



ASKING YOU TO ASK YOURSELVES

VOL. 14 No. 2
October, 1986

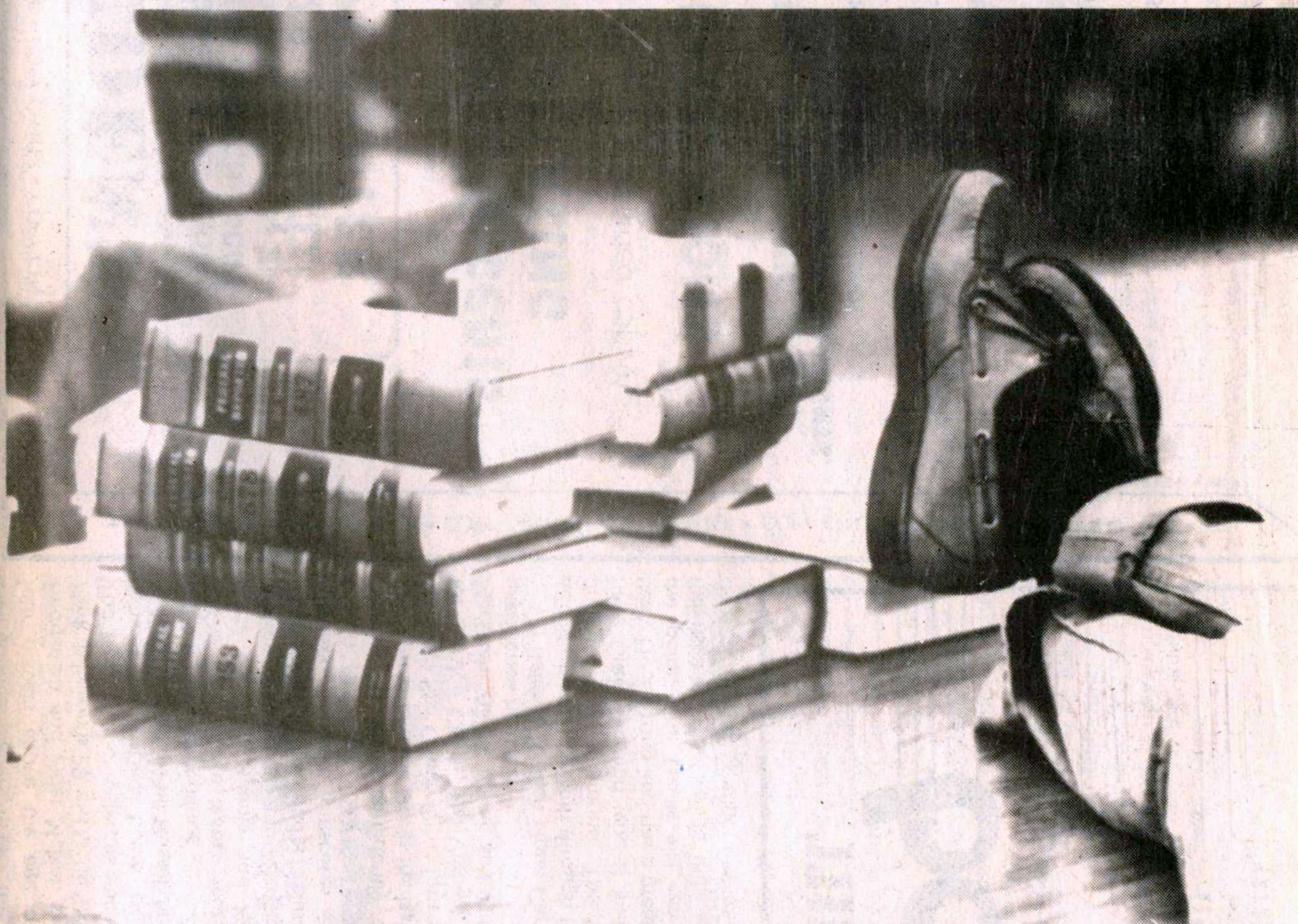
Conscience

Hofstra University
School of Law
Hempstead, NY
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Life and the Law

Professor John Regan has continued his work on the New York State Task Force on Life and the Law. The Task force was set up by Governor Cuomo about two years ago, for the purpose of deciding what New York's public policy should be in a variety of areas related to both ends of the life spectrum—birth and death. The task force is greatly needed as a result of the problems in law, medicine and ethics that arose out of new technology that affects human existence.

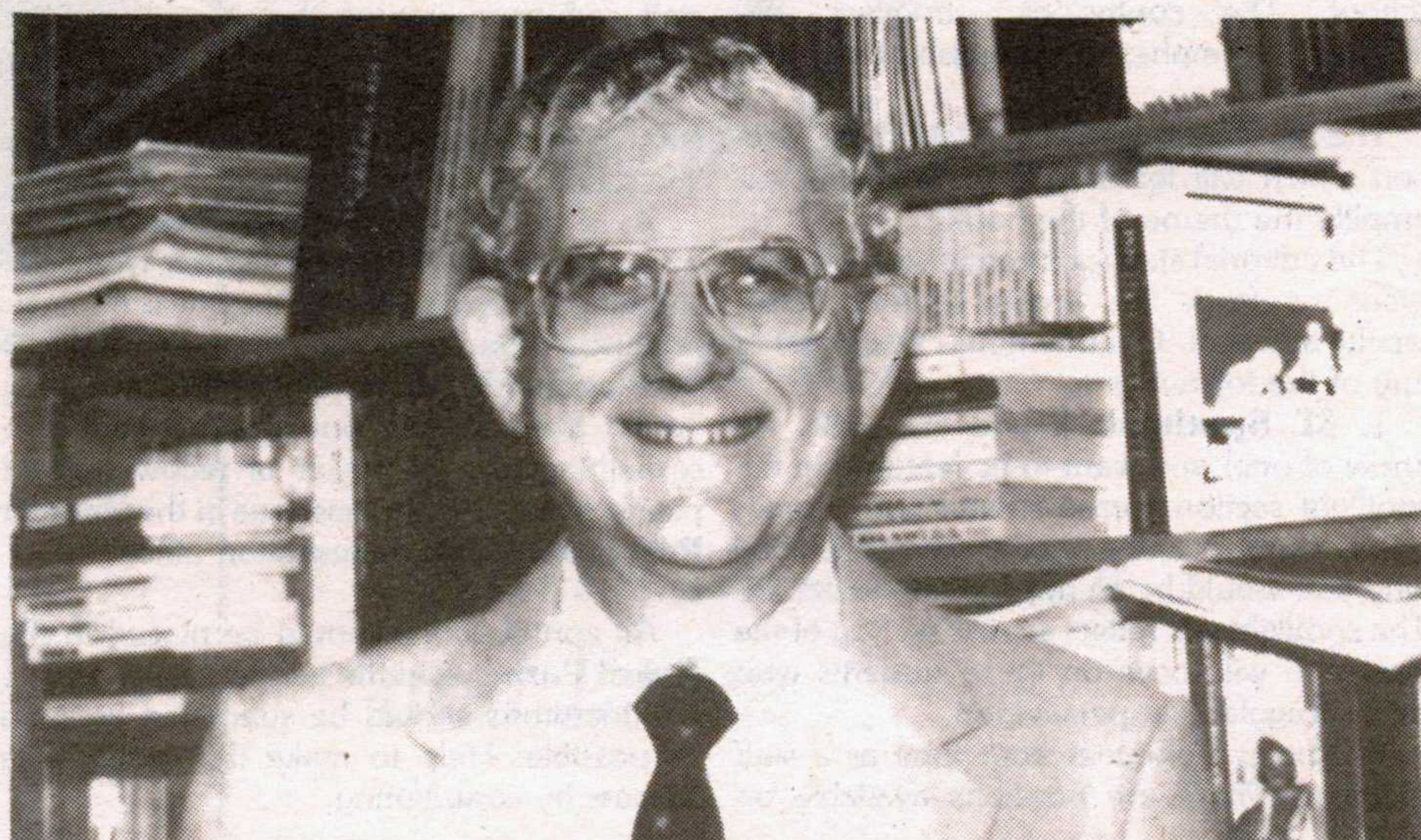
Some of the special areas that the task force overs include the definition of death, the withholding or withdrawal of life support systems for very ill people, organ transplant problems, the treatment (or not) of handicapped new borns (Baby Doe-type cases), in vitro fertilization and surrogate mothers. Over the last year and a half the group has made recommendations about the definition of death problem (which in itself does not require legislation).

The task force has submitted to the Governor proposed new legislation concerning the issuance of "do not resuscitate" orders in hospitals. The issue behind these orders is whether a hospital should try to resuscitate a very ill person or let him die (should his heart stop, for example). There

has been a lot of scandal surrounding this, including grand jury indictments of hospitals issuing these orders. The indictment is for homicide. The proposed bill would set up regular standards and procedures for issuing these orders. The Governor approved the bill. It was sent to the legislature in June for enactment, but was held over until the next session, as there was no time for public hearings on the matter.

