

conscience

Vol 10 No. 1

Newspaper of the Hofstra School of Law © 1982

September, 1982



conscience

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Welcome Back!

Dean Drives for New Building

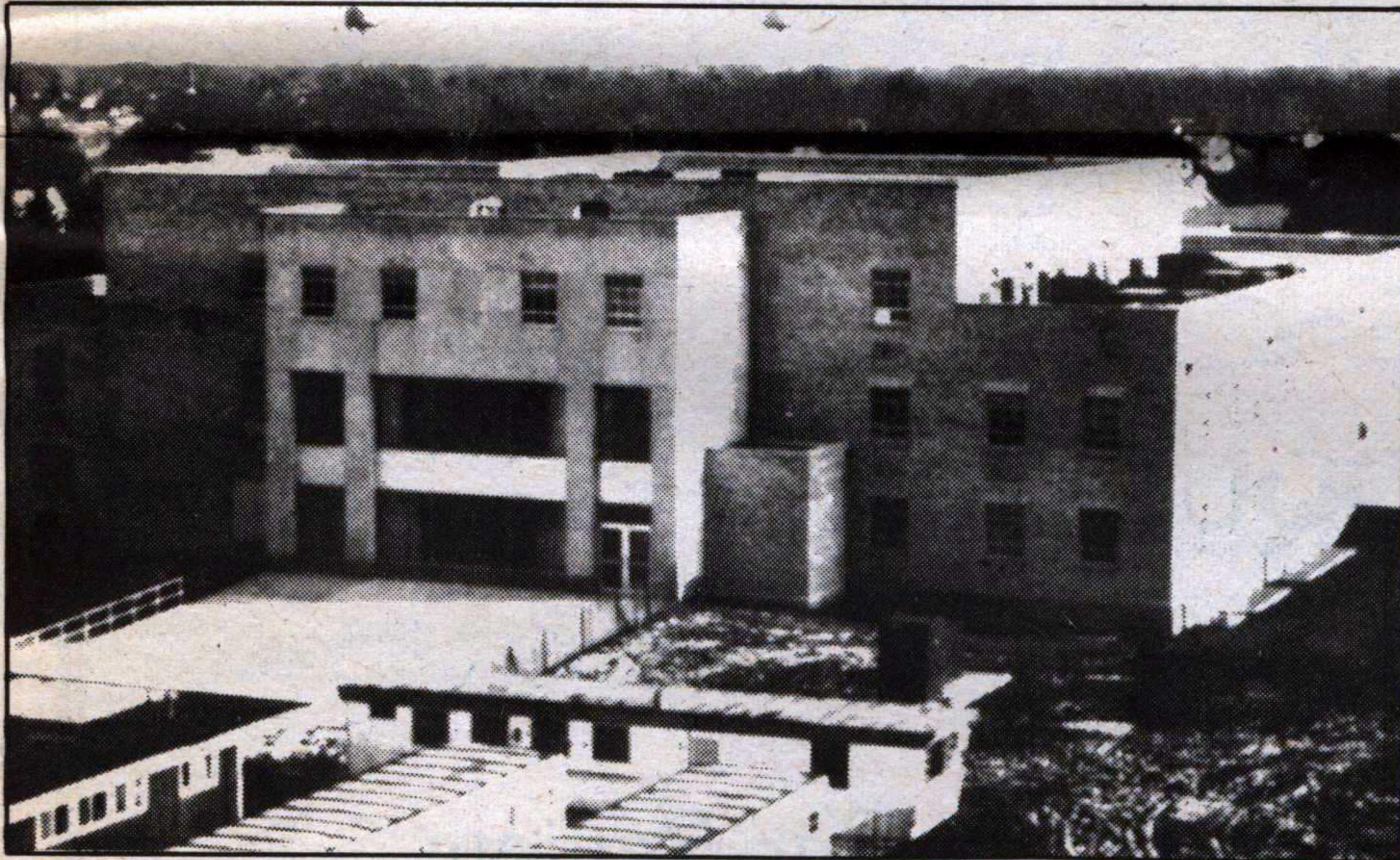
by Ray Smolenski

The Law School has won University approval to build a fund drive with the goal of a new law school building. The building will require about ten to twelve million dollars.

According to Dean Rabinowitz, the likely result of the drive will be a new law school library building and major refurbishing of the existing building. Rabinowitz pointed out that approval for the drive was a major ac-

complishment, since the University rarely approves such drives.

The current building was initially given to the Law School as temporary space while a modern new building was to be erected on the north side of campus. But the funding fell through and the present building became the Law School's permanent home. The building has received several additions since the Law School moved in.



This "temporary space" looks a lot more permanent than the *Conscience* trailer which lurks in the foreground. If they ever actually move the Law School, all we need is a few more trailers and we could have a nice camping ground.

Student Organizations Brace for Yearly Move

by Peter Shafran

The Law School student organizations have once again been targeted for new quarters. The move, according to Vice Dean Rabinowitz, is scheduled for January, but the location is yet to be determined.

The organizations involved are the *International Property Investment Journal* (I.P.I.J.), the Black American Law Student's Association (BALSA), the Woman's Center, Student Government, the yearbook and *Conscience*.

The organizations are now located in three trailers just north of the Law School building. They were originally scheduled to be moved into the third floor of Roosevelt Hall, but those plans have been scrapped because of a University-wide shortage of faculty office space. Many faculty members outside the Law School have been forced to share offices because the University has not built new buildings to keep up with its growth. The issue of faculty office space has

become important because the teachers union, American Association of University Professors (AAUP), is now negotiating a new contract for the University faculty.

The planned move is only the latest the student organizations have been forced to make. Initially, the student organizations were located in the basement of the law school, where the *Law Review* now has its offices. The organizations were forced to relocate when the clinic took over room 216 from the *Law Review* for the first year research and writing program. The organizations were moved across the street to the Barton House. Last fall they were moved into the trailers, as temporary quarters. The move was prompted by the University's leasing Barton House to an organization outside the University.

According to University officials, the trailers where the student organizations are now located will be removed because they are considered "an eyesore."

Review Welcomes New Members...

The Hofstra *Law Review* announced that forty law students drawn from the second and third year classes have accepted invitations to join the *Law Review*. The students were notified of their invitations during August.

The second year students were selected because they ranked in the top five percent of their class or section at the end of their first year, wrote one of the top several papers in the law review writing competition, or on a combination of their grades and writing competition score.

Four third year students were selected. Their selection was based on a combination of their grades and writing competition. An additional third year student was selected, but had to decline membership after it was learned that he was planning to graduate this January. *Law Review* bylaws permit students finishing their second year to compete in the writing competition only if they are scheduled to graduate in the Spring semester of the following year. The purpose of the bylaw, said one *Law Review* editor, was to prevent students from putting *Law Review* on their resumes after only one semester of work.

The new members began their work on August 23. They are to begin preparation for writing a student law review article, called a note or a comment. They are also assigned other work such as proofreading articles and checking citations.

The new members are: Editor-in-Chief: Linda L. Kreicher; Managing Editors: Kevin

Balfe, Mitchell Sabshon; Articles Editors: John Ferreira, Roberta Lynn Schuhalter, Shlomo Twerski; Research Editors: Steve Ackerman, Alan Kaminsky, Barry Rutcosky; Student Project Editor: Bruce Stein; Notes & Comments: Jody S. Fink, Laurence Paskowitz, Jodi L. Popofsky, Jane Rubinowitz; Associate Editors: Paul Aloe, Peter Aufrechtig, Bob Cohen, Susan Coleman, Pat Doherty, Sheryll Dorf, Marilyn Fagelson, Sharon Hyman, Angela Liuzzi, Jeff Mace, Eric Nodiff, Myra Paiewonsky, Jamie Palumbo, Betty Rugg, Fran Tesoriere, Richard Zimmerman; Staff: MaryLouise Ambrosino, Susan Bahn, David Bodek*, Andrew Borresen*, Joseph Cassidy III, Laura Cecere, Robin Cohen, Eugene Colon, Linda Davie, David Eisenberg, Loring Fenton, Sandra Friedman, Lori Goldberg, John Graham, Annette Guarisco*, Leslie Hertz, Donna Hill, Mary Hoare, Margaret Jansch, Sarah Keenan, Max Kunin, Eric Mencher, Patricia Olah, Andrew Oringer, Fred Perkins, Barbara Petraglia, Jeffrey Powell, Avrum Rosen, Susan Rosenblum, Richard Roth, Stuart Schabes, Kevin Schlosser, Frances Scorsone, Jill Sheinberg, Richard Skoller, Barbara Silverman, Richard Tirman, Ann Weiss, Jane Wexton*, Harris Yale (*Third Yr.).

The *Law Review* plans to release its 10:3 issue during the week of August 30th. That issue will feature a symposium on Justice Holmes. The first issue of volume 11, which is this year's volume, will be released later during this semester.

...Minus One

By Alan Kaminsky

Hofstra *Law Review* has announced that forty-one second and third year students have been given invitations to join the *Law Review*, but only forty of the new members will actually be afforded *Review* membership.

Bruce Jurist, a third year student, whose performance in last year's writing competition earned him a *Review* invitation, saw his invitation snatched from his hands just after he sent in his R.S.V.P.

The *Review* action came after it was learned that Jurist was eligible for January graduation. Citing a *Review* bylaw, which restricts participation in the writing competition to students who plan (at the time of the competition) to graduate in the following spring, several members of the *Review* Board of Editors have deemed Jurist ineligible for official *Review* status.

There are, however, numerous students — both *Review* and non-*Review* — who question the appropriateness of denying Jurist his proper place on the *Review* staff. The controversy arises from Jurist's recent summer school enrollment, enabling him to graduate at midyear. The position of the *Review* is that Jurist must maintain student status throughout the year in order to have

his invitation re-instated. But while many students feel it may be worth a pretty penny to be on the *Review*, Jurist doesn't feel it's worth \$3,000 — the price of tuition for an extra semester.

