

conscience

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Pratt Nominated to Second Circuit

by Pete Aloe and
Jeremy Metz

Judge George C. Pratt was nominated to the United States Circuit Court of Appeals for the Second Circuit last week by President Reagan. Judge Pratt currently is a Federal District Judge for the Eastern District of New York, and a Distinguished Visiting Professor of Law at Hofstra. Judge Pratt's nomination to the post awaits Senate confirmation, which is expected in the next several weeks.

The Judge is looking forward to the new post with mixed emotions. He told *Conscience*, "I love trial work, but I am really excited about working on the circuit court." The Judge commented that appellate work was a little more removed from reality. "If the law is an ivory tower," he said, "the district court is on the fifth floor, and the appeals court is on the 10th."

Although Judge Pratt will sit on the bench in Manhattan, he plans to maintain his chambers at the Long Island Courthouse located on the Hofstra campus. He anticipates that his appellate post will mean spending more time in the Hofstra Law Library.

The Judge said he would continue teaching at Hofstra for at least one more year. He currently teaches a seminar in constitutional litigation. Judge Pratt had high regard for Hofstra Law School, and said that "the Hofstra students are more open and willing to ask questions and take issue with me than students I've run into at other law schools. It's a much better intellectual climate to work in, than the way I remember students were when I went to Yale Law School." Both of Judge Pratt's law clerks are Hofstra graduates, whom the Judge said were "second to no one."

Judge Pratt's nomination has generated considerable excitement within the Law School. Dean Schmertz said he was "delighted by the nomination," praised Pratt as an "eminent jurist," and called him "a dedicated friend of the Law School."

Judge Pratt was appointed to the federal bench in May of 1976. He was formerly a partner in the then law firm of Pratt, Caemmerer, and Carey. He also served as a law clerk to the Hon. Charles W. Frossel, Judge of the New York State Court of Appeals.



Judge George Pratt

Photo by Nick Gabriele

2 Students File Suit Challenging Loan Requirements

by Annette Guarisco and
Sharon Hyman

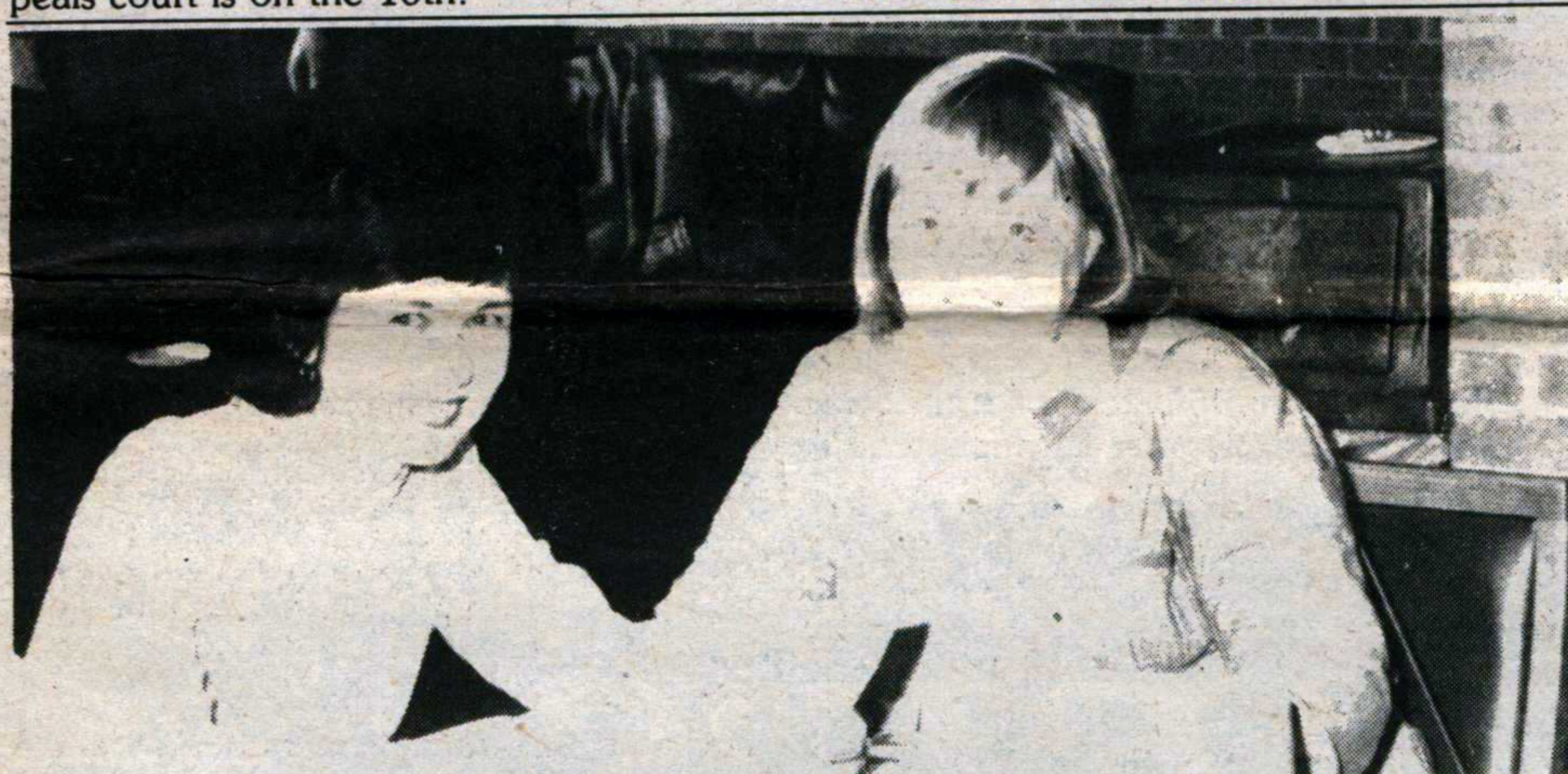
Two second-year Hofstra law students, Barbara Greenberg and Valita Kreiss, have filed a class action suit against the New York State Higher Education Services Corporation and the federal government challenging the legality of the recently amended eligibility requirements for federally funded and guaranteed student loans.

The idea of the lawsuit was initiated by Dean Eric Schmertz. Angered by the effect

of the new financial needs test requirement for students whose family income exceeds \$30,000, Dean Schmertz approached Professor Leon Friedman with the idea of commencing legal action. Prof. Friedman then presented this issue to his First Amendment Torts class as an "abstract problem." Barbara Greenberg, a student in the course, became interested in the topic as a research project; after researching the area, Greenberg consulted with Prof. Friedman at length concerning the possibility of instituting a suit. The complaint was filed on April 6, 1982 in U.S. District Court for the Eastern District of New York. Prof. Friedman is representing the plaintiffs.

The complaint alleges three causes of action. First, plaintiffs allege, on behalf of all graduate students who have previously obtained federally funded and guaranteed loans, that the loan contract between them

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Valita Keiss and Barbara Greenberg

Photo by Jeremy Metz

Agata Chosen for Schmertz Chair

by Bruce Sales

The recently endowed Max Schmertz Distinguished Professor of Law has been filled by Burton C. Agata. Professor Agata was installed at a convocation held Friday, April 23. The Schmertz Professorship is a gift of Dean Eric J. Schmertz and his brother Herbert in honor of their father Max who died almost 40 years ago.

Professor Agata was chosen after being recommended by Dean Schmertz and approved unanimously by the law faculty, University President Shuart and the Board of Trustees. Agata modestly stated that he was unaware of why he was selected but Dean Schmertz referred to him as a "good, deserving and distinguished professor."

Although stating, "I do not know the precise aspects of the Chair," Agata did express some ideas he hopes to implement through his position in the Professorship. He intends to establish an annual Max Schmertz Distinguished Lecture which would allow a legal scholar to be invited to Hofstra. He expects the lecture to result in a publication. In addition, several other less formal lectures will be sponsored by the Professorship throughout the year. Agata also plans to publish his own works based on research conducted in association with his appointment. He hopes that some of the income from the Professorship's endowment will be used to hire law student research assistants to aid him in this task. Professor Agata also

emphasized that his appointment to the Professorship would not reduce his teaching load.

When asked to comment on the future of the Law School and its faculty Professor Agata was very optimistic. He feels that there is no reason why Hofstra could not be a law school of nationally recognized excellence within the decade although he said, "I am not saying we can be a Harvard, Yale or University of Chicago." Commenting on the

faculty he said that a law school faculty should represent all kinds of activities in which the law school is involved. He stated, "Each faculty member should emphasize what he can do best and all faculty members should be involved in direct service to the school." He also said that all faculty "should be encouraged to publish but not on a publish or perish syndrome" since publications can be a tremendous aid in teaching.

Funding for the Distinguished Professor-

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University Attempts To Silence 'No Voice'

by Jerry Romano

What started out as an "April Fool" spoof by an undergraduate student newspaper may become an important freedom of speech issue on the Hofstra University campus.

On Monday, March 29, the "New Voice," a Student Senate publication, published an "April Fool" issue entitled "No Voice," as a supplement to the regular issue. The "No Voice" contained an article entitled "The Hofstra Cock Survey: What Are The Cocks At Hofstra Really Like?" The article featured a group of bar graphs in which phalluses were used to show the results of the survey.

The article also used various colloquial expressions for the word "penis."

That same day, Dean of Students, Patricia Giardini, conferred with Assistant Dean of Students Ed Lynch and later with University President James Shuart to consider what action, if any, should be taken.

With the approval of President Shuart, Dean Giardini decided to remove all 1200 copies of the "New Voice" issue from the stands. The following day, the University administration released approximately 200 issues along with a disclaimer in which the University stated that it did not condone the contents of the publication. It is not known

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SCHMERTZ SPEAKS:

'The Library is My Highest Priority'

by Ann Coates

"I have made a significant request for an increase of funds for the law library in next year's budget. The library is my highest priority," said Dean Schmertz in an interview with *Conscience* last Thursday. He went on to stress his view of what might be termed the symbiotic relationship between the library and the faculty of a law school: they must exist together in a close and complementary relationship. He asserted that the present library is "current and complete but every increase in its use is attended by an increase in its limitations."

The Hofstra Law Library is highly regarded as to the quality of its collection, within both the school community and the larger legal community that uses its services. Over 200,000 volumes and volume equivalents including more than 250,000 pieces of film are in the collection. In numbers it compares to older law libraries such as St. John's, New York Law and Brooklyn Law. According to Gerard Giannatasio, reference librarian, law libraries such as those at Columbia and Harvard have more materials but many volumes are warehoused so that even though their volume count is larger, most of those added volumes are not readily accessible. "Ours is a good collection all around, first year through scholarly research," he stated.

In addition the library has one of the finest legal periodical collections in the metropolitan area, a benefit directly attributable to the expertise of Law Librarian, Prof. Eugene Wypyski. "The important stuff first appears in the journals," he said. Since being up to date can make the critical difference in research as well as practice, the very latest in periodicals are a vital part of the collection. Another emerging collection is that of the U.S. Gov't. Documents, for which the law library is now an official depository.

As to staff services, the response from faculty and students was universally along the lines expressed by Dean Schmertz, that Professor Wypyski does a phenomenal job and his staff supports him every step of the way. Giannatasio went on to point out what he considered "the Wyp's" greatest strength, namely his knowledge of the book market. "He's not just an academician associated with law schools but is involved in and has contacts with the book business." It's that knowledge that enabled Hofstra years ago to gather many older sources and materials not now available to new law libraries. It also gives the school an edge on getting the most for its money. Schmertz complimented the rest of the library staff as well, stating that he considered them to be excellent. "There are just too few of them," he said. There are seven full-time professional librarians, three of whom have law degrees as well, and four part-time librarians; seven full-time support staff; and approximately 25 student assistants.

All is not sweetness and light, however. The library has some major problems, in general having to do with the physical plant and the library users. Problems with the physical plant include: inadequate shelving, causing fine materials to remain in cartons; the climate control system is generally considered inadequate and too erratic for maintaining proper working conditions and protecting the collections; there is a shortage of space, as the library has outgrown its book space, reader space and group study space ("The original plan for the library had areas in which small groups could study; I would hope it still could be achieved some day," said Wypyski); and the atmosphere is generally considered to be dull. "Since we spend such an inordinate amount of time in the library as compared to other fields of

study, it would help a lot if the atmosphere was more stimulating. It's not a very aesthetic place, but then neither is the rest of the law school," commented Dave Wankoff, a first year student. "It would be a positive step in recruiting to do something with the building that would excite the imagination rather than convey the negative atmosphere of the present building."

Both staff and students were unanimous in expressing their frustration with the library's overall problem of orderliness. Users were blamed, students in particular. The litter (how much could there have been before Dunkin' Donuts opened?) and the perennial problem of reshelving were universal gripes. Despite reminders posted around, students

still abuse the privilege of ready access to the stacks and do not return the books when finished, or they replace them in a careless manner. As a result, the book is as good as lost to the next seeker. The overuse of books, especially by first year students in the fall with their Lawyering Skills research and in the winter with moot court was also blamed. "It seems impossible to deal with at the time, but we recover," commented Alan Amish, a 3L who works as a student assistant.

Improvements are on the way, however. Dean Schmertz has requested additional staff, one of whom would be a full-time assistant to deal with the reshelving problem, ac-

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Schmertz Holds 2nd Dean's Hour

On March 31, Dean Schmertz and Vice-Dean Rabinowitz held their second Dean's Hour since coming to power. The discussion, which was attended by approximately 50 students, ranged from comments on exam and moot court cheating to physical plant improvements. Among the litany of goals enunciated by the Dean were: increased funding for scholarships, student recruitment, research assistantships, increasing the staff and budget of the Law School library, implementing an aggressive public relations policy, an increase in faculty positions to decrease the student-faculty ratio, a beautification program which would include carpeting the entire library and the procuring of additional space for the Law School either by constructing a new building or getting space in an existing one. Schmertz told the students that the Law School is instituting a "bold fund-raising campaign" that will be "professionally coordinated" with an objective of \$3 million. Some of this money will be

used to accomplish these goals.

Deans Answer Questions

In his answer to students' inquiries, Schmertz stated that he wants to see an increased minority population in the Law School's student body. Responding to a question regarding allegations of cheating in the moot court program, Vice-Dean Rabinowitz stated that the evidence concerning the accused student was not "clear and convincing" and, therefore, no violation was held to have occurred. Dean Schmertz noted that students found guilty of cheating would be "severely punished." He noted that in an instance last semester a student was not allowed to graduate. When questioned about the amount of money the University takes from Law School fund raising efforts, the Dean assured the student body that the University will receive no more than an appropriate percentage. "The days of rake-offs are over," he said.

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Burton Agata, Max Schmertz, Distinguished Professor.

Schmertz Professorship . . .

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ship comes from interest on the endowment. The principal, which is a part of the University endowment, is not used. Professor Agata will receive a sum of money over and above his professorial salary as recognition of his distinguished professorship. The money is given with no strings attached. Agata expressed his intention to use the funds to establish the Max Schmertz Lecture, the hiring of law student research assistants and to help defray any publication costs.