Another facet of the task force's work is living will legislation and the durable power of attorney. We already have a durable power of attorney, but only for certain property related decisions. The durable power of attorney here is related to health care, and its purpose is for the power of attorney to continue although the principal may become incapacitated, (ex., because he is senile or comatose, etc). The task force is working on this new legislation so that a person can control his future, even as he is incapacitated.

The task force is made up of about 25 people who meet monthly. There are also various committees, so it's a very active group. The members come from many different backgrounds: there are doctors, social workers, philosophers, attorneys and clergymen. The Chairman is Dr. David Ax-



elrod, who is the New York State Commissioner of health.

Professor Regan himself is chairman of the committee on drafting proposed legislation regarding the withholding or withdrawal of life support systems. He hopes to be able

to offer the legislation by the spring. Regan recently wrote and published a volume entitled **Tax, Estate and Financial Planning for the Elderly**, which gives practical instruction to attorneys on how to counsel the elderly client and his/her family.

BUDGET AT A GLANCE

On October 6, the SGA presented the budget allocations for the 1986-87 school year. The SGA held their annual budget meetings on September 22nd, 23rd and 29th. The meetings included a review of each organization's requests and an interview with the clubs' leaders. The highlights of the allocations are:

Black American Law School Association	
Majority for Awards dinner and conventions	\$1,625
Conscience	
Majority for printing	\$9,580
Democratic Law Students Association	
Majority for refreshments at speakers	\$ 350
Environmental Law Society	
Majority for digest	\$4,850
Jewish Law Students Associations	
Majority for dinner seminars and dance	\$ 860
Phi Alpha Delta	
Majority for Barrister's Ball and Booze Cruise	\$2,650
Pocket Park	
Majority for general allotment	\$2,000
Republican Law Students Association	
Majority for Awards Luncheon and Candidate's Forum	\$ 475
Trial Advocacy Club	
Majority for National Trial Conference	\$2,178
Women's Center	
Majority for reception, membership and films	\$ 425

Lazer Faces Problems In Upcoming Election

The following article was written by Aprilanne Agostino, Miriam Goldstein, Terence Henchey, Carl Laurino, Hildy Levine, Emergy Schweig and Michael Willett. They are Law Assistants at the Appellate Division, Second Department, Brooklyn, N.Y.

He has been called the foremost jurist in the State of New York. The Chief Justice of the Court of Appeals has described him as "one of those rare human beings who combines the attributes of intellect, temperament, commitment and empathy." He has been nominated and found highly qualified to serve on the State's highest court on three separate occasions. Letters praising his legal scholarship frequently appear in the **New York Law Journal**. Yet, despite his obvious qualifications, it appears likely that, come January, Leon D. Lazer will no longer be a Justice of the Appellate Division, Second Judicial Department.

In a sharp break from traditional political practice, Nassau and Suffolk County Republican Party Leaders have refused to cross-endorse incumbent Democratic judges. As a result of this decision and the prevalence of party line voting for judicial candidates, Justice Lazer, a Democrat, faces an uphill battle in his quest for re-election in heavily Republican Long Island.

offers the voter a broader choice. In reality, however, most voters are unfamiliar with the qualifications of individual judicial candidates and therefore tend to vote along party lines. The end result is that the people of New York State face the potential loss of an outstanding justice for reasons totally unrelated to his legal acumen.

Justice Lazer has served on the bench of the Appellate Division since January 22, 1979, and is currently the second most senior associate justice of that court. He is well known in the legal community for his scholarly opinions. For example, in **Nicastro v. Park**, 113 AD2d 129 (1985), Justice Lazer examined the question of when it is appropriate for a judge to set aside a jury verdict as against the weight of the evidence. In the area of criminal law, Justice Lazer's opinion in **Peple v. Suitte** 90 AD2d 80 (1982), is a well-reasoned and frequently cited discussion of the circumstances under which an appellate court may modify a sentence imposed by a trial court. On many occasions, the state's highest court has adopted Justice Lazer's reasoning. One such case, **Matter of Sun Beach Real Estate Development Corp. v. Anderson**, 98 AD2d 367 (1983), involved the application of the State Environmental Quality Review Act to subdivision plat approval by a municipality. The Court of Appeals affirmed for the reasons stated in Justice Lazer's opi-

In theory, an end to cross-endorsement

Continued on page 2

Pocket Part Revived

Pocket Part, the law school yearbook is making a gallant comeback after a four year absence. The current yearbook staff is working hard to insure that the book will be completed. The Editor-in-Chief is Stewart Isman. Stewart volunteered to undertake the responsibility of producing the yearbook because he felt it was important for students to have a book where memories of their law school days are recorded. The editorial board for the 1987 edition include Rochelle Benjamin, Associate Editor, Pamela Faison, Copy Editor, Andy Nachamie, Advertising Manager, Anne Pugliese, Staff and Frank Gibbons, Staff.

The editorial board has not chosen a specific theme for the yearbook but, the theme will be reflective of the phases of law school. The confusions, struggles, difficulties, triumphs, accomplishments and success.

The 3L section will have a "spotlight" section which will feature those 3L's who exemplify the theme of the book.

The editorial staff is currently seeking contributions from the entire student body, faculty and staff. Contributions can consist of any of the following:

1. **3L Spotlight:** If you are a 3L (or know of one) and want to be featured in the spotlight section please submit your name, phone number and a short statement stating why you would be an appropriate selection. The spotlight will reflect a cross section of the class and will focus on those students who have struggled yet persevered.

2. **Time:** Volunteer your time as a staff member. There are positions available on

the layout, photo and copy staffs. There is no minimum number of hours required to volunteer.

3. **Ideas:** If you do not have spare time you may contribute your ideas on what you would like to see in the yearbook.

4. **Photographer:** The photo staff needs photographers. If you are willing to take candid shots or shots at law school events please submit your name and telephone number to the **Pocket Part** box in the administration office.

5. **Photos:** If you have pictures you have taken at law school events and would like to see them in the yearbook please leave your name and phone number in the **Pocket Part** box in the administration office and someone on the editorial board will contact you. The staff cannot guarantee that all submissions will be used.

6. **Art Work:** If you are artistic you can submit drawings, cartoons or caricatures of law school life or professors.

7. **Poems/Other Writings:** Those more inclined towards the written word can submit poems reflective of the law school experience. The yearbook will have a last will and testament section and will be soliciting "wills" from 3L's. If you wish to bequeath something to a professor or fellow student please place your submissions in the **Pocket Part** box in the administration office.

All contributions should be placed in the **Pocket Part** box in the administration office. Contributions should be submitted as soon as possible. Help to make the yearbook a success by contributing.

Law Review Publishes Aids Symposium

The Hofstra Law Review is putting together a symposium entitled "Law, Social Policy and Contagious Disease: A Symposium on Acquired Immune Deficiency Syndrome (AIDS)." The volume, which will be coming out at the end of October, will discuss many crucial issues surrounding the AIDS crisis. Twenty thousand cases of AIDS have been reported in the United States alone, affecting all aspects of society. Thus, the symposium will include articles on AIDS and employment law, quarantine, AIDS and criminal law and AIDS and Public Education.

The Hofstra Law Review is the only law review doing a symposium on the subject of AIDS. Marisa Marinelli, Editor-In-Chief, stated that the whole staff is excited by the issue because it has received so much publicity. In fact, the Law Review has already been asked permission by the Symposia for Corporate Excellence to reprint Arthur Leonard's article, "AIDS and Employment Law Revisited" in their special issue on AIDS in the workplace.

As for other aspects of Law Review life, Marinelli says that the year has been going very well and that the staff is great. An up-

coming issue will deal with sanctuary and will feature an article by Professor Doug Colbert.



Marinelli - Editor-in-Chief of Law Review

Legal Corner

by Matthew Weiss

As this is a law school newspaper, the editors thought that it would be a good idea to include at least one article per issue devoted to new legal issues. Accordingly, this column was born. Warning: this is not intended as a substitute for your reading of the National Law Journal nor the New York Law Journal. Rather, it is intended to supplement these periodicals.

The Supreme Court recently agreed to grant certiorari to a number of cases. One of these suits could have wide-reaching effects throughout the entire securities industry. In *Shearson/American Express v. McMahon*, No. 86-44, the Court will be deciding whether a stockbroker can force an investor-customer to arbitrate a dispute, under the Securities Exchange Act of 1934, over the handling of his or her account. The stockbrokers' basis for asserting that investors must arbitrate is found in their customer agreements. These boilerplate documents, signed by investors and drafted by stockbrokers, often contain clauses which declare that all disputes must be resolved by arbitration.