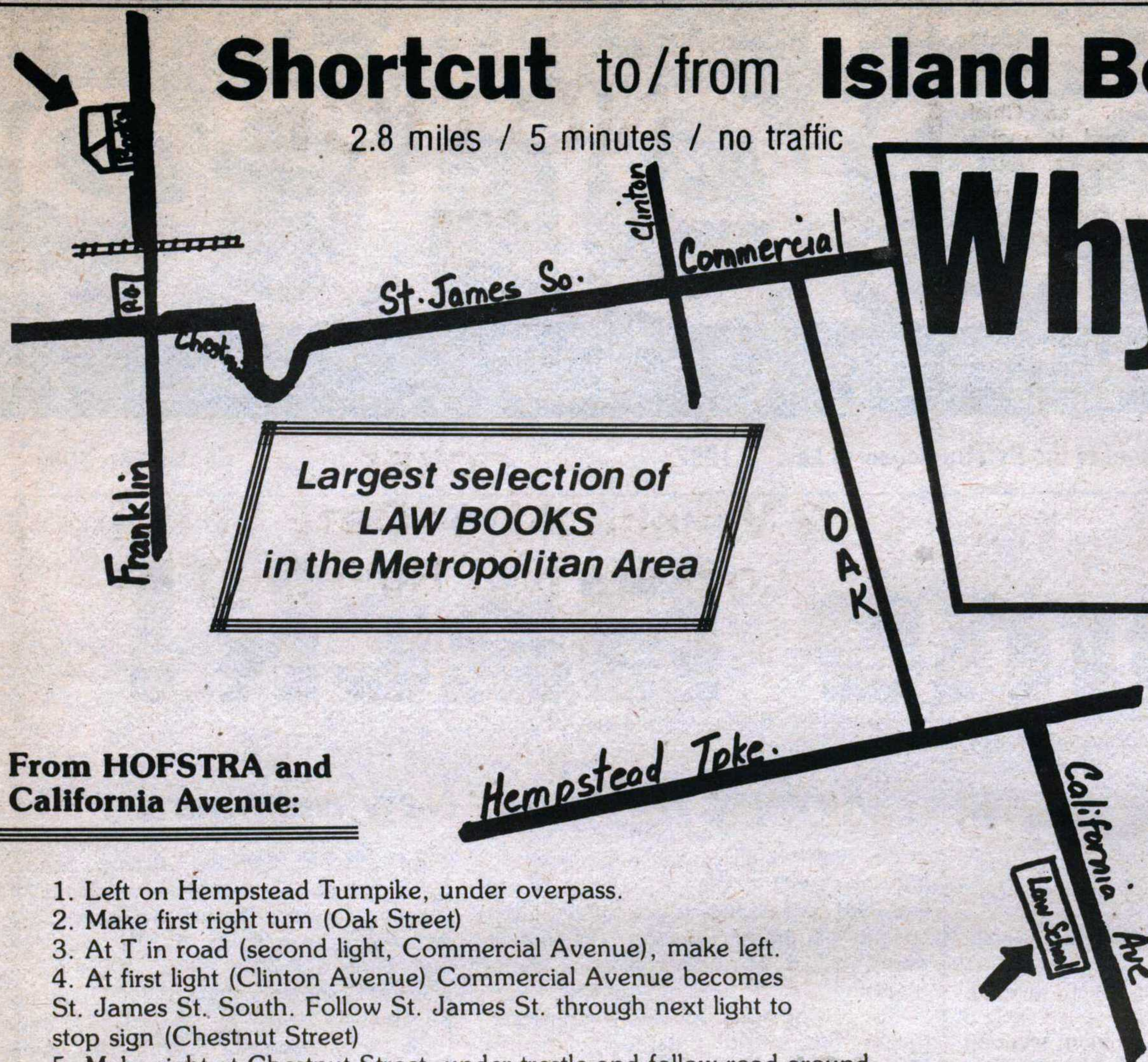
Jurist told *Conscience* that he plans to challenge the withdrawal of the invitation. According to Jurist, the bylaw requirement was not given to him when he wrote in the writing competition, and to withdraw the invitation now would be unfair and improper. Jurist also contends that the nullification of the invitation, after he had accepted it, was inappropriate because the *Law Review* failed to follow its own procedure for removing members when it withdrew his invitation.

In addition to challenging the *Law Review* decision, Jurist is attempting to get a leave of absence for the Spring semester from the Dean's office, which would allow Jurist to graduate in the Spring semester. Several *Law Review* editors have indicated that this would satisfy the *Review's* full-year student status requirement.

On reflection, Jurist counsels that students not take summer school. "It could," points out Jurist, "cost you more than a few days at the beach; it could also cost you a spot on the *Law Review*."

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Can We Negotiate Our Way Out Of Nuclear War?

"Can We Negotiate Our Way Out of Nuclear War?" will host a major conference on nuclear arms control negotiation on Saturday, October 2 at the John Hancock Auditorium in Boston. The Lawyers Alliance for Nuclear Arms Control conference will focus on ways to improve the arms control process and will explore ways to avoid a nuclear confrontation in time of crisis. Working sessions at the conference will be facilitated by Paul C. Warnke, chief U.S. SALT II negotiator, and Alexander Bessmertnykh, Minister-Counselor of the Soviet Embassy in Washington, D.C.

Changes In Store For Lawyering Skills Program

By Sharon Hyman

Hofstra Law School's first-year Lawyering Skills program has undergone extensive changes this year.

In the past, each student worked on an uncontested divorce. Faculty and students would interview real clients seeking divorces through Hofstra's Community Legal Assistance Corporation. Each student would write a pre-interview memorandum, analyzing New York State divorce law, and a post-interview memorandum, applying the law to the facts of their particular case.

This year, only one section of the program will participate in the live-client program. The other sections will receive completely different assignments and will use other methods to learn about their assigned cases. They will review transcripts of trial hearings, case files, videotapes of simulated interviews, and written problems. On the basis of the facts presented, each student will write an objective paper and a persuasive paper.

Susan Bryant, an instructor in the program, said that the program had to be changed because the writing professors were becoming swamped with more complex cases and many were being contested due to the new equitable distribution law. Bryant also felt that the program placed too much strain on the library's resources, as the entire first year class was forced to research the same topic at the same time. Bryant also pointed out that this year's program is only an experiment.

The new program also brings some new faces to the first year teaching staff. Starting this year are Jean Bressler, from the negligence firm of Bower and Gardner; Richard Klien, formerly a legal aid attorney; Jean Malmo, a former research and writing instructor at N.Y.U., and Shelly Sherman, previously a torts professor and attorney with the Consumer Affairs Department.

The morning panel will address nuclear weapons issues affecting society at large as well as the impact of such issues on the legal system. Dr. Herbert Abrams, Cook Professor at Harvard Medical School and Chief of Radiology at Brigham and Women's Hospital, will speak on the medical consequences of nuclear war. Dr. Abrams serves on the Board of Directors of Physicians for Social Responsibility and is former Vice President of International Physicians for the Prevention of Nuclear War. The Honorable Edith W. Fine will discuss the effects of nuclear war on the foundations of the American legal system. She is a Judge in the Superior Court Department at the Massachusetts Trial Court. Vice Admiral John Marshall Lee (U.S. Navy, Ret.) will discuss how a nuclear war might start and the increasing likelihood of a nuclear confrontation. This panel will be moderated by Wayne A. Budd, of Budd, Reilly, & Wiley who will convene the conference.

The afternoon sessions will feature Lawyers Alliance President, Alan B. Sherr, discussing the role of the legal community in preventing nuclear war. Mr. Sherr was formerly the General Counsel of the Massachusetts Executive Office of Human Services. Roger Fisher, Williston Professor of Law at Harvard Law School and Director of the Harvard Negotiation Project, will speak on improving the arms control negotiation process. Professor Fisher was originator of the award-winning television series, "The Advocates," and is co-author of *Getting To Yes*, a book dealing with conflict resolution.

The panelists and members of the audience will be given an opportunity to generate ideas for negotiating and evaluating future limitations and reductions of nuclear arsenals. The afternoon working session, facilitated by Mr. Bessmertnykh and Mr. Warnke, will concentrate on finding ways to reduce the risk of nuclear war. Mr. Warnke, of the Washington law firm of Clifford & Warnke, has served as General Counsel and Assistant Secretary for International Security Affairs at the Department of Defense. He was also Director of the U.S. Arms Control and Disarmament Agency in 1977 and 1978. Alexander Bessmertnykh was involved in the Soviet handling of the SALT II negotiations.

The sponsor of the conference, the Lawyers Alliance for Nuclear Arms Control (LANAC), has a national membership of 2,400 legal professionals. Its primary objective is to promote awareness of nuclear weapons issues and to elicit from the national and international legal community viable alternative proposals for reducing the likelihood of nuclear war while maintaining national security.

The conference will be held from 9 a.m. to 5 p.m. on Saturday, October 2 at the John Hancock Auditorium, 180 Berkeley Street, Boston. The registration fee is \$20.00. Checks made payable to "LANAC - Symposium" may be sent to LANAC Symposium, 14 Beacon Street, Suite 719, Boston, MA 02108. Further information regarding LANAC and the October conference is available by calling (617) 227-0118.



Student watches helplessly as classmate is sucked into Coffee Machine. Just kidding, folks, but the old machines were acting a little strange. They have since been replaced; the new machines feature open faced Roast Beef sandwiches with a side of broccoli dripping with hollandaise. We don't know if it's edible since our restaurant critic has yet to sample it. The lounge now also features a microwave oven, which should create some good tort liability. Yet to come, two new copying machines for the library. They're expected shortly.

NOTICE

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Anyone Who Has a Locker
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Hofstra Law School's leading newspaper wants you! We need people to write, edit and help publish **CONSCIENCE**. Attend **CONSCIENCE's** Second Annual Exotic Pizza & Recruitment Festival, September 15, 1982 at 12 Noon in Room 230. Be there. Aloha!!

