose. I asked if she was all right and without waiting for an answer, asked if I could take her to Eighth and Forty-second. I explained that I was heading in that direction, up near the News building on Second. She nodded and stumbled into the front seat of my car.

Driving up First, she hunched near the vents and asked me to turn up the heat. With the heat on full blast, she began stuttering about being sick with a 103 degree temperature and being released by Bellevue a day early. Naively, I asked why she hadn't had someone pick her up. She looked up and gave me a sarcastic smile which showed more clearly, her bruised lips and missing teeth and said, "Unfortunately, no one was available." She asked me my name, and told me her's was Janet. I began to ask why she was

going to Eighth and Forty-second when she had a raspy cough, bruised lips, runny nose and was half delirious, but I stopped. I knew the answer anyway.

I parked the car on 44th across from the U.N. Plaza. She pleaded with me to take her up to Eighth, but I explained that I had to be at work in ten minutes. I told her she could grab a cab on First and then gave her five dollars. I knew she had no money. Getting out of the car, she fell onto the street again. Two men sitting in a '72 Buick behind me, let out a loud chuckle of laughter. Walking her down to First, she fell for the third time, into a pile of black-sooted slush. As I pulled her up and brushed her off, I felt a small spray of day-old road salt on my face. A turquoise "Rolls" with Jersey plates had just whizzed past me and stopped in front of the U.N. Plaza. Strangely enough, I didn't curse, but thought that this would have been a great ending for the movie "Reds."

Finally, I got her in a cab and told the driver where to go. He just nodded in disgust and drove off. Janet, in the back seat, bobbed up and down like those dolls one sees pasted in the backs of souped up 55 Chevys. As the cab made a right on 45th, I noticed the chauffeur in the Rolls write something down under an ocean blue dashboard light. The wind was getting colder, as it always does near the U.N. at this time of day. I buttoned up my jacket, reached into the glove compartment, and took another shot. Slowly, I walked up 44th, thinking about what I got in Labor Law.

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HOFSTRA EVENTS

(Calendar compiled by Jan Lori Goldman)

M	T	W	Th	Fr	S
15 FEBRUARY	16 Trial Advocacy Club 2:00 p.m.	17 Monroe H. Freedman (noon) ATLA (230) Women's Law Center (205) DLA (Lounge)	18	19	20 BALSA LAW DAY
22	23	24 (noon) BALSA (230) Women's Law Center (205)	25	26	27
1 MARCH Deadline to sign up for floor hockey (male, female, co-ed volleyball tournament)	2	3 (noon) Women's Law Center (205) DLA (Lounge)	4	5	6
8	9	10 (noon) BALSA (230) Women's Law Center (205)	11 Co-ed Volleyball Tournament	12	13

Emily Lowe Gallery—Feb. 6-March 21

Filerman Gallery—Feb. 7-19

Calkins Gallery—to Feb. 18

West End Theatre—Feb. 26, 27, 28

Orchestral Concert—Feb. 24

Hofstra String Quartet—Feb. 26

Black History Month—February

FDR - The Man, The Myth, The ERA—March 4, 5, 6

Labor Law Publication, CONSCIENCE, RLSA, Admissions Committee—Meetings to be announced

Art & Psychological Warfare - World War II Posters

Afro-American in Books

Long Island Black Artists Assoc.

"Bell, Book, Candle" John Van Druten (560-3283 tickets)

New Usadizal Consort Free 142 Monroe Hall

Beethoven Quartet—John Cranford Adams Playhouse (560-3283 tickets)

Films, Exhibits, Performances, Lectures (560-3647-8 info.)

Films, Lectures, Exhibits (560-3296 info.)

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What Should Dean Schmertz' First Priority Be?



ANN COATES
(Class of '84)

The condition of the library is disgraceful. Books are not reshelfed or are shelved improperly, making the library ineffective. The quality of the library and the faculty are the hallmarks of a good law school. If the library materials are not readily accessible, the quality of the entire program suffers. The Administration should be held accountable for not maintaining this facility in a proper manner.



LARRY DOWNES
(Class of '82)

Schmertz's highest priority as Dean must be to establish a national reputation for Hofstra Law School. If he proceeds by simply increasing the recognition factor, the quality of the faculty and the students will eventually establish this reputation in both the legal and academic fields. In addition, he must attempt to attract a more diverse student body—to a large extent this will only be possible once the recognition and reputation factors have been dealt with. Remaining active as a labor mediator and lawyer will probably be Schmertz's most effective tool for increasing Hofstra's recognition. However, Schmertz must encourage the faculty and the administration to, in effect, sell the school every opportunity they get.



RICHARD WEINER
(Class of '83)

Establishing a national reputation for the law school which would aid in student morale and improve the overall outlook each student has of our school. With Dean Schmertz's prominence and background, improvement of the placement program should also be a top priority.



TREVOR K. CAMBELL
(Class of '84)

To train the students in what brotherhood and cooperation is all about . . . that little things carry over into all walks of life. Pride must be instilled and passed on so that "do unto others" and "love thy neighbor" are not idle thoughts. The use of the library should render the teaching of the honor system and pride in self and others. The condition of the library shows that this spirit is sorely lacking in many of the students. Honoring and sharing with an eye to better ourselves and our world is a priority for Hofstra and humanity.