Distinguished professorships and chairs are becoming commonplace in American universities. They have a number of pur-

poses beyond honoring a longtime member of a school's faculty. Distinguished chairs provide economic resources to the appointed professor, they aid in recruitment of distinguished faculty and they help to retain high quality professors at institutions where they have spent most of their academic life. Commenting on these reasons Dean Schmertz said, "I do not want professors to leave Hofstra for economic reasons." The Dean hopes to acquire at least two other chairs. In fact, he stated that requests for the establishment of at least two other chairs have been made.

Photo by Aaron March

New Voice. . .

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what happened to the other 1000 copies of the issue.

According to Dean Lynch, this action was taken pursuant to University Policy Series #233, Section E. "Student Publications," which states that "... the college administration ... testifies to its belief in the principles of academic freedom and freedom of the press, as well as its trust in the students' ability to act responsibly. However should material already published lead to serious legal action detrimental to the University, the Administration retains the right to take whatever steps it may deem necessary."

Article V, Section C of the Students Rights and Responsibilities states: "In the delegation of editorial responsibility to individual students, Hofstra University shall provide sufficient editorial freedom for the student publications and other media to maintain their integrity of purpose as vehicles for responsible free expression in an academic community."

According to Assistant Dean Lynch, "We realized it was a First Amendment issue, but we also realized that the First Amendment is contingent upon ... responsible journalism."

Assistant Dean Lynch said that the University has been in contact with the District Attorney's Office to determine whether the "No Voice" violated any obscenity laws. There was no serious legal action pending against the University when the issue was removed.

Asked whether he saw an inconsistency in the University's removing the "No Voice" from student view, while allowing *National Lampoon*, *Playboy* and *Penthouse* to be sold in the University bookstore, Dean Lynch replied, "The difference is that it (the "No Voice") was produced by students rather than from an outside source."

Professor Leon Friedman, an expert on Constitutional Law said of the "No Voice," "It is simply not obscene. There have been Constitutional interpretations of what you have to have in order for it to be obscene, and this does not meet that definition ... I don't believe that the D.A. will bring charges against these students, and if he does, he'll lose."

As far as the First Amendment issue is concerned, if the state brings action against the students who published the "No Voice," then the students can claim First Amendment protection. But if the dispute is between a student, and the private university which funds the student publication, the student cannot claim Constitutional protection under the First Amendment.

Reaction throughout the campus has been mixed. An editorial in "The Satellite," a publication of the Communication Arts Department, chastised the "No Voice" for its "sleazy caliber," but also attacked the Administration for behaving "like a group of reactionaries."

Pete Aloe, Editor-in-Chief of the *Conscience* was upset by the entire situation. "The whole incident is regrettable," said Aloe, "because it shows a lack of faith in the members of the University community ... There should be free and robust debate without censorship at all. That goes to the heart of what a university is all about." Aloe firmly believes that all groups have a right to say what they think, politically and sexually, and a university should be the forum for the dissemination of such ideas.

Barry Layne, a Senior, writing in the "Opinions" section of "The Chronicle" said, "By virtue of their actions, the administration has murdered the ideal of free expression on this campus."

David Sobel, the Editor of the "New Voice" and the "No Voice" supplement declined to comment when contacted by telephone. He said he was in the midst of running for Student Government President, and he preferred to let the entire issue die down. However, according to Assistant Dean Lynch, the issue on this campus is far from dead.

Affirmative Action — Law Review?

by Alan Kaminsky

Should the *Hofstra Law Review*, which has never had a minority student as a member during its ten year history, institute an affirmative action program to allow for future minority representation? That was the question "debated" recently during a joint BALSALaw Review forum in which the pros and cons of such a program were discussed.

The concept of affirmative action, which is designed to "make up" for opportunities denied to "historically under-represented groups," is not a new one as universities across the country do indeed consider an applicant's race in determining his/her possible admission to the school; affirmative action in regards to law review programs, however, is relatively novel.

Harvard Law School recently adopted such a program, beginning with this year's selection process. They will invite minority students to submit personal statements, along with their writing competition papers, to explain what "economic, societal and educational obstacles" they have successfully overcome.

Michael Doyen, one of the editors of the Harvard Law Review who helped to design their program, was the guest speaker at the forum. He said the key concern of his colleagues in weighing the idea of affirmative action was whether "ethnic diversity" on the Review could be achieved "without sacrificing scholarly quality." Doyen felt that minority participation on the Review would help the Review to produce a "more representative viewpoint of the American legal profession." In addition, Doyen stressed the need to "compensate minorities for historical injustices."

Although the arguments for adopting an affirmative action program were generally well received, there were mixed feelings by many students, as well as conflicting views of BALSAL members themselves. While one BALSAL member spoke of the benefits to be derived from such a program both for the student selected and the school in general, another BALSAL spokesperson opposed the

idea of "blacks getting on Law Review just because they are black."

Indeed, the "stigmatizing" effect that membership via the affirmative action route may have upon a student chosen due to his/her race seemed to be the primary reason for not favoring such a program. It was also felt by some that minorities who did attain membership to the Review as a result of an affirmative action program would "diminish" the value of membership of the minority students who were invited to join solely on grades and the writing competition. Yet since there has never been a minority student on the review, by grades or by any other manner, that level of criticism seems to lose its validity.

The *New York Times* and the *Wall Street Journal* both joined in criticizing the Harvard program, calling it, in essence, "a scheme to ruin the merit system of the Review." Doyen addressed that by saying the old system of selection was merely a "circle" whereby a white faculty and Review Editorial Board would repeatedly select white students for membership, and, since many Harvard faculty are Review alumni, this process would repeat itself and consequently keep Harvard and the Review predominantly, and in the case of the Review, sometimes exclusively, white. Doyen also said that there is something inherently wrong with selecting students on grades when grades may not even be a good indicator of a student's performance on the Review, and, in regards to minority students, an incredibly minute proportion of black students finish in the top half of the class.

Linda Kriecher, Editor in Chief elect of the *Hofstra Law Review*, acknowledged the need for minority representation on the Review, but felt that before any sort of affirmative action program should be instituted, black students should first make a more determined effort to gain membership through the current process, specifically the writing competition. Kriecher noted that most minority students do not even partake in the writing competition, and that partially explains the black students historical underrepresentation on the Review. Doyen noted

a similar problem at Harvard, but explained that since black students generally do not finish in the top of the class, they are "demoralized" from entering the writing competition.

Kriecher also stated that the *Hofstra Review* does not have a firm position on the issue. BALSAL also does not have a set policy, although they are currently "exploring various ideas."

Students Elect New SGA Leaders

by Janlori Goldman

On March 31 the Law School elected a new student government. George Patsis, the new second-year representative, describes the group as a "group of good friends with no petty egos."

The new members are:
Jordan Fox — President
Glenn Berger — Secretary
Cathy Sagos — Treasurer
George Patsis — Second-Year Representative
Robert Cohen — Third-year Representative
Dana Mesh, Nancy Samotin, Susan Rosenblum — Election Commissioners

The student government wasted no time in getting involved in the political process at the Law School. Jordan Fox says the group is currently working with Dean Schmertz on the recent decision to abolish the weighting of grades for the first-year sections. Fox contends that students were not involved in the decision. They are also meeting with the Director of Residential Life to lobby for keeping the dorms open during the Law School Writing Competition. In the future, Fox plans to establish a Committee on Academic Dishonesty as well as provide student legal services to the undergraduate campus. He

added that there will always be the problems of parking and the "sad excuse for a library facility."

The blanket goal of the new government is to "improve those things which make life so miserable here," Fox stated. Patsis stressed the need to "organize and mobilize the school to effect student demands," he believes that until now, students have not had an "effective voice in policy-making at the Law School." Fox feels that student government is "starting from square one." He is excited by this new beginning and promises a year of "aggressive advocacy."

The incoming student government portray themselves as a tightly-knit, hard-working group. Steve Roberts, who ran against Fox for President, vowed to keep them on their toes. Roberts, while congratulating Fox on his election, said he will play the role of the "Loyal Opposition" by participating in the student government process. He is especially concerned with the budgetary hearings and the allocation of money to the various student groups next year.

The new government pledges to be visible at least once a week in the lounge to answer questions and spread information.

New IPIJ Editors Hopeful for Future

by Peter W. Shafran

The *International Property Investment Journal* (IPIJ) is an international publication with its home base in trailer #2 behind the Law School. The first issue will be available just after the end of this semester.

The IPIJ is jointly sponsored by the Law School, the International Real Estate Committee of the World Association of Lawyers, and the International Institute for Real Estate Studies, Ltd. The *Journal's* publishers, Gordon & Breach, plan for a 30,000 copy promotional distribution in June.

The IPIJ selects their new members through the same writing competition as the *Law Review*. They also choose candidates based on grades alone or in combination with students' writing ability.

Those invited to join the *Journal* will be able to write their own notes and comments, as well as do research and editorial work on articles submitted by international contributors.

Elections were recently held for the Student Editorial Board of Volume 2. Alan J. Plaza takes over as Editor-in-Chief. The responsibilities of the Managing Editor are split between Valita R. Kreiss, who will direct the *Journal's* business affairs, and Timothy G. Mulcahy, who will be in charge of staff. Filling out the *Journal's* Editorial Board are

Articles Editors Brad B. Becker, Peter B. Goldstein, and Marc L. Hamroff; Research Editors Matt Gottesfeld, Bruce Ingebretsen, and Bruce H. Jurist; Notes and Comments Editors Mindy A. Birnbaum, Michelle S. Feldman, John W. Klein, and William B. Rebolini.

Managing Editor Valita R. Kreiss will be responsible for the daily affairs of the *Journal*, including dealing with outside authors and the publishers. Managing Editor Timothy G. Mulcahy will coordinate the bringing of articles to the publication stage. This involves assigning jobs to staff members and associate editors, and coordinating the articles with the notes and comments. He will also maintain a liaison between the *Law Review* and the *Journal* to make sure articles in the two publications do not overlap.

Mulcahy stressed that the *Journal's* scope was international and added that his personal challenge is to "develop a niche for the IPIJ to be unique." He also pointed out that, though most publications take three years to produce their first issue, the *Journal* will have their first entire volume (four issues) out their second year.

Kreiss views the experience a student gains from *Journal* membership as "unique, in that, in addition to honing your research, writing, and editing skills, you are more

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Shuart Drafts 5 - Year Plan

by David Chidekel

University president, James Shuart, announced at a recent press conference, that Hofstra finally possesses the resources necessary to attain the status of a top ranked university. Shuart explained that during the mid 1970's Hofstra survived the economic crisis that most universities are facing today. With the passion of an evangelist he stated that "while other institutions are speaking of survival, we're speaking only of the future."

Shuart has drafted a five-year plan for securing academic excellence at Hofstra. This plan, called the Statement of Mission, was sent to the University's Board of Trustees in an attempt to get feedback. Based on the board's response, a Committee on Academic Excellence will draft and submit more specific proposals to develop some sort of final plan during the summer. Shuart hopes to "hit the Board of Trustees with a direct approach, calculated to determine whether they really want to work toward having an excellent academic institution."

The Statement of Mission identifies five general areas for improvement to be worked on during the next five years. These areas include securing fiscal integrity, enhancing the student body by raising admissions standards and broadening curriculum, attracting and maintaining a distinguished faculty, creating an enticing learning environment to increase student interest and participation on campus, and re-evaluating and improving Hofstra's academic and recreational programs. As part of a general plan to produce a cohesive University community, Shuart stressed the need for expanding Hofstra's library facilities, instituting a campus-wide computer network, improving food services and providing frequent educational and recreational activities. He also expressed interest in building a swimming pool and constructing a new building to house a Ratskeller, student center and concert hall. He even suggested that the University is considering plans for a new Law School building.

The current Statement of Mission does not include any input from the Law School. The submission of the Law School's plan was delayed because Dean Schmertz did not take office until January. A Law School plan is scheduled to be considered by the Law School faculty during a May meeting.

Meanwhile, the University's administration is calling for a coordinated effort by the faculty, administrators and students of all departments to create a dynamic learning environment for both students and the community. Their hope is that Hofstra will become a cultural center for Long Island. To aid in achieving this goal, President Shuart requested comments from the University community. When questioned about the ap-

parent lack of communication between the Law School student body and the University's administration, Shuart replied that the law students are adequately represented by Dean Schmertz and the student government. He also commented about the disastrous meetings with law students in the past saying, "I'm interested in what the Law School students think; I'm just not into mob scenes."

Freedman Discusses Preventive Detention

by Ken Barnard

On Wednesday, March 31, Hofstra Law hosted a meeting of the Nassau Coalition for Safety and Justice at which Monroe Freedman discussed the topic of preventive detention. Prior to Professor Freedman's denunciation of preventive detention, the coalition showed a film entitled "Presumed Innocent," depicting the filthy, unsanitary conditions and the brutal treatment to which the inmates at the Rikers Island Mens Detention Center are subjected. The men at Rikers have not yet been convicted of crimes; therefore, their incarceration is, allegedly, not for punishment. They are merely being detained, or as Professor Freedman phrases it "warehoused."

Professor Freedman found few kind words for preventive detention. He labels this system coercive, in that a person who insists on his legal right to a fair trial is detained in one of these "zoos," whereas one who pleads guilty may be released quickly. He also believes that preventive detention is a denial of due process. A person may be locked up without a finding of guilt beyond a reasonable doubt.

According to Professor Freedman, the only legitimate justification for punishment is "specific deterrence." Specific deterrence is the jailing of individuals only after their conviction at a criminal trial. Its purpose is to segregate criminals from the rest of the community. The current process involves ascertaining the accused's dangerousness at a pre-trial bail hearing. The degree of dangerousness is reflected in the amount of bail set by the trial judge. Failure to meet high bail, a common problem of indigent and poor defendants, yields internment. Whatever the process, Professor Freedman urged that incarceration be humane.

Professor Freedman also pointed out that Legal Aid attorneys do not have the time to give their clients the "effective assistance of counsel" which the Sixth Amendment guarantees them.

Professor Freedman offers some solutions

to this seemingly insurmountable problem. He urged the hiring of more lawyers, judges and court officers and the construction of more courtrooms. To compensate for the added cost he suggested no longer sending men to orbit the earth and report home about their toilet facilities. With more courts, more judges and more lawyers there would

be faster trials eliminating the need for preventive detention.

Professor Freedman urged all lawyers to get involved. This need not mean a lifelong commitment to Legal Aid, but merely the donating of some professional time to prisoners' rights.

BALSA Holds Elections Sponsors Awards Dinner

by Joe Cassidy

The Black American Law Student Association (BALSA) strives to articulate and promote the needs and goals of Black American law students; to foster and encourage an attitude of professional competence, and focus upon the relationship of the Black law student to the American legal structure and the Black community.

Presently, Hofstra's chapter of BALSA has approximately 40 members. According to the BALSA Constitution, "Membership is limited to students attending the Law School. The sole requirement imposed upon one eligible for membership shall be his/her assertion and affirmation that he/she desires and intends to participate in and support the activities and endeavors of the Association; and that he/she shares in the aforementioned goals."