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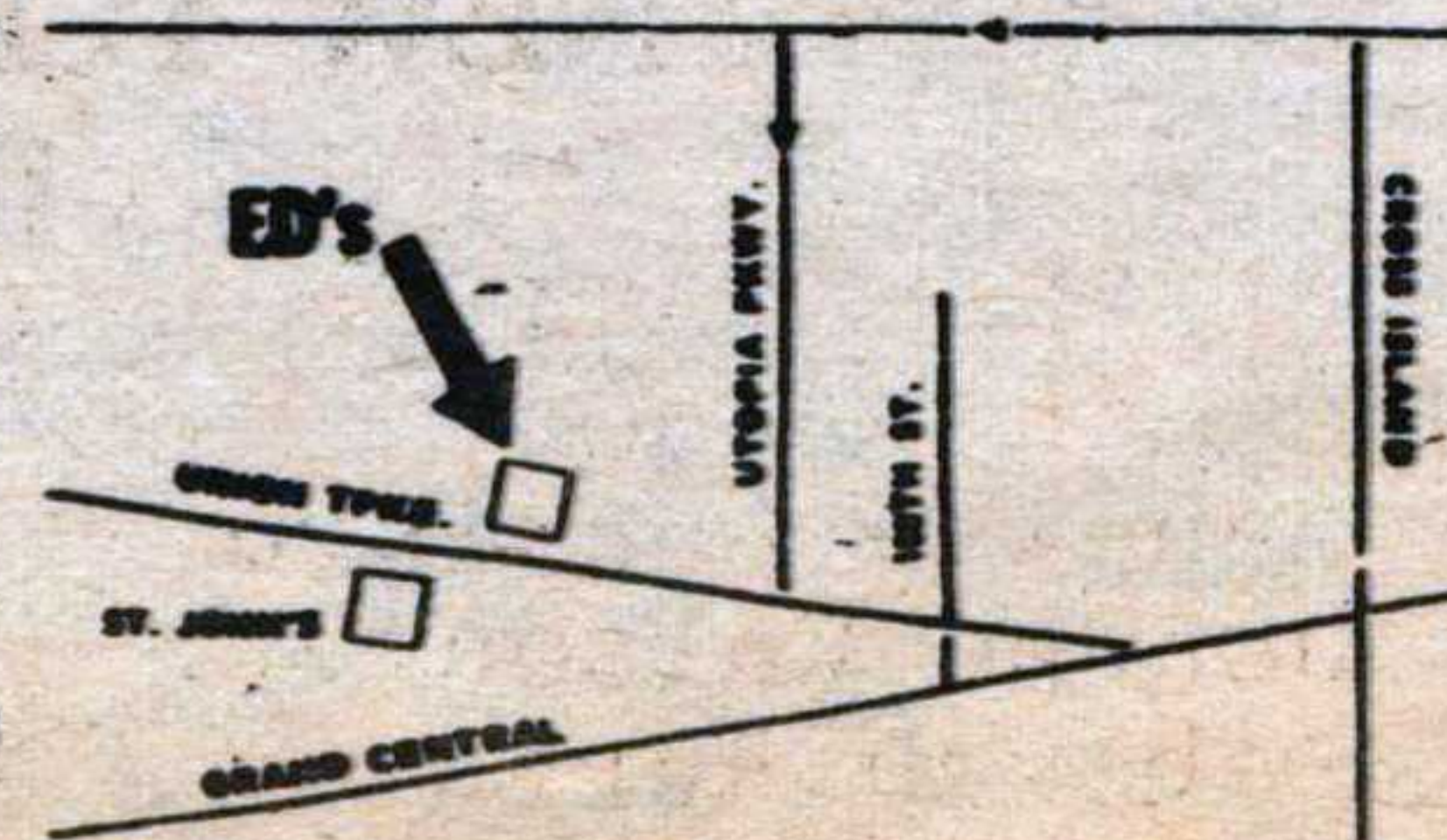
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Hofstra Gets New Personnel

Robert L. Douglas became Assistant Dean of the Law School this summer. Douglas, a 1976 graduate of the Law School, replaces Sherry Friedman, who left earlier this year.

Douglas will be responsible for alumni and student relations as well as developing a program for recruiting law school applicants.

Before becoming Assistant Dean, Douglas was an apprentice labor arbitrator to Dean Schmertz. The apprenticeship constituted a special effort by Dean Schmertz to train Douglas and encourage his acceptability as an arbitrator and private mediator. Douglas believes that the job of Assistant Dean will help his arbitration career. He plans to continue arbitrating on his own time and he will teach the labor arbitration course in the Spring. He is also writing a casebook on labor arbitration with Dean Schmertz.

Douglas has been managing editor of the *Hofstra Law Review*. He has also been counsel to Peter D. Walther, when Walther was a member of the National Labor Relations Board.

Among his many duties, Douglas sees part of his job to be a liaison between students and the Law School. "If students feel they want someone to talk to," said the Assistant Dean, "I'm available to talk."

Douglas will also be responsible for implementing a new student recruitment drive. As part of that drive, Douglas hopes to establish "a presence on undergraduate



campuses throughout the country." Specifically, Douglas hopes to be able to visit as many campuses as possible. Douglas also wants to involve students, faculty and alumni in the recruitment process.

According to Douglas, the goals of the recruitment drive are to raise the quality and quantity of applicants, and to increase the percentage of accepted applicants who decide to come to Hofstra.

Douglas will not be involved with the actual selection of applicants however.

Assistant Dean Douglas's office is located on the second floor of the building in room 222.

By Sharon Hyman

Cheryl Erlich, the Placement Office's new Assistant Director, has been counseling Hofstra law students on career opportunities and job hunting strategies since her arrival here this semester. Erlich replaces Francine Rozenberg, who resigned last semester due to her marriage and relocation in New Jersey.

After completing her undergraduate studies at Brandeis University, Erlich received a Masters Degree in Student Personnel Administration from Columbia University. She worked in the Office of Commuter Affairs at Barnard College, handling administrative matters and counseling students.

One of Erlich's goals as Assistant Director of the Placement Office is to develop a system of "alumni networking." She intends to contact Hofstra law alumni in prominent positions and encourage them to hire Hofstra law students. Erlich claims the key to successful job placement in the future depends upon the expansion of an alumni network. In addition, she feels that all potential employers should be made aware of Hofstra's success at producing quality lawyers.

In their search for jobs, Erlich believes that students must take the initiative and work hard. While the Placement Office will counsel students on effective resume writing, cover letter writing, and interviewing, Erlich stressed that the students must bring her something to work with. She further believes



that a major problem is students procrastinating preparing resumes and cover letters. She urges everyone to do these things now. Erlich thinks students should thoroughly research firms they intend to interview with. She emphasized that many medium and small firms will begin their hiring process later in the year, that each student should set up his own timetable for mailing resumes.

Ms. Erlich invites all students to visit and utilize the Placement Office's resources.

Hofstra Tradition Ends

By Anthony Colleturi

In 1948, William S. Kusewich started a little business called Bill's Meadowbrook. Bill's is a sole proprietorship, a family affair which has become legend to legions of Hofstra students, faculty and alumni. This week the dream ends. Bill's Meadowbrook closes its doors for the last time.

Kusewich, a Russian emigre, started the bar while Hofstra was still in its infancy. Since that time, the bar/restaurant has played host to many Hofstra clubs and frats and has on occasion served as a classroom.

At 70 years old, Bill, Sr. and his son, Bill, Jr., have decided to call it quits and pursue greener pastures. "Things change," said Bill, Jr., "and it gets hard to compete with an organized approach to business." Recent years have seen the advent of many newer, fancy and expensive night spots on the Hempstead strip. In many ways Bill's failed to keep up. Yet promotions and bright lights could not replace the homey ambience that was Bill's where very student was a family member.

The demise of Bill's, though, does not bring to an end the liquor at that location; for coming soon to the pike and Hofstra is *The Beverly Hills Cafe*. This new night club, according to informed sources, will cater to twenty-one-and-over crowds and will feature disco and a gourmet menu. It will be owned and operated by MR. Martin Ross, who has created such successful Island hot spots as Penrod's, Apple Annie's and Strawberries. Renovations to the building should begin when a liquor license arrives. The renovations will take approximately a month to complete.

As for Bill, he just plans to take it easy for a while, living the life of a country squire, collecting the rent from the new operation. Who knows? Maybe he'll pop by every once in a while and boogie down with some old friends at Hofstra.

By Jeff Scholssberg
Class of '84

Prof: Knock, Knock.
Student: Who's there?

Prof: Sibbach.

Student: Sibbach, who?

Prof: Sibbach and relax, we gonna be doing this case for a long time.

Business School Dean Dies at Commencement

Dr. Samuel F. Thomas, dean of the Hofstra School of Business, has died at the age of 60. He was born and raised in Westbury, (L.I.) and was a resident of Garden City.

Dr. Thomas was stricken during spring commencement exercises of the Hofstra University School of Business in the John Cranford Adams Playhouse. He was taken to Hempstead General Hospital in Hempstead where he was pronounced dead of an apparent heart attack.

Dr. Thomas was dean of the Business School since January 1, 1982. During his tenure there, the School of Business gained accreditation of its Master of Business Administration Degree programs and reaccreditation of its undergraduate program by the American Assembly of Collegiate Schools of Business (AACSB).

Before coming to Hofstra, Thomas was a Dean and Professor of Public Administration and Political Science in the City University of New York. Dr. Thomas did his undergraduate work at Columbia University and received his doctorate from Syracuse University.

To find a replacement for Dr. Thomas, the University has hired the executive

recruitment firm of Bentley & Evens to assist the President and the Board of Trustees.

Bentley & Evens had been formerly hired to find a new dean for the law school. That appointment had generated considerable opposition by students and faculty within the law school who felt that they were given an insufficient role in the dean search.

This is the first time that an executive recruitment firm has been part of the process of selecting a dean for the School of Business. According to University President James Shuart, the experiment with Bentley & Evens was a success when tried on the law school. Shuart noted that for the business school, Bentley & Evens will seek candidates from both the corporate and academic worlds.

