



ASKING YOU TO ASK YOURSELVES

Conscience

Vol. 14 No. 4
February 1987

Hofstra University
School of Law
Hempstead, NY
11550

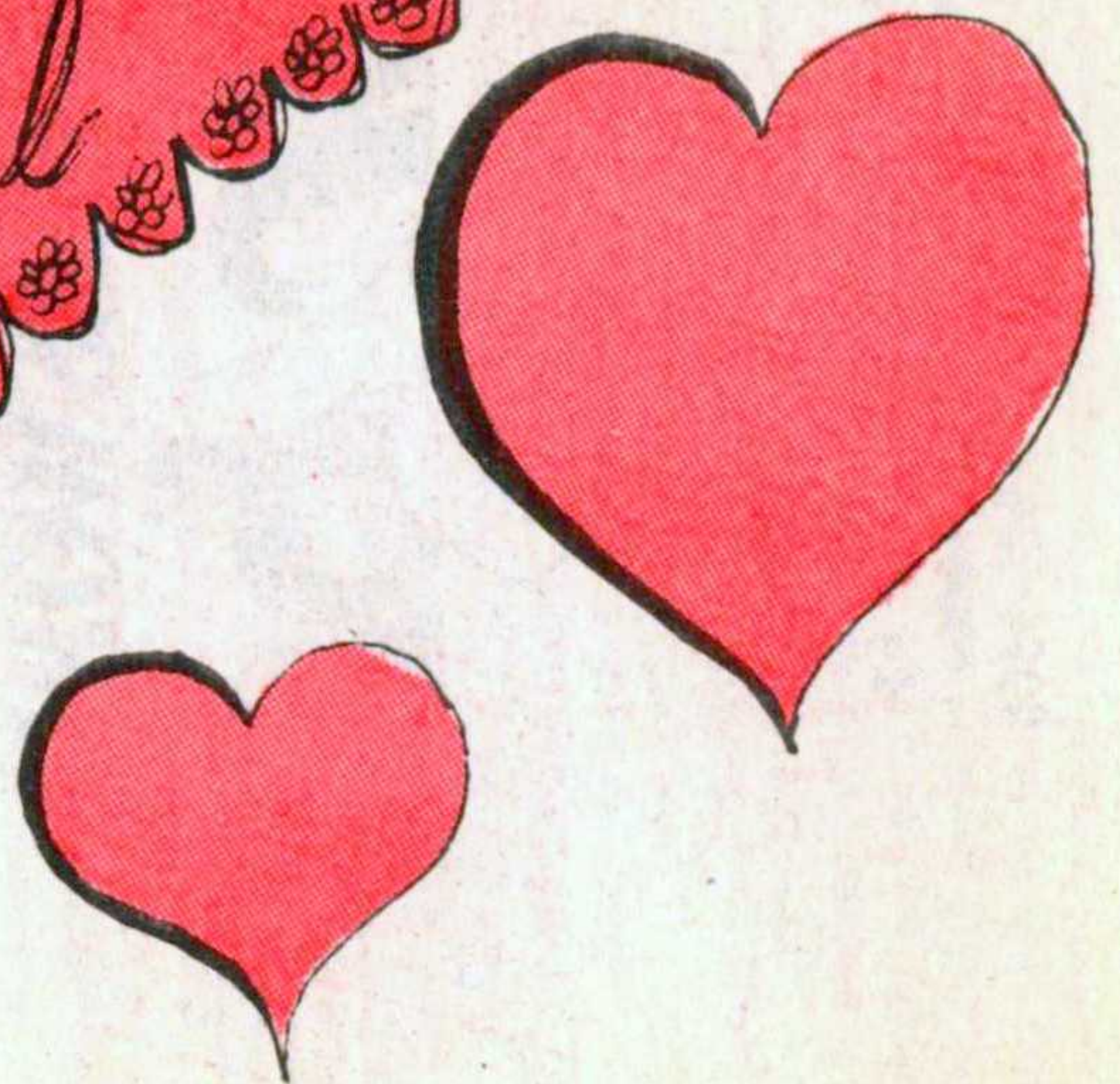
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Schmertz: Five Years As Dean

The Hofstra University School of Law is at the midpoint of its 17th year. Eric J. Schmertz has been Dean of the last five years.

When he became Dean, Schmertz announced a "Five-Year Plan" to gain for the Law School what he characterized as "deserved national recognition and stature."

Interviewed in his office a short while ago—where the walls are covered with modern art from his own collection and from the University's Emily Lowe Gallery and diplomas and citations from his over 30 years as one of the country's leading labor-management arbitrators and mediators—Dean Schmertz said that he felt his Five-Year Plan had been essentially realized.

He stated that his objective was the achievement of a higher rank for the Hofstra Law School among the 174 accredited law schools of this country; the maintenance and recruitment of a faculty of excellence; a significantly higher salary schedule to maintain and attract faculty of that calibre; a program to endow chairs and distinguished professorships and to acquire new scholarly and professional activity as part of those professorships; to elevate standards for student admission and retention; to broaden the base of the student body, both geographically and ethnically; to encourage increased scholarly and professional activity by faculty and students; to maintain a curriculum of courses that are both traditional and innovative; to renew and improve working relationships with local bar associations, practitioners and the judiciary; to enhance collegiality within the faculty as a component of excellence in teaching and scholarship; to professionalize and improve the placement of graduates in law firms and other legal institutions; to set the stage for academic and professional activities in the interest of the community; to better integrate the Law School into the activities and mission of the University; and to develop an evenhanded Law School philosophy regarding the education of its students.

His first act of office was to go forward with the Distinguished Professor Program. Prior to being named Dean he had obtained the School's first Distinguished Professorship—the Edward F. Carlough Chair in Labor Law (which he holds). At his inaugural ceremony he announced the establishment of the School's second Distinguished Professorship, the Max Schmertz Professorship in honor of his late father and endowed by the Dean and his brother Herbert Schmertz, Vice President of the Mobil Corporation. That Professorship is held by Professor Burton C. Agata. Thereafter, he has been able to gain funding for and has established nine other Distinguished Professorships for a present total of eleven. Each is endowed with funds contributed by donors in a minimum six figure amount. The other present

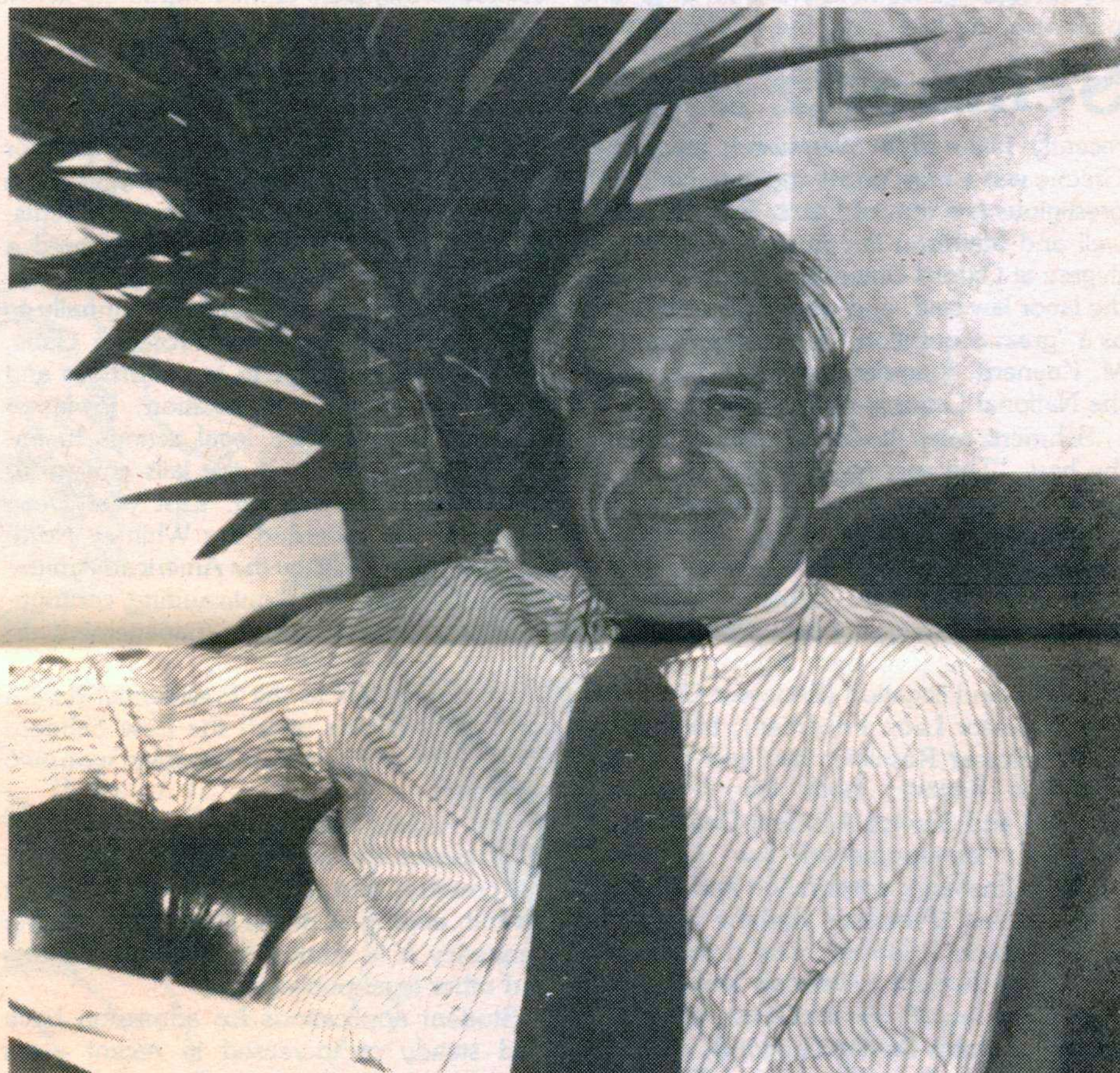
Distinguished Professorships are the Harry Rains Professorship in Alternatives to Litigation, held by Professor David K. Kadane; the Alexander Bickel Professorship in Communications Law, held by Professor Stuart Rabinowitz; the Benjamin Weintraub Professorship in Bankruptcy Law, held by Professor Alan N. Resnick; the Sigi B. Wilzig Professorship in Banking Law, held by Professor Malachy T. Mahon; the Jack and Freda Dicker Professorship in Health Care Law, held by Professor John J. Regan; the Sidney and Walter Siben Professorship in Family Law, held by Professor John DeWitt Gregory; the Maurice H. Deane Professorship in Constitutional Law, held by Professor Linda K. Champlin; the Andrew Boas-Mark Claster Professorship in Law Library Administration, held by Professor Eugene M. Wypyski; and the Peter S. Kalikow Professorship in Real Estate Law, whose recipient will be announced shortly.

Schmertz feels that these Distinguished Professorships have had a dramatic impact on the scholarship and reputation of the School. Each Professorship imposes a responsibility on its occupant to develop new, scholarly and professional activities in the particular discipline involved. As a result, over the last few years the School has added to its activities the Max Schmertz Professorship Lecture, the Benjamin Weintraub Professorship Lecture, and the annual Edward F. Carlough Labor Law Conference. Plans are set for conferences in health care law, communications and banking law. These scholarly and professional activities not only add new and important information to the fields involved, but make available to the Hofstra law students and to the general community, important information about those subjects and serve as a resource for community organizations interested in those fields. As a result the Law School has gained wide attention for its expertise in those areas of the law.

Achievements in the other components of Schmertz's Five-Year Plan can be summarized by some statistics. Faculty salaries have increased by over 50% during the five-year period and are now competitive with any law school in the country. In almost every instance in the last three years the School has been able to recruit its first choices for faculty appointments, despite competition for the same candidates from other schools.

For example, in the last two years the School has recruited five young professors in the fields of international law, torts, criminal law, business organizations and taxation. Respectively they are Professors Jay Hickey, Lawrence Joseph, Dwight Greene, Janet Dolgin and Donald Mathison. But each has an intriguing credential in addition to a law degree. Hickey has a Ph.D. from Cambridge University; Dolgin, a Ph.D. in Anthropology; Joseph is a prize winning poet,

Continued on page 2



Bellacosa Named To State's Highest Court

by Matthew Weiss

Governor Mario Cuomo recently selected former Chief Administrative Judge Joseph W. Bellacosa to fill a vacancy on New York State's Court of Appeals. Bellacosa replaced Associate Judge Bernard S. Meyer, who reached the mandatory retirement age of 70. With Judge Bellacosa on the Court of Appeals, Governor Cuomo, a former clerk on the court, will have appointed all seven judges to the Court of Appeals.

The process of appointing a judge to the Court of Appeals commences when the State Commission on Judicial Nomination, a bipartisan screening panel selects a group of qualified candidates. The Governor chooses who will fill the vacancy from this group. The appointee will serve for 14 years or until the end of the year in which the Judge reaches age 70. The Governor's appointment, however, is subject to the confirmation of the State Senate.