This case is being appealed because the U.S. Court of Appeals for the Second Circuit ruled that stockbrokers cannot redirect, from court to arbitration, investors' suits for damages suffered because of alleged violations of the 1934 Act. This ruling by the Second Circuit is in direct conflict to one issued by the Eighth Circuit. The Supreme Court will now resolve the discrepancy.

Last year, the Supreme Court held that these arbitration clauses are enforceable with respect to state claims. *Byrd v. Dean Witter Reynolds, Inc.*, 105 S. Ct. 238 (1985). Thus, if the Supreme Court decides that an investor's federal claims are not arbitrable, then investors will be forced to use the federal courts to resolve their federal claims under the 1934 Act and arbitration to resolve their state claims. Not only is this bifurcation inefficient but also it may discourage parties from suing under both their state and federal claims. It is more expensive to bring two suits in different places than to bring both in one arena. On the other hand, if the Supreme Court decides that federal claims are arbitrable, then arbitrators will be interpreting complicated issues under the 1934 Act. It is unclear whether arbitrators are capable of doing this. Moreover,

some courts have prohibited punitive damage awards in arbitration *E.g., Garrity v. Lyle Stewart, Inc.*, 40 N.Y.2d 354 (1970).

The Supreme Court has held that these types of arbitration clauses are unenforceable with respect to claims under the Securities Act of 1933. *Wilko v. Swan*, 346 U.S. 427 (1953). For a long time, it was believed that this holding was also applicable to the Securities Exchange Act of 1934. However, language in the *Byrd* decision suggested that perhaps arbitration clauses should be enforced under the 1934 Act. Moreover, in *Scherk v. Alberto-Culver Co.*, 417 U.S. 506 (1974), the Supreme Court described the Act suggesting that holdings applicable to the 1933 Act do not always apply to the 1934 Act. Thus, the *Wilko* holding's application to the 1934 Act is nebulous. Fortunately the Supreme Court will be soon providing guidance on this issue.

Tylenol is once again in the news. The U.S. District Court in Newark has recently rejected Johnson & Johnson's argument that its insurance carriers should reimburse them for the \$150 million that it spent to withdraw its over-the-counter capsules from the market. As you probably remember, in 1982 poison was found in Tylenol capsules, killing seven Chicago residents. Judge Maryanne Trump Barry found that J & J's recall was purely a business decision in her 77-page opinion. J & J recalled the capsules to restore the leading pain killer's place in the market. J & J's seven defendant-carriers had insured only against suits by victims of the tampering, not simply business decisions. In fact, J & J canceled an insurance policy that specifically covered recall costs before the 1982 incident occurred. The court found that the recall was a result of a fear of losing market share (i.e., a business decision), not directly relating to the seven deaths.

This decision will have wide-reaching effects in the drug and food industries. Companies will have to reassess their insurance needs in light of this case. It is not an easy problem for them to solve, however, because recall insurance premiums are astronomical. In light of the recent rash of tampering incidents and the staggering amount of potential liability, it appears that companies will be forced to insure against prospective recalls. Of course, much of the companies' additional insurance costs will have to be borne by the consumer.

Duberstein to Speak

Professor Alan Resnick, the holder of the Benjamin Weintraub Distinguished Professorship in Bankruptcy Law, has invited the Honorable Conrad B. Duberstein to give a lecture on bankruptcy law. The lecture will be held on November 12, 1986 during Dean's hour.

Judge Duberstein is the Chief Bankruptcy Judge of the United States District Court, Eastern District of New York. He is a graduate of St. John's Law School and was formerly a member of the New York firm of

Otterbourg, Steindler, Houston and Rosen. Judge Duberstein is Co-Chairman of the Bankruptcy Committee of the Brooklyn Bar Association, a member of the Bankruptcy Committees of the American Bar Association and the New York State Bar Association. Judge Duberstein has spoken extensively before law schools and bar associations on Chapter 11 reorganizations, debtor-creditor relations and Chapter 13 rehabilitations.

Trial Techniques Registration

This coming January, Hofstra Law School will again offer its three credit course in Trial Techniques. The course parallels the NITA (National Institute for Trial Advocacy) method of teaching trial techniques. Students will be instructed on all aspects of trial advocacy and will try two cases—one to a judge and one to a jury composed of high school students. The only way the program does not parallel the NITA program is in

cost. NITA, which is available to practicing attorneys costs \$1,250. Hofstra Law students can take the course at a cost of \$350 plus \$25 for books.

The Trial Techniques program will take place on January 3-13, 1987. Registration for the program will be held on October 30 and 31. Evidence is a prerequisite. A detailed description of the course is available at the library desk.

Lazer, continued from p. 1

nion (62 NY2d 965 (1984)). Most recently, in *People v. Rodriguez*, 113 AD2d 337 (1985), Justice Lazer dissented in a case involving the interpretation of a provision of the Penal Law. The Court of Appeals reversed the Appellate Division, adopting Justice Lazer's dissenting opinion (68 NY2d 674 (1986)). In addition to his weighty contribution to the law as a jurist, Justice Lazer chairs the Committee on Pattern Jury Instructions, a group of recognized legal scholars which publishes a widely used reference manual for trial judges preparing jury charges in civil cases.

Earlier in his judicial career, while at the trial court level in Suffolk County, Justice Lazer distinguished himself as an authority in the area of zoning and land use. In *Delaware Midland Corp. v. Incor-*

porated Village of Wethampton Beach, 79 Misc2d 438 (1974), *affd* 48 AD2d 681 (1975), *affd* 39 NY2d 1029 (1976), he wrote an opinion which was adopted not only by the Second Department, but also by the Court of Appeals. His expertise in this area was acquired in large part during his service as Huntington Town Attorney. According to a recent *Newsday* article, his successor, Arthur Goldstein, described Justice Lazer as "the model town attorney" and "a superb municipal lawyer."

An individual of Justice Lazer's experience and qualifications is an ideal candidate for re-election. Unfortunately, the political reality is that relatively few members of the electorate are aware of his exceptional achievements. The only realistic solution is for voters to familiarize themselves and their fellow voters with the qualifications of Justice Lazer and the other judicial nominees and to make their voices heard by voting on November 4, 1986.

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COMMUNITY FORUM

EDITORIALS:

In the Public Interest

After spending some time in law school many of us tend to focus on a particular area of interest. Some choose taxation, while others are fascinated by the operation of the stock market or the National Labor Relations Board. The label of "public interest" law is not one that you will hear very often on campus. However, public interest law is alive and well at Hofstra.

The pursuit of public interest law can mean many different things. Generally, it entails representing those who are unable to protect their own interests. A public interest lawyer might represent one person whose disability benefits have been unjustly cut off, or he/she might represent a thousand people in a class action suit against the manufacturer of a dangerous and defective product. Representation of the public can touch almost any field of law if we, as law students and lawyers, choose to direct our energy toward those who most need our help.

Students are generally made to feel that the highest pursuit one can have in law school is to join the staff of one of the journals. Journal experience is valuable, but the law school has a great deal more to offer. Students should be encouraged to take advantage of all that the law school has to offer, including the programs and courses devoted to public interest law.

There are several opportunities available to Hofstra students who wish to become involved in public interest law. The classroom offerings in the area are relatively limited. Some of the courses touching on public interest law are Constitutional Law, Environmental Law, Health Law, Housing and Community Development, Law and Racism, Products Liability, Sex-based Discrimination, Preservation Law, Legal Issues in Public Education and Equal Employment Law. Many of these are "paper" courses and students rarely get to complete more than one or two in their law school careers. What will happen to those students who pass up part of the "core" curriculum to take advantage of these types of courses? Will they pass the bar exam? Will they be good lawyers?

For the students who crave exposure to the real world of public interest lawyering, the law school offers several clinical programs. These programs include the Neighborhood Law Office (NLO) (Advocacy for the Elderly, Federal Litigation, General Practice and Criminal Justice), the Environmental Law Clinic, as well as internship programs at the District Attorney's Office and the American Civil Liberties Union. Students, under the supervision of qualified attorneys, are given the chance to put their well-learned theory into practice by representing clients who truly need their help.

The law school catalogue states that, "[t]he major component of Hofstra's extensive clinical program is the Neighborhood Law Office..." Professor Ken Rothstein and his staff operate the NLO as a law firm. It is not a game. The faculty, the students, and especially the clients are very serious. The goals of the NLO are

to teach students and to aid the community. It does both very well.

The law school catalogue also states that the various clinical programs, "...give Hofstra one of the most ambitious faculty-supervised clinical programs in the United States." This is far from clear. If "ambitious" refers to the spirit of the clinical instructors, then it is an accurate statement. If, however, "ambitious" refers to the amount of visible support that clinical education at Hofstra receives from the school administration, then the statement could be considered somewhat less than accurate.

At the end of its first year of law school, the Class of '87 was "advised" by the administration as to the courses they should pursue. (Remember, the only required course after the first year is Constitutional Law.) At that meeting, no mention of clinical coursework was made. A year or so later, when the NLO held an informational meeting about its program for the second year students, there were no representatives of the law school administration in attendance. These instances are an example of the passive commitment to clinical education which the law school has shown in the past.