Until a new business dean is appointed, Dr. Jacob Weissman will serve as interim dean of the School of Business. Weissman is formerly chairman of Hofstra's economics department.

I.P.I.J. Selects New Members

The International Property Investment Journal (IPIJ) has announced the selection of its staff for the current school year. The students were selected based on their performance in the Law Review writing competition.

The new students selected are: R. Gordon Abitol, Stuart Ball, Beth Barash, Robert Barnard, Barbara Barron, Mark Cohen, Lisa DePasquale, Lawrence Drexler, Susan Ellis, Lorraine Fields, Jordan Fox, Winnie Gilmore, Janlori Goldman, James Hoar, Paul Hymans, Stephen Katz, Barbara Kornblau, Andrea Lannak, Barbara Lenderman, Scott Manson, Esther Miller, Jeff Morgenstern, Jodi Nash, Robert O'Connor, Bonnie Oringer, George Patsis, Harry Roth, Mark Rozell, Andrea Savarese, Thomas Schulz, Todd Steckler, Lou Stober, Terry Vlahos, Karen Weiner and Jennifer Worme.

New Guides For Gov't And Agency Job Hunters

By Deb Ezbitski

The beginning of another academic year signals the start of a new job-hunting season for second and third year students. Among the questions of how to draft and print a resume and cover letter may be the question of where to send them once they are prepared. If your career interest lies beyond the private sector, law firm route, or even if that is your focus, one source of valuable employment alternatives and information is THE WASHINGTON WANT ADS, a newly revised publication of the American Bar Association (ABA). This small (140 pages) book contains virtually everything one needs to know about the many entry-level positions in the legislative, judicial, and executive branches of the federal government and in independent agencies throughout the country.

The book is divided into four sections, one for each branch plus one for indepen-

dent agencies. Each section lists and describes the offices that have legal positions. Each individual office listing contains the latest information on the current number of attorneys employed, the anticipated openings, both summer and permanent, and the locations of the positions (D.C. or other). In addition, listed are salaries, qualifications, nature of the legal work performed by the office, and, most valuable, who to contact in order to apply for the available positions.

THE WASHINGTON WANT ADS is available from the ABA for \$9.95 (Low Student Division members) or \$14.95 (others). The Placement Office has a copy of it in its library.

(Note: The Placement Office has a fine library of employment opportunities, job-hunting techniques, etc. Don't ignore it in your own search.)

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P.A.D. Patter

Phi Alpha Delta is the world's largest legal fraternity with over 90,000 members. It ranks second only to the American Bar Association in size. The fraternity is dedicated to service to the law student, law school and legal profession. The National fraternity offers its members aid in the form of student loans, job placement, and low cost insurance. The Kennedy Chapter here at Hofstra sponsors programs ranging from "How To Survive Law School" for the first-year student, to "Getting a Job" for the upper classmen. Additionally, the local chapter is sponsoring the Juvenile Justice program at both the primary and secondary school levels. The curriculum is prepared by the National PAD organization and is administered by the Kennedy Chapter. It is believed that such law related education, administered during elementary education, reduced the amount of crime committed by juveniles.

PAD is proud to be the first legal organization on Long Island to present this type of innovative programming to the community. In addition to these fine programs, Phi Alpha Delta will also present occasional Friday afternoon "beer-blasts," occasional evening parties, as well as an annual awards dinner. There will be ample opportunities during the year for PAD members to meet with many prominent lawyers and judges in the greater metropolitan area. Membership is open to all interested law students regardless of age, race, or sex.

If you are interested, sign up at the Phi Alpha Delta desk in the library lounge, add your name to one of the lists conveniently located throughout the law school, or drop a note in the PAD Mailbox located in the registrar's office.

EDITOR'S NOTE: At least those of us who don't pass the bar will be able to take comfort by joining PAD.



Mr. Spock takes aim at Fran Langstaff in an unsuccessful attempt to take over the Labor Forum.

Goodbye, Spock . . . Hello, Labor Forum

Labor Law Forum Gets In Gear

Hofstra's newest legal journal, the **Labor Law Forum**, announced the coming of its first issue and the arrival of new members.

According to Jeff Nash, **Forum** Managing Editor, the first issue will be released in December. This issue will feature several articles written by the speakers of the recent Edward F. Carlough Labor Conference, held at the Law School over the summer. The issue will also include several notes written by the student staff.

"Twenty-one second year students have just recently accepted **Forum** membership," announced Nash. The new members are Andrew Aaron, Peter Albert, William Bader, Ann Coates, Anthony Colletuori, Christine D'Amato, Maureen Doener, Victor Emanuel, Pamela Fitton, Michael Fuchs, Dolores Gebhardt, Howard Greenberg, Barbara Magen, Michael Noonan, Susan Pechstein, Debbie Rahmind, Martin Rainbow, Nancy Samotin, Jeff Schlossberg, Brad Wolk and David Wankoff.

The **Forum** will also be moving into new quarters, a house located at 142 Fenimore Avenue. The house is two blocks east of California Avenue and has three rooms, a kitchen, bathroom and a basement. According to Nash, the house offers a comfortable place to work despite its location away from



Cooper New Acctg. Prof.

Mitchell J. Cooper, an attorney and certified public accountant, will be teaching *Accounting For Lawyers* this fall. With years of accounting and legal experience behind him, Professor Cooper hopes to familiarize students having limited business backgrounds, with the basic financial information they will need to know in order to understand financial statements, shareholders' agreements, and other business documents commonly encountered in practice.

Professor Cooper, a Hofstra Law School alumnus, brings enthusiasm to his new teaching position. Emphasizing that it is neither a "debts and credits" nor a "theory" course, Professor Cooper said he will present issues on a "practical level." Professor Cooper feels his education and experience will enable him to present issues and problems as they occur in practice. In addition to a J.D. degree from Hofstra Law School, Professor Cooper holds an L.L.M. degree from New York University. A certified public accountant, Professor Cooper worked as a tax manager at Arthur Andersen & Company and at Bristol Myers Company as a senior tax attorney. He is presently a partner in the law firm of Spizz, Gans & Cooper where he concentrates in tax law.

Professor Cooper intends to teach the course as a survey, touching on such topics as workpaper disclosure and accountants' liability. Pointing out that there are many alternative accounting methods, Professor Cooper wants to familiarize students with them and the ways corporations can manipulate them on financial statements. Cooper hopes that when faced with a financial statement, students will know what questions to ask and whether to seek the advice of a C.P.A.

EDITOR'S NOTE: *Conscience* wishes Mr. Cooper the best of luck. We're glad at least one Hofstra Alumni was able to get a job.

the school.

The other members of the **Forum's** editorial board are Fran Langstaff, **Editor-in-Chief**, Alan Liebowitz, **Managing Editor Staff**, Jill Bernstein, **Notes and Comments Editor**, Stephen Mendelsohn, **Articles Editor**, Ginny Parker and Joanne Watson, **Research Editors**.

The **Labor Law Forum** was begun last year. The funding for the publication comes from The Edward F. Carlough Labor Law Chair, now held by Dean Schmertz.

EDITOR'S NOTE: Sounds nice. Is the house available for summer rentals?

Conscience mourns the passing of Commander Spock of the United Federation of Planets — the largest law firm off Wall Street. Mr. Spock (we never knew his first name) died bravely this summer during the last few minutes of *Star Trek II: The Wrath of Khan* after a tremendous effort to rescue the entire crew of the U.S.S. Enterprise.

At the reading of Mr. Spock's last will and testament yesterday at Star Base 15, it was learned that the Commander left the entire collection of his works on logic to Doctor Leonard McCoy and his red dating book, cataloging the most beautiful and logical girls in the universe, to his friend and companion, James T. Kirk. Nurse Chappell is quoted as saying she will contest the will and has called upon the law firm of Gans and Kadane to represent her.

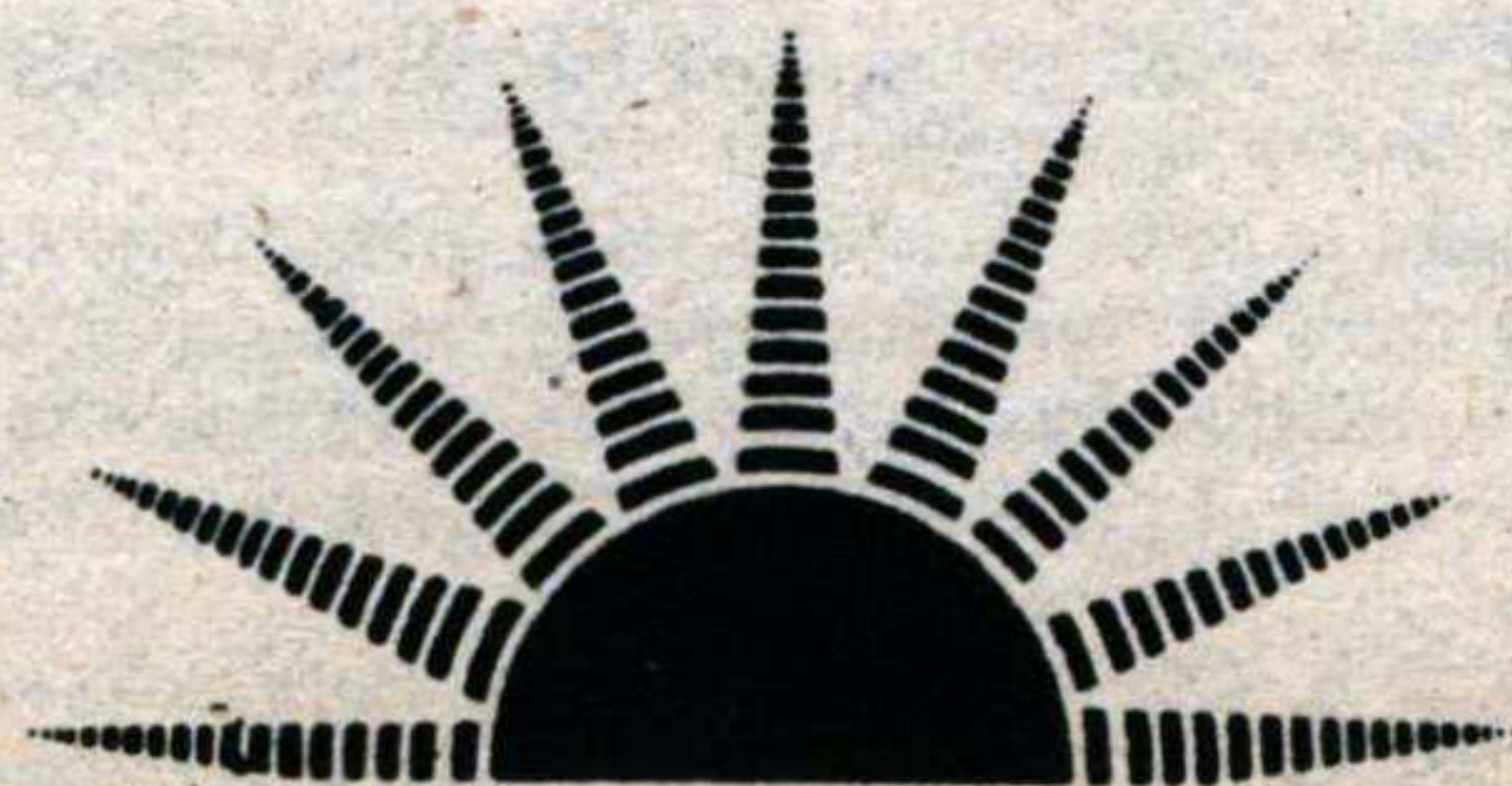
Our final tribute to the man of logic can never do justice to the seventy or eighty hours of raw excitement and adventure Mr. Spock helped give us. So to the memory of Mr. Spock, we say — LIVE LONG AND PROSPER.