Executive Board elections were held on March 24, 1982. The results were:

President.....Trevor Campbell
Vice President.....Karen Grant
Secretary.....Cynthia Diaz-Wilson
Treasurer.....Frazine Thompson

The newly elected president, Trevor Campbell, said, "I am extremely proud to be considered to be a representative for the group. Being older and knowing how bright this current generation of law students is, being chosen only enhances the thrill that much more." Campbell continued, "I hope in the days to come that I can prove myself worthy by providing leadership to the fullest of my capabilities. With the help of what I consider an excellent executive committee, I am confident that we can move BALSA in a positive and progressive manner that will benefit the entire Hofstra community." Johnnie Story, the retiring BALSA Presi-

dent, stated that he wishes Trevor Campbell and the entire executive committee the best of luck in the upcoming year. He also offered to be of any assistance that he could be in the future.

BALSA Holds Award Banquet

On April 17, 1982, BALSA held its Sixth Annual Awards Dinner-Dance. Trevor Campbell described the night as "a fun-filled evening of elegance." Several awards were presented, and the dinner was highlighted by guest speaker Arnette Hubbard. Hubbard is the president of the National Bar Association. In addition, Ms. Hubbard has been an active participant in over 20 professional and non-professional organizations and has worked with the Chicago Lawyers Committee for Civil Rights. In her presentation, Hubbard stated that "Black lawyers carry with them the seed of growth." She stressed that Black law students and attorneys must continue to strive for the total eradication of racial discrimination. During the 1970s and 80s the Black community "stopped sowing seeds and started to eat the fruit" that was so arduously fought for during the 1960's Civil Rights struggle.

Hubbard stated that the highwater mark for the Black movement was the passing of the Voting Rights Act of 1965. Since that period, apathy and complacency have set in and the hard fought victories are being systematically eroded. She ended by stating that "Tomorrow is not promised," and it is time for recommitment to the old struggle to help America reach its full potential as a truly equal society.

The following awards were presented during the banquet:

Distinguished Service Award to Margaret Johnson

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Disarmament Conference

The threat of nuclear war has become a prominent issue as people across America have become involved in efforts to help prevent a nuclear holocaust. Here at Hofstra, on April 29, there will be a disarmament conference.

An afternoon session at the conference will take place in the Student Center Multipurpose Room. At noon, the conference will open with an address by Barry Commoner. During the rest of the afternoon, there will be a discussion of the economics of the arms race and a presenta-

tion on the Soviet threat. Speakers include David Gold, from Council of Economic Priorities, faculty from Hofstra and Queens College and perhaps a representative from the Soviet Embassy. At 7:30 p.m., in the Monroe Lecture Hall, Michael Clark from the Riverside Disarmament Program will speak along with Dan Smith, a leader of the European Disarmament Movement.

All members of the Law School community are invited to attend these activities and are encouraged to participate in the discussions.

HOFSTRA UNIVERSITY
DISARMAMENT CONFERENCE
THURS., APRIL 29th
STUDENT CENTER, multipurpose room
OPENING ADDRESS at 12 p.m., Barry Commoner
THE ECONOMICS of the ARMS RACE, 12:45-2:30
panel discussion with John Ullman, Hofstra
and David Gold, Council of Economic Priorities
THE SOVIET THREAT, 3-5 p.m., presentation
by Alan Wolfe, Queens College;
panelists Professors Firestone, Levantrosser
and Zacherl
EVENING PROGRAM, 7:30 p.m., Monroe
lecture hall
A CALL TO ACTION with speakers:
Dan Smith, European Disarmament movement,
Michael Clark, Riverside Disarmament Program,
and others

Loan Program Discriminates

continued from page 1

and the defendants created an expectation interest; this expectation is property which the government cannot take away under the due process clause of the Fifth Amendment. The claim is that the contract provides for a \$15,000 loan payable in three installments, so that a student signing such an agreement in his or her first year of law school could rightly assume that his or her eligibility for the loan would not be affected by any changes in the law.

Assuming that the government can take away this property right and change the eligibility qualifications, plaintiffs then allege, in a separate cause of action, that the regulations promulgated under the new law discriminate against students who are married women, thus violating constitutional equal protection principles. Under the new regulations, a single dependent student whose family's adjusted gross income exceeds \$30,000 may still be eligible for an amount less than the full \$5,000 if he or she passes a financial means test. However, a married student whose family's adjusted

gross income exceeds \$30,000 will be ineligible for any amount of funding. Plaintiffs, both married women affected by this change, claim that in practice, the effect of the regulations is to discriminate solely against married women. For instance, at Hofstra Law, there is no married male with a family income exceeding the \$30,000 limit. The allegation is that the regulations intentionally discriminate on the basis of gender, fostering the stereotypical image of the woman as homemaker rather than graduate student.

Finally, plaintiffs' third cause of action alleges a violation of Article I Section 10 of the U.S. Constitution which prohibits a state from impairing the obligation of contracts. The assertion is that the New York State Higher Education Services Corporation, an instrumentality of New York State, has impaired the obligation of its own contract with the plaintiff class by administering the federal regulations.

Prof. Friedman stated that since the initiation of the suit, the Department of Education has been rethinking the regulations at issue. Although he concedes it is not an easy case, Prof. Friedman does not consider the case thin, as was noted recently. Charles Alan Wright who commented prior to a complete explanation of the issues stated this was a thin case. Prof. Friedman does not agree although he concedes it is not an easy case. Plaintiff Barbara Greenberg is "very encouraged" by the positive support of the law school administration and faculty. She hopes these efforts will benefit first and second year students who have previously

received loans and married students who have been discriminated against.

The parties are currently conducting discovery while awaiting defendants' answer. The case will be heard by Judge Jacob Mischler, sitting in the federal district court here in Uniondale, sometime in June. A determination is expected in July or August.



Professor Leon Friedman

Photo by Nick Gabriele

Plans for Library

continued from page 2

cording to Wypyski. Also promised is additional shelving so that presently stored materials can be made available, and "a guarantee of a thorough cleaning and painting this summer." Schmertz is anxious that the building be expanded in the near future so as to provide room for a broader range of services. He would particularly like to see the library expand into the area of mechanized library services, such as computers and word processors so essential to a modern law library.

All the plans for improvements will fall short of the goal, however, if students do not develop a self-discipline in the use of the library resources. "We need cooperation, particularly at peak use times," said Wypyski. "Perhaps there is a role here for Student Government." The actual vandalizing of books was believed to be minimal. According to Giannatasio most damage was due to overuse and improper handling.

"Each year we have only one or two persons who actually vandalize. You can tell because it's limited to the same area, same problem, same method. This year we seem to have only one, but it's done in a very eccentric manner."

Since Lawyering Skills is the program through which students are introduced to the mechanics of the law library, can the teacher impress on the students a greater respect for the care of library resources? "I think they can speak to it but it seems more a reflection of basic social values which are beyond the control of the classroom," said Professor Richard Neumann. If the improvements in the physical conditions are achieved, will we still be faced with missing, mishelved and misplaced books? "Hopefully not," said Neumann. "The bottom line for improving the library is for students to deal with it themselves. They can make the library a better place, first by being considerate of others, and second by treating books with respect."



Barbara Greenberg

Photo by Nick Gabriele

Book Review: *How To Do Your Best On Law School Exams*

by Eric Lane
Professor of Law

The secret of law school exams is not only what you know, but how you apply what you know. Professor Delaney's new book, *How to Do Your Best on Law School Exams*, demonstrates lawyerlike application, a *sine qua non* for the "A" answer.

Regrettably, many beginning law students do not realize this fundamental truth and commit a common first-year blunder. They neglect in their answers the core analytical skills and, as a result, their answers are often quite knowledgeable but jumbled: a pot-pourri of rules, issues and facts — all without legal rhyme or reason. The answers are not well organized, not systematically developed, and not especially logical. In a word, they are unlaywerlike.

Students who are dissatisfied with their grades and examine their papers and "A" papers often say that they "had the right answer but they didn't say it the way the 'A' answer did." This response masks the critical importance of lawyerlike skills, not only in answering exams but also in oral recitation and in writing legal memos and briefs. The required skills are the same.

Students must first demonstrate a skill in distinguishing relevant from non-relevant facts. Students must next demonstrate skill in issue spotting and specification. Then

students must show that they can apply the correct rule by interweaving the most relevant facts with the elements of the applicable rule. (Incidentally, the failure to interweave may be the most frequent beginners' mistake.) Lastly, students must be able to use policy and principle adroitly in their answer as the particular problem may call for such use. Naturally, all of the above must be done in an organized, systematic and logical manner.

The beauty of Professor Delaney's book is that it shows you step-by-step how to develop these critical skills. It presents numerous examples, sample problems with "A" and poor answers, and practice exercises, all designed to help students to zero in on exactly what is required and exactly what should be avoided.

Even better, from a law school professor's perspective, the book is not encapsulated or mechanistic (no SIX EASY STEPS TO AN "A" ANSWER). Law school exams are presented as the culmination of an analytical approach to studying and outlining courses. Many practical suggestions are specified to help students in such studying and outlining.

Quite simply, the book is the best step-by-step guide I have seen for beginning law students, not only to doing their best on law school exams but also to a clear understanding of legal argument and of the legal process.

HOW TO DO YOUR BEST ON LAW SCHOOL EXAMS

(a new 156 page book)

The secret of law school exams is not only what you know, but how you apply what you know. This book demonstrates lawyerlike application, a sine qua non for the "A" answer.

Professor Eric Lane
Hofstra Law School

You can write a perfect answer to a question that wasn't asked — and fail. Or, if you prefer, you can fail by writing a poor answer to a question that was asked. Better yet, read this book and learn, step-by-step, how to write a very good answer to the question that was asked.

Professor Robert A. Pugsley
Southwestern University School of Law

Professor Delaney's book offers a comprehensive approach to law exams, including a method of studying law and of "thinking and writing like a lawyer" that is unequalled by any study guide that I've seen. It should be required reading for all beginning law students.

Professor Jesse Kasowitz
New York University School of Law

But no beginning law student who values her or his time should be without this book. This book will not only almost surely improve your grades, but may enhance your respect for your legal education. You can only truly respect what you understand.

The Commentator
NYU Law School

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New IPIJ Editors Hopeful for Future

continued from page 4

marketable because you've learned to research laws internationally."

The *Journal*, unlike *Law Review*, will not be able to distribute its issues to students this year because it is supposed to make a profit for its publishers. The Student Editorial Board has "suggestion" power to the publishers, but ultimately the publishers determine the specifics about the *Journal's* release. Also, unlike the *Law Review*, the authors do not retain their rights. The publishers own the rights to the *Journal*.

This year's subscription rate is \$90/year, although student subscriptions are available at \$30/year.

"The *IPIJ* is here to stay," maintains Mulcahy. "We have a long-term contract with the publisher, we're pushing for a substantial subscription list, and most of all, we're trying to establish excellence in editing quality."

The *Journal* encourages everyone to participate in the Writing Competition and those interested in membership should indicate so on the competition registration form.

BALSA Holds Elections

continued from page 4

Perseverance Award to Trevor Campbell
Student Service Award to Allen Rolle
Outstanding Faculty Award to Prof. John D. Gregory.

Outstanding Community Service Award to 100 Black Men of Nassau and Suffolk.

Recognition of Faculty Advisors: Professors John D. Gregory and Douglas L. Thomas.

In his acceptance speech, Prof. Gregory commented that he does not want to listen to students complain about racism; he said, "This is a racist society — it's a given, so

don't complain to me." He also said that in the past he has been accused of arrogance, but he replied, "The greatest compliment that can be given to a Black man is to be called arrogant." In the future he will continue to give advice to BALSA, solicited and unsolicited.

The final highlight of the evening, other than the music and dancing, was the establishment of a scholarship fund by the 100 Black Men of Nassau and Suffolk. Roland Davis, President of the 100 Black Men, presented Dean Schmertz with a check.

Do you know what
graduation means to me?
Graduation means never
having to eat another
ice cream
sandwich?



The Staff and Editors

extend

congratulations to

the Class of 1982

A special thank you goes to
graduating **Conscience** staff
members Jeremy Metz and
Dan Morrin



Interested in Trial Advocacy???

The TRIAL ADVOCACY CLUB and the Hofstra Chapter of ATLA will hold a brief but very important meeting on Wednesday, April 28, 1982, at 3:00 (room to be posted — look for signs).

All members and those interested in becoming members are urged to attend. We are reorganizing and need to discuss elections and plans for next year.

If you are interested in trial advocacy, plan to attend.

Apt. for Sublet

Furnished 1 Bdrm. Apt. 36 Cathedral Ave., Hempstead. A/C, kitchen utensils, etc. \$400 per month, may be negotiable. Jeffrey Schulman, 485-2785.

New York State Senate Legislative Fellows Program 1982-83

Warren M. Anderson, Majority Leader/Manfred Ohrenstein, Minority Leader

Legislative Fellows Program

Up to ten positions, for a minimum of one year, September 15, 1982, through August 10, 1983, immersed in the staff work of the Legislature.

Eligibility: Matriculated graduate students, who are New York State residents or who attend an educational institution in New York State, enrolled in accredited graduate programs at the time of application.

Placement: Fellows work as regular legislative staff members of the offices to which they are assigned. The work is full time, demanding, and is intended to use and develop the expertise of Fellows while offering an exclusive view of legislative procedures.

Orientation and Seminars: Fellows receive orientation during the first weeks of their service prior to the legislative session. Later, they participate in projects and activities under the direction of the Student Programs Office.

Academic Credit: Credit for the year of fellowship is a matter to be settled between Fellows and their academic institutions. Credit might well be granted by a Fellow's college or university; however, because of the demanding nature of the fellowship, no concurrent coursework is permitted.

Salary: Fellows receive a fully taxable salary of \$15,800 for the year and are eligible for the normal benefits of other Senate employees. No vacation credit is awarded.

All Academic Majors Are Welcome To Apply

For further information, see the appropriate Campus Liaison Officer

Dr. Robert J. Dillon

Director of Grants, Contracts and Research Administration

560-3515

203 Weller Hall

Hofstra

If a Campus Liaison Officer is unavailable on your campus, write or call

Dr. Russell J. Williams, Director

Senate Student Programs Office

State Capitol, Room 500A

Albany, New York 12247

Telephone: 518-455-2611

APPLICATIONS ARE INVITED FOR APPOINTMENT TO THE FOLLOWING POSITION AT HOFSTRA UNIVERSITY

TITLE: Graduate Assistant — Office of Student Activities

DATE TO BE FILLED: August 15, 1982

APPLICATION DEADLINE: May 1, 1982

BRIEF DESCRIPTION OF DUTIES:

To assist with the Student Activities Program in conjunction with the Director of Activities. Will be required to work 25-30 hours per week including nights and weekends. Will assist in the supervision of the Service Desk, Gameroom, and Photo Dark Room. Must attend all regularly scheduled staff meetings. Will also have programming responsibilities in conjunction with Student Program Board and Student Activities Staff.

QUALIFICATIONS:

An earned baccalaureate degree; matriculation in a graduate program at Hofstra University at the time of appointment. Experience and interest in student personnel or college union field desirable.

Maximum of 6 hours credit may be taken each semester in conjunction with the assistantship.