Judge Bellacosa has a distinguished background. He has been the state's Chief Administrative Judge since February 1985. The Chief Administrative Judge is responsible for supervising the administration and operation of the trial courts and for the

establishment and direction of an administrative office of the courts. More specifically, the Chief Administrative Judge oversees the budget of the statewide court system, assigns judges to various courts and supervises the maintenance and refurbishment of court buildings. Before he held this position, Judge Bellacosa was a professor of law and director of the Government Law Center at Albany Law School. Between 1975 and 1983, Judge Bellacosa was chief clerk and counsel to the Court of Appeals. Prior to holding this position, Judge Bellacosa was on the faculty of St. John's Law School.

Judge Bellacosa is the second Italian-American to be named to the high court by Governor Cuomo, joining Associate Judge Vito J. Titone. Early in his first term, Governor Cuomo had complained that the State Commission on Judicial Nomination was not including enough blacks, women and Italian-Americans among its candidates.

The Judicial Committee of the New York State Trial Lawyers Association, a group which facilitates the Governor's selection of whom to appoint rated Judge Bellacosa "highly qualified," the highest rating.

Freedman Receives King Award

Monroe H. Freedman has worked for decades to advance human dignity and social justice.

After earning a bachelor of arts and two law degrees at Harvard University, he served as volunteer attorney in litigation involving the most important provisions of the Bill of Rights, including freedom of speech, association, and religion, unlawful search and seizure, double jeopardy, self-incrimination, due process of law, the right to counsel, trial by jury, and cruel and unusual punishment. Cases in which Professor Freedman has established important new precedents have related to racial discrimination in federal employment, racial and other improper restrictions on child adoption, discrimination in jury selection on grounds of race and sex, and vagrancy laws that discriminated on grounds of race and poverty. He has been active also in advancing the rights of women, children, gays, and prisoners, in opposing the Vietnam War,

and in combatting police brutality, the death penalty, and antisemitism.

Professor Freedman served as a consultant to the United States Commission on Civil Rights during the 1960s, established and directed a six-lawyer public interest law firm, wrote one of the earliest fair housing laws, and, as consultant to the United States Senate, proposed and drafted the Union Member's Bill of Rights. He was also the first Executive Director of the United States Holocaust Memorial Council, serving for two years under the Nobel Peace Prize Laureate Elie Wiesel, was a Senior Adviser to Mr. Wiesel, and serves on the Council's Commission on Antisemitism, Racism, and Repression.

On January 19, 1987, Professor Monroe H. Freedman received a Martin Luther King Award for his many years of dedicated legal service to members of the community whose civil rights were in jeopardy.

Schmertz *continued from page 1*

recently featured in *Newsweek* magazine; Greene was a most promising member of the prestigious law firm of Davis, Polk & Wardwell and Mathison is completing his Ph.D. degree at Oxford University. Also, added to the labor law staff, and what Schmertz views as a "great acquisition," is Professor Samuel M. Kaynard, long-time regional director of the National Labor Relations Board.

Schmertz rates the Hofstra faculty among the best. "The success of the School in its short history," he says, "is because of its outstanding faculty." In its ranks are recognized authorities in commercial law (Professor Mahon); ethics (Professor Monroe Freedman); criminal procedure and trade practices (Professor Agata); constitutional law and litigation (Professor Champlin and Professor Leon Friedman); bankruptcy law (Professor Resnick); law and medicine (Professor Regan); labor law (Professor Kaynard and Service Assistant Dean Robert Douglas); environmental law (Professor William Ginsberg); corporation and business organizations (Professor Kadane and Professor Patricia Adamski); real property law (Professors Ronald Silverman and Bernard Jacob); tax law (Professor Gans); family law (Professor John DeWitt Gregory); civil procedure and federal courts (Professor Rabinowitz); alternative dispute resolution (Professor Bush). And its program of trial advocacy (led by Professors Lawrence Kessler and David Diamond) and as the annual host of the National Institute of Trial Advocacy Program, makes it a leader in that discipline as well.

He cites the School's law library as a centerpiece of its strong academic program and credits the Director of the Law Library (Professor Wypyski) for "doing a superb job for all the years of the School's existence" in developing a collection that now exceeds one-quarter of a million books and holdings and which is an official depository for federal documents.

Schmertz thinks the public service and outside professional activities of the faculty are also impressive and effective. As examples he cites Professor Eric Lane who is Chief Counsel to the Minority of the New York State Legislature; Professor Agata, who is the Reporter for the American Bar Association Action Unit studying the New York State Criminal Justice System; Professor Friedman who has litigated many leading constitutional cases, including the Nassau County jail case and the appeal of Hurricane (Rubin) Carter; Professor Gregory, who serves on the New York City Mayor's Committee on the Judiciary; Professor Freedman, who writes, is interviewed extensively and who frequently testifies on legal ethics; Professor Ginsberg, who is a frequent expert witness and legislative consultant on environmental law; Professor Regan, who is a member of the New York State,

Task Force on Life and the Law; Professor Silverman, who is engaged in completing a comprehensive project on commercial rents; Professor Resnick, who has co-authored a leading book on bankruptcy and debtor-creditor rights and who lectures annually to federal bankruptcy judges; Professor Gans, who regularly lectures to tax attorneys and judges on estates and taxation; Professor Kadane, who has led legal actions to improve the conditions in the jails and to increase low cost housing. Last year Dean Schmertz was awarded the Whitney North Seymour Sr. Medal by the American Arbitration Association for "outstanding contributions to the field of labor-management arbitration."

He also points to the Presidential Award for Public Service which the Law School's Clinical Legal Education Program won two years ago.

The *Hofstra Law Review* enjoys outstanding respect among the 145 law reviews in this country, and a recent survey ranked it seventh among all of the law reviews for the frequency it is quoted by important courts and other legal publications.

Student applications for admission have held steady or increased in recent years despite diminutions generally at other law schools. The last two entering classes of 311 and 306 were larger than sought because the attrition rate between acceptance and registration was less than anticipated. The Dean notes that this year the School did not use its "waiting list" but was overbooked from the categories of applicants with the better academic records.

Schmertz is pleased but not yet fully satisfied with the efforts of his administration to diversify the student body. This year 35 minority students entered the Hofstra Law School as compared to 25 the year before and eleven and six respectively in the two prior years. At present 70 minority students are part of the total Law School enrollment of 800. Schmertz credits this to a determined effort to achieve that result, supported by additional scholarship money made available by the University, by the efforts of a special Law School Committee for the Recruitment and Retention of Minority Students, by aggressive recruitment, by the work of Assistant Deans Hunter and Alice Everett, and by Hofstra Law School's chapter of Black American Law Students Association.

"We have moved dramatically in the direction of what is right," Schmertz said, "but there is more to do. We must not only solidify applications and entering students from minority groups but the retention of those students is critical and requires continued attention." Also, Schmertz wants to achieve more spread in the geographical base of the student population by attracting students from other areas in the country. He feels that efforts in this direction are "pro-

Legal Corner

by Matthew Weiss

The Beatles are suing Capitol Records, their United States distributor, for \$80 million in compensatory and punitive damages to recover record royalties not paid. *Apple Records, Inc. v. Capitol Records, Inc.*, New York County, Index No. 8041/79. The suit recently advanced closer to resolution when former Chief Judge Lawrence H. Cooke, sitting as a court-designated referee, granted broad access to documents the fab four requested in discovery proceedings.

Capitol contended that locating the requested documents would be too burdensome and Apple Records Inc.'s description of the documents was too vague. Judge Cooke ruled against Capitol because he found a number of evidentiary leads which showed that the Beatles needed the discovery, including Capitol's contention that it distributed over 95,000 promotional copies

of "Abbey Road" (more than ten times the industry norm).

The discovery ruling greatly enhanced the Beatles' chances of success; because, the crux of their complaint involves the omission by Capitol to pay royalties on over 19 million Beatles records which the Beatles' auditors reported had left Capitol's possession. The Beatles claim that the missing records were sold through "back channels," allowing Capitol to avoid remitting royalties to the Beatles.

The Beatles' suit is expected to go to trial next year before Justice Michael J. Dontzin in State Supreme Court. The likelihood that the Beatles succeed is great as Judge Dontzin noted, in a preliminary ruling last summer, that the Beatles' audit apparently indicated that Capitol failed to account adequately for "massive sums" between 1969 and 1979. This would have deprived the Beatles of millions of dollars.

gressing well," with students from and alumni now located in such areas as New England, Florida and the west coast. However, the bulk of the students are still from the New York metropolitan area.

Dean Schmertz characterizes as "superficial," the present notion in that there is a "glut of lawyers." He quotes his father who told him, "that there is always room for another good lawyer." He believes that the more people trained in due process, fair play and the legal basis of American society, the better off our country will be and the more secure will be our democratic system of government. He points to the excellent record of the School's Placement Office headed by Hugh Christenson. On-campus interviews by major law firms have increased dramatically over the last four years by 300%. For the last three years the Placement Office reports that over 92% of each year's graduating class was employed in practicing law or in law-related jobs within four months of the bar examination. With almost 3,000 graduates, Hofstra law alumni are now found in virtually every firm in the New York metropolitan area as well as in important governmental positions and in significant law positions with corporations and community organizations. Several judges are graduates of Hofstra Law. Recently the *New York Law Journal* reported that the Hofstra Law School stood seventh among schools in the Northeast in the number of its graduates selected as clerks to judges of important courts.

Schmertz has not demanded, but has strongly encouraged scholarship by the faculty. He says that they have responded well. In the last few years, authoritative books on bankruptcy, health care law, business organizations, constitutional law and ethics have been published by Professor Resnick, Regan, Adamski, Friedman and Freedman. Professor Gregory is completing a book on *Equitable Distribution*. Dean Schmertz is under contract for a third edition of his *Personnel Administration and the Law*. Other faculty members have published scholarly articles in such fields as ethics, alternative dispute resolution, the legal problems of AIDS, international law, property and product liability. He is proud of the project undertaken by several members of the faculty to provide the New York State Legislature with a comprehensive survey and recommendations regarding the use of "last best offer" arbitration to resolve labor disputes in public employment.

In seeking excellence in teaching and scholarship by the faculty he has not hesitated to recommend dropping the few faculty members whose work have not measured up. On the other hand, he has vigorously supported the tenure and promotion aspirations of the overwhelming group of the faculty who have demonstrated excellence in their pedagogical and professional activities.

The Hofstra Law School teaches approximately 119 courses. Under the Curriculum Committee the course offerings are watched carefully and critically. Courses are added, dropped and revised as the needs of the profession change. The School was amongst the first, and is a recognized leader in establishing courses in alternatives to litigation and clinical work in negotiation, mediation and conciliation. This leadership was recognized by Elizabeth Fowler in her Career's Column of the *New York Times* on October 22, 1985 which in part stated, "Mr. Robert Coulson, President of the American Arbitration Association, said that much of the pioneering work in the field (of alternatives to litigation) had been done at the Hofstra Law School..."

Outside the classroom Schmertz has sought the expansion of the School's professional and scholarly activity in the community. He has done so not only as part of the academic program but also in furtherance of his aim for closer ties with the local bar associations, law firms and the judiciary and for the greater integration of the School's activities into the mainstream of the life of Hofstra University. As part of its 15th anniversary celebration the Law School organized and sponsored a conference, directed by Professor Friedman, on the 16

Continued on page 7

Cash!!

To: All students, faculty and Employees of Hofstra University:

I am very pleased to announce the installation of a Chase Cash Machine in the new Atrium directly across from the Service Desk.

We have entered into an agreement with Chase Manhattan Bank to provide this service for the convenience of all faculty, students and employees of Hofstra.