PAMELA C. MILLIGAN
(Class of '83)

The Dean should maintain the standard of accessibility to the student body. Our school is characterized as having a staff that practices an open-door policy. For the sake of uniformity and morale, this standard should be maintained by the Dean.

Poetry Corner

1L LADY

Come on little girl now don't you cry,
Your brain's let you down you don't know why,
You're given the facts you just can't apply,
Oh my.

I see you sing the Hofstra Blues,
You hide behind your law reviews,
You've paid your money now you pay the dues,
It's true.

You're shooting for goals that you just can't reach,
You're learning from people that just can't teach,
You're heading on down to West Palm Beach,
Next week.

Your daddy said law is where it's at,
And you'll find yourself a husband that will get you fat,
You wanna play the field but you can't do that,
You jap!

So go turn on your stereo,
Listen to the music of Billy Joel,
Or go for a ride in your Camaro,
Let's go!

But be home early—daddy made it plain,
Study your Torts or he'll raise Cain;
Take away your money—no more cocaine,
Insane.

GREENGROVE BLUES

by Jerry Romano

"You won't believe it 'til it happens"
a 2L said to me,
"But get here after 9:00 am
there'll be no space, you'll see."
"And if, by chance, you have a class
at ten or twelve or three
You'll be parkin' on Greengrove in the morning."

I didn't believe what he said
I thought he was a fool.
"After all," said I, "a space is mine,
it's provided by the school."
The 2L cocked his head and winked
and said, "1L my boy,
you'll be parkin' on Greengrove in the morning."

So now I am a 2L, and let me tell you Jack,
I carry thirty pounds of books
balanced on my back.
I make the trek each day at ten
through rain and sleet and snow
For I'm parkin' on Greengrove in the morning.

WHY CAN'T I GET A JOB?

I made a resume
Sent it to the printer
Give me two hundred copies
I'll have a job by winter.

I made a list of firms
Cover letters, envelopes too
It'll be worth the effort
When I get an interview.

Rejections keep on coming
At the rate of five a day
We love you, we think you're great
But an interview, no way.

Why can't I get a job?
What do I have to do?
I've tried all the conventional means
I even made Law Review.

Summer is drawing near
And my hopes for a job are sinking
I guess I'll spend my days at the beach
And my nights at the bars, just drinking.

VALENTINE FOR SANDRA O'CONNOR

by Jay Scheiner

It is 11:45 p.m. Sandy O'Connor has just finished studying her Bus. Org. and prepares for bed. The Dr. Dentons feel warm and secure next to her body. She brushes her damaged auburn hair and tries, in vain, to undo the tangles; but woe to those of us who can never seem to overcome that sea of knots in our frizz. Once in bed, Sandy begins to read from her newest novel, *Juliet's First Love*. It is a futile effort to replace reversions and remainders with romance. She cannot, however, get past the title before the tears begin to spill. You see, it is St. Valentine's Eve, the thirteenth of February, and Sandy O'Connor has never been in love.

Her mother said it would be different. There would be no more Love Boat, no more Fantasy Island on Saturday nights. Sandy would meet the man she was waiting for, Mr. Right, within the cinderblock halls of Hofstra Law. Her mother said it was so. Why else would Sandy have studied so hard at Adelphi. Why else would she have suffered for her 3.4 G.P.A.? But her mother was wrong. Mrs. O'Connor overestimated both Cupid's powers within the law school as well as her own daughter's marketability. To say that our heroine is a wildflower is no understatement. She is shy, 'tis true; homely, 'tis also true. But within her cat-eye frame glasses lies a pair of green eyes which reveal a warmth that few of her fair sex possess. And what nature had neglected to provide for her in outward appearance it had compensated for tenfold in heart and character.

There are few events that can be considered tragic in the world of a twenty-two year-old girl. One may be the loss of a loving beau. Another is certainly the loss of innocence and virtue. But there is no doubt that Sandy O'Connor's condition is even more serious; for she has never had a sweetheart and cannot, therefore, even conceive of losing her virtue. And, if there is one thing more horrible than having some young man seeking to stain one's reputation, it is having no young man seeking to stain one's reputation. Yes, being alone and ignored is terrible; and being alone and ignored on the day of hearts is devastating.

The morning brings light filtering through the venetian blinds in the University Apartments. Sandy wakes and prepares for her first class, Wills and Trusts with Professor Deadheap. Sitting with her friend, Olivia Holmes, the two girls whisper and pass notes, practicing their signal system for the bar exam. One note says, "Olivia, who got you that beautiful corsage?" The replay comes quickly with a giggle, "I bought it myself, so Mr. Deadheap will think there's competition and will ask me out."

"He'll never go out with you," Sandy noted. "First of all, you have no will, and second of all, he must have heard about your words of limitation regarding conditions subsequent to marriage."