REMUNERATION:

\$2500 stipend and 18 hours of tuition credit.

SPECIAL NOTES:

Position is a 10 month position. This position may be renewable. Persons interested in the above position should submit a resume along with a letter of application to:

Mr. Edward A. Lynch

Assistant Dean of Students and

Director of Student Activities

Hofstra University

Hempstead, New York 11550

Please inform any qualified and interested persons of this opportunity.

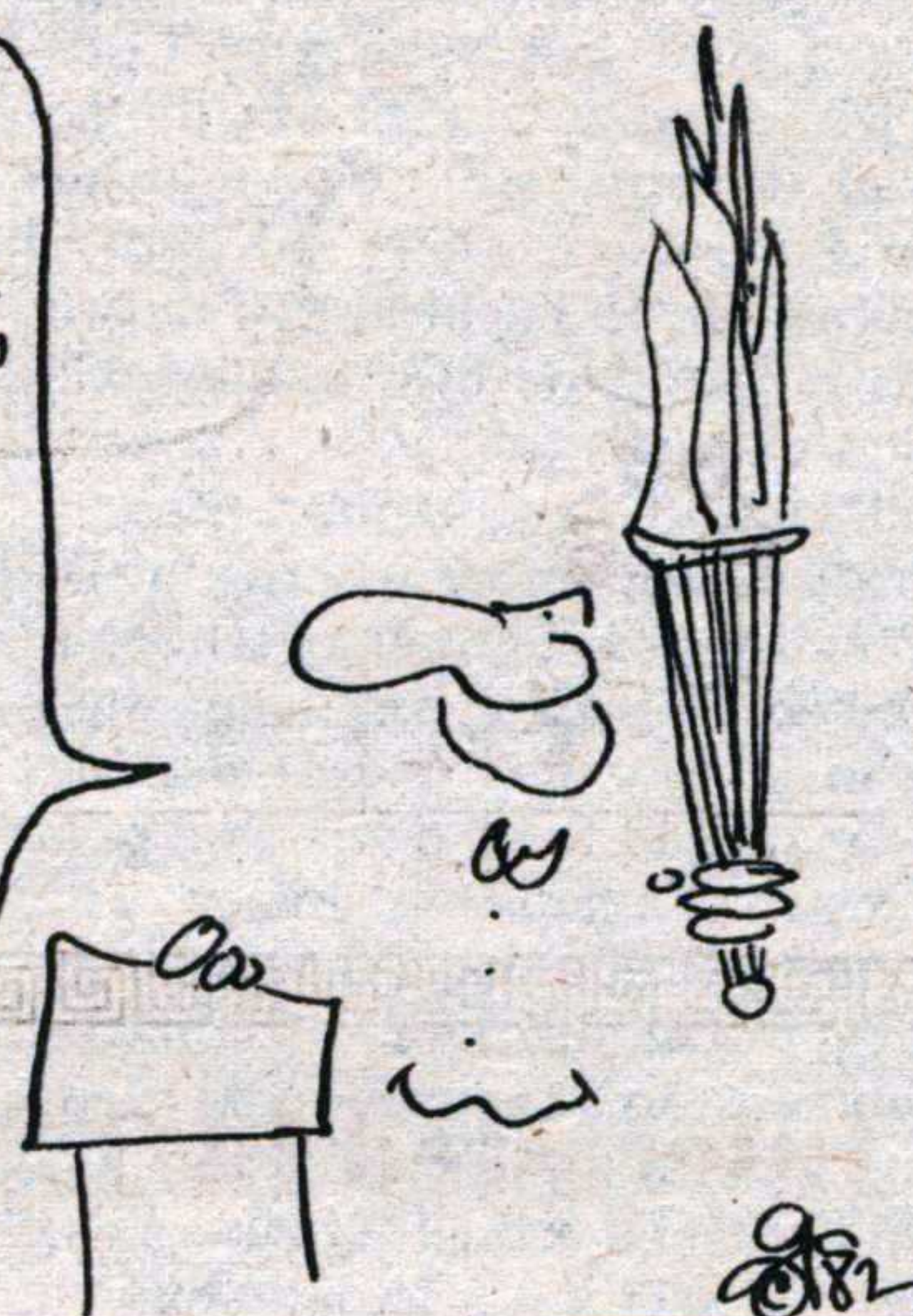
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COMMUNITY FORUM

It is May,
graduation is near,
the torch must
be passed. But
first I need a
volunteer.



Outside Line

Parting Shots

by Saul Morgenstern

As the academic year draws to a close, multiple images form in the relatively empty heads of columnists (?) such as yours truly. Some are, of course, residual, and well up with the same strident anger that brought them to the fore the first time around. Some are more benign, relating to the sense of time passing that inevitably attends any reflection on a transition point.

This is a time of many things. For some, first and third year students, it is a time of great apprehension. First year people face final exams — hurdles that are often elevated beyond their real importance. Third year people face the bar examination — an exercise in insanity unparalleled in its uselessness and irrelevance. To both groups it should be said that good cheer will serve far better than good luck. Your attitude, whether one of amused resignation or of energetic determination, will ultimately determine your success.

Some of us are looking forward to our first summer in an office, with only limited beach opportunities. It is traumatic, but it has some rewarding aspects. Those who face that prospect can look back at seven to 11 months of challenges met and matched, lessons in the law and in reality (and in where the two converge), adjustments to a different way of life and some actual paychecks. For those things, we are fortunate. Probably, we have learned more about law practice than we could have learned in 10 years of law school. It would be foolish, however, to assume that without much of what we learned in school we could have gotten to this point.

Many complaints have been voiced in many quarters about legal education in general and at Hofstra in particular. Many of them are legitimate. There are a number of ways in which lawyer education could be improved, and it is hoped here that students, dedicated academicians and members of the bar will pursue the debate and expend the effort required to improve it.

Thus far, however, the student quarter has not provided much in the way of constructive criticism. More often than not it appears that student proposals have been designed to make the process easier, rather than more effective. Excellence has never been easy. For as long as students opt for the "read-aloud" gut courses, spoon-feeding professors and bar review course topics, the remaining members of the community will find it difficult to embrace student suggestions for improvement.

Those of you who will be returning in the fall should consider one other factor when choosing how to spend your class time next semester. It is certainly easy to take a course knowing that the odds are that you will get a "B" at the end whether you appear in class or not. Equally easy to take is the course where the professor teaches law as fact — no analytical energy need be expended. Admittedly, it is a tougher road to seek out those courses and professors least likely to provide a guaranteed grade and most likely to stretch your mind. If you weather the challenges of that road, however, your skills will show it.

Taking the challenges in school makes the challenges in practice more surmountable. The more you develop your thinking capacity rather than your memorization skills, the better off you will be when you are staring down the barrel of a client problem. You can bet your J.D. that the client, more often than not, isn't going to tell you what legal theory you need to develop and research.

The law is in the library, you don't need to cram it into your head. The analysis and creativity needed to use the law are not in the library. You have to bring them in with you. If you spend three years avoiding the courses and professors most likely to develop those abilities your clients, and you, will suffer later.

Saul Morgenstern is a member of the Class of 1981 and an Associate with a New York law firm who wishes the Class of 1982 the best of luck on the exam and advises them to go to the beach as much as possible in June.

GRADUATION MEANS
Never having to
Answer A question
with "I pass."



ON HER MAJESTY'S ROYAL NAVY



opening soon in an Argentine theatre
near you

Quest For Battle

by Lanny Bryer

April 20. The current South Atlantic crisis concerning the Falkland Islands illustrates once more the eagerness of men-at-arms from sovereign states to do battle in the grand military tradition of the past thousands of years.

After the invasion of the Falkland Islands on April 2 by Argentine forces, the media reported the fanfare of Great Britain dispatching its military and naval forces with all of the proper pomp and circumstance. Argentina was also seen hosting fabulous parades as a show of support for President Leopoldo Galtieri and his decision to seize the islands. The scenes were reminiscent of World War One when hundreds of thousands of soldiers from countries across the world marched out with all of the requisite splendor to their untimely deaths. The spectacle and pomp of that war quickly dissipated when the horror of mass carnage and destruction became familiar to the front-line soldier.

At the time of the printing of this column, Great Britain and Argentina may already be in a bloody state of war. It is hoped that both nations never reach that point; however, it frankly seems absurd that the opportunity even presents itself.

It is true that the Falkland Islands have been under British sovereign rule for 149 years. However, it is time for England to finally realize that the British Empire of the 18th century is no more. Facing the realities of the 20th century, Britain just has not been able to maintain all of the territories it conquered hundreds of years ago. In short, if it takes three weeks to send a force to defend

its territory, Great Britain has no business exercising sovereign authority over it. It is pompous as well as absurd to lay claim to as small a territory as the Falklands some 8,000 miles from British shores.

Argentina is also at fault for initiating the crisis by its military aggression on April 2. Argentina's actions as a breach to International Laws of Peace should be condemned for what they are. Severe economic reaction by Western nations should skillfully be used to punish their militaristic behavior. What, however, is each nation gaining by provoking the other into a state of war?

Finally, it seems totally absurd, if the military forces do clash, that many thousands of British and Argentine soldiers may die in order to decide which nation should exercise sovereign authority over 1800 Falklanders. Political principles and national pride are one thing, but the potential quantitative loss of life in this crisis is another. The trade-off is simply not worthwhile.

It is sad to realize that with all of the technological advancement mankind has achieved since he discovered fire how little man himself has changed. The Falklands confrontation is evidence of the aggressive and brutal nature that mankind has never been able to control. It has been written that the only good thing about war is its ending. If that were true, however, wars would never begin.

Lanny Bryer, incredulous by the events taking place in the South Atlantic, would like to see the people of the world begin to make some sense.

Editorials

Free Speech Stifled Again

The time has come for the university community to reexamine its commitment to a free speech and a free press, which was shown to be lacking by the reaction of the undergraduate student newspaper's publishing of a rather tasteless April Fool's issue. The administration seized the issues of the "No Voice" from the stands, and many students called on student government to exercise tighter control over the publication. Apparently, they believe that members of the university community are so immature as to require protection from this kind of expression.

The call for screening endangers the value of a free exchange of ideas that underlies the right of free speech. A system that some call for, of preventing "journalistic abuse" may screen out some bad articles, but it may also screen out many ideas that should be at least considered and thought about by the community. The writer who must cater to the whim of the majority, some censor set up to protect the majority, or even some set of community standards, must be a guarded writer. And a guarded writer tends toward mediocrity.

"[I]t is a prized American privilege to speak one's mind, although not always with perfectly good taste," *Bridges v. California*, 314 U.S. 252, 270 (1941). The privilege is designed to ensure an "unfettered exchange of ideas." *Roth v. United States*, 354 U.S. 476, 485 (1957). Although a private university is legally free to disregard the terms of the First Amendment, the command of free speech should apply with even greater force in a university setting, where an open environment is essential to bring about the birth of new ideas. We do not condone what the "No Voice" did, but we accept it as part of the price we all must pay to live in a free and open community.

The threat to free speech is not limited to one incident. Some have suggested that *Conscience* should have censored some of the material that has appeared on our pages. After we printed the names of the candidates for deanship of the Law School, University President Shuart publicly stated that he was exploring the possibility of criminal sanctions against us, despite the fact we broke no laws, criminal or civil. After the New Voice incident, the administration called the DA's office to inquire about the possibilities of criminal prosecutions. Such an attitude can only chill a free exchange of ideas. What some of our community members may have to say may be unpopular, or even tasteless. But the guarantees of free speech are especially designed to protect unpopular expressions. See *Young v. American Mini Theaters, Inc.* 427 U.S. 50, (1976) (Stewart J. dissenting). Free expressions are essential if we are to confront and overcome our problems. Such expression is the hallmark of a university committed to excellence and academic freedom.

Environmental Non-Protection Agency

Environmental Protection Agency (EPA) director Anne M. Gorusch is conducting a campaign to eliminate any hope that the EPA will be able to serve its role in policing regulatory policies. Under Gorusch the Agency has eliminated its policing function by dismissing all the scientists and lawyers employed by its enforcement branch. In essence, the EPA has left industry to police itself. The EPA has carried out other anti-environmental acts including its refusal to effectively regulate landfills. A recent General Accounting Office report stated, in an understatement, "EPA's enforcement actions have not been extensive."

The Administration must not abandon our environment to money-hungry industrialists. It must set new environmental goals much higher than the dismally low ones it now pursues. Statements by Gorusch that the Agency maintains an "unshakable environmental commitment" seem the product of a fertile imagination.

The End of The Year

This is our last issue of the semester. Although there have been many problems and difficulties over the year, we conclude with a note of confidence in our Law School. We believe that the current Law School administration is ready to meet the problems head on. As Dean Schmertz recently said:

We shall continue to ship away undistinguished teaching and insufficient research and scholarship; irrelevant curricula, timidity and fear of innovation and experimentation or the fear of publicizing our good work; narrow geography for the recruitment of students and the placement of graduates; wrongful restraints on a decent student body mix of men, women, young, older, minorities and majorities; inadequate physical and fiscal resources; omissions in relations with the alumni; lags in completeness and contemporaneity of the library collections and impediments to the library's modernization and mechanization; any let up in getting the faculty and thus the School deserved recognition and economic opportunities through endowed chairs and professorships, research grants, sabbaticals and public service in the community interest.

Thus we look forward to the future of this Law School. We thank all who contributed to this year and congratulate our almost new alumni. We look forward to being back in the fall.

Letters

To the Editor:

I would like to address some comments to you about the April Fool's issue of *Conscience*, which was aptly modified by the adjective Guilty (though perhaps a *non vult* plea would have been better advised). I hardly know where to begin in this regard, but perhaps it would be best to start with revulsion and disgust.

First of all, I found the Cucumber piece incredibly childish, and must wonder at the maturity of the supposed graduate school intellects involved. It was at best tangentially involved with lampooning law or the Law School, but managed to be directly on point in terms of insulting a large percentage of the academic body. I realize that a defense is apparently being raised that the reduction of all Hofstra women to sexually-frigid legal automatons was excusable because, you see, women wrote the article! Whether this is true or not is difficult for one to determine, as the author(s) did not care to sign their names. However, if I may indulge in hyperbole, I do not think that a humorous article on ovens and death camps would be excused on the basis that a Jew wrote it.

In addition, the lead article on the homosexual group in the Faculty Lounge was a particularly distasteful bit of writing. I'm not sure there was any point to it at all. Even assuming the references to the "clean hands" doctrine, etc. were amusing, the inclusion of clearly identifiable professors' names shocked me. Was there a need to do that, other than an apparent desire on the part of the anonymous author to engage in literary bushwhacking?

Allow me to close by pledging my solemn troth to speak against any funding of *Guilty Conscience* next year, unless there are safeguards against this journalistic abuse. Mandatory publishing of authors' names would perhaps suffice. But I want it on the record that I oppose the use of my student activity money to hurt and offend people.