ON TARGET AGAIN!

BRC students had no cause for concern on 3 of the six essay questions on the July 1982 New York Bar Exam, because Joe Marino, Sr., a virtual legend in New York bar review (with over 35 years of experience) thoroughly analyzed the issues that appeared on those questions during the bar review lectures.

BRC's amazing ability to "predict" many bar exam issues is only one of the critical differences that give our students a competitive edge on the exam. Ask a BRC representative for others.

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Marino-Josephson/BRC

COMMUNITY FORUM

Editorials

Write And Be Read

Last year *Conscience* made a pledge to the community and ourselves that we would cover controversial issues and print any article or letter which might stimulate thoughtful debate and comment. We would like to renew that pledge.

Thought and controversy are painful. As Descartes discovered, they lead to self doubt and reflection; they are also the beginning of all knowledge. As John Stuart Mill pointed out, it is the competition of ideas that produces truth. Heraclitus said it well before Socrates was born. "Opposition brings concert. Out of discord comes the fairest harmony." It is the duty of this newspaper to be a part of that process.

With this noble end in mind, we hope to encourage all students, faculty members, administrators and alumni to participate in this process with us. A public dialogue among all members of the Law School community is essential to the school's achieving excellence. We further hope that those community members who do join the debate on these pages discover, as we have, the personal satisfaction of having stimulated the intellectual atmosphere of our community and having helped forge the respect and dignity of Hofstra Law School.

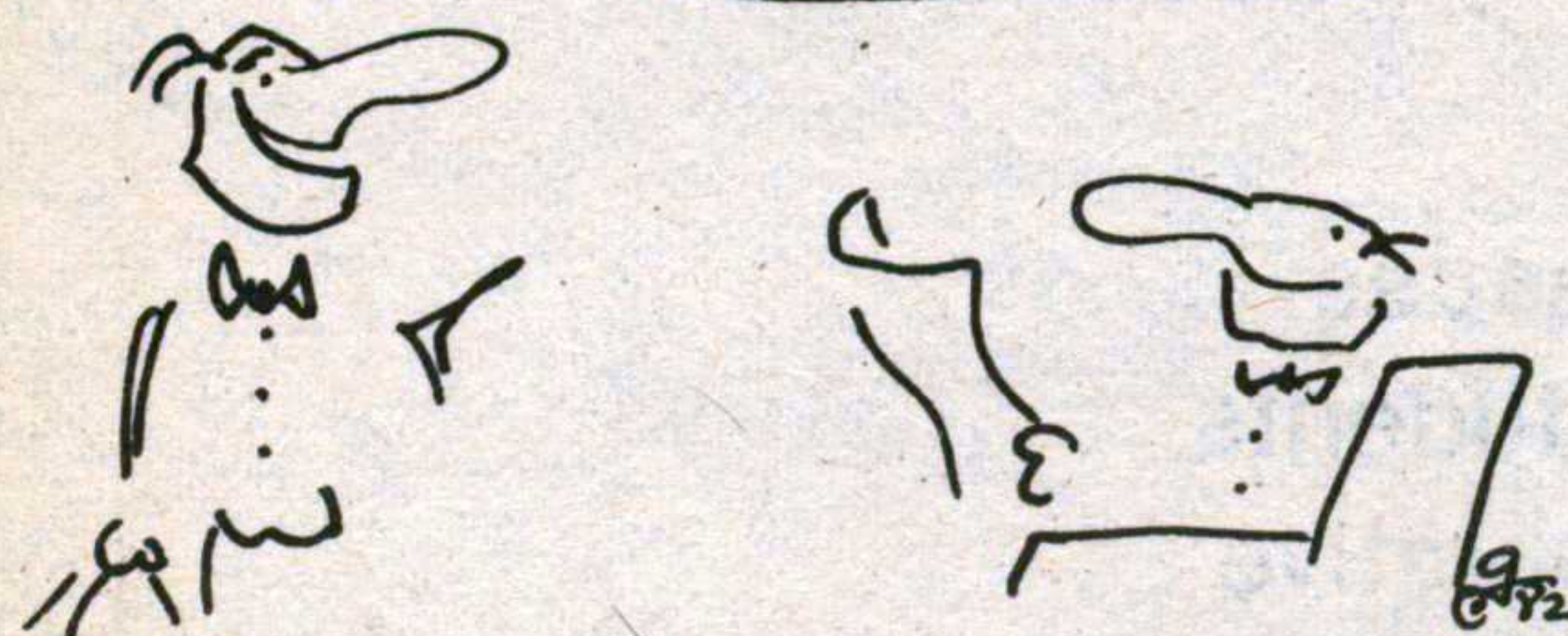
On The Road Back

Conscience, upon its return, is pleased to take note of the improvements in and around the Law School. The administration has repainted portions of the school's hallways and, frankly, they look a hell of a lot better now. The installation of new food and drink vending machines, a microwave oven and a new change machine are certainly steps in the right direction.

These new additions, while adding a definitive measure of improvement to the Law School, should be only the starting point. The entire school should be repainted. The entire school should be cleaned regularly with an especially aggressive maintenance detail assigned to the bathrooms. Another change machine should be obtained as well as several more Xerox machines. The climate control in the building should be fixed once and for all so the pneumonia epidemic can end. Finally, a new Law School building should be under construction within a year.

The changes made over the summer are encouraging. The Law School is definitely on the road back to making Hofstra a comfortable and respectable institution, but the road is a long one.

We're going to have to tighten up - the first year students are already carrying tennis racquets to class.



Letters

Tampon Situation A Bloody Mess

TO: Students, Faculty Members, and Employees of Hofstra University
FROM: The Powers That Be
RE: New Biological Procedures

The Powers That Be have carefully studied the problem of the exorbitant monetary losses sustained by Hofstra University through the pilferage of nickels from tampon and sanitary napkin dispensers on campus and have determined the following solution to be the most expeditious and equitable to all concerned:

1. All such dispensers have been removed from all lavatories.

2. Effective immediately, all students, faculty members, and employees will refrain from menstruating while classes are in session.

The removal of dispensers will not only preclude any further pilferage, but will, in addition, save the University the expenses involved in the initial purchase of tampons and sanitary napkins, in training personnel to fill and refill dispensers, and (the biggie) in hiring female security guards.

Since females have historically bemoaned their monthly fate, *The Powers That Be* feel certain that our determination that periods will not longer be required will be welcomed by all affected. We suggest that you instruct your bodies of this new biological procedure as soon as possible to avoid any potential embarrassment.

Thank you,
The Powers That Be

(N.B.: The removal of dispensers is a University policy, not a Law School decision. If you're interested in doing something about this absurdity, please contact the Women's Law Center.)

Filth Finds Home

To the Editor:

The administration has really stepped into it this time. Their cleanup campaign has gotten completely out of hand. I, for one, sincerely believe that a dirty law school is a happy law school.

The only reason I selected this law school was its fine reputation for mess. This is a place where someone can really unwind. It's so easy to throw cigarettes on the floor. Seats of chairs are such a delightful place to leave chewed gum. Reshelving books is such a pain. Why, being here is better than having a maid.

But I haven't lost any sleep over this cleanup comparison. These self-appointed apostles of Felix Unger deep down are just like me—slobs to their very core! These are the folks who know the writing on the wall; they should, they put it there! Their dander may be up, but their ashes are on the floor.

It's time to reverse the trend. What are they trying to make this place into, Harvard?

I say let's keep the school the way it was. In keeping with this pledge, I am forming a new student organization, an organization dedicated to the defecation of Hofstra Law School. This new organization, F.I.L.T.H. (Fun In Littering and Trashing Hofstra) will be strewing leaflets advertising our first meeting.

Look for details on a floor near you.

Sincerely,
O. Madison
Class of '46

Gag Me With A Spoon

To The Editor:

This summer I had an opportunity to visit the United States Supreme Court — something that I had never done despite having spent four years attending college in Washington, D.C. Admittedly, my function on this trip was nothing more than as a mere messenger, since I was simply delivering to the Court's clerk, an application to Associate Justice Thurgood Marshall to stay a particular proceeding until a petition for certiorari could be filed. I had not even worked on the brief.