Twelve o'clock arrives and Olivia, in her hip-tight Calvin's, follows Sandy out of the lecture hall, leaving Mr. Deadheap to dream of future interests. They laugh as they walk to Memorial Cafeteria for a bite to eat. While in transit they see skinny Warren Blerger, a 3L in the combined J.D.-M.B.A. program. He runs towards them as if they were going to fly away, and indeed they were, because Olivia finds him repulsive and disgusting. His Hewlett-Packard calculator bounces and clinks against his belt as he cries, "Wait up Sandy!" Warren has a big smile on his face as he pants "I've been trying to reach you all day; have you been to your room yet?" Olivia interrupts rudely and interjects the following: "Of course she's been to her room you nerd. Where do you think she slept, in the library?" He pouts, like a six-foot one inch, one hundred twenty pound tort-feasor of a puppy. Olivia then adds, "Why don't you make like a pocket-part and get lost?" Dejected, the future tax attorney walks away, hands in pockets and head down.

Once inside the cafeteria Sandy chides her confidants for being so rude to poor Warren, but Olivia answers with the following argument, "Can't you see that that guy is a zero? He looks like the Adams Kid after touching the overhead wires." *Adams v. Bullock*, 227 N.Y. 208, 125 N.E. 93 (1919). "What would you do with him anyway, talk about the new tax laws?"

"I know that he's not much to look at," pleads Sandy, "but he's the only guy who ever paid any attention to me; and besides, I like him. Now you went and scared him off!" Silence. Olivia apologizes, smiles a guilty goodbye, and the two go their separate ways; Olivia to the book store for casenotes, and Sandy to the Law School.

Sandy O'Connor climbs to the third floor of the law building and enters the seldom used steel door to the roof. She sits down on the tar-strip surface alone. The rough-cut floor below her is warm, but the air is moist and chilly. It is a white, thick day, the kind of day which always seems to plop itself on top of Hofstra Law School. Her mind wanders. She dreams of ducks. Why ducks? Ducks are happy. They must have a prescriptive easement to happiness. Ducks don't have to go to law school to find love, they just have to know how to swim. They don't have mother-ducks impatient to be grandmother ducks. They look too secure. "Are there nerd ducks?" Sandy wonders "Who is to decide who is a nerd and who isn't anyway?" After all, I'm no swan myself."

Sandy weeps as she contemplates her situation—tears flowing like rain because she has lost her chance to be happy. "How often does a man, a real man who shaves, come into a girl's life anyway? Almost never," Sandy thinks. She resigns herself to a life of loneliness under a pile of New York Supps. At that moment, life in the solitude of a convent occurs to her. But she knows that her parents and her Rabbi

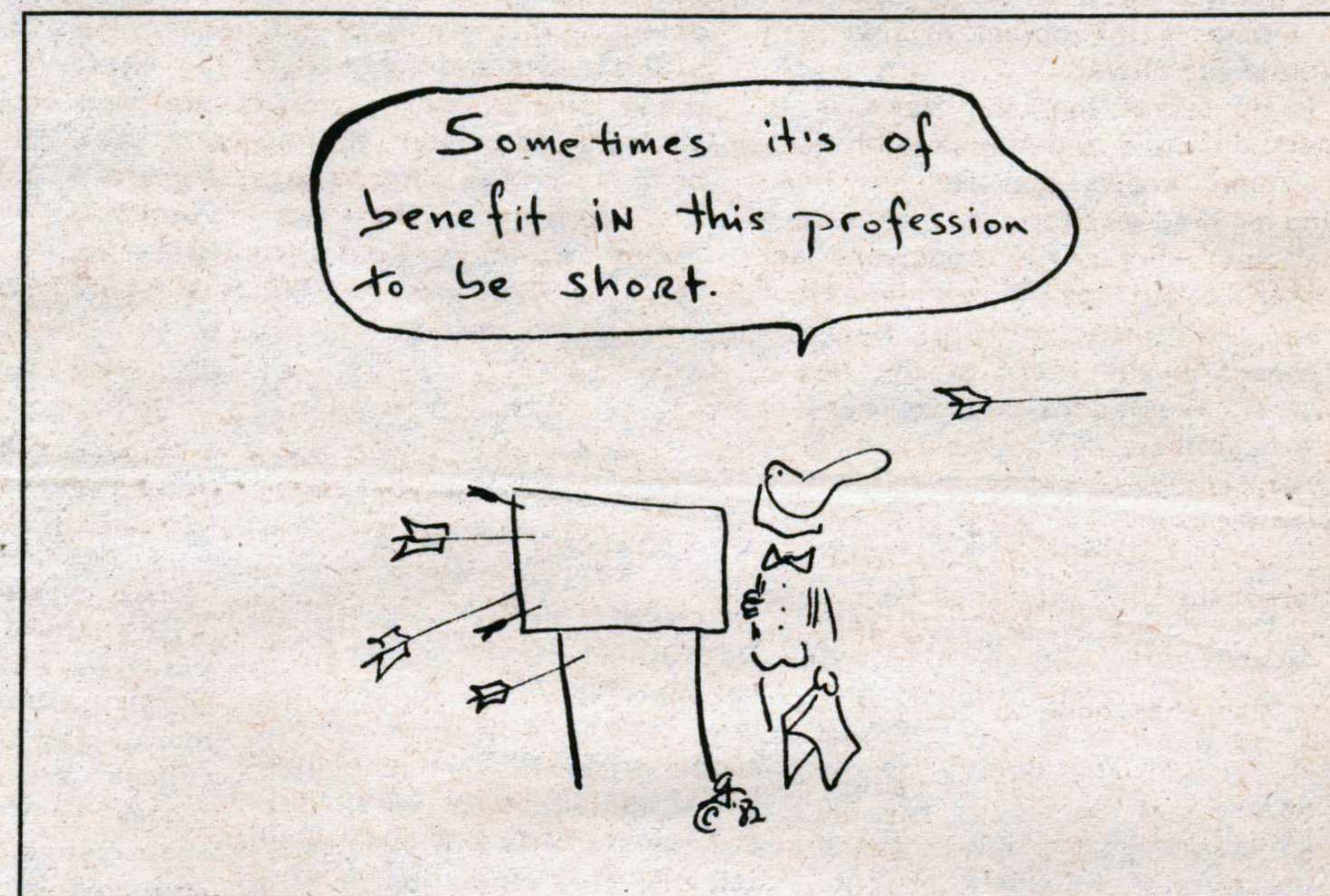
would not approve.