Stephen Roberts
April 19, 1982
Class of 1984

Dear Editor:

After reading Salvatore B. Pontillo's defense of Joseph Margiotta, I cried. I wept for all the little kids in school who still believe that America is great and that its leaders are honest. Is it impossible to ask our political leaders not to accept kickbacks, payoffs, consulting fees and the like? Or will politics in this country go the road of politics in other countries, that is, being a sick joke played on the populace for the benefit of the politicians? Do we have to allow crooks to run the political parties in this country? Why should we stand for it? The man was convicted of serious felonies, not parking violations or sleeping with his mother. He was convicted by a jury of 12 of his near peers (getting his peers was impossible since most of the Republican leadership on Long Island is either in jail or under indictment).

Adding insult to injury is having the RLSA supporting this crook. I always thought they were for law and order. They're the ones that are always screaming that criminals should be kept off the street; I'm sure they

didn't mean off the streets into the leadership of their party. Also, as law students, they should have some respect for the law. The man was convicted; just because his conviction was stayed doesn't make him any less convicted.

I guess I really shouldn't care; as a friend of mine said in regard to Joe's corruption, that's politics. But dammit it shouldn't be! I wouldn't care if he was a Democrat; if he was convicted he should get thrown out of his leadership position until his name is cleared. To do anything else is to tell those little kids that America isn't great, and that her leaders are corrupt persons seeking a fast buck. That's right kid, the eagles are dead, the flag discolored, and a crook leads the largest political party in Nassau County. But don't worry kid, some day, some of us will win.

George Patsis
March 25, 1982
Class of 1984

P.S. Just a quick note; your last issue was great. High marks to news features, editorials and layout. Great features also. Now just work on your advertising and this critic can retire.

To the Editor:

I am sure that you receive many letters from alumni that inform you that it is not their practice to write to newspapers. Here is another one. I am compelled to write after carefully reading your February issue.

I would like to thank Dean Schmertz and the staff of *Conscience* for being so ambitious and thoughtful in the provision of copies of the paper to alumni.

I find these issues, however, very disturbing. There is an all pervasive negativism in both the articles and cartoons that far outshadows any positive notes. I well remember just last year sitting around the admittedly spartan library lounge and complaining about the lack of jobs and uninspiring classes. That served as enough of a catharsis, so that we were able to continue on with our business at hand. We were all bitter about the parking problems; no thought was ever raised as to how lucky we were to have cars. Everyone seemed to know my grades without my revealing my number, but honestly why should I care? Let me assure each and every one of the *Conscience* readers that your grades and your friends' knowledge of them is so amazingly trivial compared to the first time you argue a motion and are turned into a pile of dust by the judge. Please note all you autophiles; parking around Manhattan Supreme Court is not that wonderful, either. Please note as well that your Business Organization grades, and with that how many A's Thomas or Adamski handed out is also meaningless when you have a client who needs papers filed with the S.E.C. What does count is your ability to think and do things properly. Please do not misunderstand me and interpret that a C student can just sit back and relax. This is obviously not the case. My point is, however, that once one does get some kind of legal employment, and once one is admitted to the bar, a great equalizing factor comes into play.

I really shouldn't say equalizing factor. The education that I received at Hofstra Law gives me more than an equal chance. All my griping and groaning while I was attending Law School seems in retrospect not only immature but, frankly, stupid and a waste of

continued on page 9

Paul Hubschman Aloe, Editor-in-Chief

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Letters

continued from page 8

time. I have really come to realize that I have been damn well trained to practice law and to think on my feet in business transactions. Again, my contemporaries saved ourselves much needless embarrassment by not using our newspaper for wall to wall articles and letters and comics of our disenchantment. Please take my advice and get all that you can out of Hofstra. There are no lovely fireplaces, beautiful classrooms, or tremendous in-house job offers. There is, however, for the most part a very fine faculty, and excellent student body. If you don't like it, please join Michael Glassman and the SGA, and play a part in the school. My own activities at Hofstra were admittedly limited, but I did try in my own way through the Law Fellows Program to bring the message to my students that there is a lot one can get out of Hofstra.

It is always easier to criticize and destroy; try the opposite route. On your first exposure to the real working legal world you will be very happy that you attended the law school in Hempstead. Furthermore, enjoy the life you have now. This is not to say that working is lousy; it is not. However, just try to find the time during the week to sit around with your friends and just "hang out." The time is just not there!

As a modified post script to this letter, I just must answer Barbara Lynaugh's letter to *Conscience's* February issue re Male Burlesque. Please study the 1st Amendment (just ask Leon for help). Secondly, I must say that the "pervasive alienation of a capitalist society" is a nonsensical and utterly meaningless phrase. I really hope that you do not have Contracts with Monroe Freedman. Please study the socialist and communist systems in operation in today's world as well; I believe this situation best illustrates the debasement of human relations. Frankly, I still don't understand what that has to do with a fellow, or woman for that matter, who works in burlesque for the unconscionable goal of making a living to survive in a not very charitable world!

Steven M. Kafka, Esq.
March 19, 1982
Class of 1981

To The Editor

A few observations:

1. Cucumbers are cold.
2. Cucumbers are (yechh) green.
3. Cucumbers rarely buy flowers, open car doors, or pick up the tab for dinner.
4. Ever kissed a cuke? Ugh.
5. I dare you to bring one home to meet your parents.
6. Try asking a cucumber to change your flat tire, or carry your packages for you, or keep its arms around you during one of those "the night he came home" movies. (In fact, the darn things have no arms.)
7. Cucumbers are generally not very witty.
8. Cucumbers rarely offer to hold your hand in public (see #6).
9. Cucumbers are not very snappy dressers, and no matter how attractive you look they won't bother to compliment or flatter you.
10. In short, as a choice for friend, lover, and companion-for-life, a cucumber is far inferior to its more traditional competitor.

I guess the best way to sum this up is express my surprise that certain of today's women think being "liberated" and "feminist" means being as narrow-minded as they've always accused men of being. How ironic. Well, you've come a long way, baby. Enjoy your salad.

John Ferreira
Pres., P.I.G.S.

P.S. Thanks to Prof. Kadane for #'s 1 and 2.

To the Editor:

An article on page 13 of the February 1982 edition of *Conscience* referred to Kenneth Riddett, Class of 1976, as "Hofstra's first Judge," having been appointed in 1981.

I believe that distinction belongs to Thomas DeMayo, Class of 1973, who has been a judge in the Town Court of Southampton for at least five years.

Paul Barahal
March 20, 1982
Class of 1973

To the Editor:

As a concerned cucumber, I could not help but comment on the article "Men 0 — Cukes 36." While I was very pleased to see that we are finally getting the recognition we so richly deserve, I was appalled at the almost criminal lack of research that went into this piece. I would venture to say that your reporter didn't even eat a salad, much less speak to a cucumber before writing this article. I've had to deal with this sort of abuse all my life and it has reached a point where I can no longer remain silent. In one short article you have succeeded in erasing all the gains we made in the 60s. It's time to shatter the myths that have once again been perpetuated by your article.

To begin with, we are fed up with being mere sex symbols to people who would just as soon subject us to oil and vinegar as look at us. Let me assure you, human beings hold nothing of the same attraction for us. In fact, we find your appearance somewhat revolting and the thought of having sex with you repulsive.

It is true that as cucumbers we are used to being fondled in the supermarket, but don't for one minute be so smug as to think that we enjoy it. After all, we're not radishes. Your article also stated that cucumbers don't care whether or not you're a virgin. Nothing could be further from the truth. Only cucumbers from Appalachia would go near a virgin. And then, only if the girl's name began with the letter Q. And that business about cucumbers not wanting to know if they were the best or how many times you climaxed is pure bunk. Cucumbers have perhaps the biggest egos in all the vegetable world, with the possible exception of Kumquats.

Your reporter even had the gall to say that we aren't into meaningful conversation. We took this as a compliment inasmuch as she obviously doesn't even know the meaning of the words. And let me assure you, that as the dominant partner, under no circumstances, do I ever sleep in the wet spot!

Sincerely,
Icky Cucumber

Conscience welcomes letters and submissions from our readers. Our next deadline will be August 1, 1982.

Since our next issue will be the first issue of the 1982-83 school year, articles reflecting on the nature of legal education and the law school experience will be most appreciated. Have a Nice Summer!

Glassman Reviews SGA Accomplishments With Pride

by Michael Glassman

As I conclude my tenure as your Student Government President, I look back at some of our SGA accomplishments with pride: regularly scheduled and open meetings, an orderly and democratic budget process, the first-ever SGA newsletter, the appointment of committees, a Febfest, a Bagel Blast, a tennis tournament, a Palsgraf movie and the Dinner with a Faculty program. While my own high standards for accomplishment were not met, I believe that it can be objectively stated that this year's SGA made great strides to improve extra-curricular life at Hofstra Law School.

As always, hindsight is 20/20. To those of you who remain at HLS next year, I offer three areas in which SGA may make an important difference:

First, Communication Within the Law School. The most difficult job of an SGA President is to coordinate and focus the concerns of the SGA reps, the students, the faculty, and the Law School administration. The SGA should make sure that all students feel free to attend SGA meetings and that the students have actual input on SGA decisions. Next, the SGA should make sure that students have a prominent role on functioning faculty committees. In addition, the SGA — and all students, for that matter — should be able to meet formally and informally with the Law School administration on a regular, on-going basis. On the informal level, this

Columns

The Legal Observer

by Bruce Sales

While hiking through the snow during spring break I paused to marvel at a spider slowly climbing up a tree. Most of us treat bugs (a spider is not an insect but an arthropod) as repulsive creatures. Ignorant of their wonderfully complex social and physiological traits our response is, inevitably, "Get the Raid" or "Squash that bug."

Farmers, however, have good reason to be fearful of insect pests. An insect blight raises the spectre of economic ruin for the farmer and, if a massive blight occurs, reduces food supplies for urban and suburban residents. The farmers' response to insect pests is far more sophisticated than those mentioned previously. Despite the technologically sophisticated measures farmers employ, the result is often fruitless and, occasionally, counter productive. A case in point is the cotton farmers of Texas.

Nearly 50 percent of all the insecticides applied to United States crops are applied to cotton. These poisons are applied to destroy a wide variety of insects including the tobacco budworm (*Heliothis virescens*), the cotton fleahopper (*Pseudatomoscelis seriatus*) and the infamous boll weevil (*Anthonomus grandis*). Although initially effective against these pests, insecticides have proved less useful as insects have evolved mutant strains capable of resisting deleterious effects of pesticides. As insecticide resistant insects began to appear, greater quantities of insecticide and more potent insecticides were applied to the crops. This ecologically unsound practice only served to select those pests with the greatest insecticide resistance. The result has been that the number of cultivated cotton acres along the Texas Gulf Coast has declined by more than 65 percent.

Agricultural scientists and entomologists have responded to this dilemma by proposing a new, more complex yet technologically less sophisticated method: integrated pest control. Integrated pest control recognizes the problems of broad and relatively indiscriminate use of insecticides and strives to eliminate its most negative aspects; that insecticides also kill natural predators; that large and prolonged use of pesticides poses problems of resistance and pesticide residue; and that application of insecticides is a costly procedure. By combining the knowledge possessed by scientists in different disciplines more effective pest management can be achieved with reduced use of insecticides.

This is accomplished through the use of plant cultivars more resistant to insect blights and by cultivation schemes that lessen the opportunity for pests to establish themselves in a field. The economic benefits of integrated pest management are striking. Using conventional methods a Texas farmer has a net return of \$62 per acre of cotton (assuming one bale per acre). Farmers employing integrated pest management net \$109 per acre.

In the field of law, as well as in fields of cotton, pests abound. These effects are felt most notably on law students who frequently find their intellectual growth stunted and, even worse, find themselves vectors of the pests they once so dreaded. Three major pests come to mind.

The first is known as the elitist professor (*Pompous egomanius*). This pest commonly attacks young law students especially early in the first year of their life cycle. He can be recognized by his snide remarks to students and his unwillingness to entertain opposing viewpoints. Some students who are highly susceptible manifest a latent expression of the disease and, come middle age, develop all the insidious aspects of the pathogen.

The second scourge to attack law students is the practioner/potential employer (*Monetarius maximus*). These pesky critters see law students as nothing more than vectors through which they can extend their parasitic consumption of society's resources. Law students, if hired, quickly establish a symbiosis with *Monetarius* sucking up the monetary resources of an infected area.

The final pest is very difficult to spot since it outwardly appears as all other law students. It is the infamous *Reviewus mustus*. This intriguing pest is believed to have a genetic disorder in which all biological activities are focused on the attaining of a position on the mycelia of a multivariagated fungus found throughout the United States known as *Law reviewmycetous*.

The eradication of these pests can be accomplished using insecticides such as potent chlorinated hydrocarbons and chlorinated cycloalkanes. However, in the long run as happened in Texas, these measures may prove counter-productive. A better method may be a form of integrated pest control which seeks to deprive these pests of three essential needs; nutritional elements, water and breeding grounds.

Bruce Sales is a member of the class of 1983. He used to be a farmer.

year's "Dinner with Faculty" program is an excellent way to promote an exchange of ideas within the Law School. Overall, the point I make is that Law School decisions should be based on a broad consensus of opinion that results from open discussions among all interested parties.

The second area where SGA can make a difference is Communication With the University. Here is an area virtually untouched by the Law School. In many encounters with members of the Hofstra University community, I found open hostility and resentment directed at the Law School. Why? Perhaps jealousy, a presumption that we are snobs or that we have an exaggerated sense of self-importance. In any event, the result of our reputation (or lack of therein) among the University community is a sense of isolation and disenfranchisement. I suggest that the SGA, along with the students, faculty and Law School administration, find a way to build bridges with the University. The obvious connection would be a meeting between our SGA representatives and those of the undergraduate and graduate divisions. Other means could include Law School programs that touch upon other campus groups — meetings with the Pre-Law Society, perhaps a legal clinic to aid other University students, even social events such as this year's Febfest with M.B.A. students.

The final area where SGA can improve Law School life would be A Programming Board for Social Activities. Some serious

law students scoff at the idea of an austere institution such as a law school being the hub of one's social life. Yet the fact remains that many, if not most, law schools have a regular schedule of speakers, debates, dances, parties, mixers, etc. There is no reason Hofstra Law School cannot be more than a place to attend classes. However, in order to promote such events, a small but dedicated group of social movers must plan and execute these events. I hope that such people, many of whom actively helped this year's SGA, continue to inspire such events next year and beyond. All work and no play makes HLS a dull place.

Finally, I thank all those who elected me as your President this year. I hope that my efforts on your behalf met your expectations. I also must thank all the elected representatives and the Student Senators who made the job as President much easier. For service beyond the call of duty, I must particularly commend Tom O'Connell, George Silver and Kathy Locketti. Many students, including myself, asked them many questions, but few remembered to thank them for their help. For all of us, I do so now.

In conclusion, I wish the best of luck to my fellow graduates and to those in the classes of 1983 and 1984. I shall never forget the people who made my Hofstra Law School experience as enjoyable as it was.

Michael Glassman is the outgoing Student Government President and will shortly be a Hofstra Law School Alumnus.

Obscure Tribe Uncovered In Law School Dig

Robert Castellano
Professor of Anthropology
Ed's University and Tattoo Emporium

My anthropological studies have taken me to the darkest corners of the earth. I dined with the Kaluga of the Philippines, hunted with the Tiwi of Northern Australia, and slept with a few Bohemians from Brooklyn. It was with great surprise that I stumbled upon the Lawskulites of Hofstra while on holiday.