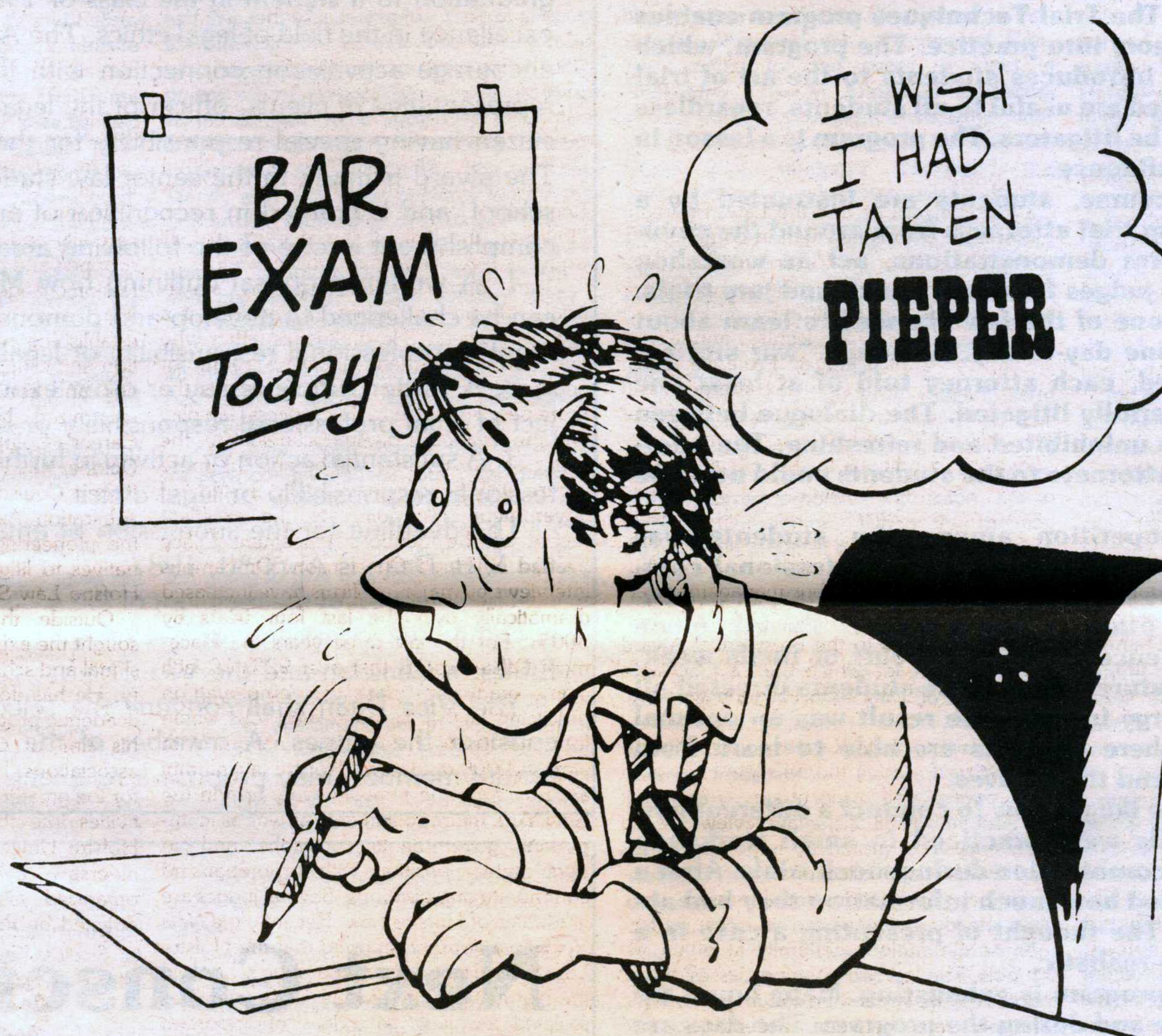
The Chase Cash Machine can be used to obtain cash 24 hours a day, seven days a week, using a Chase 24 Hour Bank Card or a Chase VISA or MasterCard. The machine can also be accessed by using an ATM debit card from any bank on the NYCE, Plus System, or VISA ATM networks.

Chase will be inaugurating this new relationship with Hofstra by having Chase Representatives on campus following the Holiday recess. The representatives will be here to answer all your questions about the use of the machine, banking services at Chase, and to open Chase Checking Accounts, Money Market Savings Accounts and to process your request for a Chase 24 Hour Bank Card.

More information about where and when the Chase Representatives will be here, will be posted throughout the university in the near future.

**James M. Shuart
President**

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COMMUNITY FORUM

EDITORIALS:

Move Over Perry Mason

As law students, most of our educational experience is passive and theoretical. The Trial Techniques program enables students to put some theory into practice. The program, which is offered each January, introduces students to the art of trial advocacy. The skills gained are useful to all students, regardless of whether they aspire to be litigators. The program is a lesson in cooperation and self-confidence.

During the ten-day course, students are instructed by a rotating pool of practicing trial attorneys from around the country. The attorneys perform demonstrations, act as workshop group leaders and act as judges for mock bench and jury trials. For many students it is one of the few chances to learn about how a lawyer's job is done day-to-day. Although "war stories" were expressly prohibited, each attorney told of at least one case that they had masterfully litigated. The dialogue between students and faculty was uninhibited and refreshing. The information passed from the attorneys to the students could never be learned from a textbook.

The element of competition among the students was noticeably absent. In its place was a sort of professional camaraderie. Students acted as teammates and colleagues, constantly encouraging each other. The program shared some characteristics of experiences like moot court or finals week, but the distinguishing feature was that the students directed all of their competitive energy inward. The result was an optimal learning environment where students are able to learn from faculty, fellow students and themselves.

Each day students were taught how to conduct a different portion of a trial. The skills were practiced in small workshop groups and then used in combination during mock trials. After a few days, students realized how much information they had absorbed in a short time. The thought of presenting a case in a courtroom seemed more realistic.

The Trial Techniques program is exhausting. Many hours are needed to prepare before and during the program. The days are long and grueling. But, like most other time-intensive efforts, it is worth the energy expended.

So much of what is missing from the normal law school curriculum is present in Trial Techniques. There is practical application of skill. There is an internally competitive spirit. There are working friendships. And most importantly, there is confidence building. The staff of *Conscience* encourages all students to participate and applauds the law school for hosting the program.

Law Student Legal Ethics Award

The award, with a cash payment of \$500, is to be made on graduation to a student in the class of 1987 who has shown excellence in the field of legal ethics. The Award is intended to encourage activities in connection with the lawyer's role as representative of clients, officer of the legal system and public citizen having special responsibility for the quality of justice. The award is made to the senior law student selected by the school, and is granted in recognition of an extraordinary accomplishment in one of the following areas:

1. A written proposal outlining how Members of the Bar can be challenged to develop and demonstrate their commitment to professional responsibility or legal ethics;
2. A written article, essay or other exposition, on the subject of legal professional responsibility or legal ethics; or
3. A substantial action or activity in furtherance of legal professional responsibility or legal ethics.

The deadline for the submission of entries to the office of the Vice Dean is April 30, 1987.

The selection of the recipient of the Award shall be made by a committee consisting of a Professor who teaches Legal Ethics, a Clinician and the Vice Dean.

The Vice Dean shall convene the selection committee to consider the entries. A member of the committee, or any faculty member, may propose a recipient.

Next Conscience DEADLINE: FEBRUARY 25

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

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COMMUNITY FORUM

DEAN'S CORNER:

Dean Eric J. Schmertz

I am pleased to use the Dean's Corner this month to share with the entire Law School community the commencement speech delivered by John J. Farley, III of the class of 1973 at our most recent commencement exercises on Sunday, December 21, 1986.

Chairman Zarb, Members of the Board of Trustees, President Stuart, Provost Hammer, Reverend Clergy, Dean Schmertz, Members of the Faculty, Guests and Fellow Alumni of the School of Law of Hofstra University.

Thank you, Dean Schmertz, for those very kind words. I wish my parents had heard them. My father would have wondered who you were talking about but my mother would have believed every word.

It is indeed a privilege to deliver the commencement address. I was somewhat concerned when Dean Schmertz asked me because this is December 21st, already the longest night of the year, but I became excited when I realized that many of my former professors would be in this captive audience. For a change they have to sit quietly and listen to me without being able to criticize or question. No Socratic method tonight! What an opportunity! What sweet revenge!

But I will resist the temptation to make this night longer just to hold my former professors hostage. Actually, I am glad that so many of them are here because it gives me the opportunity to express my gratitude to them:

—To Professor Malachy Mahon, for challenging me to link my future with that of an infant law school with great plans. I have never regretted accepting the challenge.

—To Professor Gene Wypyski, whose love for books was contagious; if Abraham Lincoln was right when he said, "My best friend is a man who'll get me a book I ain't read," then Gene, who built our great law library, is truly the best friend of us all.

—To Professor Burt Agata, who proved that there was more to our Constitution than the Gilbert's Outline Series; he sparked an interest which has led to 13 years of constitutional litigation.

—To Professor Stu Rabinowitz, who opened the door to the federal court system. He dragged me, kicking and screaming, into an arena which I have never left.

—To Dean Eric Schmertz, who raised the haggles to an art form; who brought dignity to disputes. I took every course he taught and I learned from his teaching and his practice that it was possible to respect and even like our opponents while we were attacking the positions of our opponent. For me, this has civilized the adversarial process of litigation.

To these and to the other members of this great faculty, I am grateful.

Among the other captives in this audience tonight are my wife, Kathleen, and my children, Maura, Brendan and Thomas. I would be woefully remiss if I did not tell you of my love for them, my gratitude for their constant support and my pride in them. My wife, a teacher and counsellor, shared my law school experience and is my ideal, the source of my strength and my conscience. Despite the five-hour drive up from Washington today, our children are the joy of their parents' hearts. It is with happy wonder that we are watching them grow in wisdom and grace. It is my fervent hope that any professional distinction which might come my way has not been, and will not be, at their expense.

That concludes the commercial message; we return now to our regularly scheduled program: the commencement.

I would like to speak for a brief moment to

the guests of the graduates. In his Second Inaugural Address, Abraham Lincoln spoke of his desire "to care for him who shall have borne the battle..." Today, of course, an enlightened President Lincoln would no doubt have said "him/her" or avoided the gender problem altogether by speaking "to those who shall have borne the battle," but the point, dear parents, spouses, children, relatives and friends of the graduates, is that, just like my wife during her time of siege at the Hofstra Law School, you are the ones who have truly borne the brunt of this battle of law school. In addition to your financial sacrifices, you have supported your new lawyer through times of confusion, anxiety, questioning and self-doubt. You endured silently and with great patience the incomprehensible mutterings of your lawyer-to-be which sounded something like: "res ipsa loquitur," "quantum meruit," "caveat emptor," and my favorite, "quare clausum fregit." You respectfully pretended to be interested in the rules which your new graduate took all-too-seriously: the rule in Shelly's case, the rule of stare decisis, and the rule against perpetuities.

You have nobly borne the battle and deserve congratulations, but I am going to give you something even more rare and precious, something which you are not likely to get again, even from your new lawyer. I am going to give you free legal advice! This graduation ceremony does not end your obligation of support because there is yet another battle to be fought: the battle of the bar examination. Contrary to what you will soon hear, the world is not likely to end soon; bar examiners are, in fact, legitimate children of respectable parents; and bar review courses are not the modern equivalent of the rack. With your support, your new graduate will pass the exam and enter a profession of service, for that is what the practice of law is all about: service. Congratulations! You have borne and won the battle!

Now I would like to congratulate my fellow alumni of the School of Law of Hofstra University. Your first opportunity as alumni will be to join the alumni association; your dues will be collected as you leave here tonight.

My congratulations to you are heartfelt because I have a very real stake in you and your futures. Not a week goes by that I do not speak or teach or lecture somewhere in the nation and I am introduced as a graduate of the Hofstra University School of Law. In the early days, the name of Hofstra Law School was met either with a blank stare or some reference to the old Bill Cosby routine on the Temple-Hofstra football game. But in recent years, the Hofstra Law School has taken the giant strides outlined earlier by Dean Schmertz and by their accomplishments your predecessors, our fellow alumni, have helped to spread the reputation of Hofstra far and wide. As you advance in your careers, you too will increase the prestige of the law school and its graduates, including me, will benefit. Therefore, I thank you in advance and congratulate you on your graduation.

Your graduation occurs during a season of celebration: Christmas is just four days away and Hanukkah begins in five. This is a night of celebration in a season of celebration and I would like to speak of yet another celebration—a national one, the 200th birthday of the Constitution of the United States. Professor Agata first introduced me to the Constitution; it also should be noted that he introduced me to John Dean so I'll leave you to draw your own conclusions. My familiarity

with the Constitution grew as I was assigned to testify before Congress and to litigate constitutional issues first as a Department of Justice trial attorney, then as supervisor and now as a director in the arena in which Professor Leon Friedman has so ably served: constitutional tort litigation. Now that Congress has created a Bicentennial Commission of distinguished Americans to lead the Constitutional birthday party, you will hear and read much over the next few years about our heritage. I would like to share with you a few thoughts to set the stage for our national bicentennial celebration.

The first thought is one of amazement that the Constitution was ever written, much less that it was ratified and endures to this day. The process began out of a failure in Annapolis, Maryland. The Continental Congress called for the states to meet in September 1786 in Annapolis to discuss serious trade and commerce problems under the Articles of Confederation, but only five states sent delegates. Maryland—the host—did not even bother to send a delegation, so the sessions were held in a local tavern. By the way, we live near Annapolis and my wife and I commemorate this event by paying frequent respectful visits to the Annapolis taverns. The only accomplishment of the meeting was a recommendation that another meeting be called.

Invitations went out to all states to send delegates to Philadelphia in May 1787. The express purpose of the meeting was solely to make changes in the Articles of Confederation to correct problems with trade, not to write a Constitution. When the meeting began, only seven of the thirteen states were represented. Other representatives trickled in but Rhode Island never did send a delegate; Massachusetts, New Hampshire and Connecticut were jointly represented by one man, Rufus King. Of the 74 representatives designated by the states, only 55 showed up.

The meeting lasted 17 weeks through the summer, from May to September in hot, steamy Philadelphia. Remember the old joke: first prize is a week in Philadelphia; second prize is two weeks in Philadelphia; imagine what you have to do to get seventeen weeks. These sessions were filled with dissension, disagreement and heated debate. (The report remind me of the early days of the *Hofstra Law Review*.) In the end, only 42 delegates remained and only 39 signed the Constitution; three specifically refused. After much debate and some close votes, the Constitution was ratified. George Washington described the result as a miracle; I think the description fits.

Now, 200 years later, this experiment, this miracle has become the longest operating written Constitution in the history of the world. Let me put this in perspective: of approximately 160 constitutions in force today, only 14 pre-date World War II. My second thought, therefore, is one of wonder at the adaptability of our Constitution. It has provided the framework for our development from a revolutionary wilderness nation of farmers and tradesmen into a world power of awesome complexity and strength.