Our heroine solemnly walks, with her head held low, down Hempstead Turnpike to her dorm. Even the bus drivers ignore her, reserving their honks for fairer flowers. Her mother told her never to walk alone on the Turnpike. "But what does she know?" Sandy ponders. "She must know something, she's married." Once again Valentine's Day is the most terrible day of the year for her, and for next year she plans to take four valiums on February

Thirteenth, so she can sleep through the day of hearts to avoid the pain it brings.

As she reaches her door, Sandy O'Connor inserts the key into the lock. But before turning it, she sees something that startles her. "For me? It's for me?" She cries. "It's a Valentine for me!" Yes, on the door, pasted up with black electrical tape, is a big red rose mounted upon the underside of a copy of the New Tax Law proclaiming for all the world to see:

Sandy O'Connor is my Valentine.



Gourmet Grub?

by Leslie Levine

Rating—4 Squares □□□□

Have you been looking for the perfect spot to end a spectacular evening? Look no further . . . recently I had the culinary treat of dining at the newest posh late night eatery, the **White Castle Restaurant**. The ambiance and clientele of this extraordinary late night spot are unsurpassed anywhere. The restaurant is decorated in early filth with large smudged windows, unfinished foodstuffs lining the floor and dirty wrapper tableclothes. The lighting is bright so you get a good look at "who's who" in the crowd. Unlike most fine eating establishments, patrons may actually watch the gourmet chefs individually prepare their orders on the gourmet grill. The restaurant's rather unique patronage consists of the regular 3:00 A.M. Times Square crowd (drunks and men in suits sprawled on the floor have all transplanted themselves to this L.I. late night dining place). Be careful not to trip over patrons sleeping on the ground as you enter or exit the eatery! One of the hair-netted chefs stands at the door and selects who may enter this chic spot. Standards for admission are based upon degrees of sleaziness and intoxication.

The restaurant's barely renown chefs prepare their slippery square "burgers" which contain five prepunched holes, as you wait and watch with mouth watering anticipation. Their oil-soaked french fries are stupendous also. Not only are they delicious, but practical as well, since one may wring out their fries and use the oil for suntanning at the beach the next day. White Castle seems to have created a special grease sauce for all their food that has yet to be reproduced anywhere—but then again, a sauce such as theirs comes along very infrequently. So, next time that you have an uncontrollable urge to eat in the wee hours of the morning, head for the nearest all night diner; or better yet, head on home.