The Hofstra Lawskulites, one of the Legalese-speaking peoples of North America, migrated from lands near and far to the plains of Long Island.

In the process of historical growth, the Lawskulites developed their political system — a monarchy which fits the general category of centralized chiefdom. At the head is a King, titled Dean by his people, a prince called Rabinowitz, and a Queen Mother, Hoffer.

Hofstraland, a lovely, yet sterile country, offers the challenge of considerable regional variation. Huge tracts of asphalt surround the Holy Lawskul Temple on the south and east, where worshippers leave their carriages while they dwell within the temple.

The asphalt is divided into sections by parallel yellow lines. Only certain members of the congregation are permitted to occupy these places, for there are fewer of them than worshippers seeking them. Only the most dedicated worshippers, who rise early, are able to secure the coveted spaces. Once parked, it is customary to fling open the door in joy, slamming the carriage in the next space.

With these spaces come certain responsibilities. Worshippers must station their carriages neatly between any two parallel lines, as marked off. If they do not take care to do this, soldiers of the holy order, clad in bright yellow, descend and place a punishment marker on the carriage, which details the penance the owner must do. Lands not marked off by lines are sacred. Anyone who dares abandon a carriage on them runs the risk of being dragged off on a hook — to parts unknown. This ceremony is technically referred to as "a real drag."

On the western border of the temple lies a vast meadow — a testament to the wide national recognition the Lawskul people hope to one day achieve.

The Lawskulites are a devoutly religious people. Many hours are spent within the temple, where several activities go on simultaneously.

Three cavernous sanctuaries are found on the second floor of the edifice where high priests give their sermons, passing on the wisdom of previous generations. Large groups of worshippers gather each hour to listen and ask questions of the holy ones. A few zealots even take notes.

Beneath the sanctuaries lies a spacious, quiet area cordoned off by glass doors where worshippers meditate, reflect, or study the holy word in silence. Lawskulites have been known to study to the point of physical exhaustion, finding themselves unable to lift the heavy books and return them to their proper places.

Outside of the meditation area lies a rest

area, where members of the congregation divide into strict social groups to discuss the problems of people in other groups — referred to as "Peyton Place Syndrome."

As mentioned before, the congregation is composed of people from many tribes. Apparently, they are so proud of their heritage that they display their tribe's name or insignia on their traditional garb. Members of the "Lauren" tribe, although they prefer the company of horses, coexist peacefully with the "Diors," the "Guccis," and the "Sassons." The "Calvin Klein Clan" is thought by some to be the most respected because they can trace their roots directly to the Bronx.

As the cow is to the Indian, the seal to Netsilik eskimo, so is the alligator to the Lawskulite. It is not uncommon to find the sacred reptile displayed on every conceivable piece of clothing.

The language, Legalese, is a complex one full of vagaries and ambiguities. Learned monks such as Prosser, Williston, and Calibresi, have done much to clarify the language but some confusion remains. Ideas and opinions are expressed in long sentences of contorted syntax. Several years are often required to master the language.

Social stratification is very apparent, even to the untrained eye. It can be seen in the dress, attitudes, and overall outlook of the people.

There are three perceivable classes. The youngest Lawskulites are put to the most difficult test. The entire first year of religious service is filled with tasks that stretch their endurance to the limit.

One of the more nerve-wracking rituals is "Moot Time," where young worshippers act out the roles they one day hope to play in the outside world. Worshippers sleep little, worry a great deal and consume large amounts of alcohol when the dirty deed is done. The strange part is, they do this for little or no reward, motivated by what seems to be self-improvement, with the emphasis on self. Timid and anxious around the temple, they tend to be boisterous and obnoxious to the surrounding community.

Second division Lawskulites appear to be the most relaxed and easy to get along with, still humbled by the ordeal of the first year but when they reach the third division, they usually become so pompous and overbearing few can tolerate them.

When they reach this level, worshippers are cast off into the outside world, much like the old Eskimo on the ice float. Without the protection of the Lawskul community, they are forced to fend for themselves, utilizing the skills and knowledge they've acquired. Some will survive, and thrive, in exotic places like Manhattan. Others won't fare as well and many end up in depressed areas such as Secaucus or even Baltimore.

My stay with the Lawskulites was cut short when I fell prey to the dreaded A.R.A. machines which robbed me of what little savings I had left.

I'm saving my empties from Dairy Barn, though, and should have enough to complete my study of these fascinating people. On second thought, I'd rather play Pac-Man.

How'd you like a nice alligator tattoo?



Photo by Nick Gabriele

The federal government has proposed a regulation which would require parental notification when a minor requested access to birth control devices available by prescription. Activist Bill Baird, who runs birth control clinics in Hempstead and Hauppauge, spoke at Hofstra on Wednesday, April 21, at the invitation of the Hofstra Law Women's Center.

VOIR DIRE

by Raymond Moss

The domestic quarrels at the home of Ron and Merka have begun to disturb the neighborhood. Marital discord is to be predicted especially when a vibrant woman weds an older man. Unfortunately for the couple, the discord goes far beyond the boudoir.

Merka thought she was marrying a master chef, instead to her dismay, Ron is no more than a short order cook. For one thing, he insists on a salt free diet which means that Misha next door will not come over for dinner. His kitchen cabinet is full of entities whose shelf-lives have long since expired. Merka is growing tired of Ron's own brand of supply cider which has been tasting more and more like vinegar. The whole diet of the family has changed since Ron moved in. The only vegetable served at meals is ketchup and the family is growing tired of butter substitute.

Merka's assets have been depleted in part because of Ron's oversized investment portfolio in defense securities. The family budget has been severely drained. So much so that Merka's children may well have to postpone

or give up plans to attend college. Much to the chagrin of the college hopefuls in the family, Ron has convinced an Uncle Samuel to help other younger children attend private schools.

A tell-tale sign of the impending breakup occurs when communication between parties breaks down. Ron has told Merka his affairs are of no concern to her. Ron has become so secretive that he had their wedding album and marriage certificate classified. Merka has been married before and Ron's behavior is reminiscent of her former husband Richard's behavior before their final days.

The longer Merka has lived with her spouse, the more she has come to realize the difference in their ages. Her husband identifies with a time long gone and Merka frequently tries without success to inform Ron that the days of red scares, winnable wars, nuclear superiority, sock hops and J. Edgar Hoover are long gone.

How long this ill-fated marriage lasts is anyone's guess. Hopefully, Merka will dismiss Ron from the kitchen before things get too hot.

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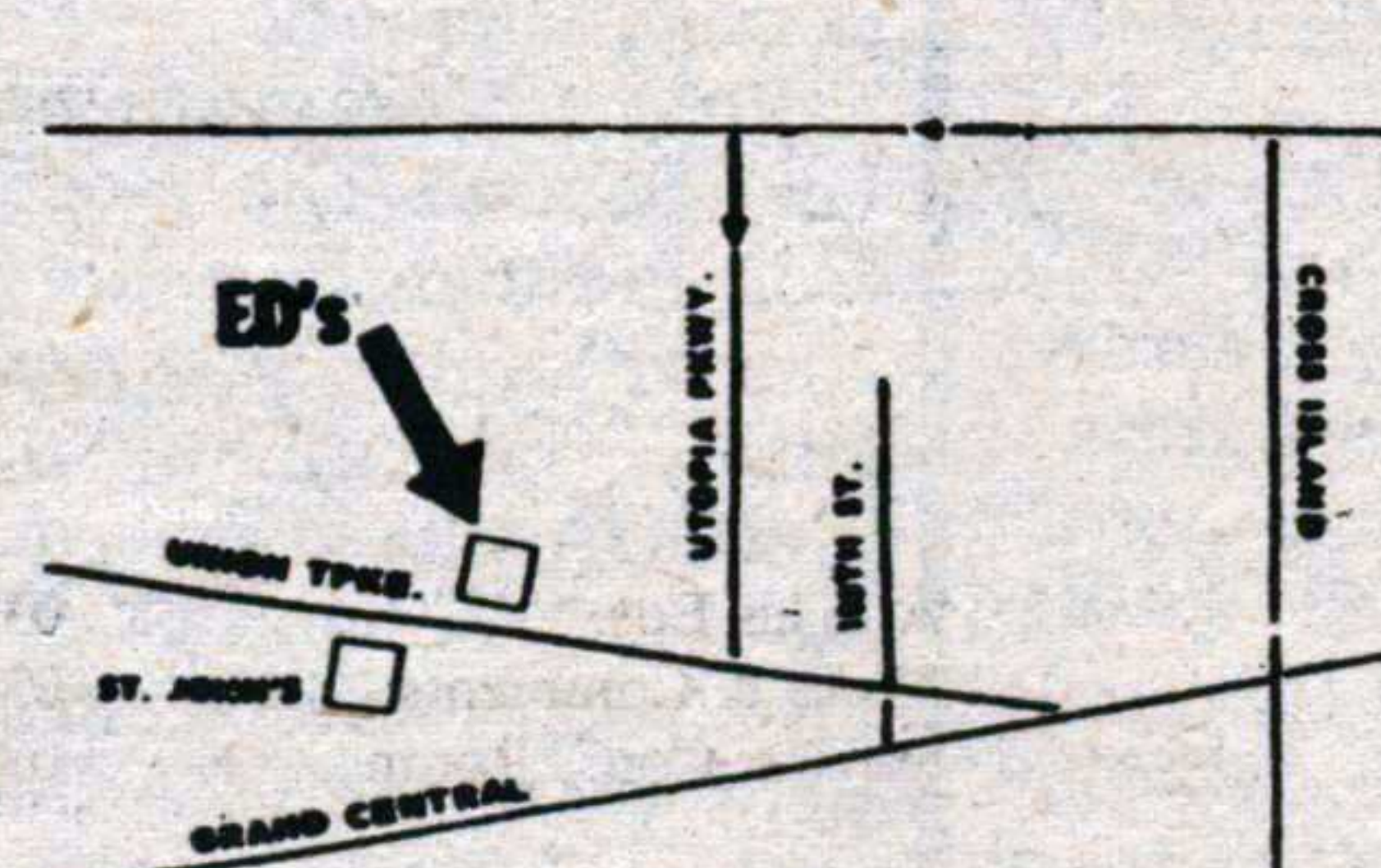
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Ed Note: The University has recently installed a new phone system. All University phone numbers will be changed during late May. Below are the new numbers for the Law School. When calling from a non-University phone, these numbers should be prefixed within the number 560.

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GREGORY, John DeWitt	234	5865	Law Library	Ext.	Room
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KADANE, David K.	233	5867	Law Librarian	5900	120A
KESSLER, Lawrence W.	109	5893	Karen Bragg,		
LANE, Eric	104B	5886	Asst. Law Librarian	5904	120B
MAHON, Malachy T.	232	5868	Nancy Breece,		
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SCHMERTZ, Eric J.	202	5854	Reference	5908	Library
SILVERMAN, Ronald H.	108	5892	Deborah Goldstein,		
THOMAS, Douglas L.	208	5873	Acquisitions	5902	120
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JAGER, Jacquelin	114	5917	Acquisitions	5902	
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LUPU, Cynthia L.	114	5918	Information	5898	
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FACULTY PROFILE:

John DeWitt Gregory

by Deb Ezbitski

"The greatest compliment to a black man is to be called arrogant."

The above quote was recalled by Professor Gregory at the BALSA Awards Dinner-Dance on April 17, as he was honored as Distinguished Faculty for 1981-82.

There is scarcely a more appropriate description of this man — John DeWitt Gregory is arrogant. Now, to some, this is a trait which effectively negates his good qualities; others admire him for it, and to a degree envy his ability to maintain such arrogance.

Prof. Gregory grew up in Glen Cove and attended Howard University where he majored in Latin. Upon receiving his degree he had intended to attend graduate school and work toward a master's in comparative literature with the hopes of teaching in that field one day. Most of the fellowship money at that time, however, was going to those pursuing degrees in science and engineering (it was the Sputnik age), and he did not receive the necessary financial aid. He then went into the Air Force and was in Korea at the end of the hostilities. It was while in Korea that he discovered his interest in law. There were three things to do in Korea: drink, gamble, or read every book in the base library. He read, and the books about the law fascinated him. He became friends with a military attorney, learned more about the law, and upon returning to Glen Cove decided to attend law school. He applied to a number of New York schools, and to Harvard, "because I had heard it was a good school," was accepted there and so attended.

After Harvard, Prof. Gregory began a general practice in Harlem, then became associated with a New York firm specializing in labor law. He was later appointed Assistant Attorney General in the Litigation Bureau of the New York State Department of Law, where he represented the wardens of New York State prisons in habeas corpus proceedings. He then served as House Counsel to the Commissioner for Departmental Legal Affairs in the Nassau County Department of Public Welfare, and was later the executive director of Nassau Law Services, Inc. He is the former general counsel and executive director of New York City's Community Action for Legal Services, Inc.

His background in family law and especially children's rights, received while with the Department of Public Welfare, led him to begin his tenure with Hofstra in the Neighborhood Law Office in 1971. When he decided he wanted to teach full time, then Dean Mahon handed him a list of courses and asked him which one he was interested in. He decided upon criminal law because he found it interesting and felt that he could handle it. Prof. Gregory considers criminal law an excellent first-year course because it

provides the student with introductions to the legal method, case analysis and statutes.

I asked if he felt the law to be boring and self-limiting. His response was a definitive "No!" He told me he found law boring while he was in school, but that in practice and in teaching it is anything but. "Law is life, and therefore cannot be boring." He enjoys law immensely, because there are always new things to learn, and because you are always testing yourself. The competitive quality of the law also attracted Prof. Gregory. Although he has become "more internal — mellow" now, the opportunity to be a success attracted him to the profession. Asked which comes first, the enjoyment or the success, he responded "both." He enjoys the law because he is successful in it and believes that he is successful because he enjoys it.

Prof. Gregory does not consider himself a boring person. He has a strong creative background, spurred on by his third grade teacher, Miss Lawrence, who encouraged him to write poetry. His first poem "The Giant Horse" won him acclaim throughout his school, and he continued to write poetry through college. Today his creative interests led him to ballet, the theatre and movies, and to studying the Alexander Technique, a course of study designed to teach the proper use of one's body, and replace old bad habits with good new ones. Prof. Gregory is a voracious reader, with his taste currently running toward detective and spy novels, "the type of stuff you forget the day after you've read it." He also runs, not very fast nor very far. He enjoys walking even more, and would rather walk 50 blocks in Manhattan (he lives in the Village) than take the subway. And if that is not enough to establish that he is not a "stuffy-lawyer type," Gregory also admitted to me that he is a great fan of boxing and pro-wrestling, and has childhood memories of Saturdays at Sunnyside Arena.

I asked him what he thought about Hofstra when he first came here, and what he thinks of it now. He told me that when he first came to Hofstra, he was pleased about it and thought it was an exciting place to be. Today he feels the same way. He senses a "spirit of renewal" about the place; "we can take up again our search for excellence as an academic institution." Was that spirit of renewal created by Dean Schmertz? "His presence is not irrelevant," he responded. He sees Hofstra Law striving to teach lawyers who will be a credit to the profession by developing a curriculum of general and specialized skills.