The conditions under which the NLO operates are less than glamorous. The NLO office is a second story walk-up located over a fish market in downtown Hempstead. There is a fair amount of space, but the physical condition of the office could be described as tenement-like. The administration is currently taking steps to bring the NLO "home" to more suitable quarters on the Hofstra campus. Aside from being cleaner and safer, the new facility should also be handicapped accessible.

The move to the Hofstra campus will be a tremendous step toward integrating the classroom and clinical programs of the law school. It will allow students to more easily become involved in clinical programs, while at the same time representing to the NLO's clients, the students, and the community at large, that the law school is indeed committed to clinical education at Hofstra.

The public interest curriculum should not simply be maintained; it should be expanded. There is a demand by students for greater exposure to public interest issues. The clearest example of this, aside from the clinic's operation, is the great reception Professor Doug Colbert's Public Forum program has received. Students have shown up in large numbers to hear attorneys discuss cases relating to racial tensions, gay and lesbian rights, and the sanctuary movement. Students attend these lectures because they care about public issues and they desire to be more well informed.

We, at *Conscience*, support any and all efforts to expand the students' opportunities to gain experience in any area of public interest law.

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

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Remarks by
Professor John DeWitt Gregory
at the
Sidney and Walter Siben
Distinguished Professorship
Convocation and Investiture—
September 19, 1986

Provost Hammer, Members of the Board of Trustees, Dean Schmertz, Professor Agata, Mr. Siben, Most Distinguished Guests, Family, Yvonne, Colleagues and Friends:

My brothers and I have observed on occasion that the only time we seem to get together is for funerals. As I sat here today, listening to the various speakers and reflecting upon the events of the last several days, I was almost led to believe that today is no exception. The kind and generous words I have heard spoken about myself seem to me to be entirely appropriate for a eulogy. A number of people who have not seen me for many years have traveled long distances for the viewing. Frankly, it has been somewhat overwhelming. In any event, when the time for my own funeral arrives, I shall not feel compelled to attend, because I know that I shall not hear anything new.

Of the many warm congratulatory letters that I have received and read with unalloyed pleasure, one in particular comes to mind at this moment. A recent graduate wrote to me: "I'm sure you are reacting to this award in the same manner that you have to all of your fortunes: amused that you are the focus of so much hoopla." That's a pretty accurate observation.

One of my colleagues gave me some advice on how I should respond to today's honor. He suggested that my remarks be brief, consisting primarily of voluminous thanks and expressions of profound gratitude. Further, he said that it is generally appropriate on these occasions to say that one is undeserving of such an honor. This last bit of advice, I shall reject. Not only

would it be uncharacteristic, but I know, Dean, that you would remind me of the punchline of your favorite joke: "Look who thinks he's nothing."

If I may wax serious for a few moments, let me say that I am deeply grateful for the personal honor that this professorship represents. I am thankful to Mr. Sidney Siben and Mr. Walter Siben for their generosity; to the Hofstra University Board of Trustees, President Shuart and Provost Hammer for their expression of confidence; to the Dean and Faculty of this Law School for their encouragement and support, not only now but over many years. I am also thankful to the staff and the administration of the Law School for their support, cooperation and friendship, particularly as I pursue my most recent hobby, being Vice Dean. If it were God's will that my parents could be here today, I would surely thank my Mother for her challenges and inspiration, and my dear Father for what I learned from him about the unbought grace of life.

In putting together these remarks, I was forced to consider what I believed to be significant about this Professorship. Two things occur to me.

Generally, the minority professor's lot is not a happy one in American Law Schools. Although we have had occasional successes—tenure here, an appointment there—our overall numbers are not increasing and may actually be declining. When one looks behind the numbers, one finds high turnover—possibly as high as 43 percent in a recent six-year period.

Moreover, many minority professors report a subtle or not so subtle deterioration in the qualitative side of our professional lives. Some have reported indifference and cooling of support on the part of majority race administrators and faculty, or tightening of tenure and promotion standards that just happen to coincide with review of a minority professor.

I would hope that my designation for this Professorship argues strongly that the Hofstra University School of Law is striving mightily not to be a part of the generality that I have just described. There are other pieces of evidence. When I came to this Law School almost seven years ago, I felt something like what my Grandmother used to describe as a fly in a pan of milk. There were two minority race students enrolled, one of whom was passing. There are thirty-five minority race students in this year's first year class, and something like twenty-five from last year. I commend the Faculty and hail the leadership of the Dean and his predecessors for their concern and sensitivity about this question, and for the results that we have finally begun to achieve. Although Professor Agata has warned me that it might be presumptuous and perhaps arrogant to say so, I like to think that this honor today enhances my ability to serve as a kind of role model for minority students, something that I sorely missed when I was a student.

The second aspect of this occasion that I think may be significant is this. Not many years ago, at this Law School and at other Law Schools, when one viewed the academic feast that is the law school curriculum, the Family Law Teacher was made to feel as if he or she was partaking of leftovers. Family Law Teachers, as their colleagues so often put it, were teaching soft law. Indeed, one of my colleagues, whose views I otherwise greatly respect, on more than one occasion accused me of probing the soft underbelly of the law. There was the assumption, not always unspoken, that the important curricular matters involved business and commerce, while Family Law consisted mainly of natterings about the best interests of the child.

For me, today's event is one piece of evidence, among many that this unfortunate myth has been laid to rest. Not only (as I have recently read) does 50 percent of the litigation in this country involve Family Law, but also the complexity and variety of the issues that have come before courts and legislatures in recent years demonstrate clearly that Family Law is the most dynamic area of American Law today. As the editor

of one of the leading casebooks has described it:

"Widespread adoption of equitable or equal distribution statutes by former 'title' states has been accomplished in amazingly short time. The transition toward greater economic sharing is by no means complete, but the direction of change seems well established. At the same time, the movement toward allowing greater private ordering by individuals who do not wish to adopt state established marital property schemes has continued apace, abetted by judicial and legislative clarification (and often extension) of the permissible scope of premarital contracting. [Who has not heard of *Marvin v. Marvin*?]

"The 'constitutionalization' of domestic relations—that is, the availability of fora for challenging arbitrary state regulations and gauging them by a constitutional yardstick, has been extended further. In some areas, such as determining rights of illegitimate children and their unwed parents, courts seem to be developing greater sophistication about recognizing some of the broader implications for other family law rules and institutions that their decisions may have.

"A new set of problems regarding procreative rights have resulted from a combination of factors that range from advancements in biomedical technology to diminished availability of children available for adoption. Practices such as surrogate parenting and in vitro fertilization have come into national focus; the ultimate legal resolution of the debates over whether and how to regulate such practices may well turn out to be the catalyst for significant alteration of our legal rules defining the parent-child relationship and fixing the legal rights and duties that flow from it."

As usual, I have probably spoken somewhat in excess of the time that is tolerable. Therefore, let me conclude by reiterating my thanks and gratitude for this honor and this occasion. Obviously, it will inspire me to continue to take my work seriously. At the same time, however, I promise you that I shall continue not to take myself seriously. Thank you.

Letters to the Editor

Response to the work of art, "The Art of the Snub" by Brian Burns (*Conscience*, September, 1986.)

Dear Mr. Burns:

If you came to New York expecting "rude," "uncouth" people who "in dark alleys [are] liable to do anything," and all you found were a primitive breed of snobs, I think New York rates damn well on your scale! Let's hear it for New York!

Marie J. Reres
Class of 1988

HOFSTRA SHOULD PULL OUT

Last year, the University asked its students, faculty, and administration whether total divestiture out of South Africa or disinvestment should be Hofstra's official policy.

Although the opportunity for vigorous debate and discussion was available, the law school's response was dismal. No public

forums were created (as they are now). *Conscience* responded in kind with various articles. Altogether, the University's effort to propel a full discussion of the issue was wasted. The official decision was to continue prior investments.

The University can raise this issue again. I cannot sit back and support fascism and apartheid. I want to let others know that apartheid in South Africa shall end. This University besmirches its reputation, and insults all minorities by continuing to hold onto its prior investments.

Columbia University chose divestiture over disinvestment once Columbia students protested against the status quo. Similarly, Hofstra's law students, faculty, and administration should actively protest against Hofstra's continued investments in South Africa.

Anyone interested in working on that can contact me through BALSAC.

Jeffery C. Taylor
Next issue Mandela speaks!

South Africa Position Protested

The call for the University to divest from companies with financial ties in South Africa picked up across the campus last semester. Although these efforts lacked the potency of the radical cries of the '60s, it still offered a romantic aura of radicalism for these latter-day liberals.

Following the lead set by universities and companies in the country, the people in the Hofstra Administration resolved this semester to stop further investment in multinational companies which deal with South Africa. They even decided to invite members of the Hofstra community—faculty and students—to recommend changes in the existing investment policy to the Board of Trustees' Commission on South African Investment Policy.