Paper Training

by Bruce H. Jurist

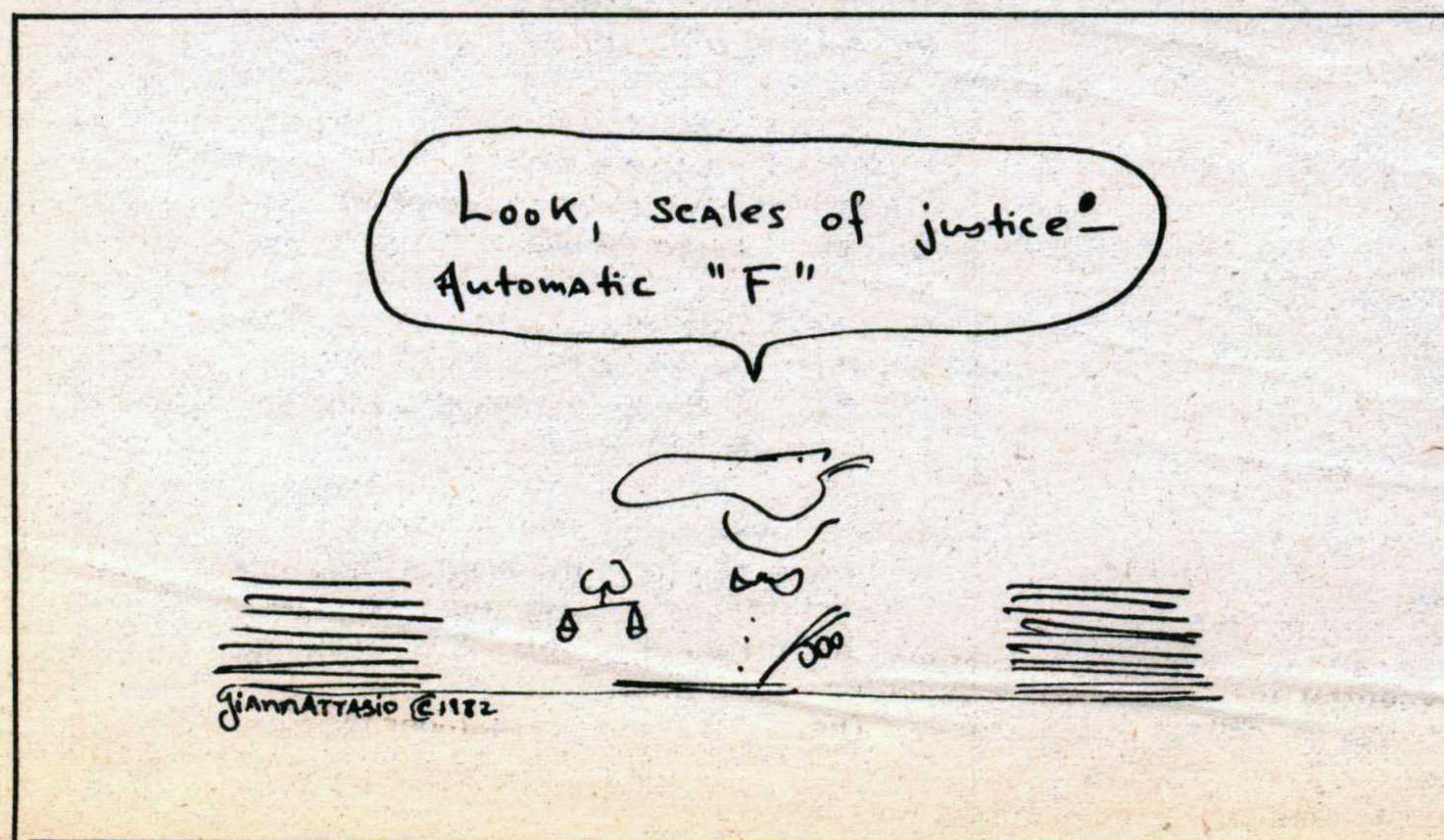
It was almost 4:00, a time which I had grown to dread. At 4:00 class would be over, and that meant it would be time to hand in the day's homework. My problem was that I didn't have my assignment ready. Even worse, I had already used my favorite excuses for being unprepared. Gosh, I'd already told the teacher, "My puppy got confused in his paper training" and "Mom used my paper to line the parakeet's cage" and "my little brother, Timmy, barfed all over my work." After these gems the teacher was bound to become suspicious about any new excuse.

What was I goin' to do? Dad always said "the truth is the best answer," but who'd believe some girl twisted my arm in the hall, and took my homework. I think I'll run away and join the circus, or maybe the Foreign Legion. The way everything is going, things are only bound to get worse. Besides the shame of not handing in my homework, I could get beat up, and have my lunch money stolen, or I might have to share my locker with some fat kid who eats smelly cheese, or that goofy girl with freckles and pigtailed might start liking me; YEEEEEECH!

Oh gosh, it's already 4:00. The row monitor wants my homework, now. I gotta say something quick. "A jetliner heading for LaGuardia Airport crashed into my house and burned my homework to a cinder."

I wonder if Professor Orlofsky really bought that excuse. Oh well, it really doesn't matter, I've still got a year and a half to figure out how to win a case.

The preceding story was true. The names weren't mentioned to protect most everyone's privacy. The moral of the story is, "Law School is a place for mature, responsible individuals. If a professor gives a homework assignment, never shirk your responsibility by handing him the old airplane crash line (always use the puppy dog routine, it never fails)."



SPORTS

Greed Is Greed

by James Dicker

There is a battle going on between the New York Post and The New York Daily News. Award winning sports columnist Dick Young is the object of this well publicized tug-of-war.

It is no secret that the News is in financial difficulty and may possibly fold. Dick Young knows too. He has been writing for the News for over forty years. Dick Young went to his employers last month and asked that the remaining four years of his contract with the News be guaranteed in the event of the News' demise. He was told this was not possible.

Dick Young decided to show the News who was the boss. He signed an agreement with the Post, to begin work in February 1982. That's showing 'em Dick. Did you just forget the little matter of your valid contract with the News, good through 1986?

The News has gone to court to keep Young. It claims that Young, with his following and style is irreplaceable; that his loss will cause irreparable harm. Prospective buyers would shy away from purchasing a floundering paper that cannot keep its top employees. The News wants Young to honor his contract. Simple enough.

For his part, Young argues that all he wants is security. He contends that he made a good faith effort to have his contractual terms guaranteed in case the News folds. He does not want to be left in the lurch after forty years of loyal service.