Gregory feels that it is important that the faculty provide the student body with role models. At this he has succeeded. As was previously mentioned, he was awarded the Distinguished Faculty Award by BALSA. Trevor Campbell, BALSA's new president, recognized Professor Gregory as one of his role models in his acceptance of his new office.

Alumni: Hofstra's First Class Includes Town Judge

by Jay Scheiner

In February I reported that Kenneth Riddett was the first Hofstra Law graduate to become a judge. Judge Kenneth Riddett, Town Justice of Guildersfield, N.Y. is in fact a strong second. We now have a one-two punch in the judiciary. Number one is Thomas DeMayo, who enrolled in Hofstra Law School's first class in 1970. In 1970 there were no upperclassmen, no *Law Review*, no accreditation. Yet, with all of the hardships, lack of an adequate library, limited courses, and a makeshift Law building, that first class had something that might be lacking now that the school is "established." There existed an "Esprit de Corps," and the excitement of newness permeated the air. DeMayo and his 90 classmates helped build the Law School in every conceivable way. During that first year they watched as the present Law School building sprouted from a one story structure to a three story facility. The students assisted Eugene Wypiski in building the new library.

The faculty grew, and everyone looked forward to becoming upperclassmen and to the day that Hofstra Law would receive its accreditation.

The first class consisted of 92 students, although only 62 eventually graduated. Most were people who had been out of school for many years, students in their 30s, 40s and 50s, eager to learn the law. Among them was a Rabbi, two Priests, salesmen and several school teachers. The class received a great deal of personal attention from the young faculty. Professors Hanlon (now at Fordham), Schmertz, King, Dean Mahon, and others all treated that first class as something special. They loved the school and were proud of it as they saw it grow. They saw more courses added to the curriculum, read the first *Law Review* (1972) and celebrated as their classmates obtained legal positions in government, private practice and industry. One of the class members who made news was Thomas DeMayo.

continued on page 12

'Dallas' Star Performs at Shakespearean Festival

by R. Gordon Abitbol

Hofstra University presented a very admirable production of William Shakespeare's *The Taming of the Shrew*, during March 18-28 at the John Cranford Adams Playhouse. As the show ended several weeks before this article went to press, this piece cannot properly be labeled a review, because any opinion offered by this reporter will obviously not deter or dissuade anyone from going to see a play whose run is over. Rather, the thrust of this article will be one of a critique given on principles of general theatre, and should be read in that spirit. *Caveat:*

Adams Playhouse is a marvelous space for theatre, and that space was well used in this production. The entire proscenium was used to good effect by the set designer, Donald Swinney, and the use of different levels in the staging kept the audience's interest focused on the entire stage, rather than on just what was going on at center stage. The construction crew created a replica of the original Globe Theatre, and it was in this context that the staging of the performance at different levels made for interesting viewing. The story of the taming itself was carried out on the main stage level with several scenes played on balconies that were placed higher and further back on either side. The story that frames the story; that is, the tale of a practical joke played on the town inebriate, was located on an elevated stage to the rear of the main stage. These different levels, in combination with the use of clever lighting helped the audience to understand when the framing story was in effect and when the "taming," or play-within-the-play was to be the main focus. This arrangement, for the most part, made for clarity and excellent pacing. With

the exception of only a few areas of the stage that were dimly lit, the lighting and staging made for smooth transitions from the play to the play-within-the-play, and drew the audience's attention to those actors in focus at the proper intervals. The costumes were excellent, evoking a real sense of 16th century Padua and of the different social classes represented in the play. The movement of the players about the stage was crisp and precise, and showed fine control by Director Miriam Tulin. As for the actors themselves — it is here that an otherwise exceptional show becomes ordinary.

Not that some of the work done by the actors wasn't good — some of it was. Several outstanding performances were turned in by Hofstra actors, notable among them being John Walsh as Christopher Sly, the poor drunken fool for whose benefit this whole farce is staged. The crisp, broad delivery of his lines with perfect comic timing is the hallmark of a fine talent. Fine performances were also turned in by Frederick Sullivan Jr. as Tranio, and Nick DeGruccio as Grumio, the latter giving a physical, slapstick, almost burlesque flair to an otherwise sparse speaking part. Unfortunately, the weakness in the acting was in the one place the show can least afford to have it — in the performances of the principal roles of Katharina and Petruchio.

Before continuing, a bit of digression is in order. Part and parcel of any theatrical production is the desire to make money. To that end, nothing fills the house like a well-known face, so in order to help the draw, the Hofstra production ostensibly "starred" Patrick Duffy (Bobby Ewing of the successful CBS television series *Dallas*) as Petruchio, the shrew-tamer. Katharina was played by Diane DiMemmo, a Hofstra student. It is

with this essential central relationship between Kate and Petruchio, between the irresistible force and the immovable object, between the shrew and the tamer that left me unfulfilled. For the lack of a better word, the relationship simply lacked the passion that Shakespeare meant it to have. Although all the witty repartee and the comic adversity between the two was present, there was none of the real romantic feeling that the Bard intended spring up between them.

Matters were not helped by the fact that Mr. Duffy had trouble with his voice projection, and was in fact inaudible to much of the audience (a fault which belies his training as a classical actor). Sadly, it was this one emotion — passion — that turned an otherwise excellent production into a mere shouting match that emoted at the level of a mediocre television sitcom.

R. Gordon Abitbol graduated from Emerson College, Boston, with a degree in fine arts.

Alumni: Hofstra's First Class Includes Town Judge

continued from page 11

Thomas DeMayo became an assistant District Attorney in Suffolk County shortly after graduation. He remained there for 2½ years, trying felonies and misdemeanors at the East-end Bureau. After acquiring a solid grasp of criminal law, he left the DA's office to work as deputy town attorney in Southampton. While he was the town attorney, a 70-year-old Southampton judge retired and the Republican party asked Thomas DeMayo if he would run for the judgeship. He was elected Town Justice for the Town of Southampton in November of 1977 and commended his second term in January of 1982.

Southampton has changed much in the past five to 10 years, and Judge DeMayo has seen it grow from a quiet summer resort town to a year-round, fast moving suburb. His load of cases has increased and his private general practice has also grown. As his community grew, so too did his professional practice. When asked about the new crop of lawyers coming out of law schools today, Judge DeMayo says that he

does not envy them. "It is a tight market and it is apt to get much tighter in the next ten years. The top students from top schools will have no problem. There will always be room for them in the larger firms. It is the non-law review students from the good but not top-ten schools who will find it very difficult to get legal positions." He also feels that the increasing complexity of the law and the trend towards specialization will hurt the private practitioner because few of them can keep abreast of the changing law and still maintain the pace of running a practice.

We at Hofstra Law School can be proud of the achievements of Judge DeMayo and Judge Riddett. They are the trailblazers who have set a course for others to follow in their quest for accomplishment.

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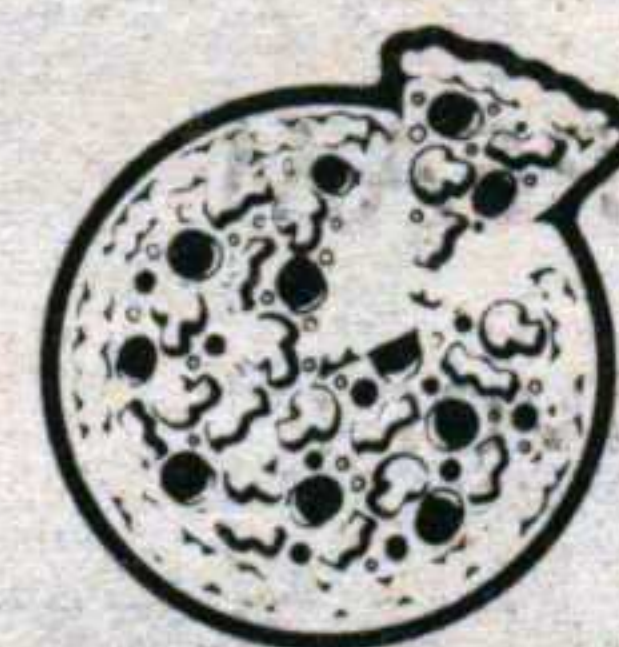
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Handbook for Litigators Reviewed

by Deb Ezbitski

TRIAL NOTEBOOK by JAMES W. McELHANEY

Quick — what is the Cleveland Exception to the Hearsay Rule? How do you create a "human" image of your client for the jury when your client is a large corporation? Why is the analogy perhaps the most powerful form of argument we know, and how can you avoid having it sound like a "story"?

The answers to these questions, along with many other tidbits of valuable information on trying cases, are found in *Trial Notebook*, a recent publication of the American Bar Association's Section on Litigation. The book is a collection of the columns written for that Section's quarterly publication, "Litigation," by James W. McElhaney. He is the Joseph C. Hostetler Professor of Trial Practice and Advocacy of the Franklin Thomas Backus School of Law, Case Western Reserve University.

The chapters are organized into six parts: Starting the Trial; Evidence, Foundations, and Objections; Examining Witnesses; Expert Witnesses; Tactics; and Final Argument. Although not an exhaustive work on trying a case, McElhaney does cover most of the problem areas and situations encountered by litigators in the courtroom. He does this well, with an easy-to-read style, numerous anecdotes, and well-done examples in the form of courtroom dialogue. Because the "chapters" are really the *Trial Notebook* columns from the *Litigation Magazine*, they are short, and read quickly; the entire book is only 214 pages.

In the first part, Starting the Trial, the author covers the theory of the case, credibility as a lawyer, client's credibility, the voir dire, the trial notebook, and opening statements. McElhaney alerts the reader to the subtleties involved in characterizing your client to the judge and jury — how to refer to a client in order to remain consistent with your theory of the case. The chapter on opening statements is full of ideas for lead-in sentences and the one on the trial notebook contains a functional outline for almost any type of case.

Part Two, Evidence, Foundations, and Objections, is a good overview of a basic course in evidence and trial tactics, but with a narrower focus. It concentrates on what really happens at trial, which litanies every lawyer should know by rote, and how to handle the unexpected. There is a good procedural checklist for introducing various kinds of exhibits, the 12 most commonly used exceptions to the Hearsay Rule, along with an analysis of the Federal Rules of Evidence on the subject (and yes, you will understand the Hearsay Rule after reading this chapter), and a general, but excellent, outline of the complex area of character evidence and impeachment. One of the most amusing chapters covers the "customary law of evidence" — those unwritten but generally accepted rules which violate great evidentiary principles, and yet are routinely followed as a matter of regional custom. For example, the Maryland custom concerning documents: If your opponent uses a document — no matter how — and you ask to see it, it can be automatically introduced into evidence. And of course, there is the famous Cleveland Exception to the Hearsay Rule: Anything said in the presence of the accused is admissible in evidence.

Vocabulary, language, sample dialogue for directs, crosses, impeachments, rehabilitation, and witness and courtroom control are all covered in the chapters of Part Three, Examining Witnesses.

Part Four is on Expert Witnesses. McElhaney points out "the average expert witness knows as much about his or her field as you know about law." He then instructs the reader on how to most effectively use experts, both your own and the opposition's. Part Five is miscellany, covering dirty tricks (how to handle your opponent's, now how to devise and execute your own!), a brief introduction on proving damages, and the value of using "the right words." It is in this section that McElhaney makes one of his most insightful observations: "Law school entails learning to talk like a lawyer. Trying cases involves learning to talk like a person once again."

The last part in the last chapter is entitled "Analogies in Final Argument." It is a fascinating chapter, not because of the

stories themselves, but because of what they reveal about the value of a regional perspective, knowing your jury, what their life experiences have probably been, and how to take your analogy from their memory.

McElhaney does not rely solely upon his own trial experience for his material. He frequently cites other authors and their works, directing you to a more in-depth analysis of particular areas. He also interprets and uses

the leading cases in evidence law, and, where appropriate, discusses and explains the Federal Rules.

The only real disadvantage of the book is its price, \$19.50 (\$12.50 for law students). However, if you are building a trial advocacy library, it is a worthwhile investment. The book is available from the American Bar Association, 1155 East 60th Street, Chicago, Illinois, 60637.

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SPORTS

BASEBALL '82

AMERICAN LEAGUE

by Kevin M. Loftus

Snow was still on the ground, and the chill of winter had not receded to the northlands, but the first week of April did bring one familiar sight. Professional baseball returned for the 1982 season. Amidst conditions suited more for football, baseball players donned their caps and gloves and began the 1982 campaign. I personally viewed this with a great deal of exhilaration. A full season with no strikes and all the hits, runs, and errors which make summer feel like summer. This article is a brief summary of each of the American League teams and their order of finish.

East

1. Milwaukee Brewers
2. New York Yankees
3. Baltimore Orioles
4. Detroit Tigers
5. Boston Red Sox
6. Cleveland Indians
7. Toronto Blue Jays

West

1. Chicago White Sox
2. Oakland Athletics
3. Kansas City Royals
4. California Angels
5. Texas Rangers
6. Minnesota Twins
7. Seattle Mariners

East

1. **MILWAUKEE BREWERS** — Potent offense led by Gorman Thomas, Cecil Cooper, Ben Oglivie and Ted Simmons. Starting pitching is adequate; Pete Vuckovich and Moose Haas are the two best and both will need to have good years for Milwaukee to win. The Bullpen is Rollie Fingers (28 saves, 1.04 ERA) but Rollie arguably is the best there is. Milwaukee will score a lot of runs and their pitching seems good enough to prevent other teams from scoring as many.

2. **NEW YORK YANKEES** — The emphasis is on speed and defense, as illustrated by the signing of Ken Griffey and Dave Collins. The Yankee offense will depend on every player. There is no single big gun, no Reggie, but the others all combined may be able to take up the slack. Dave Winfield, Griffey, Willie Randolph and Graig Nettles are the keys. Yankee Pitching — Ron Guidry, Tommy John, and Dave Righetti are back and the addition of Rick Reuschel last year and Doyle Alexander this year balances the pitching rotation. This is one of the best starting staffs in either league. Yankee Bullpen — Led by the Goose and now Shane Rawley, this is the deepest bullpen in the league.

This is a very good ballclub but the mixture is not right. Yankee teams always have the big gun and I cannot see them winning it without one.

3. **BALTIMORE ORIOLES** — Good pitching is the hallmark of Oriole teams, this year should be no different, but the pitching is not as good. Offensively the Orioles picked up Dan Ford and brought up Cal Ripkin Jr. This should give them more firepower and keep them in the race.

NATIONAL LEAGUE

by Mike Hassin

National League East

MONTREAL EXPOS — This is the team to beat in the East. The Expos have a solid starting rotation in Rogers, Gullickson, Burris and Sanderson. Ex-Met Jeff Reardon is the stopper. Could use a little help here. The outfield is one of the best with Raines, Dawson and Cromartie. Watch for speedster Tim Raines to break Lou Brock's stolen base record. Expos made a great pickup in Al Oliver, a solid left-hand hitter. They also have the best catcher in baseball, Gary Carter. Hot prospects: Wallach (3B), Lea (P), Palmer (P).