Having flown in and out of D.C. so many times as an undergraduate, this particular flight seemed no different — a boring inconvenience. The cab ride to the Court was the same.

On reaching the Court, however, all that changed. The cab dropped me off at the sidewalk in front of the court building. As I turned to walk up the steps, a wave of emotion flooded over me. I felt the blood rushing to my temples and my heart pounding in my chest. My first impression was of the sheer enormity of the white marble building with its huge doric columns. Also, etched along the frieze in letters two feet high, are the words "EQUAL JUSTICE UNDER LAW."

I had taken Constitutional Law with Linda Champlin. I had learned Constitutional analysis and the principles which guide the Court. Yet, despite the fact that Champlin's class has been one of the high points, and probably the high point, of my legal education, I had not developed an appreciation of the enormous impact that the Court has truly had on our country. I, of course, had an academic awareness of this, but not an emotional appreciation.

As I walked up the marble steps to enter the Court, I forgot for the moment about the competitiveness of law school and the profession. I forgot about my admitted pursuit of financial reward. I was humbled. I realized that I am about to enter a truly honorable profession — a profession bearing the responsibility of making certain that our country continues to pursue a path of equality and justice. Gazing at the Court, I promised myself that I would never forget this responsibility. I only hoped that I would be equal to the task.

This visit to the Court was, obviously, a moving experience for me, made at an appropriate time in my legal education. Whether you have visited the Court before or not, I sincerely recommend that each law student make this trip before graduation.

Mitchell A. Sabshon
Class of 1983

conscience

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Japanese Management Theories Explored

Mendelsohn On Money



By Steven Mendelsohn

When one looks at the Japanese economy, there is very little not to admire. Low inflation, balance of payments surpluses, miniscule unemployment, and steady increases in real Gross National Product stand out in sharp contrast to the deep recession in Western Europe and North America. Japan, Inc. appears to be the model of excellence that Western industries should try to emulate. Japan scholars such as Ezra F. Vogel in his "Japan as Number One," Richard Pascale and Anthony Athos, co-authors of "The Art of Japanese Management," and William Ouchi of "Theory Z" have even called for an almost wholesale adoption of the Japanese model in this country.

*Remember - Look Out
For The Ducks!*

-Harpo

What you're trying to say, Professor,
is that when the judge tried to deal
out justice, the Bill of Rights froze solid
in his hands.



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Advocates of Japanese management techniques, however, often fail to observe the differences between our society and Japan's, and the difficulties that have also appeared in the Japanese economy. A close examination of the Japanese economy will help to dispell numerous myths. One recurring fiction is that all Japanese are guaranteed lifetime employment. Female workers, who make up approximately 30% of the work force are excluded from this promise as are employees of most small and medium-sized firms. Those workers that do remain with large corporations for most of their working lives are usually required to retire at 55 or 60. These workers are then forced to obtain lower-paying jobs in order to supplement their meager pensions and social security checks.

The second myth that must be dispelled concerns the so-called superiority of Japanese technology. While it is true that the Japanese have made enormous strides in electronics and manufacturing, the fact remains that the Japanese do not employ microcomputers or robots everywhere. Robert Cole, Director of the Center for Japanese Industries to be slightly behind U.S. industries in technological breakthroughs even though the Japanese may be superior in the execution of known techniques.

One strength of Japanese technology is the flexibility of Japanese workers, with the Japanese wage system at the heart of this flexibility. Wages and promotions follow fairly set patterns based upon seniority. Japanese workers are certain that their experience and service will be rewarded without lengthy negotiations. There is thus, very little conflict over seniority rights, work assignments, job rates, and technological changes. When technological change is not associated with lower wages, Japanese workers have no reason to fear any change.

Another pillar of the Japanese employment system is the avoidance of disputes over the right to organize and bargain collectively. In fact, Article 28 of the Japanese Constitution guarantees these rights. It is

ironic that this American-sponsored provision has not found its way into our Constitution.

Participatory or democratic decision-making has also received extensive praise in this country. Decisions by consensus appear to be a fair and efficient method of managing but, consensus in the United States may possess an entirely different meaning in Japan. Yoshio Sugimoto, the Director of the Japanese Studies Center in Melbourne, Australia, has even labelled Japanese decision-making to be a form of authoritarian control. Group interests of the upper echelons of government and corporations. Mr. Sugimoto asserts that lower level employees are unable to openly disagree with the views of their superiors for fear of disrupting the group. Voluntary consensus, in Sugimoto's view, is merely a form of social and political regimentation.

On the darker side of Japanese society, Mr. Sugimoto argues that environmental pollution, sexual discrimination, economic concentration, and substandard housing are all issues that receive little media attention. The adulation of the overall Japanese economy, both inside and outside of Japan, appears to have led to a further submersion of these and other issues. Mr. Sugimoto fears that any gloating by the Japanese over their success will help to alienate its competitors and lead to further international misunderstanding. Japan's recent attempt to sanitize its history books concerning its invasion of Korea, China, and the Philippines may be one example of this alarming trend.

The lessons that the United States and Europe may learn from Japan's economic success are not yet clear. It can be noted, however, that the undue adulation of the Japanese economic system will not alleviate our economic difficulties. The Japanese do possess many innovations and techniques that may be useful in this country but, a wholesale incorporation of foreign economic methods is not the answer. The key to solving the American economic dilemma must begin with a close examination of the strengths and weaknesses of our system.

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STACHE

On The Road In Europe

For all of those new to this publication, the STACHE welcomes you to his territory: the world of sports law.

Loyal readers of this column will remember the criminal actions involving sports figures documented last spring by yours truly, the most notable being Rick Kuhn and the Boston College basketball point shaving scandal.

This summer I sought refuge from these types of transgressions. While others toiled with tedious legal jobs, the STACHE decided to return to the professional tennis world and journeyed to Wimbledon.

A good choice! Strawberries and cream. A strangely quiet John McEnroe. The relaxed atmosphere of British culture. Even the All England club was civil to the players, an attitude unheard of in the past. Only sunbathers were on the defensive, courtesy of the prevalence of rain. If only Wimbledon could be played during the summer and not in Great Britain's June!

There was, incredibly enough, another sporting event taking place in Europe, World Cup Football — read that soccer, you Americans! With the Italian victory and exploits of their superstar forward, Paolo Rossi, it was not necessary to look any further for controversy. The STACHE was back in his element.

In the space of two weeks, Rossi went from national disgrace to national hero.

Over two years ago, Rossi had been barred from the soccer world after reportedly accepting money from a gambler in return for fixing an important match. Rossi denied the allegations, claiming he scored two goals in the game and that he did not know that the man was a known gambler. The Italian Football Federation banned Rossi for three years, later commuting the sentence after two years.

It must be understood that soccer is the number one passion in Italy. Governments may fall with regularity, which they do, but give the people what they want: Soccer. Baseball and football in the United States do not generate the same fanatical devotion.

So it was that Rossi was outcast by his federation. Check your Administrative Law text for the powers of self-governing agencies. Rossi was the man without a country, and without a team. He was reviled in the press and scorned by his countrymen.

But Rossi was not through. Rossi made the national team after the reduction of his sentence. After three ties put Italy past the first round, Rossi went to work. His three goals against heavily favored Brazil in the competition's second phase put Italy into the semi-finals. Two more scores took care of Poland and one more in the finals against the West Germans was the difference. Welcome back, Mr. Rossi.

Welcome and welcome back readers!

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The Law School has lost track of certain Law School Alumni. Dean Douglas has been assigned to hunt these graduates down so that they can receive their copy of Conscience and get other goodies from the Law School.

If these alumni are not found, they will miss the alumni events the administration has in store for them. If you know the whereabouts of any of these individuals, contact Ass't Dean Robert L. Douglas, Hofstra Law School, Hempstead, NY 11550. No reward will be offered.

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Columns

The Sad Saga of Fat Jo Jo

by Anthony T. Colleluori

In my last column in this space, I decried the decision of the Federal Court in sentencing ex-Boston College basketball player and game-fixer Rick Kuhn to ten years in prison as too harsh. This is especially so when taken into account the sentences given to other white-collar criminals, not to mention the leniency shown to the violent criminal. As if this point needs any further reinforcement, a New Jersey Judge has brought absurdity to a peak by sentencing a 500-pound asthmatic child-rapist to three years probation because he requires air-conditioning for his bronchial condition. JoJo Giorgianni can't breathe in jail! Too bad! Why didn't the orangutan consider the option before he brutally savaged a fourteen-year-old girl? I can hear the bleeding hearts already; think about what a 20-year sentence will do to him. These prisons are stuffy and hot; his breathing will shallow, he'll begin to feel as if he's choking, gasping for breath, his girth encircling him as a cage inside a cage, each inhalation taking in less and less air until he feels a sure-death approach him. Think of the sweat, the anxiety, the torture this man will endure each day of his prison sentence. Surely to incarcerate him this way is in violation of his eighth amendment right against cruel and inhuman punishment. The argument becomes convincing, after all are we not animals, or ghouls who enjoy seeing such fearful suffering repeated over and over again. The argu-

ment begins to become appealing. Fat JoJo should be a cause celebre! But wait, go back a step and in front of each "he" write the pronoun "she." It all fits. Now apply it to his fourteen-year-old rape victim during the attack. Now remember, much as he'll suffer day after day, she will too, in nightmares, in each strange noise she hears. She will feel she has no control over her safety or body. Each waking minute until she dies this violation will follow her. No matter how much counseling, no matter how well guarded, no matter how far from JoJo Giorgianni this little girl is, she will always suffer. Her condition will not fade through weight loss, counseling or drugs. She can't just spray an inhalator into her lungs to stop the choking feeling she will get each time she recalls the attack. Her rights were violated far more seriously than his, because she had no control — he had it all.