Dick Young has been an outspoken advocate of sports management in his column. He has bitterly attacked athletes who ask to renegotiate their contracts, leave their teams over salary disputes or fail to honor their contracts in any way. He has shown these players no mercy or understanding.

During the 1970's, the New York Mets fell from a contending team to a perennial loser. Chairman of the Board, M. Donald Grant was maligned by most observers as being the main cause of this decline. His pitiful trades and tightening of the team's purse strings were well documented. Young stood by him. Management knew best. It was the player's incessant greed that was at fault. Of course, the fact that Young's son-in-law held a front office job with the Mets had nothing to do with Young's sympathies.

In 1975, Mets superstar pitcher Tom Seaver asked for an increase of salary, commensurate with his stature and value to the team. Seaver wound up in Cincinnati. The heart of the Mets had been cut out. What did Young have to say on the Seaver matter? Would you believe, "greed is greed" and "a man lives up to his contract?"

What does that make you, Dick? You have set yourself a standard and then knowingly failed to live up to it. How are your readers supposed to take anything you write seriously? They can not. You have become a ranting and raving old man. Are you listening, Howard Cosell?

This sportswriter would like to take the opportunity to announce that the STACHE will be remaining with CONSCIENCE for the rest of his days at Hofstra Law. Despite rumors of tempting offers from unnamed but other respected law school newspapers, the STACHE has told me that he has no plans to leave CONSCIENCE at any price.

I will sleep more soundly knowing the STACHE is a man of his word and will live up to the generous provisions of his contract with CONSCIENCE. This writer looks forward to continuing close working relations with such a unique talent.



by The Stache

Shaving is one word that sends shivers through the STACHE's spine. I do not mean the shaving done with a razor. The STACHE refers to the type of shaving done on a basketball court ... point shaving.

Rick Kuhn has spent the better part of his life on a basketball court, including four years with Boston College. After graduation, Kuhn thought his court days were over. He was wrong. Recently, Kuhn was convicted of helping shave Boston College games in return for bribes from professional gamblers. Last week, he was sentenced to a prison term of ten years for violating racketeering and sports bribery statutes.

What is point shaving? It involves keeping your team from covering the point spread, the relative difference between the strengths of the two competing squads. The point spread between the two teams is listed by various bookmakers or oddsmakers. It may be found in newspapers under "Betting Lines." With shaving, it is possible to win the game but not by enough points to reward people betting on your team. On the other end, if your team is expected to lose, a player who is shaving will make sure his team loses by more points than the point spread indicates.

Kuhn shaved both ways. His indiscretions took place in six games during the 1978-79 season. He received \$15,000 for his part in the operation. The gamblers won much more.

During testimony at Kuhn's trial, which was held in federal court for the Eastern District, New York, the names of Jim Sweeney and Ernie Cobb were mentioned as two other members of the BC squad who allegedly conspired with Kuhn to shave. Cobb was the team's star. Sweeney and Cobb are both under investigation by a federal grand jury.

It is quite difficult to detect point shaving in a basketball game. BC Coach Tom Davis testified that he was totally unaware of any impropriety during the 1978-79 season. Who can be certain whether an errant pass, a missed shot or a foul was intentional or just part of the natural course of a game?

The entire investigation of the BC point shaving scandal emanates from government investigation of the \$5.8 million robbery at the Lufthansa freight terminal at Kennedy Airport in 1978. A man named Henry Hill was being interrogated about the heist when he claimed he was in Boston at the time fixing basketball games. If not for the Lufthansa theft, Kuhn and his cohorts might never have been brought to justice.

One touch of irony, Edward McDonald, the federal prosecutor, is an ex-basketball player from Boston College.

Two points need to be made about the BC scandal. First, it cannot be rationalized that this is an isolated occurrence in college hoops today. The amateur world of college sports is big business. Millions are bet illegally. A lot of

STACHE NIXES SHAVING

money is on the line. In hopes of a large return, gamblers are not adverse to laying some money on the athletes for inside information or to protect investments.

Many young players see this as an opportunity to make a quick and easy buck. If they are not asked to lose but just to make sure their team does not beat the point spread, who can get hurt? Everybody but the gambler. The integrity of intercollegiate athletics is undermined. The fan is injured by seeing and getting less than he pays for and expects. Most of all, the athlete is hurt. The crime will always hang over his head, always the chance that it will come to light. If the shaving is discovered, his career is over. The professionals would not touch him. He might, as Kuhn will, be headed to prison.

The gambler walks away with his money. Yes, he can be prosecuted. But that is just another business risk.

The second important observation is that shaving college basketball games is not a modern day phenomena. Scandals first hit in the early 1950's when players for the City College of New York, Long Island University, New York University and other teams accepted money to keep games close. CCNY was the defending National Collegiate Athletic Association and National Invitational Tournament champions. New York was the mecca of basketball at the time and the college game was on top. The professional game was a side show. The players involved never participated in another college or pro game. Some faced criminal charges. College basketball in the New York area has never been the same.

New York was not the only area to face a scandal. The great University of Kentucky team coached by the legendary Adolph Rupp was also involved. Rupp blamed everything on "New York gamblers" and promised never to bring his team back to New York while he was coach. He went one step further. The Wildcats never returned while Rupp was Athletic Director after stepping down as coach. Only after Rupp's death has Kentucky played in the New York metropolitan area. But the damage had been done.