ST. LOUIS CARDINALS — The strength of the Red Birds is the bullpen with Sutter, Bair and Littel. The starting rotation is a question mark. The infield is solid with Hernandez (1B), Herr (2B), Smith (SS), and Oberkfell (3B). The outfield is strong with Hendrick and Lonnie Smith (obtained from Philadelphia). Question mark is in center-field. Hot prospects: Green, Landrum, Roof (OF).

PHILADELPHIA — Phils will be competitive with Schmidt at third base, Rose at first, Mathews and Maddox in the outfield. New faces include DeJesus at SS, Diaz at catcher, and Farmer and Monge in the bullpen. Starting pitchers are weak, except for Steve Carlton. Look for age to catch up with the Phils this year.

NEW YORK — Mets could be one of the most improved teams in 1982. Outfield is excellent with power-hitting George Foster, Mookie Wilson, Youngblood and Valentine. The infield is adequate with Hubie Brooks at 3rd, Gardenhire or Veryzer at SS, Bailor and Backman at 2B, and the "strikeout king" Dave Kingman at 1st. The big question mark will be pitching. Craig Swan has looked good this spring and Neil Allen will be the stopper. Other starters are shaky; Randy "Fireball" Jones, Zachry, and Scott. Ed Lynch may be a surprise in the pen or as a starter. Once again pitching will determine if the magic is back. Hot prospects: Leach, Orosco, Puleo, Darling, Terrel (P), Rajsich (1B), Gardenhire (SS).

PITTSBURGH — Pirates will be led by outfielder Dave "I Get No Respect" Parker, if he survives the barrage of Ray-O-Vacs and Energizers. Madlock is solid at 3rd, while Easler, the left-fielder, has great power hitting potential. Pena is an outstanding young catcher. Starting pitchers are just bad news. Kent Tekulve, great reliever, should be burnt out by All-Star break. Gotta love Wilbur though. Hot prospects: Ray, 2B.

CHICAGO CUBS — Any team with Doug Bird as top starter is destined for the cellar. Buckner, one of the most underrated players in the league, will be the leader. The Cubs made some good acquisitions: Bowa at shortstop, Wills at second and Moreland at catcher. However, this will not be enough. The Cubs are a sure bet for last place for the next five years. Any team that won't spring for lights won't spring for players.

continued on page 15

"EXPERTS FORECAST"

Annette Guarisco

American League

East

New York **
Detroit
Baltimore
Boston
Cleveland
Milwaukee
Toronto

West

California
Chicago
Texas
Kansas City
Minnesota
Oakland
Seattle

National League

East

Montreal *
Philadelphia
New York
Pittsburgh
St. Louis
Chicago

West

Atlanta
Cincinnati
Houston
Los Angeles
San Francisco
San Diego

Editor's Note: Members of the Hofstra Law community have been asked to give their predictions for the final team standings of the 1982 baseball season. Only thousands of innings played will tell how successful they are.

* Play-off Winner

** World Series Champion

Stewart Gitler

American League

East

New York **
Milwaukee
Detroit
Baltimore
Boston
Cleveland
Toronto

West

Chicago
Oakland
California
Texas
Kansas City
Seattle
Minnesota

National League

East

St. Louis *
Montreal
New York
Pittsburgh
Philadelphia
Chicago

West

Los Angeles
Houston
Atlanta
Cincinnati
San Francisco
San Diego

Professor Daniel Q. Posin

American League

East

New York **
Milwaukee
Baltimore
Boston
Detroit
Cleveland
Toronto

West

California
Oakland
Kansas City
Chicago
Minnesota
Texas
Seattle

National League

East

Montreal *
New York
St. Louis
Philadelphia
Chicago
Pittsburgh

West

San Diego
Los Angeles
Atlanta
Houston
Cincinnati
San Francisco

Professor Lawrence Kessler

American League

East

New York
Boston
Detroit
Baltimore
Milwaukee
Cleveland
Toronto

West

California **
Chicago
Oakland
Minnesota
Seattle
Kansas City
Texas

National League

East

New York
Philadelphia
Chicago
Pittsburgh
St. Louis
Montreal

West

Los Angeles *
San Francisco
Cincinnati
Houston
Atlanta
San Diego

West

LOS ANGELES DODGERS — The repeating World Champs should win the West, but will have to struggle to the end with the Astros. The little chubby guy from Mexico (Fernando Valenzuela) has decided to play even though \$250,000 a year doesn't quite cover his taco budget. Garvey will be out to kill this year, after losing his mate to a piano player. Only new addition will be Steve Sax at second. Outfield and pitching are very strong. Hot prospects: Marshall, Brock (1B), Maldonado (OF), Sax (2B), Pena (P).

HOUSTON — Astros have the best pitching in the league with starters Ryan, Sutton, Knepper, Niekro and Ruhle and Long Islander, Joe Sambito in the pen. Infield has improved with acquisition of Knight at third base and Garner at second. The outfield is underrated, with Cruz, Puhl and Scott. Will go down to the wire with the Dodgers.

CINCINNATI REDS — The Reds have lost their starting outfield to the Big Apple. In their place will be Hurdle, Cedeno and Householder. Infield is solid with the best shortstop in baseball, Concepcion, and Driessen at 1st. Johnny Bench has moved to 3rd, where he will lead the league in errors. Tom Seaver remains as the only quality

starter. Tom Hume and Jim Kern are tough in the bullpen. Will dearly miss Mr. Foster. Hot prospects: Householder (OF).

ATLANTA BRAVES — Ex-Met manager Joe Torre gets another chance in Atlanta. The Braves have a good bullpen with Garber, Camp and Hrabosky. However, the starters are weak. Phil Niekro is ready to be put out to stud. The infield is strong at the corners with power-hitting Bob Horner at 3rd and ex-Yank, Chambliss, at 1st. However, 2nd and SS look weak. Outfield is good with Murphy, Washington and Butler. Hot prospects: Butler (OF).

SAN FRANCISCO GIANTS — G.M. Haller and manager Robinson have gone mad, trading their entire starting pitching staff for a bunch of Hofstra hurlers. Jack Clark, Chili Davis and Jeff Leonard form a good outfield. It is amazing how an organization can turn a promising team into a loser.

SAN DIEGO PADRES — The Padres are consistent; consistently bad. As centerfielder Rupert Jones says, "That's right, we bad, we bad." The Padres have a few good players, Kennedy at catcher, Templeton at short, and Richards in left. One bright spot is new manager Dick Williams. Should produce a winner by 1987.

SPORTS

A.L. Rundown

continued from page 14

4. DETROIT TIGERS — The Tigers are a team on the rise; their two major strengths are team speed and the core of a very good pitching staff. The Tigers went out during the off season and acquired Enos Cabell and Larry Herndon from the Giants and Chet Lemon from the White Sox. Add those players to Kirk Gibson and the Tigers have the nucleus of a club that as manager Sparky Anderson puts it, "can compete with anybody." The three starters they must rely on are Jack Morris, Dan Petry and Milt Wilcox.

This club has potential but not enough to overcome the tough American League East.

5. BOSTON RED SOX — The Red Sox stood pat over the winter. They feel their play in 1981 was no fluke and that they can be contenders again in '82. The Red Sox pitching cannot compete with the other Eastern Division teams. Mike Torrez, Dennis Eckersley and Bob Ojeda lead the staff. Mark Clear is reliable in the bullpen. Offensively, the Red Sox will feature virtually the same cast that led the league in hitting and runs scored in 1981. Carney Lansford (.336) won the AL Batting Championship in '81 and will be aided by Dwight Evans, Jim Rice and Jerry Remy.

6. CLEVELAND INDIANS — The Indians traded to improve their pitching staff during the offseason, but may have given up too much to compete with the other teams in the American League East. Ed Whitson, Rick Sutcliffe, Larry Sorenson, Silvio Martinez and Ray Searage were added to compete with Len Barker and Bert Blyleven for starting spots on the staff. On offense Cleveland manager Dave Garcia is hoping for big comebacks from Andre Thornton and Joe Charboneau.

7. TORONTO BLUE JAYS — The Blue Jays have some good young talent and the basis of a strong pitching staff but whether they can climb out of the cellar seems doubtful. The pitching staff is led by Dave Steib, Luis Leal and Jim Clancy. But like many other teams the number 4 and 5 spots on the staff are weak and up for grabs. Offensively the Jays rely on lefthanders John Mayberry and Lloyd Moseby.

There is not enough here to pull the Jays out of the cellar.

West

1. CHICAGO WHITE SOX — Chicago got Steve Kemp from Detroit and Tom Paciorek from Seattle. These are added to a lineup which includes Ron LeFlore, Carlton Fisk and Greg Luzinski and together these five give Chicago a well rounded attack. The Chicago pitching staff is also quite deep with Britt Burns (A.L. Rookie Pitcher of the Year), Steve Trout, Richard Dotson and Dennis Lamp. The bullpen could be one of Chicago's weak spots since they traded away Ed Farmer. The void will be filled by Lamarr Hoyt and Jerry Koosman.

2. OAKLAND A'S — Billy Martin has the best starting pitching staff in baseball — Norris, McCatty, Langford and Keough. The bullpen is pretty weak again this year but may be aided by Dave Beard and Tom Underwood. The A's offense is led and dominated by their outfielders Ricky Henderson, Dwayne Murphy and Tony Armas. The infield is good defensively but weak hitting. The addition of Davey Lopes may help if he improves his average above the last two years.

3. KANSAS CITY ROYALS — The Royals heard rumors of trades all winter but in the

end very few were actually made, largely because of the performance of this team in the second half of 1981. The Royals did trade Clint Hurdle and Rich Gale and picked up Jerry Martin, Scott Brown, a relief pitcher, and recently added Vida Blue. The Royals pitching staff will be led by Larry Gura, Dennis Leonard, and Blue. Paul Splitter may be the number 4 starter but it is still open for speculation. On offense the Royals will be the same as last year except for Hurdle's replacement which will probably be Jerry Martin. George Brett, Amos Otis, Hal McRae and Co. will keep this club in contention all year.

4. CALIFORNIA ANGELS — The Angels are a team of stars, and the newest star in the constellation is Reggie Jackson. Can a team with this many stars win — not without pitching, and that is the problem. The offense is led by four former American League Most Valuable Players: Jackson, Don Baylor, Fred Lynn, and Rod Carew. These are added to All Stars such as Rick Burson, Bobby Grich and Brian Downing and give California an awesome lineup.

The pitching staff is Ken Forsch — that's it. He is the only one who definitely has a starting spot. Geoff Zahn, Mike Witt and Steven Renko are leading candidates to follow in the rotation. Bruce Kison will also be trying for a spot after having dual arm surgery more than a year ago. California's bullpen is set with Don Aase and Andy Hassler forming a strong 1-2 punch.

5. TEXAS RANGERS — The Rangers have added Doug Flynn to their infield of Bell, Wagner and free agent signee Lamar Johnson, giving Texas one of the best defensive infields in baseball. The Rangers traded away Al Oliver to Montreal for Larry Parrish; this could weaken their attack which is not explosive to start with. The starting pitchers are Doc Medich, Rick Honeycutt, Charlie Hough, Frank Tanana and Jon Matlack.

The bullpen lost Jim Kern in the Flynn deal and will now be handled by Danny Darwin and John Henry Johnson.

6. MINNESOTA TWINS — The Twins are bringing up some young ball players with great potential: Kent Hrbek and Gary Gaetti are the two most notable and bear some watching. The club as a whole is weak and contains such unknowns as Rob Wilfong, Dave Engle, Gary Ward, etc. The only notables were Butch Wynegar and Roy Smalley but Smalley was recently traded to the Yankees for Ron Davis. Davis will join Doug Corbett and Bobby Castillo who came over from the Dodgers to form a strong bullpen and the best part of this team. The starting rotation, like the team in general, is filled by a group of no-names such as Pete Redfern, Roger Erickson and Brad Havens.

This team has youth and exuberance but not too much else.

7. SEATTLE MARINERS — There is not much to talk about; they traded away their best hitter, Tom Paciorek; they traded away one of their best homerun hitters, Dan Meyer; and lost Jeff Burroughs to free agency. All they have left is Richie Zisk and Bruce Bochte. The pitching consists of Floyd Banister, Glenn Abbot, and Jim Beattie. The Mariners will also have newly acquired Gene Nelson to fill out the rotation, but it cost them Shane Rawley and this leaves only Larry Anderson as a reliable man in the bullpen.

The Mariners will be sailing out to sea early in the summer and won't be seen again unless they get some unexpected firepower.

I hope this summary of the teams will help you follow the action as it develops during the 1982 season. I doubt very many of you will agree with the order of finish, especially the Yanks being left out of first — but I call 'em as I see 'em. — Enjoy the season.



STACHE ON ICE

This current system encourages players to re-sign with their present teams, even after becoming free agents. Few General Managers wish to take the gamble of decimating their team for a single new athlete, no matter how exceptional. For the Islanders, this has meant the re-signing of potential defectors Mike Bossy, Bob Bourne, Anders Kallur, Mike McEwen, Bob Nystrom and John Tonelli. The team's championship nucleus remains intact over the years. Many clubs, therefore, repeat as Stanley Cup champions: Philadelphia 1974-75, Montreal 1976-79 and the Islanders 1980-81, to name the more recent.

The NHL Player's Association is trying to gain a change in the compensation rule. The collective bargaining agreement between the players and the team owners runs out this summer. NHLPA executive director Aian Eagleson has taken a page from the playbook of professional baseball and football. He is considering a player strike as a means to rewrite the compensation clause and effectively make free agents "free."

Take it from the STACHE, the hockey strike will never come off. The Lords of hockey are too strongly united in the name of the reserve system. The players are not nearly as well organized as their baseball and football counterparts. They will probably gain some minor concessions from the owners but superstars who go the free agent route will still find themselves trapped by the system. Potential high priced free agents of 1982, Denis Potvin of the Islanders and Bobby Smith of the Minnesota North Stars, can hope for very little change. Potvin and Smith can be expected to remain with their respective teams.

The end result is very little movement in ice hockey players' rights off the ice. On the ice, the final scene of the 1981-82 season will include New York Islander players Brian Trottier, Billy Smith, John Tonelli and Bobby Nystrom lifting the Stanley Cup to the heavens in celebration of yet another championship. Super 'staches all, there can be no other ending.

THE STACHE

Intramurals R.I.P.

by Robert Castellano

The basketball intramural season has mercifully come to a close.

"Swoop Inc." once again made it to the playoffs with a solid season but lost in the quarter-finals at the hands of a slick "Noah" squad.

"The First Year Law Students" made it one step further to the semis but also bit the dust, setting the stage for a final battle between undergraduate teams "Noah" and

"The Progressors." Few people know the outcome of that game and even fewer care.

For some of the other Law School entries, the season was marred by dissension and disillusion. When the friendly game of basketball became a "win at all costs" affair, "Team Liebowitz" disbanded, although playoff bound, leaving General Al Liebowitz to take on the world minus half a team.

Tune in again next year for more of the zany, madcap adventures of Hofstra Roundball.

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