But this clarion call to liberals, reformists, and proponents of divestment has fallen on deaf ears; almost seven weeks have gone by with a "disappointing" response as an Administrator spokesman said.

So desperate is the University in seeking suggestions that the public relations office has begun a tremendous awareness campaign with barely three weeks left for the commission to begin reviewing the investments.

What has become of those activists in the student population and faculty who were involved in petitioning for divestment? The time has come for all concerned people to voice their sentiments to the University, for another may not come.

Make your opinion heard.

NEXT

CONSCIENCE DEADLINE-NOV. 5

COMMUNITY FORUM

Public Forum: *Bowers v. Hardwick*

by Steve Filipek

The second *Public Forum* lecturer, Nan Feyler of LAMBDA Legal Defense, spoke on the recent Supreme Court decision in *Bowers v. Hardwick*. Ms. Feyler is assistant director of C.U.N.Y. Law School Career Development and assisted the litigation team in *Bowers*.

The events leading up to Michael Hardwick's arrest seem to hint of harassment by local authorities. Hardwick had failed to pay a ticket received for a minor infraction so a policeman was sent to his home. A roommate answered the door and told the officer that Hardwick may not be home, but the officer could see for himself. What the policeman saw was Hardwick having oral sex with another man in the privacy of his own bedroom.

Hardwick was arrested under Georgia's sodomy statute, which carries a maximum 20 year prison term. However, the charges were dropped. Mr. Hardwick brought an independent suit against Georgia's attorney general claiming that the sodomy law violated the constitutional right to privacy.

Georgia's statute is gender neutral. Hypothetically, a married couple could be arrested under it. Therefore, this case was of interest to all, not just the gay community. Ms. Feyler said that the attorney general, during lower court proceedings, implied that the statute was unconstitutional as applied to married couples. This focused the case as a gay issue, and the attorneys for Hardwick decided to litigate it that way. Ms. Feyler also

asserted that arguing the case strictly on the right to privacy theory may have won, but the underlying gay issue still would not have been addressed.

Twenty-five states currently have sodomy laws. Ms. Feyler believes that the Supreme Court has branded gays as criminals in the eyes of society by supporting states rights to have such laws. This is so because sodomy laws make sexual behavior between homosexuals illegal.

Ms. Feyler criticized the majority opinion for having very little legal analysis in it. Rationale for allowing the laws included assertions that sodomy is against nature, and to ban such laws would be to go against hundreds of years of Roman law.

Even though the decision was not favorable to the gay community, encouraging signs were given by the court. These included thoughtful and intelligent questions from the bench, a respectful demeanor throughout the proceedings at all levels and Justice Blackmun's dissent which emphasized the right to be left alone. The case also made the public aware of these issues.

Although the topic was current and thought provoking, this reporter was disappointed by Ms. Feyler's presentation. Her explanation of why the attorneys in *Bowers* decided to proceed as they did was confusing. Additionally, a better editing job would have made the lecture seem less hurried and allowed time at the conclusion for more than two student questions. A true public forum not only stimulates thoughts, it encourages audience participation.

What's Your Opinion?

Did you ever arrive 25 minutes early to class and still be late because you could not find a parking space? Have you ever waited over a month and a half for a grade? Did you ever wonder why Professor Twerski's spot on the faculty has yet to be replaced? These are some of the problems that Hofstra students and recent graduates have encountered.

We interviewed a number of people to determine what criticisms they have about the school. The most common criticism was clearly the lack of parking spaces. There would be plenty of parking for law students if the lot was limited to only those who attend law school; but, since we share our precious spaces with the undergraduates, there is a severe shortage. The school administration knows that there is no parking on the nearby, adjoining streets because of county ordinances. Yet they have increased the first year class by over 50 students compared to the third year class while only adding 15 spots to the existing parking facilities. The income that 50 new students adds is substantial for just one semester. So why is this additional income not being used to alleviate the parking shortage?

One student, registered in the only eight o'clock class given this semester, asserted that, upon arrival at Hofstra Law School at 8:00 a.m., he found the lot to be three-quarters full. Since the lounge and library were relatively empty then, where are all these cars coming from? It is quite obvious that something should be done. Why not restrict our lot to law students only?

Although this is not an original idea, it warrants serious consideration given the popularity of this criticism.

We interviewed a recent graduate of Hofstra named X. X took an exam on August 8 and subsequently did not receive his grade until September 25! There were only twenty-two students in this particular class. This means that if X's professor had graded one exam every day, then the grades would have been posted in less than half the time that they were. We believe this is a sign of laziness and lack of concern on the part of X's professor. This type of practice should not be tolerated by the administration.

Professor Twerski resigned last semester. This loss of such a distinguished professor was detrimental enough to our school. But, to make matters worse, no one has replaced him. We realize that it is not easy to replace a professor of Twerski's stature. Yet his position should be filled so our tenuous 28th ranking is maintained.

It has come to our attention, through our interviews, that students are upset that Hofstra refuses to offer any courses whatsoever in CPLR. We realize our image is one of a national law school; however, the administration must realize that the vast majority of Hofstra's graduates will be practicing in New York State. These graduates must pass the bar (of which the CPLR is an integral part) before they can practice. There should at least be a CPLR course given as an elective, especially because the administration will no longer be able to rely on J. Gardiner Pieper supplementing this void after this year.

Finally, much criticism has been aired about the ineffective placement department. One interviewee suggested that placement is oriented solely to those who need their services least. Quoting a third year student in the top quarter of the class, "Placement's record speaks for itself." We realize that being at Hempstead Hofstra is out of the mainstream of New York City law firms; but our high ranking and wide respect should carry some weight with these firms.

These are just some of the problems students voiced. Other issues which we encountered include the inadequate climate control system, the inability of fellow students to clean up after themselves and the shortage of help at the deli. Despite these problems, the authors feel that most of the interviewed students have enjoyed the overall Hofstra experience. Please leave your comments in the *Conscience* Suggestion Box.

The Financial Aid Office is now accepting applications for the Wilkes Memorial Scholarship. There will be three (3) scholarships offered. Awards will be made based on financial need. Third year students will receive preference. Applications are available in Room 216. Deadline for applications is November 17, 1986.

Let them eat borscht! **Mrs. M.**

If *Conscience* staff thinks I'll write for them, they may be right! **J.C.T.**

Steve P. - you're whipped!

Ron, Steve, and Mark - Lisa and I expect one hell of a dinner from you guys! **L.**

John: When are you cooking fettuchini alfredo for us? **L & L.**

Personals

Plusch, Miller, Lieberman, Geniten, Ciesinski, Gallo, Goldstein, Flemming, Iggie, Poch and Hirschfield. Attorneys at law (maybe?)

Linda, Doug, Kim, Mark, Lori, Debbie, Katie, Iggie, Winnie and Chaim—Hi from moi!

Lindal—
Please don't overlook the obvious or we both may miss out on something special.
For now a friend!

My Plusch Friend—
Thank you doesn't even begin to tell you how I feel about what you did for me.
3R.1st S.A.

Ursula,
I read the letter from the editor. It was great!!!
The whole issue turned out really well. Keep up the good work. Hope to see you soon.
Love, **Steve B.**

Dawg, Dawg, a freshman won't do,
How 'bout trying a sophomore or two,
While Andrea's in Philly,
You're getting a thrilly,
Oh Dawg, Daw what will you do?

My daughter doesn't watch X-rated movies—she goes to church on Sundays!
Mrs. M.

Who's Maria? Who's the man at Nassau Blvd.? **Mrs. M.**

I think *Conscience* needs a music review editor for jazz. Anyone out there who knows what real music is should write in the next issue. **J.C.T.**

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Public Forum Program Dean's Hour Room 238

11/5 **ATTACKS ON REPRODUCTIVE FREEDOM**
Speaker: Janet Benshoof,
Director ACLU Reproductive Rights Project.

11/19 **WORKER'S RIGHTS AND STATE LABOR LAW**
Speaker: Carlin Meyer,
Chief New York State Attorney General's Labor Bureau

Sponsors: National Lawyer's Guild, Black Law Students Association, Women's Law Center, Environmental Law Society.

ORGANIZATIONS

Environmental Law Society

by Clifford Petroske

An opportunity for unbridled democracy awaits voters when the Environmental Quality Bond Act appears as Proposition One on the ballot November 4th. A dynamic solution to the problem of drinking water contamination, it allocates \$1.2 billion for the clean-up of hazardous waste andfills in New York State. The EQBA promises to accelerate waste removal at a time when the State Superfund is proving inadequate to clean up the 971 remaining landfills in New York.

Whereas only six percent of the dumpsites in the state have been remediated thus far, the Bond Act promises to complete the job in 13 years—a far cry from the 40 years previously projected.