Ten years later, in 1961, another point shaving scandal developed. New York gamblers could not be blamed. The Ivies were involved; the Midwest and the South. Those who considered the classroom to be a type of prison learned the true meaning of the word. All told, thirty-seven players from twenty-two schools were involved.

Which brings the STACHE back to Rick Kuhn and Boston College. No one should be surprised. But is Kuhn the criminal or is he the not-quite-so innocent victim of society and of collegiate athletics?

For the answer, one has only to look at current revelations about various kinds of violations in collegiate athletics at UCLA, Florida State, Wichita State and South Carolina. But those are for another column.

For now, remember the Boston College shaving incidents. Rick Kuhn will never forget.

DISORDER ON THE COURT

by Robert Castellano

Many people think the only exercise a law student gets is lugging around a Constitutional Law casebook and hiking up to room 308. Not so. A troop of adventurous students have drawn the battle lines for competition in this year's basketball intramurals.

Four teams from the Law School have assembled to mix it up on the court with undergraduate teams, beginning this month. The teams will compete in three divisions, varying in levels of skill.

Last year "Swoop Inc." the Law School's IL entry, made it to the finals, forcing the contest into overtime before succumbing to the opposition. Dissention and personality conflicts, found in any successful team, made it necessary for the team to split into two squads this year.

Intramural sports offer something different to every student. A. J. Borresen, second year student and leader of the renegade "Swoop Inc." faction, loves the

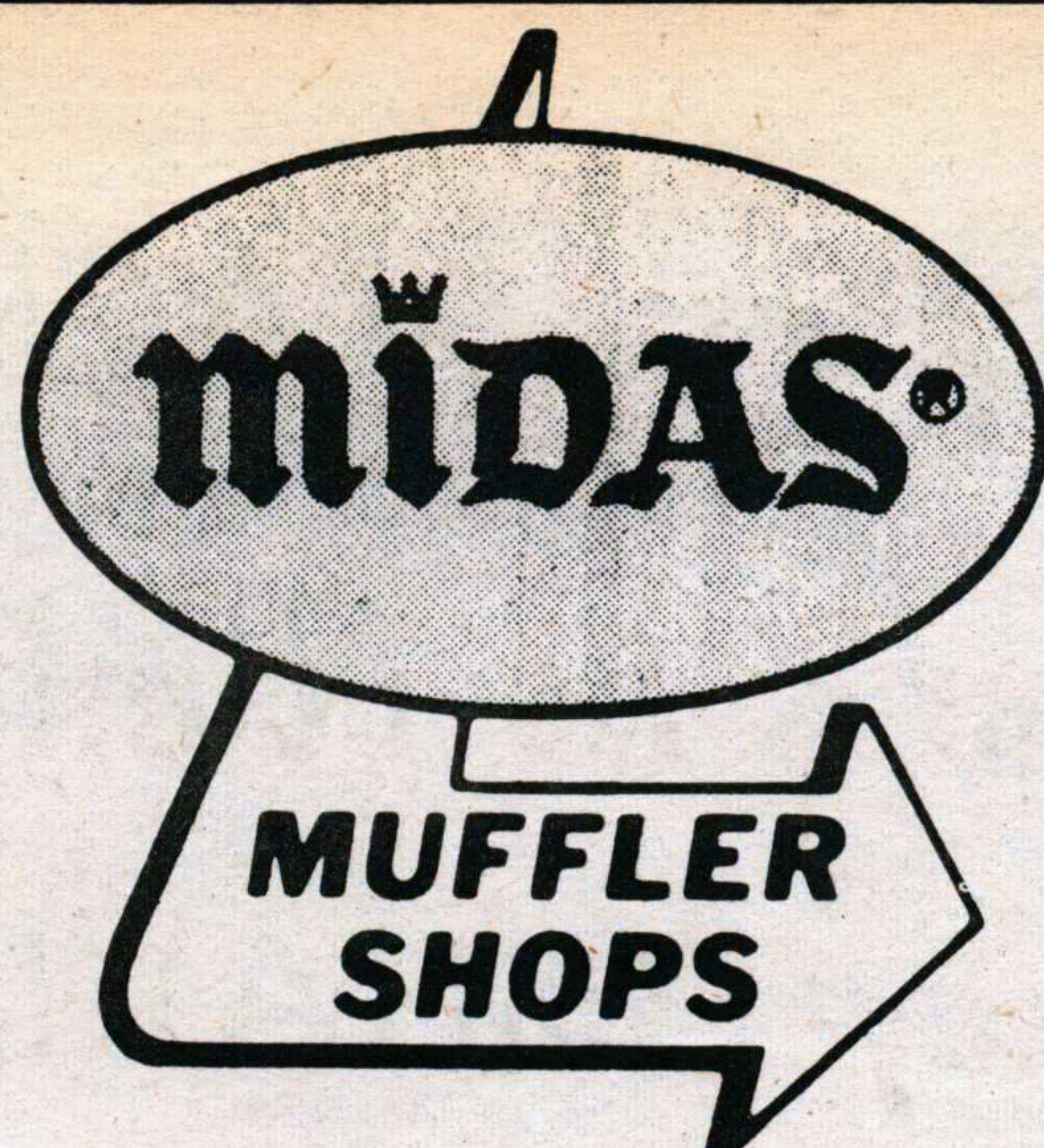
competition. "We're here to compete," he said, "and after completing our first year here, we're ready."