The lead comment in this week's *New Yorker* appears to argue that our Constitution is outmoded, that it is of little or no value in this age of nuclear proliferation and terrorism, that it does not adequately provide for our national security. The comment concludes, however, that this venerable document is just as vital, just as vibrant today as it was 200 years ago. Indeed, the comment opines that our three biggest postwar blunders (McCarthyism; Vietnam and Watergate; and the Iran/Contra matter) would have been avoided if the Constitution had been followed.

As Justice John Marshall said, the Constitution was "intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs." Let me show you how this 200-year-old document

has been adapted to a modern crisis of human affairs: the traffic jam.

Article I, Section 6, provides that: "Senators and Representatives...shall...be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same;..." When you consider the difficulties involved in traveling up and down the eastern seaboard 200 years ago, the reason for the clause is obvious. State delegations had to be free from detention or arrest by other states because of the potential impact upon the important work of the Legislative Branch. In modern times, this clause has taken on new meaning. In Virginia, just outside Washington, D.C., there is a phenomenon known as "HOV Lanes." During rush-hour, these express traffic lanes can only be used by HOVs—highly occupied vehicles or car pools. Senator Roger Jepsen of Iowa was stopped on a number of occasions by Virginia state police while driving alone in the HOV lanes. Each time a state trooper pulled him over, he identified himself as a United States Senator traveling to or from a session of the Senate and demanded that the Constitutional command be honored; in each case, the trooper let him go. So, it should be noted, did the people of Iowa; he was defeated in 1984.

My third thought is a messy one. It is said that there are two things which should not be watched on a full stomach: sausage-making and legislation. I have not seen sausage being made, but having watched lawmaking at close range, I do not want to visit a sausage factory. The government created in Philadelphia is not a pretty sight; it is not a model of efficiency. And yet, that is precisely what the signers envisioned: controlled chaos. Having just rebelled from a strong central government, the drafters wanted to avoid authoritarian rule. They took great care to divide the power of government between three branches and to build in controls to prevent the accumulation of too much power by any one branch. The legislative power to enact laws was checked by the Executive power of veto which was, in turn, checked by the Legislative override which was itself checked by Judicial oversight; the Senate's power of advise and consent checks Executive and Judicial appointments and the power of impeachment checks their performance; only Congress can declare war but the President is the Commander-in-Chief. In the past few months we have witnessed these checks in operation: a federal judge was impeached; a Presidential veto was overridden by Congress; and today there are multiple Legislative and Executive investigations presently being conducted of White House operations. These "checks and balances" create a constant friction, an internal tension which limits the power of government just as they were intended to.

The Bill of Rights, enacted in 1789, puts external controls upon governmental power. The government cannot conduct unreasonable searches or seizures, imprison without trial, take property without due process of law and just compensation, compel a citizen to incriminate himself, discriminate based upon race, creed or national origin. Citizens are entitled to a jury and counsel; they are free to assemble, to speak, to write, to practice a religion of their choice. We see the strength of these limits everyday as we witness the spectacle of senior military officers frustrating the power of the government by invoking their individual Constitutional rights.

The tension is obvious, palpable and sometimes unpopular; the controls from within—the checks and balances—and without—the Bill of Rights—make government often appear inefficient and ineffective. Yet that is what the draftsmen intended.

Continued on page 8

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Letters To The Editor

Should NLO Move? Student Speaks Out

Dear Editor,

I was gratified to know that public interest law is alive and well at Hofstra and not at all surprised at the downward spiral of support for clinical program among faculty and administration. (Editorial: "In the Public Interest," *Conscience*, October 1986, at 4.) Retrenchment from what is right is all about us. Don't be disheartened. Public interest law will again be predominant.

Meanwhile, I write to express my dissatisfaction with the move of the Neighborhood Law Office. Moving the NLO to the Hofstra campus will prevent it from being as productive and helpful to the impoverished community of Long Island as it was in the heart of downtown Hempstead. In the editorial you stated:

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 a 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.

I write to urge you to keep the NLO where it is or, if that is not presently possible, that plans immediately be made to return it from the school to where it belongs - in the heart of a poverty community in a second story walk-up located over a (smelly) fish store. Such a move needs to take place so that students who "...choose to direct ... energy toward those who must need ... help ..." can actually be exposed to their clients in the environment in which their clients live their lives.

In the summer of 1971, I was fortunate to be one of the first law students hired for a summer job at the NLO. Thereafter, I was a law student at both NLO I and NLO II and a couple of years later a member of the clinical "faculty" at Hofstra. I served people in both the Nassau and Suffolk offices of the Community Legal Assistance Corporation.

I believe today as I did then that exposing law students to clients on the clients' terms is essential to learning. Knowing the gut panic of the poor on the street must be a mandatory course for poverty lawyers. The stench of backed-up toilets and the scampering of rats are the real experiences of factfinding and investigation. Falling plaster in the home of a client being served by a law student can be the catapult by which another professional is led willingly to serve the legal needs of the disempowered.

Seventy-three Main Street is a pedagogical choice made by a man with the vision to teach real lawyering to a generation. David Kadane placed the NLO across the street from a bus terminal. His clinical students learned that poor people who can't read street signs are afraid to take buses very far. Students thus also learn that people who can't read street signs can't legally be bound by consumer contracts. They then learn how to litigate consumer cases. The fabric of learning will be torn by moving the NLO to the law school.

Public interest lawyering, if it is to be more than a preparatory experience for the practice of business law, must immerse students in the lives and lifestyles of their clients. Students gain, thereby, the professionalism to represent their clients and the expertise necessary to be advocates for legal and social change. Absent that immersion, clinical education is mostly smoke and mirrors, birthing incompetence and smugness, leading

to **Anders** briefs and unanswered client mail.

Hofstra is a big imposing campus. It strikes fear in the hearts of even some freshman law students. It is a safe, semi-secure patrolled institution and it will intimidate many clients in need of service.

The clients served by the Neighborhood Law Office need all the support that can be mustered on their behalf to encourage them to break out of a mode of non-assertiveness and dependence. They need lawyering that will empower them to secure for themselves, their families and their communities the rights which Hofstra law students and faculty take for granted.

Poor people's law is nothing more than the application to a new class of people of the principles previously applied to those with money. But how it is practiced and where it is practiced, to whose drum those who follow it march, and for what reasons the services are delivered are critically important questions.

While I hesitate to judge from 170 miles away what has gone into this decision, I can revisit the discussion of such a move to the campus that occurred some years ago. The effort was designed to place controls on client access, to allow for greater faculty "supervision," and to assure that the product of legal education weighed in more heavily than the process.

The value of clinical education on the streets and over the fish store, in the presence of clients in those "less suitable quarters," is to learn from people at the same time that we serve them. White, middle-class, highly educated, resourced law students who get no exposure to reality prior to practice can be the single most counterproductive legal force functioning on behalf of poor people's "public interest." That is a hard lesson to learn, yet one of the forums for coming to understand it is being closed by you. The NLO should stay right where it is and have the people who learn there and serve there become part of the community they purport to care for.

Those concerned about accessibility for the handicapped might take a page from Paul Hearne's book. Paul followed me at Hofstra. Small of frame, brilliant, unable to frown and in continual need of a modified table-like wheelchair to get around - he couldn't walk - he nevertheless took NLO in that second story "walk-up." We carried his chair. he served his clients.

Paul went on to Bedford Stuyvesant Legal Services when the Legal Services Corporation was still inaccessible to the handicapped. His clients carried his chair. He served his clients. Then Paul, realizing the absurdity of a legal services corporation that was inaccessible to the handicapped, confronted the corporation, started the Handicapped Persons Legal Support Unit, and began to litigate accessibility cases. If it is a choice between accessibility for clients and accessibility for lawyers, put in an elevator and leave the office on Main Street.

More than anything else, the legal services movement needs hearts and hands and skilled long distance runners. It needs practitioners who cut their teeth in real environments, who feel other people's pain, who build their own anger, and who become brilliant because they need to be. There is no doubt that learning will take place for NLO students housed in a law school. But then again, learning takes place watching television and in the United States Army.

I urge Hofstra to reconsider its NLO decision. It is never too late to rethink a bad idea.

Love,

Jonathan E. Gradess, '73

To the Editor,

I hope to see the following courses offered in the next two semesters. Have these courses been officially removed or what? Are you listening Hofstra?

- (2) Law and Economic Inequality Seminar
- (3) Law and Race
- (2) Legal Interviewing, Counseling and Negotiation
- (2) Equal Employment Law Seminar
- (3) Business Drafting (new course) should hopefully be on the list too.

Sincerely,

BALSA member J.T.

Schmertz *continued from page 2*

years of the United States Supreme Court under Chief Justice Warren Burger and made that conference part of the University's 50th year celebration. For the first time in its history the University selected a member of the Law School faculty—in competition with the entire University faculty—to deliver the annual Distinguished Faculty Lecture. Professor Gregory, now Vice Dean of the Law School, gained that recognition and spoke to the entire Hofstra University community on *Secrecy in University and College Tenure Deliberations: Placing Appropriate Limits on Academic Freedom*. Professor Champlin is presently the director of the University's upcoming Bicentennial Conference of the United States Constitution. Professor Freedman will direct a future University conference on group defamation. Professor Friedman is co-director of next year's presidential conference on the presidency of Richard M. Nixon, and Dean Schmertz was the director of the University's presidential conference on Dwight David Eisenhower. All of these conferences are national and international in scope and attract participants and audiences from all parts of the country as well as from the Hofstra University and Long Island community.

Schmertz believes in tempering hard academic and professional work with frequent lighter moments. He arranges and encourages the faculty to socialize together, believing that a faculty that relaxes and enjoys recreation together will be more collegial and more productive as teachers and scholars. Schmertz inaugurated an annual faculty retreat. Each year, with funds raised especially for that purpose (and not part of the University or Law School budget) he takes faculty, spouses and guests to some resort or locations away from the School for "long-range planning" in a non-pressure environment and for "recreation." In his first year it was to Kutcher's Country Club in the Catskills. In the second year it was to the Montauk Yacht Club, in the third to the Vista Hotel in New York City and to a Broadway show; the fifth year to Guernsey's Inn and this year in November to the El San Juan Hotel in Puerto Rico.

His dinner parties and cocktail parties, usually in black tie, have been described as "memorable." To celebrate the School's 15th anniversary, he arranged a black tie dinner-dance and comedy roast with magicians. When he was appointed as Dean he suggested, and the University arranged, a black tie dinner featuring comedian Henny Youngman (a Schmertz friend).

Each convocation establishing a distinguished professorship is followed by a cocktail party with an elaborate spread of hors d'oeuvres. Again, all these social activities are funded by gifts to the Law School and are not financed by the budgets of the Law School and the University. Faculty members have stated that the tuxedo and formal gown have become "uniforms of office." These social activities have been extended to the students as well. Dean Schmertz inaugurated the annual tea for first-year students (now hosted by the

To the Editor,

Music lovers, who know jazz, what's up with M. Davis' new album **Tutu**. Who's heard it yet? *Conscience* needs serious writers for issues affecting this campus, like the crazy way some people drive down California Avenue, trying to kill (Otherwise promising careers). Or the shortage of black instructors male and female, and law courses affecting minority lives. The law campus student body needs to SPEAK OUT!

J.C.T.

A.K.A. Jazzy

Nassau County Bar Association). Students are invited to convocation receptions, and similar social activities are arranged for moot court participants and other student groups and has spurred annual dinners and receptions by the *Law Review*, the *Labor Law Journal*, and the *International Property Investment Journal*, BALSA, the legal fraternity Phi Alpha Delta and other student organizations.

Schmertz points out that the Hofstra Law School is a national law school but that it has not lost sight of its roots and its local constituency. He has insisted on strong professional ties with the Nassau and Suffolk County Bar Associations, with local law firms and the judiciary. The Law School faculty and the bar associations have exchanged lecturers and have run reciprocal programs at each other's locations. The School and the bar associations have worked closely together on internships and employment opportunities for students and Dean Schmertz has been asked by the Nassau County Bar Association to deliver the second annual Judge Gulotta Lecture in January of next year. To the School's lecture series, convocations and conferences, practitioners and judges in the area have been regularly invited and have attended in impressive numbers.

Finally, but importantly, says Dean Schmertz, is the philosophy of the Hofstra Law School. Schmertz does not think that a law school should have a particular political or social orientation. He thinks that institutionally it should emphasize all phases of the law whether it be public interest law and assistance to the underprivileged, or representation of the business community or other established parts of society. He believes that the Hofstra Law school should be evenhanded in its exposure of students to all the legal disciplines and all the needs for legal representation, leaving it to the students to select the type of work he or she wishes to pursue in the School and after graduation. Asked to frame the philosophy in a statement, Schmertz replied that "the mission of the Hofstra Law School is to educate competent and ethical lawyers for all legitimate sectors of American society." He points to the School's Presidential award-winning clinical legal education program which assists the underprivileged, and to its equally strong work in commercial law and business organizations, as examples of this evenhandedness.