The debt service incurred on the bonds will be shared equally by New York State and those industries that produce or use materials that cause hazardous waste. An industry-wide contribution is perhaps the most desirable means to fund the removal and treatment of wastes deposited by unidentified and bankrupt dumpers. Ordinarily, liability is assumed by those business directly responsible, and criminal penalties and out-of-court settlements work to offset clean-up costs.

In addition to funds allocated for toxic waste removal, money is available for the acquisition of environmentally sensitive areas.

Land bought by the state remains a source of unpolluted groundwater, and is a desirable complement to landfill treatment. This portion of the EQBA also includes funds for helping municipalities close non-hazardous waste landfills, as well as acquiring municipal and urban cultural parks, and historic property.

The total \$1.45 billion price tag on the EQBA represents a boon to New York and to Long Island in particular. Together, Nassau and Suffolk counties have 131 toxic waste landfills that threaten further well closings as aquifers become polluted by leached chemical wastes. Obviously something is needed to stem the toxic tide, and the Environmental Quality Bond Act provides more than stop-gap relief for what is, admittedly, a costly problem.

If it seems too costly, vote "no" to Proposition One on Election Day. Vote "yes" if preserving the quality of life in New York State is worth it. But either way, please vote.

The Environmental Law Society will play host at 12 p.m., Dean's Hour, on Wednesday, October 15th, to Irving Like, Esq., of Citizens to Replace Lilco, who will be speaking on the public power bill. At 3 p.m. on Tuesday, October 14th, there will be a short general meeting at which materials on the public power bill will be made available. All are welcome.

Pad Sponsors Banquet

Phi Alpha Delta will be sponsoring "The Barrister's Banquet" for all Hofstra Law Students and faculty on Friday, Nov. 7, 1986 from 7:30 p.m.-12:30 a.m. at the Nassau County Bar Association. It's not too late to purchase your ticket to this gala event; submit a check made out to Phi Alpha Delta to their mailbox in the first floor office of the law school by Nov. 1, and your name can also be on the guest list. The "Barrister's Banquet" will include a D.J. and dancing, four-hour open bar, hors d'oeuvres, hot buffet dinner and dessert, and a chance to mingle with your colleagues. The cost for law students and their guests is \$20/person. (The cost for Phi Alpha Delta members is \$15/person.) Semi-formal attire is required—but escorts are not! So organize a group of friends and reserve your table for the "Barrister's Banquet."

Due to printing difficulties, the Womens' Center story will appear next issue. We apologize for any difficulties this may incur, and hope to avoid litigation.

Pocket Part Is Back
Ad spaces are available now. If interested in wishing someone special good luck please leave a note in the yearbook mailbox in the admissions office or contact a member of the yearbook staff.

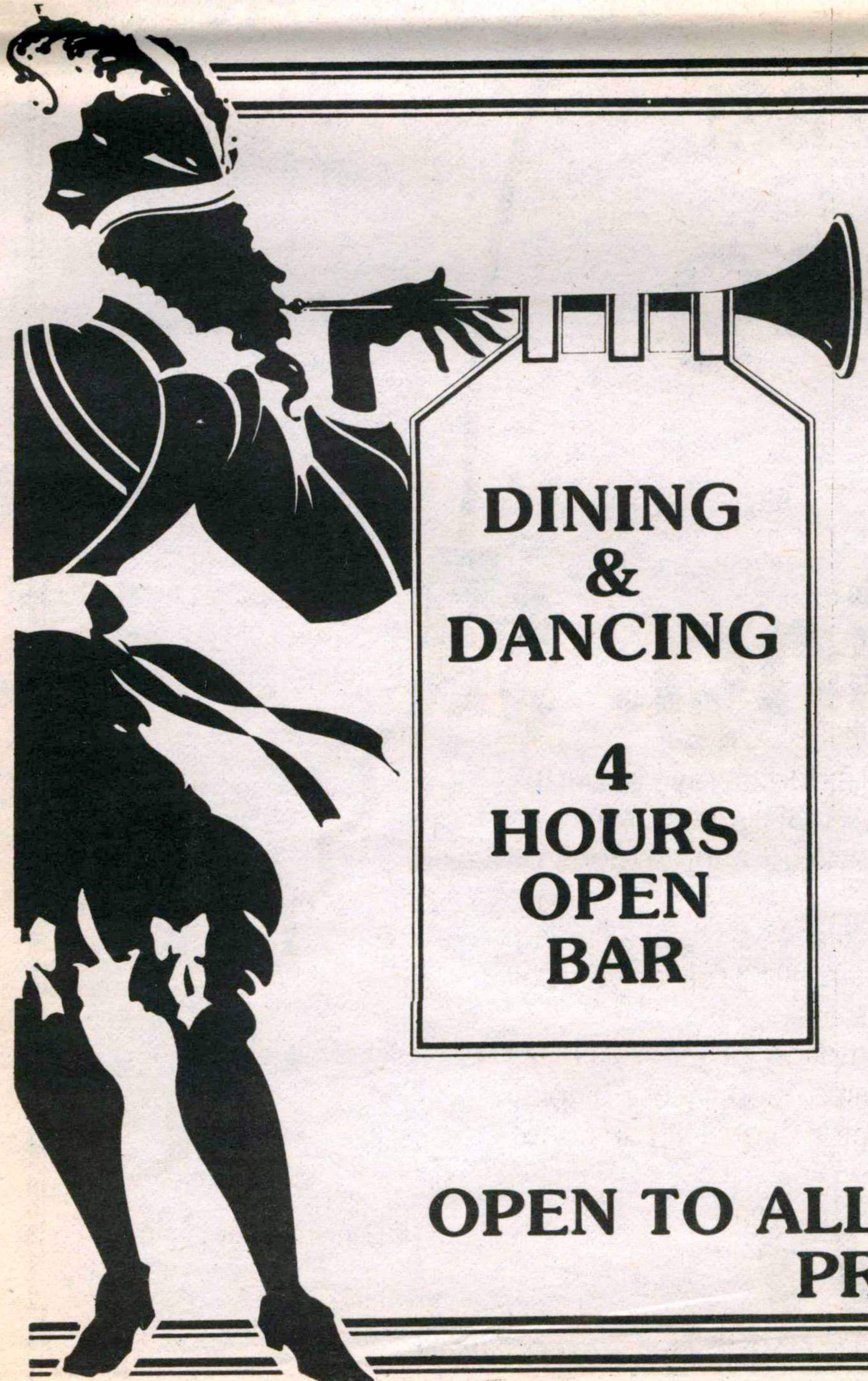
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LEISURE

Amichai Reads Works

Yehuda Amichai, commonly regarded as Israel's leading poet and one of the major poets of our time, will read from his works at a special engagement at Hofstra University, 4 p.m., Thursday, October 30, in the Cultural Center Lecture Hall, First Floor, Library. Mr. Amichai will appear as part of Hofstra's ongoing Contemporary Writers Series.

In 1982, Yehuda Amichai received Israel's most prestigious award for poetry, the "Israel Prize for Poetry." *The Selected Poetry of Yehuda Amichai*—edited and newly translated by Chana Bloch and Stephen Mitchell—has just been published by Harper & Row.

Hofstra Professor Arthur Gregor, director of the Creative Writing Program, said, "It is fitting that Yehuda Amichai—a leading Israeli poet—read in a program in which we have presented such leading American poets as Stanley Kunitz, May Swenson, Richard Eberhart, Galway Kinnell, among many others, and such outstanding international poets as Derek Walcott and Seamus Heaney.

According to the publisher, "The hallmark of (Yehuda Amichai's) work is an extraordinary terseness—thought and feeling communicated with a conciseness and edge that cut to the bone of experience."

Mr. Amichai teaches literature and creative writing at the Hebrew University and Grinberg Teachers College in Jerusalem. He has taught in primary schools and high schools.

Besides his poetry, Mr. Amichai's other writings include a play, *A Journey to Nineveh*, produced by the Habimah National Theatre, Tel Aviv, in 1964, and a radio play, *Bills and Trains*, which won the Israeli Radio Play Prize in 1961. His first novel, *Not of This Time, Not of This Place*, appeared in the United States in 1964.

He is the author of several volumes of verse: *Now and in Other Days* (1955), *Two*

Hopes Away (1958) *In the Park* (1960), *Collected Poems* (1963), *Poems* (1969), *New Poems* (1971), and *Songs of Jerusalem and Myself* (1973). A collection of poems, titled *Amen*, was published by Harper & Row in the spring of 1977; in the spring of 1979 *Time* was published and *Love Poems/Bilingual edition* was published in 1981. In November 1983, Harper & Row published *Great Tranquility: Questions and Answers*.

The reading is sponsored by the Creative Writing Program of the Hofstra English Department, in cooperation with Poets and Writers, Inc., which is funded by the New York State Council on the Arts.

Admission to the reading is free. Further information is available at the Hofstra University English Department, 560-5454.