As a liberal NYU law student and I discussed this case on the train the other day, an older man overheard our conversation. As the other student stood to leave, the old man spoke. He said, "Sonny, if there was really any justice in the world, that fat #*/c would've dropped dead of a heart attack just thinking about the crime." As I thought about it, I decided that the vulgar old man . . . was right.

Anthony T. Colleluori is a member of *Conscience* and a second year law student.

E.T. Lands At Hofstra

By Scott Brice

What would it be like if E.T. were starting Law School? What would be his experience? (Was it a him or a her?)

Would the little critter be afraid? (The professors, of course, would not be afraid, they're not afraid of anything.) Would he dread the possibility that Professor Mahon might call on him in class? Would the thought of *mens rea* or *assumpsit* send shivers down his spine, assuming he has one? Would he be convinced that the Earth is completely hostile when he is forced to shell out more than twenty bucks for each casebook?

And what kind of contributions would E.T. make to his study group?

Eventually, E.T. would adjust to the Socratic method. Most likely, after mouthing his first few words of legalize, he would begin to see right through the law school game.

It will be recalled that on his arrival to Earth, E.T. was a puny little runt, terrified of everything, including a 7-year-old child. After a while, though, he realized that the Earthlings were no match, and that he could pretty much do whatever he liked—even when half the United States army was trying to capture him.

So, too, E.T. would soon realize that none of his professors were going to tell him that he would never become a lawyer and give him a dime to call his mother on the

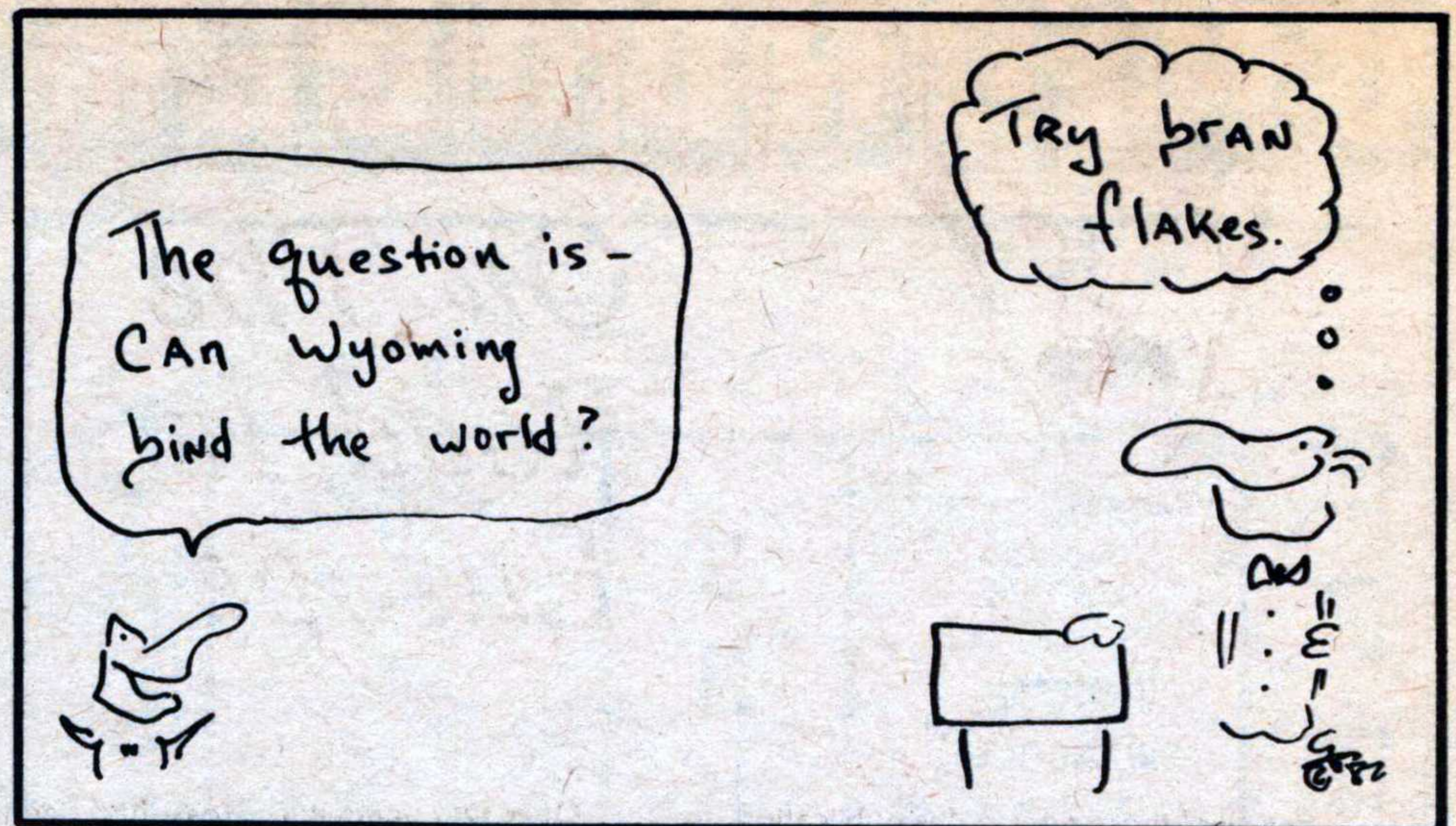
home planet, where surely they, like everyone else 10 miles outside of Long Island, have heard of Hofstra. He would realize that his interplanetary intelligence was more than enough to see him through the first year.

E.T. would speak right up in class. No one could stop him. During those tense moments in Civil Procedure, E.T. would raise his spiny magic finger and cure Professor Champlin of her smoking problem. With time, he might even win a few arguments with Ronald Silverman. With luck, he would realize that he and David Diamond really come from the same home planet. Why E.T. might even make Law Review.

E.T. would really be good for the law school. Dean Schmertz might even have his picture taken with E.T., just to prove that Hofstra can attract students from outside Long Island.

Is there a moral to this story? Of course, there always is. E.T., in fact, represents the very paradigm of a successful law student. In the end, E.T. flies over the earth with the greatest of ease, and we wonder what he was ever afraid of. First year is the same way. Looking back, we wonder what we were ever afraid of.

Scott Brice is a second year law student who spent his summer at the movies.



A Fireside Chat

by Jordan Fox

A few of your peers got together last year and agreed to take time out of their busy schedules in order to aggressively and effectively address the many law school issues that demanded attention. They also pledged to improve and expand the services offered by the student body for the student body. To establish the kind of strong, unified voice they sought, they realized they would have to be visible, work on the issues that meant the most to you, and gain credibility with the powers that be. So they organized and were elected to serve as your student representatives for this year. Though confronted with a rather bleak history of student activism, I am ready to report to you, as the president of the student body, that things have begun to change.

For example, we are currently working on a host of issues that have aroused a great deal of concern among the student body — grade privacy, physical plant, facilities, academic dishonesty, grade weighing for the 1L, parking, relations with the undergraduate community, diversity, or lack thereof, of the student body, placement and financial aid. We will be closely monitoring any initiatives to address the school's chronic space problems. This, of course, is a partial list and we will be relying on you to raise those issues of major concern to you. To make this as easy as possible, we will have a representative present in the library lounge Wednesdays at noon and increase publications, announcements, etc.