Jeff Schulman, class of '83, plays for the enjoyment of it. "Playing basketball with fellow law students can be great fun and good exercise," he said, "but after every foul is called some wise guy wants to litigate."

Ten sweaty students running around in shorts can attract more than flies. Second year student Leslie Levine enjoys looking at the legs that are normally under wraps for the better part of the school year. "Occasionally I check out a tush or two but it's the legs I'm wild about," she said.

This year's intramurals promise to give us suspense, drama, controversy, violence, and maybe a little basketball action when the game finally begins.

Spectators are welcomed. The games will be held at Hofstra's Physical Fitness Center and schedules will be posted.



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MIDAS MUFFLER SHOPS

MENDELSON ON MONEY

by Stephen Mendelsohn

The many symptoms of the economic malaise of the last twelve years have been well charted. Low growth in GNP, poor performances in balance of payments, unreasonably high interest rates and unprecedented unemployment figures have each added to the general perception of stagnation and decline in the American economy. These difficulties have affected the United States, the European Economic Community and the other Organization for Economic Cooperation and Development nations in varying amounts. According to the figures of the International Monetary Fund (IMF), the United States has clearly not been the poorest performer in all categories. However, in the area of productivity, as measured by output per unit of labor and capital per hour, IMF figures show the U.S. to be one of the weakest actors in the developed world.

Why is American productivity, once the shining model for Japan and Europe, declining at record levels? Productivity is a function of the utilization of capital; in this case plant, equipment, managerial skills, and labor output. Poor planning of resources and inefficient investment are factors which create an unproductive business climate. Obsolete machinery and an antagonistic work force add to errors of judgment by management. The result of these mistakes is increasing costs of production and decreasing output. The costs to society pursuant to declining productivity are enormous. As wage increases outstrip productivity increases in real terms, labor will find itself redundant. Unemployment will be inevitable. Labor cannot increase its productivity unilaterally and, therefore, a corresponding change in capital must occur. Without positive changes in the utilization of capital and labor, stagflation will continue to gnaw away at the foundation of the economy.

Critical analysis of the underlying bases of poor productivity growth is a recent phenomenon. A major factor is antiquated management attitudes. The desire for short-run profits at the expense of long-term investment has created an extremely narrow focus in U.S. businessmen. Investment, when it has taken place, has generally been in the Sun Belt and the Third World. Decaying plants in the Midwest and the Northeast have been abandoned, leaving pockets of structurally unemployed people. The Japanese and the Europeans have invested abroad, but they have not allowed the majority of their older industries to decay irreparably. The constant search for expanding profits and the short-term satisfaction of shareholder demands has forced companies such as U.S. Steel to diversify, not in the creation of new products, but in the acquisition of established corporations.

The inflexibility of U.S. labor does have counterparts in Japan and Europe. The difference lies in the goals of our unions. The desire for larger wage increases in the short-run, mirrors management's quest for short-term profits. Labor and management have both tried to expand their share of national income at each other's expense. Organized competition is the cornerstone of American capitalism. The result of this economic warfare has been a shifting away from investment into the payment of ever-expanding wages. When investment in new productive techniques is not undertaken, labor costs rise faster than the rate of price increases of finished goods. Inflation is the sad outcome of this scenario. "Cost-push" inflation drives up the price of consumer goods and this forces labor to demand corresponding increases in money wages. The vicious cycle has continued unabated as both labor and management desperately try to maintain their relative positions in the economy. Only recently have wage costs modified, but this slackening has come from the terrible



Photo by Laurie March

Stephen Mendelsohn

social and economic costs associated with the recession.

The primary focus of the Reagan administration has been the creation of a business climate where investment in capital and labor-saving techniques could expand productivity and increase GNP. The essential component of Mr. Reagan's program of "supply-side" economics is the blossoming number of depreciation write-offs included in the Economic Recovery Act of 1981. Investment tax credits have also been expanded to help stimulate the development of new plants and equipment.

While the focus of the President's program is admirable, the results have so far not kept pace with the administration's projections. The assumptions that business would immediately respond to the preceding incentives may have been naive. American industry has clearly been concerned with the record-setting interest rates posted by the Federal Reserve. It is unclear whether U.S. management can cast away previously held notions of worker-management relations, as well as exploitation of capital in order to develop viable and progressive production systems for the 1980's.

The role that American labor must play in the creation of more productive industry has yet to be addressed by this administration. The utilization of robots and other capital intensive devices will create large numbers of unemployable manpower. The training of workers to do more technical tasks has been downplayed by Mr. Reagan. The inability of most unskilled workers to obtain employment will have enormous political consequences for the president. American productivity can never rebound from its disastrous past unless an accommodation between the competing interests of capital and labor can be found.

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