When asked about the Gourman Report, a publication which ranks educational institutions, including law schools, Schmertz said that he recognizes the controversial nature of any such ranking, but that in his opinion the present Gourman Report "summarizes the credentials of the Hofstra Law School, and that if there are to be published rankings the Hofstra Law School is entitled to a respectable position." When Schmertz began as Dean the Hofstra Law School was ranked 98th among the then 172 accredited law schools with only the better-known older schools ahead of it.

COMMUNITY FORUM

BRIDGEPORT

JAI-ALAI

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Dean's Corner continued from page 5

While Professor Leon Friedman and I may litigate the limits of these controls, usually from opposite sides, I think we would both agree that this experiment in tension, this miracle works and works well.

My final thought is again prompted by the words of John Marshall: "The people made the Constitution, and the people can unmake it. It is the creature of their own will, and lives only by their will." The real cause for celebration is not the 200th birthday of the Constitution but the will of the American people. To show you what I mean, let's review together some Constitutional words and ideals:

"All power...belongs to the people." [Article 2.]

"Citizens...are equal before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude to religion,..."

"The equal rights of citizens...are guaranteed..." [Article 34.]

"Women and men have equal rights..." [Article 35.]

"Citizens...have the right to compensation for damage resulting from unlawful actions by state organizations...or by officials in the performance of their duties." [Article 58.]

These are the inspiring words of the Constitution, but it is not the Constitution of the United States; it is the Constitution of the Union of Soviet Socialist Republics which was adopted by the Supreme Soviet of the U.S.S.R. on October 7, 1977.

My point, dear friends, is that words may be inspirational and ideals noble but, to paraphrase Justice Marshall, our Constitution "...is the creature of [our] will and [it] lives only by [our] will." It is the American spirit, our will, our faith in the ideals of the Constitution that are true causes for our national celebration.

And so tonight, there is much to celebrate. We are poised to begin once again religious ceremonies ancient in heritage and rich in tradition. We honor these law

graduates who have chosen to dedicate themselves to the profession of law in a nation founded on law. And we celebrate the will of generations of Americans, past, present and to come, on the occasion of the 200th birthday of our written Constitution.

Congratulations to the graduates, Happy Hanukkah, Merry Christmas, and Happy 200th Birthday to us all.

Conscience extends its condolences to the family and friends of Patricia Moore ('79). She is remembered with respect and will be missed by all.

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COMMUNITY FORUM

Baseball Beyond The Diamond

by Andrew Nadler

Longer days and warmer temperatures are subtle reminders to baseball fans that Opening Day is close at hand. Of course, the main topic of discussion among them is if the Mets will repeat as World Champions in the 1987 season. However, a somewhat more disturbing question that could be asked is, are the owners of teams really concerned if their franchises win?

Donald Fehr, Executive Director of the Baseball Player's Association questions the desire of the owners to put a winning team on the field. He explained that the owners are currently involved in closing off the free agent market. Fehr said, "the owners are refusing to compete for players." He substantiated his point by using the case of Ray Knight, the Met third baseman who was voted the most valuable player in the World Series. The Mets refused to either offer Knight a contract or submit to arbitration, causing him to be out a job. Other notable players who are free agents but have not been signed by any team are Boston Red Sox's catcher Rich Gedman and California Angel's catcher Bob Boone.

According to Fehr, the labor structure of baseball is unlike any other business entity. A

baseball player at 17 or 18 years old is drafted out of high school by a professional baseball team. He is told in what city he must play in and what position he is suited for. Before he gets to the major leagues, he has to play minor league ball in a small city that can be far away from his home. This would be analogous to a student being "drafted" by a law firm while an undergraduate. The student would be sent to a particular law school, not of their choice, and upon graduation, would work in the law firm which selected them. The student would have no right to work for any other law firm.

The head of the labor union criticized the area of compensation payments for players that switch teams. He said, "compensation reduces the value of a player." Fehr emphasized that a baseball player's life for earning big money is between five and seven years. He compared this to a top lawyer who has well over 20 years of top earning capacity. There are only 650 players in baseball who are on the major league payroll. Attendance in baseball has been up the last seven years and \$25 in revenue is coming in from television. The labor head was generally angry with the attitude of the baseball owners.

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Financial Aid Info

The definition of an independent student has been redefined for the '87-'88 academic year. If a student is 24 years old (as of 12/31 of award year), he/she will be considered independent if not claimed as a dependent by parents on tax forms.

Those students who are presently living at home may want to discuss the value of parents not claiming them on their '86 tax forms before forms are filed.

The independent student commuter budget in '86 was \$18,460 as compared to the dependent student commuter budget of \$11,600.

Students who have questions should see Dean Hunter.

SGA News

Dear Fellow Students:

The Student Government Association is hard at work planning a number of exciting events for the upcoming semester. In the months ahead students can look forward to a comedy show, a beer bash featuring a top rate live band, and possibly a law school semi-formal.

During the middle part of March comedian Randy Levin will be performing at the student center. Levin has appeared on the David Letterman Show and has performed at the Improv and other major comedy clubs throughout the United States.

The S.G.A. will also be sponsoring a massive beer blast. The date of the party has not yet been determined. On stage at the party will be a top notch live band, along with free beer, wine, food and a cash bar.

Lastly the S.G.A. is currently looking into the possibility of sponsoring a law school semi-formal. Anyone with suggestions please contact your S.G.A. representative. As a footnote, the student directory will be available in the near future.

Good luck this semester.

Gary Shapiro
Student Government President

WE CAN MAKE AN IMPACT

February 22-28, 1987

Activities:

Sunday, February 22, 1987 — 6:30 p.m.

GOSPEL SING-OFF 142 Monroe

Monday, February 23, 1987 — 4:00 p.m.

FILM — "Walk Through the 20th Century" Law School - Rm. 238

CAN-FOOD DRIVE (all week)

Tuesday, February 24, 1987 — 7:00 p.m.

FILM — "Documentary on Hunger Crisis" Law School - Rm. 230

Wednesday, February 25, 1987 — 12:00-5:00 p.m.

CULTURAL FOOD FESTIVAL Law School - 2nd Floor Lounge

Thursday, February 26, 1987 — 4:30-6:30 p.m.

POETRY READING & DISCUSSION Law School - Rm. 230

Friday, February 27, 1987

CAN-FOOD DRIVE DISTRIBUTION DAY

Saturday, February 28, 1987 — 9:00-1:00 p.m.

YOUNG PEOPLE'S DAY Hofstra U.S.A.

VARIETY SHOW 8:00 P.M. 142 Monroe

The above is being sponsored by Balsa in celebration of
BLACK HISTORY MONTH

(All events are subject to change and will be posted.)

COMMUNITY FORUM

Scholarship Information

The Essex County Bar Association is offering three (3) \$2,000 scholarships for the 1987-88 academic year.

Applicants must be residents of Essex County, New Jersey, for at least the last three (3) years and must be presently attending law school.

Applications will be considered on the basis of financial need, scholastic achievement, law school and community activities and commitment to Essex County. The Scholarship Committee may require a personal interview with the applicant prior to the award being made.

Deadline for application is February 28, 1987.

Applications available from Ms. Gibbs-Hodge, Room 216.

Black Bar Association of Bronx County Scholarship
P.O. Box 1519
Bronx, New York 10451

Scholarship Committee Guidelines:

1. Law Students.
2. Proof of enrollment at an ABA accredited school.
3. New York domicile.
4. Minority.
5. Scholarship Committee shall make its determinations based on a combination of any of the following:
 - (a) academics
 - (b) need
 - (c) writing sample
 - (d) personal interview
 - (e) law school and college transcript.
6. Application to be filed no later than March 15th. Applications available from Ms. Gibbs-Hodge, Room 216.

Information on available scholarships and changes in the student loan programs are posted on the Financial Aid Bulletin Board on the 2nd floor outside the Dean's Office.

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February 11, 1987

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Speaker: Donald J. White, Esq.

Treasurer, Nassau County Bar Association

Deciding to practice alone — factors to consider

Speaker: Renee G. Mayer, Esq.

Director, Nassau County Bar Association

February 25, 1987

The Associate — what a law firm expects

Speaker: Andrew J. Simons, Esq. Dean, Nassau Academy of Law

Careers in the law

Speaker: Carol M. Hoffman, Esq.

Treasurer, Nassau Academy of Law

Moderator: Joel K. Asarch, Counsel, Nassau Academy of Law

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Lillian Richardson, Marc Ross

1988: Charles Cangilosi, Ellen Laverne, Stanley Winderman

♥ Messages From The Heart For Valentine's Day ♥

KD, Sorority girls have so much fun, oh why did we come to law school but to live life more on the run. **dpe**

LV, Although it is fun to look, there is nothing better than what we already have on our hook. **DD**

Leslie, What are you thinking about? **Lisa**

Pam, We're so proud of you—keep it up. **L&L**

Laura, Have any gum? **Lisa and Leslie**

Laura: Oh man!!

Leslie: What if there was no such thing as a phone!!! Great conversations!!! **Lisa**

A.F.: Don't fight! Happy Valentine's Day. Luv ya, **Les**

A.F.: Can he touch me? Can I feel his body? Signed, **Frustrated**

D.P.: Happy Valentine's Day! Love, **L.S.**

To my telephone pal: Can't wait for the next conversation! Make it good! Love, **Debra Winger**

A.F.: How's Joe? **L.S.**

To Lisa Carey, Happy Valentine's Day—You make school fun. Luv ya, **Leslie Susan**

Steve, Congratulations!! Love, **An ex-dead-head.**

LISA, How about spaghetti and chocolate chip cookies for dinner? **Leslie**

Tom, Dump her! Give me a chance--

Prof. Diamond: It makes me want to vomit!!!

Prof. Friedman: Did you know you look like the George Washington painting in room 308? It must be the hair.

Prof. Resnick: How did they get such a big brain in such a little body!!!

Adam, Nice try! Happy Valentine's Day. Love, **Cupid**

S. Ch. Love and kisses and HVD. **R.H.B.**

Steve, Mark, Ron, John, Al, Jimmy, Pat, Joe, Adam, Ted, Steve and all the other wonderful 3L men and boys, **HVD!** Love, **RB**

Tito: Happy Valentine's Day! XXXX OOOO. All my Heart **Cutie**

Law School Contest No. 2: What is the averaged combined number of Pepperidge Farm Cookies consumed by the Baby Brothers on a typical day during finals? (Please use thousands.)

Dear Robin and Theresa: Happy Valentines Day roomies! Thanks for being there! Love, **Ursula**

Dear Claudia: Happy Valentines Day, dah-link. Let's have some fun and do some normal things! Love, **Ursula**

To SMN: Surprise!!! Looks like the Sparky and Spot are back on track. All my love and here says ditto. Happy Valentines Day! **Quack**

Claudia: Every time I see you I have visions of your scarves!!!

Leslie: What should we make for dinner? **Lisa.** P.S.—Happy Valentines Day!

To Conscience Personals: Look out Washington, Hofstra RLSA is coming March 5-8!

To all RLSA members: Happy Valentines Day from your fearless leader—see you in D.C.!

SE: I hate them all!

Dear King of Queens: A royal Valentines Day to you! Love, **The Princess of Glen Head**

Dear Keith: When can I lay down in your valley? Everyone knows you're just a tease. Love, **Your Mountain Girl.**