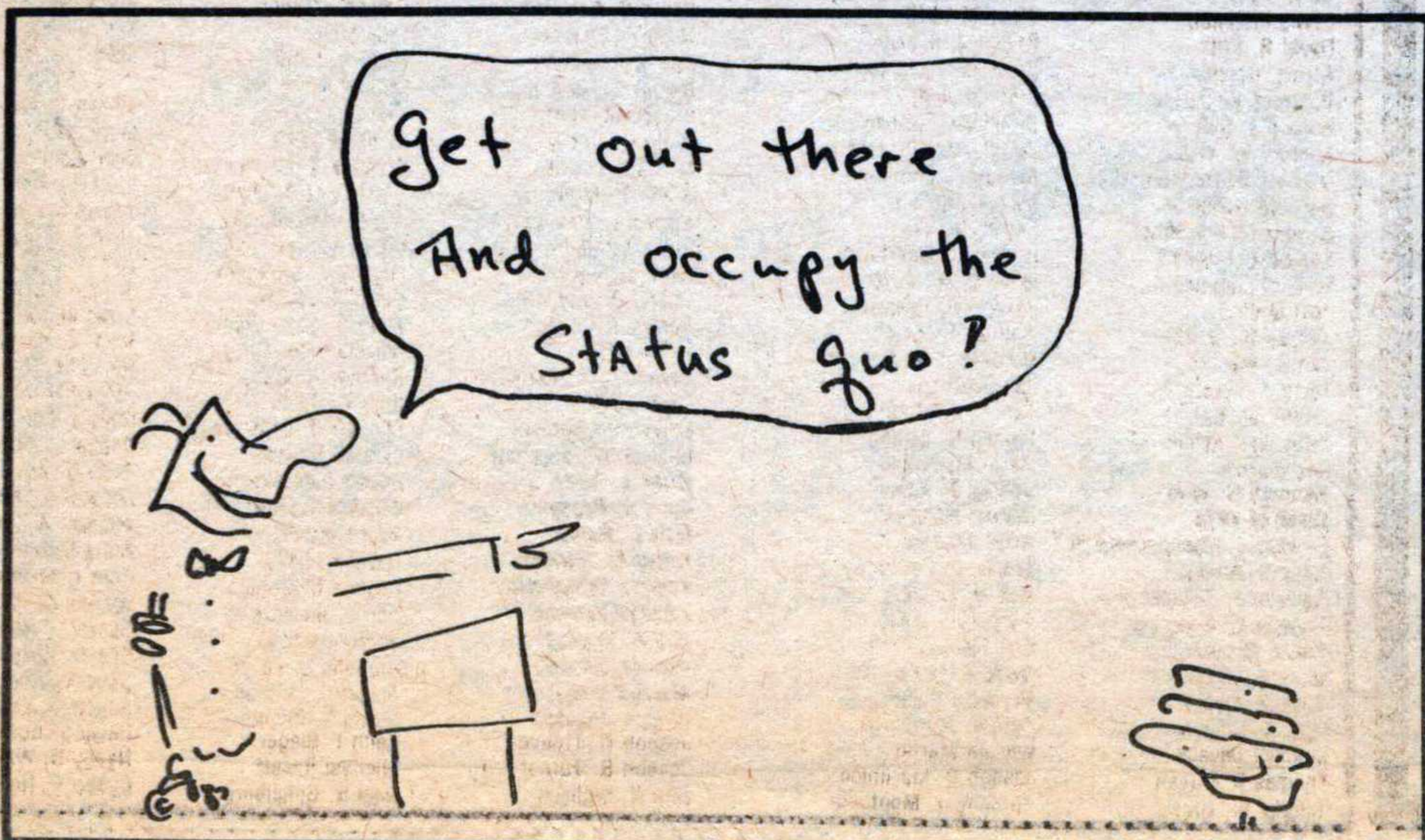
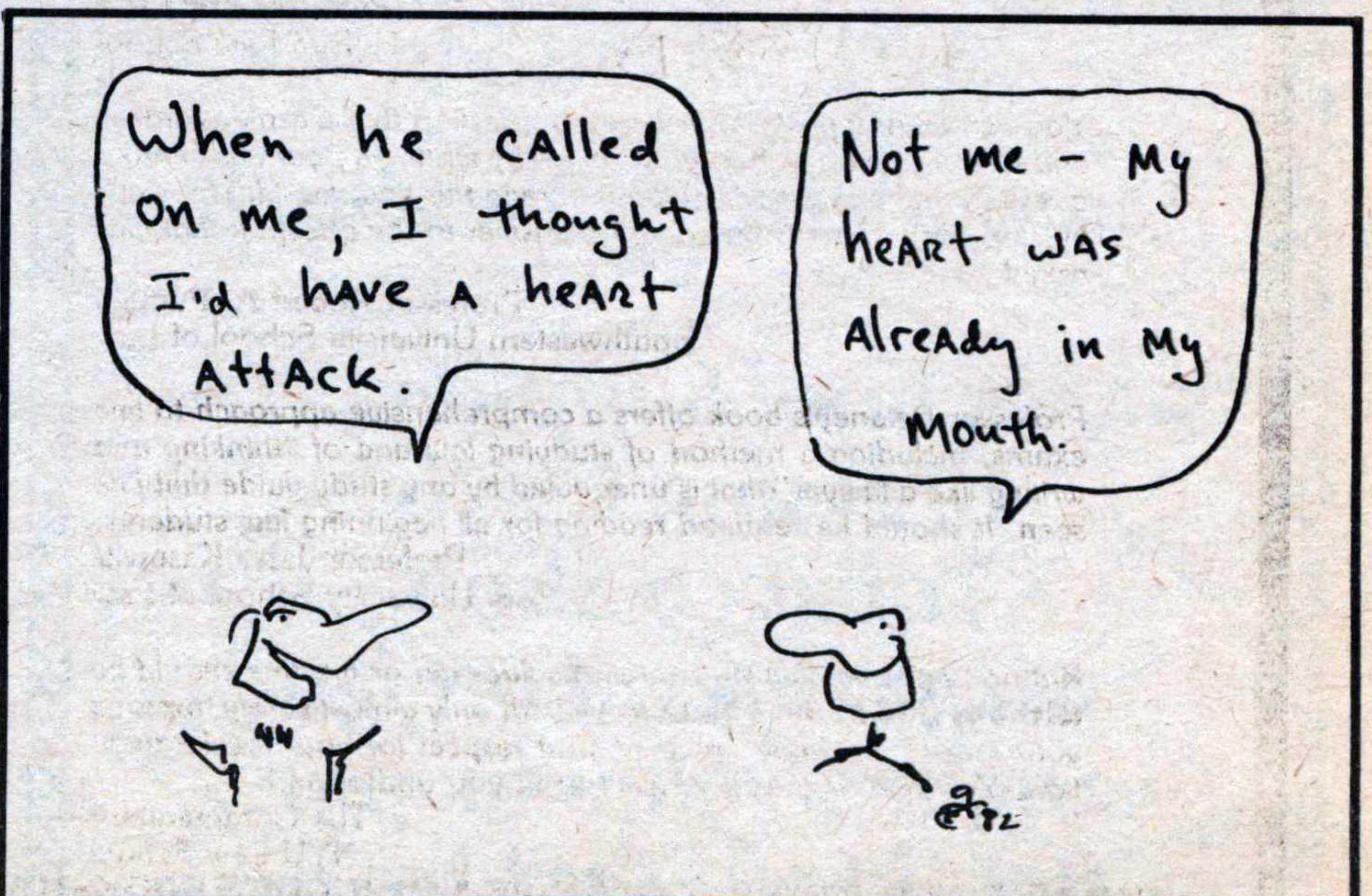
Moreover, we intend to expand service-

oriented programs. We expect to begin a provocative speaker/debate series in the spring. A central list of all the available used books will be maintained in the library and we are considering creating a used book cooperative in the years to come. We have contacted the undergraduate student government and they have agreed in principle with the need for a free legal aid service for students in which law students would participate. Of course, we will be conducting budgetary hearings to allocate the activities fee. Student groups are eligible and if you'd like to start your own group, please feel free to contact our staff in our office in the trailers.

If you are one of those people who isn't satisfied just with academic work, and need to get involved in your environment, you are welcome to help us accomplish our ambitious agenda. There are many other student groups that have effectively served the student body and welcome your participation such as the Women's center, Balsa (Black students association), PAD fraternity, Environmental Law Society, Democratic and Republican Clubs, Yearbook, the law student newspaper *Conscience*, and the comic law "review."

My home phone number is 374-5854. You can also contact me through the student government mailbox in the main office. We will be visible. We're ready to work hard on your behalf. You'll be hearing from us soon!

Jordan Fox is a second year law student and president of the student government.



CONSCIENCE welcomes letters and columns from all Hofstra community members. The next deadline will be September 27, 1981 at 5:00 P.M. As always, we reserve the right to use your pieces as cannon fodder.

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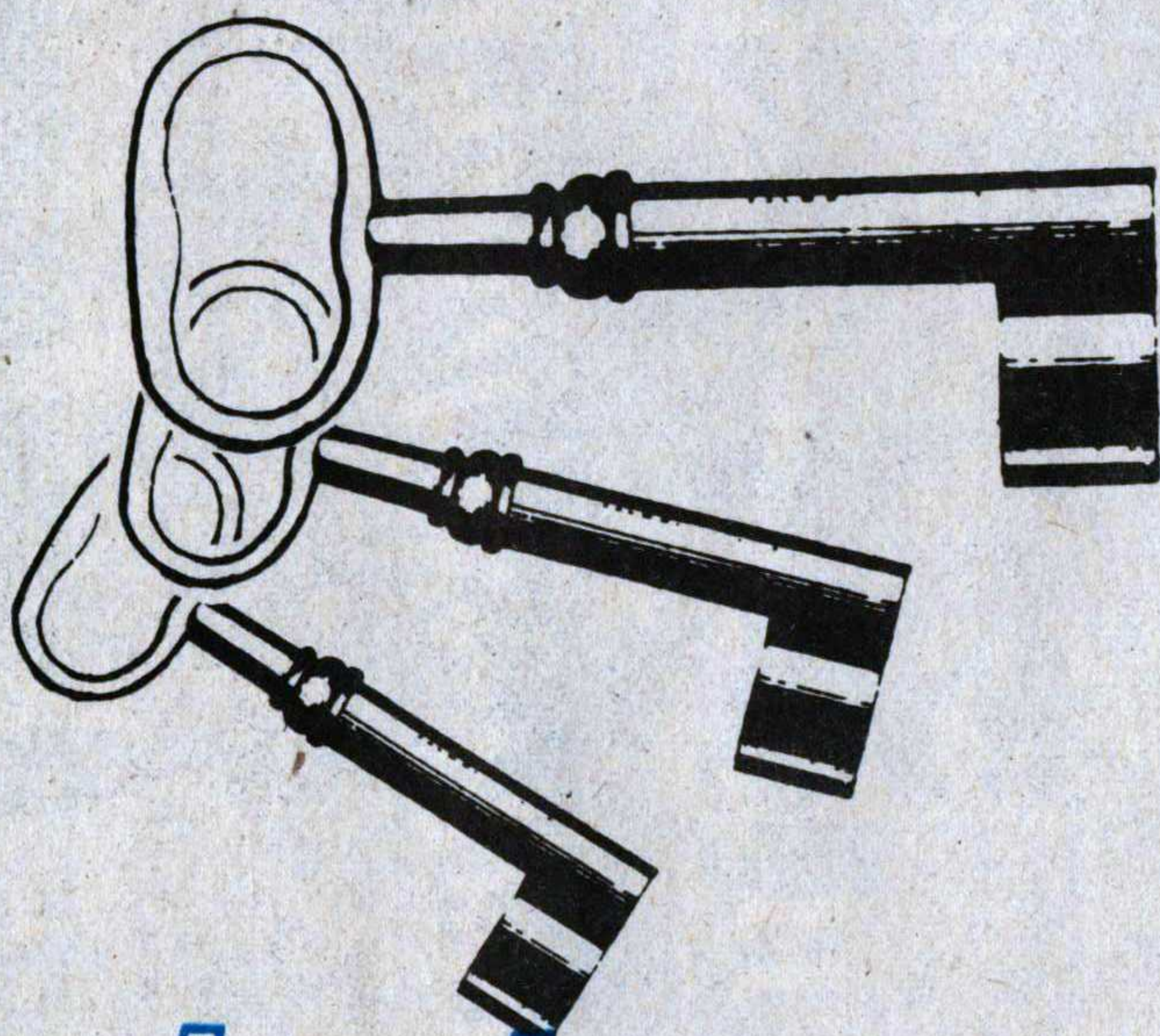


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