Show Biz Symposium

"Show Business: The Symposium," a one-day exploration of careers in the performing and creative arts, will be held at Hofstra University on Saturday, October 25, 1986.

Toby Pieniek, Adjunct Professor of Entertainment Law at the Hofstra School of Law, who practices law in New York City, will be director-moderator of the Symposium. Professor Pieniek said that the event will feature speakers from many show business fields who will provide insights about career opportunities. These will include professionals from music, film, records, art, radio, songwriting, theater and other arts areas.

The Symposium will focus on the skills of various crafts, how to develop and hone these skills, how best to present them to potential employers and how to protect your interests and rights.

"Show Business: The Symposium," is co-sponsored by the Hofstra Cultural Center and the Hofstra School of Law in conjunction with the University's departments of Drama, Music and Dance. Registration fee for the Symposium is \$20. For further information call the Hofstra Cultural Center at 560-5670, or write to the Center at Hofstra University, Hempstead, New York 11550.

Record Review

by Matthew Weiss

Contrary to most record critics, I like the new Talking Heads album, entitled "True Stories." Although it is not their best album (this distinction belongs to "Remain in Light" or maybe "Fear of Music"), it certainly marks an interesting departure from their earlier efforts. The album opens up with David Byrne laughing which sets the tone for the entire album. All of True Stories' 9 songs are upbeat and playful. Byrne's humor permeates the whole album.

In "Love for Sale," Byrne mocks Americans' fascination with television by paraphrasing slogans from commercials. In fact, the whole album makes fun of our consumer-oriented society. Byrne questions how goods could have replaced spiritual and ideological concerns. "Puzzlin' Evidence," with its gospel-like choir, recites corporate acronyms and brand names to convince the listener of how rampant materialism has spread in this country. The Bert Cross Choir underscores the religiousness of this way of life. The song also shows how patriotism is used to sell products.

"Hey Now" has a calypso beat. Its lyrics are basically a child's shopping list, hinting that materialism's roots lie in the immature desire to possess everything you want, when you want. "Papa Legba" provides information about the Yoruba deity Legba while mixing in Byrne's patented, surrealistic lyrics. "Wild Wild Life" has gotten a lot of airplay. It suggests that advertisers and merchants use consumers' desires to break out of their dull lives to sell commodities. "Check out Mr. Businessman/he bought some wild, wild life/on the way to the stock exchange."

"Dream Operator" is an attempt by the band to play a country waltz. "People Like Us" is also a country balad. It is about how the poor in America deal with their poverty in such a wealthy country. Ironically, Byrne's rationalizations of their situation are closer to true happiness than one finds in the other songs about commercialism and the consumer.

I think that those critics who did not like this album forgot that it is also a soundtrack to a movie of the same title. This restricted Byrne's ability to write about diverse subjects. Rather, he stuck to the same ideas so they would all fit in with his movie. Life in a consumer-oriented society. Note, however, that this is not a soundtrack. It is the Talking Heads' versions of the film's songs. A separate recording of the soundtrack is available.

New albums to look for: Richard Thompson, Warren Zevon, Amnesty International

LP, Billy Idol, Yes, Sheena Easton, Stevie Nicks, Steve Miller, Tina Turner, Iggy Pop, Bob Geldorf, John Lennon, Howard Jones, General Public, John Entwistle and Stevie Ray Vaughan.

Madness has broken up after eight years...UB40 will be doing the first extended tour in the U.S.S.R. by a pop band...Dire Straits is working on a follow-up to their incredibly successful *Brothers in Arms*. But it is not supposed to be released until the spring...Bruce Springsteen and the E Street Band will be coming out with a 5 album set. It will consist of select live performances from 1975-1985. It will be out by early winter.

Trivia Questions

1. Besides Sean Connery and Roger Moore, name the other two actors who played 007 in the movies.
2. Who played "Pugsly" in the *Adams Family*?
3. The Mets just clinched the Eastern Division title against the Cubs—who did they clinch against in 1969 and 1973?
4. Who was Desdemona accused of cheating with by Othello?
5. What's the capital of Montana?
6. In what mountain range will you find the country of Andorra?
7. What was the last battle of the American Revolution?
8. Who said, "Common sense is not so common?"
9. What were the starting and ending points of the Pony Express?
10. What was the nickname of the Grateful Dead's original drummer?

TRIVIA ANSWERS

1. David Niven and George Lazenby
2. Ken Weatherwax
3. 1969—St. Louis and 1973—Cubs
4. Iago
5. Helena
6. Pyrenees
7. Yorktown
8. Voltaire
9. St. Joseph, MO. San Francisco, CA
10. Pig Pen

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SPORTS

Yanks Season Review

By Wayne Bodden

The Yankees finished in second place this year behind the Red Sox and were not eligible for the baseball playoffs. Second place is enough in some towns, but in this town it's not accepted. Although the Yankees did not pose a serious threat to the Red Sox down the stretch, they did play quality baseball. The Yankees have a lot to look forward to based on this year's individual performance.

Don Mattingly played and proved that he is by far the best player in baseball. Mattingly finished the year batting .352 with 31 home runs, 113 runs batted in, and 117 runs scored, while committing only 7 errors in the field. No other player in the league has numbers such as these, and Mattingly has done this for three consecutive years. Don Mattingly is truly a great player, and deserving of the MVP award, the Golden Glove award and a salary raise. Dave Righetti struggled through the first half of the season and still was able to set the major league record for saves in a single season. Righetti has already won the Rolands Relief Man of the Year award and will most likely win all the awards for relief pitchers this year. Dave Winfield (that right, Mr. May) had what people want to consider a bad year, but his hustling, aggressive defense, combined with 24 home runs and over 100 runs batted in, truly make him an allstar. Before objecting to my opinion of Dave Winfield, consider this statistical comparison of two baseball players:

Player A

Avg. .262
On Base Avg. .349

Runs 90

Hits 148

HR 24

RBI 104

ERRORS 5

Player B

Avg. .255

On Base Avg. .337

Runs 81

Hits 125

HR 24

RBI 105

ERRORS 9

Player A is Dave Winfield and Player B is Gary Carter. Gary Carter is a leading candidate for the MVP award and Dave Winfield is labeled a bum. Look at the statistics again and then draw your own conclusions.

Yankee third baseman Mike Pagliarulo had a very good year slugging 28 home runs despite having a lot of injuries. Pagliarulo also played outstanding defense at third and need only improve his batting average and runs batted in production to become an All-Star in this league. Dan Pasqua began to show his talent late this season and was surprisingly outstanding on defense. With work in the winter, Pasqua can make the Yankee outfield outstanding. Ricky Henderson lead the American League in stolen bases once again, but was not the force he could have been. Henderson (28 homeruns) also appeared to be swinging for the fences which had a negative effect on his batting average (.263). Henderson also was very disappointing in the field. He may be better off in left field. Willie Randolph had a consistent year doing what it takes. He played a brilliant second base, especially when you consider the fact that he played with 4 different shortstops. Randolph amazingly received more than 90 bases on balls which helped his on base percentage to be a high .388. Ken Easler, despite slumping most of the second half of the season, had a good year and finished with a .302 batting average and 78 runs batted in. Wayne Tolleson and Joel Skinner turned what was at first a questionable deal with Chicago into an excellent trade. They both showed a lot of promise and a lot of defense where it had been previously lacking. The Yankee's disappointments this year were the whole pitching staff with the exceptions of Dave Righetti and Tommy John. Time after time, game after game the Yankees would get out to an early lead only to have it disappear in the next half inning. The relief pitchers couldn't hold leads

and some leads were as high as 5 runs. The infield defense was also very inconsistent. It appears that they could turn the most difficult double plays but could not play the simplest ground balls.

Manager Lou Pinella just received a well deserved two year contract. Lou did a commendable job in keeping controversy out of the clubhouse and in winning without a pitching staff. It is very obvious that if the Yankees are able to obtain a couple of pitchers or if some of the younger pitchers suddenly emerge this team will again be Pennant and World Series champions, something that Yankee fans expect.