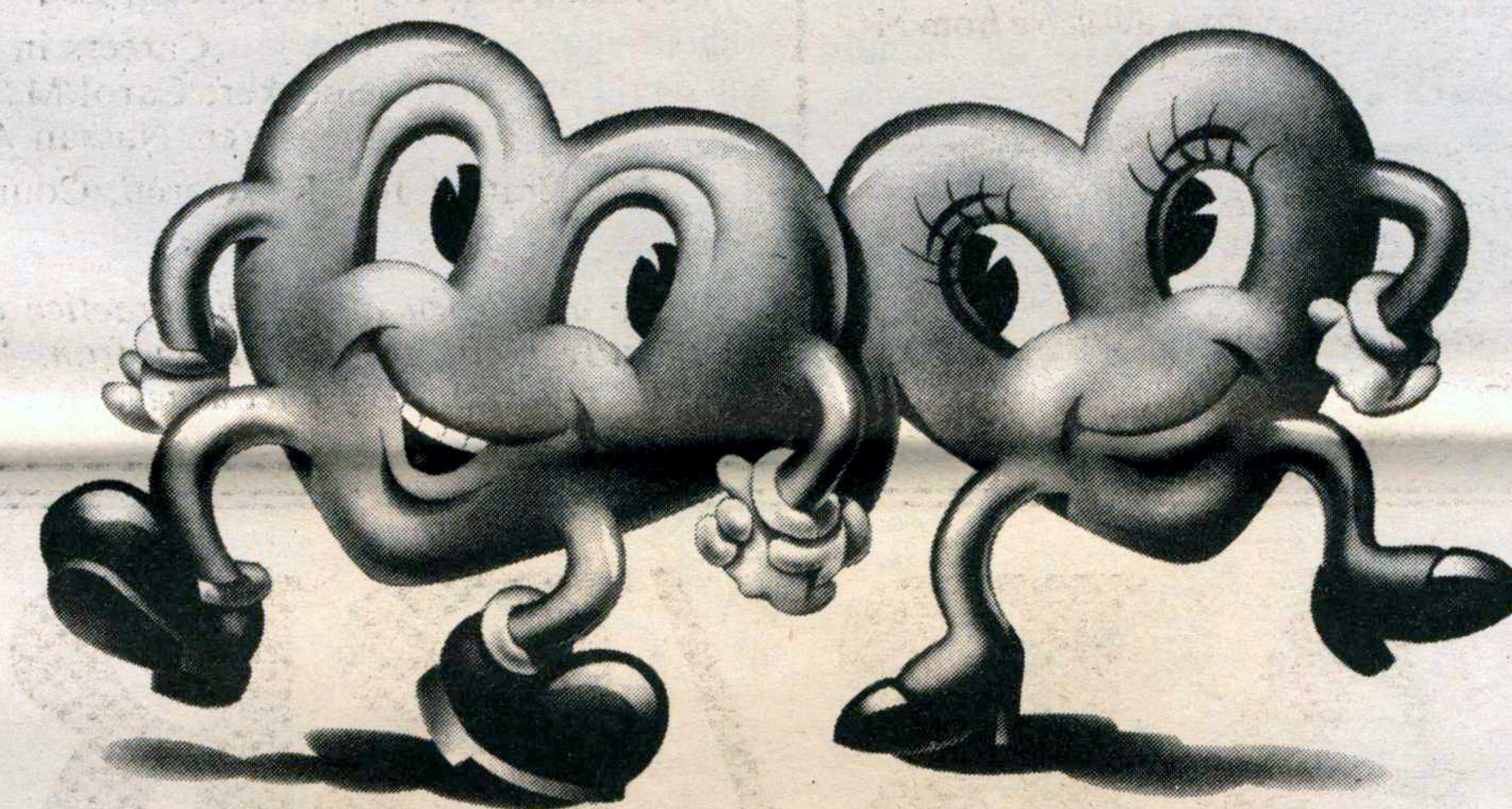
Dear Ron M.: I love to watch you sweat and pump. Work me out. Love, **Arnold**

Dear Kevin: The world cried when you got married. We tried to warn Peg. Happy Valentines Day you big lug.

Ursula: Happy Valentines Day! **From your fellow clinician!**

Claudia: You've had my heart for so long. When can I ever get to have you?

Leslie: You're so beautiful!



Hey MM: How's the keymaster? **AF & LS**

OLV Coach: Oh what a cute little bunch. So glad you join us for lunch. Let's all do it again, except with a few more MEN!

Happy Valentines Day to my one and only honey—I love you with all of my heart—your No. 1 scander.

Bundi, Bundi, Bundi, Do you love me? Bundi, Bundi, Bundi, Do you care?

DWH: Thanx for the sounds and happy valentines day. **LSS**

Lisa: Will you be mine forever? **Your honey**

Joe M.: I miss you. Have you found another? Love, **Right Hand.**

Joe M.: The last six weeks have been great!! Happy Valentine's Day!!! Love, **Your left hand.**

Who was that girl I saw you with at Fridays? That was no girl, that was my wench!

Prof. Joseph: It's all policy. Have a complex Valentine's Day!!! Signed **Side of the room!!!**

Dear You Know Who: Are you in the mood for a christening!

Happy Valentine's Day to all Pad females!!

Ronnie: Hope you enjoyed the Pointer Sisters special. Happy Valentine's Day. Love, **Ricky**

Alison: Once a wench, always a wench! Happy Valentine's Day. **Ricky**

D.J.: Dinner is almost ready. Just a few more minutes!!! **Ricky**

Dave: Julie sends her love (to me!) **Ricky**

To J.P.: Happy Valentine's Day Sweetheart! Happy Anniversary...it's been great! I love you. **SM**

To Hadiza, Pam, Tierre, Valerie & Patty: Happy Valentine's Day, girls. Have a great one! Love, **Sallie**

To Balsa: Wishing you all a happy Valentine's Day! **Sallie**

To the First Year Class: Happy Valentine from **Assistant Dean Everitt.**

Girls: Wondering whatever happened to intimate chats after sex? Send him to the Vic Miches School of Charm and Romance.

Dear Steve: Ask her out. Who cares if she's a shiksa. We won't tell your mother. **Concerned citizens.**

Pasquale: You missed your chance. But we can always be friends---

Dear I and M: We haven't played games in so long. Don't you love me anymore? Happy Valentine's Day. Love, **S.**

To Section C: Happy Valentine's Day. May you all get the benefit of your bargain! **Your K Lawfellow**

Prof. Hickey: How big is your baseline? My internal waters are unoccupied. I'll give you right to innocent passage!!!

To My Valentine Fantasy: I'll challenge you to a game of tic tac toe anytime you want but you have to make the first move. Forever—special—all the XXX's and OOO's if I could! Or if you would! Signed—**I Dare You!**

Jim E.: So I'm not a blonde. Have you forgotten variety is the spice of life? Love, **Your Potential.**

Kim: Enough of the small talk, Wang Chung tonight. —**Fresh**—

WE-79: What happened, I thought we were friends? I miss you. Happy Valentine's Day. **The lady at Eisenhower.**

Brooklyn, You have a heart of gold. I hope your political efforts are appreciated and noticed. Happy Valentine's Day! Love, **Your Exercise/Eating Associate**

Dear Stacy: Enjoy life to the fullest! Happy Valentine's Day. Love, **Susan**

Dear Beth, Love is being there through the good times and bad. But now it's time to let the good times roll. Happy Valentine's Day! Love, **SE**

Dear Lucia, Love is knowing that someone is always there, now and forever. Happy Valentine's Day. Love, **SE**

Franklin, Met hose. Enjoy the champagne, buttered roll and regular coffee. Love, **Kim**

Chili House, Next time the house gets smokin, hopefully it won't be because of the fireplace. Happy Valentine's Day. Love, **The Potato Chip Girl.**

Dear Bits, Love is never having to say they're assholes, knowing that they are is enough. Happy Valentine's Day! Love, **They're all the same.**

Dudette, 4 months plus! Boy do I feel good. Zeller? Man, I love that wine! Stay with me. Love, **Dude**

Dudette, Stay with me, my love. I hope you'll always be, right here by my side if ever I need you...Love, **Dude**

Dear Sacks Bros, Happy Valentine's Day! Happy Valentine's Day! Love, **The "New Do"**

Diane P: We want stock in Bennigan's! Happy Valentine's Day! **Nacho Queen**

Green Gloves and Fur Coat: Don't get lost in the seal! **Another fisher**

To the Fisher Nut: Pile on the food, cause I'm gonna work it off you. Happy V-Day! **Slave Driver.**

Ricky F: A coke bottle and no sweatshirt. Happy Valentine's Day. **Hot Rod Owner**

Dear Romeos of 21 Manor: Wanted to make sure you got at least one valentine. Happy Valentine's Day! Love, **Want to go out for dinner?**

Dear D: Love is having someone there to fall on in times of need and to share the joys of life. Happy Valentine's Day. Love, **S**

TCB: Happy Valentine's Day. I love you. **Jewel**

Rich: What was the name of that football team???

SU: Will the "OFFER" always be open? **TERP**

Fisher: You Nut! I luv you! **Lips.** P.S. I swear NO pun intended!!!!

JON, K:

—Look out!... I see you on the street as you walk on by, You make me wanna hang my head down and cry...

—I follow you around but you can't see, You're too wrapped up in yourself to notice, So you just look the other way...

—I've had to work much harder than this for something I want. Don't try to resist me...Open your heart...

—I think that you're afraid to look in my eye. You look a little sad, tho' I wonder why...Don't try to run, I can keep up with you, nothing can stop me from tryin' You've got to...

—Open your heart to me, I hold the lock and you hold the key...**Madonna**

To the Gang at Twin Oaks: You are the best!!! **Brooklyn**

M.R.: Thanx for being there again and again and again and again and again. From F.U. to H.U. **Lips**

Little F: Thanx for the laffs, tears and the screams that almost got us arrested! **Lips**

♥ Messages From The Heart For Valentine's Day ♥

Goshen, Ct.: Don't ever forget the laffs at 118 Hilton and anyway, How's By You? **Lips**

Dear PMM: "How will I know..." W.H. Happy Valentine's Day. Love, **Ballerina Girl.**

R—Roses are Red, Violets are Blue, Law School is finally through. I couldn't have done it without you. **A**

Dear Ronald James, Please be my valentine! Love, **Joan Kathryn**

To the dedicated, blue eyed professor, whose commitment to justice serves as a role model when I graduate from Law School. One of many admirers. **Class of 1987**

MM, Although they call you Brooklyn, H.U. Law knows you're really top of the ixes. All will work out! Love, **Miss Athletic**

Dear Point Boys: I'm not going to be formal. Happy Valentine's Day! Sincerely, **Susan.** P.S. Luv ya, **Sue**

Fink, Nice smile! It's about time! Happy Valentine's Day! **An observer!!**

Franco Bolla: I love you cause you're not limp! Happy Valentine's Day! **M**

Women of Color in Law: Now is the time for love. All of you need love. Don't say you'll want. Love, **Jeff**

To the girl with the low cut flannel: Your place or mine? or perhaps the nearest hotel!!! Let me know when...I'm shy! Signed, **Your next great love affair.**

To my next great love affair: If you aren't getting married...? Love, **Flannel.**

Prof. Lane: I think you need an extra cup of coffee in the morning. Signed **a Student.**

Prof. Lane: Maybe you should get a head guard---Happy Valentine's Day!!

Prof. Kaynard: You're the cutest!!!

Prof. Joseph: You look good when you smile!!!

Prof. Hickey: Watch your step!!! Happy Valentine's Day!

Prof. Agata: Have a "relevant" Valentine's Day.

Jim or Randi: Dump your boyfriend and learn to relax. Love, **Keith**

To the Staff of Conscience: for the work they've done to uplift, inform, and enlighten the intellectual and community atmosphere at the school. **A believer "88"**

Donna: Just like Hot-N-Delicious Pizza, you delivered for me! When is it going to happen again? **Not Kevin**

To my Champ: You are true class, baby. There is nothing spurious about you. I never want to opt out, even if joinder of all members is impracticable. **An admirer!!!**

Quantum: Together we have experienced so much. Thanks for always giving me your extra special friendly touch. **Honda**

Doug: Hip Hop hippy to the hippy! hip, hip, hop don't stop. Fresh—There is a naked man in the Law School parking lot. **Kim**

Andy, Mitch, Rob, Lenny, Tom, Mike, Tony, Larry, Mark, John and Joey: Happy Valentine's Day! Love ya, **Kim**

The Decl Crew and Mike (Langford): It's great working with you guys! Love, **Kim**

Keith: Haven't you had enough yet! **L&L**

Jim: Attack of the killer bees. Dunkin Donuts. ove, **Kim**

Frank: Te amo e amo fare amore con te. Saremo insieme agni giorni di noi vita. **Eleonora**

Dear Mr. Patti: You are manly but a little bit pretty too. I was crushed to hear you were engaged. I wish you would have chosen me.

Mr. Patti: When you move out, please leave the mirrors. **Future Patti mansion inhabitant.**

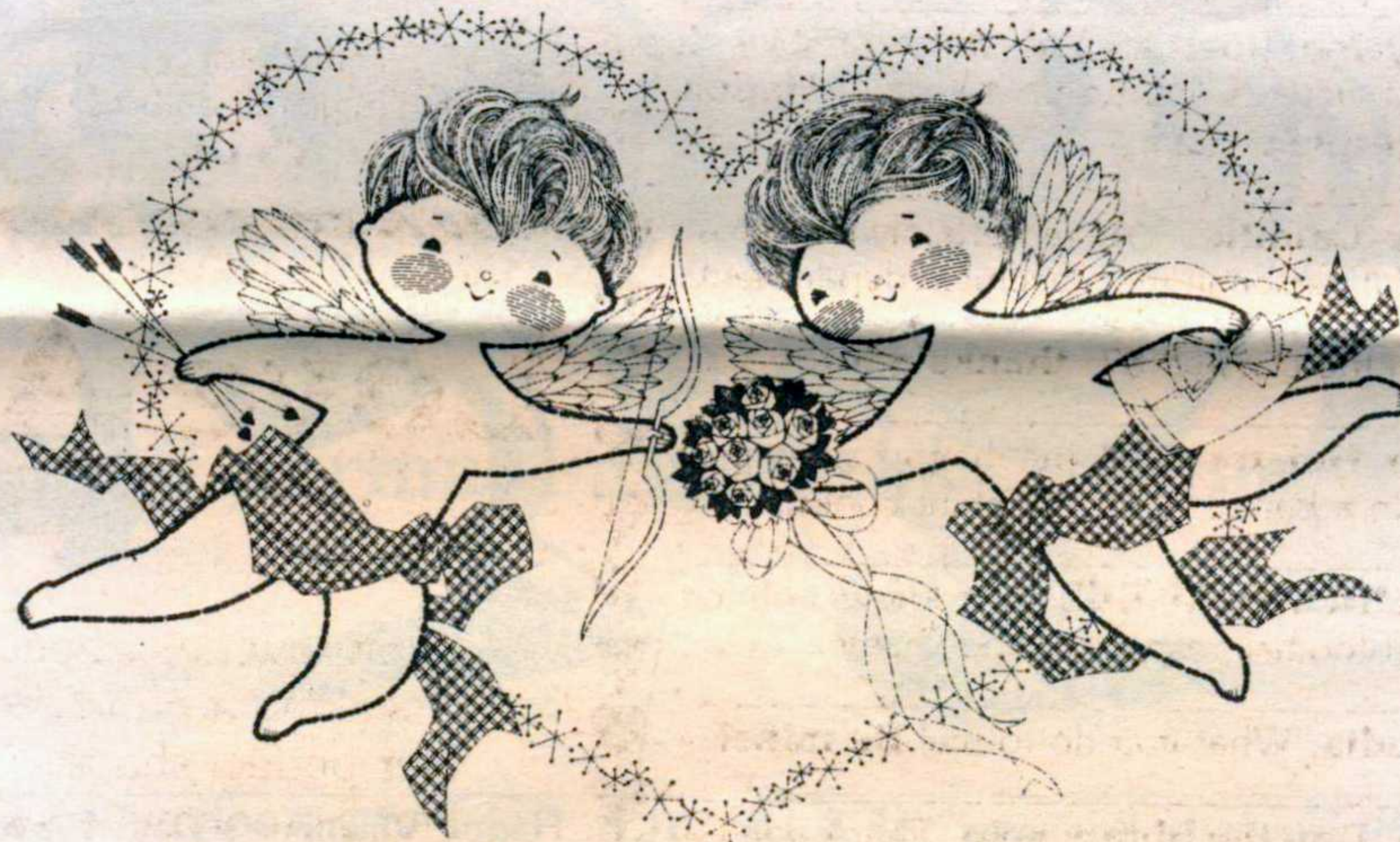
Laura and Pam: Happy Valentines Day!! **Lisa**

Dear Ruth: I could do a lot worse for Valentines Day. See you in steamboat. **Suzu Chapshcle**

Dear Mr. Patti: You have outrageous eyes. The back seat of my Hyundai fits two. Let's take it out for a road test.

Dear Russel Smith: You are so aloof. It drives me wild. I'd give anything to be your valentine. Even my virginity. Love, **1L**

Dear Alfred: I wish I could make a thousand copies of you. **Love all female research assistants.**



To the "B" Lady: Can bulls really rate with lions? **Leo**

Deb: Will you check my briefs? **Your Personal Law Fellow**

Jackie: Instead of monopoly, wanna discuss its legal implications? **Joe Jurisprudence**

Rah - chelle: You and me in a new red Saab. Isn't that special. Happy Valentines Day. Love, **Coach**

Baby Joel: The force is with you, but you are not a Jedi yet...—**Your meditating, guitar playing friend.**

Marisa: Meet me at the Marriott. **The man from Nassau Blvd.**

To: Marilyn Miller: I'll never forget that special night we spent together in December. Let's do it again. **Jim Stone**

Dougly: Let's go to Roses; I could go for an eggplant hero! Then, maybe some Nerds. **Your exam week dining companion.**

Join the Hofstra Nap Club—come to room 205 every Tuesday from 11:00 to 1:00. You'll be so refreshed!

1 L's Beware: The Baby Brothers will be moot Court Judges.

Faye: When are you going to write? I miss you and I'm lonely. You promised. **Jim Stone.**

Dear Alfred: I wish I could make a thousand copies of you. **Love all female research assistants!**

Hey Babe: It's me again. Love you mucho. **Mark**

Dear Miss Curry: You could be my favorite dish. Hot & spicy.

Dear Mr. Gentile: You are the fortune in my cookie. **Confucius**

Boys: Trouble with your Valentines Day wardrobe? Contact the Tom Johnson School of Haberdashery. Fashions by Tom Sheehan.

Dear Ron K.: What's your trick to finding such gorgeous roommates. **Keke, Sherri, and Janet.**

Dear Mark: Only nice Valentine Day wishes for you—hugs, kisses, chocolates and love. **From Janet and Keke**

Dear Ron M.: We're running to your bank. We hear you're front loaded with interest. Love, **The Mortgageors**

Miss Rosenberg: Aerobics isn't the same without you. You can flex in my direction any day. Love, **Musclehead**

Baby Michelle: You are my favorite bleached blonde! (just kidding) **Baby Scott**

Denise Sands: I love, you and only you. **James McLaughin**

Sally McCulloch: You are my only and only. **James McLaughin**

Denise Sands: Congratulations—you beat the rap. I hope there are no bad feelings. **The Prosecutor.**

Law School Contest No. 1: How many ways can the name "Arthur Bodak" be deliberately mispronounced?!

Extension 222, Happy Valentine's Day. At least we weren't in Ground Round. It should've been the Concord!! **Love, B.O.C.**

Extension 560, There definitely was failure to warn. But the manufacturer was not 100% negligent. It's a good thing N.Y. has a comparative fault box. Happy Valentine's Day! **Love your Parole Officer.**

To Arthur Jackson, I'm hot for you. My flame still burns for you. **Love, Marie Williams**

To the First Year Class, Happy Valentine from **Assistant Dean Everitt**

Dear Kathy Potter, I miss you terribly, but with the money received from the negligence action your estate brought, I'm having a great Valentine Day! **Love, Mr. Potter**

To Arthur Jackson, Come on baby, light my fire. **Sonia Peterson**

Look out for Candid Camera in Guilty

Dear Prof. Silverman, I was in a situation the other day where I felt the other party was low balling. I didn't know what to do. What should I have done? **Interested Student**

Dave K., What do you REALLY do with your tape recorder at night?

Ursula, It's time for me to ask one more time, 'Can Jack be mine? **Just for Valentines Day?**

Dear Rubin, You get the award for catching the **Man of the Year.**

Theresa, Happy Valentine's Day to the sweetest first year—from all inhabitants and friends of 339 Jerusalem Avenue, past and present

Robin, How's Marvin?

Dear Sal, Try not to butcher him on cross.

Dear John Gentile, You have the glitz.

Dear Rich H., You are a helluva guy! Happy Valentine's Day from **Claudia and Ursula**

Frank, What ever happened to Yvonne?

Ronnie, Right! Happy Valentine's Day!

Dear Alan Resnick, Help me reorganize. I'm really into a cramdown session. —**Running from stinkers**

Hey! It's Valentine's Day. You know what that means? **GRAB LAW!**

Dear Wayne, Your wife wishes you a happy Valentine's Day but it's hearsay and therefore not admissible.

Dear Prof. Kessler, I wanted to send you a Valentine's Day personal, but I was told that it wouldn't be printed because it's prejudicial effect outweighs its probative value.

Dear Prudence, Won't you come out to play (on Valentine's Day)?

Dear Ron, I told Evelyn you would be her Valentine. **Expect a call.**

Dear Prof. Gans, Come run away to a tax shelter with me. I could be your windfall. **Winnie**

Desperately seeking evidence grades.

Dear Prof. Rabinowitz, on Valentine's Day I would love to court you—you choose the forum. Please don't say non conveniens. I'll grant you personal jurisdiction. —**an adoring student**

I have no one. I must be my own Valentine. Please help me. —**the Tidy Bowl Man**

To my sweet little god-daughter Zoe, You are the cutest little god-daughter. You're going to look just like me. —**Ursula**

To my sweet little daughter Zoe, you are the cutest little daughter. You look more like me every day. —**Claudia**

Boys, how is that thang? —**Girls**

To Al and Rick: Happy Valentine's Day! **from Alice**

Ursula, To be with you I'd like to be, but where oh where is number three?

♥ Messages From The Heart For Valentine's Day ♥

Puh, Be my valentine. From the one whose breath you adore (You know, the one with the cute button nose).

Conscience, We're bad. We're nationwide. We're the law school newspaper.

The boogey man will get you dressed as a psychiatrist.

Opus, leave Lola. Be mine!

Oh mon cheri, Je t'aime. Je t'adore. Je veux etre avec toi

All right! How come I already know that you didn't write me any personals? I won't forget this and neither will you.

Lisa Carey, You are the cutest, sweetest thing! I love you, I want you. **Ditch Mark**.

To John "the Gentile" Gentile, What I would give to run my fingers through your ...case file.

Matisse, for Valentine's Day you may have two kittens.

Chloe, Love means never having to say I love you ... and always wanting to. **Terence**

Jean, I did too send you a Valentine's Day personal. H.V.D. sweetie! **Ivory Woman**

My Princess of Aquitaine, Three little words. Three very big words. Now and always. **Happy Valentine's Day!**

Rico, Con-Man, K-Man: When's Dinner? **311**

Lady Di: Have a great V-Day! **A new friend**

Greenie: You are something else! Don't change! Have a great V-Day!!! **A new friend**

Fisher Nut: Thank you for being a friend. Hope your V-Day is extra special! **Lips**

Rob F: Twin Oaks needs you more than Schenectady! Happy V-Day! **The Dolls**

Rich F, a.k.a. Smiley: See, "An Observer" finally noticed. **Brooklyn**

Fran 311, Thanks for the Bloomingdale's experience. Happy Valentine's Day. **Under \$10**

Jean, Oh ye of little faith! Happy Valentine's Day! **Love, Claudia**

X, Love you madly, angrily, ferociously, brutally etc.

Matt, Have fun with us now because it'll be a cold day in Buffalo before we visit you in Albany. **Conscience staff**

Happy Valentines Day, Monroe.

Ari, I'm sure if there were any elderly, they'd wish you a **Happy Valentine's Day!**

K.R. (authority figure/fearless leader) You should be awarded punitive damages for Valentine's Day! **Lowly underlings**

Edith, Eileen and Pat, Happy Valentines Day to the best!

To Larry the K, If you use the tort of false imprisonment to force an evidence professor to grade his exams, what are the possible sanctions?

Dear Diamond Man, same as above, but substitute family law for evidence.

Dear Ron Silverman, How about doing the fox trot with me on Valentine's Day? I eagerly await your response. I'm the one in the third row.

Larry Joe, Roses are red, violets are blue, I wish I were as good a poet as you. **Happy Valentine's Day!**

Dear Camille, You're certainly the most helpful person in the placement department. Your assistance does not go unnoticed. From the class of '87, **thanks a lot.**

Dear Hofstra Deli, no happy valentines day to a bunch of incompetent boobs.

To Mitch from Bill, you know nothing about football, especially the Giants.

Claudia, What you do to me! **Be mine!**

Dan, Dan the library man, Thank you for your helping hand. You're always there all the time. **Won't you be my Valentine?**

Dear Jim Black, school's great without you. You made our year by not being here. **Thank you.**

Larry S.: Thanks for all your advice last year. You will always be a special friend!!! **D.D.**

To Ron "The Boss" Klempner: Strap your hands cross my engines!! Love, **Rosalita**

Jimmy Jimmy: Happy Valentines Day. Happy Valentines Day. **Julie Julie**

KIBBLES: Happy V D. Love, **N' BITS**

Babycakes: You've made law school bearable. Hope I make it past the six month doctrine. ove you! **Sunshine**

Lisa-poo: Surprise! Happy Valentines Day. I love you. **Mark**

Lisa: When I see your key chain wrapped around your wrist I wish it was wrapped around me—pulling me closer to you!

A.H.: I will never forget the night by the fire. Remember it is you I admire. **B.H.**

Easy Street Crowd: Even though it's middle of the week, oh what fun we all seek. Thanks for all the fun. **The Wild Wednesday Women**

A.J.G.B.: Thanks so much for the Super Bowl party. The Chili was so nice and hearty. **D & S**

MM & TC: Thanks for letting me study on your floors. I'm glad friends of mine are now friends of yours. **VS Girl**

Dear Mr. Gentile: You make my brie run and my cheese whiz. Love, **The Laughing Cow**

To the Polish Temptress: Have I got a Keilbasa for you! Love, **Lech**

Law School Lesson No. 1: To get an A never go to class, and then learn the subject in two days (e.g., secured, Tax., etc., etc...) **The Master.**

Dina: I've losted after you all summer! **Summer Associate**

Baby Meryl: I still love your bed! **The Vegetarian**

Baby Steve: Try Lady Remington—I hear it's great for stubble!

Dear Claudia: Happy Valentines Day. **Lisa**

Dear Z: Let us exercise our first amendment rights in your movie. **The First Amendment Dancers**

Dear Mr. Jannace: The women's meeting has voted you stud of the month. Come and collect your prize. You bring the trophy.

Girls: Having trouble with the man in your life? Send him to the Vic Michael's School of Animal Husbandry c/o Labor Law Box.

Molly: Happy Valentines Day! **Your Tues. night drinking buddy**

♥ Love At First Cite ♥

by Mark Wilgard

I first saw her when I used to Shepardize
Sneaking around the New York statutes
Her perfect shape
Her stereotypic eyes
A darkened room
A sultry night
No doubt it was love at first cite

I longed to say something
But didn't quite know how
Until suddenly we became a team.
Although she knew nothing of the sort
We would finally be together
Throughout the hectic days of moot court

For three weeks I did research right by her side
And for three weeks I learned she had something to hide
Every time I suggested that we call it a night
She calmly said, "Not now, I have to Shepardize my cites."