Knicks Opening Statement

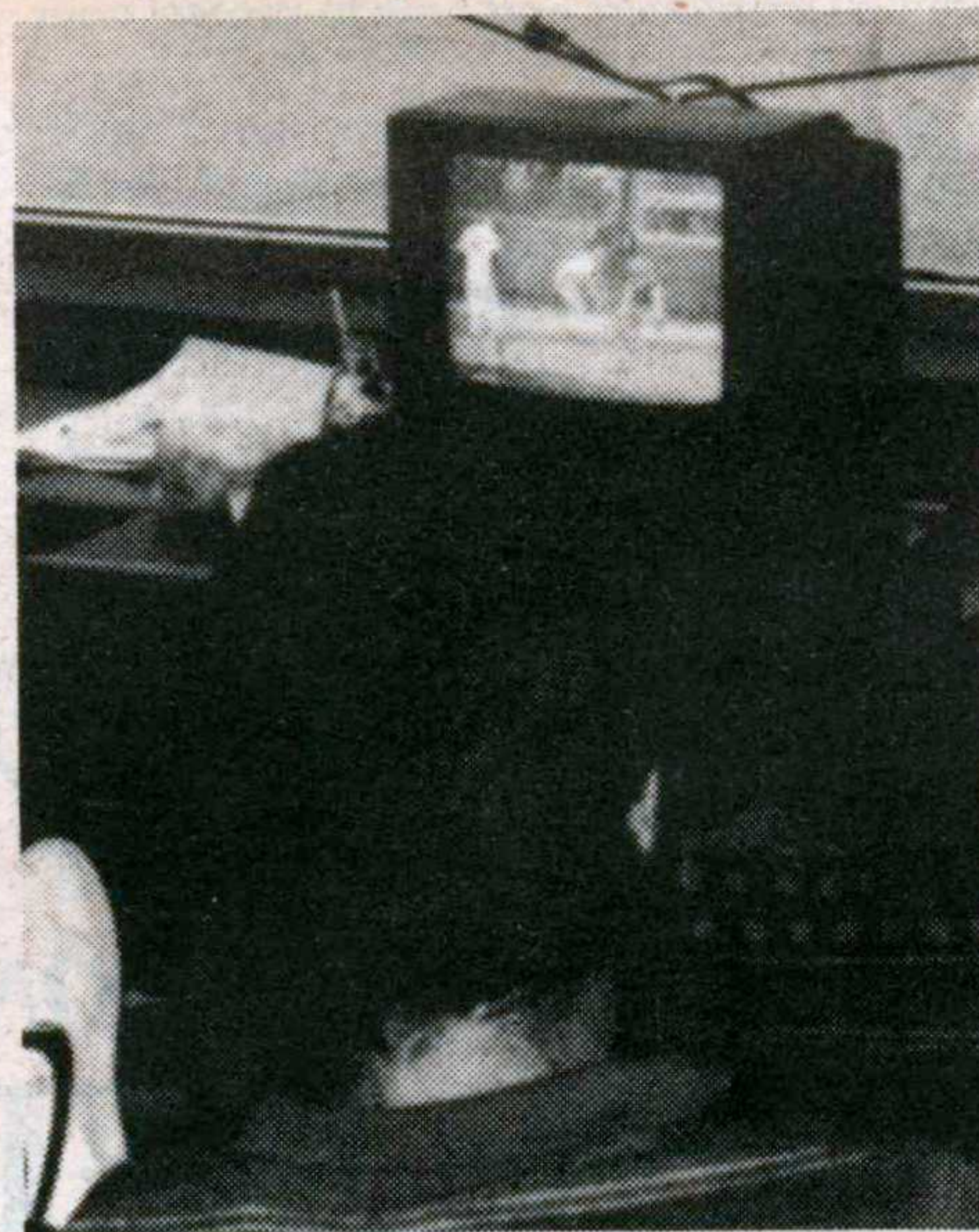
By Wayne Bodden

The Knicks had a very disappointing year last year, so the public isn't expecting a lot from them this season. The Knicks did however strengthen their front court by drafting Kenny Walker. Although the Knicks should have used some ingenuity in acquiring Walker he was the best player for them to acquire. As per the pre-season reports, Walker is playing brilliantly and, most importantly, he is rebounding well. Rebounding is essential because the Knicks play in the rugged East where every team rebounds well.

Second round draft pick Michael Jackson is also a solid ballplayer and should be a major contributor to this year's team. Jackson does what most Knick guards can't do and that is feed the pivot.

The expectations of this year are questionable because of injuries. Bill Cartwright and Bernard King won't be with the team on opening night because of injuries. Cartwright injured his finger and is expected to be with the team in a couple of weeks. King is still in the rehabilitation process for his career-threatening knee injury and his return date is still uncertain. Pat Cummings (the forgotten man) underwent surgery in the offseason and is still experiencing difficulties with his foot. Cummings, if healthy, can provide the Knicks with quality minutes.

Gerald Wilkins, Rory Sparrow, and Trent Tucker return in the backcourt. For the Knicks to accomplish a lot this season, the backcourt will have to play brilliantly. Louis Orr, Chris McNealy will be the key reserve forwards on this team. Both players are extremely smart and fit comfortably into Coach Brown's system. The Coach, Hubie Brown, is on the ropes. If the team doesn't produce this year, he may be fired.



Students watch as Mets enter 10th inning in the sixth playoff game versus the Astros.

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SPORTS

by Mitchell Elman

CENTER—It all starts with Bryan Trottier, who had 96 points in 1985-86. But a more

GOALTENDER—Kelly Hrudey has

On defense, Coach Doug Carpenter has added physical strength through the acquisition of Steve Richmond. The Devils also have Craig Wolanin who is in his second year. He is strong and has a great shot from the point. The Devils will carry 5 other defensemen. The key to their success will depend on their younger players.

by Craig Roberts

Esposito has promised Ranger fans a Stanley Cup before he dies. Our luck he'll live to be 100.

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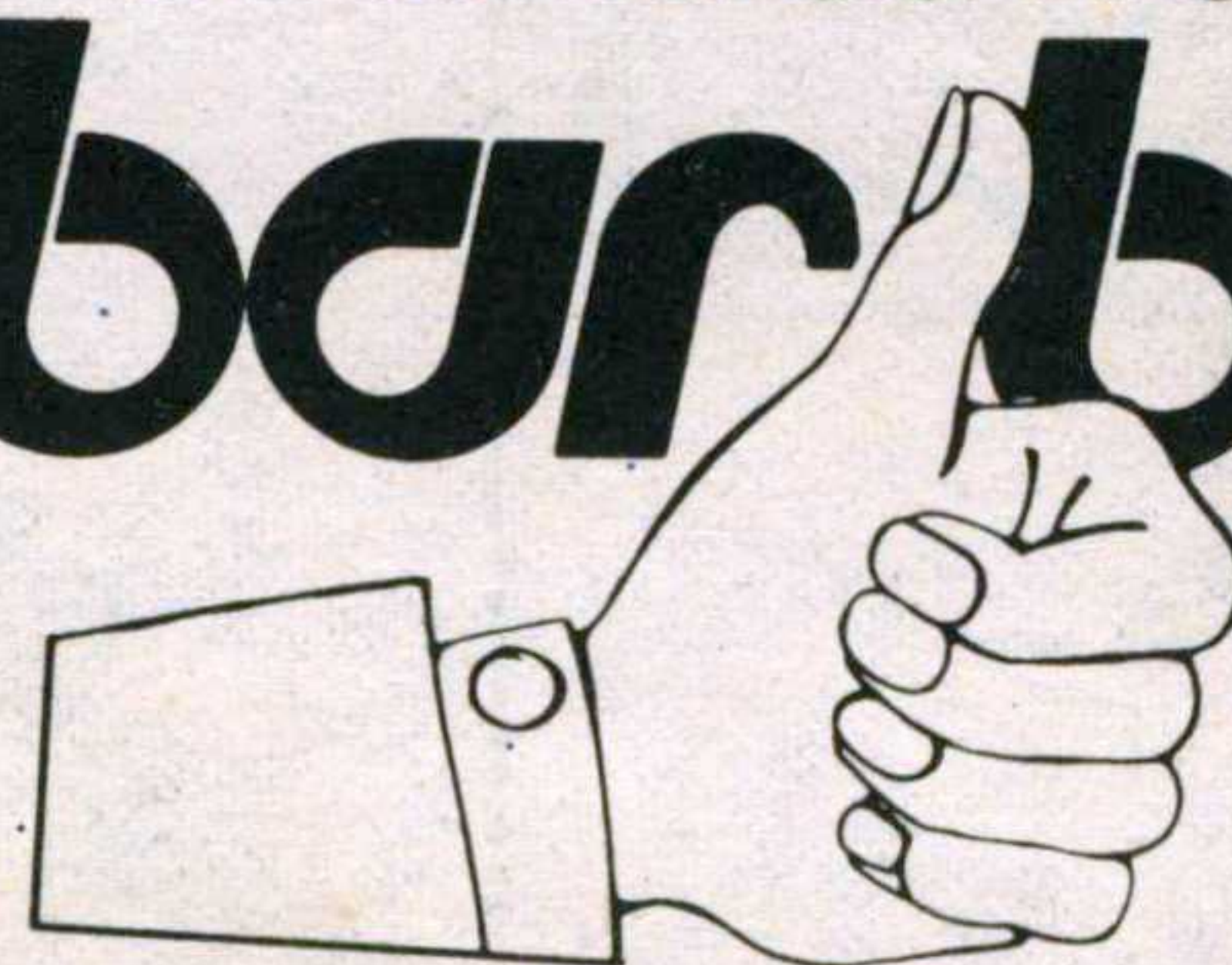
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