I deduced that she was under pressure
And deserved another chance
Because what beckoned before us
Was a full-fledged law school romance

With my passion revved up in the usual way
We studied for finals that first week in May
Proximate cause, oh she knew it fine
But I never got a glimpse of her Torts outline

Patiently I waited 'till the end of the year
The writing competition surely would bring us near
For six days I sat and I wrote and I wrote
When it dawned on me that my love was a throat



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Steven Finz (<i>Western State University School of Law—San Diego</i>) . . .	Administrative Law	Nicolas Liakas (<i>Attorney at Law, Chief Executive Officer of Josephson/Kluwer</i>) . . .
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SPORTS

The 1986 Version Of Dynasty: The Giants

by Mitchell Elman

In another suburb far, far away from the parking lots of their home, the Giants ended Denver dreams on Super Bowl Sunday with a thunderclap rally that restored reality in a hurry. Now the Giants are more than a team for all municipalities. Now they belong to the ages. The Giants are NFL Champions! The Broncos, who needed to be perfect were only great for one half and then form set in fast. Most Valuable Player of the Game, Phil Simms, the quarterback dogged by Giant fans such as Bill Fried all season, led four straight scoring drives to start the Second half and turned Super Bowl XXI into a 39-20 rout before a crowd of 101,063 at the Rose Bowl. This author was one of many in Pasadena that day to witness the Giant bulls trample on the Denver matador, John Elway.

If this was a contest, who noticed? The Broncos had a great first half. But so did Custer. The race may not always go to the swift or the battle to the strong—but it did on Super Bowl Sunday.

Super Bowl XXI ended at 7 minutes 40 seconds of the second quarter. Denver was leading at the time, 10-7, but the Giant defense finally woke up. Denver had the ball on the Giant one-yard-line, first down and goal to go. Denver ran three running plays. As they had done all season, the Giant defense rose to the occasion and snuffed Denver out. Rich Karlis missed the field goal and at that point, good old momentum changed hands.

Up until that point, it was John Elway at his best. he completed 13 of his first 17 passes, scrambled away from Lawrence Taylor and marched the Broncos inside the Giant 20-yard line three times. It was all for naught. George Martin, the oldest player in the Super Bowl, played like a youngster to spark the comeback by putting Elway to the

end zone carpet for a safety. The Broncos led, 10-9, at half time, and it could have been 20-7 if they'd gotten in after being first-and-goal at the one-yard line and Rich Karlis hadn't missed a 34-yard field-goal attempt.

In the third quarter, at the critical moment of the game, the Giants were ready with the right play, the play they had to make to beat the Denver Broncos in the Super Bowl! This was a third-quarter quarterback sneak—not a garden-variety sneak, but a special one. On fourth and one at the Giant 46, the Giants lined up in punt formation with backup quarterback Jeff Rutledge on the field as a blocking back. Rutledge took the snap and easily gained the needed yard. The Giants needed such a play to get them going at a time when they were losing, 10-9. After Rutledge made it, they drove to the go-ahead touchdown, Phil Simms to Mark Bavaro, 16-10, en route to a final score of 39-20.

Touchdowns followed by Joe Morris; Phil McConkey and Otis Anderson. The Giants defense deserves the credit for halting Denver in the first half. The Most Valuable Defensive player for the Giants was linebacker Carl Banks. As for Phil Simms, this was Simms's seventh straight big game for the Super Bowl champions since December 1, when he turned a corner in San Francisco. There is no question that Simms made quite a name for himself: you can call him Phil, Bill Fried.

Leadership is a lot of what the Giants obviously have these days. Their General Manager, George Young has brought in the players. And in his first NFL championship game, Bill Parcells had them ready. For now, and for the next 12 months, the Giants are a clear Number One. No questions. No debate. What city is now the Number One sports city? Certainly not Philadelphia!

Sports Thoughts

*The Giants are New Jersey's team. How can any proud New Yorker consider the Giants a New York team? They practice, play and live in New Jersey, so where is their connection with New York? The Giant organization only extracts money from New York and money is the bottom line. The Giants get New Yorkers' money from ticket sales, New York advertisement privileges, and New Jersey loves all the traffic to the Meadowlands. How many times have you seen the Giants making personal appearances in the New York area? There hasn't been much New York community involvement by any Giant. On the contrary, you will see Giants in every mall in New Jersey and every car dealership. Even though they are Super Bowl champs and we all like to associate with the best, the Giants belong to New Jersey.

*Thank you Gulf-Western for firing Hubie Brown. Now let's get rid of Scotty Sterling. Sterling has no ability to project who will be a good player. The Bob Hill Knicks have shown some improvement but their inability to make basic passes is the key to most of their defeats.

*The Celtics are so good that they are having all types of problems, and they are

still the class of the Eastern Conference.

*It doesn't look like the Sixers made a good decision by trading Moses Malone. They can't beat the Bullets.

*The Nets are the second dumbest team in the league. How could they be so patient with players like Daryl Dawkins and Otis Birdsong? These two guys are, and have always been, stiffs. Also, how can they be so upset with the play of Dwayne Washington? Not many Rookie point guards have stepped into starting roles with much success.

*Guess Walter Berry wasn't as bad as most teams thought he was. Right now Ron Harper and Chuck Person are the only rookies outplaying Berry.

*The Met organization may have to set up an office for a probation officer in Shea stadium.

*The Yankee Boss better start treating Don Mattingly a lot better or off he goes when he is able to apply for free agency. Mattingly is a once in a lifetime player and deserves a lifetime contract.

*The balance in College Basketball is amazing. There are about fifty teams that can win the NCAA tournament. The tournament pools should be fun (right DJ),

Giants!

There are very few adjectives that can describe the way the Giants finished the season. Their domination of every team in the playoffs and Super Bowl was awesome. In almost every sport the team that wins the championship usually survives at least one close game. The Giants were not challenged and are a threat to repeat. The Giants accomplished their championship without any player having a once in a lifetime year. Their overall team balance gives opposing teams problems in preparing to play the Giants. The Super Bowl was a prime example.

Denver was prepared to stop Joe Morris, and the passing game took advantage of that fact. This fact is also true of the defense. Teams preparing for the defense can't focus all their efforts on Lawrence Taylor. The rapid development of Carl Banks gives the Giants so many defensive options. Giant coach Parcells has finally shown some ingenuity in his offensive play selection, most likely because he now has the talent to take chances. The image of the Giants is also a key to their success. The Giants approach the game as a job and have a lot of fun at work. They also are not the media attention-getters which should help them in their attempt to repeat.

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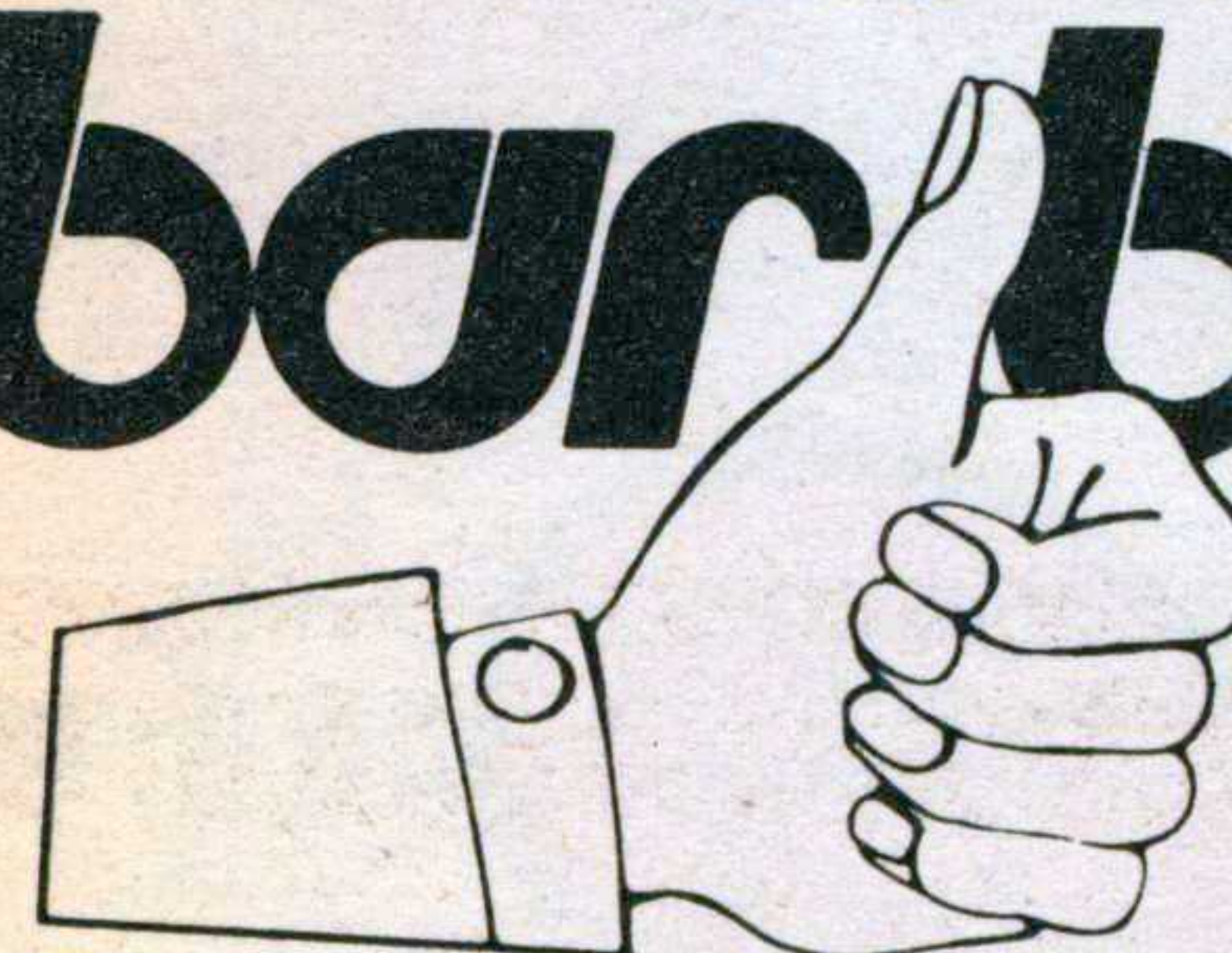
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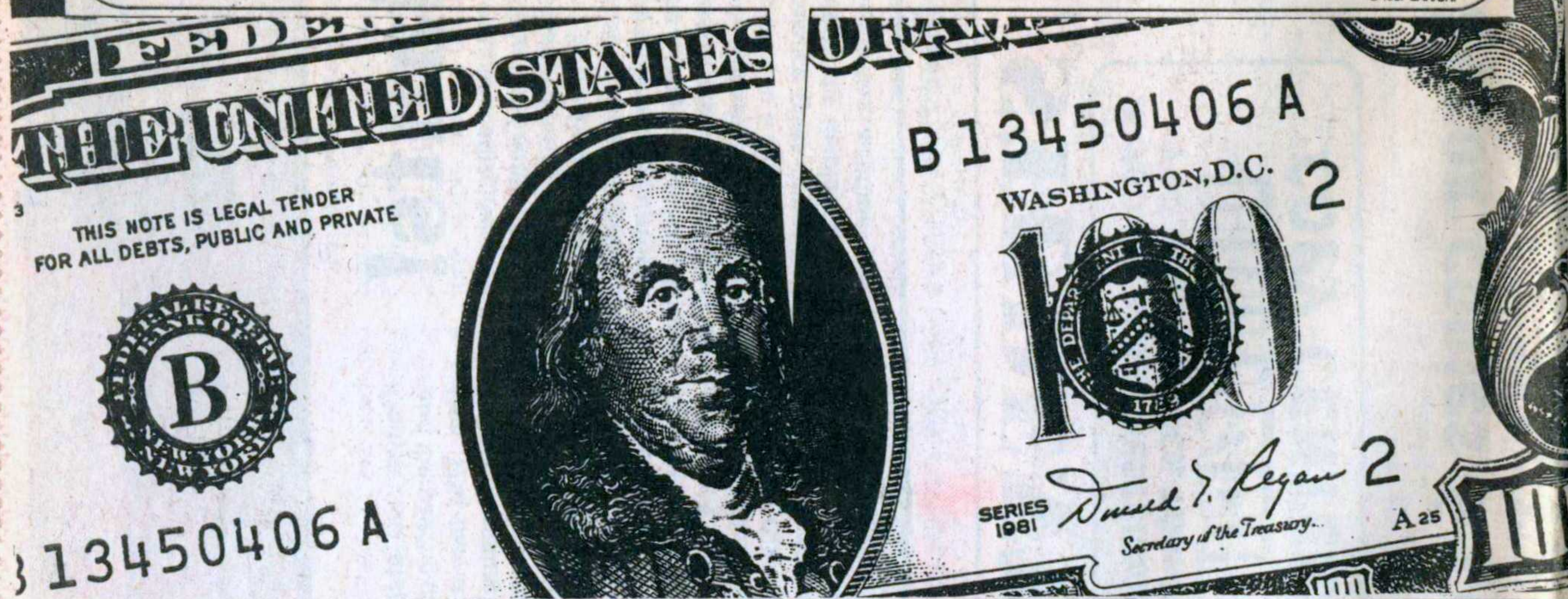
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